



DEPARTMENT OF THE NAVY  
OFFICE OF THE SECRETARY  
1000 NAVY PENTAGON  
WASHINGTON, DC 20350-1000

IN REPLY REFER TO

SECNAVINST 5300.29B  
ASN (M&RA)  
16 March 2000

SECNAV INSTRUCTION 5300.29B

From: Secretary of the Navy  
To: All Ships and Stations

Subj: ALCOHOL ABUSE, DRUG ABUSE AND OPERATING MOTOR VEHICLES

Ref: (a) DoD Instruction 6055.4 of 20 Jul 99 (NOTAL)  
(b) SECNAVINST 5300.28C  
(c) OPNAVINST 1620.2A/MCO 1620.2B  
(d) SECNAVINST 1910.4B (NOTAL)  
(e) SECNAVINST 1920.6A  
(f) Uniform Code of Military Justice (UCMJ)  
(g) SECNAVINST 1700.11C  
(h) OPNAVINST 11200.5C/MCO 5110.1C  
(i) Naval Military Personnel Manual 15560C  
(j) OPNAVINST 5350.4C

1. Purpose. To reissue Department of the Navy (DON) policies to prevent, control, and document incidents of impaired driving under reference (a).

2. Cancellation. SECNAVINST 5300.29A.

3. Background. Drug and alcohol abuse prevention and treatment programs have long been instituted in the Navy and Marine Corps. Actions to rid the Navy and Marine Corps of the detrimental effects of drug and alcohol abuse are well established. This instruction clarifies and standardizes DON policy and procedures for addressing and documenting incidents of impaired driving.

4. Discussion

a. Alcohol is a legal beverage for those who have reached the minimum drinking age for the jurisdiction in which they are located. It is also a drug and a toxin that affects judgment, behavior and health. Most Navy and Marine Corps members who choose to use alcohol do so in a responsible manner. However, the misuse of alcohol to the extent that it impairs judgment and results in inappropriate behavior is counter to DON policy.

SECNAVINST 5300.29B  
16 March 2000

Such misuse and abuse results in degraded operational readiness, an adverse impact on safety, loss of productivity, and too often injury and death. This is especially true in cases of operating a motor vehicle while impaired.

b. There are several distinct manifestations of the misuse of alcohol, and each requires its own countermeasure. Chronic alcohol abuse and alcohol dependence (alcoholism) are diagnosable medical conditions for which the Navy and Marine Corps provide appropriate education and treatment interventions. The earliest possible intervention for these conditions is warranted. The misuse of alcohol is also manifested in youthful experimentation due to a lack of experience or poor judgment, and is often fostered by peer pressure, boredom, and/or stress. Notwithstanding the manifestation, any misconduct resulting from alcohol misuse must be dealt with appropriately.

c. Education, deglamorization and alternatives, detection and deterrence, and treatment are all necessary aspects of a program to combat misuse and abuse of alcohol or any other drug and any resulting misconduct. Also integral is the personal accountability for those members who violate the law while under the influence of alcohol and/or other drugs, especially those who choose to drive while impaired.

d. The DON programs for alcohol and/or drug abuse control emphasize positive efforts to enhance the quality of life for all our personnel, and are not intended to punish the majority for the misconduct of the few.

5. Policy. It is the DON's goal to be free of alcohol abuse. The overall approach is one of balanced concern, underscored by a strong emphasis on our Core Values of Honor, Courage and Commitment. The intent is to maintain readiness and the individual health of our people, but not by prohibition, harassment or excessive rigidity in execution. We will emphasize healthy alternatives to combat excessive drinking and offer a helping hand to problem drinkers. The objective is to improve the constructive efforts to deal with a difficult and complex problem.

a. With regard to diagnosed chronic alcohol abuse or dependency, we will operate programs to intervene at the earliest possible opportunity. Treatment and aftercare will be required for members diagnosed appropriately and provided for members requesting voluntary intervention prior to command intervention.

b. To deal with boredom and stress, we will provide and promote quality activities encompassing fitness, sports, and recreational capabilities as effective "anti-boredom" initiatives to encourage healthy lifestyle alternatives for members of the Navy and Marine Corps community.

c. For any alcohol-related or drug-related misconduct, commanders shall take action, as appropriate, in accordance with references (b) through (j). Misconduct related to alcohol or drug use is a separate issue from treatment, regardless if it results from diagnosed alcohol abuse, alcohol dependence, youthful inexperience, or simply a failure in judgment or responsibility. Specifically, while individuals of the required age are legally permitted to consume alcohol, impaired driving is not acceptable behavior. Any substantiated incident of impaired driving is a serious offense that calls into question an individual's judgment. Such a lack of personal responsibility and general disregard for the safety of oneself and the public is incompatible with the standards of conduct and behavior expected of members of the Navy-Marine Corps team.

6. Clubs. Navy and Marine Corps clubs foster camaraderie and friendship in a relaxed atmosphere. They are a benefit of military service and are of great value to single members who make up a large percentage of the force, as well as to families. Club programs shall provide innovative entertainment policies, menu specials, designated driver programs, and other locally developed ideas in order to achieve a satisfactory balance in wholesome service to all.

7. Detection and Deterrence. Detection and deterrence measures are necessary to support prevention and assistance programs that help keep persons from harming themselves or others. Measures will include use of breath analyzers and other safety tools for detection and deterrence of impaired driving and to aid in determining fitness for duty.

SECNAVINST 5300.29B  
16 March 2000

a. Breath analyzers are not to be used for random spot checking other than in vehicles or where probable cause is established.

b. Members identified as driving while impaired are to be returned to their commands by other means for their safety and the safety of the community, and for appropriate follow-up in accordance with this instruction.

c. On-station enforcement of the traffic control regulations in reference (c) must be scrupulously observed.

d. Off-station controls in conformance with references (b) and (c), in those instances when availability of alcoholic beverages or drugs in the civilian community poses a threat to the well-being of service members, must also be enforced.

8. Education. Participation in drug and alcohol abuse prevention programs is to be improved, particularly for officers, senior enlisted personnel, and civilian employees in leadership positions. Education focusing on prevention; health, fitness, and safety; and counteracting peer pressure should be incorporated into general military training.

9. Substantiated Incidents of Impaired Driving. For the purpose of this instruction, a substantiated incident of impaired driving includes, but is not limited to the following.

a. A conviction by Summary, Special, or General court-martial of a violation of Article 111, reference (f).

b. Imposition by competent authority of punishment under Article 15, UCMJ for a violation of Article 111, UCMJ, or an applicable lesser included offense thereto.

c. A finding by competent authority during a hearing under Article 15, UCMJ, that, based upon a preponderance of the evidence, the member has violated Article 111, UCMJ, or an applicable lesser included offense thereto, regardless of whether the officer imposes punishment under Article 15 UCMJ.

d. A final adjudication by federal, state, local, or foreign authorities that the member violated a federal statute, state statute, local ordinance, or foreign country law prohibiting operating a motor vehicle while impaired. The final adjudication may be based on any of the following:

- (1) The court's acceptance of a plea of guilty;
- (2) A finding of guilty after entry of a plea of not guilty;
- (3) The court's acceptance of a plea of nolo contendere or other equivalent plea; or
- (4) The court's acceptance of a request for probation before judgment or other equivalent diversionary programs designed to impose accountability for misconduct while avoiding a criminal conviction.

(NOTE: A court's acceptance of a plea bargain to a lesser offense, such as reckless driving, does not preclude a commander from making the separate determination in subparagraph (1) above. Use of a foreign tribunal adjudication as the basis for command action under this instruction is permitted when the fundamental fairness of the foreign nation adjudicatory process is certified in accordance with SECNAVINST 5820.4G (NOTAL)).

e. A final adjudication by federal, state, local, or foreign authorities that the member violated any federal statute, state statute, local ordinance, or foreign country law regulating the operation of vehicles, when, incident to the violation, the member submits to a blood alcohol test and the results of the test exceed the state or foreign country standard for operating a vehicle while impaired.

10. Accountability. All commanding officers must properly document all substantiated incidents of impaired driving and take action, as appropriate, in cases of other unacceptable behaviors while under the influence.

a. Consistent with current directives for the preparation of officer performance reports and enlisted performance evaluations, all substantiated incidents of impaired driving (on or off duty) shall be documented in officer fitness reports and enlisted evaluations, appropriate administrative record entries, and other reports required by instruction. Fitness report and

SECNAVINST 5300.29B  
16 March 2000

evaluation grades should not be based solely upon a substantiated incident of impaired driving, but upon an evaluation of the individual's total performance during the rating period. It is DON policy to evaluate a person's total record in determining promotion, retention, reenlistment and assignment issues.

11. Responsibility. The Chief of Naval Operations and the Commandant of the Marine Corps are to continue to improve programs for prevention and control of alcohol abuse, including personal accountability for all substantiated incidents of impaired driving (on or off base), following the guidelines of this instruction.

Richard Danzig

Distribution:  
SNDL Parts 1 and 2  
MARCORPS PCN 71000000000 and 71000000100