

DEPARTMENT OF THE ARMY
HEADQUARTERS FIFTH U.S. ARMY AND FORT SAM HOUSTON
Fort Sam Houston, Texas 78234-5000

FSH Regulation
No. 385-4

19 May 1989

Safety

USE OF VEHICLE SAFETY RESTRAINTS

Issuance of supplements to this regulation by subordinate commanders is prohibited, unless specifically approved by Headquarters, Fifth U.S. Army and Fort Sam Houston.

1. PURPOSE. To establish vehicle safety restraint standards IAW Army Regulation 385-55, Prevention of Motor Vehicle Accidents; to ensure compliance with state law requiring the use of seat belts and safety restraints IAW Vernon's Civil Statutes, Article 6701d, Sections 107B and 107C as assimilated UP Title 18, United States Code, Section 13; to ensure the welfare, safety and health of military personnel, civilian employees of the Department of Defense and military family members; and to minimize the expense to the United States and unnecessary suffering that results from nonuse of vehicle seat belts and safety restraints.

2. SCOPE. This regulation applies to all personnel operating or riding as a passenger in a Department of Defense (DOD) motor vehicle, whether on or off a DOD installation; all military personnel, on or off duty, assigned to any unit located on, assigned to, or training on Fort Sam Houston or Camp Bullis who are operating or riding as a passenger in a privately owned vehicle (POV), whether on or off a DOD installation; and all non-military personnel, including visitors and children, while driving or riding as a passenger in a POV while on a DOD installation, or off any DOD installation when the POV is used for official business or official travel. DOD installations as used in this regulation include, but are not limited to, Fort Sam Houston, Camp Bullis, and the U.S. Army recreation area at Canyon Lake.

3. ENFORCEMENT. Paragraphs 4 and 5 of this regulation are punitive in nature. Military personnel who violate these requirements may be subject to disciplinary action under the Uniform Code of Military Justice or other appropriate administrative action and may be cited to appear in United States Magistrate Court. Non-military personnel in violation of this regulation may be subject to disciplinary or administrative action under applicable federal personnel regulations, may be cited to appear in United States Magistrate Court, may be subject

to other appropriate administrative action, and may also be barred entry to Fort Sam Houston, Camp Bullis, or the U.S. Army recreation area at Canyon Lake. Additionally, military and non-military personnel in violation of this regulation may have their on-post driving privileges suspended for up to one year.

4. STANDARDS FOR VEHICLE OPERATORS AND PASSENGERS. Operators and passengers of motor vehicles will comply with the following requirements:

a. All personnel operating or riding as a passenger in a DOD motor vehicle, whether on or off a DOD installation, will wear a properly fastened seat belt when sitting in a seat for which seat belts were installed by the vehicle manufacturer or when that vehicle is equipped with a seat belt or restraint system required by the Department of Transportation or other equivalent transportation authority.

b. Military personnel operating or riding as a passenger in a POV, whether on or off a DOD installation, will wear a properly fastened seat belt when sitting in a seat for which seat belts were installed by the vehicle manufacturer or when that vehicle is equipped with a seat belt or restraint system required by the Department of Transportation or other equivalent transportation authority.

c. All non-military personnel, including visitors and children, will wear a properly fastened seat belt or restraint system at all times while on a DOD installation, and off a DOD installation while conducting official business or official travel, when operating or riding as a passenger in a POV or DOD vehicle in which seat belts were installed by the vehicle manufacturer or when that vehicle is equipped with a seat belt or restraint system required by the Department of Transportation or other equivalent transportation authority.

d. Individuals will not ride in seats from which manufacturer-installed occupant restraints have been removed or rendered inoperative.

5. SENIOR OCCUPANT/DRIVER RESPONSIBILITIES. The senior military occupant of a DOD vehicle or POV being used for official purposes, or senior DOD civilian employee when no military member is present, will ensure that the operator and all passengers, including children, comply with the provisions of this

regulation. In cases where no military member or DOD civilian employee is present in the vehicle, the driver will ensure that all passengers, including children, comply with the provisions of this regulation.

6. UNIT AND ACTIVITY RESPONSIBILITIES. Unit and activity commanders and supervisors will:

a. Establish a system whereby all military personnel and DOD civilian employees confirm that they have read and understand the requirements of this regulation.

b. Remind their personnel at least semiannually of their duty to comply with this regulation. (This may be accomplished by methods similar to the standards of conduct reminders (See AR 600-50, paragraph 1-6b)).

c. Be able to show by some written method that these requirements have been met.

The proponent of this regulation is the Staff Judge Advocate, U.S. Army Garrison, Fort Sam Houston. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander, USAG, ATTN: AFZG-JA, Fort Sam Houston, Texas 78234-5000.

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