



UNITED STATES MARINE CORPS

MARINE CORPS BASE HAWAII
BOX 63002 KANEHOHE BAY, HAWAII 96863-3002

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(e) MCO 5110.1C
(f) MCO 5100.19E
(g) Hawaii Revised Statutes (286-81)
(h) Hawaii Revised Statutes (291E-4)
(i) MCAFO P3710.1A
(j) MCO 11240.66D
(k) DOD 1010.7
(l) 18 USC 1382
(m) Executive Order #8681 of Feb 1941
(n) 50 USC 797
(o) MCO 5500.6F
(q) MCO 3574.2J
(r) BaseO P3574.6
(s) 16 USC 1538
(t) 16 USC 703

Encl: (1) LOCATOR SHEET

1. Situation. To promulgate the Base Regulations for Marine Corps Base Hawaii (MCBH).

2. Cancellation. BaseO P5500.15A.

3. Mission. To publish policies, procedures, and information substantive to the good order and discipline of MCBH.

4. Execution

a. Commander's Intent. This manual is a complete revision and should be reviewed in its entirety by all personnel aboard MCBH.

b. Concept of Operations. All requested changes and amendments to this manual will be staffed through the Chief of Staff.

5. Administration and Logistics

a. The MCBH Chief of Staff will act as the executive assistant for the publishing and changing of this manual.

b. The Base Adjutant will keep a copy of all changes to this manual upon approval.

6. Command and Signal

a. Signal. This manual is effective the date signed.

b. Command. This manual is applicable to MCBH.


G. J. TRAUTMAN, III

Distribution: A

BASE REGULATIONS

RECORD OF CHANGES

Log completed change action as indicated.

Change Number	Date of Change	Date Entered	Signature

BASE REGULATIONS

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BASE REGULATIONS

CHAPTER 1

GENERAL PROVISIONS

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BASE REGULATIONS

CHAPTER 1

GENERAL PROVISIONS

1001. RECOGNITION AND OBEDIENCE TO LAW AND ORDER

1. Applicable Laws and Regulations. All persons aboard, or property owned or controlled by Marine Corps Base Hawaii (MCBH), will conform by the rules of law and order established by this manual, the laws of the United States of America, State of Hawaii, City and County of Honolulu, and those regulatory agencies granted jurisdiction over specific activities aboard MCBH.

2. Enforcement of this Manual. The prohibitions and regulations contained in this manual may be enforced through punitive, disciplinary, or administrative action (including punishment for a violation of a lawful general order under Article 92 of the Uniform Code of Military Justice (UCMJ)) under military or civilian systems.

3. Authority and Jurisdiction of Military Police and Criminal Investigators. Strictly obey orders of military police. If there is any doubt concerning any order given by military police or other persons in positions of authority, obey the order and refer the matter to the provost marshal. The provost marshal, military police, and criminal investigators under his cognizance have authority in all law enforcement matters. Immediately report all criminal offenses brought to the attention of any command to the military police. Additional operational guidance is:

a. Serious Offenses. In the case of serious-offenses (those punishable under authority of the UCMJ by death or confinement for more than one year) no person, regardless of rank, may interfere with an apprehension by military police, criminal investigators, or Naval Criminal Investigative Service (NCIS) agents. Commanding officers and their representatives will render all appropriate assistance.

b. Other Offenses. For less serious offenses, commissioned officers may ask military police to relinquish custody of a suspect to them if all the following conditions are met:

(1) The officer is either a commanding officer, officer of the day/battalion duty officer, or staff noncommissioned officer assigned as duty officer.

(2) The apprehension occurs in a MCBH area assigned to the jurisdiction of the suspect's commanding officer or in any base common area when the incident involves only military personnel from the commanding officer's unit.

(3) All personnel involved in the incident are under the direct command of the suspect's commanding officer(s).

4. Notifications. Suspects may be taken to Military Police Department (MPD), building 1096, Kaneohe Bay, or building 601, Camp Smith to properly investigate offenses, conduct interviews, searches, and prepare required reports. Command representatives may accompany military police to MPD. If a

command representative is not present, military police will notify the command that a member of that unit has been apprehended.

5. Assistance to Military Police. If a commanding officer, or representative thereof, requests that military police relinquish custody of a member suspected of a minor offense, the commanding officer shall provide information needed by the military police to prepare any required military police reports. Unit personnel will assist military police in any reasonable manner, when requested.

1002. REPORTING AND INVESTIGATION OF CRIMES AND OFFENSES

1. Any person having knowledge of a crime committed aboard property owned or controlled by MCBH will immediately report the offense to MPD. Offenses may be investigated as follows:

a. Criminal Offenses. The provost marshal will either investigate serious criminal offenses or refer them to another investigative agency.

b. Military Offenses. The commander with jurisdiction over a person suspected of purely military offenses (e.g., unauthorized absence, missing movement, disobedience, adultery, disrespect ect.) is responsible to investigate and dispose of the case. However, military police may detain the individual for release to the command, if the military police observes the offense. The provost marshal will provide assistance, if requested, with resources permitting. When notified, the provost marshal will post a military police alert (MPA) for personnel in an unauthorized absence status for more than 24 hours, or for those considered dangerous.

2. Specific Crimes and Incidents

a. Child Abuse. Child abuse is a criminal offense subject to the reporting requirement of paragraph 1002.1. All persons, including childcare providers, whether paid or voluntary, must immediately report any suspected child abuse to military police. Failure to report may result in termination of employment and possible criminal prosecution. Military police will notify Family Advocacy Program representatives, Child Welfare Services, and other agencies as appropriate.

b. Missing, Lost, Stolen and Recovered Government Property. When government property such as weapons, office equipment, vehicles, classified equipment, or other items are missing and may have been stolen, notify military police immediately. Follow procedures for reporting missing, lost, stolen, and recovered (MLSR) government property through the Marine Corps supply system. Commands must provide an information copy of the MLSR to the provost marshal (Attn: CID).

c. Off-Base Crimes and Incidents. In order to have a central source of information, and to assist the provost marshal with crime prevention and liaison with civilian law enforcement agencies, report the following off base crimes and incidents involving military personnel assigned to MCBH, or their family members:

(1) Major crimes, including assaults, simple or aggravated, in which military personnel are involved.

(2) Traffic accidents in which serious injuries, fatalities, or government vehicles are involved.

(3) Arrests by civil authorities for crimes other than traffic offenses when military personnel are involved.

(4) Any incident of driving under the influence of alcohol or drugs.

d. Narcotics Offenses. Immediately report suspected illicit drug use, prescription drug abuse, or positive urinalysis results to military police. MCBH driving privileges may be suspended for driving under the influence of drugs for not less than one year and may include loss of housing privileges (see paragraph 1007.4.a) for all members of the family.

e. Unauthorized Digging. Digging anywhere on property owned or controlled by MCBH without the approval of the Director, Environmental Compliance and Protection Department, MCBH Base Safety (Safety Specialist) and Explosive Ordnance Disposal (EOD) is unauthorized except for shallow holes around residences or buildings for landscaping plants. If underground utilities or any objects that appear to be Hawaiian artifacts or bones are discovered, contact the MCBH Environmental Compliance and Protection Department during working hours or the MCBH Command Duty Officer (CDO) after working hours.

f. Sand Removal. The removal of sand from beaches and shorelines of MCB Hawaii for any purposes is strictly prohibited. Sand and sand bags for training purposes are purchased through Base Supply.

g. Open Fires. The only authorized "Open Fire" are fires contained within base-provided commercial style grills and authorized charcoal/propane grills located at quarters. Open fires are prohibited on all MCB Hawaii properties including all training areas, recreational areas, beaches and shoreline except those contained in grills that utilize propane. Ground based fire-rings are not authorized in the Marine Corps Community Services managed campground, beach cottages or cabanas.

1003. SEARCH AND SEIZURE

1. Commanding Officer's Authority. Reference (a) governs the admissibility of evidence resulting from search and seizure by a commanding officer or other officials acting under the authority of the United States. A commanding officer may not delegate the general authority to authorize reasonable searches.

2. Examples of Lawful Searches. This list is not all inclusive and does not prohibit searches for other lawful purposes:

a. Search Authorization. The commanding officer, with jurisdiction over a person or place, may authorize a lawful search by issuing a search authorization similar to a civilian search warrant. A search authorization must be based on probable cause.

b. Stop and Frisk. A frisk for weapons may be conducted on a person and all property in his/her immediate possession or control when such a person is reasonably believed to be armed and presently dangerous. Contraband or evidence located during this process may be seized for evidence.

c. Incident to Lawful Apprehension. A search may be conducted on a person and all property in his/her immediate possession or control, incidental to lawful apprehension of that person. The search need not be conducted immediately upon apprehension.

d. Prevent Disposal of Contraband. A search may be conducted under circumstances demanding immediate action to prevent the removal, disposal, or destruction of property believed on reasonable grounds to be criminal goods or contraband.

e. Consent Search. A search may be conducted with the freely given consent of the owner in possession of the property to be searched. Consent need not be in writing, although this is preferred. Consent can be withdrawn or limited at any time.

f. Commanding General's Authorized Inspection. An inspection may be conducted of property owned or controlled by the United States, and which is under the control of the armed forces, or of any property within a military installation, as authorized by the commanding officer/general having jurisdiction over the place where the property is situated. All persons, military or civilian, regardless of rank or status, must submit to such inspections, whether at the entrances or exits of any installation, or elsewhere on property owned or controlled by MCBH. For the purposes of this manual, the H-3 overpass from the gate to Kaneohe Bay Drive is considered property of MCBH, Kaneohe Bay. Refusal to submit to an inspection will be grounds to deny access to MCBH and may constitute debarment from the installation.

g. Unannounced Inspections. To help deter and detect illicit drug use, unannounced inspections of any MCBH space, building, or facility not assigned to a tenant military command may be conducted when authorized by the commanding general. These inspections may use military working dogs as a means for detection. Private property may be searched in this area with search authorization from the commanding general, based upon probable cause.

1004. CONTROL OF EVIDENCE

1. Turn-in Required. Immediately turn in all contraband and items seized as evidence to military police for safekeeping, evaluation, preparation of chain of custody documents, and eventual disposal or return to owners. The provost marshal operates the only authorized evidence repository. Do not store evidence and contraband in unit or office safes.

2. Drawing and Security. Personnel receiving evidence for use in command investigations, non-judicial punishment hearings, and courts-martial are responsible to safeguard evidence in their custody and ensure that the chain of custody is not broken. Return all evidence to MPD at the end of each day or as soon as possible after it is no longer required.

1005. LOST AND FOUND PRIVATE PROPERTY

1. Notification of Loss. All persons aboard MCBH will notify the military police when personal property is lost and the owner desires return.

2. Found Property. All persons aboard MCBH will turn in found items of personal property to military police at building 1096, Kaneohe Bay, or building 601, Camp Smith, and provide information that may help locate the

legal owner. This includes items of personal property left in MCBH activities and stores, as well as common areas such as beaches, parks, roadways, etc. This does not include personal property abandoned or left behind by military personnel who are deployed, have been transferred, or who are in an unauthorized absence/desertion status. Personal property abandoned or left behind in unit areas under these circumstances is the responsibility of that person's commanding officer.

3. Return to Owner. The military police will attempt to locate the owner by checking reports of lost or stolen property and by other investigative methods. Once located, military police will release the property to the owner or a representative of the owner's command.

4. Disposition of Found Property. If the owner of private property cannot be determined or located, or if the owner fails to claim the property after written notification, the property will normally be disposed of through the Defense Reutilization Marketing Office (DRMO) per reference (b), as follows:

a. Less Than \$25 Value. Items with a fair market value of less than \$25 will be turned over to DRMO without delay when efforts to determine the owner, an heir or next of kin, or a legal representative are unsuccessful.

b. Greater Than \$25 Value. Items with a fair market value of \$25 or more will be retained at least 45 days by the military police before turn-in to DRMO.

c. Unclaimed Property. If the owner, heir, next of kin, or legal representative is determined but not found, military police will retain the property at least 45 days after notification of the time and place of the intended disposition is made by registered mail to that person at the last known address.

d. Property of Deceased Members. Diligent efforts will be made to determine and locate the heirs or next of kin of deceased military members to return personal property. Property remaining unclaimed will be retained for two years after the death of the member.

1006. CONTROL OF CHILDREN

1. Parental Responsibility. Parents are responsible for the safety and control of their children aboard MCBH at all times. "Parent" includes legal guardians, stepparents, surrogate parents, or other sponsors of minors aboard MCBH.

a. Prohibited Play Areas. Parents will ensure their children do not play in the streets, nonresidential parking lots, industrial and construction areas, dumpsters, sewers, condemned buildings, vacant buildings, on the Kaneohe Bay Golf Course, or other dangerous or prohibited areas. Children may play on side streets only under direct parental supervision.

b. Attending Children. A responsible person must attend children five years old or younger at all times aboard MCBH. Children between six and nine years old must be attended by a responsible person at all times while at beaches, theaters, swimming pools, and other public areas (outside the family housing area) excluding neighborhood playgrounds. Children, six through nine years of age, must be visually supervised at the neighborhood playgrounds. Children 10 years of age or older may be left alone in quarters and may care for younger children provided they, or persons in whose charge parents place their children, are of sufficient maturity to take appropriate action in the event of an emergency. Children 10 years of age or older also must be capable of exercising sound judgment and authority in controlling children. Children 10 years of age or older may use beaches, theaters, swimming pools, and other public areas (outside the family housing areas) on their own. Children in the first grade and up may walk to and from school on their own.

c. Juvenile Curfew. Parents will ensure that children comply with the Hawaii curfew law, under which unaccompanied children under 16 years of age will be clear of public places and streets between 2200 and 0600. This curfew is extended to 30 minutes after a scheduled event for children proceeding directly home from the event. Sponsors of scheduled activities attended by children that end after curfew will notify military police in advance.

2. Reporting Violations. Anyone observing an unsafe condition or violation of parental responsibilities will immediately report the offense to military police.

1007. DISTRIBUTION OF OFFENSE REPORTS AND DISPOSITION OF OFFENSES

1. Military Personnel. Military police Incident Complaint Reports (ICR), criminal investigation reports, NCIS reports, and other non-traffic related reports received or generated by the provost marshal concerning alleged offenses by military personnel will be forwarded to the officer exercising special courts-martial jurisdiction over the alleged offender. Except for offenses adjudicated through the U.S. District Court or MCBH Traffic Court (see chapter 8), commanding officers are responsible to determine disciplinary action for offenses allegedly perpetrated by members of their command.

2. Civilians. The provost marshal or Resident Agent in Charge (RAC), NCIS will forward reports of serious criminal offenses to the commanding general for disposition. The Staff Judge Advocate (SJA) via a criminal information report may refer certain offenses directly to the U.S. District Court. Juvenile offenses may be referred to the State of Hawaii Family Court. The commanding general may also take administrative actions based on the severity of the offense, any record of previous offense committed by the individual, and the probable effect on the health, morale, welfare, safety, and security of other MCBH residents and employees. Activities that interfere with the mission of this command are also subject to administrative action. These administrative actions include, but are not limited to, written or oral warnings, denial of privileges, and debarring from MCBH. The Base CDO and any military police acting in an official capacity are authorized to issue letters temporarily debarring individuals from MCBH where their actions are contrary to good order and discipline.

3. Military Dependents. Military personnel are responsible for the actions of their family members. The military member is responsible to ensure that family members are aware of laws and regulations. A copy of each report concerning offenses by military family members will be referred to the military member's commanding officer and the Base Inspector.

4. Eviction from Housing. In addition to the administrative actions listed above, the commanding general may direct eviction from government quarters and/or assign military members and their families to counseling. Grounds for eviction from government family quarters or rental guarantee housing include:

a. Offenses and crimes by the military member and/or family members or guests.

b. Offenses involving excessive noise, uncontrolled pets, unauthorized repairs to vehicles, unsupervised children, unsanitary or unsafe conditions,

conflicts with neighbors, demonstrated racial prejudice, and similar problems.

5. Official Warnings. Individuals involved in incidents, or who violate regulations may receive written warnings from the commanding general. Failure to adhere to these warnings, or additional offenses or incidents, may result in eviction from government quarters, debarring family members from MCBH, withdrawal of privileges, or referral to an appropriate civil court for prosecution. Administrative actions may be taken against individuals without warning in cases where the person's continued presence aboard MCBH is unacceptable.

6. Mandatory Counseling. The commanding general may require that military members and/or their families undergo counseling, special training, or psychiatric treatment as a condition of continued occupancy of government quarters or continued access to MCBH. Failure to participate in or complete mandatory counseling, or additional offenses or incidents, may result in eviction from government quarters, debarring of family members from MCBH, withdrawal of privileges, or referral to an appropriate civil court for prosecution. Specific instructions and conditions will be provided in writing to military members via their commanding officer.

7. Mediation. Commands, other agencies on MCBH, or individuals may request referrals to community mediation services. After an initial interview, a meeting between the parties and mediators is arranged. If an agreement cannot be reached, the command may initiate administrative action, such as arbitration or eviction from government quarters.

8. Civilian Employees. Reports concerning employees of appropriated and non-appropriated fund activities, of civilian agencies such as the State of Hawaii Department of Education (Mokapu Elementary School), and of civilian contractors and concessionaires authorized aboard MCBH will be forwarded to the cognizant department head, special staff officer, and/or the parent organization. Reports concerning serious criminal offenses will be forwarded to the commanding general for disposition. In addition to referral for prosecution and the administrative actions listed above, the commanding general may direct termination of employment, official warnings, or other job actions provided for by law or regulation.

1008. LIAISON WITH MILITARY AND CIVILIAN LAW ENFORCEMENT AGENCIES

1. Responsibilities. The provost marshal is responsible for liaison with local military and civilian law enforcement agencies, including NCIS, on all law enforcement matters.

2. NCIS. Except to provide information of a criminal intelligence nature where no specific crime was committed, for counterintelligence matters and for requests for information on NCIS investigations, the provost marshal will conduct all coordination with, and referral of crimes, to NCIS.

3. Assistance from Other Agencies. Refer all requests for assistance or information from other military or civilian law enforcement agencies to the provost marshal.

4. Civil Process. The Legal Assistance Section, Legal Services Center, facilitates services of traffic court summons, bench warrants, subpoenas, temporary restraining orders and other forms of civil process, and provides

liaison between civil authorities, tenant and MCBH units. An integral part of liaison is to notify the command before a process is served. Delivery of military personnel to state authorities pursuant to criminal warrants requires the execution of delivery agreements, the format and content of which are prepared by legal assistance officers.

BASE REGULATIONS

CHAPTER 2

DISTRIBUTION OF UNOFFICIAL LITERATURE AND CONTROL OF
COMMERCIAL ACTIVITIES AND FUND RAISING

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BASE REGULATIONS

CHAPTER 2

DISTRIBUTION OF UNOFFICIAL LITERATURE AND CONTROL OF
COMMERCIAL ACTIVITIES AND FUND RAISING

2001. DISTRIBUTION OF UNOFFICIAL LITERATURE

1. Permission Required. The command policy is to preserve and respect all First Amendment rights to the maximum extent recognized by law consistent with national security, good order and discipline, and the mission of the command and tenant units. Therefore, unofficial printed material is not authorized for distribution aboard MCBH, except upon written approval from the Commanding General, MCBH. This chapter does not apply to the distribution of publications through official outlets such as the U.S. mail, Marine Corps Exchange, or military libraries.

2. Procedure

a. Those desiring to distribute literature or post handbills will submit a written request to the commanding general, with enclosed copies of the materials proposed for distribution, inclusive dates, method, location, and purpose of distribution at least ten days before proposed distribution date.

b. The commanding general, or his designated representative, will determine whether the material is detrimental to mission, good order and discipline, and military loyalty or morale. Permission will be granted or denied in writing.

2002. COMMERCIAL ACTIVITIES

1. Prohibited Aboard Base

a. Active duty military personnel who represent any commercial company may not sell or solicit the sale of life insurance, mutual funds or other investment plans, goods or services, with or without compensation.

b. Door-to-door solicitation in family housing areas or bachelor quarters is prohibited without written approval from the commanding general.

c. Use of retired, reserve, or dependent military identification cards or vehicle decals to gain access to MCBH for the use of soliciting for a commercial activity is prohibited.

d. Civilian personnel employed by any branch of the U.S. Government may not conduct any commercial activity aboard MCBH.

e. Salesmen, agents, or representatives of commercial organizations may not make formal or informal presentations, on services or products, at meetings, classes, formations, or other assemblies of military personnel without permission from the commanding general. This does not preclude individuals from sponsoring commercial vendors for personal presentations or official business.

f. Commercial activity by organizations which discriminate because of race, creed, ethnic origin, sex, or any other basis or subscribe to other unethical practices is prohibited from conducting business aboard MCBH.

g. Remuneration or gifts of any nature from any private commercial enterprise, other than for off-duty employment permitted in accordance with reference (a), unless authorized by reference (b), is prohibited.

2. Restrictions

a. Commercial concessions, which offer goods and services to base residents, employees, and authorized visitors, may be conducted only by sponsorship of base departments and special staff offices. The commanding general must approve each case, and activities will be confined to the furnishing of services and supplies that are necessary but not otherwise reasonably available from other sources.

b. Base residents desiring goods or services of a commercial organization must sponsor the representative aboard MCBH by notifying the Pass House at the H-3 Gate, Kaneohe Bay or building 601, Camp Smith (subject to the requirements of chapter 9). The sponsoring individual is responsible for the conduct of the representative aboard MCBH. Residents of family housing, Bachelor Officers' Quarters (BOQ), and bachelor Staff Noncommissioned Officer (SNCO) quarters may sponsor representatives to their quarters. Residents of bachelor enlisted quarters may sponsor representatives to meet them in common areas of MCBH open to visitors, such as snack bars. Individuals will not sponsor representatives to the dining facilities or work areas. Representatives will not solicit other customers aboard MCBH by any means, including signs, distribution of literature, or personal contact.

c. Delivering unsolicited literature at government quarters is prohibited. Catalogs and other advertising materials may be delivered only in response to a specific request by a resident.

d. Representatives must comply with all applicable federal, state, and local laws and regulations pertaining to licensing and taxation.

e. Active duty military personnel and their family members may sell personal property, not offered by any commercial organization, either by item or "yard sale." Individuals may advertise such sales in the "Hawaii Marine" or on designated bulletin boards. Each single-family quarters may conduct one two-day sale per month. Not more than three signs may be posted, and must be removed no later than sunset of the day on which the sale is concluded.

f. Active duty military personnel and their family members may offer personal services such as house cleaning, baby sitting, lawn mowing, etc., provided no commercial organization is involved. Individuals may advertise such services in the newspaper or on designated bulletin boards.

g. Civilian employees of MCBH and retired military personnel and their family members may sell personal property to MCBH residents under the same restrictions that apply to active duty personnel as outlined above.

h. Child Care/Babysitting. Command approval is not required for incidental/occasional babysitting when a responsible individual watches the home for a few hours or less while the parents are gone (see chapter 1).

i. Correspondence Schools. Representatives of Veterans Administration approved correspondence schools may be authorized to interview prospective students in the MCBH Education Office after the SJA has approved the school's sales contract. Before the first visit to MCBH, each correspondence school representative will check in with the MCBH Education Officer, building 220, Kaneohe Bay.

j. Home Demonstrations. Home demonstrations are authorized only under the following conditions:

(1) The group gathering must be solely within the quarters of the sponsor.

(2) All attendees must be guests of the sponsor.

(3) The sponsor may not take orders for merchandise or services, or otherwise act as a representative of a commercial organization.

(4) All goods, merchandise, or services offered for sale or sold as a result of the activity must be offered and sold at the same unit price to each attendee without rebate or other special inducement to the sponsor.

k. Insurance, Mutual Funds, Investment Plans, Securities, and Real Estate. Agents may offer these services only under the following conditions:

(1) Each agent must be licensed per State of Hawaii laws and must comply with the provisions of this manual pertaining to sponsorship outlined in chapter 9.

(2) To solicit aboard MCBH, an insurance company representative must have, and present on request, a current letter of authorization from the commanding general (see figure 2-1). The MCBH Adjutant will maintain the following for each letter of authorization:

(a) A copy of each current letter of authorization.

(b) The number of times each authorization has been renewed.

(c) Any complaints concerning possible abuse of privileges or questionable business practices. Names of complainants will not be recorded.

(3) Repeated complaints of questionable practices are sufficient grounds to revoke the solicitation authorization of all agents who represent a firm. Revocation will be by official letter sent to the firm. This letter will request the return of all current letters of authorization issued to agents of that firm. Notice of such revocation shall become part of each affected agent's file.

(4) Once revoked, solicitation privileges will not be re-authorized for a minimum of 12 months following such revocation. No new agents of a firm which has had all of its agents' privileges revoked will be authorized within that 12-month period. No individual solicitor whose privileges have been twice revoked shall be authorized to solicit on MCBH.

3. Repossession of Privately Owned Vehicles (POV) on MCBH

a. In order to protect the legal rights of both the debtor and creditor, and maintain peace and security aboard the base, both voluntary and involuntary repossessions of personal property located aboard the base will be coordinated through the Legal Assistance Office.

b. The Officer in Charge (OIC) or Noncommissioned Officer in Charge (NCOIC) of the Legal Assistance Office shall act as the liaison between the creditor or his repossessing agent and the service member/debtor. All on base repossession actions shall be effected at a time and place directed by the Legal Assistance Office. The creditor or repossessing agent will accomplish this only after presentation of all appropriate legal documents. This manual does not govern repossession actions effected off base.

c. Commanding officers shall immediately contact the MPD to detain and escort off base any creditor or repossession agent who fails to have written authorization from the Legal Assistance Office in his possession. When in doubt, commanding officers should detain the individual and call the MPD to determine if the individual has obtained permission to come aboard the base for the specific repossession action; then contact the Legal Assistance Office for further guidance.

d. MCBH will not assist in repossession of vehicles owned by Marines or Sailors deployed or involved in military exercises which may materially affect their ability to participate in judicial proceedings.

e. Representatives of any activity desiring to repossess privately owned vehicles (POV) located aboard the base must comply with the following provisions:

(1) Notify the Legal Assistance Office concerning a possible repossession of the member's vehicle.

(2) Request that the member be sent to the Legal Assistance Office to discuss his or her rights with respect to repossession of personal property. The Legal Assistance Office will ensure that the debt or obligation did not arise before the debtor entered military service. If the obligation was incurred before entering military service, the Legal Assistance Office will deny all involuntary repossession efforts by the repossessing agent.

(3) If the member chooses to voluntarily turn the vehicle over to the repossessing agent, he or she will do so at the parking lot of building 215, Legal Services Center. This manual does not apply to voluntary repossessions consummated at the creditor's place of business off the installation.

(4) The repossessing agent will obtain a visitor's pass at the Pass House at the H-3 Gate, Kaneohe Bay, or building 601, Camp Smith.

(5) The Legal Assistance Office will ensure that copies of the following documents are provided by the repossessing agent prior to repossession of the vehicle:

(a) Title.

(b) Contract.

(c) Statement of default from the loan/credit company.

(d) Authority to repossess from the loan/credit company.

(e) Repossession agent's name, business address, telephone number and organization (license).

(f) Court order (mandatory in the case of involuntary repossession).

f. After ensuring that proper documentation is provided, a repossession authorization form (see figure 2-2) will be completed, the original and two copies are required. The original will be given to the repossessing agent; one copy will be given to the provost marshal, and one copy will be retained at the Legal Assistance Office.

g. If the repossession is involuntary, the following guidelines will apply:

(1) Authorization is valid for 24 hours from the time it is issued. If additional time is required by the repossessing agent, the agent must return to the Legal Assistance Office to update their authorization.

(2) Repossessions will be permitted only between the hours of 0730 and 1800, Monday through Friday.

(3) The repossessing agent will be escorted to the site of the vehicle by military police. The military police will:

(a) Verify that the vehicle's identification and license number correspond with the vehicle to be repossessed.

(b) Remove all armed forces decals from the vehicle after recording the data appearing on them.

(c) Record a description of the vehicle's physical condition at the time of towing, noting any apparent defects or damage.

(d) Record the location on the base from which the vehicle is removed.

(e) Take into custody any property present in or on the vehicle which appears to belong to the government or the owner of the vehicle and which can be obtained without damaging the vehicle. Any such property shall be released to a representative of the unit to which the vehicle's owner is attached.

(f) Affirm that the above actions have been accomplished, and then the repossessing agent will be escorted off the base by military police.

(g) Ensure that the facts recorded in connection with any vehicle repossession on the base are submitted in the form of a report classified as "Vehicle Repossession." These reports will be maintained on file at MPD as an aid to personnel attempting to locate their POVs and as a means of clearing reports of motor vehicle theft in which the vehicle has been repossessed vice stolen.

(4) The Legal Assistance Office is authorized to deny permission to repossess a vehicle on board the base and will record the circumstances surrounding such denial. The unavailability of military police personnel due to operational commitments does constitute grounds to postpone or cancel the repossession.

2003. COMMERCIAL ACTIVITIES WITHIN GOVERNMENT QUARTERS

1. Permission. Family members of active duty military personnel must request permission from the commanding general to conduct a business within their quarters, except for Family Day Care Home (FDCH) services, which are regulated per reference (c). Those wishing to conduct a home business will submit a letter of request to the commanding general (Attn: MCBH Base Inspector). Include in the request details of the proposed business. The Base Inspector will then forward the request to the Director, MCBH Family Housing Department and Director, Marine Corps Community Services (MCCS) for concurrence. The Base Inspector is the sole authorizing agent. All home businesses aboard MCBH are required to renew their business approval annually.

2. Restrictions. Home businesses which deal with hazardous substances, boarding or breeding animals for profit, noise or odors detectable outside the quarters, generation of excessive trash that causes a neighborhood nuisance, sexually explicit/adult materials, or creation of traffic or parking problems are prohibited.

2004. FUND DRIVES

1. Solicitation of Money Donations. Nationally recognized fund drives will be conducted per reference (d) in work areas and public areas of MCBH. Unless sponsored by MCBH, advanced written approval by the commanding general is required. Information or advertisement for such drives may be published in bulletins, in the "Hawaii Marine," or posted on bulletin boards. Door-to-door solicitation in family and bachelors' quarters is prohibited.

2. Fund Raising Sales and Collections. Private organizations authorized to operate aboard MCBH (e.g., spouse clubs, Boy Scouts, Girl Scouts, Parent Teacher Association, etc.) may conduct sales or collect materials to raise funds with advance written approval by the commanding general (Attn: MCBH Base Inspector). Requests for permission will include information on inclusive dates, materials to be sold or collected, prices, method and location, control of receipts, and purpose for which funds will be expended. Generally, only those organization that are properly registered as either non-profit, private organizations through MCCS or units conducting fund raisers to augment Birthday Ball funds will be allowed to conduct fund raising activities aboard MCBH. Fund raising sales may be advertised through the "Hawaii Marine" and bulletin boards. Door-to-door solicitation in family and bachelors' quarters is prohibited. Direct solicitation of funds without providing a service (e.g., baked goods, Krispy Kreme doughnuts, Huliuli chicken, etc.) is prohibited.

Mr. John Doe
Acme Encyclopedia Company
2345 Anywhere St.
Honolulu, Hawaii 96862

5510/1

Dear Mr. Doe:

Your letter dated _____ requesting permission to conduct business on behalf of Acme Encyclopedia Company within the limits of Marine Corps Base Hawaii (MCBH) is approved. Any letter issued to you before the date of this letter is rescinded.

Permission to conduct business is granted to you only. You may not delegate or transfer this permission. This permission is granted provided you scrupulously comply with all regulations (copies enclosed) governing commercial activities aboard MCBH. Permission to do business aboard MCBH in no way endorses your company, its agents, products, or services. Any commercial activity you conduct aboard MCBH may only be at the request of the individual desiring your services as a representative of the Acme Encyclopedia Company. Moreover, such activity may be conducted only where there has been a specific, previously agreed upon appointment.

You may not enter any area on MCBH where unmarried, enlisted Marines work or are billeted. You may enter the family area and bachelor officers' quarters only at the express invitation of a resident. In those instances when you have a business appointment with an individual who does not reside in either family housing or bachelor officers' quarters, you may conduct such business in those areas of MCBH (such as snack bars) open to authorized visitors.

Use of retired, reserve, or dependent military identification cards or vehicle decals to gain access to MCBH for any commercial activity is prohibited. After receiving this letter, report to Bldg 1637 at H-3 Gate, Kaneohe Bay or Bldg 601, Camp Smith to receive an official pass. Additionally, you will call the Base Adjutant at 257-7712, to reserve an appointment for an interview. Any insurance agent caught selling any form of cash value life insurance as an investment will be investigated and, if it is determined that misrepresentation has occurred, you will be permanently banned from the base and risk losing your license. One of the primary responsibilities of the MCBH Commanding General is to ensure the security of this installation is not breached. In this regard, the officers of military organizations aboard MCBH do not have authority to authorize you to conduct commercial activity in the areas assigned to their units.

Permission granted herein to do business aboard MCBH is a privilege, not a right, which the commanding general may withdraw as he sees fit. This letter of authorization will expire on _____. You may request renewal one month before the expiration date.

Sincerely,

I. M. MARINE

Figure 2-1. LETTER OF AUTHORIZATION

UNITED STATES MARINE CORPS
Legal Services Center
Marine Corps Base, Hawaii
Kaneohe Bay, Hawaii, 96863-5501
(808) 257-0074

AUTHORIZATION FOR INVOLUNTARY REPOSSESSION OF A MOTOR VEHICLE

1. I am the authorized agent of the creditor

_____,'
holding a valid security interest in the motor vehicle described below:

Year: _____,'

Make/Model: _____/_____,'

Color: _____,'

VIN: _____,'

License Number: _____,'

State Registered: _____,'

Registered Owner: _____,'

Address of Owner: _____,'
_____,'

2. The buyer or debtor of the above-described motor vehicle is currently in default of his/her obligations pursuant to a contract dated _____. The buyer or debtor is currently \$ _____ in arrears. (If buyer or debtor is in default for a reason other than failure to make payments, the circumstances are described on the reverse side of this page).

3. I am currently employed with _____,'
located at _____,'
and the phone number is _____. (If the creditor is acting on a personal transaction, use home address).

4. I understand and will adhere to the following provisions:

a. To return all personal property found during or after repossession of the vehicle to the Military Police Department.

b. That all repossessions will take place between 0730 (7:30 am) and 1800 (6:00 pm).

c. That this authorization is valid for 24 hours from the time and date signed below.

d. That all involuntary repossessions will take place in the presence of a military policeman.

5. All of the above information, which I have provided, is true to the best of my knowledge, and I agree to abide by the provisions set forth above.

Repossessing Agent Date/Time

OIC/NCOIC Legal Assistance Date/Time

Figure 2-2. AUTHORIZATION FOR INVOLUNTARY REPOSSESSION OF A MOTOR VEHICLE

BASE REGULATIONS

CHAPTER 3

LITTER AND TRASH DISPOSAL

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RUBBISH AND TRASH DISPOSAL.3002	3-3

FIGURE

3-1 MCBH - KANEOHE BAY WETLANDS.3-6
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BASE REGULATIONS

CHAPTER 3

LITTER AND TRASH DISPOSAL

3001. LITTERING

1. Littering Prohibited. Littering aboard MCBH is prohibited. It is the responsibility of everyone aboard the base to refrain from littering. It is the responsibility of unit commanders to ensure that their respective areas are free from litter.

2. Enforcement. Military police will enforce the prohibition against littering as follows:

a. Service members on active duty who litter while on foot will receive a Minor Offense Report (MOR) with a copy forwarded to their unit commander. Litter thrown from a POV will result in an Armed Forces Traffic Ticket (DD 1408).

b. In cases which involve littering from a government vehicle, the military police will prepare an incident complaint report, which will be forwarded to the violator's unit, and the incident will be reported on the military police blotter.

c. Family members and civilians may be issued a Federal Magistrates' Citation (DD Form 1805) which carries a \$20 bail forfeiture for small items (e.g., cigarette butts) and a mandatory Federal Court appearance for bottles and other large items. Maximum penalties include a \$500 fine and up to 40 hours of community service.

d. Military police at MCBH gates will deny entrance to incoming vehicles that appear to have rubbish that could be disposed of on base and will inform the operator of this policy.

3. Overflow Notification. The base inspector should be contacted if rubbish cans are overflowing (e.g., rubbish cans overflowing on Fort Hase shoreline, Pyramid Rock, etc.).

3002. RUBBISH AND TRASH DISPOSAL

1. Use of Authorized Containers. Authorized containers including dumpsters, barrels, and trashcans are permitted for base use only. Persons who live off base, residents of military housing, retired military/civilian personnel, and contractors are not permitted to use these containers. In addition:

a. If a container is full, no additional material will be placed in or around it. The department head or unit commanding officer responsible for the area should be contacted to arrange for adequate containers.

b. Materials must be placed in trash containers to prevent trash from blowing or falling out of the container. All trash must be bagged or bundled.

c. All trash containers are considered off-limits for the purpose of scavenging.

d. Use only authorized containers (e.g., dumpsters, barrels, and trash cans) to dispose of rubbish and trash.

e. Adhere to instructions posted on containers as to types of materials that may and may not be placed in them.

f. Place materials in containers so that they do not fall out or blow away.

2. Dumpsters. Tenant unit(s) that are provided dumpster service are responsible for their proper use and will ensure prohibited items are not placed in them. A clear and safe access to the containers for trash collection shall be maintained.

a. A dumpster shall not be removed or relocated without the permission of the Facilities Department's Operations Branch and the unit responsible for them.

b. Personnel shall adhere to all restrictions posted on dumpsters. **Hazardous waste and recyclable materials are strictly prohibited** in all dumpsters. The department head or the officer in charge of the area is responsible for ensuring prohibited items do not enter dumpsters.

c. Should recyclable material or hazardous waste items be found in a dumpster, that material must be removed and properly disposed of before that dumpster will be emptied.

3. Base Landfill. The MCBH landfill is used for the disposal of solid wastes that are authorized by the landfill permit. The Director, Facilities Department, is responsible for maintaining and operating the landfill. Government personnel and tenant activities aboard MCBH may use the landfill for solid waste disposal unless otherwise directed. Solid waste generated by contractors, family-housing residents, and waste generated from off-base activities will not be disposed of at the MCBH landfill.

a. A landfill pass must be obtained from the MCBH Recycling Center, building 132, and given to the dump master prior to dumping.

b. Users must comply with regulations mandated by the dump master. When no dump master is present, no dumping is allowed. Users must comply with posted signs.

4. Burning. Burning any material is not authorized without a burn permit. Permit requests will be directed to the Environmental Compliance and Protection Department.

5. Recyclable Material. Do not dispose of plastic bottles, glass bottles, aluminum cans, white paper, cardboard, newspaper, or metals at the landfill. Bring these materials to the MCBH Recycling Center.

a. Wood and pallets that are in unusable condition must be taken to the Recycling Center and screened for reuse.

b. Excess building/construction supplies, new or used, must be brought to the Recycling Center and screened for reuse. Examples are: containers, plastic buckets, office supplies, and hardware.

6. Wetland Protection. Do not dredge, fill, or dispose of any solid or liquid matter in or near wetlands aboard MCBH and Marine Corps Training Area Bellows (MCTAB). Any such wetland alterations without a permit are a violation of federal law and regulations. Avoid construction, grubbing, grading, and stockpiling construction materials in or near wetlands to minimize the possibility of unintentional spillover into these areas in violation of federal laws and regulations. Figure 3-1 depicts the location of wetland areas aboard MCBH to which this manual pertains.

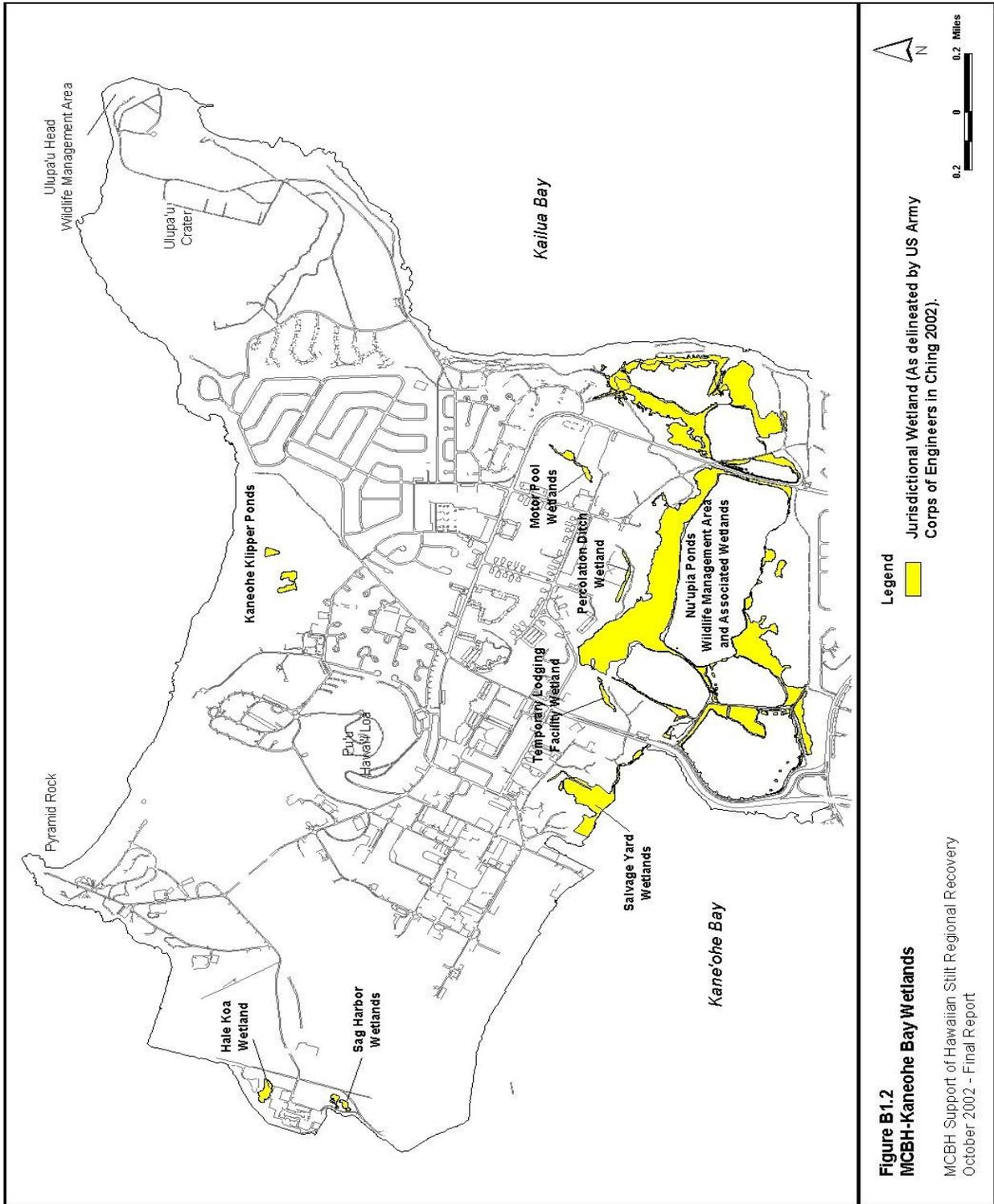


Figure 3-1. MCBH - KANEOHE BAY WETLANDS

BASE REGULATIONS

CHAPTER 4

PET AND ANIMAL CONTROL

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BASE REGULATIONS

CHAPTER 4

PET AND ANIMAL CONTROL

4001. GENERAL PROVISIONS

1. Persons desiring to keep animals of any type anywhere aboard MCBH will comply with the laws of the State of Hawaii, the City and County of Honolulu, this manual, and the MCBH Family Housing Department (FHD) Family Housing Manual. The following definitions apply.

- a. Pet. Any domestic animal kept as part of a household.
- b. Stray. Any animal whose owner cannot be identified.
- c. Feral. Any domesticated animal returned to and existing in a wild state.

2. Restricted Areas

- a. Do not maintain animals in the following areas:
 - (1) Duty areas.
 - (2) BOQ.
 - (3) Bachelor SNCO quarters.
 - (4) Bachelor enlisted quarters.
 - (5) The Lodge.
 - (6) Beach cottages.
- b. Animals (except licensed guide dogs, tracking-non law enforcement dogs, base mascots, and military law enforcement working dogs in the performance of duty) are prohibited in the following areas:
 - (1) All MCCA facilities.
 - (2) Marine Corps Exchange.
 - (3) Clubs.
 - (4) Commissary.
 - (5) Beaches. Pets are permitted on all beaches except from 1000 to 1500 daily, must remain on a leash, and be policed accordingly.
 - (6) Duty areas.
 - (7) Nu'upia Ponds and Ulupa'u Wildlife Management Areas, to include all causeways, walkways, and roads in these areas and the Nu'upia Ponds Recreational/Running Trail.

3. Authorized and Prohibited Animals. Federal and State laws prohibit ownership of many animal species. Ownership of other animals may be prohibited for health and safety reasons or lack of adequate facilities.

a. Authorized. Dogs, cats, guinea pigs, domesticated rabbits, white mice, and rats (U.S. origin only), most common caged birds, fish, and other cold-blooded animals purchased commercially in Hawaii are permitted. Base residents may not have more than two mammal pets. The release or abandonment of any domesticated animal, feral or wild animal aboard MCBH facilities and properties is prohibited.

b. Prohibited

(1) Mammals. Pit Bulls, defined as an American Pit Bull Terrier, Staffordshire Terrier, Staffordshire Bull Terrier, crosses of these breeds, and any other dog with physical characteristics similar to this breed, are prohibited. Additionally, gerbils, hamsters, mongooses, monkeys, rats (except as noted above), wild rabbits, pigs, horses and ponies, or other animals normally considered livestock are prohibited.

(2) Birds. Game birds, pigeons, doves, poultry (chickens, ducks, geese, turkeys, etc.), Aztec Dwarf Parrots (pigmy, parrotlet, bee), monk parakeets, certain types of myna, and/or species listed under the Migratory Bird Treaty Act, Endangered Species Act, and birds identified within the Hawaii Revised Statutes title 12, Hawaii Administrative Rules title 13 are prohibited.

(3) Snakes. Snakes of all types are prohibited.

(4) Bees. Beekeeping, commercial or amateur, is prohibited.

(5) Iguanas. Iguanas, to include Jackson Chameleons and skinks are prohibited.

(6) Wildlife. It is unlawful for anyone who does not hold a permit issued by the State of Hawaii Department of Land and Natural Resources to attempt to catch, take, injure, kill, destroy, possess, transport, export, process, sell, or offer for sale any indigenous, endangered or introduced wild bird, the young or the egg of such bird, or to willfully damage or destroy a nest of any such bird or any indigenous mammal. Specific permits must be obtained before touching protected species or attempting to control migratory introduced or resident species that pose a nuisance/threat to health, maintenance and daily operations (such as myna's, sparrow's, finches, or other species in work spaces, hangar areas, and air facility operational areas).

(7) Traps. It is illegal to tamper with, damage or destroy any traps or bait station, or to release animals captured in traps, aboard MCBH, used in the control of wild, stray or feral animals.

(8) Feeding. Feeding of any feral/stray animal aboard MCBH is prohibited. Feral animal feeding areas, stations, habitats or refuges are prohibited aboard MCBH facilities and properties.

4002. CONTROL OF PETS1. Responsibility and Liability

a. Service members and their families residing in government quarters on MCBH must control and care for their pets in a manner that is humane and compliant with Federal and State laws, and rules and regulations harmonious with the community. The director of housing may evict pet owners from MCBH housing when the owner fails to properly control and care for their pet. Reports of violation are sent through normal command reporting channels to the responsible owner (i.e., the sponsor, if the pet is owned by a dependent) for appropriate correctional and remedial actions.

b. Owners are responsible for the supervision and actions of their pets, as well as their guests' pets at all times aboard MCBH. Owners will provide veterinary care in accordance with this manual and as necessary to a healthy pet to prevent illness and prevent suffering. Owners will restrain pets ensuring they do not become vicious, a hazard or nuisance to neighbors, other pets, or wildlife. Owners will take all necessary precautions to ensure their pets are controlled on and off their premises. State law and this manual hold pet owners liable for any damage done by pets.

c. No person shall abuse, mistreat, neglect or abandon a pet. The provost marshal and/or base inspector will investigate charges of abuse, mistreatment, neglect or abandonment with the assistance of the Veterinary Treatment Facility (VTF) OIC or Hawaii Humane Society. Willful inhumane treatment such as mutilation or killing of domestic animals is a violation of State Law, Federal Statutes, and this manual pursuant to the UCMJ. Additionally, a pet that is inhumanely treated by its owner may be impounded and disposed of as directed by the VTF OIC or the Hawaii Humane Society. Pet owners may also be removed from MCBH housing for violation of this manual.

2. Required Controls

a. Pets will be kept indoors, properly secured by a chain or maintained in a fenced area outside of quarters. Pet owners are responsible for assuring that fenced areas are large enough and high enough to accommodate their pets and prevent the animal from running free off the leash. Occupants of MCBH housing desiring to erect pet enclosures are required to submit their requests to the FHD, in accordance with The Family Housing Resident Handbook. Resident installed fencing is not permitted in Hilltop or Hana Like (802) family housing areas.

b. Animals will not be tied outside for more than four hours in a 24-hour period, and not more than two consecutive hours at a time. The length of leash/restraining devices must be between 10 and 20 feet and prevent the animal from moving outside of the owner's yard. The leash/restraining device will not be tied to trees, shrubs, or other property. In no case will an animal be tied to any fixed object or location where the potential for hanging exists. A stake may be driven into the ground for the purpose of securing pets, provided the owner has checked with the FHD for the location of buried cables.

c. Pets will be provided continuous shade (all day) and protection from the heat, cold, sun, rain, and wind. Owners will provide all pets adequate

quantities of fresh food daily and a constant supply of fresh water at all times.

d. Pets must be under control of their owners at all times. In public areas, including common areas in multi-family housing units, dogs must wear a leash (all dogs with past bite incidents must wear a muzzle in addition to the leash while in public areas). Persons walking dogs in public must have positive, physical control of their dogs. A person may walk two dogs at a time; however, the person walking the dogs must be able to maintain positive, physical control over the dogs should they become excited or irritated (e.g., a 70 pound person cannot reasonably handle two 60 pound dogs).

e. Pets will not be left unattended in a motor vehicle for more than five minutes, regardless if all windows are rolled down or the pet is in the back of a pick-up truck. Pets may be transported in the open bed of a pick-up truck if secured and if a carrier is used, the carrier must be secured to the bed.

f. Animals may not be bred for commercial use, such as a business, purposes, aboard MCBH. Pets born to litters must be reported to MCBH MPD. It is highly recommended that pets be neutered to reduce unwanted litters.

g. Female dogs and cats in heat should be kept inside quarters or off MCBH. Do not tie female animals in heat or keep them in cages or pens outside quarters, nor allow them to run loose.

h. Owners must remove animal feces daily from their quarters or yard. Animal feces deposited by animals in another yard or on common areas must be removed by the owner of the animal immediately. Owners must carry a means to remove fecal matter from common areas when walking any pet.

3. Immunization and Laboratory Tests

a. Immunization for rabies is mandatory for dogs and cats over 12 weeks of age and other pets as determined by the Base Veterinarian. Rabies vaccinations are valid for one to three years, depending on previous vaccination history.

b. All dogs are required to be vaccinated yearly for Distemper, Hepatitis, Leptospirosis, Parainfluenza, and Parvovirus. Cats are required to be vaccinated for Rhinotracheitis, Calicivirus, Panleukopenia, and Leukemia.

c. All cats and dogs must be tested annually for internal parasites. Dogs are required to be tested for heartworms. To prevent spreading, treatment is mandatory. It is the owner's responsibility to provide a sample for testing at least annually.

4003. LICENSING AND REGISTRATION

1. State Registration. There is no state registration required for pets other than dogs. All dogs over four months old must be registered with the City and County of Honolulu. Renew licenses per current City and County of Honolulu ordinances. Licenses can be applied for at Satellite City Halls. There is a registration fee.

2. Microchip Identification. Effective 1 October 1999, all dogs and cats living on base are required to have an American Veterinary Identification Device (AVID) microchip implanted under the skin.

3. Base Registration. Registration shall occur within two business days of bringing pet(s) aboard MCBH. Permanent registration is required after a pet has received requisite shots, but before the pet is 16 weeks of age. MPD will issue pet tags upon registration.

a. Residents who own dogs and cats shall register them with MCBH MPD, building 3099, upon checking in, purchase, or retrieval of pet from the state quarantine facility. Residents shall notify MPD upon change of address or departure from MCBH. MPD will notify FHD of pet registrations.

b. MCBH registration requires a City and County of Honolulu license for dogs, and a completed pet registration form, verifying microchip and current vaccinations for dogs and cats (available from MCBH Veterinarian).

c. Puppies and kittens too young to be vaccinated (i.e., less than six weeks old) must still be reported to the MCBH MPD. These animals will receive temporary registration. Permanent registration, to include completion of the required vaccination series vaccinations and microchip, must be completed by 16 weeks of age.

d. Residents must report to MCBH MPD when a dog or cat is disposed of, given away, or otherwise no longer residing in the registered owner's household.

e. When a transfer of ownership occurs, both owners must come at the same time to the MPD to make the transfer. If this is not done, the original owner will be held liable if the pet is subsequently strayed or abandoned. The pet may not be returned to the new owner if registration is not kept current.

4004. VIOLATIONS AND PENALTIES

1. Violations. Owners who are responsible for violations of regulations relating to registration and licensing, control of pets, authorized animals, etc. will be penalized.

a. Nuisances. Pets which are offensive to the senses of other people or which run loose in any wildlife management area, or in any other way harass, threaten, or endanger indigenous wildlife. Examples are:

- (1) Generating offensive odors.
- (2) Exhibiting unprovoked vicious temperament.
- (3) Creating excessive noise, including barking.
- (4) Scattering trash or garbage.

(5) Depositing fecal matter on the premises of another person or in any public place and/or common use area of MCBH.

- (6) Damaging shrubbery or flowers.

(7) Causing problems associated with female animals in heat.

(8) Being sick or infected with parasites to the degree that they are likely to affect humans, other pets, or endangered/protected species.

(9) Being present without invitation in the area surrounding a quarters.

b. Animal Bites. Report all cases of animal bites to the MPD.

(1) Any stray animal that bites an individual or another animal will be properly disposed of per paragraph 4004.3.

(2) Unregistered animals that bite will be removed from MCBH.

(3) The base magistrate will make a determination of disposition for animals that have bitten on a case-by-case basis. Owners may be required to remove animals after having bit someone. After a second bite, animals will be removed from MCBH. The owner may be subject to administrative action per chapter 1, depending upon whether or not the animal was restrained.

2. Warnings. Pet owners will normally receive a letter of warning from the commanding general via chain of command (or directly to family members if the military member is deployed or serving an unaccompanied tour) for violations of this manual, except in serious cases where immediate removal is required for health and safety reasons. Any subsequent misconduct by the animal or animal's owner may result in removal of the animal from MCBH, or eviction of the owner from MCBH quarters.

3. Removal

a. Dead. Immediately report the death of any endangered or protected animals to the Base Environmental Compliance and Protection Department at 257-6920 or MPD Desk Sergeant at 257-7114. Federal and State laws prohibit possession of dead endangered or protected species.

b. Stray. Military Police Game Wardens will impound stray animals found in MCBH housing areas.

(1) Healthy. Military Police Game Wardens will transport healthy strays to the MPD Game Warden Stray Facility. Animals will be scanned for microchips in an attempt to locate the owner. After 24 hours, unclaimed animals will be transported to the Hawaii Humane Society. Persons attempting to locate lost pets should contact the MPD Game Warden for information on disposition of impounded animals. There is no cost to retrieve impounded animals from military police; however, there may be costs to retrieve animals from the Humane Society. Owners are responsible for these costs.

(2) Injured or Ill. Military Police Game Wardens will transport injured or ill strays to the Hawaii Humane Society immediately. The Humane Society may euthanize stray animals to end suffering when owners cannot readily be located.

c. Known Owners

(1) Removal by Owners. Upon receipt of written notice, residents will remove the offending pet or pets from MCBH within 24 hours. Thereafter,

that family may be prohibited from having any pet aboard MCBH for the duration of the tour. Address requests for exception to the MCBH Base Inspector. Failure to remove the animal, or keeping an animal after being directed to remove the animal from MCBH, may subject the military member to disciplinary action or result in eviction from MCBH quarters. If the owner appeals this decision to the MCBH Base Inspector, the owner will remove the animal from MCBH until the appeal is resolved.

(2) Removal by Military Police. If an animal is not removed within 24 hours after receipt of an animal eviction letter, the military police will impound the animal and dispose of it as a stray.

(3) Injured or Ill Pets. Owners of injured or ill pets are responsible for their care. Emergency care should be sought at a civilian veterinarian, as the Base Veterinarian is not always available during duty hours and does not provide after hour emergency care for pets. The Base Veterinarian is authorized to treat life-threatening emergencies then must immediately refer the patient to a civilian veterinarian. The Base Veterinarian will not euthanize pets without written permission of the owner. Additionally, hospitalization is not available at MCBH Veterinary Clinic. Pet owners must do the following:

(a) Treat pets humanely. Military police will take appropriate actions on cases involving neglect or maltreatment and forward copies of reports to the base inspector or Hawaii Humane Society for adjudication by the State of Hawaii.

(b) MPD may complete an incident complaint report for grievous abuse, denying food, water, or leaving animals locked in cars or other confined areas with poor or no ventilation.

(4) Disposing of Pets. Owners must arrange to ship, transfer ownership, or dispose of pets when no longer wanted, or before departing MCBH.

4005. MILITARY POLICE GAME WARDENS/CONSERVATION LAW ENFORCEMENT OFFICER/AUXILIARY GAME WARDENS

1. Military police Game Wardens, Base Environmental Compliance and Protection Department Conservation Law Enforcement Officer, Base Biological Science Technician, and Natural Resource Management Specialist as authorized by the U.S. Fish and Wildlife Service (USFWS) and the State of Hawaii, Department of Land and Natural Resources (DLNR), have authority to take measures to prevent loss, damage or theft, and assure compliance of protected species and natural resources, to protect pets and other animals from abuse/inhumane treatment.

2. The provost marshal grants limited authority to auxiliary game wardens and provides the same latitude as military police, except for powers of apprehension and the use of force, to deal with violators on MCBH facilities, properties and coastal waters within the MCBH 500 yard buffer. MCBH game wardens and auxiliary game wardens are primarily responsible for handling calls for service in all areas aboard the installation except environmentally protected areas under the jurisdiction of the Base Environmental Compliance and Protection Department.

BASE REGULATIONS

CHAPTER 5

CONTROL OF ALCOHOL AND TOBACCO

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BASE REGULATIONS

CHAPTER 5

CONTROL OF ALCOHOL AND TOBACCO

5001. ALCOHOL

1. Restrictions

a. Specific Approval Required. No person will dispense, sell, transport, consume, or purchase alcoholic beverages on MCBH except as authorized in this manual without written approval from the commanding general.

b. Intoxicated Persons and Minors. No person shall sell, give or cause to be sold, furnished, or given away, any alcoholic beverage to any person under the age of 21 (including active duty military) or to obviously intoxicated persons.

c. Consumption Not Encouraged. No one will actively encourage or require another person to consume alcoholic beverages against their will.

d. State Laws. Applicable state laws apply to all personnel aboard MCBH. Possession and consumption by those less than 21 years old is prohibited.

2. Definition. "Alcoholic beverage" includes beer, ale, wine, wine coolers, distilled spirits, cordials, and liqueurs. Reduced alcohol content (3.2%) beer is subject to the same provisions as regular beer.

5002. CONSUMPTION OF ALCOHOL BY INDIVIDUALS

1. Authorized Persons. Active duty and retired military personnel and their family members, reservists/national guardsmen, and government employees with exchange privileges, 21 years of age or over, may buy and transport, on or off MCBH, alcoholic beverages for personal consumption.

2. Authorized Locations For Consumption of Alcohol Beverages

a. All areas under the control of the MCCS Clubs Operations Division.

b. Bachelor officer's quarters.

c. Bachelor SNCO's quarters.

d. Bachelor enlisted quarters for those 21 years old or older (with the unit commanding officer's approval).

e. Covered eating area outside building 3071, package store.

f. K-Bay Hale Ohana Inn, building #1255.

g. K-Bay Bowling Lanes.

h. Golf Course, Fairways Sports Grill, to include patio area.

- i. Intramural athletic fields.
 - j. Risely Field picnic pavilions.
 - k. Unit beer gardens (see paragraph 5002.5).
 - l. Family housing.
 - m. Other areas with approval from the commanding general.
3. Locations where storage and consumption are prohibited:
- a. Working areas.
 - b. Motor Vehicles (military or privately owned).
 - c. Gymnasium (building 3037).
 - d. Mini-gym (building 1583).
 - e. Mokapu School (buildings and grounds to include the playground).
 - f. All MCBH beaches, except within the pavilions at Pyramid Rock, Hale Koa beach, and Fort Hase beach.
 - g. All athletic events for minors, age 16 years and below.
 - h. Any areas not specifically approved.
4. Transportation. Do not transport alcoholic beverage open containers (broken seal) in the passenger area of any motor vehicle, or in ships or aircraft of the Navy or the Marine Corps. The sales receipt from a Marine Corps Exchange purchase is adequate evidence of military personnel, family member and authorized civilians eligibility to transport alcoholic beverages from MCBH. All military personnel, family members and authorized civilians must be prepared to show receipts and identification cards when transporting alcoholic beverages. If such identification cannot be shown, military police may impound alcoholic beverages until such proof is produced.
5. Unit/Department Parties. When alcoholic beverages are served at unit and departmental parties on MCBH:
- a. The unit commanding Officer, OIC, MCBH department head, or other commanding officer, OIC, or department head whose facilities are to be used must approve the party.
 - b. The commanding general and other officers exercising general court-martial jurisdiction may authorize an exception for morale, esprit, and unit cohesion. The commanding general may prescribe limitations. This exception is for on-premise consumption, under controlled conditions, to foster camaraderie and friendship in a military environment that will appeal to the entire spectrum of the military community. These may be authorized on infrequent, non-routine occasions when an entire unit, as a group, marks a uniquely military occasion such as the conclusion of arduous military duty or the anniversary of the establishment of military service, command, or organization. This event must be closely supervised and personnel must be in a non-duty status.

c. A unit representative of appropriate rank who will not consume alcoholic beverages will be appointed and present while alcoholic beverages are being consumed. That representative is responsible for orderliness, area police, and adherence to regulations.

d. Notify military police of the location, expected hours of the party, and the name and rank of the unit representative, in advance.

5003. TOBACCO

1. Restrictions

a. Specific Requirements. No person shall sell, give or cause to be sold, furnished or given away, any tobacco product to any person under the age of 18 (excluding active duty military).

b. Use Not Encouraged. No one will actively encourage or require another person to use tobacco against their will.

2. Definition. "Tobacco" refers to the leaves of cultivated tobacco prepared for use in smoking or chewing or as snuff. This includes all manufactured products of tobacco.

3. Prohibition. Federal law prohibits the smoking of tobacco inside any federal building. Unit commanders are encouraged to establish outside "smoking areas" for those who smoke.

BASE REGULATIONS

CHAPTER 6

VEHICLE REGISTRATION

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FIGURE

6-1 MCBH POV REGISTRATION PROCESS FLOWCHART6-10
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BASE REGULATIONS

CHAPTER 6

VEHICLE REGISTRATION

6001. GENERAL

1. Registration Required. Register all privately owned vehicles (POV) on MCBH with MPD at the Pass House, building 1637 at the H-3 gate, Kaneohe Bay, or building 601, Camp Smith. Department of Defense (DoD) decals or temporary vehicle passes identify vehicles, not drivers or occupants. Drivers are required to show military or civilian identification when requested by military police.

2. Decal Requirements. To obtain and retain a DoD decal, eligible applicants must possess the following:

a. Valid State Registration Certificate. Registration certificates indicating ownership (purchased or leased) of the vehicle will be presented at the Pass House. MPD will issue decals only to registered owners unless family members of active duty personnel or retirees wish to register vehicles in their sponsor's name. Vehicles licensed outside Hawaii must display a State of Hawaii vehicle permit. A nonresident certificate (form DF-L (MVR) 50) must be obtained from the individual's unit personnel office or the Pass House in order to obtain a vehicle permit from any Satellite City Hall.

b. Insurance. Applicant must present a valid insurance card or signed certification form certifying that the vehicle's insurance policy is current and contains the minimum liability coverage. Minimum liability coverage is \$25,000 per person for bodily injury, \$10,000 per accident for property damage, and covers any driver of the vehicle.

c. Valid Driver's License. A driver's license must be presented for the type of vehicle to be registered, issued by the State of Hawaii or a state recognized by the State of Hawaii.

(1) The State of Hawaii recognizes valid operator's licenses of all other states and U.S. possessions (e.g., Guam, Puerto Rico, etc.).

(2) Idaho, Iowa, Kansas, Mississippi, Oklahoma, and West Virginia do not require special operator endorsements of any type to operate a motorcycle. All other states require special endorsement, or typed affidavits. Motorcycle and motor scooter operators from these states and territories must have either a code entered on their license that permits operation of motorcycles or motor scooters, or must possess a state of Hawaii instruction permit, or motorcycle or motor scooter license, to operate such a vehicle in Hawaii and aboard MCBH.

(3) Persons younger than 18 years old, including military personnel, may not operate a POV in the State of Hawaii, on or off MCBH, unless licensed by the State of Hawaii.

d. State of Hawaii Safety Inspection. All POVs, regardless of state of registration, must display a valid State of Hawaii inspection decal. The

mechanical conditions and equipment present must meet, and continue to meet, the requirements for state inspection.

e. Reconstruction Sticker. The following vehicles must display a valid reconstruction sticker and must carry a valid permit issued by the City and County of Honolulu.

(1) Any vehicle assembled from new or used parts by a person other than a recognized manufacturer of new vehicles.

(2) Any vehicle modified to the extent that of the identity of its make, model, or type is obscured by material changes in its appearance.

(3) Any vehicle modified by the removal, addition, alteration, or substitution of other than original replacement essential parts, including but not limited to its body, tires, power train, steering system, suspension system, exhaust system, intake system, or bumper system.

f. Motorcycle Documentation. Personnel registering a motorcycle, moped, or motor scooter aboard MCBH must meet requirements for registration outlined in the current edition of Base Order 5100.22 (Motorcycle Safety Order).

3. Release Agreement. Applicants must sign a release agreement stating their vehicle will become property of the U.S. Government when unclaimed for 120 days following notice of abandonment. Vehicles that are abandoned will be impounded or removed to an off base storage facility when it is determined that the registered owner has departed the island due to Permanent Change of Station (PCS), Expiration of Active Service (EAS) orders, or if there is no record of ownership. MPD will not register a vehicle until this agreement is signed.

4. Decal Removal. DoD decals remain the property of the U.S. Government when applied to POVs. Military police may remove a decal when determined necessary. Some reasons for removal are:

- a. Vehicle no longer complies with this chapter.
- b. Vehicle ownership transferred.
- c. Vehicle owner's MCBH driving privileges are revoked or suspended.
- d. Vehicle was towed off MCBH because it was illegally parked (see chapter 7).
- e. Vehicle owner/operator refuses to permit a search of the vehicle during an authorized vehicle inspection.
- f. Vehicle was used in the commission of an offense.
- g. Decal appears altered or deteriorated.
- h. Fraudulent, inaccurate or incomplete application information is determined, or failure to provide updated information.
- i. Fraudulent use of a decal/pass to gain access to MCBH.
- j. Vehicle contains narcotics, narcotics paraphernalia, or contraband.

k. Vehicle owner has been identified by urinalysis as positive for illicit drug use.

1. Abandoned vehicles in the MCBH impound lot.

6002. PERMANENT REGISTRATION

1. Categories and Placement. Categories include military, reserve, and civilian decals. MPD will issue each qualified vehicle a DD Form 2220 (decal), a color-coded installation tab bearing the name of the installation, and registration expiration tabs. Place decals centered at the top of the windshield or lower driver's side windshield, as not to obstruct the vehicles Vehicle Identification Number (VIN), for automobiles, and at the left front fork for motorcycles or where it can be clearly visible to the gate sentries. Position the installation tab below and abutting the DD Form 2220. MPD will issue red installation tabs to enlisted military personnel, blue to officers, and green to civilians. Expiration tabs are gold with black numerals.

a. Military. DoD decals will be issued (DD Form 2220) to active duty military personnel and family members who live or work on MCBH. MPD will also issue retired military personnel, their family members, also un-remarried widows of active duty and retired military personnel, and reserve personnel decals. MPD will not issue decals to divorcees without a dependent identification card. MPD will issue enlisted (E-9) and officers (grade O-6 and higher) a grade designation placard to be placed on the driver's side dashboard while on a military installation. Upon departing the military installation, the placard shall be removed and secured in a safe place within the vehicle.

b. Civilian Employees. MPD will issue decals to civilians permanently employed aboard MCBH. These decals are for the civilian employee's use only. MPD will issue all other workers contractor passes (see chapter 9). Permanently employed civilians include civil service personnel and non-appropriated fund personnel. MPD will not issue more than two sets of decals to each civilian employee. MPD issues decals for various periods of time, depending upon the terms of employment. Use by any other person, or violation of access regulations, may result in the employee's loss of registration privileges. Civilian employees issued decals from other military installations are authorized access only during work hours.

c. Civilian Contractors. Civilians under contract with a MCBH agency will be issued a contractor pass. The pass will be yellow with black lettering and be stamped with the date of expiration. Contractor passes will be issued for a period of one year or the expiration of the contract, whichever comes first.

2. Application. Apply for a decal at the Pass House, building 1637 at the H-3 Gate, Kaneohe Bay or building 601, Camp Smith.

3. Validity. A decal is valid only on the vehicle for which issued up to the expiration date. Motorcycle decals will be issued in accordance with regulations outlined in the current edition of Base Order 5100.22. Motorcycle riders will be required to show proof of compliance with the provisions of this manual before a DoD decal is issued. Decals become invalid upon separation from employment, PCS, disposal or sale of the vehicle for which issued, or a revocation for cause by competent authority. When a

decal becomes invalid, the person issued the decal must return the vehicle to MPD for appropriate action. The subsequent owner of a vehicle bearing a decal may not use that decal until the vehicle is properly registered.

4. Reporting Changes of Data. Report in person any change to information given in the application for the decal at the Pass House, building 1637 at the H-3 Gate, Kaneohe Bay or building 601, Camp Smith.

5. Decal Replacement and Renewal. Decals are renewable as long as the vehicle's owner maintains eligibility. The person to whom the decal is issued must report to the Pass House at the H-3 Gate, Kaneohe Bay or building 601, Camp Smith for a replacement when a decal becomes damaged or otherwise illegible. Renew decals at least five days before the expiration date.

6. Leased and Company Cars. Register leased and company cars, for the exclusive use of a person entitled to register it aboard MCBH, in the same manner as POVs. That person, or a person having joint ownership or a power of attorney, must remove the decal and deregister the vehicle upon its return to the company or the leaser.

7. Suspended Operator. Upon suspension of an individual's MCBH driving privileges, MPD will replace the yellow month and year expiration tabs as follows:

a. Male Suspension. MPD will replace the month expiration number tab with an international orange number tab and place an international orange "M" tab on the driver's side of the DoD decal in place of the year expiration number tab. The decal will be valid for the duration of the suspension.

b. Female Suspension. Same as above, except MPD will place an international orange "F" tab on the driver's side of the DoD decal in place of the year expiration number tab.

8. Deregistration. Any registered vehicle owner who sells or ships their vehicle off island, or is discharged due to end of active service must deregister their vehicle. Military units, agencies, and DoD activities are required to have all personnel assigned to their activity check-in and check-out with the MPD Records located in building 1096, Kaneohe Bay Hawaii or building 601, Camp Smith Hawaii.

a. Sale. Registered vehicle owners must show a sales receipt, receipt from a legitimate salvage yard, a notarized Military Police Release to Government form, or a revocation for cause by competent authority, whichever occurs first.

b. PCS/Ship. Before shipping a vehicle, the owner shall bring a copy of the vehicle's shipping document (DD Form 788) to MPD. Owners who have shipped their vehicle before checking out must show the shipping document in order to check out of MPD. The Military Police Records Office will deregister the vehicle, entering into the Consolidated Law Enforcement Operations Center (CLEOC) system, new base/unit information if transferring or a forwarding address if EAS, retiring or terminating employment and check to see if the driver has any pending traffic violations.

c. EAS. The only vehicle owners authorized to check out without deregistering their vehicle are those personnel retiring from active duty or

DoD service. All others must comply with chapter 6, section 6002, paragraph 8 of this manual.

d. Power of Attorney. Personnel leaving Hawaii, who intend to sell their vehicle, but have not sold it prior to departing, may obtain a power of attorney for a person to sell the vehicle. The person checking out must provide a copy of the power of attorney with full identification of the person authorized to sell the vehicle to MPD. The owner must maintain insurance for the vehicle. Additionally, the person must agree to release the vehicle to the government if not sold within 90 days. Military police will deregister the vehicle, provide a temporary pass for 30 days, and keep the paperwork on file until the vehicle is sold or released to the government.

6003. TEMPORARY REGISTRATION

1. Temporary Pass. When a person entitled to a permanent decal does not have the required documentation, MPD may issue up to a 30-day temporary pass for automobiles. To acquire a temporary pass, the applicant must provide proof of insurance, valid vehicle registration, and driver's license. MPD may issue a 24-hour temporary pass to individuals who have insurance, but do not have proof to enable them time to obtain proof of insurance. MPD will issue a temporary pass, valid for one day, to motorcycle operators who cannot provide proof of completion of a DoD approved Level II Motorcycle Safety Foundation (MSF) Rider Safety Course. This allows them access to MCBH only to register for the next available MSF course at the MCBH Safety Center. At that time, the MCBH Safety Center will issue a MSF course letter of registration, which authorizes the issue of a temporary pass valid through the scheduled date of the course. Personnel who fail to appear for a scheduled course may be denied registration.

2. Visitors. MPD issues visitor passes to individuals coming aboard MCBH for a special event or to visit someone aboard MCBH. Visitors must identify an authorized sponsor, and produce a valid driver's license, registration, proof of Hawaii safety inspection and Hawaii no-fault insurance. Sponsors are not required to be present at the Pass House to sponsor guest's ages 16 and older. When force protection condition is "B" or higher, sponsors may be required to remain with their guests at all times, meet their guests at the Pass House, and escort them aboard the installation.

3. Distinguished Visitor Pass. Shall be issued by the Protocol Office, building 216 and coordinated through the Services Officer, MPD.

6004. BICYCLE/MOPED REGISTRATION

1. Bicycles. All persons are required to register bicycles with the City and County of Honolulu. Renewal of registration should take place every two years. Individuals may register bicycles at the point of purchase. Individuals must register bicycles, shipped to Hawaii or purchased at the Marine Corps Exchange, at any Satellite City Hall.

2. Mopeds. Mopeds are not considered bicycles aboard MCBH and moped owners must comply with regulations outlined in the current edition of Base Order 5500.22. Insurance is not mandatory for mopeds that are 49cc or smaller. Personnel registering a moped must meet all requirements outlined in Base Order 5500.22 and show proof at the Pass House. Up to date information can be obtained from the Base Safety Office at 257-1830.

6005. REGISTRATION PROCESS

1. Responsibility. Managing this process will require each participant in the process to faithfully fulfill respective responsibilities.

a. Tenant Commanders. Tenant commanders possess overall cognizance for maintaining accountability of POVs registered aboard MCBH by their personnel.

b. All Unit Leaders. All unit leaders will maintain cognizance over vehicles registered to their Marines. Unit leaders may contact MPD for information regarding vehicle ownership issues.

c. Provost Marshal. The provost marshal maintains oversight of registering/de-registering POVs aboard MCBH. He possesses sole ownership for inputting information into the CLEOC. He tracks POV status and provides routine updates to the commanding general and tenant commanders.

d. G-6. The G-6 assists MPD in configuring and maintaining the CLEOC database. He ensures continuity of operations is coordinated with information system upgrades on the installation's network.

e. Base Inspector. The base inspector monitors suspected abandoned vehicles aboard MCBH and compares their findings with the MPD database. He provides a link between tenant commands, MPD, and G-4 towing assets.

f. Individual Driver/Service Member. Individuals must adhere to this manual by properly registering/de-registering and maintaining their POV.

2. Process. To ensure measures described in this manual are coordinated, this paragraph contains a detailed step-by-step description of the vehicle registration/de-registration process (See figure 6-1, MCBH POV Registration Process Flowchart):

a. The service member, dependent or employee (referred to as "the driver") seeking to register a vehicle aboard base will initiate authorization through their chain of command, which shall assist service members in properly registering vehicles.

b. The Pass House processes all permanent registration/passes. Prior to issuing authorizations, Pass House personnel will physically preview the following documents (also contained in paragraph 6001 of this manual):

- (1) Valid State Registration
- (2) Valid Hawaii No-fault Insurance Card or signed Certification Form
- (3) Valid Driver's License
- (4) State of Hawaii Safety Inspection or signed Certification Form
- (5) Driver's Improvement Card (for those under 26)
- (6) Valid Armed Forces Identification (AFID) Card
- (7) Reconstruction Permit (if applicable)

(8) Motorcycle Documentation (if applicable)

c. After examining the appropriate documents, Pass House personnel will enter the required data (name, rank, Social Security Number (SSN), Rotation Tour Date (RTD), VIN, etc.) into CLEOC. Access to this information is restricted to unit representatives designated by commanders, the base inspector and the provost marshal, and will be made available upon request.

d. Pass House personnel will issue appropriate stickers and decal placement instructions to the driver. The driver will place the DoD decal on the lower left side or top center of windshield as depicted in the diagram provided at the Pass House.

e. Once a driver departs the base (EAS, PCS, Permanent Change of Assignment (PCA) or termination of employment, etc.) or sells the automobile, the driver must deregister the vehicle with the Military Police Department." The new owner must re-register the vehicle in his/her name. If the vehicle is sold to a non-military affiliated person (e.g., automobile dealership, civilian, charity organization, etc.) the DoD decal must be removed and returned to MPD.

f. The driver reports to the MPD Records Section, building 1096, with documentation proving the vehicle was appropriately stored, shipped, sold or discarded.

g. The MPD Records Section then deregisters the vehicle in the CLEOC system.

h. Military personnel will present a checkout sheet to the Military Police Records Section. The MPD Records Section will deregister the vehicle, enter it into the CLEOC system, and enter new base/unit information if transferring or a forwarding address if EAS, retiring or terminating employment. The MPD Records Section will do the same for deregistering weapons and check the driver for any pending traffic violations. MPD Records Section personnel will then stamp and initial the checkout sheet.

3. End State. Commanders now possess an additional tool to manage unit POVs in cooperation with installation departments. This process cannot replace small unit leaders, who continue to be the frontline in maintaining all unit discipline. This effort will enhance security by reducing the number of improperly registered vehicles and limit the number of vehicles abandoned aboard the base.

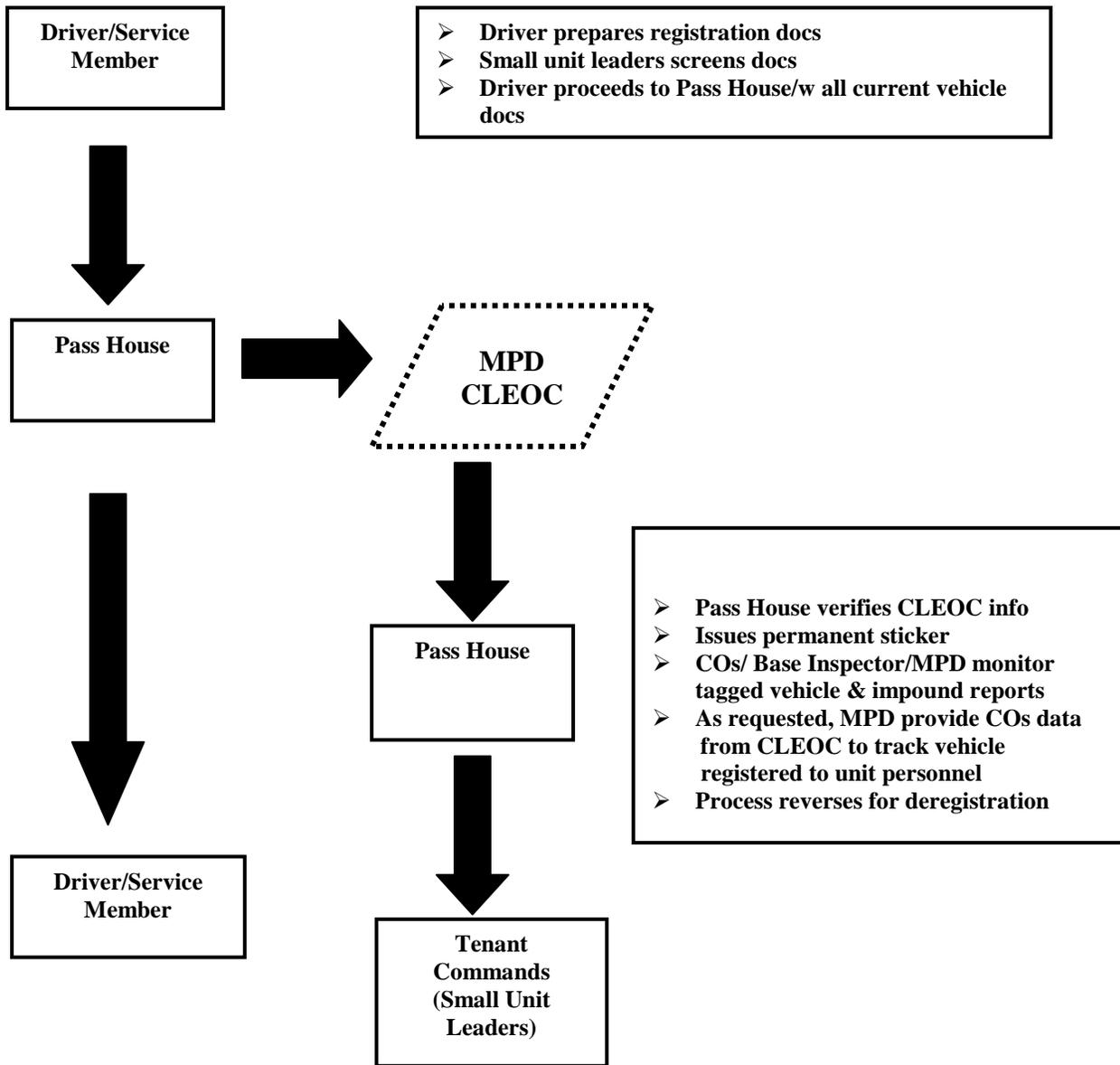


FIGURE 6-1. MCBH POV REGISTRATION PROCESS FLOWCHART

BASE REGULATIONS

CHAPTER 7

TRAFFIC REGULATIONS

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BASE REGULATIONS

CHAPTER 7

TRAFFIC REGULATIONS

7001. GENERAL

1. Local Law Enforced. Government and POV operation on MCBH is regulated by the Traffic Code of the City and County of Honolulu and reference (g), except as modified or stated herein. MPD, assisted by Honolulu Police Department (HPD) who has concurrent jurisdiction, enforce traffic regulations.

2. Operating Vehicles. The privilege to drive on MCBH requires operating vehicles in a safe, lawful, and prudent manner.

7002. TRAFFIC CITATIONS

1. Types

a. Armed Forces Traffic Tickets (DD Form 1408).

b. U.S. District Court Violation Notices (DD Form 1805) for referral to a U.S. Magistrate (see chapter 8).

2. Moving Violations. Only MPD and HPD are authorized to issue traffic citations for POV moving violations aboard MCBH. However, any person observing an offense is encouraged to report it to military police. Military police will assist in identifying the offender and issue a "third party" citation. Complainants must provide the time, date, location of the violation, vehicle license number, make, model, and color. The person reporting the violation must make a sworn written statement and may have to appear in court.

3. Parking Violations. Commanding officers and department heads may report parking violators to military police by phone. Complainants must provide the time, date, location, type of parking violation, DoD decal number or type of pass, vehicle color, body type, make, year, state license number, and name of owner or operator if known. The MCBH Base Inspector and unit traffic safety monitors may also issue parking tickets.

4. Warning Tickets. Warning tickets may be issued for minor violations. If an individual receives more than one warning ticket in a 30-day period or more than two in a six-month period, the provost marshal may direct that the most recent one be re-issued as a DD Form 1408 requiring a court appearance or as a DD Form 1805 (see chapter 8).

5. Seatbelt Violations. Minimum penalties apply to active duty military members for failure to wear seatbelts on Marine Corps installations as follows per reference (h):

a. First violation: a one week suspension of driving privileges plus attendance at a Saturday four-hour remedial driving class focused on safety belts. Offenders will be scheduled and required to attend a remedial driving course within 45 days of their suspension.

b. Second violation: One-month suspension of driving privileges.

c. Third and Future violation(s): Six-month suspension of driving privileges.

7003. TRAFFIC SAFETY MONITORS

1. Selectees/Nominees. Commanding officers may submit written nominations to the provost marshal. The number of personnel selected for a particular unit will be based upon its size and composition. Generally MPD will not approve more than two nominees per unit.

2. Appointments. The provost marshal will issue letters of authorization to nominees who are selected. MPD will train selectees in current traffic regulations and citation writing procedures, and issue a supply of DD Form 1408s.

3. Specific Duties

a. Cite or warn motor vehicle operators who violate parking regulations within their command's area of responsibility.

b. Submit the white copies of each citation promptly to the MPD Traffic Court Bailiff at building 1096, Kaneohe Bay, or building 601, Camp Smith.

c. Serve the violator with a pink copy of the citation. If the violator refuses to accept or sign the citation, note this in the remarks section of the citation. If a copy of the citation cannot be delivered to the violator, send all copies to the MPD Traffic Court Bailiff.

7004. RULES OF THE ROAD

1. Motor Vehicle Operations

a. Driving a vehicle carelessly and heedlessly in willful or wanton disregard for the rights or safety of others, or at a speed or in a manner that endangers any person or property is prohibited.

b. Drive only on designated roads and parking areas. Do not drive or park on sidewalks, lawns, seeded areas, or any vegetated area, except when authorized by proper authority or necessitated by an emergency.

c. Do not engage in, aid, or abet by whatever means, any motor vehicle speed contest or exhibition of speed aboard MCBH.

d. When traveling in either direction, bring vehicles to a complete stop when approaching a school bus that is loading or unloading passengers. Remain stopped until the bus is in motion again.

e. Immediately drive to the side of the road and come to a complete stop when signaled by military police, fire department, or paramedics using flashing red/blue lights, siren, horn, and/or hand signals.

f. Every occupant in any vehicle (government or privately owned) operated aboard MCBH will wear a safety belt at all times while the vehicle is in motion. Children less than four years old and 40 pounds must be properly restrained in a Department of Transportation (DOT) approved child

passenger restraint system. The number of passengers in any vehicle may not exceed the number of properly installed safety belts. Transporting any person in the bed of a pickup truck that is not equipped with safety belts is prohibited aboard MCBH. Violators will be denied access to MCBH.

g. Motor vehicle operators shall not play car stereos loud enough to be heard 30 feet from the vehicle.

h. Radar detector devices are prohibited. Do not transport radar detector devices in operable condition in the passenger compartment of any vehicle.

i. Motor vehicle operators shall not wear portable earphones, headsets, or other devices, which are not designed primarily for communications or to protect against hearing loss.

j. Vehicles shall not be driven off paved roads or authorized unimproved roads. (e.g., sand dunes west of Pyramid Rock).

k. Operators of POVs on Marine Corps installations shall not use cellular phones while the vehicle is in operation unless they are using a hands-free device. A hands-free device is a feature that is included or available with most of today's cellular telephones that permits a driver to use the telephone without lifting or holding the handset to the driver's ear.

l. On all Marine Corps installations, vehicles will operate with headlights turned on during periods of precipitation and other reduced visibility conditions regardless of State or National law. Examples are: light or heavy rain or during periods of obscuration due to fog or smoke.

2. Right of Way

a. When two vehicles approach or enter an intersection or junction at approximately the same time, the left vehicle will yield to the right vehicle unless the right vehicle is required to stop or yield by a sign.

b. Vehicles entering a through road from a driveway or parking lot exit shall yield to all approaching vehicles.

c. All drivers shall yield to emergency vehicles (e.g., ambulance, military police, crash crew, fire, life guard, or EOD vehicles) exhibiting a flashing red or blue light or sounding a siren. When an emergency vehicle approaches, immediately drive to a position as near as possible and parallel to the right edge or curb clear of intersections, and stop and remain stopped until the emergency vehicle passes unless otherwise directed by military police.

d. Pedestrians have the right-of-way on walkways and crosswalks, except when emergency vehicles are approaching. Pedestrians and troop formations should remain off the roadway where possible.

3. Speed Restrictions

a. Do not drive at a greater speed than is reasonably prudent based upon the conditions present. Regardless of conditions, do not exceed the posted speed limit.

b. Do not operate a motor vehicle so slowly as to impede the normal and reasonable flow of traffic, except when reduced speed is prudent based upon conditions present.

c. Do not follow another vehicle more closely than is reasonable, based upon the speed of other vehicles and conditions present.

d. Exercise due caution when approaching and passing troop formations. In such cases, do not exceed 15 mph.

e. Except as otherwise posted, the maximum speed aboard MCBH is 25 mph. The maximum speed in any parking area is 10 mph. The maximum speed on any unpaved road is 15 mph.

f. Emergency vehicles responding to emergency situations may exceed posted speed limits when there is a need to have emergency responders at the scene of a serious incident faster than they could arrive without emergency procedures and when it is safe to do so. Emergency vehicle response will be conducted after the safety of everyone involved has been considered. Emergency vehicle operators shall travel at speeds that allow them to maintain control of their vehicle at all times.

4. Parking and Unattended Vehicles

a. Park vehicles so as to permit free access to, and unobstructed exit of other parked vehicles. When not in a parking lot, park only in the direction of travel. Illegally parked vehicles may be towed off base at the owner's expense.

b. Parking is not authorized:

- (1) Within 15 feet of any fire hydrant or fire hose outlet.
- (2) Within 15 feet of any stop sign or intersection.
- (3) Within 50 feet of any building, except in designated parking spaces.
- (4) In front of any driveway or loading zone.
- (5) On any roadway so as to obstruct traffic or traffic control signs.
- (6) On any lawn, seeded area, or vegetated area except as authorized or in case of emergency.
- (7) Within 100 feet of any vehicle accident or emergency.
- (8) In any reserved parking space.
- (9) In a posted no parking zone or handicap stalls unless authorized by the State of Hawaii.
- (10) In a handicap zone without the proper permit.
- (11) Along a red curb which designates a no parking zone.

c. Park in designated areas when available or where designated.

d. Before leaving any vehicle, stop the engine, lock the ignition, remove the ignition key from the vehicle, set the parking brake, and turn the front wheels to the curb or side of the road.

e. Move any vehicle which becomes inoperative clear of the roadway. If a disabled vehicle cannot be moved clear of the roadway, leave parking lights or emergency flashers on during darkness and use flares or reflectors to warn other traffic. In all cases, immediately report disabled vehicles to MPD who may have them removed from the roadway at the owner's expense if required for safety.

f. Do not park POVs within any motor pool where GOVs are parked, stored, or repaired, unless authorized by the unit commanding officer.

g. Do not leave any child under 10 years of age in a parked vehicle without proper supervision. Do not leave any vehicle occupied solely by a person who cannot readily exit in the case of an emergency.

h. Boats and Trailers. Effective 1 June 2004, the parking of boats, jet skis, other watercraft and their trailers is prohibited aboard MCBH other than in designated areas provided at the Base Marina. However, residents in family housing who have previously been approved to park watercraft in family housing may continue to do so until they PCS or leave active duty. If approved prior to 1 June 2004, the watercraft/trailer must be parked in the housing resident's assigned parking stall or carport area. BOQ/BEQ residents are required to move their watercraft to the Base Marina or off base. If approval was granted to park watercraft in BOQ/BEQ areas prior to 1 June 2004 BOQ/BEQ residents will not be charged a monthly parking fee until they PCS or leave active duty. The propeller blades must be secured whenever the boat is parked aboard MCBH. Watercraft/trailers may not be parked in streets or on lawns. All watercraft/trailers must comply with all applicable State of Hawaii safety and registration requirements, whether in a working condition or not.

5. Towing and Pushing Vehicles

a. Tow no more than one vehicle by another vehicle.

b. Towlines or chains shall not be less than three feet, nor more than 15 feet long. The driver of the towed vehicle must be at least 18 years old and have in their possession a valid driver's license.

c. Use tow bars when towing vehicles without brakes or with faulty brakes.

d. Do not draw, tow, or push vehicles faster than 25 mph or the posted speed limit whichever is lower.

7005. MOTORCYCLES/MOPEDS/MOTOR SCOOTERS

1. Motorcycle/Moped/Motor Scooter Regulations. All motorcycles, mopeds, and motor scooters must be equipped per reference (i) (see Chapter VII of the Hawaii Driver's Manual) and Marine Corps Order 5100.19. Motorcycle

regulations are extensive and subject to frequent changes. The most current version of Base Order 5100.22 (MCBH Motorcycle Safety Order) should be used as the primary reference for all matters pertaining to motorcycles, mopeds, and motor scooters aboard MCBH.

2. Personal Protective Equipment Enforcement. Any person who observes a military member riding on a motorcycle, moped, or motor scooter without all of the required safety equipment described in Base Order 5100.22 should report it immediately to MPD. Provide the time, date, location of the violation, vehicle license number, make, model, and color. The person reporting the violation must make a sworn written statement and may have to appear in court.

7006. DRIVING UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS

1. Presumptive Limit. The State of Hawaii and MCBH consider .08 percent blood alcohol content (BAC) and higher as presumptive evidence (no other evidence is required) of driving under the influence. No quantitative limits are set on other drugs. Marine Corps policy considers .05 to .07 percent BAC as presumptive evidence of impairment of driving skills.

2. Implied Consent. Any person granted the privilege to operate a motor vehicle on MCBH and within the State of Hawaii gives implied consent to a chemical test of blood or breath to determine the BAC or the presence of other drugs. If an individual is cited or lawfully apprehended for any offense allegedly committed while in actual physical control of a motor vehicle while under the influence, military police will administer a blood or breath test incident to the apprehension. Physical control is so defined that it includes the extreme case where a driver is in a stopped vehicle with the engine off and the keys removed from the ignition, and where the driver still has physical access to the key and is in the vehicle.

3. Procedures. Military police suspecting a vehicle operator is under the influence of alcohol or another drug by observing the person's driving or other behavior, including odor, from vehicle accidents that have occurred, from reports of other persons, or from any other reasonable means will:

a. Detention. After stopping a vehicle or deciding that an operator may have been driving under the influence of alcohol or other drugs, military police will detain the operator, who may be searched or moved to a better location, before further investigation. The operator may not drive again until there no longer exists any influence of alcohol or other drug, or there is insufficient evidence to warrant further action.

b. Standardized Field Sobriety Testing. Military police or the driver will secure the vehicle. Military police will administer a standardized field sobriety test as directed by the provost marshal. If there is insufficient evidence of impairment when taken with other evidence of the influence of alcohol (as determined by military police), the driver will be released. Military police will conduct standardized field sobriety testing at or adjacent to the location of the stop, unless military police believe the location is unsafe or a detriment to a fair and impartial test. In such cases, military police will transport the subject to MPD where there is level ground and sufficient lighting.

c. Apprehension. If evidence of impairment of driving ability is sufficient, military police will apprehend military personnel and detain

civilian personnel. Military police may search the driver and restrain with hand irons or other measures to prevent escape or injury and protect military police.

d. Testing. Military police will offer the driver the opportunity to submit to a chemical blood or breath test to determine the BAC and/or presence of drugs. Military police will inform the driver of the Hawaii Implied Consent Law and the consequences of refusal to submit to a test, which includes revocation of their privilege to operate a motor vehicle aboard MCBH and in the State of Hawaii for one year. The driver will indicate in writing their choice or a refusal to submit to a test.

e. Refusal. Military police will warn the driver that failure to complete such a chemical test will result in revocation of the privilege to operate a motor vehicle aboard MCBH and in the State of Hawaii for one year. If the suspect continues to refuse to complete the required test, military police will remove the DoD decal or confiscate their visitor's/temporary pass. Additionally, the driver will receive a letter documenting the revocation of MCBH driving privileges and MPD will forward administrative revocation of state driving privileges documentation to the State of Hawaii (see chapters 6 and 8).

f. Revocation/Suspension. Once military police complete a positive test for BAC or presence of other drugs, the driver will receive a letter documenting the revocation of their MCBH driving privileges (see chapters 6 and 8). Personnel are required to report the next working day to MPD to be issued a Revocation/Suspension letter for a Driving Under the Influence (DUI) off base or on another military installation.

g. Removal of Base Decal. Military police will, upon the suspect's failure of the field sobriety test, remove the base indicator and numbers from the vehicle. Those persons receiving a DUI off base or on another military installation will be contacted the next working day by military police for removal of base decals from all vehicles registered. Individuals whose on-base driving privileges have been temporarily suspended may appeal, in writing, to the base inspector. Other authorized drivers may receive a limited decal to operate a registered vehicle by reporting to the Pass House, building 1637 at the H-3 Gate, Kaneohe Bay or building 601, Camp Smith. Temporary suspensions will be lifted only upon showing that no probable cause for the allegation of driving under the influence or driving while impaired exists. Decals will normally be restored only when a member is acquitted of the charges in accordance with reference (g) or a period of revocation of driving privileges is complete.

h. Under Age DUI. Persons under the age of 21, with a BAC of .02 or above and are suspected of DUI will be processed as described above. Persons found guilty of DUI per reference (f) will automatically lose his/her license until the age of 21, or one year, whichever is longer.

7007. VEHICLE IMPOUND AND REMOVAL

1. Authority. MPD may have illegally parked vehicles removed to a civilian commercial storage lot at the registered owner's expense. MPD will handle abandoned vehicles per reference (b). This manual will govern towing of all POVs from MCBH, except by the owner or agent of the owner. MPD will process abandoned/derelict boats as other vehicles.

2. Definitions

a. Abandoned Vehicles. A vehicle whose owner voluntarily relinquishes possession with the intention of terminating ownership, but without vesting ownership to any other person.

b. Derelict Vehicles. A vehicle whose owner voluntarily lets mandated insurance or registration requirements expire or brings a vehicle aboard MCBH without authority.

c. Illegally Parked Vehicles. A vehicle that:

(1) Has been driven or towed aboard in violation of any access regulation.

(2) Is parked in violation of paragraph 7004 of this manual, reference (j) or any manuals, orders, or directives of the organization responsible for that area.

(3) Is parked unattended along a roadway unless specifically authorized to park there by the provost marshal.

(4) Is rendered unsafe or inoperative as a result of dismantling, mechanical failure, or traffic accident.

(5) Is not properly registered, has an expired visitor's pass, or is not properly licensed per Hawaii State law.

(6) Is operated by an owner who has no insurance.

(7) Is operated by an owner who has been apprehended for DUI, or driving on revocation or suspension.

d. Impound. When military police seize, hold in legal custody, and inventory any object such as a vehicle.

e. Removal. Transferring a vehicle from MCBH to a commercial storage facility or elsewhere at the direction of the provost marshal or his representative.

f. Inventory. When a vehicle, its condition, and contents are cataloged. MPD will release all government property found during a vehicle inventory to the registered owner's command or retain it for disposition.

3. Disposition of Vehicles

a. Abandoned Vehicles. MPD will impound and dispose of abandoned vehicles per reference (b). Owners of abandoned vehicles will be cited and required to attend traffic court.

b. Illegally Parked Vehicles. An illegally parked vehicle may be ticketed, impounded, immobilized or removed from MCBH at the owner's expense. Vehicles may be removed from MCBH after noncompliance with a posted removal notice, excessive parking offenses or when there is an immediate need to remove the vehicle.

4. Procedure

a. Disabled Vehicles. If a vehicle becomes disabled, the operator will ensure the vehicle is situated off the roadway where it will not interfere with traffic. The operator will then notify MPD of the location and estimated time of removal. MPD may impound or remove any vehicle not moved within three days, or sooner if it poses a safety problem.

b. Deployed Personnel. Personnel who are deployed, Temporary Additional Duty (TAD), on leave or otherwise away from MCBH will not leave their vehicles parked in unit or common area parking lots without the approval of the area commander unless they appoint another operator in writing. Report any vehicle unattended for longer than three days to military police. The report should contain all possible information including location, condition, license and MCBH decal numbers, and the name of the owner (if known). If circumstances warrant, MPD may impound or remove such vehicles. Registration and safety inspections must remain valid throughout the length of the owner's absence.

c. Vehicles as Evidence. MPD may impound as evidence, any vehicle involved in the commission of a crime, including stolen vehicles. MPD will temporarily impound the vehicle pending disposition of the case. The SJA will decide when to release vehicles held as evidence.

5. Notice to Owner. Per reference (e) and DoD regulations, MPD will notify, by registered mail, the last registered owner, decal applicant or person believed to be the rightful owner, or all such persons, if ownership is not certain, for vehicles impounded or removed as abandoned. Notice need not be sent to a legal or registered owner, or any person with an unrecorded interest in the vehicle whose name or address cannot be determined. The notice will include a brief description of the vehicle, location of custody, and intended disposition of the vehicle if not claimed within 120 days after the mailing of the notice.

6. Removal of Parts from Abandoned Vehicles. Removal of parts from abandoned vehicles may constitute larceny, which is punishable under the UCMJ and State or Federal law.

7008. TRAFFIC IN MCAF AIRFIELD OPERATIONS AREA

1. Restricted Area. The shaded area in figure 7-2 depicts Marine Corps Air Facility (MCAF) restricted areas. Per reference (k), personnel, bicycles, and vehicles are not permitted to enter these areas unless proper authorization has been granted by MCAF Operations.

a. Authorization

(1) Vehicles. Agencies requiring access into the MCAF restricted areas must obtain an Airfield Vehicle Operator's Permit (AVOP) for each driver requiring access. AVOP licensed drivers will notify MCAF Operations of intended entry point, location/route of travel, and the scope of the operation to be conducted.

(2) Personnel. Coordinate unit training runs, conditioning hikes, and special events inside MCAF restricted areas through MCAF Operations. A

minimum of 24 hours notice is required. Pedestrians, bicyclists, and joggers are not authorized in MCAF restricted areas.

(3) Military Personnel. Units may request training areas for use per reference (k).

b. Mokapu Road Gate. The Mokapu Road crossing of the runway is the only exception to vehicle access into MCAF restricted areas. Vehicles must comply with road gates and will not stop on or deviate from Mokapu Road between gates. Pedestrians and runners are prohibited.

2. Emergency Vehicles. Emergency vehicles will cross the runway only at Mokapu Road or First Street, unless the tower grants clearance to cross elsewhere. In no case will such vehicles cross the runway or disregard a traffic control device without clearance from the control tower.

3. Speed Limit. The speed limit in the airfield operations area is 25 miles per hour, except for vehicles responding to bona fide emergencies, or where otherwise marked.

4. Mokapu Runway Electronic Arm Gate. All vehicles crossing the runway from Mokapu Road must drive through the electronic arm gate crossing system. Failure to abide by crossing instructions can result in suspension of driving privileges for a minimum of one year, as well as disciplinary action.

7009. PEDESTRIANS AND TROOP FORMATIONS

1. Pedestrians, Joggers, and Runners. MPD will enforce portions of reference (i) that apply to pedestrians. This instruction is applicable to all personnel, dependents, civilian employees and/or guests of such, aboard MCBH. Jogging is defined as recreational physical conditioning runs involving individuals or small groups of people where there are no formations, chanting or cadence counting. All pedestrians, walkers, stroller pushers, joggers, runners, and individuals exercising will:

- a. Cross roads only at intersections or crosswalks whenever possible.
- b. Walk/run on the left side of the road facing oncoming traffic in the absence of sidewalks.
- c. Comply with orders or directions of military police/traffic control persons.
- d. Not enter any crosswalk or roadway when vehicle traffic is so close that it constitutes an immediate hazard to pedestrians or vehicles.
- e. Not stand on the roadway to solicit a ride in any vehicle, including at authorized pickup stations.
- f. Wear reflection belts or vests when running during hours of darkness (between evening and morning colors).

2. Troop Formations. A unit conditioning run is defined as an organized physical training run involving units of squad size (approximately nine or more) or larger in formation under control of the unit leader. Physical Fitness Tests are included in this category. Unit conditioning runs and hikes shall be conducted so as to have minimum interference with traffic.

Unit formation runs are not permitted along Mokapu Road during peak traffic times from 0600 to 0800 or 1500-1800 on workdays. Personnel in charge of troop formations (e.g., running, marching, hiking) will ensure they:

a. Follow designated bike lanes where available. Formations will travel as close as possible to the right edge of the roadway and shall always move in the direction of traffic. Unit leaders shall not impede traffic by running in the traffic lane.

b. Coordinate with the MPD 48 hours in advance (Attn: Accident Investigation Section) for all unit conditioning runs or hikes of battalion or larger sized organizations.

c. Utilize road guards at all intersections. Road guards shall neither perform any type of exercise while posted at an intersection nor will they delay traffic once the unit has passed. At all times, reflective orange vests are mandated for road guards.

d. Use all means possible to make formations visible to vehicle operators during the hours of darkness or reduced visibility. At a minimum, all personnel will wear reflective vests or belts, and flashlights (coned preferably), light sticks or other reflective methods of increased visibility, will be used by personnel at the front (e.g., squad leaders) and the rear of the column. All other personnel running external of the formation must carry flashlights or light sticks.

e. Follow rules regarding off-limits areas for chanting/cadence counting. During unit conditioning runs and hikes, chanting/cadence counting is prohibited adjacent to housing areas. Along Mokapu Road, from the Mokapu Gate to the posted signs near the Amphibious Assault Vehicle (AAV) access road, from Cochran Street to Harris Avenue, from Mokapu Place to E Street or anywhere in the Nu'upia Pond Complex except for the AAV access roads, chanting/cadence counting is prohibited.

f. Provide adequate traffic safety at intersections for runners taking the Physical Fitness Test (PFT)/Physical Readiness Test (PRT). Posting road guards at the start/finish line and the intersection of Seldon Street/Craig Street, Seldon Street/Harris Road is the responsibility of the unit conducting the PFT/PRT. The run portion of the PFT/PRT will not be conducted after sunset or before sunrise. Road guards will wear reflective orange vests at all times.

g. Follow guidance concerning the use of government vehicles. Government vehicles used to support unit formation marches or runs are authorized to operate within bicycle lanes when closely following the support unit. These vehicles must have headlights and emergency flashers turned on, and shall be operated in a manner that does not impede traffic or imperil other pedestrians or cyclists. POVs are not authorized to operate in bicycle lanes or impede traffic.

h. Follow guidance concerning the Nu'upia Pond Wildfire Management Area (NPWMA). NPWMA is home to several endangered species and other protected fish and wildlife. Physical training runs and hikes are authorized between 0600 to 1800 daily (unless closed for management reasons), and subject to the following restrictions:

(1) Eligible Users

(a) MCBH active duty, retired, or civilian adults (18 years or older).

(b) No unescorted children or off-base guests.

(c) No contractors without pond permit.

(2) Other Restrictions

(a) No pets of any kind (e.g., dogs, cats, birds, reptiles, amphibians, fish, etc.)

(b) No harvesting or collecting of natural or cultural resources of any kind (e.g., fish, wildlife, rocks, artifacts, plants, seeds, flowers, water).

(c) No introduction or abandonment of fish, wildlife, pets, or objects of any kind.

(d) No chanting, cadence shouting, or other noise of any kind.

(e) No disturbance to any fish or wildlife.

(f) No littering or dumping.

i. Avoid off-limit security areas. Jogging and unit conditioning runs are prohibited in all security areas, unless authorized elsewhere in this manual. Security areas include those locations that are specifically defined and subject to controls and restrictions for the safeguarding of classified materials, inherently dangerous items such as ordnance, or essential materials. Examples of security areas off-limits to recreational joggers are Ulupau Magazine, ranges, the rifle range road and all runways and taxiways. The only authorized routes for pedestrians or bicycle traffic on West Field are Sumner Road, Paulkilo Road and the section of Mokapu Road from Sumner Road intersection to Pyramid Rock. Pedestrian and bicycle traffic is strictly prohibited on any other runway or taxiway without authorization.

j. Avoid other restricted areas. Areas that do not meet the definition of security areas in paragraph 2(i), but are not authorized for individual or unit runs/hikes include the golf course (and Moffett Road to the beach), family housing areas and the NPWMA that adjoins the Ft. Hase shoreline. Organizations requiring access to any security/restricted areas for training evolutions may submit a request 72 hours in advance to the MCBH G-3 Range Manager, who will coordinate with MCAF, MPD, Environmental, and Base Safety as necessary.

k. Travel as close as possible to the right edge of the roadway except when turning left and ensure persons accompanying the formation, such as unit leaders, are not in traffic lanes.

l. Do not halt the formation at an intersection where it will block traffic or otherwise cause a hazard.

m. Comply with directions of MPD or other traffic control persons.

n. Do not run off base through either gate as a formation. Only individuals or small groups are authorized to run off base.

- o. Maintain as close a formation as possible when running in formation.
- p. Cross roadways using the most expedient means to clear the roadway such as flanking movement when marching in columns.
- q. Use only authorized emergency vehicles to escort/trail formations.

7010. ACCIDENT REPORTING AND INVESTIGATION

1. Privately Owned Vehicles. The driver of any POVs involved in an accident aboard MCBH, regardless of the amount of damage or injury, shall:

- a. Stop at the scene.
- b. Help any injured accident victims.
- c. Immediately report the accident to military police.
- d. Exchange driver's licenses, names, and addresses with the person or persons involved in the accident.
- e. Not move the vehicle until directed by military police. A vehicle involved in an accident may be used to transport a seriously injured person to a medical facility if no other means are immediately available.

2. Government Vehicles. The driver of any government vehicle involved in an accident, including non-appropriated fund vehicles, on or off base, regardless of the amount of damage or injury shall:

- a. Help any injured accident victims.
- b. Take measures necessary to safeguard against further accidents.
- c. Not move the vehicle until directed by competent authority such as civilian police, military police, or investigating officers.
- d. Report all government accidents to MPD.
- e. Exchange names and addresses with all persons concerned with the accident, including witnesses.
- f. Produce a valid U.S. Government Operator's Permit to civilian or military police and/or road master.
- g. Prepare a Standard Form 91-A as soon as possible after the accident.
- h. Notify their superior or commanding officer immediately.
- i. Make no statement from which government liability for the accident might be implied. Because a driver's statement might constitute an admission of responsibility for an accident, drivers should make statements concerning an accident only to military or civilian police, supervisors, or investigating officers.

3. Investigation

a. The provost marshal is responsible to investigate all traffic accidents occurring on MCBH and in cooperation with civilian law enforcement, off base accidents involving government vehicles, or injury or death to military personnel.

b. Drivers shall complete a Standard Form 91-A for every motor vehicle accident involving a government owned/leased vehicle, damage to government property by a vehicle, loss of time from duty (one or more days) by military personnel as a result of injury involving a vehicle, and lost workday injury by civilian personnel and non-appropriated fund personnel as a result of vehicle accidents aboard MCBH.

c. Citations issued as a result of a traffic violation in connection with an accident may be forwarded to the individual concerned, or the individual's command, upon completion of an accident investigation.

7011. BICYCLE REGULATIONS

1. Enforcement. Except where specifically provided by law or in this manual, all traffic regulations apply to operators of bicycles. Military police may issue minor offense reports, DD Form 1408s or DD Form 1805s, to owners and operators of bicycles who do not comply with these laws and regulations.

2. Prohibited Areas. The following areas are strictly prohibited for use by bicycles or mountain bikes, without written authorization by the commanding general:

a. The Nu'upia Ponds Wildlife Management Area.

b. Off road along the north end of the runway.

c. In the dunes and vegetated area west of the runway and north of old Marine Corps Air Station-2 (MCAS-2) radar compound and east of the rock wall at Pyramid Rock Recreation Area.

3. Parental Responsibility. Parents and bicycle owners will ensure that juveniles, including dependents, are properly instructed in the safe operation of bicycles, and that they understand and obey laws and regulations.

4. Security. Due to the mobility and value of bicycles, the reporting of lost or missing, found, or unsecured bicycles is essential to prompt recovery. Promptly report lost or missing bicycles to both MPD and HPD. Reports should fully describe the bicycle, including model and serial number. Report found bicycles to MPD. To deter theft, all bicycles must be secured with a bicycle lock while not in use.

5. Operator Responsibility

a. Use bike lanes when available.

b. Yield to all approaching vehicles and pedestrians when emerging from an alley, driveway, or building.

c. Keep one hand on the handle bars at all times.

d. Ride as far to the right of the roadway as practical.

e. Do not ride abreast of another bicycle except when passing.

6. Other Bicycle Rules

a. Bicycles will neither be towed by another vehicle, nor tow another vehicle except trailers manufactured for that purpose.

b. Bicycles are permitted only on streets, roads, and parking areas; not on athletic fields, tracks, lawns, or seeded areas. In the interest of safety, children operating tricycles, bicycles, or other foot powered devices with a height of less than 16 inches are encouraged to ride on sidewalks.

c. Maximum speed limit for bicycles is 30 mph unless a lower speed limit is posted for the area being ridden through.

d. No one will ride or push bicycles on any freeway, including the H-3 near Kaneohe Bay.

e. No one will ride bicycles while under the influence of alcohol or other drugs. Violators may be subject to the same penalties as for driving a motor vehicle under the influence of alcohol or drugs.

f. Bicycle operators will not wear radio headsets, earphones, or other devices that obstruct their hearing.

7. Required Equipment. All bicycles operated at night must be equipped with a white light visible 500 feet to the front. Bicycles must also be equipped with:

a. A crystal (white) reflector of at least three square inches, or six square inches of white reflective material facing forward and unobstructed when viewed from the front.

b. An amber reflector with a minimum of three square inches or 12 square inches of amber reflective material on each side facing outward.

c. Amber reflectors on both front and rear surfaces of all pedals.

d. A red reflector with a minimum of three square inches facing rearward and unobstructed when viewed from the rear.

e. For safety, bicyclists riding during darkness will wear light colored or reflective clothing to increase visibility.

f. Bicycle Helmets. All bicycle riders will wear properly fastened bicycle helmets while riding aboard MCBH. If walking a bicycle for long distances in military uniform, the rider should take off the helmet and put on the appropriate uniform cover. Any rider not wearing a helmet while riding will be issued a MOR. MPD will send a copy of the MOR to the active duty member's command and/or MCBH Base Inspector.

7012. DEPLOYMENT PARKING1. Responsibility

a. Commanding General. The commanding general provides a secure parking facility to any service member deploying from MCBH. This facility is provided at no cost to the service member.

b. Tenant Commanders. Tenant Commanders possess overall cognizance for maintaining accountability of POVs stored by their personnel.

c. Small Unit Leaders. Small unit leaders maintain platoon commander/squad leader notebooks on all vehicles owned by their service members and stored in base facilities.

d. Provost Marshal. The Provost Marshal provides security checks for vehicles stored in base storage facilities. He maintains a database of all vehicles stored in base deployment parking facilities. He processes POVs in and out of the MCBH combined/overflow lot.

e. G-4. The G-4 designates and maintains MCBH deployment parking facilities (e.g., lighting if available, fencing, surfacing, etc.).

f. Base Inspector. The base inspector monitors the status of MCBH deployment parking facilities. He provides a link between tenant commands and MPD.

g. Individual Driver/Service member. Individuals adhere to this manual by properly storing their POV only in authorized MCBH POV storage areas (See figures 7-8 through 7-10 for vehicle storage lot maps). No other on base locations are authorized. Service members living either off base or in a BEQ/BOQ may not store POVs in the MCBH family housing areas. In addition to the MCBH lot, service members may store vehicles via private off base contractors, other off base government storage locations (e.g., Ford Island) or at a private off base residence. Regardless of the location, the Marine's chain of command must ensure the service member's POV is stored properly prior to deployment.

2. Routine Deployment/Temporary Duty Procedures

a. At C-30 days prior to deployment, units identify the number of parking spaces required. Units forward this requirement to MCBH G-4 Facilities Officer and Provost Marshal when space is needed beyond the unit deployment lot. This step allows both facilities and MPD to plan for accommodations and security for the appropriate number of vehicles.

b. At C-5 days, small unit leaders conduct pre-storage safety inspections/inventories of POVs. See figure 7-3 for the pre-storage checklist/inventory sheet. This step will prepare service members for storing POVs aboard MCBH. If service members choose to store POVs at a location other than the MCBH lot, proof of storage (i.e., letter/receipt) must be presented to the chain of command to ensure vehicles are not abandoned at on base parking lots.

c. At C-2/3 days, service members conduct final inventories with small unit leaders and deliver their POVs to the designated storage lot. Service

members who improperly store or abandon POVs aboard MCBH are subject to the procedures contained in paragraph 7007 of this manual. Unit lots are designated at the following locations (See figures 7-8 through 7-10 for vehicle storage lot locations):

- (1) 3d Marine Regiment (3d Marines)
- (2) Marine Aircraft Group-24 (MAG-24)
- (3) Combat Service Support Group-3 (CSSG-3)
- (4) 3d Radio Battalion (3d RadBn)
- (5) Patrol Squadrons (VP Squadrons)
- (6) Patrol and Reconnaissance Wing-2 (CPRW-2)
- (7) Helicopter Antisubmarine Squadron Light-37 (HSL-37)

d. During routine deployments, remain behind unit representatives will:

- (1) Maintain ignition keys to all unit vehicles stored aboard MCBH.
- (2) Maintain the entrance lock keys to unit storage lots.
- (3) Assist MPD in monitoring the status of vehicles stored in MCBH lots to prevent vandalism/pilferage.
- (4) Assist in conducting preliminary investigations should vandalism/pilferage occur.
- (5) Assist early returning service members in retrieval of stored POVs.
- (6) Maintain lots to include grass cutting around fence lines and POVs. The combined lot at the Fuel Farm will be maintained by Facilities with the exception of grass cutting immediately around the stored POVs. Remain behind tenant units will be responsible to trim grass around these areas.

e. Upon return from deployment, small unit leaders and service members conduct a full joint safety inspection and inventory of the vehicle prior to departure from the storage lot. Through prior coordination with unit remain behind representatives, MCBH will provide emergency towing/battery charging services on the day POVs are retrieved from the lot. Any claims for damage to POVs will be processed through the chain of command via the normal government claims process.

f. Unclaimed vehicles will be towed to the base impound lot. Impounded vehicles are subject to procedures contained in paragraph 7007 of this manual.

2. Wartime/Contingency Procedures. Procedures during a wartime/contingency mass deployment remain the same with the exception of a compressed timeline and storage location. POV joint inspections/inventories will occur based upon TPFDD and mobilization training schedules. Storage locations will be

designated through a separate Base Bulletin. If possible, unit integrity through the use of security fencing/concertina barriers will be maintained.

3. Intent. All service members aboard MCBH should be provided a secure parking facility at no cost to themselves when ordered to deploy. Every possible measure should be taken to accommodate all POVs to protect property, reduce the number of abandoned vehicles and maintain accountability of POVs aboard MCBH. Where possible, POVs should be provided an improved surface space-ideally with overhead cover from the elements if resources permit. Finally, this manual supplements procedures found in Base Order P3010.1A (Rapid Deployment Standard Operating Procedures (SOP)), Chapter 7.2 (Wartime/contingency parking). Specifically, the "hold harmless" agreement enclosed in that order remains germane. The procedures contained in this manual simply provide a more detailed description of the process required to conduct rapid deployment.

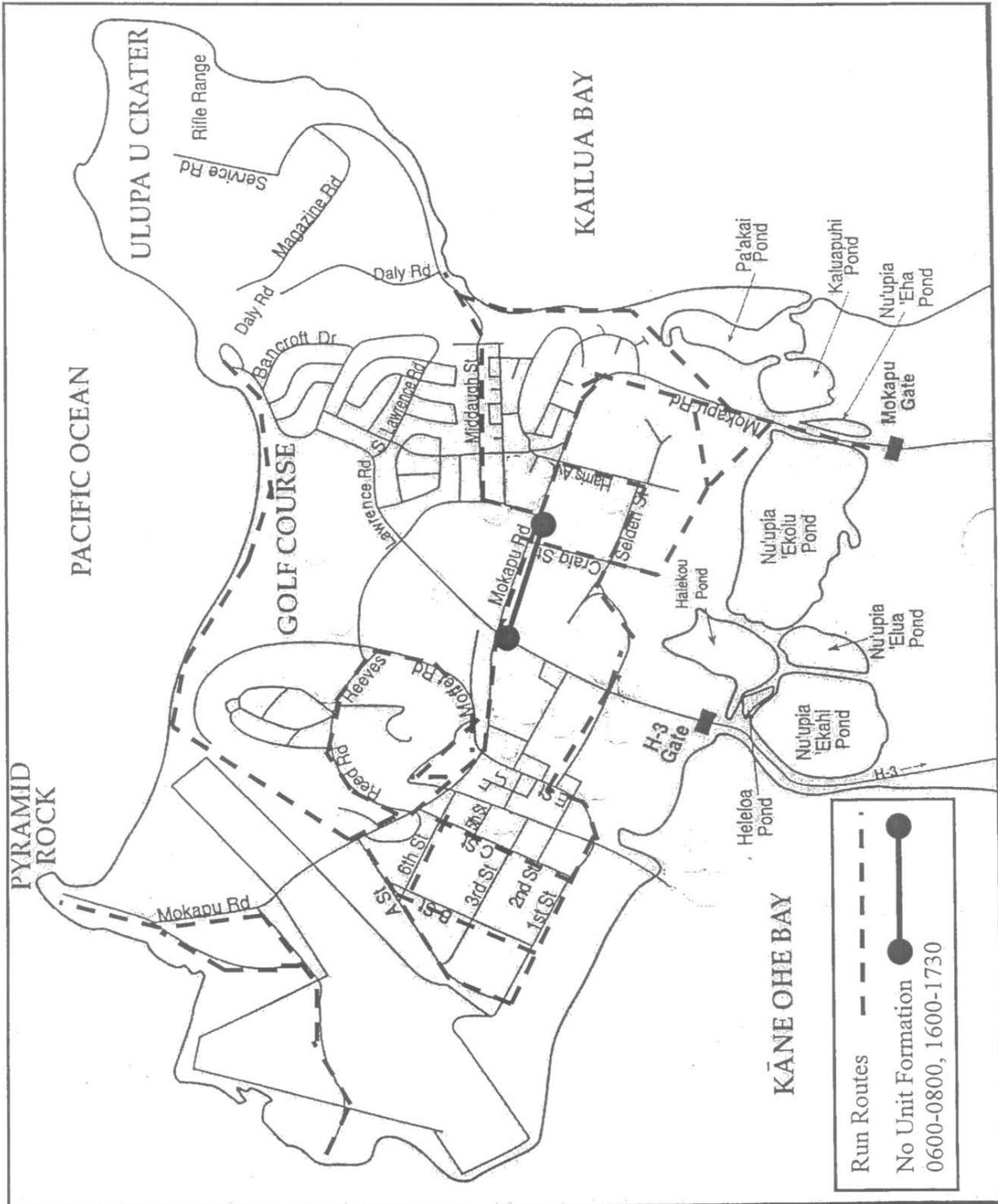


Figure 7-1. AUTHORIZED UNIT CONDITIONING RUN ROUTES

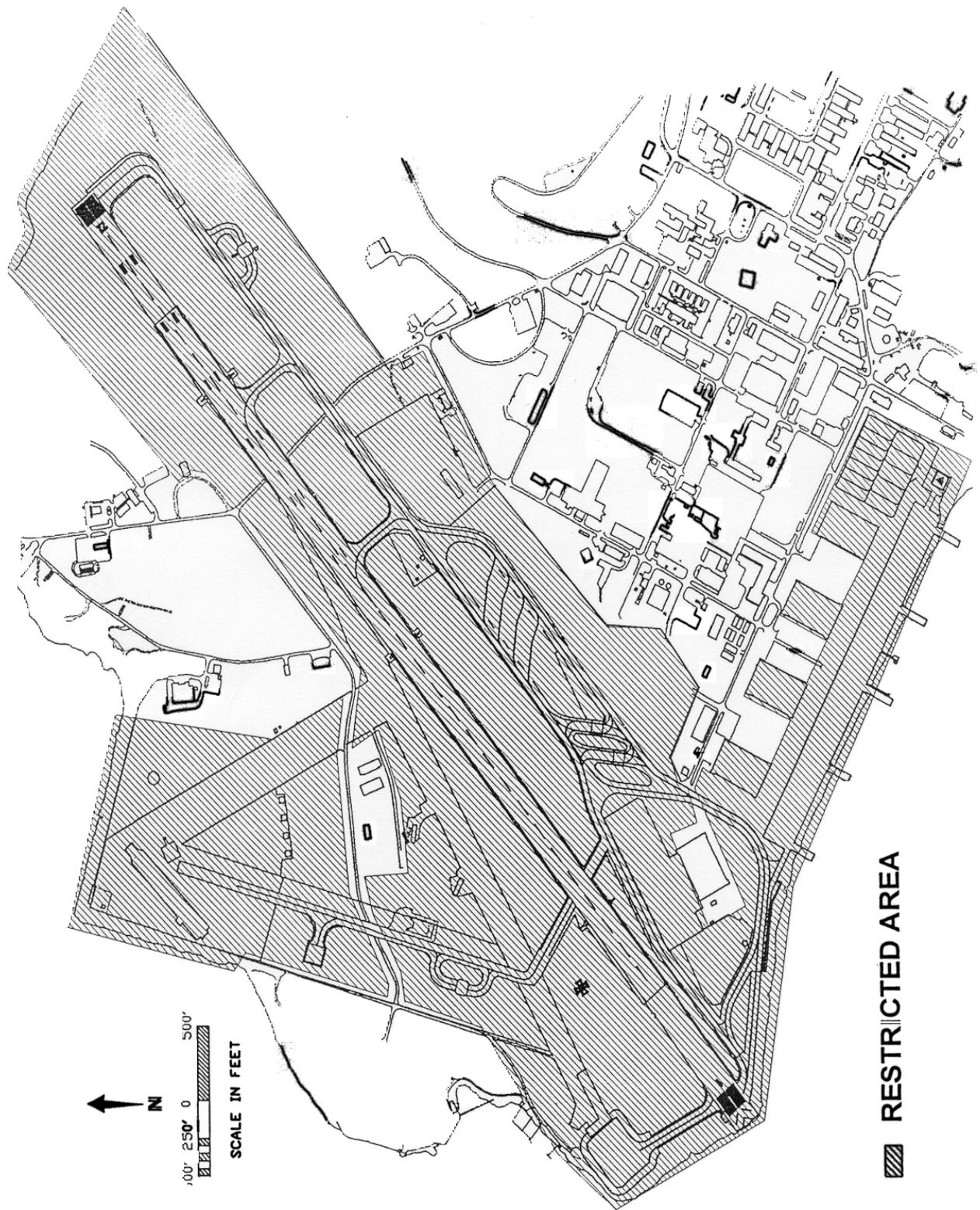


Figure 7-2. MCAF RESTRICTED AREAS

DEPLOYMENT STORAGE REPORT

THE INFORMATION BELOW IS REQUIRED PRIOR TO STORING YOUR VEHICLE IN THE LONG-TERM PARKING LOT. PLEASE FILL IN ALL BLANK SPACES AND HAVE THIS FORM READY TO SUBMIT WHEN YOU ARRIVE AT THE DEPLOYMENT LOT.

VEHICLE IDENTIFICATION NUMBER: _____

VEHICLE YEAR: _____

VEHICLE MAKE: _____

VEHICLE MODEL: _____

VEHICLE COLOR: _____

LICENSE PLATE & STATE: _____

INSURANCE COMPANY: _____

INSURANCE POLICY NUMBER: _____

INSURANCE PHONE NUMBER: _____

PERSONAL INFORMATION:

RANK	BRANCH	LAST NAME	FIRST NAME	
SSN		ADDRESS		
UNIT	WORK PHONE	HOME PHONE	CELL PHONE	

VALUABLE ITEMS MOUNTED IN VEHICLE:

ITEM DESCRIPTION	SERIAL/MODEL NUMBER

SERVICE MEMBERS ARE REQUIRED TO REMOVE ALL NON-MOUNTED VALUABLES AND PERSONAL PROPERTY FROM THE VEHICLE PRIOR TO STORAGE. FURTHERMORE, YOU ARE REQUIRED TO HAVE ONE-QUARTER (1/4) TANK OF FUEL OR LESS IN YOUR VEHICLE. YOU ARE REQUIRED TO MAINTAIN AT LEAST STORAGE INSURANCE COVERAGE ON YOUR VEHICLE FOR THE DURATION OF THE LONG-TERM PARKING AGREEMENT. PRIOR TO RELINQUISHING YOUR VEHICLE, A DEPLOYMENT LOT REPRESENTATIVE WILL INSPECT YOUR VEHICLE FOR VALID REGISTRATION, SAFETY, AND INSURANCE. ALL DAMAGE ON YOUR VEHICLE PRIOR TO STORAGE WILL BE ANOTATED ON THE LONG-TERM PARKING AGREEMENT SHEET. YOUR VEHICLE MUST HAVE THE CAPABILITY TO BE SECURED (ALL LOCKS FUNCTIONAL). IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT THE MILITARY POLICE DEPARTMENT'S PHYSICAL SECURITY SECTION, AT 257-8556.

Figure 7-3. PRE-STORAGE CHECKLIST/INVENTORY SHEET



UNITED STATES MARINE CORPS
 MILITARY POLICE DEPARTMENT
 PHYSICAL SECURITY / CRIME PREVENTION
 MARINE CORPS BASE HAWAII
 BOX 63062
 KANEOHE BAY, HAWAII 96863-3062



LONG-TERM PARKING AGREEMENT

Vehicle Control Number		Date	Time	MPD Use Only	
VEHICLE / OWNER INFORMATION					
Rank	Branch	Unit	Last Name		First Name
Year	Color	Make	Model	License Plate / State	VIN
INCLUDED VALUABLE PROPERTY					
VEHICLE DAMAGE PRIOR TO STORAGE					
<u>DESCRIBE DAMAGES</u>		<p align="center"><u>ANNOTATE AREAS OF EXISTING DAMAGE</u></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p>FINAL CHECKLIST</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1/4 TANK OR LESS FUEL <input type="checkbox"/> BATTERY DISCONNECTED <input type="checkbox"/> WINDOWS SECURED <input type="checkbox"/> DOORS LOCKED <input type="checkbox"/> TRUNK SECURED <input type="checkbox"/> KEYS RELINQUISHED TO UNIT REP </div> <div style="width: 35%; text-align: center;"> </div> </div>			
STATEMENT OF UNDERSTANDING					
<p>I, _____, do hereby discharge the United States Government and its agents from any and all claims should the abovementioned vehicle or property of value be lost, stolen, or damaged for the duration of my vehicle's storage. I acknowledge that I have been advised to remove said property prior to storage, and have been afforded the opportunity to do so. Furthermore, throughout the duration of my storage, I agree to maintain a minimum of storage insurance coverage on my vehicle.</p>					
<p>_____ OWNER SIGNATURE</p>			<p>_____ MPD REPRESENTATIVE SIGNATURE</p>		

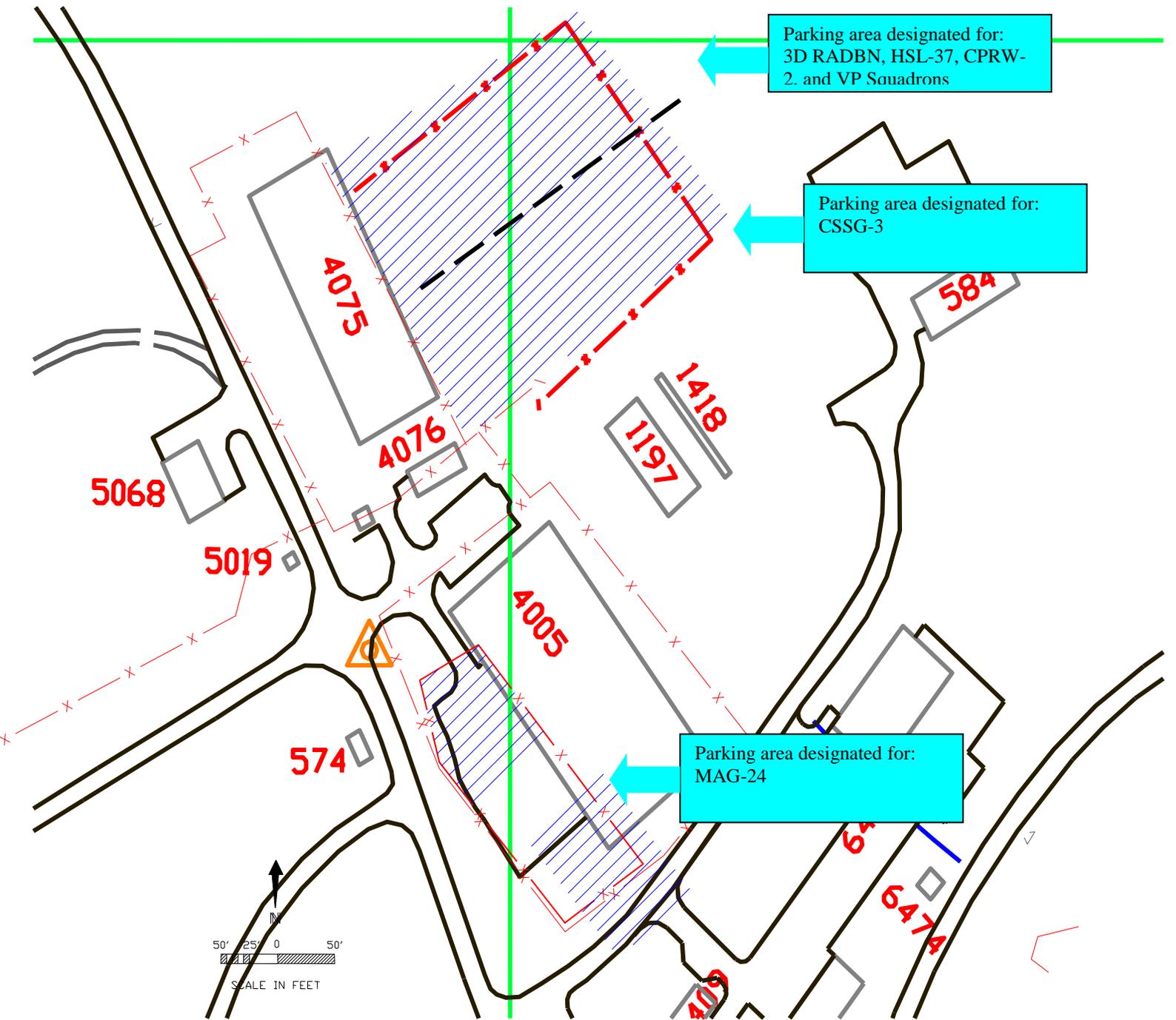


Figure 7-8. 3D RADBN, CSSG-3, MAG-24, HSL-37, CPRW-2, and VP STORAGE AREAS

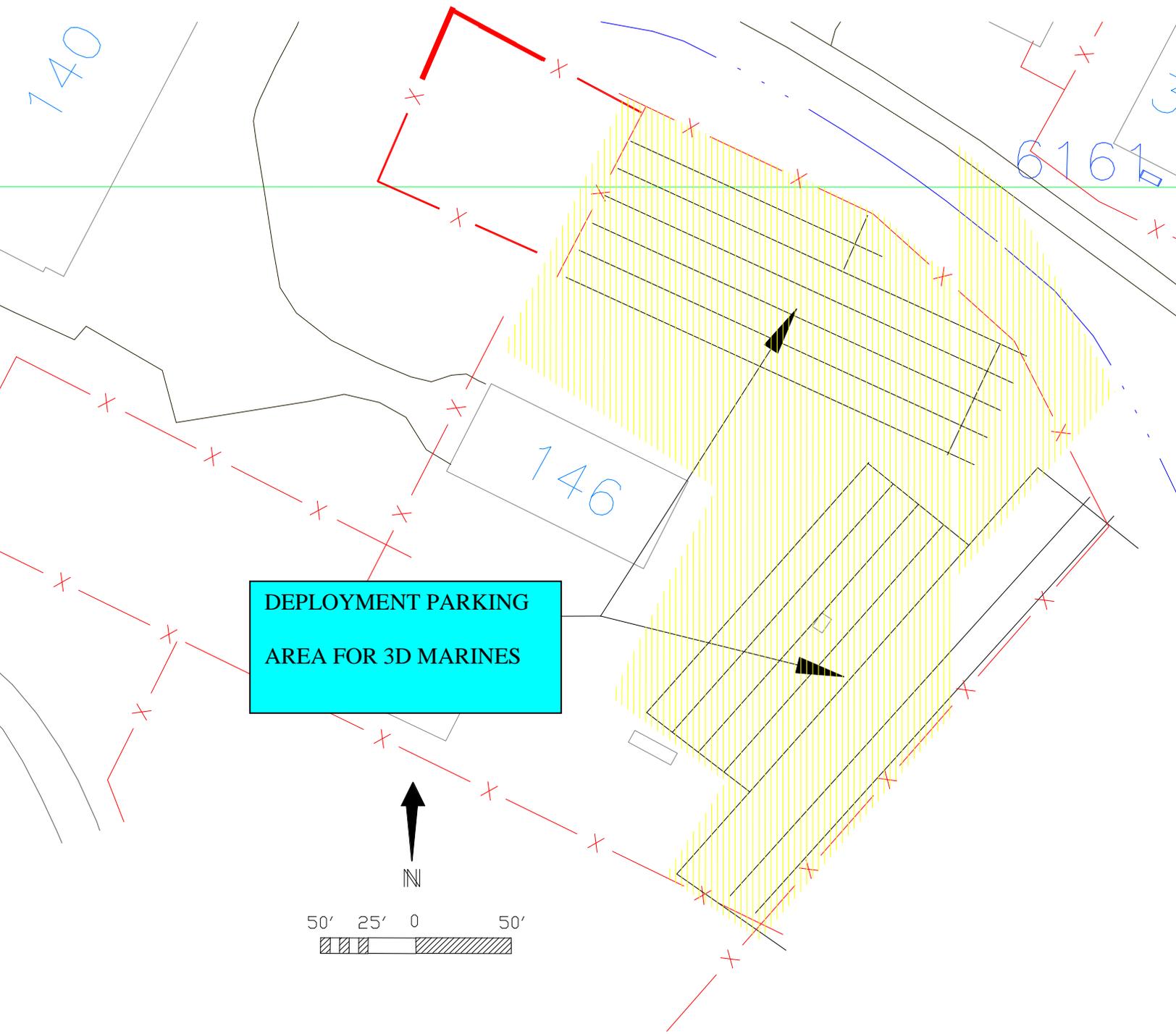


Figure 7-9. 3D MARINES STORAGE AREAS

BASE REGULATIONS

CHAPTER 8

COURTS

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FIGURE

8-1 ADMINISTRATIVE POINTS TABLE FOR TRAFFIC/PARKING VIOLATIONS8-8
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BASE REGULATIONS

CHAPTER 8

COURTS

8001. DEFINITION OF TERMS

1. Bail Forfeiture. A process used in the U.S. District Court by which a defendant may pay a fine in lieu of a court appearance.
2. Bench Warrant. A warrant issued by the U.S. Magistrate for the custody/arrest of a violator who failed to appear in court.
3. Motor Vehicle. Any self-propelled vehicle including those propelled by electric power. For the purposes of traffic enforcement, including driving under the influence of alcohol or drugs, a bicycle is considered a motor vehicle.
4. Driver. Person in actual physical control of a vehicle. This term is used interchangeably with operator.
5. Driver's License. License to operate a motor vehicle issued or recognized under the laws of Hawaii.
6. Driving Privilege. Privilege extended by the commanding general to operate a POV aboard MCBH. This privilege is subject to administrative suspension or revocation for cause as determined by the commanding general.
7. Juvenile. Persons less than 18 years old, including military personnel.
8. Moped. Vehicle having two or three wheels in contact with the ground and a motor having a maximum power output capacity (measured at the motor output shaft) of one and one-half horsepower or less (see chapter 7).
9. Motorcycle. Motor vehicle having a seat or saddle for the use of a rider and designed to travel on not more than three wheels in contact with the ground, excluding farm tractors and mopeds (see chapter 7).
10. Moving Violation. Violation of any traffic law, ordinance, or regulation promulgated primarily to make roadways safe. Moving violations typically involve unsafe acts or unsafe conditions.
 - a. Unsafe Act. Act or omission in traffic, which is hazardous.
 - b. Unsafe Condition. Causing or permitting an illegal and possibly hazardous condition on roadways, vehicles, pedestrians, or drivers in traffic.
11. Non-moving Violation. Violation of any traffic law, ordinance, or regulation affecting safety upon the street or highway, but not promulgated primarily with the object of making their use safe.
12. Point System. An administrative aid to evaluate driver performance by assessing weighted point values for moving traffic violations. Figure 8-1 shows assessments under the point system per reference (g).

13. Suspension of Driver's License. Termination by state authority of a person's license or privilege to operate a motor vehicle on the public highways. The license may not be renewed until after the expiration of the suspension period. A suspended state driver's license disqualifies the individual from operating a POV on a military installation since the individual is no longer licensed to drive.

14. Suspension of Driving Privilege. The commanding general's termination of a person's privilege to operate a vehicle on a military installation for a specified period of six months or less.

15. Revocation of Driving Privileges. The commanding general's termination of a person's privilege to operate a vehicle on a military installation for a specified period of time greater than six months.

16. Reciprocity. Reciprocal action between state and military authorities to suspend or revoke an individual's government operator's permit or state driver's license based upon action initiated by either jurisdiction. For instance, if arrested for DUI off MCBH, the operator's on base driving privileges will be revoked for at least one year.

17. Vehicle Accident. Occurrence involving the operation or movement of a vehicle which results in death, injury, or damage to any property totaling \$500 or more.

18. Minor Vehicle Accident. Occurrence involving the operation or movement of a vehicle in which there is no personal injury and which results in damage to any property totaling less than \$500.

8002. U.S. DISTRICT COURT

1. A court system which addresses traffic offenses in violation of reference (i) assimilated as federal law and minor federal criminal offenses. In most cases, offenders may post a monetary collateral, waive appearance before the court, and consent to the forfeiture of the collateral by mail. Other offenses carry a mandatory court appearance. Persons charged with mandatory court appearance offenses or those who desire to plead not guilty must appear before, and be judged by, the U.S. Magistrate appointed to the staff of the U.S. District Court of Hawaii.

2. No one may be tried by the Magistrate without his or her consent. Cases in which an individual refuses consent are tried in U.S. District Court. Violators are notified of their court date by summons. Convictions and guilty pleas in U.S. District Court result in points assessed against the offender's MCBH driving record, and may also result in fines and/or suspension/revocation of driving privileges.

3. A bench warrant for arrest will be issued for all who fail to appear in court as scheduled. MPD will assist the Legal Services Center and civilian law enforcement agencies in taking persons cited by bench warrants into custody. An assessment charge may be imposed on violators cited by bench warrants regardless of the outcome of the case. The Legal Services Center will notify unit commanding officers, by telephone or letter, immediately or upon return of each unit from deployment, of personnel in their command for whom bench warrants have been issued.

8003. HAWAII FAMILY COURT. This court system addresses domestic offenses and offenses committed by juveniles. At least one parent, or a SNCO or above for military personnel, must attend with the violator. A letter from the Family Court establishes the court date. The Hawaii Family Court consists of a Hawaii state judge and counselors who handle juvenile offenders referred by the U.S. District Court.

8004. MCBH TRAFFIC COURT

1. Authority. MCBH Traffic Court exercises administrative due process and is empowered by the commanding general to promote traffic control and safety aboard the installation. Actions by MCBH Traffic Court include, but are not limited to, assignment of points, suspension or revocation of driving privileges, and assignment to remedial driver training. Attendance at MCBH Traffic Court is optional, in that failure to appear when scheduled constitutes an automatic guilty plea with appropriate points, suspension, or revocation assessed. Suspects caught driving under the influence of alcohol or while intoxicated must attend MCBH Traffic Court.

2. Offenses Handled. MCBH Traffic Court will handle offenses involving violations of military orders and instructions pertaining to traffic and parking violations, littering, and related offenses, as well as all violations committed by government vehicle operators aboard MCBH.

3. Point Assessments. MCBH Traffic Court will assess points for violations using figure 8-1 as a guideline. MPD will record the appropriate points assessed on an individual's driving record by the MCBH Traffic Court, or when state authority disposes of the violation committed within the jurisdiction of the point assessment. When more than one violation has been committed on a single occasion, points will be assessed for the offense having the greatest point value. Additional points will be added if deemed appropriate.

4. Suspension/Revocation of Driving Privileges. For reasonable cause, MCBH Traffic Court may suspend or revoke driving privileges. The provost marshal or base inspector will notify an individual of suspension/revocation in writing and will also notify the individual's commanding officer. Commanders are responsible to ensure compliance. Before the suspension/revocation of driving privileges, the individual will be afforded an opportunity to show cause why this action should not be taken by MCBH Traffic Court. Failure to request a hearing, or to appear on the date assigned, will automatically result in suspension/revocation of driving privileges:

a. For the duration of any state suspension/revocation of a driver's license.

b. For minimum of 30 days for three illegal parking citations in a six-month period to include removal off base at owner's expense.

c. For up to 12 months when:

(1) Accumulating 12 or more points within 12 consecutive months, or 18 points within 24 months.

(2) Convicted by courts-martial or when non-judicial punishment is imposed for driving under the influence of alcohol.

(3) Upon forfeiting bail or conviction for driving under the influence of alcohol or drugs, manslaughter involving a vehicle, negligent homicide, or the commission of any felony crime involving a vehicle.

(4) Upon refusal to be tested for alcohol or other drug, per the implied consent law.

(5) Notified of a positive result of a urinalysis test or for having drugs or drug paraphernalia in a vehicle.

d. For up to 24 months when operating a vehicle with suspended privileges or license by military or civilian authorities.

5. Decal Removal

a. MPD will remove DoD decals from all vehicles registered to a suspended/revoked driver. The individual's command will ensure all decals are surrendered and the vehicles are taken off MCBH within 24 hours of the suspension.

b. When a person's MCBH driving privileges are suspended, but another member of the household is authorized driving privileges, MPD will affix an international orange "M" or "F" decal beside the DoD decal on each registered vehicle. For example, if a male member of the household is suspended, an "M" will be affixed. If a person of the same sex as the suspended or revoked person drives the car on MCBH, military police may stop the driver to verify that the operator is not under suspension or revocation. A person with suspended driving privileges who has no dependents is not authorized to give power of attorney to another person to register the vehicle on MCBH. Also, a person whose driving privileges are suspended or revoked cannot allow a non-family member to drive his/her vehicle aboard any military installation. They will be processed for violations of this manual if their vehicle is found aboard MCBH.

6. Reinstatement of Driving Privileges. Revoked driving privileges are automatically reinstated upon expiration of revocation provided all imposed preconditions are met. Suspended driving privileges are not automatically reinstated upon expiration of suspension even though preconditions are met. They are required to report to the MCBH MPD Traffic Court Bailiff to show proof that reinstatement requirements are met and to receive a reinstatement letter. Imposed preconditions for both revocation and suspension include attendance at remedial driver training, at a minimum. A person whose driver's license is suspended will not be granted driving privileges until he or she has been relicensed by the authority originally invoking the suspension. Individuals may apply for a DoD decal on the last day of the suspension/revocation period.

7. Appeal. Any person whose MCBH driving privileges have been suspended or revoked by MCBH Traffic Court may appeal to the MCBH Commanding General (Attn: Base Inspector) via chain of command within ten workdays from the date of notice. An appeal must be based on fact and will be judged on its merits. The appeal must state clearly why the action warrants review by the commanding general. Unit commanders will process appeals as expeditiously as possible, verify serious family hardship or other facts, and include a recommendation. Suspensions remain in effect while the appeal is processed.

8005. SUSPENSION/REVOCAION OF GOVERNMENT MOTOR VEHICLE OPERATOR'S LICENSE

1. The provost marshal will notify commanding officers when MCBH Traffic Court suspends a military member's driving privileges. Reference (l) gives commanding officers authority to suspend a U.S. Government Motor Vehicle Operator's Identification Card (OF-346) and prescribes required administrative actions. Reference (m) requires that military personnel be prohibited from obtaining/using a U.S. Government Motor Vehicle Operator's Identification Card (OF-346) for six months for each DWI incident. Commanders may grant exceptions when such suspension would seriously affect military mission requirements. However, commanders must notify the provost marshal in writing within three working days of such action. If the suspension is based on a suspension of a state driver's license by civil authorities, then per reference (g), operation of a government vehicle will be restricted to aboard MCBH.

2. The provost marshal will notify the appropriate personnel office when MCBH Traffic Court suspends the driving privileges of a civilian employee. If the employee possesses a valid OF-346 when notified, action will be taken under the Federal Personnel Manual, Chapter 930 or other applicable laws and regulations concerning civilian personnel.

8006. DRIVER RECORDS

1. Maintenance. The provost marshal will maintain a record in CLEOC of all traffic violations by drivers of vehicles registered aboard MCBH. Notice of traffic violations by persons whose vehicle is registered at another installation in Hawaii will be forwarded to the other command for adjudication in the case of Armed Forces Traffic Tickets (DD Form 1408) or points assessment in the case of U.S. Magistrate Violation Notices (DD Form 1805).

2. State Notification. Reference (m) requires that state driver's license agencies be notified of DoD personnel whose installation driving privileges are revoked for one year or more for conviction on an alcohol related intoxicated driving offense or upon refusal to submit to a lawful BAC test.

ADMINISTRATIVE POINTS TABLE FOR TRAFFIC/PARKING VIOLATIONS

POINTS VIOLATIONS ASSESSED:	
Operating a motor vehicle, while:	
On base driving privileges are suspended/revoked, on a revoked/suspended driver's license	24 and mandatory court
Driving under the influence/or refusal to submit, or failure to complete chemical test (Implied Consent)	12 and mandatory court
Underage person operating a motor vehicle with a BAC of .02% or higher	12 and mandatory court
Use, permitting unlawful, fraudulent use of an official driver's license	12 and mandatory court
Expired/No valid driver's license	12 and mandatory court
No fault insurance card:	
Expired/lapsed	Mandatory court
No valid No-fault insurance	6 and mandatory court
Not in vehicle	2
Accident:	
Duty to give information or render aid	12
False report (oral or written)	12
Fleeing the scene (hit and run): property damage	12
Inattention to driving (accidents only)	12 and mandatory court
Violation of learner's permit restrictions	12 and mandatory court
Fradulent use of vehicle license plates	12 and mandatory court
Motorcycle/motor scooter	
No passenger permitted/no night driving permitted	12 and mandatory court
Owner allowing operation of uninsured vehicle	12 and mandatory court
Special Instruction on driver's license	12 and mandatory court
Failure to stop for school bus/crossing signals	6 and mandatory court
Parking in a handicap space without the proper permit	6 and mandatory court
Speed contest/racing on the highway	6 and mandatory court
Use, permitting unlawful, fraudulent use of installation decal/pass	12 and mandatory court
Failure to yield right of way to emergency vehicle	6 and mandatory court
Parking in a red/loading zone	5 and mandatory court
Parking in bus zone (red curb/sign)	5 and mandatory court
Parking/impeding traffic on the taxiway	5 and mandatory court

Figure 8-1. ADMINISTRATIVE POINTS TABLE FOR TRAFFIC/PARKING VIOLATIONS

POINTS VIOLATIONS ASSESSED CONT.:	
Parking within 15 feet of fire hydrant or fire hose	5 and mandatory court
Expired/no vehicle registration, vehicle safety inspection, reconstruction permit, out of state vehicle permit:	
Failure to show proof within 5 working days	4 and mandatory court
Show proof within 5 working days	2
No driver's license on person:	
Failure to show proof within 5 working days	4 and mandatory court
Show proof within 5 working days	2
Illegible driver's license/permit:	
Failure to show of new license/permit	4 and mandatory court
Show proof of new driver's license/permit within 5 working days	2
Abandoned/derelect vehicle	mandatory court
Littering from vehicle	mandatory court
Driving vehicle while impaired (BAC= .05%-.07%)	6
Exercise due care/child and disabled person	6
Obedience to Police Officers Direction	6
Owner knowingly and willfully permitting another to operate owner's motor vehicle when physically impaired	6
Passenger under 12 years on a motorcycle/motor scooters	6
Reckless driving (willful and wanton disregard for the safety of persons or property)	6
Storage of open container	6
Vehicle yield to pedestrian (crosswalk)	6
Exceeded posted speed limit or driving too fast for conditions:	
1 to 10 miles per hour over the posted speed limit	3
11 to 15 miles per hour over the posted speed limit	4
16 to 20 miles per hour over the posted speed limit	5
More than 20 miles per hour over the posted speed limit	6 and mandatory court
Basic speed law	3
Speed too fast/slow for traffic conditions	2
Driving down one-way (parking lot/road/street)	4
Failure to obey traffic signs, traffic instructions of an enforcement official, or traffic warden, or any official traffic device requiring a mandatory stop, yield right of way, denial of entry, or required direction of traffic	4

Figure 8-1. ADMINISTRATIVE POINTS TABLE FOR TRAFFIC/PARKING VIOLATIONS (CONT)

POINTS VIOLATIONS ASSESSED CONT.:	
Failure to stop at stop sign/red light	4
Failure to yield (no official sign involved)	4
Following too close	4
Following too close: school bus, tow truck, emergency vehicle	4
Illegal tint:	
Remove within 5 days	4
Not removed within 5 days	4 and mandatory court
Improper passing/no passing zone	4
Improper right/left turn at intersection	4
Improper turn (no official sign involved)	4
Unattended vehicle (motor running/keys in ignition)	4
Driving motor vehicle while wearing headphones or earphones	3
Driving motor not utilizing hands free device while talking on a cellular telephone	3
Driving on sidewalks	3
Failure to de-register vehicle aboard MCBH	3
Failure to register out-state plate within 30 days	3
Failure to transfer vehicle ownership within 10 days to DMV	3
Improper turning movements (no official sign involved)	3
Failure to wear proper personal protection equipment (PPE) on a motorcycle, motor scooter/moped	3
Improper overtaking	3
Other moving violations involving driver behavior only	3
No passenger permitted on moped	3
Turning without due caution	3
Unsafe backing	3
Defective equipment:	
Fixed within 5 days and show proof	2
Not fixed within 5 days	4 and mandatory court
Disconnected/modify/altered pollution control device	2

Figure 8-1. ADMINISTRATIVE POINTS TABLE FOR TRAFFIC/PARKING VIOLATIONS (CONT)

POINTS VIOLATIONS ASSESSED CONT.:	
Disregarding longitudinal lane markings	2
Driving on left of venter of roadway	2
Driving without a motor vehicle odometer	2
Excessive vehicle/motorcycle noise/modified exhaust system	2
Failure to use safety restraint system devices by operator/passenger	
1st offense	7 day base driving privileges suspension/ 4 hour remedial driving class on a Saturday
2nd offense	30 day base driving privileges suspension
3rd offense	6 month base driving privileges suspension
Failure to restrain child under 4 years and 40lbs. in car seat	2
Illegible vehicle license plate/tag/emblem	2
Inoperative taillights/brake/or license plate light	2
No front license plate/obstructed	2
No moped tax decal	2
No motorcycle license plate/obstructed	2
Operating an unsafe vehicle (other than minor vehicle safety)	2
Parking in a reserved/restricted stall	2
Parking within 15 feet of intersection/stop sign	2
Parking within 100 feet of any vehicle accident or emergency	2
Unsafe lane change	2
Double-parking	2
Driver involved in accident is deemed responsible (use only as additive to points assessed for specific offenses)	1
Driving without headlights	1
Illegal parking	1
Parking (impeding traffic)	1
Parking in front of driveway	1

Figure 8-1. ADMINISTRATIVE POINTS TABLE FOR TRAFFIC/PARKING VIOLATIONS (CONT)

POINTS VIOLATIONS ASSESSED CONT.:	
Parking next to a parking lot/traffic island	1
Parking on a crosswalk/ sidewalk	1
Parking on any lawn, seeded or vegetated area/sidewalk	1
Parked out of stall/not within stall marks	1
Parked parallel and within 18 inches of curb	1
Wearing dark glasses after sunset	1

Figure 8-1. ADMINISTRATIVE POINTS TABLE FOR TRAFFIC/PARKING VIOLATIONS (CONT)

BASE REGULATIONS

CHAPTER 9

CONTROL OF ACCESS TO THE BASE

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BASE REGULATIONS

CHAPTER 9

CONTROL OF ACCESS TO THE BASE

9001. GENERAL

1. Permission Required

a. Compliance with this manual, or special written permission from the commanding general is required for all persons to access MCBH. This includes the Kaneohe Bay Naval Defensive Sea Area (NDSA/500 yard buffer zone). References (n) and (o) provide authority to control access.

b. Tighter access control procedures will be placed in effect during higher force protection conditions (FPCON).

2. Entry and Exit Points. Except for organized and authorized movements of military personnel by sea, air, or through other perimeter openings, all points of entry and exit of MCBH Kaneohe Bay and Camp Smith, Hawaii will be:

a. By H-3 Gate. All persons authorized access to MCBH by this manual or special permission may use the H-3 Gate.

b. By Mokapu Gate

(1) Vehicles. Military police will deny access to all visitor's POVs without an appropriate temporary pass issued from any of the Hawaii based U.S. Armed Forces, or a MCBH visitor's pass. Military police may authorize access for clearly marked food delivery vehicles sponsored per paragraph 9003.6. All tractor-trailers will routinely enter/exit through the H-3 gate.

(2) People. Pedestrians, bicyclists, and moped operators with one of the identification cards described herein may enter through the Mokapu Gate.

c. By Main Gate, Camp Smith. All persons authorized access to MCBH by this manual or special permission may use this gate.

d. By Rear Gate, Camp Smith. Vehicles with valid decals, temporary passes, or drivers with valid armed forces identification cards may enter this gate. Pedestrians, bicyclists, and moped operators with one of the identification cards described herein may enter through this gate.

e. Manana Housing Gate. Resident's and guest's vehicles with a valid decal, temporary pass, visitor's pass, or drivers with valid armed forces identification cards may enter this gate. Pedestrians, bicyclists, and moped operators with one of the identification cards described herein may enter through this gate.

f. By Sea. Military owned or operated boats and ships, privately owned small boats berthed aboard MCBH, and small boats occupied by persons with proper valid identification cards as described in this chapter may land at the MCBH MCCA Marina. Operators and owners of privately owned boats must ensure that no one, except as permitted in this manual, gains access to MCBH aboard their boats. Permission to berth privately owned boats must be

obtained from the base marina. Military police may check identification cards or guest sponsorship of personnel arriving aboard MCBH in boats. Entry into the 500-yard water buffer zone for recreation purposes is only authorized for active duty military personnel and DoD civilian employees.

g. By Air. Per reference (k), MCAF, Kaneohe Bay, all landing zones, and other potential landing sites are closed to non-DoD aircraft except for emergency landings and non-military aircraft having an aviation facility license on file with MCAF Operations.

3. Hitchhikers. Hitchhikers picked up off base to come aboard MCBH are the responsibility of the vehicle operator. Drivers must identify the hitchhikers to the military police at the gate so they may check the hitchhiker's identification or sponsorship.

4. Vehicle Access

a. Government Vehicles. When asked by military police or road masters, drivers of MCBH and tenant unit government vehicles, including non-appropriated fund vehicles, must present an off base dispatch to exit with the vehicle. Drivers of government vehicles from off base commands may be required to present trip tickets for entry and exit.

b. Privately Owned Vehicles. All POVs of personal assigned to MCBH are required to be registered with a MCBH DOD decal within 30 days of arriving on island or purchasing the vehicle. Drivers with armed forces identification cards may access the base without a temporary pass prior to obtaining a DOD decal, when driving a rental vehicle, or borrowing someone else's vehicle. MPD may issue temporary passes as required. All visitor's (without an armed forces identification card) POVs must have either a DoD decal from a military installation in Hawaii, a MCBH temporary pass, other Service installation temporary pass, or a MCBH visitor's pass to gain access to, or to be operated on MCBH. Failure to consent to a search or inspection of any vehicle, person, or property attempting to access MCBH or inability/unwillingness to produce valid documents proving compliance with the reference (i) and this manual is grounds to deny access. MPD will only issue a DoD decal when all of the requirements of the reference (i) and this manual are met, including a valid Hawaii safety inspection, Hawaii no fault insurance, state vehicle registration (with Hawaii vehicle permit for out of state license plates), valid driver's license, and a safe vehicle as defined by Hawaii law (see chapter 6 for temporary pass exceptions). Failure to continue to meet all requirements of reference (i) and this manual will result in the confiscation of any DoD decal or MCBH pass (see chapter 6 for deadline vehicle exceptions).

9002. PERSONNEL IDENTIFICATION

1. Military Personnel and Dependents. Active duty and retired U.S. military personnel and their dependents must possess AFID or Uniformed Services Identification and privilege cards when entering or exiting MCBH and must present these when requested by military police.

2. Civilians. Civilians employed by MCBH or tenant commands must present an identification card issued by a military command in the State of Hawaii in order to access MCBH. Such identification permits admission to MCBH only in conjunction with employment or other bona fide purposes such as visits to the credit union, clubs, or other functions permitted on MCBH.

3. Visitors or Guests, Commercial or Private. Other civilians, such as guests, commercial delivery, or tradesmen are classified as visitors. Entry of these persons depends upon satisfactory sponsorship and producing adequate personal identification upon request.

4. Command Guests. The provost marshal may authorize passes for official visitors, such as civilian members of athletic teams and youth groups, prospective Marines who have been recruited, but not called to active duty, and similar groups that may be billeted aboard MCBH.

5. Reservists and National Guardsmen. Reservists who possess a valid AFID card may receive an appropriate DoD decal. Reservists are not required to show active duty orders. Reservists and National Guardsmen will be granted a liberal access policy to MCBH establishments (e.g., billeting, clubs, MCCA facilities, beaches, etc.). MPD will honor DoD decals from other Oahu military installations.

6. "Friends of K-Bay." The provost marshal authorizes "Friends of K-Bay" passes. The sponsoring activity will submit a "Friends of K-Bay" request form through the provost marshal. MPD will conduct a local records check. Upon completion of a favorable records check, the provost marshal will authorize access for designated activity. The approved form will be forwarded to the requesting activity. A copy will be kept at the pass house when the authorized patrons go in to get their passes and receive a "Friends of K-Bay" picture identification. This pass authorizes access to the installation to engage in designated activity. Violation of this authorization may result in the patrons losing their base access privileges.

9003. SPONSORSHIP

1. Definition. A sponsor is an military service member, Reservists, National Guardsman, retired military service members, civilian DoD employees, or dependents, 16 years of age and older, who invite persons to come aboard the base as visitors or as house guests, employees, or who engage in trade and agree in contract with an individual civilian, commercial firm or its agents, business persons, sales persons, or any other persons who come within the scope of this manual.

2. Sponsoring Persons or Agencies. The Human Resources Officer will sponsor persons applying for civil service employment. The employing activity will sponsor other civilian employee applicants, such as those of non-appropriated fund activities, concessionaires, baking facilities, or the Mokapu Elementary School. Individual hosts will sponsor house guests. The commanding general may question or deny the sponsorship authority of activities or individuals. Persons not included in any of the above categories shall apply to the commanding general via the provost marshal for sponsorship.

3. Non U.S. Citizens. Refer all requests for entrance from representatives of a foreign government, foreign military service, or foreign private interest, whether U.S. citizens or not, to the provost marshal. Foreign nationals with valid U.S. AFID or Uniformed Services Privilege Identification Cards and Foreign military members serving with units assigned aboard MCBH do not need special sponsorship.

4. Special Arrangements. Under certain circumstances it is advantageous due to command requests, special events, estimated attendance, or other factors, to permit designated individuals to access MCBH without obtaining a pass.

The provost marshal may approve such arrangements on a case-by-case basis and may authorize special specific-to-the-event passes to be distributed by the activity coordinating the event and returned to the provost marshal after that event.

5. Delivery Vehicles. While not in a heightened FPCON, military police may allow access without a pass to clearly marked food delivery, construction, or company vehicles with proper logos and documents for delivery entering MCBH for the sole purpose of delivering food or materials ordered by a MCBH resident, business or activity.

6. Procedures

a. Sponsors must provide advance notice to MPD at the pass house, building 1637 at the H-3 Gate, Kaneohe Bay or building 601, Camp Smith when expecting visitors/guests. Visitors arriving without prior notice must provide a telephone number to contact the sponsor. Call-in sponsorship will be phoned from a MCBH phone number 257, 254, 253. Call-in sponsorship from a cell phone number will not be accepted. Inability to contact the sponsor may result in denial of access to MCBH.

b. Sponsors expecting guests will provide their name, telephone number, their guest's name, expected time of arrival, and the guest's destination. Upon the guest's arrival, military police will verify their identification, issue a temporary pass, log in vehicle information, and allow them to proceed to their destination after verification with the sponsor. Retired and reserve military and their dependents must sponsor their guests aboard MCBH in person at the pass house, building 1637 at the H-3 Gate, Kaneohe Bay or building 601, Camp Smith. Sponsors must meet guests under 16 at the pass house, building 1637, Kaneohe Bay or building 601, Camp Smith, or Manana gate, in person and register them at the pass house or Manana gate house.

9004. VISITOR CONTROL

1. General Rules. Restrictions and entry requirements concerning visitors are necessary to maintain a security level commensurate with the threat level. All persons are required to enforce these regulations with tact and courtesy. General rules for visitors are:

a. Visitors will abide by all base orders and regulations.

b. Visitor passes are valid only for the visit to the place/person originally authorized when the pass was issued.

c. Visitors must leave MCBH directly after completion of the purpose of the visit or by 2400 that day, whichever is earlier. This restriction does not apply to visitors to clubs and quarters. Unless invited to family quarters, authorized visitors of clubs will leave MCBH immediately after the club closes.

d. Sponsors of visitors are responsible for their guests. However, the sponsor need not accompany the visitor at all times except while on MCBH beaches (see chapter 11). If a guest violates base orders or regulations the individual who sponsored the guest will lose sponsorship privileges for six months.

e. Juveniles, under the age of 16, who reside on MCBH are prohibited from sponsoring guests without permission from a parent or guardian. Permission may be verified in writing, in person, or telephonically at the pass house.

f. Ordinarily, visitors will use H-3 Gate, Kaneohe Bay or main gate, Camp Smith for entry and exit and must use the most direct route to and from the point they are visiting.

g. Visitors must provide a driver's license or other means of positive personal identification when requested by military police.

2. Official Visitors. An authorized representative of the unit or activity sponsoring official guests must furnish telephonic or written authorization. MPD will issue such visitors a visitor's pass and direct them to the authorizing organization or activity. The provost marshal may approve in advance access by roster for larger groups.

3. Personal Visitors. MPD will issue personal guests of housing residents a visitor's pass for their vehicle and direct them to the sponsor's quarters after verifying sponsorship.

4. Visitor Solicitors. See chapter 2.

5. Single Day Visiting Groups or Organizations. All persons who arrange for, or who receive knowledge of command-sponsored visits to MCBH by civilian groups or organizations will inform the Public Affairs Officer, who will inform the provost marshal. This includes civilian dignitaries, government officials, members of the press, schools, churches, scouting groups, and similar organizations. All persons who arrange for, or receive knowledge of organized social and religious activities that are not command sponsored or sanctioned special events will inform the provost marshal. In either case, provide a list that includes the name of the visitor or visitors and/or the name of the group (with the name of the sponsor or the person in charge clearly identified), the purpose of the visit, and the approximate date and time the visit is expected to MPD in advance. The Environmental Protection and Compliance Department, MCBH must approve any requests for visits or tours of any wildlife management area.

6. Taxi Cabs. Taxi cabs hired off base by military personnel, family members, or federal employees may take their fares directly to their quarters or work areas and directly exit the base after discharging their fare paying passenger(s). All passengers in every taxi shall show proper identification. The military police gate sentry will log in each taxi and all passengers before allowing entry. Taxi drivers will remain with their vehicle at all times while aboard MCBH. Military police will allow taxi cabs aboard MCBH in response to calls, but taxi cab drivers may not "cruise" or otherwise solicit fares. Only authorized taxi cabs may solicit fares by parking in designated taxi stands at the Marine Corps Exchange, 7-day Store, and Enlisted Club.

7. Visitor's Passes. All visitor's POVs, that do not have a decal or temporary pass issued by a military installation in Hawaii, must have a visitor's pass unless otherwise stated in this manual. MPD will issue the following categories of visitor's passes at-the pass house, H-3 Gate, or building 601, Camp Smith.

a. Temporary Vehicles. Persons authorized a DoD decal and operating a rental or temporarily loaned vehicle (which requires a power of attorney letter for the vehicle if over 30 days), may obtain a temporary pass valid for the duration of the rental contract or temporary loan (see chapter 6).

b. Base Civil Service Retirees. Retired civil service employees of MCBH may present an honorary identification card issued by the human resources office to access MCBH.

c. Fishermen. Upon presentation of a valid fishing permit and other identification at the H-3 Gate, Kaneohe Bay, the individual may proceed to the designated fishing area.

8. Civilian Contractor's Pass. MPD may issue this pass to civilians or groups with a current contract to provide services aboard MCBH. MPD shall issue the pass for use only by designated persons in designated vehicles. For Resident Officer in Charge of Construction (ROICC) contracts, the pass will be valid with the authorization from ROICC for the duration of the contract, but may not exceed one year. A contractor's identification card may be issued.

9. Delivery Vehicles. Delivery or commercial vehicles that are clearly marked with the name of the company may be granted access to MCBH without a pass by providing a bill of landing, invoice, or similar document demonstrating a destination and services to be rendered/delivered (see chapter 2). Companies may be issued passes and picture IDs from the Pass House, and drivers must present both a pass and ID to be allowed access to the installation. Delivery or commercial vehicles not meeting the criteria of this subparagraph will require sponsorship to enter the installation per paragraph 9004.3. The location of delivery, driver's name, driver's license number with issuing state, and vehicle license plate number with issuing state will be recorded by the gate sentry.

10. Law Enforcement Officials. Military police may authorize all federal, state, and local law enforcement officials, upon presentation of credentials and in the performance of their duties, access to MCBH without a pass.

9005. IDENTIFICATION CARDS

1. Purpose. Identification cards are not passes. They identify the bearer. They do not entitle the holder to enter any particular military base or facility, to have access to classified information, or to receive privileges or benefits at every installation.

2. Unauthorized Use. Identification cards shall not be used by or given to any person not entitled to them. Unauthorized use or possession, alteration or counterfeiting of an identification card is unlawful. No person shall possess another person's identification card or have more than one identification card issued by the same agency, except as authorized by regulation (active duty and/or reserve and/or dependent). Any person who observes, or has knowledge of a fraudulent or suspicious identification card, will report it to military police immediately and detain the bearer if possible.

3. Loss of Identification Card. Immediately report loss of an identification card to the cognizant commanding officer or department head, the provost marshal, and all other military agencies, which accept the card

as identification, or proof of privilege entitlement. Turn in any found identification card to MPD.

4. Military and Dependent Identification Cards. Commanding officers of the military sponsor are responsible to verify entitlements.

5. Civilian Employee Identification Cards. Other than temporary or casual visitors and guests, commercial delivery or tradesmen, and all civilian employees must have a valid civilian employee identification card.

a. Houseguest Privilege Pass. These passes, issued at the pass house, building 1637 at the H-3 gate, Kaneohe Bay or building 601, Camp Smith permit certain MCCS privileges for house guests of military personnel. It does not authorize entry to the commissary, nor does it permit purchase of merchandise at MCCS facilities. Houseguests who are visiting military members (active duty and retired) who reside on or off MCBH are eligible for this pass. The following restrictions apply:

(1) The military sponsor must accompany their guest to request a pass.

(2) Sponsors with guests visiting in MCBH quarters for more than 72 hours must register them with the MCBH Family Housing Department and present the appropriate paperwork to the pass house building 1637 at the H-3 Gate, Kaneohe Bay or building 601, Camp Smith.

(3) These passes are valid for the duration of the visit, not to exceed 30 days. These passes are renewable.

b. Civil Service Retirees. The human resources officer issues an identification card to base civil service retirees. This card denotes the length of service of the former employee and will show the retired employee's photograph and signature.

c. Special Cases. The commanding general may approve exceptions to the above policy on civilian identification cards (example "Friends of K-Bay"/Klipper Club visitors).

9006. VIOLATIONS

1. Per reference (n), any person entering or remaining on MCBH without the consent of the commanding general, or without compliance with this manual, including the NDSA/500 yard water buffer zone around MCBH, shall be subject to a fine of no more than \$500 and/or imprisonment for no more than six months.

2. Per reference (p), any person who willfully violates this chapter is subject to a fine not to exceed \$5,000 and/or imprisonment for one year.

3. Military personnel who are subject to and violate this manual are also subject to punishment for violation of the UCMJ.

BASE REGULATIONS

CHAPTER 10

FIREARMS AND WEAPONS

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BASE REGULATIONS

CHAPTER 10

FIREARMS AND WEAPONS

10001. GENERAL

1. Applicability. This manual applies to all persons and all weapons aboard MCBH, including firearms, BB/pellet guns, knives, bows and arrows, fireworks, explosives, clubs, blackjacks, nunchukas, metal knuckles, straight razors, dirks, daggers, switchblades, throwing stars, etc.

2. Safety. All persons aboard MCBH are responsible to secure weapons and items that may be used as weapons. To prevent them from being stolen or falling into the hands of children, specific safety precautions include:

a. Keep firearms locked using a trigger locking device or making it inoperative by removing an essential part such as the bolt. Store ammunition and removed parts to render firearms inoperative separately.

b. Do not store loaded firearms or load firearms any place on MCBH except at ranges or in the performance of lawful security duties.

c. Ensure juveniles, including dependents who are below the age of 18, do not carry or use weapons unless accompanied by an adult who is responsible for their actions.

d. Report lost, stolen, or misplaced weapons and ammunition to MPD immediately.

3. Military Weapons. Nothing in this manual modifies Article 1271, U.S. Navy Regulations or reference (q) concerning arming of military personnel. Military personnel will follow orders and instructions issued by their commanders. Civilian personnel may be armed with military-issued or purchased weapons when required by their duties and not prohibited by other regulations. In these cases, notify the commanding general in writing of their identity, weapons involved, conditions under which they may be carried, security precautions, etc. In addition to regulations issued by a commanding officer or department head, follow the safety precautions above and the following rules:

a. All persons carrying weapons for security purposes will be thoroughly familiar with the function and use of the firearm, and will have fired for qualification or familiarization per reference (q), (r) and (s).

b. Issuing commands and departments must maintain appropriate records and properly sign for all weapons or ammunition.

c. Military weapons and ammunition will not be taken off MCBH except in the performance of official duties and by orders of proper authority.

d. Officers and SNCOs may transport military weapons in POVs on MCBH to and from the range, armory, and snap-in areas only. Stops en route of any kind are prohibited.

4. Privately Owned Weapons

a. Authorized Holders. Military personnel, their dependents residing aboard MCBH, and civil law enforcement officials in the performance of their duties are permitted to possess weapons aboard MCBH subject to the regulations below. Other civilians are not permitted to carry, possess, or store weapons aboard MCBH unless they are issued military weapons for the performance of their duties or are involved in authorized recreational or team shooting.

b. Discharging Firearms Prohibited. Do not discharge privately owned firearms, air pistols/rifles, BB/pellet guns, pen flares, or similar items aboard MCBH. Exceptions to this policy are authorized recreational shooting at the range as contained in reference (s) and the Environmental Compliance and Protection Department Natural Resources Management Specialist and Wildlife Technician, MCBH while performing bird air strike hazard (BASH) operations and predator/animal damage control.

c. Federal Regulatory Firearms Prohibitions

(1) Licensing Provisions. Applicants for Federal Firearms Licenses (FFL) and National Firearms Act (NFA) special occupational tax stamps are required to comply with Section 110301 through Section 110307 of the Violent Crime Control and Law Enforcement Act of 1994 and United States Code Title 18, Section 923. These Regulations:

(a) Require FFL applicants to certify that the business to be conducted is not prohibited by state or local law; that within 30 days after the firearms application is approved, the business will comply with such laws; that the business will not be conducted until the requirements of state and local law have been met; and that the applicant has notified the chief law enforcement officer in writing of the intent to apply for a license.

(b) Require FFL holders to report thefts of firearms to the Bureau of Alcohol, Tobacco, and Firearms (ATF) within 48 hours.

(c) Require FFL holders to respond to trace requests by telephone and/or in writing within 24 hours.

(d) Require the Secretary, ATF, to notify the chief law enforcement officer in the appropriate state and local jurisdiction of the names and addresses of all persons in the state issued a FFL.

(e) Extend the period for acting on FFL applications from 45 days to 60 days.

(2) Youth Handgun Safety. Youth handgun safety is governed by the Federal Regulatory Firearms regulations applicable to juveniles (defined as people less than 18 years old). These Regulation:

(a) Prohibit adults from selling, delivering, or transferring handguns or handgun ammunition to juveniles.

(b) Prohibit juveniles from knowingly possessing handguns or handgun ammunition.

(3) Domestic Violence

(a) It shall be unlawful for any person who is subject to a court order that restrains such person from harassing, stalking or threatening an intimate partner or child of such intimate partner or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child to receive or possess any firearm or ammunition. This includes temporary restraining orders issued by such courts. (USC Title 18, Chapter 44, Section 922(d) (9)/(g)(9) Lautenberg Amendments)

(b) It shall be unlawful for any person to sell or otherwise dispose of any firearm or ammunition to any person knowingly or having reason to believe that person has been convicted in any court of a misdemeanor crime of domestic violence. (USC Title 18, Chapter 44, Section 922(d)(9) Lautenberg Amendment).

(4) Armor Piercing Ammunition. Armor piercing ammunition includes any full jacketed projectile larger than .22 caliber, designed and intended for use in a handgun, and whose jacket has a weight of more that 25 percent of the total weight of the projectile.

(5) Brady Law. The Brady Law exempts from the background check provision handguns that are returned to the person from whom the FFL holder received them (e.g., redemption of a pawned handgun by the person who pawned it).

(6) Gun Free School Zones. The Gun Control Act contains a provision for gun free school zones.

(7) Firearms

(a) Firearms Registration. Register all privately owned firearms with HPD and MPD.

(b) Discharging Firearms Prohibited. Do not discharge privately owned firearms, air pistols and air rifles, BB/pellet guns, pen flares, and similar items aboard MCBH. Exceptions to this policy are authorized recreational shooting at the range and contained in reference(s).

(8) Knives

(a) Permitted Knives. Only knives with blades of less than three inches may be carried on person aboard MCBH.

(b) Restricted Knives. Kitchen knives, hunting knives, diving knives, machetes, hatchets, axes, meat cutters, bolo knives, K-bars, and similar special purpose cutting instruments may only be used for the purpose for which they are designed. They may not be carried on the person or in vehicles except when actually engaged in activities for which they were designed, or transporting them to or from those activities.

(c) Prohibited Knives. Switchblade knives, gravity knives, dirks, daggers, sheathed sword canes, straight razors, and similar knives primarily designed for personal combat.

(9) Bows and Arrows. Bows and arrows of any type may not be used aboard MCBH except at the MCCA Archery Range.

(10) Other Prohibited Weapons. Possession of devices that project noxious gas or dangerous flames, nunchakus, blackjacks, slug shots, billy clubs, metal knuckles, and other similar dangerous or deadly weapons.

(11) Storage of Weapons. Residents of family housing may store weapon(s) in their quarters if they are registered with MPD and HPD. Ensure all privately owned weapon(s) kept in family quarters are disassembled and/or inaccessible to children at all times. Store firearms in unit armories or place in bank safe deposit boxes or other safe locations if the quarters will be vacant for more than one week. Weapons requiring registration and ammunition may not be kept in any BEQ. E-5 and below personnel who reside in the BEQs are required to store their weapon(s) in their unit armory. They are required to get their unit commander's approval prior to storing their weapon in the unit armory. Officers and SNCOs may store personal weapons in their unaccompanied quarters only in locked gun cases purchased at their own expense.

(12) Transportation of Weapons

(a) Any person transporting firearms small enough to conceal, must perform the following functions to the weapon(s): unload, encase in a lock-box/or trigger lock applied, and make the weapon inaccessible to the operator and passengers when in the vehicle. Other weapons, including knives with blades over three inches long and any restricted weapon, must also be inaccessible to the operator and passengers.

(b) Firearms and ammunition will not be stored in vehicles unless they are being transported for specific purposes (e.g., recreational shooting, hunting, etc.). If bringing a registered weapon(s) aboard MCBH, you must have written approval from your unit commander and you must notify MPD prior to transporting the weapon(s) aboard MCBH. A copy of the approval must be provided to MPD.

(c) Separate ammunition from the firearm and keep in an area inaccessible to the operator and any passengers.

(13) Fireworks and Pyrotechnics. Possession or discharge of fireworks and pyrotechnics of all types is prohibited on MCBH, regardless of size or configuration, including government issued items except as part of officially sanctioned training, operations or special events.

10002. STATE REGISTRATION OF FIREARMS

1. Registration Required. Chapter 134, Part I of reference (e) requires that every person bringing firearms of any description, whether usable or unusable, serviceable or unserviceable, modern or antique, or ammunition of any type into the state, register it with HPD within 48 hours. Firearms are defined as weapons, the operating force of which are an explosive, and includes noxious gas projectors. A permit from HPD is required before acquiring ownership of any firearm. Persons convicted of committing or

attempting to commit a violent crime, illegal use, possession or sale of narcotics, are not permitted to own or have in their possession privately owned firearms or ammunition of any type, regardless of where the conviction took place.

2. Exceptions. State registration is not required for the following: any device designed to fire loose black powder; any device not designed to fire or that has been rendered incapable of discharging a shot and incapable of being readily restored to firing condition; or unserviceable firearms and destructive devices so registered with ATF.

3. Procedures

a. Out of State Purchase. Owners of rifles and shotguns purchased outside the state, and owners of all handguns, must apply for State of Hawaii registration in person. Proof of ownership and the weapon must be produced at time of registration. Register weapons with the State of Hawaii at HPD, 801 South Beretania Street, Honolulu.

b. Weapons purchased in Hawaii must be registered with HPD. After purchase, report to HPD with a copy of your original orders, military identification, drivers license, social security card/passport and purchase receipt. There is a \$25 fee for fingerprinting and you must provide the phone number of the Base Medical Facility. HPD will issue paper work to present to the individual or gun shop owner. Once you obtain your weapon, you have three to five days to return to HPD for registration.

4. Importing Weapons. Before importing weapons, including war souvenirs from outside the United States, obtain information from ATF as to the requirements of federal law.

10003. BASE REGULATIONS OF FIREARMS

1. Weapons Requiring Registration. Register the following with MPD:

a. All privately owned firearms brought onto or stored aboard MCBH, including inside unit armories.

b. Underwater spear guns, air pistols and rifles, and compressed gas pistols and rifles that fire a pellet, BB, or dart. Hawaiian sling type spears need not be registered.

c. Crossbows and bolts.

2. Procedures

a. Firearms must first be registered with MPD. Base registration is conducted by MPD records section, Building 1096, Kaneohe Bay or building 601, Camp Smith. Personnel must bring the weapon(s), HPD registration form, military identification, and state driver's license with them in order to register their weapon(s). MPD will issue a firearm pass upon registration that must accompany the weapon at all times.

b. Enlisted personnel residing in bachelor quarters must store weapons in their unit armory. A statement from the service member's commanding officer contained in the MCBH registration form, must be completed before registration with MCBH. Obtain this form from MPD during normal working

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hours. Weapon(s) requiring registration and ammunition may not be kept in any BEQ (per chapter 10, paragraph 10001, subparagraph. 4(h)).

BASE REGULATIONS

CHAPTER 11

RECREATIONAL ACTIVITIES

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BASE REGULATIONS

CHAPTER 11

RECREATIONAL ACTIVITIES

11001. GENERAL

1. Prohibited Activities

a. Hang Gliding. All potential hang gliding areas are either restricted access or reserved for other uses.

b. Rock Climbing. All potential rock-climbing areas are located in environmentally sensitive/restricted areas.

c. Hunting. MCBH is a bird and game sanctuary. Hunting or taking of animals is prohibited. Hunting with firearms is also prohibited within the 500-yard buffer zone surrounding MCBH Kaneohe Bay and Camp H. M. Smith.

d. Gambling. Except as specifically permitted by other military regulations and by local, state, and federal law, gambling in any form is prohibited.

e. Recreational Parachuting. MCBH lacks safe landing areas away from populated areas and flight operations.

f. Go-Carts and Pocket Bikes. Operation of Go-Carts and Pocket Bikes is prohibited aboard MCBH roadways, sidewalks, and parking lots. The base lacks adequate space for go-carts and pocket bike operation.

g. Radio Controlled (R/C) Aircraft. To ensure maximum safety, model aircraft flying is only allowed at the approved flying site and only if the model flyer is a member of a sanctioned/authorized R/C club or flying under the direct supervision of a member of a club. All model aircraft fliers must contact the MCAF duty watch officer prior to flying their models.

h. Off-road Motorcycles/All Terrain Vehicles (ATV). Off-road motorcycle and ATV operation is prohibited due to lack of non-environmentally or archeologically sensitive operating areas.

i. Rocketry. The base lacks adequate airspace to sustain this activity.

j. Motorized Scooter Devices. The operation of motorized devices, including motorized scooters, is prohibited on all MCBH roadways, sidewalks, and parking lots. This section excludes motorized assistive devices used by a person with a disability. Motorized devices are defined as the following:

(1) Any device designed to allow operation while the operator is standing on the device.

(2) Any device powered by an engine that is capable of propelling the device and operator without human propulsion.

2. Regulated Activities. Activities offered by MCCA, unit organized activities, bicycling, skin and scuba diving, boating, sail boarding,

swimming, surfing, body boarding, fishing, rollerblading, skateboarding, and rollerskating are regulated aboard MCBH.

3. Liability. All regulated recreational activities are conducted at the participant's risk and no liability is assumed by the government.

11002. ROLLERBLADING/SKATEBOARDING/ROLLERSKATING/BICYCLING

1. For safety reasons, rollerblading, rollerskating, and skateboarding are prohibited on streets and roadways. Rollerbladers, skateboarders, and rollerskaters may use bicycle lanes where available.

2. Helmets with a fastened chinstrap are required for bicyclists, rollerbladers, skateboarders, and rollerskaters. Gloves, elbow, and kneepads are recommended when using the installation's facilities provided for that activity.

3. Pedestrians have the right-of-way on sidewalks.

4. Rollerblading, skateboarding, and rollerskating are prohibited at night, or when not in a facility provided for that activity, to include on tennis or handball courts.

11003. WATER SPORTS

1. Applicability. This manual applies to all persons participating in beach or water activities at MCBH, including MCTAB and Pu'uloa Beach.

a. Kaneohe Bay Beaches

(1) Pyramid Rock Beach. Located 300 feet west of runway 4-22 west along the shoreline to the fence surrounding the Pyramid Rock security area. Lifeguards are assigned to Pyramid Rock Beach.

(2) Hilltop Beach. Located 300 feet east of runaway 4-22 east to 200 feet west of North Beach lifeguard station. No lifeguards are assigned to Hilltop beach.

(3) North Beach. Located 200 feet west of North Beach lifeguard station to 300 feet beyond the stairs to the Pond road parking area. Lifeguards are assigned to North Beach.

(4) Fort Hase Beach. Located from the posted sign along Kailua beach to the intersection of Daly Road and Middaugh Road. Hazardous reefs exist in this area. No lifeguards are assigned to Fort Hase beach.

(5) Hale Koa Beach. Located from the fence at the southwest edge east and north until the line of sight boundary west of the Hale Koa beach entrance. The water north of the entrance is restricted. No lifeguards are assigned to Hale Koa beach.

(6) Beach Cottage Lagoons. Located at areas directly in front of beach cottages at Pyramid Rock. No lifeguards are assigned to Beach Cottage Lagoons.

b. Marine Corps Training Area Bellows Beach. Defined as the area from Ina'ole stream extending north to the Waimanalo Stream by Bellows Gate. All

other MCTAB Beach areas are off-limits. No lifeguards are assigned MCTAB Beach except as outlined in this manual.

c. Pu'uloa Beach. Located from the far east side of the range and extending 200 yards westward. Users must provide certified lifeguards as outlined in this manual.

2. Authorized Persons. The following personnel are authorized to use MCBH's beaches and waters.

a. Military Personnel and Their Families. All members of U.S. Armed Forces including retired, reserve, or National Guard and their families are authorized to use all MCBH controlled beaches and waters as outlined in this manual. Service members may also sponsor three guests each to any MCBH controlled beach and must accompany them while aboard MCBH beaches. Family members under 16 years of age may not sponsor people to the MCBH controlled beaches. All sponsorship regulations as outlined in chapter 9 apply.

b. DoD Civilian Employees. DoD civilian employees are authorized to use all MCBH beaches and waters as outlined in this manual. Employees 16 and over are authorized to sponsor three guests and must accompany them while aboard MCBH beaches.

c. Houseguests. Houseguests, as defined in chapter 9, are authorized to use any MCBH beach. Houseguests are not permitted to sponsor guests aboard MCBH to use the beaches.

d. Pets. Dogs are allowed on all MCBH beaches except from 1000 to 1500 daily. Refer to Chapter 4 for additional requirements.

3. Buffer Zone

a. Unauthorized Entry. Kaneohe Bay is an established NDSA by Executive Order; however, the Chief of Naval Operations (CNO) has suspended control, except for a 500-yard buffer zone extending seaward from the shoreline of MCBH Kaneohe Bay, subject to reinstatement of control over the entire area by CNO or his representative without prior notice. Unauthorized entry into the NDSA/500 yard buffer zone is prohibited.

b. Enforcement. The military police and base waterfront operations will monitor buffer zone entry and enforce all regulations and state and federal laws in the buffer zone.

4. Restricted Areas

a. Nu'upia Ponds Wildlife Management Area (NPWMA). All watercraft are prohibited from the NPWMA without written permission from the commanding general. Individual runners are allowed to run the established trails in the NPWMA. Also, unit PT formations can use this area after coordination with MCBH G-3. This area includes from west to east, eight interconnected ponds: Heleloa, Halekou, Nu'upia 'Ekahi, Nu'upia Elua, Nu'upia "Ekolu, Nu'upia 'Eha, Kaluapuhi, and Pa'akai Ponds. (See Figure 11-1).

b. Pu'uloa. Beach and water activities are prohibited at Pu'uloa except as outlined in paragraphs 11003.8 and 11003.9 of this manual.

c. Other Areas. All persons and watercraft are prohibited from the following areas, except persons and watercraft involved in military training, permitted by the commanding general, and watercraft under government control:

(1) Within 500 yards of the shoreline in the approach areas at both ends of runway 4-22. A buoy marks the bay end.

(2) Within 500 yards of the shoreline in Sag Harbor north of runway 5-23 to the pier just north of building 5006.

(3) Within 100 yards of any pier in the Waterfront Operations Complex. This includes the entire area defined as south of building 1372 north of building 1681, and west of perimeter road.

(4) Within 500 yards of the area known as Westfield and the surrounding perimeter road.

(5) Within 500 yards of the shoreline seaward of Ulupa'u Crater on the range complex side from Ulupa'u Point southwest to Monument Point, Monday thru Friday or on weekends when the range is in use.

(6) In any area where military training or operations are occurring after notification the area is closed.

5. Safety. Conduct all activities in the water with special care for safety. Beaches and waters surrounding MCBH can be dangerous - especially to persons unfamiliar with them. The MCBH waters are used for many types of water sports and for military training. All persons entering the water for recreation must be especially watchful for swimmers, divers, and surfers, and must stop or relocate any activity that may endanger them.

a. Alcoholic Beverages. Consumption of alcohol beverages is allowed only at MCTAB Camp Sites, Pyramid Rock Beach, Hale Koa Beach, and Fort Hase Beach pavilions, and at unit picnics in Risely Field picnic area. Consumption of alcoholic beverages at all other MCBH controlled beaches is prohibited. Persons under the influence of alcohol or other controlled substances will not enter the water.

b. Glass Containers. Glass containers are prohibited on all MCBH controlled beaches.

c. Buddy System. Swimming alone in MCBH waters is strictly prohibited. Swimming includes: surfing; body boarding; and body surfing. The buddy system, employing an "in the water" buddy, is a safety tool that is highly recommended by all persons or for all persons engaged in water activities; this includes not only those water activities at MCBH controlled beaches, but also water activities at all Hawaiian beaches.

6. MCBH Beaches. All beaches and adjacent waters, as described in this order, are open 24 hours, except during times when hazardous conditions exist causing the beach and/or adjacent water to be closed as outlined in this manual.

a. MCBH Beach Access and Parking

(1) Prohibited Routes. Use only those parking areas and routes to the beach specifically authorized by this manual. Access to MCBH beaches

through yards of government quarters is prohibited. The following routes and parking areas are prohibited:

(2) Moffett Road Extension. The Moffett Road extension through the golf course past the Kaneohe Klipper Golf Club parking lot.

(3) Battery French Bunker Access Road. The road leading from Moffett Road extension to Battery French, just below Hilltop family housing area is a restricted area.

(4) Hilltop. Access to MCBH beaches through the hilltop family housing area is restricted to residents and guests of the housing area and BOQ. Parking throughout hilltop housing is restricted to residents and their guests and patrons of the Officers' Club.

(5) Fort Hase Beach. Follow the traffic plan designated by the boulders and park only in predetermined areas.

b. Beach Control

(1) Lifeguards. MCCS lifeguards are normally on duty at North Beach and Pyramid Rock Beach, Monday through Friday 1130 to 1800 and on weekends, holidays, and liberty periods from 0800 to 1800. Lifeguards have authority to enforce regulations pertaining to beach safety. Failure to comply with the lifeguards' instructions will be reported to the MPD.

(2) Flag System. A flag system is used at Pyramid Rock Beach, North Beach, Hill Top Beach, and Ft. Hase Beach. Lifeguards on duty will fly the appropriate flag(s). Flags reflect conditions as follows:

<u>RED</u>	Unsafe conditions. Do not enter water.
<u>WHITE</u>	Water open, swim at own risk.

(3) Beach/Water Hazard Warnings. MCBH shall utilize current Hawaii State standards in hazard warning signs.

(4) MCBH Front Gate and Back Gate Signage. Upon notification of beach or water closure from MCCS Aquatics, MPD shall display the information on electronic gate marquees.

(5) Closing of Beaches and Waters

(a) Military police and MCCS lifeguards may close beaches, portions of beaches, and/or suspend water activities in the event of unusual conditions, which include but are not limited to dangerous currents, sea life, or other hazards. (See Figure 11-2)

(b) Beaches and waters will be assessed individually and daily from 0800 to the end of lifeguard shift.

(6) Beach Status Information. MCCS Aquatics section will post current beach status on its telephone information line (257-1823).

(7) Violations. Any person entering the water under unsafe flag conditions or entering a closed beach is subject to administrative and/or disciplinary action.

7. Marine Corps Training Area Bellows (MCTAB) Beach. MCTAB Beach, due to its location and agreements, requires special considerations. During the weekends, state and national holidays the HPD will maintain primary enforcement of the publically accessible beach recreation area and will strictly enforce Hawaii Revised Statutes, Revised Ordinances of Honolulu, and the License of use. The Marine Corps and Air Force will not in any way relinquish concurrent jurisdiction over the aforementioned areas.

a. MCTAB beach is open 24 hours per day except during times when hazardous conditions exist and the beach has been closed. Water activities are allowed only from sunrise to sunset.

b. Beach and water activities may be suspended at any time due to military training or operations.

c. From Monday through Friday (except for holidays) all persons engaged in beach or water activities will comply with this manual.

8. Pu'uloa Beach. Pu'uloa Beach is a restricted area controlled by G-3 Ranges. No beach or water activities are allowed except for unit functions approved by the Range Officer. The Range Officer will ensure that no known water hazards exist by calling MCCA Aquatics and that each approved unit provides a lifeguard with proper equipment at a ratio of 1 lifeguard to 50 participants.

9. Water Activities

a. Swimming, Body Boarding, and Surfing

(1) MCBH Kaneohe Bay Authorized Areas. The MCBH areas shown in Figure 11-3 are open to surfers, body boarders, and swimmers. However, surfers and body boarders will exercise special caution when swimmers are in the area and all persons will obey all instructions from lifeguards. Swimming, body boarding, and surfing are authorized at all Kaneohe Bay Beaches. However, at Fort Hase Beach, surfing and body boarding are permitted from the posted sign along Kailua Beach to the road gate and only off limits signs about 500 yards south of Monument Point while swimming is only permitted from the pavilion to the grove of ironwood trees.

(2) MCTAB. Swimming, body boarding, and surfing are permitted only at the MCTAB beach area defined in this manual.

(3) Pu'uloa Beach. No beach or water activities are allowed except for unit functions approved by the Range Officer. The Range Officer will ensure that no known water hazards exist by inspecting the water and that each approved unit provides a qualified lifeguard with proper equipment at a ratio of 1 lifeguard to 50 participants.

b. Self Contained Underwater Breathing Apparatus (SCUBA) Diving and Skin Diving

(1) Authorized Areas. See Figure 11-19 for authorized diving areas and entry/exit points. Diving is authorized 24 hours a day. However, night dives require special consideration and night divers must ensure that they comply with the night dive section of this manual. At no time is any diving authorized during times when water entry is prohibited. Diving is authorized at the following beaches:

(a) Fort Hase Beach. From the posted sign adjacent to Pa'akai Pond (at the "Pine trees" area) north through the Fort Hase bathing area and then northeast to the road gate and off limits signs about 500 yards south of Monument Point. Diving below the Federal Bureau of Investigation (FBI) range is prohibited.

(b) North Beach. From 300 feet east of runway 4-22 (main runway) east along the shoreline to the fence along Building 1630 about 100 yards east of Pond Road on the side of Ulupau Crater.

(c) Pyramid Rock Beach. From 300 feet west of runway 4-22 west around the point for 100 feet from the northernmost portion. Access to the southwestern part of this area is not permitted through the Pyramid Rock security area.

(d) West Field. From a line-of-sight line boundary that begins at the beach junction of the fence located along the southern border of Hale Koa Beach park. The line-of-sight boundary extends from the beach junction of the fence towards Mokoli'i Island (Chinaman's Hat island). Daytime SCUBA diving and skin diving are allowed in the area that extends from the line-of-sight boundary, northeast past Hale Koa Beach until the line of sight boundary west of cottage 6171. The area north of the entrance is restricted to divers. Parking of vehicles is prohibited north of the Hale Koa Beach entrance. Boats are not allowed into this area because of the proximity of swimmers, threatened turtle populations, and very shallow waters that surround the deeper areas.

(2) Prohibited Areas. Skin or Self Contained Under Water Breathing Apparatus (SCUBA) diving within the 500-yard buffer zone is restricted to the authorized areas listed below. Only persons authorized as outlined in 11003.7 may skin or SCUBA dive.

(3) Requirements

(a) When diving on MCBH, the buddy system must be used at all times.

(b) A dive flag must be utilized at all times except at the cove area at North Beach. If the dive flag is tied off, no diver shall knowingly surface more than 50 feet from such flag, except in cases of emergency.

(4) Qualifications

(a) SCUBA Diving. All persons participating in recreational SCUBA diving must have in their possession a nationally recognized SCUBA certification card issued by the National Association of Underwater Instructors, Professional Association of Diving Instructors, Young Men's Christian Association/Young Women's Christian Association, or similar organization. MCCS diving equipment will be issued only to those persons with an approved SCUBA certification card.

(b) Skin divers require no certification, but must be strong swimmers and familiar with their equipment and diving area.

(5) Night Diving. Due to the increased risk, persons participating in night diving must comply with the following:

(a) All portions of the dive are completed in an authorized area.

(b) Upon reaching a dive site, an evaluation is made of current conditions to ensure that beach and/or water conditions will facilitate a safe dive experience.

(c) All nighttime diving activities require check-in and checkout with MCBH CDO.

(d) A dive plan shall be submitted for all persons participating in the dive to the MCBH CDO. Upon completion of the dive, the CDO shall be notified that the dive is complete within 30 minutes of the estimated completion time stated on the dive plan.

(e) MCBH CWO will ensure the following:

(1) Validate that beach and water conditions are safe/open.

(2) Log divers' dive plan in duty logbook; make a closing entry when notified that such dive is complete.

c. Water Skiing

(1) Authorized Areas:

(a) Marina/Outdoor Recreational Program Area. West of the 101 helipad flight corridor (boundaries designated by buoys). Personnel using this area must check in with the Marina/Outdoor Recreation Center prior to entering with privately owned watercraft. This area is designated for priority use by MCCA programs. This area is limited to Friday, Saturday, and Sunday use only.

(b) General Use Area. Located east/south-east of the marina boat mooring area and the H-3 freeway embankment. Boater traffic is an oval pattern, which should be traveled in a counter-clockwise direction. Primary users of this area are authorized persons using personally owned boats.

(2) In General

(a) All regulations associated with the boating in paragraph 1003.9d of this manual apply.

(b) All activity participants must be familiar with local rules, regulations, and guidelines that can be obtained from MCCA Marine operators.

(c) Boaters must yield to wind surfers, kayaks, and other non-motorized craft.

d. Boating

(1) Boats within the NDSA/500 yard buffer zone are subject to inspection by military police, MCBH game wardens, U.S. Coast Guard or Waterfront Operations harbor patrol at any time without notice. Commercial fishing in the NDSA is unauthorized unless approved by the Commander, Naval Base Pearl Harbor, Hawaii. Only active duty military personnel and MCBH

civilian employees may boat in the 500-yard buffer zone. All others must receive approval from the commanding general. This includes visitors at the MCBH Marina. Any requests for entrance into the NDSA exceeding 30 days will be forwarded to the Commander, Naval Base Pearl Harbor, Hawaii, for approval.

(2) Do not secure boats to buoys, other navigational aids, vessels, or piers except at assigned berthing spaces. Personnel will not trespass on barges, watercraft, or other floating objects moored in the harbor or secured to the shore. Tampering with utility lines or supporting structures is forbidden.

(3) Launch privately owned boats and small craft only from the small boat ramps near the marina and boat basin areas. Use of the landing vehicle, landing ship, or a seaplane ramp for such purposes is prohibited.

(4) All boats must comply with the registration and safety requirements of the State of Hawaii.

e. Other Water Sports. Windsurfing, kite surfing, and kayaking are water activities limited to inside Kaneohe Bay. By exception, and ocean conditions permitting, persons engaged in kayaking may enter the ocean from MCBH Kaneohe Bay beaches but are not authorized to kayak the surf zones.

10. Penalties. Violation of this manual may result in denial of the privilege to use MCBH beaches and waters as well as other administrative or disciplinary action under the UCMJ and state/county law. MCBH will prosecute civilians violating the NDSA, who are trespassing, to the fullest extent of the law.

11004. FISHING

1. Regulations Enforced. MPD will enforce regulations in this manual and applicable federal, state and county laws in accordance with reference (t) and (u).

2. Applicability. This manual applies to all fishing aboard MCBH, including fishing from shore, fishing from boats within the 500-yard buffer zone, crabbing, and subsurface taking of fish and marine life by skin or scuba divers.

3. Enforcement. MCBH military police game wardens, auxiliary game wardens, appointed by the provost marshal and Environmental Compliance Department, and Conservation Resource Law Enforcement Officer, will enforce all Federal, and State, statutes, rules, and regulation's which pertain to the protection of natural resources, and aquatic resources, to include the Marine Mammal Protection Act, Migratory Bird Treaty Act, Endangered Species Act, Sikes Act, and Lacey Act. In extenuating circumstances, offenders will be turned over to the U.S. Fish and Wildlife Service, U.S. National Marine Fisheries Service, and/or the State Department of Land and Natural Resources, Enforcement Division. All persons participating in fishing and or gathering of aquatic resources aboard MCBH facilities, properties, and coastal waters within the 500 yard buffer must comply with all Federal, and State, statutes, rules, and regulations.

4. Penalties. Violation of fishing regulations may result in revocation of fishing permits or denial of fishing privileges and prosecution in U.S. District Court or administrative/disciplinary action under the UCMJ.

5. Persons Authorized to Fish. All fishermen must have the appropriate identification card establishing their eligibility on their person at all times and render it on request.

a. Without Permits. Active duty, retired and reserve military personnel, their dependents and house guests (see chapter 9), civilian personnel employed aboard MCBH, current auxiliary game wardens, civilian personnel who were employed and retired aboard MCBH/ and children younger than 13 years old when accompanied by a person entitled to fish do not need fishing passes. Persons in this category may fish 24 hours a day.

b. With Permits. All persons 13 years of age or older, who are not entitled to fish as listed above, must have a fishing permit. Permit holders may fish from 1/2 hour before sunrise to 1/2 hour after sunset daily. The following rules apply to fishing permits:

- (1) All permits will be valid for a three-month period.
- (2) A maximum of 200 permits will be issued for any given quarter.
- (3) Permits will be issued on a first-come, first-served basis.

(4) Fill out applications in person at the Pass House at the H-3 Gate. Only the person applying may complete the application. Applicants must pick up their permit within the first 15 days of fishing period covered by the permit.

(5) MPD will screen military and civilian police records to ensure that only reliable mature persons who are unlikely to commit offenses while aboard MCBH are granted fishing permits.

6. Fishing Areas. For purposes of the following regulations, "fishing" is defined as the use of hook and line (with or without pole)/ throw nets, crab nets and small mesh bait nets to catch or attempt to catch fish and crustaceans. The taking of seaweed (limu), shellfish, and invertebrates such as urchins (wana) is also included. Skin diving, SCUBA diving, and spear fishing are covered in paragraph 11003.9.

a. Prohibited Areas. All areas not listed herein, and specifically all eight ponds in the Nu'upia Ponds Wildlife Management areas, and the adjacent "F" Channel, are prohibited for fishing and crabbing of all types.

b. Permitted Areas

(1) Fishing Permit Holders may not fish from boats. Permit holders may only fish from shorelines or piers in the following areas (see Figure 11-5).

(a) Fuel Pier unless closed by the MCBH CDO or during fueling operations. The following rules apply in this area:

1. No vehicles allowed on or blocking the pier.
2. No open flames or gas lanterns allowed on the pier at any time.

3. No access under the pier.
4. Persons using the pier shall pick up their trash before departing the area.
5. Children under 12 years of age must be accompanied by a parent/guardian.
6. Persons are responsible for their own safety. Lifeguards are not available at this site.
7. Tampering with navigational lights is a federal offense.

(b) West-side of Marina Cove. Beginning at the north edge of the concrete platform attached to the launching ramp (immediately north of building 128), extending along the northern shore of the marina cove to the security fence enclosing the dry boat storage area. Fishing is not allowed from the shore of the dry boat storage area or along any shore or water area to the east of the delineated area within the marina cove. Additionally, fishing from shore or from a boat is not allowed within 50 feet of where the "F" Channel outflows into Kaneohe Bay, small boat berths, anchorage's, or boats that are being launched or recovered.

(c) Fort Hase Beach. From 300 feet south of the rock wall northward through Fort Hase Beach to the road gate and off-limits sign located about 500 yards south of Flyer's Monument Point. Fishing on the shoreline below the Range Training Facility (RTF) is prohibited. Although boat fishing by permitted fishermen is allowed offshore, note that waves and shoals in this area can create hazardous conditions.

(2) Persons Not Requiring a Fishing Permit. Personnel may fish from all shoreline and near shore areas, which are open to persons fishing with permits. They may also sponsor two fishing permit holders to fish in the following areas:

(a) North Beach. From 300 feet east of runway 4-22 (main runway) extending east to the shoreline intersection of the security fence below building G30 (about, 100-yards east of Pond Rd). Boats should stay at least 200 yards offshore to avoid surfers, swimmers, divers, and hazardous surf.

(b) Pyramid Rock Beach. From 300 feet west of runway 4-22 (main runway) along the shoreline to the Pyramid Rock security fence. Boats should stay at least 200 yards offshore to avoid surfers, swimmers, divers, and hazardous surf.

(c) Hale Koa Beach. From the beach junction of the fence that marks the southern border of Hale Koa Beach and north to the Hale Koa Beach entrance. Parking of vehicles is prohibited north of the Hale Koa Beach entrance. Boats are not allowed into this area because of the proximity of swimmers, threatened turtle populations, and very shallow waters.

7. Additional Fishing Regulations

a. Equipment

(1) The possession or use of gill nets, lay nets, and cross nets is prohibited within MCBH controlled waters and shorelines.

(2) The possession or use of throw nets with a minimum stretched mesh size of less than two inches is prohibited.

(3) The possession or use of firearms, poisons, explosives, drugs, chemicals, or electronic fishing devices while on or near shores where fish can be taken is prohibited.

(4) The use of spear guns (arbolete type) for fishing in specified areas is allowed. However, children under 13 years must be accompanied by a responsible adult when using or possessing a spear gun. Spear guns must be registered with MPD (see chapter 10).

(5) The use of more than two fishing poles per person is prohibited.

(6) Small mesh bait nets used as seines may only be used for capture of nehu and cannot exceed 50 feet in length. Small-mesh nets must not be configured as throw nets.

(7) Hand-held scoop nets may be used for capture of bait fish, but the largest dimension of the net, including the handle, must not exceed three feet (e.g., the hoop of a scoop with a two-foot handle must not exceed one foot).

(8) The use of fish or lobster traps is prohibited within MCBH controlled waters.

(9) Crab nets must not exceed three feet in diameter with a minimum stretched mesh of two inches. Crab nets must be continuously attended and the use of more than three nets per person is prohibited.

b. The sale-or-bartering of fish caught from MCBH waters is prohibited without written permission from the commanding general. All applicable federal, state, and local regulations pertaining to commercial fishermen apply.

c. Aquarium Fish Collection. Persons collecting fish for live maintenance in aquarium should ensure that they have all appropriate permits for use of collecting equipment and the taking of certain aquatic life. It is unlawful to intentionally take, break, or damage any live stony corals in State waters. Releasing of aquarium fish into the ocean, ponds, sewers, streams, channels or other waterways is prohibited.

d. Interference with Other Activities Prohibited. Persons fishing will immediately vacate an area during military training operations. People fishing will not walk or drive on golf course fairways, greens, or tee boxes. Other recreational activities will not necessarily take precedence over fishing.

e. Parking. See Figure 11-5.

f. Tampering with Property Prohibited. Tampering with private or government property in or near to fishing areas is prohibited.

g. Safety Precautions. Deep water, irregular and steep terrain, and surf conditions at fishing sites make it advisable that fishermen be accompanied by companions. Closely supervise children.

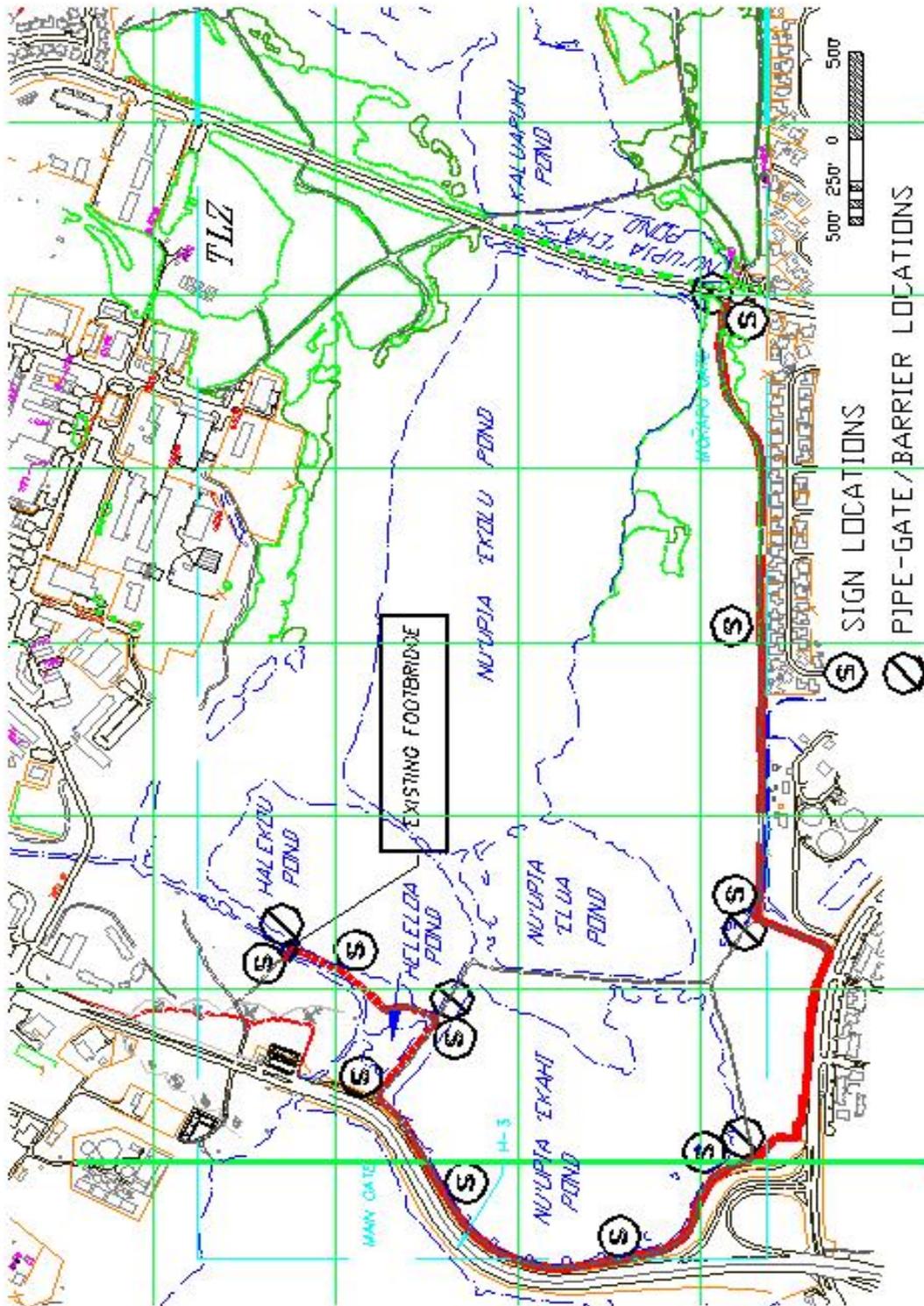
h. Guests. All guests over 13 years of age must have a fishing permit, except those listed in paragraph 11004.5a.

i. Beach Cottage Residents. Only bona fide residents of the beach cottages and their guests may fish, swim, and scuba dive in the vicinity of the beach cottages. All regulations, including the requirements for fishing permits, are applicable to beach cottage residents and guests. The area reserved for beach cottage patrons extends from the VIP cottage, south to building 6171.

j. Litter and Dangerous Items. Persons fishing shall ensure dangerous items are not left where others may be injured and remove all trash (see chapter 3).

k. Special Permission. Commercial fishermen and other persons and organizations desiring entry into the 500-yard buffer zone or wanting other variance from these regulations must apply in writing to the commanding general. Requests will list activity requested, sponsors (if research), equipment to be used, dates, species to be taken, etc. If permission is granted, carry a copy of the permission letter at all times while inside the buffer zone.

NU'UPIA PONDS RECREATIONAL RUN TRAIL MAP



Nu'upia Ponds Recreational Run Trail Map

(Contact MCBH Environmental Dept. for Use Rules: 257-6920)

Figure 11-1. NU'UPIA PONDS RECREATIONAL RUN TRAIL MAP

EVALUATION CRITERIA

On Duty guidelines 6 _≥ for closure consideration	0	2	6	Off Duty standards 6 _≥ for closure consideration
Hazard	Low	Moderate	High	Points
Waves	0 - 4	5 - 9	10 - 15+	
Wind	0 - 14	15 - 34	35+	
Rescues	0 - 1	2 - 3	4+	
Stings	0 - 2	3-9	10+	

Figure 11-2. EVALUATION CRITERIA

