



UNITED STATES MARINE CORPS
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MCLBAO 5560.9G
CO
8 May 23

MARINE CORPS LOGISTICS BASE ALBANY ORDER 5560.9G

From: Commanding Officer, Marine Corps Logistics Base Albany, GA
To: Distribution List

Subj: MOTOR VEHICLE AND TRAFFIC REGULATIONS

- Ref: (a) 18 U.S.C §13, "The Assimilative Crimes Act" (NOTAL)
(b) DoD Directive 5525.4, "Enforcement of the State Traffic Laws on DoD Installations, Oct 31, 1986
(c) DoD Instruction 6055.04, "DoD Traffic Safety Program Jan 23, 2013
(d) 32 CFR Part §634.25, "Installation Traffic Codes"
(e) Motor Vehicle and Traffic State of Georgia Code, Title 40 (NOTAL)
(f) Uniform Vehicle Code and Model Traffic Ordinances (NOTAL)
(g) Georgia General Statutes (NOTAL)
(h) MCO 11240.66D, Standard Licensing Policy for Operations of Military Motor Vehicles
(i) MCO 5580.2B CH-2, "Law Enforcement Manual", Dec 30, 2015
(j) MCO 5110.1D, "Motor Vehicle Traffic Supervision," May 22, 2006
(k) MCO 5100.19F, "Marine Corps Traffic Safety Program", Nov 29, 2011
(l) DoD 4160.21-M, "Defense Materiel Disposition Manual", Aug 1997
(m) 10 U.S.C 2575, "Disposition of Unclaimed Property"
(n) MCLBAO 5530.2A, "Privately Owned Weapons, Ammunition & Explosives"
(o) MCI-EAST-MCB CAMLEJO 5560.2. "Motor Vehicle Traffic Regulations" Nov 20, 2020
(p) MCO 5530.13, MARINE CORPS "Site Perimeter Access Control", May 2021
(q) 49 CFR Part §172, "Hazardous Materials Table"
(r) 49 U.S.C §1801, "Hazardous Materials Transportation Act"
(s) § O.C.G.A. 40-5-58- Habitual violators; probationary licenses

- Encl: (1) Motor Vehicle and Traffic Regulations
(2) Request to Appeal Base Driving Suspension

1. Situation. All traffic violations, malfunctions to vehicle equipment, non-compliant driving, and unskilled driving have the potential to damage property, harm pedestrians, injure other drivers, or degrade the overall good order and discipline of the Marine Corps.

Such events implicitly threaten the resources vital to Marine Corps Logistics Base (MCLB) Albany. This reality necessitates implementation of laws, identification, and correction of drivers who operate hazardously, and consequences for those drivers who need reinforcement to improve their driving.

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2. Cancellation. MCLBAO 5560.9F.

3. Mission. This Order establishes responsibilities, regulations, and consequences for owners and drivers of Motor Vehicles (MV) aboard MCLB Albany to reduce traffic collisions and dangerous driving behavior on the roadways while preserving the mission of the Installation, in accordance with references (a) through (o).

a. Punitive Repercussions. Violation of any provision of this Order is punishable as a violation of the Uniform Code of Military Justice, the United States Code, and State of Georgia General Statute (GGS). All changes and amendments to the GGS will apply on the Installation.

b. Summary of Revision. This Order has been completely revised and should be reviewed in its entirety.

4. Execution

a. Commanders Intent and Concept of Operations

(1) Commanders Intent. Base regulations establish responsibilities and procedures which govern the conduct of all personnel and activities on MCLB Albany. These Base Regulations are a general order and punitive in nature, and the violation of which may result in disciplinary or punitive proceedings.

(2) Concept of Operations.

(a) The Commanding Officer (CO), MCLB Albany grants the privilege to possess and or drive a MV on the Installation, only to those people who meet minimum qualifications and conform to this regulation and the assimilation of Georgia MVs and traffic code, pursuant to the provisions of the references.

(b) The following details the references and how they are applicable to this order:

1. When a driver has breached the terms, the Installation CO may suspend or revoke the driver's privilege for the sake of safety, security, and quality of life of others. Reference (a) makes state criminal law applicable to conduct on lands reserved or acquired by the Federal government.

2. Reference (b) makes non-criminal violations of state traffic law applicable aboard the Installation.

3. Reference (c) establishes policy, responsibilities, and procedures for traffic safety.

4. Reference (d) provides guidance on the development and contents of Installation traffic codes and supervision.

5. Reference (e) provides the applicable criminal law in the absence of Federal codes that is adopted aboard the Installation.

6. The rules of the road contained herein are based on references (f) and (g).

7. Reference (h) is the policy for the Licensing and Operation of Government Owned Vehicle (GOV).

8. Reference (i) is the Marine Corps Law Enforcement Manual.

9.Reference (j) contains the driver distraction prohibitions and other operational requirements aboard Marine Corps Installations.

10. Reference (k) contains Department of Defense (DoD) guidelines for traffic supervision.

11. Reference (l) and (m) authorizes the sale or dispose of all lost, abandoned, or unclaimed personal property that comes into the custody or control of a military installation.

12. Reference (n) contains regulations for the possession, registration, transportation, storage, use and sale of privately owned firearms, weapons, ammunition, explosives, fireworks, and pyrotechnics, by all personnel aboard MCLB Albany.

13. Reference (o) is the MCI- East policy on Motor Vehicle Traffic Regulation.

14. Reference (p) contains the Marine Corps policy on Site Perimeter Access Control.

15. References (q) and (r) contains provisions for transporting hazardous materials (HAZMAT).

16. Reference (s) is the Georgia state law on habitual violators of state traffic laws.

b. Coordinating Instructions. CO's and Officers in Charge (OIC) shall ensure all service members and civilian employees adhere to these instructions for proper vehicle registration and safe driving aboard MCLB Albany.

5. Administration and Logistics. Recommendations concerning this instruction are invited and will be submitted to the MCLB Albany CO via the appropriate chain of command.

6. Command and Signal

a. Command. This Order is applicable to MCLB Albany and tenant activities aboard the installation.

b. Signal. This Order is effective the date signed.

M. J. FITZGERALD

DISTRIBUTION: A

MOTOR VEHICLE AND TRAFFIC REGULATION

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MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 1

GENERAL PROVISIONS

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MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 1

GENERAL PROVISIONS

1. State Definition Application. Whenever any words and phrases used in this Order are not defined, State of Georgia motor vehicle law definitions shall apply.
2. Official Time Standard. Hours referred to in this Order shall mean standard time or daylight-saving time (whichever may be in current use aboard MCLB Albany).
3. Definitions
 - a. Arterial Street. Any U.S. or state numbered route, controlled access highway, other major radial street, or highway designated by MCLB Albany as a part of a major arterial system of streets or highways.
 - b. Authorized Emergency Vehicle. Such as fire department vehicles, police vehicles, ambulances, and such other publicly or privately owned vehicles as are designated authorized emergency vehicles under the provisions of the applicable law or regulation.
 - c. Bicycle. Every vehicle propelled solely by human power upon which a person may ride, having two tandem wheels, except scooters and similar devices.
 - d. Bikeway. Every way, including highways, which are publicly maintained, are in some manner also open to public bicycle travel, regardless of whether the way is designated for the exclusive use of bicycles or is to be shared with other transportation modes.
 - e. Crosswalks. Any portion of a roadway/street that is distinctly indicated for pedestrian crossing by lines or other markings on the roadway/street surface.
 - f. Driver/Operator. The individual that is physically controlling the vehicle.
 - g. Fire Zone. A space exclusively reserved for fire department vehicles and their execution of any official duties.

h. Gross Weight. The weight of a vehicle without load plus the weight of any load thereon.

i. Habitual Offender. Habitual violation of traffic laws or regulations (accumulation of four or more violations within a 13 month period or 12 points within a 12 month period).

j. Hazardous Material. Has the same meaning as that found in Section 103 of the Hazardous Materials Transportation Act (49 App. U.S.C. §1801 et seq.; reference (m) pertains).

k. Highway/Street. The entire width between the boundary lines of every publicly maintained roadway when any part thereof is open to the use of the public for the purposes of vehicular travel. (By the preceding definition the term "street" and highway are synonymous and interchangeable.)

l. Human Powered Vehicle. Every vehicle designed to be moved solely by human power.

m. Intersection

(1) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles for the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(2) Where a highway includes two (2) roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two (2) roadways 30 feet or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

(3) The junction of an alley with a street or highway shall not constitute an intersection.

n. Loading Zone. A space reserved for the exclusive use of vehicles during the loading or unloading of passengers or property.

o. Motor Vehicles. Any vehicle driven or drawn by mechanical power, manufactured primarily for use on public streets, roads, or

highways. However, vehicles operated only on rails and motorized wheelchairs are excluded from this definition.

p. Moped. Per reference (f), read Title 40.

q. Motorcycle. Any motor vehicle that has a seat or saddle for use of the rider and is designed to travel on no more than three wheels. Tractors and mopeds are excluded.

r. Official Traffic Control Device. All signs, signals, markings, and devices not inconsistent with the state vehicle code placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating a warning, or guiding traffic.

s. Park or Parking. The standing of a vehicle, whether occupied or not, otherwise that temporarily for the purpose of and while actively engaged in loading or unloading of property and/or passengers.

t. Passenger Loading Zone. A place reserved for the exclusive use of vehicles while receiving or discharging passengers.

u. Pedal Cycle. Every vehicle, having two or three wheels (except scooters or similar devices), propelled solely by human power, upon which any person may ride.

v. Person. Every natural person, firm, co-partnership, association, or corporation.

w. Police Officer. Every officer authorized to direct or regulate traffic or to make arrests or issue citations for violations of traffic laws or ordinances.

(1) DoD Law Enforcement Officials. Security Police, Military Law Enforcement personnel, Master at Arms personnel, members of the Shore Patrol, and persons designated by proper authorities to perform military criminal investigation, guard, or police duties whether subject to the Uniform Code of Military Justice or not, who are authorized to direct, regulate, and control traffic, and to apprehend or arrest violators of laws and/or regulations.

(2) Civilian Law Enforcement Officials. Every officer authorized by the State of Georgia to direct or regulate traffic and to make arrests or issue citations for violations of traffic laws or ordinances.

x. Residence District. The territory continuous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more improved with residences or residences and buildings in use for business.

y. Revocation

(1) Revocation of Driver's License. The termination by formal action of state, host nation, or overseas command authority of a person's license or privilege to operate a motor vehicle on the public roadways. This is not subject to renewal or restoration except that application may be presented and acted on by the state, host nation, or overseas command authority after the expiration of the period set by state or host nation law or overseas command regulation. Revocation of base driving privileges will be a minimum of a six (6) month period.

(2) Revocation of Driving Privileges. The action taken by an installation commander to terminate a privilege to operate a motor vehicle on a military installation.

z. Roadway. That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk, berm, or shoulder even though such sidewalk, or shoulder is used by persons riding bicycles or other human powered vehicles. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively.

aa. Safety Zone. An area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is marked or indicated by official traffic control devices as to be plainly visible at all times.

ab. Sidewalk. That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

ac. Stand or Standing. Means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

ad. Suspension

(1) Suspension of Driver's License. Violations of traffic laws that occur off installation could result in the operator being suspended. Serious traffic violations will be forwarded to the base traffic court via the Marine Corps Police Department within two working days of violation.

(2) Suspension of Driving Privileges. The temporary withdrawal by an installation commander, of a person's privilege to operate a motor vehicle on a military installation for up to six (6) months. Privileges normally are automatically restored on the day after the date the suspension ends.

ae. Stop. When required, means complete cessation from movement.

af. Stop or Stopping. When prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

ag. Through Street or Highway. Every highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrance to which vehicular traffic from intersecting highways is required by law to yield the right of way to vehicles on such through street or highway in obedience to a stop sign, yield sign, or other official traffic control device, when such signs or devices are erected as provided in this ordinance or in the state vehicle code.

ah. Traffic. Pedestrians, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.

ai. Traffic Control Devices. Any device, whether manually, electronically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

aj. Traffic Unit. The Accident Investigation Division of the Marine Corps Police Department. If a traffic unit is not established, said term shall refer to the police officers.

ak. Traffic Laws. All laws, ordinances, and regulations concerning roadway traffic, including regulations on weight, size and type of vehicles and vehicle cargo.

al. Vehicle. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

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MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 2

DUTIES & MV TOWING, IMPOUNDING, AND INVENTORYING

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MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 2

DUTIES & MV TOWING, IMPOUNDING, AND INVENTORYING

1. Duties of the Chief of Police. The Chief of Police will:

a. Exercise overall staff responsibility for directing, regulating, and controlling traffic and enforcing laws pertaining to traffic control.

b. Perform traffic control studies to provide information for up-coming road maintenance, special events, and operations (i.e. traffic control points and detour routes).

c. Cooperate with civilian police agencies and other local government agencies or civil traffic organizations concerned with traffic supervision.

d. Establish a Marine Corps Police Department (MCPD) Traffic Unit.

2. Duties of Law Enforcement (LE) Personnel

a. The MCPD will enforce all traffic regulations of MCLB Albany and all assimilated State of Georgia traffic laws (18 USC 13), ref (a), and issue citations or make apprehensions for traffic violations or infractions, and investigate traffic accidents, and enforce laws and regulation per ref (b) through ref (p).

b. LE personnel are authorized to stop, detain, apprehend, and cite any person who violates this Order. All persons shall obey orders given by LE personnel in connection with their authority to enforce laws and regulations. Alleged violations will be cited using either the Armed Forces Traffic Ticket (DD 1408), which is adjudicated by the installation Traffic Court, or the United States District Court Violation Notice (CVN) 1805, which is a citation that initiates a petty offense case in U.S. District Court, and an Incident Report (IR), or Minor Offense Report (MOR) as necessary, as per the general guidance. A CVN cannot be issued to minors and will only be issued for traffic violation aboard MCLB Albany.

(1) DD 1408 is issued for violation of installation and state traffic laws to active duty military personnel, reservists on active

duty, military dependents, civilian employees, and military retirees except as noted in chapter 6 below.

(2) A CVN is a multi-part ticket designed to provide legal notice to the defendant and to provide the court and MCPD with necessary information for processing. The notices are printed on carbonized paper and pre-numbered for accountability. Per reference (g), a CVN will be used to refer violations of state traffic laws made applicable to the base by reference (a) and other violations of federal law to the U.S. Magistrate. A CVN is issued to unaffiliated civilians for all traffic offenses when the offender is 18 years old or older and active duty military personnel, reservists on active duty, military dependents, civilian employees, and military retirees as noted below in chapter 6.

(3) Disposition of Offense. Offenses cited by LE personnel using a CVN may be adjudicated in the Federal Magistrate Court in Albany, Georgia. Offenses cited by LE personnel using DD Form 1408 may be the subject of administrative disposition in the Command Traffic Court as per reference (l). IR's and MOR's will be sent to the military member's Commanding Officer, and to respective supervisors in the case of civilian employees.

3. Duties of the Staff Judge Advocate. Appoint an officer to prosecute in Federal District Court offenses that are cited by LE personnel using the United States District CVN. Advise the Chief of Police, as necessary, concerning Federal Laws applicable to motor vehicle and traffic supervision.

4. Authority to Direct Traffic. LE personnel, Fire Department personnel, and other persons designated by any on duty LE personnel are authorized to direct traffic by voice, hand, or signal in conformance with traffic laws, and in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, they may direct traffic as temporary conditions require.

5. Emergency and Experimental Regulations

a. The Chief of Police, with approval from the Commanding Officer (CO), is hereby empowered to make regulations necessary to make effective the provisions of MCLB Albany and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than ninety days.

b. The Chief of Police, the Accident Investigation Division, or other senior LE official may authorize the temporary placing of official traffic control devices when required by an emergency. The Public Safety Director, Installation and Environment Division, and the Installation Safety Manager shall be notified of the action as soon as practical.

6. Traffic Unit

a. The Traffic Unit will be under the control of the Chief Traffic Investigator, who is appointed by and directly responsible to the Chief of Police.

b. The Traffic Unit, with such aid as may be rendered by other members of the MCPD, will enforce the traffic regulations of MCLB Albany, make apprehensions or issue citations for traffic violations or infractions, and investigate traffic accidents. The Director, Installation and Environment Division and other officials of the base shall assist in developing ways to improve traffic conditions, to ensure the adherence of duties imposed by this Order and traffic regulations of MCLB Albany.

7. Record of Traffic Violations. The MCPD shall keep a record of all violations of the traffic regulations of MCLB Albany, or of State of Georgia vehicle laws of which any person has been charged and final disposition of the charges. Such record shall be so maintained as to show all types of violations and the total of each and shall be maintained complete for at least the most recent two (2) year period. All such records shall be public record.

8. Traffic Accident Studies. Whenever traffic accidents at any specific location become numerous, the Traffic Unit shall cooperate with the Director, Installation Safety Manager and if necessary, a contracted traffic engineer, in conducting studies and determining remedial measures.

9. Traffic Accident Reports. The Traffic Unit shall maintain a suitable system for filing traffic accident reports. Such reports shall be available for the use of the Installation and Environment Division and Installation Safety on an as needed basis. Any person specifically involved in the traffic accident may obtain a copy of the report upon completing a Freedom of Information Act (FOIA) request through the MCPD. The completed report will be forwarded to the Base Adjutant Office for final action and distribution to the person requesting the report. No reports will be released directly from the MCPD.

10. Traffic Unit Annual Report. The MCPD Traffic Unit shall annually prepare a traffic report which shall be filed with the CO via the Base Safety Council.

a. Such reports shall contain information on traffic matters pertaining to MCLB Albany as follows:

(1) The number of traffic accidents, the number of persons killed, the number of persons injured, and the other pertinent traffic accident data.

(2) The number of traffic accidents investigated and other pertinent data on the safety activities of the LE personnel.

(3) The plans and recommendations of the department for future traffic safety activities.

11. Impounding Vehicles

a. Privately Owned Vehicles (POVs) should not be impounded unless the vehicles clearly interfere with ongoing operations or movement of traffic, threaten public safety or convenience, are involved in criminal activity, contain evidence of criminal activity, or are stolen or abandoned.

b. Per reference (k), members of MCPD may remove and temporarily impound motor vehicles that are left parked illegally for unreasonable periods of time, interfering with operations, creating a safety hazard, involved in criminal activity or abandoned. The owner of the vehicle will be monetarily liable for any cost incidental to towing and storage should his/her motor vehicle be removed or impounded.

(1) Abandoned Vehicles. A notice of Vehicle Impoundment (DD Form 2507) will be forwarded by certified mail to the address of the last known owner of the vehicle, to advise the owner of the impoundment action, and to request information concerning the owner's intentions pertaining to the disposition of the vehicle. An abandoned vehicle is defined as:

(a) Any vehicle left within the limits of any roadway, outside the containment area, or upon the property of another without the consent of the owner of the property, for a period of 24-hours or longer.

(b) Any POV left unattended for a period of (3) days

aboard MCLB Albany, an Abandoned Vehicle Notice (DD Form 2504) will be conspicuously placed on the POVs considered unattended. This action will be documented by an entry in the Installation Law Enforcement Desk Journal or blotter. If the vehicle has not been removed after (3) days, it will be removed by the contracted wrecker service. If a contracted wrecker service is used, an Abandoned Vehicle Removal Authorization (DD Form 2505) will be completed and issued to the contractor by the MCPD.

(c) Vehicles that constitute a safety hazard, impede the flow of traffic, interfere with a military mission, block a fire hydrant, or block a fire lane. In cases of GOVs, the assigned unit shall be contacted to move their vehicle prior to towing.

(d) Vehicles to which no proof of ownership exists or cannot be reasonably obtained in a timely manner.

(e) Law Enforcement personnel discovering an apparent abandoned vehicle shall attach a readily visible notification sticker to the vehicle. The owner of the abandoned vehicle shall be allowed three days from the date the vehicle was initially tagged to remove the vehicle to an authorized location. If the vehicle is not removed within three days, it will be towed.

(2) Vehicle Impoundment. A DD Form 2506 will be completed, and a copy of the report will be maintained by the Traffic Unit. A DD Form 2507 will be sent to the registered owner of the vehicle via certified mail to notify him or her of the vehicle impoundment, and to request information concerning the owner's intentions pertaining to the disposition of the vehicle. Certain vehicles may be towed and impounded for the following reasons:

(a) Vehicles involved in serious MV collisions.

(b) Vehicles seized as evidence.

(c) Recovered stolen vehicles.

(3) Vehicle Inventory. Before a vehicle has been impounded, a DD Form 2506, Vehicle Impoundment Report must be completed for all vehicles, to include the following:

(a) Vehicles seized as evidence.

(b) Recovered stolen vehicles. NOTE: The contents of a closed/locked container, such as a suitcase, inside the vehicle shall be opened and inventoried.

12. Towing/Impoundment and Storage

a. When authorized by reference (k), and chapter (2), paragraphs 11 and/or 13 of this Order, members of MCPD may remove a vehicle from a street or highway to the nearest garage or other designated location, or to an impound lot designated or maintained by the MCPD or otherwise maintained by MCLB Albany. LE personnel will release the vehicle to the appointed authority to be processed in accordance with the policy of the State of Georgia. Vehicle owners are responsible for all towing and storage fees.

b. A DD Form 2506 will be completed and a copy of the report will be maintained by the Traffic Unit. A DD Form 2507 will be sent to the registered owner of the vehicle via certified mail to notify him or her of the vehicle impoundment, and to request information concerning the owner's intentions pertaining to the disposition of the vehicle.

(1) If a POV is impounded for evidentiary purposes, the vehicle can be held for as long as the evidentiary or LE purpose exists. The vehicle must then be returned to the owner without delay unless directed otherwise by a competent authority.

(2) If the vehicle is unclaimed after 120 days from the date notification was mailed to the last known owner or the owner released the vehicle by properly completing DD Form 2507, the vehicle will be disposed of by one of the following procedures:

(a) Release to the lien holder, if known.

(b) Process as abandoned property as per reference (n).

1. Property may not be disposed of until diligent effort has been made to find the owner, the heirs, next of kin or legal representative or the owner.

2. The diligent effort to find one of those mentioned above, shall begin no later than (7) days after the date on which the property comes into custody or control of the LE agency.

3. The period for which this effort is continued may not exceed 45 days.

4. If the owner or those mentioned in the paragraphs above are determined but not found, the property may not be disposed of until the expiration of 45 days after the date when notice, giving

the time and place of the intended sale or other disposition, has been sent by certified or registered mail to that person at his or her last known address.

5. When diligent effort to determine those mentioned above is unsuccessful, the property may be disposed of without delay, except that if it has a fair market value of more than \$500, the LE official may not dispose of the property until 45 days after the date it is received at the storage point.

(c) All contracts for the disposal of abandoned vehicles must comply with reference (o).

13. Impound of Habitual Violators' Motor Vehicle

a. Habitual violator is any person who has been arrested and convicted within the United States three or more times within a five year period for severe traffic offenses.

b. Whenever LE personnel have knowledge that a person is a habitual violator and whenever LE personnel find any vehicle registered in the name of such person upon any street, LE personnel may remove such vehicle from the installation at the discretion of the Police Chief, his representative, or according to regulations and/or directives.

14. Installation and Environment Division. The Installation and Environment Division will:

a. Perform that phase of engineering concerned with the planning, design, construction, and maintenance of streets, highways, and abutting lands.

b. Select, determine appropriate designs, procure, construct, install, and maintain permanent traffic and parking control devices in coordination with the Chief of Police, and Installation Safety Manager.

c. Ensure that traffic signs, signals, and pavement markings conform to the standards in the current Manual of Uniform Traffic Control Devices.

d. Ensure that planning, design, construction, and maintenance of streets and highways conform to the National Highway Safety Program Standards (NHSPS) as implemented by the DoD.

e. Fulfill the traffic engineering service normally performed by requesting those services through the appropriate channels from the Commander, Military Traffic Management Command.

15. Traffic Engineer. When necessary, a contracted traffic engineer, in close coordination with the Marine Corps Police Department, will conduct formal traffic engineering studies to recommend placement and maintenance of official traffic control devices when required under the traffic ordinances of this Installation and may recommend placement and maintain such additional official traffic control devices as necessary to regulate, warn or guide traffic under the traffic ordinances of this Installation or the State Vehicle Code. All traffic control signs, signals and devices shall conform to the current Manual of Uniform Traffic Control Devices.

16. Authority of the Traffic Engineer. The Contracted Traffic Engineer shall have the following specific responsibilities subject to any limitations in the current Manual of Uniform Traffic Control Devices and/or the State Vehicle Code:

a. Recommend designated crosswalks, safety zones, loading zones and passenger loading zones.

b. Determine and recommend establishment of speed limits applicable to any street.

c. Regulate the kinds and classes of traffic and the maximum size and weight of vehicles permitted on any street or portion of street.

d. Determine and recommend lanes for the exclusive use of transit buses or high-occupancy vehicles, reverse-flow lanes, and commercial vehicle routes.

e. Recommend regulations concerning the stopping, standing, and parking of vehicles.

f. Determine and recommend hazardous material routes subject to any law or regulation of the State of Georgia or of the United States Government.

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MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 3

TRAFFIC SUPERVISION

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MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 3

TRAFFIC SUPERVISION

1. Provisions Apply on Roadways. The provisions of this regulation relating to the operation of vehicles refer exclusively to the operation of vehicles upon all roadways, paved or unpaved, except where a different place is specifically referred to in a given section.
2. Required Obedience to Traffic Regulations. The provisions of this regulation shall apply to the drivers of all vehicles subject to specific exceptions as set forth in this Order, federal regulations, or in the State of Georgia Vehicle Code.
3. Authorized Emergency Vehicles (AEVs)
 - a. The driver of an AEV, when responding to an emergency call, when in the pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section.
 - b. The driver of an AEV may:
 - (1) Park or stand, irrespective of the provisions in this order;
 - (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - (3) Exceed the maximum speed limits so long as he or she does not endanger life or property; and
 - (4) Disregard regulations governing direction of movement or turning in specified directions so long as he or she does not endanger life or property.
 - c. The exceptions granted by this section to an AEV shall apply only when such vehicle is making use of an audible signal and use of a flashing or revolving red/blue light.
 - d. The foregoing provisions shall not relieve the driver of an AEV from the duty to drive with due regard for the safety of all persons.

e. Prior to assignment, operators of AEVs shall complete an Emergency Vehicle Operator Course and maintain qualification as required by reference (1).

4. Vehicles Propelled by Human Power. Every person propelling a vehicle by human power or riding a bicycle shall have all of the rights and all of the duties applicable to the driver of any other vehicle by this regulation except as to those provisions of this regulation, which by their nature can have no application.

5. Toy Vehicles. No person riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when crossing, such person, shall be granted all the rights and shall be subject to all of the duties applicable to all pedestrians.

6. Official Traffic Control Device Requirements

a. No provision of this Order for which official traffic control devices are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official device is not in proper position and sufficiently legible to be seen by an ordinary observant person. Whenever a particular section does not state that official traffic control devices are required, such section shall still be effective even though no devices are erected or in place.

b. No prohibition, regulation, or limitation relating to stopping, standing, or parking imposed under this or any other regulation of this Installation shall be effective unless official traffic control devices are erected and in place at the time of any alleged offense.

7. Official Traffic Control Devices-Presumption of Legality

a. Whenever official traffic control devices are placed in a position approximately conforming to the requirements of this Order, such devices shall be presumed to have been so placed by the official act or direction of a lawful authority, unless the contrary shall be established by competent evidence.

b. Any official traffic control devices placed pursuant to the provisions of this Order and conforming to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this Order, unless the contrary shall be established by competent evidence.

8. Restricted Driving Areas (Limited Access). Operators of government vehicles and POVs are restricted from driving in designated areas aboard the installation. These areas are restricted due to the safety and security of the installation.

a. No vehicle will be driven into any area designated as "Off Limits", "Dangerous" or "Restricted" unless the operator is authorized access on official business or by a proper authority.

b. Training areas, ranges, and off-road travel restrictions are as follows:

(1) Vehicular travel on paved roads in or adjacent to training areas and ranges is authorized as long as range gates are open, except as restricted below.

(2) Due to live-firing and safety, closed range gates will not be circumvented by any means without express permission from Range Control.

c. The following areas are restricted or have limited access

(1) Perimeter Fitness Trail ("Shaw Road") is the paved area that circles the installation following the perimeter fence line. This trail is restricted at all times to all vehicles and drivers, unless the following conditions are met:

(a) Emergency vehicles, game warden vehicles, and contractor vehicles in the performance of their duties. This is to include all emergency response vehicles, and vehicles in the performance of security duties.

(b) During the hunting season, vehicles operated by permitted hunters are authorized access to only those hunting areas accessible by Perimeter Road. These vehicles are only authorized in areas during allowed hunting times and while scouting their area to hunt. The vehicles are required to display their MCLB Albany hunting permit issued by the Game Warden, visible through the windshield of the vehicle. Vehicles are not authorized to park next to perimeter fence at any time.

(c) All terrain Vehicles (ATV) and any other off road vehicle are not permitted for use on the roads or trails on the installation except by the Environmental and Conservation office, Emergency services departments, and Marine Corps Community Services.

(d) Commercial vehicles are restricted to accessing the installation to the commercial vehicle gate where each vehicle is subject to inspection, Ref (q) and ref (r). Commercial vehicles will be inspected at the main gate when the commercial vehicle gate is not in operation.

(2) Other restricted or limited access areas to vehicles may be prescribed at the direction of the Marine Corps Police Department at any time.

9. General Rules of Driving. The rules for drivers contained in this article are not intended to be all inclusive. A violation of federal law, regulation, or Georgia State Law pertaining to the possession, use, or operation of a motor vehicle is chargeable under this Order, whether mentioned herein or not. In case of a conflict, this Order shall take precedence.

10. Driving off the Roadway to Avoid Compliance. A person driving a vehicle upon a roadway shall not leave the roadway and drive across private or public property adjacent to an intersection in order to avoid stopping for a traffic control device, or otherwise drive off the roadway in order to avoid compliance with any traffic law or official traffic control device.

11. Speed Restrictions. No person shall operate a motor vehicle at a greater speed than is reasonable and prudent under the existing roadway, traffic, and weather conditions. It is unlawful to operate a vehicle in excess of the posted speed upon a roadway or the following speeds unless otherwise provided in these regulations:

a. Thirty-five miles per hour (MPH) on roads not having posted speed limits.

b. Speed limit will be 10 MPH in all parking lots.

c. Speed limit while backing will be no more than 5 MPH.

d. Speed limit on all roads where troops are in formation, whether marching or running, will be 10 MPH.

e. 25 MPH on all unimproved roads to include roadways traveling the perimeter of the installation.

12. Use Of Radar Detectors. The use of radar detectors or any other device designed or used for the purpose of detecting the presence of speed measuring devices or transmit erroneous speeds is prohibited on the installation.

13. Open Alcoholic Containers. No driver or passenger inside a motor vehicle will have in his/her possession, any open alcoholic container unless said container is locked in the storage area of the vehicle. If an open container is not in physical possession of a passenger within the vehicle, then the driver of the vehicle is deemed to have possession.

14. Driver Transporting Hazardous Material. The driver of a vehicle transporting hazardous materials, explosives, or flammable liquids on the installation shall drive only on those streets which have been designated to provide a continuous route for such vehicles, except as necessary to make local deliveries.

15. Drunk or Impaired Driving. Drunk or impaired is any intoxication which is sensibly sufficient to impair the rational and full exercise of the mental or physical faculties. The term "drunken driving" is synonymous with the term "intoxicated driving".

a. Driving Under the Influence (DUI). A person can be found guilty of DUI when he/she is driving, operating, or being in actual physical control of a motor vehicle (other than a commercial motor vehicle (CMV)) with a blood alcohol concentration (BAC) of 0.08 or higher. A person operating a CMV with a BAC of 0.04 or higher can also be found guilty of this offense.

(1) DUI Less Safe. A person can be found guilty of DUI Less Safe when he/she is driving, operating, or in actual physical control of a motor vehicle when the individuals behavior suggests he/she is incapable of safely operating a motor vehicle regardless of whether his/her BAC is 0.08 or lower.

(2) Persons operating a motor vehicle with a BAC 0.02 or higher who are involved in a traffic accident, driving a GOV, or under the age of 21, can also be found guilty of a DUI offense.

(3) A person shall not drive or be in physical control of any moving commercial vehicle while there is a BAC of 0.04 or more in a

b. Implied Consent. Person(s) suspected of drunk or impaired driving may submit to an evidential test for alcohol or other drug content of their blood and/or urine as required. Failure to submit to such test will result in the mandatory revocation of base driving privileges for a period of no less than 1 year.

16. Use of Cellular Phones. Operators of POVs will not use cellular phones while the vehicle is in operation, unless they are using a hands-free device. A hands-free device is a feature that is included or available with most of today's cellular telephones that permits a driver to use the telephone without lifting or holding the handset. Cell phone use is not authorized by the driver of a GOV, regardless of hands-free device.

17. Text Messaging While Driving. Reference (1) prohibits federal employees from engaging in text messaging when driving a GOV, or when driving a POV while on official government business, or when using electronic equipment supplied by the government while driving. The definitions of text messaging and driving in reference (1) apply.

a. Aboard MCLB Albany, this mishap prevention initiative extends to all vehicle operators aboard base to include federal employees, contractor personnel, family members, visitors and guests, regardless of their duty status or category of vehicle. Penalties for text messaging while driving are the same as for cellular phone violations.

18. Seat Belt Requirements. The use of seat belts is mandatory for all occupants inside of a motor vehicle aboard MCLB Albany. Furthermore, it is the responsibility of the operator to ensure seatbelt usage.

a. Seat belts will be worn by all operators and passengers of GOVs on and off base. Emergency Vehicle Operators are not exempt from this provision.

b. Seat belts will be worn by all operators and passengers of POVs on base. All active duty personnel are required to wear seat belts while operating a motor vehicle on and off base.

c. Children under the age of eight years old shall use a serviceable child safety seat appropriate for age and weight of the child in the proper manner, as approved by the DOT, while riding in a motor vehicle onboard the base.

(1) Children under the age of eight whose height is less than 57 inches must ride in the backseat of a car. Airbags are designed to save adults, and deploy with force which can be fatal to children.

(2) If there is not a back seat in the vehicle (e.g., a truck) or if other restrained children are in the back seat, a child

under the age of 8 and weighing at least 40 pounds may sit in front if restrained in the proper car seat or booster.

19. Headlights. When aboard MCLB Albany, vehicles will be operated with headlights turned on at any time from a half-hour after sunset to a half-hour before sunrise and at any time when it is raining in the driving zone and at any other time when there is not sufficient visibility (such as fog or smoke) to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead.

20. Crossing at Right Angles. Except where otherwise indicated by a crosswalk or other official traffic control devices, a pedestrian shall cross a roadway at right angles to the curb or the shortest route to the opposite curb.

21. Boarding or Dismounting from Vehicles. No person shall board or dismount from any motor vehicle while such motor vehicle is in motion.

22. Unlawful Riding. No person shall ride on any vehicle or upon any portion thereof not designed or intended for the use of passengers. This regulation shall not apply to an employee engaged in the necessary discharge of duty, or to persons riding within enclosed truck bodies in space intended for merchandise.

23. Use of Reflective Clothing, Vest, Belt. Personnel shall wear retro-reflective clothing, (e.g. approved Marine Corps Physical Training uniform with reflective piping) and or a reflective vest or belt when conducting physical training, walking, jogging, running, skating, skateboarding, bicycling, or using a personal transportation device on or near roadways.

24. Use of Traffic Lanes. In order to ensure the safety and welfare of all pedestrians, joggers, and walkers, when practicable, all shall walk, jog, or run at a distance not less than (3) feet from the hard surface roadway, and shall face oncoming traffic and obey traffic rules and regulations.

25. Parking Not to Obstruct Traffic. No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic. And no person shall stop, stand, or park a vehicle within an alley or in such position as to block the driveway entrance to any abutting property or any intersecting alley.

26. Parking Offenses

a. No person will park a vehicle upon any roadway for the purpose of:

(1) Displaying such vehicle for sale.

(2) Washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

b. No person shall stop, stand, or park a vehicle in a passenger or loading zone except for the purpose of loading or unloading passengers and/or property, and for a period not to exceed that identified on signs at the locations. This is to include areas that are not loading zones however have striped lines indicating a no parking area.

c. No person shall park in any space marked as handicap, unless the individual has a permit to park in such space.

d. No person shall park in areas with signs prohibiting parking.

e. No person shall park within 15 feet of any fire hydrant, intersection, traffic sign, or in such a position as to obstruct intersections, signs, or warning devices from the vision of other traffic, or counter to the flow of traffic on roads or in parking lots.

f. No person shall park a vehicle outside of a marked stall in such a manner that the vehicle obstructs more than one parking stall.

27. Bicycle Safety

a. Bicycle safety will be emphasized aboard MCLB Albany. All bicycle operators must wear helmets approved by the American National Safety Institute (ANSI) OR SNELL Memorial Foundation on installation streets and roadways. Workers operating bicycles in areas that require the use of ANSI approved helmets (hard hats) for protection from falling and flying objects can use those helmets instead of approved bicycle helmets.

b. Bicycles will be equipped with a white headlight or reflector highly visible from the front and at least one red reflector visible from the rear. To enhance visibility, bicycle riders should wear light colored clothing during the day and reflective clothing at night.

28. Roller Skates, Skateboards, and In-Line Skates (Roller Blades).

ANSI approved helmets are required for skating/skateboarding. Protective equipment such as elbow pads, kneepads, and wrist guards are strongly recommended. All skaters should wear light colored clothing during the day and reflective clothing at night.

29. Headphones/Earphones or Other Listening Devices. IAW reference (1), the wearing of headphones, earphones, or other listening devices while walking, jogging, running, skating, skateboarding, bicycling, or using a personal transportation device on or within three (3) feet of any traveled portion of any street, roadway, highway, avenue, or parking lot is prohibited. The use of these devices masks or prevents recognition of emergency signals, alarms, announcements, the approach of motor vehicles, and human speech. This does not apply to hearing aids nor does it negate the requirements for PPE where work conditions dictate hearing protection. The use of listening devices while on a running/walking track, sidewalk, or pathway is authorized. The use of listening devices while on Perimeter Fitness Trail ("Shaw Road") is authorized, with the exception of when within three (3) feet of crossing traffic, examples: Main Gate, Johnson Road Gate, Commercial Truck Gate, "Old" Truck Gate/Gate 5. Pedestrians are responsible to ensure they always face traffic and maintain a minimum of three (3) feet of clearance from the traveled portion of roadways, streets, and parking lots or are otherwise protected from traffic (e.g. a curbed sidewalk, pedestrian bridge, and designated pedestrian pathway).

30. Motorcycles. Any two or three-wheeled motor vehicle with an engine displacement of 50cc or higher is classified, for the purposes of this regulation, as a motorcycle.

a. License Requirements. All personnel operating a motorcycle aboard the Installation must have in his or her possession, a valid state driver's license with a motorcycle endorsement. Active duty must also have a current Motorcycle Safety Course Card. Advanced safety course is recommended for motorcycle riders.

b. Insurance Requirements. All personnel operating a motorcycle aboard the Installation must have valid motorcycle insurance coverage.

c. Personal Protective Equipment (PPE)

(1) Per reference (k) and (l), the following PPE is mandatory for all persons operating or riding as a passenger on a motorcycle

aboard MCLB Albany, and for all military personnel operating or riding on a motorcycle off the installation, on and off road, in uniform or civilian clothes:

(a) **Helmet:** A properly fastened (under the chin) protective helmet that meets the standards of Federal Motor Vehicle Safety Standard (FMVSS) 218. When a helmet manufacture meets or exceeds FMVSS 218 test standards SNELL, the ANSI, or the Department of Transportation (DOT) may be applied by the manufacturer and usually appears centered on the back of the helmet in white letters on a black background.

(b) **Eye Protection:** American National Safety Institute (ANSI) approved impact or shatter resistant goggles or full-face shield attached to the helmet. A windshield, eyeglasses, or fairing alone is not considered proper eye protection. Eye protection used without a face shield or windshield should seal the cup of the eye through the use of a strip of foam or material around inside of lens.

(c) **Hand Protection:** Hand protection consists of full fingered riding gloves. The glove shall be constructed of, or with, abrasion resistant material. Gloves are preferably designed for riding, have added padding, and retain a natural curl when not worn.

(d) **Long Sleeves or Jacket.** A long sleeve shirt shall be past the elbow while the rider's hands are on the handlebar grips. A riding shirt or jacket should be constructed of abrasion resistant material. An armored type riding jacket made of abrasion resistant material is highly recommended.

(e) **Leg Protection.** Leg protection is sturdy, full length pants or trousers that extend past the knee, and meet the top of the riding boot when seated on the motorcycle under normal riding conditions

(f) **Foot protection:** Hard sole shoes with heels that provide support and traction when riding or when in transition of movement from a stop/starting position.

(2) The PPE for motorcycle off-road operations should also include knee and shin guards, off-road Marine Corps boots, and padded full-fingered gloves.

d. Passengers. No passenger will ride on a motorcycle except on the seat to the rear of the driver, and only when the motorcycle is

designed for two people. All passengers must adhere to PPE requirements for motorcycle use.

e. Roadway Operation. As required by reference (f), motorcycle operators will:

(1) Shall ride only upon the permanent and regular seat attached thereto.

(2) Not travel more than two abreast in a single lane.

(3) Not operate the motorcycle between lanes of traffic.

f. Equipment. As required by reference (f), motorcycles will have:

(1) Handlebars not exceeding 25" above seat.

(2) Footrests if carrying a passenger, other than in a sidecar or enclosed cab.

(3) A permanent attached driver's seat.

(4) Either a left or right mirror.

(5) Turn signals, if manufactured after January 1, 1972.

(6) Head light(s) and taillight(s) illuminated at all times while in operation. If manufactured with two brake lights, both must be operational.

(7) A Muffler; however, there is no acoustical criteria.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 4

ADMISSION AND REGISTRATION

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MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 4

ADMISSION AND REGISTRATION

1. Entrances and Exits.

a. Personnel. MCLB Albany police officer(s) guard the only authorized personnel entrances and exits authorized by the Commanding Officer (CO) MCLB Albany.

b. Vehicles. Vehicles must enter and exit MCLB Albany on paved roads manned by a police officer, unless otherwise authorized by the Commanding Officer.

2. Admission of Motor Vehicles. The operation of a motor vehicle upon MCLB Albany is a privilege granted by the Installation CO, and may be revoked at any time. All vehicles entering/leaving and while onboard may be subject to search, vehicle verification and driver identification, and/or other procedures necessary to maintain safety and security aboard the Installation. Also, each individual seeking entry may be required to provide an Armed Forces Identification (ID) card, current state driver's license, or equivalent photo identification per ref (p).

a. Motor Vehicles admitted without a pass:

(1) POV with embarked sponsor and authorized ID card.

(a) Active Duty Military, Dependents and Retirees.

Admitted without restrictions at any hour.

(b) Government Employees/Contractors/Service Providers.

Admitted in conjunction with the operator's official duties, job, and service to the base or other authorized activities.

(c) Veterans Affairs Clinic Patients. Patients of the

Veterans Affairs (VA) Clinic with proper Veterans Affairs ID are allowed on to go to the VA clinic without a pass during clinic hours.

(2) Federal, state, county, and city owned vehicles, to include local utility companies' vehicles, will be admitted without unnecessary delay but, these vehicles may still be subject to search,

vehicle and driver verification, and other procedures necessary to maintain safety and security aboard the Installation.

(3) All other vehicles will be required to display a valid temporary pass, unless otherwise directed by the Commanding Officer.

b. Motor Vehicle pass types:

(1) VIP Passes. VIP passes are issued to local officials or individuals authorized by the CO and issued by the CO's office. Persons who possess a VIP pass, upon showing it, and a valid picture ID to the police officers at any gate, will be allowed entry onto the base.

(2) Special Event Passes. Non-sponsored visitors may bring motor vehicles aboard base during a command sponsored special events and must depart the base with their vehicles within 30 minutes upon conclusion of the event. A Special Event Pass is typically issued for a vehicle after an occupant's name from a valid photo ID has been verified on the Special Event access list provided by the event sponsor.

(3) Temporary Passes. Temporary passes are normally issued for a period of 30 days, and will be displayed in the lower left corner of the windshield. These passes are subject to verification by LE personnel at any time. Temporary passes are issued by the Pass and ID Unit at Building 3010 and are valid until 2359 on the date of expiration.

(4) Day/Visitors Pass. Issued to non-contract employees for periods of less than 30- days. Sporting/special events, family visits, business meetings, and conferences are all examples of short duration visits. Authorized personnel, (active duty family members, retirees, and DoD civilians) may sponsor visitors in person aboard the base. This request will be directed to the Visitors Control Center, Building 3010 during normal business hours or by the MCPD Law Enforcement Desk, Building 7520 during non-business hours. The sponsor need not be present at the time visitors are admitted; however, the sponsor will provide the following at the time of request:

(a) Personal identification and contact information.

(b) Visitor name and contact information.

(c) Vehicle make, model, year, color, & tag number (if known).

(d) Date and time of arrival/departure.

(5) Deadline Pass. The Chief of Police may authorize the issue of a Temporary Pass marked "deadline", for vehicles, which are authorized aboard the base for storage or mechanical work, but are not to be driven. These vehicles may be towed, using a tow bar.

NOTE: Visitors will need to provide a valid photo ID. The driver of a motor vehicle will need to provide a valid driver's license, vehicle registration, and proof of insurance.

c. Admission of any motor vehicle may be denied by the CO or designated representative when such denial is deemed to be in the best interest of the government.

d. Person(s) who knowingly introduce a motor vehicle without proper authorization or who knowingly operate vehicles on the base when such acts are prohibited by these regulations or other competent orders shall be subject to prosecution for violation of a lawful order for trespassing and upon conviction, may be punished in accordance with applicable federal laws.

e. Exceptions can be made by the CO. Examples of these exceptions are, but not limited to, personnel attending the Base Motorcycle Safety Course only for the duration of the course.

f. All passes are issued by, and remain the property of the DoD. The unauthorized removal, sale, transfer to another vehicle, mutilation, or altering of an MCLB Albany pass is prohibited.

NOTE: Visitor passes will not be used to circumvent the requirements for vehicle registration, the following paragraph 3. refers.

3. Registration of Motor Vehicles and Motorcycles. Registration of privately owned vehicles is required by active-duty service members, reservist on extended active-duty, reserve service members in the Selected Marine Corps Reserve (SMCR) or Individual Mobilization Augmentation (IMA) Unit, civilian employees of MCLB Albany and tenant commands, and any person that obtains a Defense Biometric Identification System (DBIDS) credential to access MCLB Albany within

10 days of reporting aboard the installation. The following is required:

a. Valid Armed Forces ID card (AFIC), DoD civilian common access card, or DBIDS card. In the case of civilian contractors/vendors, a letter from the sponsoring organization or Division Director, owner of companies or supervisory personnel must submit a listing to the Chief of Police of all employees and a listing of all subcontractors, if applicable. Contracts Department will provide the Marine Corps Police Department with a list of all companies/businesses that have Blanket Purchase Agreements (BPA's) with the base.

b. A valid state operator's license for the class of vehicle being registered. Temporary or provisional license, International Driver's License, and permits do not satisfy the requirement for registration.

c. Motor vehicle certificate of registration. An applicant who is not the owner of the vehicle may submit a notarized letter from the owner authorizing the applicant to register/use the vehicle. Vehicles belonging to other than immediate family members (i.e., parent, wife, or child) will not normally be registered.

d. Proof of liability insurance meeting the coverage amount requirement established in reference (f).

e. A completion certificate of a certified driver improvement course, if military and under 26 years of age.

f. All personnel operating a motorcycle aboard the Installation must have in his or her possession, a valid state driver's license with a motorcycle endorsement. Active duty must also have a current Motorcycle Safety Course Card.

g. Civilian Marines, contractors, military family members, military retirees, and visitors are not required to complete a Motorcycle Safety Foundation Course.

4. Suspended/Revoked Drivers. Individuals who have their base driving privileges suspended or revoked upon completion of BTC, will be required to report to the VCC with the letter of suspension in order to be processed in DBIDS.

5. Motor Vehicle Inspections

a. Prior to the issuance of a temporary pass, vehicles must meet the Motor Vehicle Safety Inspection Standard set forth by the State of Registration.

b. Personnel applying for a temporary pass, will sign a statement verifying their vehicle meets applicable safety standards.

c. Random administrative vehicle safety inspections of POVs will be conducted by LE personnel at the gates, parking lots, and other locations as directed by the CO or designated official.

6. De-Registration Of Motor Vehicles. All owners of registered vehicles shall notify the VCC upon sale, transfer, or state registration change, to de-register the vehicle

7. Contractor/Vendor Pass. Service providers such as vendors, contractors and other service type providers who require routine access to the installation will be vetted and granted access to the installation using the following procedures:

a. All contractors must contact the MCLB government representative and submit all required base access request forms in order to be considered for base access.

b. Foreign born applicants will need to provide proof of U.S. citizenship, or permanent resident card or resident work-permit card and proof of a social security card.

c. All Common Access Card (CAC) contractors will follow the same procedures with the exception of being assigned a trusted agent.

d. Criminal records checks shall be conducted prior to renewal of badges.

8. Personal Access Control System (PACS) and Contractor Access.

a. DBIDS, the Marine Corps' enterprise PACS solution, is a DoD owned and operated developed by the Defense Manpower Data Center as a force protection capability designed to manage personnel, property and installation access for the DoD. DBIDS is the only PACS authorized by the Marine Corps Installations at perimeter ECP's. DBIDS is an access management solution for vendors, contractors, suppliers, delivery personnel, and all other service providers who require access to Marine Corps Installations on a regularly re-occurring basis and are not eligible for a CAC. The VCC will issue these locally produced DBIDS credentials.

(1) DBIDS credentials are provided at no cost to the individuals who request and meet the requirements to obtain a credential. Vendors, contractors, suppliers, and delivery personnel must apply in accordance with local policy and receive a DBIDS credential if they pass back-ground screening requirements and are approved by the Installation Commander.

(2) DBIDS credential holders who do not drive a "commercial vehicle" may access MCLB Albany via the Main Gate and/or Gate 25 (Johnson Road Gate). Commercial vehicles must enter through those gates designated by the Installation Commander, where the vehicles are subject to inspection under local policy.

(3) All applicants who receive a DBIDS credential are subject to a criminal background check and a vehicle inspection at any time.

MOTOR VEHICLE AND TRAFFIC

REGULATIONS CHAPTER 5

MOTOR VEHICLE ACCIDENTS

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MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 5

MOTOR VEHICLE ACCIDENTS

1. Traffic Accident Investigations. MCPD and/or the Traffic Section will conduct detailed investigations in the event of the following accidents described below:

a. Accidents involving GOVs or government property on the installation involving a fatality, personal injury, or estimated property damage in excess of \$500. The installation motor pool will provide estimates of the cost of repairs. Investigations of off base accidents involving GOVs will be made in cooperation with the civilian law enforcement agency.

b. Any POV accidents on the installation involving a fatality, personal injury, or when a POV is inoperable as a result of an accident.

2. Responsibility of Traffic Investigators. LE traffic investigators will respond to and investigate all POV and GOV traffic accidents occurring on and off the installation that meet the criteria stated below:

a. GOV or government property on the installation involving a fatality, personal injury, or estimated government property damage in excess of \$500.

b. POV accidents on the installation involving a fatality, personal injury, or estimated property damage in excess of \$500, or when a POV is inoperable as a result of an accident.

c. The MCPD has no jurisdiction to investigate accidents off the installation, but will establish close coordination with local LE to obtain copies of reports of their investigations of any accident involving a GOV or the fatality/serious bodily harm of a military member. Information will be gathered as required by the command.

d. Any vehicle collision where there is the possibility of liability on the Government.

3. Responsibility of Drivers

a. Driver's of POVs involved in an accident on base, regardless of the amount of damage or the event of injury will stop at the scene and report the accident to the MCPD immediately.

b. Render aid and assistance to injured person(s) if possible and wait for Police/Fire/EMT personnel to arrive on scene. Do not remove an injured person(s) from the motor vehicle unless extreme conditions exist, such as a vehicle fire. In this case, the injured person should be carefully removed from the vehicle to a safe location.

c. Exchange names, addresses, insurance information, phone numbers, and driver's license numbers with the persons involved.

d. Do not move the vehicle(s) until directed to do so by LE personnel, except in the case of serious injury, when there are no other means available to transport the injured party to a medical facility, or if any vehicle involved constitutes a continued hazard to others and other vehicles on the roadway.

e. Make statements concerning the circumstances surrounding the accident to LE personnel only.

f. Driver's of GOVs, including non-appropriated funded vehicles, involved in any accident, on or off base, regardless of the amount of damage or extent of injury will, in addition to the above requirements as set forth in this paragraph a. through e. and also:

(1) Notify police agency with jurisdiction and MCPD, their supervisor or CO as soon as possible.

(2) Prepare a Motor Vehicle Accident Report, Standard Form SF-91 as soon as possible.

(3) Provide a completed SF-91 to MCPD Accident Investigator for review and signature.

(4) Make no statement from which government liability for the accident may be implied.

(5) Make statements concerning the circumstances surrounding the accident to LE officials only.

4. Responsibility of Other Drivers and Witnesses Not Directly Involved. Driver's and others who witness the accident, but are not directly involved will:

a. Stop at the scene and report the accident to the MCPD immediately.

b. Never enter the accident scene area, except to render aid and assistance to injured person(s), if possible and wait for Police/Fire/ Emergency Medical Services (EMS) personnel to arrive on scene. Do not remove an injured person(s) from the motor vehicle unless extreme conditions exist, such as a vehicle on fire. In this case, the injured person should be carefully removed from the vehicle to a safe location.

c. Make statements concerning the circumstances surrounding the accident to LE officials only.

5. Accident Scene. Traffic accident scenes are also a potential crime scene. The accident scene will be protected to preserve any evidence that may be compromised by access of unauthorized vehicles and personnel. Only the following personnel are authorized to be in the accident scene:

a. Police/Fire/EMS personnel working at the accident scene.

b. MCPD Accident Investigators gathering evidence, collecting data and taking photographs.

c. Safety officials and supervisors, only after being cleared by the on scene Watch Commander or Accident Investigators. Other personnel not directly involved in the accident will remain clear of the accident scene.

6. Extraction of Bodily Fluids in Traffic Cases. The procedures outlined herein pertain only to driving a motor vehicle and for whom probable cause exists to believe that such an individual is intoxicated. Extractions of body fluids in furtherance of other kinds of investigations are governed by the Manual for Courts-Martial, Military Rule of Evidence 315 (Series), and regulatory rules concerning requesting and granting authorizations for searches. Involuntary bodily fluid extraction must be based on valid search and seizure authorization. An individual subject to the Uniform Code of Military Justice (UCMJ) who does not consent to chemical testing, may nonetheless be subjected to an involuntary extraction of bodily

fluids, including blood and urine. Before authorizing the involuntary extraction, the Commander of the medical facility should coordinate with the Staff Judge Advocate or legal officer.

7. Use of Traffic Accident Investigation Report Data

a. Data derived from traffic accident investigation reports and from vehicle owner accident reports will be analyzed to determine probable causes of accidents. When frequent accidents occur at a location, the conditions at the location and the types of accidents (collision diagram) will be examined.

b. LE personnel and others who prepare traffic accident investigation reports will indicate whether or not seat restraint devices were being used at the time of the accident.

c. When accidents warrant, the CO may establish a traffic accident review board. The board will consist of LE, a traffic engineer, safety, medical, and legal personnel. The board will determine principal factors leading to the accident and recommend measures to reduce the number and severity of accidents on and off the installation.

d. Data will be shared with the installation legal, engineer, safety, and transportation officers. The data will be used to inform and educate drivers and to conduct traffic engineering studies.

MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 6

BASE TRAFFIC COURT

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MOTOR VEHICLE AND TRAFFIC REGULATIONS

CHAPTER 6

BASE TRAFFIC COURT

1. General. The authority and responsibility of the Base Traffic Court is set forth in chapters (2) and (5) of reference (b).

2. Authority

a. The Base Traffic Court (BTC) is authorized to conduct hearings into all cases referred to it, issue warnings, suspend or revoke driving privileges, assess points and assign personnel to remedial driver improvement training as appropriate. One or more of these actions may be taken, with or without a hearing, against military personnel and civilian employees for off base violations when driving a GOV. These actions may be taken against military personnel when operating POVs off base when the Base Traffic Board is notified by MCPD that grave circumstances exist where the health, safety and morale of the personnel stationed and working aboard the base are affected, or that a fine, forfeiture or other punishment for traffic violations has been adjudicated by a local, state or federal court. Administrative actions for moving violations committed off base should not be less than that required for similar offenses if committed on the installation.

b. The BTC may, after taking action, refer offenders to the CO or Labor/Employee Relations Branch, when their driving records indicate repeated violations, when they have been involved in accidents resulting from unsafe driving behavior, or when they have committed violations for which civilian authorities would normally suspend or revoke their driver's license.

c. All vehicle traffic violations in which a DD 1408 traffic citation has been issued will be referred to the BTC for adjudication unless an offender does not wish to contest a citation. In such circumstances, the offender may contact the BTC for disposition of the citation. For those who elect to contend the citation, the DD 1408 will serve as written notification for a violator to attend BTC within 30 days from the date of the infraction. The exception will be violations requiring a mandatory court appearance. BTC will be conducted on the third Thursday of each month, or when special hearings are required.

3. Administrative Due Process for Suspensions and Revocations. A preliminary suspension for intoxicated driving remains in effect until the CO makes a final decision. Requested hearing must take place within a reasonable period, which is determined by the CO. Suspension of driving privileges for traffic infractions at the time of citation will be adjudicated at the next available traffic court.

4. Application. The authority of the Traffic Court applies to military and civilian personnel operating GOVs on or off base, to military personnel operating POVs on or off base and to all persons (military or civilian) operating a POV aboard MCLB Albany.

5. Procedure. Violators are responsible to see that all witnesses and counsel, if desired, appear before the BTC. The examination of witnesses shall be conducted by the BTC who will determine the procedures to be used in each case.

a. The BTC, while conducting hearings, is authorized to conduct investigations into cases and is empowered to administer oaths, if necessary, in the performance of the duties pursuant to Article 136, UCMJ, and Section 2502, JAG Manual.

b. If it is determined, as a result of a hearing, to suspend or revoke the violator's privilege to operate a motor vehicle, the suspension will become effective immediately upon notification of such action. An individual whose privilege to operate a motor vehicle is suspended or revoked will have the right to appeal or request reconsideration to the CO, via the chain of command within 10 working days from the date of suspension or revocation.

c. Hearings conducted on revocation actions resulting from the use of alcohol or drugs will cover only the issue of whether:

(1) The official had probable cause to believe that the person had been driving or was in actual physical control of a motor vehicle while under the influence of alcohol and/or drugs.

(2) The person was lawfully cited or apprehended for an intoxicated driving offense.

(3) The person was apprehended for suspicion of DUI and they refused to submit to, or failed to complete a chemical test, when requested to do so by LE personnel, and had been advised that his/her driving privileges would be revoked if he/she refused to submit to, or failed to complete a chemical test by LE personnel. This does not apply to persons who are incapable of refusing.

(4) The testing methods used were valid and reliable, and the results accurately evaluated.

d. Disciplinary action may be taken against persons under the provisions of the Uniform Code of Military Justice, or by a U.S. Federal District Court or a Magistrate thereof, or in accordance with the provisions of Chapter 752, Federal Personnel Manual.

6. Point System

a. Points assessed against an individual will remain in effect for a period not to exceed 24 months or until separation of service, termination of employment, or deletion of entries by order of the CO. Revocation will cancel all points from the persons driving record. Driving record entries will remain on a driver's record for a period of (3) years.

b. The BTC will suspend driving privileges of individuals who accumulate 12 points within 12 consecutive months or 18 points within 24 consecutive months. Suspension of driving privileges based on accumulation of points shall not be for a period of less than 6 months. If an offender receives punishment from local, state, or federal courts which involves revocation of driver's license, and the revocation is subsequently suspended by the authority so imposing, the offender's base driving privileges may be restored upon his/her application, in writing, to the CO, MCLB, 814 Radford Boulevard, Suite 20302, Albany, Georgia 31704-0302. Applications for reinstatement must be forwarded via the chain of command.

7. Revocation. Revocation of driving privileges is a severe administrative action to be exercised for serious moving violations and/or when other corrective measures have failed to produce driver improvement.

a. Revocation of driving privileges is administered at the discretion of the CO to individuals who fail to comply with conditions of these regulations requisite to the granting of driving privileges. Revocation is mandatory for person(s) suspected of being in actual physical control of a motor vehicle upon the base, while under the influence of alcohol and/or drugs until proven otherwise to the satisfaction of the CO.

b. Any offender who commits the offenses of DUI, reckless driving, hit and run/flee scene, flee to elude or any other egregious offenses, on or off the installation, may have their driving

privileges temporarily suspended by the Marine Corps Police Department until the adjudication by the BTC.

c. Permanent administrative revocation will be imposed against any person(s) who has been confirmed as having possessed, used, transported or introduced into the base, any illegal drug or narcotic substance. Confirmation of such illegal activity includes conviction by civilian court, courts martial, imposition of non-judicial punishment (NJP), and results of urinalysis testing or other evidence, which is deemed preponderant by the BTC.

8. Permanent Revocation. Any person operating a motor vehicle while under the influence of any drug to a degree rendering him/her incapable of safe operation thereof, or any confirmed instance of possession, use, or transfer of any illegal drug shall have his/her driving privileges permanently revoked.

a. Any person who fails to appear in front of the BTC for their scheduled hearing will be permanently revoked of their base driving privileges until they appear before the BTC for adjudication of their citation.

9. One Year Mandatory Revocation. A one year mandatory revocation of base driving privileges shall be imposed upon any person convicted of any one of the following:

a. Vehicular homicide or manslaughter resulting from the operation of a motor vehicle.

b. On base DUI, with a BAC of 0.08 or higher.

c. Operating or in physical control of a motor vehicle during the commission of any felony involving the motor vehicle.

d. Fleeing the scene of an accident involving property damage, personal injury, or death (i.e. hit and run).

e. Perjury or making false affidavit or statement under oath to responsible officials or under law or regulations relating to the ownership/operation of motor vehicles.

f. Failure to submit to a chemical test.

10. Six Month Mandatory Suspension. A (6) month mandatory suspension of base driving privileges shall be imposed upon any

person convicted of any one of the following:

a. Habitual Violator. Four or more citations in a 12 month period. This infraction is to be imposed by the BTC only.

b. Commission of an offense for which mandatory revocation is required upon conviction.

c. Incompetent to drive a motor vehicle, i.e., mental or physical impairment.

d. Failure to wear seat belt, fourth offense.

11. Suspension of (6) Months to (1) Year (Discretionary). Any person convicted of any one of the following violations may have his/her driving privileges suspended for a period of no less than (6) months and no greater than (1) year:

a. Committed an offense in another jurisdiction, which if committed on base, would be grounds for suspension or revocation.

b. Permitted an unlawful or fraudulent use of an official driver's license.

c. Convicted of fleeing or attempting to elude a police officer.

d. Convicted of racing on a highway.

12. Driver Probation. The BTC may place a driver on probation in lieu of revocation. During the probationary period, they would be allowed to continue driving unless they became involved in a traffic accident or received a moving violation. Either type of incident would reinstate the original revocation.

13. Restricted Driving Privileges. Restricted driving privileges may be granted by the BTC to prevent undue hardship of a family member, or if said revocation would adversely affect military mission. Examples of restricted driving privileges would be to and from the dispensary or to and from work. Those violating restricted driving privileges are subject to revocation as prescribed above.

14. Remedial Driver Training. Subject to the BTC remedial driver training shall be imposed for most POV moving and non-moving violations. Remedial Driver Training Courses shall be attended by persons who have been found to be at fault in a traffic mishap while operating any GOV.

15. Citation of Violators. LE officials will issue DD Form 1408 citations to military violators. Traffic citations will be used.

a. Active Duty military members will be issued DD Form 1408 for all traffic violations. Serious infractions that require a mandatory BTC appearance and will be assigned a court date. The police officer will write the court date on the traffic ticket and explain to the violator that he/she must report to the BTC, Building 3500, Wing 500, Room 509 at the designated date and time indicated on the traffic ticket.

b. Civilians will be issued the DD Form 1805 for all traffic violations that require a mandatory Federal Magistrate Court (FMC) or an optional fine. Infractions that require a DD Form 1805 will be referred to the Federal Magistrate for adjudication. Infractions that offer an optional fine can be paid by the civilian violator by following the instructions on the back of the violator's copy of the DD Form 1805.

c. Minor infractions are optional BTC cases that can be heard if the military violator wants to contest the traffic ticket. The traffic court date will be assigned at the time of the issuance of the citation.

d. A police officer that issues a traffic ticket that requires a mandatory court appearance will be present at the BTC, at the request of the Magistrate, to provide testimony or justification for the issuance of the traffic ticket. If there are extenuating circumstances that prevent the police officer from appearing in court, he/she should notify the court liaison officer at least (3) working days before the scheduled court date so that the court can reschedule the military violator for the next available court date. If the police officer does not show up for the reassigned court date, the case could be dismissed.

16. DD Form 1408 Mandatory Court Violations. The following violations require the violator to appear before the Base Traffic Court:

- a. False proof of insurance.
- b. Driving on a suspended or revoked driver's license.
- c. Permitting an unauthorized minor to drive.
- d. Operating a commercial vehicle without a commercial license.

- e. Driving without a driver's license in possession.
- f. Driving while declared as a habitual violator.
- g. Passing a stopped school bus that is actively engaged in discharging or admitting passengers.
- h. Operating a motor vehicle without valid insurance.
- i. Speeding 35 MPH or more over the posted speed limit.
- j. Speeding 24-34 MPH above the posted speed limit.
- k. Speeding 19-23 MPH above the posted speed limit.
- l. Speeding 15-18 MPH above the posted speed limit.
- m. Speeding 10-14 MPH above the posted speed limit.
- n. Racing on highways or streets.
- o. Driving with an expired driver's license.
- p. Throwing litter or trash from a vehicle.
- q. Driving away without paying for gasoline
- r. Leaving the scene of an accident involving injury or death.
- s. Reckless driving, willful and wanton disregard for the safety of persons and property.
- t. DUI/driving a commercial vehicle under the influence of alcohol with a BAC of 0.04 or higher.
- u. DUI/endangering a child under 14 years of age.
- v. DUI/driving under the influence of marijuana or other controlled substance.
- w. DUI/driving under the influence of alcohol with a BAC of 0.02 or higher for individuals under the age of 21 years old.
- x. DUI/driving under the influence of alcohol with a BAC of 0.08 or higher for individuals 21 years or older.

- y. Fleeing or attempting to elude police officers.
- z. Driving with an open alcoholic beverage container in the vehicle.
- aa. Improper parking in space for persons with disabilities.
- ab. Improper backing, resulting in or involving an accident.
- ac. Expired vehicle registration.
- ad. Driving with an unsecured load (littering/escaping debris).
- ae. Failure to report involvement in an accident.
- af. Failure to wear appropriate PPE/gear while operating a motorcycle or bicycle.
- ag. Driving while using a cellular phone without a hands-free device.
- ah. Driving on the wrong side of roadway or street.
- ai. Allowing passengers to ride a motorcycle without appropriate PPE.
- aj. Allowing passengers to ride side-saddle while operating a motorcycle or bicycle.
- ak. Failure to yield or move over for emergency vehicle giving an audible or visible warning.
- al. Failure to yield to a pedestrian in a marked crosswalk.
- am. Headlight requirements/driving without headlights during periods of low visibility (rain, fog, smoke).
- an. Headlight requirements/driving without headlights after sunset and before sunrise.
- ao. Improper turning movements involving an official sign.
- ap. Leaving the scene of an accident, no injuries.
- aq. Riding a motorcycle with more than two abreast in the same lane.

- ar. Passing in a no passing zone.
- as. Operator and/or passenger of POV/GOV not wearing seat belts.
- at. Speed Restrictions driving too fast for conditions (i.e. rain, fog, or smoke).
- au. Traffic accident without injury.
- av. Use of radar detector or other jamming devices.
- aw. Failure to restrain children in an approved child restraint system.
- ax. Passing a vehicle, which is stopped to yield to a pedestrian.

18. DD Form 1805 FMC Violations for Civilians. The following violations require the civilian violator to appear before the Federal Magistrate Court:

- a. False proof of insurance.
- b. Driving on a suspended or revoked driver's license.
- c. Operating a commercial vehicle without a commercial license
- d. Driving while declared as a habitual violator under Georgia Law.
- e. Operating a motor vehicle without valid insurance.
- f. Speeding 35 MPH or more over the posted speed limit.
- g. Racing on highways or streets.
- h. Driving away without paying for gasoline (second offense and thereafter).
- i. Leaving the scene of an accident involving injury or death.
- j. Reckless driving, willful and wanton disregard for the safety of persons and property.
- k. DUI/driving a commercial vehicle under the influence of alcohol with a BAC of 0.04 or higher.

- l. DUI/endangering a child less than 14 years of age.
- m. DUI/driving under the influence of marijuana or other controlled substance.
- n. DUI/driving under the influence of alcohol with a BAC of 0.02 or higher for individuals 21 years of age or younger.
- o. DUI/driving under the influence of alcohol with a BAC of 0.08 or higher for individuals 21 years old or older.
- p. Fleeing or attempting to elude police officers.

19. DD Form 1805 Optional Fine or FMC Appearance Violations For Civilians. The following violations require the civilian violator to pay an optional fine or appear before the FMC-:

- a. Permitting unauthorized minor to drive.
- b. Passing a stopped school bus that is actively engaged in discharging or admitting passengers.
- c. Speeding 24-34 MPH above the posted speed limit.
- d. Speeding 19-23 MPH above the posted speed limit.
- e. Speeding 15-18 MPH above the posted speed limit.
- f. Speeding 10-14 MPH above the posted speed limit.
- g. Throwing litter or trash from a vehicle.
- h. Driving away without paying for gasoline.
- i. Driving with an open alcoholic beverage container in vehicle.
- j. Improper parking in space for persons with disabilities.
- k. Improper backing, resulting in or involving an accident.
- l. Vehicle parked illegally, third offense or thereafter.

20. Violations and Points Assessments and Other Permissible Assessments

a. The point assessments indicated are mandatory. However, the decision to impose a revocation of base driving privileges is discretionary.

b. When two or more violations are committed on a single occasion, the Magistrate may assess the full point value for all violations.

c. When BTC appearance is mandatory for a violation and person(s) fail to appear for their scheduled appearance, then the individual will have their base driving privileges suspended until appearance before the BTC. The only exception to this will be if the person has made prior arrangements with the Traffic Court Liaison.

d. No points are assessable in lieu of revocation. Except for implied consent violations, revocation must be based on a conviction by the BTC.

21. Traffic Court Appeals Process

a. Right of Appeal. Any person whose driving privileges have been suspended or revoked has the right to appeal the decision of the TC. Administrators will inform the violator of the right of appeal. Appeals will be forwarded to the Installation Commander through the base traffic court clerk. Civilian and family member appeals should be addressed directly to the MCLB Albany Commanding Officer. Appeals must be submitted within 10 working days from the date the individual appeared before TC.

b. All appeals submitted in writing will utilize the form found in enclosure 2 and on the MCLB Albany website.

CODE	VIOLATION	CONSEQUENCE
001	Driving a motor vehicle Under the Influence (DUI) Commercial Vehicle-BAC of 0.04 or more	1 year Revocation
002	Less than 21 years of age-BAC of 0.02 or more (DUI)	1 year Revocation
003	21 years of age or older-BAC of 0.08 or more (DUI)	1 year Revocation
004	Less Safe-BAC of 0.05 to 0.79 (DUI)	6 month Suspension
005	Driving with an open alcoholic beverage container (DUI)	Five points and Suspension of not more than 60 days
006	Driving on suspended or revoked driver's license (DUI)	Six points and Suspension of not more than 90 days
007	Driving without driver's license in possession (DUI)	Three points and Suspension of not more than 60 days
008	Driving with expired driver's license (DUI)	Four points and Suspension of not more than 60 days
009	Driving while declared as a habitual violator (DUI)	Six points and Suspension of not more than 90 days
010	Endangering a child underage 14	1 year Revocation
011	Marijuana or controlled substance	Permanent Revocation
012	Driving away without paying for gasoline: 1st Offense 2nd Offense 3rd Offense or more	4 points and Suspension of not more than 60 days 6 points and suspension of not more than 90 days 1 year Revocation

013	Driving while using a cellular phone without a hands-free device and driving while text messaging: 1st Offense: 2nd Offense: 3rd Offense:	2 points and 30 day suspension of base driving privileges 4 points and 60 day suspension of base driving privileges 6 points and 90 day suspension of base driving privileges
014	Driving on the wrong side of roadway or street	4 points and Suspension of not more than 30 days
015	Driving with an unsecured load on vehicle/trailer	2 points and Suspension of not more than 30 days
016	Driving with a unsecured load on vehicle/trailer littering/escaping debris	3 points and Suspension of not more than 30 days
017	Driving on sidewalk or pedestrian areas	3 points and Suspension of not more than 30 days
018	Failure to report involvement in an accident	6 points and Suspension of not more than 60 days
019	Failure to obey traffic signals or instructions of traffic control man or road guard	4 points and Suspension of not more than 90 days
020	Expired vehicle registration	4 points and Suspension of not more than 30 days
021	False proof of insurance	4 points and Suspension of not more than 30 days
022	Failure to yield or move over for emergency vehicle giving an audible or visible warning	4 points and Suspension of not more than 90 days

023	Failure to yield to pedestrian in a marked crosswalk	4 points and Suspension of not more than 90 days
024	Failure to yield (Official Sign)	4 points and Suspension of not more than 90 days
025	Failure to yield (No Official Sign)	4 points and Suspension of not more than 60 days
026	Failure to use turn signal	3 points and Suspension of not more than 30 days
027	Failure to stop at a posted stop sign	4 points and Suspension of not more than 90 days
028	Failure to dim headlight	2 points and Suspension of not more than 30 days
029	Failure to wear required equipment/clothing while operating a motorcycle or bicycle	3 points and Suspension of not more than 30 days
030	Fleeing or attempting to elude police	6 month suspension
031	Following too close to another motor vehicle	4 points and Suspension of not more than 60 days
032	Headlight requirements/driving without headlights during periods of low visibility (rain, fog, smoke)	2 points and Suspension of not more than 30 days
033	Headlight requirements/driving without headlights after sunset and before sunrise.	2 points and Suspension of not more than 30 days
034	Impeding traffic flow/operation below the minimum limits or at such slow speed as to impede the normal and reasonable movement of traffic	3 points and Suspension of not more than 30 days
035	Improper backing	3 points and Suspension of not more than 30 days
036	Improper backing, resulting in or involving an accident	4 points and Suspension of not more than 60 days
037	Illegal parking: 1st Offense: 2nd Offense: 3rd Offense:	 2 points 4 points 6 points

038	Improper passing or improper lane use including crossing solid yellow lines and passing troops in formation	4 points and Suspension of not more than 60 days
039	Improper turning movements (No Official Sign)	3 points and Suspension of not more than 30 days
040	Improper turning movements (Official Sign)	4 points and Suspension of not more than 60 days
041	Improper U-turn.	3 points and Suspension of not more than 30 days
042	Leaving the scene of an accident: involving injury or death property damage only	1 year Revocation 6 points and Suspension of not more than 60 days
043	No brake lights: 1st Offense: 2nd Offense: 3rd Offense:	3 points 3 points and Suspension of not more than 30 days 5 points and Suspension of not more than 60 days
044	No tag light: 1st Offense: 2nd Offense: 3rd Offense:	2 points 2 points and Suspension of not more than 30 days 4 points and Suspension of not more than 60 days
045	Operating a commercial vehicle without a commercial license	6 points and Suspension of not more than 90 days

046	Operating an unsafe vehicle	4 points and Suspension of not more than 30 days
047	Operating a motor vehicle without valid insurance	6 points and Suspension of not more than 90 days
048	Operator/passenger of POV/GOV not wearing seat belt: 1st Offense: 2nd Offense: 3rd Offense:	points and mandatory Remedial Driver's Course, and 30 days suspension of base driving privileges 4 points and mandatory Remedial Driver's Course, and 60 days suspension of base driving privileges 6 points and mandatory Remedial Driver's Course, and 90 days suspension of base driving privileges
049	Owner knowingly and willfully permitting another person(s) to operate his/her motor vehicle when physically impaired	6 points
050	Passing a stopped school bus that is actively engaged in discharging or admitting passengers	4 points and Suspension of not more than 30 days
051	Passing in a no passing zone	4 points and Suspension of not more than 30 days
052	Passing vehicle stopped to yield to a pedestrian	4 points and Suspension of not more than 60 days

053	Permitting unauthorized minor to drive	4 points and Suspension of not more than 30 days
054	Racing on highways or streets	6 points and Suspension of not more than 90 days
055	Reckless driving-willful and wanton disregard for the safety of persons or property	6 points and Suspension of not more than 90 days
056	Riding motorcycle with more than two abreast in the same lane	4 points and Suspension of not more than 30 days
057	Riding on the handlebars of a motorcycle or bicycle	4 points and Suspension of not more than 30 days
058	Speed restriction Driving too fast for conditions (rain, fog, smoke)	6 points and Suspension of not more than 90 days
059	Speeding (exceeding the posted speed limit): 1 to 10 MPH over 11 to 15 MPH over 16 to 20 MPH over Over 20 MPH above the posted speed limit	3 points and Suspension of not more than 30 days 4 points and Suspension of not more than 60 days 5 points and Suspension of not more than 90 days 6 points and Suspension of not more than 90 days
060	Throwing litter or trash from a vehicle	2 points and Suspension of not more than 30 days

061	Traffic accident-driver is deemed to be at fault	4 points and Suspension of not more than 60 days
062	Use of a radar detector or radar jamming device	2 points and Suspension of not more than 30 days
063	Vehicle carrying more passengers than the vehicle was designed to carry, including the carrying of passengers in an uncovered open bed pickup truck	3 points and Suspension of not more than 30 days
064	Vehicle parked illegally 1st Offense: 2nd Offense: 3rd Offense:	2 points 2 points and Suspension of not more than 30 days 4 points and Suspension of not more than 60 days
065	Wearing of headphones/earphones while operating a motor vehicle (2 or more wheels)	3 points and Suspension of not more than 30 days
066	Other moving violations not listed	3 points and Suspension of not more than 30 days
067	Other moving violations (Involving driver's behavior only)	3 points and Suspension of not more than 30 days
068	Violation of other motor vehicle regulations not specifically cited above	Revocation not to exceed 7 days

CUI



UNITED STATES MARINE CORPS
MARINE CORPS LOGISTICS BASE
814 RADFORD BOULEVARD SUITE 20302
ALBANY GEORGIA 31704-0302

5560.9F
PSD

APPEAL TO THE COMMANDING OFFICER ICO:

First Name Initial Last Name Suffix Rank

Address City State Zip Code

EDIPI E-mail

Phone Number Work Number Extension

I want to appear in person before the Commanding Officer for appeal: Yes No

TRAFFIC COURT APPEAL FOR CITATION NUMBER:

SIGNATURE (sign your name): Date:
DETAILS OF APPEAL:

[Empty box for details of appeal]

PLEASE INCLUDE ANY AND ALL INFORMATION PERTINENT TO YOUR CASE. INCLUDE COPIES OF ALL DOCUMENTS, TRAFFIC TICKETS AND TRAFFIC COURT PAPERWORK, HOUSING LETTERS, LETTERS FROM SUPERVISORS, ETC... CONTINUE ON BACK IF NECESSARY

E-Mail completed form and documents to: Commanding Officer, Marine Corps Logistics Base Albany, Attn: Traffic Court Clerk, Bldg. 7520 Room 111, 814 Radford Boulevard, MCLB Albany, Ga. 31704-0304, email: mclbalbanypmo-admin@usmc.mil , or fax to (229) 639-5484.

* Any Questions, call Traffic Court Clerk (229) 639-7590

PRIVACY ACT STATEMENT

Information contained on this form is maintained under the Systems of Record Notice CIG 24, Office Functional Files (June 16, 2014, 79 FR 34296).
AUTHORITY: The Inspector General Act of 1978 (Public Law 95-452), as amended; DoD Directive 5106.1; 5 U.S.C. 301; DoD Directive 5145.4, and Defense Legal Services Agency.
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