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Military Police

MOTOR VEHICLE TRAFFIC SUPERVISION

SUPPLEMENTATION. Supplementation of this regulation and issuance of command and local forms are prohibited without prior approval of HQ USFK (FKPM-LE), Unit #15237, APO AP 96205-0010.

INTERNAL CONTROL PROVISION. This regulation does not contain management control provisions.

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CHAPTER 1

INTRODUCTION

1-1. PURPOSE. The purpose of this regulation is to expand on the contents of AR 190-5/ OPNAV 11200.5C/AFR 31-204/MCO5110.1C/DLAR 5720.1, and to give further guidance for motor vehicle traffic supervision in the Republic of Korea (ROK).

a. Granting, suspending, or revoking the privilege to operate a motor vehicle.

b. Registration and/or disposal of a motor vehicle.

c. Administration of motor vehicle registration and drivers performance record.

d. Police traffic supervision and administration measures for use when vehicle operators are suspected alcohol or drug abusers.

1-2. APPLICABILITY. This regulation applies to all persons who operate--

a. A motor vehicle on a United States Forces, Korea (USFK) installation.

b. A Status of Forces Agreement (SOFA) registered vehicle off military installations (which includes all USFK personnel, military and civilian).

c. United States (U.S.) Government vehicle anywhere in the ROK.

1-3. RESPONSIBILITIES.

a. The Commander, USFK will ensure that the licensing of operators and the registration of Government and privately owned motor vehicles are accomplished in accordance with (IAW) the ROK/U.S. SOFA.

b. Component commanders will ensure USFK military personnel, the civilian component, and family members comply with this regulation.

c. The Chief, Joint United States Military Affairs Group-Korea (JUSMAG-K) will ensure that JUSMAG-K personnel, including civilians and family members, are licensed and their privately owned vehicles (POVs) are registered IAW U.S. Embassy instructions.

d. The Eighth Army Area Commanders and U.S. Air Force (USAF) Support Group Commanders will--

(1) Ensure that only authorized vehicles are permitted access to U.S. military installations.

(2) Provide POV registration offices, mechanical safety inspection facilities, and drivers license examination stations.

(3) Provide a continuous traffic safety program to include establishing a remedial drivers training program for problem drivers.

(4) Provide appropriate education, treatment, and rehabilitation services to personnel identified as having alcohol or drug abuse problems.

(5) Acquire decals required by this regulation from USFK-LE.

(6) Determine the disposition and storage of abandoned and unclaimed POVs. Establish disciplinary measures to invoke against USFK members who are in violation of this regulation in regards to vehicle disposal, and procedures for Government reimbursement for storage and disposition.

(7) Designate an enclosed area on the installation that can be secured by lock and key for an impound lot to be used for storage of abandoned and unclaimed POVs.

(8) Establish a standardized program for local spot inspections of POVs.

e. The USFK Provost Marshal (PM) will--

(1) Develop and implement a motor vehicle traffic supervision program within USFK.

(2) Provide staff supervision over the activities of the USFK motor vehicle recorders.

(3) Maintain a central vehicle registry of all SOFA vehicles registered in the ROK (to include POVs, Nonappropriated Fund (NAF), and Special Mission Vehicles (SMVs)).

(4) Coordinate with national agencies of the ROK Government on matters pertaining to motor vehicle traffic supervision.

(5) Ensure the disposition, storage, and government reimbursement regarding abandoned and unclaimed POVs.

(6) Outline procedures for registration and licensing of NAF vehicles.

(7) Procure decals required by this regulation.

f. The local Vehicle Registry will coordinate with the National Agencies District License Office of the ROK Government on establishing license and seal issuance that is customer oriented.

g. The Assistant Chief of Staff (ACofS), G1 will--

(1) Validate registration, transfer, and cancellation actions initiated by NAF agencies throughout the ROK, (except for those owned by AAFES-K (formerly known as Korea Area Exchange)) and that all plates are affixed to the correct vehicles.

(2) Ensure that NAF vehicle registrations and license plates are returned to the USFK, PM, when the vehicle is sold, salvaged, exported, or transferred in country.

(3) Provide the ACofS, G1 as the executive agent for NAF and Morale, Welfare and Recreation vehicle matters.

h. The Commander, AAFES-K will--

(1) Ensure the Chief of Transportation, AAFES-K validates all registration, transfer, and cancellation actions involving vehicles owned by AAFES-K and plates are affixed to the correct vehicle.

(2) Ensure vehicle registrations and license plates are returned to the USFK, PM, when the vehicle is sold, salvaged, exported, or transferred in country.

i. Unit Commanders/Activity Directors of non-military agencies (i.e., NAF, MWR facilities) will--

(1) Ensure personnel assigned to their unit maintain liability insurance, register, and deregister a POV IAW this regulation.

(2) Ensure personnel assigned to their unit have a valid USFK Form 134EK (USFK Motor Vehicle Operators Permit) (bilingual) for the types of vehicle(s) operated.

(3) Confiscate USFK Form 134EK from their personnel or family members upon termination of employment or status and forward the permits to the issuing driver's testing facility.

(4) Remove canceled license plates from POVs when notified or requested by the vehicle registration authority.

(5) Present a local installation clearance record showing proper disposal of vehicles before departing the command.

(6) Submit satisfactory evidence of sale, shipment, or other lawful disposition of the vehicle(s) prior to departing the command.

j. The USFK sponsoring agency will ensure invited contractor personnel and technical representatives are aware of the provisions of this regulation.

k. Those USFK activities awarding contracts will ensure the contract(s) reflect the requirements found in paragraphs 2-2 and 3-6. Contractors will brief personnel about individual responsibilities for operation of vehicles on U.S. military installations.

l. The USFK Command Safety Office will--

(1) Maintain a motor vehicle accident prevention program.

(2) Maintain liaison with the AAFES-K Safety Office to ensure uniformity and adequacy of USFK motor vehicle safety inspections.

(3) Ensure driver testing is standardized and uniformly conducted throughout the command.

(4) Publish a training manual on traffic regulations, road signs, and safe driving practices.

(5) Provide guidance and assistance to establish the remedial driver programs of Eighth Army Area Commanders and USAF Support Group Commanders.

m. Air Force Social Actions Officer will provide treatment and education services to personnel identified by unit commanders with possible drug abuse and/or alcohol problems. They will provide the unit commander an in-depth briefing on the level or phase recommended after an initial evaluation as per Air Force directives.

1-4. POLICY. See AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 1-5.

1-5. PUNITIVE PROVISIONS. Violations of any portion of this regulation are subject to punitive actions under Article 92 and/or other applicable articles, Uniform Code of Military Justice (UCMJ). Violators are also subject to administrative action or withdrawal of privileges covered under this regulation.

1-6. OTHER ACTIONS. The Commander, USFK (or Designee) may direct actions not specified in this regulation in order to remedy or address instances not envisioned by this regulation.

CHAPTER 2

LICENSING

2-1. BASIC REQUIREMENTS.

a. Operating a motor vehicle in the ROK is a conditional privilege granted by the ROK; the Commander, USFK; and Area Commanders. Persons who desire this privilege must be in one of the following categories to obtain a USFK driver's license, or obtain an approved exception IAW Para 5-3 of this regulation.

(1) Command sponsored status regardless of grade.

(2) Joint domicile status authorized a POV on orders.

(3) A member of the U.S. Armed Forces in the grade of E5 or above in Areas II, III, and IV; E-6 or above in Areas I, V, and VI.

(4) Department of Defense (DOD) civilian employees (Army, Air Force, and Navy) who hold positions GS-5, WG-5, WL-2, WS-1, NA-5 and CC-3 grades and above; USFK technical representative, or invited U.S. Government Contractors.

(5) Any member of the USFK or its civilian component authorized shipment of a POV to the ROK at U.S. Government expense.

(6) Non-command sponsored family members of categories 2-1a(2)-(5) above.

(7) A U.S. citizen or a third country national employed as an invited contractors, who also have SOFA privileges.

b. The following age requirements must also be satisfied before obtaining a USFK driver's license:

(1) Age. Drivers must be at least 16 years of age and pass the required written test to operate a vehicle on an installation. Drivers must be at least 18 years of age to operate a motor vehicle off the installation.

(2) Person's subject to this regulation, who are 16 years of age, are issued a license after passing the required written tests. This license shall entitle the bearer (under age 18) to drive a motor vehicle on a U.S. military installation. Persons in this category shall be permitted to drive on ROK public highways and thoroughfares only when passing between U.S. military installations that are directly adjacent to or across from each other. The USFK Form 134EK will indicate this restriction.

(3) Driver's license applicants who desire to operate a motorcycle/moped must pass written and skill tests administered by a U.S. driver testing facility. Personnel who operate mopeds (regardless of engine size) on a public street or highway must be licensed. The minimum age for operation on military installations is 16 years of age. The minimum age for operation off military installations is 18 years of age except as noted in para 2-1b(2) above.

2-2. LICENSES.

a. Driver's License. This paragraph establishes procedures for granting driving privileges. The SOFA Joint Committee requires--

(1) All SOFA members of USFK, the civilian component (including technical representatives, invited contractors), and family members who drive POVs in the ROK must possess a USFK Form 134EK). A valid U.S. state drivers license may be used as a temporary permit for 30 days after initial arrival in the ROK. All non-SOFA personnel must also possess a corresponding ROK drivers license prior to issuance of a USFK Form 134EK.

(2) Operators of U.S. Government vehicles (including Korean Augmentation to the United States Army (KATUSA) personnel) and USFK NAF vehicles will possess a valid Optional Form (OF) 346 (United States Government Motor Vehicle Operator's Identification Card). Korean National civilian operators of U.S. Government and USFK NAF vehicles will have in possession a valid OF 346 and a corresponding valid ROK driver's license. The ROK military (except KATUSA personnel) must have in possession either a ROK military license, or a ROK civilian license, when operating a vehicle on any U.S. military installation. Air Force personnel operating government military vehicles off military installations will have in possession a valid AF Form 2293 (U.S. Government Vehicle Operator Identification Card) or a valid OF 346.

(3) Non-SOFA status contractors, technical representatives, their U.S. and third-country national employees, and family members of both groups who desire to drive in the ROK, must obtain a ROK driver's license. These personnel operating a U.S. Government owned/leased motor vehicle must also obtain a USFK Form 134EK.

(4) Cadets from the U.S. Air Force, Army, Coast Guard, Naval, other Military Academies or Reserve Officer Training Corps shall not be licensed or permitted to operate any type of motor vehicle in the ROK.

(5) Applicants who are members of USFK, the civilian component, or their family members must also possess a valid U.S. state driver's license or international driver's license. In the case of individuals who receive an in-country transfer, a valid driver's license issued by the military driver's testing facility at their last duty station will be accepted. Applicants who do not possess a valid U.S. state driver's license, international license, or a valid license issued by a testing facility at their last duty station, must complete a road test unless they have completed a recognized driver's education program.

(6) The USFK Form 134EK will indicate the type of vehicle(s) the individual is authorized to operate and the type of license/permit authorized.

(7) The USFK 134EK is valid for--

(a) Military and their family members - Two (2) years.

(b) DOD civilians and their family members - Five (5) years or termination of status, whichever comes first. The DOD civilians who are also family members of military have the same limitations as their sponsor.

(c) Invited contractors, technical representatives, and their employees (including Korean Nationals) and their family members - 5 years or termination of their contract, whichever comes first.

(d) Chauffeurs - same as sponsor.

b. Learner's Permit.

(1) Area Commanders designated in USFK Reg 10-2 who operate a driver's testing facility may issue learner's permits. Learner's permits may be issued to family members (command and non-command sponsored)(age 16 or over); persons subject to this regulation; and U.S. Embassy, JUSMAG-K, and Special United States Liaison Advisor Korea (SUSLAK) personnel. The written tests must be successfully completed before the permit is issued. Applicants who are also family members must provide the sponsor's written approval and show proof that they are covered by the minimum required liability insurance.

(2) Family members who are at least 15 years and nine (9) months of age and who are enrolled as students in a recognized driver education program may be issued a learner's permit after successfully completing the required written tests. The permit will be effective for the duration of the school term and will entitle the student to operate a motor vehicle when accompanied by a licensed adult driver who has at least one year of driving experience and who occupies a seat beside the driver. Area Support Group/Support Group Commanders will determine which driver education programs are recognized in their areas.

(3) Learner's permits may be granted for no more than one (1) year. Bearers of a learner's permit are entitled to drive a motor vehicle only on a U.S. military installation and only during daylight hours. A USFK Form 134EK indicating the above restrictions and marked "Learner's Permit" will be used as the official document. A learner's permit will not authorize operation of a motorcycle/moped.

c. Chauffeur's License. Chauffeurs must possess a valid ROK driver's license that will be presented prior to testing for USFK Form 134EK. (Installation pass requirements outlined in USFK Reg 190-7 apply to chauffeurs.) The expiration date of a chauffeur's license will not exceed the date of the sponsor's date eligible to return from overseas (DEROS). Chauffeurs are categorized as either personal or business. (The difference is that Korean Nationals must

show employment to get one; a SOFA member does not have to show employment to test for and receive one.) Sponsors shall confiscate the chauffeur's USFK Form 134EK and installation pass when the chauffeur is no longer performing duties. The license and pass shall then be returned to the proper authorities.

(1) Personal chauffeurs. The sponsor must submit a written request to the appropriate driver testing facility requesting a test for the issuance of a USFK Form 134EK for the chauffeur. The request must contain identification information about the prospective personal chauffeur, the sponsor's DEROS, and the SOFA license plate number of the POV that will be operated.

(2) Business chauffeurs. Chiefs of organizations authorized to register vehicles IAW the SOFA must follow the same requesting procedures for "business" chauffeurs as stated for "personal" chauffeurs, however, the request must also state the normal duty hours for the business chauffeur.

d. Bus License. Drivers shall not be licensed to drive a school bus or other vehicle transporting school children unless they are--

(1) At least 21 years of age.

(2) Medically cleared by U.S. authorities. The clearance must specify that the driver is medically competent to operate a school bus or other vehicle transporting school children.

(3) Trained by the Transportation Officer in the specialized requirement to operate a school bus.

(4) An experienced driver with at least one (1) year as a licensed driver.

(5) Free from serious traffic violations and not considered a high-risk driver based on repeated traffic offenses.

e. Temporary License.

(1) All SOFA status members of USFK, civilian component (including technical representatives, and invited contractors), and family members who desire to drive in the ROK, may use a valid U.S. state driver's license as a temporary permit for 30 days after initial arrival in the ROK.

(2) SOFA status contractors, their U.S. and third-country national employees, and family members of both groups may use a valid driver's license issued by a foreign government as a temporary permit for 30 days after initial arrival in the ROK.

2-3. LICENSING PROCEDURES. Applying for a license.

a. Applicants must meet eligibility requirements of paragraph 2-1a.

b. Driver testing facilities will require applicants to furnish suitable documentation, such as assignment orders, to establish they are utilizing the appropriate testing facility. Except in the case of personnel assigned to Detachment 1, 7th Air Force, who may be tested at Osan Air Base, personnel shall not be tested outside their area of residence. The driver testing facility must verify, through local law enforcement personnel, that the applicant's driving privileges were not revoked or suspended elsewhere in the ROK.

c. Military and state driver's permits issued by agencies outside the ROK are not valid for use in Korea except as outlined in paragraph 2-2e above. Exceptions may be granted to out-of-country units on temporary duty (TDY) in the ROK as follows:

(1) After the applicant successfully completes training and written tests, the OF 346 will be annotated "VALID IN KOREA" and signed by the testing official.

(2) The TDY units deploying to the ROK may obtain training and testing material from the Eighth Army Command Safety Office. The Transportation Officer of the TDY unit may request, in writing, from the Commander, Eighth Army (EASF), Unit #15326, APO AP 96205-0009. The written request should contain the estimated number of drivers and the purpose of the deployment to Korea.

(3) Renewing and Replacing Licenses. Replacement driver's licenses or learner's permits may be issued if they are lost, destroyed, or stolen. A satisfactory written explanation of the circumstances surrounding the loss will be furnished to the testing facility. The driver testing facility will verify through the local PM or Chief, Security Police that the applicant has not had driving privileges revoked or suspended before any replacement license is issued. A replacement driver's license may also be issued to replace an expired license, provided the expired license is presented with the request for the replacement license.

2-4. IMPLIED CONSENT PROVISIONS.

a. Implied Consent to Blood, Breath or Urine Tests. Persons who operate a motor vehicle on a military installation automatically give their consent to chemical tests for alcohol or drug content of their blood, breath or urine. It is implied that, if lawfully stopped, apprehended or cited for an offense committed while driving or in control of a motor vehicle, the individual has given "implied consent" to the search of his/her person. An individual's refusal under the "Implied Consent" provision will automatically result in a one-year revocation of driving privileges.

b. Implied Consent to Impoundment. Persons who operate a motor vehicle on an installation shall be deemed to have given consent for the removal and temporary impoundment of the POV when it is: (1) parked illegally for unreasonable periods, (2) interfering with operations, (3) creating a safety hazard, (4) disabled by accident, (5) left unattended in a restricted or controlled area, or (6) abandoned. Such persons further agree to reimburse the U.S. for the cost of towing and storage should their motor vehicle be removed or impounded. Existence of the conditions described above will be determined by the Area Support Group/Support Group Commander or designee.

2-5. SUSPENSION, REVOCATION AND ADMINISTRATIVE HEARINGS.

a. Policy.

(1) Suspension and revocation includes a prohibition on operating a motor vehicle within the ROK to include all military installations. The Commander, USFK (or Designee) may, for cause, administratively suspend or revoke the privilege of owning or operating a POV. The Commander, USFK has delegated suspension and Revocation Authority to the Chief, JUSMAG-K; Eighth Army Area Commanders; Installation Commanders (0-5 and above); and USAF Support Group Commanders. Additionally, revocation and suspension authority is delegated to sub-area commanders in Areas I, II, III, and IV. This may be further delegated to the deputy commander or equivalent (O-5 and above), but no lower. Suspension or revocation actions based on serious moving traffic violations and point assessment for other moving violations are covered in the succeeding paragraphs and chapter 4.

b. Suspension.

(1) Driving privileges may be suspended whenever an individual consistently violates installation traffic regulations, as determined by the revocation authority. Suspensions will apply to individuals when other measures such as counseling, remedial driver training, and rehabilitation programs fail to improve driver performance. Suspension may also be used as a temporary measure pending resolution of a revocation hearing. Suspensions, other than as a temporary measure pending the resolution of a revocation hearing, will not exceed a period of six (6) months. Suspensions will terminate at the end of the specified period and the driving privileges will automatically be reinstated.

(2) The revocation authority will immediately suspend the driving privileges of suspected subjects of drunk driving offenses pending the resolution of the allegation. Drunk driving offenses pertain to on/off post driving and being in physical control of a motor vehicle when their blood alcohol content is greater than the Armed Service's standard (currently .10 percent for impairment).

(3) The revocation authority will immediately suspend the driving privileges of an individual who commits a serious driving offense (defined as an offense assessed more than 3 points under AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1) while awaiting adjudication or administrative due process for commission of another driving offense and the gravity of the alleged offenses, together with the individual's previous record, causes serious concern for the safety of others.

c. Revocation.

(1) The revocation of driving privileges is a severe administrative measure to be imposed for serious moving violations or when other available corrective actions fail to produce the desired improvement. Revocation of driving privileges will be imposed for a specific period of time but <u>never less</u> than six (6) months.

(2) The revocation authority will revoke driving privileges for a mandatory period of one (1) year when--

(a) The revocation authority determines the person was lawfully apprehended for drunk driving and refused to submit to or complete a test to determine blood alcohol content;

(b) The revocation authority determines that there has been a conviction, non-judicial punishment, or an administrative determination that a drunk driving offense was committed. Official documentation of the conviction is required as the basis for the revocation; or

(c) The revocation authority determines that the owner of the vehicle willfully or negligently fails to maintain the minimum liability insurance required by this regulation.

(3) The revocation authority will revoke driving privileges for those persons apprehended when driving while under suspension or revocation for a period of five (5) years. In addition, separate action may also be initiated on the basis of any applicable traffic violations, which were also committed.

(4) The revocation authority will immediately revoke the driving privileges of an individual who, based on medical certification, is incompetent to operate a motor vehicle for reasons of physical or mental impairment. Incompetence will be determined by a physician.

(5) The revocation authority may revoke driving privileges when an individual is apprehended while driving and has failed to comply with any of the conditions requisite for the granting of the privilege.

(6) While under revocation, individuals may not be permitted to obtain or use an OF 346. However, see paragraph 2-5j for tactical vehicle exception.

(7) The period of revocation will be computed from the date the original suspension was imposed, excluding any period of time when full driving privileges were restored pending the resolution of the charges. For example, driving privileges were initially suspended on 1 January 1996 for an offense of drunk driving off post with a blood alcohol content of .11 percent. A hearing was conducted on 1 February 1996 and privileges were reinstated pending resolution in the Korean courts. On 1 March 1996, the individual was convicted for drunk driving and his driving privileges were revoked. The mandatory 1-year revocation period would be computed from 1 January 1996 through 31 January 1996, and again from 1 March 1996 through 31 January 1997 for a period of 12 months.

d. Review Procedures. Prior to the immediate suspension actions under paragraph 2-3b above, the apprehending officer will provide the best evidence available to the reviewing officer.

(1) The best available evidence submitted to the reviewing officer will include, but not be limited to, the contents of sworn statements, oral statements of actual witnesses, refusal to consent to blood tests, and field sobriety tests.

(2) At a minimum, with the exception noted in paragraph 2-5e(5)(c) below, the reviewing officer must be a commissioned officer outside the installation law enforcement agency. Normally, the revocation authority will appoint the Judge Advocate as the reviewing officer.

(3) The revocation authority may authorize an alternate commissioned officer outside law enforcement agencies to conduct reviews and authorize suspensions in cases where the designated reviewing officer is not reasonably available. Review by the designated reviewing officer will follow as soon as possible. There is no requirement for a confirmation notice to be served on the suspended individual following the subsequent review by the designated reviewing officer.

e. Notice.

(1) For active duty military personnel assigned within the USFK, written notice of the immediate suspension will be provided to the individual after apprehension and approval of the reviewing officer. The apprehended individual will acknowledge receipt of the suspension. The Provost Marshal Operation (PMO) will provide a copy of the acknowledged suspension to the unit representative taking custody of the apprehended individual, the unit commander, and the servicing Judge Advocate.

(2) For civilian personnel under the purview of USFK and subject to the requirements of this regulation, written notice of the immediate suspension offenses will be provided to the individual after apprehension and approval of the reviewing officer. The apprehended individual will acknowledge receipt of the suspension. The apprehending officer will provide a copy of the acknowledged suspension to the unit representative taking custody of the apprehended individual (if applicable), to the apprehended individual's supervisor, to the chief of the servicing civilian personnel office (if applicable), and to the servicing Judge Advocate.

(3) For both military and civilian personnel, written notice of suspension other than immediate suspensions will be forwarded through the chain of command for endorsement by the individual. Written notices for civilians not employed at a USFK installation will be sent by appropriate registered, return receipt requested mail. Original acknowledged suspensions will be maintained in the suspension/revocation files at the servicing PMO.

(4) Original acknowledged suspensions will be maintained in the suspension/revocation files at the servicing PMO.

(5) Notices of suspension will contain the following:

(a) Notification that the suspension is immediate upon receipt.

(b) The fact that the suspension includes a prohibition against operating a motor vehicle under USFK Motor Vehicle Operator's Permit anywhere in the ROK.

(c) The right to request within 10 days, in writing, a hearing before the hearing officer to determine whether driving privileges should be revoked; whether driving privileges should be reinstated; and/or whether restricted driving privileges, if requested, should be granted. If a hearing is not requested within 10 days, the revocation authority may immediately revoke the individual's privileges.

(d) The right of DOD civilian employees to have a personal representative present at the administrative hearing.

(e) The right to be represented by counsel, present evidence and witnesses, at the individual's own expense.

f. Hearings. Within the USFK, requested driving privilege hearings will be held by the Area Support Group Commander/Support Group Commander, or their representative designated as the reviewing officer. Such hearings are administrative in nature and non-adversarial. The Judge Advocate will use such procedures to ensure that the individual's right to notice and opportunity to present evidence are protected. These administrative hearings are used by the revocation authority to determine any additional facts, which may be available in deciding whether to revoke or suspend driving privileges or grant restrictive driving privileges.

(1) A hearing will be conducted within 10 working days of receipt of the request. If a hearing is not held within 10 days, and the delay is not requested by the individual, the suspension of driving privileges will automatically be lifted until a hearing is held.

(2) Administrative hearings on driving privileges will cover only pertinent issues. Such issues include, but are not limited to those contained in AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 2-6c(10).

(3) A recommendation will be furnished to the revocation authority from the hearing officer. The revocation authority will render a decision whether to suspend, revoke, restrict, or reinstate within 7 days from the hearing. If no decision is rendered at the conclusion of 7 days, the suspension of driving privileges will automatically be lifted until the decision is rendered.

(4) Suspensions and revocations issued by the revocation authority will become effective immediately upon receipt of the written notification.

g. Appeals. Suspensions and revocations issued by the revocation authority may be appealed. Requests for appeal must be presented through command channels to the revocation authority for consideration within 10 days from the date the individual is notified in writing of the revocation authority's decision.

h. Disposition of POV license plates following Suspension and Revocation.

(1) The Area Support Group Commander/Support Group Commanders will establish procedures to confiscate POV plates of personnel under revocation action.

(2) The front license plate does not have to be removed if evidence is furnished that another member of the household or a hired chauffeur is authorized to operate the vehicle.

NOTE: Personnel required to confiscate license plates shall maintain strict accountability of impounded license plates until driving privileges are reinstated, the license plate is returned to the owner, or the owner clears vehicle registration by proper disposition of the vehicle.

(3) Deregistration, instead of license plate confiscation, will be effected if the person's expiration of term of service or permanent change of station (PCS) is scheduled during the period of revocation.

i. Reinstatement of Driving Privileges.

(1) Driving privileges are automatically reinstated at the termination of a suspension period.

(2) Persons whose driving privileges were revoked or restricted shall, at the termination of revocation or restriction period, request through their commander, supervisor or higher authority, as appropriate, permission to obtain a new USFK motor vehicle operator's permit. The commander will ensure that all required courses (for example, remedial driver training and alcohol education classes) have been completed. The commander's recommendation and the request will then be forwarded to the local PM or Chief, Security Forces (CSF).

(3) The PM or CSF will verify compliance with all terms of the revocation or restriction and forward the request to the appropriate approving authority (see paragraph 2-5) for final approval. After obtaining approval, the individual may apply for a new USFK Motor Vehicle Operator's Permit.

j. Restricted Driving Privileges.

(1) The revocation authority may consider and grant requests for restricted driving privileges based on, but not limited to, mission necessity, medical needs, or severe family or employment hardship.

(2) Restricted driving privileges will not be granted to any person whose driver's license is under suspension or revocation by a state, federal, or host nation court or administrative agency. Restricted driving privileges will not be granted to either those individuals apprehended while driving on suspension or revocation, those individuals apprehended while driving outside of previously imposed restriction, or those individuals apprehended on a second drunk driving offense. Such denials will not be made until there is an administrative decision rendered by the revocation authority as outlined in paragraph 2-5f(1)(c) above on the subsequent alleged misconduct.

(3) A field grade commander may approve restricted driving privileges only for the operation of tactical vehicles and only after medical determination is made that the individual does not have an alcohol or drug problem. Mission accomplishment will be the key reason an

exception is granted. A copy of approved exceptions will be forwarded to the local PM or CSF. The exception will be filed with the revocation case file. (This does not apply to individuals who have had administrative determination of a second drunk driving incident.)

NOTE: A tactical vehicle is a military vehicle used primarily off the road in support of military operations and training events; it is not a vehicle used for administrative purposes.

k. Revocation Rosters (RCS PMJ-43). Personnel who have had their driving privileges revoked or reinstated will be reported to HQ USFK (FKPM-LE), Unit #15237, APO AP 96205-0010, by the local PMO and Security Police Traffic/Vehicle Registration sections at the end of each month. The USFK PM will consolidate revocation actions and provide a monthly revocation roster to law enforcement officials within the ROK. Reports will include the person's full name, social security number, rank, and unit.

CHAPTER 3

MOTOR VEHICLE REGISTRATION

3-1. REGISTRATION REQUIREMENTS.

a. This section governs registration of a motor vehicle with a USFK motor vehicle recorder and ownership of a duty-free POV within the ROK. As a general policy only one POV per sponsor may be registered with a USFK motor vehicle recorder. There is generally only one sponsor in a family. Families claiming dual sponsorship will provide the documents used to bring the persons to Korea (orders, employment contract, etc), which will be used to determine who is a sponsor. Where these movement documents authorize shipment of a POV to Korea at no expense to the POV owner, the person will be entitled to register a POV. All others must use an exception to policy to register a 2nd POV within the family. The POV may be owned by--

(1) Personnel in a command sponsored status regardless of grade. (**NOTE**: Personnel having partial command sponsorship are included, if authorized by sponsorship orders).

(2) Personnel in a joint domicile status authorized a POV on their orders.

(3) A member of the U.S. Armed Forces in the grade of E-5 or above in Areas II, III, and IV; E-6 or above in Areas I, V, and VI.

(4) The DA civilians in the grade of GS-5 or above and USFK technical representatives and invited contractors.

(5) The U.S. citizens and third-country nationals employed by invited contractors, who have SOFA privileges.

(6) Any member of the USFK or its civilian component authorized shipment of a POV to the ROK at Government expense.

b. While a motorcycle (50cc and larger) is treated as a POV throughout this regulation, for the purpose of the one duty-free rule (para 3-1a), motorcycles do not count. Thus, a person meeting all the other requirements of this regulation may register a motorcycle as a 2nd POV without obtaining an exception to policy. See para 5-3 for a complete discussion of exceptions to policy.

3-2. REGISTRATION POLICY.

a. Motor vehicles in the ROK that are owned or possessed by persons subject to this regulation will be registered with the local USFK vehicle recorder within 10 days after they are received from port or POV pick up point, purchased, or otherwise legally acquired.

b. The import document issued at the port of entry, the bill of sale, or the release document from the Defense Reutilization and Marketing Office serves as the authority to drive the POV to the U.S. military installation, provided the vehicle is properly insured and--

c. Sponsors who received motor vehicles from port or POV pick up point, purchased, or otherwise legally acquired will obtain USFK temporary license plates from the vehicle registration office prior to leaving U.S. military installation or purchasing vehicle off the installation.

(1) USFK temporary license plates issued for vehicles received from port or POV pick up point, purchased, or otherwise legally acquired and will be valid for no more than 10 days. No temporary license plates may be transferred to another vehicle.

(2) USFK temporary license plates will only be valid for assigned vehicle and will be firmly mounted to the front and rear of the vehicle and will not be bent, trimmed, or altered in any manner except as necessary to adequately attach them to the vehicle. License plates will be affixed to the vehicle in the area provided by the manufacturer.

d. All POVs will be registered under the sponsor's name, even if another member of the household legally owns the POV. The sponsor may register a POV without a driver's license provided a member of the household has a driver's license or the sponsor employs the service of a chauffeur licensed IAW this regulation.

e. Under ROK law and USFK policy, a motorcycle (50cc and above) is considered a POV and as such must be registered accordingly. The Area Commander may register 49cc and below with the Area Vehicle Registration Office for accountability.

f. The USFK motor vehicle recorders are responsible for ensuring POVs are registered only by authorized individuals. Copies of exceptions, command sponsorship, joint domicile orders, or other orders authorizing registration and shipment of a POV (including Powers of Attorney) will be attached to the USFK Form 31EK (Application for Registration/Cancellation of USFK Privately Owned Vehicle) (available by EMO) and forwarded to the USFK PM (FKPM-LE), Central Registry, Unit #15237, APO AP 96205-0010.

g. All SOFA POV owners will deregister, or make legal arrangements for deregistration of, their vehicles before permanently departing from this command by reporting to the local PM or Security Police Office for a vehicle registration clearance check.

h. Only one POV may be registered with a USFK motor vehicle recorder and only one duty-free POV may be owned by SOFA status personnel. Exceptions to policy may be granted. See paragraph 5-3.

i. When cancellation of registration of a POV is required by one of the events described above, the sponsor will immediately surrender the SOFA license plates and USFK Form 207 (Military Registration and Certificate of Title of Motor Vehicle (Non Transferable)) to the vehicle recorder. The owner will complete two copies of USFK Form 31EK. The vehicle recorder should verify disposition by examining the appropriate documents (shipping documents,

bill of sale, transfer agreement, receipt from a U.S. property disposal office, police report, and other) and confirm that the POV has been disposed of as stated by the registrant. After verifying USFK Form 31EK, the vehicle recorder will affix his or her official seal, sign blocks 8 and 10, stamp "CANCELED," and forward one copy to the appropriate province office or city hall and the other copy to HQ USFK (FKPM-LE), Unit #15237, APO AP 96205-0010.

3-3. SAFETY INSPECTION REQUIREMENTS.

a. All POVs will undergo a safety inspection, normally done by AAFES-K, before registration. The POVs will be inspected each time the vehicle is re-registered, unless otherwise exempted by this regulation. Vehicles not complying with this regulation will not be registered or issued a USFK Safety Inspection Decal until necessary repairs are made. If a controversy develops about minor deviations, the owner has the right to appeal inspection findings as outlined in paragraph 3-4.

b. Before registration, POVs must pass a safety inspection conducted within the last 30 days, at a facility designated by the U.S. Army Area Commander or USAF Support Group Commander and at least annually from date of initial registration. Invited contractors, their U.S. and third-country national employees, and their family members must obtain a vehicle inspection certificate issued by the ROK Government in lieu of the safety inspection.

c. Vehicle inspection facilities will inspect POVs IAW the vehicle standards in this regulation and for general mechanical fitness and safety. Vehicles must be equipped with a warning device (warning triangle or traffic flares) prior to registration. Vehicles requiring repair will not be operated except to transport the vehicle to the repair facility and will be provided an inspection certificate stamped "REJECTED". This certificate will show any required repairs and that re-inspection must be done within 15 days. An additional 30 days may be granted on a one-time basis by the local PM or CSF.

d. The annual safety inspection of the POV will be conducted during the same month as the initial inspection. Inspection certificates will remain with the vehicle except to present it to the Vehicle Registration Office for re-registration.

e. The USFK Motor Vehicle Recorders are responsible for affixing a USFK Safety Inspection Decal to the vehicle, provided the vehicle owner presents a valid safety inspection certificate. The decal will be affixed to the inside of the vehicles front windshield at the bottom left corner. When a POV is sold to another authorized individual, the buyer must secure a new safety inspection before reregistering the vehicle.

f. On motorcycles/mopeds without a front windshield, the safety decal will be affixed to the front of the vehicle where it can be seen by gate personnel as the vehicle approaches a gate.

g. Non-SOFA member contractors, their U.S. and third country national employees, and their family members, must obtain a vehicle inspection certificate issued by the ROK Government in lieu of the safety inspection.

h. The only exception to the annual safety inspection requirement are for vehicles less than two years old as determined by the manufacture date or model year, whichever is older, and the initial inspection of these vehicles will be valid for two years.

3-4. SAFETY INSPECTION REQUIREMENTS FOR NONAPPROPRIATED FUND (NAF) AND ARMY AND AIR FORCE EXCHANGE SERVICE-KOREA (AAFES-K) VEHICLES.

a. The NAF and AAFES-K-owned vehicles must have annual safety inspections.

b. Vehicles owned by the AAFES-K will be inspected IAW the provisions of the applicable Exchange Service Manual. The Chief of Transportation, AAFES-K, will ensure an AAFES-K Form 6550-8 (Certificate of Inspection), is submitted with each application for initial registration and annually thereafter to the USFK PM.

c. All other NAF-owned vehicles will be inspected by a USFK certified POV inspection facility or servicing Transportation Motor Pool. A copy of the validated USFK Form 167 (Inspection Check Sheet for Nonappropriated Fund Vehicles) (available by EMO), will be submitted with the application for initial registration and annually thereafter to the USFK PM.

d. As is the case with government and POVs, NAF-owned vehicles are subject to roadside safety inspections and all other accident prevention measures employed by USFK law enforcement personnel.

3-5. FAILURE TO PASS PRIVATELY OWNED VEHICLE (POV) INSPECTION. Vehicle inspection appeal procedures are as follows:

a. To contest the results of a POV safety inspection, the POV owner will--

(1) Notify the individual/agency who performed the inspection.

(2) Obtain a copy of the inspection checklist and the inspection certificate stamped "REJECTED."

(3) Contact the Unit Commander and forward to the Installation Transportation Officer (ITO) a memorandum, signed by the Unit Commander, requesting a re-inspection by the Transportation Motor Pool (TMP) Maintenance Section.

b. After being notified by the POV owner, the ITO will--

(1) Contact TMP Maintenance for an appointment.

(2) Give the POV owner an appointment slip denoting the date, time, and location of the re-inspection.

c. The TMP Maintenance will be appointed to--

(1) Re-inspect the POV, limiting the re-inspection to the area(s) of controversy.

(2) Provide a copy of the re-inspection results/findings to the inspection facility, the vehicle registration office, and the POV owner.

(3) Conduct safety inspections of US Government owned/leased vehicles intended to be registered as Special Mission Vehicles (paragraph 3-11).

d. The POV owners should take the re-inspection results to the commander and registration authority to have the vehicle registered if the appeal is approved.

3-6. UNITED STATES FORCES, KOREA (USFK) LICENSE PLATES, SEALS, AND INSPECTION DECALS.

a. Ownership, Validity and Disposition of License Plates.

(1) Personnel who transfer from USFK to JUSMAG-K must turn in SOFA vehicle license plates to the USFK vehicle recorder at the time of the transfer.

(2) Motorcycles operated on highways and streets shall be issued a ROK license plate and issued a decal.

(3) New license plates may be issued to replace lost or stolen plates or those that have become illegible. When plates have become illegible, the same procedures as required for initial registration of the vehicle will be followed. The new application will be accompanied by the original and duplicate copies of the previous vehicle registration and the illegible plates.

b. Displaying License Plates and Safety Inspection Decals.

(1) License plates will be firmly mounted to the front and rear of the vehicle and will not be bent, trimmed, or altered in any manner except as necessary to adequately attach them to the vehicle. License plates will be affixed to the vehicle in the area provided by the manufacturer. No other decal fashioned in the form of a license plate may be displayed on the vehicle.

(2) The inspection decal must be attached to the inside of the vehicles front windshield, bottom left corner. For motorcycles/mopeds not having front windshields, the decal will be affixed to the front of the vehicle where it can be seen by gate personnel as the vehicle approaches the gate.

NOTE: Mopeds are two-wheeled motorized vehicles with an engine size of 49 cubic centimeters and below. Mopeds are not required to display license plates, however, all rules regarding the operation of motorcycles will also apply to mopeds.

3-7. REGISTRATION PROCEDURES.

a. Required documentation. Persons registering a POV or motorcycle must present the following documents:

(1) Identification card.

(2) Proof of ownership.

(3) A ROK Customs Import Permit, proof that the vehicle was manufactured in the ROK, or proof of prior registration with a USFK vehicle recorder.

(4) The USFK motor vehicle operator's permit or ROK driver's license for sponsors, household members, and chauffeurs. When registering a motorcycle/moped, the USFK operator's permit will reflect authorization to operate a motorcycle.

(5) Vehicle inspection certificate indicating the motor vehicle passed a USFK vehicle safety inspection or a ROK vehicle safety inspection. The inspection certificate may not be more than 30 days old unless the vehicle is a motorcycle being registered by a Korean national employee.

(6) Insurance policy or documentation that the vehicle is insured in the amount prescribed in this regulation.

(7) Invited contractors will register company-owned vehicles in the company's name (Para 3-10).

(8) Proof of SOFA status, upon request an Active Duty ID card or RCP is generally acceptable proof.

(9) Proof of eligibility to register a vehicle IAW paragraph 3-1 (Standard Policy) or paragraph 5-3 (Exception to Policy) as applicable.

b. Registration Procedures. Motor vehicle recorders will--

(1) Complete three copies of USFK Form 31EK. All information must be verified by examining the documents listed in paragraph 3-6a. One copy of the USFK Form 31EK is retained by the vehicle recorder, one copy is given to the local city hall or province office, and one copy is forwarded to HQ USFK (FKPM-LE), Central Vehicle Registry, Unit #15237, APO AP 96205-0010. The reverse side of USFK Form 31EK will reflect the official seal of the motor vehicle recorder and the signature of the recorder or his designated representative. The copy forwarded to the USFK PM will list in the remarks section, the name and registration plate number of any previous owners. Original Power of Attorney if used will remain with the local vehicle recorder until the vehicle is de-registered.

(2) Complete two copies of USFK Form 207. The original (white) will be given to the owner upon completion of the registration process. The duplicate copy (yellow) will be kept in the recorder's file.

(3) Issue USFK Form 207 after verifying that all prohibited decals are removed from the vehicle and the license plate seal has been affixed.

(4) Issue decals for registered motor-driven cycles.

(5) Issue and affix USFK Safety Inspection Decal.

(6) Ensure POVs are registered only by authorized individuals, copies of exceptions, command sponsorship, joint domicile orders, or other orders authorizing registration and shipment of a POV will be attached to the USFK Form 31EK and forwarded to the USFK PM (FKPM-LE), Central Vehicle Registry, Unit #15237, APO AP 96205-0010.

c. Insurance Requirements.

(1) Documentation of insurance, in the amount specified below, is required for registration, and the owner must maintain insurance for the period he owns the vehicle. Following are minimum insurance requirements:

(a) $50,000 to cover liability resulting from bodily injury or death of any one person.

(b) $100,000 to cover liability resulting from bodily injury or death per accident.

(c) $25,000 property damage liability per accident.

(2) Insurance coverage can be obtained from either a ROK company or a U.S.-based company. However, the company must extend coverage to vehicles operated in the ROK and be represented in the ROK by an agent accredited by the ROK Government. Policies must be written to provide coverage against liability incurred by any authorized driver of the insured vehicle.

d. Vehicle Registration Roster (RCS PMJ-A2). The USFK, PM, will publish two monthly rosters for use by USFK vehicle recorders, USFK law enforcement agencies, and ROK authorities. One roster will list all current POVs and NAF vehicle registrations by organization and name. The other roster will list the same information by license plate number.

3-8. LOST, STOLEN, OR DAMAGED LICENSE PLATES.

a. When the owner of a POV reports the loss or theft of one or both SOFA license plates, or a license plate is damaged and the numbers are unreadable, the owner must reregister the vehicle. Vehicles that have a current USFK Safety Inspection Decal (inspected within the last 12 months) are not required to be re-inspected before registration.

b. The USFK vehicle registration offices will not reissue SOFA license plates bearing numbers which have been reported lost or stolen.

c. Procedures for reporting lost/stolen SOFA license plates are shown below.

(1) The POV owner will--

(a) Report the incident to the local MP/SP station.

(b) Obtain new plates from the USFK Vehicle Registration Office where the POV was originally registered.

(2) The MP/SP station will--

(a) Initiate a police report for all lost/stolen SOFA license plates.

(b) Provide an initial copy of the police report to the USFK vehicle registration office where the vehicle was registered, and FKPM-LE, Unit #15237, APO AP 96205-0010, within 96 hours of receiving the report.

(3) The USFK Vehicle Registration Offices will--

(a) Verify the requesting individual is authorized to obtain SOFA license plates by checking the USFK Form 207 or computer database.

(b) Contact the reporting MP/SP station to verify that a police report was initiated.

(c) De-register/reregister the vehicle.

(d) Obtain a final copy of the police report for permanent file at the vehicle registration office.

(e) Send a memorandum to the issuing local ROK city or Provincial Vehicle Registration Office. The memorandum will contain the date, time, and location of incident; the POV owner's name, rank, and unit of assignment; and the make, model, year, color, and vehicle identification number. A copy of the memorandum will be permanently filed at the local vehicle registration office.

d. Local PMs/CSFs will forward copies of the MP/SP report and the memorandum for the ROK Vehicle Registration Office to FKPM-LE (Vehicle Registration NCO), Unit #15237, APO AP 96205-0010, no later than 15 days after receipt of the final MP/SP report.

3-9. TEMPORARY REGISTRATION/LICENSE PLATES.

a. In-Country USFK temporary license plates.

(1) Newly Acquired POV. Personnel who received from port or POV pick up point, purchased, or otherwise legally acquired a POV may obtain temporary USFK license plates valid for 10 days. The USFK plates may be obtained from the vehicle recorder. Vehicle recorders will procure USFK temporary license plates by writing to HQ USFK (FKPM-LE), Unit #15237, APO AP 96205-0010.

(2) Transfers. When the SOFA member is transferred from one area to another, the vehicle will be de-registered in one area and issued temporary plates for ten days; within the ten days the SOFA member must arrive at the next area and register the vehicle.

(3) Documentation. To preclude unauthorized use of In-Country temporary plates within the ROK and to avoid possible SOFA conflicts, USFK temporary plates must be strictly controlled and accounted for as follows:

(a) When applying for temporary plates, the person must present--

((1)) Identification card.

((2)) Copy of Orders.

((3)) Proof of Insurance.

((4)) The import document issued at the port of entry, the bill of sale, or the release document from the Defense Reutilization and Marketing Office.

((5)) Complete USFK Form 31EK.

(b) After reviewing the above documents and verifying that the person making application is the owner or the person authorized to own the POV, the vehicle recorder will issue temporary license plates and register vehicle in BIDS. The owner will receive the Owners copy of the USFK Form 207 and the corresponding set of plates. The Office copy of the USFK Form 207, one copy of the USFK Form 31EK will be retained in the file. The ROK copy and one copy of the USFK Form 31EK will be forward to the USFK PM (FKPM-LE), Central Vehicle Registry, Unit #15237, APO AP 96205-0010.

b. Shipment to CONUS (Temporary USFK Plates).

c. Personnel who ship a POV to the U.S. may obtain temporary USFK license plates. In many states, these plates permit a grace period to obtain state license plates. The USFK plates may be obtained from the vehicle recorder. Vehicle recorders will procure temporary license plates by writing to HQ USFK (FKPM-LE), Unit #15237, APO AP 96205-0010.

d. To preclude unauthorized use of temporary plates within the ROK and to avoid possible SOFA conflicts, USFK temporary plates must be strictly controlled and accounted for as follows:

(1) Plates will not be issued until the POV has been turned in for shipment.

(2) When applying for temporary plates, the person must present:

(a) Identification card.

(b) USFK Form 207 for the POV.

(c) A copy of DD Form 788 (Private Vehicle Shipping Document for Automobile) or a commercial bill of lading if the vehicle was shipped at the owner's expense.

(d) After reviewing the above documents and verifying that the person making application is the owner or the person authorized to ship the POV, the vehicle recorder will complete two copies of USFK Form 207, placing the temporary plate number in the upper right-hand corner of the form. The shipper will receive the original of the USFK Form 207 and the corresponding set of plates. The duplicate copy of the USFK Form 207 will be retained in the file.

e. Personnel will be advised that by issuing the temporary plates, USFK is seeking to maintain compliance with state registration laws. Compliance with state laws, however, is an individual responsibility.

f. To cover the time between initial registration and the issue of license plates, vehicle recorders may issue a temporary registration with license plates. Temporary registrations are valid on military installations and for essential travel between military installations in close proximity to include domicile to duty.

3-10. REGISTRATION OF VEHICLES (NAF, CONTRACTOR OWNED, AND AAFES-K VEHICLES).

a. Registration. All vehicles designed for use on the public roads of the ROK and owned by NAF activities, including those acquired through the Defense Reutilization and Marketing Office, will be registered with and licensed by the USFK PM.

(1) The NAF-owned vehicles (do not include those owned by AAFES-K).

(a) Five copies of the application portion of USFK Form 141-R (Nonappropriated Fund Vehicle Registration Card) will be prepared, signed by the custodian of the applying activity, and submitted to Commander, Community Family and Solider Support Command, Korea (CFSSCK) (EAMW-SD-S-PBO). The application will be initiated within 72 hours after acquisition of the vehicle. The USFK Form 141-R (app H) (available by EMO), will be reproduced locally on 8-by 5-inch index cards.

(b) The ACofS, G1, will validate the application. The application will then be forwarded or hand carried by the custodian or a designated representative of the activity requesting registration to the USFK PM.

(c) The original and two copies of USFK Form 141-R will be completed by the USFK PM and returned with the license plates to the custodian or the designated representative of the

activity requesting vehicle registration. The original of the approved registration will be retained with the vehicle and the custodian of the fund concerned will retain the duplicate. The additional copy will be completed by the USFK PM, and returned to the Commander, CFSSCK, (EAMW-SD-S-PBO). Custodians are responsible for protecting the registration, affixing the license plates, and ensuring that the license plates are used only for the vehicle recorded.

(d) When NAF-owned vehicles are sold, salvaged, exported, or transferred, the activity disposing of the vehicle will forward the original and duplicate copies of the registration for the vehicle being disposed to the USFK PM, through the Commander, CFSSCK (EAMW-SD-S-PBO), or the Commander, AAFES-K Area Exchange.

(2) AAFES-K vehicles.

(a) The application portion of USFK Form 141-R will be prepared and validated in quadruplicate by the Chief of Transportation, AAFES-K, and forwarded or hand carried by a designated representative to the USFK PM. The application will be initiated within 72 hours after acquisition of the vehicle.

(b) The original and one copy of USFK Form 141-R will be completed by the USFK PM and returned with the license plates to the Chief of Transportation, AAFES-K. The original copy of the approved vehicle registration will be retained with the vehicle, and the duplicate copy will be retained by the Chief of Transportation, AAFES-K, who is responsible for protecting the registration, affixing the license plates, and ensuring that they are used only for the vehicle recorded.

(3) Contractor, Company Owned Vehicles.

(a) This section applies only to invited Contractor Company owned vehicles. All requests to register a vehicle in this category must be accompanied by a memorandum approved by a Contracting Officer or Contracting Office Representative (COR) certifying the vehicle to be registered is required as a function of the contract. In lieu of the memorandum for each vehicle, the COR may provide a copy of the contract where the requirement is sufficiently articulated to allow the vehicle registrar to determine proper authority has been granted to register a vehicle. If a memorandum is used, it will contain the following:

(b) Required documentation for invited contractors to register company owned vehicles.

(1) Contract number.

(2) Date contract terminates.

(3) Number of vehicles authorized by the contract to be registered.

(4) Number of vehicles currently registered.

b. License Plates for NAF-owned vehicles.

(1) License plates for NAF-owned vehicle will be procured by the USFK PM and will not be locally fabricated or reproduced. The NAF vehicle license plates are not transferable.

(2) License plates will be mounted on the front and rear of each NAF-owned vehicle.

(3) The loss or theft of NAF-owned vehicle license plates will be immediately reported to the local PM or CSFs, who will notify the USFK PM, within 24 hours. When plates are lost or stolen, the same procedures as required for initial registration of the vehicle will be followed. The new application will be accompanied by the original and duplicate copies of the previous vehicle registration and a copy or the MP report recording loss or theft.

3-11. REGISTRATION OF SPECIAL MISSION VEHICLES (SMVs). The U.S. Special Mission Vehicles will be registered IAW the procedures established by the ACofS, J2, USFK and FKPM-LE SMV Standard Operating Procedure.

a. The SMV registration includes the issuance of a SMV Toll Pass and Annual Safety Inspection Sticker, issued by the FKPM-LE Office. It will include vehicle identification, date of issue and expiration, a serial number and signature of the issuing officer, and as such is a controlled document. Loss of a SMV toll pass requires the filing of an official report of loss through the local MP/SP Office. A copy of the report will be forwarded to the Office of the Provost Marshal USFK/Eighth Army (FKPM-LE), Unit #15237, APO AP 96205-0010.

b. All organizations utilizing SMV license plates will conduct an annual inventory of the license plates. This inventory will be conducted during the month of January. Inventories are due to FKPM-LE no later than the last working day of the month. The inventory will include--

(1) Make, model, color and year of vehicle.

(2) Complete manufacturers vehicle identification number.

(3) USA or Registration Number.

(4) The SMV License plate number and date of Safety Inspection Sticker Expiration

3-12. TERMINATION OF REGISTRATION.

a. Conditions Resulting in Termination.

(1) As an exception, if registration is terminated for failure to maintain minimum liability insurance, an individual owning an imported vehicle may be authorized to retain the vehicle in Korea during the period of termination. However, failure to properly register and continuously maintain liability insurance required by this regulation will render the vehicle "not legally on the installation" for purposes of any claims or entitlements otherwise available, according to Federal

statute or service regulation and may result in the denial of any claim filed for damage to or loss of such vehicle. The vehicle registrant loses the privilege to possess a duty-free POV. (This includes tour completion, contract termination, contract completion, withdrawal of invited contractor or technical representative status, or termination of the individual's SOFA coverage, or revocation of driving privileges for more than 1 year.)

(2) The vehicle is stolen, abandoned, lost, dismantled, body replaced with another, or vehicle is exported.

(3) Authority to own or operate a POV may not be withdrawn for cause unless the violation is directly related to the wrongful use of the vehicle or the owner's lack of fiscal responsibility. Change in status or rank is not grounds to deny continued ownership of a POV. Loss of command sponsorship due to an in-country move, movement from an area authorized POVs to an area not authorized POVs, and divorce or joint domicile of command sponsored personnel does not provide a basis for loss of the right to own a POV. However, for this rule to apply, the POV must have been in the ROK in possession of the registrant or in shipment by official orders at the time of the change of status. This applies to the vehicle that was registered at the time of the change of status. If a member loses status and purchases a new vehicle, the new vehicle is not covered under this provision.

(4) When cancellation of registration of a motorcycle is required by one of the events described above, the sponsor will immediately surrender the license plate, safety decal, and USFK Form 207 to the vehicle recorder and complete one copy of USFK Form 31EK.

(5) When cancellation of registration of a POV is required, the sponsor will immediately surrender the SOFA license plates and USFK Form 207 to the vehicle recorder. The owner will complete two copies of USFK Form 31EK. The vehicle recorder should verify disposition by examining the appropriate documents (shipping documents, bill or sale, transfer agreement, receipt from a U.S. property disposal office, police report, and others) and confirm that the POV has been disposed of as stated by the registrant. After verifying USFK Form 31EK, the vehicle recorder will affix his or her official seal, sign blocks 8 and 10, stamp "CANCELED," and forward one copy to the appropriate province office or city hall and the other copy to HQ, USFK (FKPM-LE), Unit #15237, APO AP 96205-0010.

b. Procedures for Termination. When a canceled USFK Form 31EK is sent to ROK authorities, the vehicle recorder will also return the vehicle license plates (unless they are not available due to theft or loss). The file copy of USFK Form 31EK will be retrieved from the file, stamped "CANCELED," and kept in an inactive file for one (1) year.

CHAPTER 4

TRAFFIC LAWS AND REGULATIONS

4-1. OPERATIONAL GUIDANCE. Compliance within USFK.

a. In areas not under U.S. military control, the responsibility for traffic enforcement belongs to ROK authorities. The U.S. military law enforcement personnel do not have authority to issue Armed Forces Traffic Tickets off U.S. installations unless authorized under the U.S. Military Police Highway Patrol Program (USFK Reg 190-50). Off-duty or off-installation driving performance, however, is indicative of driving ability and safety consciousness. Therefore, Eighth Army Area Commanders and USAF Support Group Commanders will establish a system of coordination with ROK authorities that facilitates the receipt of information regarding traffic violations and accidents involving persons subject to this regulation.

b. Personnel subject to this regulation who are convicted of a traffic violation by ROK authorities may be assessed traffic points, or other administrative actions appropriate for the circumstances. Persons refusing to pay traffic fines imposed and afforded due process IAW applicable law demonstrate an unsuitability to continue exercising driving privileges. Accordingly, such persons may have their driving privileges suspended until such time as the SOFA member demonstrates a willingness to comply with vehicle operating laws. The U.S. law enforcement personnel will conduct off-post traffic accident investigations in conjunction with ROK authorities. If convicted by ROK authorities, U.S. law enforcement personnel may cite persons subject to this regulation with violations of this regulation and the UCMJ.

c. The Chief, JUSMAG-K, Eighth Army Area Commanders, and USAF Support Group Commanders will stress the importance of complying with ROK traffic laws when operating a motor vehicle off the installation. When military necessity requires movement of Government vehicles that exceed legal limitations or regulations or that subject public road/highway users to unusual hazards, commanders will coordinate with the appropriate military transportation movement office and the local U.S. law enforcement agency. The local U.S. law enforcement agency will provide assistance and coordination with appropriate civil law enforcement agencies.

4-2. EMERGENCY WARNING DEVICES.

a. Emergency flashers.

(1) Every motor vehicle, except a motorcycle, will be equipped with--

(a) Two lights on the front that, when lighted, display an intermittent flashing white or amber light visible from a distance of 1,000 feet (300 meters) to the front of the vehicle.

(b) Two lights on the rear of the vehicle that displays a visible intermittent red light from a distance of 1,000 feet (300 meters) to the rear of the vehicle.

(2) Whenever a vehicle is parked or stopped adjacent to a roadway, regardless if attended or unattended, emergency flashers will be used, except when in an authorized parking zone.

b. Emergency lighting for emergency vehicles.

(1) Authorized emergency vehicles will, in addition to other equipment and distinctive markings, be equipped with at least one signal lamp capable of displaying a flashing red or blue light that is visible at 500 feet (150 meters) in normal sunlight in all directions.

(a) Vehicles assigned to U.S. Army Criminal Investigation Command (USACIDC) and vehicles used by other law enforcement investigative activities are authorized to be equipped with a flashing red or blue light mounted in the front grill of the vehicle or a portable red or blue light mounted as high on the vehicle as practicable.

(b) Law enforcement, ambulance, fire, and other emergency vehicles will normally have the light mounted on the roof of the vehicle.

(2) Highway maintenance, wrecker, and military convoy vehicles may be equipped with at least one amber signal light mounted as high as possible on the vehicle. The light must be visible at 500 feet (150 meters) in normal sunlight in all directions.

(3) The flashing lights described above will be used only on authorized emergency vehicles. (See AR 58-1 for specific descriptions of authorized emergency vehicle equipment.)

c. Horns and warning devices.

(1) Motor vehicles operated on a highway must be equipped with a horn in good working order and capable of emitting a sound audible under normal conditions from a distance of not less than 200 feet (60 meters). However, no horn or other warning device may emit an unreasonably loud or harsh sound or a whistle to include playing musical notes or tunes. When necessary to ensure safe operation, the driver will give audible warning with the horn but will not otherwise use the horn when upon a highway.

(2) Vehicles will not be equipped with any siren, whistle, or bell except as permitted by this regulation.

(3) Theft alarms may be installed at the option and expense of the owner.

(4) Authorized emergency vehicles must be equipped with a siren capable of emitting sound audible under normal conditions from a distance of not less than 500 feet (150 meters). Sirens will not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which case the driver of the vehicle will sound the siren when necessary to warn pedestrians and other drivers. Sirens may also be sounded as part of routine equipment checks. In addition, operators of other emergency vehicles outlined in TM 38-600 may use sirens.

(5) Commanders of units authorized emergency vehicles will develop procedures for use of emergency equipment. The procedure will include a statement that operators of emergency equipment may be found at fault in traffic accidents for not obeying traffic laws. Operators may also be found liable for death or injury to bystanders involved in traffic accidents where the operator of the emergency vehicle is found at fault.

4-3. SCHOOL BUSES/SHUTTLE BUSES. Vehicles operators will not pass or overtake a school bus or shuttle bus stopped on the traveled portion of the highway when the buses are being used to receive or deliver passengers, as indicated by flashing lights or direct observation.

4-4. PROOF OF REGISTRATION AND DOCUMENTS UPON DEMAND. Individuals are required to possess, while operating a SOFA-plated or JUSMAG-K-registered motor vehicle, and produce on demand to law enforcement personnel--

a. A valid military registration.

b. A valid USFK Motor Vehicle Operator's Permit for personnel who operate a SOFA-registered POV. All non-SOFA personnel must also possess a ROK Driver's License.

c. A valid record of motor vehicle inspection (USFK or Korean as applicable).

d. Proof of Insurance.

4-5. ACTIONS IN CASE OF ACCIDENTS.

a. The driver of any vehicle involved in an accident resulting in injury, death, or damage to a vehicle or other property will immediately stop at the scene of the accident or as close to it as possible. The driver will stay at the scene of the accident (unless required to transport the injured) until released by the investigating U.S. law enforcement personnel.

b. Upon request, the driver will show his driver's license or permit to any person injured in the accident or to the driver, occupant, or person attending any vehicle or other property damaged in the accident. The driver will also show his driver's license or permit to law enforcement personnel at the scene of the accident.

(1) The driver will render reasonable first-aid assistance to any person injured in an accident. This includes transporting or making transportation arrangements for injured persons to a physician, surgeon, or hospital for medical or surgical treatment if it is apparent such treatment is necessary or requested by the injured person.

(2) If personnel involved in the accident are not in a condition to receive the information to which they otherwise would be entitled and law enforcement personnel are not present, the driver of the vehicle will report the accident to U.S. law authorities within 72 hours. If the accident occurred off a U.S. military installation, the nearest ROK police authority will be notified.

c. Duty upon damaging unattended vehicle or other property. The driver of a vehicle that is involved in an accident will immediately stop and--

(1) Locate and notify the operator or owner of the vehicle/property and give his/her name, address, and the registration number of the vehicle being driven. If the operator cannot be located, the driver will securely attach, in a conspicuous place in or on the vehicle or other property, a notice providing this information.

(2) Expeditiously notify the nearest U.S. law enforcement office. If the accident occurred off a U.S. military installation, the nearest ROK police authority will also be notified.

d. Immediate notice of accident. When the driver of a vehicle is physically incapable of giving an immediate notice of an accident and there is an occupant in the vehicle, the occupant, if able to do so, will give notice.

e. Registrants (sponsors) will notify their insurance company in writing of any accident in which their vehicle is involved as soon as possible.

4-6. TRAFFIC ACCIDENT INVESTIGATION.

a. The U.S. traffic accident investigators will investigate on-post traffic accidents IAW Service Component Regulations. Additionally, Area Commands identified in USFK Reg 10-2, have the responsibility to investigate or coordinate with ROK authorities to investigate as appropriate, traffic accidents within their respective areas, but off the installation. Service component regulations not withstanding, Area Commanders must still obtain information required by the SOFA, even if that necessitates an investigation.

b. The U.S. traffic accident investigators occasionally arrive after the accident scene is cleared. This makes it impossible to physically investigate the traffic accident. In these cases, there may be insufficient evidence to determine who was at fault. However, the accident investigator will collect as much information as possible and obtain witness statements in order to prepare military police and traffic accident reports. Traffic accident investigation reports will conform to AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-6.

c. The U.S. traffic accident investigators will have U.S. drivers of POVs involved in accidents prepare USFK Form 214EK-R (Automobile Accident Report) (available by EMO) usually in triplicate, at the time of investigation into the accident. The original of the form will be forwarded immediately to the Commander, U.S. Armed Forces Claims Service, Korea, Unit #15237, APO AP 96205-0010. A copy of the form will be maintained with the accident report. A blank USFK Form 214EK-R is shown at Page C-3 and C-4. (Available by EMO).

(1) In cases where the U.S. Government has a compelling interest, the U.S. Armed Forces Claims Service, Korea, will transmit the original of the USFK Form 214EK-R to the driver's insurance carrier and will retain a copy. However, the driver must still notify the insurer.

(2) Each owner of a POV is deemed to have consented to this notification procedure at the time of registration of the vehicle. If the POV owner refuses to complete the notification form, the investigator may charge the individual with Article 92, UCMJ, Failure to Obey an Order or Regulation. Additionally, the installation commander may take action to terminate registration IAW paragraph 3-11. Termination will not prevent initiating judicial, non-judicial, or administrative action against an individual based on other competent evidence.

d. When a U.S. Government vehicle is damaged by any vehicle, except vehicles owned by the U. S. or ROK Military Forces, the U.S. traffic accident investigators will have the driver of the vehicle which caused the damage to the U.S. vehicle prepare USFK Form 214EK-R at the scene of investigation. When a retired military member or civilian employee of the U.S. and/or their family members, or a KATUSA member sustains any injury in the traffic accident caused by the nonmilitary vehicle, or by their own negligent driving of a POV, the driver or other person responsible for the injury must prepare USFK Form 214EK-R. Proper completion of this form is essential to properly settle claims. The most important information required for processing a claim in favor of the U.S. is the telephone number of the driver and/or person responsible for the accident. The original USFK Form 214EK-R should be sent immediately to the Commander, U.S. Armed Forces Claims Service, Korea, Unit #15237, APO AP 96205-0010.

4-7. CHEMICAL TESTING POLICY AND PROCEDURES.

a. Chemical analyses are valid under provisions of this regulation when tests of blood, urine, or other bodily substances are performed according to methods prescribed or approved by the DA Surgeon General or by the designated authority of the ROK (for tests conducted outside military jurisdiction).

b. For chemical tests of personnel involved in fatal accidents, medical authorities will--

(1) Immediately notify law enforcement personnel of any deaths as a result of an accident involving a motor vehicle and the circumstances surrounding the accident.

(2) Examine persons involved in traffic fatalities as soon as practical. An examination must be made when a driver is killed in a motor vehicle accident or involved in the death of a pedestrian. If a family member is involved, the sponsor's consent should be obtained. The examination will include tests necessary to determine the presence and percentage of alcohol or drugs in the body of the deceased.

(3) To the extent provided by law, and medical conditions permitting, obtain a blood sample from any surviving operator whose motor vehicle is involved in a traffic fatality. However, persons with hemophilia or a heart condition requiring an anticoagulant will not be administered a blood test to determine blood alcohol concentration.

c. Situations will occur that necessitate assisting host national police in determining the blood alcohol content of a suspected drunk driver.

(1) When requested, ROK Government authorities should be given immediate access to the suspected drunk driver and provided the opportunity to conduct testing authorized under ROK law if the medical condition of the driver permits. If the ROK conducts a test, military authorities should request the results of the test.

(2) If civilian law enforcement authorities do not request access to suspected military drunk drivers for testing purposes, military authorities will conduct testing and report results to the Chief, JUSMAG-K; Eighth Army Area Commanders, or USAF Support Group Commanders under the provisions of paragraph 4-8. Test results or a portion of the blood or urine sample may be furnished to civilian authorities upon request. The suspect driver will be informed that failure to submit to or complete a chemical test may result in suspension or revocation of driving privileges on the installation and that the results of such testing or a portion of a sample taken may be furnished to civilian authorities upon request.

4-8. ALCOHOL AND DRUG COUNTERMEASURES.

a. The Eighth Army Area Commanders and USAF Support Group Commanders will establish a program patterned after the Department of Transportation Alcohol Safety Action Program. The program should minimize the contribution of alcohol and drugs as causal factors in traffic accidents. The program will emphasize the development and coordination of appropriate countermeasures involving public information and education, enforcement, administration of justice, and rehabilitation and treatment. The program should be evaluated annually to determine its effectiveness.

b. Enforcement countermeasures include--

(1) Detecting, apprehending, and testing personnel suspected of driving under the influence of alcohol or drugs. This countermeasure includes the use of special patrols and legally coordinated roadblock programs.

(a) AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-13 contains basic guidance on detection, apprehension, and testing of intoxicated drivers. Installations are encouraged to use photographs, motion pictures, or video tapes to document the condition of individuals apprehended for driving under the influence of intoxicants. If the motion picture or videotape includes voice-recording capability, regulations regarding the use of recording devices will be used.

(b) Voluntary breath and bodily fluid testing based on implied consent is explained in AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-14. The Eighth Army Area Commanders and USAF Support Group Commanders or their representatives, will prescribe the type of chemical tests that will be administered. If a person suspected of driving while intoxicated refuses to submit to a chemical test, a test will not be conducted except as specified in paragraph 4-8(c) below.

(c) Involuntary extraction of bodily fluids is outlined in AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-15. Extraction of bodily fluids investigations are governed by Military Rules of Evidence 312(d) and regulatory rules concerning requesting and granting authorizations for searches. Military Rules of Evidence 312(d) clearly rests the authority to draw bodily fluids for evidentiary purposes with the soldier's commander – the installation medical facility is only a tool for the administration of the fluid extraction.

(d) Testing at the request of the apprehended person is explained in AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-16. Law enforcement personnel will make reasonable efforts to conduct the test.

(e) When a person suspected of driving while intoxicated refuses the request to voluntarily submit to or complete a breath or body fluid test, the apprehending law enforcement officer will complete a sworn statement describing the events relating to the suspected offense including the refusal to submit to chemical testing (see AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, figure 4-1). The installation commander, upon receipt of the sworn statement, will take action IAW paragraph 2-3 of this regulation. Mandatory revocation of driving privileges for refusal to submit to or complete a chemical test will not prevent initiating judicial, non-judicial, or administrative action against an individual based on other competent evidence.

(2) Training law enforcement personnel in special enforcement techniques (see AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-10). Additionally, USFK law enforcement personnel will be trained to properly give the implied consent warning and to properly administer the field sobriety test.

(3) Denying driving privileges to personnel whose use of alcohol or other drugs jeopardizes their capacity to safely operate a motor vehicle.

c. The blood alcohol concentration standards outlined below will be considered with other evidence in determining intoxication. Use of these standards is required. However, these standards do not change the rules of evidence in judicial or non-judicial proceedings under the UCMJ.

(1) Administrative revocation of driving privileges and other enforcement measures will be applied uniformly. Test results will be evaluated as follows:

(a) If the percentage of alcohol in the person's blood is less than 0.05, presume the person was not under the influence of alcohol.

(b) If the percentage is from .05 to .09, presume the person was driving while impaired.

(c) If the percentage is 0.10 or more, presume the person was driving while intoxicated.

(2) The above percentages are the percent of weight by volume of alcohol in the blood based on grams of alcohol per 100 milliliters of blood.

d. Installation medical authorities will maintain appropriate records of persons who are diagnosed as alcoholics, problem drinkers, and drug abusers. Individuals who have exhibited behavior indicative of drug or alcohol abuse to the extent they are incapable of safely driving a motor vehicle will be reported to the Alcohol and Drug Abuse Officer for appropriate action.

(1) Active duty military personnel apprehended for drunk driving, on or off the installation, will be referred to the local Alcohol and Drug Abuse Prevention and Control Program (ADAPCP) for evaluation within 7 working days. The evaluation will determine if the individual is family member on alcohol or other drugs that may result in enrollment in Track I or another appropriate track. Results of the evaluation should be made available to the commander having jurisdiction over the case prior to adjudication.

(2) Section 4561, title 42, U.S. Code (42 USC 4561) authorizes Federal agencies to establish preventive treatment and rehabilitation programs for civilian employees with alcohol-related problems.

(3) Civilian employees apprehended for drunk driving will be advised by supervisors of ADAPCP services available. Employees apprehended for drunk driving while on duty will be referred to the ADAPCP for evaluation. Commanders will ensure that sponsors encourage family members who have been apprehended for drunk driving to seek ADAPCP evaluation and assistance.

(4) Installation driving privileges of any person who refuses to submit to or fails to complete chemical testing for blood alcohol content when apprehended for drunk driving, or convicted for other offenses will not be reinstated unless the person successfully completes either an alcohol education and treatment program sponsored by the installation or another appropriate agency. Other treatment programs must be evaluated as acceptable by the installation ADAPCP. Ultimately, the person must be evaluated by installation alcohol treatment and rehabilitation authorities, to determine whether the person was sufficiently rehabilitated and no longer poses a safety risk on highways. Although programs may be completed, driving privileges will not be reinstated before the expiration of a mandatory revocation period.

e. Commanders will take appropriate action against drunk drivers. For Army personnel these actions will include--

(1) A general officer letter of reprimand, administrative in nature, given to active duty Army personnel in the cases listed below. Filing of the letter will be IAW the provisions of AR 600-37. Letters are issued in the following circumstances:

(a) Conviction (includes punishment under Article 15, UCMJ) of driving while intoxicated or drunk driving either on or off the installation.

(b) Refusal to take or failure to complete a lawfully requested test to measure blood alcohol content, either on or off the installation, when there is substantial evidence to suspect drunk driving.

(c) Driving or being in physical control of a motor vehicle on post when blood alcohol content is above the legal limit set by the Armed Services' standard (currently 0.10 percent) and Korean standard (currently .05 percent) for violations off post irrespective of other charges.

(2) Review by commanders of the service records of active duty Army personnel apprehended for offenses described above to determine if the following may be appropriate:

(a) Administrative reduction.

(b) Bar to reenlistment.

(c) Administrative discharge.

4-9. TRAFFIC SUPERVISION.

a. Traffic Planning. AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-1, contains basic guidance for traffic planning. The Eighth Army Area Commanders and USAF Base Commanders are responsible for developing traffic circulation plans.

b. Traffic Codes. AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-2, contains basic guidance for installation traffic codes. The code is generally consistent with ROK traffic laws and applies both on and off U.S. installations unless otherwise stated.

c. Traffic Law Enforcement Principles. AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-3, outlines traffic law enforcement principles.

(1) The Eighth Army Area Commanders, USAF Support Group Commanders, and the Chief, JUSMAG-K, will establish administrative procedures within the guidelines of this regulation for processing traffic violations (reference AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-9b). Traffic violators on U.S. military installations will be issued a DD Form 1408 (Armed Forces Traffic Ticket). For USAF personnel apprehended for drunk driving on Army installations, a copy of the report will be sent to the Social Actions Drug and Alcohol Abuse Section and the Security Police Reports and Analysis Section at the person's base of assignment.

(2) Reports of traffic accidents and tickets issued to persons will be forwarded as shown in table 4-1.

Table 4-1
Processing of traffic violations

Tickets issued to:	Will be forwarded to:
USFK military and family members	Sponsor's unit Commander
DOD employees of USFK or their family members	Immediate supervisor
JUSMAG-K personnel or their family members	Chief, JUSMAG-K
KATUSA personnel	U.S. unit commander
Technical representatives and invited contractor personnel or their family members	USFK sponsor
UNC personnel, other than USFK and DOD Combined civilians, or their family members	UNC Liaison Officer, Secretary Headquarters UNC Regional Security family officer
U.S. Embassy employees and their members	U.S. Embassy, Seoul
Employees of AAFES-K and their family members	AAFES-K General Manager

(3) If the traffic violator (or the sponsor) is assigned to a unit or activity outside the issuing law enforcement agency's area of responsibility, the ticket and police report will be forwarded to the U.S. law enforcement official having area responsibility for processing as shown above.

(4) A copy of all violation reports on military personnel and civilian employees of the U.S. Government apprehended for driving under the influence of alcohol or drugs will be provided to the individual's commander, local community counseling center, and the USFK Alcohol and Drug Policy Branch, ACofS, J1, Unit #15237, APO AP 96205-0010.

(5) The commander or supervisor of the violator will forward a report of action to the office of record, where the action will be entered on the individual's driving record. If applicable, the law enforcement agency that originally issued the DD Form 1408, will be notified of the action taken.

(6) The Chief, JUSMAG-K, Eighth Army Area Commanders, and USAF Support Group Commanders, will determine procedures for disposing of traffic violation cases through administrative or judicial action consistent with the UCMJ.

d. Parking. Subject to the limitations below, installation commanders (O-5 and above) are delegated authority to control parking on their installations.

(1) As a basic principle, existing on and off-street parking facilities should be used on a first-come, first-served basis. When reserved or designated parking requirements are objectively justified, installation commanders should assign such parking priorities as follows:

(a) The POVs of disabled and handicapped personnel.

(b) Government motor vehicles used in direct support of installation or departmental missions.

(c) Government motor vehicles used in general support missions such as couriers, postal, and cargo deliveries.

(d) Short-term visitor parking.

(e) The POVs of chiefs and commanders of a command or primary service component, primary and personal staff officers, major subordinate commanders, and commanders of assigned units and other activities.

(f) Designated parking for general or flag officers of all nationalities and duty status and for equivalent U.S. Embassy officials (FSO-2 and FSO-1) and DOD civilians (GS-15 and above) only in the main commissary, main post exchange, on Yongsan military installation (Main and South Posts). Parking spaces under this priority may be designated for use by all general or flag officers and equivalent foreign service and civilian personnel without distinction, or for a particular general or flag officer by title or duty position.

(2) Reserved spaces for parking priorities described above will be by permit only. All reserved parking spaces, without distinction, will be clearly designated by signs written in English and Korean. As described in AR 190-5, Reserved Parking below Flag Level should be designated by category not specific title. (i.e., A reserved sign appropriately marked would be: "Colonels", not "X BDE CDR"

(3) Space in parking facilities that cannot be used for automobiles or similar vehicles may be designated for use by motorcycles or bicycles.

(4) Installation commanders may delegate the control and enforcement of parking on their installations to subordinate commanders and principal staff. However, use of designated or reserved parking will not exceed 10 percent of all parking spaces available on each installation. (For purposes of this paragraph only, the Main and South Posts of Yongsan military installation will be considered as one installation).

(5) Illegal parking significantly contributes to congestion and impedes the traffic flow on installations. Aggressive parking enforcement will be pursued by the PMs and CSFs through the use of DD Forms 1408. A USFK standard for parking offenses is cited below.

(a) For a first parking offense, the violator will be issued DD Form 1408. If applicable, a note may also be sent to the violator's sponsor.

(6) All persons who have registered a vehicle are responsible for the proper use of that vehicle, including parking. Accordingly, any individual whose registered vehicle has accumulated more than two DD Form 1408 for parking violations during a 60-day period may have his/her driving privileges suspended for a period of up to six months at the discretion of the installation commander.

(7) Except for priority parking described in paragraph 4-9d(1)(f) above, designation of parking spaces by name, grade, rank, title, or duty position is prohibited.

(8) Handicapped parking zones have been established on various U.S. military installations within the ROK. To prevent unauthorized personnel from parking in these zones, USFK vehicle recorders will issue handicapped decals (App F) to personnel that have a verified permanent physical disability. The privileges authorized by this decal are for parking in marked handicapped zones, only when a handicapped individual is the operator or passenger in the vehicle.

(a) Personnel requiring a handicapped decal will obtain a statement of permanent physical disability, signed and verified by a physician employed by the military, and will present the statement to the local vehicle recorder.

(b) The vehicle recorder will annotate in the remarks section of the USFK Form 31EK that a statement of permanent disability was presented and a handicapped decal was issued. The handicapped decal will be displayed on the inside of the vehicle's rear windshield near the top left corner.

(9) Prohibited parking. Except when necessary to avoid conflict with other traffic or to comply with law or the direction of law enforcement personnel or an official traffic control device, no person will park a vehicle--

(a) On a sidewalk.

(b) In a crosswalk.

(c) In front of driveways.

(d) On a bridge or other elevated structure upon a roadway.

(e) Within a highway tunnel.

(f) On railroad or streetcar tracks.

(g) At any place narrow enough to make passing difficult, dangerous, or impossible.

(h) On a roadway or shoulder within 100 feet (30 meters) of the crest of a hill.

(i) Beside another vehicle parked parallel to the curb or on a roadway shoulder.

(j) Where official signs prohibit parking, when the curbing is painted yellow, or when the roadway is marked in yellow or white.

(k) Within 20 feet (6 meters) of a fire hydrant, crosswalk, bus stop, or intersection.

(l) Within 20 feet (6 meters) of a driveway to any fire station or similar emergency facility, on the side of the street opposite the entrance to any fire station or similar emergency facility, or within 75 feet (23 meters) of the entrance.

(m) Within 30 feet (9 meters) of the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of the roadway.

(n) On a grassed or seeded area on U.S. military installations unless directed by proper authority.

(o) Stop, park, or leave a vehicle attended or unattended where it is prohibited. In any event, an unobstructed width of the highway opposite a vehicle must be left for the free passage of other vehicles, and a clear view of the stopped vehicle must be available from a distance of 200 feet (60 meters) in each direction. Exceptions apply to vehicle operators who cannot accomplish this action due to injury or due to the disabled condition of the vehicle.

4-10. TRAFFIC POINT SYSTEM.

a. General. AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, chapter 5, explains the traffic point system and its application. A person is considered to have committed a violation when so adjudged by the unit commander, immediate supervisor, USFK sponsor, Chief, JUSMAG-K, United Nations Command (UNC) Liaison Officer, Regional Security Officer, or a civilian or military court. In addition, payment of a fine or other forfeiture constitutes prima facie evidence that an offense was committed.

b. Procedures.

(1) For moving traffic violations, reports of action taken are required from commanders or supervisors (see AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 5-4a). Reports of action taken will be forwarded to the appropriate PM or CSF. Unit commanders and supervisors do not have disciplinary authority over family members. However, for purposes of the traffic point assessment system, unit commander and supervisors will make a determination if a family member, service member, or employee under their command or supervision did in fact commit a violation.

(2) Normally, administrative processing and disposition of violations will be completed within 30 days, including the date on which the traffic ticket was issued. Armed Forces Traffic Tickets issued to individuals who, or whose sponsors, are assigned to a unit or activity located outside the issuing law enforcement agency's area of responsibility will be forwarded to the PM or CSF having area responsibility for that unit or activity. The receiving law enforcement official will then forward the traffic ticket to the appropriate unit or activity and require a return endorsement.

(3) In accordance with AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 5-4b, an inquiry will be conducted to determine if the alleged violation occurred. The inquiry must include notifying alleged offenders of action to be taken and giving violators the opportunity to defend themselves.

(a) If the inquiry determines the alleged offender is at fault, he or she will be given the right to appeal the findings to the next higher authority in the chain of command (or supervisory chain) prior to the submission of the report of action taken. For cases involving non-judicial or judicial action, the report of action taken will not be forwarded until final adjudication.

(b) Points will not be assessed nor driving privileges suspended or revoked if the report of action taken indicates that the alleged violation did not occur and this finding is approved by the Chief, JUSMAG-K, the Eighth Army Area Commander, or the USAF Support Group Commander, or their designees. If necessary, the commander should consult the servicing Judge Advocate.

(c) When notified of a conviction, payment of a fine, or forfeiture of bond for a traffic violation adjudicated by a ROK court, the PM or CSFs, will assess the appropriate number of points to DA Form 3626 (available by EMO). The Chief, JUSMAG-K, Eighth Army Area Commander, or USAF Support Group Commander, and the person's chain of command (or supervisory chain) will be notified that the military member must attend remedial driver's training upon the accumulation of six or more traffic points in six months. The local PM or CSF will notify the individual's commander or supervisor when point assessments are made against the driver's record.

c. Traffic Point Table.

(1) Individuals whose driving privileges are suspended or revoked, to include the accumulation of 12 traffic points within 12 consecutive months or 18 traffic points within 24 consecutive months, will be notified in writing through official channels (see AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 5-4f). Except for the mandatory minimum suspension or revocation periods, the determination of periods of suspension or revocation is the prerogative of the Chief, JUSMAG-K, Eighth Army Area Commanders, and USAF Support Group Commanders or their designees. Any revocation based on traffic points must be no less than six months.

(2) Points assessed against an individual will remain in effect for point accumulation for a consecutive 24-month period or until separation from the service. This does not include cases involving immediate reenlistment, change of component, military retirement, or continuation of SOFA registration as a civilian employee of the U.S. Armed Forces in the ROK. Extensions of tours by civilian and military personnel do not constitute separation from the service or termination of employment. (See AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 5-4g.)

(3) AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 5-5, outlines disposition of driving records.

4-11. HIGHWAY CONDITION CODES.

1. General. This chapter establishes criteria for classifying, coding, and reporting highway and installation traffic conditions. It also provides instructions for restricting vehicular movements and prescribes procedures for disseminating highway condition information to USFK elements and other interested agencies.

a. This paragraph applies to military vehicles, NAF vehicles, and POVs of U.S. Forces military and civilian personnel who operate vehicles on highways on and off the installation.

b. Area Commanders, as designated in USFK Reg 10-2, are responsible for collecting, evaluating, determining, and disseminating traffic condition information within their respective areas and on their installations

c. Where service specific forms are cited, other service components may use component equivalent forms.

2. Condition Reports. Local PM, CSFs, safety officers, transportation officers, and engineer personnel will collect, evaluate, and collate data about weather and highway conditions within their areas and submit recommendations to the Area Commander responsible for establishing Highway and Installation condition codes. One code will be reported for the Highway condition and one code will be reported for the Installation. Information will be reported as follows:

a. Reports will include existing highway and installation conditions and the effect of those conditions on traffic. If red or black highway conditions are reported for main supply routes, alternate routes will be recommended if available. If the basis for the report is a specific obstruction, map coordinates, reason for condition, and expected time delay will be included in the basic report.

b. The PM and CSF will ensure law enforcement desks under their control immediately report highway and installation condition codes to the USFK PM Joint Police Information Center (JPIC) at DSN 738-8070 or DSN 738-6374. Following receipt of condition reports, the JPIC will disseminate condition reports to the duty officer, USFK Command Center, Commander, and to the Commander, American Forces Korea Network (AFKN). The Commander, AFKN, will periodically broadcast consolidated condition reports. Dissemination of condition reports will be made on a 24-hour basis as received by the JPIC but may be provided more often during severe weather. Highway and installation condition codes for the nearest MSR/ASR should be posted at installation entry/exit points so as to be visible to both inbound and outbound traffic.

c. Units using highways will ensure convoy or movement commanders are informed of highway conditions that affect movements. Highway condition information may be obtained from local MP or SF stations, AFKN radio stations, or from the USFK PM, JPIC. Each MP and SF law enforcement desk will maintain a consolidated listing of road conditions.

d. Highway condition code for the nearest MSR/ASR will be posted at installation exit points. Installation condition code will be posted at installation entry points.

3. Highway Condition Codes and Installation Traffic Codes. Highway condition codes pertain to MSR and ASR roads. Installation traffic codes pertain to the overall road network on an installation.

a. Green. Highway conditions are normal.

b. Amber.

(1) CONDITIONS. Amber condition codes will be imposed when one or more of the following conditions exist:

(a) Anticipated high-density traffic causing 2-hour delay as measured by a normal 1-hour trip under Green conditions (Korean holidays, major events)

(b) Visibility diminished to 50 meters on roads due to weather (fog, heavy rain).

(c) Patch-ice accumulation over 10%-20% per kilometer of driving-surface.

(d) 2" or less snow accumulation over 20%-30% per kilometer of driving-surface.

(e) The Area Commander deems other hazards exist which present a risk to either personnel or equipment. Examples might include large peaceful demonstrations in the vicinity, or flash flood prone areas during the monsoon season.

(2) ACTIONS. The following limitations will be imposed to reduce traffic:

(a) Consider the use of TCPs or barricades to regulate traffic or relieve congestion.

(b) Consider rescheduling unit movements or exercises that would require serious disruption if road conditions became Red category while movements are in progress.

(c) Where possible, spot-check to ensure compliance.

(d) Military vehicles, other than those required for essential official business, will not be driven on highways. The term "essential official business" applies in those instances in which the person directing the trip establishes that dispatch of the vehicle is absolutely essential to the conduct of official business and cannot be postponed without jeopardizing military requirements. The directing authority may be the company/detachment commander, an officer with the rank of captain (O-3) or above, warrant officer in the grade of CW-3 or above, or civilian supervisors in the grade of GS-10 or KGS-10 or above.

(e) Authorization to operate vehicles under amber road conditions may be given by phone to TMP or unit dispatchers. Dispatchers will annotate in the remarks block of DD Form 1970 (Motor Equipment Utilization Record) (available by EMO), the name and rank/grade of the person directing the dispatch. A memorandum must be substituted in instance where the DD Form 1970 is not utilized. The authorization document (DD Form 1970 or memorandum) will be stamped "Authorized Amber" and signed by the official authorizing dispatch as soon as the driver arrives at place of duty. Air Force vehicle operators will have, in lieu of a DD Form 1970, an AF Form 1800 (Operator's Inspection Guide and Trouble Report (General Purpose Vehicles)) (available by EMO) (supplemented by a letter signed by their unit commander, authorizing their trip during road condition (Amber/Red as applicable)).

(f) Command bus service will continue to operate on schedule.

(g) Owners and operators of POVs, AAFES-K taxi vehicles, and contract buses, will ensure that vehicles are operated only for necessary trips. Operators must be aware of highway and weather conditions and the need for extreme care in driving. While these vehicles will not be prevented from entering or leaving military installations, owners and operators are encouraged to observe the rules established for military vehicles and must be fully prepared to assume all risks for accidents resulting from adverse highway and weather conditions. In addition, POV operators must be aware that should their vehicle become immobile under its own power, it may have to be towed at the owner's expense. Normally, this will be done only when the vehicle is creating a traffic hazard or when it is blocking the passage of emergency vehicles.

(h) Area commanders should periodically assess projected weather conditions when road condition amber is implemented. In instances where the weather conditions are expected to deteriorate and the probability of road condition red being declared, early dismissal and movement of any non-essential USFK personnel to their residence should be considered.

c. Red.

(1) CONDITIONS. Red condition codes will be imposed when one or more of the following conditions exist:

(a) Anticipated high-density traffic causing at least 3-hour delays as measured by a normal 1-hour trip under Green conditions, or in cases of KNP partially blocking entry/exit points to MSRs.

(b) Visibility diminished to less than 25 meters on roads due to weather (fog, heavy rain).

(c) Patch-ice accumulation over 30% - 50% per kilometer of driving-surface.

(d) More than 2" of snow accumulation over at least 50% per kilometer of driving-surface, and near total snow coverage of driving-surface.

(e) Area commander deems other appropriate factors exist to warrant additional caution. Examples might include large demonstrations with a history of violence near the planned route or flash flood prone areas during a heavy rain.

(2) ACTIONS. In addition to controls established under Amber conditions, the following limitations will be imposed to reduce traffic under Red conditions:

(a) Military vehicles (including command vehicles, staff cars, messenger, mail and ration vehicles), other than those required for essential/emergency business, will not be driven. The term "essential/emergency business" applies to vehicles employed to protect life and property (such as law enforcement and explosive ordnance) snow and ice removal and road repair. Authorization to dispatch may be granted in those instances in which the person directing the trip establishes that dispatch of the vehicle is absolutely essential to the conduct of official business and cannot be postponed without jeopardizing military requirements. The directing authority may be given by an officer with the rank of lieutenant colonel (O-5) or above, or civilian supervisors in the grade of GS-13 or KGS-13 or above.

(b) Authorization to operate vehicles under red road conditions may be given by phone to TMP or unit dispatchers. Dispatchers will annotate in the remarks block of DD Form 1970 the name and rank/grade of the person directing the dispatch. A memorandum must be substituted in instance where the DD Form 1970 is not utilized. The authorization document (DD Form 1970 or memorandum) will be stamped "Authorized Red" and signed by the official authorizing dispatch as soon as the driver arrives at place of duty. Air Force vehicle operators will have, in lieu of a DD Form 1970, an AF Form 1800 supplemented by a letter signed by their lieutenant colonel (O-5) commander, authorizing their trip during road condition.

(c) Buses operating on scheduled runs may proceed to the next terminal if safety conditions permit. When highway conditions constitute a safety hazard, the bus driver will report to the commander of the nearest military facility, request security of the vehicle and standby until the condition is lifted. Commanders will provide for the security of the vehicle and will inform the driver when there is a change in highway conditions.

(d) All U.S. Government (including NAF) vehicles required to travel during red highway conditions, declared due to ice or snow conditions, will use tire chains or other similar device designed for heavy snow conditions.

(e) Owners and operators of POVs, AAFES-K taxi vehicles, and contract buses, will ensure that their vehicles are operated only for essential trips. Operators of these vehicles will be fully informed concerning highway and weather conditions and the need for extreme care in driving. While these vehicles will not be prevented from entering or leaving military installations, owners and operators are encouraged to observe the rules established for adverse road and weather conditions. These vehicles should also have snow chains or similar devices designed for heavy snow use. Vehicles, especially those without snow chains while operating in heavy snow, which appear unable to safely navigate while driving on military installations will be directed to the nearest available parking space and operators ordered to park the vehicle until road conditions improve.

d. Black.

(1) CONDITIONS. Black highway condition codes will be imposed when roads are generally impassable and one or more of the following conditions exist:

(a) Anticipated or unexpected high-density traffic causing 4 hour or longer delays longer, as measured by a normal 1 hour trip under Green conditions.

(b) Ice accumulation over 50% or more per kilometer of driving-surface.

(c) More than 4" of snow accumulation over all or nearly all of driving-surface.

(d) Area commander deems other appropriate factors exist to warrant additional caution. Examples might include large violent demonstrations on the planned route, or washed out/ flooded roads.

(2) ACTIONS. In addition to controls established under Amber or Red conditions, the following restrictions apply under Black conditions:

(a) All U.S. Government owned/leased/operated vehicles are prohibited from movement. Commanders in the grade of colonel (0-6) or above must personally authorize (if verbal, must be annotated as VOCO, name, grade, date and time) the use of emergency vehicles after the appropriate risk assessment and mitigation actions are considered. When snow or ice is the cause of the road conditions, snow chains or similar devices are required. No waiver authorized.

(b) Commercial vehicles are denied access to the installation, but are allowed to exit the installation.

(c) Privately owned vehicles attempting to enter the installation are directed to the nearest available parking space inside the installation. Non-SOFA plated vehicles attempting to enter the installation will be directed to park the vehicle or allowed to immediately exit the same gate. Vehicles found in movement on the installation are ordered to park in the nearest available parking space. SOFA plated POVs are not allowed to exit the installation, unless the Installation Commander determines the areas outside the installation are in substantially safer condition.

CHAPTER 5

PROVISIONS, REQUIREMENTS AND PROHIBITIONS

5-1. PROHIBITION AGAINST UNREGISTERED AND UNLICENSED VEHICLES. Persons will not--

a. Operate, or knowingly permit to be operated, on any public road, any vehicle required to be registered IAW this regulation unless a valid USFK Form 207 has been issued and license plates issued by the appropriate USFK motor vehicle recorder are properly displayed.

b. Fail to maintain the amount of liability insurance prescribed by this regulation.

c. Lend or otherwise transfer a Certificate of Title, registration plate, or special plate unless the lending or transfer is in conjunction with the lawful transfer of possession of the vehicle.

d. Lend or allow a Non-SOFA member to operate a USFK registered vehicle with SOFA plates.

e. Display or allow another to display on a vehicle any registration card or plate not issued for the vehicle.

f. Retain evidence of registration upon cancellation. Whenever a USFK motor vehicle recorder cancels the registration of a vehicle, the owner or person in possession will immediately return the evidence of registration to the appropriate USFK motor vehicle recorder.

g. Display or permit to be displayed or have in their possession a canceled, revoked, suspended, fictitious, or fraudulently altered driver's license.

h. Lend a driver's license to any person, knowingly permit its use by another, or otherwise permit its unlawful use.

i. Display or represent as one's own, a driver's license not their own.

j. Fail or refuse to surrender to competent authority, upon lawful demand, any driver's license that has been suspended, revoked, or canceled.

k. Use a false name in any application for a driver's license, knowingly make a false statement, knowingly conceal a material fact, or otherwise commit a fraud in applying for a driver's license.

l. Drive a motor vehicle on any public highway at a time when their privilege to do so has been suspended or revoked. The commander having responsibility for the individual's driver record, upon verification of this violation, will administratively revoke the subject's driving privileges for a period of not less than five (5) years. This action is not contingent upon judicial conviction or non-judicial punishment.

m. Cause or knowingly permit any child or ward under 18 years of age, to drive a motor vehicle upon any highway, except as stated in this regulation.

n. Authorize or knowingly permit a motor vehicle they own or have under their control to be driven by any person who is not authorized or who is not licensed for the type or class of vehicle to be driven.

o. Operate a motor vehicle in violation of any restriction of any U.S./USFK Drivers License.

5-2. IMPOUNDING PRIVATELY OWNED VEHICLES.

a. Refer to AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, chapter 6, for standards of impoundment, towing and storage, and procedures for impoundment of abandoned vehicles.

(1) Abandoning a POV owned by or licensed to a person subject to this regulation in any area under the control of the Commander, USFK, is prohibited. Individuals who abandon their POV also will be in violation of local laws and international agreements regarding disposal of property imported without payment of duties.

(2) Determination about abandoned/unclaimed POVs, their storage and disposition are the responsibility of installation commanders. The MP/SP may provide normal physical security support to facilities for storing abandoned or unclaimed POVs, however they will not be required to operate these facilities.

(3) Military vehicles involved in the following situations will be towed by military wrecker and released to the unit of assignment unless required as physical evidence. The POVs will be towed to the installation impound lot or a site designated by the installation commander at the owner's expense. The USFK law enforcement personnel are authorized to remove any POV registered under this regulation when--

(a) A vehicle is found abandoned on post.

(b) A report has been made that the vehicle has been stolen or taken without the consent of its owner.

(c) The person in charge of the vehicle is unable to provide for its custody or removal.

(d) The person driving or in control of such vehicle is apprehended for an alleged offense and the individual is detained at a law enforcement office pending release to the unit, activity, or other responsible agency.

(e) The vehicle is left abandoned during inclement weather, and it causes immediate safety hazards or blocks passage of emergency vehicles.

b. Disposition of Vehicles after Impoundment.

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

(2) If the vehicle is unclaimed after 45 days from the date notification was mailed to the last known owner or the owner released the vehicle by properly completing DD Form 2505 (Abandoned Vehicle Removal Authorization), the vehicle will be disposed of by one of the following procedures:

(a) Release to the lien holder, if known.

(b) Processed as abandoned property IAW DOD 4160.21-M.

(c) As outlined in paragraph 1-5c(6), Commanders will establish specific procedures for vehicle disposal, government reimbursement for storage and disposition of abandoned vehicles, and invoke appropriate disciplinary measures against individuals in violation of this regulation. Commanders will coordinate efforts with the Staff Judge Advocate and the Finance Officer to ensure proper notification channels are pursued on those individuals who have left the ROK without properly disposing of their vehicles. (**NOTE**: Procedures must pertain to both military and civilian personnel to ensure positive tracking and reimbursement to the Government for expenses incurred.)

5-3. EXCEPTIONS TO POLICY.

a. The Area Commanders designated in USFK Reg 10-2 have responsibility for approving or disapproving requests for exceptions to the drivers licensing and vehicle registration eligibility requirements in this regulation on a case by case basis. This includes either a 2nd POV for an individual or family not automatically entitled to register a 2nd POV as outlined in paragraph 3-1. No blanket exception will be approved. Commanders may not approve exceptions to provisions established by ROK law. Army Area Support Group Commanders have approval authority for Air Force personnel not assigned to the 7th Air Force who are assigned within their geographical area of responsibility. Army Area Support Group Commanders also have approval authority for Army personnel assigned within their geographical area of responsibility regardless of the parent unit's location. In all cases, exception authority may not be delegated below the Deputy Area Support Group Commander. Questions on exceptions to policy should be addressed to FKPM-LE.

(1) Commanders identified above are responsible for approving or disapproving requests for exception to register more than one POV from personnel assigned to command sponsored positions, but who serve in a family member restricted area, and whose families reside elsewhere in Korea. Exceptions to policy will be valid for the duration of the tour. Personnel granted tour extensions must resubmit a new request for exception to policy. In other cases, requests for more than one POV may be approved when approval substantially contributes to the military mission. Personal convenience is not the basis for approval. Discretion is to be carefully exercised in each case.

(2) A moped (49cc or below) is not considered a POV under Korean Law and does not have to be registered as a POV. Area Commanders may require mopeds in their Areas to be registered for tracking and law enforcement purposes, if they deem it necessary. Motorcycles (which include mopeds 50cc and larger) are considered POVs under Korean Law and USFK policy and must be registered. Any motorcycle registration beyond the 2nd POV (para 3-1b) must still be processed as an exception to policy. The matrix below is included to help personnel understand the requirements for an exception to policy when USFK personnel have motorcycles.

If 1st POV Registered is a:	**and 2nd POV is:**	**and 3rd POV is.**
Car	A car (exception is needed)	A car or motorcycle (exception always needed)
Car	A Motorcycle (no exception is needed)	A car or motorcycle (exception always needed)
Motorcycle	A car (no exception is needed)	A car or motorcycle (exception always needed)
Motorcycle	A motorcycle (no exception is needed)	A car or motorcycle) (exception always needed

(3) Motorcycles, regardless of engine size, used exclusively for off-road sporting and recreational purposes are not classified as a POV. These vehicles will never be operated on a public street or road.

b. Exceptions to this regulation that go beyond drivers licensing and vehicle registration requirements or substantially alters the content or intent of this regulation, requires the written approval of FKPM-LE. This paragraph does not apply to JUSMAG-K personnel.

5-4. POWERS OF ATTORNEY (POA). This section applies to person(s) wishing to transfer legal ownership of a vehicle, not the registration process. For example, a spouse wishing to register a vehicle while in/out processing should refer to Chapter 3.

a. Personnel who are unable to dispose of their POV prior to departure may transfer it via POA to an authorized individual only under the following circumstances:

(1) Emergency leave when member may not be returning to the ROK.

(2) Short notice PCS assignments where notification is 90 days or less.

(3) Humanitarian assignments when notification is 90 days or less.

(4) Member has been court-martialed and will enter confinement.

(5) Member has been medically evacuated to Continental U.S. and will not return to the ROK.

b. The transferee must be authorized to possess a POV. The owner must provide a duly executed POA, and the recipient must register the vehicle with the appropriate vehicle recorder not later than 10 days after the effective date of the POA.

c. Vehicle recorders will not transfer ownership and allow new registration of vehicles under POA if circumstances do not abide by paragraph 5-4(a) above. The recipient must have a letter from the original owner's unit commander stating the reason for POA (thus certifying a legal transfer vehicle recorder).

d. The owners must be aware that POAs do not obligate the person to assume ownership, just the possibility to do so. Owners are still responsible regarding ultimate disposal of the vehicle. If the vehicle is found abandoned (because the POA has expired) and the government must dispose of it, the legal owner will be charged under the UCMJ and billed for government disposal costs. (See paragraph 5-2b(2)(c) above.)

e. The POAs for POVs will be valid for only 90 days, regardless of being properly registered.

f. Staff Judge Advocates will be advised by the respective unit commander that one of the circumstances outlined in paragraph 5-4(a) above exists with his or her personnel. A POA will not be accomplished without prior Judge Advocate General/Commander coordination. This ensures all POAs for POVs are legally transferred IAW this regulation.

CHAPTER 6

OFF-INSTALLATION TRAFFIC ACTIVITIES

6-1. UNITED STATES (U.S.) MILITARY POLICE HIGHWAY PATROL.

a. The U.S. Military Police Highway Patrol, established by the SOFA Joint Committee, is authorized to patrol on specified expressways in the ROK and to maintain order and discipline among U.S. military personnel. USFK Reg 190-50 contains Military Police Highway Patrol procedures. The highway patrol may exercise administrative control of personnel covered by the SOFA, JUSMAG-K personnel, military personnel, KATUSA personnel, and Korean Service Corps members who operate USFK vehicles (military and SOFA plated) on Korean expressways. Administrative control is limited to observation and reporting of moving traffic violations for administrative purposes and does not include the stopping of SOFA plated vehicles outside the boundaries of a military installation.

b. The patrol will conduct asset control inspections and extend assistance when possible to motorist injured or stranded on the expressway. The ROK authorities will be notified as soon as practicable.

c. DD Forms 1408 issued to operators of military vehicles will be processed the same as on U.S. installations.

CHAPTER 7

IMPORTATION OF PRIVATELY OWNED VEHICLES

7-1. RESPONSIBILITIES.

a. Component commanders will ensure compliance with this chapter.

b. Customs clearance officers, identified in USFK Reg 55-72, will ensure that ROK customs office importation declarations for motor vehicles are approved only for those individuals authorized to import a POV.

c. The Office of the Provost Marshal, USFK (FKPM-LE), Unit #15237, APO AP 96205-0010, is the approving authority for importation of a POV at the owner's expense.

7-2. POLICY. Importation of POVs in the ROK is prohibited except under the following conditions:

a. Any member of the U.S. military forces or civilian component authorized shipment of a POV to the ROK at U.S. Government expense may import a vehicle. Replacement vehicles may be imported at personnel expense contingent upon proper disposal IAW USFK Pam 608-3 or the possession of an exception to policy to register and operate two vehicles.

b. Invited contractors firms or firms employing technical representatives with SOFA status are authorized to import company-owned vehicles provided such vehicles do not exceed the number of vehicles authorized by the contract. A POV may be imported at personal expense as long as it meets the requirements of the ROK-US SOFA and the owner complies with registration guidelines established in this regulation.

7-3. SPECIAL REQUIREMENTS. The customs clearance officer will require the following documents before approving a ROK customs office importation declaration for POVs:

a. Identification card.

b. Proof of ownership.

c. Proof of insurance.

d. Authenticated U.S. Government orders or contract documents authorizing importation of a POV or approval to import a POV at personal expense and showing the individual has a minimum of 180 days prior to DEROS.

e. Bill of lading.

f. A USFK driver's license.

g. Duty-free import letter from USFK Traffic NCO (FKPM-LE).

h. USFK Form 175-R (Invited Contractor and Technical Representative Personnel Data Report) verifying status of civilian personnel.

i. A ROK drivers license (if applicable).

Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander, USFK (FKPM-LE), Unit #15237, APO AP 96205-0010. This publication is available electronically on the Eighth Army web site at: https://www-eusa.korea.army.mil

FOR THE COMMANDER:

OFFICIAL:
DANIEL R. ZANINI
Lieutenant General, USA
Chief of Staff

F. W. MORRIS
Assistant Adjutant General

DISTRIBUTION:
Electronic Media Only

APPENDIX A

REFERENCES

Section I. REQUIRED PUBLICATIONS

AR 58-1 (Management, Acquisition, and Use of Administrative Use Motor Vehicles). Cited in paragraph 4-2b(3) and appendix D.

AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1 (Motor Vehicle Traffic Supervision). Cited in paragraphs 1-1, 1-4, 2-5b(3), 2-5f(2), 4-6b, 4-8b(1)(a), (b), (c), (d), (e), 4-8b(2), 4-9a, b, c, (c)(1), 4-9d(2), 4-10a, b(1), b(3), 4-10c(1), (2), (3), 5-2a, appendix D, and glossary.

AR 600-37 (Unfavorable Information). Cited in paragraph 4-8e(1).

DOD 4160.21-M (Defense Reutilization and Marketing Manual). Cited in paragraph 5-2b(2)(b).

Section 4561, Title 42 U.S. Code. Cited in paragraph 4-8d(2).

TM 38-600 (Management of Administrative Use Motor Vehicles). Cited in paragraph 4-2(c)(4) and appendix D.

ACMJ Article 92. Cited in paragraph 4-6c(2).

USFK Pam 385-2 (Guide to Safe Driving in Korea). Cited in appendix D.

USFK Pam 608-3 (Guidelines for Disposal of Duty-Free Goods in Korea). Cited in paragraph 7-2a.

USFK Reg 10-2 (Installation Management and Base Operations). Cited in paragraphs 2-2b(1). 4-6a, 4-11.1b, and 5-3a).

USFK Reg 55-72 (UNC Reg 55-72/Customs Clearance of UNC and USFK Imports and Exports.) Cited in paragraph 7-1b.

USFK Reg 190-7 (Installation Access Control System). Cited in paragraph 2-2c.

USFK Reg 190-50 (Law Enforcement Procedures in Korea). Cited in paragraphs 4-1a and 6-1a.

Section II. RELATED PUBLICATIONS

AR 190-22 (Searches, Seizures, and Disposition of Property).

AR 385-40 with EUSA Suppl 1 (Accident Reporting and Records).

AR 385-55 with EUSA Suppl 1 (Prevention of Motor Vehicle Accidents).

AR 600-55 with EUSA Suppl 1 (The Army Driver and Operator Standardization Program Selection, Training, Testing, and Licensing).

USFK Reg 58-8 (Administrative Use of Military Vehicles).

Korean Road Traffic Act (KRTA).

Section III. Required Forms

AAFES Form 6550-8 (Certificate of Inspection)

**AF Form 1800 (Operator's Inspection Guide and Trouble Report (General Purpose Vehicles))

AF Form 2293 (United States Government Vehicle Operators Identification Card)

**DA Form 3626 (Vehicle Registration/Drivers Registration)

**DA Form 3946 (Military Police Traffic Accident Report)

DD Form 788 (Private Vehicle Shipping Document for Automobile)

DD Form 1408 (Armed Forces Traffic Ticket)

**DD Form 1970 (Motor Equipment Utilization Record)

DD Form 2505 (Abandoned Vehicle Removal Authorization)

OF 346 (United States Government Motor Vehicle Operators Identification Card)

*USFK Form 31EK (Application for Registration/Cancellation of USFK Privately Owned Vehicle)

USFK Form 134EK (United States Forces Korea Motor Vehicle Operators Permit)

*USFK Form 141-R (Nonappropriated Fund Vehicle Registration Card)

*USFK Form 167 (Inspection Check Sheet for Nonappropriated Fund Vehicles)

USFK Form 207 (Military Registration and Certificate of Title of Motor Vehicle (Nontransferable)

*USFK Form 214EK-R (Automobile Accident Report)

*** One asterisk * preceding the form number indicates that the form is available on the Eighth Army website at: https://www-eusa.korea.army.mil**
****Two asterisks ** preceding the form number indicates that the form is available on the USAPA website at: www.usapa.army.mil**

APPENDIX B

NONAPPROPRIATED FUND VEHICLE REGISTRATION CARD

For use of this form refer to USFK Reg 190-1. The proponent is the Provost Marshal.

☐ **ORIGINAL** - Retain with Vehicle
☐ **DUPLICATE** - Custodian's Copy
☐ **TRIPLICATE** - Retained by Provost Marshal, USFK

PART I - APPLICATION
The following is to be completed by the requesting unit/activity

YEAR	MAKE OF VEHICLE	TYPE	MODEL	COLOR	SERIAL NUMBER	ENGINE NUMBER

CYLINDERS	DATE OF SAFETY INSP	UNIT/ACTIVITY	INSTALLATION & APO AP

REGISTRATION REQUESTED BY	APPLICATION VALIDATED BY
LOCAL CUSTODIAN/KOAX, CHIEF OF TRANSPORTATION	ACofS, J-1/KOAX, CHIEF OF TRANSPORTATION

PART II - APPROVAL
The following is to be completed by Provost Marshal, USFK

DATE ISSUED	PLATE NUMBER	APPROVED:
		REGISTRATION CLERK, PROVOST MARSHAL, USFK

IT IS THE RESPONSIBILITY OF THE UNIT OR ACTIVITY CUSTODIAN/KOAX, CHIEF OF TRANSPORTATION TO SEE THAT THIS VEHICLE IS SAFE FOR USE, THAT IT IS SAFETY INSPECTED ANNUALLY, AND THAT A COPY OF THE COMPLETED ANNUAL INSPECTION CERTIFICATE IS FORWARDED TO PROVOST MARSHAL, USFK.

NOT VALID WITHOUT PROVOST MARSHAL, USFK STAMP

USFK FORM 141-R-E, 1 APR 86 EDITION OF 1 JUL 84 WILL BE USED UNTIL EXHAUSTED.

USFK FORM 141-R (NONAPPROPRIATED FUND VEHICLE REGISTRATION CARD)

APPENDIX C

DA Form 3946 (MILITARY POLICE TRAFFIC ACCIDENT REPORT)

MILITARY POLICE TRAFFIC ACCIDENT REPORT

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 *(SSN)*.
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. PM ACTIVITY CODE:REPORT NO.	2. DATE OF ACCIDENT *(YYYYMMDDD)*	3. TIME OF ACCIDENT *(Use 2400 hour)*	4. DAY OF WEEK OF COLLISION *(Sunday, Monday, etc.)*

5. LOCATION OF ACCIDENT

a. MILITARY RESERVATION ☐ YES ☐ NO

b. NAME AND LOCATION OF MILITARY RESERVATION *(Include City and State, etc.)*

c. ROAD OR STREET ON WHICH ACCIDENT OCCURRED

d. NAME OF INTERSECTING STREET IF AT INTERSECTION

e. NAME OF NEAREST INTERSECTING STREET, HIGHWAY, OR OTHER PERMANENT IDENTIFYING LANDMARK IF NOT AT INTERSECTION

f. NO. OF FEET

g. DIRECTION

h. IF ACCIDENT OCCURRED OFF MILITARY RESERVATION, AND OUTSIDE CITY LIMITS, INDICATE:
_____ MILES ☐ N ☐ S ☐ E ☐ W FROM ☐ CITY LIMITS ☐ CENTER OF CITY OR TOWN

i. KIND OF LOCALITY ☐ Troop Billets ☐ Residential ☐ Mfg or Industrial ☐ Open Country ☐ School or Playground ☐ Business ☐ Other *(Specify)*

6. TYPE OF ACCIDENT

☐ Vehicle-Vehicle ☐ Vehicle-Pedicycle ☐ Stolen Vehicle ☐ Vehicle-Object ☐ Vehicle-RR Train ☐ Vehicle-Pedestrian ☐ Single Vehicle *(Non Collision)* ☐ Hit and Run ☐ Other *(Specify)*

a. SEVERITY
NO. KILLED | NO. INJURED

b. TOTAL NO. OF VEHICLES INVOLVED

☐ PROPERTY DAMAGE ONLY

7. WEATHER, LIGHT, AND ROAD CONDITIONS

VEHICLE 1	VEHICLE 2	DRIVING LANES	VEHICLE 1	VEHICLE 2	CHARACTER	VEHICLE 1	VEHICLE 2	SURFACE	VEHICLE 1	VEHICLE 2	WEATHER
		One			Straight			Concrete			Clear
		Two			Curve			Black Top			Rain
		Three or More			Level			Brick			Fog
		Divided Highway			On Grade			Gravel			Snowing
		Other			Other			Other			Other

VEHICLE 1	VEHICLE 2	CONDITIONS	VEHICLE 1	VEHICLE 2	DEFECTS	VEHICLE 1	VEHICLE 2	LIGHT
		Dry			Holes, Ruts, Bumps, etc.			Daylight
		Wet			Loose Material on Surface			Dawn
		Mud			Defective Shoulder			Dusk
		Snow			No defects			Dark, Street Lights
		Other			Other			Dark, No Street Lights

8. TRAFFIC CONTROL

VEHICLE 1	VEHICLE 2		VEHICLE 1	VEHICLE 2		VEHICLE 1	VEHICLE 2		VEHICLE 1	VEHICLE 2	
		Stop and Go Signal			Flashing Light			Warning Sign			One way Street
		No Traffic Signal			Officer or Watchman			Solid Center Line			Stop Sign
		Other *(Explain)*									

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DA Form 3946 (MILITARY POLICE TRAFFIC ACCIDENT REPORT)(Reverse)

9a. VEHICLE NO. 1				9b. VEHICLE NO. 2			
USA REGISTRATION OR LICENSE NO.	MAKE	YEAR	BODY TYPE	USA REGISTRATION OR LICENSE NO.	MAKE	YEAR	BODY TYPE
UNIT MARKINGS/DECAL NO.	☐ Privately Owned ☐ Government			UNIT MARKINGS/DECAL NO.	☐ Privately Owned ☐ Government		
REGISTERED OWNER *(If not driver) (Last, First, MI)*				REGISTERED OWNER *(If not driver) (Last, First, MI)*			
ADDRESS OF OWNER				ADDRESS OF OWNER			
NAME AND ADDRESS OF INSURANCE COMPANY OR AGENT				NAME AND ADDRESS OF INSURANCE COMPANY OR AGENT			

10a. DRIVER NO. 1		10b. DRIVER NO. 2	
NAME *(Last, First, MI), Grade and Address)*	SSN	NAME *(Last, First, MI), Grade and Address)*	SSN
	AGE ☐ Male ☐ Female		AGE ☐ Male ☐ Female
DRIVER'S LICENSE/PERMIT NUMBER	STATE	DRIVER'S LICENSE/PERMIT NUMBER	STATE
LIMITATIONS ON LICENSE/PERMIT ☐ NO ☐ YES *(Specify)*	YEARS' DRIVING EXPERIENCE	LIMITATIONS ON LICENSE/PERMIT ☐ NO ☐ YES *(Specify)*	YEARS' DRIVING EXPERIENCE

CODES	CAT (1)	INJ (2)	SEAT BELT (3)	SEAT POS (4)	CODES	CAT (1)	INJ (2)	SEAT BELT (3)	SEAT POS (4)

11. OCCUPANTS

NAME AND ADDRESS	VEH NO.	AGE	SEX	CODES CAT (1)	INJ (2)	SEAT BELT (3)	SEAT POS (4)

CODES

(1) CATEGORY	(2) INJURY CLASS	(3) SHOULDER/LAP BELTS	(4) SEAT POSITION
A. Army Officer	A. No injury	A. Lap Belt Used	1. Front Left
B. Army Enlisted	B. Dead at Scene	B. Shoulder Harness Used	2. Front Center
C. Other Service Officer	C. Dead on Arrival	C. Both Used	3. Front Right
D. Other Service Enlisted	D. Died in Hospital	D. Not Used	4. Back Left
E. Civilian	E. Incapacitating Injury	E. Not Installed	5. Center Back
F. Dependent	F. Non-incap (evident) Injury	F. Lap Belt Failed	6. Back Right
O. Other	G. Possible Injury	G. Shoulder Harness Failed	7. Other Position *(Bus-Motorcycle)*
	H. Injury Unknown	H. Both Failed	8. Position Unknown
		U. Unknown	

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APPENDIX D

USFK TRAFFIC CODE

D-1. GENERAL.

a. The USFK motor vehicle code is intended to be reasonably consistent with ROK traffic laws. This code applies to individuals who drive on U.S. military installations and those who operate U.S. Government vehicles on and off U.S. installations.

b. The senior military member operating or riding in an official government vehicle will ensure that the provisions of this chapter, as they apply to the operation of the vehicle, are observed. The senior occupant will take appropriate action to ensure the safe operation of a government vehicle. Before operating government vehicles the operator and senior occupant will be familiar with the provisions of this chapter.

D-2. OBEDIENCE TO TRAFFIC LAWS.

a. Unless otherwise specified, the provisions of this chapter apply to the operation of government vehicles on and off U.S. installations and to the operation of all other vehicles on public roads or highways. The provisions for accident reporting apply to all accidents in the ROK.

b. It is unlawful for any person to commit any act forbidden or fail to perform any act required in this chapter. No person may willfully fail or refuse to comply with lawful orders or the directions of law enforcement personnel (ROK and U.S.) invested with authority to direct, control, or regulate traffic.

c. For further clarification of driving laws and regulations in the ROK, contact the USFK PMJ Traffic NCO.

D-3. VIOLATION OF LICENSE PROVISIONS. Persons will not--

a. Display, or permit to be displayed, or have in their possession, a canceled, revoked, suspended, fictitious, or fraudulently altered driver's license.

b. Lend a driver's license to any person, knowingly permit its use by another, or otherwise permit its unlawful use.

c. Display or represent as one's own, a driver's license not their own.

d. Fail or refuse to surrender to competent authority, upon lawful demand, any driver's license that has been suspended, revoked, or canceled.

e. Use a false name in any application for a driver's license, knowingly make a false statement, knowingly conceal a material fact, or otherwise commit a fraud in applying for a driver's license.

f. Drive a motor vehicle on any public highway at a time when their privilege to do so has been suspended or revoked. The commander having responsibility for the individual's driver record, upon verification of this violation, will administratively revoke the subject's driving privileges for a period of not less than 5 years. This action is not contingent upon judicial conviction or non-judicial punishment.

g. Cause or knowingly permit any child or ward under 18 years of age to drive a motor vehicle upon any highway except as stated in this regulation.

h. Authorize or knowingly permit a motor vehicle they own, or have under their control, to be driven upon any highway by any person who is not authorized or who is not licensed for the type or class of vehicle to be driven.

D-4. OFFENSES AGAINST REGISTRATION PROVISIONS. Persons will not--

a. Operate, or knowingly permit to be operated, upon any public road or highway any vehicle required to be registered IAW this regulation unless a valid USFK Form 207 has been issued and license plates issued by the appropriate USFK motor vehicle recorder are properly displayed. License plates will be firmly mounted to the front and rear of the vehicle and will not be bent, trimmed, or altered in any manner except as necessary to adequately attach them to the vehicle. License plates will be affixed to the vehicle in the area provided by the manufacturer. No other decal fashioned in the form of a license plate may be displayed on the vehicle.

b. Fail to maintain the amount of liability insurance prescribed by this regulation.

c. Lend or otherwise transfer a Certificate of Title, registration plate, or special plate unless the lending or transfer is in conjunction with the lawful transfer of possession of the vehicle.

d. Display, or allow another to display on a vehicle, any registration card or plate not issued for the vehicle.

e. Retain evidence of registration upon cancellation. Whenever a USFK motor vehicle recorder cancels the registration of a vehicle, the owner or person in possession will immediately return the evidence of registration to the appropriate USFK motor vehicle recorder.

D-5. ANTITHEFT PROVISIONS.

a. Offenses relating to removed, falsified, or unauthorized identification number or registration plate on a vehicle or engine. No person will--

(1) Willfully remove or falsify the identification number of a vehicle or a vehicle engine.

(2) Buy, receive, possess, sell, or dispose of a vehicle or a vehicle engine, knowing that an identification number of the vehicle or engine has been removed, falsified, or modified.

(3) Remove a vehicle registration plate or affix a vehicle registration plate not authorized for use with intent to conceal or misrepresent the identity of the vehicle or its owner.

b. Offenses relating to title and registration. No person will--

(1) Alter, forge, or counterfeit a Certificate of Title, registration card, or license plate.

(2) Possess or use a false Certificate of Title, registration card, or license plate.

(3) Use a false name or address, make a false statement, or conceal any material information on an application for a Certificate of Title or registration.

(4) Permit another who is not entitled to do so to use or have possession of a Certificate of Title, registration card, or license plate.

D-6. FISCAL RESPONSIBILITY. No person will sign a certificate attesting to the continuing possession of required liability insurance when they know, or have reason to believe that they do not possess or intend to maintain the required insurance. Any person whose liability insurance policy is canceled or terminated will immediately return the vehicle registration to the USFK motor vehicle recorder and cease operation of the vehicle.

D-7. AUTHORIZED EMERGENCY VEHICLES.

a. Drivers of authorized emergency vehicles may exercise the privileges set forth in this chapter. However, drivers must be responding to a bona fide emergency or in pursuit of an actual or suspected violator of the law. Emergency equipment utilization is restricted to police, fire, EOD, and medical emergencies.

b. The driver of an authorized emergency vehicle may--

(1) Park or stand in unauthorized locations when a traffic hazard is not created.

(2) With caution, disregard traffic signals and other control devices, after slowing down as necessary for safe operation.

(3) Exceed the maximum speed limit by no more than 20 miles per hour (MPH) (30 kilometers per hour (KPH)) as long as it does not endanger life or property.

(4) Disregard orders governing direction of movement or turning in specified directions.

c. The exemptions granted to an authorized emergency vehicle apply only when the vehicle is using a siren and warning lights.

d. The foregoing provisions do not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons. These provisions do not protect the driver from the consequences of his reckless disregard for the safety of others.

e. The driver of an emergency vehicle will not use warning lights or emergency warning equipment unless there is a bona fide emergency requiring their use. Dispatchers of emergency vehicles will adhere to unit policy governing the use of emergency equipment.

D-8. PEDESTRIAN RIGHTS AND DUTIES. Pedestrians will obey applicable instructions of traffic control devices unless directed otherwise by law enforcement personnel.

a. Right-of-way in crosswalks.

(1) When traffic control signals are not in place or in operation, a driver must yield the right-of-way and slow down or stop to yield to a pedestrian crossing the roadway within a crosswalk.

(2) Pedestrians will not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it is difficult for the driver to yield.

(3) Drivers will not pass vehicles stopped to yield to pedestrians in the roadway.

b. Crossing at other than crosswalks.

(1) Pedestrians crossing a roadway at any point other than within a marked crosswalk or within a marked crosswalk at an intersection must yield the right-of-way to all vehicles on the roadway.

(2) Between adjacent intersections where traffic control signals are in operation, pedestrians will cross only in a marked crosswalk.

(3) Pedestrians will not cross a roadway intersection diagonally unless authorized by official traffic control devices or law enforcement personnel. When authorized to cross diagonally, pedestrians will cross only IAW the official traffic control devices.

c. Pedestrians, joggers, and marching units on the roadway.

(1) Every vehicle driver will exercise due care to avoid colliding with pedestrians on the roadway. Drivers must give warning by sounding the horn when necessary and by exercising proper precaution when observing any child or any obviously confused or incapacitated person.

(2) Every vehicle driver will yield the right-of-way to marching units. Drivers may proceed around marching units with extreme caution at a speed not to exceed 10 MPH (15 KPH). Drivers will be prepared to execute a prompt stop if any person should move into the path of any vehicle. Drivers will begin the 10 MPH (15 KPH) limit at a distance 50 meters (165 feet) from unit formations and maintain the speed limit for a distance of 50 meters (165 feet) past the formation. This speed limit applies regardless of the direction in which the formation is encountered.

(3) Joggers will wear a reflective vest or other reflective material while on a public roadway, street, bicycle path, or any other right-of-way under USFK jurisdiction. The wearing of headphones or earphones while jogging or walking on USFK installation roadways is strictly prohibited.

d. Pedestrians on roadways.

(1) Sidewalks will be used where provided.

(2) Where there is not a sidewalk, pedestrians will walk only on the left side of the roadway or its shoulder, facing oncoming traffic.

(3) Procedures for unit formations are contained in paragraph c(2) above.

e. Pedestrians soliciting rides. No person will stand in a roadway for the purpose of soliciting a ride.

f. Right-of-way on sidewalks. The driver of a vehicle emerging from or entering an alley, building, private road, or driveway must yield the right-of-way to any pedestrian approaching on any sidewalk extending across the alley, building entrance, road, or driveway.

D-9. DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING, AND USE OF ROADWAY.

a. Drivers must operate vehicles on the right side of the roadway except--

(1) When passing another vehicle proceeding in the same direction.

(2) When an obstruction exists that makes it necessary to drive on the left side of the roadway. Under these conditions, the driver must yield the right-of-way to all vehicles traveling in the proper direction.

b. On all roadways in the ROK designated as expressways, vehicles will be driven in the right-hand lane when available for traffic or as close as practicable to the right-hand curb or edge of the roadway except when passing another vehicle proceeding in the same direction.

c. On any roadway having four or more lanes for moving traffic that provides for two-way movement of traffic, no vehicle will be driven to the left of the center line of the roadway except when authorized by official traffic control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use the lanes. However, this paragraph does not prohibit crossing the centerline when making a left turn into or from an alley, private road, or driveway.

d. Drivers of vehicles proceeding in opposite directions must pass each other to the right. On roadways less than 22 feet (approximately 7 meters), each driver must yield at least one-half of the main traveled portion of the roadway.

e. The following rules govern the passing of vehicles proceeding in the same direction:

(1) The driver of a vehicle passing another vehicle proceeding in the same direction will pass in the left lane at a safe distance and will not return to the right lane of the roadway until clear of the overtaken vehicle.

(2) Except when passing on the right is permitted, the driver of an overtaken vehicle must give way to the right in favor of the passing vehicle on audible signal and will not increase the speed of his vehicle until completely passed.

f. Passing on the right is permitted only under the following conditions:

(1) When the vehicle being passed is making or about to make a left turn.

(2) On a street or highway with unobstructed pavement, not occupied by parked vehicles and sufficiently wide enough for two or more lines of moving vehicles to travel in each direction.

(3) On a one-way street or any roadway where traffic is restricted to one direction of movement and the roadway is free from obstructions and sufficiently wide enough for two or more lines of moving vehicles.

(4) Only under conditions safely permitting such movement. Driving off the pavement or main traveled portion of the roadway to pass another vehicle is prohibited.

g. Vehicles will not be driven to the left side of the center of the roadway in passing another vehicle proceeding in the same direction unless the left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit passing to be completely made without interfering with the operation of vehicles approaching from the opposite direction. Passing vehicles must return to an authorized lane of travel as soon as practicable. Passing must be completed before coming within 200 feet (60 meters) of any approaching vehicle.

h. Additionally, vehicles will not be driven on the left side of a two-way roadway--

(1) When approaching or on the crest of a grade or a curve in the roadway where the driver's view is obstructed within a distance as to create a hazard.

(2) When approaching within 100 feet (30 meters) of or traversing any intersection or railroad grade crossing.

(3) When the view is obstructed upon approaching within 100 feet of any bridge, viaduct, or tunnel.

i. Where signs or markings are in place to define a no passing zone, drivers will not drive on the left side of the roadway within a no passing zone or on the left side of any pavement striping designed to mark no passing zones.

j. On a roadway designated for one-way traffic, vehicles will be driven only in the direction designated. A vehicle passing around a traffic island may be driven only to the right of the island.

k. Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules apply:

(1) A vehicle will be driven within a single lane and may not be moved from the lane until the driver has made sure that the movement can safely be made.

(2) Drivers should not drive in the center lane except when making a left-hand turn or when passing another vehicle traveling in the same direction on roadways that are divided into three lanes with two-way movement of traffic.

(3) Drivers will obey official traffic control devices that direct traffic to use a designated lane.

(4) Drivers will obey official traffic control devices that are installed to prohibit the changing of lanes on sections of roadways.

(5) On all roadways in the ROK that provide two or more lanes for travel in the same direction and are not designated as expressways, the lane used will depend on the type of vehicle being operated and the number of lanes available for travel in the same direction.

(a) On roadways that provide four lanes for travel in the same direction, the first lane (closest to the center line) is for sedans, station wagons, 1/4-ton passenger vehicles, and vehicles of similar design and function. The second lane is for sedans, station wagons, 1/4-ton passenger vehicles, pickup trucks, and vehicles of similar design and function. The third lane is for pickup trucks, 1 1/4-ton and larger trucks and buses. The fourth lane (curb lane) is for motorcycles, bicycles, and carts.

(b) On roadways that provide three lanes for travel in the same direction, the first lane (closest to the center line) is for sedans, station wagons, 1/4-ton passenger vehicles, and vehicles of similar design and function. The second lane is for sedans, station wagons, 1/4-ton passenger vehicles, pickup trucks, 1 1/4-ton and larger trucks, and buses. The third lane (curb lane) is for motorcycles, bicycles, carts, and trucks towing trailers or other trucks.

(c) On roadways that provide two lanes for travel in the same direction, the first lane (closest to the centerline) is for sedans, station wagons, 1/4-ton passenger vehicles, pickup trucks, and vehicles of similar design and function. All vehicles may use the second lane.

l. Motor vehicle drivers will not follow another vehicle more closely than is reasonable and prudent and will have due regard for the speed of other vehicles, traffic, and the condition of the highway.

(1) The driver of a motor vehicle towing another vehicle, who is following another motor vehicle towing a vehicle, will leave sufficient space so that a passing vehicle may enter and occupy the space between without danger. This provision applies when the vehicles are operated on any roadway outside of a residential or industrial area and does not prevent a motor vehicle towing another vehicle from overtaking and passing any similar vehicle.

(2) Motor vehicles being driven in convoy upon any roadway outside of a business or residential district, whether towing other vehicles or not, will leave sufficient space between each vehicle or combination of vehicles to enable other vehicles to enter and occupy space without danger.

m. Drivers will not drive on or cross the median unless specifically authorized. U-turns are prohibited on divided highways, expressways, and other places so designated.

n. Vehicles will not be driven on or from any controlled access roadway except at designated entrances and exits.

D-10. RIGHT-OF-WAY.

a. Vehicle approaching or entering intersections.

(1) When two vehicles approach or enter an intersection from different roadways at approximately the same time, the driver of the vehicle will yield the right-of-way to the vehicle on the right.

(2) The right-of-way rule is modified at through-highways and where stated in this paragraph.

b. Vehicles turning left. The driver of a vehicle intending to turn left at an intersection or into an alley, private road, or driveway will yield the right-of-way to vehicles approaching from the opposite direction that are within the intersection or so close as to constitute an immediate hazard.

c. Vehicles entering intersections, to include four-way stops.

(1) A right-of-way at an intersection may be indicated by stop signs or yield signs.

(2) Except when directed to proceed by law enforcement personnel or a traffic control signal, the driver approaching an intersection where there is a stop sign will stop at the stop line, or at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. This stop will be made before entering the intersection. After stopping, the driver will yield the right-of-way to any vehicle that has entered the intersection from another highway, has arrived at the intersection first, or is approaching closely enough to constitute an immediate hazard if the driver were to move across the intersection.

(3) The driver of a vehicle approaching a yield sign will slow down to a speed reasonable for the existing conditions. If the driver is required to stop, he will do so at a clearly marked stop line. If there is no marked stop line, the stop will be made at the point where the driver has a view of approaching traffic on the intersecting roadway.

(a) After slowing or stopping, the driver will yield the right-of-way to any vehicle in the intersection or any vehicle approaching on another highway so close as to constitute an immediate hazard during the time the driver would move across or within the intersection.

(b) If the driver is involved in a collision with a vehicle in the intersection after driving past a yield sign without stopping, the collision will be deemed prima facie evidence of the failure to yield right-of-way.

d. Vehicles that enter a highway from a private road, driveway, or on-ramp. The driver of a vehicle entering or crossing a public road or highway from an alley, private road, driveway, or on-ramp, will yield the right-or-way to all vehicles approaching on the public road or highway.

e. Operation of vehicles during an approach by authorized emergency vehicles.

(1) Drivers of other vehicles will yield the right-of-way and will immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway clear of any intersection and will stop and remain stopped until the authorized emergency vehicle has passed.

(2) The priority given to emergency vehicles does not relieve the driver from the duty to drive with due regard for the safety of all persons.

f. Vehicles within a traffic circle. The driver of a vehicle about to enter a traffic circle must yield the right-of-way to all vehicles within the traffic circle.

D-11. TRAFFIC SIGNS, SIGNALS, AND MARKINGS.

a. Traffic control devices. Drivers of vehicles will obey the instructions of official traffic control devices unless directed otherwise by law enforcement personnel. This provision will not be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently discernible by an ordinarily observant person. When official traffic control devices are reasonably displayed, presume that they have been placed by the official act or direction of lawful authority and therefore must be obeyed.

b. Traffic control signal legend. Whenever traffic is controlled by a traffic control signal exhibiting different colored lights or colored-lighted arrows, successively one at a time or in combination, only green, red, and yellow colors will be used. The lights will indicate and apply to the drivers of vehicles and pedestrians as follows:

(1) Green indication.

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right unless prohibited by a sign or the traffic situation. A vehicle facing the green signal, supplemented by a green arrow may also proceed in the direction the green-lighted arrow indicates or as directed by official traffic control personnel. If straight-through traffic is impossible by the nature of the intersection, a green indication permits a right or left turn unless a sign prohibits the turn. Vehicles will yield the right-of-way to vehicles and pedestrians within the intersection or an adjacent crosswalk at the time the signal changes.

(b) Vehicular traffic facing a green arrow signal lighted alone, may make only the movement indicated by the arrow. Straight-through traffic is not permitted. Vehicular traffic will yield the right-of-way to pedestrians using the intersection.

(c) Unless otherwise indicated by a pedestrian-control signal, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow indication.

(a) A steady yellow signal warns that the related green movement is being terminated and a red indication will soon be exhibited. Vehicular traffic may turn left unless a sign prohibits a turn. However, when executing the turn, drivers must yield the right-of-way to other vehicles and to pedestrians within the intersection or an adjacent crosswalk at the time the signal is exhibited.

(b) A steady yellow signal, unless otherwise directed by a pedestrian control signal, means there is insufficient time to cross the roadway before a red indication is shown and no pedestrian may start to cross the roadway.

(3) Steady red indication.

(a) Vehicular traffic facing a steady red signal must stop at a clearly marked stop line. If there is no line, vehicles must stop before entering the crosswalk on the near side of the intersection. If there is no crosswalk, vehicles must stop before entering the intersection and remain stopped until an indication to proceed is shown.

(b) After coming to a complete stop, vehicles may proceed with caution to make a right-hand turn provided no traffic or pedestrians are intersecting the roadway. Stopped vehicular traffic facing a steady red signal never has the right-of-way when making a right turn.

(c) Pedestrians facing a steady red signal will not enter the roadway.

(d) Vehicular traffic facing a steady red signal in combination with a green turn arrow may make the movement indicated by the arrow, but may not otherwise cross the intersection.

(4) If an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this paragraph apply, unless by their nature can have no application. Any stop required will be made at a sign or marking on the pavement indicating where the stop is to be made. In the absence of a sign, the stop will be made at the signal.

c. Pedestrian control signals. Whenever a pedestrian control signal exhibits a red or green circular light, the signals indicate the following:

(1) Green - Pedestrians facing a green signal may proceed across the roadway in the direction of the signal and drivers of all vehicles will give them the right-of-way.

(2) Red - Pedestrians may not start to cross the roadway in the direction of the signal, but a pedestrian who has partially completed crossing at the time of the red signal may proceed to a sidewalk or safety island while the red signal is showing.

d. Flashing signals (See paragraph D-13a for conduct at railroad crossings). Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal, the following applies:

(1) Flashing red (stop signal). Drivers of vehicles must stop at the marked stop line. If there is no line, a stop must be made before entering the crosswalk on the near side of the intersection, or at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. The right to proceed is subject to the rules applicable after making a stop at a stop sign.

(2) Flashing yellow (caution signal). Drivers of vehicles may proceed through the intersection or past the signal while exercising due caution.

e. Lane direction control signals. When lane direction control signals are placed over separate lanes of a street or highway, vehicular traffic may travel in any lane over which a green signal is lighted but will not enter or travel in any lane where a red signal is displayed.

f. Display of unauthorized signs, signals, or markings. No person will place, maintain, or display upon, or in view of any highway any unauthorized sign, signal, marking, or device that resembles an official traffic control device, railroad sign or signal, attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of an official traffic control device or any railroad sign or signal.

g. Interference with official traffic control devices, railroad signs, or signals. No person will, without lawful authority, attempt to or alter, deface, knock down, or remove any official traffic control device, railroad sign, signal, or any inscription, shield, or insignia or any other part.

D-12. TURNS, STARTS, AND SIGNALS.

a. Required position and method of turning at intersections. The driver of a vehicle may not turn a vehicle at an intersection other than as directed and required by the devices.

(1) Right turns. The approach for a right turn and the right turn will be made as close as practicable to the right-hand curb or edge of the roadway.

(2) Left turns. The driver of a vehicle intending to turn left at an intersection will approach the intersection in the extreme left-hand lane available to traffic moving in the direction of travel. After entering the intersection, the left turn will be made to leave the intersection in a lane lawfully available to traffic moving in the direction upon the roadway being entered. Whenever practical the left turn will be made in the portion of the intersection to the left of the center of the intersection.

(3) U-Turns. U-turns may only be completed where authorized by posted signs.

b. Turning on a curve, crest, or grade. Vehicles will not be turned to proceed in the opposite direction upon a curve or near the crest of a grade, where the vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet (approximately 150 meters).

c. Placing a parked vehicle in motion. No person will begin the movement of a vehicle that is stopped or parked until such movement can be made safely.

d. Turning movements and required signals.

(1) Drivers will not turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required. They will not turn a vehicle to enter a private road or driveway, otherwise turn a vehicle from a direct course, or move right or left on a roadway until the movement can be made safety. Proper directional signals will be given before making turns.

(2) A signal of intention to turn will be given continuously during the last 100 feet before turning and during the turn.

(3) No person will stop or suddenly decrease the speed of a vehicle without first giving an appropriate directional signal.

(4) Signals will be used to indicate an intention to turn, change lanes, or start from a parked position and will not be flashed on one side of a parked or disabled vehicle or flashed as a courtesy to encourage passing.

e. Stop and turn signals.

(1) Any stop or turn signal, when required, must be given either by hand and arm signals or by mechanical directional signals.

(2) Any motor vehicle in use on a highway must be equipped with directional signals when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of such motor vehicle exceeds 24 inches (60 centimeters) or when the

distance from the center of the top of the steering post to the rear limit of the body or load exceeds 14 feet (approximately 4 meters). This distance applies to a single vehicle and any combination of vehicles.

(3) When the steering column is located on the left side of the vehicle, hand and arm signals will be given from the left side of the vehicle as follows:

(a) Left turn will be signaled by the hand and arm extended horizontally.

(b) Right turn will be signaled by the hand and arm extended upward.

(c) Stop or decrease speed will be signaled by the hand and arm extended downward.

(4) When the steering column is located on the right side of the vehicle, hand and arm signals will be given from the right side of the vehicle as follows:

(a) Left turn will be signaled by the hand and arm extended upward.

(b) Right turn will be signaled by the hand and arm extended horizontally.

(c) Stop or decrease speed will be signaled by the hand and arm extended downward.

D-13. SPECIAL STOPS.

a. Signals indicating approach of a train.

(1) Whenever any person driving a vehicle approaches a railroad crossing, the driver will stop no less than 15 feet (approximately 5 meters) from the nearest rail of the railroad and will not proceed until it is safe. This requirement applies when--

(a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a train.

(b) A crossing gate is lowered or when a human flagman gives a signal of the approach or passage of a train.

(c) A railroad train approaching within approximately 1,500 feet (approximately 450 meters) of the highway crossing emits an audible signal that warns of an impending hazard.

(d) An approaching railroad train is plainly visible and is in hazardous proximity.

(2) No person will drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing when the gate or barrier is closed or is being opened or closed.

(3) The following vehicles must stop at all railroad crossings:

(a) Any motor vehicle carrying passengers for hire or any school bus carrying school children.

(b) Any vehicle carrying explosives or flammable substances.

b. Flagmen. Stops are not required at a crossing where a flagman directs traffic to proceed.

c. Overtaking and passing school buses or shuttle buses on or off post. Vehicle operators will not pass or overtake a school bus or shuttle bus stopped on the traveled portion of the highway when the buses are being used to receive or deliver passengers, as indicated by flashing lights or direct observation.

d. Tollgates and tollbooths. All USFK military vehicles will come to a full and complete stop before passing through tollgates and tollbooths on ROK expressways.

e. Reveille and retreat. During reveille and retreat or special ceremonies that require military courtesy (for example, national anthem), all drivers of vehicles, except those on major thoroughfares, will stop, disembark the vehicle, and render proper courtesy.

D-14. SPEED RESTRICTIONS.

a. Vehicle operators will not drive at a speed greater than is reasonable or prudent under road and weather conditions and with regard to the actual and potential hazards. The maximum speed limits are shown below. Military vehicles operators will not exceed maximum speed limits.

(1) Within a city, community, or built-up area: 35 MPH/56 KPH.

(2) Outside a city, community, or built-up area: 40 MPH/64 KPH.

(3) School zones: 15 MPH/24 KPH.

(4) Parking areas, motor pools, and aircraft parking areas: 5 MPH/8 KPH.

(5) Expressways and toll roads: The minimum speed will be as posted. The maximum speeds are as follows:

(a) Tactical vehicles (excluding M880/M890/M998/M1000 series vehicles): 40 MPH/64 KPH.

(b) Speed limits by expressway for POVs/sedan type military vehicles are shown in table D-1.

b. All other military vehicles are considered cargo vehicles; the speed limit is 50 MPH/80 KPH regardless of the time of day.

c. No person will operate any motorcycle at night time at a speed greater than 35 MPH/56 KPH unless the vehicle is equipped with a headlight that is adequate to reveal a person or vehicle at a distance of 300 feet (90 meters).

d. Vehicles will not be operated at such a slow speed that impedes the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with the law.

e. Vehicle operators will not participate in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or any event for the purpose of setting a speed record. Additionally, operators are prohibited from participation in any race, competition, contest, test, or exhibition unless approved as an authorized sporting competition by appropriate ROK or U.S. authorities.

f. In accordance with USFK Pam 385-2, a warning device (triangle or flares) will be placed on the roadway 50 meters (165 feet) to the rear of any traffic hazard such as a disabled vehicle, construction activity on post, or other repair work such as telephone or electrical line. On U.S. military installations where 50 meters is not always practical, warning devices will be placed at a distance where oncoming traffic is warned as they approach the traffic hazard.

Table D-1
Expressway speed limits

Expressway No. & Name	Maximum - Minimum
10 Chungbu (Seoul-Taejon)	66 MPH/110 KPH - 36 MPH/40 KPH
1 Gyongbu (Seoul-Pusan)	62 MPH/100 KPH - 31 MPH/50 KPH
2 Gyongin (Seoul-Inchon)	62 MPH/100 KPH - 31 MPH/50 KPH
8 Ulsan (Ulsan-Eonyang)	62 MPH/100 KPH - 31 MPH/50 KPH
3 Honam (Hwedoek-Suncheon)	50 MPH/80 KPH - 25 MPH/40 KPH
4 Yongdong (Saemal-Kangreung)	50 MPH/80 KPH - 25 MPH/40 KPH
5 Donghae (Kangreung-Mukho)	50 MPH/80 KPH - 25 MPH/40 KPH
6 Namhae (Pusan-Suncheon)	50 MPH/80 KPH - 25 MPH/40 KPH
7 Guma (Taegu-Masan)	50 MPH/80 KPH - 25 MPH/40 KPH
9 Olympic	50 MPH/80 KPH - 25 MPH/40 KPH

D-15. SERIOUS TRAFFIC OFFENSES.

a. Reckless driving. Any person who drives a vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving.

b. Persons under the influence of any intoxicant. No person will--

(1) Drive or be in actual physical control of a vehicle while under the influence of any intoxicant.

(2) Consume alcoholic beverages or any other intoxicant in a vehicle.

(3) Transport in any vehicle, any alcoholic beverage not in the original, unopened container unless the opened container is not accessible to the vehicle operator and passengers. A container is considered open when the seal of a bottle has been broken or when a can has been punctured.

c. Persons under the influence of drugs. Persons under the influence of drugs that render them incapable of operating a motor vehicle will not operate a vehicle. Drugs include illegal drugs, prescription drugs, or over-the-counter drugs that could result in impairment of a person's ability to operate a vehicle.

d. Vehicular homicide. Vehicle operators who cause the death of another while operating a vehicle, whether intentionally or unintentionally, will be guilty of homicide when the violation is determined to be the imminent cause of death.

e. Fleeing or attempting to elude law enforcement personnel. Vehicle drivers will not willfully fail or refuse to bring their vehicles to a stop or otherwise flee or attempt to elude a police vehicle when given visual or audible signal to bring the vehicle to a stop. The signal given by law enforcement personnel may be by hand, emergency flashers, emergency lights, or siren. The law enforcement official giving the signal must be in uniform and must prominently display distinctive police identification (for example, badge, brassard). Any vehicle used to effect stops must be appropriately marked with signs and emergency equipment indicating that it is an official police vehicle.

D-16. MISCELLANEOUS RULES.

a. No person will--

(1) Leave a child under the age of 10, or a pet in an unattended vehicle.

(2) Transport an infant under the age of 3 unless the infant is in a child safety seat.

(3) Leave a vehicle unattended with the motor operating.

b. Vehicle operators will ensure sufficient clearance prior to initiating vehicle movements.

c. Vehicle operators of vehicles will maintain control of their vehicles at all times.

d. Vehicle operators will give attention to all situations that may adversely affect the safe operation of their vehicle.

e. Vehicles will not be backed unless the movement can be made with safety and without interfering with other traffic. Vehicles will not be backed if the driver's view of the rear or sides is obstructed. If an obstruction exists, the assistance of a dismounted guide will be used.

f. Vehicles will not be operated on a sidewalk.

g. No person will drive a vehicle when it is loaded with passengers to a degree that the driver's ability to control the driving mechanism is impaired.

h. Vehicle doors will not be opened on the moving traffic side of the road unless it is reasonably safe to do so and can be done without interfering with the movement of other traffic. Vehicle doors will not be left open longer than necessary to load or unload passengers or cargo.

i. Drivers traveling through defiles, canyons, or on mountain highways will maintain the vehicle under control and as near the right-hand edge of the highway as reasonably possible. When approaching any curve where the view is obstructed for a distance of 200 feet (60 meters) along the highway, the operator will give audible warning with the horn.

j. Vehicles will not coast with the transmission in neutral or with the clutch disengaged.

k. Littering on all highways is prohibited.

(1) Material inadvertently dropped on the highway will be removed as expeditiously as possible.

(2) Residue left from traffic accidents will be removed from the highway as soon as possible.

l. Personnel subject to this publication are restricted from using hand held cellular phones while operating a motor vehicle on or off military installations. Use of a cellular phone utilizing the “hands free” operation is authorized.

D-17. OPERATION OF BICYCLES AND PLAY VEHICLES.

a. The parent of any child and the guardian of any ward will take reasonable action to prevent the child or ward from violating the requirements of this paragraph. Unless stated otherwise, bicycle rules will apply when a bicycle is operated on any highway or duly marked bicycle trail. Special provisions, which, by their nature, can have no application, do not apply.

b. Traffic laws apply to persons riding bicycles. Bicyclists riding on a roadway are granted rights and are subject to the duties applicable to the driver of any other vehicle.

c. All personnel operating or riding on a bicycle, inline skates, roller skates, coasters, skateboard, or any non-motorized vehicle, while on a public roadway, street, bicycle path, or any right-of-way under USFK jurisdiction will wear a protective helmet designed for bicycle safety. The helmet will be equipped with either a neck or chin strap, which is to be securely fastened while in use. Personnel participating in any of the above mentioned activities will wear a reflective vest which is to be clearly visible (e.g. not covered/obstructed by anything such as a backpack) at all times.

d. The wearing of headphones or earphones while participating in any of the above mentioned in paragraph D-17c above, or while jogging on USFK installations is strictly prohibited.

e. Bicyclists will not ride other than on or astride a permanent and regular seat. Bicycles will not be used to carry more persons at one time than the number for which they are designed and equipped.

f. Bicycles, skateboards, coasters, roller skates, inline skate, sleds, toy vehicles, and non-motorized vehicles will not be pulled or otherwise propelled by assistance from a motorized vehicle.

g. Bicyclists will ride as near to the right side of the roadway as practical and will exercise due care when passing a standing vehicle or one proceeding in the same direction.

h. Bicyclists will not ride abreast except on paths or parts of road as designated for the exclusive use of bicycles. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicyclists will use the path and not the roadway.

i. Bicyclists will not carry any package, bundle, or article when transporting the article prevents the operator from keeping both hands free to control the bicycle and to give signals.

j. Bicycles used during hours of darkness or limited visibility must be equipped with a front light and rear light. The front lamp must emit a white light visible at least 500 feet (150 meters) to the front. A rear lamp must emit a red light visible from 100 feet (30 meters).

D-18. SPECIAL RULES FOR MOTORCYCLES.

a. Motorcyclists/moped operators are granted rights and are subject to the duties applicable to the driver of any other vehicle. Special provisions of this paragraph, which, by their nature, can have no application, do not apply. All provisions of this paragraph apply equally to moped operators.

b. Motorcyclists/moped operators will ride only on the permanent and regular seat. Operators will not carry any other person nor will any other person ride on a motorcycle unless it is designed to carry more than one person. Passengers may ride on the permanent and regular seat if it is designed for two persons or in a sidecar firmly attached to the motorcycle.

(1) Riders and drivers of motorcycles/mopeds will ride while sitting astride the seat facing forward.

(2) Motorcyclists/moped operators will not carry any package, bundle, or article when transporting the article prevents the operator from keeping both hands free to control the vehicle and to give signals.

(3) No one will ride a motorcycle/moped in a position that interferes with the operation or control of the motorcycle.

c. All motorcycles/mopeds are entitled to use the entire lane. Motorcyclists will not pass in the lane occupied by the vehicle being passed.

(1) No person will operate a motorcycle/moped between lanes of traffic or between adjacent lines or rows of vehicles.

(2) Motorcycles/mopeds will not be operated two or more abreast in a single lane.

d. No person riding or driving a motorcycle/moped will attach himself or the motorcycle to any other vehicle on a roadway.

e. A motorcycle/moped transporting a passenger, other than in a sidecar or enclosed cab, must be equipped with footrests for the passenger. Motorcycles/mopeds may not have handlebars that are more than 15 inches (38 centimeters) in height above the seat designated for the operator.

f. Equipment and clothing requirements outlined below do not apply to passengers riding in an enclosed cab. Motorcycle/moped riders must wear--

(1) A safety helmet displaying the U.S. National Standards Institute stamp, label, or tag. Helmets must be securely fastened under the chin with a strap when the motorcycle is being operated.

(2) Full-length trousers.

(3) Footgear that provides entire coverage of the foot (sandals and other footwear that expose the foot are prohibited).

(4) Goggles of plastic or hardened safety glass or suitable eye protection, unless the motorcycle/moped is equipped with a windshield of such height that the operator's eyes are shielded. Non-safety prescription glasses and sunglasses are not considered suitable eye protection. Eye protection that is tinted is prohibited while operating a motorcycle during the hours of darkness.

(5) Leather gloves, full-fingered.

(6) Reflective vest will be worn at all times.

g. Motorcycles/mopeds must have a lighted headlamp on at all times.

h. Motorcycles/mopeds driven off public streets, roadways, or highways on U.S. installations will be operated only in those areas designated by the installation or base commander.

i. Motorcycles/mopeds will not be operated on Korean expressways.

j. Motorcyclists/moped operators will complete the Army or Air Force Motorcycle Safety Course prior to permanent post registration in Korea.

D-19. SCOPE AND EFFECT OF VEHICLE EQUIPMENT PROVISIONS.

a. It is unlawful to own, drive, or cause to be driven, any vehicle that is unsafe. (Paragraph 3-2 outlines vehicle safety inspections.)

b. Vehicle safety standards established in this regulation do not prohibit the use of additional parts and accessories that do not conflict with the provisions of this regulation.

c. The provisions of this regulation with respect to equipment required on vehicles do not apply to implements of husbandry, road machinery, road oilers, farm tractors, tactical military vehicles, or motorcycles that are never operated on public streets or highways except where special provisions are established.

D-20. LAMPS AND OTHER LIGHTING EQUIPMENT.

a. Use of lights. Every vehicle on a highway will have proper working lights illuminated from a half hour before sunset until a half hour after sunrise. Lights will be used at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway cannot be seen clearly at a distance of 1,000 feet (300 meters). On military installations, lights will also be used when rain impairs visibility.

(1) Distance requirements established above apply to a vehicle on straight, level, unlighted highways under normal atmospheric conditions unless a different time or condition is expressly stated.

(2) Whenever a requirement is expressed as the mounted height, it means from the center of such lamp or device to the ground level on which the vehicle stands when the vehicle is not loaded.

b. Headlights on motor vehicles.

(1) Every motor vehicle except a motorcycle must be equipped with at least two headlamps. One will be on each side of the front of the motor vehicle.

(2) Headlights will have a mounted height of 24 to 54 inches (60 to 137 centimeters).

(3) Fog lights are not required. If the owner chooses to install or use fog lights, they will not be used except during periods of impaired visibility and in conjunction with high beam headlights.

(4) Headlights will have high beam and low beam capability. Headlight high and low beams must be adjusted correctly.

c. Taillights.

(1) Every motor vehicle, except a motorcycle, to include trailers and towed vehicles will be equipped with at least two taillights mounted on the rear. The light must emit a red light plainly visible from a distance of 1,000 feet (300 meters). On a combination of vehicles, taillights are required only on the last vehicle. The lights must be mounted on the same level and as widely spaced laterally as practicable.

(2) Taillights on vehicles shall have a mounted height of 20 to 72 inches (50 to 182 centimeters).

(3) Vehicles will be equipped with a license plate light to illuminate the plate. The license plate must be clearly legible from a distance of 70 feet (21 meters). Taillights and the license plate light shall be wired so they will be illuminated when headlights are in use.

d. Reflectors.

(1) Every vehicle will be equipped with two or more reflectors on the rear of the vehicle. These may be part of the taillights.

(2) Reflectors will be mounted on the vehicle at a height of 20 to 70 inches (50 to 177 centimeters). They will be mounted so they are visible at night from distances within 100 to 600 feet (30 to 180 meters) by a vehicle using either low beam or high beam headlights, respectively.

e. Brake lights and turn signals. Every motor vehicle (except motorcycles) to include trailers, will be equipped with--

(1) Two or more brake lights on the rear of the vehicle. The brake lights must display a red or amber light that is visible a distance of at least 300 feet (90 meters) to the rear in normal daylight hours. Brake lights must be activated upon application of the foot brake. On a combination of vehicles, only the brake lights on the last vehicle must be visible from the distance specified.

(2) Electric directional turn signals. Turns will be indicated by lights on the front and rear of the vehicle that flash in the direction the turn is to be made. Front directional turn lights will be mounted on the same level and as widely spaced laterally as practical and will emit a distinguishable light signal. Red or amber rear directional turn signals will be mounted as widely spaced as practical. Turn signal lights must be visible at a distance of not less than 300 feet (90 meters) to the front and rear in normal sunlight.

f. Emergency flashers.

(1) Every motor vehicle, except a motorcycle, will be equipped with--

(a) Two lights on the front that, when lighted, display an intermittent flashing white or amber light visible from a distance of 1,000 feet (300 meters) to the front of the vehicle.

(b) Two lights on the rear of the vehicle that displays a visible intermittent red light from a distance of 1,000 feet (300 meters) to the rear of the vehicle.

(2) Whenever a vehicle is parked or stopped adjacent to a roadway, regardless if attended or unattended, emergency flashers will be used, except when in an authorized parking zone.

g. Spotlights and auxiliary lights.

(1) Spotlights. Any motor vehicle may be equipped with not more than two spotlights. Spotlights will be aimed and used so that no part of the high-intensity portion of the beam will strike the windshield, any window, mirror, or occupant of another moving vehicle.

(2) Auxiliary passing lights. Any motor vehicle may be equipped with a maximum of two auxiliary passing lights mounted on the front of the vehicle at a mounted height of 24 to 42 inches (60 to 106 centimeters). (Paragraph D-20k below applies to any combination of headlights and auxiliary passing lights.)

(3) Auxiliary driving lights. Motor vehicles may be equipped with no more than two auxiliary driving lights mounted on the front. They will be at a mounted height of 10 to 42 inches (25 to 106 centimeters). (Paragraph D-20k below applies to any combination of headlights and auxiliary passing lights.)

h. Emergency lighting for emergency vehicles.

(1) Authorized emergency vehicles will, in addition to other equipment and distinctive markings, be equipped with at least one signal lamp capable of displaying a flashing red light that is visible at 500 feet (150 meters) in normal sunlight in all directions.

(a) Vehicles assigned to USACIDC and vehicles used by other law enforcement investigative activities are authorized to be equipped with a flashing red light mounted in the front grill of the vehicle or a portable red light mounted as high on the vehicle as practicable.

(b) Law enforcement, ambulance, fire, and other emergency vehicles, will normally have the light mounted on the roof of the vehicle.

(2) Highway maintenance, wrecker, and military convoy vehicles may be equipped with at least one amber signal light mounted as high as possible on the vehicle. The light must be visible at 500 feet (150 meters) in normal sunlight in all directions.

i. Additional lighting equipment.

(1) Any motor vehicle may be equipped with not more than four side lamps that emit an amber or white light without glare at the front of the vehicle and a red or amber light without glare at the rear of the vehicle.

(2) The flashing lights described above will be used only on authorized emergency vehicles. (See AR 58-1 for specific descriptions of authorized emergency vehicle equipment.)

(3) Motor vehicles may be equipped with one or more backup lights either separately or in combination with other lights. These lights will not be lighted when the motor vehicle is in forward motion.

j. Multiple beam road lighting equipment. Except as provided herein, the headlights, auxiliary driving lights, or the auxiliary passing lights on motor vehicles must be arranged so the driver may select at will between distribution of light projected to different elevations.

(1) There will be an uppermost distribution of light, or high beam, aimed to reveal persons and vehicles at a distance of at least 450 feet (135 meters).

(2) There will be lowermost distribution of light, or low beam, aimed to reveal persons and vehicles at a distance of at least 150 feet (45 meters).

(3) The following applies to the proper use of multiple beam lights:

(a) When approaching another vehicle at night, the driver will use the proper beam so light is not projected into the eyes of the oncoming driver.

(b) When approaching another vehicle from the rear at night, the driver will switch to low beam lights. Lights will be dimmed at approximately 300 feet (90 meters).

k. Number of driving lights required or permitted.

(1) At all times specified in paragraph D-20a, at least two functional headlights must be displayed, one on each side at the front of every motor vehicle, except when the vehicle is parked.

(2) Whenever a motor vehicle equipped with headlights is also equipped with auxiliary lights, spotlights, or other lights on the front of the vehicle that project a beam of intensity greater than 300 candle power, no more than four lights on the front of a vehicle may be lighted at one time.

l. Special restrictions on lights.

(1) During the times specified in paragraph D-20a, any lighted lamp or illuminating device upon a motor vehicle (other than headlights, spotlights, auxiliary lights, directional turn signals, vehicular emergency flashers, and school bus warning lights) that projects a beam of light of an intensity greater than 700 candle power will be directed so that no part of the high-intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet (23 meters) from the vehicle.

(2) Except as required in paragraph D-20i, no person will drive or move any vehicle on the highway with any light or device that displays a red light visible from the front.

(3) Unless authorized, flashing lights are prohibited.

D-21. BRAKES.

a. Every motor vehicle, trailer, and any combination of vehicles operating upon a highway must be equipped with brakes that meet the following criteria:

(1) Adequacy or service (foot) brakes. Every vehicle and combination of vehicles must be equipped with service brakes adequate to control the vehicle's movement. Brakes must comply with the performance requirements of paragraph D-21b below, to include when loading and regardless of the grade of the road the vehicle must negotiate.

(2) Adequacy of the parking brake. Every vehicle must be equipped with a parking brake adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading, on a surface free from snow, ice, or loose material. The parking brake will be capable of being applied by the driver's muscular effort, by spring action, or by equivalent means. Its operation may be assisted by the service brakes provided that failure of the service brake actuation system or other power assisting mechanism will not prevent the parking brake from otherwise being applied.

(a) The parking brake must be designed so that once it is applied, it will remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes, or actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brake.

(b) If the means of applying the parking brake and the service brakes are connected in any way, it will be so constructed that failure of any one part will not leave the vehicle without operative brakes.

b. Every motor vehicle, at all times and under all conditions of loading and on application of the service brake, must be capable of stopping from a speed of 20 MPH (32 KPH) in not more than the distance specified in table D-2. The distance to be measured will be from the point at which movement of the service brake pedal or control begins. Tests for stopping distance must be made on a substantially level (not to exceed plus or minus 1 percent grade), dry, smooth, hard surface that is free from loose material.

c. All brakes will be maintained in good working order and adjusted to operate as equally as practical.

Table D-2
Braking distances

Classification of Vehicle	Brake system application and braking distance from an initial speed of 20 MPH/32 KPH
Passenger vehicles with seating capacity of 10 people or less, including the driver, not having a manufacturer's gross vehicle weight rating	25 feet/7.5 meters
Single unit vehicles with a manufacturer's gross vehicle weight rating of 10,000 pounds or less	30 feet/9 meters
Single unit vehicles with a manufacturer's gross weight rating of more than 10,000	40 feet/12 meters
Combination of a two-axle towing vehicle and a trailer with a gross trailer weight of 3,000 pounds or less	40 feet/12 meters
Buses, regardless of the number of axles, not having a manufacturer's gross weight rating	40 feet/12 meters
All combinations of vehicles in drive-away or tow-away operations	40 feet/12 meters
All other vehicles and combinations of vehicles	50 feet/15 meters

D-22. OTHER VEHICLE STANDARDS.

a. Horns and warning devices.

(1) Motor vehicles operated on a highway must be equipped with a horn in good working order and capable of emitting a sound audible under normal conditions from a distance of not less than 200 feet (60 meters). However, no horn or other warning device may emit an unreasonably loud or harsh sound or a whistle to include playing musical notes or tunes. When necessary to ensure safe operation, the driver will give audible warning with the horn but will not otherwise use the horn when upon a highway.

(2) Vehicles will not be equipped with any siren, whistle, or bell except as permitted by this regulation.

(3) Theft alarms may be installed at the option and expense of the owner.

(4) Authorized emergency vehicles must be equipped with a siren capable of emitting sound under normal conditions from a distance of not less than 500 feet (150 meters). Sirens will not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which case the driver of the vehicle will sound the siren when necessary to warn pedestrians and other drivers. Sirens may also be sounded as part of routine equipment checks. In addition, sirens may be used by operators of other emergency vehicles outlined in TM 38-600.

(a) Commanders of units authorized emergency vehicles will develop procedures for use of emergency equipment. The procedure will include a statement that operators of emergency equipment may be found at fault in traffic accidents for not obeying traffic laws. Operators may also be found liable for death or injury to bystanders involved in traffic accidents where the operator of the emergency vehicle is found at fault.

(b) A copy of the procedure will be forwarded to FKPM-LE for approval before being effected.

b. Mufflers. Motor vehicles will be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise. Cutout mufflers and exhaust systems that contain a bypass or similar device are prohibited. The engine and power mechanism of every motor vehicle must be equipped and adjusted to prevent the escape of excessive fumes or smoke.

c. Mirrors. Motor vehicles must be equipped with a mirror located so that the driver can view the highway for a distance or a least 200 feet (60 meters) to the rear and side of the motor vehicle.

d. Unobstructed windshields and wipers.

(1) Vehicle glass may not contain any sign, poster, or other material that obstructs, obscures, or impairs the driver's clear view of the highway or area where the vehicle is to be operated. The placing of items on the rear-view mirror, such as dice, tassels, bracelets, or any other item that obstructs the driver's field of vision is prohibited.

(2) Vehicles may not be operated when frost, ice, snow, or mud obscures the windshield, rear window, or door glass, and impairs the driver's view in any direction.

(3) Windshield, door, and other body glass must be free of substantial breaks, cracks, or discoloration that would restrict the operator's vision. As a general rule, no break, crack, or discoloration can be present on any area of the front windshield that is touched by the windshield wipers. "Hairline" cracks that do not obstruct the drivers view are acceptable. Shatter marks of more than 1 inch in diameter, regardless of location on the front windshield, are not acceptable.

(4) The windshield of every motor vehicle (except motorcycles) must be equipped with two windshield wipers capable of removing moisture from the windshield. Wipers must be in good working order.

(5) Tinted windows are permissible only when the interior of the vehicle is visible from a distance of 33 feet (10 meters) during daylight.

(6) Curtains are permissible. However, when the vehicle is in motion, curtains cannot obstruct any portion of operator view.

e. Tire restrictions.

(1) Each tire mounted on a vehicle will be free of weak spots, bulges, and baldness. All of the original tread pattern must be visible, and the tread will not be less than 1/16-inch depth. Racing slicks and wide tires that extend beyond the fender well are prohibited.

(2) Tires that contain any material other than rubber designed to improve traction are prohibited. Exceptions are noted below.

(a) Tire chains of reasonable proportions on any vehicle when required for safety because of snow, ice, or other conditions that may cause a vehicle to skid.

(b) Pneumatic tires having studs designed to improve traction without materially injuring the surface of the highway.

f. Vehicles transporting hazardous materials.

(1) Any person operating a vehicle (including tactical military vehicles) that has any hazardous material as a cargo or part of a cargo, will comply with local requirements governing transportation of such material.

(2) Vehicles will be marked as required locally.

(3) Vehicles transporting hazardous material must be equipped with fire extinguishers of appropriate type, size, and number filled and ready for immediate use. Fire extinguishers will be placed at a location within the vehicle that provides immediate access.

(4) When the contents of a vehicle extend more than 3 feet (90 centimeters) from a vehicle or 6 inches (15 centimeters) or more from either side of the vehicle, a red cloth not less than 24 inches (60 centimeters) square must affixed to the farthest protruding edge of the item. At night, a red light must be affixed to the item. The contents of a vehicle that extend beyond the normal limits of the vehicle will be secured and will not create a hazard.

g. Seat belts and shoulder belts. The use of restraint systems is explained in AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 4-2c(2).

(1) Access to U.S. military installations may be denied to operators of POVs who refuse to wear installed restraining devices. The DD Form 1408 may be issued to operators or passengers of military vehicles for failure to wear installed restraining devices. When the DD Form 1408 is issued for this violation, the vehicle operator will be assessed three traffic points for "other moving violations" as outlined in AR 190-5/OPNAV 11200.5C/AFR 31-204/MCO 5110.1C/DLAR 5720.1, paragraph 5-3.

(2) The following ROK seatbelt law applies to USFK personnel traveling on expressways:

(a) The driver will wear a seatbelt.

(b) The driver will exert efforts to have his passengers wear seatbelts.

(3) Seatbelts will be installed in all POVs before registration on any U.S. military installation.

h. Speedometer. Every motor vehicle will be equipped with a speedometer in operating condition to accurately indicate the speed of the vehicle.

i. Steering mechanism. A steering mechanism will not have more than 2 inches (5 centimeters) of free travel in the steering wheel before the vehicle wheels turn.

j. Vehicle appearance. The determination of whether a vehicle will pass the safety inspection will be based on safety and appearance. Vehicle operators must be aware that the outward appearance of their vehicle is an inherent responsibility to favorably portray American citizens in an allied nation. Commanders and supervisors will ensure that assigned personnel maintain their respective vehicles as outlined below.

(1) Rust, corrosion, and other body damage or deterioration, which causes the vehicle to be structurally unsafe or is so extensive that it impedes the safe operation of the vehicle or creates a traffic hazard.

(2) Doors, hoods, and the trunk will be equipped with functional handles or latches.

(3) Convertible tops will be in a serviceable condition. They will not have holes that would allow entry of debris or natural elements into the vehicle.

(4) Interior floors must not have a significant amount of rust that has resulted in weakening the floor to a degree that it could create a safety hazard. Generally, a safety hazard exists when the floor has rusted to a degree that holes are present in the floor.

(5) All vehicles must have structural components (doors, hood, trunk lid, fenders) if they were a part of the manufacturers original design.

(6) Vehicles will not have any major structural damage or dents which make the vehicle unsafe, or any body damage or deterioration which is so extensive that allowing operation of the vehicle can reasonably be expected to undermine host nation relations with the U.S. Forces. Minor dents or chips are acceptable.

(7) Vehicles will not have elevated rear ends.

D-23. EQUIPMENT FOR MOTORCYCLES OPERATED ON PUBLIC STREETS OR HIGHWAYS.

a. Headlights. Motorcycles will be equipped with at least one, but not more than two, headlights that comply with the requirements and limitations of paragraph D-20. Each headlight on the motorcycle will be at a mounted height of 20 to 54 inches (50 to 137 centimeters).

b. Taillights. Motorcycles will have at least one taillight with a mounted height of 20 to 54 inches (50 to 137 centimeters). A white light must illuminate the rear registration decal. The decal must be clearly legible from a distance of 66 feet (20 meters). Any light designed to illuminate the rear registration decal must be wired so that it is lighted whenever the headlights or auxiliary driving lights are on.

c. Reflectors. Motorcycles will have on the rear, either as part of the taillight or separately, at least one red reflector meeting the visibility requirements of paragraph D-20.

d. Brake lights. Motorcycles will be equipped with at least one brake light that meets the requirements of paragraph D-20.

e. Turn signals and parking lights for motorcycles. Every motorcycle will be equipped with electric turn signals on the front and rear of the vehicle; signals must flash in the direction the turn is to be made. Motorcycles do not have to be equipped with parking lights.

f. Multiple beam road lighting equipment. Each motorcycle must be equipped with multiple beam road lighting equipment that--

(1) Reveals persons and vehicles at a distance of at least 300 feet (90 meters) ahead when engaged on high beam driving the hours of darkness.

(2) Reveal persons and vehicles at a distance of at least 150 feet (45 meters) ahead when engaged on low beam during the hours of darkness. The low beam light will be directed so as not to strike directly in the eyes of an approaching driver.

g. Brake equipment required. Every motorcycle will comply with the provisions of paragraph D-21, except that--

(1) Motorcycles do not have to be equipped with a parking brake.

(2) The wheel of a sidecar attached to a motorcycle does not have to be equipped with a brake if it complies with paragraph D-23h below.

h. Performance ability of brakes. Motorcycles, under normal road conditions, will have a service brake capable of stopping the vehicle at a speed of 20 MPH/32 KPH in not more than 30 feet (9 meters). The distance will be measured from the point at which movement of the service brake pedal or control begins. Tests for stopping distance will be made on a substantially level (not to exceed plus or minus 1 percent grade), dry, smooth, hard surface that is free from loose material.

i. Other equipment. Motorcycles will comply with the requirements and limitations of paragraphs D-22a through c.

APPENDIX E

VEHICLE REGISTRATION DECALS FOR MOTORCYCLES

E-1. Area Support Group Commanders will procure decals. Decals for motorcycles will confirm the size, design and color scheme (black letters and numerals on a white background) indicated below.

USFK MOTORCYCLE 3-899

E-2. The numbering sequence for each vehicle recorder is show below.

Provost Marshal, Camp Humphreys	1-001 through 1-XXX
Provost Marshal, Taegu	2-001 through 2-XXX
Provost Marshal, USAG, Yongsan	3-001 through 3-XXX
Provost Marshal, Pusan	4-001 through 4-XXX
Chief, Security Police, Osan AB	5-001 through 5-XXX
Chief, Security Police, Kunsan AB	6-001 through 6-XXX

APPENDIX F

USFK/EIGHTH ARMY HANDICAPPED DECAL

USFK/Eighth Army Handicapped Decal

APPENDIX G

DA FORM 3626 (VEHICLE REGISTRATION/DRIVERS RECORD)

G-1. PREPARATION.

a. Prepare one copy of DA Form 3626 on each registrant of a car. A separate form is prepared on persons who also drive the vehicle when they are involved in a chargeable offense or receive a moving traffic violation.

b. Items 4,5,14,15, and 16 are also in ink. The other blocks are entered in pencil to make updating easier.

G-2 DISPOSITION.

a. Upon the registrant's PCS, forward DA Form 3626 to the gaining installation in the individual's personnel records jacket.

b. If the form shows suspension or revocation of the registrant's driving privileges or shows accumulation of six or more points within a 6-month period, mail the form to the PM/CSP of the gaining command.

c. Destroy the forms of military personnel being discharged or separated from the service and those civilian personnel who terminate employment.

FRONT

COMPLETED BY ISSUING AUTHORITY	1. PMAC CODE	2. DECAL NUMBER	4. NAME (Last, first, middle initial)
	3. REGISTRATION DATE (Yr, Mo, Day)		5. SOCIAL SECURITY NUMBER

6. VEHICLE DESCRIPTION					7. VEHICLE ID NUMBER
a. YEAR	b. MAKE	c. MODEL	d. BODY STYLE	e. COLOR	

8. GRADE	9. CATEGORY	10. VEHICLE LICENSE		
	☐ ARMY ☐ AIR FORCE ☐ COAST GUARD ☐ CIVILIAN ☐ VENDOR ☐ NAVY ☐ MARINES ☐ DEPENDENT ☐ LOCAL HIRE ☐ RETIRED	a. STATE	b. NUMBER	c. YEAR
11. ORGANIZATION		12. OPERATOR PERMIT		
		a. STATE	b. NUMBER	

13. ADDRESS (Street, City, State, Zip Code)

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: Title 10, USC, Sec 3012(g).
PRINCIPAL PURPOSE: The Social Security Number is used for Law Enforcement purposes as an additional means of identification of subjects, suspects, witnesses or complainants.
ROUTINE USES: Your Social Security Number is a major item used in processing machine record and output sequence for Military Police Management Information Systems.
DISCLOSURE OF YOUR SOCIAL SECURITY NUMBER IS VOLUNTARY. However, failure to provide your SSN may delay or preclude registration of a privately owned motor vehicle on the military installation.

REMARKS

VEHICLE REGISTRATION/DRIVER RECORD

For use of this form, see AR 190-45; the proponent agency is ODCSOPS

DA FORM 3626, 1 JUN 78 EDITION OF 1 MAR 73 IS OBSOLETE AND REPLACES DA FORM 3626-R, USAPPC V1.00

BACK

14. INSTRUCTIONS TO REGISTRANT

Information on the reverse of this form should be updated as significant changes occur. The operation of a POV on a military installation is a privilege extended by the Installation Commander subject to compliance with appropriate State laws pertaining to financial responsibility, safety inspections and registration; to conditions established in paragraph 2-1, AR 190-5 and AR 190-5-1; and other appropriate regulations. Failure to comply with such laws and regulations may result in an administrative suspension or revocation of driving privileges or termination of installation registration. The registrant must remove the registration decal from the registered vehicle upon PCS, termination of employment, or sale of POV.

(Date) (Registrant's signature)

15. RECORD OF ACCIDENTS/MOVING TRAFFIC VIOLATIONS

REPORT NO./ DATE	TYPE ACCIDENT/VIOLATION	INSTL		VEHICLE		DISPOSITION	POINTS ASSESSED	
		ON	OFF	GOVT	POV		CHARGED	CUMULATIVE

16. REMARKS (Include information concerning suspension, revocation of driving privileges, driver improvement measures and participation in rehabilitation or treatment programs)

USAPPC V1.00

Figure G-1. DA Form 3626 (Vehicle Registration/Drivers Record)

APPENDIX H

HIGHWAY/INSTALLATION ROAD CONDITION MATRIX

CODE	WILL BE IMPOSED TO/WHEN:	RESTRICTIONS IMPOSED	APPROVING AUTHORITY
GREEN	Highway conditions are normal	N/A	
AMBER	Anticipated high-density traffic causing 2-hour delay as measured by a normal 1-hour trip under Green conditions (Korean holidays, major events) Visibility diminished to 50 meters on roads due to weather (fog, heavy rain). Patch-ice accumulation over 10%-20% per kilometer of driving-surface. 2" or less snow accumulation over 20%-30% per kilometer of driving-surface. Prevent further damage to roads and to prevent accidents by reducing traffic during periods when road surfaces or weather conditions are hazardous and extreme caution must be used. Area Commander deems other appropriate factors exist to warrant additional caution.	Regulate traffic to relieve congestion. Consider the use of TCPs or barricades. Consider rescheduling unit movements or exercises that would require serious disruption if road conditions become Red category while movements are in progress. Where possible, spot check to ensure compliance. Command bus service will continue to operate on schedule. POVs, AAFES-K taxi vehicles, and contract buses are operated only for necessary trips. These vehicles will not be prevented from entering or leaving military installations. Early dismissal and movement of any non-essential USFK personnel to their residence should be considered, but not required.	Initiated/ Downgraded by the Area and Support Group Commanders or higher. Approval for "Authorized Amber" is company/detachment commander, an officer with the rank of captain (O-3) or above, warrant officer in the grade of CW3 or above, or civilian supervisors in the grade of GS-10 or KGS-10 or above.
RED	Anticipated high-density traffic causing at least 3-hour delays as measured by a normal 1-hour trip under Green conditions. Visibility diminished to less than 25 meters on roads due to weather (fog, heavy rain). Patch-ice accumulation over 30% - 50% per kilometer of driving-surface. More than 2" of snow accumulation over at least 50% per kilometer of driving-surface, and near total snow coverage of driving-surface.	Military vehicles (including command vehicles, staff cars, messenger, mail and ration vehicles), other than those required for essential/emergency business, will not be driven. Buses operating on scheduled runs may proceed to the next terminal if safety conditions permit. When highway conditions constitute a safety hazard, the bus driver will report to the commander of the nearest military facility. All U.S. Government (including NAF) vehicles required to travel during Red highway conditions, declared due to ice or snow conditions, will use tire chains or other similar device designed for heavy snow conditions.	Initiated/Downgraded by the Area and Support Group Commanders or higher. Approval for "Authorized Red" is company/ detachment commander, an officer with the rank of lieutenant colonel (O-5) or above, or civilian supervisors in the grade of GS-13 or KGS-13 or above.

RED cont.	Area Commander deems other appropriate factors exist to warrant additional caution.	POVs, AAFES-K taxi vehicles, and contract buses, will ensure that their vehicles are operated only for essential trips. These vehicles will not be prevented from entering or leaving military installations. These vehicles should also have snow chains or similar devices designed for heavy snow use. Vehicles which appear unable to safely navigate while driving on military installations will be directed to the nearest available parking space and operators ordered to park the vehicle until road conditions improve.	
BLACK	Anticipated or unexpected high-density traffic causing 4 hour or longer delays longer, as measured by a normal 1 hour trip under Green conditions. Ice accumulation over 50% or more per kilometer of driving-surface. More than 4" of snow accumulation over all or nearly all of driving-surface. Area Commander deems other factors exist to warrant additional caution.	Responding emergency vehicles ONLY. When snow or ice is the basis for the road condition, tire chains or equivalent are required (no waiver authorized). All U.S. Government owned/leased/operated vehicles are prohibited from movement. Commercial vehicles are denied access to the installation, but are allowed to exit the installation. Privately owned vehicles entering the installation are directed to the nearest available parking space inside the installation or denied entry if they are unwilling to park. Vehicles found in movement on the installation are ordered to park in the nearest available parking space. SOFA plated POVs are not allowed to exit the installation, unless the Installation Commander determines the areas outside the installation are in substantially safer condition.	Initiated/Downgraded by the Area and Support Group Commanders or higher. Commanders in the grade of colonel (0-6) or above must personally authorize the use of emergency vehicles.

GLOSSARY

Section I. ABBREVIATIONS

AAFES-K	Army and Air Force Exchange Service-Korea
ACofS	Assistant Chief of Staff
ADAPCP	Alcohol and Drug Abuse Prevention Control Program
AFKN	Armed Forces Korea Network
COR	Contracting Office Representative
CSF	Chief, Security Forces
DA	Department of the Army
DEROS	Date Eligible for Return from Overseas
DOD	Department of Defense
EOD	Explosive Ordnance Disposal
ETS	Expiration Term of Service
IAW	In accordance with
ITO	Installation Transportation Office
JPIC	Joint Police Information Center
JUSMAG-K	Joint United States Military Affairs Group-Korea
KATUSA	Korean Augmentation to the United States Army
KPH	Kilometers Per Hour
MP	Military Police
MPH	Miles Per Hour
NAF	Non-appropriated Fund
PCS	Permanent Change of Station

PM(O)	Provost Marshal (Office)
POA	Power of Attorney
POV	Privately Owned Vehicle
ROK	Republic of Korea
SMV	Special Mission Vehicle
SOFA	Status of Forces Agreement
SP	Security Police
TDY	Temporary duty
TMP	Transportation Motor Pool
UCMJ	Uniform Code of Military Justice
UNC	United Nations Command
U.S.	United States (of America)
USACIDC	United States Army Criminal Investigation Command
USAF	United States Air Force
USFK	United States Forces, Korea

Section II. TERMS

Adult. Male or female 21 years of age or older.

Alley. A street or highway intended to provide access to the rear side of lots or buildings in a urban districts and not intended as a thoroughfare.

Authorized emergency vehicle. Fire department, police, and EOD vehicles, ambulances, and other POVs designated by the ROK authorities.

Bus. Every motor vehicle designed to carry more than 10 passengers when used to transport persons; every motor vehicle other than a taxicab, designed and used to transport persons for compensation.

Chauffeur. An employee hired or authorized to operate a USFK registered POV to accomplish official or personal business of the sponsoring individual or agency. A personal chauffeur is an employee hired to operate a motor vehicle in a non-business capacity.

Conviction. In addition to the definition in AR 190-5/OPNAV 112000.5C/AFR 31-204/ MCO 5110-1C/DLAR 5720.1, a conviction includes a finding of guilty by a ROK court.

Drag race. The operation of two or more motor vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more vehicles over a common selected course from the same point for the purpose of comparing relative speed or power of acceleration of the vehicles within a certain distance or time limit.

Drivers license. License or permit to operate a motor vehicle issued under, or granted by, the laws of the U.S., the ROK, or this regulation.

Fiscal responsibility. The inherent responsibility of the owner to have monetary capability to pay for a vehicle or to make payments prescribed by contracts, and to have the financial capability to make or have repairs made to a vehicle so that it meets minimum safety standards, to include continued possession of required liability insurance.

Hours of darkness. From 30 minutes before sunset to 30 minutes after sunrise.

Identification number. The identifying number, serial number, engine number, or other distinguishing number or mark placed on a vehicle a or engine by its manufacture; or, marks prescribed ROK law.

Intersection.

a. The portion of roadway common to two or more intersecting highways or streets.

b. Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of the divided highway by an intersecting highway is regarded as a separate intersection. If the intersecting highway also includes two roadways 30 feet or more apart, then every crossing of the two roadways of the highways are to be regarded as a separate intersection.

c. The junction of an alley with a street or highway does not constitute an intersection.

Joint domicile. When two military personnel are assigned to the theater under the guidelines of the parent service joint assignment policy.

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

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

b. An automatic transmission.

c. A motor that produces less than gross brake horsepower, and

(1) Propels the device at a maximum speed of not more than 30 miles per hour on level ground.

(2) Has a maximum engine size of 50 cubic centimeters.

Motor vehicle recorders. Those authorized by HQ USFK to register motor vehicle IAW the ROK/US SOFA.

a. Provost Marshal, USAG, Yongsan, APO AP 96205-0010.

b. Provost Marshal, Camp Humphreys, APO AP 96271-0153.

c. Provost Marshal, Taegu, APO AP 96212-0180.

d. Provost Marshal, Pusan, APO AP 96259-0259.

e. Chief, Security Police, Osan AB, APO AP 96570-5000.

f. Chief, Security Police, Kunsan AB, APO AP 96264-5000.

New vehicle. Any motor vehicle which is less than two years old at the time of registration according to the manufacture date, or model year, whichever is older.

Official traffic control devices. All signs, signals, markings, lights, and devices placed or erected by ROK or U.S. authorities to regulate, warn or guide traffic.

Owner. A person, other then the lien holder, having a property right in, or title to, a vehicle. (includes a person entitled to the use of and possession of a vehicle subject to a security interesting another person but excludes a lessee under lease not intended as a security.)

Passenger car. Every motor vehicle, except motorcycles, used to transport persons, but designed for carrying 10 or less passengers.

Railroad sign or signal. Any sign, signal, or device erected by the ROK or U.S. authorities to give notice of the presence of railroad tracks or the approach of a railroad train.

School bus. Every motor vehicle clearly marked as a school bus used to transport students to or from school or in connection with school activities. (Does not include buses operate by a common carriers in urban transportation of school children.)

Semi-trailers. Every vehicle, other than pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon, or is carried by, another vehicle.

Sponsor. Any member of the U.S. Armed Forces on active duty, members of the civilian component, employee of an invited contractor, or technical representative.

Tactical vehicle. A military vehicle used primarily off the roadway in support of military operations and training events. For example, an M880 would be considered a tactical vehicle when operated during a training exercise but would not be considered a tactical vehicle during a office administrative run.

Through highway. Every highway, or portion thereof where vehicular traffic is given the right-of-way over other vehicular traffic at entrances and intersections.

Trailer. Every vehicle designed to be drawn by a motor vehicle for carrying persons or property.

USFK NAF activities. Those activities established to administer funds not appropriate by the Congress for the benefit of military personnel or civilian employees of the military services.