

DRIVING PRIVILEGES SUSPENSION OR REVOCATION

1. **PURPOSE.** To explain the procedures for suspension and revocation of post driving privileges.

2. **REFERENCES.** Army Regulation 190-5, *Motor Vehicle Traffic Supervision* (22 May 2006).

3. **DISCUSSION.**

a. AR 190-5, Chapters 2 and 5 govern suspension and revocation of installation driving privileges.

b. Generally, the installation commander or his designee may, for any legal cause, suspend or revoke the installation driving privileges of anyone – Soldier or civilian. For military personnel and family members, retirees, and DoD employees, suspension or revocation is authorized regardless of where the incident occurred. For non-DoD affiliated civilians, only on-post incidents will be considered. On Fort Bliss, the Deputy Director of Emergency Services makes the initial determination of whether to suspend or revoke driving privileges.

c. Causes for suspension or revocation of driving privileges include: driving while under the influence of alcohol or drugs; refusal to submit to a lawfully requested test for alcohol or drugs; failure to provide legally required documentation (*e.g.*, driver's license, proof of insurance, proof of registration, etc.) when requested by an MP; failure to appear in traffic court; or accumulation of points under the point system established by AR 190-5, Chapter 5.

d. For offenses other than driving while intoxicated, the suspension or revocation of the individual's driving privileges do not become effective until the individual has had the opportunity to request a hearing within ten days of receipt of notice of the suspension or revocation. If a hearing is not requested within ten days of receipt of the letter, suspension or revocation becomes effective. Once the individual applies for a hearing, the suspension or revocation is stayed for 10 days.

e. A hearing will be held as soon as possible after receiving the request. The hearing officer, an attorney from the Administrative and Civil Law Division, Office of the Staff Judge Advocate, will review all available evidence, including that presented by the alleged offender. The hearing officer will make a recommendation to the installation commander as to whether the individual's driving privileges should be suspended, revoked or restored.

f. Upon receipt of the hearing officer's recommendation, the installation commander will make the final decision. The individual will be informed by the Provost Marshal's Office of the commander's final decision.

4. The POC is the Chief of Administrative and Civil Law at 568-3787.