

# USE OF GOVERNMENT-OWNED VEHICLES EMPLOYEE MANUAL



# GOVERNMENT-OWNED VEHICLES

*FPMR 101-38.3 and AGPMR 104-38.3 establish the requirements regarding official use of Government vehicles. Agencies will use Government owned or leased vehicles for official purposes only. "Official purposes" does not include using a Government vehicle for the employee's personal purposes, comfort, or benefit. "Official purposes" does not include transporting employees between their residence and place of employment except in cases where employees are engaged in field work as described in DR 5400-2, or in emergencies involving the possible loss of life or property.*

**Vehicle Operator Responsibilities.** Vehicle operators are responsible for using Government vehicles for official purposes only. Operators will exercise discretion to avoid, when possible, any situation which may tend to convey an impression to the public that the vehicle operator is using the assigned vehicle for unofficial purposes.

Under no circumstances will vehicle operators operate a motor vehicle with mechanical problems or conditions that are safety hazards or may cause damage to the vehicle. Operators are responsible for immediately reporting any mechanical/safety deficiency immediately. Deficiencies are to be corrected as soon as possible. Maintain safe operating conditions by performing scheduled routine maintenance.

The operator of the vehicle is responsible for the use and protection of the credit card. A credit card is issued for each vehicle and should be used only for purchases for that particular vehicle. There is a POOL card that can be used in emergencies, such as when a card is lost. He or she is authorized to purchase the following using a vehicle credit card:

- ❖ fuel, antifreeze, lubricating services, oil and filter elements and servicing, batteries, tire and tube repair, washing and cleaning
- ❖ EMERGENCY replacement of spark plugs, fan belts, generator belts, lamps, windshield wiper arms and blades
- ❖ other minor EMERGENCY repairs, purchases and services.

Record all expenditures in the "Vehicle Operation Record" book.

The card should never be left in the vehicle, even though the vehicle operation record booklet has a slot in the back to hold the card. This practice increases the potential liability if a vehicle is stolen. Report lost, stolen, cracked or torn card.

*"USDA employees are to always use caution and expertise while operating a motor vehicle owned or leased by the Federal government. When it is necessary to operate a motor vehicle for extended periods of time, drivers are strongly encouraged to take at least a 15 minute break after each three hours of driving time, or more often, if the driver feels it will enhance his or her safe operation of the vehicle."*

**Licensing Requirements.** All persons operating a motor vehicle must possess a valid State or District of Columbia driver's license and must carry the valid license in their possession while operating a Government vehicle.

**Commercial Drivers License (CDL).** Any REE employee who operates a commercial motor vehicle must possess a State issued CDL from the state where the employee resides.

**No Smoking.** Smoking is prohibited in all Government vehicles, including leased vehicles.

**Seat Belts.** All drivers and passengers will use safety belts while the vehicle is in motion.

**Violation of State and Local Traffic Laws.** Operators of Government vehicles will obey all motor vehicle traffic laws of the State(s) and local jurisdictions when operating the vehicle. Operators of Government vehicles are responsible for paying all fines imposed on them while operating the vehicle, including parking fines.

**Wireless Telephone Equipment.** “USDA employees must obey all state and local traffic laws while operating a motor vehicle during the performance of his or her duties. This applies to any state and local laws pertaining to the use, or prohibition from use, of any wireless telephone equipment. Where state and local laws do not prohibit the use of mobile telephones, USDA strongly discourages the use of hand-held wireless telephones by a driver while operating motor vehicles owned or leased by the Government. Even the use of “hand free” equipment is strongly discouraged.

**Texting or text messaging** means reading from or entering data into any handheld or other electronic device (including, but not limited to, cell phones, navigational tools, laptop computers or other electronic devices), including for the purpose of Short Message Service (SMS) texting, e-mailing, instant messaging, obtaining navigational information or engaging in any other form of electronic data retrieval or electronic data communication. The term does not include the use of a cell phone or other electronic device for the limited purpose of entering a telephone number to make an outgoing call or answer an incoming call, unless this practice is prohibited by state or local law. The term also does not include glancing at or listening to a navigational device that is secured in a commercially designed holder affixed to the vehicle, provided that the destination and route are programmed into the device either before driving or while stopped in a location off the roadway where it is safe and legal to remain stationary.

If a telephone call is necessary, the driver shall pull safely to the side of the road, or a parking area and then initiate the call.

**Reporting Accidents.** A motor vehicle accident is any occurrence that involves a Government vehicle (owned or leased) or a privately owned vehicle operated on official business that results in property damage, injury or death, regardless of the extent of injuries or the dollar amount. Agencies will ensure that all agency owned and commercially leased vehicles contain the motor vehicle accident kit, including completing the “in case of emergency” information. In the event of an accident employees will:

- ❖ obtain a police report,
- ❖ notify supervisor,
- ❖ complete form SF-91, Operator's Report of Vehicle Accident,
- ❖ request witnesses, if any, to complete and sign form SF-94, Statement of Witnesses,
- ❖ forward completed forms and information to the Location’s Property Officer, who is also your Administrative Officer.

**Employees should never:**

- ❖ Leave the scene of an accident, before notifying the authorities
- ❖ Admit liability or responsibility
- ❖ Tell anyone involved in the accident that their services will be paid for by the Government
- ❖ Sign a release on behalf of the Government relating to the settlement of a claim arising from an accident

**Energy Conversation.** To comply with E.O. 12759, Federal Energy Management, agencies maintaining Government vehicles will increase fuel efficiency. In addition to acquiring economy-sized vehicles, alternative fuel vehicles, and alternative fuels, vehicle operators can help reduce agency fuel consumption by practicing these driving techniques:

- ❖ travel at reduced speeds, limiting maximum speeds to posted limits,
- ❖ avoid sudden stops or bursts of speeds,
- ❖ avoid idling for long periods of time,
- ❖ avoid overfilling the fuel tank, allowing for gasoline expansion,
- ❖ consolidate trips when possible,
- ❖ report mechanical malfunctions promptly, i.e., shaking steering, rough engine idle, etc.,
- ❖ follow manufacturers' suggested maintenance procedures, and
- ❖ purchase ethanol-blended fuels, when available.

**Transportation of Non-REE Employees.** Non-REE employees may operate or ride in a Government vehicle when:

- ❖ an agreement or contract documents the use of a Government vehicle,
- ❖ use is for official purposes connected to performing the agreement or contract, or
- ❖ Government official having authority for the vehicle directs the individual to use vehicle to conduct official business.

Non-REE employees include contractors, cooperators, volunteers, students, and other Government employees. Before authorizing non-REE operators or passengers, Agencies will take into consideration that the Government can be held liable for injuries/damages incurred by all passengers in a Government vehicle through the fault of the authorized operator.

\*See your Administrative Officer for an agreement if one is not already in place.

**Employees in Travel Status.** According to Federal Travel Regulations 301-10.201, employees in official travel status may use a Government vehicle (this also includes a commercially leased vehicle), for official purposes for transportation:

- ❖ between places of official business,
- ❖ between places of official business and temporary lodging when public transportation is unavailable or impractical to use, and

- ❖ between places of official business, temporary lodging and restaurants, drug stores, barber shops, places of worship, cleaning establishments, and similar places necessary for the sustenance, comfort, or health of the employee to foster the continued efficient performance of Government business.

**Transporting Dependents While on Travel Status.** A 1978 decision by the Comptroller General stated that it is up to the agency to determine whether or not the transportation of dependents in a Government vehicle, in conjunction with official business traveling to a temporary duty station, is in the interest of the Government. Based on this decision, REE **may** allow an employee's dependents to accompany the employee in a Government vehicle to the employee's temporary duty station while the employee is on official travel status conducting official Government business. However, the Comptroller General decision also states that agencies will **consider the Government's possible increased liability** under the Federal Tort Claims Act for damages suffered by dependents through employee negligence. The Government can be held liable for the injuries/damages incurred by all passengers in a Government vehicle through the fault of the authorized vehicle operator. **Employee's dependents are not authorized to operate a Government vehicle.**

**Home to Work Transportation.** According to AGPMR 104-38.5004, approval for use of vehicles for home to work transportation is limited to:

- ❖ the Secretary of Agriculture,
- ❖ employees engaged in field work as defined in DR 54005-5,
- ❖ others employees in response to highly unusual circumstances that **present clear and present danger**, when **emergencies** exist, or when other **compelling operational considerations** exist that make home to work transportation essential to conducting official business, and
- ❖ employees engaged in criminal law enforcement and protective services duties and when using the vehicle is essential for the safe effective performance of those duties.

DR 5400-5 applies only to the use of home to work transportation for employees on normal duty (non-travel) status performing assigned duties at their place of employment. This does not apply when using Government vehicles:

- ❖ in conjunction with official travel to perform a temporary duty assignment away from a designated or regular place of employment, or
- ❖ the employee's residence is their official duty station and a record is on file documenting supervisory approval.

**Temporary Home to Work Transportation (For Travel Purposes).** On a case-by-case basis LAO's, state statisticians, division directors, or program heads may authorize an employee to store a vehicle at a private residence overnight for **travel purposes**. This is reserved for when an employee must arrive at an unusually early hour or depart at an unusually late hour. **Temporary overnight storage is not for the employee's convenience but to prevent the employee from suffering hardship.** Before authorizing temporary overnight storage, management will consider other options such as payment for mileage for employee's personal vehicle, public transportation, or taxi service. Management will consider temporary

storage only when approval will substantially increase the efficiency and economy of the Government and denial causes the employee hardship, not for the employee's comfort or convenience. The employee/supervisor will document use of the Government vehicle on the travel authorization or memorandum.