

Military Police  
**Motor Vehicle Traffic Supervision**

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**History.** This revision is an administrative revision. Portions affected by this revision are listed in the summary of change.

**Summary.** This regulation establishes policy, procedures, and responsibilities for motor vehicle traffic supervision at Fort Hood.

**Applicability.** This regulation applies to military, Department of Defense (DOD) civilians, DOD civilian contractor employees, and other persons operating a motor vehicle on the Fort Hood military installation.

**Supplementation.** Supplementation of this regulation is prohibited without prior approval from Directorate of Emergency Services (DES).

**Suggested Improvements.** The proponent of this regulation is the DES. Send comments and suggested improvements to the Directorate of Emergency Services, ATTN: IMSW-HOD-ESP, Fort Hood, Texas, 76544-5021.

FOR THE COMMANDER:

JOHN M. MURRAY  
Colonel, GS  
Chief of Staff

*Official:*



CHARLES E. GREEN, SR.  
Director, Human Resources

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IAW FH FORM 1853, S

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\*This supersedes III Corps and Fort Hood Regulation 190-2 dated 1 October 2004.

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**OVERVIEW**

1

**Purpose**

This regulation establishes policy, procedures, and responsibilities for motor vehicle traffic supervision at Fort Hood.

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1a

**References**

Appendix A lists required and related references.

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1b

**Abbreviations and terms**

The glossary explains abbreviations and terms used in this regulation.

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1c

**Summary of change**

Specifically, this revision dated 28 July 06 –

- Changes the processing of issuing suspension of installation driving privileges to the Directorate of Emergency Services (DES), Law Enforcement Division.
- Changes the suspension time for certain offenses.
- Addresses criminal trespass and conviction of criminal activity.

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1d

**Authority**

The Commanding General, III Corps and Fort Hood exercises authority over the entry, operation, and control of motor vehicles on the Fort Hood military installation and delegates this authority as prescribed herein.

Authority to enforce the State of Texas Penal and Transportation Codes that apply to the operation of motor vehicles on Fort Hood is delegated to the DES.

Fort Hood Regulation 190-5 (Fort Hood Traffic Code) contains additional provisions prescribed by the Commanding General, III Corps and Fort Hood.

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1e

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**RESPONSIBILITIES**

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2**Fort Hood  
Directorate of  
Emergency  
Services  
(DES)**

The Fort Hood DES:

- Enforces laws and regulations within the boundaries of the Fort Hood military installation.
- Seizes, impounds, excludes, or escorts from the installation any vehicle:
  - Used as an instrument in a crime.
  - Suspected to be stolen.
  - Abandoned.
  - Operated by a person under the influence of intoxicants or drugs.
  - Not registered or insured according to applicable state laws.
  - That is mechanically unfit.
- Receives reports involving Soldiers, family members, Department of Defense (DOD) affiliated civilian personnel (Appropriated Fund and Nonappropriated Fund employees and DOD contractor personnel), military retirees, and others with installation privately owned vehicle (POV) driving privileges who are involved in driving offenses, either on or off the Fort Hood installation.
- Determines if suspension or revocation of installation driving privileges is appropriate for Soldiers and civilians.
- Processes suspension and revocation notices for Soldiers and civilians.
- Reviews the blotter daily and determines whether there is sufficient evidence of intoxicated driving or “driving under the influence (DUI) by a minor” in order to continue suspension of the individual’s installation driving privileges.

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2a

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**Major subordinate commands (MSCs)**

Major subordinate commands (MSCs) will ensure the memorandum of reprimand (MOR) for intoxicated driving offenses are processed according to Army Regulation (AR) 190-5 (Motor Vehicle Traffic Supervision), paragraph 2-7, and AR 600-37 (Unfavorable Information).

2b

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**III Corps and Fort Hood Staff Judge Advocate (SJA)**

The III Corps and Fort Hood Staff Judge Advocate (SJA):

- Conducts hearings on proposed installation driving privilege suspensions or revocations for non-divisional Soldiers and civilians.
- Forwards information for reinstatement of installation driving privileges and the results of hearings or appeals for non-divisional Soldiers and civilians to the Fort Hood DES.
- Establishes procedures for processing general officer MOR for non-divisional Soldiers and DOD affiliated civilians involved in intoxicated driving offenses.
- Processes requests for restricted driving privileges from non-divisional Soldiers and civilians and forwards the results to the Fort Hood DES.
- Establishes procedures for processing general officer MOR for non-divisional Soldiers and DOD-affiliated civilians involved in intoxicated driving offenses.

2c

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**1st Cavalry Division (1CD) Staff Judge Advocate (SJA)**

The 1st Cavalry Division (1CD) Staff Judge Advocate (SJA):

- Conducts hearings on the suspension or revocation of installation driving privileges for 1CD Soldiers.
- Forwards the results of hearings and appeals to the Fort Hood DES to input into the DES database.
- Establishes procedures for processing general officer MOR for 1CD Soldiers involved in intoxicated driving offenses.
- Processes requests for restricted driving privileges from 1CD Soldiers and forwards the results to the Fort Hood DES.

2d

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**4th Infantry  
Division  
(Mechanized)  
(4ID(M))  
Staff Judge  
Advocate  
(SJA)**

The 4th Infantry Division (Mechanized) (4ID(M)) SJA:

- Conducts hearings on the suspension or revocation of installation driving privileges for 4ID(M) Soldiers.
- Forwards the results of hearings and appeals to the Fort Hood DES to input into the DES database.
- Establishes procedures for processing general officer MOR for 4ID(M) Soldiers involved in intoxicated driving offenses.
- Processes requests for restricted driving privileges from 4ID(M) Soldiers and forwards the results to the Fort Hood DES.

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2e

**Commanders  
and leaders**

Commanders and leaders:

- Ensure that subordinates maintain proof of financial responsibility or adequate automobile insurance, a valid state driver's license, and valid vehicle registration in order to operate POVs.
- Inform subordinates of the consequences of violating provisions of this regulation.
- Notify the Fort Hood DES on a DA Form 4833 (Commander's Report of Disciplinary or Administrative Action) of the final outcome of trial, non-judicial punishment, or civilian administrative determination for intoxicated driving offenses involving individuals assigned to their units.
- Review and make recommendations regarding requests for restricted driving privileges.
- Ensure that a member of the chain of command, who is senior in rank to the requesting Soldier, escorts the Soldier to a hearing.
- Ensure that Soldiers whose post driving privileges are suspended or revoked find alternate methods of transportation on post.
- May prohibit Soldiers with suspended or revoked installation driving privileges from obtaining or maintaining driving privileges for military vehicles.

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2f

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**Motor vehicle operators**

Persons operating POVs on Fort Hood will:

- Have proof of financial responsibility or valid insurance.
- Have a valid state driver's license.
- Have a valid state registration for the POV being driven.

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2g

**SUSPENSION AND REVOCATION**

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3

**Suspension and revocation installation driving privileges**

Definition of suspension and revocation of installation driving privileges:

- A suspension is the temporary withdrawal of an individual's privilege to operate a POV on Fort Hood.
- A suspension may last for up to 1 year; however, if no further disciplinary action is taken on a reported violation and individuals comply with the requirements of paragraph 3d below, their privileges are restored on the day after the suspension terminates.
- A revocation is the termination of an individual's privilege to operate POVs on all military installations and remains in effect on reassignment.
- Driving privileges may be revoked only after an individual is offered an administrative hearing.
- For intoxicated driving offenses, a revocation is for at least 1 year.
- The revocation period for other offenses is for 6 months.

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3a

**Processing**

The Fort Hood DES manages suspension and revocation actions.

For intoxicated driving and DUI by a minor offenses:

- Suspension of installation driving privileges is effective immediately upon the individual's receipt of notification of suspension.

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**Processing  
(continued)**

- 
- The apprehending officer notifies the individual that his or her installation driving privileges will be immediately suspended by issuing a memorandum (see figure 1).
    - The memorandum notifies individuals of their violation, suspension, and the procedure to request a hearing.
  - The Administrative Law Division, III Corps Office of the Staff Judge Advocate (OSJA) reviews the blotter daily for any intoxicated driving or “DUI by a minor” offenses and determines whether there is a preponderance of the evidence of the offense in order to maintain the individual’s driving suspension.
  - If there is not sufficient evidence of an intoxicated driving or DUI by a minor offense, then the Administrative Law Division, III Corps OSJA will contact the Fort Hood DES who will lift the suspension.
  - Affected individuals may request an administrative hearing within 10 working days after receiving written notice of a suspension.
  - If the individual requests a hearing and fails to report to the hearing, the hearing officer will automatically suspend or revoke driving privileges for the applicable period.

For all other offenses listed in Section 4:

- Suspension of installation driving privileges is not effective until 10 working days after receiving written notice of a pending suspension.
- The apprehending officer notifies the individual that his or her installation driving privileges will be suspended by issuing a memorandum (see figure 1).
  - The memorandum notifies individuals of their violation, suspension, and the procedure to request a hearing.
  - Affected individuals may request an administrative hearing within 10 working days after receiving written notice of a pending suspension.

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**Processing  
(continued)**

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- If an individual declines or fails to request a hearing, the suspension or revocation is effective 10 working days after the individual receives the written notice.
  - If the individual requests a hearing and fails to report to the hearing, the hearing officer will automatically suspend or revoke driving privileges for the applicable period, depending on the offense, and notify the individual of the suspension or revocation.
  - After a hearing, non-divisional Soldiers and civilians receiving suspended or revoked driving privileges may request reconsideration by the Garrison Commander.
    - They should forward requests for reconsideration through command channels to the III Corps and Fort Hood SJA office, ATTN: Administrative and Civil Law Division, within 10 working days of receiving notification.
  - Soldiers assigned to the 1CD or 4ID(M) receiving suspended or revoked driving privileges may request reconsideration by their Division Commander.
    - 1CD and 4ID(M) Soldiers may forward requests for reconsideration through command channels to the servicing SJA Office, ATTN: Administrative Law Division, within 10 working days of receiving notification.
  - The suspension or revocation remains in effect pending a final decision on the request.
  - The III Corps, 1CD, and 4ID(M) Administrative Law Divisions will forward the results of hearings or requests for reconsideration to the Fort Hood DES who will then input the appropriate information into the DES database.

3b

**Administrative  
hearings**


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Individuals with suspended installation driving privileges may request an administrative hearing by telephoning their servicing SJA Office within 10 working days of notification of suspension.

- The administrative hearing will convene within 10 working days after the request for a hearing.

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**Administrative  
hearings  
(continued)**

- If, through no fault of the individual, a requested hearing does not convene within 10 working days, the suspension will not become effective until the individual is granted a hearing and receives notice of the hearing officer's decision.
- SJAs or their designees may preside over hearings for suspension or revocation of driving privileges.
- Individuals have the right to be present at hearings and to present evidence for consideration by the hearing officer.
- Individuals may be represented by civilian counsel at their own expense.
- DA civilian employees have the right to have a personal representative present at an administrative hearing concerning an intoxicated driving offense or a DUI by a minor offense.
- A member of the chain of command must accompany Soldiers to administrative hearings.
- The hearing officer will examine relevant evidence presented at the hearing.
- Written reports, sworn statements, or affidavits are admissible in lieu of witnesses.
- When installation driving privileges are suspended due to an intoxicated driving offense, the hearing officer can:
  - Maintain the suspension pending confirmation of the intoxicated driving charge.
  - Lift the suspension if the hearing officer cannot confirm the intoxicated driving offense.
  - Revoke installation driving privileges for no less than 1 year if a preponderance of the evidence shows the driver was:

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**Administrative  
hearings  
(continued)**

- Lawfully apprehended for intoxicated driving and refused to or complete a lawfully requested breath analysis or blood alcohol content (BAC).
  - Convicted of intoxicated driving in a military or civilian court.
  - Received punishment under Article 15, Uniform Code of Military Justice (UCMJ), for intoxicated driving.
  - Received administrative action through civilian channels (such as suspension or revocation of driver's license) for intoxicated driving.
  - Engaged in intoxicated driving, as defined in Article 111, UCMJ, despite an acquittal.
- When a suspension is based on "DUI by a minor", the hearing officer can:
    - Maintain the minor's driving suspension pending confirmation of the offense.
    - Lift the minor's driving suspension if the hearing officer cannot confirm the offense.
    - Revoke the minor's installation driving privileges for no less than 6 months if a preponderance of the evidence shows the minor was operating a motor vehicle in a public place while having any detectable amount of alcohol in the minor's system.
  - When a suspension is based on chronic violations or driving on a suspended license, the hearing officer can:
    - Remove the suspension, provided a valid driver's license is shown.
    - Impose a suspension of up to 6 months if a preponderance of the evidence shows the individual committed a violation under the provisions of paragraph 4d or 4f (the provision dealing with driving on a suspended license only).

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**Administrative  
hearings  
(continued)**

- When a suspension is based on failure to possess proof of financial responsibility, adequate insurance, a valid state driver's license (other than a suspended license), or vehicle registration or if the suspension is based on hazardous driving, the hearing officer can:
  - Remove the suspension, provided a valid driver's license, proof of financial responsibility, adequate insurance, or valid state vehicle registration, as applicable, is shown.
  - Impose a suspension of up to 90 days if a preponderance of the evidence shows that the individual committed a violation under the provisions of paragraphs 4c, 4e, or 4f.
- Hearing officers will:
  - Notify individuals of their decision either immediately following the hearing or will notify Soldiers by memorandum sent through the Soldier's chain of command.
  - Notify non-DOD civilians with a letter sent via mail.
  - Notify DOD civilian employees through their military or civilian supervisor.
  - Notify Fort Hood DES of the decision.

3c

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**Requirements  
during a  
suspension  
or revocation  
period**

Individuals whose installation driving privileges are suspended or revoked for more than 30 days for hazardous driving, intoxicated driving, "DUI by a minor", or chronic violations must attend and successfully complete a remedial driver training program.

- The remedial driver training program must include attendance at a state, county, municipal, or private remedial driving or defensive driving course.
- Remedial driver training consists of at least 6 hours of instruction (not computer instruction).
- Individuals whose installation driving privileges are suspended or revoked for intoxicated driving must also meet the following requirements:

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**Requirements during a suspension or revocation period (continued)**

- Rehabilitation evaluation by the Fort Hood Alcohol and Drug Abuse Prevention and Control Program (ADAPCP) (Soldiers only).
- Completion of an installation, state, county, municipal, or private alcohol education and treatment program.
- Documentation of their commander's recommendation for reinstatement (Soldiers only).

3d

**Restricted driving privileges**

Individuals with suspended or revoked installation driving privileges may request restricted driving privileges, providing the person's state driver's license remains valid and they maintain adequate insurance and registration, for the following reasons:

- Mission requirements.
- Unusual personal or family hardship.
- Delays exceeding 90 days, not attributable to the person concerned, in the formal disposition of an apprehension or charges that are the basis for the suspension or revocation.
- There is no reasonably available alternate means of transportation to assigned duties.
  - In this instance, restricted privileges may be granted for the purpose of driving directly to and from the place of duty.

All intoxicated driving offenders requesting restricted driving privileges must refer the request to the General Court-Martial Convening Authority (GCMCA) or designee.

- The Garrison Commander or designee may approve all other requests for restricted driving privileges submitted by non-divisional Soldiers and all civilians.
- Commanders of the 1CD or 4ID(M) or their designees may approve all other requests for restricted driving privileges from Soldiers within their commands.

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**Restricted driving privileges (continued)**

- Non-divisional Soldiers requesting restricted driving privileges must submit a memorandum, with supporting documentation, through their chain of command to the III Corps SJA Office, ATTN: Administrative and Civil Law Division.
- Civilians send written requests for restricted driving privileges, with supporting documentation, to the III Corps SJA Office, ATTN: Administrative and Civil Law Division.
- Divisional Soldiers requesting restricted driving privileges will submit a memorandum, with supporting documentation, through their chain of command to the Chief, Administrative Law, of their respective SJA Office.
- For Soldiers, the request should include a commander's recommendation for approval or disapproval.
- The approving authority will notify the requester in writing of the decision as follows:
  - Soldiers will be notified through their chain of command.
  - All others will be notified by mail.

3e

**Restoration of driving privileges**

Individuals with suspended or revoked driving privileges receive full driving privileges at the expiration of the suspension and revocation period when the Fort Hood DES receives proof of compliance with the requirements of paragraph 3d and paragraphs 4e and 4f, if applicable.

- Soldiers must also present a statement from their commander indicating concurrence and certifying compliance with the above requirements.

3f

**Reinstatement due to acquittal, dismissal, or administrative determination**

An individual whose driving privileges are suspended or revoked for an intoxicated driving offense may request a hearing to reinstate driving privileges:

- When a not guilty finding is made.
- There is a dismissal of charges.

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**Reinstatement due to acquittal, dismissal, or administrative determination (continued)**

- The charges are reduced to an offense not amounting to driving while intoxicated.
- The individual receives a determination in a non-judicial punishment or administrative action, equivalent to a dismissal, reduction, or a finding of not guilty.

The appropriate SJA or a designee conducts a hearing for reinstatement under this section.

- The requester must show proof of an acquittal or dismissal.
- The suspension or revocation remains in effect for 1 year from the date of the original suspension if the hearing officer determines, by a preponderance of the evidence, that the individual:
  - Was driving while intoxicated.
  - Refused to submit to or complete a lawfully requested BAC test.
  - Failed to show that the requested BAC test violated state or DA standards or was invalid.
- If the individual received restricted driving privileges while the case was pending, that period of time does not apply toward fulfillment of the suspension period.

3g

**OFFENSES**

4

**Intoxicated driving**

Intoxicated driving or driving while intoxicated includes:

- Any act defined in AR 190-5 as intoxicated driving.
- Driving while intoxicated as defined in Chapter 49, Texas Penal Code, Section 04.
- Any act that satisfies the elements of Article 111, UCMJ.

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**Intoxicated driving (continued)**

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- Soldiers, family members, DOD affiliated civilian personnel, military retirees, and others with installation driving privileges may have their driving privileges suspended or revoked for intoxicated driving on or off the installation.
  - Suspension or revocation of installation driving privileges may occur for DOD civilian employees if the arrest report or other official documentation reflects intoxicated driving.
  - Revocations for civilian guests occur only with respect to incidents occurring on the installation.
  - An intoxicated driving offense results in an immediate suspension of installation driving privileges.
  - The Administrative Law Division, III Corps OSJA reviews the blotter daily for any intoxicated driving offense and determines whether there is a preponderance of the evidence of the offense in order to maintain the suspension.
  - Soldiers, family members, DOD affiliated civilian personnel, and military retirees apprehended on or off of the installation for intoxicated driving may receive a revocation of their installation driving privileges for 1 year.
  - For violations occurring off the installation, the servicing SJA or designee will review the findings and Fort Hood DES will issue the suspension letter through the chain of command or by certified mail, as applicable.
  - If the offender works on Fort Hood, the Fort Hood DES sends copies of the letter to:
    - The employee's supervisor.
    - The Alcohol and Drug Abuse Prevention and Control Program (ADAPCP) or Army Substance Abuse Program (ASAP) Civilian Program Coordinator.

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4a

**Driving under the influence of alcohol by a minor**

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“DUI by a minor” is defined as a minor operating a motor vehicle in a public place while having any detectable amount of alcohol in the minor’s system in accordance with (IAW) Texas Alcoholic Beverage Code (TABC), 106.041.

- Minors (Soldiers, family members, DOD affiliated civilian personnel, and others) under the legal age to consume alcohol, with installation driving privileges, may have their driving privileges suspended or revoked for the offense of “DUI by a minor” on or off the installation.
- Revocations for civilian guests occur only with respect to incidents occurring on the installation.
- A “DUI by a minor” offense results in an immediate suspension of the minor’s installation driving privileges.
- The Administrative Law Division, III Corps OSJA, reviews the blotter daily for any “DUI by a minor” offense and determines whether there is a preponderance of the evidence of the offense in order to maintain the suspension.
- Minors (Soldiers, family members, DOD affiliated civilian personnel, and others) under the legal age to consume alcohol, with installation driving privileges, apprehended on or off the installation for “driving under the influence of alcohol by a minor” will receive a suspension of their installation driving privileges for 6 months.
- If the minor has BAC of .08 or over or refuses to submit to a BAC, then the minor will be processed for intoxicated driving (see paragraph 4a) instead of driving under the influence of alcohol by a minor.
- For violations occurring off the installation, the servicing SJA or designee will review the findings and Fort Hood DES will issue the suspension letter through the chain of command or by mail, as applicable.
- If the offender works on Fort Hood, the Fort Hood DES sends copies of the letter to:
  - The employee's supervisor.
  - The ADAPCP or ASAP Civilian Program Coordinator.

4b

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**Hazardous driving**

Soldiers, family members, DOD affiliated civilian personnel, military retirees, and others with installation driving privileges may have their driving privileges suspended or revoked for up to 90 days for operating a motor vehicle on or off the installation in a manner that clearly poses a danger to themselves or others.

- Hazardous driving incidents may include, but are not limited to:
  - Driving at an excessive speed (e.g., driving 20 miles per hour or more above the posted speed limit).
  - Driving in a reckless manner, with willful or wanton disregard for the safety of other persons or property.
  - Driving in a reckless manner or above the posted speed limit in a school zone during normal school hours.
  - Creating a hazard to troop formations.
  - Leaving the scene of an accident.
  - Participating in an unsanctioned speed contest.
  - Fleeing a police officer.
  - Failing to yield to an emergency vehicle.
  - Operating a vehicle that endangers the driver or others or violates local, state, or installation safety requirements.

4c

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**Chronic violations**

Chronic violation of installation traffic regulations is four or more moving violations within the preceding 2 years or two moving violations within any 30-day period.

- Commanders or supervisors may submit a request to the Fort Hood DES for suspension of installation driving privileges for chronic violation of installation traffic regulations.
- The Fort Hood DES may also initiate a suspension.

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**Chronic  
Violations  
(continued)**

- If there is sufficient evidence to establish chronic violations, the Fort Hood DES notifies offenders in writing of the pending suspension and offers them the opportunity to request an administrative hearing.

4d

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**Failure to  
possess  
proof of  
financial  
responsibility  
or adequate  
insurance**

Drivers must possess proof of financial responsibility or adequate insurance while operating a motor vehicle on or off the installation.

- Violators may have their installation driving privileges suspended for 90 days or until the violator provides the Fort Hood DES proof of valid insurance of sufficient limits to meet state requirements, whichever is later.
- If the offender subsequently provides proof that they had adequate insurance at the time of the offense, the Fort Hood DES, Police Services will immediately lift the suspension imposed under this paragraph.
- An individual may subsequently acquire proof of financial responsibility or adequate insurance, but the suspension remains in effect for 90 calendar days from the date the proof was provided.

4e

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**Failure to  
possess a  
valid state  
license and  
vehicle  
registration**

Drivers must possess a valid state driver's license while operating a motor vehicle on or off the installation. Drivers must also possess a valid registration for any motor vehicle they operate on or off the installation.

- Violators may have their installation driving privileges suspended for 90 days or until the violator provides the Fort Hood DES proof of a valid license or state vehicle registration, whichever is later.
- If the violator was driving on a previously suspended license, the suspension will remain in effect for 6 months or until the violator provides the Fort Hood DES proof of a valid license, whichever is later.
- If the offender subsequently provides proof that they had a valid state license at the time of the offense, the Fort Hood DES will immediately lift the suspension imposed under this paragraph.

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**Failure to possess a valid state license and vehicle registration (continued)**

- The Fort Hood DES will also lift the suspension if the driver provides proof that they had a valid state vehicle registration at the time of the offense.
- If the driver subsequently renews an expired state license or state vehicle registration and provides proof within 10 working days of the offense, the suspension will remain in effect for 90 calendar days from the date proof was provided to the Fort Hood DES.

4f

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**Criminal trespass (gas drive off or misdemeanor crime)**

An individual entering the installation with the intent to commit a crime can be barred from the installation and their driving privileges suspended (Criminal Trespass, IAW Title 18, Section 1382). Criminal trespass includes, but is not limited to:

- Gas station drive offs (leaving a gas station without properly paying).
- Inappropriate entry to the installation. Not providing legal identification or hiding to avoid identification.
- Conspiracy to commit unlawful entry or criminal trespass. Attempting to bypass access control security measures or assisting someone to circumvent security measures.

4g

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**Conviction of criminal activity**

Individuals convicted of committing a crime on the installation can be barred from the installation and their driving privileges suspended IAW Title 18, Section 1382.

4h

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**Violation of suspension or revocation**

Penalties for individuals found driving on the installation with suspended or revoked driving privileges.

- Individuals with a six month or less suspension or revocation will have their suspension or revocation increased by one year and will be subject to administrative and/or disciplinary action.
- Individuals with more than six months suspension or revocation will have their suspension or revocation increased by two years and will be subject to administrative and/or disciplinary action.

4i

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**Subsequent offenses**

Individuals found driving while intoxicated or “DUI by a minor” on the installation, while under a suspension or revocation of driving privileges for intoxicated driving or “DUI by a minor” will:

- Have their original suspension or revocation period increased by five years.
- Be subject to administrative and disciplinary actions.
- The Fort Hood DES will process subsequent intoxicated driving and DUI by a minor offenses in the same manner as prior offenses according to this regulation.

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4j**Memorandum of reprimand (MOR)**

AR 190-5 requires that commissioned officers, warrant officers, and noncommissioned officers in the rank of Corporal and above receive a General Officer MOR for intoxicated driving.

- A General Officer or other appropriate official may issue a written administrative reprimand to active duty Soldiers in the rank of Specialist or below for intoxicated driving.
- DOD civilian personnel may also receive a General Officer MOR for intoxicated driving.
- SJAs will implement procedures for processing General Officer intoxicated driving MORs for Soldiers assigned to their units.

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4k



DEPARTMENT OF THE ARMY  
HEADQUARTERS, FORT HOOD  
1001 761ST TANK BATTALION AVENUE  
FORT HOOD, TEXAS 76544-5000

REPLY TO  
ATTENTION OF

AFZF-GC (190-5b)

sample

MEMORANDUM FOR \_\_\_\_\_

(Rank/Title, Last Name, First Name, Middle Initial)

SUBJECT: Notification of Suspension of Installation Driving Privileges

1. On United States District Court violation notice(s) numbered \_\_\_\_\_, you have been cited for the offense(s) indicated below:

<input type="checkbox"/> a. Driving a motor vehicle while intoxicated (one-year suspension, effective immediately).	<input type="checkbox"/> b. Driving under the influence of alcohol as a minor (six-month suspension, effective immediately).										
<input type="checkbox"/> c. Hazardous driving (90-day suspension), by: <table border="0"> <tr> <td><input type="checkbox"/> (1) Driving 20 mph or more over the posted speed limit.</td> <td><input type="checkbox"/> (2) Driving in a reckless manner, with willful or wanton disregard for the safety of other persons or property.</td> </tr> <tr> <td><input type="checkbox"/> (3) Driving in a reckless manner or above the posted speed limit for a school zone during normal school hours.</td> <td><input type="checkbox"/> (4) Creating a hazard to troop formations .</td> </tr> <tr> <td><input type="checkbox"/> (5) Leaving the scene of an accident.</td> <td><input type="checkbox"/> (6) Participating in an unsanctioned speed contest.</td> </tr> <tr> <td><input type="checkbox"/> (7) Fleeing a police officer.</td> <td><input type="checkbox"/> (8) Failing to yield to an emergency vehicle.</td> </tr> <tr> <td><input type="checkbox"/> (9) Operating a vehicle that endangers the driver or others, or violates local, state, or installation safety requirements.</td> <td><input type="checkbox"/> (10) Other: _____</td> </tr> </table>		<input type="checkbox"/> (1) Driving 20 mph or more over the posted speed limit.	<input type="checkbox"/> (2) Driving in a reckless manner, with willful or wanton disregard for the safety of other persons or property.	<input type="checkbox"/> (3) Driving in a reckless manner or above the posted speed limit for a school zone during normal school hours.	<input type="checkbox"/> (4) Creating a hazard to troop formations .	<input type="checkbox"/> (5) Leaving the scene of an accident.	<input type="checkbox"/> (6) Participating in an unsanctioned speed contest.	<input type="checkbox"/> (7) Fleeing a police officer.	<input type="checkbox"/> (8) Failing to yield to an emergency vehicle.	<input type="checkbox"/> (9) Operating a vehicle that endangers the driver or others, or violates local, state, or installation safety requirements.	<input type="checkbox"/> (10) Other: _____
<input type="checkbox"/> (1) Driving 20 mph or more over the posted speed limit.	<input type="checkbox"/> (2) Driving in a reckless manner, with willful or wanton disregard for the safety of other persons or property.										
<input type="checkbox"/> (3) Driving in a reckless manner or above the posted speed limit for a school zone during normal school hours.	<input type="checkbox"/> (4) Creating a hazard to troop formations .										
<input type="checkbox"/> (5) Leaving the scene of an accident.	<input type="checkbox"/> (6) Participating in an unsanctioned speed contest.										
<input type="checkbox"/> (7) Fleeing a police officer.	<input type="checkbox"/> (8) Failing to yield to an emergency vehicle.										
<input type="checkbox"/> (9) Operating a vehicle that endangers the driver or others, or violates local, state, or installation safety requirements.	<input type="checkbox"/> (10) Other: _____										
<input type="checkbox"/> d. (1) Failure to maintain financial responsibility; (2) driving without a valid driver's license (other than driving with a suspended driver's license); and/or (3) driving without a valid state vehicle registration; (indefinite suspension; see paragraph 5 below).	<input type="checkbox"/> e. Driving with a suspended driver's license (six-month suspension).										
<input type="checkbox"/> f. Driving a motor vehicle while intoxicated (DWI) while your installation driving privileges were suspended for DWI (five-year revocation <u>in addition to</u> prior suspension period).	<input type="checkbox"/> g. Driving a motor vehicle while your installation driving privileges were suspended for: <table border="0"> <tr> <td><input type="checkbox"/> (1) DWI, driving under the influence of alcohol as a minor, or driving with a suspended driver's license (two-year revocation <u>in addition to</u> prior suspension period).</td> </tr> <tr> <td><input type="checkbox"/> (2) Driving without insurance, driving without a valid driver's license, hazardous driving, or chronic violations (one-year revocation <u>in addition to</u> prior suspension period).</td> </tr> </table>	<input type="checkbox"/> (1) DWI, driving under the influence of alcohol as a minor, or driving with a suspended driver's license (two-year revocation <u>in addition to</u> prior suspension period).	<input type="checkbox"/> (2) Driving without insurance, driving without a valid driver's license, hazardous driving, or chronic violations (one-year revocation <u>in addition to</u> prior suspension period).								
<input type="checkbox"/> (1) DWI, driving under the influence of alcohol as a minor, or driving with a suspended driver's license (two-year revocation <u>in addition to</u> prior suspension period).											
<input type="checkbox"/> (2) Driving without insurance, driving without a valid driver's license, hazardous driving, or chronic violations (one-year revocation <u>in addition to</u> prior suspension period).											

2. Your installation driving privileges are (suspended) (revoked) under the provisions of AR 190-5 & FH Reg 190-2 for (an additional) \_\_\_\_\_, effective (immediately – for DWI or DUI as a minor only) (ten days after receipt of this notice).

I have served this notice upon the individual first named above on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Police Officer's Signature

Figure 1. Notification of suspension of installation driving privileges

AFZF-GC

SUBJECT: Notification of Suspension of Installation Driving Privileges

3. You may request a hearing within ten days of receipt of this notice or request restricted driving privileges by calling the Office of the Staff Judge Advocate, Administrative & Civil Law Division at one of the following telephone numbers. Soldiers assigned to 1st Cavalry Division call 254-287-9423. Soldiers assigned to 4th Infantry Division (Mechanized) call 254-287-8055. All other soldiers and civilians call 254-287-3655.
4. At the end of your suspension period, you will become eligible for reinstatement of driving privileges, but **your driving privileges will not be automatically reinstated at the end of your suspension period.** Refer to FH Reg 190-2 for the specific procedures that you must take to request reinstatement.
5. If your driving privileges are suspended for failure to maintain financial responsibility, driving without a valid state vehicle registration, or driving without a valid drivers license, you will be eligible to apply for reinstatement of your installation driving privileges **90 days** after you provide proof of valid insurance of sufficient limits to meet state requirements, proof of a valid state vehicle registration, or proof of a valid driver's license, as the case may be, or **90 days** after receipt of this notice, whichever is later.
6. Additional procedures for reinstating your installation driving privileges and your rights and responsibilities in connection with this notice are declared in AR 190-5 and FH Reg 190-2, both available for review at the III Corps & Fort Hood Provost Marshal Office and on the internet at <http://www.usapa.army.mil> and <http://pclerk.hood.army.mil/>.

FOR THE COMMANDER:



VICTORIA M. BRUZESE  
COL, EN  
Commanding

**Figure 1. Notification of suspension of installation driving privileges  
(continued)**

## **Appendix A References**

### **Section I. Required Publications**

**AR 190-5** (para 2b, 4a, 4k, and Figure 1)  
Motor Vehicle Traffic Supervision

**AR 600-37** (para 2b)  
Unfavorable Information

**Chapter 49, Texas Penal Code** (para 4a)  
Intoxication and Alcoholic Beverage Offenses

**Chapter 106, Texas Alcohol Beverage Code, paragraph 106.041** (para 4b)  
Provisions Relating to Age

**Uniform Code of Military Justice (UCMJ), Article 15** (para 3c)  
Non-judicial Punishment Procedures, Part V

**Uniform Code of Military Justice (UCMJ), Article 111** (para 3c, 4a)  
Drunken or reckless operation of vehicle, aircraft, or vessel

**United States Code, Title 18, Section 1382** (para 4g, 4h)  
Criminal Trespass

**Fort Hood Regulation 190-5** (para 1e)  
Fort Hood Traffic Code

### **Section II. Related Publications**

**Title 32 Code of Federal Regulations (CFR) 634, National Defense**

### **Section III. Prescribed Forms**

This section not used.

### **Section IV. Referenced Forms**

**DA Form 4833**  
Commander's Report of Disciplinary or Administrative Action

**FHT Form 1853**  
Distribution Scheme

**Glossary**

**Section I. Abbreviations**

**ADAPCP**

Alcohol and Drug Abuse Prevention and Control Program

**AR**

Army Regulation

**ASAP**

Army Substance Abuse Program

**ATTN**

Attention

**BAC**

Blood Alcohol Content

**CFR**

Code of Federal Regulations

**DA**

Department of the Army

**DES**

Directorate of Emergency Services

**DHR**

Directorate of Human Resources

**DOD**

Department of Defense

**DUI**

Driving Under the Influence

**GCMCA**

General Court-Martial Convening Authority

**IAW**

In Accordance With

**MOR**

Memorandum of Reprimand

**MSC**

Major Subordinate Command

**OSJA**

Office of the Staff Judge Advocate

**POV**

Privately Owned Vehicle

**SJA**

Staff Judge Advocate

**TABC**

Texas Alcoholic Beverage Code

**UCMJ**

Uniform Code of Military Justice

**1CD**

1st Cavalry Division

**4ID(M)**

4th Infantry Division (Mechanized)

**Section II. Terms**

**Chronic violation**

Four or more moving violations within the preceding 2 years or two moving violations within any 30-day period.

**Minor**

A person under the age of 21.

**Revocation**

The termination of an individual's privilege to operate a motor vehicle on any military installation.

**Stay**

The condition derived with the prevention of an occurrence or continuation of a movement, action or operation.

**Suspension**

The temporary withdrawal of an individual's privilege to operate a privately owned vehicle on the installation.