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United States Coast Guard

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CG BSU PORTSVA INST 5100.7
AUG 23 2010

BASE SUPPORT UNIT PORTSMOUTH INSTRUCTION 5100.7

Subj: BASE SUPPORT UNIT (BSU) MOTOR VEHICLE SAFETY PLAN, TRAFFIC CONTROL, AND ENFORCEMENT

Ref: (a) COMDTINST M5100.47 (Series), Safety and Environmental Health Manual
(b) COMDTINST M11240.9 (Series), Motor Vehicle Manual
(c) COMDTINST M5830.1 (Series), Administrative Investigations Manual
(d) COMDT COGARD Washington DC 111656Z Jan 10/ALCOAST 012/10
(e) COMDTINST M1000.6 (Series), Personnel Manual

1. PURPOSE. To establish policies for the Base Portsmouth motor vehicle safety program, as required by reference (a). This instruction also promulgates policies relating to motor vehicle traffic control and enforcement.

2. ACTION. All personnel operating vehicles on board Base Portsmouth shall comply with this instruction. Additional motor vehicle safety policy applicable to military personnel, while on and off duty, is contained in Chapter 10 of reference (a). BSU Division Officers and Commanding Officers of tenant commands shall ensure that their personnel are aware of and comply with the contents of this instruction.

3. DIRECTIVES AFFECTED. CG ISC PORTSVA INST 5100.7B is cancelled.

4. SUMMARY OF CHANGES.

Paragraph 6.b. Amended Safety Officer requirements to reflect current procedures.
Paragraph 6.c. Added automatic one week suspension of driving privileges for not wearing occupant restraints.
Paragraph 6.g. Deleted ATV section and replaced with utility carts.
Paragraph 6.i. Is deleted and added to 6.g.
Paragraph 6.o. Added requirements for operation of a government vehicle. 12. Added booting of vehicles. Enclosure 1 changed points value for traffic sign violation from 8 to 4 points, cell phone violations from 6 to 8 points, occupant restraints from 6 to 8 points, transportation of undeclared weapons from 8 to 12 points, added points for failure to yield to an emergency vehicle.

5. DISCUSSION. Motor vehicle mishaps are one of the leading causes of fatalities and serious injuries to Coast Guard personnel, accounting for approximately 65% of all reported mishaps, with an average of seven fatalities annually. This command, and every individual assigned to this command, have a responsibility to effectively manage the risks associated with motor vehicle use.

This instruction is designed to maximize motor vehicle safety on board Base Portsmouth. Vehicle operating practices must also conform to Virginia laws.

6. POLICY.

a. Program Management. The Safety Officer and Security Officer are responsible for oversight of the motor vehicle safety plan, traffic control and enforcement for this unit. They will determine the need for any and all regulatory signs and will supervise activities concerned with safety and prevention of motor vehicle or pedestrian mishaps. The Security Officer is responsible for compliance and enforcement of Base Portsmouth vehicle traffic regulations. The Facilities Engineering Division shall budget for regulatory signs and install signage as required. The Executive Officer will liaise with tenant commands to resolve any violations by their members.

b. Training. The Base Safety Officer or tenant command safety officer will provide an initial motor vehicle safety brief during check-in. Any member who has had a serious moving violation or that has been involved in a serious mishap while driving a GV is required to attend a recognized driver improvement course. The Base Safety Officer maintains a list of approved courses.

c. Occupant Restraints. All personnel operating or riding in any motor vehicle aboard Base Portsmouth or while on official Coast Guard business shall use installed occupant restraint devices at all times; violators will be issued an eight point ticket. Members receiving second and subsequent tickets will receive an automatic one week driving suspension in addition to other restrictions they may receive for points accumulation. Further, affected personnel shall comply with Virginia state laws governing use of child/infant restraint safety seats. Military personnel are required to wear seat belts at all times while traveling in any motor vehicle that is required to be so equipped. Additionally, passengers shall not ride in a vehicle (e.g., pickup truck bed) while on government property that does not provide them with a restraining device.

d. Maximum On-Duty Driving Times. To reduce the potential for traffic mishaps caused by operator fatigue, supervisors shall utilize the Operational Risk Management model to identify hazards and reduce risks when assigning long-distance driving duties to personnel who have been on-duty for the previous eight hours. NOTE: All vehicle occupants are considered to be "on-duty" while traveling in a Coast Guard vehicle. Additional details regarding maximum on-duty driving times are addressed in Chapter 10, paragraph H.4. of reference (a).

e. Civil Requirements. Unit military personnel shall comply with all local driver licensing requirements, including special and endorsement requirements (e.g., motorcycles, mopeds), vehicle safety inspections, registration and insurance requirements. All other Coast Guard personnel shall also comply with these requirements when on any military installation and while on official Coast Guard business.

f. Motorcycles. Unit personnel are required to comply with all Coast Guard and State regulations governing operation of a motorcycle, both on and off base.

(1) All unit personnel, civilian or military, which operate or park a motorcycle on any Coast Guard facility or DOD installation shall complete a Motorcycle Safety Foundation (MSF)

or similar DOD or State approved motorcycle training course. Military personnel that operate a motorcycle (street legal) shall obtain this training regardless of whether the motorcycle is operated on or off base. Details of training requirements are addressed in Chapter10., paragraph K.2 of reference (a). Motorcycle safety courses are periodically held at Base Portsmouth for active duty, civil service and reservist personnel only. Course information is available at http://www.uscg.mil/bsuportsmouth/MotorcycleSafety.asp.

(2) All unit motorcycle operators, and passengers (military and civilian) shall wear the PPE indicated in this paragraph when onboard a Coast Guard facility. All military motorcycle operators shall wear this equipment at all times regardless of where the motorcycle is operated: a DOT or Snell approved motorcycle helmet with chinstrap securely fastened, impact or shatter resistant goggles or full-face shield (a windshield or fairing does not meet this requirement), over-the-ankle sturdy footwear, full-fingered gloves, long-legged trousers, and a long-sleeved shirt or jacket. Brightly colored or white upper garments shall be worn during the day and high visibility reflective or retro-reflective vests, harnesses or strips on clothing at night or in periods of low visibility (fog and rain). Outer upper garments should be clearly visible and not covered. NOTE: The PPE indicated above is required for entry onto DoD installations, and retro-reflective vests or harnesses are required on DoD installations at all times.

(3) Motorcycle headlights shall be illuminated at all times while the motorcycle is in operation.

g. Utility Carts and ATVs. These are motorized equipment designed for use on non-public roads, limited to speeds up to 20 mph; this includes configurations for both passenger and cargo transportation. Examples include but are not limited to Golf Carts, Tiger Trucks, Cushman, Mule's and Club Cars. These vehicles are required to have non-fragmenting safety glass windshield, seatbelts for the driver and each passenger, headlights, tail lights, turn signals, rear-view mirrors and a parking brake. Operators shall be trained on cart operation characteristics and safety considerations prior to utilizing these carts. The motor pool is responsible for ensuring assigned utility cart operators are thoroughly familiar with the safe operating practices for each cart. These vehicles are not allowed to leave the base. ATVs are not allowed on Base Portsmouth.

h. Bicycle, Roller-skate, Skateboard, and Scooter Use. All personnel who use roller-skates, skateboards (elbow and wrist protection recommended), scooters or operate a privately owned bicycle on board the base shall wear a protective helmet approved for this purpose. Government owned bicycles can either use a helmet approved for this purpose or a hardhat with a fastened chinstrap. The wearing of portable headphones, earphones, or other listening devices while operating a motorized vehicle, jogging, walking, skating or bicycling on the roads or streets of this command **is prohibited**.

i. Speed Limits. Posted speed limits on base are 10 MPH, 15 MPH and 25 MPH.

j. Vehicle Mishaps. The procedures for mishaps involving motor vehicles are contained in references (a) and (b). Motor vehicle mishaps are to be reported to the Base Safety Officer

and Base Property Manager. The Safety Officer will conduct an investigation of the mishap and enter the report into the Coast Guard E-mishap system. The Property Manager will file the appropriate report. In all cases, as soon as possible after any medical assistance has been requested, contact the Base Security Office at 757-483-8586 to notify them of the mishap. Security personnel will notify the appropriate personnel in the chain of command.

k. Alcoholic Beverages. When driving on base, the operator and/or passenger(s) of all motor vehicles (GMV and private motor vehicle) are prohibited from having open containers of alcoholic beverages in their possession. Personnel operating a GMV are prohibited from having open containers of alcoholic beverages in the vehicle at any time, on or off a Coast Guard facility. Coast Guard members (military and civilian) are also subject to any state laws that prohibit open containers and possession of alcoholic beverages in all motor vehicles.

l. Smoking. Smoking **is prohibited** in all government owned vehicles at all times.

m. Driver Distraction. Vehicle operators on base and operators of government owned or authorized vehicles off base shall not use cell phones or text message while the vehicle is in operation in accordance with reference (d). In addition the potential exists for distraction while personnel are eating, drinking, operating radios, etc., and these activities should only be performed when the vehicle is safely stopped.

n. Pick-Up Trucks. Personnel shall not operate a pick-up truck on base with the tail gate down when cargo is present.

o. Government Vehicles. Prior to operating any GV, the operator must hold a valid state driver's license. Reservations for GVs are controlled by the Base Property Manager and can be made at http://apps.mlca.uscg.mil/motorpool/. Immediately prior to operating a GV, the driver must thoroughly inspect the vehicle and provide the Property Manager with discrepancies.

7. MOTOR VEHICLE POLICY VIOLATIONS. Military personnel who violate these policies may be subject to punishment under the Uniform Code of Military Justice (UCMJ) or other adverse administrative proceedings. Personnel (including dependents) are subject to loss of driving privileges on government property for repeated or gross infractions. Reference (c) requires a line of duty/misconduct determination for any mishaps involving active duty personnel with lost time exceeding 24 hours. For example, a determination of "misconduct" may be in order if a Coast Guard member, while riding a motorcycle without a safety helmet, receives a head injury and evidence suggests use of a helmet (which is required by policy) would have prevented the injury. A finding of "misconduct" or "not in the line of duty" may deprive a member of benefits to which they might otherwise be entitled. Such benefits include physical disability retirement, severance pay, and medical costs. The BSU Commanding Officer is responsible for the disposition of any violations of the motor vehicle safety policies contained herein.

8. TRAFFIC VIOLATIONS. Patrol Officers shall prepare a DD Form 1408 (Armed Forces Traffic Ticket) for all traffic violations.

a. The pink copy will be given to the offender, or left with the vehicle if the owner/operator is not present.

b. The original (white) copy will be forwarded to the offender's Commanding Officer.

c. The yellow copy shall be retained on file at the Security Office.

d. A number of points will be assessed for each violation per enclosure (1). Points may be increased due to weather conditions and are assessed on scene by the ticketing officer.

e. The BSU Commanding Officer, or a designated appointee, will notify an offender and the offender's Commanding Officer in writing, when their driving privileges are suspended under the following conditions:

(1) When an individual accumulates eight points in a six-month period, their driving privileges may be suspended up to 30 days. The expiration tab on their Coast Guard decal may be removed to indicate a driving suspension.

(2) When an individual accumulates a total of 12 points in any 12-month period, their driving privileges may be suspended for a period of up to one year or other specified period of time. The Coast Guard decal may be removed from the vehicle for this suspension.

Note: The Coast Guard decal may be removed from any vehicle owned or operated by the person accumulating the points.

f. The Security Department will review the offender's record on the Coast Guard POV decal database. After determining the offender's past violation history, proper points will be assessed per the above guidelines. Suspension letters will be issued to the offender, usually with a 48-hour notification, before the suspension is implemented. A copy of the suspension letter will also be forwarded to the offender's Executive Officer.

9. APPEALS.

a. A person, whose driving privileges have been suspended, may appeal the suspension in writing within ten working days from the date the suspension letter was received. The appeal must be submitted via their chain of command to the BSU Commanding Officer. The suspension imposed shall remain in effect during the appeal process.

b. When a hearing is requested regarding a traffic ticket, a person may make an appointment with the Security Officer within five working days from the date the ticket was issued or received, if the member was TAD or deployed. The Security Officer shall make an initial investigation. If this investigation reveals an error, or any other mitigating circumstances, the ticket may be voided or amended. If this is not satisfactory, the person may appeal to the BSU Commanding Officer. The decision of the BSU Commanding Officer is final.

c. The Security Officer and Assistant Security Officer may void a ticket that has been issued in error or because of extenuating circumstances.

10. DRIVING WHILE PRIVILEGES ARE SUSPENDED. If an individual whose driving privileges have been suspended is found driving on Base Portsmouth, action will be taken to extend the suspension order and the matter will be referred to the BSU Commanding Officer for possible disciplinary action.

11. SPEED CONTROL DEVICES (RADAR). The Security Officer may periodically monitor vehicle speeds by radar on Base Portsmouth.

a. The Security Officer or Assistant Security Officer will train new operators in the use and calibration of Traffic Radar Gun equipment and will authorize use of the equipment in writing.

b. The DD Form 1408 (Armed Forces Traffic Ticket) shall state how the speed of the motor vehicle was determined on all speeding tickets, either by radar gun, speedometer comparison or time distance comparison.

c. Coast Guard Boulevard is monitored for speeding and other violations, such as passing or creating a dangerous situation. If an individual is caught, they are subject to an immediate one-day driving suspension on Base. Further violations could result in a longer driving suspension.

12. PRIVATELY OWNED VEHICLE IMPOUNDMENT.

a. The Security Officer may impound or boot vehicles temporarily pending resolution of the following instances:

(1) When the vehicle is suspected of being used in the commission of a crime, reported stolen or abandoned.

(2) When an unlicensed driver or a person who is under the influence of alcohol or drugs is driving the vehicle.

(3) If the operator refuses justified inspection or search of the vehicle.

b. Impounded or booted vehicles will be released when any of the following conditions are met:

(1) The owner appears at the Security Office with proof of ownership.

(2) The operator appears at the Security Office with proper driver's license.

(3) The operator appears at the Security Office with a certified (notarized) release from the vehicle owner giving Power-of-Attorney for the release of the vehicle.

(4) The operator that was previously under the influence of alcohol or drugs appears at the Security Office in the proper condition to operate a motor vehicle (pending the results of an investigation per M1000.6, Chapter 20).

(5) The BSU Commanding Officer or a court of competent jurisdiction orders it released.

c. Vehicles that do not appear to be in current use may be towed off base at the owner's expense. Vehicles with no motor, transmission, flat tires for extended period, unregistered or expired registration are categorized as abandoned and will be towed to the impound yard. Attempts will be made to identify and notify the owner prior to taking such action.

13. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS. Environmental considerations were examined in the development of this instruction and have been determined to be not applicable.

14. FORMS/REPORTS. None.

AUG 2 3 2010

F. J. SOMMER

Encl: (1) Maximum Award Points for Traffic Violations

Dist: List I, II, III and IV

MAXIMUM AWARD POINTS FOR TRAFFIC VIOLATIONS

OFFENSES	MAXIMUM POINTS
Driving under the influence of alcohol or drugs	12
Vehicle owner knowingly and willfully permits another to operate his/her vehicle under the influence of alcohol or drugs	12
Manslaughter, negligent homicide or assault using a vehicle	12
Intentionally leaving the scene of an accident	12
Using an automobile in the commission of a felony	12
Operating a vehicle after suspension of driving privileges	12
Operating a vehicle recklessly (speeding, dragging, spinning tires, etc.)	12
Intentional presentation of identification that is not the owner, false or altered	12
Assault of a patrol officer or any security personnel	12
Transportation of undeclared weapons, pyrotechnics or ammunition on base	12
Speeding:	
Up to 10 MPH over the posted limit	04
11 to 15 MPH over the posted limit	08
16 MPH and over the posted limit	12
Failure to submit to inspection or search	08
Failure to yield to an emergency vehicle	08
Willful misuse of a Coast Guard decal	08
Operating without a valid state driver's license	08
Operating a vehicle without seatbelts/harnesses engaged	08
Driver engaged in cell phone use or texting while vehicle in motion	08
Parking in a handicapped space without handicap plates or permit displayed	06
Operating an unsafe vehicle (failed state inspection or determined by security)	06

OFFENSES	**MAXIMUM POINTS**
Parked so as to impede emergency vehicles	06
Parking on Piers (without a pier pass)	06
Failure to obey traffic signs, signals or the instructions of Patrol Officers when traffic related	04
Failure to comply with Coast Guard/State registration requirements	04
Insulting security personnel, verbally or hand gestures while performing official duties	04
Littering	04
False official statements	04
Parking in a reserved space	04
Parking in a marked/designated "No Parking Zone"	04
Parking for more than 1 week in any space – except in long term parking lot	04
Parking for more than 72 hours in any space – except in long term parking lot	02
Parking on street	02
Parking on the grass	02
Delaying the flow of traffic (stopping traffic for road side conversations)	02
Parking in a non-designated parking area/space	02
Parked overnight in a parking lot designated as "No overnight Parking"	02
MOTORCYCLE ONLY OFFENSES:	
Riding without the proper safety equipment	04

NOTE:

1st offense = number of points indicated
2nd offense * within a 2 month period = double the points indicated
3rd offense * within a 2 month period = triple the points indicated

* A repeat offense that warrants doubling/tripling of points is only in the case of both offenses being of the same nature. EXAMPLE - A speeding ticket followed by a parking ticket does not double the points assigned to the parking ticket.