



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY FIRES CENTER OF EXCELLENCE AND FORT SILL
455 MCNAIR AVENUE, SUITE 100
FORT SILL, OKLAHOMA 73503

ATZR-C

SEP 23 2025

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: CG Policy Memorandum #12, CG Delegation of Approval Authority for Suspension and Revocation of On-Post Driving Privileges

1. References.

a. Army Regulation (AR) 190-5, Motor Vehicle Traffic Supervision, dated 22 May 2006

b. Fort Sill Supplement (FS Supp) 1 to AR 190-5, Military Police, Motor Vehicle Traffic Supervision, dated 11 May 2018

2. Purpose. As Installation Commander, under AR 190-5, Chapter 2 (Driving Privileges), I or my designee may administratively suspend or revoke driving privileges on this installation for cause or any lawful reason. To ensure such processes are managed effectively, fairly, and timely, I delegate this authority only as described in this memorandum. The term "intoxicated driving" in this memorandum also refers to similar offenses involving use or control of motor vehicles while under the influence of drugs or alcohol.

3. Superseding of Prior Policies and Conflicting Fort Sill Policies. This policy supersedes all prior policies on this subject. Additionally, Fort Sill Supp 1 to AR 190-5, Appendix D13, dated 11 May 2018, is superseded to the extent the supplement is not in compliance with this memorandum.

4. On-Post Traffic Violations (Not Involving Intoxicated Driving). Those who are determined responsible for any serious vehicle accidents (as defined in FS Supp) or damage to government property while driving on-post may have their driving privileges suspended for up to six months or revoked for not less than six months. Discretion for suspensions and revocations under this paragraph rests with the delegated authorities below to the extent such actions comply with the procedures and limitations under AR 190-5, Chapter 2.

a. Reviews. For suspensions or revocations not involving intoxicated driving, I delegate any Judge Advocate (JA) or civilian attorney, GS-11 or higher, who is assigned to the Administrative Law Division, Office of the Staff Judge Advocate (OSJA), or other

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division as designated by the Staff Judge Advocate (SJA), to be a reviewer of the basis for the action prior to Directorate of Emergency Services (DES) issuing the suspension/revocation notice. Reviews will be accomplished as soon as practicably as possible, with the objective to complete such reviews within one duty day, following assembly of evidence by DES.

b. Hearings. For suspensions or revocations not involving intoxicated driving, if a hearing is requested, the OSJA is also the delegated authority to conduct and rule on the results of hearings. The scope of the hearing is limited to challenges of the underlying police action. For offenses other than intoxicated driving, suspension or revocation of driving privileges will become effective 14 calendar days after DES notifies the affected person, unless the affected person makes an application for a hearing. Such an application will stay the pending suspension or revocation for a period of 14 calendar days.

c. Restricted Driving Privileges. For suspensions or revocations not involving intoxicated driving, the Garrison Commander is delegated the authority to grant or deny requests for restricted driving privileges within the limitations of AR 190-5 and FS Supp 1 to AR 190-5.

d. Appeals. For suspensions or revocations not involving intoxicated driving, the Garrison Commander is the appeal authority if the affected individual chooses to appeal. Appeal requests will be forwarded through command channels within 14 calendar days from the date the individual is notified of a decision. The suspension or revocation will remain in effect pending a final ruling on the request.

5. Intoxicated Driving Offenses (On- or Off-Post). In accordance with AR 190-5 and FS Supp 1 to AR 190-5, those who are cited on- or off-post for intoxicated driving will have their on-post driving privileges suspended or revoked for one year. Discretion for suspensions and revocations under this paragraph rests with the delegated authorities below to the extent such actions comply with the procedures and limitations under AR 190-5, Chapter 2.

a. Reviews. For suspensions or revocations involving intoxicated driving, I delegate any JA or civilian attorney, GS-11 or higher, who is assigned to the Administrative Law Division, OSJA or other division as designated by the SJA, to be a reviewer of the basis for the action prior to DES issuing the suspension/revocation notice. Reviews will be accomplished as soon as practicably possible, with the objective to complete such reviews within one duty day, following assembly of the evidence by DES. However, if, in the Provost Marshal's judgment, immediate action is warranted, the Provost Marshal may conduct this review prior to the issuance of the suspension or revocation. The Provost Marshal may delegate their immediate review authority in this paragraph to any officer or civilian employee, GS-11 or higher, under his or her supervision. As soon as practicable, the Provost Marshall or their designee must inform a JA or civilian attorney

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as delegated above, who must review the suspension or revocation for compliance with AR 190-5 and FS Supp 1 to AR 190-5.

b. Hearings.

(1) For suspensions or revocations involving intoxicated driving, if a hearing is requested, the OSJA is also the delegated authority to conduct and rule on the results of hearings. If the affected individual requests restricted on-post driving privileges, such requests must be forwarded to the Garrison Commander for determination as to restricted privileges. For intoxicated driving offenses, suspension or revocation of driving privileges will remain in effect until a decision has been made but will not exceed 14 calendar days. If no decision has been made by that time, full driving privileges will be restored until such time as DES notifies the affected person of the decision.

(2) Hearings on suspension/revocation actions for pending intoxicated driving charges will be limited to the following pertinent issues:

(a) The law enforcement official had reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle under the influence of alcohol or other drugs.

(b) The person was lawfully cited or apprehended for a driving under the influence offense.

(c) The person was lawfully requested to submit his or her blood, breath, or urine in order to determine the content of alcohol or other drugs and was informed of the implied consent policy (consequences of refusal to take or complete the test).

(d) The person refused to submit to the test for alcohol or other drug content of blood, breath, or urine; failed to complete the test; submitted to the test and the result was 0.08 or higher BAC, or between 0.05 and 0.08 in violation of the law of the jurisdiction in which the vehicle in being operated if the jurisdiction imposes a suspension solely on the basis of the BAC level; or showed results indicating the presence of other drugs for an on-post apprehension or in violation of State laws for an off-post apprehension.

(e) The testing methods were valid and reliable and the results accurately evaluated.

c. Restricted Driving Privileges. For suspensions or revocations involving intoxicated driving, I withhold authority to my level to grant or deny requests for restricted driving privileges.

d. Appeals. For suspensions or revocations involving intoxicated driving, if the affected individuals chooses to appeal after a hearing and the subsequent decision by

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the hearing officer designated above, I also withhold the authority to rule on such appeals. Appeal requests will be forwarded through command channels within 14 calendar days from the date the individual is notified of a decision. The suspension or revocation will remain in effect pending a final ruling on the request.

6. The authority delegated by this memorandum may not be further delegated without my express written authorization.

7. The designated individuals who are delegated authority above must provide a copy of any actions they take under this memorandum to the Provost Marshal as soon as practicable following issuance.

8. The point of contact for this memorandum is Ms. Lisa Bloom at lisa.r.bloom2.civ@army.mil.

A handwritten signature in black ink, appearing to read 'P. Costello', with a large, stylized loop at the end.

PATRICK M. COSTELLO
Brigadier General, USA
Commanding

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