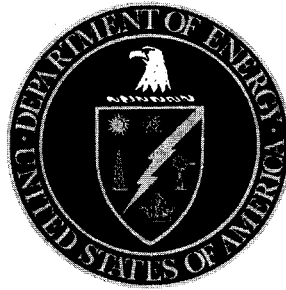


# **U.S. Department of Energy**



## **Motor Vehicle Management Handbook**

Office of Resource Management  
Personal Property Management Division  
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# Motor Vehicle Management Handbook

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## **Definitions, Terms and Acronyms**

*Ambulance* means a passenger carrying motor vehicle designed for carrying medical trained employees and passengers experiencing a medical emergency. For annual and ad hoc reporting purposes, ambulances are reported in their own special category of Ambulances. Ambulances may not be purchased without specific authorization, but are exempt from price limitations.

*Bi-Fuel Vehicle* is a vehicle that can operate on either alternative or convention fuel but has two fuel systems that the driver can switch to operate on either alternative fuel or gasoline.

*Bus* means a passenger carrying motor vehicle designed to carry more than 15 passengers, including the driver (reference 49 CFR 393). For reporting purposes, buses are reported in their own special category of Buses. Buses may not without specific authorization, but are exempt from price limitations.

*Dedicated Fuel Vehicles* operate on one fuel only and has one fuel system designed to operate on alternative fuel. These vehicles are usually compressed natural gas (CNG), liquefied propane gas (LPG), or electric.

*Departmental Motor Equipment Fleet Manager* means the Headquarters individual responsible for developing and implementing DOE motor equipment policy and for conducting oversight of the DOE motor equipment program

*Department of Energy Fleet* means vehicles owned, GSA leased, or commercially leased used in the support of the Department's mission and strategic plan.

*Electric Vehicle* is a vehicle that does not have an engine and is propelled by an electric drive motor which is provided by a battery pack. The battery pack consists of hi-voltage multiple batteries that deliver electrical power to the vehicle's drive motor. Electric vehicles must be charged with special hi-voltage battery chargers.

*Experimental Vehicle* means a vehicle to be used for research or testing purposes and not as a means of transportation for passengers. Experimental vehicles will be disposed of after the research and/or testing period. In such cases, appropriate certification by the OMEFM should appear on or accompany the purchase request. Passenger vehicles purchased for experimental purposes are exempt from the prohibition against purchase without specific authorization.

*FAST, Federal Automotive Statistical Tool:* a web-based tool used for collecting motor vehicle inventory, costs, mileage, fuel for all vehicles used by DOE to support GSA' annual Federal Motor Vehicle Report, DOE's alternative fuel

reporting requirement, and the Office of Management and Budget's A-11 Annual Motor Vehicle Fleet Report.

*Flex-Fuel Vehicle (FFV)* is a vehicle that has only one fuel tank but designed to operate on alcohol, gasoline or any combination of both. These vehicles have special fuel filters, lines and other components to tolerate the corrosive nature of alcohol related fuels. The vehicle's computer will adjust engine performance depending on which type of fuel mixture is being used.

*General Purpose Vehicle* means a motor vehicle that is available from the manufacture without major modifications and includes passenger sedans, pickups, minivans, vans, etc.

*Heavy Duty Vehicle*, for reporting purposes, means a vehicle weighing more than 16,000 pounds gross vehicle weight rating (GVWR).

*Law Enforcement Vehicle* means a vehicle fitted with emergency lights and a siren, along with other modifications such as heavy-duty or high-performance suspensions and drive trains and are used primarily (51% of the time or more) in the apprehension of perpetrators, patrolling or surveillance. Law enforcement vehicles are reported in their own special category. Passenger Motor Vehicles used as Law Enforcement Vehicles are subject to the prohibition against purchase without specific authorization.

*Hybrid Electric Vehicle (HEV)* is a vehicle that operates on the combination of the internal combustion engine and electric motor with the battery pack of an electric vehicle. This results in improved fuel economy over most conventional vehicles. The benefits in the HEV include improved fuel economy and lower emissions compared to conventional vehicles.

**Note: HEVS are not covered by the Energy Policy Act.**

*Light Duty Vehicle*, for reporting purposes, means a motor vehicle weighing 8,500 pounds GVWR or less.

*Low-Speed Vehicle* means a 4-wheeled motor vehicle, other than a truck, whose speed attainable in 1 mile is more than 20 miles per hour and not more than 25 miles per hour on a paved level surface. These vehicles are not reported in the FAST system.

*Medium Duty Vehicle*, for reporting purposes, means a motor vehicle weighing more than 8,500 pounds and less than or equal to 16,000 pounds GVWR rating.

*Motor equipment* means any item of equipment which is self-propelled or drawn by mechanical power, including motor vehicles, motorcycles and scooters, construction and maintenance equipment, materials handling equipment, and watercraft.

*Motor Equipment Fleet Manager* means the federal or contractor personnel responsible for directing the operation of the motor equipment fleet at the site level and is responsible for reporting to the Organizational Motor Equipment Fleet Manager.

*Motor vehicle* means any equipment, self-propelled or drawn by mechanical power, designed to be operated principally on highways in the transportation of property or passengers.

*Official use* means that both owned and leased vehicles are used for conducting official DOE business only.

*Organizational Motor Equipment Fleet Manager* means the Federal individual responsible for establishing and administering the organization's motor equipment program.

*Other Than Normal Road Conditions* means roadways that may be hazardous due to inclement weather conditions (snow, rain, mud or terrain). This would also include unpaved roads, rocky, muddy, or extremely rough terrain (OFF ROAD).

*Passenger Motor Vehicle* means any vehicle with motive power (other than low-speed vehicles, or trailers) whose primary purpose is to transport passengers (sedans, station wagons, passenger vans, and sport utility vehicles). Ambulances and buses are also considered passenger motor vehicles. A passenger motor vehicle must be determined from the character of the vehicle as shown by its construction and design, and not from its intended use. All passenger motor vehicles are subject to the prohibition against purchase or commercial lease for 60 continuous days or more, without specific appropriation authority.

*Reportable Motor Vehicle* means all vehicles that are self-propelled, (regardless of fuel type), road-worthy and have license plates assigned to them for driving on State roadways. Excluded are motorcycles; military-design motor vehicles; and non-road vehicles.

*Special Purpose Vehicle* means a vehicle that has limited but essential missions and is designed or retrofitted for a specific purpose. Special purpose vehicles are not generally used to carry passengers or freight and have attached equipment that cannot easily be converted for other purposes. Vehicles that have been retrofitted, but can be returned to their original state for a nominal cost or effort are not special purpose vehicles.

**Note: This term is no longer being used by GSA for reporting purposes. DOE will continue to reference the term only for the purpose of managing utilization standards in accordance with Chapter 4 of this handbook.**

*Sport Utility Vehicle* means a vehicle available in two-, four-, or all-wheel drive and raised ground clearance in combination with a two- or four-door wagon or convertible body.

*Watercraft* means any vessel used to transport people or material on water.

### Acronyms

AFV	Alternative Fuel Vehicle
CFR	Code of Federal Regulations
CNG	Compressed Natural Gas
DMEFM	Departmental Motor Equipment Fleet Manager
EPAct	Energy Policy Act
FAST	Federal Automotive Statistical Tool
FMR	Federal Management Regulation
FY	Fiscal Year
GSA	General Services Administration
GVWR	Gross Vehicle Weight Rating
HFO	Head of Field Organization
LE	Law Enforcement
LSV	Low Speed Vehicle
MEFM	Motor Equipment Fleet Manager
OMEFM	Organizational Motor Equipment Fleet Manager
PA	Property Administrator
SF	Standard Form
UNICOR	Federal Prison Industries, Inc.
USC	United States Code

## Chapter 1. General

1. References. Requirements refer to 41 CFR 109; 41 CFR 102-5 and 102-34, Title 31 USC Sec. 1343, Executive Order (E.O.) 13423, Executive Order (E.O.) 13101, E.O. 11912, E.O. 12375, Energy Policy Act (EPACT) of 1992, Energy Conservation Reauthorization Act of 1998, 48 CFR 923.703 (DEAR), DOE O 580.1 and DOE G 580.1, Chapter 17, 48 CFR 945.570-2, 945.570-7, 945.570-8, 48 CFR 8.11, 52.208-4, 52.208-5, 52.208-6, 52.208-7, and 48 CFR 45.304.

2. Overview. This Handbook addresses the life cycle management of motor vehicles (including passenger, special purpose, experimental, law enforcement), motor equipment, and watercraft.

### 3. Guiding Principles.

- a. The accomplishment of official business is the sole reason for operating a Government-owned, -leased or -rented motor vehicle.
- b. The acquisition and retention of motor equipment items should be limited to the minimum number required to meet program requirements and achieve the most efficiency.
- c. Controls and practices should be established to achieve the most practical and economical utilization of motor equipment.
- d. Alternatively fueled vehicles (AFVs) and electric vehicles should be used, wherever feasible, to further the goal of fuel economy. Alternative fuel should be used when accessible
- e. The smallest most fuel efficient vehicle should be utilized to accomplish and not compromise DOE missions.
- f. Motor equipment should be operated in such a manner as to realize maximum energy conservation benefits.
- g. Accurate and consistent vehicle data should be maintained to satisfy internal and external reporting requirements in a timely manner.

4. Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management. When possible, DOE organizations and contractors should use biodiesel blend in diesel vehicles, alternative fuels in alternative fuel vehicles, re-refined lubricating oils meeting manufacturer's performance standards, and retread tires and tires with recycled content when they are reasonably available, are cost effective and meet performance standards.



## Chapter 2. Motor Vehicle Acquisition

### 1. General.

a. Before initiating action to acquire additional vehicles, replace an existing vehicle General Services Administration (GSA) fleet vehicles are replaced based upon GSA's established replacement criteria (Appendix A) or to renew an existing lease, a considerable amount of planning is necessary to ensure compliance with applicable laws, Executives Orders, Government-wide regulations, and agency policies and procedures. DOE organization's budget submissions should include funding requirements for the number of motor vehicles they propose to acquire during the fiscal year. The proposed acquisitions are identified as either:

- (1) Additions to the motor vehicle fleet, or
- (2) Replacement vehicles.

b. Authority for the acquisition of DOE-owned passenger motor vehicles is contained in the Department's annual appropriation act. To ensure that DOE does not exceed its annual acquisition authorization for passenger motor vehicles, the Director, Office of Procurement and Assistance Management, or designee, informs field organizations, in writing, of the number of passenger motor vehicles which may be acquired under each appropriation.

c. The statutory allocations and price limitations imposed on motor vehicles may not be exceeded.

d. The planning process provides the sites the opportunity to completely review and analyze requirements. The following considerations must be given:

- (1) The need to provide economical and efficient transportation services for authorized programs;
- (2) Energy conservation and total cost to the Government;
- (3) Whether public transportation can be used;
- (4) The number of vehicles required to accomplish the program objective;
- (5) The reasons for use, the cargo or number of passengers to be transported, the frequency and types of trips and the geographic location of trip destinations;

(6) The type of vehicle(s) needed to meet the operational requirement of a particular program (determine the minimum capacity and operational performance required);

(7) Whether a compact vehicle can provide the best fuel efficiency and complete the mission;

(8) Whether vehicle(s) can be pooled by more than one service or staff office or organization located in a single area or building;

(9) The established DOE or local utilization objectives used to evaluate the utilization of motor vehicles and a statement addressing whether or not the objectives were approved by the Organizational Motor Equipment Fleet Manager (OMEFM);

(10) The date of the last utilization review and the number of motor vehicles which did not meet the established utilization objectives and the anticipated mileage to be achieved by the new motor vehicles;

(11) The statutory requirement that 75 percent of all covered acquisitions must be alternative fuel vehicles (EPACT and the Energy Conservation Reauthorization Act of 1998); and

(12) Whether AFVs can be utilized and/or why a sport utility or larger than compact sedan has been selected.

2. Acquisition Justifications. Requests for additions to the motor vehicle fleet should be validated by following the planning analysis guidelines in Section 1.d. of this chapter and contain adequate justification. The justifications should be prepared by the Motor Equipment Fleet Manager (MEFM), concurred in by the OMEFM, and forwarded to the Departmental Motor Equipment Fleet Manager (DMEFM) for coordination of review, concurrence, and approval.

### 3. Vehicle Replacements.

a. Requests for replacement of DOE-owned passenger motor vehicles should include:

(1) A justification statement that by the MEFM and the OMEFM that they considered pools, shuttle buses, taxicabs, and utilization data.

(2) Specific information on the identification, age and mileage of the motor vehicles being replaced.

(3) A description of the condition of the vehicle when the passenger motor vehicle being replaced does not meet Federal replacement standards.

(4) A cost/benefit analysis prepared by the MEFM ensuring the most economical use of Government funds.

b. Headquarters approval is required when replacing DOE-owned passenger motor vehicles.

c. Headquarters approval is required when replacing other DOE-owned vehicles at sites that are scheduled for downsizing or significant reorganizations.

d. Without regard to the replacement standards in 41 CFR 102-34, Subpart D, Government-owned motor vehicles may be replaced sooner than defined in the Federal Management Regulations if the operation of the vehicle becomes questionable due to excessive body and/or mechanical repairs:

(1) If it needs body or mechanical repairs that exceed the fair market value of the vehicle (fair market value is determined by adding the current market value of the motor vehicle plus any capitalized motor vehicle additions that will not be reutilized on the replacement vehicle (such as a lift gate)); and

(2) The Director of Administration for the Headquarters site or HFO certifies that replacement is required.

e. GSA Fleet vehicles may be replaced in accordance with established replacement schedules (Appendix A). Headquarters approval is required only when vehicles are being replaced at sites that are scheduled for downsizing or significant reorganizations.

#### 4. Fuel Efficient Motor Vehicles.

a. In accordance with FMR 102-34.45 and E.O. 11912 and E.O. 12375, DOE shall acquire and operate only fuel efficient passenger vehicles (Class III midsize or smaller) and light trucks unless a larger vehicle is absolutely essential to carrying out the site's mission.

b. To order vehicles larger than a Class III or smaller passenger vehicle or a light truck when a smaller vehicle would suffice for carrying out the site's mission, a request for larger vehicles should be forwarded with justification to the DMEFM for approval and certification of compliance with the fuel economy objectives listed in 41 CFR 102-34.40.

c. Requests to exempt the acquisition of passenger vehicles or certain light trucks from the fleet average fuel economy standards should be provided with justification to the DMEFM for review and approval.

5. Purchases from GSA. GSA is a mandatory source when purchasing vehicles. All motor vehicles acquired through GSA must be ordered online using the GSA AutoChoice program.

a. To order through the GSA AutoChoice program, an ordering and approving hierarchy structure must be developed for your organization. Contact the DMEFM or their designee to establish the hierarchy levels.

(1) AutoChoice is designed to accommodate five levels of hierarchy (inquiry level, ordering official level, approving official level, regional administrator, and agency administrator).

(2) Before the final approving official may submit the order to GSA for purchase they must ensure that all required Headquarters approvals are obtained.

(3) Access AutoChoice through the website [www.autochoice.gsa.gov](http://www.autochoice.gsa.gov). New users will register at this site to obtain user IDs and passwords. Users who already have access to AutoChoice will also use this site to proceed with ordering.

6. Direct Purchases.

a. Motor vehicles may be purchased directly, rather than through GSA, if GSA grants a waiver. Written requests for a waiver, justifying the procurement, are submitted directly to GSA with a copy to the DMEFM.

b. If GSA refuses to grant a requested waiver, and it is believed that procurement through GSA would adversely affect or otherwise impair a program, the HFO may submit a written request to the DMEFM for authority to directly purchase the specific motor vehicles. The vehicles may be purchased upon receipt of written authorization from the DMEFM. The purchase price for passenger motor vehicles should not exceed any statutory limitations in effect at the time the purchase price is made.

c. When vehicles are purchased for replacement purposes, an equal or greater number of replaced motor vehicle should be reported for disposal within 30 days after the new vehicle has been received and is operational in the fleet.

7. Used Motor Vehicles.

a. Acquisitions by Purchase. Normally, DOE does not purchase, or authorize contractors to purchase used motor vehicles. However, the Director of Administration for the Headquarters site and HFOs may authorize the purchase of used motor vehicles where justified by special circumstances, such as:

- (1) When new motor vehicles are in short supply.
- (2) Motor vehicles are to be used for experimental or test purposes.
- (3) Motor vehicles are acquired under the exchange/sale authority.
- (4) When funds are limited.

b. Acquisition by Transfer. Acquisitions of passenger motor vehicles by transfer from another Federal agency or DOE organization are authorized provided it is economically feasible and they are:

(1) Considered as additions to the motor vehicle fleet of the receiving office.

(2) When vehicles are acquired for replacement purposes and an equal or greater number of replaced motor vehicles are reported for disposal within 30 days.

(3) For temporary emergency needs exceeding three months and approved in writing by the DMEFM.

(4) For emergency needs of three months or less and acquired in lieu of commercial rentals (these transfers do not count toward the fleet allocation).

8. Statutory Allocation Requirements. The statutory passenger motor vehicle allocation requirements apply to:

(a) Any purchase of used passenger motor vehicles except for motor vehicles to be used exclusively for experimental or test purposes.

(b) The acquisition of passenger motor vehicles by transfer from another Federal agency or DOE organization.

### Chapter 3. Motor Vehicle Identification

1. Identification Decals. Standard DOE motor vehicle decals are available from the DMEFM. (Decal are required if the license tag does not include the DOE seal.) Requests should be made by E-mail to the DMEFM, or designee. The decals include:

- a. DOE Form 1530.1, which is a window decal.
- b. DOE Form 1530.2, which is a door decal for use only on vehicles without windows.
- c. Any identification other than standard decals must be approved by the local OMEFM.

2. License Tags.

a. U.S. Government License Tag Numbers and Tags.

(1) The DMEFM assigns blocks of U.S. Government license tag numbers to DOE organizations, via E-mail, and maintains a current record of such assignments. Additional blocks are assigned upon request.

(2) Designated ordering officials order all license tags from Federal Prison Industries, Inc. (UNICOR) through the following web site:  
<http://www.amerimac.net/>.

(3) Each DOE field organization and contractor maintains a current record of all individual license tag assignments for the motor vehicles under their jurisdiction.

(4) Unissued license tags should be stored in a locked drawer, cabinet, or storage area with restricted access to prevent possible fraud or misuse.

(5) Damaged or unusable tags must be safeguarded until they are destroyed by cutting tags into thirds. Records of destruction are maintained by designated license tag ordering officials at the respective DOE field organizations. License tag numbers should be reported to the OMEFM and DMEFM at the time of destruction.

b. District of Columbia License Tags. The Director of Administration, Headquarters:

- (1) Approves requests for regular District of Columbia license tags.

(2) Annually furnishes the name and specimen signature of each representative authorized to approve such requests to the District of Columbia Department of Transportation.

3. Foreign Country License Tags.

a. Motor vehicles used in foreign countries are registered and carry license tags in accordance with the existing motor vehicle regulations of the country concerned.

b. The person responsible for a motor vehicle in a foreign country should inquire at the U.S. Embassy, Legation, or Consulate concerning regulations that apply to registration, licensing, and operation of motor vehicles and should be guided accordingly.

4. Lost, Stolen or Missing Tags. If license tags are lost, stolen, or missing, DOE organizations and contractors should immediately notify the OMEFM or Property Administrator (PA), as appropriate. The contractor or the MEFM should then notify local security and law enforcement offices. The OMEFM should also notify the DMEFM and Homeland Security.

5. Tag and Decal Display Exemptions.

a. For vehicles not already covered by the display exemption provisions of 41 CFR 102-34.200, requests for exemption from the requirement for displaying U.S. Government tags and other U.S. Government identification are made pursuant to the provisions of 41 CFR 102-34.180, 102-34.185 and FMR B12 (Appendix B). These requests are sent to the DMEFM through normal administrative channels. At the OMEFM's discretion, requests for display exemptions may be submitted annually or on an "as needed" basis.

b. For motor vehicles leased from GSA, the DMEFM furnishes to GSA copies of exemption certifications. To extend a requirement for exemption of a motor vehicle leased from a GSA fleet, a copy of the re-certification is sent, through normal administrative channels, to the DMEFM for approval and forwarding to GSA.

c. Upon request from GSA, the DMEFM submits a report of exempted motor vehicles. In support of this request, DOE field organizations should be able to provide a listing, by type, of their exempted motor vehicles operated during the previous fiscal year, including each motor vehicle on hand at the beginning of the year and each newly authorized vehicle during the year. The information to be provided includes:

(1) The name and title of authorizing official (including any authorization by Headquarters and GSA).

- (2) The date the exemption was authorized.
- (3) The justification for exemption and any limitation on the use of the exempted motor vehicle.
- (4) The date of discontinuance for any exemption discontinued during the year.
- (5) The probable duration of the exemptions for motor vehicles continuing in use.



## **Chapter 4. Motor Vehicle Utilization**

### **1. Utilization Controls and Practices.**

a. Utilization controls and practices apply to all DOE-owned, commercially leased and GSA Fleet motor vehicles. The assignment and utilization of motor vehicles should be based upon position responsibilities and requirements of the organization's mission.

b. Utilization controls and practices used by DOE organizations and contractors should include:

(1) The maximum use of motor equipment pools, taxicabs, shuttle buses, or other common service arrangements.

(2) The minimum assignment of motor equipment to individuals, groups, or specific organizational components.

(3) Individual motor equipment use records, such as trip tickets or vehicles logs, showing the date used, name of the operator, destination, times of departure and return, and mileage or hours of use.

(4) The maintenance of individual motor equipment use records, such as trip tickets or vehicle logs, showing the date used, name of the operator, destination, times of departure and return, and mileage or hours of use, as appropriate.

(5) The rotation of motor vehicles between high and low mileage assignments to maintain the fleet in the best overall replacement age and mileage balance and operating economy.

(6) The charging, if feasible, to the user organization for the direct and indirect cost of operating and maintaining motor vehicles assigned to groups or organizational components.

(7) The use of dual-purpose motor vehicles capable of hauling both personnel and light cargo to avoid the need for two motor vehicles when one can serve both purposes.

(8) The use of motor scooters and motorcycles in place of higher cost motor vehicles for certain applications within plant, such as messenger and mail service and small parts and tool delivery.

(9) The use of electric vehicles for certain applications.

(10) The sharing of motor vehicle with other services and staff offices when possible. Organizations in close proximity to each other should share motor vehicles, when feasible.

## 2. Utilization Standards for Motor Vehicles.

a. DOE utilization standards are established as objectives for motor vehicles generally operated for the purposes for which acquired. The standards listed below are approximations:

(1) Sedans, station wagons, and passenger carrying vans general-purpose use – 12,000 miles per year, per vehicle.

(2) Light trucks (4X2's) and general-purpose vehicles – 10,000 miles per year, per vehicle.

(3) Sports Utility Vehicles (4X4's and 4X2's) and all other all-wheel-drive vehicles – 7,500 miles per year, per vehicle.

(4) Medium trucks and general-purpose vehicles – 7,500 miles per year, per vehicle.

(5) Heavy trucks and general-purpose vehicles, – 7,500 miles per year, per vehicle.

(6) Truck tractors – 10,000 miles per year, per vehicle.

(7) Other motor vehicles – No utilization standards are established for other trucks, ambulances, buses, law enforcement motor vehicles, or special purpose vehicles. However, the MEFM should review the use of these motor vehicles at least annually to verify that they are required to meet programmatic, health, safety, or security requirements.

b. When operating circumstances prevent the above motor vehicle utilization standards from being met, local utilization objectives should be established and used. (See paragraph 4. of this Chapter.)

## 3. Utilization Criteria for Other Motor Equipment.

a. Utilization standards are not established for motor equipment other than motor vehicles. However, each DOE organization should:

(1) Establish, through an agreement between the MEFM and the OMEFM, utilization criteria for other motor equipment, including heavy mobile equipment.

(2) Review, adjust, and approve the utilization criteria annually.

b. The utilization of various classifications of other motor equipment can be measured through various criteria including miles, hours of use, number of trips, and fuel consumption. Therefore, a utilization review of other motor equipment should be performed at least annually by the MEFM to justify the retention of needed items and the disposition of excess items not needed to fulfill Departmental, programmatic, health, safety, or security requirements.

#### 4. Local Utilization Objectives.

a. Local utilization objectives may be established when the utilization of individual motor vehicles cannot be measured or evaluated strictly on the basis of miles operated or against any Department-wide mileage standard. For example, light trucks specifically fitted for use by a plumber, welder, etc. to perform work assignments have uniquely tailored use objectives. Therefore, local utilization objectives for measuring use, for planning, and for evaluating future motor vehicle requirements should be established by the MEFM. The objectives should be based on past performance, future requirements, geographic considerations, and special operating requirements.

b. The local utilization objectives should be reviewed at least annually and adjusted as appropriate by the MEFM. The reviews should be documented. The OMEFM is responsible for reviewing and approving all proposed local utilization objectives.

c. The MEFM should review, at least annually, the motor vehicle utilization statistics. All motor vehicles failing to meet the applicable DOE utilization standard or local utilization objective should be identified and one of the following actions should be taken:

(1) Reassign the underutilized motor vehicles.

(2) Dispose of the underutilized motor vehicles.

(3) Obtain a special justification from users documenting their continued requirements for the motor vehicle and any proposed actions to improve utilization. Any requirement for underutilized motor vehicles that the MEFM proposes to continue in its assignment is to be submitted in writing to the OMEFM for approval.

d. Both the Department-wide standards and the local utilization objectives should be applied in such a manner that their application does not stimulate motor vehicle utilization for the purpose of meeting the standards or objectives. The ultimate objective against which motor vehicle utilization should be

measured is the retention of the minimum number of motor vehicles needed to satisfy program requirements.

## **Chapter 5. Official Use of Government Motor Vehicles**

### **1. Statutory Provisions for Official Use:**

a. 31 USC 1349(b) provides for the suspension from duty of any officer or employee of the Federal Government who willfully uses, or authorizes the use of, a Government passenger motor vehicle for other than official purposes. The suspension is:

(1) Issued by the head of the department concerned.

(2) Without compensation.

(3) For not less than one month (the suspension may be for a longer period or the officer or employee summarily removed from office if circumstances warrant).

b. 18 USC 641 provided that any person who knowingly misuses any Government property (including Government motor vehicles) may be subject to criminal prosecution and, upon conviction, to fines or imprisonment.

### **2. Home-to-Work Use of Motor Vehicles.**

#### **a. DOE Employees**

(1) Government motor vehicles may be used only for official use and for the incidental purposes described in 41 CFR 102-5, 41 CFR 109, DOE O 580.1, DOE G 580.1, and this chapter.

(2) Official use does not include the use of vehicles between home and a place of work except for the circumstances addressed in this chapter. Therefore, the Director, Office of Administration and the HFOs should establish controls to ensure that the use of motor vehicles for home-to-work transportation is in accordance with the provisions of 41 CFR 102-5, 41 CFR 109, and DOE O 580.1.

(3) A Government motor vehicle may be issued to a DOE employee at the close of the preceding workday when the employee is authorized to travel by Government motor vehicle and either of the following situations applies:

(a) There is a significant savings in time by permitting a departure from home.

(b) Is scheduled to depart for temporary duty, in the interest of the Government, before the beginning of regular work hours.

(4) Similarly, when an employee is scheduled to return after regular work hours, the motor vehicle may be returned the next regular workday. This type of use of a Government motor vehicle is not regarded as prohibited by 31 USC 1344 (25 Comp. Gen. 844).

b. Contractor Employees.

(1) Contractor employees can use Government motor vehicles for home-to-work transportation when both of the following conditions are met:

(a) A home-to-work determination, addressing one of the authorizing circumstances listed in 41 CFR 102-5, 41 CFR 109, DOE O 580.1, is prepared in writing.

(b) The Secretary of Energy authorizes the home-to-work use as required by 41 CFR 102-34, 41 CFR 109, and DOE O 580.1.

(2) The comfort, convenience, or managerial position of contractor employees is not considered a justification for authorizing home-to-work use.

(3) Contractors should maintain logs and other records on the use of a Government motor vehicle for transportation between an employee's residence and place of employment. As a minimum, these logs should indicate:

- (a) The employee's name.
- (b) Date of use.
- (c) Time of departure and arrival.
- (d) Miles driven.
- (e) Names of other passengers.

(4) Contractors should provide cognizant finance offices with applicable data on employees who use Government motor vehicles for home-to-work travel so that the provisions of the Deficit Reduction Act of 1984 concerning the taxation of fringe benefits may be complied with.

3. Emergency Use of Motor Vehicles.

a. Contractors should have procedures, including examples of emergency situations warranting such use, in their approved property management systems for authorizing their employees to use Government motor vehicles in emergencies, such as unscheduled overtime or situations at remote sites where prior approval is not possible.

b. Records detailing instances of emergency use should be maintained. The records should be reviewed and certified through established audit procedures at least annually by the OMEFM.

c. In limiting the use of Government motor vehicles to official purposes, there is no intent to preclude their use in emergencies threatening the loss of life or property. Such use should be documented, with the documentation retained for three years.

## Chapter 6. Motor Vehicle Operator Instructions

1. Motor Vehicle Operator Requirements. DOE organizations and contractors should ensure that employees operating Government motor vehicles are informed concerning:

- a. The statutory requirement that Government motor vehicles are to be used only for official purposes.
- b. The penalties for unauthorized use of Government motor vehicles.
- c. Personal responsibility for safe driving and operation of Government motor vehicles as to prevent injury to self, others and for safeguarding property from damage.
- d. Compliance with Federal, state, and local laws and regulations.
- e. Fueling requirements for the vehicle. The use of self-service pumps is required unless they are not available. Premium gasoline must not be used unless required by the vehicle. If the vehicle is capable of using alternative fuels (E-85, CNG, etc.) such fuel, if available, must be used.
- f. Accident reporting requirements.
- g. The need to possess a valid State, District of Columbia, or commonwealth operator's license or permit for the type of vehicle to be operated and some form of agency identification.  
**Note: Each State has their own law established regarding this issue; please check with your State for current procedures.**
- h. The prohibition against providing transportation to strangers or hitchhikers.
- i. The proper care, control and use of Government credit cards.
- j. The mandatory use of seat belts by each employee operating or riding in a Government motor vehicle.
- k. The prohibition against the use of tobacco products in GSA Fleet and DOE-owned motor vehicles. (Appendix C)
  1. The discouraged use of hand-held wireless telephones while operating a moving Government motor vehicle. In some states, the use of hand-held wireless telephones is against the law—drivers must adhere to all state laws. (Appendix D)



m. Any other duties and responsibilities assigned to operators with regard to the use, care, operation and maintenance of Government motor vehicles.

n. The potential income tax liability when a Government motor vehicle is used for transportation between residence and place of employment.

o. Protection for DOE employees under the Federal Tort Claims Act when acting within the scope of their employment.

2. Motor Vehicle Operator's Manual. Each motor vehicle assigned to DOE Federal and contractor fleets should include a Vehicle Operator's Manual and packet that includes:

a. Operator responsibilities, including advice and instructions regarding official use of the vehicle, maintenance and/or repairs, and acquiring emergency supplies and services.

b. Telephone numbers to call for assistance or to answer questions.

c. Vehicle repair limits.

d. Fueling guidelines

e. Instructions for the use of the fuel credit card.

f. List of Alternative Fuel fueling stations and stations that accept the Government fuel credit card.

g. Instructions for reporting accidents, theft or vandalism.

h. An accident report kit (including Standard Form (SF)-91, Motor Vehicle Accident Report and SF-94, Statement of Witness).

3. Driver Training. Driver training should routinely be administered to employees. Training may be accomplished through using in-house training manuals, videos and web-based training programs. Training may be conducted either by the fleet management organization or the local safety officers

## **Chapter 7. Motor Vehicle Maintenance and Care**

1. General. Reasonable diligence in the day-to-day care, safety and security of all motor vehicles must be exercised by user organizations and operators.

2. Scheduled Maintenance.

a. A maintenance schedule should be established for each motor vehicle owned by DOE.

b. GSA is responsible for scheduled maintenance on GSA Fleet vehicles. DOE will adhere to the GSA maintenance schedule for GSA leased vehicles.

c. Commercial services facilities should be utilized for the maintenance of motor vehicles whenever practical and cost effective.

d. A maintenance record should be kept on each motor vehicle to document past repairs, prevent unnecessary repairs and excessive maintenance, and to determine the most economical time for replacement.

e. The MEFM should establish one-time maintenance and repair limitations. The approval of the MEFM should be obtained to exceed the repair limitations. Motor vehicles under manufacturer's warranty will be repaired under the terms of the warranty.

f. When motor vehicles are maintained in Government repair facilities in isolated locations that are distant from franchised dealer facilities, or when it is not practical to return the vehicles to a dealer, a bill-back agreement should be sought from manufacturers to permit warranty work to be performed on a reimbursable basis.

3. Vehicle Safety Inspections.

a. A vehicle safety inspection program should be established to ensure a safe and economical operating condition throughout the vehicle's life.

b. Vehicles owned or leased by DOE must adhere to all State inspection requirements. When required, DOE-owned or -leased vehicles must pass Federally-mandated emissions inspections. It is the responsibility of the MEFM to be aware of State and Federal inspections and make arrangement for the inspections. This also includes State Emission Tests which are governed by the State and counties.

4. Damaged Motor Vehicles.

a. Recovery of costs.

(1) The cost of damage caused to a vehicle that adversely affects the resale of a vehicle should be recovered from the vehicle user when it has been determined that the damage was caused by negligence or willful misconduct by the user.

(2) Contractors should charge the user organization for all costs resulting from damage to a DOE vehicle that occurs while the vehicle is assigned to an employee of that organization. The recovered charges will be used to repair the vehicle. Organizations should be charged for:

(a) Vandalism, theft, and parking lot damage.

(b) Damage caused by misuse or abuse inconsistent with normal operation and local conditions.

(c) Repair costs which are incurred as a result of the user's failure to obtain required preventative maintenance.

(d) Unauthorized purchases or repairs, including credit card misuse, provided there is a clear, flagrant, and documented pattern of such occurrences.

b. Costs Excluded From Recovery. The user organization should not be charged for damage that results from:

(1) The negligent or willful act of a party other than the organization or its employee and the responsible party has been determined.

(2) Mechanical failure and the employee were not otherwise negligent. Proof of the failure must be provided.

(3) Normal wear comparable to similar vehicles.

(4) Acts of Nature or Natural Disasters.

## **Chapter 8. Disposal of Motor Vehicles**

1. It is the policy of this agency that an agency-owned motor vehicle may be disposed of when it meets or exceeds the minimum Federal Replacement standards, and/or when it is excess to an organization's need.
2. After receipt of a replacement motor vehicle, the replaced vehicle should be removed from service and disposed. No later than 30 days after the disposition of a replaced motor vehicle, the motor vehicle fleet manager should provide a written certification to the OMEFM that disposal action was taken on the vehicle.
3. As necessary, the responsible contracting officer signs the Standard Form (SF) 97, the United States Government Certificate to Obtain Title to a Vehicle. The Director, Headquarters Office of Administration and HFOs may delegate the authority to sign the SF 97 to responsible DOE personnel under their jurisdiction.
4. Prior to disposition and to ensure vehicle safety upon resale, all vehicles must be returned to their original design if modified, damaged or retrofitted with supplemental equipment. Full disclosure of repairs (or lack thereof) must accompany all damaged vehicles.
5. All markings and decals must be removed prior to disposition.

## Chapter 9. Motor Vehicle Reports

1. General. The Director, Office of Administration and OMEFMs should establish adequate records for accounting and reporting purposes.
2. Federal Automotive Statistical Tool (FAST).
  - a. DOE organizations and contractors operating GSA leased, DOE-owned, or commercially leased motor vehicles enter data into the electronic FAST system for their entire fleet, including security vehicles. Data is entered into the system through the FAST web site at <https://fastweb.inel.gov> and should be completed after the end of the fiscal year by the date specified by the DMEFM or designee. The DMEFM, or designee, provides user IDs and passwords to obtain access to the FAST system.
  - b. The Office of Management and Budget's (OMB) Circular A-11 requirement for the Agency Motor Vehicle Fleet Report will also be generated in FAST and forwarded directly to OMB. This report is due by the end of August each year. Approval from the Office of Budget is required before submission to OMB.
  - c. Any additional reporting requirements will be issued to the OMEFMs by the DMEFM.
4. Motor Vehicle Statement. The Motor Vehicle Statement report is used as budget submission formulation and backup for the annual Appropriations Language and is due to the DMEFM as directed by the DOE's Office of Budget. OMEFMs receive notification and instructions for completing this report prior to the due date from the MEFM.

## **Chapter 10. Accident Reporting**

### **1. General.**

When a DOE-owned motor vehicle is involved in an accident, the driver of the vehicle should notify the appropriate local law enforcement agency, his or her supervisor, and the MEFM in accordance with internal procedures. Accident reports and related records should be retained, maintained and accessible in the MEFM's office. Motor vehicle accident reporting requirements defined in FMR 102-34.300 should be followed. Other reporting requirements and guidelines are addressed in DOE Order 231.1A, Environment, Safety, and Health Reporting.

a. Because of the possibility of claims or civil suits either against the Government or the employee, the employee involved in an accident while operating a motor vehicle on official business must not discuss liability until the accident investigation is complete and a determination has been made by the appropriate authority.

b. Employees involved in an accident should follow their site's established safety guidelines. In some jurisdictions, it is not necessary to summon the police for a minor accident; however, for the employee's protection, it is recommended. The police will determine if a traffic citation should be issued, and should ensure the exchange of information required for accident reporting between the parties involved.

### **2. Accident Reporting Procedures.**

a. MEFMs and supervisors are responsible for ensuring that personnel who operate motor vehicles on official business are supplied with the required accident-reporting forms and that these forms are prepared and forwarded promptly.

b. Employees will take the following action when involved in a motor vehicle accident:

(1) Notify or have the supervisor notify the following persons or offices in person or by telephone:

- (a) The state, county, or municipal authorities, as required by law;
- (b) The Accident Management Center (1-866-400-0411 & press the number 2) for GSA Fleet vehicles;
- (c) His/her supervisor;
- (d) The contractor, when operating a commercially leased or

rented vehicle; and

(e) Safety Officer for your site location.

(2) Take the following action at the scene of the accident or follow your sites established guidelines:

(a) Obtain the name, address, telephone number, operator's permit number, vehicle license number, insurance company name, policy number and claims address from the other driver, as well as any other information necessary to complete accident report forms;

(b) Obtain the names, addresses, and telephone numbers of any witnesses, and whenever possible have witness complete the SF 94, Statement of Witness;

(c) Give his or her name, address, telephone number, permit number, vehicle license number and agency identification to the other driver(s) and the police when requested to do so;

(d) Ask the police officer to collect the required information if personal injury prevents collecting it, and contact the supervisor, who will complete and process the forms;

(e) Obtain a police investigation report, photographs, doctor's certification of bodily injuries, and any other pertinent documentation concerning the accident if possible. This information should be processed with all required accident report forms not later than five working days after the accident;

(f) Complete the following applicable forms, or the supervisor shall if the employee is unable to do so:

1. SF 91, Operator's Report of Motor Vehicle Accident (located in the Motor Vehicle Accident Reporting Kit). Complete at the time and place of the accident, or as soon as possible, regardless of the extent of the injury or damage.

2. SF 94, Statement of Witness located in the Motor Vehicle Accident Reporting Kit). Ask witnesses to complete and sign this form at the time of the accident. If this form is not available, obtain the witness's written statement giving accident details and facts.

(g) Forward the SF 91 and SF 94 forms not later than five working days after the accident as follows:

1. For GSA vehicles, Fax all accident reports (SF 91,

SF94 and police reports), estimates and correspondence to: (404) 608-2247 for Eastern and Central Time Zones (except KS, MO, NE, and IA) or (816) 823-3634 for all other locations. Submit one copy to your local site's Safety Officer;

2. For non-GSA vehicles, return the original to your MEFM and one copy to your local site's Safety Officer.

c. Failure to report a motor vehicle accident, and a record showing a high accident frequency or questionable costs could lead to legal and disciplinary action against employees and prohibit further motor vehicle use.

3. U.S. Government Responsibility. The Government is the party against which a claim or civil action must be filed by a third party for negligence, wrongful act or omission of a Government employee acting within the scope of his/her employment. Because the Government may be liable for property damage, personal injury, or death caused by its employees resulting from an accident involving a motor vehicle being used for official business, it is essential that all relevant facts be obtained and recorded accurately, no matter how minor the accident may seem, and regardless of whether the vehicle involved is Government-owned, -leased, commercially rented, or privately owned.

4. Employee (operator) Financial Responsibility. Under the Federal Tort Claims Act, 28 U.S.C. 2679, damage, personal injury or death resulting from the negligent or wrongful act of a Government employee acting within the scope of his/her employment must be brought against the United States, not the employee. The employee may be financially responsible whenever accidents and/or vehicle damage results through their misconduct or improper operation of a vehicle if the Federal Tort Claims Act does not apply.



## **Chapter 11. GSA Fleet Leasing Program**

1. GSA Fleet is not a mandatory source for leasing motor vehicles. However, GSA is the preferred source for leasing services at the Department.
2. The Director, Headquarters Office of Administration and HFOs are responsible for designating a representative to coordinate with GSA concerning the establishment of a fleet management system to serve their organization.
3. DOE activities using GSA Fleet motor vehicles should review vehicle utilization statistics provided by GSA in order to determine if miles traveled justify vehicle inventory levels. Activities should retain justifications for the retention of vehicles not meeting DOE utilization guidelines or established local use objectives, as appropriate. Those vehicles not justified for retention should be returned to the issuing GSA Fleet Management Center.
4. GSA offers a mileage reporting application called GSA Fleet Drive-thru. Reports Carryout, which is one component to this application, allows fleets to generate a GSA Fleet vehicle inventory report in a format that can be opened in either Microsoft Word or Excel. The link to this website is:  
<http://drivethru.fss.gsa.gov/drivethru/drivethru/>.
5. GSA invoices should be carefully reviewed for proper billing.

## Chapter 12. Fleet Credit Card Program

1. The DMEFM is the DOE coordinator for the Fleet Credit Card which is used for DOE owned vehicles. In that capacity, the DMEFM is accountable and responsible for the card program within DOE.
2. DOE field organizations electing to participate in the Fleet Credit Card Program for DOE-owned or commercially leased motor vehicles, as defined in the SmartPay contract issued by GSA, should establish accounts with the authorized vendor by contacting the DMEFM.
3. The Director of Administration for the Headquarters site and HFOs are responsible for establishing administrative control procedures for the fleet credit cards obtained from GSA for GSA Fleet vehicles. As a minimum, the controls should provide for:
  - a. Reconciling on-hand credit cards with the inventory list provided by GSA.
  - b. Furnishing instructions to motor vehicle operators regarding the use and protection of credit cards against theft and misuse.
  - c. Notifying the paying office immediately in the event a fleet credit card is lost or stolen to minimize the use of the card for unauthorized purchases.
  - d. Closely monitoring charges to ensure no unauthorized charges will be authorized for payment.
  - e. Validating credit card charges to ensure they are for official use only items.
  - f. Obtain GSA's approval for any amount over \$100.
4. The fleet card should be used only for the purchase of fuel and maintenance incurred for DOE owned, GSA leased, or commercially leased vehicles while conducting official Government business. To alleviate the risk of misuse and ensure that DOE is not negligent in this area, DOE and contractor fleet managers should closely monitor charges incurred on the credit cards. Appropriate purchases include:
  - (a) Unleaded gasoline (unless premium is required by the original vehicle manufacturer), diesel, ethanol and other alternative fuels;
  - (b) Lubricating services and lubricants;

- (c) Air and oil filters and vehicle batteries;
- (d) The purchase, mounting and dismounting of tires;
- (e) Vehicle washing and cleaning;
- (f) Vehicle maintenance and repairs.

The fleet card should not be used to purchase food, beverage or other items for personal use. In addition, the fleet card should not be used for other purchases such as office supplies and equipment. Items such as these are procured using the purchase card. DOE and contractor fleet managers should also instruct card holders/users of their responsibilities.

5. Intentional use of this card for other than Official Government business may be considered an attempt to commit fraud against the U. S. Government and may result in immediate cancellation of the card, termination of Federal employment, and disciplinary action against the cardholder under applicable Departmental or Government-wide administrative procedures. The cardholder will be personally liable to the Government for the amount of any non-approved purchases and possible subjection to a fine of not more than \$10,000 or imprisonment for not more than five (5) years or both under 18 U.S.C. 287.

## **Chapter 13. Watercraft**

1. No person may operate a watercraft on a waterway until basic watercraft knowledge and operating skills have been demonstrated.
2. Operators should check the watercraft to ensure that necessary equipment required by laws applicable to the area of operation are present, properly stowed, and in proper working order.
3. Operators must comply with all applicable Federal, State and local laws pertaining to the operation of watercraft.
4. Operators should not use watercraft or carry passengers except in the performance of official Departmental assignments.
5. Identifying numbers, whether issued by the U.S. Coast Guard, State, or local field organization, should be displayed on all watercraft in accordance with applicable requirements. All watercraft should also be marked as "Property of U.S. Government."

## **Chapter 14. Professional Development**

To ensure high standards for DOE's Vehicle Fleet Management Program, it is DOE's intent to develop or recommend a curriculum for the professional development of DOE and DOE Contractor MEFMs.

A new on-line knowledge management and certification curriculum, known as KNOW NET may be recommended. The system is nearing completion and will deliver competency-based fleet management instruction, performance support and on-line professional certification at your desktop. The system is currently available for use as a reference tool. You may access the system at <http://www.knownet.hhs.gov/log>; click Desk Reference and Federal Fleet Management.

This section is reserved until such time that a determination is made regarding the use of a particular curriculum for training and certification of employees working in the fleet management program.

# Appendix A

## FY' 03 Minimum Replacement Criteria for Non-consolidated Vehicles

<b>Passenger Vehicles</b>		3 and 36,000 or 4 and any miles or any year and 60,000
<b>Light Trucks 4x2, 4x4</b>	Non-diesel	7 or 60,000
	Diesel	8 or 150,000
<b>Medium Trucks 4x2, 4x4</b>	Non-diesel	10 or 100,000
	Diesel	10 or 150,000
<b>Heavy Trucks 4x2, 4x4, 6x4, 6x6</b>	Non-diesel	12 or 100,000
	Diesel	12 or 250,000
<b>Ambulances</b>	Non-Diesel	7 or 70,000
	Diesel	7 or 100,000
<b>Conventional Buses</b>		8 or 150,000
<b>Forward Control Buses</b>		10 or 250,000
<b>Transit Buses</b>		12 or 500,000
<b>Intercity Coach</b>		15 or 1,000,000

Appendix B

**FMR Bulletin B-12(Agencies with Unlimited Exemptions from Displaying  
U. S. Government Identification)**

TO: Heads of Federal agencies

SUBJECT: Agencies with unlimited exemptions from displaying U.S. Government License Plates and motor vehicle identification

1. What is the purpose of this bulletin? This bulletin provides the list of agencies for which GSA has granted unlimited exemptions from the display of U.S. Government license plates and motor vehicle identification. This bulletin is updated when additional unlimited exemptions are approved or existing exemptions are rescinded or modified.
2. What is the effective date of this bulletin? This bulletin is effective May 25, 2006.
3. When does this bulletin expire? This bulletin will remain in effect until specifically superseded or cancelled.
4. What is the background? Formerly, the list of Federal agencies granted unlimited exemptions from displaying U.S. Government license plates and motor vehicle identification because the vehicles are regularly used for the following type of activities: intelligence gathering; investigative and law enforcement activities; providing security; or in work where identifying the vehicles would be prejudicial to patients, was published in section 102-34.195 of the Federal Management Regulation. However, for ease of updating, the list is changed to bulletin format.
5. What should I do as a result of this bulletin? Agencies that need an unlimited exemption but are not on the approved list in the attachment to this bulletin should contact the General Services Administration using the information provided in paragraph 6 of this bulletin. An agency may be required to provide a written certification of need for an unlimited exemption. However, agencies should first analyze their needs to determine if a limited exemption is sufficient before seeking an unlimited exemption. The procedures for obtaining a limited exemption are in section 102-34.180 (May we have a limited exemption from displaying U.S. Government license plates and other motor vehicle identification?) in the Federal Management Regulation.

No additional actions are required by a Federal agency unless there is an error in the license plate code or the agency name. If you find errors in the list of license plate codes, please contact the General Services Administration using the contact information provided in paragraph 6 of this bulletin. However, agencies that need to obtain U.S. Government license plates should follow the procedures in section 102-34.140 (Where may we obtain U.S. Government license plates?) in the Federal Management Regulation.

6. Who should we contact for further information or to request that the agency or activities of the agency be granted an unlimited exemption from displaying U.S. Government License Plates and motor vehicle identification?

General Services Administration  
Office of Governmentwide Policy  
Office of Travel, Transportation, and Asset Management (MT)  
Washington, DC 20405  
Telephone Number: 202-501-1777  
E-mail Address: [vehicle.policy@gsa.gov](mailto:vehicle.policy@gsa.gov)



## Appendix C

### **FMR Bulletin B-3 (Use of Tobacco Products in U.S. Government Vehicles)**

To: Heads of Federal Agencies.

Subject: Use of Tobacco Products in Motor Vehicles Owned or Leased by the Federal Government.

*1. What is the purpose of this bulletin?* This bulletin provides guidance to Executive agencies concerning the use of tobacco products in motor vehicles owned or leased by the Federal government. Other Federal agencies are also encouraged to consider this guidance.

*2. What is the effective date of this bulletin?* This bulletin is effective April 15, 2002.

*3. When does this bulletin expire?* This bulletin will remain in effect until specifically cancelled.

*4. What is the background?*

a. In 1993, the General Services Administration (GSA) Fleet Program prohibited the use of tobacco products in GSA Fleet vehicles because of the potential health hazards associated with the use of these products and the negative residual effects of tobacco use on GSA Fleet vehicles.

b. The Federal Fleet Policy Council (FEDFLEET) comprised of national level Federal agency fleet managers requested GSA's Office of Governmentwide Policy, Federal Vehicle Policy Division (MTV) to develop a recommendation regarding the use of tobacco products in motor vehicles owned or leased by the Federal government. Many agencies already prohibit the use of tobacco products in their vehicles; therefore, FEDFLEET recommended a policy that would apply to the entire Federal fleet.

*5. What is the recommended policy we are encouraged to follow when issuing guidance on the use of tobacco products in motor vehicles owned or leased by the Federal government?* Agencies are encouraged to:

a. Prohibit the use of tobacco products in motor vehicles owned or leased by the Agency.

b. Begin discussions with employee unions and organizations if required by union agreements to prohibit the use of tobacco products in such motor vehicles.

c. Develop appropriate policy regarding disciplinary action to be taken against employees violating this prohibition.

*6. Who should we contact for further information and/or to direct comments regarding the issue of prohibiting the use of tobacco products in motor vehicles owned or leased by the Federal government?*

General Services Administration  
Office of Governmentwide Policy  
Federal Vehicle Policy Division (MTV)  
Washington, DC 20405  
Telephone Number: 202-501-1777  
E-mail Address: *vehicle.policy@gsa.gov*

Dated: April 8, 2002.

## Appendix D

### **FMR Bulletin B-2 (Wireless Phone Use in U.S. Government Vehicles)**

To: Heads of Federal Agencies.

Subject: Use of Hand-held Wireless Phones while Driving Motor Vehicles Owned or Leased by the Federal Government.

#### *1. What Is the Purpose of This Bulletin?*

This bulletin provides guidance to Federal agencies concerning the use of hand-held wireless phones while driving motor vehicles owned or leased by the Federal government.

#### *2. What Is the Effective Date of This Bulletin?*

This bulletin is effective March 1, 2002.

#### *3. When Does This Bulletin Expire?*

This bulletin will remain in effect until specifically cancelled.

#### *4. What Is the Background?*

a. Over 110 million people use wireless phones in the United States. A recent National Highway Traffic Safety Administration (NHTSA) survey found that 54 percent of motor vehicle drivers in the United States usually have a wireless phone in their vehicle. Federal and State policymakers have been weighing the benefits of wireless phone use in vehicles against the growing evidence of their potential to increase driver distraction and the risks to safety. The recent ban of hand-held wireless phones while driving in New York State and pending legislation in at least 27 other states has received significant publicity in 2001. In addition, 23 countries now restrict or prohibit wireless phones in motor vehicles.

b. It is appropriate that the Federal government assume a leadership role in promoting the safe use of wireless telephones by its employees when they are engaged in official Government business. Accordingly, Federal agencies should address the issue of wireless phone use in their internal policies. Additionally, many agencies have requested guidance from the General Services Administration's Office of Governmentwide Policy (OGP), Federal Vehicle Policy Division on wireless phone use in government owned and leased vehicles.

#### *5. What Is the Recommended Policy We Should Follow When Issuing Guidance on the Use of Wireless Phones While Driving Motor Vehicles Owned or Leased by the Federal Government?*

Federal agencies should:

- a. Discourage the use of hand-held wireless phones by a driver while operating motor vehicles owned or leased by the Federal government.
- b. Provide a portable hands-free accessory and/or a hands-free car kit for government owned wireless phones.
- c. Educate employees on driving safely while using hands-free wireless phones. See Attachment A for "Cellular Phone Driving Tips" published by the National Highway Traffic Safety Administration (NHTSA).

*6. Are Federal Employees Exempt from Local or State Laws Prohibiting or Limiting the Use of Wireless Phones While Driving?*

Generally, Federal employees are not exempt from state and local laws governing operation of a motor vehicle. If adhering to state and local laws would impede your agency's mission, consult your General Counsel for advice.

*7. Could Federal Agencies be Held Liable for Injuries or Damages Caused by Employees Who Use Wireless Phones While Driving Motor Vehicles Owned or Leased by the Federal Government?*

Federal agencies should be aware of the potential for increased liability from accidents that occur if directly caused by the use of wireless phones while driving motor vehicles owned or leased by the Federal government.

*8. What Future Actions Should We Expect?*

NHTSA has over a dozen new studies planned during the next two years regarding driver distractions such as wireless phone use. As these reports are published, the General Services Administration's Federal Vehicle Policy Division will keep agencies abreast of the current research and recommendations on whether wireless phones, or any other device, should be used while driving.

*9. Who Should We Contact for Further Information and/or To Direct Comments to on the Issue of Limiting the Use of Wireless Phones While Driving Motor Vehicles Owned or Leased by the Federal Government?*

General Services Administration  
Office of Governmentwide Policy  
Federal Vehicle Policy Division (MTV)  
Washington, DC 20405  
Telephone Number: 202-501-1777  
E-mail Address: [vehicle.policy@gsa.gov](mailto:vehicle.policy@gsa.gov)

Dated: February 25, 2002.

## **Attachment A-Cellular Phone Safe Driving Tips**

Safe driving is your first priority. Always buckle up, keep your hands on the wheel and your eyes on the road.

Make sure that your phone is positioned where it is easy to see and easy to reach. Be familiar with the operation of your phone, so that you're comfortable using it on the road.

Use a hands-free microphone while driving. Make sure your phone is dealer-installed to get the best possible sound quality.

Use the speed dialing feature to program in frequently called numbers. Then you can make a call by touching only two or three buttons. Most phones will store up to 99 numbers.

When dialing manually without the speed dialing feature, dial only when stopped. If you can't stop, or pull over, dial a few digits, then survey traffic before completing the call. (Better yet, have a passenger dial.)

Never take notes while driving. Pull off the road to jot something down; if it's a phone number, many mobile phones have an electronic scratchpad that allows you to key in a new number while having a conversation.

Let your wireless network's voice mail pick up your calls when it's inconvenient or unsafe to answer the car phone. You can even use your voice mail to leave yourself reminders.

Be a cellular Samaritan. Dialing 9-1-1 is a free call for cellular subscribers; use it to report crimes in progress or other potential life-threatening emergencies, accidents or drunk driving.

*Source:* Department of Transportation, National Highway Traffic Safety Administration: An Investigation of the Safety Implications of Wireless Communications in Vehicles November 1997.