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AIR STATION ORDER 5560.7A

From: Commanding Officer, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: MOTOR VEHICLE TRAFFIC REGULATIONS

Ref: (a) DoD Manual 4160.21 VOL 1-4
(b) MCO 5100.29C CH-1 W/VOL 1-8
(c) MCO 5110.1D
(d) MCO P5300.17A
(e) MCM, 2016, Military Rule of Evidence 315
(f) MCI EAST-MCB CAMLEJO 5560.2A
(g) ASO 5100.6M
(h) ASO 5560.6B
(i) ASO 5530.2E
(j) Title 21 U.S.C. 812
(k) Title 18 U.S.C. 1581
(l) Title 18 U.S.C. 13
(m) 49 CFR 571
(n) North Carolina General Statutes, Chapter 20

Encl: (1) Motor Vehicle Traffic Regulation Guidelines

1. Situation. To establish policy and provide motor vehicle and traffic regulations for Marine Corps Air Station Cherry Point (MCAS CHERPT). Penalties for violation of the standards and rules of conduct set forth by this Order include the full range of statutory and regulatory sanctions for military personnel and civilians. This Order is a regulatory order and all provisions herein apply to all Department of Defense (DoD) personnel without further implementation. A violation of these provisions, and the laws and regulations enforced by these provisions, is punishable per the Uniform Code of Military Justice (UCMJ) for military personnel and is the basis for appropriate disciplinary action and/or criminal prosecution with respect to civilian employees.

2. Cancellation. ASO P5560.3D w/Ch 1-6, ASO 5560.2H and ASO 5560.7

3. Mission. Reference (a) establishes policy governing disposal of abandoned, lost, or found property. Reference (b) establishes policy, responsibility, and procedures for the Marine Corps Traffic Safety Program. Reference (c) is the Marine Corps Motor Vehicle Traffic Supervisor. Reference (d) sets forth the policy on substance abuse as it pertains to driving motor vehicles. Reference (e) establishes policy and procedures for the execution of all vehicle searches and seizures. Reference (f) establishes traffic regulations for all Marine Corps Installation East (MCI- East) installations. Reference (g) establishes traffic hearing procedures and process for suspensions and revocations of driving privileges aboard MCAS CHERPT. Reference (h) is the Installation access regulations. Reference (i) establishes requirements for parking within the Flight Line Restricted Area (FLRA). Reference (j) is the schedule of controlled substances. Reference (k) is the criminal law prohibiting a wide range of activities relating to transporting people and/or traveling across state lines or internationally for the purpose of transporting or

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controlled substances. Reference (k) is the criminal law prohibiting a wide range of activities relating to transporting people and/or traveling across state lines or internationally for the purpose of transporting or coercing people in order to benefit from their work or service, typically in the form of forced labor or sexual exploitation. Reference (l) are the Laws of States adopted for areas within Federal jurisdiction. Reference (m) is the Federal Motor Vehicle Safety Program. Reference (n) is the North Carolina General Statutes regarding motor vehicles.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. This Order is the guiding influence for motor vehicle traffic supervision aboard MCAS CHERPT. The objective of this Order is to integrate the efforts of installation safety, engineering, legal services, medical services, and law enforcement. This Order also facilitates the safe and efficient movement of personnel and vehicles in order to alleviate traffic deaths and/or injuries, and reduce property damage from traffic accidents.

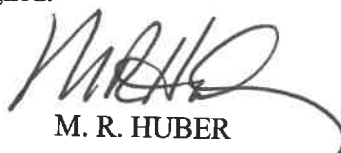
(2) Concept of Operations. As used in these regulations, "Station", "Reservation" or "Installation" is the general term used to describe all real estate within the geographical limits of this Order, the area known as MCAS CHERPT, and over which the Commanding Officer (CO), MCAS CHERPT, exercises either exclusive, concurrent, or proprietary jurisdiction. The Director, Security and Emergency Services (SES) Directorate will enforce the regulations contained herein and forward reports of violations as appropriate.

5. Administration and Logistics. Comments or recommendations for changes to this Order should be submitted to the Provost Marshal's Office through the appropriate chain of command.

6. Command and Signal

a. Command. This Order is applicable to all personnel aboard MCAS CHERPT, Marine Corps Outlying Field (MCOFL) Atlantic, MCOFL Oak Grove, and Marine Corps Auxiliary Landing Field (MCOALF) Bogue.

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


M. R. HUBER

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Location: _____
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CHAPTER 1

RESPONSIBILITIES, DEFINITIONS, AND GENERAL POLICIES1. Responsibilities

a. General. The regulations set forth herein govern the registration and operation of all vehicular traffic aboard MCAS Cherry Point (MCAS CHERPT) and the Federal Government owned and/or controlled lands under the jurisdiction of the Commanding Officer, MCAS CHERPT, to include the outlying areas of MCOLF Atlantic, MCOLF Oak Grove, and MCALF Bogue Field.

b. Enforcement. It is the duty and responsibility of all officers and noncommissioned officers to set personal examples by their safe driving habits and to report all violations of registration and driving regulations which are observed. The MCAS CHERPT Police Department is delegated the authority to enforce the regulations set herein. Military Police and civilian Police Officers, herein after referred to as MCAS CHERPT Police, are the agents through whom the Commanding Officer exercises police power in the control of vehicles operated aboard the Air Station. Accordingly, MCAS CHERPT Police are authorized to stop any vehicle or person at any location aboard the Air Station upon competent orders or upon reasonable belief that a criminal or traffic offense has been or is about to be committed. No person shall willfully fail or refuse to comply with any lawful order or direction of an officer invested by regulations with law enforcement authority.

c. Violations. The full range of disciplinary actions are available to commanders to address violations of this Order. In some cases, the Special Assistant to the United States Attorney (SAUSA) may prosecute traffic violations occurring aboard the Air Station in Federal Court.

(1) In the event a commander chooses to revoke/suspend an individual's driving privileges, the command should forward a letter to the Traffic Court (TC) Hearing Officer requesting such action. If the request is granted, through required due process, such action will be entered into the Consolidated Law Enforcement Operations Center (CLEOC), and the Defense Biometric Identification System (DBIDS) databases by the Traffic Court (TC) Clerk. Disciplinary or punitive measures taken by commands are separate from administrative measures imposed by the TC Hearing Officer.

(2) Any person who has lost the privilege to drive in any state or on any DoD installation will be ineligible for driving privileges aboard MCAS CHERPT. Likewise, any person whose driving privileges are suspended aboard MCAS CHERPT is ineligible to operate a vehicle aboard any DoD installation while driving privileges are suspended or revoked.

(3) This Order is complementary to the Department of Transportation regulations and General Statutes (GS) of the State of North Carolina. Higher authorities such as DoD, Secretary of the Navy, and Commandant of the Marine Corps Orders and directives supersede this Order.

2. Definitions

a. Abandoned/Derelict vehicle. A vehicle, which has remained unattended, unmoved, or appears abandoned for more than 24 hours and lacks current registration plates or two or more wheels or other parts which renders the vehicle totally inoperable or incapable of passing a state inspection. For the purpose of this Order, abandoned/derelict vehicles include boats, boat trailers, cargo trailers, recreational vehicles (RVs), and car parts.

b. Abuse. The use of alcohol, drugs, or other substance to the extent that it has an adverse effect on the user's health, personal or professional behavior, family, community, or the Naval service.

c. Alcoholic Beverages. Any beverage which contains alcohol.

d. Air Station. All areas under the command and control of the Commanding Officer (CO), MCAS CHERPT, to include Marine Corps Outlying Field (MCOLF) Atlantic, MCOLF Oak Grove, and Marine Corps Auxiliary Landing Field (MCALF) Bogue.

e. All-Terrain Vehicle (ATV). A motorized vehicle 50 inches or less in width that is designed to travel on three or more low-pressure tires and manufactured for off highway use. The term "all-terrain vehicle" or "ATV" does not include a golf cart or a utility vehicle as defined in the Order, or a riding lawn mower.

f. Cord. A strand forming a ply in a tire.

g. Exclusive Jurisdiction. Sole jurisdiction for a given area which exercises executive (law enforcement), legislative (CO), and judicial Legal Service Support Team (LSST) authority. MCAS CHERPT is an exclusive jurisdiction.

h. Concurrent Jurisdiction. Dual jurisdiction where military exercises authority, but State jurisdiction is also applicable. Normally, MCAS CHERPT Police handle active duty military personnel and civilian law enforcement personnel handle civilians. There are no areas of concurrent jurisdiction aboard MCAS CHERPT.

i. Proprietary Jurisdiction. Where the government has rights of ownership, but the State retains law enforcement jurisdiction. The military is mainly interested in landowner matters: government property and military personnel.

j. Blood Alcohol Concentration (BAC) Standards. As a uniform basis for administrative revocation of driving privileges and/or taking enforcement action, the amount of alcohol in a driver's blood as indicated by chemical analysis.

k. Chemical Breath Test Device. An instrument using photoelectric or other physical or chemical means to quantitatively determine BAC.

l. Chunking. Separation of the tire tread from the carcass in particles which may range from very small size to several square inches in area.

m. Conviction. A final adjudication that may include one or more of the following:

(1) Plea of *nolo contendere* accepted by a court.

(2) Plea of guilty or finding of guilty (or tantamount to a finding of guilty) on any charge of violating State, Federal, or Foreign Criminal Law, or the UCMJ.

n. Driver. Any person who drives or is in physical control of a motor vehicle. A driver is in physical control when he or she is in a position to control the motor vehicle, whether to regulate or restrain its operation or movement. For example, sitting in a parked car behind the steering wheel, keeping it in restraint or in a position to control its movement. The word "driver" is interchangeable with the word "operator".

o. Driver's License. A license to operate a motor vehicle recognized under the laws of North Carolina.

p. Driving Privilege. The privilege extended by the MCAS CHERPT Commanding Officer to a person permitting the operation of a motor vehicle within the limits of the Air Station.

q. Driving While Impaired/Refusal. Any driver, military or civilian, who is administered a chemical or blood alcohol test which reveals a Blood Alcohol Concentration (BAC) of .08 or above (.01 for persons under the age of 21), fails a Standardized Field Sobriety Test, or who refuses a chemical or blood alcohol test.

r. Driving While Impaired/Refusal, Off-Station. Any person stationed, employed, or living aboard the Air Station who is administered a chemical or blood alcohol test which reveals a BAC of .08 or above, fails a Standardized Field Sobriety Test, or who refuses a chemical or blood alcohol test while off-station.

s. Drug Use Incident. Irresponsible drug use or wrongful use of a substance occurs when the preponderance of the evidence establishes that the individual used, abused, possessed, manufactured, or trafficked a controlled substance, chemical, prescribed or over-the-counter drug, or pharmaceutical compound.

t. Emergency Vehicle. A police vehicle, ambulance or fire truck to include Aircraft Rescue and Fire Fighting (ARFF) vehicles, and Explosive Ordnance Disposal (EOD) vehicles when responding to an emergency call.

u. Hitchhiking. Soliciting, by words or gestures, transportation from passing motor vehicles which are not for hire or are not commercially engaged in the carrying of passengers, except while at an authorized "Share-a-Ride" station.

v. Human Trafficking. For the purpose of this Order, human trafficking means the unlawful act of transporting or coercing people in order to benefit from their work or service, typically in the form of forced labor or sexual exploitation. Transporting includes movement and arranging travel.

w. Illegal/Illicit Drugs. Drugs prohibited by law or lawful drugs when obtained and/or used without proper authority/prescription, to include the abuse or misuse of otherwise legal drugs.

x. Implied Consent Law. Legislation that requires suspected drunk drivers to consent to a chemical breath test of their blood alcohol content.

y. Implied Consent to Impoundment. Authorization/agreement by persons granted the privilege to operate or register a motor vehicle aboard the Air Station giving their consent for the removal and temporary impoundment of their vehicle when it is parked illegally. Or for unreasonable periods, as determined by the Commanding Officer or applicable authority, interfering with military operations, creating a safety hazard, disabled by accident, left unattended in a restricted or controlled area, or abandoned.

z. Juvenile. Any person who has not reached their 18th birthday and is not emancipated, and is not a member of the U.S. Armed Forces.

aa. Low Speed Vehicle. A four-wheel electric vehicle whose top speed is 25 mph.

bb. Minor Vehicle Accident. An occurrence involving the operation or movement of a vehicle in which there is no personal injury and which results in damage to any property totaling less than \$500.

cc. Moped. Any two-wheel or three-wheel device having operative capability by:

(1) Human propulsion power (or no pedals if powered solely by electrical energy).

(2) An automatic transmission.

(3) A motor that produces less than two gross brake horsepower, and:

(a) Propels the device at a maximum speed of no more than 30 miles per hour (mph) on level ground.

(b) Has a maximum engine size of 49 cubic centimeters.

dd. Motorcycle. Every motor vehicle that has a seat or saddle for use of the rider and is designed to travel on not more than three wheels in contact with the ground. Mopeds and tractors are excluded.

ee. Motorcycle Grandstanding. The act of “popping” wheelies, burnouts, back tire raise, clutching brakes and spinning a motorcycle in circles, or other dangerous practices by motorcycle riders.

ff. Motor Vehicle. Any vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways. Vehicles operated only on a rail or rails are excluded.

gg. Moving Violation. A violation of any traffic law, ordinance, or regulation while operating a vehicle. Moving violations typically involve one or both of the following:

(1) Unsafe Act. An act or omission in traffic that is hazardous.

(2) Unsafe Condition. Causing or permitting an illegal and possibly hazardous condition of:

(a) Highways, roads, or streets used by traffic.

(b) Vehicles used in traffic.

(c) A pedestrian or driver in traffic.

hh. Non-Moving Violation. A violation of any traffic law, ordinance, or regulation affecting vehicle or user safety on the street or highway, but not promulgated primarily with the object of making their use safe.

ii. Person. Any person, firm, co-partnership, association, company, corporation, or other legal entity.

jj. Point System. An administrative aid to evaluate driver performance by assessing weighted point values for moving traffic violations. The point system is mandatory and is not subject to modification or alteration. Sentences are not mandatory, but except when the violator is judged to be the proximate cause of an accident resulting in injury or property damage, in which case the points may be doubled. Points may be awarded by the Traffic Hearing Officer for like violations off the installation once credible

information relating to the violation is received from local law enforcement through MCAS CHERPT Police. Appendix A of this Order shows assessments under the point system per references (c) and (f).

kk. Possession. The exercise of actual physical custody and control over a controlled substance. Possession may be established by the fact that the substance was found on the premises or in a place over which a person exercises control.

ll. Privately Owned Vehicles (POVs). Those vehicles which belong to individuals, firms, associations, companies, corporations, co-partnerships, or any other legal entities. Vehicles belonging to U.S. Government agencies are not privately owned.

mm. Reciprocity. Reciprocal action between state and military authority to suspend or revoke an individual's Government Operator's Permit or state driver's license based upon action initiated by either jurisdiction. For instance, if arrested for driving while intoxicated (DWI)/driving under the influence (DUI) off-Station, the operator's on-station driving privileges will be revoked for at least 1 year.

nn. Reckless Driving. Driving a vehicle upon a street, highway or public vehicular area without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property.

oo. Revocation of Driver's License. The termination by formal action of installation or state authority of a person's license or privilege to operate a motor vehicle on a public highway. This termination shall not be subject to renewal or restoration except that application may be presented and acted on by the state after the expiration of the applicable period of time prescribed by state law. This disqualifies individuals, military or civilian, from operating a privately owned motor vehicle on a military installation since they are no longer "licensed" to drive.

pp. Revocation of Driving Privileges. Action taken by the Installation Commander to terminate a privilege to operate a motor vehicle aboard DoD installations. This action is normally levied by the Traffic Hearing Officer and may be for a period of up to 24 months. Indefinite suspensions may be used in accordance with traffic court regulations. Privileges may be restored the day after the expiration of revocation, provided the individual has met all the conditions of the revocation determined by the TC Hearing Officer.

qq. School Bus. Any motor vehicle used for the organized transportation of school children bearing markings indicating the purpose for which used.

rr. State. One of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the territory of Guam or a Province of Canada.

ss. Suspension of Driver's License. Termination by state authority of a person's license or privilege to operate a motor vehicle on the public highways. The license may not be renewed until after the expiration of the suspension period. A suspended state driver's license disqualifies an individual, military or civilian, from operating a privately owned motor vehicle on a military installation since the individual is no longer licensed to drive.

tt. Suspension of Driving Privileges. The temporary withdrawal by the Installation Commander of a person's privilege to operate a motor vehicle aboard DoD installations. Privileges will be automatically restored the day after the suspension ends, provided the individual continues to meet all driving privilege requirements.

uu. Termination of Registration. Action taken pursuant to this Order to remove an installation pass.

vv. Traffic Court (TC) Clerk. The person within SES Directorate designated as the custodian of all driving records, and tasked with assisting the TC Hearing Officer in administering hearings.

ww. Traffic Court (TC) Hearing Officer. A person tasked by the Air Station Inspector's Office with conducting traffic hearings and with authority to weigh any extenuating information, such as acts or conduct by drivers or passengers in the determination of administrative action to be taken on traffic-related violations.

xx. Tread. The portion of a tire which comes in contact with the road.

yy. Tread depth. The distance from the base of the tread design to the top of the tread.

zz. Trafficking. The wrongful distribution (includes sale or transfer) of a controlled substance, and/or the wrongful possession or introduction into a military unit, base, station, ship, or aircraft of a controlled substance with the intent to distribute.

aaa. Unsafely Positioned Vehicle. Any vehicle, whether government or privately owned, which is parked, stopped or otherwise positioned in a fire lane, obstructing a fire hydrant, or obscures visibility in a manner as to impede the safe flow of traffic; or in any manner which is likely to be hazardous to persons, vehicles or government property.

bbb. Vehicle. Every device in, upon, or by which any person or property may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon fixed rails or tracks; provided, that for the purposes of this definition, bicycles shall be deemed vehicles and every operator of a bicycle upon a highway shall be subject to the provisions of these regulations applicable to the driver of a vehicle.

ccc. Vehicle Accident. An occurrence involving the operation or movement of a vehicle which results in death, injury, or damage to any property.

3. General Policies

a. Driver Education. All military personnel under 26 years of age who possess a driver's license or are required to operate military vehicles will attend a Driver's Improvement Course (DIC). The preferred course is "Alive at 25" offered by the National Safety Council. This instruction will be given, as soon as practical, after a member reports aboard the Installation. Other DICs are available; however, if the DIC is not reviewed and approved by the Commandant of the Marine Corps (Safety Division) it is not valid. Reserve units will attend DIC when mobilized. Individual augments will attend DIC during any occasion of active duty.

b. Local Laws Enforced. Operation of government and privately owned motor vehicles aboard the Air Station is regulated per references (c) and (f), except as modified or stated herein. Traffic enforcement is the responsibility of the MCAS CHERPT Police.

c. Operating Vehicles. The privilege to drive aboard the Installation is contingent upon operating any vehicle in a safe, lawful, and prudent manner.

d. Motorcycles, Mopeds, Bicycles, and Horses. This Order separately addresses operators of motorcycles, mopeds, bicycles, and horses. However, unless explicitly exempt, all regulations apply to mopeds, bicycles, and other non-motorized means of transportation.

e. Private Owned Weapons. Federal law prohibits the knowing possession or the causing to be present of firearms or other dangerous weapons aboard DoD Installations by all persons not specifically authorized by Title 18 United States Code, Section 930(c). Violators shall be subject to fine and/or imprisonment for periods up to five (5) years.

f. Restricted Access Warning. MCAS CHERPT has been declared a Restricted Area by authority of the Installation Commander in accordance with the provisions of the directive issued by the Secretary of Defense on 10 December 2015 and pursuant to the provisions of Section 21, Internal Security Act of 1950. Unauthorized entry is prohibited. All persons entering or aboard the installation are subject to search.

g. Searches Incident to a Lawful Stop. This encompasses traffic stops performed by law enforcement where a valid reason for contact is initiated on behalf of the law enforcement officer.

(1) Stops. Under Title 10 of the United States Code, MCAS CHERPT Police may stop another person temporarily when the police officer making the stop has information or observes unusual conduct that leads him or her to reasonably conclude, in light of his or her experience, that criminal activity may be afoot. The purpose of the stop must be investigatory in nature.

(2) Frisks. When a lawful stop is performed, the person stopped may be frisked for weapons when that person is reasonably believed to be armed and presently dangerous. A "Terry" frisk or pat-down is to be conducted solely for the purpose of officer safety. Contraband or evidence located in the process of a lawful frisk may be seized. A frisk is not to be abused in the quest for drugs or other contraband.

(3) Motor Vehicles. When a person lawfully stopped is the driver or passenger in a motor vehicle, the passenger compartment of the vehicle may be searched for weapons if the police officer who made the stop has a reasonable belief that the person stopped is dangerous and that the person stopped may gain immediate control of a weapon. That police officer could also articulate reasonable suspicion if he observed the driver or passenger making movement or furtive gestures inside the vehicle in an attempt to hide or conceal a weapon or contraband.

h. Searches Incident to a Lawful Apprehension. A person who has been lawfully apprehended may be searched. When an apprehension takes place at a location in which other persons might be present who might endanger those conducting the apprehension, a reasonable examination may be made of the general area in which such persons might be located.

i. Random Vehicle Inspections. The Commanding Officer (CO), MCAS CHERPT may periodically direct the Provost Marshal Office (PMO) to conduct random inspections of vehicles to locate and seize contraband or unlawfully possessed government property. Such inspections are permitted to determine and ensure the security, military fitness, and good order and discipline of the installation by preventing contraband from being brought aboard the installation, as well as protecting government property from being improperly removed from the installation. The CO may also direct that vehicles be randomly stopped to determine the qualification of the drivers to operate them or to ensure that the vehicles comply with applicable safety standards. Such stops and inspections may be directed to apply to vehicles entering or exiting the installation or at the entryway to any restricted area aboard the installation. Only the CO

may direct random vehicle stops and inspections aboard the installation; however, PMO is delegated the authority to temporarily suspend the directed inspections for safety and operational purposes (e.g., conditions create a traffic or safety hazard).

j. Searches of Civilians. Civilians suspected of violating Federal law can be detained by law enforcement personnel for a reasonable period of time. When civilians are apprehended, military law enforcement personnel may take whatever steps are appropriate to provide for their own safety, including a search incident to arrest. Only the CO, a U.S. Magistrate, or a state judge acting in the place of a U.S. Magistrate can authorize any other search of the person or property of a civilian. Nothing in this subparagraph shall be construed to create any additional rights of defendants greater than those accorded under current Federal law. In all cases in which a civilian is detained beyond the initial apprehension, the MCAS CHERPT SAUSA should be contacted.

CHAPTER 2

VEHICLE REGISTRATION1. Policy

a. Military, civilian, and contract personnel who reside or work aboard MCAS Cherry Point (MCAS CHERPT) are required to register their vehicle at the Pass and Identification Office (Pass & ID), Building #251 within 30 days of reporting aboard or commencing work.

b. All individuals with a vehicle registered aboard the Air Station shall ensure the vehicle is unregistered upon permanent change of station (PCS) orders, termination of employment from the installation, or upon sale of the vehicle.

c. Military retirees and individuals who access the installation for regular activities such as medical facilities and regular reoccurring activities are not required but are encouraged to register their vehicles aboard the Air Station.

2. Procedures

a. Vehicle registrations will be made in person at the Pass & ID Office.

b. The person need not own the vehicle to register it, but must have a lease agreement, power of attorney, or notarized statement from the owner of the vehicle specifying the inclusive dates for which permission to use the vehicle has been granted.

c. Should an active service member require a registration update while deployed or TAD, the spouse, parent, adult child, or unit representative (SNCO or Officer) are authorized to act on behalf of the service member in matters pertaining to correction of registration requirements.

d. Commercial and contract company vehicles belonging to companies authorized to conduct business or perform contact work aboard the Installation will be registered under the company or business name, address, and telephone number. All vehicle operators must be an employee of the business or company and have been issued the proper credential for access to the Installation.

e. Non-operational vehicles in the process of repair or not drivable for any other reason must be registered aboard the Air Station and have valid insurance. They may only remain on the Station for a period of 30-days.

f. In all cases, the following documentation is required for vehicle registration:

(1) Military, family member, civilian employee or contractor ID.

(2) A valid state driver's (or chauffeur's) license. Temporary or provisional licenses, International Driver's licenses, and permits do not satisfy this requirement.

(3) Proof of completion of the Driver Improvement Course for service members under the age of 26.

(4) Faxes, photocopies, or electronic media are not acceptable forms for proving state registration requirements; however, they are acceptable to show proof of insurance.

g. Failure to register a vehicle aboard the Air Station as required per this Order could result in a citation, loss of driving privileges, or removal and impoundment of the vehicle.

h. Personnel who do not possess an authorized access control credential shall require a temporary visitor's vehicle pass for access to verify to gate sentries that appropriate proofing and vetting has occurred.

i. Vehicles with elevated front or rear ends that have been modified in a mechanically unsafe manner are unsafe and will be denied registration.

3. Special Requirements for Motorcycles. In addition to the registration requirements above, the following are also mandatory requirements for motorcycle registration:

a. Provide evidence of a valid driver's license with motorcycle endorsement or permit as required by North Carolina or the individual's licensing State.

b. Service members must provide proof of satisfactory completion of the Motorcycle Safety Foundation Advanced Rider's Course. Service members who have completed the Basic Rider's Course (BRC) may register a motorcycle provided they enrolled in and are awaiting to attend the Advanced Rider's Course.

4. Termination of Registration and De-Registration. The Director, Security and Emergency Services (SES) Directorate or his representative will terminate the registration of a Privately Owned Motor Vehicle when:

a. The owner fails to maintain all registration requirements in a current/valid status.

b. The owner uses or knowingly permits the use of the motor vehicle as a conveyance in the commission of a crime or in connection with illegal activities.

c. The owner knowingly permits the operation of the motor vehicle by an unauthorized driver. An unauthorized driver is any person whose operation is in violation of regulations, including but not limited to, a driver who is unlicensed or whose license is revoked/suspended or who is impaired due to alcohol or drugs.

d. The owner is apprehended or detained for any drug-related charge, regardless of the location (barracks, family housing, off-base, etc.), or is determined to be driving while impaired.

e. The owner of the vehicle is apprehended or detained for any driving under the influence of alcohol charge, both on the Air Station or any other jurisdiction, and refuses to submit to a chemical test or has a BAC of .08 percent or more if over 21 years of age or older, or .01 percent or more if under the age of 21.

5. Changes to be Reported. All changes concerning registered vehicles will be reported to the Pass & ID Office within 72 hours of the change. These changes include, but are not limited to:

a. Changes of insuring company, color of vehicle, and state registration (tag) number.

b. Changes to duty status of the registered owner, to include End of Active Service (EAS) and retirement of service members.

c. The driving privileges of the registrant are suspended or revoked, on or off-station.

- d. The owner sells, transfers, or otherwise disposes of the vehicle.
- e. The employment of a civilian employee ends or is terminated.

CHAPTER 3

GENERAL TRAFFIC PROVISIONS1. General.

a. Operators of motor vehicles will obey all traffic control signs and devices with the exceptions permitted to emergency vehicles, or when otherwise directed by Law Enforcement Officers (LEOs) or other traffic control personnel.

b. The highest-ranking occupant of any government motor vehicle is responsible for ensuring that the operation of said vehicle conforms to the provisions of these regulations.

c. All rules and regulations contained in references (c) and (f) are applicable to vehicle operators aboard the Air Station except in case of conflict with this Order, in which case this Order will take precedence to the extent authorized by Federal law and regulation.

2. Driver's License. No person will be permitted to drive a privately owned vehicle (POV) aboard the Installation unless they possess a valid State driver's license. All drivers operating a vehicle aboard the Installation must comply with all restrictions associated with their State driver's license.

3. Drivers Under 26 Years of Age. All military personnel under the age of 26 will complete a traffic safety course. For all Marines under the age of 26 the first gaining unit will ensure the Marine receives at least four hours of driver's awareness training within 60 days of reporting to the command. Training will include at least 30 minutes of local traffic familiarization. This one-time training will be documented by S-3/Training via Marine Corps Training Information Management System (MCTIMS). Reservists under the age of 26, on active duty for 60 days or more, will receive the same training. This one-time training will be documented by S-3/Training via MCTIMS. Approved traffic safety training courses can be found on the CMC Safety Division's website: www.safety.marines.mil.

4. Restraint System. To protect all individuals during transportation, the use of restraint devices (seatbelts) is mandatory for the driver and all passengers, regardless of age, when operating or riding in a motor vehicle manufactured after model year 1964 and light trucks and vans manufactured after 1971.

a. The driver is responsible for the proper use of a seatbelt for all passengers under 16 years old, and will be cited by Cherry Point Police if any passenger is found not to be wearing one.

b. Per reference (n), passengers 16 years old and older will be held responsible themselves for seatbelt use, and will receive their own citation if they are found not to be wearing a seatbelt.

c. Children less than 16 years of age are covered by the North Carolina child passenger safety law and must be properly restrained in an age, weight, and height appropriate restraint as follows:

(1) Children from birth to at least age 1 (or 20 pounds) must be properly restrained in an infant only/rear-facing or convertible seat rear-facing car seat.

(2) Children age 1 (or at least 20 pounds) to age 4 (or at least 40 pounds) may be properly restrained in a convertible seat forward-facing or forward-facing car seat.

(3) Children age 5 (or 40 pounds) to age 8 (or under 80 pounds) may be properly restrained in a booster seat with a properly fitted seat belt.

d. In vehicles equipped with an active passenger-side front air bag, equipped with a rear seat, children under the age of five and less than forty pounds in weight will be properly secured in the rear seat.

5. Vehicle Occupancy

a. No vehicle may transport a passenger or passengers aboard the Air Station in a manner that obstructs the driver's view or interferes with the safe operation of the vehicle.

b. No person shall ride in the cargo area of a motor vehicle or pick-up truck aboard the Air Station except when the vehicle has been modified with seats, seat restraints, and a top making it safe for such purpose. This does not prohibit the use of tactical vehicles, such as "7-tons", with a proper troop strap.

c. Vehicles shall not be operated with more than three persons in the front seat, loaded in excess of the normal carrying capacity as designated by the manufacturer in excess of available seat restraints.

6. Vehicle Loads

a. No vehicle shall be driven or moved aboard the Air Station unless the vehicle is constructed and loaded to prevent any of its load from falling, blowing, dropping, shifting, leaking, or otherwise escaping therefrom. The vehicle shall not contain any holes, cracks, or openings through which any of its load may escape.

b. No passenger type vehicle or recreational vehicle shall be operated aboard the Air Station with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fenders on the right side. The same requirements apply to a trailer when the load is being transported in a trailer.

c. A red light during the hours of darkness, and a red flag no less than 12 inches x 12 inches square during the hours of daylight shall be displayed at the extreme end of any load extending four feet or more beyond the rear of the body of any motor vehicle.

7. Speed Limits

a. Speed limits posted throughout the Air Station vary depending on road conditions, volume of traffic, and other factors affecting safety. The maximum speed limit aboard the Air Station is 25 mph except when otherwise posted.

b. The maximum authorized speed in family housing is 20 mph except where otherwise posted.

c. In spite of any speed limits imposed by either this Order or by road signs, a person shall not drive a vehicle at a speed greater than is reasonable and prudent. Extra precaution will be exercised when approaching, crossing, or traveling through intersections, on curves, on any narrow or winding road, and when special hazards exist with respect to pedestrians, traffic, weather, or road conditions.

d. The speed limit when approaching or passing a column of troops in formation or other pedestrians on the roadway is 15 mph.

e. The speed limit in parking lots is 10 mph.

f. The speed limit in the "traffic chute" between flight line Gate #9 and the Air Operations Tower (Bldg. #199) is 20 mph.

g. Except when necessitated by weather, the minimum speed limit will be 10 mph below the maximum speed limit, so as to not impede the normal flow of traffic, with the exception of certain government vehicles which have only limited speed capabilities.

h. Drivers will reduce their speed to 10 mph when approaching sentries at Entry Control Points.

8. Following Distance. The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the conditions of the street or highway.

a. During daylight hours and good weather conditions the "two second" rule should be used to determine a reasonable and prudent following distance. The procedure to determine this distance is to count seconds starting when the lead vehicle passes a fixed point and ending when the trail vehicle passes the same point. If the point is passed in less than two seconds, the trail vehicle is following too close.

b. At night and during inclement weather conditions the "three second" rule should be used.

c. No driver of any vehicle, other than one on official business, will follow closer than 100 meters any fire apparatus or police vehicle who has activated emergency lights. No driver of any vehicle will drive into or park a vehicle within the vicinity of stopped emergency vehicles.

9. Traffic Control Signs and Signals

a. When a stop sign has been erected or installed at any intersection, it shall be unlawful for the driver of any vehicle to fail to stop in obedience thereto and yield the right-of-way to vehicles operating on the designated main-traveled or through street or highway. When stop signs have been erected at three or more entrances to an intersection, the driver, after stopping in obedience, may proceed with caution.

b. When a traffic signal, flashing light, or other traffic-control device requires a vehicle to stop at an intersection, the driver shall stop:

(1) At an appropriately marked stop line.

(2) If no line is present, before entering a marked crosswalk.

(3) If no crosswalk is present, before entering the intersection at the point nearest the intersecting street where the driver has a view of approaching traffic on the intersecting street.

c. An operator whose vehicle's front bumper has already passed the marked stop line, crosswalk, or intersecting point when the light signal changes to red shall not be considered to be in violation of this regulation.

d. When a traffic signal is not illuminated due to power outage or other malfunction, vehicles shall approach the intersection and proceed through the intersection as though such intersection is controlled by a stop sign. This paragraph does not apply when the movement of traffic is being directed by law enforcement, another authorized person, or another type of traffic control device.

10. Lane Violations. Whenever a street has been divided into two or more clearly marked lanes of traffic, a vehicle shall be driven entirely within a single lane. Passing vehicles is prohibited when doing so would cause the driver to cross a double yellow line or exceed the posted speed limit to accomplish the pass.

11. Obeying a Traffic Control Officer. No person shall willfully fail or refuse to comply with any lawful order or direction of any law enforcement or traffic control officer.

12. Yielding to Emergency Vehicles. Upon approach of any law enforcement, fire department, or Emergency Medical Services vehicle providing warning with appropriate light, audible bell, siren, or exhaust whistle, the driver of a vehicle must move their vehicle to a position near as possible and parallel to the right-hand edge or curb, clear of any intersection and shall stop in such position until the emergency vehicle has passed.

13. Right Of Way Rules

a. When two vehicles approach or enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

b. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction.

c. The driver of any vehicle shall yield the right-of-way to any pedestrian crossing a street within a clearly marked crosswalk or at adjacent sidewalks.

d. Every pedestrian crossing a roadway, at any point other than within a marked crosswalk or at adjacent sidewalks, shall yield the right-of-way to all vehicles on the roadway.

e. All vehicles will yield the right-of-way to all pedestrian traffic within parking areas.

14. Requirement to Provide Information to Law Enforcement. All persons operating a motor vehicle aboard MCAS CHERPT must provide law enforcement proof of vehicle registration, both state and installation, proof of insurance, a state driver's license, and the approved form of identification that allowed the operator access to the Air Station upon request.

15. Obstructing Traffic. No driver shall enter an intersection, a marked crosswalk, or drive onto any railroad grade crossing unless there is sufficient space on the other side to accommodate the vehicle they are operating without obstructing the passage of other vehicles, pedestrians, or railroad trains.

16. Passing a Stopped School Bus. No vehicle shall pass a stopped school bus from any direction when the school bus is displaying its mechanical stop signal or flashing red lights, and the bus is stopped for the purpose of receiving or discharging passengers. A driver of the vehicle shall not proceed to move, pass, or attempt to pass the school bus until after the mechanical stop signal has been withdrawn, the flashing red stoplights have been turned off, and the bus has started to move.

17. Operating Vehicles Resembling Law Enforcement. No person other than law enforcement personnel who are performing official duties shall operate any motor vehicle aboard the Air Station that displays coloration, insignia, lettering or blue or red lights that would indicate the vehicle is law enforcement.

18. Towing and Pushing Vehicles

a. No more than one vehicle will be towed by another at the same time.

b. Tow bars shall be used when towing vehicles. Tow lines or chains will not be used as the sole means of towing a vehicle.

- c. No vehicle shall be towed at a speed in excess of 25 mph or the posted speed limit, whichever is lower.
- d. No vehicle shall be pushed by another vehicle.

19. Vehicles in a Convoy

- a. Crossing road intersections between vehicles in a moving convoy is prohibited.
- b. Vehicles moving in a convoy on a roadway that is a single lane of traffic in each direction will not be passed by vehicles not in convoy within the limits of MCAS Cherry Point (MCAS CHERPT).
- c. Convoys or groups of vehicles in a joint movement will comply with all traffic rules unless otherwise directed by law enforcement personnel.

20. Backing. Backing a tactical vehicle or garrison mobile equipment, other than sedans or light trucks, without the posting of a person to act as a ground guide is prohibited.

21. Use of Lights While in Motion

a. Headlamps will be used during the period from sunset to sunrise, when there is not sufficient light to render clearly discernible, any person on a road at a distance of 400 feet ahead, or at any time when windshield wipers are in use as a result of smoke, fog, rain, sleet, snow, or when inclement weather or environmental factors severely reduce the ability to clearly discern persons and vehicles on the street or roadway at a distance of 500 feet ahead.

b. During the hours of darkness, parking lights will be used when approaching gate sentries, unless the vehicle is equipped with ambient light sensing headlights and incapable of using parking lights only.

22. Attachment to Vehicles. The vehicle operator will not allow riders of bicycles, coasters, skateboards, or any vehicle to attach themselves to the vehicle while it is in motion.

23. Sidewalk Operations. The operation of any motor vehicle on a sidewalk is prohibited.

24. Distracted Driving

a. No person shall operate a motor vehicle aboard the Air Station while talking on a cell phone (without a hands-free device) or composing, reading or sending text messages or e-mails.

b. No person shall operate a motor vehicle with excessively loud music emitting from the vehicle.

(1) Noise shall not be heard above engine noise from any point outside the vehicle when all windows are closed.

(2) Noise shall not be heard above engine noise from a distance of greater than 10 meters (30 feet) from the vehicle when one or more windows are open.

(3) The noise from within the vehicle shall not be so loud as to interfere with the vehicle operator's ability to hear approaching emergency vehicles that are using sirens.

(4) No obscene language will be heard outside the vehicle with windows open or closed.

c. No person shall operate a vehicle while viewing a video. No video system shall be viewed forward of the driver.

d. No person should operate a motor vehicle while wearing headphones or ear buds, not including cell phone hands-free (bluetooth) devices.

e. Motorcycle riders whose helmets have built in speakers shall not attach a power cord for such speakers.

25. Littering. No person shall intentionally or recklessly throw, scatter, spill or intentionally or recklessly cause to be blown, scattered, spilled, thrown from any vehicle, any litter upon any street or roadway aboard the Air Station. This presumption, however, does not apply to a vehicle transporting nontoxic and biodegradable agricultural or garden products or supplies, including mulch, tree bark, wood chips, and raw logs.

26. Racing

a. It shall be unlawful for any person to operate a motor vehicle aboard the Air Station in pre-arranged speed competition with another motor vehicle.

b. No person shall operate a motor vehicle aboard the Air Station willfully in speed competition with another motor vehicle.

c. No person shall knowingly permit a motor vehicle owned by them or under their control to be operated aboard the Air Station in pre-arranged speed competition with another motor vehicle.

d. Racing restrictions do not apply at Marine Corps Community Service (MCCS) sponsored events, conducted under controlled conditions such as the quarterly Autocross event conducted at the Foxtrot Taxiway.

27. Reckless Driving

a. No person shall operate a motor vehicle aboard the Air Station carelessly and heedlessly in willful or wanton disregard for the rights or safety of others.

b. No person shall operate a motor vehicle aboard the Air Station without due caution and circumspection, or at a speed or in a manner so as to endanger, or be likely to endanger any person or property.

c. Speeding 20 mph or more over the speed limit may be considered reckless driving if the totality of circumstances, such as traffic, road and weather conditions, and whether the driver was paying attention (negligence), support the charge.

28. Motorcycle Grandstanding. Any person who, while operating a motorcycle or moped, "pops" a wheelie, does a burnout, raises the back tire, "clutches" the brakes or spins a motorcycle in circles is guilty of grandstanding.

29. Emergency Vehicles Exemptions. In emergency situations, operators of emergency vehicles are granted certain exemptions to the law while using their sirens and emergency lights. In these circumstances, an emergency vehicle may:

- a. Exceed established speed limits, per their agency established policy, if engaged in an attempt to catch-up-to an alleged violator, while in pursuit, when responding to emergency calls for service, or transporting a patient in emergency need of care.
- b. Park or stand in any location while involved in an emergency response.
- c. Proceed through stop signs or traffic signals, but only after slowing down as may be necessary for safe operation.
- d. Pass on the wrong side of a keep left bollard.
- e. Drive on a motorway hard shoulder, even against the direction of traffic.
- d. The foregoing provisions shall not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.
- e. Volunteer Fire Department vehicles are not considered authorized emergency vehicles and shall not use sirens or lights aboard this Installation.

30. Honors and Salutes

- a. During morning and evening colors and during the playing of The National Anthem, all vehicles except those involved in an emergency response shall be brought to a stop and shall remain stopped until "Carry On" is sounded, or after the last note of The National Anthem has ended.
- b. All persons in a duty status who recognize officers senior to them as drivers or passengers in a privately owned or government vehicle shall render the appropriate salute.

31. Government Vehicles

- a. No person shall operate a government vehicle with a gross vehicle weight (GVW) of 10,000 lbs. or more unless the rating for the particular equipment is stated on their Optional Form (OF) 346 (U.S. Government Motor Vehicle Operator's Identification Card). For operation of automotive equipment under 10,000 lbs. GVW, military personnel are required to possess a valid state driver's license or valid OF 346. Operators of emergency type vehicles such as police, fire trucks, ambulances, Aircraft Rescue and Fire Fighting, and Explosive Ordnance Disposal are required to have the Emergency Vehicle Operators Course (EVOC) endorsement on their OF 346.
- b. All government vehicles operated by unlicensed personnel, either for training or for use in the Government Motor Vehicle Operator's Licensing Test, shall be equipped with signs on the front and rear of the vehicle with lettering at least five inches high reading "STUDENT DRIVER."
- c. Operators of and all passengers in U.S. Government vehicles are required to wear seat belts when the vehicles are so equipped.
- d. Officers will not operate government vehicles (commercial or tactical), except for those selected billets which may require an officer to drive a government vehicle such as the Provost Marshal.

32. Radar Detection Devices. The use of a radar and laser detection devices to indicate the presence of speed recording instruments or a device used to transmit erroneous speeds is prohibited aboard the

Air Station. If permanently mounted on the vehicle, the power cord must be detached from the device. If mounted to the windshield by suction cup, it must be removed and stored away in the glove box, console, or trunk.

33. Low-Speed Vehicles (LSVs). LSVs are defined as any gas or electric powered vehicle with the maximum speed on a paved level surface of 35 mph or less. These vehicles include, but are not limited to, flight line service vehicles (tugs, GSE, etc.), forklifts, electric carts, scooters, mopeds, and motorized bikes. Low-speed vehicles will abide by the following regulations when operated aboard the Installation:

- a. They will not be parked on a street or in a service driveway.
- b. The ignition key will be removed when the operator is more than 20 feet from the vehicle.
- c. They will not be towed by another vehicle, except by trailers manufactured for that purpose.
- d. They will not be operated on Roosevelt Boulevard, between C Street and the Hancock Creek Marina turnoff, or on Slocum Road.
- e. Government-owned LSVs will be allowed limited use of Roosevelt Boulevard, between the Slocum Road and 6th Avenue intersection, and Monroe Road between 0900-1100 and 1330-1530, Monday through Friday, but only when supporting military operations.
- f. Forklifts will not be operated on streets or roadways outside the flight line or storage warehouses where the speed limit is greater than 20 mph unless escorted by front and rear safety vehicles.

34. Required Equipment for Low-Speed Vehicles (LSVs). Every LSV operated aboard the Installation shall have the following equipment:

- a. At least one brake operated by hand or foot.
- b. A mechanical or electrical signal device by which the operator or the low speed vehicle may indicate to the operator of another vehicle, approaching from either the front or rear and within a distance of 200 feet, his or her intention to turn from a direct line. For government-owned LSVs not so equipped, the operator must use hand signals when turning.
- c. A rearview mirror mounted as to provide the operator with a clear, undistorted, and unobstructed view of at least 200 feet to the rear.
- d. A headlight whose beam is visible for 500 feet and red tail light(s). Headlight(s) and rear lamps shall be lighted at all times while the vehicle is in operation. For government-owned LSVs not equipped with headlights, brake lights and/or rear lamps, an amber flashing light and reflective Department of Transportation (DOT) approved traffic safety triangle will be affixed to the top and to the rear-center of the vehicle.
- e. A seatbelt for driver and any passengers.
- f. A horn.

35. Rough Terrain Container Handlers (KALMAR RT240). The Rough Terrain Container Handler (KALMAR RT240) forklift will not be operated on streets or roadways where the speed limit is greater

than 20mph, unless escorted by front and rear safety vehicles. MCAS CHERPT Police will be notified in advance of any KALMAR operations where travel along Roosevelt Boulevard will be required. Safety vehicle operators will be trained in their escort responsibilities.

36. Prohibited Areas. No vehicle will be driven into any area designated as "Off Limits," "Danger," or "Restricted" unless the operator is authorized access on official business or by proper authority. Training areas, ranges, and off-road travel restrictions are as follows:

a. Off-road (including gravel and dirt road) use is not authorized except as approved by the Conservation Law Enforcement Office, Natural Resources Division at Building #4223 on Access Road.

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

c. Hunters, woodcutters, and fishermen must coordinate with the MCAS CHERPT Conservation Law Enforcement Office for access into hunting areas, fishing ponds, and conservation areas.

d. Recreational use of all-terrain vehicles (ATVs) or four wheel drive vehicles is prohibited aboard the Air Station.

e. No part of a landing field or runway will be used as a roadway except as authorized by the Air Operations Officer.

37. Human Trafficking. Per reference (k), it is unlawful to persuade, induce, entice, or coerce an individual to travel in interstate or foreign commerce, or in any territory or possession of the United States, to engage in coerced labor, prostitution, sex crime, or in any other criminal act. Accordingly, it is unlawful to knowingly operate a motor vehicle aboard the installation in order to travel to/from, or transport an individual in order to benefit from or assist in human trafficking activity.

CHAPTER 4

ALCOHOL AND CONTROLLED SUBSTANCE RELATED OFFENSES

1. Open Container Rule. No alcoholic beverage in an opened or unsealed container shall be in the passenger area of a motor vehicle. For the purposes of this Order, "passenger area" of a motor vehicle means the area designated to seat the driver and passengers and any area within reach of a seated driver or passenger, including, but not limited to, the glove compartment.

2. Driving While Impaired (DWI). A person commits the offense of DWI if they drive any vehicle anywhere aboard the Air Station:

a. While under the influence of an impairing substance.

b. After having consumed an amount of sufficient alcohol resulting in the driver having a Blood Alcohol Concentration (BAC) of .08 or more. The results of a blood alcohol test shall be deemed sufficient evidence to prove a person's alcohol concentration.

c. With any amount of a Schedule I controlled substance, as listed in reference (d), or its metabolites in their blood or urine.

d. Demonstrates impairment after being assessed through a properly administered National Highway Traffic Safety Administration (NHTSA) Standardized Field Sobriety Test regardless of the results of a blood alcohol test.

e. If under the age of 21, being proven to have operated a motor vehicle with a BAC of .01 or higher.

3. Driving While Impaired/Refusal. Any person who is suspected of driving while under the influence of alcohol or drugs and refuses to take a chemical or blood alcohol test is guilty of DWI/Refusal under the North Carolina Implied Consent Law.

4. Implied Consent. Any person(s) granted and accepting MCAS Cherry Point (MCAS CHERPT) driving privileges shall be deemed to have given their consent to evidential tests for alcohol or other drug(s) content of their blood, breath, and/or urine, if lawfully stopped, apprehended/arrested, or cited for any offense allegedly committed while driving or in physical control of a motor vehicle aboard the Air Station. Refusal to take any required test or tests will result in an immediate revocation of the person's driving privileges for at least 12 months. Upon being processed by Cherry Point Police, the person's Air Station driving privileges will be temporarily suspended until that person appears before the MCAS CHERPT Traffic Court Hearing Officer.

5. Driving While Impaired (Off-Station). Any person stationed, employed, or living aboard the Air Station who is administered a chemical or blood alcohol test which results in a BAC of .08 or above (.01 if under age of 21), fails a Standardized Field Sobriety Test, or who refuses a chemical or blood alcohol test while off-station, shall report to the Provost Marshal's Office (PMO) for processing immediately upon returning to the Air Station. During processing by PMO, the individual's driving privileges will be temporarily suspended aboard the Installation until the individual appears before the MCAS CHERPT Traffic Court Hearing Officer.

6. Drug-Related Offenses. Any individual who is proven to have committed any offense related to the illegal possession or use of a controlled substance shall have their on-station driving privileges immediately revoked.

7. Reciprocal State Military Action. Per references (c) and (m), MCAS CHERPT will honor The Interstate Driver's License Compact (IDLC). The IDLC is an agreement by States, including North Carolina, used to exchange information concerning license suspensions and traffic violations of non-residents, and forward them to the state where they are licensed (home state). Accordingly:

a. Individuals convicted of DWI offenses aboard the Air Station may face a suspended or revoked license and/or a fine in the state that issued the driver's license upon receipt of notification from the Provost Marshal of the individual's conviction of one or more of the following offenses:

(1) Manslaughter or negligent homicide resulting from the operation of a motor vehicle.

(2) Driving While Impaired (DWI).

(3) A felony committed while a motor vehicle was used.

(4) Failure to stop and render aid during a motor vehicle accident which results in the death or personal injury of another.

b. Upon receipt of written or other official law enforcement communication relative to the conviction of any of the above offenses, the Provost Marshal will terminate the individual's driving privileges as if the violation occurred aboard the Air Station.

CHAPTER 5

REQUIRED MOTOR VEHICLE EQUIPMENT, DECALS AND FLAGS DISPLAY

1. General. All equipment on every vehicle as required by law, regulation, or for safety, must be in good working condition. Vehicles not meeting the appropriate State of North Carolina requirements shall not be permitted aboard the Air Station. In cases where questions arise on operating equipment on vehicles not registered or inspected in North Carolina, the Provost Marshal shall direct the operator of the vehicle to obtain a North Carolina Safety Inspection.

2. Required Motor Vehicle Equipment

a. Additional Lights/Fog Lights. If present, are not to exceed two mounted on the front of the vehicle and must aim in such a manner that no part of the high intensity portion of the beam strikes the level of the surface on which the vehicle stands at a distance of more than 75 feet from the vehicle.

b. Aftermarket Neon/Light Emitting Diode (LED) Lighting. Neon and/or LED lighting for ornamental adornments, such as ground effects, in colors other than red or blue are authorized. Such lighting cannot be forward facing. White or clear lights cannot be rear facing. Neon and/or LED lighting will not flash or change colors while the vehicle is in motion. Red and blue lights are reserved for those used by emergency services vehicles.

c. Auxiliary Brake System (ABS). An independent ABS is required when the gross weight (GW) of a trailer, boat or other separate vehicle is 4,000lbs or more. Every trailer or separate vehicle attached by a drawbar or coupling to a towing vehicle of at least 4,000lbs., and every house trailer weighing at least 1,000lbs., shall be equipped with brakes controlled or operated by the driver of the towing vehicle. The ratchet or holding device, must be in good working order and have a lever reserve upon full application of at least one-fourth of the total designed travel distance. The cable must not be frayed or "frozen," and there must be no missing or defective cotter pins, springs, rods, couplings, or other essential parts.

d. Body. Motor vehicle body, fenders, doors, hood, trunk, lid, and other body attachments shall be intact and in such condition as not to present a safety hazard to the driver, passengers, pedestrians or other motorists. The doors, hood, and trunk lid safety catches and locking devices must be in safe operating condition to ensure against accidental opening when the vehicle is in motion. A vehicle may be operated without doors only if the original manufacturer designed the vehicle to be operated with its doors removed. Any motor vehicle that was originally equipped with bumpers as standard equipment must continue to be fitted with bumpers equal to the original equipment.

e. Brakes. Motor vehicles shall be equipped with brakes adequate to control the movement of and to stop such vehicle or vehicles. Such brakes shall be maintained in good working order, including two separate means of applying brakes.

(1) Motor vehicles shall be equipped with two separate means of applying the brakes. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating system shall not leave the motor vehicle without brakes.

(2) Motorcycles and motor-driven cycles shall be equipped with at least a brake which may be operated by hand or foot.

f. Bumpers. Vehicles are required to have bumpers equal to factory bumpers in width, length, and strength.

g. Clearance Lights. Required on any bus or truck with an overall width of 80 inches or more and any trailer or semi-trailer having a gross weight in excess of 3,000 pounds. The vehicle must be equipped with the two front clearance lights, one at each side; two rear clearance lights, one at each side; and two side marker lights for both sides, one at or near the front and one at or near the rear.

h. Directional Signals. All motor vehicles manufactured after 1 July 1953 must be equipped with electrical or mechanical turn signal devices by which the operator of a vehicle may indicate to the operator of another vehicle, approaching from either the front or rear and within the distance of 200 feet, his or her intention to turn from a direct line.

(1) Flashing directional signals must be visible from the front and rear.

(2) Directional signals must be securely mounted on vehicles. Wiring and connections must be in good condition.

(3) Lenses must not be cracked, broken, missing, or discolored.

(4) Front directional signals must project white or amber lights. Rear signals must be red or amber light only.

i. Exhaust Systems. Exhaust system, including manifolds, gaskets, heat riser valves, exhaust pipes, mufflers, tail pipes, connecting pipes, resonators, clamps, brackets, and hangers must be in serviceable condition and be held together, intact in mounts, and must not allow the passage of exhaust gases, fumes, annoying smoke, and smoke screens from other than the inlet and outlet ends of the system or create loud or gutted noises. The exhaust system of any vehicle must be constructed so as not to permit exhaust gases to enter the passenger compartment. Vehicles are required to have exhaust systems that meet the manufacturer's original or optional equipment requirements in relation to noise control and length of tail pipes. Side pipes are acceptable provided that they are connected to a muffler and are not excessively or unusually noisy.

j. Headlights, Rear Lights and Headlight Covers. Motor vehicles shall be equipped with at least two headlamps, all in good operating condition with at least one on each side of the front of the motor vehicle.

(1) Headlights will be turned on during the period from sunset to sunrise, when there is not sufficient light to render clearly discernible any person on the highway at a distance of 400 feet ahead. Or at any other time when windshield wipers are in use as a result of smoke, fog, rain, sleet, or snow, or when inclement weather or environmental factors severely reduce the ability to clearly discern persons and vehicles on the street and highway at a distance of 500 feet ahead. The provisions of this subdivision shall not apply to instances when windshield wipers are used intermittently in misting rain, sleet, or snow.

(2) Motor vehicles shall have all originally equipped rear lamps or the equivalent in good working order, which lamps shall exhibit a red light plainly visible under normal atmospheric conditions from a distance of 500 feet to the rear of such vehicle.

(3) Motorcycles shall be equipped with at least one and not more than two headlamps.

(4) Headlights must be so constructed, arranged, and adjusted that, on a level road and under normal atmospheric conditions, they will produce a driving light sufficient to render a person clearly discernible 200 feet ahead.

(5) Lenses must not be cracked or broken.

- (6) High/low beam dimmer switch and indicator must be in good working order.
- (7) Must not project a dazzling or glaring light while on low beam.
- (8) Light covers cannot be tinted/colored as to obstruct proper use, observation and view of lights.

k. Horn. Horns, including wiring, horn button, and mounting must be in good working condition and audible under normal conditions from a distance of not less than 200 feet and not interfering with the operation on any other mechanism.

l. License Plate. No personnel shall operate a motor vehicle upon any road on this Air Station unless state or territorial vehicle license plates are mounted and securely fastened to the vehicle. The plates shall be legible, visible, and present an entirely unobstructed view. License plate covers or holders, which obstruct visibility of plate number or expiration date, are prohibited. License plates shall be illuminated with a white light at night.

m. License Plate Light. Shall be so constructed and placed that the number plate carried on the rear of the vehicle shall under like conditions be illuminated by a white light as to be read from a distance of 50 feet to the rear of such vehicle.

n. Mirrors. Vehicles shall be equipped with a mirror so located as to reflect to the driver a view of the road for a distance of at least 200 feet to the rear of such vehicle. All vehicles manufactured after 1965 shall be equipped with at least one outside mirror mounted on the driver's side of the vehicle.

o. Modified Suspension Systems. The manufacturer's specified height of any passenger motor vehicle shall not be elevated or lowered, either in front or back, more than six inches by modification, alteration or change of the physical structure of said vehicle. For the purpose of this paragraph, the term "passenger motor vehicle" shall mean a four-wheeled motor vehicle designed primarily for carrying passengers, which is constructed either on a truck chassis or with special features for occasional off-road operation.

p. Parking Lights. Must be capable of presenting two or more white or amber lights at the front of the vehicle and two or more red lights at the rear of the vehicle. All must be visible from a distance of not less than 500 feet.

q. Pole Trailers. In excess of 3,000 pounds must have a side marker light and clearance light on each side which may be used in combination to project light to the front, side, and rear.

r. Safety Glass. All motor vehicles will be equipped with safety glass wherever glass is used in doors, windows, windshields, wings or partitions. Safety glass means glass so treated or combined with other materials as to reduce, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by glass when the glass is cracked or broken. Windshield glass shall be free from breaks, cracks, fogging, scratches, or discoloration which would impair the driver's vision or in any other way create a hazard.

s. Speedometer. Speedometers must be in good working order.

t. Steering Mechanism and Suspension Assembly

(1) The steering mechanism of a motor vehicle shall be maintained in good working order, sufficient to enable the operator to control the vehicle's movements and to maneuver it safely.

(2) The suspension assembly must be in good working order so that if the vehicle is raised from the ground, the wheels will have no more than one quarter inch movement in or out or at the bottom, and there shall be no dangerous or undue looseness in the steering mechanism.

(3) If the wheels are on the ground and the front wheels are in a straight line, free play must not exceed three inches in steering wheels up to 18 inches in diameter.

(4) Front or rear springs must not be broken or sagging.

(5) Shock absorbers shall be firmly attached and in serviceable condition.

u. Stop Lamp. No person shall operate any motor vehicle, motorcycle or motor-driven cycle, manufactured after December 31, 1955, unless it shall be equipped with a stop lamp on the rear of the vehicle. The stop lamp may be incorporated into the unit with one or more other rear lamps.

v. Tail Lights. Must be securely mounted to the vehicle and shall be clearly visible to vehicles from the rear, but shall not be discolored, or of a color other than red. All tail lights must be in good working order.

w. Tires. No person shall operate a motor vehicle upon any street or roadway aboard the Air Station unless the motor vehicle is equipped with tires which are safe for the operation of the motor vehicle and which do not expose the public to needless hazard. Tires shall be considered unsafe if cut, cracked, or worn so as to expose tire cord; or if there is a visible tread separation or chunking or the tire has less than 1/16 inch tread depth at two or more locations around the circumference of the tire in two adjacent major tread grooves; or if the tread wear indicators are in contact with the roadway at two or more locations around the circumference of the tire in two adjacent major tread grooves.

x. Wheels. Wheels must be mounted with all lug bolts or nuts intact and rims must not be bent away from the tire bead to any degree that the bolt or nut shoulder is not touching the mounting hole seat.

y. Window Tinting. The windshield of the motor vehicle may be tinted only along the top of the windshield and the tinting may not extend more than five inches below the top of the windshield or below the AS1 line, whichever measurement is longer. No other stickers, tint or decals will be placed below the above listed measurements unless required by law such as safety inspection stickers.

(1) A vehicle that passes North Carolina Safety Inspection tint standards or that by use of a light meter approved by the Commissioner, measures a total light transmission of more than thirty-two percent (32%) is conclusively presumed to have met the tint restrictions.

(2) The light reflectance of the tinted window must be twenty percent (20%) or less.

(3) Tinted film or another material used to tint the window must be non-reflective and must be a color other than red, yellow, or amber.

(4) A window of an excursion passenger vehicle, for hire passenger vehicle, common carrier of passengers, motor home, ambulance, limousine, law enforcement vehicle are exempt from window tint restrictions.

(5) Vehicles that are registered in states other than North Carolina are exempt from the above restrictions but must meet the restrictions requirements of the state of registration.

z. Windshield Wipers. Windshield wipers shall be in good working order in order to clear rain, snow, moisture or other substances from the windshield in front of the driver. If a vehicle has more than one windshield wiper to clear substances from the windshield, all the windshield wipers shall be in good working order.

aa. Prohibited Equipment. No person shall operate a motor vehicle upon any road with the below listed prohibited equipment:

- (1) A cutout or straight through muffler.
- (2) Any spotlight on the rear of the vehicle unless such vehicle is so equipped for a public service.
- (3) Blue lights.
- (4) Forward facing red lights.
- (5) License plate covers of any color other than clear or which would prohibit the viewing of the license plate in its entirety.
- (6) Smoke Screens designed, used or capable of being used for the purpose of discharging, creating or causing, in any manner, to be discharged or emitted, either from itself or from the automobile or other motor vehicle to which attached, any unusual amount of smoke, gas or other substance not necessary to the actual propulsion, care and keep of said vehicle. Possession by any person or persons of any such device, whether the same is attached to any such motor vehicle, or detached therefrom, shall be prima facie evidence of the guilt of such person or persons of a violation of this Order.
- (7) Tires extending beyond fender wells or mud flaps.
- (8) Television or movie video screen forward of the driver.
- (9) White or clear lights on the rear of a vehicle when the vehicle is in a forward motion.
- (10) Sirens, compression or spark plug whistles.

3. Inflammatory Vehicle Decals, Displays, or Demonstrations. Displaying any sign, poster, decal, bumper sticker, emblem, or insignia on any motor vehicle operated aboard the Installation which is determined to be obscene, profane, or discriminatory by wording or picture is prohibited.

a. No person shall defame the flag of the United States. No decal, sticker, painting, or emblem which could be considered inflammatory towards a culture or race and is considered contrary to good order and discipline shall be displayed.

b. The unauthorized display of any sign, poster, decal, bumper sticker, emblem or insignia on any motor vehicle may be grounds for suspension or revocation of driving privileges aboard the Air Station or denial of admission to this installation.

4. Flags on Privately Owned Vehicles (POVs). The following guidelines shall be observed when mounting flags on POVs:

- a. Must not be larger than 12 inches by 15 inches.

- b. Must be mounted to POVs using a device that shall be able to endure winds while driving at a speed of 55 mph.
- c. Must not be placed on an area of the vehicle where it would obstruct the vision of the operator.
- d. Must not be mounted in a manner that will cause it to interfere with the safe operation of other vehicles that are following or passing the vehicle with the mounted flag.

f. Personnel in troop formations maintain as close a formation as possible. If necessary, form stragglers into another formation to minimize traffic delays while crossing roadways.

g. They use only authorized government emergency vehicles for escorting/trailing the formation. Unit leaders shall ensure that escort/trail vehicles are not in the opposite traffic lane.

h. They do not conduct formation runs or unit physical training in family housing areas or on Slocum Road due to high traffic volume and explosive arc restrictions.

3. Bicycle Traffic Rules. The following provisions apply to all persons riding bicycles:

a. Sponsors/parents will ensure that family members and their guests are properly instructed in the safe operation of bicycles, and that they understand and obey bicycle operation laws and regulations.

b. Bicycles will be ridden in the direction of traffic and kept to the right edge of the street or roadway to avoid interference with faster moving vehicles. In the interest of safety, children operating tricycles, bicycles, or other foot-powered devices with a height of less than 16 inches may ride on sidewalks. Bicycles are permitted only on streets, roads, and parking areas.

c. Bicycles are prohibited on athletic fields, tracks, lawns, seeded areas, and sidewalks.

d. The maximum speed limit for bicycles is 30 mph unless a lower speed limit is posted.

e. Bicycles may not be ridden while under the influence of alcohol or other drugs. Violators may be subject to the same penalties as for driving a motor vehicle under the influence of alcohol or drugs.

f. Bicyclists will not wear radio headsets, earphones, or other devices which impairs their hearing.

g. Bicyclists must obey all traffic signs and signals.

h. Bicyclists must come to a complete stop and yield the right-of-way at a stop sign before proceeding.

i. Bicyclists must stop when facing a steady or flashing red light. After stopping, they may turn right on red, where permitted, as long as they yield the right-of-way to other vehicles and pedestrians. After stopping at a flashing red light, they may proceed after yielding the right-of-way to approaching vehicles.

j. Bicyclists facing a yellow light, which means the light will be turning red, should stop if possible or, if not, may proceed with caution and all due haste through the intersection. If the yellow light is flashing, bicyclists should proceed with caution through the intersection.

k. Bicycle racing aboard the Installation is unlawful EXCEPT when a Marine Corps Community Services sponsored racing event has been approved by the Commanding Officer.

l. A driver of a vehicle emerging from or entering an alley, building entrance, parking lot, or driveway shall yield the right-of-way to any pedestrian, or person riding a bicycle approaching on any sidewalk or walkway extending across such building entrance, parking lot, street, roadway or driveway.

m. Drivers are allowed to pass bicyclists (and moped drivers) in "no passing zones" in limited circumstances where: (1) there is enough sight distance to see that the way is clear, (2) the driver allows 4 feet of passing distance or moves completely into the other lane, and (3) does not pass when the cyclist is making or is about to make a left turn.

4. Bicycle Required Equipment. Bicyclists and bicycle passengers under the age of 16 must wear approved protective safety helmets that are securely fastened to their head using straps, while riding on streets, bicycle paths, and other public rights-of-way. Passengers that weigh less than 40 pounds or are less than 40 inches in height must be seated in a separate restraining seat and must be able to maintain an erect seated position. Other passengers under the age of 16 must be seated on saddle seats. In addition, bicycles must be equipped with:

a. A crystal (white) reflector of at least nine square inches facing forward; unobstructed when viewed from the front.

b. An amber reflector with a minimum of nine square inches on each side of the bicycle facing outward.

c. Amber reflectors on front and rear surfaces of all pedals.

d. A lighted lamp that is visible from a distance of at least 300 feet in the front.

e. A red reflex mirror or lamp that is visible from a distance of at least 200 feet in the rear.

f. Brakes that will enable the operator to make the braked wheel skid on dry, level, clean pavement.

g. A reflective upper garment must be worn at all times, with the reflective material permanently attached (sewn or ironed on) to that garment or a commercially available mesh/fabric vest that is bright yellow, international orange or lime green with at least two 1-1/2" to 2" wide vertical or horizontal retro-reflective strips going from front and back.

h. Bicycles will not carry any other passengers except when the bicycle is equipped with an additional, firmly fixed seat and foot pegs for that purpose.

5. Listening Devices. Wearing headphones, earbuds/phones, or other listening devices while jogging, walking, running, skating, skateboarding, or bicycling, within three (3) feet of roadways is prohibited per reference (b). This does not apply to hearing aids nor does it negate the requirements for PPE where work conditions dictate hearing protection.

CHAPTER 6

PEDESTRIANS AND BICYCLISTS

1. Pedestrians. Marine Corps Air Station Cherry Point (MCAS CHERPT) Police will enforce portions of the traffic code of the State of North Carolina and this Order that apply to pedestrians. For the purpose of this Order, pedestrians include persons who walk, jog, or run near streets or roadways aboard the installation. Pedestrians will:

- a. Cross streets or roadways at intersections or marked crosswalks whenever possible.
- b. Yield the right-of-way to all vehicles upon the street or roadway and not enter any crosswalk, street or roadway when vehicular traffic is so close as to constitute an immediate hazard to the pedestrian or vehicle.
- c. In the absence of sidewalks or a trail, individual runners, joggers, and walkers will use the left side of the street (facing oncoming traffic) and not run on the street or roadway. Individuals must remain a safe distance off the street and not interfere with vehicular traffic. This includes organized physical training when not in formation, with road guards, and trail vehicle.
- d. Comply with orders or directions of MCAS CHERPT Police or traffic control personnel.
- e. Not stand on the street or roadway to solicit a ride in any vehicle, including at authorized pickup stations.
- f. Not solicit rides, employment, business or funds upon any street or roadway aboard the Air Station.
- g. Individuals should jog, run, or walk in areas normally patrolled by MCAS CHERPT Police and wear light colored clothing. During periods of reduced visibility and the hours between evening and morning colors, individuals shall wear reflective clothing, vest, or belt when conducting physical training, exercising, or walking near a street or roadway.

2. Troop Formations. Personnel in charge of troop formations will ensure that:

- a. The formation travels as close as possible to the right edge of the street or roadway, except when turning left and ensure persons leading the formation, such as unit leaders and "cadence callers," are not in the lane of traffic.
- b. The formation is not halted at an intersection where it will block traffic or otherwise cause a hazard.
- c. Road guards are posted at crosswalks and intersections and that road guards wear reflective vests at all times.
- d. During periods of low visibility and during the hours between evening and morning colors, all personnel in the formation wear reflective gear. During the hours of darkness personnel in troop formations must be equipped with lighting equipment (flashlights).
- e. Personnel in troop formations comply with directions of law enforcement or other traffic control persons.

CHAPTER 7

MOTORCYCLES, MOPEDS, SCOOTERS, POCKET BIKES, AND MOTORIZED BICYCLES

1. General. As defined in this chapter, a motorcycle is a vehicle that has a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground.

a. Motorcycles. For the purpose of this chapter, a motorcycle is defined as any motorcycle to include mopeds, scooters, "pocket bikes" and "motorized bicycles" whose piston displacement is greater than 49 cubic centimeters or has an external shifting device and can exceed 30 mph.

b. Mopeds. For the purpose of this chapter, mopeds are defined as any moped, scooter, or motorized bicycle whose piston displacement is 49 cubic centimeters or less and has an external shifting device which cannot exceed 30 mph.

c. Pocket Bike. For the purpose of this chapter, a pocket bike is defined as a miniature motorcycle, with a wheelbase in the range of 1000mm, and an engine displacing as little as 40cc. Pocket bikes are prohibited aboard MCAS Cherry Point (MCAS CHERPT).

d. Dirt bikes cannot legally be driven on any public street or roadway and therefore not included in this chapter. These vehicles usually are not equipped with headlamps, tail lamps, or speedometers.

2. Required Training

a. All Marines who plan to purchase or operate a motorcycle are required to attend and successfully complete a motorcycle safety course (MSC) approved by Commandant of the Marine Corps, Safety Division (CMC/SD).

b. All Marine motorcycle riders will attend mandatory follow-on Level II motorcycle training within 180 days of completion of Level I course (dependent on the local riding season).

c. Commanders will ensure motorcycle riders receive refresher training/continuing education (Level II or III) every five (5) years from their last day of training. Refresher training may include the Motorcycle Safety Foundation (MSF) Experience Rider Course, Basic Rider Course (BRC), BRC II, Advanced Rider Course (ARC), Military SportBike Rider Course (MSRC), or other advanced motorcycle rider training (Level III) such as Advanced Rider Track Days (ARTD), California Superbike School-based training Advanced Motorcycle Operators School (AMOS), Total Control-based training, or other advanced motorcycle training approved by CMC/SD.

3. Motorcycle Mentorship Program (MMP). Per reference (b), all battalion, squadron, and higher commands will establish a MMP and a command MMP President. The command MMP President will:

a. Act as a conduit of information to Marines for motorcycle safety and awareness.

b. Set the standard for responsible riding.

c. Provide guidance to Marines with motorcycle licensing, purchasing, riding, and maintenance.

d. Monitor and evaluate Marines' skill development and recommend appropriate training. Ensure Marines successfully complete appropriate training.

- e. Organize and promote activities to enhance motorcycle safety.
- f. Promote command objectives related to motorcycle safety.
- g. Plan and conduct mentorship rides.
- h. Assist individuals with signing up for the appropriate MSC.
- i. Plan meetings and training rides.

(1) Command MMP Presidents shall conduct mandatory monthly meetings for all members. Additionally, a quarterly training ride is highly encouraged.

(2) MMP Presidents shall submit a written record of the meeting or training ride to their command Executive Officer and maintain a copy in the MMP President turnover binder. This record shall include, but is not limited to: attendees, no-shows, training conducted, riders requiring additional training, and riders whose training has expired or has not been completed.

4. Inactive Riders. A rider will be considered inactive and not required to participate in meetings or training rides if their motorcycle is garaged/stored greater than 250 miles from their duty station or weekend liberty limits. Command leadership will determine the participation requirements for those riders whose motorcycle is less than 250 miles from their duty station, but more than a normal daily commute.

5. Off-Road Riders. Off-road riders include riders of dirt bikes and All-Terrain Vehicles. Ownership is not a requirement to be considered an off-road rider. All off-road riders are considered "active" riders. Vigilance and awareness are required by the chain of command to identify off-road riders and ensure they attend monthly meetings. Consideration should be given to incorporating off-road topics in the monthly MMP meetings.

6. Requirement to Register. Military personnel who own or purchase a motorcycle and are currently assigned to or transfer to MCAS CHERPT are required to register their motorcycle(s) with the Pass and Identification (Pass & ID) Office, Building #251.

a. The service member must have signed up for or completed the appropriate, approved MSC. If a service member attempts to enter the Installation with an unregistered motorcycle, either riding or towing it, and that person has not signed up or completed an approved course, the name and unit of the service member will be noted and the individual will not be allowed to bring the motorcycle aboard the Air Station. The service member's unit will be notified by PMO or their designee that the individual owns or has a motorcycle.

b. Service members who have completed the BRC may be issued a motorcycle one-time registration from the date they completed the BRC for a period not to exceed six months while waiting to attend the Advanced Rider's Course.

c. Once an individual has successfully completed the BRC and has all other required documentation to register their motorcycle, they may do so at that time.

7. Operation of a Motorcycle. A motorcycle will be operated aboard the Air Station only by its registered owner or the registered owner's family member. Operation will be confined to improved road surfaces and designated parking areas. Trail riding, hill climbing, "hare and hound" racing, and related activities are expressly prohibited.

8. Motorcycle Personal Protective Equipment (PPE) While in Uniform. The following PPE will be worn by all military personnel in uniform operating or riding on a motorcycle, on or off the Air Station, on and off road:

- a. A properly fastened (under the chin) protective helmet which meets the standards of the Snell Memorial Foundation (SNELL), the American National Standards Institute (ANSI), or the Department of Transportation (DOT).
- b. Impact or shatter resistant goggles, glasses, or a full-face shield attached to the helmet which are designed to meet or exceed the standards of ANSI Z87.1, UNECE 22.05, or BS6658. A windshield, eyeglasses or fairing alone is not considered proper eye protection.
- c. Hard-soled shoes with heels and closed toes. Footwear that is made of total canvas or rubber material construction is unacceptable. Any shoe or boot that has an open toe, open foot/heel design, an extensive heel over 2 inches, or a total canvas or rubber material construction is unacceptable. The use of leather boots or over the ankle shoes is encouraged.
- d. Properly worn long-sleeved shirt with sleeves rolled down or jacket, long-legged trousers, and full-fingered gloves or mittens. To clarify, civilian attire, such as long-sleeved t-shirts or motorcycle riding specific jackets are authorized per reference (b).
- e. Per MCO P1020.34G w/Ch 1-4, Marine Corps Uniform Regulations, Marines are authorized and encouraged to wear a motorcycle-riding jacket constructed of abrasion resistant materials such as leather, Kevlar, and/or Cordura and containing impact-absorbing padding over the uniform while on the motorcycle. The motorcycle-riding jacket must be removed as soon as the Marine dismounts the motorcycle. The motorcycle-riding jacket must not contain graphics or text considered inappropriate with the image of the Marine Corps.

9. Motorcycle PPE While in Civilian Attire. The following PPE will be worn by all personnel operating or riding as a passenger on a motorcycle aboard MCAS CHERPT, and all military personnel in civilian attire on or off the Air Station, on or off road:

- a. A properly fastened (under the chin) protective helmet which meets the standards of SNELL, ANSI, or the DOT.
- b. Impact or shatter resistant goggles or full-face shield attached to the helmet. A windshield, eyeglasses, or fairing alone is not considered proper eye protection.
- c. Hard-soled shoes with heels. The use of leather boots or over the ankle shoes is encouraged, but not mandatory.
- d. Properly worn long-sleeved shirt with sleeves rolled down or jacket, long-legged trousers and full-fingered gloves or mittens. Motorcycle-riding jackets and pants constructed of abrasion resistant materials such as leather, Kevlar, and/or Cordura and containing impact-absorbing padding are strongly encouraged.

10. Additional Responsibilities for Moped, Scooter, and Motorized Bicycle Operators. The following applies when operating any moped, scooter, or motorized bicycle aboard the Air Station:

- a. Will not be parked on a street or in a service driveway; they will be secured with a chain and lock or other locking device.

- b. Will not be towed by another vehicle, except by trailers manufactured for that purpose.
- c. Will ride as near to the right side of the roadway as practical.
- d. May drive the posted speed limit or 30 mph, whichever is less.
- e. Will not be ridden while under the influence of alcohol or other drugs. Violators will be subject to the same penalties as for driving a motor vehicle under the influence of alcohol or drugs.
- f. Will not be operated while wearing radio headsets, earphones, or other devices which obstruct hearing.
- g. Will not carry any other passengers except when the vehicle is equipped with an additional firmly fixed seat and foot pegs for that purpose.
- h. Will be equipped with brakes that will enable the operator to make the braked wheel skid on dry, level, clean pavement.
- i. Pocket bikes are prohibited aboard the installation due to their limited visibility by other motor vehicle operators.

11. Required Equipment. Every motorcycle, moped, scooter, or motorized bicycle, and every motor-driven cycle when operated aboard the Air Station shall be equipped with the following equipment as stated below:

- a. At least one brake operated by hand or foot.
- b. A mechanical or electrical signal device by which the operator of the vehicle may indicate to the operator of another vehicle, approaching from either the front or rear and within a distance of 200 feet, his intention to turn from a direct line. For motorized and electric mopeds, scooters, and motorized bicycles not equipped with electric turn signals, the operator must use hand signals when turning or stopping.
- c. A rearview mirror will be attached to each side of the handlebar as to provide the operator with a clear, undistorted, and unobstructed view of at least 200 feet to the rear of the motorcycle.
- d. A headlight beam of 500 feet and a red taillight.
- e. Headlights and rear lamps will be on at all times while the motorcycle is in operation aboard the Installation.
- f. Handlebars shall not be higher than the shoulders of the operator when seated under normal riding conditions or of a height so great that the operator cannot fully actuate the front wheel when seated on the motorcycle under normal riding conditions.

12. Prohibited Items. The use of “slung shots” or “get back whips” or any other similar item attached to any portion of a motorcycle is prohibited.

13. Prohibited Practices. The following acts are prohibited while operating any motorcycle, mopeds, scooters, and motorized bicycles regardless of engine size:

- a. Sidesaddle riding by passengers.

- b. Riding between lanes of moving traffic.
 - c. Riding between a lane of traffic and parked cars.
 - d. Passing another vehicle in the same lane.
 - e. Use of the same traffic lane with more than one motorcycle abreast.
 - f. Carrying more than one passenger.
 - g. Passing other motor vehicles on the right where prohibited.
 - h. Exhibitions of speed, breaking traction, “popping wheelies,” endo’s (front wheelie), or any other stunts while operating the motorcycle.
 - i. Sitting passengers in front of the operator of the motorcycle.
 - j. Motorcycles will not be parked inside any MCAS CHERPT building with the exception of the MCCS Auto Skills Center.
 - k. No person riding upon a motorcycle shall attach themselves or the motorcycle to any other vehicle on the roadway while in operation.
 - l. Riding without at least one hand on the handlebars at all times.
 - m. No swerving in lanes to warm tires for traction.
14. Recreational Areas. There are no designated or authorized recreational areas for the operation of mini-bikes, “pocket bikes”, dirt bikes, all-terrain vehicles (ATVs), go-carts, or other off-road non-licensed vehicles aboard the Installation. ATVs and dirt bikes are authorized in the approved training areas only when attending classes sponsored by the Safety and Standardization Office.

CHAPTER 8

PARKING

1. General. Strong enforcement of parking restrictions results in better use of available parking facilities and reduces conditions causing traffic collisions and congestion.

2. Parking Enforcement

a. All parking violations may be enforced and cited by Marine Corps Air Station, Cherry Point (MCAS CHERPT) Police.

b. Reserved parking spaces designated by either position title or rank, such as Commanding Officers, Sergeants Major, and First Sergeants are considered courtesy parking spaces and do not meet the requirement of any punishable statute and are not enforceable by MCAS CHERPT Police. However, General/Flag Officers' designated parking will be strictly enforced.

3. Parking on Streets. Vehicles parked on streets or roadways will be parked on the right side in the direction of the flow of traffic, unless angular parking is authorized by appropriate signs or markings.

4. Parking Privileges for Handicapped Drivers and Passengers. Any vehicle driven by or is transporting a person who is handicapped and that displays a distinguishing license plate, a removable windshield placard, or a temporary removable windshield placard may be parked in a handicapped parking space aboard the Air Station. Marked handicapped spaces are designed for handicapped personnel and are enforced on a 24-hour basis by MCAS CHERPT Police.

a. Handicapped license plates, removable windshield placards, and temporary removable windshield placards are to be used only for transporting the handicapped person to whom they are issued. Only the individual who is issued the placard or plate may use handicapped parking privileges.

b. Parking or leaving standing any vehicle in a space designated for handicapped persons when the vehicle does not display the distinguishing license plate, removable windshield placard, or temporary removable windshield placard as provided in this chapter is prohibited.

c. Per reference (f), vehicles illegally parked in handicapped parking spaces shall be subject to immediate towing without prior notification to the vehicle owner. All towing fees shall be at the owner's expense.

d. Motorcycles, mopeds, and bicycles may not park in the areas abutting handicapped parking spaces. These areas must remain unobstructed to allow for the movement of equipment needed to assist physically impaired persons.

5. Visitor Parking. Parking spaces marked as visitor parking are only for bona fide visitors to a building or facility. Personnel who normally work in the building or facility may not use the building or facility visitor parking space.

6. Recreational Vehicle (RV) Parking and Storage.

a. Motor homes, boats, boat trailers, campers, and house/baggage trailers are considered RVs.

b. Registered RVs may be parked or stored only in designated family housing storage locations, as space is available. Residents should consult with Atlantic Marine Corps Communities (AMCC) for availability and arrangement of RV storage.

c. RVs may park in housing areas for up to 24-hours only for the purpose of cleaning, minor repair, preparing for, or unloading from a trip.

d. RVs are not authorized overnight parking in unit, barracks, facilities, or Marine Corps Community Services (MCCS) commercial parking lots.

e. RVs are prohibited from being parked or staged in the Bachelor Enlisted Quarters (BEQ) or Bachelor Officer Quarters (BOQ) parking areas. BEQ/BOQ residents may utilize the lot on adjacent Building #3673 at the intersection of 5th Avenue and "F" Street by contacting the Bachelor Housing Manager at 252-466-2139 or 252-466-2699. RVs must display a valid registration sticker.

7. Bachelor Enlisted Quarters (BEQ) and Bachelor Officer Quarters (BOQ) Parking. All parking in the BEQ/BOQ parking lots shall be on a first come, first served basis and only in the designated and clearly marked parking spaces.

8. Reserved/Designated Parking. Reserved/designated parking spaces will be set aside for areas such as the Marine Corps Exchange, MCCS clubs, and other appropriate areas as approved by the Director, Public Works. Requests for reserved/designated parking spaces, including visitors, handicapped, official vehicles, organizational leadership, etc. or changes to marked parking spaces shall be directed to the Director, Public Works for approval through the appropriate chain of command.

9. Parking Within the Flight Line Restricted Area (FLRA). Parking within the FLRA is addressed in reference (i) of this Order.

10. Unattended Parked Vehicles. No vehicle shall be left unattended without first stopping the engine, setting the brake, locking the ignition and removing the keys, and if on a perceptible grade, turning the wheels to the curb on the near side of the road.

11. Parking Restrictions. Parking or stopping a vehicle in any of the below listed areas, except when experiencing mechanical difficulties or in compliance with a traffic order or device, is prohibited:

- a. In violation of any North Carolina Vehicle and Traffic Law.
- b. Outside of two white painted parking lines on streets or in parking lots. The lack of two white painted lines is indicative of unauthorized parking.
- c. On a sidewalk or crosswalk.
- d. In front of a public or private driveway.
- e. Within 20 feet of a fire hydrant.
- f. In a designated fire lane.
- g. Within 20 feet of an intersection, a driveway entrance to any emergency facility, or any building except in designated parking areas.
- h. Along any curb painted yellow or red.

- i. In service driveways or fire lanes.
- j. In a double-parked position.
- k. On a bridge.
- l. On the shoulder of any road unless the location is marked as an authorized parking area.
- m. In a manner as to obstruct traffic, loading areas, driveways, or refuse collection.
- n. On any area where prohibited by official sign, to include housing areas.
- o. In isolated areas of the Air Station during hours of darkness, except when required by official duty or emergency.
- p. On grass covered and seeded or unpaved areas, not predesignated as a parking area.
- q. In housing areas in or in front of another resident's driveway or their assigned parking space, except where permission has been obtained from the resident assigned that parking space. Residents are responsible for informing visitors of the proper place to park their vehicle.
- r. No privately owned vehicle (POV) may be parked, garaged, or stored in any Marine Corps motor pool, shop, or building storing Marine Corps property.
- s. No vehicle may be parked aboard the Air Station when the vehicle is leaking fluids onto the roadway or parking area.

12. Parking Inoperative Vehicles. Personnel with inoperative vehicles may request a 30-day “parking only” registration from the Provost Marshal for the purpose of making repairs at the Auto Skills Shop. During this period, the vehicle will not be moved without the permission of the Provost Marshal.

13. Parking at Fleet Readiness Center (FRC)-East. FRC-East provides and controls parking areas designated for its employees. Parking in FRC-East designated areas by other than the designated employee is prohibited. Accordingly, use of other open lot parking areas by FRC-East personnel, except those conducting business at other installation buildings and facilities aboard the Air Station is prohibited.

14. Parking in Customer Service Areas. Parking in customer service areas such as the Marine Corps Exchange, Commissary, Troop Seven-Day Store, Post Office and the Theater are restricted to use by patrons and support staff of the establishment or organization for which the parking was designated. Parking is authorized ONLY during facility working hours and for the purpose of conducting official business at these facilities. Overnight parking in these areas is strictly prohibited.

15. Marine Corps Community Services (MCCS) Resale Lot. The only authorized location for the resale of vehicles is in the MCCS Resale Lot, more commonly known as the Lemon Lot. It is located at the intersection of Roosevelt Boulevard and “F” Street. To park a vehicle in this lot, sellers must register their vehicles with MCCS at the Auto Skills Center (Bldg. #4652) prior to parking their vehicles. The advertised selling of vehicles in areas other than the MCCS Resale Lot is strictly prohibited.

CHAPTER 9

TRAFFIC ACCIDENTS

1. On-Station Vehicle Accidents. MCAS Cherry Point (MCAS CHERPT) Police will perform detailed on-the-scene and follow-up investigations for all motor vehicle accidents involving a fatality, personal injury, or property damage. MCAS CHERPT Police will also investigate all accidents involving government owned vehicles (GOVs), and any vehicle accident where the potential for litigation against the U.S. Government or other significant Federal interest exists. Investigation results will be recorded in the Consolidated Law Enforcement Operation Center (CLEOC), and the original copy of the accident report will be retained by the MCAS CHERPT Police Records Section.

2. Off-Station Vehicle Accidents. The Director, Security and Emergency Services (SES) Directorate will direct, through his authorized representative and through liaison with civilian law enforcement agencies, the conduct of detailed on-the-scene and follow-up investigations, and obtain copies of respective agencies' reports for all motor vehicle accidents involving government vehicles or accidents resulting in death or disabling injury to Air Station military personnel occurring within an area of 50 miles. All vehicle accidents outside the designated areas will be investigated by the nearest military activity, upon request of the unit to which the involved personnel or material are attached.

3. Vehicle Accidents Reporting. Drivers/owners of privately owned vehicles (POVs) are required to report all vehicle accidents involving injury, fatality, or more than \$1000.00 in property damage. All traffic accidents involving GOVs occurring on or off-station, will be reported immediately to MCAS CHERPT Police.

a. Drivers/owners of POVs are required to submit a written report to MCAS CHERPT Police within 72 hours of an accident in the following cases (must include all three):

(1) The accident occurs aboard the Installation.

(2) The accident involves no personal injury.

(3) The accident involves only minor damage to the POV (less than \$1,000.00) and the vehicle can be safely and normally driven from the scene.

4. Judge Advocate General Manual (JAGMAN) Investigations. Commanding Officers exercising special courts-martial jurisdiction will conduct investigations into motor vehicle accidents when required by the JAGMAN, both on and off the Installation. Relevant information obtained by MCAS CHERPT Police will be made available to the appointed investigating officer.

CHAPTER 10

TRAFFIC CITATIONS

1. Citations Issued. MCAS Chery Point (MCAS CHERPT) Police will issue Armed Forces Traffic Tickets (DD Form 1408) for referral to the MCAS CHERPT Traffic Court (TC) Hearing Officers, and U.S. District Violation Notices (DD Form 1805) for referral to the Magistrate, U.S. District Court in New Bern, North Carolina for federal offenses committed aboard the Installation.

a. Armed Forces Traffic Citations and U.S. District Violation Notices may only be issued by MCAS CHERPT Police and such other persons as the Director, Security and Emergency Services (SES) Directorate may authorize in writing.

b. Persons who receive an Armed Forces Traffic ticket aboard the Air Station must report to the TC Clerk at Building #T6056 on "C" Street within three business days for administrative processing.

(1) Persons who receive an Armed Forces Traffic ticket, have the option of appearing before the TC Hearing Officer or waiving their appearance by entering a guilty plea. By entering a guilty plea, individuals admit their guilt and agree to an assessment against their Installation driving record of the maximum points and penalty for the violation(s).

(2) Records checks of individuals who receive traffic citations will be conducted. If it is subsequently discovered that an individual's installation driving record (to include the most recent offense) requires further administrative action, the individual will be notified that, despite the guilty plea, their appearance before the MCAS CHERPT TC Hearing Officer is mandatory.

c. Persons who receive a U.S. District Violation Notice will need to appear before the U.S. District Court for the Eastern District in New Bern, North Carolina. They will be notified by mail of their court date.

2. Parking Citations. MCAS CHERPT Police enforces parking violations involving properly marked handicapped spaces, seeded areas, fire lanes, double-parked and vehicles blocking lanes of traffic or interfere with normal Air Station operations. Violations of unit designated reserved parking, such as assigned command and billet spaces, should be addressed at the unit level.

3. Third Party Citations. Any person, military or civilian, observing a traffic offense aboard the Air Station can report the violation to MCAS CHERPT Police and initiate a third party citation. The exact time, date, location of the violation, vehicle license plate number, make, model, and color of the vehicle are required along with a description of the driver. The person reporting the violation will be required to make a sworn written statement and will be required to appear before the TC Hearing Officer, if the citation is contested. The identity of the violator will not be disclosed to the person requesting the third party citation. Third party citations can be reported by contacting the MCAS CHERPT Desk Sergeant at (252) 466-5123.

4. Traffic Citation Point System. This system provides an impartial and uniform administrative device for evaluating driver performance. The MCAS CHERPT TC Clerk will enter and maintain a record of traffic citations issued by MCAS CHERPT Police in the CLEOC and the Defense Biometric Identification System (DBIDS) databases, and track all points assessed on an individual's Installation driving record.

a. Appendix A lists the penalties that may be assessed for violations of this Order, including mandatory point deductions and driver's license suspensions and revocations. The point system is mandatory and is not subject to modification or alteration. Sentences such as suspensions and revocations are not mandatory, except as mandated in Appendix A of this Order.

b. Points assessed against an individual's Installation driving record per Appendix A will remain in effect for a period of 24 consecutive months. Completion of a revocation based on points will result in the removal of all points assessed prior to the revocation.

CHAPTER 11

VEHICLE TOWING, IMPOUNDING AND INVENTORYING

1. Standards for Towing. A vehicle will be towed at the owner's expense if it clearly interferes with ongoing operations, movement of traffic, threatens public safety or convenience, is involved in criminal activity, contains evidence of criminal activity, or is stolen or abandoned. Illegally parked government vehicles will be towed by Station Motor Pool personnel only.

a. Attempts will be made to locate the owner of the vehicle and have the vehicle removed.

b. Another responsible person may be allowed to drive or tow the vehicle with permission from the owner, operator, or person empowered to control the vehicle. When another responsible person is allowed to drive or tow the vehicle, MCAS CHERPT Police shall not be responsible for safeguarding the vehicle.

c. The owner of any vehicle left unattended and/or illegally parked for 24 hours or longer shall be directed to remove the vehicle if the owner can be identified/located. If the owner cannot be found, or fails to remove the vehicle within 72 hours as directed, the vehicle will be towed off-station by a commercial wrecker to a commercial storage lot at the vehicle owner's expense.

d. Illegally parked, unattended and abandoned vehicles may be towed immediately if they fall into one or more of the following categories:

(1) Vehicles that present a hazardous condition to the safety of other drivers or pedestrians.

(2) Vehicles that are parked.

(3) Vehicles blocking or interfering with the normal flow of traffic.

(4) Vehicles being stripped or vandalized.

(5) Vehicles blocking an emergency exit door of any public place (theater, club, dining facility, health clinic, and other facility).

(6) Vehicles illegally brought aboard the Air Station by a suspended or revoked driver. If present, the spouse or owner may remove the vehicle if otherwise competent to drive.

(7) Vehicles that have been involved in the commission of a crime or contain evidence of criminal activity. Such vehicles shall be impounded as evidence.

(8) Vehicles with inadequate or no insurance coverage.

(9) Vehicle displaying illegal or fraudulent registration or plates and vehicles with license plate with state "pick up" orders.

(10) Vehicles that interfere with operational commitments when prior notice of the operational requirement was provided at least three days in advance via All-Hands emails or other media.

(11) Vehicles whose owner or person in charge has been apprehended/arrested and is unable or unwilling to arrange for custody or removal.

(12) Vehicles that are disabled by a traffic incident and the operator is either unavailable or physically incapable of having the vehicle towed to a place of safety for storage or safekeeping.

(13) Vehicles blocking a dumpster or trash collection point.

(14) When MCAS CHERPT Police reasonably believe the vehicle is abandoned.

2. Procedures for Impoundment.

a. Except in cases requiring immediate towing, MCAS CHERPT Police will identify abandoned or derelict vehicles by placing a completed Abandoned Vehicle Notice (DD Form 2504), allowing the owner of the vehicle three days from the date the vehicle is tagged, to remove the vehicle before impoundment action is initiated.

b. If the vehicle is not removed or brought up to registration requirements, the vehicle will be removed by commercial towing. MCAS CHERPT Police will complete an Abandoned Vehicle Removal Authorization (DD Form 2505) and give it to the commercial wrecker operator.

c. Before a vehicle is impounded, a Vehicle Impoundment Report (DD Form 2506) will be completed by MCAS CHERPT Police. The form will list all property within the vehicle, any damage, and general condition of the vehicle at the time of impoundment.

d. The contents of a closed container such as a suitcase or bag inside a vehicle need not be inventoried. Merely listing the container and sealing it with security tape will suffice. All personal property must be placed in a secure area for safekeeping.

e. After the vehicle has been removed, MCAS CHERPT Police will complete Part III of the Vehicle Impoundment Report as a record of the impoundment action.

f. The Notice of Vehicle impoundment (DD Form 2507) will be completed and forwarded by certified mail to the address of the last known registered owner to notify the owner of the impoundment action and to request information concerning the owner's intentions pertaining to the disposition of the vehicle.

3. Search Incident to Impoundment Based on Criminal Activity

a. If a property search of a vehicle subject to a criminal investigation must be conducted, and the owner or operator is not present, a search authorization from the MCAS CHERPT Commanding Officer shall be obtained unless the property to be seized is in plain view or is readily discernible on the outside as evidence of criminal activity.

b. If the owner or operator is present and a danger exists to MCAS CHERPT Police or the public, or if there is a risk of loss or destruction of evidence, the vehicle will be properly secured and impounded until such time that a search authorization from the MCAS CHERPT Commanding Officer can be obtained.

4. Disposition of Vehicles After Impoundment

a. If a vehicle is impounded for evidentiary purposes, the vehicle can be held for as long as the evidentiary or law enforcement purpose exists. The vehicle will then be returned to the owner without delay.

b. If the vehicle is unclaimed after 120 days from the date the Notice of Vehicle impoundment notification was mailed to the last known owner or the owner released the vehicle by properly completing the appropriate release form, the vehicle will either be released to the lien holder or processed as abandoned property per current North Carolina State Law if towed by a commercial wrecker off the installation, or per reference (e), governing disposal of abandoned, lost, or found property.

APPENDIX A

TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

CODE NO.	MOVING VIOLATIONS	POINTS	CONSEQUENCE
001	Operating a vehicle while under suspension/revocation of driving privileges or in violation of current/limited restrictive driving privileges.	N/A	Revocation, two years, mandatory.
002	Manslaughter (or negligent homicide by vehicle) resulting from the operation of a motor vehicle.	N/A	Revocation, one year, mandatory.
003	Fleeing the scene of an accident (hit and run) involving death or personal injury without rendering aid or reasonable assistance.	N/A	Revocation, one year, mandatory.
004	Driving while impaired (DWI), BAC of .08 or greater.	N/A	Revocation, one year, mandatory. Revocation for an additional two years for each subsequent DWI conviction within a five-year period.
005	Operating a motor vehicle while a habitual user or under the influence of any narcotic, drug, or other substance.	N/A	Revocation, one year, mandatory.
006	Conviction by court martial, civilian court, or NJP of any drug related offense, including drug paraphernalia offenses, whether a vehicle was involved in the offense or not.	N/A	Revocation, one year, mandatory.
007	Felony involving use of a motor vehicle, to include assault with a vehicle.	N/A	Revocation, one year, mandatory.
008	Perjury or false statement under oath of responsible officials or under law relating to the ownership or operation of a motor vehicle.	N/A	Revocation, one year, mandatory.
009	Unauthorized use of a motor vehicle belonging to another, which act does not amount to a felony.	N/A	Revocation, one year, mandatory.
010	DWI, refusal to submit to or complete a chemical test (implied consent).	N/A	Revocation, one year, mandatory.
011	Possession, sale, use, introduction, or distribution of narcotics, marijuana, dangerous drugs, or controlled substances.	N/A	Revocation, one year, mandatory.
012	Possession, sale, use, introduction, or distribution of any man-made synthetic compounds ("spice" or other synthetic cannabinoids), Delta-8 and Delta-9 Tetrahydrocannabinol, controlled substance analogues (designer drugs), natural substances (e.g., fungi (excretions), chemicals (e.g., chemicals wrongfully used as inhalants), propellants, and/or a prescribed or over-the-counter drug or pharmaceutical compound, with the intent to induce intoxication, excitement, or stupefaction of the central nervous system (this includes possession of all related paraphernalia).	N/A	Revocation, one year, mandatory.
013	Reckless driving (willful and wanton disregard for the safety of persons or property (Speed alone does not warrant charge).	Six	Revocation, six to 12 months, discretionary. Remedial Driver Training, mandatory.
014	Speed contest or racing on highway (speed competition).	N/A	Suspension for a period of six months or less, or revocation for a period not to exceed one year, discretionary.
015	Mental or physical impairment (not including alcohol or other drug use) to the degree rendered incompetent to drive.	N/A	Suspension for a period of six months or less, or revocation for a period not to exceed one year is discretionary.
016	Fleeing the scene of an accident (hit and run) involving damage to the property of another without making identity known.	Six	Revocation, six months, discretionary.
017	Owner, while present, knowingly and willfully permitting another to operate a vehicle when physically impaired.	Six	Revocation, six months, discretionary.

APPENDIX A

TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

CODE NO.	MOVING VIOLATIONS	POINTS	CONSEQUENCE
018	Committed an offense off the Installation, which would be grounds for suspension or revocation on base/station.	Six	Suspension or revocation equivalent to awarding civilian jurisdiction statute.
019	Permitted an unlawful or fraudulent use of a driver's license.	Six	Suspension or revocation for a period not to exceed one year, discretionary.
020	Fleeing or attempting to elude police.	Six	Suspension for a period of six months or less, or revocation for a period not to exceed one year, discretionary.
021	Speed one to nine MPH above posted speed limit.	Three	Suspension, 15 days discretionary.
022	Speeding 10 but not more than 15 MPH above the posted speed limit.	Four	Suspension, 30 days, discretionary.
023	Speeding over 15 MPH but not exceeding 20 MPH above the posted speed limit.	Five	Suspension, 90 days, discretionary.
024	Speeding over 20 MPH above the posted speed limit.	Six	Revocation, six months, mandatory.
025	Speeding in school zone or family housing area.	Four	Suspension, 30 days, discretionary.
026	Contributing to the cause of an accident resulting in property damage or bodily injury.	Four	Suspension, 90 days, discretionary.
027	(Intentionally left blank)		
028	Speed restrictions, to include speeding too fast for conditions, spinning wheels (breaking traction) and excessive acceleration.	Four	Suspension, 90 days, discretionary
029	Operation below the minimum limits or at such a slow speed as to impede the normal and reasonable movements or flow of traffic, unless required for safe emergency operation.	Two	Suspension, 30 days, discretionary
030	Following too closely.	Four	Suspension, 30 days, discretionary
031	Failure to yield right-of-way to an emergency vehicle giving an audible or visual warning or failure to comply with "Move Over" laws.	Four	Suspension, 90 days, discretionary
032	Passing a stopped school bus either with special signals flashing or in the act of discharging or getting ready to discharge or admitting passengers.	Four	Suspension, 90 days, discretionary
033	Failure to obey traffic signs, signals, devices or instructions of a traffic control officer or road guard.	Four	Suspension, 30 days, discretionary
034	Improper passing or improper lane usage (to include crossing solid yellow lines and passing troops in formation without express permission).	Four	Suspension, 60 days, discretionary
035	Failure to yield right-of-way (to include traffic protocols).	Four	Suspension, 60 days, discretionary
036	Improper turning (no official signs involved).	Three	Suspension, 60 days, discretionary
037	Passing or failure to yield right-of-way to emergency vehicle giving audible or visual warning (NC Approach Law).	Four	Suspension, 60 days, discretionary
038	Failure to move over one lane when approaching emergency response or maintenance vehicles stopped on the side of the road with lights flashing, if they can do so safely, or to slow down on a two-lane highway until past the emergency responder (NC Move Over Law).	Three	Suspension, 60 days, discretionary. Revocation, six months, mandatory if it results in injury or death to first responder or road crew.
039	Failure to yield right-of-way (to include traffic protocols).	Four	Suspension, 30 days, discretionary
040	Driver involved in accident deemed responsible (use ONLY as additive to points assessed for the specific offense).	One	Awarded by Traffic Hearing Officer when driver is deemed responsible or after a guilty plea.
041	Use of cellular phone while driving without utilizing a hands-free device or texting while driving.	Four	Suspension, 30 days, discretionary. Suspension, 30 days, mandatory for

APPENDIX A

TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

CODE NO.	MOVING VIOLATIONS	POINTS	CONSEQUENCE
			second offense. Suspension, six months, mandatory for third offense.
042	Owner of vehicle allowing a revoked or suspended person to operate the vehicle.	Four	Suspension, six months, discretionary.
043	Owner of vehicle allowing an unlicensed person to operate a vehicle or allowing a person under the age of 16 to operate a moped.	Three	Suspension, six months, discretionary.
044	Failure to comply with Traffic Court requirements or Failure to Appear as cited. TRAFFIC COURT USE ONLY	N/A	Revocation, six months, mandatory.
045	Fraudulent application for, use of, or alteration of state license plate, DBIDS credential vehicle pass.	N/A	Revocation, six months, mandatory.
046	Driving while unlicensed.	N/A	Revocation, one year, mandatory.
047	Driving without driver's license in possession or expired license.	Three	Suspension, six months if not corrected.
048	Habitual violation of traffic laws or regulations (3 moving violations within 12 months, accumulation of 12 points in a 12 month period, or accumulation of 18 points in a 24-month period.) TRAFFIC COURT USE ONLY	N/A	Revocation, six months, discretionary.
049	Unsafe backing resulting in traffic accident.	Three	N/A
050	Illegal Entry; failure to use designated Installation Entry Control Point.	Three	Revocation, six months, discretionary.
051	Illegal U-turn (posted sign present.)	Two	N/A
052	Driving on a sidewalk, seeded area or unauthorized area.	Three	Suspension, 30 days, discretionary.
053	Operating a vehicle so loaded or crowded with passengers or property, or both, as to obstruct the operator's view or restrict or impair the proper operation of the vehicle.	Three	N/A
054	Failure to make a safe movement, including failure to see an intended move could be made safely (backing, turning, starting, or stopping).	Three	Suspension, 15 days, discretionary.
055	(Intentionally Left Blank)		
056	Improper towing of a vehicle or trailer, to include failure to use proper towing bar, safety chains or cables, and locking pins.	Three	N/A
057	Operating loaded vehicle without material properly secured (materials falling from loaded vehicle).	Three	N/A
058	Failure to signal turn or giving improper signal.	Three	Suspension, 15 days, discretionary.
059	Failure to maintain control of a vehicle.	Three	Suspension, 30 days, discretionary.
060	Transporting an open container of alcoholic beverage in driver and or passenger compartment of vehicle.	Four	Suspension, 60 days, discretionary.
061	(Intentionally Left Blank)		
062	Failure to comply with Air Station vehicle registration requirements.	Two	Warning when corrected for first offense. Point deduction for second offense. Point deduction and suspension, 30 days, discretionary for third offense.
063	Throwing litter from a vehicle.	Three	Revocation, six months, discretionary.
064	Failure to use headlamps as required.	Three	N/A
065	Blocking traffic to include stopping in an intersection and obstructing cross traffic.	Three	N/A
066	Failure to use or improper use of vehicle restraining devices by operator and/or passengers (seat belts or shoulder harness.)	Two	Point deduction, suspension, 30 days, mandatory and remedial driving training. Suspension, 90 days, mandatory for

APPENDIX A

TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

CODE NO.	MOVING VIOLATIONS	POINTS	CONSEQUENCE
			second offense. Revocation, six months, mandatory for third offense.
067	Failure to properly restraint children in approved child restraint system while moving (1 year or younger or 20 lbs = Rear facing car seat. Age 1 to 4 or less than 40 lbs = forward facing car seat. Age 5 to 7 or less than 80 lbs = booster seat).	Two	Point deduction, suspension, 30 days, mandatory and remedial driving training. Suspension, 90 days, mandatory for second offense. Revocation, six months, mandatory for third offense.
068	Failure to keep right.	Three	Suspension, 15 days, discretionary.
069	Driving left of center or failure to maintain lane.	Three	Suspension, 15 days, discretionary.
070	Failure to give way to overtaking vehicle.	Three	Suspension, 15 days, discretionary.
071	Inattention to driving to include excessively loud music (sound system) emitting from vehicle, viewing video system forward of driver, or use of headphones/earphones when driving (not to include cell phone hands free device).	Three	Suspension, 15 days, discretionary.
072	Failure to maintain insurance (to include expired insurance).	N/A	Suspension, 30 days, discretionary. Suspension, 30 days, mandatory for second offense. Revocation up-to-12 months for third offense, discretionary.
073	Leaving vehicle unsecured (failure to put transmission in park or gear and set parking brake), resulting in vehicle "rolling" forward or backwards.	Three	Suspension, 15 days, discretionary.
074	Violation of any provision of this Order not listed in this table.	N/A	As determined by the Traffic Hearing Officer.
075	Failure to dim headlamps to on-coming traffic.	Two	N/A
076	Violation of State registration requirements to include expired registration, no registration or required inspection.	Three	Warning when corrected for first violation. Point deduction, 15 days suspension, discretionary for second offense. Suspension, 30 days mandatory for third offense.
077	Child left unattended in vehicle (under 10 years or under 12 years if younger children present.)	Three	Suspension, 30 days, discretionary.
078	(Intentionally Left Blank)		
079	Picking up/discharging passengers on roadway.	Three	N/A
080	Making vehicle repairs (non-emergency) on roadways, streets, or parking lots/spaces.	Two	Suspension, 15 days, discretionary.
081	Failure to report the involvement in a traffic accident regardless of the amount of damage.	Two	Suspension, 90 days, discretionary.
082	Discharging a firearm or weapon from a vehicle	N/A	Revocation, one year, mandatory.
083	Carrying a concealed weapon.	N/A	Revocation, one year, mandatory.
084	Use of subterfuge to gain selective parking in carpool program.	N/A	Suspension, 30 days, discretionary.
085	Violation of a "One Way" sign.	Four	N/A
086	Unauthorized use of a radar detection or jamming device.	Three	Suspension, 30 days discretionary.
087	Senior ranking occupant in GOV failing to ensure seatbelts are in use by all occupants.	Two	Suspension, 30 days discretionary.

CODE NO.	NON-MOVING VIOLATIONS	POINTS	CONSEQUENCE
N01	Illegal Parking.	N/A	Warning for first offense. Suspension, 15 days, discretionary for second offense.

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TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

			Suspension, 30 days, discretionary for third offense.
N02	Parked in handicapped parking space without handicapped plate or placard.	N/A	Suspension, 60 days suspension, mandatory.
N03	Defective equipment.	N/A	Warning when corrected for first offense. Suspension, 15 days, discretionary for second offense. Suspension, 30 days mandatory for third offense.
N04	Failure to properly inspect for and/or remove FOD from vehicle including avoiding FOD shaker.	N/A	Suspension, up to one year, discretionary.
N05	Prohibited equipment.	N/A	Warning for first offense when corrected. Suspension, 15 days, discretionary for second offense. Suspension, 30 days, discretionary for third offense.
N06	Jaywalking or failure to use available sidewalk or crosswalk	N/A	Suspension, 30 days, discretionary.
	(Intentionally Left Blank)		

CODE NO.	SPECIFIC MOTORCYCLE VIOLATIONS	POINTS	CONSEQUENCE
M01	Riding motorcycle between lanes of moving traffic, riding between lanes of traffic at traffic lights/signs, or riding between the traffic lane and parked vehicles.	Three	Suspension, 30 days discretionary.
M02	Improper passing of other vehicles in same lane on either side or weaving in and out of traffic.	Four	Suspension, 60 days, discretionary.
M03	Reckless driving or grandstanding in any manner to include "popping" wheelies, burnouts, back tire raise, clutching brakes and spinning MC in circles.	Six	Revocation, 6 months, discretionary.
M04	Motorcycles riding two or more abreast in same lane.	Three	Suspension, 30 days, discretionary.
M05	Failure to wear appropriate PPE.	Three	Second Offense – Suspension, 30 days, mandatory.
M06	Allowing passengers to ride side saddle or allowing passenger to ride without PPE.	Three	Suspension, 30 days, discretionary.
M07	Knowingly violating any motorcycle or moped equipment regulation of this Order.	Three	Suspension, 30 days, discretionary.
M08	(Intentionally Left Blank)		
M09	Operating a motorcycle without a valid Motorcycle Safety Foundation certificate.	Three	Suspension, 30 days, mandatory.
M10	Carrying item(s) so as to interfere with safe control of motorcycle or moped.	Three	Suspension, 30 days, mandatory.
M11	(Intentionally left blank)		
M12	Failure to yield right-of-way to bicycle, motor scooter, or motorcycle	Four	N/A
M13	Parking motorcycle or moped in buffer zone surrounding handicapped parking spaces or parking in yellow, red or white curve markings.	N/A	Suspension, 60 days, discretionary

Summary of Revision (ASO 5560.7 to ASO 5560.7A):

Below are revisions pertaining to ASO 5560.7 – Traffic

ASO 5560.7 (Current)	ASO 5560.7A (Revision)
Use these tables on the left side to identify which SMEAC paragraph and subsection, you are revising.	Use this side of the table to write out the revision.
References, Page 1	Added Reference (c) MCO 5110.1D. Reference (f) MCI EAST-MCB CAMLEJO. Reference 5560.2A Rearranged alphabetical order.
Par 1, Situation, Page 1	Removed “(MCAS) Cherry Point” and added “Cherry Point (MCAS CHERPT)”.
Par 2. Cancellation, Page 1	Added: “and ASO 5560.7”.
Par 3. Mission, Page 1	Added: Reference (c). Reference (f). (FLRA) after “Flight Line Restricted Area” to Reference (i). Reference (k). Rearranged alphabetical order.
Chapter 1, Par 1.b. Enforcement, Page 1-1	Added Sub Par c. <u>Violations</u> .
Chapter 1, Par 2. Definitions, Page 1-1 through 1-6	Added Sub Pars: a. Abandoned/Derelict vehicle. e. All-Terrain Vehicle (ATV). l. Chunking. v. Human Trafficking. vv. Traffic Court (TC) Clerk ww. Traffic Court (TC) Hearing Officer xx. Tread yy. Tread Depth aa. Unsafely Positioned Vehicle Rearranged alphabetical order.
Chapter 1, Par 3. General Policies, Page 1-6 through 1-8	Added Sub Pars: a. Driver Education. d. Motorcycles, Mopeds, Bicycles, and Horses. e. Private Owned Weapons. f. Restricted Access Warning. g. Searches Incident to a Lawful Stop. h. Searches Incident to a Lawful Apprehension. i. Random Vehicle Inspections. j. Searches of Civilians.
Chapter 2, Par 1, Policy, Page 2-1	Removed sub pars a. through f. and added new/updated sub pars a. through c.
Chapter 2, Par 2, Procedures, Pages 2-1 and 2-2	Removed sub pars a. through i. and added new/updated sub pars a. through h.
Chapter 2, Par 4.a., Termination of Registration and De-Registration, Page 2-2	Changed “The Provost Marshal” to read “The Director, Security and Emergency Services (SES) Directorate”.

Chapter 2, Par 4, Termination of Registration and De-Registration, Page 2-3	Removed sub par b. and added par 4. <u>Termination of Registration and De-Registration.</u>
Chapter 2, Pages 2-2 and 2-3	Added par 5. <u>Changes to be Reported.</u>
Chapter 3, Page 3-1 through 3-12	Re-arranged paragraphs numerical order to allow for added paragraphs.
Chapter 3, Page 3-1	Added par 3. <u>Drivers Under 26 Years of Age.</u>
Chapter 3, Par 6.c, Page 3-2	Changed par number 6 to 7 and changed “Notwithstanding” to read “In spite of”.
Chapter 3, Par 7, Page 3-2	Changed par number 7 to 8 and changed “Following” to read “Following Distance.”
Chapter 3, Par 21, Page 3-5	Changed par number 21 to 23 and removed “Prohibited” from “Sidewalk Operations Prohibited.”
Chapter 3, Par 22, Page 3-5	Changed par number 22 to 24 and changed “Headphones/Cell Phones” to read “Distracted Driving.” Removed sub-pars a. through c. and added new/updated sub pars a. through e.
Chapter 3, Page 3-6	Added Par 28. <u>Motorcycle Grandstanding.</u>
Chapter 3, Par 27, Page 3-6	Changed par number 27 to 29 and changed “Operation of Emergency Vehicles” to read “Emergency Vehicles Exemptions.”
Chapter 3, Page 3-8	Added par 33. <u>Low-Speed Vehicles (LSVs).</u>
Chapter 3, Pages 3-8 and 3-9	Added par 35. <u>Rough Terrain Container Handlers (KALMAR RT240).</u>
Chapter 3, Page 3-9	Added par 36. <u>Prohibited Areas</u> and par 37. <u>Human Trafficking.</u>
Chapter 4, Page 4-2	Added Par 7. <u>Reciprocal State Military Action.</u>
Chapter 5, Pages 5-1 through 5-5	Reformatted paragraphs and sub-paragraphs to accommodate new ones.
Chapter 5, Page 5-1	Added sub par b. <u>Aftermarket Neon/Light Emitting Diode (LED) Lighting.</u>
Chapter 5, Par 7, Page 5-1	Changed “Auxiliary Brakes” to read “Auxiliary Brakes Systems (ABS).”
Chapter 6, Page 6-1	Changed Chapter title from “Pedestrians, Bicycles, and Horses” to read “Pedestrians and Bicycles”
Chapter 6, Page 6-3	Added par 5. <u>Listening Devices.</u>
Chapter 6, Page 6-4	Removed par 6. <u>Horses.</u>

Chapter 8, Page 8-1	Added new par 2. <u>Parking Enforcement</u> and re-arranged par numerical order.
Chapter 8, Par 2, Page 8-1	Changed par 2. <u>Handicapped Parking</u> to par 4. <u>Parking Privileges for Handicapped Drivers and Passengers</u> . and added sub pars a., b., c. and d.
Chapter 8, Par 4, Page 8-1	Changed par 4. <u>Recreational Vehicles</u> to par 6. <u>Recreational Vehicle (RV) Parking and Storage</u> .
Chapter 8, Par 5, Page 8-1	Changed par 5. <u>BEQ/BOQ Parking</u> to par 7. <u>Bachelor Enlisted Quarters (BEQ) and Bachelor Officer Quarters (BOQ) Parking</u> .
Chapter 8, Page 8-1	Removed par 7. <u>Marking Parking Spaces</u> .
Chapter 8, Page 8-3	Added par 14. <u>Parking in Customer Services Areas</u> and par 15. <u>Marine Corps Community Services (MCCS) Resale Lot</u> .
Chapter 9, Par 1, Page 9-1	Changed par 1. <u>On-Station Accidents</u> to read 1. <u>On-Station Vehicle Accidents</u> .
Chapter 9, Page 9-1	Removed par 2. <u>Government Vehicle Accidents</u> and replaced with 3. <u>Vehicle Accidents Reporting</u> .
Chapter 9, Par 3, Page 9-1	Changed par 3. <u>Off-Station Accidents</u> . to read 2. <u>Off-Station Vehicle Accidents</u> .
Chapter 10, Page 10-1	Removed par 4. <u>Warning Citations</u> .
Chapter 10, Par 5, Page 10-1	Changed par 5. <u>Citation Point System</u> to par 4. <u>Traffic Citation Point System</u> .
Chapter 11, Pages 11-1, 11-2 and 11-3	Added Chapter 11 - Vehicle Towing, Impounding and Inventory with par 1. <u>Standards for Towing</u> , par 2. <u>Procedures for Impoundment</u> , par 3. <u>Search Incident to Impoundment Based on Criminal Activity</u> , and par 4. <u>Disposition of Vehicles After Impoundment</u> .