



DEPARTMENT OF THE ARMY

United States Trial Defense Service
Fort Rucker Field Office
5700 Novosel St, Room 345
Fort Rucker, AL 36362



SUSPENSION OF INSTALLATION DRIVING PRIVILEGES

A. General Comments: Driving on any U.S. Army installation is a privilege, not a right, and as such, is subject to administrative suspension or revocation. The suspension must be based on driving offenses and cannot be imposed as a result of unrelated misconduct. Commanders should be aware that while this tool is available, it is not an action which they may impose themselves. Rather, it is an action which may be taken only in the discretion of the installation commander or his designee.

B. Grounds:

1. There are certain actions for which revocation/suspension of on post driving privileges is mandatory:
 - a. Temporary suspension is immediate pending resolution of drunk driving charges brought in the following circumstances:
 - i. Lawful apprehension for DUI;
 - ii. Refusal to take or complete a lawfully requested test for blood alcohol content;
 - iii. Driving or being in physical control of an automobile on post when blood alcohol content (BAC) exceeds .08% or off post when the BAC exceeds the applicable state standard.
 - b. It is mandatory to revoke on post driving privileges for a period of one year:
 - i. When the Soldier, after being lawfully apprehended, refuses to submit to a BAC test; or
 - ii. When there has been a conviction, nonjudicial punishment, or an administrative determination in civilian channels for drunk driving/DUI.
2. Other than above, suspension or revocation of on post driving privileges is generally based on the assessment and accumulation of traffic points for minor traffic violations.

C. Procedural Consideration:

1. AR 190-5 provides that only the installation commander or his designee is authorized to suspend or revoke on post driving privileges.
2. For drunk driving offenses listed at paragraph B (1) (a) above, the temporary suspension becomes effective immediately upon the receipt of notice by the Soldier.

For all other categories, the suspension of revocation becomes effective ten days after the receipt of notice.

3. Soldiers subject to suspension or revocation are entitled to hearing before the installation hearing office, who will recommend a course of action to the Commanding General (GCMCA).
4. For cases of mandatory revocation, no appeal is authorized; however, a Soldier whose on post driving privileges have been mandatorily revoked may apply to the GCMCA for restricted driving privileges during the period of revocation. The request must be submitted through the installation hearing officer.

D. References:

AR 190-5, Motor Vehicle Traffic Supervision.

USAAVNC Regulation 190-5, Fort Rucker Motor Vehicle Regulation.

For further information contact the Trial Defense Service at 334-255-3919.