



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
POSTAL SERVICE CENTER BOX 8003
CHERRY POINT, NORTH CAROLINA 28533-0003

ASO 5560.7

PMO

108 DEC 2014

AIR STATION ORDER 5560.7 w/ Ch 1

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

Subj: MOTOR VEHICLE TRAFFIC REGULATIONS

Ref: (a) MCO 5110.1D
(b) MCO 5100.19F
(c) MCO P5300.12A
(d) Title 21 U.S.C. 812
(e) North Carolina General Statutes, Chapter 20
(f) Title 18 U.S.C. 13
(g) MCM, 2012, Military Rule of Evidence 315
(h) ASO 5560.6
(i) DoD Manual 4160.21-M
(j) 49 CFR 571
(k) ASO 5530.2C

Encl: (1) Motor Vehicle Traffic Regulation Guidelines

1. Situation. To establish policy and provide motor vehicle and traffic regulations for Marine Corps Air Station (MCAS) Cherry Point. 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. AirStaO P5560.3D w/Ch 1-6 and ASO 5560.2H

3. Mission. References (a) and (b) establish policy, responsibility, and procedures for the Marine Corps Traffic Safety Program for military personnel. References (c) and (d) set forth the policy on substance abuse as it pertains to driving motor vehicles. The rules of the road contained herein, and penalties for violations of those rules, are based on references (e) and (f) and apply to all personnel operating a vehicle aboard MCAS Cherry Point. Reference (g) establishes policy and procedures for the execution of all vehicle searches and seizures. Reference (h) establishes requirements for access to MCAS Cherry Point. Reference (i) establishes policy governing disposal of abandoned, lost, or found property. Reference (j) sets standards and minimum requirements for helmets designed for use by motorcyclists and other motor vehicle users. Reference (k) establishes requirements for parking within the flight line restricted areas.

DISTRIBUTION STATEMENT A: Approved for public release; distribution is unlimited.

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4. Executiona. Commander's Intent and Concept of Operations

(1) Commander's Intent. This Order is the guiding influence for motor vehicle traffic supervision aboard MCAS Cherry Point. 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" or "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 Cherry Point, and over which the Commanding Officer (CO), MCAS Cherry Point, exercises either exclusive, concurrent, or proprietary jurisdiction. The Provost Marshal 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 Cherry Point, Marine Corps Outlying Field (MCOFL) Atlantic, and Marine Corps Auxiliary Landing Field (MCALF) Bogue.

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


C. PAPPAS III

DISTRIBUTION: A



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ASO 5560.7 Ch 1
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28 OCT 2015

AIR STATION ORDER 5560.7 Ch 1

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

Subj: MOTOR VEHICLE TRAFFIC REGULATIONS

Encl: (1) New page insert to ASO 5560.7

1. Situation. To add a new paragraph to Chapter 5 of the basic order.
2. Execution. Remove page 5-5 of the existing order and replace with enclosure (1).
3. Summary of Change. Changed page 5-5 to add the requirements for mounting flags on Privately Owned Vehicles.
4. Filing Instructions. File this change transmittal immediately behind the signature page of the basic Order.


C. PAPPAS 1ST

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ASO 5560.7

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LOCATOR SHEET

Subj: MOTOR VEHICLE TRAFFIC REGULATIONS

Location: _____
(Indicate location(s) of copy(ies) of this Order.)

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RECORD OF CHANGES

Log the completed change action as indicated.

Change Number	Date of Change	Date Entered	Signature of Person Incorporating Change

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Chapter 1

Responsibilities, Definitions, and General Policies

1. Responsibilities

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

b. Enforcement. The Station Provost Marshal is delegated the authority to enforce these regulations. 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 driving procedures which are observed. MCAS Cherry Point Military Police and Marine Corps Police Officers, herein after referred to as Law Enforcement Officers (LEO), are the agents through whom the CO exercises police power in the control of vehicles operated aboard the Air Station. Accordingly, LEOs 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 a LEO invested by regulations with law enforcement authority.

2. Definitions

a. 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.

b. Air Station. All areas under the command and control of the CO, MCAS Cherry Point, to include MCOLF Atlantic and MCALF Bogue.

c. Exclusive Jurisdiction. Sole jurisdiction for a given area and exercise executive (law enforcement), legislative (CO), and judicial (Joint Law Center (JLC)) authority. MCAS Cherry Point is an exclusive jurisdiction.

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

e. 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.

f. Alcoholic Beverages. Any beverage which contains alcohol.

g. Blood Alcohol Concentration (BAC) Standards. As a uniform basis for administrative revocation of driving privileges and/or taking enforcement

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action, the amount of alcohol in a driver's blood as indicated by chemical analysis.

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

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

(1) Pleas of nolo contendere accepted by a court.

(2) Pleas 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.

j. Driver. Any person who drives or is in physical control of a motor vehicle. A driver is in physical control when he/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."

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

l. Driving Privilege. The privilege extended by an installation commander to a person permitting the operation of a motor vehicle within the limits of the installation.

m. Driving While Impaired/Refusal. Any driver, military or civilian, 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.

n. 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.

o. 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.

p. Emergency Vehicle. Fire, police, ambulance, and such other vehicles as may be designated by the CO.

q. Hitch-hiking. 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.

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

s. Implied Consent. Persons granted and accepting MCAS Cherry Point driving privileges shall be deemed to have given their consent to evidential tests for alcohol or other drug content of their blood, breath, and/or urine, if lawfully stopped, apprehended, or cited for any offense allegedly committed while driving or in physical control of a motor vehicle on U.S. military property while suspected to be under the influence of intoxicants. The person has a right to refuse to be tested. The test results, or the fact of the person's refusal, will be admissible into evidence at trial on the offense charged. 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 the PMO, the person's Station driving privileges will be temporarily suspended until that person appears before the MCAS Cherry Point Traffic Court.

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

u. 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.

v. 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.

w. 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. Tractors and mopeds are excluded.

x. 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).

y. 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.

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(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.

z. 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.

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

bb. Point System. An administrative aid to evaluate driver performance by assessing weighted point values for moving traffic violations. Appendix A shows assessments under the point system per reference (a), Chapter 5.

cc. 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.

dd. 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.

ee. 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.

ff. Reckless Driving. Any person operating a vehicle with culpable disregard of the foreseeable consequences to others, including operation of a vehicle in a heedless/aggressive manner actually or immediately dangerous to the occupants or to the rights and safety of others. Speed alone may be used to determine this violation when it is more than 15 mph over the posted limit and the actual speed is greater than 55 mph.

gg. Revocation of Driver's License. The termination by formal action of state authority of a person's license or privilege to operate a motor vehicle on a public highway, which 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.

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hh. Revocation of Driving Privileges. Action taken by an installation commander to terminate a privilege to operate a motor vehicle on a military installation. This action is normally levied by the Traffic Court Hearing Officer and may be for a period of up to 24 months. Indefinite suspensions may be used in accordance with traffic court regulations.

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

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

kk. 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.

ll. Suspension of Driving Privileges. The temporary withdrawal by an installation commander of a person's privilege to operate a motor vehicle on a military installation. Privileges may be restored the day after the date the suspension ends, provided the individual files the proper paperwork/request at the Pass and Identification Office (Pass and ID).

mm. Termination of Registration. Action taken pursuant to this Order to remove an installation decal or pass.

nn. 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.

oo. 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.

pp. 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. Local Law Enforced. Operation of government and privately owned motor vehicles on this Station is regulated per reference (e), except as modified or stated herein. Traffic enforcement is the responsibility of law enforcement personnel.

b. Operating Vehicles. The privilege to drive on this Station is contingent upon operating any vehicle in a safe, lawful, and prudent manner.

Chapter 2

Vehicle Registration

1. Policy

a. Motor vehicles owned by personnel who reside, perform duty, or are employed within the MCAS Cherry Point Area of Operations will be registered as per this Order.

b. Vehicles designed exclusively for construction and materials handling, and for operation solely off the traffic way, are not required to be registered. Tandem wheeled construction vehicles and tractor trailers also are not required to be registered.

c. Temporary station registration may be issued to authorized persons who are awaiting completion of requirements for permanent registration aboard the Air Station. The Pass and ID Office (Bldg. 251) will issue temporary station registrations during normal working hours.

d. Valid registrations issued by other military installations will be honored.

e. All permanent military personnel/civilian employees of MCAS Cherry Point will register their vehicle at the Pass and ID Office within 30 days of reporting aboard the Air Station.

f. Possession of an Air Station Vehicle Registration does not by itself authorize access to MCAS Cherry Point. Access to MCAS Cherry Point is covered in reference (h).

2. Procedures

a. Applications for registration will be made in person at the Pass and ID Office or online at the MCAS Cherry Point Military Police Website.

b. Vehicles registered aboard the Air Station must have valid registration from any State. The person registering the vehicle must be listed on the State registration, if not, they must provide a notarized letter from the registered owner of the vehicle authorizing them to operate the motor vehicle.

c. Vehicles registered aboard the Air Station must have valid insurance in the name of the person registering the vehicle that conforms to the minimum standard of the State of North Carolina.

d. All persons registering vehicles aboard the Air Station must have a valid driver's license issued by any State or U.S. Territory and cannot have suspended driving privileges in any State or U.S. Territory.

e. All military drivers under 26 years of age must provide evidence of satisfactory completion of a Military Drive Safe Course at the time of registration. A temporary registration will be issued if the military member can show proof of enrollment in the course.

f. Should a military member require corrective registration action while deployed or TAD, the spouse, a parent, adult dependent, or Squadron Commander are authorized to act for the principal in correcting registration matters.

g. Commercial company vehicles will be registered on the Air Station under the company or business name, address, and telephone number. The owner or next senior supervisor will be identified and listed as the point of contact. All vehicle operators must be an employee of the company and have been issued the proper badge to access the Air Station.

h. MCAS Cherry Point vehicle registrations will be valid for a period not to exceed three years or the end of the register's requirement to access the Air Station, whichever comes first.

i. Nonoperational 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.

3. Special Requirements for Motorcycles. In addition to all registration requirements above, the following is also mandatory to register a motorcycle aboard MCAS Cherry Point:

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

b. Military members must provide proof of satisfactory completion of the Motorcycle Safety Foundation Advanced Rider's Course. A Military member who has completed the Basic Rider's Course (BRC) may be issued a motorcycle registration one-time from the date he/she completed the BRC for a period not to exceed four months, while waiting to attend the Advanced Rider's Course.

4. Termination of Registration and De-Registration

a. The Provost Marshal or his Representative will Terminate the Registration of a Privately Owned Motor Vehicle when:

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

(2) 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.

(3) The owner knowingly permits the operation of the motor vehicle by an unauthorized driver. An unauthorized driver is any driver 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.

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

(5) The owner of the vehicle is apprehended 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 or more if over 21 years of age or .01 if under the age of 21.

b. Termination of Registration will take place as follows:

(1) All Air Station registrations will be confiscated at the time of apprehension or discovery pending a hearing before the MCAS Cherry Point Traffic Court Hearing Officer.

(2) As an exception to paragraph 4b(1) above, when the apprehended individual is married, the station registration will not be terminated but the proper code (Suspended Male/Suspended Female) will be applied to the online data base.

5. Changes to be Reported. All changes concerning registered vehicles will be reported to the Pass and 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 tag number.
- b. Changes in the duty station of the registered owner.
- 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 service of the civilian employee is terminated.

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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 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 (e) 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 POV aboard MCAS Cherry Point unless they possess a valid State driver's license. All drivers aboard MCAS Cherry Point must comply with all restrictions associated with their State Operators License.

3. Restraint System. Restraint system (seat belts) will be worn by all operators and passengers at all times when operating or riding in a motor vehicle manufactured after model year 1964.

a. All children less than 8 years of age and less than 80 pounds in weight shall be properly secured in a weight-appropriate car seat/booster seat.

b. 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.

4. Vehicle Occupancy. Vehicles operated aboard the Air Station shall not transport passengers in excess of the normal carrying capacity as designated by the manufacturer.

a. All passengers must have a seat restraint.

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

c. No person shall ride in the cargo area of a motor vehicle/pick-up truck 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.

d. POVs 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, in a manner that

obstructs the driver's view, or in a manner that interferes with the safe operation of the vehicle.

5. Vehicle Loads. Vehicle loads shall be properly secured to ensure items do not fall onto the roadway during operation. 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.

6. Speed Limit

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 posted otherwise.

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

c. Notwithstanding 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. 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.

g. Drivers will reduce their speed to 10 mph when approaching sentries at entrance points to the Air Station.

7. Following. 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 vehicle and existing traffic and road conditions.

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 exist the "three second" rule should be used.

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

8. 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 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.

9. 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.

10. Obedying a Traffic Control Officer. No person shall willfully fail or refuse to comply with any lawful order or direction of any LEO or traffic control officer.

11. Yield to Emergency Vehicles. Upon approach of any law enforcement or fire department vehicle warning signals by appropriate light, audible bell, siren, or exhaust whistle, the driver of a vehicle must move the 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.

12. 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.

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

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

15. Passing a Stopped School Bus. No vehicle shall pass a stopped school bus from any direction that has its mechanical stop signal displayed or is operating flashing red lights.

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

17. 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.

c. Convoys or groups of vehicles in a joint movement will comply with all traffic rules unless otherwise directed by law enforcement personnel.

18. 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.

19. 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 and highway at a distance of 500 feet ahead.

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

20. 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.

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

22. Headphones/Cell Phones

a. The use of cell phones while operating a motor vehicle aboard the Air Station is prohibited, unless used in a hands-free method (holding a cellphone that is on speakerphone is NOT considered to be hands-free). Vehicle drivers are prohibited from using electronic devices for text messaging or other hand held uses unless the vehicle is pulled off the roadway and safely parked.

b. Vehicle drivers will not wear headphones/ear buds.

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

23. Towing and Pushing Vehicles

a. No more than one vehicle will be towed by another.

b. Tow bars shall be used when towing vehicles; towlines 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.

24. Littering

a. Discarding bottles, cans, trash, cigarettes, or any litter whatsoever on MCAS Cherry Point streets or roads is prohibited. The vehicle operator is responsible for any litter discarded from the vehicle.

b. Persons moving a wrecked or damaged vehicle from the roadway shall be responsible for the removal of any plastic, glass, injurious materials, or any other debris dropped from that vehicle.

25. Racing. No person shall drive any vehicle on MCAS Cherry Point roadways in a race, speed contest, or competition.

26. Reckless Driving. Any person who operates a motor vehicle carelessly and heedlessly in willful or wanton disregard for the safety of others on any street, highway, or public vehicular area is guilty of reckless driving. Any person who exceeds the speed limit by 20 mph or more is guilty of reckless driving by speed.

27. Operation of Emergency Vehicles

a. Police, Fire, and Ambulances are authorized emergency vehicles. Drivers of emergency vehicles will:

(1) Avoid the unnecessary use of siren or signal light.

(2) Obey established speed regulations, except that emergency vehicles may exceed the established speed regulations, per their established policy, if the situation warrants (i.e. in pursuit of law violators, when answering an emergency, or as directed by the Watch Commander).

(3) Obey all traffic laws. In an emergency they may:

(a) Park or stand in any location.

(b) Proceed through stop signs but only after slowing down as may be necessary for safe operation.

(4) The foregoing provisions shall not relieve the driver of an authorized 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.

b. Volunteer Fire Department vehicles are not considered authorized emergency vehicles and shall not use sirens or lights aboard this installation.

28. Honors and Salutes

a. At morning and evening colors and during the playing of 'The National Anthem', all vehicles except those on authorized emergency runs shall be brought to a stop and shall remain stopped until "Carry On" is sounded.

b. All persons of the Naval service who recognize officers senior to them as drivers/passengers in privately owned and government vehicles shall render the appropriate salute.

29. Government Vehicles

a. No person shall operate a government vehicle with a gross vehicle weight (GVW) of 10,000 lbs. or more unless he/she is a student driver or has in his possession a valid U.S. Government Motor Vehicle Operator's Identification Card with a capacity equal to, or greater than, that authorization on his permit. For operation of automotive equipment under 10,000 lbs. GVW, military personnel are required to possess either a valid state driver's license or a SF-46, U.S. Government Motor Vehicle Operator's Card. The exception to the above will be drivers of tactical vehicles and emergency type vehicles such as ambulances, MCAS Cherry Point Police, and crash crew who will be required to possess a U.S. Government Motor Vehicle Operator's Identification Card.

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. The speed of all tactical wheeled vehicles, including motor transport items and Light Armored Vehicles (LAVs), in convoy or single run, is limited to the posted speed limit or 45 mph, whichever is slower. This restriction applies on and off-base.

30. Radar Detection Devices. The use of a radar detection device to indicate the presence of speed recording instruments or a device used to transmit erroneous speeds is prohibited. Radar detection devices may not be mounted on the dashboard in such a manner as to allow the driver to turn on the device while aboard MCAS Cherry Point. If permanently mounted on the vehicle, the power cord must be detached from the device while aboard MCAS Cherry Point. If mounted to the windshield by suction cup, it must be removed and stored in the glove box, console, or trunk.

31. Noise Originating from within Vehicles. The driver will ensure that noise (whether from a car stereo or other source) does not exceed the following limits:

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

b. 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.

c. 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.

d. No obscene language will be heard outside the vehicle with windows open or closed.

32. Standards for Towing/Impoundment. A POV 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.

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

b. Another responsible person may be allowed to drive or tow the POV with permission from the owner/operator, or person empowered to control the vehicle. In this case the owner, operator, or person empowered to control the vehicle will be informed that MCAS Cherry Point Police personnel are not responsible for safeguarding the POV.

c. The owner of any vehicle left unattended and/or illegally parked for 24 hours 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 as directed within 72 hours, the vehicle will be towed off-station by a commercial wrecker to a commercial storage lot. All charges and expenses for towing and storage will be borne by the owner of that vehicle.

d. Those unattended/illegally parked vehicles that may be towed immediately at the owner's expense fall into one or more of the following categories. Vehicles that:

- (1) Present a traffic hazard to the motoring public.
- (2) Block the normal flow of traffic.
- (3) Are being stripped or vandalized
- (4) Have been 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.
- (5) Have been involved in the commission of a crime, such vehicles may be impounded as evidence.
- (6) Have inadequate insurance coverage.
- (7) Have illegal registration or plates.
- (8) Interfere with operational commitments when prior notice of the operational requirement was provided at least three days in advance via all hands emails and or the Windsock.

33. Procedures for Towing/Impoundment. MCAS Cherry Point Police will conspicuously place a notice on the vehicle considered unattended and make an entry in the MCAS Cherry Point Police Desk Journal. The owner will be allowed three days from the date the POV is tagged to remove the vehicle

before towing action is initiated. After this period has passed a contracted wrecker service will remove the vehicle.

a. An inventory listing personal property will be done to protect the owner, law enforcement personnel, the contractor, and the station commander. Personal property found will be placed in a secure area for safekeeping.

b. A towing notice will be forwarded by certified mail to the last-known address of the last-known owner of the vehicle to advise the owner of the action, and request information concerning the owner's intentions pertaining to the disposition of the vehicle.

c. If the vehicle is to be held for evidentiary purposes, it will remain in the custody of the MCAS Cherry Point Police until law enforcement purposes are served.

d. All recovered stolen POVs will be released to the registered owner, unless held for evidentiary purposes, or to the law enforcement agency reporting the vehicle stolen, as appropriate.

34. Search Incident to Impoundment Based on Criminal Activity

a. If a property search of a vehicle related to an investigation of criminal activity must be conducted and the owner or operator is not present, a search authority should be obtained unless the item to be seized is in plain view or is readily discernible on the outside as evidence of criminal activity. When in doubt, proper search authority should be obtained.

b. If the owner or operator is present and a danger exists to the MCAS Cherry Point Police or 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 valid search authorization can be obtained.

35. Disposition of Vehicles after Impoundment

a. If the POV 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 unless directed otherwise by competent authority.

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

36. Operation of Commercial Wrecker Service

a. All commercial wrecker services operating aboard MCAS Cherry Point will comply with state and county regulations pertaining to the towing and storage of motor vehicles and property.

- b. All wrecker services must be available on a 24-hour basis.
- c. Wrecker owners/operators are prohibited from soliciting business at traffic accident scenes.
- d. When called, the wrecker service must immediately inform the MCAS Cherry Point Police Desk Sergeant whether a wrecker is available to make the tow. There will be no substitutions of wrecker services. If one wrecker service is not available, the wrecker owner/operator cannot accept the call and have another service make the tow.
- e. The maximum response time for the summoned wrecker service is 30 minutes. If due to climatic conditions, i.e. snow, ice, etc., the wrecker service is unable to meet the 30 minutes response time, then an additional 15 minutes will normally be allowed. If climatic conditions are favorable and the response time has expired, then the next wrecker service on the wrecker rotation list will be contacted for the tow.
- f. Wrecker services responding to a call will not use emergency flashers or amber lights unless specifically directed by the on-scene MCAS Cherry Point Police.
- g. No wrecker service is authorized to exceed the posted speed limit aboard the Air Station.
- h. All wrecker services will be equipped as follows:
 - (1) Prescribed emergency lights.
 - (2) Dual rear tires.
 - (3) Hand and power winches.
 - (4) Flares.
 - (5) Broom.
 - (6) Shovel.
 - (7) Fire extinguisher.
 - (8) Pry bar.
 - (9) Dollies.
 - (10) Unlocking device (slim-jim).
- i. Wreckers must be capable (large enough) of extracting vehicles from ditches, mud, creeks, etc.
- j. Once the first hook is connected, that wrecker owner/operator assumes total responsibility for any additional damage or loss to the motor vehicle/property until such time as the owner receives the motor vehicle/property.

k. Wrecker operators will ensure all debris is removed from the roadway prior to leaving the traffic accident scene.

l. Wrecker services will not release towed vehicles unless authorized by the registered owner, Security and Emergency Services (SES) Directorate, or the title to the vehicle/property is obtained from the State.

m. The wrecker services must notify the SES Directorate (Impound/Traffic Court Clerk) when it obtains title to a vehicle or desires to otherwise dispose of it. This does not include returns to registered owners.

n. The wrecker services will maintain accurate records of all vehicles/property removed from the Air Station. These records will include but not be limited to the following:

- (1) Date, time, and location of tow.
- (2) Name of MCAS Cherry Point Police Person authorizing tow.
- (3) Name of wrecker service driver.
- (4) Date the State of NC was notified of the tow.
- (5) Date a title was applied for.
- (6) Final disposition of the vehicle.

o. All wrecker services owners/operators will apply to the Provost Marshal for designation as an authorized wrecker service for the Air Station in writing.

p. To safeguard against the unauthorized removal of vehicles from the Air Station, all towing companies attempting to access the Air Station will be instructed to report to the Joint Law Center to ensure the towing company has the proper paperwork for the removal. Towing companies attempting to gain access afterhours will be instructed by the gate sentries to report to the Joint Law Center on the next business day.

q. Authorized wrecker services are authorized to charge a fee for their services.

37. Liaison Responsibility. The Provost Marshal shall:

a. Maintain an Authorized Wrecker Services List with an Acceptance Agreement Statement between the wrecker service and the Air Station that will be renewed annually by 31 January of each year. Maintain liaison with the commercial wrecker services desiring to operate aboard the Air Station.

b. Maintain a Wrecker Services Rotation Log.

c. Ensure that the authorized maximum rate fees are not exceeded.

d. Maintain records of all vehicles/property that are towed/impounded.

38. Low-Speed Vehicles. A low-speed vehicle is 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 flightline 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 MCAS Cherry Point:

a. They will not be parked on a street or in a service driveway; the ignition key will be removed when the operator is more than 20 feet from the vehicle.

b. They will not be towed by another vehicle, except by trailers manufactured for that purpose.

c. They will not be allowed on the main roadway of Roosevelt Boulevard between C Street and the Hancock Creek Marina turnoff and on Slocum Road from Alexander to Highway 70.

d. In the performance of mission essential duties, government-owned low-speed vehicles will be allowed limited use of the main roadway of Roosevelt Boulevard between the intersection of Slocum Road/6th Ave and Monroe Road from 0900-1100 and 1330-1530 Monday through Friday, excluding holidays.

e. Forklifts will not be operated on roadways outside the flightline where the speed limit is greater than 20 mph.

39. Required Equipment for Low Speed Vehicles. Every low speed vehicle operated aboard MCAS Cherry Point 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 vehicle may indicate to the operator of another vehicle, approaching from either the front or rear and within a distance of 200 feet, his/her intention to turn from a direct line. For government-owned low-speed vehicles 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 taillight(s).

e. Headlight(s) and the rear lamps shall be lighted at all times while the vehicle is operating. For Government-owned, low-speed vehicles not equipped with headlights, brake lights and/or rear lamps, an amber flashing light and reflective DOT approved traffic safety triangle will be affixed to the top and to the rear-center of the vehicle.

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 section, "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/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 Driving While Impaired/Refusal.
3. Driving While Impaired. A person commits the offense of Driving While Impaired if he/she drives 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 him/her having a 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 his/her blood or urine;
 - d. And 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.
4. Driving After Consuming Alcohol (Under the Age Of 21). Any person under the age of 21 who is proven to have operated a motor vehicle with a BAC of .01 or higher is guilty of Driving While Impaired.
5. Implied Consent. Any person(s) granted and accepting MCAS Cherry Point driving privileges shall be deemed to have given their consent to evidential tests for alcohol or other drug content of their blood, breath, and/or urine, if lawfully stopped, apprehended, 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 the PMO, the person's Station driving privileges will be temporarily suspended until that person appears before the MCAS Cherry Point Traffic Court.
6. 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 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, will report to the PMO for processing immediately upon returning to the Station. Upon being processed by the PMO, that person's Station driving privileges

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will be temporarily suspended until that person appears before the MCAS
Cherry Point Traffic Court.

7. 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.

Chapter 5

Required Motor Vehicle Equipment

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 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. Horn. Horn, 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.
3. Steering and 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.
 - a. 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.
 - b. Front or rear springs must not be broken or sagging.
 - c. Shock absorbers shall be firmly attached and in serviceable condition.
4. Bumpers. Vehicles are required to have bumpers equal to factory bumpers in width, length, and strength.
5. 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.
6. Brakes. Brakes must be adequate to control the movement of and to stop such vehicle within a distance of 25 feet (Driver reaction time excluded) when traveling at a speed of 20 mph.
7. Auxiliary Brake. Including ratchet or holding device, must be in good working order, having 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.

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

9. Windshield Wipers. Wipers must be of good working order capable of clearing snow, rain, moisture or other matter from the windshield.

10. Headlights. 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.

a. Lenses must not be cracked or broken.

b. High/low beam dimmer switch and indicator must be in good working order.

c. Must not project a dazzling or glaring light while on low beam.

11. Light Covers. Light covers cannot be tinted/colored as to obstruct proper use, observation and view of lights.

12. 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.

13. 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.

14. Directional Signals. All motor vehicles manufactured after 1 July 1953, must be equipped with electrical or mechanical turn signals. All right-handed drive motor vehicles or vehicles so constructed that the hand signal is not visible, both to the front and rear, shall be equipped with electrical or mechanical signals.

a. Flashing directional signals must be visible from the front and rear.

b. Directional signals must be securely mounted on vehicles. Wiring and connections must be in good condition.

c. Lenses must not be cracked, broken, missing, or discolored.

d. Front directional signals must project white or amber lights. Rear signals must be red or amber light only.

15. 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.

16. 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.

17. License Tag Light. Must be mounted on the rear so as to illuminate the license tag with a white light at night visible for at least 50 feet.

18. 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.

19. 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.

20. Tires. No person shall operate a motor vehicle upon any road on this installation unless each tire in contact with the ground has a thread of at least 1/16 inch in depth on its entire running surface. Racing slicks are prohibited. Oversized tires must be covered by the fender well or fender extensions.

21. 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.

22. Windshield. All motor vehicles shall be equipped with a permanent windshield, and the glass shall not be obstructed by any sign, poster, or other non-transparent material other than a certification or other paper required to be displayed by law or regulation, and the 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.

23. Windows. The front seat windows and vent windows 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. All vans, station wagons, and similar type vehicles that do not have side or rear windows or that have the side and/or rear windows covered must be equipped with appropriate right and left side mirrors 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.

24. 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.

a. 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.

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

c. 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.

d. 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.

e. 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.

25. Mirrors. No person shall drive a motor vehicle upon any road if the motor vehicle is so constructed or loaded to prevent the driver from obtaining a view of the road to the rear by looking backward from the driver's position unless such vehicle is 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.

26. 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.

27. Body. No person shall operate a motor vehicle upon any road unless the body, fenders, doors, hood, trunk, lid, or other body attachments are 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.

28. 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 principally for carrying passengers, which is constructed either on a truck chassis or with special features for occasional off-road operation.

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

- a. A cutout or straight through muffler.
- b. Any spotlight on the rear of the vehicle unless such vehicle is so equipped for a public service.
- c. Blue Lights.
- d. Forward facing red lights.
- e. Visible neon lights.
- f. License plate covers of any color other than clear or which would prohibit the viewing of the license plate in its entirety.
- g. Tires extending beyond fender wells or mud flaps.
- h. Television forward of the driver.

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

- a. Be no larger than 12 inches by 15 inches.
- b. Be mounted to POVs using a device that shall be able to endure winds while driving at a speed of 55 mph.
- c. Not be placed on an area of the vehicle where it would obstruct the vision of the operator.
- d. 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.

31. Inflammatory Vehicle Decals, Displays, or Demonstrations. Displaying any sign, poster, decal, bumper sticker, emblem, or insignia on any motor vehicle operated aboard MCAS Cherry Point which is determined to be obscene, profane, or discriminatory by wording or picture is prohibited. 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. 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 Air Station driving privileges or denial of admission to this installation. Any display or demonstration on the installation that undermines the good order and discipline, morale of military personnel, or presents a potential to disrupt or interfere with the mission of this Command will be discontinued immediately. The Staff Judge Advocate, on a case-by-case basis, will review any suspected violations of this provision.

Chapter 6

Pedestrians, Bicycles, and Horses

1. Pedestrians. LEOs will enforce portions of the traffic code of the State of North Carolina and this Order that apply to pedestrians. Additionally, pedestrians will:

- a. Cross roads at intersections or crosswalks whenever possible.
- b. In the absence of sidewalks or a trail, individual runners, joggers, and walkers will use the left side of the road facing oncoming traffic and not run on the roadway. Individuals must remain a safe distance off the road and not interfere with vehicular traffic. This includes organized physical training when not in formation, with road guards, and trail vehicle.
- c. Comply with orders or directions of LEOs or traffic control persons.
- d. Not enter any crosswalk or roadway when vehicle traffic is so close that it constitutes an immediate hazard to pedestrians or vehicles.
- e. Do not stand on the roadway to solicit a ride in any vehicle, including at authorized pickup stations. They may stand on the side of the road.

2. Loitering. During the hours of darkness, no individual or group shall be permitted to loiter or stand idly about on the street, sidewalks, parking lots, playground areas, or other public places of the Air Station (to include housing areas).

3. Jogging/Physical Fitness Safety and Regulations. The safety of all service members, family members, and guests aboard the installation is the first priority. Regulations are established specifically to ensure their safety, protect drivers, and maintain individual unit readiness. The following regulations are to be complied with:

- a. In the absence of sidewalks or established trail, individual runners, joggers, and walkers will use the left side of the road (facing oncoming traffic) and will not run/jog/walk on the roadway. Individuals must remain a safe distance off the roadway and not interfere with vehicular traffic.
- b. Individuals will not run, jog, or walk on roadways during high traffic density and peak traffic periods. Individuals should jog in patrolled areas and wear light colored clothing. During periods of reduced visibility and between evening and morning colors, all personnel shall wear reflective clothing, vest, or belt when conducting physical training or exercising on or near roadways.
- c. Joggers/walkers shall cross roads only at intersections and in crosswalks, whenever possible.
- d. Runners/Walkers shall not enter any crosswalk or roadway when vehicular traffic is so close as to constitute an immediate hazard to them or to the driver if they have to avoid hitting the jogger.

4. Troop Formations. Personnel in charge of troop formations will ensure they:

a. Travel as close as possible to the right edge of the roadway except when turning left and ensure persons accompanying the formation, such as unit leaders, are not in the traffic lane.

b. Don't halt the formation at an intersection where it will block traffic or otherwise cause a hazard.

c. Post road guards at crossroads and intersections. Road guards must wear reflective vests at all times and carry working lighting equipment (flashlights) during the hours of darkness or reduced visibility.

d. Comply with directions of LEOs or other traffic control persons.

e. Maintain as close a formation as possible. If necessary, form stragglers into another formation to minimize traffic delays while crossing roadways.

f. Cross roadways at cross walks using the most expedient means to clear the roadway such as flanking movement if in columns.

g. Use only authorized Government emergency vehicles for escorting/trailing formations.

h. Pedestrians and troop formations are not permitted to cross Roosevelt Boulevard at the intersection of 7th Avenue during hours of darkness.

i. Troop formations will not run in the housing areas, on Roosevelt Blvd., on Cunningham Blvd., or on Slocum Road due to high traffic volume, active aircraft runways, and explosive arc requirements.

j. If the side of the road will not accommodate the Troop Formation, the formation will travel in the right lane as close as possible to the edge of the roadway. Unit leaders shall ensure they and other escorts are not in the opposite traffic lane.

k. Formations shall post road guards at crossroads and intersections. Road guards must wear reflective vests at all times. All personnel must wear reflective gear between evening colors and morning colors and during periods of reduced visibility such as rain or fog. During the hours of darkness and reduced visibility formations must be equipped with lighting equipment (flashlights).

5. Bicycle Traffic Rules. The term "bicycle" throughout this Order does not include mopeds. The following provisions apply to all persons riding bicycles.

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

b. Operator Responsibility

(1) Bicycles are permitted only on streets, roads, and parking areas. Bicycles are prohibited on athletic fields, tracks, lawns, seeded areas, and sidewalks. Bicycles will not be allowed on the main roadway of Roosevelt Boulevard between "C" Street and the Hancock Creek Marina turnoff and on Slocum Road from the Alexander/Slocum Road traffic signal to Highway 70. However, the jogging/bicycle trails will be utilized where available. On all other roads, bicycles will be ridden with the traffic and kept to the right edge of the 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.

(2) Maximum speed limit for bicycles is 30 mph unless a lower speed limit is posted for the area being ridden through.

(3) 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.

(4) Bicycle operators will not wear radio headsets, earphones, or other devices which obstruct their hearing.

c. Required Equipment. Bicycles must be equipped with:

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

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

(3) Amber reflectors on front and rear surfaces of all pedals.

(4) A red reflector with a minimum of nine square inches facing rearward and unobstructed when viewed from the rear.

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

(6) Bicycles will be equipped with brakes that will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(7) DOT approved bicycle helmets will be worn by all personnel who ride bicycles on the installation's streets, roadways, sidewalks and posted bicycle/running trails.

d. Required Equipment for Night Riding. All bicycles used at night must be equipped with:

(1) A functioning headlight with a beam of 30 feet and a taillight or red reflector.

(2) 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.

6. Horses. Horses are permitted on board the Air Station in the designated stable areas and on authorized riding trails.

a. Horses will not be ridden or walked on streets and walkways without specific approval from the CO, MCAS Cherry Point.

b. Movement of horses to and from the stable shall be by suitable trailer.

Chapter 7

Operating Motorcycles, Mopeds, Scooters, Pocket Bikes, and Motorized Bicycles

1. Motorcycle. 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.
2. Moped. 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.
3. 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.
4. Personal Protective Equipment (PPE) and Clothing Requirements. Every person operating or riding on a motorcycle, moped, scooter, or motorized bicycle on the Air Station will wear proper PPE and clothing. Military personnel operating or riding on a motorcycle, moped, scooter, or motorized bicycle will wear proper PPE and clothing both on and off station. The PPE and riding apparel described below are authorized on and off station. The PPE and riding apparel described below are authorized to be worn with uniforms but must be removed immediately upon getting off the motorcycle, moped, scooter, or motorized bicycle. The following PPE and clothing requirements shall be strictly enforced:
 - a. All operators and passengers shall wear a properly fastened (under the chin) helmet that meets or exceeds the standards per reference (j). When a helmet manufacturer meets or exceeds reference (j) test standards such as Snell Memorial Foundation, the American National Standards Institute (ANSI) or the DOT safety standards, the appropriate marking will be placed on the rear outside portion of the helmet. All helmets are required to have a non-removable tag on the inside of the helmet that indicates the helmet meets test standards. A tag or sticker inside the helmet will also provide the size, make, manufacturer, material used for manufacture of the helmet, and date of manufacture. The interior head padding is typically one inch thick and the chin strap is riveted to the helmet and uses a non-snapping buckle under the chin. When the retention strap consists of components which can be independently fastened without securing the complete assembly, each such component shall independently meet the requirements of reference (j). A helmet shall not have any rigid projections inside its shell. Rigid projections outside any helmet's shell shall be limited to those required for operation of essential accessories, and shall not protrude more than 0.20 inch (5mm).
 - b. All operators and passengers will wear suitable eye protection that meets or exceeds the ANSI Code and are shatter resistant. Eye protection used without a face shield or windshield should seal the cup of the eye through the use of a strip of foam or material around the inside of the lens. A windshield or fairing is not considered suitable eye protection.

c. All operators and passengers shall wear full-fingered gloves that shall be constructed of, or with, abrasion resistant material. Gloves such as green/black inserts are unacceptable.

d. All operators and passengers will wear a long sleeve shirt that shall be past the elbow while the rider's hands are on the handlebar grips. An armored type riding jacket made of abrasion resistant material is highly recommended.

e. All operators and passengers will wear sturdy, above the ankle shoes or boots that provide support and traction when riding or when in transition of movement from a stop/starting position. Unacceptable foot wear is defined as any shoe or boot that has an open toe, open foot/heel design, extensive heel over two inches, tennis/athletic shoes, or a total canvas or rubber material construction.

f. All operators and passengers will wear full length trousers that goes beyond the knees while in the riding position. Dresses, skirts, capris pants, sweat pants and jogging pants are not authorized. An armored type riding trousers made of abrasion resistant material or jeans are highly recommended.

5. License Requirements. All persons who operate motorcycles (to include mopeds, scooters, "pocket bikes" and "motorized bicycles") whose piston displacement is greater than 49 cubic centimeters, has an external shifting device and which can exceed 30 mph shall have in their possession at all times while operating/driving a motorcycle, a license issued to them specifically for motorcycle operation. Those vehicles/bikes/bicycles with a motor of no more than 49 cubic centimeters of piston displacement, no external shifting device, and a top speed of not more than 30 mph on a level surface require no special licensing for the operator.

6. Safety Course Required. Military members must have on their person proof of satisfactory completion of the Motorcycle Safety Foundation Advance Riders Course at all times while operating a motorcycle or any other "motorized bicycle" whose piston displacement is greater than 49 cubic centimeters, has an external shifting device and which can exceed 30 mph. Military member may have proof of completion of the Basic Riders Course (BRC) for a period not to exceed four month while waiting to attend the Advance Riders Course.

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 improve road surfaces and designated parking areas. Trail riding, hill climbing, "hare and hound" racing, and related activities are expressly prohibited.

8. 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 Cherry Point Building, with the exception of the Exchange Service Station and Hobby Shop Garage.
- k. No person riding upon a motorcycle shall attach himself or herself or the motorcycle to any other vehicle on the roadway while in operation.
- l. Riding without at least one hand on the handle bars at all times.
- m. No swerving in lanes to warm tires for traction.

9. 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. Pocket bikes are prohibited on MCAS Cherry Point due to their limited visibility of other motor vehicle operators.
- e. May drive the posted speed limit or 30 mph, whichever is less.
- f. 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.
- g. Will not be operated while wearing radio headsets, earphones, or other devices which obstruct hearing.
- h. Will not carry any other passengers except when the vehicle is equipped with an additional firmly fixed seat and foot pegs for that purpose.
- i. Will be equipped with brakes that will enable the operator to make the braked wheel skid on dry, level, clean pavement.

10. 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 the motorcycle is in operation aboard the Air Station.
- 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.

11. 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.

12. Recreational Areas. There are no authorized recreational areas for the operating of mini-bikes, dirt bikes, all-terrain vehicles (ATVs), go carts, or other off-road, non-licensed vehicles aboard the Air Station. ATVs and dirt bikes are authorized in the approved training areas when attending classes sponsored by Safety and Standardization.

Chapter 8

Parking

1. Parking on Streets. Vehicles parked on roads or streets 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.
2. Handicapped Parking. Handicapped parking spaces shall be set aside at each facility aboard the Air Station. Vehicles parked in handicapped parking must display a proper permit and the individual who rates the handicapped parking permit must be the operator of or passenger of the vehicle.
3. Visitor Parking. Parking spaces marked as visitor parking are only for bona fide visitors to a building. Personnel who normally work in the building may not use visitor parking spaces.
4. Recreational Vehicles. Recreational vehicles (boats, campers, motor homes, camper shell, etc.) are prohibited from being parked in the Bachelor Enlisted Quarters (BEQ)/Bachelor Officer Quarters (BOQ). BEQ/BOQ residents may utilize the lot on "C" street across from building 150 by contacting the Bachelor Housing Manager at 252-466-2139 or 252-466-2699.
5. BEQ/BOQ Parking. All parking in the BEQ/BOQ parking lots shall be on a first come, first served basis.
6. Reserved/Designated Parking. Reserved/designated parking spaces will be set aside for areas such as the Marine Corps Exchange, clubs, and other appropriate areas as approved by the Facilities Director (FacDir).
 - a. Letters requesting reserved/designated parking spaces, including visitors, handicapped, official vehicles, organizational leadership, etc., or changes of marked parking spaces shall be addressed to the FacDir for approval through the appropriate chain of command.
 - b. Vehicles parked illegally in a reserved parking space may not be "Blocked In." Instead, report the offending vehicle to the PMO Desk Sergeant at 252-466-5125.
7. Marking Parking Spaces. Marking of parking spaces shall be white, block style letter/numbers 5 inches high and 4 inches wide. Signs showing individual reserved parking spaces in paved parking areas are inappropriate, and will not be used. Designation of parking spaces by name, grade, rank, or title should be avoided.
8. Parking within Flight Line Restricted Areas. Parking within the flight line restricted areas aboard the Air Station is addressed in reference (k).
9. Unattended Parked Vehicles. No vehicle will 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.

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

- a. On a sidewalk or crosswalk.
- b. In front of a public or private driveway.
- c. Within 20 feet of a fire hydrant
- d. Within 20 feet of an intersection, a driveway entrance to any emergency facility, or any building except in designated parking areas.
- e. Along any curb painted yellow or red.
- f. In service driveways or fire lanes.
- g. In a double-parked position.
- h. On a bridge.
- i. On the shoulder of any road unless the location is marked as an authorized parking area.
- j. In a manner as to obstruct traffic, loading areas, driveways, or refuse collection.
- k. On any area where prohibited by official sign, to include housing areas.
- l. Along sidewalks in public quarters.
- m. In isolated areas of the Air Station during hours of darkness except when required by official duty or emergency.
- n. On the grass or seeded area.
- o. No POV may be parked, garaged, or stored in any Marine Corps motor pool, shop, or any building storing Marine Corps Property.
- p. No vehicle may parked when the vehicle is leaking fluids onto to the roadway or parking area.

11. Parking Inoperative Vehicles. Personnel with inoperative vehicles may request a 30-day "parking only" registration from the Provost Marshals for the purpose of making repairs at the Hobby Shop. During this period the vehicle will not be moved without the permission of the Provost Marshal.

12. Parking at Fleet Readiness Center (FRC) East. FRC-East provides and controls parking areas designated for its employees. Use of Station open lot parking by FRC personnel, except those conducting business aboard the Air Station, is prohibited.

Chapter 9

Traffic Accidents

1. On-Station Accidents. MCAS Cherry Point 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 Cherry Point Police will investigate all accidents that involve a government vehicle; 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 Consolidate Law Enforcement Operation Center (CLEOC). The original copy will be retained at the PMO.
2. Government Vehicle Accidents. All traffic accidents involving government vehicles, occurring on or off-Station, will be reported immediately to the Provost Marshal or his designated representative.
3. Off-Station Accidents. The Provost Marshal or his authorized representative will, through liaison with civilian law enforcement agencies, perform 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 accidents that involve a government vehicle or any vehicle accident where the potential for litigation against the U.S. Government or other significant Federal interest exists will be investigated. All 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.
4. Judge Advocate General (JAG) Manual Investigations. CO's exercising special courts-martial jurisdiction will conduct investigations into motor vehicle accidents when required by the JAG Manual, both on and off the Air Station. Relevant information obtained by the Provost Marshal will be made available to the appointed investigating officer/body.

Chapter 10

Traffic Citations

1. Citations Issued. LEOs of the PMO will issue Armed Forces Traffic Tickets (DD Form 1408) for referral to the MCAS Cherry Point Traffic Court, and U.S. District Violation Notices (DD Form 1805) for referral to a U.S. Magistrate. DD Form 1805 will only be issued after receiving authorization from the Provost Marshal or Deputy Provost Marshal. Anyone who receives a traffic citation aboard the Air Station must report to the Traffic Court Clerk at the Pass and ID Office within three business days.
2. Parking Citations. The only parking violations enforced by the PMO are those involving properly marked handicap spaces, seeded areas, fire lanes, or vehicles blocking lanes of traffic. Violations of other reserved spaces such as those designated for billet holders within an organizational unit 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 it to the PMO and initiate a third party citation. The time, date, exact location of the violation, vehicle license 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. The person reporting the violation will also be required to appear at base traffic court, if the citation is contested. Anyone wishing to issue a third party citation will not receive the rank, name, unit or any other identifiable information of the third party. The PMO will handle all required contact and inform both parties of any base court date.
4. Warning Citations. A Warning citation may be issued for minor violations. If an individual receives more than one warning citation in a 30-day period or more than two in a 6-month period, the Provost Marshal may direct that the most recent one be reissued as a DD Form 1408 requiring a court appearance if contested or appropriate points if uncontested.
5. Citation Point System. The MCAS Cherry Point Traffic Court Clerk will keep track of all points assessed on an individual's base driving record. The point penalties and mandatory suspensions for certain violations are found in Appendix A of this Order.

APPENDIX A

TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

CODE NO.	VIOLATION	POINTS	SUSPENSION/REVOCATION
001	Manslaughter (or negligent homicide by vehicle) resulting from the operation of a motor vehicle.	N/A	Revocation, one year mandatory.
002	Driving while impaired (DWI, to include but not limited to driving with the BAC of .08 or more).	N/A	Revocation, one year mandatory. Revocation for an additional two years for each subsequent DWI within a five year period.
003	Guilty of any non-drug related offense punishable under the UCMJ by death or confinement in excess of one year, wherein a vehicle was used in the commission of a felony.	N/A	Revocation, one year mandatory.
004	Fleeing the scene of an accident (hit and run) involving death or personal injury.	N/A	Revocation, one year mandatory.
005	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.
006	Unauthorized use of a motor vehicle belonging to another, which act does not amount to a felony.	N/A	Revocation, one year mandatory.
007	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.
008	Possession, sale, use, introduction, or distribution of narcotics, marijuana, dangerous drugs, or controlled substances.	N/A	Revocation, one year mandatory.
009	Refusal to submit to chemical test (implied consent).	N/A	Revocation, one year mandatory.
010	Incompetent to drive a motor vehicle (mental or physical impairment).	N/A	Suspension for a period of six months or less, or revocation for a period not to exceed one year is discretionary.
011	Committed an offense off-Station, which would be grounds for suspension/revocation on Station.	N/A	Suspension for a period of six months or less, or revocation for a period not to exceed one year is discretionary.
012	Permitted an unlawful or fraudulent use of an official driver's license.	N/A	Suspension for a period of six months or less, or revocation for a period not to exceed one year is discretionary.
013	Fleeing or attempting to elude police.	N/A	Suspension for a period of six months or less, or revocation for a period not to exceed one year is discretionary.
014	Conviction for racing on the highway.	N/A	Suspension for a period of six months or less, or revocation for a period not to exceed one year is discretionary.
015	Reckless driving (willful) and wanton disregard for the safety of persons or property.	N/A	Suspension, 90 days mandatory. Suspension, more than 90 days for repeat offenders (period in excess of 90 days at discretion of Traffic Court Officer).
016	Owner knowingly and willfully permitting another to operate a vehicle when physically impaired.	Six	N/A
017	Fleeing the scene of an accident (hit and run) involving damage to property of another.	Six	N/A
018	Speed contest.	Six	N/A

APPENDIX A

TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

CODE NO.	VIOLATION	POINTS	SUSPENSION/REVOCATION
019	Speeding 1-10.9 MPH above the posted limit.	Three	N/A
020	Speeding 11-14.9 MPH above the posted limit.	Four	N/A
021	Speeding 15 MPH or more above the posted limit.	N/A	Suspension, 90 days mandatory. Suspension, more than 90 days for repeat offenders (period in excess of 90 days at discretion of Traffic Court Officer.)
022	Possession, sale, use, introduction, or distribution of any man-made synthetic compounds ("spice" or other synthetic cannabinoids), 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.
023	Speed too fast for conditions.	Two	N/A
024	Operation below the minimum limits or at such a slow speed as to impede the normal and reasonable movements of traffic, unless required by weather conditions.	Two	N/A
025	Following too closely.	Four	N/A
026	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	N/A
027	Passing a stopped school bus either with special signals flashing or in the act of discharging or getting ready to discharge or admit passengers.	Six	N/A
028	Failure to obey traffic signs or signals or instructions of a traffic control officer or road guard.	Four	N/A
029	Improper passing or improper lane usage (to include crossing solid yellow lines and passing troops in formation without express permission).	Four	N/A
030	Failure to yield right-of-way (no official signs involved).	Four	N/A
031	Improper turning (no official signs involved).	Three	N/A
032	Driver involved in accident and deemed responsible (will only be added after the Traffic Court Judge has deemed a driver responsible for a traffic accident).	One	N/A
033	Allowing a revoked or suspended person to operate a motor vehicle belonging to the permittee.	N/A	Suspension, six months discretionary.
034	Failure to comply with Traffic Court requirements.	N/A	Indefinite suspension (may be dismissed by Traffic Court Judge when problem is corrected).
035	Fraudulent application for, use of or alteration of state tags, a station decal or pass.	N/A	Suspension, six months discretionary.
036	Driving without a valid driver's license/no driver's license in possession (if proof of valid license shown within 72 hours, charge may be dismissed).	N/A	Suspension, six months discretionary.

APPENDIX A

TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

CODE NO.	VIOLATION	POINTS	SUSPENSION/REVOCATION
037	Habitual violation of traffic laws or regulations (3 moving violations within 12 months; accumulation of 12 points in a 12 month period.)	N/A	Suspension, six months discretionary.
038	Allowing an unlicensed person to operate a vehicle, or allowing a person under the age of 16 to operate a moped.	N/A	Suspension, six months discretionary.
039	Unsafe backing.	Three	N/A
040	(Intentionally left blank.)		
041	(Intentionally left blank.)		
042	Illegal U-turn (posted sign present.)	Four	N/A
043	Operation a motor vehicle on a sidewalk, seeded area or unauthorized area.	Three	N/A
044	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
045	Failure to make a safe movement.	Three	N/A
046	Failure to properly inspect for and/or remove FOD from vehicle.	N/A	Suspension, 30 days minimum, one year maximum.
047	Operator failing to drive over FOD shaker.	N/A	Suspension, 30 days minimum, one year maximum.
048	(Intentionally left blank)		
049	Improper towing of a vehicle.	Three	N/A
050	Operating loaded vehicle without material properly secured (materials falling from loaded vehicle).	Three	N/A
051	Failure to signal or giving improper signal.	Three	N/A
052	(Intentionally left blank).		
053	Owner allowing the operation of a POV, other than by a licensed family member, without providing the operator with express <u>written</u> permission to operate the vehicle.	N/A	First Offense - Warning. Second Offense - Suspension, 30 days discretionary.
054	Operating a vehicle owned by another, except a licensed family member of owner, without having in possession the express <u>written permission</u> of the owner to operate the vehicle.	N/A	First Offense - Warning. Second Offense - Suspension, 30 days discretionary.
055	(Intentionally left blank).		
056	Open alcoholic beverage container in vehicle.	N/A	Suspension, two months discretionary.
057	Prohibited equipment.	N/A	First Offense - Warning. Second Offense - Suspension, 15 days mandatory. Third Offense - Suspension, 90 days mandatory.
058	Failure to comply with Air Station vehicle requirements (non-moving violation.)	N/A	Suspension, 30 days discretionary.
059	Throwing litter from a vehicle.	N/A	Suspension, three months discretionary.
060	Failure to use lights as required.	Three	N/A
061	Talking on Cellular Phone while driving without utilizing a hands-free device or Texting while driving.	Three	First Offense - Point deduction. Second Offense - Suspension, 30 day mandatory. Third Offense - Suspension six month mandatory.
062	(Intentionally left blank.)		
063	(Intentionally left blank.)		
064	Blocking Traffic.	Three	N/A

APPENDIX A

TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

CODE NO.	VIOLATION	POINTS	SUSPENSION/REVOCATION
065	Failure to use Child Restraint Devices.	Three	First Offense - points. Second Offense - Suspension, 30 days mandatory. Third Offense - Suspension, six months mandatory.
066	Failure to keep right.	Three	N/A
067	Failure to use or improper use of vehicle restraining devices (seat belts or shoulder harness.)	N/A	First Offense - Suspension, 30 days mandatory and attendance of four-hour remedial driver class. Second Offense - Suspension, six months mandatory. Third Offense - Suspension, one year mandatory.
068	Driving left of center.	Three	N/A
069	Failure to give way to overtaking vehicle.	Three	N/A
070	(Intentionally left blank)		
071	Failure to maintain insurance.	N/A	First Offense - Suspension, 30 days discretionary. Second Offense - Suspension, six months discretionary. Third Offense - Revocation, one year discretionary.
072	Leaving vehicle unsecured (failure to put transmission in park or gear and set parking brake.)	Three	N/A
073	Illegal Parking.	N/A	First Offense - Warning. Second Offense - Suspension, 15 days discretionary. Third Offense (within a 12 month period) - Suspension, 30 days discretionary.
074	Other Moving Violations not listed.	Three	N/A
075	Violation of State Registration Requirements.	N/A	First Offense - Warning. Second Offense - Suspension, 30 days discretionary.
076	Child left unattended in vehicle (under 10 years or under 12 years if younger children present.)	N/A	Suspension, 30 days discretionary.
077	Defective equipment.	N/A	First Offense - Warning. Second Offense - Suspension, 15 days discretionary. Third Offense - Suspension, 30 days discretionary.
078	Picking up/discharging passengers on roadway.	Three	N/A
079	Vehicle Repairs (non-emergency) on roadways, streets, or parking lots/spaces.	N/A	Suspension, 15 days discretionary.
080	Failure to report the involvement in a traffic accident regardless of the amount of damage(s).	N/A	Suspension, 30 days discretionary.
081	(Intentionally left blank.)		
082	(Intentionally left blank.)		
083	(Intentionally left blank.)		
084	Violation of Air Station Registration.	N/A	First Offense- Suspension, 30 days Mandatory. Second Offense- Suspension, 90 days Mandatory. Third Offense- 6 month Mandatory.
085	Use of subterfuge to gain selective parking in carpool program.	N/A	Suspension, 30 days discretionary.
086	(Intentionally left blank.)		

APPENDIX A

TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

CODE NO.	VIOLATION	POINTS	SUSPENSION/REVOCATION
087	(Intentionally left blank.)		
088	(Intentionally left blank.)		
089	Motorcycles riding two or more abreast in same lane.	Three	N/A
090	Violation of mandatory motorcycle protective clothing and safety equipment requirements.	Three	First Offense - Warning. Second Offense - Suspension, 30 days mandatory.
091	(Intentionally left blank.)		
092	Knowingly violating any motorcycle equipment regulation of this Order.	N/A	Suspension, 30 days discretionary.
093	(Intentionally left blank.)		
094	(Intentionally left blank.)		
095	(Intentionally left blank.)		
096	(Intentionally left blank.)		
097	(Intentionally left blank.)		
098	(Intentionally left blank.)		
099	Driving a motor vehicle while under the influence of any other drug (including alcohol) to the degree rendered incapable of safe vehicle operation.	N/A	Revocation, one year mandatory. Revocation for an additional two years for each subsequent DWI within a five year period.
100	(Intentionally left blank.)		
101	Driving after consuming alcohol while under the age of 21.	N/A	Revocation, one year mandatory. Revocation, until the age of 21 (if longer than one year) discretionary.
102	(Intentionally left blank.)		
103	Stopping in an intersection when traffic is obstructed.	Four	N/A
104	Violation of a "One Way" sign.	Four	N/A
105	Excessive noise emitting from the motor vehicle.	Three Four Five	First Offense - Point deduction. Second Offense - Point deduction. Three Offense - Point deduction.
106	Unauthorized use of a radar device.	Three	N/A
107	Failure to maintain state inspection requirements.	N/A	Suspension, 30 days discretionary.
108	Operating a vehicle while wearing headphones.	Three Four Five	First Offense - Point deduction. Second Offense - Point deduction. Three Offense - Point deduction.