



DEPARTMENT OF THE NAVY
NAVAL CONSTRUCTION BATTALION CENTER
4902 MARVIN SHIELDS BLVD
GULFPORT MS 39501-5001

IN REPLY REFER TO:
NCBCGPTINST 5560.15
N3AT
15 Sep 14

NCBC GULFPORT INSTRUCTION 5560.15

Subj: MOTOR VEHICLE AND PEDESTRIAN TRAFFIC MANAGEMENT AND
VEHICLE REGISTRATION

Ref: (a) OPNAVINST 11200.5D
(b) OPNAVINST 5100.12H
(c) DoDI 6055.4
(d) DoDD 5525.4
(e) SECNAVINST 5822.1B
(f) DoDD 4160.21M
(g) 40 U.S.C ss. 318, 318a, 318c
(h) NAVFAC P-300
(i) NCBCGPTNOTE 5560

Encl: (1) Physical Training Safety Regulations
(2) Traffic Supervision
(3) Traffic Regulations and Rules of the Road
(4) Administration of Traffic Court and Regulations
(5) Policies Concerning Suspension or Revocation and
Point Assessment
(6) Forms Used
(7) Policies Concerning Parking
(8) Motorcycle Safety

1. Purpose. To revise policies, responsibilities, rules and procedures applicable to the motor vehicle and pedestrian traffic management system on board Naval Construction Battalion Center (NCBC), Gulfport. This instruction has been substantially revised and should be read in its entirety.

2. Cancellation. NCBCGPT/20THSRGINST 5560.15D.

3. Background. The objective of motor vehicle traffic management is to provide safe and efficient movement of vehicles, material, and personnel. As directed by references (a) through (h), specific programs and procedures used will be based upon Department of Defense standards and, where possible, National Highway Traffic Safety Administration (NHTSA).

15 SEP 2014

4. Scope. The provisions of this instruction are applicable to all persons who own or operate private, commercial, or government motor vehicles on board NCBC. Nothing in this instruction will prevent the Commanding Officer (CO) from taking more severe action in any case justified by the circumstances. Violation of this instruction, traffic laws of the United States, and State of Mississippi, by active duty members of the Armed Forces will be subject to action in traffic court, United States District Court or under the Uniform Code of Military Justice (UCMJ).

5. Definition of Terms.

a. References (a) through (d) contain definitions of traffic safety terms used in this instruction in addition to any listed below.

b. Point System. An administrative aid for evaluating driving performance of any licensed driver by assessment of weighted point values for traffic violations.

6. Information.

a. NCBC will follow the policies set forth in references (a) through (h); this instruction provides additional guidance specific to NCBC.

b. Inspection of Individuals and Automobiles. The Security Officer is authorized to conduct random inspections at anytime, anywhere, of individuals and vehicles on the base. Drug or explosive detection dogs may be used for these inspections. Persons found with illegal contraband, unauthorized government property, or that are in violation of current laws and instructions will be apprehended. The vehicle operator and/or passenger(s) shall be culpable for violations of all laws and/or provisions of these regulations. A complete written report will be forwarded to appropriate commands for legal and/or administrative action. Refusal of consent to search will be justification for Security to administratively revoke the subject's driving privileges on board NCBC for a period of one year.

c. Illegal Drugs and Other Contraband. Owners and operators of privately-owned vehicles which are found to contain illegal drugs or any contraband may be prohibited from operating a motor vehicle on board NCBC for one year. Contraband, for the purpose of this instruction, refers to any illegal drug and/or drug

15 SEP 2014

paraphernalia, stolen government property, firearms held in violation of reference (a), or any other item the possession of which is in and of itself illegal. Individual violators who are civilian or contract personnel suspected of trafficking drugs may be permanently barred from the base.

d. Civilian Court Convictions. Since NCBC has concurrent jurisdiction, persons convicted in civilian courts may be subject to more restrictive sanctions, regardless of when the conduct actually occurred.

e. Other Federal Enclaves. Infractions committed on other Federal enclaves or military installations will also be subject to sanctions described in this instruction.

7. Responsibilities.

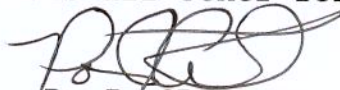
a. Security Director is charged with traffic supervision as outlined in enclosure (2).

b. Staff Judge Advocate (SJA) is charged with Traffic Court supervision as outlined in enclosure (4).

c. Safety Director is responsible for administering the Traffic Safety Program as directed in reference (b) including planning and placing traffic controls in conjunction with the Public Works Department (PWD) and coordinating and providing required Motorcycle Safety Training.

d. In accordance with reference (h), PWD shall establish and administer a government motor vehicle operator licensing program for emergency vehicles, passenger carrying busses, and over-the-road type vehicles to support CNIC and tenants.

8. Forms. All forms used in the Traffic Management Program are found in enclosure (7). The "CO's Guest Pass" is authorized by the CO, controlled and issued by the Security Officer. The Security Department also controls all other forms.


P. J. ODENTHAL

Distribution:

Electronic only - NCBC web portal

http://www.cnbc.navy.mil/regions/cnrse/installations/ncbc_gulfport/about/Base_instructions.html

1 5 SEP 2014

PHYSICAL TRAINING (PT) SAFETY REGULATIONS

1. Jogging Formations will strictly adhere to the following regulations:

a. No PT in high traffic areas from 0530 to 0830 and 1430 to 1600. The high volume of traffic during these times present potential hazards to joggers.

b. All PT formations will have four road guards. Two road guards will be posted at the front of the formation, and two will be at the rear. Each road guard will wear a reflective vest and will post for traffic control at all intersections or merging lanes.

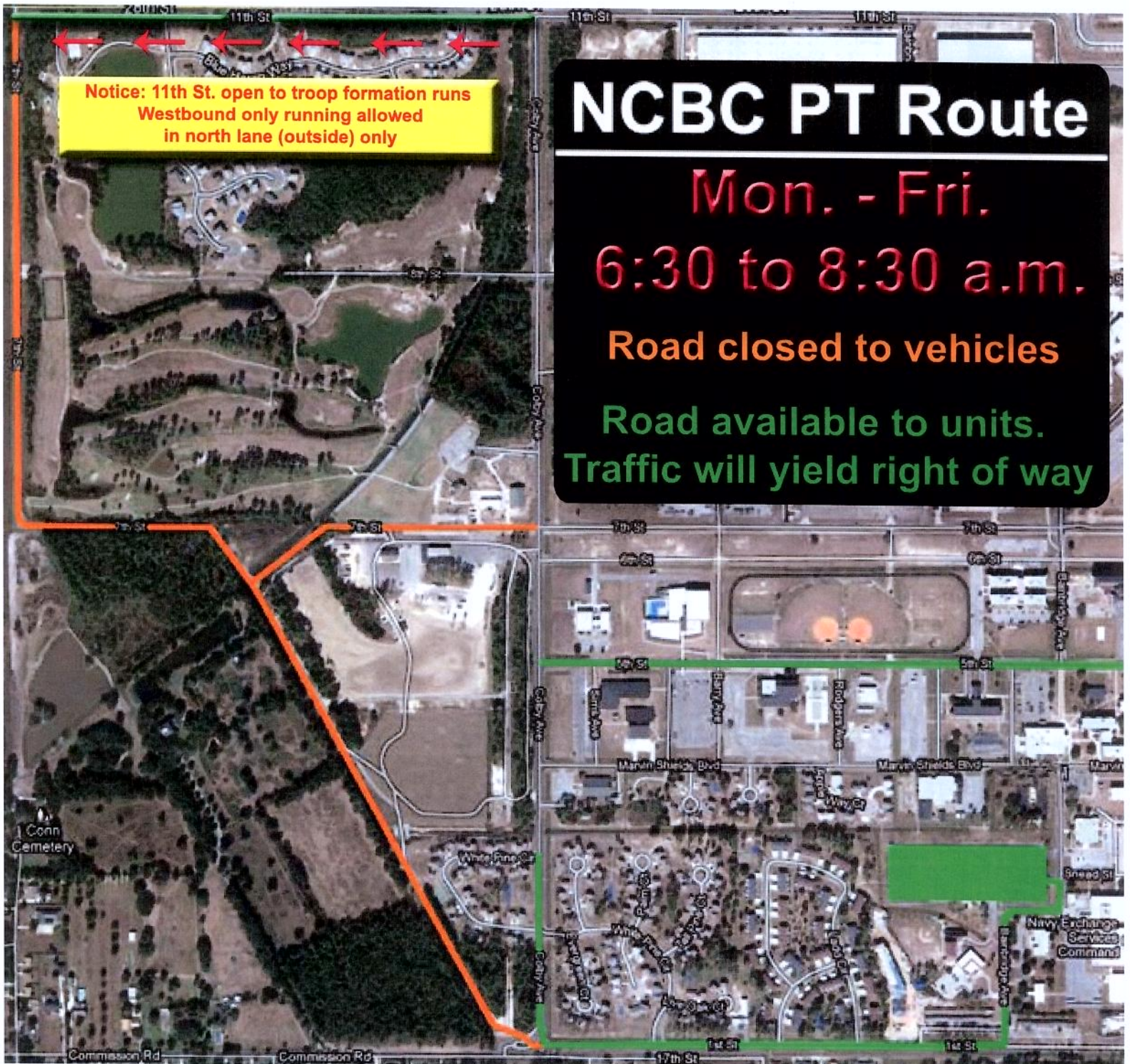
c. Formations will use designated jogging areas listed on page 2 of this enclosure.

2. Personnel conducting PT individually will adhere to the following regulations:

a. During the hours between sunset and sunrise all personnel will wear reflective vests, reflective belt, or other reflective type clothing.

b. There will be no PT in high traffic areas. Individual runners are to utilize sidewalks, the track across the street from the gym, and nature trails.

c. Headphones are not authorized anywhere except the running track or in the gym.



**Notice: 11th St. open to troop formation runs
Westbound only running allowed
in north lane (outside) only**

NCBC PT Route
Mon. - Fri.
6:30 to 8:30 a.m.
Road closed to vehicles
Road available to units.
Traffic will yield right of way

15 SEP 2014

TRAFFIC SUPERVISION

Security Director's duties and responsibilities regarding traffic supervision include but are not limited to the following:

1. Administration of motor vehicle registration and providing assistance in accident prevention programs.
2. Enforcing traffic laws.
3. Designation of authorized and unauthorized vehicle parking spaces and areas.
4. Collection of traffic data in usable form; e.g., charts, graphs, statistics, narrative reports, and/or special studies.
5. Liaise with civil law enforcement and other agencies with common interest in off-station driving infractions by military and civilian personnel.
6. Coordinating and maintaining liaison with station Safety Officer in matters pertaining to motor vehicle traffic safety and accident reporting.
7. Traffic management to include but not limited to: police traffic supervision training, traffic accident investigation, and on scene traffic direction and control.
9. Notification to the CO of the revocation or suspension of a person's driving privileges, preventing said person from operating a motor vehicle on board NCBC. This information will be posted at all Installation Entry Control Points and Pass and ID.

1 5 SEP 2014

TRAFFIC REGULATIONS AND RULES OF THE ROAD

1. Basic Elements. Traffic laws and regulations are "Rules of the Road," written and enforced to ensure an orderly, predictable, and safe flow of traffic. A function of traffic law enforcement is to motivate individual drivers to operate their vehicles properly and safely and within these rules.

2. Responsibility. Security Director is responsible for enforcing traffic regulations on board NCBC.

3. Driving Regulations on board NCBC. All personnel on board NCBC shall abide by all respects to the laws and traffic regulations of the State of Mississippi and station regulations. This paragraph is a punitive lawful order, enforceable under Article 92, Uniform Code of Military Justice.

a. Accidents. Failure to report a vehicle accident will be grounds for revocation of driving privileges and/or termination of vehicle registration. Operators of vehicles involved in an accident on board NCBC shall report the accident immediately to Security, advising of the location, seriousness of accident, and if medical attention is required. Operators shall not leave the accident scene nor move the vehicle until released by Security, except to obtain medical aid or remove injured personnel to medical facilities. If necessary to leave for medical reasons, the operator shall return as quickly as possible. Security shall conduct a complete investigation of the accident and prepare necessary reports, including cause and responsibility for the accident.

b. Approach to Entrance Gates. Operators of vehicles approaching the base gates shall:

(1) Come to a complete stop and hand their ID to the gate sentry.

(2) Proceed through gate at a speed no greater than 15 miles per hour once permitted to do so.

(3) Switch to parking lights, if mechanically possible, during hours of darkness, before reaching a point 100 feet from entrance and remain at such intensity until through the gate. Motorcycles will switch lights to low beam.

c. Cargo. The operator of any vehicle shall not carry

15 SEP 2014

material projecting beyond the ends or sides of vehicles, unless a red flag is attached to the outermost ends of the material during daylight hours, or red light and reflector in the same position during the hours of darkness. Material shall not be transported on bicycles, motorcycles, motor scooters, or mopeds except in a baggage compartment, saddlebags, bicycle basket, or sidecar. Operators of vehicles shall ensure material is properly and securely loaded. Cargo must be tied down on all flatbed and open vehicles.

d. Crosswalks. The driver of a vehicle shall yield the right-of way, slowing down or stopping for pedestrians crossing the roadway within any marked crosswalk or within an unmarked crosswalk at an intersection. Drivers must also use right-of-way caution for pedestrians crossing the road in locations other than proper crosswalks.

e. Emergency Vehicles. Emergency vehicles assigned to Security are marked by red, blue, or amber lights/sirens. Operators of other vehicles shall grant right-of-way to emergency vehicles on emergency runs, as evidenced by operation of the emergency warning devices, by immediately pulling over to the right side of the road, stopping, and remaining stopped until the emergency vehicle(s) have passed.

f. Funeral Processions. All vehicular traffic in the vicinity of a funeral procession, except for those vehicles actually in the procession or emergency vehicles on emergency runs, shall come to a complete stop until the funeral procession has passed.

g. Construction Vehicles. Operators of industrial equipment such as forklifts, tow motors, flatbeds, cranes, and other heavy equipment operated on roadways and streets shall ensure minimal disruption of traffic flow.

(1) Operators of tow motors which tow supply trailers (sometimes referred to as mule trains or jitneys and trailers) shall operate with no more than eight trailers per train in dock loading or industrial areas, and no more than six trailers per train when operating on or crossing streets, roadways, or major thoroughfares open for general vehicular traffic.
(See NAVMAT P-5100).

(2) Operators of vehicles of the K-Loader and flatbed

1 5 SEP 2014

type, when operating on streets and roadways, shall ensure their vehicles are adequately lighted and/or marked with high visibility flags to alert other vehicle operators of load dimensions.

(3) Persons towing house trailers and mobile homes (not self-propelled), or any vehicle whose load is wider than a single marked lane over any street or roadway, shall ensure their vehicles are appropriately escorted and marked.

h. Headlights. At least two headlights shall be lighted on every vehicle (except motorcycles, bicycles, mopeds) operating on the base at any time from sunset to sunrise or at other times when, due to insufficient light or other unfavorable conditions, persons or vehicles on the highway are not discernible at a distance of 1,000 feet or less. Parking lights shall not be used in lieu of regular headlights.

i. Formations. Marching and jogging formations have right-of-way over all but emergency vehicles on actual emergency runs. Road guards are posted to halt traffic. Operators of vehicles shall:

(1) Exercise extreme caution when driving in close proximity to marching formations and yield to such formations;

(2) Do not pass a marching formation until so directed by the person in charge or appropriate traffic director; and

(3) Reduce speed to 10 mph when passing formations.

j. Motorcycle, Motor Scooter, and Moped Operator Training.

(1) Regional/Host Commanders or Supplying Activity shall ensure Naval Safety Center approved motorcycle safety training is available for all personnel operating motorcycles in their areas. Host Commanders shall sponsor or ensure approved courses are available locally. Commanders shall ensure personnel operating motorcycles attend approved motorcycle safety training courses at no cost to active duty military and DoD Federal civilian personnel.

(2) Every operator of a government-owned motorcycle, every military operator of a motorcycle whether on or off Installation, and every civilian operator of a motorcycle on a

15 SEP 2014

Naval installation must successfully complete COMNAVSAFECEN approved motorcycle training. Operators of motorcycles with attached sidecars and three-wheeled motorcycles are excluded. Refer operators of sidecars and three-wheeled motorcycles to State sponsored courses where available.

(3) Operators of government-owned all-terrain vehicles (ATVs) shall successfully complete the Specialty Vehicle Institute of America's (SVIA) ATV Rider Course or other COMNAVSAFECEN approved ATV training prior to operating these vehicles on any Naval Installation.

(4) Operators of privately-owned ATVs must successfully complete the Specialty Vehicle Institute of America's (SVIA) ATV Rider Course prior to operating on any Naval Installation. Operators of privately owned off highway motorcycles (OHMs) are required to successfully complete the Motorcycle Safety Foundation's (MSFs) OHM course before riding on base. CO's should encourage operators of these vehicles off base to take the SVIA ATV Rider Course and MSF's course. Call SVIA at COM 1(800)887-2887 for ATV course locations: <http://www.svia.org>. For the Motorcycle Safety Foundation's off highway motorcycle course contact: <http://www.msf-usa.org>.

(5) All motorcycle operators should complete a refresher course before each riding season, after long periods of inactivity, purchase of a new motorcycle, transfer to a new geographical area or in those areas with high concentrations of motorcycle mishaps or hazardous traffic conditions.

(6) All motorcycle safety training should be documented on a page 13 or civilian personnel training record.

(7) Motorcycle safety courses shall be conducted by COMNAVSAFECEN recognized instructors. Curriculum for operator or rider safety courses required by this instruction shall not be modified, nor substitute equivalent curriculum used, without CNO (N09F) approval. Requirements for participation in a motorcycle instructor course are available on the Naval Safety Center website: <http://www.safetycenter.navy.mil>.

(8) Before a vehicle registration decal for on-installation operation is issued, operators of privately-owned motorcycles must present a motorcycle safety course completion

15 SEP 2014

card signed by a COMNAVSAFECEN-recognized instructor.

k. Motorcycle Equipment.

(1) Motorcycle and ATV operators shall ensure headlights are turned on at all times while the motorcycle is being operated on base except where prohibited by military mission.

(2) Government or private motorcycles shall be equipped with a rear view mirror mounted on each side of the handlebars or the left and right side of the fairing.

(3) The following personal protective equipment (PPE) is mandatory for all persons while operating or riding as a passenger on a motorcycle:

(a) A properly fastened (under the chin) protective helmet certified to meet U.S. Department of Transportation (DOT) standards. Fake or novelty helmets are prohibited.

(b) Properly worn eye protective devices (impact or shatter resistant goggles or full-face shield properly attached to the helmet). A windshield, fairing or eyeglasses alone are not proper eye protection.

(c) Properly worn long-sleeved shirt or jacket, long-legged trousers and full-fingered gloves or mittens designed for use on a motorcycle.

(d) Hard-soled footwear is mandatory. Leather or other sturdy, over the ankle footwear that affords protection for the feet and ankles shall be worn.

(e) Reflective outer garments or vest shall be worn during nighttime hours. Brightly colored outer upper garment during the day is highly recommended. The outer upper garment shall be clearly visible and not covered.

(f) PPE for operators of government-owned motorcycles, ATVs and all-terrain utility vehicles during off road operations shall also include knee and shin guards and padded full-fingered gloves.

l. Motorcycle Licensing.

15 SEP 2014

(1) Operators of government and private motorcycles shall be currently licensed with a state motorcycle endorsement or authorized by Status of Forces Agreements to operate on a naval installation or on public highways. Where state or local laws require special licenses to operate privately-owned motorized bicycles, mopeds, motor scooters, and ATVs, such license requirements, as a minimum, shall apply to operation of those vehicles on Naval installations.

(2) Vehicle license and equipment requirements for motorcycles shall conform to Federal and host nation requirements and state and local traffic codes.

(3) For information concerning motorcycle safety, contact the Safety Office at 871-4343.

(4) No person shall operate or drive an off highway motorcycle (OHM), commonly classified as a dirt bike, or all-terrain vehicles (ATVs) on board NCBC, Gulfport, unless in the performance of official duties.

m. Bicycle Equipment. All bicycle riders operating on roadways, streets, and housing areas where motor vehicles are operated or parked on board NCBC should wear a brightly colored outer garment during day light hours and shall wear a reflective outer garment at night. All bicycles operated at night on board NCBC must be equipped with a white headlight on the front, a red light or reflector on the rear, and wheel reflectors, which are visible on both sides. All bicycle operators and passengers must wear a helmet approved by the American National Standards Institute (ANSI) or the Snell Foundation at all times while riding bicycles on board the Center. Bicycles operated on roadways or with other motor vehicles must use standard hand signals as defined in paragraph q.

n. Offensive Bumper Stickers. Command policy prohibits the display of offensive bumper stickers, license plates, posters, flags, banners, and/or emblems. Profanity, vulgar or slang expressions, racist or sexist language or any pictures or text describing sexual or indecent acts or promoting illegal drug use are also prohibited. Any driver of a vehicle/equipment in violation will be prohibited from bringing such vehicle/equipment on board NCBC. The driver will be given the option to immediately remove/obliterate the offensive material in order to proceed on board the Center.

15 SEP 2014

o. Vehicle Passengers. Passengers and vehicle operators shall obey the following rules and be equally liable for their violation:

(1) No person shall ride on the bumper, fender, hood, top, trunk, or running board of any vehicle operated upon any street or roadway.

(2) Operators shall not allow passengers to ride in the cargo areas of motor vehicles, except when the vehicle has been modified for such purposes. Prior to use as a passenger vehicle, modification shall include Installation of safety belts which meet Federal Motor Vehicle Safety Standards 208, 209, and 210.

(3) No bicycle or moped shall be used to carry more persons at one time than the number for which it is designed and equipped.

(4) Operators of motorcycles and scooters shall not carry passengers, and passengers shall not ride on motorcycles and scooters, except in sidecars or on "buddy seats" behind the operator.

(5) No person, operating any vehicle on streets or roadways, shall allow any passenger to interfere with the safe operation of said vehicle. No passenger shall interfere with the safe operation of a vehicle. All passengers, including small children and babies, shall remain seated, with seat belt fastened, while the vehicle is in motion.

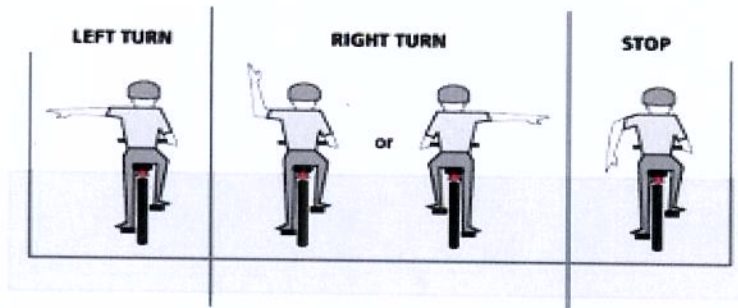
(6) For those passengers riding in a vehicle designed to carry more than ten passengers, Sections 63-2-1 and 63-2-7, Mississippi Code of 1972, make vehicle operators criminally liable for their failure, and the failure of their front-seat passengers, to wear seat belts. This subparagraph shall not preempt the application of Section 63-2-1 and 63-2-7, Mississippi Code of 1972 to motor vehicle operators on board NCBC, Gulfport. A federally approved child restraint device must be used for children in accordance with Mississippi State law.

p. Yielding. Pedestrians shall cross only at intersections or designated crosswalks. Pedestrians shall walk on the side of the road facing opposing vehicular traffic. Pedestrians shall

15 SEP 2017

yield the right-of-way to oncoming vehicles and keep clear of the roadway while traffic is approaching.

q. Turns and Signals. Required signals may be given by hand and arm or by signal lamps or signal devices. Vehicle operators shall give the following signals as indicated:



r. Speed Limits and Zones. The speed limit is 25 miles per hour unless otherwise posted. Posted speed limits are designed for dry roads on clear days. Such limits may not be reasonable or prudent when certain weather or other hazardous conditions exist. Operators may be cited for speeding violations when abnormal conditions exist, or when excessive speed is observed. Security Officer shall enforce all speed zones on the station.

(1) Housing areas: 15 miles per hour.

(2) CDC/CYP: 15 miles per hour.

Note: Speed limits are strictly enforced and monitored by radar or other speed control devices.

s. Off Roadways. No person shall drive or ride any motor driven vehicle (except official maintenance vehicles) upon a sidewalk, sidewalk area, any area not designated as a duly authorized driveway or roadway.

t. Radar Detection Devices. No person shall use or have visibly present a radar detection device to indicate the presence of speed monitoring instruments or to transmit simulated erroneous speed signals.

u. Skate Boards/Roller Skates. Persons may operate

15 SEP 2014

vehicles propelled by human power such as roller skates, manual scooters, skateboards, coasters, toy vehicles, or similar devices only on the grinder, skate park and housing areas and shall not interfere with other pedestrian traffic. These vehicles are not authorized on any roadway, except while crossing a street at a crosswalk or within housing areas. This rule does not apply to bicycles. Protective equipment, such as closed, slip resistant shoes, helmets, and designated padding is required.

v. Clinging to Vehicles. No person on a bicycle, skates, skateboard, sled, or toy vehicle shall cling to a motor vehicle while it is in operation, whether by hand or by use of a rope, chain, or other means. No vehicle operator shall allow any person on a bicycle, skates, skateboard, sled, or toy vehicle to cling to a motor vehicle while it is in operation.

w. Noise. Excessive or unusual noise caused by the operation of a motor vehicle is prohibited. Excessively loud use of a vehicle audio system, that can be heard from a distance greater than 50 feet is also prohibited.

x. Unattended Occupants. Leaving any child under the age of ten years unattended in a motor vehicle is prohibited. Leaving a person of any age, who is incapable of voluntarily removing themselves from the vehicle is also prohibited.

y. Suspended Licenses. No person whose driving privileges have been suspended or revoked shall drive a motor vehicle on board this installation while such suspension or revocation is in effect.

z. Open Containers. Having an open container of alcohol in a motor vehicle while said vehicle is in operation is prohibited.

aa. Unattended Vehicles. No vehicle shall be left unattended on any roadway or in any parking area while the vehicle is supported by jacks, stands, or blocks.

bb. Cell Phone Usage. All motor vehicle operators on Navy installations and operators of government-owned and leased vehicles on and off Navy installations shall not use cell phones or other hand-held electronic devices while operating the motor vehicle. The wearing of any portable headphones, earphones, or

15 SEP 2014

other listening devices while operating a motor vehicle is **prohibited**. All motor vehicle operators shall refrain from any activity that presents a distraction while driving or that could lead to a traffic mishap such as eating or text messaging.

cc. Golf Carts. Reference (b), chapter 15 sets the guidance for proper operation of golf carts.

dd. Repairs and Work on Privately Owned Vehicles. Major repair work on private vehicles shall be restricted to the Auto Hobby Shop except for emergency repairs and then only sufficient repairs to enable the vehicle to be removed to an authorized area. Use of the Auto Hobby Shop or off-base facilities is **Required** when making repairs to automobiles other than minor tune-ups. Oil changes will be done at the Auto Hobby Shop unless vehicle is immobile. No gasoline or other flammable liquids may be used for cleaning parts. Waste oil/gasoline is to be taken to the Auto Hobby Shop for disposal. It is the occupant's responsibility to clean any spilled oil or gasoline from driveways or street parking areas. Disabled vehicles must be removed from the roadway as soon as possible. Vehicles that are towed on base for the purpose of repairs may only be towed to the vehicle owner's base housing (for storage only) or to the Auto Hobby Shop.

15 SEP 2014

ADMINISTRATION OF TRAFFIC COURT AND REGULATIONS

1. Organization. The Traffic Court Administrators for this command are the SJA, Traffic Court Judge and Clerk.

2. Traffic Court. Traffic court judge will determine the guilt or innocence of traffic violators who are issued Armed Forces Traffic Tickets (DD 1408), assess points, suspend or revoke driving privileges on board NCBC and to direct attendance at driver improvement courses. Personnel issued a citation not desiring to contest guilt are not required to appear unless appearance is mandatory as indicated on the citation. These persons will report to Traffic Court Clerk and accept having points entered on their Base Driving Record per enclosure (a).

a. SJA. Charged with Traffic Court Supervision, the SJA will appoint in writing and advise all incoming Traffic Court Judges. The SJA will receive, process, and forward to the CO NCBC all incoming appeals from members executing their right to appeal an adjudication made by the Traffic Court Judge. SJA will be solely responsible for preparing or rescinding all revocation letters of installation driving privileges.

b. Traffic Court Judge.

(1) Will be a military member, E7 or above, whose primary duties are in a field other than law enforcement. Will be designated by the CO and appointed in writing by the SJA. All Judges are directed to become familiar with references (a) through (h) and will report to the SJA for briefing prior to sitting on the Court. Alternate Traffic Court Judges may be designated as needed.

(2) Possesses the authority to adjudicate traffic violations occurring on board NCBC, in accordance with reference (a) and enclosure (5) and use prudent judgment in adjudicating infraction(s) not listed.

c. Traffic Court Clerk. Will be an enlisted, DOD Civilian or a Civilian Contractor assigned to Security and will be responsible for maintaining the driver record system, preparation of the court docket, and providing general administrative support to the Traffic Court Judge, court, and AAA Driving Instructor.

d. United States Magistrate Judge. Reference (e), directs Naval activities to establish (where necessary) and/or utilize,

Enclosure (4)

15 SEP 2017

to the maximum extent practicable, a Magistrate Judge for the disposition of specified offenses committed on Naval installations. Reference (a), implements this directive on board NCBC. Magistrate Judges have jurisdiction over misdemeanor offenses. Included therein are violations of state law which have been assimilated pursuant to the Assimilative Crimes Act, Title 18, United States Code, Section 13. All traffic violations on board NCBC committed by drivers of privately-owned vehicles (POVs) upon land under concurrent federal jurisdiction will be referred to United States District Court for disposition before a United States Magistrate Judge. Traffic violations on board NCBC committed by drivers of POVs upon land over which the Federal Government only exercises proprietary jurisdiction will be referred to Traffic Court or state court for disposition. Traffic violations aboard NCBC, other than Driving Under the Influence committed by drivers of Government-Owned Vehicles (GOVs), will be referred to Traffic Court for disposition. Violations will be referred for disposition before a Magistrate Judge by issuance of a Violation Notice, DD Form 1805.

e. Administrative Action.

(1) Application. The point system applies to ANYONE operating government or privately-owned vehicles on the station.

(2) Administration. Remedial Driver Training is per references (a) through (d) and as outlined herein, penalties deemed appropriate by the Traffic Court Judge will be awarded for traffic violations.

(a) Point System (Moving Traffic Violation). Points will be assessed by the Traffic Court Judge and recorded using the point system outlined in reference (a) and enclosure (5). Points assessed against an individual will remain in effect for a period not to exceed 24 months, or until separation from the service (without immediate reenlistment) or termination of employment. Expiration of a suspension or revocation period due to the accumulation of points will serve to remove all points from the record. Driving record entries themselves will remain posted as outlined by reference (a). Individuals acquiring 12 traffic points within 12 consecutive months or 18 points within 24 consecutive months will have their installation driving privileges revoked. The period of revocation may vary but in no instance be for less than six months or more than 12 months. Such determination will be based on the individual's driving

15 SEP 2014

record to include response to previous driver improvement measures. In either event, the individual will be required to attend remedial driver training before reinstatement. This remedial driver training may be attended on base during duty hours.

(b) Traffic court is held at Building 30 at a time designated by the Traffic Court Judge. Persons who fail to appear waive their right to appeal and will be assessed the maximum penalty for the offense that was charged.

(c) The Traffic Court Judge may, if requested by letter from a unit commander, suspend the driving privileges of an individual within that command. Additionally, the Judge may forward a recommendation for revocation of driving privileges to the SJA.

(d) The Traffic Court Clerk will assess and record the appropriate number of points consistent with enclosure (5) on the individual's driver record when notified of a traffic violation disposed of in Federal court, through point assessment by the Traffic Court Judge, or when the individual has received non-judicial punishment for a moving traffic violation.

(e) All personnel, including civilian employees, who accumulate eight or more points within a 1 year period of time, will be required to attend the remedial or Safe Driving Course on base.

(f) Individuals who desire to contest charges may do so by appearing in traffic court. The Traffic Court Clerk will process violations administratively if the member is not contesting the charges.

f. Failure to Appear or Attend.

(1) Rescheduling: An E7 or above must submit in writing (email is acceptable) name, command, ticket number, date of infraction, court date, reason for reschedule and their own contact information to the Traffic Court Clerk for anyone within their chain of command unable to attend the assigned Traffic Court date. Only one reschedule will be authorized per ticket.

(2) Failure to appear for Traffic Court. Personnel will receive two points for not appearing in addition to being awarded points pertaining to the violation.

15 SEP 2014

(3) Failure to attend Remedial Driver Improvement Training Class as mandated by the Traffic Court Judge will result in installation driving privileges being suspended until a certificate of class completion is provided to the Traffic Court Clerk.

g. Students, Temporary Personnel and Visitors.

(1) Anyone not permanently stationed within a 50 mile radius and who will depart the area prior to their Traffic Court date, and is not contesting the charges, can adjudicate their ticket with the Traffic Court Clerk in building 436. Supporting documentation must be provided as follows:

(a) Students: Confirmation of Student's class, status, and graduation date by an E7 or above.

(b) Temporary personnel: TAD orders, reserve CAC or retired ID and driver's license.

3. Procedures. Upon receipt of a Military Traffic Ticket, DD Form 1408, involving moving violations or other offenses covered by this instruction, the Traffic Court Clerk will conduct an inquiry and take appropriate administrative action. The findings of the court will be recorded on the traffic ticket, along with any points accumulated in the past 24 months.

a. SJA will notify the Traffic Court Clerk of all convictions, collateral forfeitures or failures to appear in United States District Court resulting from violations of this instruction or any traffic laws on board NCBC. Upon notification, the Traffic Court Clerk will take the same administrative action which would have been taken had a DD Form 1408 been issued.

b. A copy of all traffic reports on military personnel apprehended for driving under the influence of alcohol or drugs will be provided to the Substance Abuse Rehab Program (SARP) Administrator. A copy of the same for civilian employees of the government will be provided to the Civilian Employee Assistance Program (CEAP) Coordinator, N02.

c. The Traffic Court Clerk will forward the original ticket (DD Form 1408) issued to personnel from a different installation to the installation where the violator is attached.

5. Administrative Due Process and Appeals.

a. NCBC. Follow guidance as set forth in reference (a).

b. U.S. District Court. Appeals to judgments issued by the U.S. Magistrate Judge may be made to the U.S. District Court, Federal Building, Gulfport, Mississippi.

6. Reciprocal State, Federal, and Military Action.

a. Reference (a), Chapter 2-11 outlines the procedures for Reciprocal state-military action. Suspension or revocation actions will correspond to the period of time specified by state authority, except convictions for DUI/DWI, for which a minimum of one-year revocation is mandatory.

b. In those instances where conviction by non-judicial punishment or by court-martial results from the offenses of drunken or reckless driving, involuntary manslaughter, or negligent homicide, the Installation Commander Officer will request the appropriate state authorities to suspend or revoke the state driver license of military personnel. The revocation of the installation driving privileges and U.S. Government Motor Vehicle Operator's Identification Card (SF-46) is mandatory in these instances.

c. NCBC will follow the guidelines for the Traffic Point System as defined in reference (a) except as modified by enclosure (5).

15 SEP 2014

POLICIES CONCERNING SUSPENSION OR REVOCATION
AND POINT ASSESSMENTS

1. Suspension or Revocation of Driving Privileges.

a. Reference (a) lists infractions and the mandatory minimum and maximum penalties. Additional offenses that will receive a mandatory one year revocation of installation driving privileges are as follows:

(1) Driving or being in actual physical control of a motor vehicle while under the influence of intoxicating beverages (.02 or greater if under 21 and .08 for 21 and over).

(2) Refusing to consent to a vehicle search and inspection.

b. Suspension for a period of six months or less or revocation for a period not to exceed one year is discretionary when:

(1) Second Offense of talking/texting on cell phone while operating a vehicle.

(2) Receiving a second moving violation (assessed in addition to points).

(3) Violation of seatbelt or child restraint laws.

(4) Exceeding the posted speed limit by 20 mph or more.

(5) Receiving 12 points in 12 months or 18 points in 24 months per enclosure (4).

(6) Failing to appear for Traffic Court per enclosure (4).

c. Violations occurring during any probationary period will result in immediate enactment of the Traffic Court's original sentence in addition to any other penalty adjudged for the current offense. Offenders whose Traffic Court sentence has been suspended and who exhibit good driving habits during the probationary period shall have their Traffic Court sentence permanently remitted.

15 SEP 2014

2. Point Assessment schedule for Traffic Violations:

	Violation	Description	Attend Court	Points
a.	Reckless Driving	Willful and wanton disregard for the safety of persons or property.	Mandatory	6
b.	Unlawful Operation	Owner knowingly and willfully permitting another to operate motor vehicle while physically impaired	Mandatory	6
c.	Fleeing the Scene	Hit and run/property damage	Mandatory	6
d.	Driving While Impaired	Consumption of alcohol resulting in blood alcohol content (BAC) of more than .05% and less than .08%; more than .02% if under 21	Mandatory	6 points
e.	Engaging in a Speed Contest	Racing on a public highway or thoroughfare, whether against another vehicle or a timing device	Mandatory	6 points/ 6 month suspension
f.	Negligent Operation of a Motor Vehicle	Operation resulting in property damage or bodily injury (used as additional point assessment for specific offenses)	Mandatory	6 points/ 6 month suspension
g.	Exceeding the Posted Speed Limit	1 to 10 MPH over the posted speed limit	Optional	3
		11 to 15 MPH over the posted speed limit	Optional	4
		16 to 20 MPH over the posted speed limit	Mandatory	5
		More than 20 MPH over the posted speed limit	Mandatory	6
h.	Speed too Great for Conditions	Where road surfaces or conditions, or extreme weather conditions mandate operating a vehicle at a slower, safer speed	Optional	2
i.	Speed too Slow for Conditions	Operation of a motor vehicle in a manner that obstructs that normal flow of traffic	Optional	2
j.	Failure to Yield to Emergency Vehicles	Failure to Yield the Right-of-Way to emergency vehicles operating red or blue emergency lights and/or an audible siren or horn	Optional	4
k.	Failure to Obey Traffic Signals	Failure to obey traffic signals or instructions of a law enforcement officer or traffic warden; and/or official regulatory traffic	Mandatory	4

15 SEP 2014

		light device, pavement marking, or sign requiring a mandatory action		
l.	Improper Passing	Passing on a double-yellow line, within an intersection, on the right shoulder, or when otherwise unsafe to do so	Optional	4
m.	Failure to Yield	No official sign involved	Mandatory	4
n.	Loud Music Violations	Heard within 50ft of vehicle	Optional	2
o.	Other moving violations	Involving driver behavior only	Mandatory	3
p.	Knowingly Operating an Unsafe Vehicle	Self-Explanatory	Mandatory	2
q.	Seatbelt Violations	Operating any passenger vehicle without seat belts in use by all vehicle occupants	Optional: 1 st offense Mandatory: 2 nd or more	2
r.	Child Restraint Devices	Operating a vehicle without using approved child restraint devices when required	Optional 1 st offense Mandatory 2 nd or more	1 st : 5pts 2nd in 1yr 5pts/6 mos suspension
s.	Operation of Radar Detector	Operating or displaying of Radar Detector	Optional	3
t.	Wearing of Headset or Earphones	Self-Explanatory while operating a vehicle	Mandatory	3
u.	Failure to Yield to a Pedestrian in a Crosswalk	Self-Explanatory	Mandatory	4
v.	Parking: Handicapped Spot, Fire Lane/Hydrant, on grass or other misc. parking violations	Self-Explanatory	Optional	3
w.	Use of Cellular Phone While Operating a Vehicle	Cellular phones may only be used while operating a vehicle if it is in a "hands-free" mode	Optional 1 st offense Mandatory 2 nd or more	1 st : 4 pts subsequent 4pts/6 mos suspension
x.	Open Container	Open alcoholic container beverage (driver or passenger); driver to be held responsible	Mandatory	

15 SEP 2014

3. Traffic Violations with Suspension (Recommended):

	Violation	Attend Court	Time Suspended	Points
a.	Driving with an invalid decal	Mandatory	5-30 Days	4
b.	Not updating registration or other required data such as state license and insurance	Mandatory See notes 1 & 2	5-30 Days	5
c.	Not removing decal prior to disposal of vehicle	Mandatory	10-90 Days	4
d.	Permitting the use of motor vehicle by unauthorized personnel	Mandatory	30-180 Days	6
e.	Driving while under suspension or revocation	Mandatory	2 Years	6
f.	Driving without a valid license or registration	Mandatory	10-90 Days	4
g.	Illegal Entry	Mandatory	30 Days	N/A

15 SEP 2014

Forms Used

Form Number	Form Title
DD 1408	Armed Forces Traffic Ticket
DD 1805	Magistrate Citation
DD 1920	Alcohol Influence Report
SF 91A	Investigation Report of Motor Vehicle Accident
NCBCGPT 5560/16(03-07)	Visitors Vehicle Pass
SF 46	Operators Identification card
OPNAV 5527/3	Warning and Authorization of Refusal of Chemical Test
OF 346	U.S. Government Motor Vehicle Operator's Identification Card

1 5 SEP 2014

PARKING POLICIES

1. Parking. The term "parking" means to leave a vehicle unattended, regardless of the length of time. Additional parking restrictions may be imposed during heightened Force Protection Conditions (FPCONs).
2. The following rules shall apply to all parking on board NCBC:
 - a. Reserved parking on board NCBC, Gulfport is authorized for COs, XO's, OICs, CMDCMs, All O6 and GS-15, Gold Star Family, Special Recognition (e.g., SOQ) by approval, COs visitor/visitor, GOVs, as delineated in reference (i). Reserved parking (30 minute limit) may be requested for "customers" utilizing service outlets. In general, units that have designated "customer" parking spaces will not have reserved parking for their employees.
 - b. All requests for reserved parking shall be submitted to the Executive Officer (XO) via the Public Works Officer (PWO) with drawing indicating the layout of the parking facility, locations of existing reserved parking, the additional required spaces, titles of persons who will be utilizing such spaces, and justification. In general, the establishment of reserved spaces is discouraged. The Public Works Department (PWD) is the only organization on board NCBC authorized to construct, mark, or designate reserved parking spaces. PWD will only mark reserved parking spaces upon approval by the XO. The PWO will maintain up-to-date maps of all authorized parking.
 - c. All authorized parking spaces will be designated. Absence of a "no parking" sign will not constitute authority to use the area for parking. Parking along streets will be with right side wheels of the vehicle adjacent to the curb.
 - d. There shall be no parking at any time on street shoulders except in areas specifically designated for parking purposes or bearing an "Authorized Parking" sign.
 - e. Authorized parking areas will be striped to indicate the manner in which vehicles are required to be parked.
 - f. Personnel going TAD, on leave, or who deploy for a period of more than seven days who desire to store their vehicle(s) on board NCBC shall utilize the MWR storage lot. Any vehicle parked in a lot not designated for long term parking for

15 SEP 2014

more than seven days is subject to towing and impoundment at the owners' expense as an abandoned vehicle in accordance with reference (a). Trailers and boats of any kind are not authorized to be left in any parking lot other than the MWR storage lot.

g. No private vehicle will be parked or stored in any non-residential building at any time with the exception of the Auto Hobby Shop.

h. Parking will not be permitted at any time in the following areas:

- (1) Areas marked by a sign prohibiting parking.
- (2) Any reserved space except by the authorized vehicle/person.
- (3) Any area prohibited by traffic enforcement officers on duty.
- (4) In front of the fire station or within a 20-foot radius of any fire hydrant.
- (5) Adjacent to any red or yellow curb.
- (6) In any fire lane or emergency vehicle access/exit lane. Fire lanes/emergency vehicles areas will not be used for deliveries, standing, or pick-up. They will be kept clear and unrestricted at all times.
- (7) At any place where movement of traffic would be impaired or blocked.
- (8) Within 20 feet of a stop sign.
- (9) Within 50 feet of an ammunition or fuel storage area, except in an authorized parking area.
- (10) On the shoulder of any roadway, unless designated as a parking area except in the event of an emergency or when the conducting official business.

i. Parking of two-wheeled motor vehicles in yellow-lined areas of parking lots, other than fire lanes, is permitted if such parking does not obstruct ingress/egress of emergency

vehicles. Parking motorcycles in a regular vehicle space when specially designated motorcycle parking is available is prohibited.

j. No vehicle will be towed or impounded without the consent of the Security Director, XO, or CO. Towing/impounding will be in accordance with the procedures contained in reference (a).

15 SEP 2014

MOTORCYCLE SAFETY

1. Motorcycle Operator Licensing. All operators of motorcycles must be properly licensed or permitted when operating these vehicles on public highways or roadways. For tactical motorcycle operators, a valid OF-346 with a motorcycle endorsement accompanied with a valid driver license fulfills this requirement.
2. Training for Operators of Three Wheeled Vehicles and Scooters. Operators of motorcycles with attached sidecars, operators of three-wheeled vehicles and operators of scooters, mopeds or other two-wheeled vehicles do not need a motorcycle endorsement on their driver license and are not required to complete motorcycle training. All state and local training requirements must be adhered to.
3. Pre-purchase counseling. Motorcycle ownership is a significant responsibility. Prior to purchasing a motorcycle, all Sailors will consult with their Leading Chief Petty Officer, Division Officer, or Department Head in their chain of command to be certain they are aware of the responsibilities that come with ownership. These responsibilities include proper licensing, insurance, registration, training, and mandatory Personal Protection Equipment (PPE).
4. Accountability. All military personnel must meet all applicable licensing, registration, insurance and training requirements before riding. Non-compliance is punishable under the UCMJ.
5. Motorcycle Safety Training. The purpose of the Navy Motorcycle Safety Training program is to provide both novice and experienced motorcycle operators with the opportunity to enhance riding skills, knowledge, and techniques throughout their riding career. The program aims to reduce mishaps, which in the past have negatively affected readiness. The three levels of motorcycle training are:
 - (1) Level I. Level I courses include: the Motorcycle Safety Foundation (MSF) Basic Rider Course (BRC), any state approved curriculum intended to provide novice riders the skills and knowledge needed to obtain a motorcycle endorsement, any course approved by any of the military services, or any entry level rider training course approved by OPNAV N09F/COMNAVSAFECEN. All Sailors who plan to purchase or operate a motorcycle (regardless of their intent to ride the motorcycle on or off base) shall

complete Level I training prior to operating these vehicles. All riders must complete Level I training prior to attending any advanced level motorcycle training.

(2) Level II. These courses build upon the skills and knowledge that riders obtain in Level I courses. The MSRC and Advanced Rider course are examples of Level II courses approved for sport bike riders. The Advanced Rider Course and BRC II are examples of Level II courses approved for non-sport bike riders. A complete and current listing of all OPNAV N09F/COMNAVSAFECEN approved Level II rider training courses is available on the NAVSAFECEN's Web site.

(3) Level III. These courses are intended to improve the riders' skills and knowledge through a curriculum that includes practice maneuvers conducted at street or highway speeds, challenging cornering techniques and other realistic scenarios conducted in a controlled environment. Examples of Level III courses include the California Superbike School, Marine Corps' Advanced Motorcycle Operator Course, Total Control, and American Super Camp. A complete and current listing of all OPNAV N09F/COMNAVSAFECEN approved Level III rider training courses is available on the NAVSAFECEN's Web site.

(4) Follow-on Training. All Sailors who operate motorcycles shall complete Level II training within 60 days of completion of Level I training or upon changing the type of motorcycle ridden. Motorcycle operators who are properly licensed and have completed Level I training may immediately enroll in and complete Level II training.

(5) Refresher Training. All Sailors who operate motorcycles shall complete Level II or III refresher training every three (3) years. If Level II or III training is unavailable any OPNAV N09F/COMNAVSAFECEN approved course may be substituted.

(6) Civilian Motorcycle Operator Training. Civilian motorcycle operators who have a current state motorcycle operator license, endorsement or permit are not required to complete any of the above training.

(7) Dirt Bike and Off-Road Motorcycle Operator Training. All Sailors who intend to operate a dirt bike or off-road motorcycle highly encouraged to complete OPNAV N09F/COMNAVSAFECEN approved dirt bike or off-road training courses.