

**Department of the Army
Fort A.P. Hill
Regulation 190-5**

Directorate of Emergency Services

Traffic

**Installation Management Command
Headquarters, United States Army Garrison
Fort A.P. Hill
1 February 2012**

UNCLASSIFIED

APH Reg 190-5 (1 Feb 2012)

**DEPARTMENT OF THE ARMY
US ARMY GARRISON FORT A.P. HILL
14115 MONTAGUE ROAD, BLDG 156
FORT A.P. HILL, VIRGINIA 22427**

Fort A.P. Hill Regulation 190-5

1 February 2012

**Directorate of Emergency Services
UNIFORM TRAFFIC REGULATION**

DISTRIBUTION:
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LTC, EN
Commanding

Summary. This regulation establishes traffic and vehicle responsibilities for vehicle operators on Fort A.P Hill (FAPH), VA.

Applicability. This regulation applies to all residents, units and activities assigned and/or attached to FAPH, including partner activities, and all visitors and personnel traveling on the installation.

Proponent. The proponent for this regulation is the Directorate of Emergency Services (DES), Fort A.P. Hill.

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from the Directorate of Emergency Services, 14115 Montague Road, building 156, Fort A.P. Hill, VA 22427 or by contacting (804) 633-8466.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 directly to Chief of Police, Fort A.P. Hill Police Dept., 14115 Montague Rd., BLDG 156, Fort A.P. Hill, VA 22427 or by contacting (804) 633-8466.

Distribution. This regulation is distributed solely through the FAPH Intranet, DES Homepage at <https://aphiva0160dm006/dir/DHR/rm/FAPH%20Regulations/Forms/AllItems.aspx?RootFolder=%2fdhr%2frm%2fFAPH%20Regulations%2fDES&FolderCTID=&View=%7bBB1DA9BE%2d6D7E%2d438A%2dB5CB%2dACB0EDBD79E6%7d>.

This regulation supersedes FAPH Regulation 190-5 dated 1 November 2011

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Chapter 1

Introduction

1-1. Purpose. To establish a traffic and vehicle regulation for the Fort A.P. Hill (FAPH) community and to prescribe the responsibilities of vehicle operators while on the installation. For military and civilian personnel, violation of the provisions of this regulation will provide a

basis for criminal prosecution under the Uniform Code of Military Justice and/or other applicable laws and regulations.

1-2. Scope. This regulation applies to all units and activities assigned and/or attached to FAPH including partners and training units, as well as all visitors and personnel traveling on FAPH.

1-3. Policy. The entry of motor vehicles on FAPH is permitted by the Garrison Commander (GC) under the conditions prescribed by this regulation. In any case not covered by this regulation, the traffic laws of the Commonwealth of Virginia apply. In accordance with DOD 5200.8-R Change 1 dated 27 May 09, after entering this installation, the driver subjects himself/herself and his/her vehicle to search and inspection by law enforcement officials. Accordingly, law enforcement officials may:

- a. Inspect for mechanical condition, any vehicle that is operated on FAPH.
- b. Impound, exclude, or remove from FAPH property, any stolen or abandoned vehicle, or any vehicle operated by a person under the influence of intoxicants and drugs.

1-4. Responsibilities. The privileges of operating a motor vehicle on FAPH will be granted, suspended, or terminated by the GC or his/her designated representative in accordance with the provisions of this regulation. The GC or his/her direct representative is the authority for enforcement and administration of suspension and revocation. Unit Commanders will inform the FAPH Police Department of any information bearing on the driving qualifications of personnel under their command. In the case of civilian personnel, FAPH directors, commanders of partner units and supervisors will furnish information through the Civilian Personnel Advisory Center to the FAPH Police Dept., 14115 Montague Rd, building 156, Fort A.P. Hill, VA 22427.

- a. Unit Commanders, directors, principal staff officers, and commanders of partner units will ensure all newly assigned or employed personnel, including personnel on temporary duty with an organization for three (3) days or more are made aware of the contents of this regulation.
- b. Persons observing traffic violations may register a complaint by telephoning the FAPH Police desk officer at 804-633-8888. The location, time, license number, installation decal number (if applicable), and other complainants should be provided.

Chapter 2

Procedures

2-1. Installation Registration. Vehicle Registration Requirements. There are no longer formal vehicle registration requirements to access the installation. The following procedures will be followed when personnel without Department of Defense affiliation (non-Command Access Card (CAC), DD Form 2, or DD Form 1173S(Priv) card holders,) wish to access the installation.

a. Personnel without a bona fide reason for accessing the installation will be denied access by Department of the Army Civilian Police (DACP) officers. Those personnel authorized to enter the installation will be vetted in accordance with (IAW) FAPH Reg 190-13, which also provides additional instructions for escorting personnel and special functions.

b. When personnel have been cleared to enter the installation, but do not have a CAC issued, DACP personnel will utilize DES Form 11-002, DES Vehicle Register to record driver and vehicle information. For tracking purposes, this is done each time the individual enters the installation and replaces the "Day Pass."

c. Personnel having a requirement for passes longer than one day will report to the installation vehicle inspection point or Police Department and present a valid driver's license, proof of insurance, and vehicle registration to the Desk Sergeant. The Desk Sergeant will place all information into the Centralized Operations Police Suite (COPS) and issue the driver a vehicle pass produced by the system.

d. Personnel found to have violated any installation regulation, state statute, or federal mandate may be escorted off the installation and denied further access, issued a citation, or be barred from the installation.

2-2. Stopping, Standing and Parking.

a. Federal law references: Authority of the government to assimilate state code to regulate parking is DoD Instruction 6055.4, "DoD Traffic Safety Program," 20 April 2009; Delegation of Authority to the Secretary of Defense by the Administration, General Services Administration, March 20, 1981; Title 18, United States Code, Section 13.

b. General parking prohibitions.

(1) No person shall park a vehicle in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device.

(a) On a sidewalk.

(b) In front or within five (5) feet of either side of a public or private driveway.

(c) Within an intersection.

(d) Within 15 feet of a fire hydrant.

(e) On a crosswalk.

(f) Within 20 feet of a crosswalk at an intersection; where there is no crosswalk at an intersection, no person shall park a vehicle within 20 feet from the intersection of curb-lines', or, if none, then within 15 feet of the intersection of property lines.

(g) Within 30 feet on approach to any flashing beacon or traffic-control signal located at the side of a roadway, unless a different length is indicated by official signs or markings.

(h) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by official signs or markings.

(i) Within 15 feet of the driveway entrance to any fire station and, on the side of a street opposite the entrance to any fire station or rescue squad building, up to 75 feet from the entrance, when properly posted.

(j) Alongside or opposite any street excavation or obstruction when such parking would obstruct traffic.

(k) At any place where official signs prohibit parking.

(2) Any person who violates provisions of any subsection shall be may receive a traffic citation for each offense and be subject to fines.

c. Parking Tickets. In case of violation of any parking regulation or provisions of this article or other government regulation relative to parking, the police officer who has witnessed such a violation may, instead of making an apprehension for such violation, issue the accused either a DD Form 1408 or Central Violations Bureau Notice (CVB), formerly known as the DD Form 1805; or if such person is not present, attach a DD Form 1408 or CVB to the vehicle. If the citation is attached to the vehicle, it shall be placed in such a position as to be visible to the operator of the vehicle.

2-3. Administrative Action.

a. All personnel who operate a military or privately owned vehicle within the boundaries of FAPH, to include concessionaires and commercial concerns or their authorized representatives, are subject to appropriate action for violation of this regulation.

b. Administrative action imposed under the provisions of this regulation does not preclude the unit commander, or supervisor in the case of civilian personnel, from initiating appropriate

disciplinary action under the Uniform Code of Military Justice or appropriate civilian regulations.

c. Any person receiving a CVB showing a specific violation, may, within 21 days thereafter, pay to the central violations bureau in satisfaction of such violation the sum of collateral listed on the citation or mail the citation to the address shown on the envelope portion of the citation to the Central Violations Bureau and request a court date. Failure to complete one or the other may result in the issuance of a Federal Warrant for citation delinquency.

d. Any person receiving a DD Form 1408 citation must forward the citation to the unit commander or agency director for administrative action. Unit commanders and agency directors are required to respond to the FAPH Police Department in writing within five working days advising of the nature of the action taken.

e. The "Three Strikes" will be used in lieu of Traffic points. This allows the installation commander's prerogative to issue, suspend, revoke, deny, or reinstate installation driving privileges. The Three Strike rule will apply when a violator receives three (3) or more written citations within a year of the first violation. Annex A addresses the "Three Strikes" driving privilege suspension program that the GC may choose to use for corrective action.

2-4. Suspension/Revocation of Driving Privileges.

a. The GC may suspend or revoke the installation driving privileges of any driver upon receiving a record of such driver's conviction of any of the following offenses. The GC has designated the Administrative and Civil Law Division, Office of the Staff Judge Advocate, Fort Belvoir, Virginia authority to adjudicate all suspensions of driving privileges on the installation:

(1) Homicide or manslaughter by vehicle.

(2) Driving or being in actual physical control of a motor vehicle while under the influence of alcohol or any drug to a degree which renders the driver incapable of safe driving (0.08 percent or greater blood-alcohol concentration is prima facie indication of being under the influence thereof). Drunk driving cases resulting in less than 0.08 percent blood concentration are subject to revocation. In such cases, other factors will be considered in sustaining the revocation action. This includes, but is not limited to, previous record of drug and alcohol abuse, previous driving record, and chain of command recommendations.

(3) Driving or permitting the operation of an uninsured vehicle in violation of the financial responsibility, or the compulsory insurance law as required by state or local law.

(4) Any felony in the commission of which a motor vehicle was used.

(5) Failure of the driver to stop, render aid, or identify himself/herself as required by this regulation or applicable state code in the event of a motor vehicle collision resulting in the death or injury of another.

(6) Perjury or making false affidavit or statement under oath to responsible officials under law or regulations relating to the ownership or operation of motor vehicles.

(7) Unauthorized use of a motor vehicle belonging to another in which the act amounts to a felony.

(8) Failing to appear in court at the specified time for driving offenses that occur on the installation requiring mandatory appearance.

(9) Driving while driver's license or installation driving privileges are under suspension or revocation. A two (2) year revocation is mandatory on determination of facts by the GC. For Army, five (5) year revocation is mandatory.

(10) For refusal to submit to or failure to complete chemical tests (implied consent). A one (1) year revocation is mandatory on determination of facts by the GC.

(11) A one (1) year revocation is mandatory upon conviction for the following:

(a) Manslaughter (or negligent homicide by vehicle) resulting from the operation of a motor vehicle.

(b) Driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor (0.08 percent or greater on DoD installations; violation of civil law off post).

(c) Driving a motor vehicle while under the influence of any narcotic, or while under the influence of any other drug (including alcohol) to the degree rendered incapable of safe vehicle operation.

(d) Use of a motor vehicle in the commission of a felony.

(e) Fleeing the scene of an traffic collision involving death or personal injury (hit and run).

(f) Perjury or making a false statement or affidavit under oath to responsible officials relating to the ownership or operation of motor vehicles.

(g) Unauthorized use of a motor vehicle belonging to another, when the act amounts to a felony.

(12) Discretionary suspension for a period of six (6) months or less, or revocation for a period not to exceed one (1) year for the following:

(a) Mental or physical impairment (not including alcohol or other drug use) to the degree rendered incompetent to drive.

(b) Commission of an offense in another state which, if committed on the installation, would be grounds for suspension or revocation.

(c) Permitting an unlawful or fraudulent use of an official driver's license.

(d) Conviction of the offenses of fleeing, or attempting to elude, a police officer or similar offense under the law of any state.

(e) Conviction of racing on the highway.

b. Any person who has his/her privately owned vehicle or installation driving privileges suspended or revoked may also have his/her permit to operate a government vehicle suspended or revoked. However, such action will be considered on a case-by-case basis by the unit.

c. Revocation of the FAPH registration requires removal of the decal and all associated tabs.

2-5. Restoration of Driving Privileges.

a. Military members must successfully complete a prescribed course in remedial driver's training before driving privileges are reinstated.

b. The GC has designated authority to the Administrative and Civil Law Division, Office of the Staff Judge Advocate, Fort Belvoir, Virginia, to adjudicate appeals to all suspensions of driving privileges on the installation.

c. An individual seeking restoration of their driving privileges should forward their request to the Office of the Staff Judge Advocate, Attn: Chief, Administrative and Civil Law Division, 9990 Belvoir Drive, Fort Belvoir, VA 22060. In addition to written matters presented on their behalf, an individual will also be entitled to a hearing on the matter.

2-6. Notice Prerequisite to Issuance of Summons for Violation of Parking

Regulations. Before any summons shall be issued for the prosecution of a violation of a regulatory provision of the government regulating parking, the violator shall have been first notified by mail at his last known address, or at the address shown for such violator on the records of the department of motor vehicles, that he may pay the fine provided by law for such violation within five (5) days of receipt of such notice; and the authorized person issuing such summons shall be notified that the violator has failed to pay such fine within such time. The notice to the violator required by the provisions of this section shall be contained in an envelope bearing the words "Law Enforcement Notice" stamped or printed on the face thereof in 14 points or larger type.

2-7. Presumption Regarding Responsibility for Violations. Proof that the vehicle described in the complaint, summons, parking ticket citation was parked in violation of this article or applicable regulation, together with proof that the defendant was at the time the registered owner of the vehicle, as required by local law, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who committed the violation.

2-8. Stopping on Highways.

a. No person shall stop a vehicle in such manner as to impede or render dangerous the use of the highway by others, except in the case of an emergency, a collision, or a mechanical breakdown. In the event of such an emergency, collision, or breakdown, the emergency flashing lights of such vehicle shall be turned on if the vehicle is equipped with such lights and such lights are in working order. If the driver is capable of doing so and the vehicle is movable, the driver may move the vehicle only so far as is necessary to prevent obstructing the regular flow of traffic; provided, however, that the movement of the vehicle to prevent the obstruction of traffic shall not relieve the law enforcement officer of his duty. A report of the vehicle's location shall be made to the nearest law enforcement officer as soon as practicable, and the vehicle shall be moved from the roadway to the shoulder as soon as possible and removed from the shoulder without unnecessary delay. If the vehicle is not promptly removed, such removal may be ordered by a law enforcement officer at the expense of the owner if the disabled vehicle creates a traffic hazard.

b. No person shall leave any vehicle, attended or unattended, upon the paved, improved or main-traveled portion of any highway, outside of a business or residence district, when it is practicable to leave such vehicle standing off the paved, improved or main-traveled portion of such highway.

2-9. Position of Parked Vehicles. No vehicle shall be stopped except close to and parallel to the right edge of the curb or roadway, except that a vehicle may be stopped close to and parallel to the left curb or edge of the roadway on one-way streets, or may be parked at an angle where permitted by the government with respect to streets under its jurisdiction. In no instance shall such vehicle be parked with the rear wheels farther than six (6) inches from the curb.

2-10. Stopping, Following, or Parking in Vicinity of Emergency Vehicles on Official Calls.

a. No vehicle shall be stopped at or in the vicinity of a fire, vehicle or airplane accident, or other area of emergency, in such a manner as to create a traffic hazard or interfere with law enforcement officers, firefighters, rescue workers, or others whose duty it is to deal with such emergencies. Any vehicle found unlawfully parked in the vicinity of a fire, collision, or area of emergency may be removed by order of a law enforcement officer or, in the absence of law enforcement officer, by order of the uniformed fire or rescue officer in charge, at the risk and expense of the owner, if such vehicle creates a traffic hazard or interferes with the necessary procedures of law enforcement officers, firefighters, rescue workers, or others whose assigned

duty it is to deal with such emergencies. The charge for such removal shall not exceed the actual and necessary cost. Vehicles being used by accredited information services, such as press, radio, and television, when being used for the gathering of news, shall be exempt from the provisions of this section, only when authorized by the GC, except when actually obstructing the law enforcement officers, firefighters, and rescue workers dealing with such emergencies.

b. It is against this regulation for a driver of any vehicle to follow any fire apparatus, rescue squad vehicle, or police vehicle traveling in response to a fire alarm or emergency call at any distance closer than 500 feet, or to park such vehicle within 500 feet of where a fire apparatus has stopped in answer to a fire alarm or police vehicle responding to an emergency.

2-11. Exemption for Highway Construction and Maintenance Vehicles.

The provisions of this regulation shall not apply to any vehicle owned or controlled by the Directorate of Public Works (DPW) or the government while actually engaged in the construction, reconstruction, or maintenance of highways.

2-12. Flares and Other Signals Relating to Disabled Vehicles.

a. Whenever any bus, truck, trailer, house trailer, or manufactured home is disabled and stops on any portion of any street or highway on the installation, at any time during which lights are required on motor vehicles, the operator of such vehicle shall place or cause to be placed on the roadway three (3) red flares or torches. One (1) of the flares or torches shall be placed in the center of the lane of traffic occupied by the disabled vehicle and not less than 100 feet there from in the direction of traffic approaching in that lane, a second not less than 100 feet from such vehicle in the opposite direction and a third at the traffic side of such vehicle not closer than ten (10) feet from its front or rear. However, if such vehicle is disabled within 500 feet of a curve or crest of a hill, or other obstruction to view, the flares or torches in that direction shall be placed as to afford ample warning to other users of the highway, but in no case less than 500 feet from the disabled vehicle. Red reflective triangular warning devices may be used in lieu of flares or torches.

b. If any such vehicle is used for the transportation of flammable liquids in bulk, whether loaded or empty, or for transporting inflammable gases, red flares or red electric lanterns of a type approved by the superintendent of state police shall be used. Such reflectors or lanterns shall be lighted and placed on the roadway in the manner provided in subsection (a) of this section.

c. During such time as lights on motor vehicles are not required, red flags not less than 12 inches both in length and width shall be used in the place of flares, torches, or lanterns. The flags shall be placed on the roadway in the manner prescribed in subsections (a) and (b) of this section for flares, torches, and lanterns, except that no flag shall be required to be placed at the side of such vehicle. If the disablement of such vehicle continues into the period when lights on motor vehicles are required, flares, torches, reflectors, or lanterns shall be placed as required by subsections (a) and (b) of this section. Red reflective triangular warning devices of a type approved by the Superintendent of State Police may be used in lieu of flags.

2-13. Use of Hazard Lights. Motor vehicles, trailers, and semi-trailers, when temporarily stopped on the traveled or paved portion of the highway so as to create a traffic hazard, shall flash all four turn signals simultaneously to signal approaching motorists of the existing hazard whenever such vehicle is equipped with a device which will cause the four turn signals to flash simultaneously. All four turn signals may be flashed simultaneously on a vehicle slowed or stopped at the scene of a traffic hazard or when traveling at a speed of 30 miles per hour or less, but in no other event shall all four signals be flashed simultaneously while the vehicle is traveling faster than 30 miles per hour.

2-14. Leaving Vehicle Unattended. No person having control of a motor vehicle shall allow such vehicle to stand on any highway unattended without first effectively setting the emergency or parking brake thereon, stopping the motor, and turning the front wheels into the curb or side of the roadway.

2-15. Backing to Curb. No vehicle shall be backed to a curb, except during the time actually engaged in loading or unloading merchandise there from except when parking in a designated parking lot.

2-16. Angle Parking. The federal government may, when the public interest so requires, provide for angle parking on any street or portion thereof. However, such streets are marked so as to apprise an ordinarily observant person of the regulation.

2-17. Parking Vehicle Without Current State License Plate or Decal. It shall be unlawful for any person to park any vehicle having no current state license plate or required decal(s), if any is required, on any highway or street within the FAPH boundaries.

2-18. Parking Areas for Non-Resident FAPH Personnel. Parking for non-resident FAPH personnel must be in designated areas (Appendix A). Violators parking in areas designated for residents only will be considered trespassing vehicles, and may be ticketed.

2-19. Parking Within the Boundaries of FAPH.

a. No person who is required to obtain a government vehicle decal shall park their privately owned vehicle on any highway or street within FAPH unless a current government decal or daily pass is displayed. Parking within the boundaries of FAPH is restricted to residents, guests, and personnel employed on Ft. A.P. Hill only. Personnel may not park on the installation unless they have business on the installation. Overnight parking is prohibited except for residents, guests, and those involved in official business that requires overnight parking. Parking within the boundaries is restricted to automobiles and motorcycles. All other vehicles, mobile homes, watercraft, and trailers are prohibited from parking on FAPH. For further information refer to the parking of trailers or recreational vehicles in residential areas prohibited; exceptions section of this policy.

b. General.

(1) It shall be unlawful for the owner or operator of any motor vehicle to park vehicles on FAPH streets between the hours of 0600 and 1800, on any day except Sundays or any government wide holiday designated for more than the length of time designated by official signs placed along such streets.

(2) Notwithstanding the provisions of subsection (a) of this section, the GC or his designee shall have the authority to issue temporary daily passes which authorize and permit the parking of any motor vehicle on FAPH streets for more than the length of time designated on official signs placed along streets.

2-20. Parking by Yellow Curbs. No person shall park any vehicle by a curb, which has been painted yellow under the authority of the GC and or the Uniform Manual of Traffic Control Devices. Law enforcement and Fire & Emergency Service vehicles responding to emergencies are exempt from this section.

2-21. Parking in Residential Areas.

a. Commercial Vehicles.

(1) No person shall park any truck, bus, or other commercial vehicle on or along roads, highways, and streets in any area zoned for residential uses; provided that, during regularly scheduled school hours, school buses may be parked in such residential areas by their drivers for a continuous period not to exceed six (6) hours.

(2) This section shall not be applicable to commercial vehicles picking up or discharging passengers or merchandise or temporarily parked for necessary repairs or pursuant to the performance of work or service in residential areas.

(3) For the purpose of this section, the term "commercial vehicle" shall mean every motor vehicle with a gross weight of more than 10,000 pounds or in excess of 21 feet in length or wider than 102 inches. The term "commercial vehicle" shall also include any construction equipment, cranes, well digging apparatus and other heavy equipment, except when such equipment is being used for construction activities at sites where building permits are in force.

(4) For purposes of this section, vehicle length shall include all attachments, accessories or load on the vehicle, including any trailer. The width limitation in this section shall not include rear view mirrors, turn signal lights, handholds for cab entry and egress, splash suppressant devices, and load-induced tire bulge; however, safety devices, with the exception of rear view mirrors, shall not extend more than three inches on either side of the vehicle.

b. Recreational Vehicles.

(1) Due to limited parking space, it shall be unlawful for the owner, operator or driver, except while actively loading and unloading, to park a trailer on any public street, alley or other property on FAPH.

(2) It shall be unlawful for the owner, operator or driver, except while actively loading and unloading, to park a recreational vehicle, watercraft trailer, or travel trailer on any public street, alley, or other property on FAPH. Long-term parking of recreational vehicles may be coordinated with the Directorate of Morale, Welfare, and Recreation (DMWR).

c. Privately Owned Vehicles. Generally, no person shall stand or park a vehicle on any private lot or lot area without the express consent of the quarter's occupant or in violation of properly posted signs or markers indicating prohibited or limited parking pursuant to the provisions of this regulation. Whenever signs or markings have been erected on any lot or lot area contiguous or adjacent to a street, thoroughfare or alley indicating that no vehicles are permitted to stand or park thereon, it shall be unlawful for any person to drive a vehicle across any curb or plot line or over any driveway from a street or alley into such lot or area for the purpose of standing or parking such vehicle or for any person to stop, stand or park any vehicles in such lot or lot area.

d. Any person found guilty of violating the provisions of the section shall be issued a citation and may be fined.

2-22. Parking for Persons with Disabilities.

a. Vehicles displaying disabled parking license plates or placards may be parked in time-restricted spaces.

b. A fine may be imposed for parking a vehicle not displaying disabled parking license plates, organizational removable windshield placards, permanent removable windshield placards, or temporary removable windshield placards issued by the department of motor vehicles or Disabled Veteran (DV) disabled parking license plates issued by the department of motor vehicles, in a parking space reserved for persons with disabilities, or for a person without a disability that limits or inhibits his ability to walk to park a vehicle displaying such plates or placards in a space reserved for persons with disabilities except when transporting a disabled person in the vehicle.

2-23. Enforcement of Parking Regulations on Government Property.

a. Notwithstanding any other provision of this policy to the contrary, there may be posted, in accordance with the provisions of subsection (b) of this section, proper signs or markers indicating prohibited or limited parking of motor vehicles upon government owned parking lots open to the public.

b. The FAPH Police Department shall enforce all of the provisions of this regulation, including, but not limited to, parking violations, on all existing and future parking lots located on FAPH. All official signs or other appropriate markings or devices regulating parking of vehicles shall be prepared and installed, at the expense of the federal government.

c. Any law enforcement officer properly enforcing this regulation shall not be subject to any civil or criminal action for trespassing while enforcing the law in or upon any property on FAPH.

2-24. Parking in Fire Lanes.

a. It shall be unlawful for any person to park any vehicle in any fire lane, marked by signs and yellow curb painting, in or upon any private parking area, such as shopping center parking lots, open to the use of the general public.

b. Any person who shall violate provisions of subsection (a) of this section shall be punished by a citation and subject to fines.

2-25. Liability of the Government Parking Accommodations as to Motor Vehicles and Property Left Therein.

a. No action shall lie or proceeding be brought against the federal government maintaining a parking lot at which parking accommodations are provided for customers or employees of such business, when a motor vehicle is parked in such parking lot, for the total or partial loss of any motor vehicle because of theft or damage by any person.

b. As used in the section, the term "parking accommodations" means parking accommodations for which no specific charge is made, and the patronage of the business by customers and the performance of the regular services for the business by employees shall not constitute the payment of any consideration for the use of the parking accommodations.

c. Nothing in this section shall relieve any person of liability resulting from his own wrongdoing.

2-26. Unattended or Abandoned Vehicles. Removal by government authorized; disposition of vehicles removed by government.

a. A vehicle will be determined as abandoned when any of the following conditions apply to a vehicle found within the boundaries of FAPH.

- (1) No registration.
- (2) Vehicle registration has expired.
- (3) Temporary registration has expired.

- (4) Registration plates of another vehicle are displayed.
- (5) Any unattended vehicle that blocks traffic.
- (6) Any vehicle in state of disrepair, unsightly, or that may cause a public safety hazard (i.e., on jack stands, leaking fluids, etc.).
- (7) Any vehicle deemed as abandoned by the Traffic Accident Investigations Section, Chief of Police, Director of Emergency Services (DES), or GC.
- (8) Any vehicle that interferes with street cleaning, snow removal or emergency operations.
- (9) Any vehicle, which has been used in a crime or contains evidence of criminal activity.
- (10) Any vehicle whose owner has been apprehended and is unable or unwilling to remove his vehicle.
- (11) Any vehicle disabled by a traffic collision.
- (12) Any vehicle interfering with an official ceremony on FAPH.
- (13) The display of "For Sale" vehicles on FAPH is forbidden by this regulation, except in an authorized resale lot, and may be tagged as abandoned if not compliant.

2-27. Specific Violations and Conditions Under Which a Vehicle May Be Towed.

- a. Any vehicle that interferes with street cleaning or snow removal emergency operations.
- b. Any vehicle, which has been used in a crime or contains evidence of criminal activity.
- c. Any vehicle whose owner has been apprehended and unable or unwilling to remove his/her vehicle.
- d. Any vehicle disabled by a traffic collision.
- e. Any vehicle with expired state inspection sticker.
- f. Any vehicle immobilized on a public roadway by weather conditions or other emergency situation; any such motor vehicle, trailer, semi-trailer or part thereof may be removed for safekeeping by or under the direction of a police officer to a storage area.

g. The owner of any motor vehicle, trailer, semi-trailer or part thereof that is removed from FAPH property under this section shall indemnify the government against any loss or expense incurred by reason of the removal, storage, or safekeeping.

h. Each removal under this section shall be reported immediately to the Chief of Police and notice thereof shall be given to the owner of the motor vehicle, trailer, semi-trailer or part thereof as promptly as possible. The owner of such vehicle, trailer, semi-trailer, or part thereof, before obtaining possession, shall pay to the persons entitled thereto all costs incidental to the removal and storage and locating the owner of the motor vehicle, trailer, semi-trailer or part. If such owner fails or refuses to pay the costs, or if the identity or whereabouts of such owner are unknown and unascertainable after a diligent search has been made, and after notice to him/her at his/her last known address, and to the holder of any lien or record in the office of the state issuing the last known registration of the motor vehicle, trailer, semi-trailer or part thereof, the vehicle shall be treated as an abandoned vehicle under the provisions of this regulation.

2-28. Procedures.

a. Tagging. Once a vehicle has been determined to be abandoned, the following action will be taken:

(1) DD Form 2504, Abandoned Vehicle Notice, will be conspicuously placed on the vehicle, along with a DD Form 1408, Armed Forces Traffic Ticket.

(2) Vehicles tagged with DD Form 2504 will have the VIN and/or license checked through DMV/NCIC and a COPS check if the vehicle has a DoD Decal/ Registration in order to identify the owner and attached to the DD Form 2504.

(3) The owner will be allowed 72 hours from the date the vehicle is tagged to remove the vehicle before removal action is initiated.

b. Any motor vehicle identified as being abandoned will receive a completed DD Form 2504. This first copy will be attached to the windshield of the abandoned vehicle and removed within 72 hours from the time the notice was given.

(1) The second copy of the DD Form 2504 will be attached to a DMV/NCIC check.

(2) All efforts in obtaining contact with the owner will be made.

c. If the vehicle has not been moved within the 72 hour grace period, the vehicle will be removed from the installation at the owners expense. The impounding responsibility is assigned to the Impoundment Lot Custodian (ILC). Therefore, all impounding of vehicles will be coordinated with the ILC prior to any vehicle being placed into the Impoundment Lot. The unit 1SG or Commander will be contacted in cases involving military personnel prior to impounding the vehicle in an effort to allow the unit to handle the incident.

(1) Prior to an abandoned vehicle being impounded, a complete inventory will be conducted on the vehicle and its contents.

(2) A DD Form 2506, Vehicle Impoundment Report, will completely describe the exterior condition of the impounded vehicle (i.e., dents, scratches, gouges) and any deficiencies (i.e., broken head lamps, flat tires, missing hubcaps) noted on the vehicle.

d. Sub-voucher. A DA Form 4137 will be completed to receipt for any high value property that may be within the vehicle. These items will then be removed from the vehicle and released to the property custodian.

(1) In the event that a vehicle is brought to the law enforcement station for impoundment after normal duty hours and incident to a lawful police investigation, the above stated forms will be completed by law enforcement personnel directly involved with the investigation. A chain of custody will be maintained. In every case where a vehicle is impounded, a blotter entry will be made and a DA Form 3975, Military Police Report, completed.

(2) After the impoundment has occurred, the ILC will attempt to locate the owner through the DMV/NCIC check on the Vehicle Registration printout. Each vehicle will be checked carefully by VIN number and license plate to ensure that it is not stolen. If the owner(s) are known, an Impounded Vehicle Notification will be sent out by certified mail, return receipt requested, instructing them to notify this office concerning the disposition of the vehicle and that failure to do so will result in the release of the vehicle to the Defense Reutilization and Marketing Office (DRMO). The certified mail receipt will be sent back to the ILC to be retained within the file on the vehicle.

e. Initiate a separate file folder for each abandoned vehicle. Each folder will have an individual log number and include:

- (1) 2 copies of DD Form 2504, Abandoned Vehicle Notice.
- (2) 2 copies of DD Form 2506, Vehicle Impoundment Report.
- (3) 1 copy of DA Form 4137, Evidence/Property Custody Document.
- (4) 1 copy of DA Form 3975, Military Police Report.
- (5) DMV/NCIC check.
- (6) 1 copy of DD Form 2507, Notice of Vehicle Impoundment.
- (7) Return receipts from all certified mail sent to registered owner.
- (8) 1 copy of Transfer of Abandoned Property.

(9) 1 copy of DD Form 1372, Mail Manifest.

f. Final Disposition of Vehicle(s). In the event that a registered owner or lien holder claims the vehicle after Impoundment, but before movement to DRMO, the following procedure will be adhered to: Initial communication/notification by owner of intent to reclaim possession may be affected telephonically, by mail, or in person. Physical repossession, however, must be effected by the registered owner, lien holder, or legal representative in person. Repossessing person will report to the Impound Lot Custodian, who will complete a DD Form 1131. The form will then be forwarded to DFAS, Rome, New York, to reimburse the Government the amount spent, stamped, and the blue copy returned to the ILC. Once the ILC receives the blue copy, the vehicle will be released.

g. Repossessing person must present individual identification title, or lien to the vehicle and, if legal representative, Power of Attorney.

(1) Repossessing person will proceed with the ILC to the Vehicle Impoundment Lot, at which time the vehicle is released. This will include a DA Form 4137 Sub-voucher involving high value property.

(2) In the event that the registered owner cannot be located within 120 days of impoundment:

(a) The vehicle will be processed in accordance with 10 U.S.C. & 2575 and DoD 4160.21-M, para. 40(f) for the disposing of abandoned property.

(3) In the event that the registered owner is contacted, but chooses not to repossess the abandoned vehicle, a letter of release to the U.S. Government, DD Form 2507, will be completed by the owner and returned to DRMO.

2-29. Contracts with Private Persons for Removal and Storage. The government shall have the power to enter into contracts with the owners or operators of garages or other places for the removal and storage of vehicles referred to in this regulation. The contracts shall provide for the payment by the government of reasonable charges for the removal and storage of such vehicles, shall require such owners or operators to deliver such vehicles to the owners thereof or their agents, upon demand therefore and upon furnishing satisfactory evidence of identity and ownership or agency, and that the owners or operators of such garages or places of storage will indemnify the owners of such vehicles for injury or damage thereto resulting from the negligent removal or storage thereof, and such owners or operators shall be required to provide themselves with adequate liability insurance to cover such indemnity.

2-30. Removal or Immobilization of Motor Vehicles for Outstanding Parking Violations.

a. Any motor vehicle parked on the public highway or public grounds on FAPH against which there are three or more unpaid or otherwise unsettled parking violation notices may be

removed to a place within the impound lot, or in an adjacent locality designated by the Chief of Police for the temporary storage of the vehicle, or the vehicle may be immobilized in a manner which will prevent its removal or operation except by authorized law enforcement personnel.

b. It shall be the duty of the law enforcement personnel removing or immobilizing the motor vehicle, or under whose direction such vehicle is removed or immobilized, to inform as soon as practicable the owner of the removed or immobilized vehicle of the nature and circumstances of the prior unsettled parking violation notices for which the vehicle was removed or immobilized. In any case involving immobilization of a vehicle pursuant to this section, there shall be placed on the vehicle, in a conspicuous manner, a notice warning that the vehicle has been immobilized and that any attempt to move the vehicle might damage it.

c. The owner of an immobilized vehicle, or other person acting on his/her behalf, shall be allowed at least 24 hours from the time of immobilization to repossess or secure the release of the vehicle. Failure to repossess or secure the release of the vehicle within that time period may result in the removal of the vehicle to a storage area for safekeeping under the direction of law enforcement personnel.

d. The owner of the removed or immobilized motor vehicle, or other person acting on his/her behalf, shall be permitted to repossess or to secure the release of the vehicle by payment of the outstanding parking violation notices for which the vehicle was removed or immobilized and by payment of all costs incidental to the immobilization, removal, and storage of the vehicle, and the efforts to locate the owner of the vehicle.

2-31. Ticketing, Removal, or Immobilization of Trespassing Vehicles by Owner/Operator of Parking or Other Lot or Building.

a. Notwithstanding, if the owner, representative or agent of the owner of the trespassing vehicle is present and removes the trespassing vehicle from the premises before it is actually towed, the trespassing vehicle shall not be towed.

b. In lieu of having a trespassing vehicle removed by towing or otherwise, the owner, operator, lessee, or authorized agent of the premises on which the trespassing vehicle is parked may cause the vehicle to be immobilized by a boot or other device that prevents a vehicle from being moved by preventing a wheel from turning, provided that the boot or other device does not damage the vehicle or wheel. In lieu of having the vehicle removed by towing or otherwise, or in lieu of causing the vehicle to be immobilized, the owner, operator, lessee or authorized agent of the premises on which the trespassing vehicle is parked may cause to have a law enforcement officer issue, on the premises, a notice of the violation of a parking regulation to the registered owner of the vehicle.

c. This section shall not apply to police, fire, or public health vehicles, or where a vehicle because of a wreck or other emergency, is parked or left temporarily on the property.

2-32. Parking in Areas Other Than Designated Spaces Prohibited. In reserved parking areas, there shall be no parking except as designated by official DPW posted signs.

2-33. Designation of Spaces. It shall be the duty of the GC to cause to be installed signs designating restricted or reserved parking and such spaces to be designated by lines or marks on the curb or on the street about or alongside of each restricted or reserved space.

2-34. Off-street Parking Lots and Areas. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

a. *Parking lot* means any legal space for motor vehicle parking, lot, parcel, yard or enclosure, or any portion thereof, where more than five motor vehicles may be parked, stored, housed or kept.

b. The GC may establish, from time to time as conditions require, off-street parking lots and areas.

2-35. Establishment of Hours of Operation and Use of Permits and Collection Devices. The government shall establish, from time to time as conditions require, when motor vehicles may be parked on off-street parking lots and area, the hours of operation and the use of any permit or device to be placed or erected for the regulation or authorization of parking on such lots.

2-36. Display of Permit. It shall be unlawful for any person to park any motor vehicle on any off-street parking lot area, or portion thereof, on which parking is restricted by posted notice of parking restriction.

2-37. Vehicles to be Parked Within Marked Spaces.

a. It shall be unlawful for any person to park any motor vehicle on any installation off-street parking lot except within the lines and markings established for motor vehicle parking spaces.

b. Any person who shall violate any of the provisions of this division is subject to punishment by a fine for each offense, and subject to greater fines imposed by a court of law or issuance of a federal warrant if not paid within the time period prescribed by the central violation bureau.

2-38. Snow Emergencies.

a. Generally. During periods of snow and ice emergencies, the GC may close roads except for emergency vehicle use. After the determination that installation roads conditions are hazardous and roads are closed, it will be unlawful for any driver to obstruct the flow of traffic due to lack of adequate traction equipment. For the purpose of this provision, snow tires, chains,

or four-wheel drive will be considered adequate equipment. Vehicles left abandoned during such periods may be towed by civilian wrecker at the owner's expense or moved by military emergency service vehicles. In such cases, law enforcement personnel are not required to "tag" vehicles or give advance notification. They will, however, attempt to notify the owner of the action taken and where the vehicle is located.

b. Whenever the GC finds on the basis of falling snow, sleet, or freezing rain or on the basis of a forecast by the U.S Weather Service or other weather service of snow, sleet, or freezing rain that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on government streets be prohibited or restricted for snow plowing and other purposes, the GC shall put into effect a parking prohibition on parts of or all snow emergency routes.

c. Notwithstanding the provisions of subsection (a) of this section, a parking prohibition shall automatically go into effect on any part of any snow emergency route on which there has been an accumulation of snow and ice.

d. Once in effect, a prohibition under this section shall remain in effect until terminated by an announcement by the GC or his/her designated representative. While the prohibition is in effect, no person shall park, or allow to remain parked, any vehicle on any portion of a snow emergency route to which it applies.

2-39. Use of Tire Chains or Snow Tires. No person operating a motor vehicle on a snow emergency route on which there is a covering of snow, sleet or ice shall allow such vehicle to become stalled wholly or partly because the drive wheels thereof are not equipped with effective tire chains or snow tires.

2-40. Announcement of Parking Prohibition.

a. The GC or his/her designee shall cause each declaration made by him/her pursuant to this division to be publicly announced by means of broadcasts from sources with a normal operating range covering the government, and he/her may cause such declaration to be further announced in newspapers of general circulation and cable television when feasible. Each announcement shall describe the action taken by the garrison, including the time it became or will become effective, and shall specify the streets or areas affected. A parking prohibition declared by the GC shall go into effect four (4) hours after it has been announced at least one (1) time between or at such other time as designated by the GC.

b. The GC shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section.

c. Individuals wishing to obtain current road conditions for the installation may call 804-633-8600.

2-41. Termination of Parking Prohibition. Whenever the GC or his/her designee shall find that some or all of the conditions which give rise to a parking prohibition in effect no longer

exist, he/she may declare the prohibition terminated, in whole or in part, in a manner prescribed by this division, effective immediately upon announcement.

2-42. Posting of Signs on Snow Emergency Routes and Snow Emergency Push Areas. On each street designated by the GC as a snow emergency route, the GC shall have DPW post special signs at intervals not exceeding 1,500 feet with the wording "Snow Emergency Route, No Parking or Impeding Traffic Flow During Emergency, Towing Enforced." These signs shall be distinctive and uniform in appearance and shall be plainly readable to persons traveling on the street or highway and in accordance with the Uniform Manual For Traffic Control Devices.

2-43. Removal of Unlawfully Parked Vehicles. Members of the police department are hereby authorized to remove or have removed vehicle(s) from a street to the nearest public parking lot or other place of safety, or to an area designated or maintained by the police department, or otherwise maintained by this government, when:

a. The vehicle is parked on a part of a snow emergency route on which a parking prohibition is in effect.

b. The vehicle is stalled on a part of a snow emergency route on which there is a covering of snow, sleet, or ice or on which there is a parking prohibition in effect and the person who was operating such vehicle does not appear to be removing it in accordance with the provision of this section.

c. The vehicle is parked in violation of any parking regulation or provision of law and is interfering or about to interfere with snow removal operations.

2-44. Citations. Whenever any motor vehicle without a driver is found parked or left in violation of any provision of this regulation, and is not removed and impounded as provided for in this regulation, the officer finding such vehicle shall take its registration number and any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation.

2-45. Designated Parking Areas. Procedure for creation, modification or deletion of restricted parking areas:

a. The GC may prohibit parking in certain areas and during certain hours when such use has been found in those areas to cause traffic problems. Likewise, the GC may delete a restricted parking area if the need for such area no longer exists. Restricted parking areas may be created, modified, or deleted in any area deemed appropriate by the GC or his/her designee.

b. Creation, modification, or deletion of designated parking areas shall only be effective after an initial notice has been sent to the designee of the area under consideration. The notice shall clearly state the exact location and boundaries of the restricted parking area under consideration, the reasons why such area is being proposed for the creation, modification, or

deletion of a designated parking area, and the hours during which parking shall be restricted. The initial notice shall also state an effective date for the proposed change, which effective date shall not be less than 30 days from the date of mailing the notice. Notice shall also be posted in a place open to the public.

c. Failure to strictly comply with the notice and posting requirements shall not affect the validity of the action taken.

d. The initial notice shall contain a conspicuous statement that any interested person who is aggrieved by the decision of the GC to create, modify, or delete a restricted parking designation in the stated area may petition the GC for a hearing on the matter.

2-46. Posting of Signs; Parking Permits.

a. Following the designation of a restricted parking permit area, the GC or his/her authorized designee shall issue appropriate parking permits and shall cause parking signs to be posted in the area, indicating the times, locations and conditions under which parking shall be allowed. The signs placed in such areas shall be of such a size and character as to inform an observant person of the existence of the rules and regulations imposing such restrictions.

b. Reserved parking shall be granted only to the following people and under the following conditions:

(1) Persons who are residents of any particular area in which parking is so restricted, to be limited to that particular area in which parking is so restricted, for every vehicle owned by those persons and legally registered.

(2) Persons who are visitors of any residents of any particular area in which parking is so restricted, to be limited to that particular area in which parking is so restricted, to be valid for a stated period but no more than 30 days.

(3) Persons who do business with any resident or any particular agency in which parking is so restricted during the hours of such restriction, to be limited to that particular area in which parking is so restricted and in which any such person so transacts business.

(4) Any such person shall show to the GC or his/her authorized designee satisfactory evidence that he/she fulfills all the conditions for reserved parking. If the GC or his/her authorized designee shall find the foregoing facts and further find that the issuance of reserved parking will not unduly impair traffic safety during the time of their validity or grossly reduce the amount of parking available to customers of other employees, he/she shall issue such approval and may limit the tenure of reserved parking.

c. Whenever the conditions for issuance of a reserved parking space no longer exist, the person holding such a reservation shall notify the GC or his/her authorized designee in writing

that the space is no longer required. It shall be unlawful for any person to represent that he/she is entitled to designated parking when he/she is not so entitled, to fail to report the reserved space as no longer needed or to report that he/she is no longer entitled. Reserved parking spaces issued under this section shall be valid indefinitely provided the conditions for issuance still exist.

d. The GC or his/her authorized designee shall have the authority to withhold or revoke reserved parking for persons who have failed to pay traffic fines or violate post polices.

2-47. Exceptions. The parking prohibitions of this section shall not apply to service or delivery vehicles which are being used to provide services or make deliveries to dwellings.

2-48. Violations. The parking of any vehicle or the use of any reserved parking space in a manner contrary to the provisions of this section or the regulations established by the GC pursuant to this division is prohibited, and such parking or use of a reserved parking space is hereby declared to be unlawful and a traffic infraction. Any person violating this section shall, upon conviction thereof by a court of competent jurisdiction, be fined for each violation.

2-49. Traffic Control Devices.

a. The Chief of Police, in conjunction with the DPW is responsible for the location of all traffic control devices, signs, and pavement markings on this installation. The DPW is responsible for their preparation and location. All traffic control devices and signs will conform to the manual of Uniform Traffic Control Devices for Streets and Highways, Public Roads Administration, FHWA, under 23 Code of Federal Regulations (CFR), Part 655, Subpart F and FM 19-25, Military Police Traffic Operations. The DPW will coordinate with the Chief of Police prior to changing traffic control devices and signs.

b. No persons without proper authority will attempt to, or in fact erect, alter, deface, knock down, move any traffic control device, railroad signal or sign.

c. No driver of any vehicle will disobey any traffic control device or sign unless directed by law enforcement officials or otherwise authorized to do so under this regulation.

2-50. Resale of Privately Owned Vehicles.

a. Residents of FAPH may place a "For Sale" sign in a window of their privately owned vehicle provided the vehicle is parked in a space designated for the resident's quarters and that the vehicle is fully operational. Used vehicles for sale may not be displayed in a neighboring parking spot or left unattended in or on any other portion of FAPH.

b. Upon the development of an approved resale lot, those owners desiring to leave a vehicle unattended and parked for an extended period of time with the intent to sell the vehicle may coordinate such action through DFMWR.

2-51. Traffic Rules for Bicyclists.

- a. Bicyclists are required to obey all traffic signals, signs and devices except when dismounted, at which time the rules pertaining to pedestrians will apply.
- b. A bicyclist will ride as near to the right of the roadway as practical, exercising caution when passing a standing vehicle or one proceeding in the same lane.
- c. A bicyclist emerging from a driveway or alleyway will come to a complete stop and yield the right-of-way to approaching traffic.
- d. Bicyclists will not ride two abreast.
- e. A bicycle being used at night will be equipped with a suitable headlight and tail light or red reflector.
- f. Every bicycle must be equipped with working brakes.
- g. Riding double on a bicycle is prohibited with the exception of tandem built bicycles; however, child carriers are authorized.
- h. Bicycle riders will wear an approved helmet and are encouraged to use other protective equipment.
- i. Bicyclists are prohibited from wearing headphones or earphones.
- j. Bicyclists are required to ride with the flow of traffic and use appropriate hand and arm signals when turning.

2-52. In-line Skating/Skateboarding. In-line Skating/Skateboarding is prohibited on FAPH except in the Hopemont Housing Area.

- a. In-line skaters and skateboarders must obey the posted speed limit and directional/traffic signals and signs. Personal protective equipment must be worn at all times, to include a helmet, elbow pads, knee pads, wrist guards, and gloves.
- b. In-line skaters and skateboarders are prohibited from wearing headphones or earphones.

2-53. Traffic Rules for Pedestrians.

- a. Pedestrians will obey all traffic control devices unless otherwise directed by law enforcement personnel.

b. No pedestrian will leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impractical and/or unsafe for the driver to yield.

c. Pedestrians will use crosswalks when available to cross streets. Where sidewalks are not provided, pedestrians will walk on the left side of the roadway facing approaching traffic. Pedestrians walking on roadways where sidewalks are not provided will yield right of way to all traffic upon the roadway.

d. The driver of a vehicle emerging or entering an alley, building entrance, private road or driveway will yield the right of way to any pedestrian approaching any sidewalk extending across such alley, building entrance, road or driveway.

e. Children are prohibited from playing on roadways.

f. All personnel conducting physical training, jogging, running or walking on installation roads and streets are prohibited from wearing headphones or earphones. All personnel conducting physical training, jogging, running or walking on installation roads and streets are required to wear a reflective vest. If conducting physical training in a formation on the installation roads or streets Road Guards are required.

2-54. Collisions. The operator or owner of a vehicle involved in a collision will stop immediately as close to the scene as possible without obstructing traffic. The operator will:

a. Render reasonable assistance to any person injured.

b. Report the collision to law enforcement personnel giving name, rank, social security number, organization, and location of the accident. In cases involving civilian employees, the above will apply with the exception that section of employment and address will be given instead of rank, organization, and social security number.

c. Remain at the scene until released by law enforcement personnel.

d. The driver or owner of any vehicle involved in a collision will give their name, contact information, and vehicle license number, and exhibit his operator's license upon request to any person injured; to any occupant of the vehicle collided with; or to any person acting for such persons.

e. The driver of a vehicle, that has damaged an unattended vehicle will stop immediately and attempt to locate the owner. If the owner cannot be located, the driver of the vehicle will place a written notice containing his/her name and contact information in a conspicuous place on the other vehicle. The driver will also report the incident to law enforcement personnel as soon as possible.

f. If the collision involves on-duty personnel or Government vehicles or property damage, the collision scene will be left intact pending arrival of law enforcement personnel.

2-55. Cellular Telephones and Other Communications Devices.

a. IAW EO 13513, government employees are prohibited from using a government cell phones or texting on government cell phones, while operating any vehicle, unless the vehicle is safely parked. Additionally, employees are prohibited from using any cell phone while operating a government vehicle, unless the vehicle is safely parked. This prohibition extends to any government supplied electronic device.

b. IAW 32CFR §634.25, wearing portable headphones, earphones, or other listening devices (except for hand-free cellular phones) while operating a motor vehicle while on FAPH is prohibited. Use of those devices impairs driving and masks or prevents recognition of emergency signals, alarms, announcements, the approach of vehicles, and human speech. DoD safety guidance also notes potential for driver distractions from eating, drinking, and operating radios, CD players, global positioning equipment while driving. These activities should only be done when the vehicle is safely parked.

c. Exemptions. Individuals utilizing noncommercial mobile radio services such as Land Mobile Radio and FM handheld systems are exempt from the requirements of this section. Direct Connect or Push to Talk subscriber systems do not meet the exemption criteria of this section and will not be used.

2-56. Tactical Vehicles.

a. In accordance with Command Policy Statement #4, para 4a(1)(b), military headgear (duty/combat or patrol cap) will be worn in all military vehicles unless it interferes with safe operation of the vehicle. All occupants of military tactical vehicles will wear their combat headgear or combat vehicle crewman (CVC) helmet (tracked vehicles) at all times.

b. Radio antennas to all tactical vehicles will be tied down anytime the vehicle is not located in the actual training areas of the installation. This includes, but is not limited to, Wilcox, Longstreet, Cooke, Rhodes, or any other location not designated as a tactical environment.

c. Drivers and senior occupants will ensure that anytime a tactical vehicle is parked and unattended, wheel chocks and drip pans are deployed.

d. Maximum allowable speed for any tactical vehicle on FAPH is 25 miles per hour when road conditions permit.

2.57. Travel Prohibitions. In accordance with DoDM 6055-09-M-V3.E3.1.1.4.2, Fortune Road beginning at A.P. Hill Drive and extending East past the Ammunition Supply Point (ASP),

where the road changes to Campbell drive to the beginning of Wilcox is designated as an “On Post Road” and its use is restricted to:

- a. Installation-related personnel (government employees assigned to the installation for duty, to include permanently assigned government employees to tenant activities, as well as permanently assigned contractor personnel performing official government business) in any vehicle.
- b. Individuals with a legitimate requirement to access the ASP (Military units receiving or turning-in munitions or personnel either making or taking deliveries of munitions).
- c. Military units and other activities who require access to Training Areas (TA) 23B, 23C and or 24A.
- d. All other use of Fortune Road or Campbell Road from the ASP to Wilcox Drive is prohibited. Personnel requiring access to Wilcox Barracks or North Range Road are required to use Shackelford Road located approximately 1.5 miles north of Fortune Road on A.P. Hill Drive.
- e. Any request to deviate from this policy requires advanced written approval from the Installation Safety Office and the Garrison Commander. Personnel found in violation of this policy may be subject to administrative or disciplinary actions and those individuals without Department of Defense affiliation may subject themselves to losing access to the installation.

Appendix A

References

Section I

Required Publications

AR 190-5

Motor Vehicle Traffic Supervision, 22 May 2006

DoD Instructions 6055.4

Department of Defense Traffic Safety Program, 20 April 2009

Section II

Related Publications

This section contains no entries.

Section III

Prescribed Forms

DD Form 1131

Cash Collection Voucher, 1 Dec 2003

DD Form 1372

Mail Manifest, October 1971

DD For 1408

Traffic Ticket, Armed Forces, December 1987

CVB

United States District Court Violation Notice, 1 July 2005

DD Form 2504

Abandoned Vehicle Notice, 1 May 2000

DD Form 2506

Vehicle Impoundment Report, 1 May 2000

DD Form 2507

Notice of Vehicle Impoundment, 1 May 2000

DA Form 3975

Military Police Report, 1 December 1998

APH Reg 190-5 (1 Feb 2012)

DA Form 4137

Evidence/Property Custody Document, 1 July 1976

Appendix B
Driving Suspension Sample Letters (Military Driving Suspension Sample Letter and Civilian Driving Suspension Sample Letter)



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FT A.P. Hill
18436 4th Street
FORT A.P. Hill, VIRGINIA 22427-3114

IMNE-APH-ZA

(Date)

MEMORANDUM FOR Commander/Supervisor of (Name)

SUBJECT: Notification of Revocation of Driving Privileges on Fort A.P. Hill (FAPH) for (Name/UNIT)

1. In accordance with FAPH Regulation 190-5, *Fort A.P. Hill Uniform Traffic Policy*, XX XXXX 20XX, any individual who is issued three or more tickets on FAPH property in a one year period will have their driving privileges revoked for one year.

2. (Name/UNIT), has received (number and type (1408/1805) tickets and his/her privilege to operate a motor vehicle on FAPH property is hereby suspended for a period of one year.

3. The enclosed notice of revocation directed (Name) to report the Fort A.P. Hill Police Department. (**during dayshift duty hours** -- **put in times**) within 72 hours to sign the attached document beginning his/her suspended status, and is further directed to bring his/her vehicle so the DoD decals on all vehicles registered can be removed.

4. (Name) is to report to the Police Department, 14115 Montague Road, building 156, and complete the above actions, regardless of intent to appeal.

5. If (Name) is unavailable due to other circumstances (TDY, field duty, etc), please notify the FAPH Police Chief via email @ xxxxxxxxxxxx@conus.army.mil and notify him of the date that (Name) will be available to appear to complete this process.

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SUBJECT: Notification of Revocation of Driving Privileges

6. Should you have any questions, please contact the Chief of Police at (804) 633-8466.

Garrison Commander
Signature Block

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REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FT A.P. Hill
18436 4th Street
FORT A.P. Hill, VIRGINIA 22427-3114

Fort A.P. Hill Police Department

Name

Address

City, State Zip Code

Dear Name:

This letter is to inform you that the traffic policy on Fort A.P. Hill, FAPH Regulation 190-5 set forth by the Garrison Commander, mandates that anyone who accumulates three traffic citations on post within a year period is subject to having his or her driving privileges suspended on post.

This action is being taken because on (date), you received a traffic violation notice for (insert offense) while driving on FAPH. If you accumulate one more citation within a year on Fort A.P. Hill, Virginia, the Garrison Commander may exercise their authority to suspend your privilege to drive on this installation for 12 months.

If you wish to request reconsideration of the terms in this correspondence, send your written request to Commander, Fort A.P. Hill Garrison, 18436 4th St., Fort A.P. Hill, Virginia 22427. The point of contact is the undersigned at (804) 633-8466.

Sincerely,

{NAME}

Chief of Police

Fort A.P. Hill Police Dept.

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DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FT A.P. Hill
18436 4th Street
FORT A.P. Hill, VIRGINIA 22427-3114

REPLY TO
ATTENTION OF

IMNE-APH-ESP

MEMORANDUM FOR Fort A.P. Hill Police Department, Chief of Police, 14115
Montague Road, Fort A.P. Hill, Virginia 22427-3114

SUBJECT: Suspension/Revocation of Installation Driving Privileges

I, -----, acknowledge receipt of attached memorandum
signed by the Garrison Commander or his designated representative
suspending/revoking my installation driving privileges.

Encl

[Signature]
[Date]

Appendix C

Motorcycle Safety

C.1. Policy. Motorcycle policies and procedures apply to:

a. All Service Members at all times on or off duty, on or off post. Service Members before operating any motorcycle on the installation shall:

(1) Within 7 days of arrival to Fort A.P. Hill or acquisition of a motorcycle, enroll in an approved Motorcycle Safety Foundation Course (MSF).

(2) Successfully complete an approved MSF course. Motorcycle training consists of Basic Rider Course (BRC), Experienced Rider Course (ERC), Military Sport Rider Course (MSRC), and the Motorcycle Refresher Training (MRT).

(a) BRC. The BRC is the initial training for all motorcycle riders which provides basic motorcycle skills and prepares them for licensing procedures. A state licensed motorcycle operator who has passed the BRC is then permitted to register their motorcycle for up to 180 days on the installation.

(b) MSRC. Motorcycle manufacturers categorize specific models as “Sport” and “Sport Touring” motorcycles. In order to obtain the skill set necessary to operate a high-performance sport bike, all military “Sport” and “Sport Touring” motorcycle riders will complete the MSRC as soon as possible after completing the BRC. Unit Commanders have the responsibility for tracking sport bike riders and the successful completion in this command directive.

(c) ERC. Within 180 days of completing the BRC, motorcycle riders will complete the ERC. Successful completion of the ERC will permit a rider to obtain long term installation vehicle registration and access.

(3) Carry at all times while operating a motorcycle, the MSF card issued as proof of course completion.

(4) Abide by all PPE requirements in Section 6 of this policy.

b. All Civilians while operating a motorcycle on the installation shall:

(1) Complete a Motorcycle Safety Foundation rider safety course approved by local and state regulations.

(2) Carry at all times while operating a motorcycle, the card issued as proof of course completion.

(3) Abide by Section 6 of this policy while operating a motorcycle on Fort A.P. Hill.

c. Motorcycle Personal Protective Equipment (PPE): All motorcycle riders, regardless of whether they are an operator or passenger, are required to comply with the following PPE requirements on the installation. At a minimum, motorcycle operators and riders shall wear the following PPE whenever they ride or operate a motorcycle:

(1) A Department of Transportation (DOT) approved motorcycle helmet properly fastened under the chin.

(2) Full fingered gloves designed for use on a motorcycle.

(3) Long sleeved shirt/jacket and long trousers.

(4) Boots or sturdy over the ankle shoes. ACU canvas boots are acceptable.

d. Impact or shatter resistant goggles, wrap around glasses or full face shield (must meet ANSI Z 87.1 Standards) attached to the helmet in the down position. Windshields, eyeglasses, and fairings do not meet this requirement. The goggles may be darkened for daylight use; however; they must be clear during the hours of darkness or adverse weather conditions.

e. A highly visible, brightly colored upper garment (vest or jacket) during the day and a reflective upper garment (12 inches x 12 inches minimum coverage both front and rear) during dusk, dawn and at night. Outer garments will be properly secured, clearly visible, and not covered. Items may be worn on top of the outer garment, but they must meet the same visibility requirements of the outer garment. Brightly colored/reflective belts do not meet the upper garment or backpack requirement.

f. Individual Responsibilities. Comply with installation, local, state and Army motorcycle training, licensing, and operating requirements. The MSF card issued as proof of course completion shall be carried at all times while operating a motorcycle and be presented when entering the installation. Service members, civilians, contractors, Family members, and visitors are required to show proof of motorcycle safety course completion in order to operate a motorcycle on the installation.

(1) Use composite risk management in purchasing, riding, and maintaining motorcycles.

(2) Properly maintain and wear the appropriate PPE for both on and off post riding. Operators must ensure that passengers comply with PPE requirements. Anyone operating or riding a motorcycle on military installations must wear the required PPE.

(3) Support installation and unit motorcycle safety initiatives.

(4) Seek out mentorship from skilled, responsible, and positive riders. Demonstrate self discipline and defensive driving while operating a motorcycle. Recognize the inherently dangerous nature of motorcycle operation and not join or participate in activities that contribute to high risk behavior.

g. Garrison Responsibilities. The Directorate of Emergency Services will ensure that all service members, family members, employees or visitors operating a motorcycle on the installation comply with the requirements of this policy with the following actions:

(1) Require verification of motorcycle training by any service member, family member or employee registering a motorcycle on the installation.

(2). Ensure Law Enforcement and Security personnel are aware of and are enforcing the provisions of this policy.

(3) Service Members who are found to be in violation will not be denied entrance to the installation, but will be halted in a safe area at the gate and their chain of command will be notified to recover the Service Member.

(4) Civilians and employees who are found to be in violation will not be allowed to operate or ride on a motorcycle on the installation.

h. Leader Involvement. Our current concerns over motorcycle operations will require the personal involvement of leaders at all levels and the personal discipline of motorcycle operators. Across the installation we must foster an environment for safe motorcycle operation. Together, we keep our service members, family members, employees, contractors and visitors safe.

Glossary

Section I Abbreviations

CFR

Code of Federal Regulation

CVB

Central Violation Bureau

CPAC

Civilian Personnel Advisory Center

DFAS

Defense Finance and Accounting Service

DES

Directorate of Emergency Services

DoD

Department of Defense

DPW

Directorate of Public Works

DRMO

Defense Reutilization and Marketing Office

FAPH

Fort A.P. Hill

GSA

General Services Administration

ILC

Impound Lot Custodian

MWR

Morale, Welfare, and Recreation

POV

Privately Owned Vehicle

Section II

Terms

Abandoned Vehicles.

Any vehicle that is not moved within 72 hours, has not had noted deficiencies corrected within the prescribed time (normally 72 hours from notification), and vehicles left unattended on emergency routes or otherwise posing an immediate safety hazard as determined by law enforcement officials.

Authorized Emergency Vehicles.

Vehicles of the Fire Department, DA Civilian Police, ambulances, explosive ordinance disposal unit, and other emergency vehicles designated or authorized by the GC. All warning lights will be visible from the front for a distance of not less than 300 feet when lighted.

Cycles.

Any vehicle propelled by other than human power, including motorcycles, motor scooters, and motor driven bicycles, having a seat or saddle for use by the operator, and so constructed to use not more than three wheels (regardless of diameter), excluding a tractor, in contact with the surface traveled upon and any four-wheeled vehicle weighting less than 500 pounds and equipped with an engine of less than six horsepower.

Bicycles.

Only those devices propelled by human power, having two or more wheels and a seat height of more than 25" from the ground when adjusted to its maximum height. A bicycle will be considered a vehicle when operated upon a roadway.

Reflective Sticker.

A reflective sticker, bearing letters and numbers, for display on a motor vehicle.

License to Operate Motor Vehicles.

Any official permit, license, or other documents issued under the laws of any state, any territory of the United States, or by any agency of the United States Government, evidencing by possession thereof, that the bearer has qualified as an operator of a specific type vehicle within the category of motor vehicles.

Local Streets.

All streets designated as other than arterial and collector streets on the comprehensive plan of the government.

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No Thoroughfare Streets (Restricted Area).

All streets so designated are limited exclusively to use by residents of such areas, by visitors to residents of such areas, by commercial service representatives permitted to serve or called by residents of such areas, or by authorized persons working or training in such areas.

Official Sign.

A sign that meets the standard set forth by the Uniform Manual of Traffic Control Devices and is posted by the Department of Public Works or law enforcement officials.

On-Post Driving Privileges.

The privilege to operate any privately owned vehicle on the installation granted by the GC.

Operator-Driver.

Any person engaged in driving, operating, steering, or otherwise exercising physical control over any vehicle, whether propelled by human power or by other means. This includes persons controlling a vehicle while it is being pushed or towed, regardless of where such control is exercised.

Parking-Standing.

The halting of any vehicles, other than temporarily, while actually engaged in loading or unloading merchandise or passengers, whether or not the vehicle is occupied.

Pedestrian.

Any person afoot, including members of a military formation, upon any sidewalk, crosswalk or roadway, whether alone or in a group.

Point System.

An administrative aid for evaluating driving performance by assessment of weighted point values for traffic violations.

Privately Owned Vehicle (POV).

Those vehicles belonging to individuals (who hold the legal title), firms, co-partnerships, associations, companies, corporations, or other legal entities, which may be transported or drawn upon a highway, except devices moved by human power. Vehicles belonging to US Government military forces or other US agencies are not POV.

Public Property.

Property owned by the government that has been dedicated to public use and to which the general public is generally permitted.

Recreational Vehicle.

Any vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, self-propelled or permanently towable by a light duty truck, and designed primarily for use as temporary living quarters for recreational, camping, travel or seasonal use.

Registration Certificate.

A certificate or other document issued under the laws of any State, any territory of the United States, or by any agency of the United States Government, evidencing by possession thereof that a specific vehicle is registered lawfully and for the period specified on such certificate or document.

Registration Plate (State License Tag).

A plate, sign, or other device bearing either numbers or letters and numbers for display on the front and/or rear of a specific vehicle to indicate it is property registered with the respective state motor vehicle office.

Reservation.

The terms “reservation” and “installation” when used in this regulation will apply to the entire area within the recorded boundaries of the FAPH and all roadways and streets located therein to include concurrent jurisdiction areas.

Revocation or Suspension and Registration/Termination of On-Post Driving Privileges.

The withdrawal by proper authority of any vehicle’s registration (post); such action immediately terminates the registrant’s privilege to operate a vehicle on FAPH installation.

Right-of-Way.

The privilege of immediate use of the roadway. The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.

Roadway.

That portion, exclusive of the berms, curbs, or shoulders of every street, road and highway intended and constructed for vehicular traffic.

School Bus.

Any motor vehicle other than station wagon, automobile, truck, or commercial bus, used for the transportation of school children, bearing markings indicating and painted yellow for the purpose for which used.

Snow Emergency Push Area.

Those streets marked as such in accordance with the provisions of this regulation.

Snow Emergency Route.

Those streets marked as such in accordance with the provisions of this regulation.

Snow Tires.

Any tires mounted on drive wheels of motor vehicles which are especially designed to give effective traction on snow-, mud- or ice-covered streets, by means of radial tire construction or

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extra-heavy-duty treads with special high-traction patterns; except that no tire so defined shall be construed to be a snow tire if it is damaged or worn to the extent that its performance would be substantially impaired.

Stop.

The complete cessation of all movement.

Tire chains.

Any metal chains mounted on drive wheel tires of motor vehicles, which cross the tread of each tire laterally in at least three different places.

Traffic.

Pedestrians, vehicles, and conveyances while traveling on a roadway/highway, either singularly or in groups.

Trailer.

Any vehicle on wheels, not powered by any type of internal combustion engine or electric motor, of any design which is used or may be used for commercial or private hauling or storage purposes and is intended to be towed or attached to a motor vehicle, not including watercraft trailers, and travel trailers.

Travel Trailer.

A vehicle designed to provide temporary living quarters of such size or weight as not to require special highway movement permits when towed by a motor vehicle and having a gross trailer area less than 320 square feet.

Vehicle-Motor Vehicle.

Every device, in, upon, or by which any person or property is or may be transported or drawn upon highway, excepting devices moved by human power and any structure designed for loading on to or off of a motor vehicle to provide a mobile dwelling.

Visitor.

Persons within the boundaries of the installation for short periods of time who are a guest of, or visitor to, activities or persons assigned to FAPH and who are without official affiliation or commercial interest therein, including retired military personnel, sightseers, and military dependents whose sponsors are stationed elsewhere, but excluding those persons in the process of reporting to or departing an assignment to FAPH.

Watercraft Trailer.

Any new or used trailer specifically designed to carry a watercraft or a motorboat.