



DEPARTMENT OF THE NAVY
COMMANDING OFFICER
NAVAL AIR STATION
700 AVENGER AVENUE
LEMOORE, CALIFORNIA 93246-5001

IN REPLY REFER TO:

NASLEMINST 5560.8J
N3AT
01 JUL 2019

NAVAL AIR STATION LEMOORE INSTRUCTION 5560.8J

From: Commanding Officer, Naval Air Station Lemoore

Subj: STATION VEHICLE CODE AND VEHICLE ACCESS CONTROL POLICY

- Ref:
- (a) Uniform Code of Military Justice (UCMJ)
 - (b) State of California Vehicle Code (CVC)
 - (c) United States Code Title 18 (499)
 - (d) United States Code 50 797 (23)
 - (e) Federal Clean Air Act 118 1.11.4 Military Personnel Vehicles
 - (f) Federal Management Regulations 102-74.410
 - (g) CNICNOTE 5530 (Latest)
 - (h) COMNAVREGSWINST 5530.1 (Series)
 - (i) JAGINST 5800.7 (Series)
 - (j) OPNAVINST 5100.12 (Series)
 - (k) NAVFAC P-300
 - (l) OPNAVINST 11200.5 (Series)
 - (m) OPNAVINST 5350.4 (Series)
 - (n) OPNAVINST 5530.14 (Series)
 - (o) OPNAVINST 5102.1 (Series)
 - (p) Lincoln Military Housing (LMH) Community Policies
 - (q) NASLEMINST 5370.3 (Series) Policies for Minors

- Encl:
- (1) Motor Vehicle Registration
 - (2) Station Vehicle Code General Guidance
 - (3) Motor Vehicle Operation
 - (4) Installation Parking
 - (5) Driving Under the Influence
 - (6) Bicycles and Pedestrians
 - (7) Possession of Deadly and Dangerous Weapons
 - (8) Motor Vehicle Law Enforcement
 - (9) Motor Vehicle Accidents
 - (10) Traffic Codes
 - (11) Traffic Points System
 - (12) Traffic Court Regulations

1. Purpose. Provide a standard vehicle code and access control policy for Naval Air Station Lemoore (NASL) that is in compliance with the requirements of references (a) through (q).

This directive covers operation of motor operated vehicles and bicycles, and related traffic regulations. This is a major revision and should be read in its entirety.

2. Cancellation. NASLEMINST 5560.8H. This instruction is a complete revision and must be reviewed thoroughly.
3. Scope. This instruction contains specific procedures for vehicle administration, traffic supervision, entry to and exit from NASL, parking regulations, motor vehicle operation, and administration of the traffic point system for motor vehicles and bicycles aboard all facilities and personnel under the cognizance of the NASL Commanding Officer (CO).
4. Applicability. This instruction is applicable to:
 - a. All vehicles operated on, or parked within, the jurisdictional limits of NASL.
 - b. All personnel that require entry to and exit from NASL.
5. Policy. Accessing this installation is a privilege not a right. Entry onto NASL by persons or vehicles is permitted only with the prior, specific permission of the NASL CO.
6. Action. All persons within the purview of NASL jurisdictional area must strictly comply with this instruction. This instruction is punitive in nature and violation will subject offender to prosecution. Requirements for access by vendors and guests are delineated in enclosure (1). Any other entry is prohibited. Unauthorized entry by members of the Armed Forces will subject them to prosecution for violation of reference (a), Article 92. Such entry by civilian personnel will constitute a violation of Title 18, U.S. Code, Section 1382, and Title 50, U.S. Code, Section 797, and will subject them to a fine of up to \$5,000.00 or imprisonment of up to one year, or both.
7. Penalties. Violation of any portion of this instruction, of Navy or DoD regulation or policy or of State or Federal Law may result in any of a wide range of penalties. These penalties include, but are not limited to criminal charges, civil charges, administrative and/or disciplinary action under the Uniform Code of Military Justice (UCMJ), vehicle towing at owner's expense, vehicle impoundment at owner's expense and/or other administrative or legal action up to and including removal of vehicles or individuals from the confines of NASL.
8. Delegation of Authority. The authority to impose any or all of the penalties listed above is delegated to the NASL Executive Office (XO), Command Duty Officer (CDO), Security Officer (SECO), Staff Judge Advocate, Traffic Court Judges appointed by the NASL CO, Security Watch Commander during their watch and anyone designated in writing as acting in the capacity of these aforementioned positions. While every reasonable effort shall be made to consult with the CO or XO before exercising this authority, nothing herein shall limit the authority of the above named individuals to act in the absence of the CO or XO when, in their professional opinion, events warrant immediate action.

9. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per SECNAV Manual 5210.1 of January 2012.

10. Review and Effective Date. Per OPNAVINST 5215.17A NASL SECO will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10 year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.



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MOTOR VEHICLE REGISTRATION

1. **Background.** All privately owned motor vehicles operated on board NASL jurisdictional are required to maintain a current registration with NASL Pass and ID Office prior to driving on base, if working or residing on any NASL property. State vehicle requirements (registration, insurance, driver's license, and Smog certification when required) must be carried in each vehicle at all times and are required to be produced to Security Department personnel when requested.

2. **State Requirement**

a. **Vehicles purchased in California.** Owners of vehicles over 6 years old are required show proof of a valid California Smog Certificate upon request. The following vehicles are exempt from smog inspections:

(1) Hybrid

(2) Gasoline powered 1975 year model or older

(3) Diesel powered manufactured prior to 1998 or with a Gross Vehicle Weight Rating (GVWR) of more than 14,000 lbs.

(4) Electric

(5) Natural gas powered with a GVWR rating of more than 14,000 lbs.

(6) Motorcycle

(7) Trailer

b. **Vehicles purchased outside California or registered in another state.** In accordance with reference (e), all personnel registering out-of-state vehicles for more than 60 days must show proof of a valid California Smog Certificate regardless of age of vehicle. Personnel should advise the test station that they are not registering their vehicle in California but are required to have a copy of the vehicle inspection report to show compliance. The Smog certificate or waiver must be maintained in the vehicle.

c. California law limits the amount of money required to be spent on repairs needed to pass a biennial Smog Check inspection to \$450 minimum. If you have spent at least \$450 on repairs at a Smog Check station and your vehicle continues to fail inspection, you may qualify for a Repair Cost Waiver. A Repair Cost Waiver postpones the certificate requirement and allows you to complete the vehicle registration renewal. The Repair Cost Waiver can only be issued by the State Referee. Please note that the repair cost limit only applies to the biennial Smog Check requirement and does not apply to the repair of tampered emission controls or repairs performed

prior to inspection. A vehicle receiving a waiver must be fully repaired by the next Smog Check requirement. A waiver may only be issued once to an owner of a particular vehicle and may not be issued if a waiver was issued during the previous biennial inspection. Personnel should advise the test station that they are not registering their vehicle in California but are required to have a copy of the vehicle inspection report to show compliance. The Smog certificate or waiver must be maintained in the vehicle.

Note: Additional information regarding California Smog requirements can be obtained from <http://www.dmv.ca.gov/vr/smog.htm>.

3. Pass and ID. NASL has one Pass and ID Office located outside NASL Administration Area, Main Gate, Bldg. 716. It is open Monday through Friday from 0600-1600; closed Saturday, Sunday, and holidays.

4. General. The following general information is provided in regards to requirements for driving onboard the installation.

a. In order for a driver, other than the registered owner of the vehicle, to drive the vehicle on the installation, the registered owner must give written, NOTARIZED permission to that person, to drive the vehicle. Included in this document will be an effective date and an expiration date. That person must have proof of insurance for the vehicle.

b. In the event that vehicle registration is required and the registered owner is unable to personally register the vehicle, an authorized agent may do so. Authorized agents include a spouse, parent, dependent child (18 years of age or older), or a commissioned officer from the same command with a letter from the owner.

c. Contractors/commercial firms and vendors must have entry requirements verified each day prior to entry unless enrolled in DBIDS (Defense Biometric Identification System).

d. The NASL Pass & ID Office shall be notified when a vehicle (registered at NASL) is sold, traded, or otherwise leaves permanent possession of the registrant.

e. All personnel driving on the installation must meet the following requirements:

(1) Must possess valid installation access credentials.

(2) Must possess valid Operator's License issued by a state or territory of the United States. Limitations and endorsement will be noted at time of registration.

(3) Must have proof of Insurance Coverage required by the State of California (California Insurance Code §11580.1b); liability insurance in the amount of at least \$15,000 for bodily injury or death of one person in any one accident and subject to the limit for one person, a limit of not less than \$30,000 for bodily injury or death for two or more persons in any one accident

and a limit of not less than \$5,000 for damage or destruction of property of others in any one accident. Proof of insurance or proof of transfer of insurance to new vehicles must be shown prior to issuing any decal or pass.

(4) Must have proof of valid California Smog certificate or waiver (if required).

(5) In addition to meeting the above requirements, personnel who ride motorcycles must also be able to present the proof of satisfactory completion of a Navy-approved Motorcycle Safety Course and a valid motorcycle operator's license.

(6) Must possess valid state registration. If state registration hasn't been completed on newly purchased motor vehicles, vehicle operators shall present evidence that compliance is in progress (Bill of Sale/Purchase Contract with Temporary State Registration).

f. Temporary access passes may also be issued in circumstances deemed appropriate by the Access Control Officer (ACO), subject to restrictions imposed by applicable orders.

(1) Temporary access passes may be valid for an appropriate length of time, depending on the circumstances under which they are issued. Each application will be decided upon individually. These passes will be for 1 day or longer. In no case will temporary passes be issued for periods of greater than 90 days.

(2) One-day passes may be issued to visitors, guests, and other personnel who must conduct short term business on NASL. These passes may be issued at the NASL Pass & ID Office, during normal operating hours.

(3) All passes are valid until midnight on the date indicated or otherwise indicated with a timeline.

g. Solicitors are not permitted on station except as provided by reference (f).

STATION VEHICLE CODE
GENERAL GUIDANCE

The purpose of this instruction is to provide a standard vehicle code for all personnel and activities under the jurisdiction of NASL. This directive covers operation of motor vehicles and bicycles plus other related traffic regulations on board NASL. This instruction applies to all military, civilian, contractors, vendors, and volunteers on board NASL installations. All persons within NASL jurisdictional area must strictly comply with the enclosed parameters and directions as set forth within.

Any disputes received as to the wording, intentions or enforcement of this instruction shall be referred to the NASL Traffic Court Coordinator for resolution.

1. Definition of Terms. Words and phrases defined by reference (b) shall apply, except as modified below:

- a. Bicycle – An operator-powered two or three-wheeled vehicle. (A person walking alongside a bicycle is considered a pedestrian.)
- b. Command – NASL and all areas under jurisdiction of the NASL Commanding Officer.
- c. Driver – Synonymous and interchangeable with “Operator” or “Rider.”
- d. Emergency Vehicle – Any motor vehicle identified and authorized for use for law enforcement, accident investigation, fire protection, security, ambulance, crash or rescue work, weapons, delivery/transport and emergency Public Works Service. Emergency vehicles will be equipped with a red light and/or siren. Police vehicles will be equipped with blue lights.
- e. Highway – Any roadway, street, or place on this station designated or used for the movement of vehicular traffic.
- f. Load – Anything carried or towed by a motor vehicle.
- g. Motorcycle – Any government or privately-owned motor vehicle (both street and off-road versions) having a seat or saddle for the use of its operator and designed to travel on not more than three wheels. This includes vehicles with less than 50 cc engines such as mopeds, motor scooters, and motorized bicycles.
- h. Motor Vehicle – Any self-propelled overland vehicle, equipment, or device which is designed or is being used to transport persons and/or things on land and does not operate on rails. Includes, but is not limited to, automobiles, motorcycles, trucks, construction equipment (e.g., earthmovers, bulldozers), aviation ground support equipment (e.g., aircraft starting units, tow tractors), off-road vehicles (e.g., jeeps, four-wheel drive vehicles), combat vehicles (e.g., tanks, armored personnel carriers), and recreation vehicles (e.g., go-carts, snowmobiles, golf carts, dune buggies, trail bikes).

- i. Motor Vehicle Accidents – Any incident involving a motor vehicle in motion that results in vehicle damage, personal injury, or property damage.
- j. Long-term Parking – Anything exceeding 72 hours and/or any length of time while on deployment or detachment.
- k. Pedestrian – A person afoot, including someone walking alongside a bicycle or motorcycle, behind a stroller or wheelchair, or someone in a wheelchair (motorized or manual).
- l. Registration – As used here refers to the registration of motor vehicles, bicycles and mopeds.
- m. Roadway – Interchangeable with “highway.”
- n. Station – Synonymous and interchangeable with “Naval Air Station Lemoore,” and “Command” and includes both Naval Air Station Lemoore Administration and Operations Areas.
- o. Radar Detection Device – A device/equipment used to indicate the presence of speed recording instruments or to transmit simulated erroneous speeds, including, but not limited to radar and laser devices.
- p. Tenant Command - Those activities onboard NASL physically located on or attached to NASL for the purposes of complying with the intent of this instruction. They may or may not have a separate CO. The CO or senior person of each tenant command will be responsible to the NASL CO for compliance with the intent of this instruction and for disseminating related information to their personnel.
- q. Legal Parking Spot - A spot marked on the pavement painted in accordance with the requirements of this instruction to accommodate a vehicle that is legally onboard NASL. Any area not marked as a legal parking spot or parking outside of marked spots, such as in dirt areas, may be declared as an obstruction and subject to the towing/relocating regulations contained in this instruction.
- r. Abandoned Vehicle - Vehicles that are not readily identifiable as to the owner due to the absence of valid state registration, may be declared an “Abandoned Vehicle.” Vehicles that are parked in parking areas that have time limits (e.g., 72 hours) will be declared an “Abandoned Vehicle” by Security personnel after being appropriately marked and ticketed. Marking shall consist of “chalking” or other similar means. NASL Security Department personnel are responsible for carrying out the intent of this paragraph. Vehicles declared as “Abandoned Vehicles” under the meaning of this instruction may be towed or relocated at the owner’s expense.

s. General (OPEN) Parking - Parking areas onboard NASL are controlled by NASL SECO. Parking in open parking areas is authorized for periods up to 72 hours unless otherwise posted. Vehicles must remain within lots outlined with white striping.

t. Prohibited Vehicles - Recreational vehicles (RVs), trailers, and boats (to include jet skis, motor boats and sail boats) are authorized only at approved Morale, Welfare, and Recreation (MWR) facilities. RVs may be used for daily transportation but are not allowed to remain in any area over 24 hours. Failure to coordinate valid parking for these vehicles may result in having them towed or relocated. Broken down/inoperable or unregistered vehicles are not authorized for any period of time and will be processed as an "Abandoned Vehicle." Boats (on trailers) and other trailers are not allowed to be stored or left unattended in Unaccompanied Bachelor Housing (UH) areas.

2. The NASL SECO has the responsibility and authority to implement provisions of this instruction.

3. Persons failing to meet the requirements of this instruction will be denied driving privileges onboard NASL and will face other administrative and/or judicial action.

4. One Trip/One Day passes serve only to identify that registrants have met the requirements for coming onboard NASL. Drivers and other occupants of the vehicle must be prepared to show identification upon demand. Expired or mutilated ID cards will be confiscated when being offered as identification.

5. Penal/Authority: Per reference (c), whoever falsely makes forges, counterfeits, alters, or tampers with any Naval military or official pass or permit issued by or under competent U.S. authority, or with intent to defraud, uses or possesses any such pass, personates or falsely represents themselves to be a person to whom such pass or permit has been duly issued, or willfully allows any other persons to have or use any such pass or permit issued for their use alone shall be fined up to \$2,000 or imprisoned up to 5 years, or both.

6. Per reference (d), all vehicles, while on government controlled property are subject to search.

7. Roadway Maintenance Repair/Alteration/Modifications

a. Public Works, private contractors or any station or tenant activity having a requirement to perform work affecting vehicular or pedestrian traffic on any roadway, sidewalk or parking lot will coordinate such work with the Security Department (phone number 559-998-4743) at least 72 hours prior to commencing. Emergency repairs will be coordinated with the Security Department at the earliest possible time.

b. Any activity/contractor, etc., performing work as indicated above, is responsible for the following, as required:

- (1) Barricading any work area(s);
- (2) Installing highway barricade warning lights(s) or similar lighting device(s) to alert pedestrians and vehicular traffic during non-daylight hours;
- (3) Providing flagmen; and
- (4) Erecting adequate temporary traffic signs to control traffic through construction areas.

8. Towing

a. Vehicle Towing - Vehicles found to be in violation of the requirements of this instruction may be TOWED or RELOCATED at the owners' expense.

b. Towing is governed as follows:

(1) Any vehicle may be towed immediately and without warning if, in their best judgment, the CO, XO, SECO or the CDO determines that it is posing an immediate or potential hazard. This includes vehicles parked in such a manner that it impairs or adversely affects the ability of the installation, its agents or contractors to start, complete, or perform work necessary to the functioning of the installation. Vehicles parking outside of marked parking stalls that impact a clear roadway or fire lane or that are blocking the flow of traffic are included in the intent of this paragraph.

(2) Vehicles that remain in parking areas may be ticketed after 72 hours, or less if overnight parking is prohibited, have elapsed. If the vehicle remains after an additional 24 hours has elapsed a second Traffic Violation Notice may be written along with an Abandoned Vehicle Notice (DD form 2504). A third Traffic Violation Notice may be written following an additional 24 hours and the vehicle will be subject to tow under authority of this instruction. Vehicles cited for other violations in which the latest violation is their third parking ticket may be towed upon verification of three tickets. Vehicles receiving three tickets may also have their base driving privileges revoked in accordance with enclosure (11) of this instruction.

(3) Any vehicle found on the driver's suspension list with only one registered driver.

(4) Towing of vehicles found to be in violation of this instruction may be conducted by commercial towing companies as authorized in accordance with this instruction.

(5) Non-Emergency Towing: Vehicle owners may initiate Commercial Towing onboard NASL for their disabled vehicle by contacting a towing company authorized to conduct business onboard military installations. The vehicle owner must follow current security regulations as to commercial vehicles coming onboard NASL including escorting the Tow Truck if required. Tow Truck operators must conform to NASL and State regulations that may pertain to conducting business onboard NASL.

9. Parking within Special Use Parking Areas

a. Vehicles that are unable to gain access to NASL due to driving suspensions/barrments may park in the barrment parking lot adjacent to the Pass and ID building. Authorization must be obtained by Pass and ID Office personnel in the form of a paper pass that must be displayed visibly in the vehicle. Failure to display the pass may result in citation of illegal parking.

b. Vehicle maintenance with the exception of emergency repairs (flat tire, battery change or jump start, changing windshield wipers or fan belts, etc.) will not be performed in any parking lot on base. Inoperable vehicles must be towed to the MWR Auto Hobby Shop or off Station for repairs.

c. Appropriate Areas. Parking is permitted only in designated areas appropriate for the vehicle driver to park and where not otherwise prohibited by signs or markings. It is the responsibility of the vehicle owner to ensure the vehicle is parked appropriately. See "Long-Term Parking" below.

d. Long-term parking is only authorized in the driveway or garage of the member's own government quarters, or in the MWR long-term parking lot located on Enterprise Ave, behind the Fire Station at building #770. Access and use of this long-term parking must be coordinated and approved by MWR personnel prior to parking. Spaces may be available on a first come, first serve basis.

10. Government Property and Removal. Removal and transportation of government property from NASL may be authorized via government-owned vehicle, commercial carrier, or private vehicle provided that such property is accompanied by a Bill of Lading, authorized property pass, or other shipping document listing the property or equipment. When suspicion exists that the property being transported has not been duly authorized for removal, the driver of the vehicle should be detained and the circumstances reported to the NASL Security Department. Should the driver fail to stop, identification of both the vehicle and driver shall be promptly relayed to the Regional Dispatch Center.

MOTOR VEHICLE OPERATION

1. **General.** Vehicles will be operated in a safe, responsible manner while on NASL in accordance with reference (b) and such other rules and regulations, which the NASL CO shall deem prudent for the safety of personnel and property.
2. **Seat Belts.** Seat belts are required for all persons, in all vehicles equipped with seat belts, at all times while operating a vehicle on NASL. Individuals shall not ride in seating positions where safety belts have not been installed or have been removed or rendered inoperative. Passengers shall not ride in cargo areas of a motor vehicle, except when the vehicle has been modified for such purpose. The driver of any Government and Non-Appropriated Fund motor vehicle is responsible for informing all passengers of requirement for applicable safety belts, proper child restraints, and personal protective equipment. It is the responsibility of the senior occupant of the Government and Non-Appropriated Fund vehicle to ensure compliance by all passengers with those requirements. The operator of any private motor vehicle is responsible for informing and ensuring compliance by all passengers of the seat belt requirement. Vehicle modifications shall meet Federal Motor Vehicle Safety Standards 208, 209, and 210.
3. **Child Passenger Seat Restraints.** Children **MUST** be secured in an appropriate child passenger restraint (safety seat or booster seat) **IN THE BACK SEAT OF A VEHICLE** until they are at least 8 YEARS OLD or 4' 9" in height.
4. **Permission to Operate.** Operators of government owned or leased motor vehicles under 14,000 pounds need not be issued an OF-346 (formally SF46) if the operator has a valid state driver's license. An OF-346 is to be issued to military personnel without a valid driver's license who operate a vehicle on station only.
 - a. Personnel with an OF-346 issued by other military installations, including NASL tenants, must have permits validated at CNRSW transportation.
 - b. Out-of-state personnel under 18 years of age with a valid driver's license must have a Non-Resident Minor's Certificate issued by the California Department of Motor Vehicles (DMV).
 - c. Emergency vehicles (Fire, Ambulance, Police) must have an OF-346 (Government Operator's Permit) as well as a valid state license.
 - d. No persons shall drive a government vehicle during any duty period if that duty period was not preceded by at least 8 consecutive hours off duty. In addition, no person will drive a government vehicle for more than a total of 10 hours immediately after being on duty for 15 hours.
5. **Cellular Phones and Listening Devices.** Driver use of a hand-held cellular phone in a moving vehicle, except for official fire and emergency response, law enforcement or security purposes, is prohibited per reference (b).

a. The prohibition against using hand-held cellular devices does not include hands-free cellular phone devices. Hands-free devices include console/dash-mounted or otherwise secured cellular phones with integrated features such as voice-activation, speed dial, speakerphone, or other similar technology for sending and receiving calls. However, any use of a vehicle with the driver's hands on any type of device, while the vehicle is in motion is strictly prohibited.

b. A driver's use of any portable, personal listening device worn inside, around or covering the driver's ears, while operating a motor vehicle, except for fire and emergency response or law enforcement/security purposes, is prohibited. Listening devices include, but are not limited to wired or wireless earphones and headphones for portable music players, but do not include Bluetooth cellular telephone or similar technology, and do not include hearing aids or devices designed and required for hearing enhancement.

6. Speed Limits. The speed limits on NASL are posted and are as follows:

- a. Parking Lots - 10 Miles Per Hour (MPH)
- b. Service Roads - 15 MPH
- c. Residential Areas - 15 MPH
- d. Entry Control Points (ECP) – 10 MPH
- e. All other roadways - 25 MPH or as posted.
- f. All tractor, tow-motors, and industrial (yellow) vehicles are limited to 15 MPH.
- g. All forklifts and tractor trailer trains are limited to 7 MPH.
- h. All vehicles towing other vehicles are limited to 15 MPH.

7. Passing. Motorcycle lane splitting is prohibited on NASL. Overtaking another moving vehicle on any roadway is prohibited. A stalled vehicle may be passed on the left only when absolutely safe. The driver of the passing vehicle must be especially alert for pedestrian and bicycle traffic.

8. Motorcycles and Similar Vehicles

a. Motorcycle. Any motor vehicle having a seat or saddle for the use of the rider, designed to travel on not more than three wheels in contact with the ground, and weighing less than 1,500 pounds (excluding farm tractors). A motor vehicle having four wheels in contact with the ground, two of which are a functional part of a sidecar, is a motorcycle if it meets all other requirements.

(1) Motorcycle operators must possess valid state registration, proof of financial responsibility, and a California class "M-1" license endorsement (or other state equivalent) to operate.

(2) In order to operate a motorcycle on NASL, operators must have a safety course completion card, signed by an approved instructor, the Motorcycle Safety Foundation's (MSF) Basic Rider Course (BRC) or other training approved by the Naval Safety Center (NAVSAFECEN) in their possession at all times.

(a) Motorcycles with a sidecar attached or three-wheeled motorcycles only require a valid California "Class "C" operator's license (or other state's equivalent). These type motorcycles do not require the motorcycle safety course listed above.

(b) Sport Bike riders are required to (deployments and official business interference considered) take the Military Sport bike Riders Course (MSRC) within 60 days after the BRC, or within 60 days after the purchase of a Sport Bike. Compliance responsibility lies with the member's command as per reference (j).

(3) In accordance with reference (j), all military personnel who operate a motorcycle on/off base shall complete the appropriate level refresher course every three years. Visitors (retirees, dependents) and contractors that are properly licensed are exempt from showing MSF course completion.

(4) California Vehicle Code Sections 27201 and 27202 established the following: A noise limit of 92 decibels applies to any motorcycle manufactured before 1970. A noise limit of 88 decibels applies to motorcycles manufactured after 1969 and before 1973; 86 decibels applies to motorcycles manufactured after 1972 and before 1975; 83 decibels applies to motorcycles manufactured after 1974 and before 1986; 80 decibels applies to motorcycles manufactured after 1985. Motorcycles registered in the California State that are manufactured on or after 2013 or have an aftermarket exhaust system manufactured on or after 2013 must have the federal Environmental Protection Agency (EPA) noise emission label affixed to it in order to be operated, used, or parked in the California.

b. Motor-Driven Cycle. Any motorcycle (except a "motorized bicycle") with a motor displacing less than 150 cubic centimeters.

(1) Operator must have valid state registration, proof of financial responsibility, and California class "M-1" license endorsement (or other state equivalent) to operate.

(2) Gas-powered (49 cc engine or smaller) or electric mini-bikes, pocket bikes, Segways or motorcycles that do not meet DOT FMVSS shall not be operated on Navy installation roadways.

c. Motorized Bicycle/Moped. [Categories (1) or (2) below]

(1) A two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, an automatic transmission, a motor which produces less than 2 gross brake horsepower and is capable of propelling the device at a maximum speed of not more than 30 MPH on level ground.

NOTE: Operators of Category (1) motorized bicycles/mopeds must have valid state registration, proof of financial responsibility, and California class "M-1 or M-2" license endorsement (or other state equivalent) to operate.

(2) A device having fully operative pedals for propulsion by human power and an electric motor that meets all of the following requirements:

(a) Has a power output of not more than 1,000 watts.

(b) Is incapable of propelling the device at a speed of more than 20 MPH on level ground.

(c) Is incapable of further increasing the speed of the device when human power is used to propel the motorized bicycle faster than 20 MPH.

NOTE: Operators of Category (2) motorized bicycles/mopeds are exempt from state registration, driver license, financial responsibility, and license plate requirements.

(3) All operators of any motorized bicycles/mopeds must be at least 16 years of age. All motorized bicycles/mopeds must be equipped with brakes, a horn, head and tail lights, and side and rear reflectors.

(4) Prior to operation onboard NASL, Category (1) motorized bicycles/mopeds must have an identifying number (e.g., serial, Vehicle Identification Number (VIN) or registration number) permanently affixed to their frame. NASL Pass & ID Office will record the identifying number along with the owner's identification information for accountability purposes.

d. Motorized Scooter. Any two-wheeled device that has handlebars, is designed to be stood or sat upon by the operator, and is powered by a motor that is capable of propelling the device with or without human propulsion. For purposes of this instruction, an electric personal assistive mobility device, a motorcycle, a motor-driven cycle, a motorized bicycle, or moped are not considered motorized scooters.

(1) Operators of a motorized scooter must be at least 16 years old and wear an approved bicycle helmet. No driver's license, state registration, license plate, or liability insurance is required. Prior to operation onboard NASL, motorized scooters must have an identifying number (e.g., serial or registration number) permanently affixed to their frame. NASL Pass & ID Office will record the identifying number along with the owner's identification information for accountability purposes.

(2) Maximum speed for motorized scooters is 15 MPH. Motorized scooters must be operated on a bicycle path, trail or bikeway if one exists. Operation is permitted on roads without bicycle lanes only where speed limit is no greater than 25 MPH. When operating on a roadway, the operator shall ride as close to the right curb as possible, except to pass or turn left. Passengers, attached sidecars, trailers, or other similar attachments are prohibited.

(3) Every motorized scooter must have a brake. When operated during the hours of darkness, each motorized scooter shall be equipped with the following:

(a) A lamp emitting a white light which, while the motorized scooter is in motion illuminates the road in front of the operator and is visible from a distance of 300 feet in front and from the sides of the motorized scooter.

(b) A red reflector on the rear that is visible from a distance of 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.

(c) A white or yellow reflector on each side visible from the front and rear of the motorized scooter from a distance of 200 feet. A lamp or lamp combination emitting a white light, attached to the operator and visible from a distance of 300 feet in front and from the sides of the motorized scooter, may be used in lieu of the lamp required above. A red reflector or reflective material attached to the operator and visible from a distance of 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle may be used in lieu of the reflector described above.

(4) A motorized scooter shall comply with one of the following:

(a) Operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied.

(b) Operate in a manner so that the motor is engaged through a switch or mechanism that, when released, will cause the electric motor to disengage or cease to function. Any person operating a motorized scooter upon a highway at a speed less than the normal speed of traffic moving in the same direction at that time shall ride as close as practicable to the right-hand curb or right edge of the roadway, except under the following situations:

1. When overtaking and passing another vehicle proceeding in the same direction.

2. When preparing for a left turn, the operator shall stop and dismount as close as practicable to the right-hand curb or right edge of the roadway and complete the turn by crossing the roadway on foot, subject to the restrictions placed on pedestrians.

e. Motorcycles and similar vehicles may not be operated "off-road." Required headlights must be kept illuminated at all times.

f. Parking restrictions for motorcycles and similar vehicles are set forth in enclosure (5) to this instruction.

9. Required Motorcycle Gear. All operators of motorcycles are subject to the following provisions:

a. Head Protection: A helmet meeting Department of Transportation (DOT) or Snell Memorial Foundation certification shall be worn and properly fastened under the chin. Fake or novelty helmets are prohibited.

b. Eye Protection: Protective eye devices designed for motorcycle operators (impact or shatter resistant safety glasses, goggles, wrap around glasses sealing the eye, or face shield properly attached to the helmet) shall be properly worn. A windshield or standard sunglasses or standard eye wear alone are not proper eye protection.

c. Foot Protection: Sturdy over the ankle footwear that affords protection for the feet and ankles shall be worn (high top tennis shoes do not meet this requirement).

d. Protective Clothing: In accordance with reference (j), riders and passengers shall wear a long sleeved shirt or jacket, long trousers, and full-fingered gloves or mittens designed for use on a motorcycle. Motorcycle jackets constructed of abrasion resistant materials such as leather, kevlar, and/or cordura and containing impact-absorbing padding are highly recommended. To enhance the ability of other vehicle operators to see and avoid motorcyclists, outer garments constructed of brightly colored, fluorescent, or reflective materials are highly recommended.

Note: Operators of three-wheeled motorcycle (or motorcycles with attached sidecars) must wear the same Personal Protective Equipment (PPE) as two-wheeled motorcyclists.

e. When operating on station, motorcycles must have headlights turned on at all times.

f. Motorcycles must be equipped with a seat and footrests for driver and passenger (when transporting a passenger).

g. Operators must keep both hands on the handlebars, except when signaling. Do not carry any object in hands or on the motorcycle which would prevent positive control.

h. Motorcycles will be governed by the same traffic rules as automobiles.

i. Motorcycles are not allowed to "split lanes" onboard NASL.

j. Motorcycles must park in a parking space. Not on sidewalks or in striped lined areas designated for emergency vehicles.

10. Motorized Skateboard. Any skateboard with a motor and no handles. Operations of motorized skateboards must comply with all rules applicable to bicycles.

11. Traffic Control

a. Only the NASL SECO may post personnel for purpose of traffic control, except in case of fire or other emergency.

b. Only the NASL SECO, in coordination with the Navy Occupational Safety and Health Director, may have installed, relocated, or removed, any sign, pavement marking, or other device used in traffic or parking control, except in case of fire or other emergency.

12. Right of Way

a. Emergency Vehicles are equipped with special audible sound equipment and/or displaying red lights, are designated "Emergency Vehicles." Only police vehicles may also be equipped with blue lights. When using such equipment, emergency vehicles shall have right of way over all other vehicles and personnel.

b. Drivers shall yield the right of way to all approaching emergency vehicles by driving to a position parallel to the curb and clear of any intersection. They shall then stop and remain stationary until emergency vehicles have passed.

c. No motor vehicle, except another emergency vehicle shall follow within 300 feet of any emergency vehicle which is operating a flashing red or blue light.

13. Very Important Personnel (VIP) Automobiles. Automobiles carrying flag officers or other high ranking officials will be identified on station during daylight hours by lighted headlamps and appropriate flag or insignia.

14. Dangerous Cargo Convoys. Cargoes of dangerous materials (weapons, ammunition, explosives, volatile liquids, etc.) shall be escorted by vehicles displaying flashing red lights. Convoys shall be identified by prominent signs. All vehicles being approached by such convoys shall pull off to the side of the road, clear of all intersections, and stop until convoy has passed. Such convoys shall not be passed by overtaking vehicles unless directed by convoy escorts.

15. Transporting Cargo. Operators are responsible for safe loading of their vehicle. Vehicles shall not be moved until the cargo is secured and/or loaded in a safe and proper manner. Cargo must be moved safely without endangering persons or property.

16. Taxicabs. Guidance for taxicabs is listed in reference (h).

17. Accident Reporting. Operator of a vehicle involved in an accident, where there is an injury or property damage, shall notify CNRSW Regional Dispatch Office at (559) 998-4749 immediately or as soon as practicable.

18. Miscellaneous Regulations

- a. Sleeping in vehicles is prohibited.
- b. Loitering in any parking area in or out of a motor vehicle is prohibited.
- c. Privately owned vehicles may only be washed onboard NASL at the MWR Car Wash.
- d. No person shall operate a two-way radio onboard NASL without a permit from Operations Department.
- e. No driver of a vehicle shall operate or permit the operation of any sound amplification system which can be heard outside the vehicle from 25 or more feet. Violation can cause the order of removal and confiscation of said device.

19. Open Vehicles. Operators and passengers of all open motor vehicles not equipped with windshields shall wear safety glasses. Open vehicle operators shall be governed by the same regulations for any other motor vehicle.

20. Littering. It is NASL policy that:

- a. No person in any vehicle (moving or stationary) and no pedestrian on NASL shall willfully or negligently throw or discard upon any road, street, sidewalk, thoroughfare or adjoining area any litter, cigarette, cigar, flaming, or glowing substance or other debris.
- b. No pedestrian or person in a vehicle shall throw or discard on or near any highway, street or parking area, any bottle, bottle cap or ring, can, garbage, glass, nail, paper, wire, or other substance likely to cause personal injury or property damage.

21. Open Alcohol Containers. No vehicle occupant or pedestrian shall possess any open alcoholic beverage container, unsealed bottle or cup or glass containing alcoholic spirits except as specifically authorized in designated areas.

Note: Re-sealable containers transported to and from an event must be placed at the furthest point from passengers. All containers within immediate reach will be treated as an open container.

22. Pushing – Towing

a. **Pushing:** Vehicles, government or private, shall not be pushed except when they constitute a hazard and then only by PWC Transportation or tow trucks equipped for that purpose. Hand pushing a disabled vehicle clear of the roadway so as not to create a hazard to other motorists is authorized.

b. **Towing:** A vehicle being towed on station shall be coupled to a towing vehicle by a tow bar (a rigid towing device with a safety chain not longer than 15 feet) designed to prevent the vehicle from overtaking and striking the towing vehicle or from breaking free and rolling unattended.

c. Scooters, bicycles or motorcycles, shall not be towed on station unless properly secured by approved towing devices.

INSTALLATION PARKING

1. Background. All parking spaces on NASL are under the cognizance of the NASL CO.
2. Action. To promulgate the regulation of parking onboard NASL installation. This installation includes both NASL Administrative and Operations Areas.
3. Policy. NASL complexes have very limited space for parking. Unless otherwise posted, parked vehicles will not exceed 72 consecutive hours at any given time. Open parking will be utilized to the maximum extent possible. No more than 3% of the total parking on NASL can be reserved for designated personnel. Reserved parking spaces will be authorized only by the NASL CO or designated representative. Enforcement of parking violations is administered by NASL Security Detachment personnel only as assigned by NASL SECO.
4. General. Parking areas are designed by the Staff Civil Engineer in accordance with state requirements:
 - a. Parking areas on NASL are categorized as:
 - (1) General (unreserved)
 - (2) Reserved
 - (3) Special Purpose
 - b. Color codes generally accepted are:
 - (1) White – General Parking. May be reserved for special events.
 - (2) Yellow – For the purpose of loading or unloading passengers or freight. A time limit will be specified for each zone. Illegal parking in these areas will be cause for a citation.
 - (3) Green – Time regulated (e.g., 15 minutes, 30 minutes, 60 minutes, etc.)
 - (4) Red – Fire Lanes are no parking or stopping zones, whether or not vehicle is attended, and are identified by red painting on the curb or fencing. Parking is never authorized in these zones. Illegal parking in these areas will be cause for a citation, automatic six-point assessment, and immediate towing of the vehicle at owner's expense. Buses may stop in a red zone or in a bus loading zone indicated by posted signs.
 - (5) Handicapped Parking spots shall also be marked in accordance with California Vehicle Code with a blue outline stripe and blue and white marked box with a wheel chair silhouette.

- c. Parking spaces are delineated by two white lines.
- d. Privately-owned motor vehicles shall not be parked at any time in a space marked "Government Vehicle Only."
- e. No privately-owned or government vehicle shall be parked at any time in a space marked "Reserved" unless operator is (or has permission from) person to whom space is assigned.
- f. Unattended vehicles shall not be parked in such a way as to interfere with any work area, access to any building, or be parked over or blocking access to any manhole.
- g. Government motor vehicles will not be driven into or parked in any building not specifically designed for that purpose unless prior approval has been granted by the NASL SECO and Tenant Commanding Officer/Officer in Charge (OIC) occupying that building.
- h. Prior to leaving a parked vehicle, operator shall be responsible for:
 - (1) Stopping engine and removing ignition keys.
 - (2) Setting parking brake and placing manual gear shift lever in reverse or in low gear. Automatic gear shift lever must be placed in the "Park" position.
 - (3) Ensure the vehicle is properly placed in parking stall. Over parking or uneven placement is considered a violation of this instruction.
 - (4) Locking vehicle, if appropriate.
 - (5) Ensuring children under 12 years of age or medically disabled persons unable to care for themselves are not left unattended in vehicle.
 - (6) Ensuring pets are not left unattended in vehicles.
 - (7) Ensuring vehicle is not parked in a position to move against the flow of traffic should the brakes fail.

5. Parking Policy. The following parking policy is established to best utilize the limited parking space available. Parking space assignments for government and privately owned vehicles on NASL are divided into the following categories:

- a. Command leadership and tenant command leadership parking will be as follows:
 - (1) Standard commands may designate parking for Commanding Officers, Executive Officers, and Command Master Chiefs.

b. Commands are not authorized more than three government vehicle spots. Exception to this rule are the Fire Department, Security Detachment and Public Works due to the nature of duties. Additional government vehicles will be parked in open parking lots. Parking that is designated for government motor vehicles only are identified by markings on the parking stall and are reserved 24 hours a day, 7 days a week. Official vehicles for Commanding Officer's use will be parked in the spaces set aside for these vehicles. Illegal parking in these areas will be cause for a citation, and an automatic two-point assessment.

c. One additional parking space will be reserved for visitors to NASL or tenant commands, including visitors from other commands, conducting business with departments or divisions of NASL or tenant commands. Illegal parking in these areas will be cause for a citation.

d. The NASL CO may designate other parking spots reserved as deemed necessary. All requests will be routed to the NASL CO via the Public Works Officer (PWO) and SECO.

e. Parking reserved for bona fide patrons of Navy Exchange facilities, Officer/Enlisted Clubs, Special Services activities, Family Service Centers, and the Chapel is identified by time limit markings in the stalls. Time limits in these stalls will be strictly enforced. Illegal parking in these areas will be cause for a citation. All parking that is not otherwise reserved will be utilized on a first-come, first-served basis. No overnight parking authorized.

f. Sailor of the Year only will be authorized to park in the designated Command Officer/Chief Petty Officer parking areas with a valid placard from their respective commands. Specific designated space is not authorized.

g. Motorcycle and similar vehicle parking may be parked in a designated motorcycle parking area.

h. Special authorized parking based upon job requirements or other special considerations (MOAs) requiring an available designated parking space will be referred to as designated reserved parking. Personnel requiring reserved parking will submit a request, via their parent command, to the NASL CO stating justification for such request not to exceed 3% of the total parking spots.

i. Handicapped parking spaces on NASL are reserved for handicapped personnel 24 hours a day, 7 days a week. Automobiles utilizing handicapped spaces must display the handicapped license plate or the dashboard placard. Non-handicapped personnel utilizing handicapped parking spaces, including for brief periods of time, will be cited, receive an automatic six-point assessment, and are subject to immediate towing at owner's expense. Handicap personnel failing to display placard will be assessed an automatic one point.

j. Parking may be requested for occasions requiring reserved parking spaces to support participants attending or working special functions (e.g., weddings, change-of-command ceremonies, and construction work). Requests for reserved parking for these types of functions will be submitted 7 days in advance of the event. The exact number of spaces and location of

spaces must be provided in the email request. In all cases, it is ideal to include a picture of the area highlighting the desired reserved area, and in some cases, for clarity, access control personnel may require the picture in order to ensure a complete understanding for the request. Submit all requests to the NASL Security Department at W_LEMR_N3AT_SECURITY_PASS_DECAL_GS@navy.mil. Illegal parking in these areas will be cause for a citation, and an automatic two-point assessment. Additionally, if the illegally parked vehicle prevents set up for the event, set up for the event security, or impedes the event in any way, the vehicle may be towed at the owner's expense and at the discretion of the SECO.

k. NASL Naval Facilities Engineering Command (NAVFAC) and Public Works Departments will consolidate all construction work parking requirements. NAVFAC, private contractors, or any station or tenant activity having a requirement to perform work affecting vehicular or pedestrian traffic on any roadway, sidewalk or parking lot will coordinate such work with the NASL Security Department at least 7 days prior to commencing. Emergency repairs will also be coordinated with the NASL Security Department at the earliest possible time. These vehicles should not constitute a safety hazard or impede traffic.

l. Personnel with suspended base driving privileges are not authorized to operate or park their private or rented vehicle(s) on base. These personnel may park their POV/rented vehicle(s) in the barmen parking lot ONLY.

7. Deployments. Policy for short term and long term deployments are as follows:

a. Personnel on deployments 30 days or less may park their vehicles in the barracks parking lots.

b. Personnel that will be underway greater than 30 days will need to store their vehicles off-base or coordinate with MWR to store their vehicle in the long term lot located on Enterprise Ave behind the Fire House.

Note: A sign must be placed on the dash stating Deployment and Command.

c. Other vehicles such as motor homes, trailers, boats, etc. will not normally be permitted to park on NASL. Storage parking may be available in authorized locations with an approved MWR contract. For assistance contact the NASL MWR Director.

Note: There is no long term parking on Operations due to the limited parking.

8. Unattended Vehicle

a. NASL will attempt to contact owners of vehicles which have exceeded parking duration requirements. After 72 hours (or after the time limit passes in a specific parking location), an unattended vehicle will be cited, after 3 citations (only one citation may be issued per day), and at least 4 or more days have passed, the vehicle will be towed at owner's expense.

b. Vehicles towed due to an emergency or special event/circumstance will be towed at the owner's expense.

9. Traffic Court. Personnel, who are cited and are required to attend Traffic Court, may do so at the Campus Mall Building 828. Failure to appear may result in full points assessed.

DRIVING UNDER THE INFLUENCE

1. **Purpose.** Reference (I) establishes the policy, responsibilities, and procedures for motor vehicle traffic supervision including establishment of a program to minimize contribution of alcohol as a causative factor in traffic accidents.

2. **Background.** Persons granted the privilege of operating a motor vehicle on a military installation shall be considered to have given their consent to a chemical test of their blood, breath, or urine for purposes of determining alcohol or drug content when lawfully requested by Law Enforcement personnel. Persons may be cited or lawfully apprehended for any offense allegedly committed while driving or physically controlling a motor vehicle while under the influence of an intoxicating substance.

3. **Application.** The NASL CO has established an identification and suspension program for personnel assigned to NASL who have been arrested or convicted for operating a motor vehicle while under the influence of alcohol or drugs. This instruction applies to the following:

a. Military members, their dependents, retired members of the military services, Department of Defense (DoD) and Department of the Navy (DoN) civilian personnel, and all others with installation driving privileges may have those privileges suspended regardless of the geographic location of an intoxicated driving incident.

b. Suspension is authorized for non-DOD civilians only with respect to incidents occurring on the military installation or in areas subject to military traffic supervision.

4. **Detection.** NASL Patrol Officers personnel will normally detect driving violators by observing unusual, abnormal, or illegal behavior. Personnel exhibiting such behavior shall be stopped immediately to determine the cause of behavior and/or for appropriate enforcement action. If a person suspected of Driving While Intoxicated (DWI) refuses a request of Law Enforcement official for a chemical test, that individual shall be warned that failure to submit to or complete a chemical test will result in revocation of their privileges to operate a motor vehicle on station for 1 year. Per reference (I), operators of motor vehicles have been deemed to have given consent to evidential tests for alcohol or other drug content of their blood, breath, or urine when lawfully stopped, apprehended, or cited for any offense allegedly committed while driving or in physical control of a motor vehicle on military installations to determine the influence of intoxicants.

5. **Representation.** The apprehending NASL Patrol Officer shall indicate that there was reasonable cause to believe such person had been driving or was in actual physical control of a motor vehicle upon this station while under the influence of an intoxicating substance and that person had refused to submit to, or failed to complete a test after being so requested. Such persons may be searched and must comply with request to provide identifying information. Such persons do not have the right to have a lawyer present during the search or to avoid answering

identifying questions. NASL Patrol Officers shall read military members their Article 31(b) rights before attempting to obtain a statement from the member about his/her suspected DUI.

6. Rights. Personnel lawfully apprehended for any offense allegedly committed while driving, or in actual physical control of a motor vehicle while under the influence of intoxicating liquor or drugs, may request the arresting officer to have a chemical test made of their blood, breath or urine for the purpose of determining alcoholic content; and, if so requested, the arresting officer shall have the test performed. To clarify, the member may choose the type of test not whether a test is performed. Member shall be given one opportunity to request type of test. Persons may, at their own expense, choose a physician or qualified technician, chemist, registered nurse, or other person to administer a state-approved chemical test or tests in addition to any administered by station police. Personnel electing a breath test shall be advised, prior to administration of the test, that unlike blood and urine specimens, no means are available to preserve a breath sample.

7. Preliminary Suspension

a. A notice of suspension will become effective 24 hours after the incident for which the suspension is imposed. This provision does not preclude appropriate action to prevent an intoxicated person from operating a motor vehicle, nor does it affect the validity of an earlier suspension imposed on the same individual.

b. A hearing authorized under paragraph 11 below shall be conducted by the NASL XO or an appointed representative. The power to conduct a hearing and make a decision may be delegated only to an official whose primary duties are not in the field of law enforcement. At a hearing under this sub-section, the individual shall have the right to present evidence and witnesses at his/her own expense. The individual may be represented by counsel at his/her own expense. DOD civilian personnel may have a personal representative present in accordance with applicable laws and regulations.

c. Preliminary suspension of driving privileges is MANDATORY upon an arrest report or other official documentation of the circumstances of an apprehension for intoxicated driving or driving under the influence with a Blood Alcohol Content (BAC) of 0.01 or greater for drivers under the age of 21.

d. Preliminary suspension of installation driving privileges will be initiated upon receipt of official documentation of any civilian arrest for Driving Under the Influence (DUI). This applies to all personnel who drive personal and/or government vehicles onboard NASL. Upon notification of conviction, suspension will be continued for 1 year from the date of preliminary suspension. Conviction of a "Wet Reckless," which in California wet reckless implies that the suspect was involved in an alcohol (or even drug) related driving offense, will be processed as a "DUI" conviction. Notification of a non-conviction for "DUI" or of a "Wet Reckless" charge may result in reinstatement of driving privileges. Personnel apprehended for a repeat DUI offense while on the initial suspension shall be permanently suspended.

e. The individual shall be notified in writing of the preliminary suspension signed by the NASL CO or XO. The notice shall include the arrest report or other official documentation and shall inform the individual that upon conviction, imposition of non-judicial punishment, or action by civilian authorities leading to suspension or revocation of the individual's driver's license, the preliminary suspension will become an official suspension. The notice shall inform the individual that he/she has the right to submit a request within 5 working days to vacate the preliminary suspension and that failure to request such a hearing will result in continuation of the preliminary suspension.

8. Suspension for Refusal of Chemical Testing

a. Preliminary suspension of driving privileges is MANDATORY based upon an official report that an individual refused to submit to a lawfully requested BAC test. In accordance with reference (1), the NASL CO has prescribed breath testing as the method to be used for BAC testing.

b. The individual shall be notified in writing of the preliminary suspension. The notice shall include the arrest report or other official documentation.

9. Suspension upon Conviction, Non-Judicial Punishment, or Civilian Administrative Action

a. Official suspension of driving privileges for 1 year from the date of the offense is mandatory when there has been a conviction, non-judicial punishment (NJP), or civilian revocation suspension of driving privileges for intoxicated driving.

b. Such action shall be taken only on the basis of an official report.

c. The individual shall be notified in writing of the suspension and shall be notified that an exception may be granted only under paragraph 10 below.

d. The suspension shall be issued by NASL CO. This authority may be delegated only to an official whose primary responsibilities are not in the field of law enforcement.

10. Exceptions. Exceptions to the mandatory suspension provisions of this directive may be granted under regulations by the DOD component concerned on a case-by-case basis. Requests for exceptions shall be submitted in writing. Such exceptions may be granted only on the basis of:

a. Mission requirements.

b. Unusual personal or family hardship.

11. Hearing and Appeal Process. Personnel placed on preliminary suspension may request a hearing to submit, in person, evidence to vacate the suspension.

a. The hearing must be requested in writing within 5 working days from the initiation of the preliminary suspension. When unable to appear in person, a written appeal will be submitted within 5 working days.

b. Convicted offenders will submit an appeal, in writing, giving justification to vacate the suspension on the basis of hardship or command mission requirements. All requests for appeals shall be directed to the NASL CO via their CO, Officer in Charge (OIC), or senior civilian supervisor. Operating a privately-owned vehicle on any military installation after privileges are revoked will be cause for more severe action. At the end of the suspension period, application for reinstatement of driving privileges can be effected by submitting a written request, via their chain-of-command, to the NASL CO, enclosing verification that a NAVSAFECEN approved driver improvement training course has been completed.

c. If a hearing has not been requested within 5 working days, the preliminary suspension shall be continued until there has been a criminal, NJP, or administrative disposition.

d. If the individual requests a hearing to vacate the preliminary suspension, it shall be held within 10 working days of the request. If the official conducting the hearing determines that the apprehension was based upon probable cause, the preliminary suspension shall be continued; if not, it shall be vacated. Such determinations are solely for the purpose of acting on the preliminary suspension and are without prejudice to the rights of any party in a subsequent criminal or administrative proceeding involving the same, or a related incident.

e. If the individual is acquitted, the charges are dismissed, or there is an equivalent determination in a NJP proceeding or civilian administrative action, the preliminary suspension shall be vacated.

f. If there is a conviction, NJP, or civil suspension or revocation of driving privileges, the suspension shall be continued for 1 year from the date of the original preliminary suspension. Such action shall be taken only on the basis of an official report.

12. Per reference (m), all military personnel apprehended for DUI will submit to a screening by the command Drug and Alcohol Abuse Program Advisor (DAPA) within 5 working days from the date of apprehension.

13. Sponsors or legal dependents with suspensions are not authorized to drive onboard NASL. If proof of hardship has been substantiated through proper channels as outlined in enclosure (6), paragraph 10, the service member may request limited driving privileges. If the suspended individual is found driving on NASL, they will be subject to disciplinary action under the UCMJ and the current suspension will either be extended for 1 additional year or changed to a permanent suspension.

BICYCLES AND PEDESTRIANS

1. Bicycles. Bicycles shall be operated in a safe manner on all roadways of NASL in accordance with reference (b). Bicycles should be registered at NASL Pass and ID Office to assist in identification and recovery in the event of loss or theft. Government-owned bicycles should have identification plates attached in a horizontal reading position to upper frame support, naming the responsible command or activity. The following restrictions apply while operating a bicycle on NASL.

2. All bicycles operated on NASL shall:

- a. Be in good operating condition.
- b. Be equipped with brakes which permit the operator to make a one braked wheel skid on dry clean pavement.
- c. Not be ridden by more than one person, except a child may be carried behind in a special seat permanently attached to the bicycle. Bicycles built for two (tandems) are permitted.
- d. Not be altered in any way that would decrease the operator's control.
- e. Be equipped with a permanent and regular bicycle seat.
- f. Be ridden in the bike lane, where available. If a bike lane is not available, they shall remain on the far-right hand side of the roadway and travel in same direction as other traffic.
- g. EXERCISE EXTREME CAUTION AND WATCH FOR VEHICLES APPROACHING FROM ALL DIRECTIONS! When making a left turn, the proper hand signal shall be made prior to executing the turn or shifting from the right side of the lane to the left.
- h. Be ridden with at least one hand on the handlebars at all times. "No hands" riding is prohibited.
- i. Be ridden with an ANSI, Snell or ASTM approved bicycle helmet worn at all times.
- j. Be parked in bicycle racks or in designated parking areas. It is recommended that all bicycles should be locked when unattended.
- k. Be outfitted with proper lighting and reflective gear.
- l. No person shall operate on a bicycle equipped with handlebars so raised that the operator must elevate his hands above the level of his shoulders in order to grasp the normal steering grip area.

m. No person shall operate upon a highway a bicycle that is of a size that prevents the operator from safely stopping the bicycle, supporting it in an upright position with at least one foot on the ground and restarting it in a safe manner.

n. A bicycle operated during darkness shall be equipped with all of the following:

(1) A lamp emitting a white light that, while the bicycle is in motion, illuminates the highway, sidewalk, or bikeway in front of the bicyclist and is visible from a distance of 300 feet in front and from the sides of the bicycle.

(2) A red reflector on the rear that shall be visible from a distance of 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.

(3) A white or yellow reflector on each pedal, shoe, or ankle visible from the front and rear of the bicycle from a distance of 200 feet.

(4) A white or yellow reflector on each side forward of the center of the bicycle, and a white or red reflector on each side to the rear of the center of the bicycle, except that bicycles that are equipped with reflectorized tires on the front and the rear need not be equipped with these side reflectors.

(5) A lamp or lamp combination, emitting a white light, attached to the operator and visible from a distance of 300 feet in front and from the sides of the bicycle, may be used in lieu of the lamp required by paragraph 2.n.(1) above.

o. Bicycles are prohibited on Reeves Blvd. between Franklin Avenue and the Operations Side. Bicycles are permitted on the short stretch of Gateway to enter Ops Gate from the bike path only. Bicyclists traveling between Main and Operations Side must use the bicycle path that bisects the agricultural fields.

p. Child supervision. Reference (q) requirements apply.

3. Bicycle operators shall not carry any packages or articles that would restrict the operator from maintaining one hand on handle bars.

4. Bicyclists must present identification when requested by the gate Sentries or Law Enforcement Officers.

5. No person shall operate a bicycle on station with a BAC of 0.08% or above or after consumption of any illegal drug. Personnel under the age of 21 with any measure of alcohol or legal drugs in their system will have their station driving privileges suspended for a period of 1 year if convicted. All incidents involving alcohol or drug use while operating a bicycle on station will be processed via incident/complaint report.

6. Pedestrian Responsibilities

a. Jaywalking is prohibited onboard NASL. Pedestrians may cross roadways only within a marked crosswalk or at any intersection. Crossing roadways at any other location is a citable offense.

b. Pedestrians shall not walk on any roadway if sidewalks or other pedestrian ways are provided. Where sidewalks are not provided, pedestrians shall walk on the left side of road facing oncoming traffic.

c. Pedestrians must exercise care for their own safety. No pedestrian shall suddenly leave a curb or place of safety and walk or run into the path of an oncoming vehicle so close as to constitute an immediate hazard. Pedestrians shall cross roadway as quickly as it is safe to do so.

d. Marching/Physical Training formations may use roadway (on right side, traveling in direction of traffic) and shall have the right of way over all vehicles, except emergency vehicles responding to an emergency. During hours of darkness, Marching/Physical Training formations will have, at a minimum, two individuals in front and two individuals at the rear of the formation with reflective road vests on, or flashlights with lighted cones on them (or similar lighted device) for safety.

7. Drivers of motor vehicles shall yield the right of way to pedestrians crossing roadways within marked crossways or at intersections. Drivers should yield right of way to any pedestrian who is approaching, prior to driving over or upon any walkway.

8. Whenever a vehicle has stopped at a marked crosswalk or intersection to permit a pedestrian to cross the roadway, drivers of other vehicles approaching from rear shall not overtake or pass the stopped vehicle.

9. No person shall stand in any roadway for the purpose of soliciting a ride from any driver.

10. Joggers shall use streets, sidewalks or roadway, jog facing traffic, wear light colored clothing (reflective clothing during reduced visibility), and obey traffic rules and regulations. Personnel shall not wear portable headphones, earphones, or other listening devices while jogging or walking on board. Joggers should be cautious of cars entering the roadway from cross streets or driveway.

11. Skateboards, roller skates, and roller blades are authorized onboard NASL, however, appropriate safety gear must be worn. An ANSI, Snell or ASTM approved helmet and light colored clothing must be worn. The utilization of knee pads, elbow pads, and gloves are strongly recommended.

POSSESSION OF DANGEROUS AND DEADLY WEAPONS

1. It is recognized that certain personnel, military and civilian, onboard NASL have a requirement inherent with their duties and/or employment to possess items hereafter described as dangerous or deadly. In order to prevent the misuse of dangerous weapons, protect public and private property, and to protect the lives and well-being of all persons onboard, the following restrictions apply to the possession or use of such items:

a. Prohibited Articles. In accordance with references (k) and (n), no person shall possess, concealed about his person, in a private vehicle, government vehicle, government building, to include Combined Bachelor Housing (CBH), Unaccompanied Housing (UH), and MWR facilities, or have under his/her control, except when authorized by the Commanding Officer (CO) in connection with the required duties or activities of that individual, and then only for the period necessary for the performance of those duties and activities, any of the following:

(1) Any highly explosive substance, including but not limited to:

- (a) Ammunition
- (b) Fireworks
- (c) Molotov cocktails
- (d) Pipe bombs.

(2) Any firearms, including but not limited to:

- (a) Pistol, revolver, rifle, and shotgun
- (b) Air guns
- (c) BB guns
- (d) Spear guns
- (e) Bows, cross bows, and associated arrows or bolts

(3) Any weapon designed to inflict physical harm or concealment of purpose, including but not limited to:

- (a) Black jack
- (b) Billy/Sand club

- (c) Nunchaka
- (d) Metal knuckles
- (e) Dirk or dagger
- (f) Switch Blade or butterfly knife
- (g) Razor with a blade 2 ½" or longer
- (h) Tear gas weapon
- (i) Any weapon prohibited by State law

(4) Inert ammunition and items that resemble real weapons in shape, size, and color are also prohibited.

(5) Any abrasive, caustic, acid, chemical agent, or similar substance which would inflict property damage or personal injury.

(6) Defensive devices, such as pepper spray, are authorized.

(7) Camping, fishing and hunting knives, as well as commercial tools are authorized.

2. Personal Firearms. NASL does not have the facilities to support the storage of personal firearms. Firearms may be stored in Public Private Venture (PPV) housing after registering with the Security Department. Storage and transportation of firearms to and from housing will be in accordance with reference (n).

MOTOR VEHICLE LAW ENFORCEMENT

1. Purpose. Traffic law enforcement is a method to ensure individuals operate their vehicles within the guidelines of reference (b). A traffic point system has been established in the military organization to provide military commanders with a uniform and impartial administrative device for evaluating the driving performance of personnel under their jurisdiction. Assessment of points for violations is not to be construed as disciplinary action.

2. Application. The point system applies to all military and civilian personnel operating privately owned or government vehicles on NASL.

3. Responsibility. The primary traffic enforcement program shall be administered by the NASL SECO through the following agents per provisions in reference (l).

a. Station Law Enforcement Personnel.

b. Criminal Investigation Division.

4. Reports and Violations.

a. Individuals committing traffic offenses, as defined in references (b) and (c) onboard NASL, may be issued an Armed Forces Traffic Ticket (DD Form 1408) by the Patrol Officer observing the offense.

b. For all Armed Forces Traffic Tickets, the offender will report to Traffic Court located in the Campus Mall building (Building 828) when required based on the offense or to contest the ticket. The Traffic Court is presided over a panel of Traffic Judges consisted of military personnel in the ranks of E7 and above.

5. Moving Violations. When a moving traffic violation of a serious nature occurs that represents an immediate hazard to the welfare of the offender, surrounding persons, or the property of others, the offender may immediately have their driving privileges suspended, and the offending vehicle will be removed from the installation. In addition to the NASL CO, the following designated personnel are authorized to conduct this procedure:

a. NASL XO

b. NASL CDO

c. NASL SECO

It should be noted that the revocation of NASL operating privileges also includes the loss of driving privileges on ALL Navy Region Southwest installations.

6. Parking Violations. All parking violations will be reported to CNRSW dispatch at 619-524-6999/1226. Dispatch will be assigned to a Patrol Officer in order of priority.

Note: Parking violations will receive the lowest priority for calls for service. All other calls for service will take precedence unless immediate safety is a concern.

7. Penalties. Enclosure (11) is a schedule of penalties attendant to driving privileges on board this station. Where a specific offense is not listed, yet is considered a violation of reference (b), the citation will be assigned a point value as determined by a Traffic Judge. Suspension of driving privileges may preclude driving government vehicles if so determined by the Traffic Court Office. COs or OICs of tenant activities desiring to suspend driving privileges of personnel in their respective commands must request that action in writing to the NASL CO.

MOTOR VEHICLE ACCIDENTS

1. **General.** Provisions for accident reporting as described in Division 10 of reference (b) are applicable, except where modified by this instruction. Reference (o) refers.
2. All drivers of government or private motor vehicles involved in accidents onboard NASL shall:
 - a. Immediately notify CNRSW Regional Dispatch office at (559) 998-4749.
 - b. Remain at the scene until cleared by investigation officials, unless medical treatment is required.
 - c. Not move the vehicle unless directed by Law Enforcement officials or if necessary to protect persons or property from imminent danger.
 - d. Establish traffic control when necessary to prevent other accidents.
3. Accident Involving Government Vehicles Off-Station:
 - a. The operator of a government motor vehicle will notify CNRSW Regional Dispatch office at 619-524-6999/1226 immediately or as soon as practicable and follow the instructions given.
 - b. Under no circumstances may the operator of a government vehicle involved in an off-station accident sign any statement (other than a Standard Form 91), release or make any admission of liability on the part of the U.S. Government unless it is to an authorized U.S. Government representative whose duties are to investigate accidents on behalf of the government.
 - c. Operators of government motor vehicles may exchange names and addresses with the other driver and persons concerned with the accident. Government vehicle operators will give their military activity's address to those concerned. An Accident Identification Form shall be used for this purpose.
 - d. All tickets, citations, summons, claims, correspondence, warrants, etc., relative to the operation of government vehicle while off-station, shall be referred to the Command Judge Advocate as soon as received. Liability for civil infractions remains with the vehicle operator.
4. Standard Form 91 (SF 91), Operator's Report of Motor Vehicle Accident. The operator of government vehicle involved in an accident on or off-station shall prepare an Operator's Report of Motor Vehicle Accident at the scene of the accident, or immediately thereafter and deliver it to their supervisors for review and co-signature. It will then be hand-carried to the Security Office, Building 782, within 24 hours of the accident.

TRAFFIC CODES

DRIVERS LICENSE VIOLATIONS:

CVC 12500(a) Unlicensed Driver (M) 1408/1805

CVC 12500(b) No Motor Cycle License or Tag (I) 1408/1805

CVC 12951(a) Driver License not in Possession (I)

CVC 14601(a) Driving when Privileges Suspended or Revoked (M) 1408/1805

SPEED VIOLATIONS:

CVC 22349(a) No person shall drive a motor vehicle in excess of 65mph. (I) 1408/1805

CVC 22350 Basic Speed Law, No person shall drive a motor vehicle in excess than what is reasonably safe. (I) 1408/1805

CVC 22400(a) Minimum Speed Law, No person shall drive at a slow speed as to impede traffic or stop on the highway so as to impede or block the normal flow of traffic. (I) 1408/1805

STOPPING/PARKING VIOLATIONS:

CVC 22450(a) Failure to stop at Stop Sign (I) 1408/1805

CVC 22507.8(a) Handicapped Parking (I) 1408/1805

DRIVING UNDER THE INFLUENCE "SEE INSTALLATION POINTS CHART FOR BELOW OFFENSES"

CVC 23140(a) Minor DUI: Persons under 21 who has a 0.05 percent or more alcohol in their system. (M) Art. 111/1805

CVC 23152(a) Adults 21 and over who is under the influence of Alcohol or Drugs or the combination of both to drive a vehicle. (M) Art. 111/1805

CVC 23152(b) It is unlawful for any person to have a BAC of 0.08 or higher. (M) Art. 111/1805

CVC 23153(a) DUI causing injury in a traffic collision. (F) 1408/1805

CVC 23154(a) DUI while on Probation for prior DUI. (M)

CVC 23220(a) Drinking while driving (I) 1408/1805

CVC 23221(a) No driver shall drink alcohol in a motor vehicle (I) 1408/1805

CVC23221(b) No passenger shall drink alcohol in a motor vehicle (I) 1408/1805

SEAT BELT AND CHILD PASSENGER RESTRAINT:

CVC 27315(d) (1) Mandatory Seatbelt Law anyone in vehicle. (I) 1408/1805

CVC 27360 Child Safety Restraint (I) 1408/1805

UNATTENDED CHILD IN VEHICLE:

CVC 15620(a) Parent, Guardian or Person responsible child must be with child 6 years or younger in the vehicle. (I) 1408/1805

MOTORCYCLES:

CVC 27801(a) Seat will be situated to allow for both feet to touch the ground (I) 1408/1805

CVC 27801(b) Handlebars will not be more than 6 inches above the top of the shoulder. (I) 1408/1805

LIGHTING EQUIPMENT ON VEHICLES:

CVC 24400(a) At least 2 Headlamps on motor vehicles with exception of motorcycle. (I) 1408/1805

CVC 24600(a) One or more Tail lamps (I) 1408/1805

CVC 24600(b) Every Vehicle made after 01 January 1958 shall have at least 2 Tail lamps. (I) 1408/1805

CVC 24603(a) One or more Stop lamps (I) 1408/1805

CVC 24603(b) Every vehicle made after 01 January 1958 shall have at least 2 Stop lamps. (I)
1408/1805.

FENDERS AND MUDGUARDS:

CVC 27600 Tires extending beyond the fender will have a mudguard or mud flap in place extending the length of the tire to protect against debris shot back by oversized tires. (I)
1408/1805

TRAFFIC POINT SYSTEM

1. **Purpose.** The purpose of the Traffic Point System is to provide an impartial and uniform administrative device for evaluating the driving performance of personnel. Assessing points for a moving violation is not a disciplinary action. The point system is not intended to interfere in any way with the reasonable exercise of the NASL CO's prerogative to issue, suspend, revoke, or refuse to issue operating privileges for cause, or to initiate disciplinary action.
2. **Application.** The Traffic Point System applies to military, civilian, dependents, and contractor personnel operating a government or privately owned vehicle on NASL.
3. **Scope.** The Traffic Point System provides assessment against the driving record of personnel committing specific moving traffic violations.
4. **Assessment Method.** Points shall be assessed and recorded wherever a violator:
 - a. Has been cited for a moving traffic violation on station and found to be guilty at traffic court.
 - b. Has willfully and knowingly failed to comply with the station's registration requirements.
5. **Procedure.** When an individual is issued a traffic citation for an alleged violation committed on NASL, the individual will receive an "Instruction to Violator" information sheet or stamp on the reverse side of the citation informing the individual how to satisfy the citation.
6. **Action Relating to Point Accumulation**
 - a. When an individual has accumulated 12 points or more in a 1-year period, action shall be taken to suspend vehicle operating privileges for 1 year or longer. If the points accumulated are strictly for parking violations, vehicle operating privileges will be suspended for 6 months. An individual's permit to operate a government vehicle will also be suspended or revoked.
 - b. Points assessed against an individual shall remain in effect for a 12-month period.
 - c. When an individual, whose installation driving privileges have been suspended or revoked is apprehended driving on this or any other base in Navy Region Southwest jurisdictional area, action shall result in the original suspension or revocation being increase by 2 years or convert the suspension order to a permanent suspension.
7. **Appeals.** Any person whose station operating privileges have been suspended or revoked as a result of maximum point accumulation under this system, or who desires to challenge any point assessment may appeal. Appeal shall be made to NASL CO, via the NASL Judge Advocate General, in writing, within 14 calendar days from the date the individual is notified of the

suspension or revocation resulting from the administrative hearing. The suspension or revocation will remain in effect pending a final ruling on the request.

8. Driver Improvement Course. Reeducation or rehabilitation courses will be directed in special cases, as provided by reference (j).

9. The following table prescribes mandatory minimum or maximum suspension or revocation periods. Traffic points are not assessed for these suspension or revocation actions and are commonly assessed and determined through the Staff Judge Advocate.

VIOLATION	MIN/MAX SUSPENSION/REVOCA TION ACTIONS
Permitting an unlawful or fraudulent use of an official driver's license.	6-month driving suspension
Throwing objects and/or litter from vehicle.	6-month driving suspension
Illegal/Fraudulent use of Temporary Pass.	6-month driving suspension
Contempt toward Traffic Court Judge	6-month driving suspension
Refusal to submit to or failure to complete chemical tests (implied consent)	A 1-year revocation is mandatory on determination of facts by NASL CO
Mental or physical impairment (not including alcohol or other drug use) to the degree rendered incompetent to drive	6-month driving suspension
Driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor (0.08% or greater, 0.01% or greater for under 21 years of age)	6-month driving suspension
Driving a motor vehicle while under the influence of any narcotic, or while under the influence of any other drug (including alcohol) to the degree rendered incapable of safe vehicle operation	1-year driving suspension
Conviction of fleeing, or attempting to elude, a police officer	6-month driving suspension
Reckless driving (willful or wanton disregard for the safety of persons or property)	6-month driving suspension
Conviction of racing on the highway	6 month driving suspension
Manslaughter (or negligent homicide by vehicle) resulting from the operation of a motor vehicle	Permanent driving suspension
Use of a motor vehicle in the commission of a felony	Permanent driving suspension
Fleeing the scene of an accident involving death or personal injury (hit and run)	Permanent driving suspension
Perjury or making a false statement or affidavit under oath to responsible officials relating to the ownership or operation of motor vehicles	6-month driving suspension

Unauthorized use of a motor vehicle belonging to another, when the act does not amount to a felony	6-month driving suspension
Commission of an offense in another State which, if committed on the installation, would be grounds for suspension or revocation	6-month driving suspension

10. The following prescribes mandatory maximum points assessed per violation.

VIOLATION	POINTS	ADDITIONAL CONSIDERTATIONS
Exhibition of speed or racing (including breaking of traction, speed contests, unnecessary or excessively loud revving of engine, hard acceleration, etc.)	6-12	30 – 365 day driving revocation
Speed too fast for conditions (i.e. fog conditions)	2	
Speed too slow for traffic conditions, and/or impeding the flow of traffic, causing potential safety hazard	2	
Following too close	4	
1 to 5 miles per hour over posted speed limit	1	
6 to 10 miles per hour over posted speed limit	3	
11 to 15 miles per hour over posted speed limit	5	
Over 15 but no more than 20 miles per hour above posted speed limit	8	30-90 day driving suspension
Over 20 miles per hour but less than double above posted speed limit	10	6-month driving suspension
Double or greater above posted speed limit	12	1-year driving revocation
**ADD 2 POINTS IF SPEEDING OCCURRED IN SCHOOL ZONE		
Failure to stop for Sentry	6	
Failure to yield right of way to emergency vehicle	6	
Parked in handicapped area	6	
Parked in Red Zone/Fire Lane/Loading Zone	6	
Parked in Blue Zone	4	
Parked in barricaded area	4	
Parking in an area that isn't a parking space	3	
Parking in Reserved/Special Use spaces	2	
Failure to stop for school bus or school-crossing signals	4	
Owner knowingly and willfully permitting a physically impaired person to operate the owner's motor vehicle	6	6-month driving suspension
Driving vehicle while impaired (BAC more than 0.05 percent and less than 0.08 percent)	6	6-month driving suspension
Improper or no PPE equipment on Motorcycle	6	
Failure to use seat belts	6	
Failure to properly restrain children in a child restraint system while moving (Children over the age of 8 or	9	30-90 day driving suspension

are 4' 9" or taller must be secured by a safety belt in the back seat)		
Children/medically disabled persons/pets left unattended in car	6	
Failure to wear an approved helmet while operating or riding on a motorcycle, MOPED, or a three or four-wheel vehicle powered by a motorcycle-like engine.	3	
Fleeing the scene (hit and run)--property damage only	6	
Valid driver's license/permit, insurance, or registration not in possession	3	
Failure to obtain valid registration, insurance, or driver's license/permit.	6	Driving revocation until registration, insurance, and/or driver's license/permit is valid
Failure to register vehicle with Pass and ID	2	
Failure to appear within designated period	6	
Failure to obey traffic signals or traffic instructions of an enforcement officer or traffic warden; or any official regulatory traffic sign or device requiring a full stop or yield of right of way; denying entry; or requiring direction of traffic	4	
Improper passing	4	
Lane-Splitting	4	
Failure to yield (no official sign involved)	4	
Improper turning movements (no official sign involved)	3	
Wearing of headphones/earphones while driving motor vehicles (two or more wheels)	6	
Improper overtaking	3	
Unsafe starting/backing (resulting in a vehicle accident or property damage)	4	
Inattentive driving resulting in traffic accident and/or property damage	9	30-120 day driving suspension
Disrespect toward patrol officers	4	
Use of cellular phone while operating motor vehicle (No hands-free device in use)	6	
Use of dashboard camera or other video recording electronic devices while operating a motor vehicle/motorcycle	4	
Other moving violations (involving driver behavior only)	3	
Operating an unsafe vehicle (see note 2 paragraph 10)	2	
Other violations of the California Vehicle Code	6	
Driving while driver's license or installation driving privileges are under suspension or revocation	12	A 2 year increase to current suspension for first offense. Permanent revocation for

		second offense.
Possession of an open alcoholic container	9	6-month driving suspension
Possession of alcoholic beverages in a vehicle where the registered owner is under 21 years of age (container not required to be opened)	12	1-year revocation is mandatory on conviction

Note: When two or more violations are committed on a single occasion, points may be assessed for each individual violation. This measure should be used for other than minor vehicle safety defects or when a driver or registrant fails to correct a minor defect (for example, a burned out headlight not replaced within the grace period on a warning ticket).

11. Repeat Offenders

a. Preliminary increase in suspension of driving privileges is mandatory, based on an arrest report or other official documentation of an individual's driving in violation of any suspension (preliminary or official) imposed under this instruction.

b. The individual shall be notified in writing of the preliminary increase in suspension. The notice shall include the arrest report or other documentation of the violation as well as documentation of the original suspension and shall inform the individual that his/her original suspension will be increased by 2 years if a hearing is not requested.

c. If a hearing has not been requested within 5 working days, the preliminary increase will take effect.

d. If the individual requests a hearing to vacate the preliminary suspension increase, it shall be held within 10 working days of the request. If the official conducting the hearing determines that the allegation of driving in violation of a suspension is supported by a preponderance of the evidence, the preliminary suspension will take effect. If not, the preliminary increase shall be vacated.

12. Points received for traffic violations will be removed from an individual's driving record one year from the date of the citation.

Traffic Court Regulations

1. **Hearings.** All personnel issued an Armed Forces Ticket (DD Form 1408) (Enlisted, Officers, GS civilians, dependents, etc) shall appear before the NAS Lemoore Traffic Court.

a. The Traffic Court Judges, consisting of E-7 and above military personnel, shall hold hearings at a specified and published time to determine if administrative action is appropriate in cases involving alleged violations of references (a) through (o).

b. The Traffic Court Judges shall be guided by reference (b) and this instruction. However, the Traffic Court Judges are authorized to exercise their discretion in the disposition of any case and may dismiss, reduce or increase penalties as they deem appropriate after they consider the entirety of the circumstances and weigh any factors in mitigation or aggravation. This discretion includes the full range of remedies from complete dismissal of the case up to and including assignment of points, suspension or revocation of driving privileges of individuals or barment of vehicles or individuals from NASL.

2. **Court Appearance.**

a. Military personnel issued an Armed Forces Ticket shall appear in Traffic Court. This order to appear is a lawful order, is not optional and takes priority over other duties, leave or liberty. Failure to appear shall constitute a violation of a lawful order, punishable under the UCMJ, and application of the full range of penalties available to the Traffic Court Judges.

(1) Personnel who have a conflict due to military duties or orders must contact the Traffic Court Coordinator personally or via their chain of command to either reschedule or request waiver of appearance. Failure to do so may result in a Failure to Appear and the full range of penalties available to the Traffic Court Judges. The military member's chain of command will be notified.

b. All other personnel (dependents, GS civilians, retirees, etc.) unable to attend the scheduled court date indicated on their citation will need to contact the Traffic Court Coordinator. Failure to do so shall result in Failure to Appear and maximum points awarded, driving suspension or revocation and/or official notification to offending person's sponsor or sponsor's CO.

c. The fact that personnel may be unaware that additional penalties and/or driving suspension or revocation was adjudged for failure to appear in no way excuses the individual if they are subsequently found driving while in a suspended or revoked status.

3. **Proper Standards when Summoned to Traffic Court**

a. **Uniform and Appearance.** All military personnel shall be in the proper working uniform of the day. Uniforms shall be clean and pressed with proper rating insignias and ribbons. The

military member shall be properly groomed in accordance with current grooming standards and under no circumstances shall organizational clothing be permitted in the courtroom.

b. **Conduct.** Improper military bearing, hostility or disrespect toward the Traffic Court Judge, Traffic Court Coordinator, Patrol Officers or others at the scene or in Traffic Court shall be increased points or driving suspension.

c. **Date, Time and Location.** Traffic Court conducted by the NAS Lemoore Traffic Court Judges is held on Tuesdays, with exception of federal holidays, beginning at 0800 in Bldg. 828, College Campus Mall, Classrooms 1 and 11.

d. **Patrol Issued Mandatory Appearances.** Patrol Officers issuing traffic citations shall schedule the appearance a minimum of 10 working days from the date of the violation, taking into account federal holidays and the Tuesday court schedule.

(1) Patrol Officers issuing citations that are being contested at Traffic Court may be requested to appear at scheduled hearings to give testimony regarding the violation.

(2) If the Patrol Officer being summoned to Traffic Court is unable to appear on the scheduled court date, the Traffic Court Judge may, at his or her discretion, continue the case without the Patrol Officer, accept written statements from the Patrol Officer detailing the nature of the violation, or reschedule the court date.

4. **Proof of Ability to Operate Motor Vehicle.** Personnel appearing before the Traffic Court Judges must produce valid proof of vehicle registration, vehicle insurance, and driver's license/permit. If the recipient of the traffic citation is not the owner or the owner's spouse or dependent, they must provide a written notarized statement from the owner of the vehicle stating they are authorized to drive the vehicle at the time of the incident. The owner of the vehicle will be required to produce proof of insurance and registration.

5. **Suspensions or Revocations of Driving Privileges.**

a. Driving privileges on NAS Lemoore can be suspended or revoked for any lawful reason by NASL CO or designee as per reference (1).

b. Suspension or revocation of driving privileges of 6 months or less that are assessed by a Traffic Court Judge in accordance with Enclosure (11) paragraph 10 will take effect 48 hours after the established court date. Personnel being assessed the driving suspension or revocation will sign a receipt of acknowledgement and receive a letter of suspension or revocation endorsed by NASL SECO. If the individual is not present at Traffic Court, the suspension or revocation will still take effect after 48 hours and every reasonable effort will be made to notify them of the suspension or revocation.

(1) Suspension or revocation of driving privileges of more than 6 months will follow the same guidelines as indicated above but will also be reviewed by the Staff Judge Advocate and/or XO.

c. Reinstatements. Reinstatement of driving privileges shall be automatic if suspension or revocation is less than 90 days and proof of completion of remedial driving course, if applicable, is provided. All other suspensions or revocations will be lifted only if all requirements listed in suspension or revocation letter are fulfilled and verified by a Traffic Court Judge during session of Traffic Court. A Traffic Court judge will issue a reinstatement letter that will be required to be signed by the Traffic Court Coordinator and/or NASL Legal (JAG) before driving privileges are reinstated.