



DEPARTMENT OF THE NAVY
NAVAL STATION NEWPORT
690 PEARY STREET
NEWPORT, RHODE ISLAND 02841-1522

NAVSTANPTINST 5100.1J
N35
14 Aug 24

NAVAL STATION NEWPORT INSTRUCTION 5100.1J

From: Commanding Officer, Naval Station Newport

Subj: INSTALLATION TRAFFIC PROGRAM

Ref: (a) DoD Instruction 6055.04 of 27 August 2021
(b) OPNAV M-5100.23
(c) CNICINST M-5100.1
(d) 32 CFR 210.3
(e) RI General Laws 31
(f) Rhode Island Division of Motor Vehicles, Driver's Manual

Encl: (1) Naval Station Newport Traffic Safety Program
(2) Naval Station Newport Enforcement, Parking, Towing and Impoundment Program
(3) Naval Station Newport Traffic Court

1. Purpose. The primary goal of the Naval Station Newport Traffic Program is to reduce, and ultimately eliminate, vehicle and/or pedestrian mishaps and the deaths, injuries, and property damage associated with them. It also addresses how the installation will enforce this instruction and how the court will provide judgement.

2. Cancellation. NAVSTANPTINST 5100.1H

3. Policy. It is the policy of the Commanding Officer (CO), Naval Station Newport (NSNPT) to ensure, as far as possible, that every employee is provided safe and healthful working conditions. References (a) through (e) provide guidance for the implementation of this policy. This instruction contains procedures which NSNPT and all tenant activities shall incorporate into their respective traffic program.

4. Action. Effective immediately, NSNPT Department Heads, Tenant Commanding Officers/Officer in Charge, military and civilian supervisors shall implement the requirements of enclosures (1) through (3).

5. Background. Reference (a) requires each DoD Installation to establish and maintain an effective and comprehensive Motor Vehicle and Traffic Safety Program. Reference (b) and (c) establishes the Traffic Safety Program for all personal as required by reference (a). References (d), (e) and (f) establishes the required State of Rhode Island traffic requirements.

6. Records Management

a. Records created as a result of this notice, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the Department of the Navy Assistant for Administration, Directives and Records Management Division portal page at <https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>

b. For questions concerning the management of records related to this instruction or the records disposition schedules, contact your local records manager or the DON/AA DRMD program officer.

7. Review and Effective Date. Per NAVSTANPTINST 5215.1I, the Administrative Officer will review this instruction annually on the anniversary of its effective date to ensure applicability, currency, and consistency with Federal, DoD, SECNA V, 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 still required.



H. M. ROENKE IV

Releasability and distribution:

This notice is cleared for public release and is available electronically only via SharePoint Online:

<https://flankspeed.sharepoint-mil.us/sites/CNICGlobalHub/directives/Directives/Forms/CNRNMANAVSTANEWPORTRIPX>

Naval Station Newport Traffic Safety Program

- Ref (a) DoDI 6055.4 (Series), DoD Motor Vehicle and Traffic Safety Program
(b) OPNAV M 5100.23 (Series), Navy Safety and Occupational Health Manual, Chapter 36 Traffic Safety Program
(c) CNICINST M-5100.1 (Series), Base Operating Support Safety Services Manual, Chapter 36 Traffic Safety Program
(d) Title 32, Code of Federal Regulations, Part 210.3
(e) General Laws of the State of Rhode Island: Title 31, Motor and Other Vehicles
(f) Rhode Island Division of Motor Vehicles, Driver's Manual
(g) U.S. Department of Transportation (DoT) Federal Motor Vehicle Safety Standard (FMVSS)

1. Program Management

a. The Naval Station Newport (NSNPT) Traffic Safety Coordinator (TSC) is the Installation Safety Department Head located at in bldg. 690 and can be reached at: 401-841-1390.

b. The Naval Station Newport Motorcycle Safety Representative (MSR) is listed on the NAVSTANPTNOTE 5420, Assignments to Boards, Committees and Primary and Collateral Duties. The NSNPT Administrative Officer at: 401-841-3445 can provide their contact information.

c. This program only applies to NSNPT property; the DoD, DoN, and NSNPT are not liable for and will not be held responsible for accidents or injuries to users on the Defense Highway/Burma Road outside of the blue line.

2. Traffic Safety Council

The traffic safety council provides recommendations for plans to mitigate hazards identified from receiver self-assessments and coordinates with receiver to communicate unacceptable risk findings. Each command designates a council member who meets quarterly to discuss and disseminate information, analyze traffic mishaps, discuss traffic and motorcycle safety training, identify hazardous locations, track deficiencies, and work with local officials to resolve traffic safety problems.

a. NSNPT CO or XO chairs the safety/traffic council. The safety/traffic council meets quarterly in building 690 conference room. Members by position are:

- (1) Traffic Safety Coordinator
- (2) Public Works Officer (Base traffic engineering)
- (3) Security Operations Officer
- (4) Fire and Emergency Services

- (5) Legal
- (6) NSNPT Motorcycle Safety Representative (MSR)
- (7) Other NSNPT Department Heads
- (8) Tenant Command Representatives

b. Motorcycle safety meetings may be separated from the traffic safety council and managed as its own sub-group. If separated, the minutes of motorcycle safety meetings will be formally provided to the traffic safety council for oversight.

- (1) Command Motorcycle Safety Representative (MSR)
- (2) Tenant Command MSR

3. Core Driving Requirements per reference (a) through (g).

a. All Drivers and/or motorcycle riders on NSNPT will:

- (1) Be properly trained and licensed prior to operating their motor vehicle.
- (2) Maintain current credentials for the type and class of vehicle they operate. Always have their operating credentials for review. Present them when lawfully asked for.
- (3) Be properly insured and carry proof of insurance.
- (4) Be authorized to operate the vehicle. (Proof of ownership, command permission for government motor vehicle (GMV), a rental agreement or permission to operate paperwork).
- (5) Follow all speed limit signs and other traffic warning signage.
- (6) Be responsible for their passenger's safety.
- (7) Operate a roadworthy safe vehicle. Vehicle will have a current state/government inspection as required. This also includes any towed trailers.
- (8) Stop and cease operation of the vehicle when directed by NSNPT Navy Security Force (NSF) personnel.
- (9) Use extreme caution when driving in close proximity to a marching/running formation and reduce speed to 10 miles per hour when near them.
- (10) Not pass a marching/running formation, or one that is halted until directed by the person in charge of the formation.

(11) Operate with headlights turned on during periods of precipitation or reduced visibility.

(12) Only use horns or other warning devices when necessary.

b. Occupant Protection while onboard NSNPT per reference (a) thru (g).

(1) All personnel when the vehicle is in motion will use seat belts.

(a) Seatbelts will not be removed and/or deactivate when installed by the manufacture.

(b) Passengers and/or animals will not ride in the cargo areas of motorized vehicles.

(c) This does not apply to passengers riding in buses not equipped with seatbelts.

(2) Children will be secured in an approved child safety or booster seats that are consistent with local jurisdiction requirements per reference (d) and (e).

(3) Pets will at no time affect the driver while the vehicle is in motion.

(4) Children and pets will not be left unattended while in a parked vehicle.

c. Distracted driving and fatigue per reference (b).

(1) Hand held cell phones are not authorized while operating a vehicle onboard NSNPT. If equipped, vehicles with fully hands-free devices maybe used. Cell phones maybe used by security and fire personnel in the performance of their official duties.

(2) Drivers will not wear portable headphones or earphones/buds while operating the vehicle to allow them to recognize emergency signals, alarms, announcements, and the approach of emergency vehicles.

(3) While driving/operating the vehicle, the operator may not engage in activities that may distract from the primary focus of driving. Such activities include, but are not limited to:

(a) Eating

(b) Shaving

(c) Reaching behind their seat

(d) Being overly distracted by a passenger or other occupants

- (4) Maximum drive time as discussed in reference (b). TRiPS is available for personnel planning extended off-duty and authorized leave periods.
([https://www.public.navy.mil/NAVSAFECEN/Pages/shore/motor vehicle/trips.aspx](https://www.public.navy.mil/NAVSAFECEN/Pages/shore/motor%20vehicle/trips.aspx))

d. Influence of alcohol and drugs.

- (1) NSNPT has a zero tolerance for driving under the influence of alcohol or drugs.

(2) Open alcoholic containers are prohibited by anyone in a moving vehicle while onboard NSNPT.

e. Prohibited use of radar and laser detection devices. NSNPT prohibits the use of radar and laser detection devices in motor vehicles operating on the installation.

4. Pedestrian safety per reference (b).

a. Sidewalk use is mandatory.

(1) If no sidewalks are available, the pedestrian will walk facing traffic on the shoulder of the roadway as far away from traffic as possible and safe footing will allow.

b. Jay walking is prohibited onboard NSNPT.

(1) Designated crosswalks will be used when crossing the street/roadway.

(2) Pedestrians will stop prior to entering a designated crosswalk.

(3) Check the roadway prior to entering crosswalks to ascertain their personal safety.

(4) Wait for oncoming traffic to stop.

(5) Once traffic has stopped in both directions, they may then enter the crosswalk and cross the street/roadway.

c. Pedestrians will:

(1) Not wear portable headphones or earphones/buds while walking along the roadway to allow them to recognize emergency signals, alarms, announcements, and the approach of emergency vehicles. Heads phones or earphones/buds are allowed while walking on sidewalks, pathways and while legally in a crosswalk.

(2) Wear highly visible/reflective clothing during hours of darkness and/or periods of reduced visibility conditions. Carrying a flashlight is also highly recommended.

(3) Always carry some form of identification with them.

(4) When approaching the Access Control Point (ACP), stop and wait for the NSF personnel to direct them to proceed for identification when the traffic is stopped.

(a) If there is a working turnstile available, use your common access card (CAC) to access the installation.

(b) Gate 17, 23 and 32 are not authorized for pedestrian use.

(5) Use the sidewalk when crossing over the Toner Bridge.

(6) If exposed to traffic hazards as a part of their assigned duties, those assigned will wear applicable high-visibility or reflective clothing or personal protective equipment (PPE) vests. These duties may include gate sentries, troops in marching formations, traffic control personnel, road construction crews, electricians or telephone repair personnel working on outside overhead lines.

5. Bicycle safety (This includes Electric Bicycles) per reference (b).

a. Bicycles will use the roadways and follow the flow of traffic.

(1) Cyclists shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction except where official traffic control devices (signs or pavement markings) specifically direct bicyclists to do otherwise.

(2) Cyclists will follow the rules of the road, and signal any turns or stopping to warn others of their intent.

(3) Riding on the sidewalks is not permitted.

(4) Bicyclist will yield the right of way to pedestrians in crosswalks.

b. All cyclists are required to wear an authorized bicycle helmet.

(1) Cyclists will not wear portable headphones or earphones/buds while cycling on the installation. This will allow them to recognize emergency signals, alarms, announcements, and the approach of emergency vehicles.

(2) It is recommend they wear highly visible/reflective clothing during hours of darkness or periods of reduced visibility conditions.

c. All bicycles will:

(1) Have reflective devices on them. Bicycles must have a colorless front reflector, recessed colorless or amber reflectors on the back and front sides of the pedals, and a red

reflector on the rear. They must also have a reflector mounted on the spokes of each wheel, or reflective front and rear wheel rims or tire sidewalls. Per 16 CFR 1512.

(2) When riding after dark, Rhode Island State law requires a bicycle be equipped with a white light in front and a red reflector in back. While not law, it is highly recommended that bicycles be equipped with a rear red light at night.

(3) Be maintained in good operating condition per the Rhode Island Bicycle Commuter Guide.

d. Electrical bicycles will be:

(1) Fully operable with pedals and have an electric motor not greater than 750 watts (1 h.p.) that cannot go faster than 20 MPH.

(2) Charged using manufactures instructions and gear.

(3) Charged outdoors or in a well-ventilated designated area with their command and associated building manager's concurrence.

6. Marching and Running Units will:

a. Wear reflective clothing, vests or personal protective equipment (PPE) so that they are visible to vehicular traffic per reference (b) section B3604.r.(1)(d). Reflective belts are considered PPE.

b. While on Toner Bridge, not cause other pedestrians to enter the roadway.

(1) March/run in double file on the sidewalk.

(2) Personnel controlling the march/run will follow in with the double file to allow for pedestrian passage in the opposite direction.

c. Stay within one lane of traffic and will march/run in a manner, which will afford a minimum of interference to vehicular traffic. Have the right of way on roadways except for emergency vehicles on actual emergency responses. The person controlling the march/run will direct the unit to a safe area to allow the emergency vehicles to pass.

d. Post road guards when crossing an intersection. Road guards will not charge out onto oncoming traffic where the driver does not have enough time to stop their vehicle. This might mean the marching/running unit will have to come to a halt until it is safe to cross the roadway.

e. Running units will have at least one run leader/safety observer for every 25 runners.

7. Runners and Joggers will:

a. Use designated running/jogging trails and sidewalks, where provided.

(1) When sidewalks or paths are not available, obstructed or otherwise unsafe, they will stay to the left side of the roadway, facing oncoming traffic in single file and obey all applicable traffic laws and regulations.

(2) Not run on the roadway of Toner Bridge, they will use the provided sidewalk.

(3) They are permitted to use the Weenachasett Street Bridge.

b. Not wear portable headphones or earphones/buds while along the roadway instead of a designated running/jogging trails and sidewalk. This will allow them to recognize emergency signals, alarms, announcements, and the approach of emergency vehicles.

c. Wear some sort of reflective clothing and/or device during hours of darkness or periods of reduced visibility conditions. It is recommend they wear highly visible/reflective clothing during daylight.

d. Carry some form of identification with them.

8. Personal Transportation Device (PTD)

a. The use of motorized (electric or gas) or human powered scooters, skateboards, roller-skates, roller-blades, Segway and other similar equipment will not be used on NSNPT roadways or sidewalks.

b. NSNPT has no authorized areas for their usage.

9. Government Vehicle Other (GVO) and alternative vehicle use per reference (b).

a. Only government and/or authorized contractor owned GVO, All-Terrain Vehicles (ATV), and Low Speed Vehicles (LSV) are allowed on the installation. (Lawn mowers, golf carts, forklifts, aerial lift vehicles, backhoes, etc.)

b. Vehicle operators will be trained and authorized to use these vehicles. They will carry with them the license or authorization to operate the vehicle.

c. Commands/contractors utilizing these vehicles will establish standard operating procedures, authorize areas of usage, perform annual vehicle inspections and ensure the vehicles are operated and maintained per the manufacturer's guidance.

(1) Operators must understand the safety features of the vehicle being operated and wear the required personal protective equipment (PPE) recommended by the vehicle's manufacturer.

(2) Operators of motor vehicles without a windshield will wear safety glasses or a face shield.

(3) If required, prescription glasses will be worn when operating the vehicle. This is a requirement for forklift operators.

10. Recreational Off Duty Safety (RODS)

a. All-terrain vehicle (ATV), Off-Road Vehicle (ORV) including dirt bike and snowmobile use is prohibited onboard NSNPT. Operator usage of privately owned ATVs and ORVs outside of NSNPT are highly encouraged to complete a Specialty Vehicle Institute of America based rider course for these vehicles.

b. All watercraft at NSNPT marina. Watercraft are defined or can be grouped into surface vessels, which include ships, yachts, boats, hydroplanes, jet skis, sailboards and human-powered craft such as rafts, canoes, kayaks and paddleboards.

(1) All personnel using any watercraft will present proof they have been trained and/or licensed to operate the watercraft.

(a) The Morale, Welfare and Recreation (MWR) department at the NSNPT marina provides basic skills and safety courses for sailing and powerboat operation.

(2) All watercraft must have at least one United States Coast Guard approved wearable personal floatation device (PFD) for each person on board.

(a) All PFD must be in good and serviceable condition, the proper size for the wearer and readily accessible.

(b) All children less than 13 years old will be required to wear the PFD at all times while topside on the watercraft.

(c) PFD are not required to worn below deck or in an enclosed cabin.

(d) A PFD will be worn at all time by personnel operating or riding on a personal watercraft (PWC), i.e. Jet Ski/wave runner, sailboats, canoes, kayaks, sailboards, kiteboards, and paddleboards, etc.

(3) Personnel using the boat ramp on the installation must notify the MWR staff prior to their intent to use the ramp.

(a) Their boat and trailer must be inspected and in good working order to launch/recover their watercraft.

(b) They will report any damage to the facility incurred while launching/recovering their watercraft.

11. Education and Training

- a. For Motorcycle Rider Courses, applicants must contact their command's Motorcycle Safety Foundation (MSF) coordinator. The Enterprise Safety Applications Management System (ESAMS) is used to request training for MSF classes. The Classroom Training Schedule section of the "My Tools" area provides a hyperlink to access class enrollment dates.
- b. Emergency Vehicle Operator Courses (EVOC) will be assigned and sponsored through their command.
- c. NAVFAC will provide training and maintain records of for forklift and other industrial type vehicles.
- d. Operators of Navy owned, rented or leased passenger vans with a capacity of 15 or more occupants should be provided with training. These commands may use locally developed training approved by COMNAVSAFECOM to meet this requirement.
- e. Commands, tenants and contractors will provide training and maintain records for those who operate GVO, ATV and LSV vehicles on the installation. These vehicles include riding lawn mowers, golf carts, gators etc.

12. Accident Investigation

- a. NSF personnel will provide accident investigations for vehicle accidents on the installation.
- b. The local police authorities will provide accident investigations for private motor vehicles (PMV)/ GMV accidents off the installation.
- c. All military personnel involved in a personal injury while operating or as a passenger will notify their chain of command of the injury so it can be recorded into Risk Management Information (RMI) database.
- d. All operators of GMV/GVO/government watercraft and trailers involved in an accident will notify their chain of command of the property damage so it can be recorded into RMI. This will also include any property damage incurred (i.e. guard rails, buildings, structures, other vehicles, etc.).

13. Parking

- a. Only those drivers with authorized handicap parking permits/placards/plates will park in designated handicap parking areas.
- b. Parked vehicles will not block roadways preventing emergency vehicles the ability to pass.

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14. This section will be evaluated and updated annually by the Traffic Safety Coordinator. Any changes will be discussed at the Traffic Safety Council. The Installation Commanding Officer will approve any changes.

Naval Station Newport Enforcement, Parking, Towing and Impoundment Program

- Ref:
- (a) OPNAVINST 11200.5D, Motor Vehicle Traffic Supervision
 - (b) OPNAVINST 5530.14E Naval Physical Security and Law Enforcement
 - (c) Title 32, Code of Federal Regulations, Part 210.3
 - (d) General Laws of the State of Rhode Island: Title 31, Motor and Other Vehicles
 - (e) Rhode Island Division of Motor Vehicles, Driver's Manual
 - (f) U.S. Department of Transportation (DoT) Federal Motor Vehicle Safety Standard (FMVSS)

1. Program Management

a. The NSNPT head of security forces is the Security Officer (SECO) located in the Security section of Bldg. 1373. They can be reached at (401) 841-3025.

b. For Emergencies call from a landline 911 or from a Cellphone (401) 841-3333.

(1) State the nature of your call.

(2) State what installation you are on.

(3) State what the nearest building is and/or what road you are on.

c. For non-emergency calls, contact the Command Duty Officer at (401) 862-8378 or the Regional Dispatch Center at (401)-841-4041.

2. Operational Privilege Requirements. The operation of any vehicle on board Naval Station Newport (NSNPT) is a conditional privilege extended by the NSNPT Commanding Officer (CO). Individuals entitled to this privilege will meet the following conditions:

a. Comply with all NSNPT regulatory provisions and policies outlined in this instruction.

b. Comply with all applicable laws, directives, instructions and regulations governing the operation of a motor vehicle, per the state of Rhode Island and the state, which the member is licensed.

c. Possess while operating any type of motor vehicle produce and surrender upon request by a Naval Security Force (NSF) personnel the following documents:

(1) Valid motor vehicle registration.

(2) Valid driver's license.

(3) Personal Identity Verification (PIV) credential, i.e., Common Access Card (CAC), DD Form 2, U.S. Uniformed Services Identification Card (Retired), DD Form 1173, US Identification and Privilege Card (family member), Defense Biometric Identification Data System (DBIDS) visitor

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credential, or other valid access credential.

(4) Evidence of valid liability insurance.

(5) Valid motor vehicle inspection certificate, if applicable.

(6) Any other applicable documents (commercial vehicle forms, hazardous material (HAZMAT), delivery information, etc.).

d. Be subjected to Implied Consent and Searches per reference (a). Implied consent applies to all vehicles and personnel travelling on board NSNPT and is outlined below.

(1) Only NSF and Naval Criminal Investigative Service (NCIS) Resident Agency, Newport, RI personnel are allowed to stop, search and inspect personnel or vehicles onboard the installation. Other agencies must have additional CO guidance.

(2) Persons will be deemed to have given their consent to evidential tests for alcohol/drug content of their blood, breath, or urine when lawfully stopped, apprehended or cited for any offense allegedly committed while driving, operating, cycling or as a pedestrian while on board NSNPT to determine the influence of intoxicants.

(3) Stops and inspections of private motor vehicle (PMV), government motor vehicle (GMV), cyclists or pedestrians on NSNPT, other than in restricted areas, installation access control points (ACP) or for law enforcement purposes are authorized only when there is a reasonable suspicion of criminal activity or a violation of a traffic regulation. Stops may also happen to address mission needs such as random antiterrorism measures as directed by the CO.

(a) Administrative inspections of vehicles at ACP, within restricted areas, and at other designated areas will be conducted according to command policy.

(b) At the time of stop, the driver and occupants shall display all pertinent documents, including but not limited to those documents listed above.

(c) Failure to cooperate, refusal to submit to inspection or to otherwise obstructing, hindering, or preventing the inspection of vehicles, personnel and belongings may result in administrative and criminal charges.

(4) Any driver attempting entry at any installation gate, who refuses to be inspected, will be denied entry. If reasonable suspicion exists, the driver may also be detained for further investigation.

3. Program Management by NSF

a. NSF personnel are the only personnel authorized to direct, regulate, and control traffic on the installation.

b. NSF and NCIS are authorized to apprehend or detain violators of laws or regulations on the installation.

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NOTE: High-Visibility Safety Vest. All personnel whose duties place them within the roadway or close proximity to the flow of traffic, such as highway construction, maintenance crews, survey crews, utility crews, responders to incidents within the roadway right-of-way, public safety personnel, gate sentries, traffic flaggers, etc., will wear approved high-visibility safety apparel (HVSA) meeting the performance class two or three requirements of American National Standards Institute and International Safety Equipment Association (ANSI and ISEA) 107-2004.

c. Anyone detained by the NSF or NCIS maybe;

(1) Given a verbal warning.

(2) Given a moving violation (DD 1408 or the DD 1805). DD 1408 citations will be annotated as "optional" or "mandatory" appearance before the Armed Forces Traffic Court. Instructions for reporting to traffic court will be written in the remarks block of the Armed Forces Traffic Ticket.

(3) For more serious offences, like driving under the influence of alcohol or narcotics, they may be apprehended and turned over to federal, state, or local authorities.

(4) A copy of the Armed Forces traffic ticket will be forwarded through command channels to the offender's command, the command of the dependent's sponsor, a civilian employee's supervisor, or other designated official or employer.

d. Perform Commercial Vehicle Inspections. During the hours of 0700- 1500, Monday through Friday, all commercial vehicles, deliveries and oversized vehicles must proceed to the NSNPT Gate 17 Commercial Vehicle Inspection Station for vetting and clearance. After normal working hours, on weekends, and holidays commercial vetting and clearance will be performed at NSNPT Gate 17 by patrol qualified NSF.

e. Investigation of motor vehicle mishaps. These investigations are separate and distinct from those required by the Manual of the Judge Advocate General. Every effort should be made to work with law enforcement, safety, and medical treatment facilities to ensure completeness of the investigation report.

(1) All traffic crashes, accidents and property damages on board NSNPT will be investigated and a formal report will be generated by the responding NSF officer. Any incidents involving personal injury, death, damage to government property, or the possibility of a claim against the government will be distributed by the NSF department to the NSNPT Staff Judge Advocate office (SJA). The report shall include all statements from principals and witnesses and photographs. The SJA may release the information to the appropriate command for further investigation.

(a) Motor vehicle operators involved in traffic crashes or accidents on board NSNPT, inclusive of any tenant command or activity, must report the accident immediately to Regional Dispatch via telephone at (401) 378-4041 (non-emergency) or (401) 841-3333 and advise the duty dispatcher of the location, seriousness of the accident, and whether medical attention is required. Operators will not leave the scene of the accident or move the vehicle until released by NSF personnel, except to obtain medical aid.

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(b) Individuals who fail to report any traffic crash or accident on board NSNPT may be subject to additional offenses and sanctions if required.

(c) The NSNPT Safety Office, (401) 841-1390, will also be notified the next regular working day through normal security distribution emails. Email the safety office at NAVSTANewportSafetyN35@us.navy.mil.

(2) All drivers of government vehicles involved in an accident will complete a Standard Form 91 (Motor Vehicle Accident Report) as soon as possible after the accident. The original of this form will be forwarded by the driver to the NSNPT NSF department who will maintain these documents in a central file for at least two years. A copy of the completed form will be distributed by the NSNPT NSF department to the SJA, along with their incident report.

(3) Witnesses of traffic crashes or accidents involving government vehicles should complete a Standard Form 94 (Statement of Witness) as soon as possible after the accident. The original of this form will be forwarded to the NSNPT NSF department who will maintain these documents in a central file for at least two years. A copy of the completed form will be distributed by the NSNPT NSF department to the SJA, along with their incident report.

(4) All traffic crashes or accidents occurring off the installation, involving government vehicles assigned to NSNPT, tenant commands or activities will be reported to the local law enforcement and the vehicle operator shall notify their chain of command of the incident. Whenever practical, investigations of off-installation motor vehicle accidents involving government vehicles will be conducted with the state or municipal police agency having primary jurisdiction.

(5) When an accident occurs within the jurisdiction of NSNPT and results in serious injury or death to a person on active duty in the Armed Forces or their dependents, that information must be relayed to the Regional Dispatch Center.

(a) The NSNPT Watch Commander will notify the NSNPT Command Duty Officer (CDO) of the nature of the incident and the extent of injuries or death.

(b) In the event of the death of any active duty member of the Armed Forces, the Naval Criminal Investigative Service (NCIS) Duty Agent must also be notified by the NSNPT Watch Commander.

(c) The NSNPT Safety Office, (401) 841-1390, will also be notified the next regular working day through normal security distribution emails.

4. Access Control Points (ACP). Procedures in effect to control entry and exit at all installation ACP gates are based on DoD and DoN guidance, to protect personnel, assets and infrastructure, deter terrorism and ensure the security of the installation.

a. All ACP gates manned with NSF personnel are for the protection and security of the installation and to enforce approved procedures. Anyone who fails to obey instructions or follow proper procedures may be subject to apprehension or detainment and may be permanently barred

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from entry to the installation.

b. Vehicles entering or exiting any installation ACP may experience minor delays due to high traffic volume, heightened security measures or other traffic related activities.

c. Vehicles approaching ACPs will:

(1) Switch to parking lights or daytime running lights (DRL) during hours of darkness before reaching a point of 100 feet from the entrance and keep them at such intensity until after passing through the ACP.

(2) Proceed in or out of the ACP safely, not to exceed the posted speed limit.

(3) Come to a complete stop at the initial stop sign or signal and do not proceed until directed to do so by the NSF personnel.

(4) When motioned forward, proceed to the secondary stop sign or signal at the ACP gatehouse and do not proceed until directed to do so by the NSF personnel.

(5) Surrender valid access credential or DBIDS pass for scanning by the NSF personnel, produce other properly requested documents and obey all instructions and directions issued by the sentry. If access is granted, proceed safely through the ACP ingress lane, only after being authorized to do so by the NSF personnel.

(6) If access is denied, obey all rejection instructions and directions issued by the NSF personnel. Rejected traffic must proceed safely through the ACP and execute a U-turn at the designated rejection location, only after being authorized to do so by the NSF personnel manning the gate.

d. Unauthorized Entry.

(1) Gate running, i.e., motor vehicle operators passing through operational ACPs without authorization by a NSF personnel manning the installation gates is strictly prohibited.

(2) Gate jumping, i.e., climbing perimeter fences or otherwise seeking to avoid authorization by a NSF personnel manning the installation ACP is strictly prohibited.

(3) Unauthorized access to NSNPT via the NSNPT Marina, installation shoreline or by another means without prior approval of the CO is strictly prohibited.

PARKING POLICY

1. Parking is permitted only in authorized, clearly delineated parking spaces and areas on NSNPT. Parking spaces were allocated to various activities and departments located on board NSNPT, including tenant commands and facilities.

a. Memorandum requests for new allocations or other changes to existing parking plans will be submitted to the NSNPT SECO for further submission to the Installation Traffic Council. All such requests will be reviewed at the quarterly meetings. The council will submit recommendations for final approval or denial to the CO.

b. Contact the local building manager or facility management if there is a concern.

c. Under no circumstances will any agency, department, tenant command or individual alter existing parking allocations or signage without proper authorization.

d. Operators of vehicles other than the individual or representative for whom the space is reserved will not park in a reserved space:

(1) Reserved/Handicapped Spaces. All Reserved Spaces will be marked by signs or painted on the surface of the space concerned, adjacent structures or adjacent curbing with the required information painted in contrasting colors, blue background and white lettering.

(2) Official Vehicles Only. Operators of non- government owned or leased vehicles will not park in spaces designated "Official Vehicles Only" unless specifically authorized by the NSNPT SECO.

(3) Command designated parking spaces. These spaces are marked for unit commanders, command senior enlisted staff (CMC), executive staff and command staff members, etc.

e. The following parking restrictions apply within all exclusive and proprietary areas under the control of NSNPT.

(1) Large vehicles (such as vans, campers, and motor homes) will not park so that the vision of other operators is obstructed. This is particularly important in parking lots, housing areas, and near street intersections. All vehicles must be parked to allow emergency vehicles to pass.

(2) Uncoupled Boats and Trailers. Parking uncoupled boats or trailers in parking lots on board NSNPT is prohibited unless specifically authorized by the NSNPT SECO.

(3) Parking on fields, lawns or on any seeded, grassy or un-paved area is prohibited, unless specifically authorized by the SECO.

(4) On a sidewalk, within an intersection, on a crosswalk, on a railroad track, within a fire lane, blocking a driveway or in such a way that the vehicle interferes with operations or creates a safety hazard to other roadway users or the general public.

(5) Temporary No Parking Zones. When specifically authorized by the CO, temporary or emergency no parking zones may be established for special events, heightened security measures, construction, etc. All temporary or emergency "no parking" zones will be properly posted with appropriate signage. Whenever possible, advanced notice of temporary or emergency no parking zones will be provided to the NSNPT Public Affairs Officer (PAO) for the widest applicable

dissemination.

(6) On any street or bridge when double-parked or parked in such a way that it interferes with the orderly flow of traffic and/or emergency vehicles. Examples include blocking a properly marked driveway of a fire station or a vehicle parked within eight feet of a fire hydrant. The term fire hydrant applies to any surface or structure mounted water supply access for firefighting purposes.

(7) When blocking any entrance, exit or emergency exit door of any public place (installation theater, store, club, dining hall, residence, barracks, building, hospital or other facility).

(8) When the vehicle interferes with street cleaning or snow removal operations.

(9) When the vehicle interferes with emergency operations during a natural disaster or fire or must be removed from the disaster area during cleanup operations.

2. Personal Vehicle Storage Requirements. The United States Government assumes no liability or responsibility for unattended PVOs on board NSNPT.

a. Registered owners intending to leave their PVOs unattended for a period exceeding five days will adhere to the following procedures:

(1) Contact the NSNPT Moral Welfare and Recreation Department at (401) 841-4992 and request for an application for vehicle storage in the long-term secure parking lot, adjacent to Bldg. 47, or another location designated by the CO.

(2) An individual, other than the registered owner, wishing to reclaim a vehicle must present written, notarized permission from the owner, granting such authority. Such letter of permission must be review and approved by the SJA.

b. Personnel are prohibited from abandoning or leaving unattended any junk, damaged, inoperable or unregistered vehicles onboard NSNPT. Any vehicle meeting such criteria will be processed and promptly towed from the installation.

3. Repairs and Work on Privately Owned Vehicles. Work performed on PMV will be accomplished at the Auto Hobby Shop Garage and not in any Navy housing area. Cleaning of vehicles may be performed in residential parking lots and designated recreation areas so long as the vehicle is parked in a valid parking area.

4. Camping is only authorized at the MWR Carr Point Recreation Area during the months of May through October. Contact the NSNPT Moral Welfare and Recreation Department at (401) 841-4992 and request for an application.

a. Camping within all other exclusive and proprietary areas under the control of the host command NSNPT, inclusive of all tenant commands, activities, facilities and areas, is strictly prohibited without prior authorization of the NSNPT CO.

b. For the purpose of this instruction, camping will also include sleeping in any motor home, camper, van, or recreational vehicle.

c. Overnight residence in a personally owned vehicle, between the hours of 2300-0500 is prohibited at all other locations on Naval Station Newport.

d. Parking uncoupled campers, trailers or motor homes in parking lots on board NSNPT, inclusive of any tenant command or activity, is prohibited unless specifically authorized by the NSNPT SECO.

e. No motor vehicle, inclusive of any car, truck, trailer, van, camper, motor home, trailered boat, etc., will be connected to any U.S. Government utilities without prior authorization of the NSNPT CO. Violators will be subject to prosecution and administrative sanctions.

MOTOR VEHICLE TOWING POLICY

Implied consent to any person granted the privilege to operate a motor vehicle onboard NSNPT and will be deemed to have given their consent for the removal of their vehicle. Such person further agrees to reimburse the United States for the cost of towing should their motor vehicle be removed. Existence of these conditions will be determined by the CO or their designee.

1. The following prescribes the standards and procedures for NSNPT NSF personnel when towing, inventorying, and/or searching a vehicle. This policy is based on:

a. The interests of the command in crime prevention, traffic safety, force protection, agency mission, and the orderly flow of vehicle traffic.

b. The vehicle owner's constitutional rights to due process, freedom from unreasonable search and seizure and freedom from deprivation of private property.

2 Procedures for Towing of Vehicles

a. The vehicle will not be towed or impounded unless it clearly threatens public safety; interferes with military operations, missions, or movement of traffic; is involved in criminal activity; contains evidence of criminal activity; is stolen, abandoned, unregistered, or is illegally parked. The NSF department will notify the Naval Criminal Investigative Service (NCIS) Duty Agent with regard to any motor vehicles stolen or recovered on board the installation and for any motor vehicle involvement in criminal activity arising to a felony offense.

b. Prior to towing any vehicle on board the installation, all reasonable attempts will be made to contact the owner of the vehicle to have the vehicle removed. Another responsible, licensed, operator may be allowed to drive the vehicle or have it towed with the permission of the owner, operator, or person empowered to control the vehicle. In this case the owner, operator or person empowered to control the vehicle will be informed that the NSF are not responsible for safeguarding the vehicle.

c. Vehicles identified for towing will meet the following conditions:

(1) Be identified by the NSF or tenant command that the vehicle is potentially in violation of the installation parking requirements. A written statement will also be obtained from the tenant command representative requesting the removal of the vehicle, citing the urgency for the vehicle to be towed.

(2) The NSF will respond and issue any applicable parking violations and generate an incident complaint report to document the removal of the vehicle.

(3) If the interior of the vehicle is accessible, the OPNAV 5580/12 (Vehicle Report) will be completed in accordance with this instruction.

(4) The vehicle has been used in a crime or contains evidence of criminal activity.

(a) Until a vehicle with evidentiary value has been processed, it may be temporarily stored in the secure storage area, outside the detention facilities at the NSF Bldg. 1373.

(b) The owner or person in charge of the vehicle has been apprehended and is unable or unwilling to arrange for custody or removal.

(5) The vehicle is mechanically defective or is a menace to others using the installation roadways.

(6) The vehicle is disabled by a traffic crash, accident, or mishap and the operator is either unavailable or physically incapable of having the vehicle towed to a place of safety for storage or safekeeping.

(7) If it is believed to be abandoned, the NSF officer will conspicuously place the DD Form 2504 (Abandoned Vehicle Notice) on the vehicle.

(a) This action will be documented by an entry in the installation law enforcement desk journal and an incident complaint report completed by the NSF.

(b) All attempts will be made to identify the last known owner or operator of the vehicle by using the vehicle registration and/or vehicle identification number (VIN). The National Crime Information Center (NCIC) may also be used to identify the owner.

(c) If the vehicle has not been removed after three days, it will be promptly towed under the supervision of the NSF via a towing service company.

d. Before being towed, all accessible contents of the vehicle will be inventoried. Inventory is defined as a cataloging of all personal property and contents inside of a vehicle for the purpose of establishing ownership and accountability to avoid spurious claims; to assist in the prevention of theft; to locate toxic, flammable, dangerous, or explosive substances; and/or to reduce any dangers to personnel and property. An inventory is not a "search" under the Fourth Amendment. All inventories conducted under this chapter shall be recorded on OPNAV 5580/12 (Vehicle Report) and

shall be conducted according to the following procedures.

(1) An inventory of all personal property and the contents of open or closed, but unlocked, containers will be conducted throughout the passenger and engine compartments of the vehicle including, but not limited to: accessible areas under or within the dashboard area, in any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats and under the seats.

(2) In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in the following locations:

(a) Any other type of unlocked compartments that are a part of the vehicle including, but not limited to, unlocked vehicle trunks and unlocked car-top containers.

(b) Any locked compartments including, but not limited to, locked vehicle trunks, locked hatchbacks and locked car-top containers, if either the keys are available to be released with the vehicle to the third-party towing company or an unlocking mechanism for such compartment is available within the vehicle.

(3) Closed, locked containers located either within the vehicle or any of the vehicle's compartments will not be forcibly or otherwise opened for inventory purposes.

(4) Under no circumstances will a package be opened if a container is suspected of having any type of explosive device or other material dangerous to public safety. If a container is suspected of having dangerous items inside, the proper agency for disposal, i.e. EOD for explosives, Fire Department for Hazardous Materials, etc., should be contacted immediately.

(5) Any valuables discovered during the inventory will be placed in a secure storage area for safekeeping, as determined by the NSNPT Watch Commander or Supervisor. Any item discovered that is deemed to be illegal or of an evidentiary nature will be seized, entered into the evidence storage system and held for further investigation.

e. Vehicles may be towed by either a government tow truck or a private company contracted by the government, or a properly licensed local or state towing service.

4. Investigation hold of a vehicle based on criminal activity. A search of a vehicle in conjunction with investigative hold based on criminal activity will likely occur in one of the following general situations:

a. The owner or operator is not present. This situation could arise during traffic and crime-related investigative holds and abandoned vehicle seizures. A property search related to investigation of criminal activity should not be conducted without search authority unless the item to be seized is in plain view, incident to apprehension, is identified as government property or is readily discernible on the outside as evidence of criminal activity. When in doubt, proper search authority should be obtained before searching.

Enclosure (2)

b. The owner or operator is present. This situation can occur during either a traffic or criminal incident, or if the operator is apprehended for a crime or serious traffic violation and sufficient probable cause exists to seize the vehicle. If danger exists to the police, public or there is a risk of loss or destruction of evidence, a search is required because of exigent circumstances and is authorized.

c. In situations where probable cause to search a vehicle does not exist for any reason, NSF shall still conduct an inventory of the vehicle in accordance with this instruction.

5. Disposition of Vehicles after investigative holds

a. If a vehicle is held for evidentiary purposes, the vehicle can be held for as long as an evidentiary or law enforcement purpose exists. The vehicle must then be released to the owner without delay unless directed otherwise by a competent authority.

b. If the vehicle is unclaimed after 45 days from the date notification was mailed to the last known owner or the owner released the vehicle by properly completing DD Form 2505, the vehicle will be disposed of by one of the following procedures:

(1) Release to a lien holder, if known and authorized by the SJA.

(2) Processed as abandoned property per DOD 4160.21-M.

6. This section will be evaluated and updated annually by the Security Officer or their designated individual. Any changes will be discussed at the Traffic Safety Council. The Installation Commanding Officer will approve any changes.

NAVAL STATION NEWPORT TRAFFIC COURT

- Ref: (a) DoD Instruction 6055.04 of 27 August 2021
(b) OPNAV M-5100.23
(c) DoD Directive 5525.4 CH-2
(d) RI General Laws 31
(e) OPNAVINST 11200.5D
(f) COMNAVREGMIDLANTINST 5560.10B

Appendixes:

Appendix A: Traffic Offenses and Dispositions

Appendix B: Traffic Offense Violation Penalties and Points Assessment

Traffic Court

Location: Building 360N, Region Legal Service Office (RLSO) Courtroom

POC: Naval Judge School; Command Duty Officer, 401-862-9373

Date/Time: Held on the 4th Friday of the month, at 1400

1. Armed Forces Administrative Traffic Court

a. The court will be comprised of an Administrative Traffic Court Judge who will, consistent with this instruction, and as the representative of the Naval Station Newport (NSNPT) CO, determine the appropriate adjudication for convicted traffic violators. The Administrative Judge is also empowered to impose suspensions or revocations of installation driving privileges.

b. Persons granted driving privileges on NSNPT assume legal responsibility for the safe operation of their vehicles and are required to have knowledge of, and comply with, State of Rhode Island Motor Vehicle Laws and other such regulations as contained or referenced in this instruction.

2. Motor Vehicle Traffic Enforcement Policy

a. Administration of Traffic Violations. The purpose of the penalty point assessment system is to provide an impartial and uniform administrative device for evaluating the driving performance of all personnel who have been granted the privilege to operate motor vehicles by the NSNPT CO. The adoption of the penalty point system does not preclude NSNPT operating privileges from being suspended or revoked without regard for points accumulated under the system. This point system is not all inclusive and is used as a guidance to address violations acquired by the operator.

(1) The Penalty Point Assessment System provides that points will be assessed to the driving records of personnel who have been evaluated as responsible for specific traffic violations in any applicable areas on board the installation.

Enclosure (3)

(2) Traffic offense penalty point values, accumulation limitations and sanctions are outlined in Appendix B. These offences reflect Rhode Island state laws and are not all-inclusive.

(3) Points assessed against an individual will remain in effect for 24 months, reenlistment, or final termination of employment, whichever is sooner; except that suspension for a period of at least three months will erase assessed points from their record upon reinstatement of driving privileges.

(4) For violations committed by holders of U.S. Government Motor Vehicle Operator's Identification Card (Standard Form 46), the holder may be assessed points against either or both their privately owned or government vehicle record, at the discretion of the Administrative Traffic Court Judge.

b. For violations committed either in a government or privately owned vehicle by holders of U.S. Government Motor Vehicle Operator's Identification Card (Standard Form 46), the holder may be assessed points against either or both their privately owned or government vehicle record, at the discretion of the Administrative Traffic Court Judge.

c. Assessments made by the Administrative Armed Forces Traffic Court Judge for traffic offenses enumerated in Appendix A will be recorded on OPNAV 5560/1 (Non-Government Vehicle Registration Form), whenever the violator:

(1) Has been convicted of a traffic violation, adjudicated by the Administrative Armed Forces Traffic Court Judge.

(2) Has willfully and knowingly failed to comply with installation licensing, registration, insurance and inspection requirements.

(3) Forfeited bail in a civilian court in lieu of hearing or trial for a moving vehicle violation.

(4) Received non-judicial punishment pursuant to Article 15, Uniform Code of Military Justice, for a traffic violation.

(5) Received notification of a violation for which points may be assessed through the use of an Armed Forces Traffic Ticket (DD Form 1408) and failed to appear in Traffic Court as directed.

(6) Submitted payment by mail to the Central Violations Bureau (CVB), in response to a U.S. District Court Violation Notice (DD Form 1805), issued per section 4 of Appendix A.

d. Dependents permitted to drive vehicles registered on board NSNPT are considered the responsibility of the sponsor to whom driving privileges were originally extended.

(1) Penalty Points assessed to dependents for traffic violations will be assessed to their individual records and not their sponsor's record.

Enclosure (3)

(2) When the dependent's privilege to operate a motor vehicle on the complex has been suspended, it is the responsibility of the sponsor to ensure compliance with the suspension order. Failure to do so will result in suspension of the sponsor's privilege.

e. Visitors, contractors, delivery personnel, taxi cabs and all other personnel operating motor vehicles on board NSNPT are subject to the same laws, rules and regulations as the military and civilian personnel subject to obtaining driving privileges.

3. Traffic Tickets and Violation Notices. Individuals committing traffic offenses will be issued a DD 1408 or the DD 1805 by NSNPT Naval Security Force (NSF) personnel. DD 1408 citations will be annotated as "optional" or "mandatory" appearance before the Armed Forces Traffic Court. Instructions for reporting to traffic court will be written in the remarks block of the Armed Forces Traffic Ticket given to the offender.

a. A copy of the Armed Forces traffic ticket will be forwarded through command channels to the offender's command, the command of the dependent's sponsor, a civilian employee's supervisor, or other designated official or employer, following adjudication by the Administrative Armed Forces Traffic Court judge.

b. For those violations where command action is requested, the portion of the ticket, "Report of Action Taken on Traffic Violation," will be completed by the Administrative Armed Forces Traffic Court Judge and returned to the command concerned.

c. When the "Report of Action Taken" is returned to the NSNPT Security Department, an entry will be made on the vehicle registration and driver record as appropriate.

d. Following any adjudication before the U.S. District Court, the disposition will be reported to the NSNPT Law Security Department. The NSNPT Pass and Identification Office will then record the disposition on the violator's driving record and any applicable points from Appendix B will be assessed.

4. Suspension, Cancellation or Revocation of NSNPT Operating privileges

a. An individual's driving privileges may be temporarily suspended, cancelled or revoked by the Administrative Armed Forces Traffic Court Judge for good and sufficient reason. The NSNPT Office of the Staff Judge Advocate (SJA) will be responsible for delivery of driving privilege suspensions, cancellations or revocations signed by the NSNPT CO.

(1) Active duty military personnel. Letters of suspension, cancellation or revocation will be provided to the individual's chain of command for immediate presentation to the individual. Issuance confirmation will be provided to the NSNPT SJA by the issuing command.

(2) Civilian personnel. Letters of suspension, cancellation or revocation will normally be provided via certified mail. If the person is employed on the installation, such notice will be forwarded through the military or civilian supervisor. When the notice of suspension is forwarded through the supervisor, the person whose privileges are suspended will be required to provide written acknowledgment of receipt of the suspension notice.

Enclosure (3)

(3) In the event letters of suspension, cancellation or revocation cannot be delivered. NSF personnel encountering the person whose privileges have been impacted may serve the letter. The on-duty NSNPT Watch Commander will forward issuance confirmation to the NSNPT SJA.

b. When an individual whose operating privileges have been suspended is apprehended while driving on board NSNPT, action will be taken to convert the suspension order to a revocation.

c. When the NSNPT driving privilege has been suspended or revoked as a result of penalty point accumulation due to manslaughter, leaving the scene of an accident, driving while intoxicated (DWI), driving with a suspended license or other serious violation, the appropriate state motor vehicle authorities will be notified.

d. Reinstatement of driving privileges may only be granted after successful completion of an approved driver improvement program.

e. Personnel may appeal any conviction or sentence imposed by the Administrative Armed Forces Traffic Court, or any suspension of driving privileges, in writing, via their Commanding Officer, Officer in Charge or employer to the NSNPT CO.

f. The use of this system is not to be construed as a disciplinary measure or a substitute for punitive action. It is not intended to interfere in any way with the reasonable exercise of the NSNPT CO's prerogative to issue, suspend, revoke, or deny installation-driving privileges for cause without regard to point assessments made under this instruction.

5. Intoxicants and Drugs. Medical examinations may be required of personnel operating vehicles on military installations when they are suspected of being under the influence of intoxicants or drugs or have apparent physical limitations that may have contributed to the hazardous operation of a vehicle.

a. Under the implied consent policy, any person who operates a motor vehicle on a military installation is deemed to have given consent to a chemical breath test, for the purpose of determining the alcohol content of their blood if apprehended, cited, or stopped for any offense arising from acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor.

b. Revocation of driving privileges for one year is mandatory for refusal to submit to a chemical test.

c. If a person suspected of driving while intoxicated refuses the request of a law enforcement officer to submit to a chemical test, none will be given.

d. The NSF officer invoking implied consent will warn the individual that their failure to submit or complete such a chemical test will result in the revocation of his/her privilege to operate a motor vehicle on the installation for a period of one year.

e. Any person wishing to appeal a conviction or sentence dealing with or related to alcohol must have satisfactorily completed the Navy Alcohol and Drug Safety Action Program

Enclosure (3)

(NADSAP). A statement of satisfactory completion of NADSAP from the program director must accompany the written appeal. Civilian employees, contractors and visitors must satisfactorily complete NADSAP or a similar program approved by a state licensing authority.

6. Individuals will not be authorized to operate United States Government motor vehicles on board NSNPT during the following:

a. Periods of suspension, cancellation or revocation of the operator's driver license by any U.S. state, district, territory, or any country.

b. Periods of suspension or revocation of base driving privileges for driving under the influence of alcohol or drugs, or other traffic violations off base which constitute a serious "moving violation" pursuant to state or federal traffic codes.

c. Been suspended, cancelled or revoked by the NSNPT CO or their designee.

7. Assigned Driver Training by the court

a. Military or civilian personnel convicted of a moving traffic violation or determined to be at fault in a traffic mishap while operating a GMV will complete remedial driving improvement training per reference (a) and (b).

b. Contractors and other unaffiliated personnel

(1) At the discretion of the Armed Forces Traffic Court Judge, contractors and other unaffiliated personnel may be referred to the Rhode Island Division of Motor Vehicles Driver Retraining Office to schedule attendance for the mandated class at the Community College of Rhode Island (CCRI). It is incumbent upon the violator to return a valid certificate of completion from CCRI to the Armed Forces Traffic Court.

(2) At the discretion of the Armed Forces Traffic Court Judge, other recognized and approved DIP Training courses may be completed as an alternative to the courses of instruction from the Community College of Rhode Island (CCRI). Any alternative training must have prior approval of the Armed Forces Traffic Court Judge and it remains incumbent upon the violator to return a valid certificate of completion to the Armed Forces Traffic Court.

8. This section will be evaluated and updated annually by the Traffic Court. Any changes will be discussed at the Traffic Safety Council. The Installation Commanding Officer will approve any changes.

APPENDIX A

TRAFFIC OFFENSES AND DISPOSITIONS

1. Traffic Offenses. The following listing describes some of the basic traffic infractions that are enforceable on board all property under the control of NSNPT.

2. Action Codes. The following codes define the action imposed for violation of each specific offense.

- O = OPTIONAL Armed Forces Traffic Court appearance Armed Forces Traffic Ticket (DD Form 1408)
- M = MANDATORY Armed Forces Traffic Court appearance Armed Forces Traffic Ticket (DD Form 1408)
- P = PAY-BY-MAIL Fine, via United States District Court Violation Notice (DD Form 1805)
- D = DISTRICT COURT appearance via United States District Court Violation Notice (DD Form 1805)

3. Jurisdiction

a. Criminal traffic offenses within the State of Rhode Island are made applicable to this instruction, under the provisions of 18 U.S.C. § 13, to areas of exclusive Federal jurisdiction under the control of NSNPT. As facilitated by the NSNPT Staff Judge Advocate (SJA)/Special Assistant U.S. Attorney (SAUSA), felony and misdemeanor offenses are subject to prosecution before United States District Court for the District of Rhode Island and/or will be punished as a court-martial may direct.

b. Per references (a) and (d) all other vehicular and pedestrian traffic laws not assimilated by 18 U.S.C. § 13 are expressly adopted and made applicable within this instruction, to areas of exclusive Federal jurisdiction under the control of NSNPT.

(1) Section 4 outlines traffic offenses and monetary pay-by-mail fines listed in the United States District Court for the District of Rhode Island Forfeiture of Collateral Schedule.

(2) The NSNPT CO is also empowered to establish additional vehicular and pedestrian traffic rules and regulations. Persons found guilty of violating such vehicular and pedestrian traffic laws made applicable on the installation are subject to a fine as determined by the U.S. Magistrate or imprisonment for not more than 30 days, or both, for each violation.

c. Vehicular and pedestrian traffic violations committed within areas of Proprietary Federal jurisdiction under the control of NSNPT may only be enforced by the following means:

Enclosure (3)

(1) State or local law enforcement, through a memorandum of agreement with the NSNPT CO.

(2) Administrative actions (reprimand, assessment of points, loss of on-post driving privileges, or other actions).

d. Only administrative actions (reprimand, assessment of points, loss of on-post driving privileges, or other actions) may be initiated against Service members for off-post violations of the installation traffic code.

4. Monetary Fines

a. Offenses and fine amounts applicable to NSNPT are cited in the Forfeiture of Collateral Schedule, as amended and adopted pursuant to LR Cr 58(b) of the Local Rules of the United States District Court for the District of Rhode Island.

b. The amount of collateral from the Forfeiture of Collateral Schedule may be posted and forfeited in lieu of appearance by the person charged with the offense before a Magistrate Judge in the United States District Court for the District of Rhode Island. Collateral amounts do not reflect additional court costs/fees that also may be imposed.

c. The following offenses listed are enforceable through 32 C.F.R. Part § 210.3(d), via the United States District Court Violation Notice (DD Form 1805):

DESCRIPTION OF VIOLATION	TITLE	SECTION	AMOUNT
Condition Requiring Reduced Speed (Ref. § 31-14-3)	32	§ 210.3(d)	\$50.00
Speeding 1-10 mph in excess (Ref. § 31-14-2(a))	32	§ 210.3(d)	\$50.00
Speeding 11-15 mph in excess; Or subsequent offenses (Ref. § 31-14-2(b))	32	§ 210.3(d)	\$50.00
Speeding 16+ mph in excess (Ref. § 31-14-2(c))	32	§ 210.3(d)	\$50.00
Motor Vehicle Plates for Persons with Disabilities – Entitlement – Designated			

Enclosure (3)

Parking (Ref. § 31-28-7)	32	§ 210.3(d)	\$50.00
Obedience to Devices (Ref. § 31-13-4)	32	§ 210.3(d)	\$50.00
Obedience to Stop Signs (Ref. § 31-20-9)	32	§ 210.3(d)	\$50.00
Places Where Parking or Stopping Prohibited (Ref. § 31-21-4)	32	§ 210.3(d)	\$50.00

5. Responsibility

a. In addition to the offenses listed in this Appendix, all other restrictions and provisions relating to the enforcement of traffic policy, administration of enforcement procedures, regulation of vehicles including trucks, automobiles, motorized bicycles, motorized tricycles, minibikes, and bicycles and the regulation of pedestrians, including joggers, rollerskaters, rollerbladers, and skateboarders will be enforceable, per established laws, rules and regulations.

b. It is the responsibility of all motor vehicle drivers, passengers, cyclists and pedestrians to be cognizant of existing directives, instructions, rules and regulations with regard to traffic enforcement.

(1) DoD, DoN and local policies are subject to change. Rules and restrictions pertaining to traffic safety, regulations and enforcement may be introduced and subject to enforcement at the discretion of the NSNPT CO.

(2) The General Laws of the State of Rhode Island, as assimilated pursuant to 18 U.S.C. § 13 and DoD Directive 5525.4, are subject to amendment or repeal. Furthermore, new motor vehicle code violations may be implemented by Public Law and be enforceable without advanced notice.

(3) Violators who are cited for 2 or more violations will require a mandatory Armed Forces Traffic Court appearance, regardless of the individual violation penalties cited below.

6. Traffic Offenses and Disposition Actions (This list is does not reflect all of the Rhode Island State violations as some do not relate to what is seen on the installation)

STATUTE	TITLE	ACTION
31-22-13	Abandoned vehicles	M
31-12-12	Abandoned, Junked, Inoperable or Unregistered POVs	O
4-1-26	Abandonment of animals from motor vehicle	D
31-21-6	Admission or discharge of passengers	O
31-27.1-4	Aggressive driving	M
31-9-5	Alteration of identification number	D
31-21-9	Angle parking	O
31-19-3	Applicability of traffic laws (Bicycles)	O
31-12-12	Entering restricted area or driving in unauthorized area (non-Gate Runner/Gate jumper offenses)	M
31-12-12	Entry Control Points (ECPs) - Reduce speed sufficiently to permit stopping if not waved through by the gate sentry	O
31-12-12	Entry Control Points (ECPs) - Proceed in or out of the gate at a speed not greater than 10 miles per hour	O
31-12-12	Entry Control Points (ECPs) - Switch to parking lights during hours of darkness before reaching a point of 100 feet from the entrance and remain at such intensity until after passing through the gate	O
31-12-12	Entry Control Points (ECPs) - Gate Running,	M
31-12-12	Entry Control Points (ECPs) - Gate Jumping,	M
31-23-40	Approved types of seat belts – Enforcement of Requirements	O
24-10-18	Backing up prohibited	O
31-19-6	Bicycles to right of road	O
31-19-12	Bicycles on sidewalks and crosswalks	O
31-12-12	Bicycle safety violations (NAVSTA 5100.1)	O
31-27-2.5	Chemical tests to persons under eighteen (18) years of age – Refusal – License suspension	M
31-24-37	Clearance and marker lamps and reflectors	O
31-19-5	Clinging to vehicles (Bicycles)	O
31-10.3-30	Commercial driver's license required	M
31-14-3	Conditions requiring reduced speed	P
31-22-8	Crossing fire hose	O
31-12-12	Distracted Driving (Use of cellular telephone while vehicle in motion on U.S. Government property)	M
31-11-18.1	Driving after denial, revocation or suspension for certain violations	D
31-11-18	Driving after denial, suspension, or revocation of License	M
31-12-12	Driving after suspension or revocation of NSNPT operating privileges by CO.	D
31-12-12	Driving on installation after permit (pass) has been suspended	M
31-27-2.4	Driving while in possession of controlled substances	D
31-27-1	Driving so as to endanger, resulting in death	D
31-27-1.1	Driving so as to endanger, resulting in personal injury	D
31-20-2	Driving through railroad gate or barrier	O

Enclosure (3)

31-27-2	Driving under influence of liquor or drugs	D
31-27-2.2	Driving under the influence of liquor or drugs, resulting in death	D
31-27-2.6	Driving under the influence of liquor or drugs, resulting in serious bodily injury	D
31-23-1(d)(2)	Driving of unsafe vehicle – Disobedience of requirements	M
31-27-2.7	Driving while impaired (.02% but less than .08% BAC)	D
31-3-32	Driving with expired registration	M
31-9-1	Driving without consent of owner or lessee	D
31-18-8	Due care by drivers	O
31-12-9	Due care by emergency vehicles	M
31-26-3	Duty to give information and render aid	M
31-26-2	Duty to stop in accidents resulting in damage to vehicle	M
31-26-1	Duty to stop in accidents resulting in personal injury	D
31-23-51	Earphones and headsets prohibited	M
31-27-4.1	Eluding a law enforcement officer with a motor vehicle in a high speed pursuit	D
31-19-4	Excessive number of persons on bicycle	O
31-10.3-23	Expiration of licenses (Commercial License)	M
31-4-1	Expiration of registration by transfer of interest in vehicle	M
	– Disposition of plates	M
31-33-2	Failure to file accident report	O
3-14-1	Failure to maintain proper control of motor vehicle	M
31-17-1	Failure to yield right-of-way	O
31-38-9	False certificates (Inspection)	M
31-11-17	False swearing (False affidavit)	M
31-25-10	Fastening of load and covering	M
31-15-12	Following too closely	O
31-22-7	Following fire apparatus (Closer than five hundred (500') feet)	O
11-17-1.2	Forgery and counterfeiting of registration plates	D
31-24-5	Headlamps on motorcycles and motor-driven Cycles	O
31-24-26	Headlamps of slow vehicles	O
31-19-2.1	Helmets required on bicycle operators	O
31-12-12	High-Visibility Safety Apparel (Failure to wear approved ANSI/ISEA 107 standard, 23 CFR Part 634 apparel)	O
31-24-9	Illumination of rear registration plate	O
31-8-3	Improper use of evidences of registration or certificate of title	M
31-9-3	Injuring or tampering with vehicles	D
31-10.1-7	Inspection (Motorcycles)	O
31-15-12	Interval between vehicles	O
31-25-9	Leaking load	O
31-21-8	Left curb parking	O
31-10-1	License required to drive	M
31-10.1-1	License required (Motorcycles)	M
31-10-27	License to be carried and exhibited on demand	M
31-16-8	Method of giving signals	O
31-14-9	Minimum speed	O
31-45-5	Motor vehicle radios, stereos and audio systems (Noise Limits)	O

Enclosure (3)

31-28-7(b)	Motor vehicle plates for handicapped persons – Entitlement	P
	– Designated parking spaces –	P
31-28-7(d)	Wrongful use of handicapped parking placard	P
31-28-7(f)	Handicapped parking space violation	O
31-45-1	Noise limits	O
31-22-22(a)	No child restraint	O
31-22-22(a)	Child restraint/seat belt but not in any rear seating position	O
31-22-22(b)	No seat belt - passenger	O
31-22-22(g)	No seat belt - operator	O
31-19-7	Number of bicycles abreast	O
31-12-3	Obedience to police officers (Traffic regulations)	M
31-20-9	Obedience to stop signs	P
31-13-4	Obedience to devices	P
31-23-51	Operating bike or motor vehicle wearing ear phones	M
31-34-3	Operation by person other than lessee (Rental Vehicles)	M
31-18-4	Overtaking of vehicle stopped for pedestrian	M
31-27-19	Operating a motor vehicle on a bicycle trail or path	M
31-3.2-4.	Operation of snowmobile or recreational vehicle on the	M
	installation – Penalty	M
31-8-2	Operation of vehicle when registration canceled, suspended,	M
	or revoked	M
31-3-1	Operation of unregistered vehicle	O
31-38-3	No inspection sticker	M
31-28-9	Owner's liability for parking tickets (Deemed admitted and	O
	defaulted after two (2) notices unanswered by the owner)	M
31-38-4	Violation of inspection laws (Expired Inspection Sticker)	O
31-12-12	Parking Violations - Parking is permitted only in authorized,	O
	clearly delineated parking spaces and areas	O
	<ul style="list-style-type: none"> • Reserved Spaces • “Official Vehicle Only” spaces • Double-parked or parked in such a way that interferes with the orderly flow of traffic • On a sidewalk, on the grass, within an intersection, on a crosswalk, on a railroad track, within a fire lane, blocking a driveway or in such a way that the vehicle interferes with operations or creates a safety hazard to other roadway users or the general public. An example would be a vehicle parked within 15 feet of a fire hydrant or blocking a properly marked driveway of a fire station. • Blocking any entrance, exit or emergency exit door of any public place (installation theater, store, club, dining hall, residence, barracks, building, hospital or other facility). • To interfere with street cleaning or snow removal operations. • To interfere with Emergency Operations during a natural disaster or fire or must be removed from the disaster area during cleanup operations. 	
31-21-4(a)	Places where parking or stopping prohibited:	P
31-21-7	Parallel parking – Proximity to curb	O
31-27-9	Parties to offenses	M
31-12-12	Pedestrian safety/regulation violations (NSNPT 5100.1(series))	O

Enclosure (3)

31-11-19	Permitting minor to drive	M
31-11-20	Permitting unauthorized person to drive	M
31-16-4	Places where U-turns prohibited	O
31-15-7	Places where overtaking prohibited	O
3-8-10	Possession of alcohol by underage persons	D
31-9-2	Possession of stolen vehicle or parts	D
31-15-8	Posting of no passing zones	O
31-22-21.1	Presence of alcoholic beverages while operating or riding in a	
motor vehicle		M
31-23-14	Prevention of excessive fumes or smoke	O
31-25-9	Prevention of leakage of load	O
31-27-2.1	Refusal to submit to chemical test	M
31-12-12	Refusal to submit to random gate search (inspection)	M
31-27-2.3	Suspension of license upon refusal to submit to preliminary	
breath test (Refusal to submit to preliminary breath test)		O
31-3-9	Registration card not carried in vehicle	M
31-10.1-4	Required equipment - Motorcycles, motor scooters, and other	
motor driven cycles (Eye Protection, Rear View Mirror, Helmet (operator)		O
31-10.3-13	Requirements – Commercial (Commercial driver’s license)	M
31-18-3	Right of way in crosswalk	
	1ST offense	O
	2ND or subsequent offenses	M
31-18-18	Right-of-way on sidewalks	O
31-17-7	Right-of-way of fire companies (Failure to yield)	M
31-12-12	Roller-skating, skate-boarding and roller-blading violations	O
31-22-22(a)	No Child restraint (See Requirements Below)	O
	• Child (under age 8, less than 57” tall and less than 80 lbs.) - Restrained in approved child restraint system, in rear seating position of the motor vehicle.	
	• Child (under age 8, at least 57” tall or at least 80 lbs.) - Restrained by properly worn safety belt and/or shoulder harness, in rear seating position of the motor vehicle	
	• Child restraint/seatbelt, but not in any rear seating position	
31-22-22(b)	No Safety belt – Passenger	O
31-22-22(g)	No Safety belt – Operator	O
31-14-2(a)	Speeding (less than 10 MPH)	P
31-14-2(b)	Speeding (11 MPH + and 2ND and subsequent offenses within a	
twelve month period)		P
31-22-30	Text messaging while operating a motor vehicle (includes all wireless handset devices)	M
11-44-22	Throwing articles at moving vehicles	M
31-19-3	Traffic laws applied to bicycles	O
3-8-9	Transportation of alcoholic beverages by underage persons	M
31-23-49	Transportation of gasoline – Penalty	O
31-22-28	Transporting animals	M
31-23-37	Transporting hazardous substances	M
31-16-5	Turn signal required	O
31-22-1	Unattended vehicles	M

Enclosure (3)

31-12-12	Unauthorized use of dumpsters (Littering, illegal dumping on board the installation)	M
3-8-6	Unlawful drinking and misrepresentation by underage persons	
	– Identification cards for persons 21 and older	M
31-10.3-35	Unlawful use of commercial license	M
31-11-16	Unlawful use of license	M
31-15-18	Unsafe passing of person operating a bicycle (“Frank’s Law”)	O
31-18-10	Walking in street prohibited	O
31-18-31	Walking, jogging, or running on left	O
31-23-17	Windshield wipers	O
31-17-6	Yielding to emergency vehicle (Failure to yield right of way)	M
31-17-3	Yield right of way at intersection	O

APPENDIX B

TRAFFIC OFFENSE VIOLATION PENALTIES

1. The following penalties are applicable to traffic offenses committed in all areas under the control of NSNPT, inclusive of all tenant commands and activities.

a. Mandatory minimum or maximum suspension or revocation periods. These sanctions are derived from the following sources:

(1) Table 5-1 in OPNAVINST 11200.5D, Motor Vehicle Traffic Supervision

(2) Enclosure 1 in COMNAVREGMIDLANTINST 5560.10B Policy for Disposition of Traffic Violations

b. Traffic Point System. A system that provides a uniform administrative device to impartially judge driving performance of personnel. In addition to motor vehicle operators, this system also applies to all pedestrians, joggers, cyclists, etc.

c. These are administrative penalties assessed in addition to any judicial action taken by the Federal District Court, monetary fines paid to the Central Violations Bureau (CVB), or any judicial or non-judicial action taken by the military justice system. Point assessment figures are derived from the following sources.

(1) Table 5-2 in OPNAVINST 11200.5D, Motor Vehicle Traffic Supervision

(2) Enclosure 1 in COMNAVREGMIDLANTINST 5560.10B Policy for Disposition of Traffic Violations

d. The system is not intended to interfere in any way with the reasonable exercise of the NSNPT CO's prerogative to issue, suspend, revoke, deny or reinstate installation driving privileges.

e. Traffic points are not assessed for suspension or revocation actions. However, penalty Points will be assessed when a violator is convicted by a finding of the Armed Forces Traffic Court, a military or civilian court (including a U.S. Magistrate) or by payment of fine to the CVB, forfeiture of pay or allowances, or posted bond or collateral.

2. Appeals. Violators may appeal sanctions imposed by the Administrative Traffic Court Judge per the provisions outlined in reference (f).

a. Appeals must be filed via the violator's chain of command to the NSNPT SJA, within 10 days following the ruling by the Traffic Court Judge.

b. The purpose of the appeal is to ensure that the adjudication process complied with appropriate legal standards.

Enclosure (3)

- c. A final ruling on the appeal will be made by the NSNPT CO or their designee.
3. Clemency. Per reference (f), even if a violator committed an offense they may seek to reduce, mitigate, expunge or suspend the penalty imposed by Traffic Court Judge.
 - a. Clemency may only be granted by the NSNPT CO, or their designee.
 - b. Such action will generally be taken when the penalty imposed by the Traffic Court Judge would subject the violator or their dependents to a particularly difficult hardship.
 - c. Requests for clemency must be filed via the violator's chain of command to the NSNPT SJA.
 - d. A final ruling on the request for clemency will be made by the NSNPT CO, or their designee.
4. Unless otherwise specified, convictions for all other offenses requiring an OPTIONAL Traffic Court Appearance will be assessed the following Penalty Points:
 - a. First offense = Two Penalty Points.
 - b. Penalty Points assessed for subsequent violations of the same offense, within a one year period:
 - (1) Second offense = Four Penalty Points.
 - (2) Third offense = Six Penalty Points.
 - (3) Forth and subsequent violations will result in the suspension of driving privileges for a period of not less than six months and further violations may result in the revocation of the operator's driving privileges.
5. Unless otherwise specified, convictions for all other offenses requiring an MANDATORY Traffic Court Appearance will be assessed the following Penalty Points:
 - a. First offense = Six Penalty Points.
 - b. Penalty Points assessed for subsequent violations of the same offense, within a one year period:
 - (1) Second offense = Eight Penalty Points.
 - (2) Third offense = Ten Penalty Points.

(3) Forth and subsequent violations will result in the suspension of driving privileges for a period of not less than six months and further violations may result in the revocation of the operator's driving privileges.

6. Failure to appear for a MANDATORY Traffic Court appearance may result in the immediate suspension of driving privileges by the Traffic Court Judge.

7. When two or more violations are committed on a single occasion, points will be assessed for each individual violation.

8. Penalty Point assessments will be doubled for violations occurring within posted road work or construction areas.

9. Conviction of any felony, misdemeanor or petty misdemeanor violations cited in Appendix A will result in the assessment of sanctions or points specific to the statute violated. Pay-by-mail fines submitted to the CVB, per section 4 of Appendix A, will constitute an admission of guilt and result in the assessment of sanctions or points specific to the statute violated. If a DD 1805 pay-by-mail violation is challenged before the U.S. District Court Magistrate and the violator is determined to be 'not guilty' no sanctions or points will be assessed.

10. Parties to Offenses. Committing, attempting to commit, conspiring to commit or aiding or abetting in the commission of any prohibited act within this instruction, whether individually or in connection with one or more other persons, or as a principal, agent, or accessory, will be guilty of that offense, and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this instruction is similarly guilty of the offense.

POINT ASSESSMENT FOR TRAFFIC VIOLATIONS (NOT ALL INCLUSIVE DEPENDING ON JUDGMENT OF COURT AND VIOLATION)

OFFENSE	PENALTY
Abandonment of junked or unregistered PMV	1st Offense –Warning 2nd Offense – Vehicle towed and 30 day suspension
Accumulation of twelve (12) Penalty Points within a (12) month period.	Suspension for a period of not less than 1 Yr.
Accumulation of eighteen (18) Penalty Points within a (18) month period.	Suspension for a period of not less than 1 Yr.

Accumulation of twenty-four (24) Penalty Points within a (24) month period.
 Suspension for a period of not less than 2 Yrs.

Any assimilated offense, with a suspension cancellation or revocation penalty imposed.
 Mandatory revocation for a period of not less than 1 Yr.

When imposing a suspension or revocation because of an off installation offense, the effective date should be the same as the date of a civil conviction, or the date that state driving privileges are suspended or revoked.

Carrying loaded or concealed firearm in PMV
 1st Offense – 1 yr. Suspension
 2nd Offense – Indefinite suspension

Clinging to vehicles. 4 Points

Commission of an offense in another state for a which, if committed on the installation, would be grounds for suspension or revocation.
 Suspension for a period of 6 months not to exceed 1 Yr., at the discretion of the NSNPT CO.

Conditions requiring reduced speed 4 Points

Conformance to laws (Bicycles) 2 Points

Conviction of fleeing, or attempting to elude a security officer.
 Suspension for a period of 6 months or less or revocation for a period not to exceed 1 Yr., at the discretion of NSNPT CO.

Defective equipment on vehicle
 1st Offense – Warning
 2nd Offense – 30 day suspension
 3rd Offense – 90 day suspension

Distracted driving (texting or using a cell phone without approved hands-free device, including computers, PDAs, GPS or other electronic devices)
 6 Points

Drag racing
 Suspension for a period of 6 months or less or revocation for a period not to exceed 1 Yr.

Driver involved in accident is deemed responsible (only added to points assessed for specific offenses).

1 Point

Driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor (0.08% or greater) on DoD installations.

Mandatory 1 Yr. Suspension upon conviction.

Driving after denial, suspension, or revocation of state license (including never applied for a license, application refused, revoked, cancelled or drives without a license)

1st Offense – revocation for a period of not less than 2 Yrs.
 2nd Offense – 4 yr. suspension
 3rd Offense – Indefinite suspension

Driving or being in actual physical control of a motor vehicle while impaired by intoxicating liquor (0.05% or greater on DOD installations).

Mandatory 1 Yr. suspension upon conviction

Driving a motor vehicle while under the influence of any narcotic, or while under the influence of any other drug (including upon conviction alcohol) to the degree rendered incapable of safe vehicle operation.

Mandatory 1 Yr. suspension

Driving while driver's license or installation driving privileges are under suspension or revocation

Mandatory revocation for a period of not less than 2 Yrs.

Driving on station after permit (pass) has been suspended

1st Offense – 2 yr. suspension
 2nd Offense – 3 yr. suspension
 3rd Offense – Indefinite suspension

Driving without a valid operator license (expired) (includes commercial, motorcycle)

Suspension for a period of 30-180 days

Driving without required insurance

Suspension for a period of 30-180 days

Driving without valid registration (suspended, cancelled, revoked, expired or no registration).

Suspension for a period of 30-180 days

Driving with an unauthorized pass	Revocation for a period of not less than 1 Yr.
Entering restricted area or driving in unauthorized area	1st Offense – Warning 2nd Offense – 30 day suspension 3rd Offense – 90 day suspension
Excessive loud noise emitting from sound system in PMV	1 Point
Failure to give required signal	1st Offense – Warning 2nd Offense –30 day suspension 3rd Offense –90 day suspension
Failure to obey posted road guards of marching units	3 Points
Failure of operator or occupants to use available restraint system devices while moving (operator assessed points)	2 Points
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 Points
Failure to properly restrain children in a child restraint system while moving (applicable age, height and weight requirements outlined in reference (i), 31-22-22).	2 Points
Failure to report an accident	1st Offense –90 day suspension 2nd Offense –180 day suspension 3rd Offense –1 yr. suspension
Failure to stop for school bus or school crossing signals	4 Points
Failure to update vehicle registration, state license, inspection or insurance.	2 Points
Failure to wear protective headgear with approved eye protection, shoes/clothing as required for motorcycles	2 Points
Failure to wear an approved helmet and all required PPE while operating or riding on a motorcycle, MOPEd, or a three or four-wheel vehicle powered by a motorcycle-like engine.	3 Points

Failure to yield (no official sign involved)	4 Points
Failure to yield to pedestrians in crosswalk	4 Points
Failure to yield right of way to emergency Vehicle (Security, EOD, Fire, Rescue or Ambulance)	4 Points
Fleeing the scene (hit & run), property damage only.	6 Points
Fleeing the scene of an accident involving death or personal injury (hit and run)	Mandatory 1 Yr. suspension upon conviction.
Following too close	4 Points
Illegal or unauthorized entry/exit on board Installation (Gate Runner/Gate Jumper offenses)	Suspension for a period of 6 months or less or revocation for a period not to exceed 1 Yr.
Illegal equipment on vehicle (tinted glass)	Suspension until rectified
Illegally parked in a manner creating a potential safety or operational hazard	1st Offense –Warning 2nd Offense –30 day suspension 3rd Offense –90 day suspension
Illegal/Unauthorized/Improper backing maneuvers	2 Points
Illegal/Unauthorized/Improper turning maneuvers	2 Points
Improper overtaking	3 Points
Improper passing	3 Points
Improper turning movements (no official sign involved)	3 Points
Leaving child under 10 years of age unattended in a motor vehicle	1st Offense –Warning 2nd Offense –30 day suspension 3rd Offense –180 day suspension
Leaving motor running/unattended motor vehicle in roadway or parking lot.	3 Points
Littering (Including illegal dumping)	4 Points

Enclosure (3)

Manslaughter (or negligent homicide by vehicle) resulting from the operation of a motor vehicle.
Mandatory 1 Yr. suspension upon conviction

Mental or physical impairment (not including alcohol or other drug use) to the degree rendered incompetent to drive
Suspension for a period of up to 6 months or less or revocation for a period not to exceed 1 Yr., at the discretion of NSNPT CO.

Miscellaneous - Other moving violations (involving driver behavior only)
2 Points

Miscellaneous – All other non-criminal violations not specified
1st Offense – Warning – 2 points
2nd Offense – 4 Points
3rd Offense – 6 Points

Motorcycle offenses (failure to wear approved PPE, failure to complete required training, etc.)
1st Offense – Warning
2nd Offense – 30 day suspension
3rd Offense – 90 day suspension

Open alcoholic beverage container in PMV
1st Offense – Warning
2nd Offense – 30 day suspension
3rd Offense – 90 day suspension

Operating an unsafe vehicle
2 Points

Owner knowingly and willfully permitting a physically impaired person to operate the owner's motor vehicle.
6 Points

Owner knowingly displayed for public view, in – or affixed to a motor vehicle, obscene indecent or profane slogan object or bumper sticker.
1st Offense - Warning
2nd Offense – Warning
3rd Offense – 90 day suspension

Operating a vehicle with a RADAR/LIDAR detection device
4 Points

Operating a motor vehicle without written authorization from vehicle owner
2 Points

Operation of a motorcycle without headlamp activated	2 Points
Overtaking and passing a marching formation, or one that is halted before being directed to do so by the person in charge	3 Points
Permitting the use of motor vehicle by unauthorized person	4 Points
PMV has been used in a crime	Indefinite suspension
PMV interferes with emergency operations during a natural Disaster or fire	1st Offense – Towed 2nd Offense – Towed 3rd Offense – Towed and a 90 day suspension
Perjury or making a false statement or affidavit under oath to responsible officials relating to the ownership or operation of motor vehicles	Mandatory 1 Yr. Suspension upon conviction
Permitting an unlawful or fraudulent use of an official driver's license	Suspension for a period of 6 months or less or revocation for a period not to exceed 1 Yr., at the discretion of NSNPT CO.
Racing on the highway	Suspension for a period of 6 months or less or revocation for a period not to exceed 1 Yr., at the discretion of NSNPT CO.
Reckless driving	Mandatory revocation for a period of not less than 1 Yr.
Refusal to submit to or failure to complete chemical tests (implied consent)	Mandatory revocation for a period of not less than 1 Yr.

The one year suspension may be in addition to revocation or suspension for additional offenses. Upon failure to submit to a chemical test, the individual's base driving privileges will be automatically suspended pending review of the incident, per reference (a).

Receiving a second 1–year suspension or driving revocation of privileges within 5 years	Loss of OF-346 for minimum of 6 months.
Refusing to submit to random gate search	1st Offense – 90 day suspension 2nd Offense – 180 day suspension 3rd Offense – 1 yr. suspension
Riding bicycles against traffic	2 Points
Riding bicycles after dark, no light illuminated	2 Points
Riding bicycles on sidewalks	2 Points
Riding bicycles more than two (2) abreast	2 Points
Riding bicycles, weaving through traffic	2 Points
Riding bicycles while wearing headphones, earphones, or electronic sound devices	3 Points
Riding bicycles without wearing proper safety equipment	3 Points
Riding double on bicycles (Passengers)	2 Points
Seatbelt/Child Restraint System violations	2 Points
Speed violations related to entrance gates	4 Points
Speed contests	6 Points
Speeding: 20+ mph above posted speed limit	8 Points
Speeding: Over 15 mph, but not more than 20 mph above posted speed limit	6 Points
Speeding: Over 10 mph, but not more than 15 mph above posted speed limit	5 Points
Speeding: 1-10 miles per hour above posted speed limit	4 Points
Speed too fast for conditions.	2 Points

Speed too slow for traffic conditions, and/ or impeding the flow of traffic, causing potential safety hazard	2 Points
Transportation/possession of alcoholic beverages in a motor vehicle by underage person	Suspension for a period of 30-90 days
Throwing litter from vehicle	1st Offense – 30 day suspension 2nd Offense – 1 yr. suspension 3rd Offense – Indefinite suspension
Transporting or concealing illegal drugs in PMV	1st Offense – 1 yr. suspension 2nd Offense – 2 yr. suspension 3rd Offense – Permanent revocation
Transporting or concealing stolen property in PMV	1st Offense – 180 day suspension 2nd Offense – 1 yr. suspension 3rd Offense – Indefinite suspension
Unauthorized use of a motor vehicle belonging a to another, when the act does not amount to a felony.	Suspension for period of 6 months or less or revocation for a period not to exceed 1 Yr., at the discretion of NSNPT CO.
Use of a motor vehicle in the commission of a felony.	Mandatory 1 Yr. Suspension upon conviction
Vehicle illegally parked (except handicap parking)	1st Offense – Warning 2nd Offense – Warning 3rd Offense – 90 day suspension
Vehicle illegally parked in handicap parking	1st Offense – 60 day suspension 2nd Offense – 90 day suspension 3rd Offense – 180 day suspension
Wearing of headphones/earphones while driving motor vehicles (two or more wheels)	3 Points