

## PART 2018 - GENERAL

## Subpart G - U.S. Government Motor Vehicle Operator's Instructions

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PART 2018 - GENERAL

Subpart G - U.S. Government Motor Vehicle Operator's Instructions

§ 2018.301 General.

This Instruction states policies and procedures on the operation of Government-furnished vehicles (GFVs) and Government-owned vehicles (GOVs) by employees in order to properly carry out assigned official duties. This Instruction supplements the Federal Travel Regulations (FTRs) and the Agriculture Travel Regulations (ATRs). The Federal Property Management Regulations (FPMR), the Agriculture Property Management Regulations (AGPMR), and Departmental Regulations (DRs) 2600-1, "Taxation of Fringe Benefits," and 5400-5, "Use of Government Vehicle for Home to Work," are also referenced in this Instruction.

§ 2018.302 Coverage.

(a) This Instruction applies to Rural Development employees who operate GFVs or GOVs as part of their duties and need the vehicle on a continuing assignment basis or on a trip-by-trip basis when it is best for the Government. Such employees are considered incidental operators.

(b) This Instruction also applies to all State Directors and all employees who manage fleet as part of their duties.

(c) The use of GFVs or GOVs for official transportation is generally advantageous to the Government; however, some situations warrant use of employees' privately-owned vehicles (POVs). Guidance for determining the travel circumstances for utilization of POVs and authorized reimbursements is contained in RD Instruction 2036-A, "Travel Regulations and Policies."

§ 2018.303 Requirements.

Rural Development employees operating GFVs or GOVs must have a valid State driver's license in their possession issued by their State of residence. Costs associated with obtaining the drivers license are the employee's responsibility.

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§ 2018.304 Responsibilities.

(a) Assignment and control. State Directors; the Director, Property and Supply Management Division (PSMD), St. Louis; and the Director, Support Services Division (SSD), National Office, can request vehicles from the nearest General Services Administration (GSA) motor pool. Notify the Director, SSD, if the motor pool cannot make a monthly assignment of vehicles. If the office urgently needs a vehicle, you may lease a vehicle commercially on a short-term basis. Submit requests for commercially leased vehicles in excess of 60 consecutive days to the Director, SSD, for submission to the Department for approval. Supervisors are responsible for seeing that all GFVs and GOVs under their custody are being fully utilized. As vehicles are rotated out and replaced, alternative fuel vehicles (AFV) **must** be the replacement. All waivers must have a valid justification and must be sent and approved by the Director, SSD. Keep in mind that this requirement is part of Rural Development's initiative to meet the goals set forth in Executive Order 13423, "Strengthening Federal Environmental, Energy, and Transportation Management."

(1) Approval is needed from the Director, SSD, before installing any other special purpose equipment in GFVs or GOVs. The State Office or employee will be responsible for removal and any damages due to installation of non-approved equipment.

(2) Supervisors are responsible for ensuring that all employees under their supervision are fully acquainted with the requirements governing the proper care, operation, maintenance, and protection of GFVs and GOVs. Please refer to GSA's National Safety Program for additional information.

(b) Management of fleet. All vehicles will be provided through the GSA leasing program unless there is no facility located in that State (i.e., Hawaii). If there is no facility located in that State, then the vehicles will need to be purchased. All requests for additions, reductions, or replacements for the fleet must clear through the Director, SSD.

§ 2018.304(b) (Con.)

(1) Requesting new vehicles. To request a new vehicle, the State Office must complete the Form RD 2018-2, "Vehicle Allocation Methodology," and submit to the Director, SSD. The form will be reviewed and a determination will be made as to whether the vehicle is necessary. It is important to remember that the need must be adequately justified or the request will not be processed. Funding for any State vehicle will come out of that State's allocation. All new vehicles will be AFV.

(2) Requesting replacement vehicles. To request a replacement vehicle, the State Office must complete the Form RD 2018-2, "Vehicle Allocation Methodology," and submit to the Director, SSD. All new vehicles will be alternative fuel vehicles. When requesting a replacement vehicle, please follow the GSA Vehicle Replacement Standards chart below. When requesting a new vehicle, please check with GSA about the type of spare tire that comes with the new vehicle. Some leased vehicles only come with an inflation kit, so if a spare tire is required, please mention that to the GSA Representative. There may be an additional cost for a spare tire, which will be the responsibility of the requesting State Office.

Vehicle Category	Fuel Type	Years/Miles
Passenger Vehicles	Gasoline or AFV	3 and 36,000 4 and 24,000 5 and any miles Any year and 75,000
	Hybrids	5 and any miles
Light Trucks 4X2	Non-Diesel	7 or 65,000
	Diesel	8 or 150,000
	Hybrid	7 and any miles
Light Trucks 4X4	Non-Diesel	7 or 60,000
	Diesel	8 or 150,000
	Hybrid	7 and any miles
Medium Trucks 4X2/4X4	Non-Diesel	10 or 100,000
	Diesel	10 or 150,000
Heavy Trucks 4X2/4X4	Non-Diesel	12 or 100,000
	Diesel	12 or 250,000

(3) Disposition of vehicles. To dispose of a vehicle, send a letter to the Director, SSD. The letter should include, at a minimum, the make, model, Vehicle Identification Number (VIN), and tag number. Once received, the request will be reviewed and processed.

(c) Authorized use. Employees shall use GFVs and GOVs for only official purposes. An official purpose does not include transportation of employees between their residences and places of employment unless authorized in accordance with DR 5400-5 and properly documented in accordance with paragraph (c) of this section. This includes, but is not limited to, transportation to lunch, retirements, funerals, or shops. The vehicle is for official use and not for personal use.

(1) Employees who willfully use or authorize the use of GFVs or GOVs for anything other than official purposes are subject to disciplinary action ranging from suspension without pay for not less than 1 month to removal from office.

(2) Official purposes include:

(i) Between official stations and temporary duty locations;

(ii) Within the confines of employees' official duty stations;

(iii) From common carrier terminals at temporary duty stations to place(s) of business;

(iv) From common carrier terminals at temporary duty stations to places of lodging;

(v) From places of lodging to places of business at temporary duty stations where reasonable public transportation is not available or where the use of GFVs or GOVs for such purposes would be advantageous to the Government;

(vi) To obtain goods and services necessary for the health and well-being of employees while in an overnight travel status, such as restaurants, barbershops, beauty shops, religious services, drugstores, and laundries, when such services are not available without transportation and no public transportation is reasonably available.

(vii) While traveling outside the official duty stations, but not in an overnight travel status, only for the purposes cited in paragraphs (c)(2)(i) through (vi) of this section and to obtain lunch when such services are not available without transportation and no public transportation is reasonably available.

(viii) To obtain emergency medical services.

§ 2018.304(c)(2) (Con.)

(ix) Employees shall not transport members of family, friends, or other unrelated persons in GFVs or GOVs. Only Federal employees are covered under the Federal Tort Claims Act.

(x) Contractors are not allowed to drive a GFV or GOV unless it has been deemed to be in the best interest of the Government and the office adheres to 41 CFR 102-34.21, Federal Acquisition Regulation Subpart 51.2, and 41 CFR 101-39.202. The Contracting Office must authorize use in writing and the contractor must have insurance and certify their drivers have the correct State issued license for the vehicle they are operating. The contractor will also need to utilize Form RD 2018-3, "Request to Reserve/Use GSA Motor Vehicle," which includes a certification that the license is valid and not under any driving restrictions.

(3) Employees from another agency (such as Farm Service Agency) may only use a Rural Development vehicle if a written agreement between the two agencies has been put into place.

(d) Using GFVs or GOVs for home-to-work transportation. Rural Development employees shall not use GFVs or GOVs for home-to-work transportation unless:

(1) His or her job series is listed in Appendix A of DR 5400-5, and

(2) Only when the employees are actually engaged in field work which requires their presence at various locations that are a distance from the official duty stations' commuting areas or at remote locations accessible only by Government-provided transportation if the efficiency and economy of the Government is increased; and

(3) Approved Forms AD-728, "Request and Authorization for Home to Work Transportation," are on file in the employees' State Office(s).

(i) Requesting employees shall submit Form AD-728 to the Rural Development State Office by the first day of the beginning of each quarter of the fiscal year for consideration.

NOTE: Home-to-work transportation is neither an entitlement nor a right simply because the employees' job series are included in Appendix A of DR 5400-5. There must be a valid justification and be in the best interest of the Government.

(ii) State Directors will review and approve the AD-728s for employees who meet the criteria in paragraphs (c)(1) and (2) of this section. Forward all other AD-728s to SSD for approval.

(iii) Submit, within 5 days of approval, a copy of the approved AD-728 to SSD.

(iv) State Offices will maintain appropriate logs and vehicle usage records in accordance with DRs 5400-5 and 2600-1.

(4) In accordance with Departmental Regulation 5400-005, State Directors are not allowed to participate in the home to work program. A waiver may only be granted for unusual circumstances that present a clear and present danger, an emergency, or a compelling operational consideration. The Secretary of Agriculture is the Approving Official for home to work transportation waiver requests. **These requests must be submitted and approved in advance of the use of the GOV.** Waiver requests must be submitted through the Director, SSD in accordance with the regulation above. Each waiver will only be good for 15 days.

(5) Under no circumstances is it acceptable for a GOV to be permanently assigned to State Directors. The only individual in USDA allowed to have a vehicle permanently assigned to them is the Secretary of Agriculture.

(e) Liabilities and responsibilities.

(1) Employees are liable for fringe-benefit taxes if they use GFVs or GOVs for commuting between home and work more than 1 day a month;

(2) Employees are responsible for maintaining vehicle usage records; and

(3) Employees are responsible for providing usage records and documentation for reporting automobile commuting use to their supervisor(s) for inclusion in time and attendance reports as required by DR 2600-1.

(4) Each office that maintains a fleet must maintain a vehicle tracking log which, at a minimum, tracks when the vehicle was checked out and checked back in, who checked out the vehicle, and the reason for use.

(5) Each office must ensure that the WEX cards (gas credit cards), are physically secure or are accessible to those who have an official business reason to utilize them.

## § 2018.304 (Con.)

(f) Smoking policy. Smoking is prohibited in all GFVs and GOVs. If violated, the office to which the vehicle was assigned will be charged by GSA for the cost of cleaning the affected vehicle.

(g) Firearms. Rural Development's mission does not involve law enforcement and, therefore, firearms are prohibited in a Rural Development GFV or GOV. The Office of the General Counsel has ruled that if the employee had a firearm and were to actually discharge the weapon, the employee would be fully liable for any repercussions. Rural Development will not be able to provide any support for the employee even if the employee was acting in self-defense. If a firearm is found in a Rural Development GFV or GOV, disciplinary action will be taken.

§ 2018.305 Criteria for verification of need and use.

(a) Vehicle operators are responsible for:

(1) Employees who need a vehicle on a continuing assignment basis and average more than 1,000 miles per month or on a trip-by-trip basis when it is in the best interest of the Government will use GFVs and GOVs. They must complete and submit Form RD 2018-1, "Vehicle Commitment and Authorization Form," to the appropriate official by July 15 each year (including employees who use their POVs). Field office employees will submit forms to the local fleet manager for the State.

(2) When requesting to use a GOV or GFV, employees must complete a Form RD 2018-3, if they do not have an AD-728 or Form RD 2018-1 on file, which includes a certification that the license is valid and not under any driving restrictions.

(3) Notifying their supervisor immediately if their State drivers' license is revoked, suspended, or not renewed.

(b) The appropriate approving officials are responsible for:

(1) Reviewing for accuracy their employees' Forms RD 2018-1.

(2) Retaining appropriate records, Forms RD 2018-1, other related materials, and files of motor vehicle operators under their supervision for 3 fiscal years.



(3) Reviewing mileage yearly to determine if use of a GFV, GOV, or POV is being used efficiently and is in the best interest of the Government.

§ 2018.306 Operating vehicles.

All State Offices, the Director, PSMD, and the Director, SSD, are responsible for issuing guidance to their respective employees to assure all incidental operators use care and are economic in the operation of GFVs or GOVs. It is mandatory that operators and all passengers in GFVs or GOVs use safety belts. Operators must adhere to all State and local laws and regulations and obey all speed limits.

(a) Using self-service pumps. The use of self-service fuel pumps is mandatory for GFV or GOV operators who purchase fuel at commercial service stations where self-service pumps are available. The only exceptions to this policy are:

(1) For GFVs, the non-availability of self-service pumps at a service station under defense fuel supply center contract for fuel.

(2) For both GFVs and GOVs, the physical limitations of the vehicle operator.

(3) For GFVs, the refusal by a service station to honor the Fleet Credit Card.

(b) Services and inspections. Arrange all maintenance repairs (except for on-the-road emergencies) and inspections of GFVs with GSA. Conduct all maintenance and repairs of GOVs through local service stations or dealerships. Have inspections of GOVs, if required by State law, conducted at official State inspection stations.

(c) Recordkeeping. All offices must keep adequate records of vehicles. At a minimum, adequate records for GFVs include: physical location, body type, tag number, mileage, and monthly rental costs of each vehicle. At a minimum, adequate records for GOVs are: the physical location; purchase price; the mileage; and fuel, oil, repair and maintenance costs. Fuel usage must be maintained and the fuel usage will be separated to include gasoline usage and alternative fuel usage.

§ 2018.306 (Con.)

(d) Accidents or damage. Operators shall immediately report accidents or damage to GFVs or GOVs to their supervisors. If employees cause vehicle damage through misconduct, the Agency is financially responsible; however, employees may be held financially accountable. Misconduct includes vehicle operation under the influence of alcohol or narcotics and willful abuse or misuse of a vehicle. State and National Offices are responsible for disciplining their employees who cause damage to GFVs or GOVs through misconduct.

(1) Operators' responsibilities. After an accident, operators must give aid to any injured person and give warning to other motorists of anything resulting from the accident that can have an effect on public safety. However, operators will not:

(i) Give encouragement to any person in an accident to make a claim against the Government or help in a claim that is made. (Refer to RD Instructions 2042-A, "Claims Under Federal Tort Claims Act," and 2042-B, "Reporting Accidents.")

(ii) Give notice that any settlement will be made for damages or personal injuries.

(iii) Discuss any agreement of a claim for damages or personal injuries from an accident.

(iv) Write about a claim with a person other than a Government administrative official, unless specifically authorized by the Director, SSD.

(2) Reporting accidents or damage. GFVs have Operator's Packets which contain an accident reporting kit with instructions. For GFVs and GOVs, reports on accidents or damages must be made to State, County, or Municipal authorities as necessary by law and 41 CFR 101-38.601 and 101-39.4. Make investigations and reports on accidents in accordance with RD Instructions 2042-B and 2069-A, "Rural Development Safety and Health Management Program."

(3) Responsibility for damage. GSA will charge all GFV repair costs to Rural Development including towing, making repairs, or replacement if a total loss. GSA will prepare and provide the Agency with an accident report and provide Form GSA 1593, "Motor Vehicle Accident Resume." The office responsible for the GFV must complete the billing questions on the form and return to GSA. Based on information on Form GSA 1593 GSA will provide a bill to the Agency. After review, it should be forwarded to the National Finance Center for payment. The office having custody of the vehicle will be charged for all costs.

(4) Persons other than the operators of GFVs or GOVs at fault. Operators will provide a report (including accident reports, police reports, and data on the accident and its investigation) to their immediate supervisors for submission to GSA's Regional Counsel where the vehicle was issued. The Regional Counsel will take action for the recovery of the Government claim and will give the Agency copies of legal papers and reports on claim progress and final settlement.

(5) Theft of GFVs or GOVs. Operators shall notify their immediate supervisor, the local or State police, the nearest Federal Bureau of Investigation, the appropriate GSA motor pool chief, and the Director, SSD, of any theft of GFVs or GOVs, vehicle parts, or their recovery.

(e) Alternative fuel vehicles (AFVs). Operators in states that have AFVs in their fleet **must** use alternative fuel stations if they are within 5 miles or 15 minutes from the office location. Dual-fuel vehicles must operate on alternative fuel unless the vehicle receives a waiver from the Department of Energy. Vehicles may receive a waiver if there is no alternative fuel within 5 miles or 15 minutes from the office location. Request for waivers must be sent to the Rural Development Fleet Manager for approval and processing. State by State locations for alternative fuel stations can be found on the Internet at <http://www.e85fuel.com> (search by zip or city and state). FlexFinder for smart phones is available at the Apple App Store and Google Play.

(f) Text messaging while driving. Per Executive Order 13513 entitled, "Federal Leadership on Reducing Text Messaging While Driving," dated October 1, 2009, there is a Government-wide prohibition on the use of text messaging while driving on official business or while using Government-supplied equipment. This pertains not only to GFVs and GOVs, but to POVs as well. This is also extended to cover Federal contractors as well.

## § 2018.306 (Con.)

(g) Cell phone usage in vehicle. Operators of GOVs and GFVs are strongly discouraged to use hand-held wireless phones while operating a vehicle. The operator of the vehicle is required to follow all state and local laws regarding cell phone use in the vehicle.

(h) Alleged Misuse Report from GSA. If a concerned citizen witnesses an alleged abuse or misuse of a Government vehicle (GFV or GOV), they can report this alleged misuse or abuse through GSA. Once the complaint is made and the license plate number is associated with a particular agency, GSA will forward that complaint to that particular agency. Should Rural Development receive such a complaint, there is a ten-day turnaround timeframe for providing a response back to the Department. SSD will contact the State Office to see who the vehicle was assigned to for the date and time of the complaint. An official letter will then be sent to the State Director asking for an investigation, the outcome of that investigation and any disciplinary action that may have resulted from the investigation (if applicable). If for some reason, the ten-day timeframe cannot be met, it is imperative that the State Office contact SSD as soon as possible. Once the information regarding the investigation is received, SSD will forward that information to the Department.

§ 2018.307 Storage of Government motor vehicles.

Storage of GFVs and GOVs must be in safe facilities. Offices shall make every effort to obtain free storage at or reasonably near the office.

(a) Obtain commercial rental storage in accordance with procurement regulations if free storage space is not available.

(b) Vehicles shall not be stored at or near employees' private homes unless the employees' residences are their official duty stations of record.

(c) State Offices shall submit written requests to SSD for consideration on exceptions to either paragraph (a) or (b) of this section.

## §§ 2018.308 - 2018.350 [Reserved]

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