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Homeland
Security

February 10, 2017

Email

Re: 2017-HQFO-00236

This is the electronic final response to your January 15, 2017, Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) for digital/electronic copy of the DHS Motor Vehicle Fleet Program Manual. This office received your request on January 15, 2017.

In responding to a FOIA request, DHS Privacy will search for responsive documents in its control on the date the search began. We began our search on January 18, 2017. A search of the Office of the Chief Readiness Support Officer for documents responsive to your request produced a total of 132 pages.

We are granting your request under FOIA, 5 U.S.C. § 552, and DHS' implementing regulations, 6 C.F.R. Part 5. After carefully reviewing the responsive documents, I determined that they are appropriate for public release. The documents are enclosed in their entirety; DHS has claimed no deletions or exemptions.

Provisions of FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge.

If you need to contact us about this request, please refer to **2017-HQFO-00236**. You may contact this office at 1-866-431-0486 or 202-343-1743.

Sincerely,

A handwritten signature in black ink, appearing to read "LaEbony Livingston".

LaEbony Livingston

Enclosure(s): 1 Document, 132 Pages

DHS MANUAL 118-01-01
MOTOR VEHICLE FLEET PROGRAM MANUAL

APPROVAL DATE: MARCH 18, 2011



DEPARTMENT OF HOMELAND SECURITY

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

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Donald G. Bathurst
Chief Administrative Officer

3/18/2011

Date

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DHS Motor Vehicle Fleet Program Manual

Supplementing:

Chapter 102-34 – Federal Management Regulation

Subchapter B – Personal Property Management

Part 102-34 – Motor Vehicle Management

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Department of Homeland Security Motor Vehicle Fleet Program Manual

Subpart A: General Provisions

70 DHS Overview

This Manual supplements and implements the Federal Management Regulations (FMR) 102-34, which provide Government-wide policy on motor vehicles. It establishes policy, furnishes guidance, and offers general guidelines for the acquisition, use, and disposal of motorized vehicle equipment. A key goal of the Manual is to ensure compliance with Federal mandates affecting the management and operation of the DHS Motor Vehicle Fleet Program, such as Executive Orders (E.O.), Public Laws, and U.S. Codes, as well as the Secretary's Efficiency Review Initiatives and DHS Directives. For further guidance, consult, if available, Component specific policies which may supplement this Manual.

DHS has one of the largest motor vehicle fleets in the Federal Government. Employees, supervisors, and contractors entrusted with the management and operation of DHS owned, leased, or rented motor vehicles are responsible for their proper use and care. Consistent with the impact of that large fleet and DHS's desire to lead in the areas of increased fuel efficiency and reduced greenhouse gas (GHG) emissions and the use of petroleum-based fuels, this Manual was developed to supply Components with a single, comprehensive source of information and policies that will support their efforts to achieve the goals of the Executive Branch and Department pertaining to Motor Vehicle Management.

Once signed, periodic updates will be made to this Manual as new fleet management principles and policies are implemented. This manual will be revalidated by the approving official when changes aggregate to such a level that it requires reissuance.

This Manual does not apply when employees are reimbursed for the use of privately owned vehicles (POV) for official business mileage or when vehicles are rented while employees are on official travel. Nor does it apply to contract employees driving contractor-owned vehicles.

70.1 Roles & Responsibilities

The **Under Secretary for Management** is the senior official within the Department responsible for the oversight and management of the acquisition, allocation, and use of all DHS motor vehicles.

The **Chief Administrative Officer** promulgates the personal property management policy and provides oversight of the Department's Personal Property Management Program.

The **Director of Asset and Logistics Management** is responsible for the overall management of personal property programs within the Department.

The **Assistant Director for Mobile Assets** has overall responsibility for management of the DHS Mobile Assets Program (Motor Vehicle Fleet), which includes:

- Ensuring that the Motor Vehicle Fleet Management Program complies with applicable laws, regulations and policies;
- Ensuring that Components, Offices and employees entrusted with government owned or leased motor vehicles are aware of their responsibilities for the proper care, operation, use, maintenance and protection of the vehicles; and
- Adhering to motor vehicle management principles.

The **Department Fleet Manager** is responsible for executing responsibilities identified above for the Assistant Director, Mobile Assets as well as:

- Evaluating, auditing, and assessing Component fleet programs to ensure compliance with laws, regulations, policies, directives and this Manual;
- Drafting, interpreting, and issuing guidance to Component Fleet Managers;
- Conducting studies and implementing necessary actions to ensure proper utilization of all motor vehicles and related resources within the Department;
- Serving as the primary liaison between Component Fleet Managers and other Federal agencies such as the General Services Administration (GSA), the Department of Energy (DOE) and the Office of Management and Budget (OMB);
- Establishing and implementing a Vehicle Allocation Methodology (VAM) for the Department;
- Providing oversight, analysis and recommendations for the Home-to-Work (HTW) transportation program;
- Ensuring timely and efficient response to data and information calls and mandatory reporting by Components and the Department;
- Timely and efficient consolidation of Component data and information for required reporting on behalf of DHS;
- Developing and ensuring application of a template for a Component Fleet Sustainability Plan;
- Providing training and technical assistance to Component Fleet Managers;

- Reviewing motor vehicle lease and purchase orders to ensure that vehicles are being acquired in compliance with Federal mandates;
- Reviewing and approving Component acquisition and replacement plans; and
- Conducting monthly Mobile Asset Committee (MAC) meetings.

Component Heads are responsible for the overall management of their respective Motor Vehicle Fleet Programs and ensuring:

- Compliance with laws, regulations and policies, including this Manual, by Component Fleet Managers;
- Timely submission for all fleet-related data calls and reporting requirements.
- Designating a single Point of Contact for the Component's Motor Vehicle Fleet Program.

Component Fleet Managers are Federal employees responsible for developing Component specific policies which may supplement this Manual. Copies of all Component Fleet Management policies/manuals must be forwarded to the DHS Fleet Manager to ensure compliance with DHS and Federal requirements. Responsibilities also include but are not limited to;

- Ensuring that the Component is compliant with the requirements set forth in Federal Management Regulation (FMR) 102-34, Title 31 USC § 1343 and 1344; Energy Independence Security Act (EISA) 141, 142 and 246; Energy Policy Act (EPA) 1992 and 2005; E.O. 13423 and 13514; and other applicable guidance. The chart below provides a Summary of Primary and Supporting Federal Fleet Requirements:

Title	Statute or Executive Order	Requirement
GHG Reduction	E.O. 13514	Sets an annual 2% reduction target for scope 1 and 2 GHG emissions from FY 2008 to FY 2020
Petroleum Reduction	E.O. 13514	Requires 2% annual reduction from 2005 to FY 2020
	E.O. 13423	Requires 2% annual reduction for FY 2005 to FY 2015
	EISA 142	Requires 20% total reduction from FY 2005 to FY 2015
Component Fleet Sustainability Plan	E.O. 13514	Establishes the fleet element of an overall Component plan to achieve E.O. 13514 sustainability goals and targets for FY 2012 to FY 2016

Title	Statute or Executive Order	Requirement
Component Fleet Sustainability plan	EISA 142	Establish a Component plan to meet required petroleum reduction goals and increase alternative fuel usage
Alternative Fuel	E.O. 13423	Requires 10% annual increase (from previous year), starting from the FY 2005 baseline through FY 2015
	EISA 142	Requires 10% total increase from FY 2005 to FY 2015
Alternative Fuel Use	EPAct 2005 – Section 701	Requires all dual-fueled AFVs to use alternative fuel unless waived
Alternative Fuel Infrastructure	EISA 246	Requires every Federal fueling center without renewable fuel availability to install a renewable fuel pump
Vehicle Acquisition	EPAct 1992	Requires 75% of LDVs acquired in MSAs to be AFVs
	EISA 141	Prohibits agencies from acquiring vehicles that are not low-GHG emitting; DHS vehicles must score 7 or higher
	E.O.13423	Requires the use of plug-in hybrid electric vehicles (PHEVs) when commercially available at a cost reasonably comparable to non-PHEVs

- Ensuring that the Component Motor Vehicle Fleet Management Program meets the requirements for effective control and accountability with DHS and Federal mandates outlined in FMR 102-34.10 and DHS section 70.40 of this Manual;
- Ensuring that Component employees entrusted with Federal Government owned or leased motor vehicles know their responsibilities for the proper care, operation, use, maintenance and protection of the vehicles;
- Adhering to motor vehicle management principles regarding numerical limitations on new vehicle acquisitions as set out in appropriations acts and, when replacing vehicles, ensuring that they meet the minimum vehicle replacement standards;
- Recommending or taking action as may be required to ensure maximum utilization of motor vehicles;
- Working with field level managers on day-to-day motor vehicle management programs and resolving compliance issues as required;
- Efficiently producing and submitting required reports with accurate data and information on time;

- Maintaining proficiency in their profession and knowledge of emerging trends, activities, laws, regulations or policies;
- Maintaining motor vehicle records that allow for efficient and effective internal audits and management analysis of the programs and activities of the Department;
- Preparing motor vehicle fleet acquisition and replacement plans for review by the DHS Fleet Manager and the appropriate DHS Acquisition review boards;
- Preparing, submitting, and implementing a Component Fleet Sustainability Plan that details how the Component is going to meet applicable requirements found in established laws, regulations, and policies; and
- Attending monthly Mobile Asset Committee (MAC) meetings. The MAC meetings serve as the forum for the DHS Fleet Manager and Component Fleet Managers to discuss strategic issues pertaining to the fleet.

Motor Vehicle Operators: Each operator of a DHS owned or leased vehicle is responsible for the safe and prudent operation of the vehicle assigned to them; for complying with the policies and procedures prescribed herein and other regulations and laws applicable to Motor Vehicle Management, including, but not limited to:

- Possessing a valid State, Territorial, Commonwealth, or District of Columbia driver's license;
- Only utilizing the vehicle(s) when conducting official business;
- Obeying all State and local traffic laws;
- Safeguarding the vehicle(s) from theft;
- Avoiding misuse of the Federal Government issued Fleet Fuel Card;
- Locking the vehicle(s) when not in use;
- Using seat belts at all times when operating a vehicle;
- The use of tobacco products is prohibited in DHS vehicles;
- The use of cell phones while operating a DHS motor vehicle is strictly prohibited unless the State authorizes the use of hand-held devices and only then with a "hands free" device;
- Reporting parking or moving violations to the local level Fleet Manager and resolving citations in accordance with the issuing jurisdiction;
- Paying all fines imposed for offenses committed while in the performance of, but not as a part of, his or her official duties;
- Completing the necessary paperwork for maintenance, fuel usage, accidents, Home-to-Work, etc.;
- Ensuring that service of the vehicle is accomplished at prescribed intervals and/or as required by the manufacturer;
- Ensuring all personal property in a vehicle is properly stowed or removed from the vehicle when not in use;
- Using alternative fuel in alternative fuel vehicles, whenever possible.

Note: Failure to comply with the rules and regulations set forth herein may subject the responsible employee(s) to disciplinary action up to and including termination of employment.

FMR §102-34.5 – What does this part cover?

This part governs the economical and efficient management and control of motor vehicles that the Government owns, leases commercially or leases through GSA Fleet. Agencies will incorporate appropriate provisions of this part into contracts offering Government-furnished equipment in order to ensure adequate control over the use of motor vehicles.

FMR §102-34.10 – What are the governing authorities for this part?

The authorities for the regulations in this part are 40 U.S.C. 121(c), 40 U.S.C. 17503, 31 U.S.C. 1344, 49 U.S.C. 32917, and E.O. 12375.

70.10 Additional Authorities

In addition to the aforementioned authorities, DHS Fleet Managers must comply with the following:

- **Consolidated Omnibus Budget Reconciliation Act (COBRA)**, Public Law 99-272;
- **6 U.S.C. § 341**, “Under Secretary for Management”;
- **28 U.S.C. 2671**, “Federal Tort Claims Act”;
- **31 U.S.C. § 1343**, “Buying and leasing passenger motor vehicles and aircraft”;
- **40 U.S.C. Chapter 20, Sections 901-913**, “Federal Motor Vehicle Expenditure Control”;
- **40 U.S.C. § 491**, “Motor Vehicle Pools and Transportation Systems”;
- **42 U.S.C. § 13212**, “Minimum Federal fleet requirement”;
- **E.O. 13423**, “Strengthening Federal Environmental, Energy and Transportation Management”;
- **E.O. 13513**, “Federal Leadership on Reducing Text Messaging While Driving”;
- **E.O. 13514**, “Federal Leadership in Environmental, Energy, and Economic Performance”;
- **41 C.F.R. part 101-38**, “Motor Vehicle Management”
- **41 C.F.R. Chapter 102**, “Federal Management Regulation,” including part 102-34, “Motor Vehicle Management”;
- **OMB’s Circular A-11**, Preparation, Submission and Execution of the Budget;
- **OMB Circular A-76**; Performance of Commercial Activities
- **DHS Management Directive 118-01**, Motor Vehicle Fleet Management Program;
- **DHS Management Directive 0520.1**, Motor Pool Management;
- **DHS Management Directive 112-05**, Home-to-Work Transportation Programs;
- **DHS Management Directive 1020**, Fleet Card Program;
- **DHS Manual 112-05-001**, Home to Work Transportation;

- **DHS Secretary's 60 and 120 Day Efficiency Review Initiatives;**
- **GSA FMR, 102-34 Subpart B, DHS Motor Vehicle Management Manual;**
- **GSA FMR Bulletin B-3, Use of Tobacco Products in U.S. Government Vehicles;**
- **GSA FMR Bulletin B-6, Proceeds from Sale of Agency-Owned Vehicles;**
- **GSA FMR Bulletin B-9, Documented Structured Vehicle Allocation Methodology for Agency Fleet;**
- **GSA FMR Bulletin B-11, U.S. Government License Plate codes;**
- **GSA FMR Bulletin, B-15, Requirements for Management Information Systems in Federal Vehicle Fleets;**
- **GSA FMR Bulletin, B-19, Increasing the Fuel Efficiency of the Federal Motor Vehicle Fleet;**
- **Energy Policy Acts (EPA) of 1992 and 2005;**
- **Energy Independence and Security Act (EISA) of 2007, Sections 141, 142 and 246;**
- **Clean Air Act Section 118(c);**
- **DOE's Federal Energy Management Program (FEMP) – Comprehensive Federal Fleet Management Handbook.**

Note: Copies of or links to these authorities can be found in the Appendix of this Manual, GSA FMR bulletins are located at <http://www.gsa.gov/bulletin>, and on the Mobile Assets Web Page at: <http://dhconnect.dhs.gov/org/comp/mgmt/cao/alm/Pages/MobileAssets.aspx>

FMR §102-34.15 – Who must comply with these provisions?

All executive agencies must comply with the provisions of this part. The legislative and judicial branches are encouraged to follow these provisions.

70.15 Who Must Comply with These Provisions within DHS

All DHS employees must comply with the provisions outlined in this Manual.

FMR §102-34.20 – What motor vehicles are not covered by this part?

Motor vehicles not covered by this part are:

- (a) Military design motor vehicles;
- (b) Motor vehicles used for military field training, combat, or tactical purposes;
- (c) Motor vehicles used principally within the confines of a regularly established military post, camp, or depot; and
- (d) Motor vehicles regularly used by an agency to perform investigative, law enforcement, or intelligence duties, if the head of the agency determines that exclusive control of the vehicle is essential for effective performance of duties, although such vehicles are subject to subpart D and subpart J of this part.

70.20 DHS Motor Vehicles Not Covered by This Part

Motor vehicles that are acquired by means not traceable to the Government are considered “deep undercover” and are not covered by this part.

This Manual does not cover instances where employees are reimbursed for the use of privately owned vehicles (POV) for official business or when vehicles are rented when an employee is on travel.

FMR §102-34.25 – To whom do “we”, “you”, and their variants refer?

Unless otherwise indicated, use of pronouns “we”, “you”, and their variants throughout this part refer to you as an executive agency, as your agency’s fleet manager, or as a motor vehicle user or operator, as appropriate.

FMR §102-34.30 – How do we request a deviation from the provisions of this part?

Refer to §102-2.60 through §102-2.110 of this chapter for information on how to obtain a deviation from this part.

70.30 Requests for Deviation from the Provisions of This Manual

Requests for deviations from provisions in this Manual must be submitted to the DHS Fleet Manager, by the Component level Fleet Manager.

Definitions

FMR §102-34.35 – What definitions apply to this part?

The following definitions apply to this part:

“*Commercial design motor vehicle*” means a motor vehicle procurable from regular production lines and designed for use by the general public.

“*Commercial lease or lease commercially*” means obtaining a motor vehicle by contract or other arrangement from a commercial source for 60 continuous days or more. (Procedures for purchasing and leasing motor vehicles through GSA can be found in 41 CFR subpart 101-26.5.)

“*Domestic fleet*” means all reportable motor vehicles operated in any State, Commonwealth, territory or possession of the United States, and the District of Columbia.

“*Foreign fleet*” means all reportable motor vehicles operated in areas outside any State, Commonwealth, territory or possession of the United States, and the District of Columbia.

“Government motor vehicle” means any motor vehicle that the Government owns or leases. This includes motor vehicles obtained through purchase, excess, forfeiture, commercial lease, or GSA Fleet lease.

“Government-owned motor vehicle” means any motor vehicle that the Government has obtained through purchase, excess, forfeiture, or otherwise and for which the Government holds title.

“GSA Fleet lease” means obtaining a motor vehicle from the General Services Administration Fleet (GSA Fleet).

“Law enforcement motor vehicle” means a light duty motor vehicle that is specifically approved in an agency’s appropriation act for use in apprehension, surveillance, police or other law enforcement work or specifically designed for use in law enforcement. If not identified in an agency’s appropriation language, a motor vehicle qualifies as a law enforcement motor vehicle only in the following cases:

- (a) A passenger automobile having heavy duty components for electrical, cooling and suspension systems and at least the next higher cubic inch displacement or more powerful engine than is standard for the automobile concerned;
- (b) A light truck having emergency warning lights and identified with markings such as “police”;
- (c) An unmarked motor vehicle certified by the agency head as essential for the safe and efficient performance of intelligence, counterintelligence, protective, or other law enforcement duties; or
- (d) A forfeited motor vehicle seized by a Federal agency that is subsequently used for the purpose of performing law enforcement activities.

“Light duty motor vehicle” means any motor vehicle with a gross motor vehicle weight rating (GVWR) of 8,500 pounds or less.

“Light truck” means a motor vehicle on a truck chassis with a gross motor vehicle weight rating (GVWR) of 8,500 pounds or less.

“Military design motor vehicle” means a motor vehicle (excluding commercial design motor vehicles) designed according to military specifications to directly support combat or tactical operations or training for such operations.

“Motor vehicle” means any vehicle, self propelled or drawn by mechanical power, designed and operated principally for highway transportation of property or passengers, but does not include a military design motor vehicle or vehicles described in 41 C.F.R. § 102–34.20.

“Motor vehicle identification” (also referred to as “motor vehicle markings”) means the legends “For Official Use Only” and “U.S. Government” placed on a motor vehicle plus other legends readily identifying the department, agency, establishment, corporation, or service by which the motor vehicle is used.

“Motor vehicle markings” (see definition of “Motor vehicle identification” in this section).

“Motor vehicle purchase” means buying a motor vehicle from a commercial source, usually a motor vehicle manufacturer or a motor vehicle manufacturer’s dealership. (Procedures for purchasing and leasing motor vehicles through GSA can be found in 41 CFR subpart 101-26.5.)

“Motor vehicle rental” means obtaining a motor vehicle by contract or other arrangement from a commercial source for less than 60 continuous days.

“Motor vehicles transferred from excess” means obtaining a motor vehicle reported as excess and transferred with or without cost.

“Owning agency” means the executive agency that holds the vehicle title, manufacturer’s Certificate of Origin, or is the lessee of a commercial lease. This term does not apply to agencies that lease motor vehicles from the GSA Fleet.

“Passenger automobile” means a sedan or station wagon designed primarily to transport people.

“Reportable motor vehicles” are any Government motor vehicles used by an executive agency or activity, including those used by contractors. Also included are motor vehicles designed or acquired for a specific or unique purpose, including motor vehicles that serve as a platform or conveyance for special equipment, such as a trailer. Excluded are material handling equipment and construction equipment not designed and used primarily for highway operation (e.g., if it must be trailered or towed to be transported).

“Using agency” means an executive agency that obtains motor vehicles from the GSA Fleet, commercial firms or another executive agency and does not hold the vehicle title or manufacturer’s Certificate of Origin. However, this does not include an executive agency that obtains a motor vehicle by motor vehicle rental.

70.35 Additional DHS Definitions and Acronyms

Accident: A collision of a motor vehicle or vehicular equipment with another moving or stationary object or person; an upset or rollover; damage from falling or flying objects, fire, flood, lightning or earthquake; damage from departure from public roadways.

Acquisition Cost: The initial vehicle purchase price, inclusive of all transportation and new vehicle preparation costs for DHS owned vehicles. The cost should include all permanently mounted equipment such as spotlights, special racks, hitches, etc., but should not include communications equipment.

Acquisition Date: The month and year a DHS office receives a vehicle, either by purchase, lease, transfer or forfeiture.

Additional Vehicle: A newly acquired vehicles that increases the overall fleet size.

Administrative Vehicle: All DHS vehicles not classified as law enforcement are considered administrative. They are also known as “covered” vehicles.

Alternative Fuel: Alternative fuels include (but are not limited to): E85 (a blend of 85 percent ethanol and gasoline), neat (100 percent) biodiesel, compressed natural gas (CNG), liquefied natural gas (LNG), liquefied petroleum gas (LPG), and electricity. The following fuels are currently defined or designated as alternative fuels:

- Pure methanol, denatured ethanol, and other alcohols
- Blends of 85 percent or more of methanol, denatured ethanol, and other alcohols with gasoline or other fuels (including E85 and M85)
- Natural gas and liquid fuels domestically produced from natural gas, including Compressed Natural Gas (CNG) and Liquid Natural Gas (LNG)
- Liquefied petroleum gas (including LPG or propane)
- Coal-derived liquid fuels
- Electricity
- Biodiesel (B100)
- Fuels (other than alcohol) derived from biological materials
- Hydrogen
- P-Series fuels

Note: Biodiesel blends are not alternative fuels. However, the neat biodiesel component of biodiesel blends greater than 20 percent are counted towards alternative fuel goals.

Alternative Fuel Vehicle (AFV): An AFV is a dedicated vehicle or dual-fueled vehicle designed to run on at least one alternative fuel including E85 (Ethanol), CNG, propane, hydrogen or biofuels. Several new vehicles have been added to the definition of AFV (as applied to Federal fleets), including the following four types of vehicles:

- New qualified fuel cell motor vehicles
- New advanced lean burn technology motor vehicles
- New qualified hybrid motor vehicles
- Any other type of vehicle that the Administrator of the EPA demonstrates to the Secretary of Energy would achieve a significant reduction in petroleum consumption

AutoChoice: GSA Automotive web-based tool for ordering DHS-owned vehicles.
<https://apps.fas.gsa.gov/cops/vehicles/autochoicemysql/Login.cfm?SelectedMenu=Comparc&SourceURL=/vehicles/roads/autochoice>.

Average Fuel Economy Standard: The performance standard specifying a minimum level of average fuel economy applicable to a manufacturer in a model year.

Benchmarking: The continuous process of measuring products, services, and business practices against your program’s toughest competitors or those companies or organizations recognized as industry leaders.

Billing Office Address Code (BOAC): A six digit alpha/numeric code used to identify the address to be billed for vehicles being leased through GSA Fleet.

Bulk Fuel: Fuel purchased under contract and placed into shore-based storage tanks for redistribution, or direct input into motor vehicles, aircraft, marine vessels, or other authorized equipment.

Note: Procedures for the acquisition of Bulk Fuel are outlined in the DHS Inter-Agency Agreement and supporting documentation as coordinated with the Defense Logistics Agency (DLA) Energy.

Bus: A bus is a passenger carrying motor vehicle designed to transport more than 15 passengers, including the driver (reference 49 CFR 393). For reporting purposes, buses fall into their own category. Buses may not be acquired without specific authorization but are exempt from price limitations.

Cost per Mile: A mathematical value resulting from the division of any cost (expense) element, or group of cost elements, by miles operated.

Covered Fleet: Covered Fleets are vehicles not used for law enforcement. They are also known as Administrative Vehicles.

Dedicated Vehicle: A vehicle that operates on one type of fuel.

Deep Undercover Vehicles: Motor vehicles that are acquired by means not traceable to the Government are considered “deep undercover” and are not required to be entered into the Federal Motor Vehicle Registration System (FMVRS).

Depreciation: A system of accounting methods that distributes the cost of an asset, less salvage value (if any) over the estimated useful life of the asset. It is a process of expense allocation and must be reported for all owned vehicles in the annual FAST submission. For replacement planning purposes, depreciation is the initial purchase price minus the current fair market value (FMV) of the vehicle.

DHS Fleet Card: A Federal Government issued charge card used to purchase fuel and related items for DHS owned motor vehicles and other motorized equipment as outlined in the DHS Fleet Card Manual.

Direct Costs: Those operating expenses attributed to an individual motor vehicle or class of motor vehicles; e.g., maintenance costs (Government and commercial) and depreciation.

Disposal: Any approved method used to remove an item from the property and financial records. Approved methods are: transferred to another Component, sale, donation to another agency (must first be offered to other DHS Components), abandonment, board of survey, and destruction.

Domestic Fleet: All reportable agency-owned motor vehicles operated in any State, Commonwealth, territory or possession of the United States, and the District of Columbia. This definition is used in conjunction with the Federal Fleet Report (41 CFR 102-34.330).

Dual Fueled Vehicle: A vehicle designed to operate on a combination of alternative fuel and petroleum-based fuel using two separate fueling systems.

Electric Vehicles (EVs): EVs use electric motors powered by onboard sources of stored energy for propulsion. This definition includes the following general types of EVs:

- **Battery-electric vehicles (BEVs):** BEVs are powered primarily by an electric motor that draws current from portable sources of electricity. Commercial availability of light, medium or heavy duty BEVs is limited.
- **Hybrid Electric Vehicles (HEVs):** HEVs draw propulsion energy from stored onboard sources: an internal combustion engine using consumable fuel and a rechargeable energy storage system. HEVs typically combine the internal combustion engine of a conventional vehicle with the battery and electric motor of an electric vehicle. The combination offers increased fuel economy and comparatively low emissions, with the power, range, and convenient fueling of conventional (gasoline and diesel) vehicles. HEV batteries are recharged by the internal combustion engine and recovery of energy ordinarily lost while braking; they are not recharged by plugging into an external source of electricity.

Note: Beginning in FY 2009, Federal agencies receive an EPAct 1992 AFV acquisition credit for each qualifying HEV acquired, regardless of weight class. Components are responsible for ensuring that acquired HEVs meet the definitions and requirements contained in section 30B(b)(3) of the Internal Revenue Code of 1986 in order to obtain EPAct 1992 AFV acquisition credit.

Although HEVs are also classified as EVs, they differ from the other EVs in that they do NOT consume electricity to displace petroleum use. **Acquisition of HEVs is considered a strategy to increase fleet fuel economy and is also a DIHS requirement as outlined in the Secretary's 120-Day, Hybrid/Alternative Fuel Efficiency Review Initiative.**

- **Low-speed electric vehicles (LSEVs):** LSEVs are also referred to as **neighborhood electric vehicles (NEVs)**. LSEVs are four-wheeled motor vehicles weighing less than 3,000 pounds with top speeds of 20 to 25 miles per hour. These vehicles are low-speed vehicles that use electric motors powered by onboard sources of stored energy (e.g., one or more batteries) for propulsion.

All LSEV's must comply with the safety requirements of 49 CFR 571.500. This includes lights, signals, mirrors, windshield, seat belts, parking, brake, VIN, etc. This classifies low-speed vehicles as "street-legal." Some states have their own regulations for operating LSEVs. In most states, LSEVs are restricted to roads with a speed limit of 35 mph (56 km/h) or less. LSEVs must be titled and

registered (and the driver must be licensed) in every state in which they are statutorily authorized.

49 CFR 571.500 also allows state and local governments to add additional safety requirements (e.g., New York requires additional safety equipment to include windshield wipers, window defroster, speedometer, odometer and a back-up light). Fleet managers are responsible for knowing what additional requirements, if any, state and local governments may impose on these vehicles in order for them to be incorporated into their motor vehicle fleets.

Note: LSEVs must be reported in FAST and are not classified as light, medium or heavy duty motor vehicles in EPAct 1992 AFV acquisition requirements.

- **Plug-in hybrid electric vehicles (PHEVs):** PHEVs are HEVs with batteries that can be recharged from the grid. Therefore, they are considered HEVs under the Internal Revenue Code of 1986. Section 2(g) (iii) of E.O. 13423 requires Federal agencies operating fleets of at least 20 vehicles to ensure the use of PHEVs when they become commercially available and at a cost reasonably comparable, on the basis of life cycle cost, to non-PHEVs. This will not occur until sometime after Model Year 2011.

Energy Independence and Security Act (EISA) of 2007:

- **Section 141** prohibits Federal agencies from acquiring light duty vehicles (LDVs) and medium-duty passenger vehicles that are not low GHG-emitting vehicles.
- **Section 142** requires Federal agencies to develop executable plans to meet statutory and E.O. fuel consumption requirements and to report annually to DOE on their progress towards meeting the goals laid out in this plan. DOE is also directed to establish interim milestones to assess annual agency progress.
- **Section 246** directs Federal agencies to install at least one renewable fuel pump at fueling centers under their jurisdiction, and to provide annual reports on their progress in meeting this requirement.

Energy Policy Act (EPAct) of 1992: Sets the following fleet management goals and requirements:

- Starting in FY 2000, 75% of light-duty vehicle (LDV) acquisitions in covered fleets must be AFVs. Vehicles that weigh less than 8,500 pounds GVWR are considered LDVs.
- Requirements apply to fleets of 20 or more LDVs that are centrally fueled or capable of being centrally fueled and are primarily operated in a metropolitan statistical area (MSA)/consolidated metropolitan statistical area (CMSA). Vehicles heavier than 8,500 pounds GVWR or not located or operated primarily in a covered MSA or CMSA are exempt from these requirements. Law enforcement, emergency, and military tactical vehicles are also exempt. To find

out whether your fleet is covered under EPO 1992, start with the MSA/CMSA list on the DOE Vehicle Technologies Program Web site.

- Compliance with EPO 1992 is met by AFV acquisition credits, which are granted based on the number of AFVs acquired and the quantity of biodiesel fuel used, for example:
 - Federal fleets earn one credit for every bi- or flexible-fuel AFV acquired.
 - An additional credit is earned for acquiring dedicated AFVs as these vehicles operate exclusively on alternative fuels.
 - Three credits are earned for dedicated medium duty vehicles (medium and heavy duty vehicles are defined below).
 - Four credits are earned for dedicated heavy-duty vehicle acquisitions.
 - Fleets also earn one credit for every 450 gallons of neat biodiesel (B100) or 2,250 gallons of B20 (20% biodiesel and 80% petroleum diesel) used.

Energy Policy Act of 2005: Section 701 of EPO 2005 requires the use of alternative fuels in Federal dual-fueled AFVs unless the Secretary of Energy determines that a vehicle qualifies for a waiver. The waivers are granted to vehicles operated in a particular geographic area in which:

- The alternative fuel required for use in the vehicle is not reasonably available (within a 5 mile or 15 minute drive of the vehicle's garaged location) as certified to the DOE Secretary by the DHS Fleet Manager.
- The cost of the alternative fuel required for use in the vehicle is unreasonably expensive compared to a gallon of gasoline as certified to the DOE Secretary by the DHS Fleet Manager.
- The DOE Secretary shall monitor compliance by all such fleets and shall report annually to Congress on the extent to which the requirements are being achieved. The report shall include information on annual reductions in petroleum consumption and the problems, if any, encountered in acquiring alternative fuels.

Exchange/Sale: The sale of a motor vehicle or vehicular equipment by GSA from which proceeds are generated. These proceeds are re-deposited into the Component program account and used to offset the purchase price of a new motor vehicle.

Executive Orders (E.O.):

- **E.O. 13514** requires DHS to reduce the total consumption of petroleum products by a minimum of two percent annually through the end of FY 2020, relative to a baseline of FY 2005.
- **E.O. 13423** requires DHS to reduce the petroleum consumption total by two percent annually through the end of FY 2015 relative to agency baselines for FY 2005 (thus yielding an approximately 20 percent reduction over the FY 2005–FY 2015 period).

Federal Automotive Statistical Tool (FAST): FAST is a web-based tool found at <http://fastweb.inel.gov>; it was developed to assist fleets in meeting the data reporting requirements of E.O. 13514, EPO 1992 and 2005, EISA, and OMB's Circular A-11,

“Preparation, Submission and Execution of the Budget.” It is also used annually to report vehicle acquisition, inventory, cost, mileage, and fuel use data. Data collected through FAST will satisfy all of these requirements.

Note: For access to FAST, requests are submitted to the Department Fleet Manager through the Component Fleet Manager.

Federal Motor Vehicle Registration System (FMVRS): FMVRS is a GSA administered database that provides registration information (year, make, model, VIN, location, license plate numbers etc.) for all vehicles owned and leased by the Federal Government. All DHS vehicles must be registered in FMVRS unless they are used for “deep undercover” operations and purchased under classified means. All fields within FMVRS must be complete and accurate.

Field Work: Work performed by an employee whose position requires physical presence at various locations that are a significant distance from his or her place of employment (itinerant type travel). The designation of a work site as a “field office” does not, of itself, permit the use of a DHS owned or leased vehicle for transportation.

Fleet Management Analysis & Reporting System (FMARS): FMARS is a Business Intelligence Tool developed as part of the Secretary’s 60-Day Motor Vehicle Fleet Management Efficiency Review Initiative. It is used to identify opportunities for alternative fuel usage; to heighten vigilance for fraud, waste and abuse; and to optimize fleet management.

Flex Fuel Vehicle: A vehicle with a common fuel tank designed to run on varying blends of unleaded gasoline with either ethanol or methanol.

Forfeited Vehicle: A privately owned vehicle seized in violation of the provisions of 21 USC 881 and surrendered to DHS.

General Services Administration’s (GSA) Reports Carryout: GSA Fleet provides DHS Components with GSA leased vehicles and a fleet card for each wet-leased (defined below) vehicle. This fleet card is to be used to purchase fuel and minor maintenance and allows GSA and its customers to track vehicle fuel use. This data can be obtained from GSA through Reports Carryout.

Gross Vehicle Weight Rating (GVWR): The maximum loaded weight (including curb weight, operator and passenger weight, and payload) in pounds (lbs) of a single vehicle. Vehicle manufacturers specify the maximum gross vehicle weight rating on the vehicle certification label.

GSA Fleet Management Center: The organizational component of GSA Fleet responsible for the administrative control of GSA Fleet vehicles in a specified geographic area as defined in the determination approved by the Administrator of General Services.

GSA Maintenance Control Center: The organizational component of GSA Fleet responsible for the oversight of authorization for vehicle repair, and certification of maintenance and repair invoices for GSA Fleet vehicles within the specified region(s). The Maintenance Control Center also contacts vendors to schedule vehicle services.

GSA Wet Lease: “Wet lease” is a term used for GSA leased vehicles that come with their own Wright Express fleet card. This fleet card is used to purchase fuel and minor maintenance and allows GSA and its customers to track vehicle fuel use. The cost of these services is covered in the cents-per-mile portion of the lease rate. A “dry lease” does not include a cents-per-mile rate for fuel and maintenance. A “soggy lease” will include only one of the two operating cost elements, fuel or maintenance.

Greenhouse Gas (GHG) Emissions: Vehicles generate GHGs when fuels (both conventional and alternative) are burned.

- **Scope 1 GHG** emissions include direct GHG emissions from sources that are owned or controlled by the Component. This includes certain contractor- or subcontractor-owned vehicles, as discussed in Section 9 of E.O. 13514. Therefore, GHG emissions generated by Federal fleet vehicles operating internal combustion engines are classified as scope 1 GHG emissions.
- **Scope 2 GHG** emissions include direct GHG emissions resulting from the generation of electricity, heat, or steam purchased by a Component. Therefore, GHG emissions generated from the production of electricity purchased by a Component that is used to power Federal fleet vehicles are classified as scope 2 GHG emissions.
- **Scope 3 GHG** emissions include GHG emissions from sources not directly controlled by a Federal agency but related to Component activities, such as employee travel and commuting. **Therefore, by definition, no scope 3 GHG emissions are generated by Federal fleet vehicles.**

Heavy Duty Vehicle: For reporting purposes, heavy duty vehicles weigh more than 16,000 pounds GVWR and are certified for use on all public roads and highways.

Home-to-Work Transportation: Use of Government motor vehicles to travel between an employee’s place of employment and residence. Home-to-work transportation applies to an employee under normal duty (non-travel or temporary duty [TDY]) status performing assigned duties. The governing Federal regulation for home-to-work use of Government motor vehicles is 41 CFR 102.5; (Public Law 99-550; U.S.C. 1344); DHS Directive 112 and the DHS Home-to-Work Manual 112-05-001, dated November 24, 2010.

Indirect Cost: The expenses that cannot be readily attributed to an individual motor vehicle or class of motor vehicles because they are incurred in connection with the fleet operation as a whole; e.g., indirect labor, pre-expensed items (benchstock), other supplies, printing (forms), commercial building rental, small tools and equipment, utility costs, capital improvements to facilities, and other miscellaneous costs.

Law Enforcement (LE) Vehicles: DHS has established a three-tiered classification for LE vehicles to be used to further delineate the respective types and thereby facilitate the application of “sustainability” measures to those vehicles (L/E2 and L/E3) without compromising the mission. They are:

- **L/E 1:** An L/E 1 vehicle is configured for apprehensions, arrests, law enforcement, police activities, or dignitary protection and is used in that capacity 75% of the year or more, and assigned to protection, pursuit, or off-road duties. These vehicles must be equipped with heavy duty components to handle the stress of extreme maneuvers and have the horsepower required to achieve the speeds necessary to perform these functions. Exemptions to requirements from applicable laws, regulations, and policies will be sought from the Secretary for these vehicles.
- **L/E 2:** An L/E 2 tier vehicle is configured to perform intelligence, investigations, security, and surveillance activities. They may be unmarked or marked units as needed to identify their authority and required as a safety factor at certain law enforcement scenes. These vehicles are not expected to perform pursuit operations either on or off road and do not require the heavy duty components found on an L/E 1 Vehicle. Hybrid vehicles must be considered for these functions. Exemptions to requirements from applicable sustainability laws, regulations and policies will not be sought from the Secretary for these vehicles.
- **L/E 3:** An L/E 3 tier vehicle is a standard vehicle of any make or model that may be used for other law enforcement operations. These vehicles are not expected to perform pursuit operations either on or off road. Hybrid vehicles should be considered for these functions. Exemptions to requirements from applicable sustainability laws, regulations and policies will not be sought from the Secretary for these vehicles.

License Plates: Official license identification of a motor vehicle installed on the front and rear of the motor vehicle issued by DHS, GSA, or an individual State.

Insurance: The Federal Government is self-insured for all claims arising from the alleged negligence of Federal employees in the operations of government owned or leased vehicles. Such legal actions are covered by the Federal Tort Claims Act (28 U.S.C. 2671 et seq.)

Note: This does not apply to GOVs being driven into Canada and Mexico. Motor vehicle operators are responsible for obtaining insurance in these locations, for which they may request reimbursement from their Component.

Maintenance: The act of cleaning, servicing, and/or repairing equipment to ensure that items are in operational condition.

- **Scheduled Maintenance:** The systematic servicing and inspecting of a motor vehicle or vehicular equipment on a predetermined time, mileage, fuel consumption or engine-hour basis. The period varies with the type of equipment and the purpose to which it is assigned.
- **Unscheduled Maintenance:** An unplanned repair of a vehicle or vehicular equipment other than those performed during the scheduled or preventative maintenance cycle.

Medium Duty Vehicle: For reporting purposes, medium duty vehicles are those that weigh more than 8,500 pounds and less than or equal to 16,000 pounds GVWR.

Metropolitan Statistical Area (MSA): DOE has defined covered MSAs by the 1980 U.S. Census population figures and by the 1990 U.S. Census MSA area definition. To determine whether the city/county/state of your local fleet is in an MSA/CMSA, check the following URL; if no cities are shown, the entire county is covered:
<http://www1.eere.energy.gov/vehiclesandfuels/epact/index.html>.

Mobile Assets Committee (MAC): The MAC provides a forum for DHS Components to collaborate on policy, discuss requirements, coordinate tasks, synthesize activities, facilitate data collection, and develop issues and solutions for presentation to senior leadership, including the Secretary.

National Defense Authorization Act of 2008: The National Defense Authorization Act (NDAA) amended EPAct 1992 and classified several new vehicles as "alternative fueled vehicles" (AFV) as defined in Section 30B of the Internal Revenue Service (IRS) Code. Agencies will receive one EPAct 1992 AFV acquisition credit for each qualifying vehicle acquired, regardless of weight class, beginning in FY 2009.

National Law Enforcement Telecommunications System (NLETS): NLETS is an interstate law enforcement network used for the exchange of law enforcement and related justice information.

Official Duty Station: The location of record where a DHS employee is assigned to work.

Official Use: All DHS owned and leased vehicles must be operated in ways that avoid creating the perception of misuse. Use of a vehicle for personal business, errands, or recreation is strictly prohibited. Public Law prohibits the use of Government vehicles for personal convenience and comfort. Each case should be reviewed carefully with expiring approvals and strict guidelines. Approval is at Agency Department Head level without the ability to delegate to others. In the absence of such policy, vehicles may only be used for official purposes.

OMB Circular A-76: The Office of Management and Budget circular that establishes Federal policy for the performance of recurring commercial activities. Cost comparison studies are often required to determine whether recurring commercial activities should be operated under contract with commercial sources, in-house using government facilities and personnel, or through inter-service support agreements.

Passenger Motor Vehicle: Vehicles with motor power (other than low-speed vehicles or trailers) whose primary purpose is to transport passengers such as 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 by the character of the vehicle as shown by its construction and design, and not from its intended use.

Privately Owned Vehicle (POV): A privately owned (employee's) vehicle used on official business for which the Government, on the basis of mileage, reimburses the employee.

Replacement standard: The estimated useful life of a motor vehicle expressed in time (months or years) and/or utilization (miles).

Replacement Vehicle: A vehicle acquired to replace another vehicle which meets or exceeds the replacement criteria or becomes uneconomical to repair and retain in the fleet.

Retrofitting/Upfitting: The process of installing special equipment into a vehicle after it has already been built by the manufacturer.

Salvage: A vehicle that is uneconomically repairable and is being sold for the value of its existing parts.

Special Purpose Vehicles: Vehicles that have limited but essential missions and are 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 be easily 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 considered special purpose vehicles.

Sport Utility Vehicle (SUV): Vehicles available in two, four, or all-wheel drive and raised ground clearance in combination with a two or four door wagon or convertible body are considered sport utility vehicles.

State Driver's License: A driver's license issued by the State, District of Columbia, Guam or Puerto Rico, or possession in which the motor vehicle operator lives.

Table of Allocation: Sometimes termed the Table of Allowance or Equipment. It establishes the baseline fleet as part of a VAM process (see below).

Vehicle Allocation Methodology (VAM): A VAM is a tool for establishing and controlling fleet size and composition, more succinctly and popularly termed "right-sizing." From the standpoint of OMB, a VAM documents the basis for fleet size and, consequently, fleet-related budgets. It requires a standard and consistent method for the collection, management and analysis of comprehensive fleet data used and should enable Components to undertake and statistically support their fleet-size decision making. This includes developing a fleet baseline profile to identify current vehicle assets and how they match with DHS mission needs and ensuring that future vehicle fleets are not over-

costly, are correctly sized in terms of numbers, and are of the appropriate type for accomplishing Component missions while achieving sustainability goals. Components may develop their own VAM, but the method and statistical outputs must have final approval from the DHS Fleet Manager before being accepted as conforming with FMR 102-34.50 (b) and GSA Bulletin #9, Vehicle Allocation Methodology (see Appendix G). At a minimum, a standard VAM program requires an accurate fleet inventory, utilization data (mileage or hours), a comprehensive justification protocol, a process for dealing with unjustified vehicles, and establishment of a Table of Allocation (the baseline fleet).

Vehicle Identification Number (VIN): A 17-digit number used by a manufacturer to identify a particular vehicle. It identifies the manufacturer, division, year, make, model and engine. The last six digits represent the sequence in which the vehicle was built within the manufacturing process for all other vehicles of that model, starting each year with 100001.

Undercover Vehicles: Vehicles purchased or leased through GSA, that have been issued State license plates in lieu of DHS plates are considered undercover.

Note: Request for undercover license plates must be submitted to the DHS Fleet Manager through the Component Fleet Manager for all DHS owned and leased vehicles.

Utilization: The measurement of a vehicle's usage, usually expressed in average annual miles per vehicle or engine hours.

Warranty: A written guarantee issued by new or used motor vehicle manufacturer or vendor which defines the responsibility for the repair or replacement of defective parts which are included in the original purchase price. A warranty can be nullified if the user does not follow certain stipulations set forth by the manufacturer.

Subpart B—Obtaining Fuel Efficient Motor Vehicles

FMR §102-34.40 – Who must comply with motor vehicle fuel efficiency requirements?

(a) Executive agencies operating domestic fleets must comply with motor vehicle fuel efficiency requirements for such fleets.

(b) This subpart does not apply to motor vehicles exempted by law or other regulations, such as law enforcement or emergency rescue work and foreign fleets. Other Federal agencies are encouraged to comply so that maximum energy conservation benefits may be realized in obtaining, operating, and managing Government motor vehicles.

70.40 DHS Compliance with Fuel Efficiency Requirements

All DHS vehicles must be managed and operated in ways that comply with fuel efficiency requirements, ensuring maximum fuel efficiency. This includes, but is not limited to, reducing petroleum consumption, reducing miles traveled, monitoring vehicle

performance, and ensuring vehicles are right sized for their mission. All DHS Components will follow the DOE guidance on E.O. 13514, "Federal Leadership in Environmental, Energy, and Economic Performance." A comprehensive fleet management plan will be submitted to the DHS Fleet Manager, annually. Exemptions to any of the requirements listed in the DOE guidance must be submitted in writing to the DHS Fleet Manager with associated explanations and analysis.

FMR §102-34.45 – How are passenger automobiles classified?

Passenger automobiles are classified in the following table:

Sedan Class	Station Wagon Class	Descriptive Name
I	I	Subcompact
II	II	Compact
III	III	Midsize
IV	IV	Large
V		Limousine

FMR §102-34.50 – What size motor vehicles may we obtain?

(a) You may only obtain the minimum size of motor vehicle necessary to fulfill your agency's mission in accordance with the following considerations:

- (1) You must obtain motor vehicles that achieve maximum fuel efficiency.
- (2) Limit motor vehicle body size, engine size and optional equipment to what is essential to meet your agency's mission.
- (3) With the exception of motor vehicles used by the President and Vice President and motor vehicles for security and highly essential needs, you must obtain midsize (class III) or smaller sedans.
- (4) Obtain large (class IV) sedans only when such motor vehicles are essential to your agency's mission.

(b) Agencies must establish and document a structured vehicle allocation methodology to determine the appropriate size and number of motor vehicles (see FMR Bulletin B-9, located at <http://www.gsa.gov/bulletin>, for guidance).

70.50 What Size Vehicles DHS Fleet Managers May Acquire

Vehicles must be acquired in accordance with the processes outlined in the aforementioned section of this Manual. Any request for increases in vehicle size and/or the quantity of a Component's fleet must be submitted to the Component Fleet Manager and approved by the DHS Fleet Manager.

FMR §102-34.55 – Are there fleet average fuel economy standards we must meet?

(a) Yes. 49 U.S.C. 32917 and Executive Order 12375 require that each executive agency meet the fleet average fuel economy standards in place as of January 1 of each fiscal year. The standards for passenger automobiles are prescribed in

49 U.S.C. 32902(b). The Department of Transportation publishes the standards for light trucks and amendments to the standards for passenger automobiles at <http://www.dot.gov>.

(b) These standards do not apply to military design motor vehicles, law enforcement motor vehicles, or motor vehicles intended for emergency rescue.

FMR §102-34.60 – How do we calculate the average fuel economy for Government motor vehicles?

You must calculate the average fuel economy for Government motor vehicles as follows:

(a) Because there are so many motor vehicle configurations, you must take an average of all light duty motor vehicles by category that your agency obtained and operated during the fiscal year.

(b) This calculation is the sum of such light duty motor vehicles divided by the sum of the fractions representing the number of motor vehicles of each category by model divided by the unadjusted city/highway mile-per-gallon ratings for that model. The unadjusted city/highway mile-per-gallon ratings for each make and model are published by the Environmental Protection Agency (EPA) for each model year and published at <http://www.fueleconomy.gov>.

(c) An example follows:

Light trucks:

(i) 600 light trucks acquired in a specific year. These are broken down into:

(A) 200 Six cylinder automatic transmission pick-up trucks, EPA rating: 24.3 mpg, plus

(B) 150 Six cylinder automatic transmission mini-vans, EPA rating: 24.8 mpg, plus

(C) 150 Eight cylinder automatic transmission pick-up trucks, EPA rating: 20.4 mpg, plus

(D) 100 Eight cylinder automatic transmission cargo vans, EPA rating: 22.2 mpg.

$$\begin{aligned} &= \frac{600}{\frac{200}{24.3} + \frac{150}{24.8} + \frac{150}{20.4} + \frac{100}{22.2}} \\ &= \frac{600}{8.2305 + 6.0484 + 7.3530 + 4.5045} \\ &= \frac{600}{26.1364} = 22.9565 \text{ (Rounded to nearest 0.1 mpg.)} \end{aligned}$$

(ii) Fleet average fuel economy for light trucks in this case is 23.0 mpg.

70.60 Fuel Economy Standards and DHS Vehicles

The key to ensuring maximum fuel economy standards and reducing petroleum consumption is right sizing the fleet to make certain that the smallest type and number of vehicles are being used for the intended mission. All DHS light and medium duty vehicles must be acquired in accordance with EISA 141 and have a low Greenhouse Gas (GHG) emissions score of 7 or higher for passenger cars operating on gasoline; a score of 6 or higher for passenger cars operating on alternative fuel; a score of 6 or higher for light duty trucks and medium duty passenger vehicles operating on gasoline; or a score of 5 or higher for light duty trucks and medium duty passenger vehicles that operate on alternative fuel. Further guidance on the requirements of EISA 141 can be found in Appendix P of this Manual via a link. The chart below lists the GHG scores for model year 2011 vehicles:

**US EPA - Vehicle Environmental Scoring
Greenhouse Gas Score
MY 2011**

Score	Grams CO ₂ e per mile	Minimum Label MPG (combined)			
		Gasoline	Diesel	E85	CNG*
10	Less than 188	48	55	35	39
9	188 - 233	39	44	28	32
8	234 - 279	33	37	23	26
7	280 - 325	28	32	20	23
6	326 - 371	25	28	18	20
5	372 - 417	22	25	16	18
4	418 - 463	20	22	14	16
3	464 - 509	18	20	13	14
2	510 - 555	17	19	12	13
1	556 and up	1	1	1	1

*CNG's CO₂ per gallon estimate assumes a gallon equivalent of 121.5 cubic feet

Source: <http://www.epa.gov/greenvehicles/Aboutratings.do>

FMR §102-34.65 – How may we request an exemption from the fuel economy standards?

You must submit a written request for an exemption from the fuel economy standards to:

Administrator
General Services Administration
ATTN: Deputy Associate Administrator
Office of Travel, Transportation and Asset Management (MT)
Washington, DC 20405.

(a) Your request for an exemption must include all relevant information necessary to permit review of the request that the vehicles be exempted based on energy conservation, economy, efficiency, or service. Exemptions may be sought for individual vehicles or categories of vehicles.

(b) GSA will review the request and advise you of the determination within 30 days of receipt. Light duty motor vehicles exempted under the provisions of this section must not be included in calculating your fleet average fuel economy.

70.65 Requesting an Exemption from the Fuel Economy Standards

All DHS Vehicles (including those used for law enforcement) must be compliant with the mandates set forth in the Energy Independence and Security Act, Section 141 (EISA 141). The two approved exemptions from this requirement are:

- **Functional needs exemption.** Exempts individual vehicles from the requirement to purchase low GHG-emitting vehicles if no low GHG-emitting vehicle is available to meet the Component's functional needs. These may include law enforcement motor vehicles, emergency motor vehicles, and vehicles used for protective services provided no low GHG-emitting vehicle is available that meets those functions.
- **Alternative measures exemption.** Allows Components to acquire vehicles that are not low GHG-emitting provided the Component implements measures to offset the incremental increase in GHG emissions. A sample of offsetting reduction strategies includes: reducing vehicle miles traveled, reducing the number of vehicles owned and operated, or acquiring LSEVs to replace conventional vehicles. To use this exception, the Department must meet or exceed its EISA GHG emissions limit. This limit is calculated as the total agency GHG emissions if all DHS vehicles acquired met the minimum low GHG-emitting vehicle standards.

Note: Requests for exemptions to fuel economy requirements or vehicle upgrades must be submitted by the Field Level Fleet Manager to the Component Fleet Manager and then forwarded to the DHS Fleet Manager. The DHS Fleet Manager will review all proposed exemptions and forward those requests with proper justification to the DHS Secretary for a decision.

FMR §102-34.70 – What do we do with completed calculations of our fleet vehicle acquisitions?

You must maintain the average fuel economy data for each year's vehicle acquisitions on file at your agency headquarters in accordance with the National Archives and Records Administration, General Records Schedule 10, Motor Vehicle and Aircraft Maintenance and Operations Records, Item 4, Motor Vehicle Report Files. Exemption requests and their disposition must also be maintained with the average fuel economy files.

70.70 Reporting Annual Fuel Economy Acquisition Data

This data must be reported annually into FAST, as part of the fleet data reporting requirement, by November 19th of each year.

FMR §102-34.75 – Who is responsible for monitoring our compliance with fuel economy standards for motor vehicles we obtain?

Executive agencies are responsible for monitoring their own compliance with fuel economy standards for motor vehicles they obtain.

70.75 Monitoring Compliance with Fuel Economy Standards

All DHS employees responsible for acquiring vehicles must ensure compliance with fuel economy standards. The DHS Headquarters Fleet Manager and the Component Fleet Managers are responsible for overall monitoring to ensure compliance.

FMR §102-34.80 – Where may we obtain help with our motor vehicle acquisition plans?

For help with your motor vehicle acquisition plans, contact the:

General Services Administration
ATTN: MT
Washington, DC 20405
Email: vehicle.policy@gsa.gov.

70.80 Acquisition Plan Assistance

For assistance with your motor vehicle acquisition plans, please contact your Component Fleet Manager. Component Fleet Managers may obtain assistance from the DHS Fleet Manager.

70.80.1 Needs Assessment

DHS has one of the largest motor vehicle fleet programs in the Federal Government. Consistent with the impact of a large fleet, DHS aspires to lead in the areas of vehicle utilization, program management, fuel efficiency, alternate fuel usage, and GHG and petroleum use reduction:

In determining fleet needs, Fleet Managers must consider, at a minimum:

- The number of each vehicle type needed to meet mission demands and Agency performance objectives associated with the Government Performance and Results Act of 1993 (GPRA). Why do you have it (can each vehicle be justified)?
- The number of each vehicle type required to meet environmental and socioeconomic goals established in Federal laws, regulations and DHS policies. A key factor is the number of Alternative Fuel Vehicles needed. What do you have now (number, type, age, condition)?
- Application of the following vehicle standard guideline when ascertaining the right vehicle for the job (these standards may not apply to some law enforcement missions):

Standard Vehicle Type by Application

Application	Vehicle Standard
Basic transportation – 1-4 passengers	Intermediate sedan
Basic transportation – 5 passengers	Full size sedan
Basic transportation – up to 7 passengers	Minivan
Basic transportation – up to 5 passengers with light cargo capacity	SUV or quad cab pickup truck
Light hauling – uncovered	Pickup truck (appropriately sized to match load and towing capacity)
Light hauling – covered	SUV, cargo van (minivan where payloads allow)
Off-road	Pickup truck (4x4) or SUV (4x4)
Localized transportation and light hauling.	Utility cart

- The fuel-economy rating for all planned vehicle-acquisitions and their affect on the ability of the Component to meet the fleet average fuel-economy rating established in laws, regulations and policies. What's your fleet's average fuel-economy rating for this fiscal year?
- The Greenhouse Gas score for each vehicle type in the Component's acquisition plan.
- The intended use and projected unit utilization (that is, the cargo or number of passengers to be transported, the frequency and types of trips, etc.). What's the monthly mileage (or hourly usage or number of trips or passengers carried) for each vehicle? Utilization guidelines for GSA Fleet passenger-carrying vehicles are a minimum of 3,000 miles per quarter or 12,000 miles per year; for light trucks and general purpose vehicles with a Gross Vehicle Weight Rating (GVWR) of 12,500 lbs, the minimum is 10,000 miles per year. Where utilization guidelines are not met but users still request vehicles, Components should have a vehicle justification process in place and enforced and as part of their VAM.

Pre-acquisition Questionnaire Considerations
1. What is the job to be done?
2. How many miles or hours use per year?
3. Number of passengers?
4. Off-road use? How often?
5. Typical load? Maximum load?
6. Pulls a trailer?
7. Operating terrain (e.g., road conditions such as unpaved road or severe weather/snow)?
8. Night use?
9. Environmental requirements?

Note: Every fleet vehicle should have a clear plan of use that includes metrics that make sense. This information should not only “feed” the VAM justification form but should also establish the foundation for assessing whether to retain the vehicle in the fleet from year to year. For example, does the projected estimate of miles or hours of use per year match actual

use? The vehicle metrics and determination of criticality of need should support vehicle retention, if appropriate.

- The essential need and cost for all non-standard units and added equipment (i.e., upfitted vehicles, such as law-enforcement accessories) and the potential benefits to be derived from their use.
- The rotation and reassignment of existing vehicles to meet transportation requirements and utilization standards.
- The feasibility and economy of using local public transportation, taxicabs, car rental, dispatch or shared vehicle usage, or privately owned vehicle (POV) in lieu of acquiring additional vehicles.
- The feasibility of obtaining required motor-vehicle support from another Federal Agency, GSA Fleet, or through an in-house maintenance program.
- The successful completion of the budget process to meet the defined need.

70.80.2 Acquisition Planning

All DHS Components are required to follow the guidance provided by DOE's Federal Energy Management Program (FEMP) as specified in the *Comprehensive Federal Fleet Management Handbook* dated June 2010. The *Handbook* implements E. O.'s 13514 and 13423 and incorporates requirements from all related laws, regulations, and policies. A link to the document can be found in Appendix P.

All Component Fleet Acquisition Plans will be reviewed. Large programs must submit their plans to the Office of the Chief Procurement Officer through the Acquisition Program Management Division (CPO/APMD). If a Component Fleet Acquisition Plan requires submission to CPO/APMD, a schedule for that review will be sent to the Fleet Manager 30 days prior to the scheduled review. DHS HQ will review programs not required to be reviewed by CPO/APMD annually to ensure compliance. Each Component Fleet Manager will be notified of his or her respective requirements by the DHS Fleet Manager within 30 days of the scheduled review. The DHS Fleet Manager will develop and distribute a list of documents required for review to the Component Fleet Managers. These documents will serve reviews by both CPO/APMD and DHS HQ. All Component Fleet Managers will be required, at a minimum, to outline their respective acquisition plans and detail their compliance with applicable laws, regulations and policies. Programs subject to review by DHS HQ will be performed in person with recommendations made no later than 30 days after each scheduled review.

70.80.3 Acquiring Motor Vehicles

Before acquiring a new DHS vehicle, Fleet Managers shall conduct a Lease vs. Purchase Analysis.

Components are required to conduct cost comparisons to determine the most economical and cost-effective way to acquire motor vehicles between purchasing, leasing from GSA, or leasing from commercial sources. {Motor vehicles are capital assets.} All leases of capital assets must be justified as preferable to direct Federal government purchase and ownership per 41 CFR 101-25.501. Guidance on performing lease versus purchase calculations may be found in 41 CFR 101-25.5. The required analysis compares the present value of the life-cycle cost of leasing with the full cost of buying an identical asset.

In accordance with 41 CFR 101.25.5, the lease/buy cost comparison approach described in OMB Circular A-104 is the preferred method. **Note, however, that OMB released Circular A-94, "Guidelines and Discount Rates for Benefit-Cost Analysis of Federal Programs," dated October 29, 1992, replaces Circular A-104.** Among other things, it advises that an appropriate discount rate should be used to discount costs and benefits (these rates are published in Appendix C of the Circular). You may only use other lease/buy methods (life-cycle costing, break-even analysis, etc.) in accordance with normal acquisition procedures.

OMB Circular A-94 (<http://www.whitehouse.gov/omb/assets/a94/a094.pdf>) provides guidance for lease-purchase analysis. If the cost comparison shows that ownership is the least costly and funds are not available to procure a vehicle, the vehicle will have to be acquired from the next most economical source.

After determining the need for fleet vehicles, the Component Fleet Manager should develop vehicle specifications that define the technical attributes and configuration, and/or the functional capabilities of the vehicle to be acquired. The primary consideration when selecting among the available options is to satisfy Component needs at the least cost to the Government, while still meeting the mission requirements of the Agency. The Fleet Manager should take into account:

1. cost effectiveness;
2. suitability of the purchased vehicles for fleet users' needs;
3. the level of effort and amount of time required to acquire vehicles.

Vehicles shall be acquired in accordance with Federal laws, regulations and policies, including this Manual, and the following must be addressed and incorporated unless otherwise exempted:

- The Energy Independence and Security Act of 2007, Section 141 prohibits agencies from acquiring (purchasing, leasing, or acquiring through transfer, including replacement vehicles) light and medium duty passenger vehicles that are not low-Green House Gas (GHG) emitting vehicles. See section 70.60 for DHS guidance on GHG scores.
- In accordance with the DHS Secretary's 120-Day Hybrid/Alternative Fuel Efficiency Review Initiative, all new vehicle acquisitions shall be hybrid/electric or alternative fuel/flex fuel vehicles, when hybrids are not practicable. DHS vehicles used in law enforcement under the L/E 1 definition are exempt from this requirement.

- Components shall determine that the vehicle(s) acquired achieves maximum fuel efficiency and is limited to the minimum body size, engine size, and optional equipment necessary to meet DHS mission requirements.
- Sedan acquisitions must be midsize (class III) or smaller unless a larger vehicle is specifically justified and approved. If either increasing fleet size or upgrading vehicle class, the Component shall obtain the approval of the DHS Fleet Manager prior to acquiring the vehicle.
- Components shall also ensure that vehicle acquisitions meet the fiscal year average fuel economy standards for passenger automobiles and light trucks in accordance with FMR 102-34.55 and 102-34.60.
- Each Component shall operate and maintain only the minimum number and types of vehicles necessary to meet that Component's legitimate transportation requirements.
- Motor vehicles shall be obtained and utilized only to the extent required for the efficient and effective transaction of official business, including law enforcement.

70.80.4 Purchasing Motor Vehicles

GSA is the mandatory source for Components to purchase vehicles, unless a waiver is granted by GSA for open market purchase. Components shall use GSA's Auto Choice system to purchase vehicles and track orders. Components can also compare prices, check GHG scores, miles per gallon and vehicle options in this system.

Waivers: Under unique circumstances, which meet the criteria set forth under Federal Property Management Regulations (FPMR) 101-26.501(b)(c), it may be advantageous for an agency to effect its own procurement. GSA will grant waivers of procurement authority case-by-case in accordance with FPMR 101-26.501(b)(c). Waiver requests must be submitted to the Department Fleet Manager.

Urgent Requirement: GSA offers an Automotive Express Desk to handle requirements resulting from an "Unusual and Compelling Urgency" (in accordance with FAR 6.302-2(c)). In these cases, a justification for other than full and open competition must be provided with an agency's requisition.

70.80.5 Leasing Motor Vehicles

Motor vehicle leases for 60 continuous days or more may be obtained through GSA Fleet or other commercial sources. GSA's Federal Supply Schedule 751 – provides commercial lease options or open market leases for automobiles and light trucks. Components acquiring leased vehicles through GSA Fleet shall comply with all GSA Fleet Lease policies regarding use, maintenance and management of vehicles. Copies of GSA Fleet Lease policies can be requested through local GSA offices.

When a determination is made that GSA Fleet is the most cost effective source, Components should contact the GSA Fleet Management Center (FMC) to request vehicles. If a suitable vehicle is not immediately available, GSA will log the request onto a waiting list. The following information is needed for GSA Fleet to consider a request:

- Statement certifying that the DHS Fleet Manager concurs with the request.
- Vehicle quantities, types, locations, and date required.
- Anticipated duration of the assignment and projected utilization in miles per month.
- Statement certifying that the Component has funds to pay for the vehicle assignment.
- The billing office and Billed Office Address Code (BOAC). (If there is no BOAC, the servicing FMC can assign one.)
- The office or activity to which the vehicles will be assigned and a point of contact name, addresses, and telephone numbers.

GSA Fleet provides a fleet card with each leased vehicle for the purchase of fuel and minor maintenance. If the fuel card is lost or stolen, contact the local FMC immediately.

GSA does not guarantee that a new vehicle will be offered; sometimes vehicles returned from other customers are used to fill another agency's request. **GSA does** guarantee that even used vehicles will be in good mechanical and cosmetic condition.

GSA Fleet vehicles are in high demand and some additional requests must go unfilled. The more lead-time provided before needing a vehicle, the better the likelihood that one can be located or purchased. First priority is given to fully participating customers -- that is, agencies dependent on GSA Fleet for all their vehicle needs. Even fully participating agencies may have to be placed on a waiting list, however, or their request may be referred elsewhere if no vehicles are available, funding for the fiscal year is exhausted, or vehicle manufacturers have ceased production for the model year.

Because GSA Fleet is not a mandatory source of supply, vehicles may be leased from commercial sources without GSA's prior approval or permission.

GSA Vehicle Replacement Standards – Each GSA vehicle is measured against this set of minimum standards to determine eligibility for replacement. However, the ultimate decision to replace or retain any given vehicle lies with the customer's local Fleet Service Representative (FSR). The FSR's decision is based on a variety of factors to include the vehicle's age, mileage, condition, and repair history.

Unless the Fleet Center is informed otherwise, the eligible vehicle will be replaced with one of the same type. The customer's local FSR should be notified as soon as possible of any changes in requirements. If requesting an upgrade to a more expensive vehicle (for example, from a compact sedan to a sport-utility), a written justification must be submitted to certify that the upgraded vehicle is mission essential. In this way, GSA is able to keep rates low and stretch purchasing dollars to the fullest extent.

70.80.6 Motor Vehicle Rentals

Motor vehicle rentals are for vehicles used for less than 60 continuous days. GSA Fleet offers the Short Term Rental Program (STR) to customers needing replacements for, or additions to, their current fleet. The STR program can help you accomplish your mission by providing the right vehicles for seasonal work, special events, or surge-related requirements. It is also a solution when you have a vehicle out of service due to an accident or maintenance. This program may not be used for personal travel (TDY) purposes. Component Fleet Managers must approve all STR rental requests. The following information is needed when submitting a rental vehicle request:

- Name of requestor;
- Full GSA Fleet customer number against which rental charges will be billed (in the form of Region-FMC-00-BOAC-Serial);
- Agency/Component name;
- Requestor's phone number and email address;
- Location;
- Number and Type of Vehicles;
- Dates of the Rental (up to 60 days).

70.80.7 Acquisition of Alternative Fuel Vehicles (AFVs)

In accordance with the EPActs and E.O.s 13423 and 15314, Components must comply with the following when acquiring AFVs:

- Each Component will develop, document, and implement strategic plans to fulfill the AFV acquisition requirements established by EPAct. In accordance with EPAct requirements, 75 percent of all light duty vehicle acquisitions in metropolitan statistical areas with populations of 250,000 or more shall be AFVs. AFVs may be acquired through purchasing and/or leasing from GSA, commercially leasing, or through a combination of these methods,
- Component AFV acquisition requirement plans must be based on existing and requested funds, but shall not be exempt from the requirements of EPAct or E.O.s 13423 and 15314 due to limited appropriations.

When considering an AFV, Components shall employ the AFV station locator website <http://www.afdc.energy.gov/afdc/locator/stations/> to determine whether an alternative fuel is available within 5 miles or 15 minutes from the garaged location of the vehicle. AFVs should not be ordered for locations where fuel is not readily available. Additionally, the National Renewable Energy Laboratory has developed and deployed a Mobile Alternative Fueling Station Locator. This is a web-based search page for smart phones and PDAs that accesses the Internet through a browser on the phone or PDA. The link for the site is: <http://www.afdc.energy.gov/afdc/locator/m/stations/>.

Contractor vehicles: DHS and Components must ensure that all Government-owned, contractor-operated vehicles and facilities comply with the AFV acquisition requirements. DHS and each Component shall ensure that contracts entered into for contractor operation of government-owned facilities or vehicles require the contractor to

comply with the AFV acquisition requirements with respect to such facilities or vehicles to the same extent as the agency or Component would be required to comply if it operated the facilities or vehicles.

70.80.8 Purchase of All Terrain Vehicles (ATVs)

Procurement of ATVs shall be restricted to four-wheel types or larger. Component Heads are expected to ensure that the employees operating the ATVs are trained or instructed on the proper use and safe operation of all types of ATVs.

Components are not to re-sell any three-wheeled ATVs because they have been classified as "dangerous property." Refer to FPMR 101-45.004 for proper disposal methods.

70.80.9 Receipt of New Vehicles

Acceptance of new vehicles shall be in accordance with:

- Instructions to Consignee Receiving New Motor Vehicle Purchased by GSA, printed on the reverse side of the consignee copy of the delivery order; and
- The GSA Publication, "New Vehicle Guide: Warranty, Delivery, Acceptance, and Recall of Motor Vehicles." Receipt of the final delivery shall be reported on the receiving-report copy of the purchase order.

Components are responsible for developing additional procedures pertaining to the receipt of vehicles. After receiving vehicles, Components are required to update vehicle registration data in FMVRS to depict the status of the Component fleet composition accurately.

70.80.10 Security & Storage

DHS owned, -rented, and -leased motor vehicles must be stored so as to provide reasonable protection from theft or damage. In the interest of economy, open storage should be used whenever practical and feasible. A Component must determine whether it is "practicable or feasible" to use open storage space or a particular type of storage space at a particular location after considering the nature of program demands and special requirements at that location. When a vehicle is stored, the vehicle is to be locked and the keys and charge card are to be secured.

Subpart C—Identifying and Registering Motor Vehicles

Motor Vehicle Identification

FMR §102-34.85 – What motor vehicles require motor vehicle identification?

All Government motor vehicles must display motor vehicle identification unless exempted under 102-34.160, 102-34.175 or 102-34.180.

70.85 Identification and Markings for DHS Motor Vehicles

DHS vehicles must display markings to identify their assigned Component. This is typically done on the license plate.

FMR §102-34.90 – What motor vehicle identification must we display on Government motor vehicles?

Unless exempted under 102-34.160, 102-34.175 or 102-34.180, Government motor vehicles must display the following identification:

- (a) “For Official Use Only”;
- (b) “U.S. Government”; and
- (c) Identification that readily identifies the agency owning the vehicle.

FMR §102-34.95 – What motor vehicle identification must the Department of Defense (DOD) display on motor vehicles it owns or leases commercially?

Unless exempted under 102-34.160, 102-34.175 or 102-34.180, the following must appear on motor vehicles that the DOD owns or leases commercially:

- (a) “For Official Use Only”; and
- (b) An appropriate title for the DOD component responsible for the vehicle.

FMR §102-34.100 – Where is motor vehicle identification displayed?

Motor vehicle identification is displayed as follows:

- (a) For most Government motor vehicles, preferably on the official U.S. Government license plate. Some Government motor vehicles may display motor vehicle identification on a decal in the rear window, or centered on both front doors if the vehicle is without a rear window, or where identification on the rear window would not be easily seen.
- (b) For trailers, on both sides of the front quarter of the trailer in a conspicuous location.

Note to §102-34.100: Each agency or activity that uses decals to identify Government motor vehicles is responsible for acquiring its own decals and for replacing them when necessary due to damage or wear.

FMR §102-34.105 – Before we sell a motor vehicle, what motor vehicle identification must we remove?

You must remove all motor vehicle identification before you transfer the title or deliver the motor vehicle.

License Plates

FMR §102-34.110 -- Must Government motor vehicles use Government license plates?

Yes, you must use Government license plates on Government motor vehicles, with the exception of motor vehicles exempted under 102-34.160, 102-34.175 or 102-34.180.

70.110 Must DHS Vehicles Use Government License Plates

All DHS vehicles must have U.S. Government license plates unless specifically exempted by the guidelines outlined in this Manual.

FMR §102-34.115 – Can official U.S. Government license plates be used on motor vehicles not owned or leased by the Government?

No, official U.S. Government license plates may only be used on Government motor vehicles.

FMR §102-34.120 -- Do we need to register Government motor vehicles?

If the Government motor vehicle displays U.S. Government license plates and motor vehicle identification, you do not need to register it in the jurisdiction where the vehicle is operated; however, you must register it in the Federal Government Motor Vehicle Registration System. GSA Fleet may register motor vehicles leased from GSA Fleet. Motor vehicles that have been exempted from the requirement to display official U.S. Government license plates under section 102-34.160, 102-34.175 or 102-34.180 must be registered and inspected in accordance with the laws of the jurisdiction where the motor vehicle is regularly operated.

70.120 Registering DHS Vehicles

All DHS vehicles displaying DHS license plates must be registered in FMVRS (<https://fmvrs.fas.gsa.gov/>) unless they are used for “deep undercover” operations and purchased under classified means. All fields within FMVRS must be complete and accurate. State-issued license plates displayed on vehicles used in undercover operations do not have to be entered into FMVRS. Each Component Fleet Manager must be able to respond to inquiries on this population of vehicles immediately upon request. State-issued license plates displayed on vehicles regularly used for common administrative purposes and not directly connected to investigative, law enforcement, or intelligence duties must be entered into FMVRS.

FMR §102-34.125 – Where may we obtain U.S. Government license plates?

You may obtain U.S. Government license plates for domestic fleets—

(a) By contacting:

U.S. Department of Justice
UNICOR
Federal Prison Industries, Inc.
400 First Street, NW.
Room 6010
Washington, DC 20534.

(b) For assistance with any issues involving license plates, contact the following office:

General Services Administration
ATTN: MT
Washington, DC 20405
Email: vehicle.policy@gsa.gov.

70.125 Obtaining DHS License Plates

License plates for all DHS owned vehicles must be obtained through the Federal Prison Industry/UNICOR's online licensing system "The License Plate Store" <https://www.unicor.gov/NetAuth/LoginRegistration.aspx>. Request for access to the system shall be submitted to the DHS Fleet Manager through the Component Fleet Manager.

Note to §102-34.125: GSA has established a Memorandum of Understanding (MOU) on behalf of all Federal agencies with Federal Prison Industries (UNICOR) for the procurement of official U.S. Government license plates. Each agency must execute an addendum to this MOU providing plate design and specific ordering and payment information before ordering license plates. Agency field activities should contact their national level Agency Fleet Manager for assistance.

FMR §102-34.130 -- How do we display U.S. Government license plates on Government motor vehicles?

- (a) Display official U.S. Government license plates on the front and rear of all Government motor vehicles. The exception is two-wheeled motor vehicles and trailers, which require rear license plates only.
- (b) You must display U.S. Government license plates on the Government motor vehicle to which the license plates were assigned.
- (c) Display the U.S. Government license plates until the Government motor vehicle is removed from Government service or is transferred outside the agency, or until the plates are damaged and require replacement. U.S. Government license plates shall only be used for one Government motor vehicle and shall not be reissued to another Government motor vehicle.

- (d) For motor vehicles owned or commercially leased by DOD, also follow DOD regulations.

70.130 Displaying DHS License Plates

License plates must be mounted to the front and rear of all DHS owned or leased motor vehicles. The exception is two-wheeled motor vehicles, which require rear plates only. License plates shall only be displayed on the vehicle to which they are assigned. If a vehicle is replaced, a new license plate must be ordered. No DHS plate should be used on vehicles that are not owned or leased by DHS.

As a matter of security, DHS license plates shall not be delivered to automotive dealerships under any circumstances. The local level fleet office shall have the tags shipped directly to the garaged location of the vehicle(s) for which the tags were ordered.

Note: License plates expire 8 years from the date they are manufactured by UNICOR.

FMR §102-34.135 – What do we do about a lost or stolen license plate?

You must report the loss or theft of license plates as follows:

- (a) U.S. Government license plates. Report to your local security office (or equivalent), local police, to GSA Fleet when a GSA Fleet leased motor vehicle is involved, and to the Federal Government Motor Vehicle Registration System.
- (b) District of Columbia or State license plates. Report to your local security office (or equivalent) and either the District of Columbia Department of Transportation, or the State Department of Motor Vehicles, as appropriate.

70.135 Reporting Lost or Stolen License Plates

Lost or stolen license plates must be reported immediately (as soon as this information is known to the local fleet manager) to the DHS National Operations Center, DHS Fleet Manager, Component Fleet Manager, Component Security Office and UNICOR. FMVRS must be properly annotated to reflect the tag as lost or stolen and a replacement tag must be ordered.

FMR §102-34.140 – What records do we need to keep on U.S. Government license plates?

You must keep a central record of all U.S. Government license plates for Government motor vehicles. The GSA Fleet must also keep such a record for GSA Fleet vehicles. The record must:














- (a) Identify the motor vehicle to which each set of plates is assigned; and
- (b) List lost, stolen, destroyed, and voided license plate numbers.

FMR §102-34.145 – How are U.S. Government license plates coded?

U.S. Government license plate numbers will be preceded by a letter code that designates the owning agency for the motor vehicle. The agency letter codes are listed in GSA Bulletin FMR Bulletin B-11. (FMR bulletins are located at <http://www.gsa.gov/bulletin>.)

70.145 DHS License Plate Codes

DHS license plates are coded as follows:

CBP		ICE		TSA	
FEMA		USCG		FLETC	
USCIS		OIG		DNDO	
USSS		NPPD		S&T	
DHS HQ					

Note: Component trailer tags end in “T” and follow the sample numbering sequence with the exception of the last 0: example CBP “DHS20000T.” Low Speed Electric Vehicles end in “E” and follow the aforementioned numbering sequence as well.

FMR §102-34.150 – How can we get a new license plate code designation?

To obtain a new license plate code designation, write to the:

General Services Administration
ATTN: MT
Washington, DC 20405
Email: vehicle.policy@gsa.gov.

70.150 How to Get a New DHS License Plate Code Designation

Requests for new license plate codes must be submitted to the DHS Fleet Manager through the Component Fleet Manager.

Identification Exemptions

FMR §102-34.155 – What are the types of motor vehicle identification exemptions?

The types of motor vehicle identification exemptions are:

- (a) Limited exemption.
- (b) Unlimited exemption.
- (c) Special exemption.

FMR §102-34.160 – May we have a limited exemption from displaying U.S. Government license plates and other motor vehicle identification?

Yes. The head of your agency or designee may authorize a limited exemption to the display of U.S. Government license plates and motor vehicle identification upon written certification (see 102-34.165). For motor vehicles leased from the GSA Fleet, send an information copy of this certification to the:

General Services Administration
ATTN: GSA Fleet (QMDB)
2200 Crystal Drive
Arlington, VA 22202.

70.160 Request for Exemption from Displaying U.S. Government License Plates

All requests for exemption from displaying U.S. Government tags on DHS owned and GSA leased vehicles must be submitted in writing through the Component Fleet Manager to the Department Fleet Manager with proper justification. Approved requests must be resubmitted annually.

Exemption requests shall include:

- (a) A description of the duties or mission requirements that warrant the use of an unidentified motor vehicle. In emergency situations, if DHS tags serve to heighten threats to U.S. Government employees or property, the DHS Fleet Manager may grant interim motor vehicle identification exemptions.
- (b) Motor vehicles that are exempt from displaying DHS license plates must display the regular state plates of the State, Commonwealth, territory or possession of the United States, or the District of Columbia, or foreign nation where the motor vehicle is primarily assigned.

FMR §102-34.165 – What information must the limited exemption certification contain?

The certification must state that identifying the motor vehicle would endanger the security of the vehicle occupants or otherwise compromise the agency mission.

FMR §102-34.170 – For how long is a limited exemption valid?

An exemption granted in accordance with 102-34.160 may last from one day up to 3 years. If the requirement for exemption still exists beyond 3 years, your agency must re-certify the continued exemption. For a motor vehicle leased from the GSA Fleet, send a copy of the re-certification to the:

General Services Administration
ATTN: GSA Fleet (QMDB)
2200 Crystal Drive
Arlington, VA 22202.

FMR §102-34.175 – What motor vehicles have an unlimited exemption from displaying U.S. Government license plates and motor vehicle identification?

Motor vehicles used primarily for investigative, law enforcement, intelligence, or security duties have an unlimited exemption from displaying U.S. Government license plates and motor vehicle identification when identifying these motor vehicles would interfere with those duties.

70.175 Unlimited Exemption from Displaying U.S. Government License Plates

Only DHS vehicles classified as LE/1 have unlimited exemption from displaying government license plates. All other DHS owned or leased vehicles used in the categories outlined in 102-34.175 (above) do not automatically have unlimited exemption from displaying U.S. Government license plates. Requests for vehicles in these categories must be done in compliance with section 70.160 of this Manual.

FMR §102-34.180 – What agencies have a special exemption from displaying U.S. Government license plates and motor vehicle identification on some of their vehicles?

Motor vehicles assigned for the use of the President and the heads of executive departments specified in 5 U.S.C. 101 are exempt from the requirement to display motor vehicle identification.

FMR §102-34.185 – What license plates do we use on motor vehicles that are exempt from motor vehicle identification requirements?

For motor vehicles that are exempt from motor vehicle identification requirements, display the regular license plates of the State, Commonwealth, territory or possession of the United States, or the District of Columbia, where the motor vehicle is principally operated (see 102-34.120).

FMR §102-34.190 – What special requirements apply to exempted motor vehicles using District of Columbia or State license plates?

Your agency head must designate an official to authorize the District of Columbia (DC) or State motor vehicle department to issue DC license plates or State license plates for motor vehicles exempt from displaying U.S. Government license plates and motor vehicle identification. The agency head must provide the name and signature of that official to the DC Department of Transportation annually, or to the equivalent State vehicle motor vehicle department, as required. Agencies must pay DC and the States for these license plates in accordance with DC or State policy. Also, for motor vehicles leased from the GSA Fleet, send a list of the new plates to:

General Services Administration
ATTN: GSA Fleet (QMDB)
2200 Crystal Drive
Arlington, VA 22202.

FMR §102-34.195 – Must we submit a report concerning motor vehicles exempted under this subpart?

Yes. If asked, the head of each executive agency must submit a report concerning motor vehicles exempted under this subpart. This report, which has been assigned interagency report control number 1537-GSA-AR, should be submitted to the:

General Services Administration
ATTN: MT
Washington, DC 20405
Email: vehicle.policy@gsa.gov.

70.195 Reporting Vehicles Exempted from Displaying License Plates

DHS Component Fleet Managers must submit a report to the Department Fleet Manager annually, by September 30th, of vehicles displaying exempted tags.

Subpart D—Official Use of Government Motor Vehicles

FMR §102-34.200 – What is official use of Government motor vehicles?

Official use of a Government motor vehicle is using a Government motor vehicle to perform your agency's mission(s), as authorized by your agency.

70.200 Official Use of Government Motor Vehicles

DHS owned or leased motor vehicles shall be used for official purposes only. In accordance with 31 USC 1349, Government employees who willfully misuse or authorize the misuse of a passenger motor vehicle owned or leased by the United States Government (except for an official purpose) shall be suspended without pay by the head of the Component. Government employees shall be suspended for at least one month and, when circumstances warrant, may be removed from government service.

Official Use Restrictions:

Vehicles must be operated in a manner that avoids the perception of misuse/abuse at all times. Therefore, remind employees who operate a DHS owned or leased vehicle that:

- Motor vehicles operators must obey Federal, Tribal, State and local traffic laws at all times;
- Only Government and authorized contractor employees are allowed to be transported in DHS vehicles; family members and pets are strictly prohibited from riding in these vehicles;
- Smoking and the use of tobacco products are prohibited in DHS vehicles;
- Vehicles are not to be used for HTW transportation unless a signed authorization by the DHS Secretary is on file. Vehicles are not be used to transport employees to functions such as office parties and meetings not related to government business;
- Vehicles are not to be operated by any person who has consumed alcoholic beverages within the past 8 hours. Operators are ultimately responsible for exercising good judgment. The transportation of alcohol is also prohibited;
- The use of cell phones while operating a DHS motor vehicle is strictly prohibited unless the State authorizes the use of hand-held devices and then only using a "hands free" device;
- In accordance with E.O. 13513, texting while driving is also prohibited;
- The display of a sport affiliation, religious symbols, political statements etc. on a DHS vehicle is prohibited and may result in disciplinary action up to and including removal; DHS vehicles are the sole property of the government and should not be personalized in any manner.
- Seatbelts must be worn while operating a DHS vehicle. Passenger-seat airbags shall not be disabled.

Note: Administrative personnel operating law enforcement vehicles must post placards or signage on the vehicle stating that the vehicle is not currently being operated by a Law Enforcement Officer. Lights and sirens may only be operated in the public domain by a trained and certified Law Enforcement Officer.

FMR §102-34.205 – May I use a Government motor vehicle for transportation between my residence and place of employment?

No, you may not use a Government motor vehicle for transportation between your residence and place of employment unless your agency authorizes such use after making the necessary determination under 31 U.S.C. 1344 and Part 102-5 of this title. Your agency must keep a copy of the written authorization within the agency and monitor the use of these motor vehicles.

70.205 Home-to-Work (HTW)

All DHS employees are responsible for providing his or her transportation to the work place unless a Home-to-Work transportation request has been authorized. HTW

may be authorized when it is in the best interest of the Department or where a clear threat against an individual is determined to exist. HTW will only be provided in accordance with Title 31 U.S.C. § 1344, Title 41 CFR §102-5.40, DHS Directive 112-05 and DHS Manual 112-05-001. Only the Secretary of DHS can approve Home-to-Work Transportation for DHS employees. This includes any approvals that may be set forth in law.

HTW authorizations are granted for two years from the date of approval by the DHS Secretary unless specifically stated otherwise. HTW transportation will not exceed fifty miles (50) from the employee's official duty station, as detailed on his/her SF-50, and the employee's home of record in each direction. Each Component is responsible for timely and accurate submittals for recertification where an indefinite authority is not in place. Please consult DHS Directive 112-05 and the DHS Manual 112-05-001 for more information regarding Home-to-Work programs.

FMR §102-34.210 – May I use a Government motor vehicle for transportation between places of employment and mass transit facilities?

Yes, you may use a Government motor vehicle for transportation between places of employment and mass transit facilities under the following conditions:

- (a) The head of your agency must make a determination in writing, valid for one year, that such use is appropriate and consistent with sound budget policy, and the determination must be kept on file;
- (b) There is no safe and reliable commercial or duplicative Federal mass transportation service that serves the same route on a regular basis;
- (c) This transportation is made available, space provided, to other Federal employees;
- (d) Alternative fuel vehicles should be used to the maximum extent practicable;
- (e) This transportation should be provided in a manner that does not result in any additional gross income for Federal income tax purposes; and
- (f) Motor vehicle ridership levels must be frequently monitored to ensure cost/benefit of providing and maintaining this transportation.

FMR §102-34.215 – May Government contractors use Government motor vehicles?

Yes, Government contractors may use Government motor vehicles when authorized in accordance with the Federal Acquisition Regulation (FAR), GSA Fleet procedures, and the following conditions:

- (a) Government motor vehicles are used for official purposes only and solely in the performance of the contract;
- (b) Government motor vehicles cannot be used for transportation between residence and place of employment, unless authorized in accordance with 31 U.S.C. 1344 and Part 102-5 of this chapter; and
- (c) Contractors must:
 - (1) Establish and enforce suitable penalties against employees who use, or authorize the use of, Government motor vehicles for unofficial purposes or for other than in the performance of the contract; and

(2) Pay any expenses or cost, without Government reimbursement, for using Government motor vehicles other than in the performance of the contract.

70.215 Contractors Using DHS Owned or Leased Vehicles

Contract personnel may only use DHS owned or leased vehicles if specific language authorizing this action is provided in the applicable contract. The vehicles are to be used in accordance with the provisions outlined in 102-34-215 above and this Manual.

FMR §102-34.220 – What does GSA do if it learns of unofficial use of a Government motor vehicle?

GSA reports the matter to the head of your agency. The agency investigates and may, if appropriate, take disciplinary action under 31 U.S.C. 1349 or may report the violation to the Attorney General for prosecution under 18 U.S.C. 641.

70.220 Unofficial Use of a DHS Owned or Leased Vehicle

DHS owned or lease motor vehicles shall be used for official purposes only. In accordance with 31 USC 1349, Government employees who willfully use or authorize the use of a passenger motor vehicle owned or leased by the United States Government (except for an official purpose) shall be suspended without pay by the head of the Component. Government employees shall be suspended for at least one month and, when circumstances warrant, may be removed from government service.

Note: Fleet Managers shall remind all employees that the appearance of using government vehicles for reasons of personal convenience and pleasure must be avoided at all times.

FMR §102-34.225 – How are Federal employees disciplined for misuse of Government motor vehicles?

If an employee willfully uses, or authorizes the use of, a Government motor vehicle for other than official purposes, the employee is subject to suspension of at least one month or, up to and including, removal by the head of the agency (31 U.S.C. 1349).

70.225 Misuse of DHS Vehicles

The aforementioned procedures and penalties shall be strictly enforced. Misuse of DHS vehicles must be reported to the Department Fleet Manager and the Component Fleet Manager. The Component Fleet Manager may be required to conduct an investigation and report on the findings in cases where unofficial use is suspected and if the alleged action is determined by the Chief Administrative Officer to require such action.

FMR §102-34.230 -- How am I responsible for protecting Government motor vehicles?

When a Government motor vehicle is under your control, you must:

- (a) Park or store the Government motor vehicle in a manner that reasonably protects it from theft or damage; and
- (b) Lock the unattended Government motor vehicle. (The only exception to this requirement is when fire regulations or other directives prohibit locking motor vehicles in closed buildings or enclosures.)

FMR §102-34.235 – Am I bound by State and local traffic laws?

Yes. You must obey all motor vehicle traffic laws of the State and local jurisdiction, except when the duties of your position require otherwise. You are personally responsible if you violate State or local traffic laws. If you are fined or otherwise penalized for an offense you commit while performing your official duties, but which was not required as part of your official duties, payment is your personal responsibility.

70.235 DHS Motor Vehicle Operator Responsibilities

Additions to the aforementioned authority include High Occupancy Vehicle (HOV) and toll lanes. Employees may not drive in HOV lanes unless the minimum occupancy requirement has been met or where the State has authorized HOV lane use for certain HEVs or AFVs. Employees are also not allowed to pass through toll lanes without rendering payment.

Note: Violations of these requirements could result in the privilege of operating a DHS motor vehicle being revoked and personnel action up to and including removal.

FMR §102-34.240 – Who pays for parking fees?

You must pay parking fees while operating a Government motor vehicle. However, you can expect to be reimbursed for parking fees incurred while performing official duties.

FMR §102-34.245 – Who pays for parking fines?

If you are fined for a parking violation while operating a Government motor vehicle, you are responsible for paying the fine and will not be reimbursed.

FMR §102-34.250 – Do Federal employees in Government motor vehicles have to use all safety devices and follow all safety guidelines?

Yes, Federal employees in Government motor vehicles have to use all provided safety devices including safety belts and follow all appropriate motor vehicle manufacturer safety guidelines.

Subpart E—Replacement of Motor Vehicles

FMR §102-34.255 – What are motor vehicle replacement standards?

Motor vehicle replacement standards specify the minimum number of years in use or miles traveled at which an executive agency may replace a Government-owned motor vehicle (see 102-34.270).

FMR §102-34.260 – May we replace a Government-owned motor vehicle sooner?

Yes. You may replace a Government-owned motor vehicle if it needs body or mechanical repairs that exceed the fair market value of the motor vehicle. Determine the fair market value by adding the current market value of the motor vehicle plus any capitalized motor vehicle additions (such as a utility body or liftgate) or repairs. Your agency head or designee must review the replacement in advance.

FMR §102-34.265 – May we keep a Government-owned motor vehicle even though the standard permits replacement?

Yes. The replacement standard is a minimum only, and therefore, you may keep a Government-owned motor vehicle longer than shown in 102-34.270 if the motor vehicle can be operated without excessive maintenance costs or substantial reduction in resale value.

FMR §102-34.270 -- How long must we keep a Government-owned motor vehicle?

You must keep a Government-owned motor vehicle for at least the years or miles shown in the following table, unless it is no longer needed and declared excess:

Table of Minimum Replacement Standards

Federal Management Regulation Minimum Replacement Standards		
Motor Vehicle Type	Years*	Or Miles*
Sedan/Station Wagons	3	60,000
Ambulances	7	60,000
Buses:		
Intercity	n/a	280,000
City	n/a	150,000
School	n/a	80,000
Trucks:		
Less than 12,500 pounds GVWR	6	50,000
12,50-23,999 pounds GVWR	7	60,000
24,000 GVWR and over	9	80,00
4- or 6-wheel drive motor vehicles	6	40,000
*Minimum standards are stated in both years and miles; use whichever occurs first.		

70.270 DHS Replacement Standards

DHS has adopted more stringent guidelines than outlined in the aforementioned regulation. The table below outlines the enhanced guidelines:

Federal Management Regulation Minimum Replacement Standards		
Motor Vehicle Type	Years*	Or Miles*
Sedan/Station Wagons	5	60,000
Ambulances	7	100,000
Buses:		
City	8	200,000
Over the Road	10	300,000
Trucks:		
Less than 12,500 pounds GVWR	8	80,000
12,50-23,999 pounds GVWR	8	80,000
24,000 GVWR and over	10	100,000
4- or 6-wheel drive motor vehicles	6	70,000
*Minimum standards are stated in both years and miles; use whichever occurs first.		

Minimum standards are stated in both years and miles. Any requests for exceptions to these standards must be made in writing to the DHS Fleet Manager. Additionally, all vehicle acquisition requests must be in compliance with EISA 141 or be accompanied by a “Functional Needs or Alternative Measures” exception. All exception requests should be made annually as part of the Component’s Acquisition Planning process; see section 70.80.1 of this Manual.

Subpart F—Scheduled Maintenance of Motor Vehicles

FMR §102-34.275 – What kind of maintenance programs must we have?

You must have a scheduled maintenance program for each motor vehicle you own or lease commercially. This requirement applies to domestic fleets, and is recommended for foreign fleets. The GSA Fleet will develop maintenance programs for GSA Fleet vehicles. The scheduled maintenance program must:

- (a) Meet Federal and State emissions and safety standards;
- (b) Meet manufacturer warranty requirements;
- (c) Ensure the safe and economical operating condition of the motor vehicle throughout its life; and
- (d) Ensure that inspections and servicing occur as recommended by the manufacturer or more often if local operating conditions require.

102-34.275 Additional Guidance on Emissions Testing

In accordance with the Clean Air Act (CAA) Section 118(c), each agency must comply with all applicable provisions of a valid inspection and maintenance program for

all government vehicles. The only vehicle type specifically exempted in the CAA is Military Tactical Vehicles. Various State programs may exempt other vehicle types from emissions testing. Additionally, under CAA Section 188(c), "each department, agency, and instrumentality of executive, legislative, and judicial branches of the Federal Government having jurisdiction over any property or facility shall require all employees which operate motor vehicles on the property or facility to furnish proof of compliance with the applicable requirements of any vehicle inspection and maintenance program established under the provisions of subpart 2 of part D [nonattainment areas for ozone] or subpart 3 of part D [nonattainment areas for carbon monoxide] for the State in which such property or facility is located (without regard to whether such vehicles are registered in the State)." In practical application this means:

1. Vehicles assigned to Federal facilities, their contractors, or eligible grantees, from the GSA Interagency Fleet Management System (IFMS) must meet the emissions testing requirements established for the program area in which the vehicle is garaged or primarily operated.
2. Federal agencies will agree in the lease or transfer agreement on which agency will be responsible for testing vehicles, payment of fees if applicable, and reporting.
3. The Facility Administrator is responsible for ensuring that vehicles obtained by an agency from a commercial source meet the emissions testing requirements established for the program area within the state.

Summary of State Requirements

This is a State, county, and municipality regulated issue. Contrary to past practices, vehicles owned and operated by the Federal government are not automatically exempt from having to undergo emissions testing and obtaining proof of that testing. Some states, in their State regulations, exempt classes of Federal motor vehicles, usually those for tactical use. The requirement for emissions testing of vehicles also applies to GSA motor vehicles which may be operated at your site and by your people. State-by-state guidance concerning air emissions can be found at [ENVCAP's Air Pollution State Resource Locator](#).

FMR §102-34.280 – What State inspections must we have for Government motor vehicles?

You must have the following State inspections for Government motor vehicles:

- (a) Federally-mandated emissions inspections when required by the relevant State motor vehicle administration or State environmental department. Your agency must pay for these inspections if the fee is not waived. GSA Fleet will pay the cost of these inspections for motor vehicles leased from GSA Fleet; or
- (b) For motor vehicles that display license plates issued by a State, Commonwealth, territory, or possession of the United States, motor vehicle safety inspections required by the relevant motor vehicle administration. Your agency must pay for these inspections unless the fee is waived. Payment for these inspections for

motor vehicles leased from GSA Fleet is the responsibility of the using agency. Government motor vehicles that display official U.S. Government license plates do not require motor vehicle safety inspections.

FMR §102-34.285 – Where can we obtain help in setting up a maintenance program?

For help in setting up a maintenance program, contact the:

General Services Administration
Attn: Motor Vehicle Policy
Washington, DC 20405
Email: vehicle.policy@gsa.gov.

Subpart G—Motor Vehicle Crash Reporting

FMR §102-34.290 – What forms do I use to report a crash involving a domestic fleet motor vehicle?

Use the following forms to report a domestic fleet crash. The forms should be carried in any domestic fleet motor vehicle.

- (a) Standard Form (SF) 91, Motor Vehicle Accident Report. The motor vehicle operator should complete this form at the time and scene of the crash if possible, even if damage to the motor vehicle is not noticeable.
- (b) SF 94, Statement of Witness. This form should be completed by any witness to the crash.

FMR §102-34.295 – To whom do we send crash reports?

Send crash reports as follows:

- (a) If the motor vehicle is owned or commercially leased by your agency, follow your internal agency directives.
- (b) If the motor vehicle is leased from GSA Fleet, report the crash to GSA in accordance with subpart 101-39.4 of this Title.

70.295 Reporting DHS Accidents

A motor vehicle accident is any accident involving a Government-owned or leased vehicle that results in bodily injury requiring medical attention, loss of life, or property damage, including vehicle damage of \$500 or more (excluding normal wear and tear, as determined by the location and mission). This definition includes events caused by acts of nature, natural disasters, collisions with inanimate objects, etc. All accidents, whether they are major or minor in nature, must be investigated and reported to determine and document the cause, nature, and possible trends or patterns. This information will be used to formulate corrective actions /preventive measures that can be taken to preclude future occurrences of a similar nature. All other types of damage that result from normal wear and tear need only be reported at the local level.

Motor vehicle operators must adhere to the following procedures immediately following an accident involving another motor vehicle:

- Notify the Federal, Tribal, State or local law enforcement authorities, the GSA Accident Management Center (if the vehicle is GSA leased), and the immediate supervisor or local Fleet Program Manager;
- Stay at the scene of the accident until law enforcement authorities arrive;
- Obtain medical assistance if anyone is injured;
- Due to the possibility of claims or civil suits either against DHS or the employee, the motor vehicle operator involved in an accident while on official business shall make no statements as to the responsibility for the accident except to his or her supervisor or to a Government investigating officer;
- Initiate the SF 94, Statement of Witness, by obtaining the name, address and telephone number of any witness(es) to the accident. Whenever possible, 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;
- Initiate the DHS 510-1 form, Motor Vehicle Accident Report (<http://dhsconnect.dhs.gov/forms/Documents/DHS-510-1.pdf>), by obtaining the name address, telephone number, insurance and license information from the other driver(s) involved in the accident;
 - **Note: Both of the aforementioned forms must be delivered to the local Fleet Program Manager no later than one day following the accident and are available through GSA's on-line Accident Management Center and should be included in the accident kit stored in each vehicle.**
- Provide other driver(s) your name and other work related contact information; be sure to also get their contact information;
- If served with a summons or subpoena resulting from an automobile accident or tort claim, notify the local General Counsel's Office immediately and provide all legal documents and refer to 19 CFR Part 103, Subpart B;
- Do not plead guilty to a traffic violation arising from an accident without first notifying the local General Counsel's Office.

Note: Failure to report a motor vehicle accident could lead to legal and disciplinary action against the employee, and prohibit further motor vehicle use.

Subpart H—Disposal of Motor Vehicles

FMR §102-34.300 – How do we dispose of a domestic fleet motor vehicle?

After meeting the replacement standards under subpart E of this part, you may dispose of a Government-owned domestic fleet motor vehicle. Detailed instructions for the transfer of an excess motor vehicle to another Federal agency can be found in Part 102-36 of this subchapter B, information for the donation of surplus of motor vehicles can be found in Part 102-37 of this subchapter B, information for the sale of

motor vehicles can be found in Part 102-38 of this subchapter B, and information on exchange/sale authority can be found in Part 102-39 of this subchapter B.

70.300 DHS Disposal Procedures

After determining that a motor vehicle is eligible for disposal, the Component Fleet Manager must notify other Component Fleet Managers of the availability of the excess vehicle(s) for reutilization within DHS. After an appropriate screening period (usually seven days), the vehicles can be:

1. Transferred to another DHS organization,
2. Reported to GSA for screening and possible reutilization elsewhere in the Government, or
3. Sold, with the sales proceeds being used to acquire replacement vehicles (known as an Exchange/Sale transaction), or sold with the sales proceeds being turned in to the Department of Treasury.

If vehicles are being transferred internally, the gaining organization is responsible for arranging payment for the transfer. Transfers to other Federal agencies may only be done after the vehicle has been offered to other DHS Components and must be approved by the DHS Fleet Manager. Transfers or loans to non-Federal entities are not allowed without prior approval from the DHS Fleet Manager.

Cannibalization of Vehicles: The policy of DHS is that no vehicle be cannibalized unless it has been reported for disposal and GSA was unable to sell it, or it was in salvage condition, not requiring reporting to GSA, and the local office documents that all of the following conditions exist:

- Repair of broken or worn parts is not possible.
- Required parts are not available from other vehicles previously cannibalized.
- Required parts are not available commercially or through Government supply or excess sources.
- Repairing the vehicle is economically unfeasible

Only after the above procedures have been followed may a vehicle be cannibalized.

FMR §102-34.305 – What forms do we use to transfer ownership when selling a motor vehicle?

Use the following forms to transfer ownership:

(a) SF 97, The United States Government Certificate to Obtain Title to a Motor Vehicle, if both of the following apply:

1. The motor vehicle will be retitled by a State, Commonwealth, territory or possession of the United States or the District of Columbia; and
2. The purchaser intends to operate the motor vehicle on highways.

Note to 102-34.305(a)(2): Do not use SF 97 if the Government-owned motor vehicle is either not designed or not legal for operation on highways. Examples are construction equipment, farm machinery, and certain military-design motor vehicles and motor vehicles that are damaged beyond repair in crashes and intended to be sold as salvage only. Instead, use an appropriate bill of sale or award document. Examples are Optional Form 16, Sales Slip–Sale of Government Personal Property, and SF 114C, Sale of Government Property–Bid and Award.

(b) SF 97 is optional for foreign fleet motor vehicles because foreign governments may require the use of other forms.

Note to 102-34.305: The original SF 97 is printed on secure paper to identify readily any attempt to alter the form. The form is also pre-numbered to prevent duplicates. State motor vehicle agencies may reject certificates showing erasures or strikeovers.

FMR §102-34.310 – How do we distribute the completed Standard Form 97?

SF 97 is a 4-part set printed on continuous-feed paper. Distribute the form as follows:

- (a) Original SF 97 to the purchaser or donee;
- (b) One copy to the owning agency;
- (c) One copy to the contracting officer making the sale or transfer of the motor vehicle; and
- (d) One copy under owning agency directives.

Subpart I—Motor Vehicle Fueling

FMR §102-34.315 – How do we obtain fuel for Government motor vehicles?

You may obtain fuel for Government motor vehicles by using:

- (a) A Government-issued charge card;
- (b) A Government agency fueling facility; or
- (c) Personal funds and obtaining reimbursement from your agency, if permitted by your agency. You must use the method prescribed by GSA Fleet to obtain fuel for vehicles leased from GSA fleet.

FMR §102-34.320 – What Government-issued charge cards may I use to purchase fuel and motor vehicle related services?

(a) You may use a fleet charge card specifically issued for this purpose. These cards are designed to collect motor vehicle data at the time of purchase. Where appropriate, State sales and motor fuel taxes may be deducted from fuel purchases by the fleet charge card services contractor before your agency is billed; otherwise you may need to request reimbursement from each State to which taxes were paid. The GSA contractor issued fleet charge card is the only Government-issued charge card that may be used for GSA

Fleet motor vehicles. For further information on acquiring these fleet charge cards and their use, contact the:

General Services Administration
ATTN: GSA SmartPay® (QMB)
2200 Crystal Drive
Arlington, VA 22202.

(b) You may use a Government purchase card if you do not have a fleet charge card or if the use of such a Government purchase card is required by your agency mission. However, the Government purchase card does not collect motor vehicle data nor does it deduct State sales and motor fuel taxes.

Note to 102-34.320: OMB Circular A-123, Appendix B, contains additional specific guidance on the management, issuance, and usage of Government charge cards. The Appendix B guidance consolidates and updates current Governmentwide charge card program requirements and guidance issued by the Office of Management and Budget, GSA, Department of the Treasury, and other Federal agencies. Appendix B provides a single document to incorporate changes, new guidance, or amendments to existing guidance, and establishes minimum requirements and suggested best practices for Government charge card programs that may be supplemented by individual agency policy procedures.

FMR §102-34.325 – What type of fuel do I use in Government motor vehicles?

(a) Use the minimum grade (octane rating) of fuel recommended by the motor vehicle manufacturer when fueling Government motor vehicles, unless a higher grade of fuel is all that is available locally.

(b) Use unleaded gasoline in all foreign fleet motor vehicles designed to operate on gasoline unless:

- (1) Such use would be in conflict with country-to-country or multi-national logistics agreements; or
- (2) Such gasoline is not available locally.

(c) You must use alternative fuels in alternative fuel motor vehicles to the fullest extent possible as directed by regulations issued by the Department of Energy implementing the Energy Policy Act and related Executive Orders.

70.325 Fueling DHS Vehicles

Fuel purchased for DHS owned vehicles must be done in accordance with the provisions outlined in the DHS Fleet Card Manual, which can be found at http://dhsconnect.dhs.gov/org/comp/cfo/bank_card/Documents/Fleet%20card/Fleet%20Card%20Manual.pdf.

All DHS Components must be able to account for all fuel used by their respective fleets. This includes bulk fuel transactions, point of sale transactions and all transactions

resulting from redistribution from tanks/takers to vehicles. The Component must keep a clear record of all transactions and make them available for review/audit upon request.

Use of premium grade fuel is strictly prohibited unless specifically required by the vehicle manufacturer.

Alternative fuel vehicles should be placed in locations where the fuel is available within 5 miles of the garage location and must use alternative fuel whenever practicable. For a complete listing of E85 fueling stations, visit www.E85refueling.com. To locate alternative fueling stations using your smart phone or PDA, visit www.afdc.energy.gov/afdc/locator/m/stations/.

Note: DHS Components with Bulk Fuel Pumping Programs: All DHS Components utilizing bulk fuel will purchase their fuel through the Defense Logistics Energy Agency in accordance with the signed Inter-Agency Agreement and supporting documentation.

Subpart J—Federal Fleet Report

FMR §102-34.330 – What is the Federal Fleet Report?

The Federal Fleet Report (FFR) is an annual summary of Federal fleet statistics based upon fleet composition at the end of each fiscal year and vehicle use and cost during the fiscal year. The FFR is compiled by GSA from information submitted by Federal agencies. The FFR is designed to provide essential statistical data for worldwide Federal motor vehicle fleet operations. Review of the report assists Government agencies, including GSA, in evaluating the effectiveness of the operation and management of individual fleets to determine whether vehicles are being utilized properly and to identify high cost areas where fleet expenses can be reduced. The FFR is posted on GSA's Motor Vehicle Management Policy Internet website (<http://www.gsa.gov/vehiclepolicy>).

70.330 DHS Reporting Requirements

The DHS Motor Vehicle Fleet Program is responsible for preparing numerous reports to a myriad of recipients. The number of reports required of the Department is increasing with the advent of more stringent and comprehensive environmental and energy policy. The table below lists each of the reports currently required. The detailed contents of each report can be found in the corresponding report guidance which is disseminated separately and therefore not listed in this Manual.

Report Title	Submitting Office	Supporting Office	Report Due Date
OMB Transportation Scorecard	DIIS Fleet Manager	AD for Mobile Assets Director ALM Director OSEP	January and June
Fleet Specific Sustainability Plan	Component Fleet Manager	Department Fleet Manager	January 31
Energy Policy Act of 2005 EPA 2005 Section 701: Request waivers for individual vehicles from requirement to use alternative fuel in dual-fueled AFVs	Component Fleet Manager	DIIS Fleet Manager	May 31
EISA 246 Report on Renewable Fuel Pump Installation	DIIS Fleet Manager	Component Fleet Manager	June 30
OMB A-11 Annual Motor Vehicle Fleet Report	Component Fleet Manager	Component Financial Officer	August 30
FAST Inventory Report	DHS Fleet Manager	Component Fleet Manager	November 19
Monthly Vehicle Procurement Plan	Component Fleet Manager	Department Fleet Manager	Monthly
DIIS Component Scorecard	Component Fleet Manager	Department Fleet Manager	Quarterly
Secretary's 60-Day Efficiency Review Initiative (Fleet Tool)	Component Fleet Manager	Department Fleet Manager	Quarterly
Secretary's 120-Day Efficiency Review Initiative (Hybrids/AFV's)	Component Fleet Manager	Department Fleet Manager	Quarterly
Annual Vehicle Acquisition Plan	Component Fleet Manager	Department Fleet Manager and DARB	Annually

FMR §102-34.335 – How do I submit information to the General Services Administration (GSA) for the Federal Fleet Report (FFR)?

(a) Annually, agencies must submit to GSA the information needed to produce the FFR through the Federal Automotive Statistical Tool (FAST), an Internet-based reporting tool. To find out how to submit motor vehicle data to GSA through FAST, consult the instructions from your agency fleet manager and read the documentation at <http://fastweb.incl.gov/>.

(b) Specific reporting categories, by agency, included in the FFR are—

- (1) Inventory;
- (2) Acquisitions;
- (3) Operating costs;
- (4) Miles traveled; and
- (5) Fuel used.

Note to 102-34.335: The FAST system is also used by agency Fleet Managers to provide the Department of Energy with information required by the Energy Policy Act and related Executive Orders. In addition, the Office of Management and Budget (OMB) requires agency Fleet Managers and budget officers to submit annual agency motor vehicle budgeting information to OMB through FAST (see OMB Circular A-11, Preparation, Submission, and Execution of the Budget).

FMR §102-34.340 – Do we need a fleet management information system?

Yes, you must have a fleet management information system at the department or agency level that—

- (a) Identifies and collects accurate inventory, cost, and use data that covers the complete lifecycle of each motor vehicle (acquisition, operation, maintenance, and disposal); and
- (b) Provides the information necessary to satisfy both internal and external reporting requirements, including:
 - (1) Cost per mile;
 - (2) Fuel costs for each motor vehicle; and
 - (3) Data required for FAST (see 102-34.335).

FMR §102-34.345 – What records do we need to keep?

You are responsible for developing and keeping adequate accounting and reporting procedures for Government motor vehicles. These will ensure accurate recording of inventory, cost, and operational data needed to manage and control motor vehicles, and will satisfy reporting requirements. You must also comply with the General Records Schedules issued by the National Archives and Records Administration (<http://www.archives.gov>).

102-34.345 Record-keeping for DHS Vehicles

Vehicle Record	Retention Period
Acquisition and valuation documents	Life of vehicle plus 3 years
Operating costs including costs related to gas and oil consumption, dispatching, and scheduling	7 years
Maintenance records including service and repair	Life of vehicle plus 3 years
Other vehicle reports	3 years
Accident reports, including reports of survey	6 years after case closed
Disposal information	3 years
Other correspondence	3 years

Subpart K—Forms

FMR §102-34.350 – How do we obtain the forms prescribed in this part?

See 102-2.135 of this chapter for how to obtain forms prescribed in this part.

DHS Appendix

Appendix A – DHS Directive # 118-01: Motor Vehicle Fleet Program Management

**Department of Homeland Security
Directives System
Directive Number: 118-01
Issue Date:
MOTOR VEHICLE FLEET
MANAGEMENT PROGRAM**

I. Purpose

This Directive establishes the Department of Homeland Security (DHS) policy for Motor Vehicle Fleet Management.

II. Scope

This Directive applies throughout DHS.

DHS Management Directive 0510, Motor Vehicle Fleet Management, is cancelled.

III. Authorities

- A. Title 6, United States Code (U.S.C.), Section 341, "Under Secretary for Management"
- B. 31 U.S.C. § 1343, "Buying and leasing passenger motor vehicles and aircraft"
- C. 31 U.S.C. § 1344, "Passenger carrier use"
- D. 31 U.S.C. § 3512b and § 3512c, "Executive agency accounting and other financial management reports and plans"
- E. 40 U.S.C. Chapter 5, Subchapter VI, "Motor Vehicle Pools and Transportation Systems"
- F. 41 Code of Federal Regulations (C.F.R.) Chapter 102, "Federal Management Regulation"
- G. 41 C.F.R. part 102-34, "Motor Vehicle Management"

H. DHS Management Directive (MD) 119-03, "Personal Property Management Program"

IV. Responsibilities

A. The **Chief Administrative Officer (CAO)** promulgates the Department's Motor Vehicle Fleet Program policy and provides oversight of the program.

B. The **Chief Human Capital Officer (CHCO)** establishes disciplinary policy for the Department which covers transportation misuse, misconduct, and/or abuse by DHS employees.

C. The **Director for Mobile Assets & Personal Property** provides oversight and management of the Department's Motor Vehicle Fleet Program.

D. The **Component Head** oversees the Motor Vehicle Fleet Management Program within their Component and shall designate, in writing, a Federal employee as the single Point of Contact (POC) for the Component Motor Vehicle Fleet Program, who shall be responsible for ensuring compliance with the Department's Fleet Management Program

V. Policy and Requirements

A. The CAO selects and implements a vehicle management system in accordance with regulation.

B. The Office of the Director for Mobile Assets & Personal Property provides guidance for Component programs.

C. The Office of the Director for Mobile Assets & Personal Property conducts internal audits and management analyses of the program and activities of each Component, as associated with the Motor Vehicle Fleet Program.

D. Components shall use the vehicle management system as prescribed by the CAO.

E. Components shall conduct their Motor Vehicle Fleet Management Program in accordance with all laws, regulations, and Department policies and procedures.

F. Components shall obtain and utilize only the minimum number and types of vehicles required for the efficient and effective transaction of official business, including law enforcement.

G. Components, to the maximum extent possible, shall acquire and utilize hybrid electric or alternative fuel/flex fuel vehicles.

H. Components shall submit all documents required for acquisition program review to the DHS Acquisition Review Board (DARB), or the Acquisition Program Management Division (APMD), as appropriate.

VI. Questions

Address any questions or concerns regarding this Directive to the Office of the Chief Administrative Officer.

Rafael Borrás
Under Secretary for Management

Date

Appendix B – DHS MD # 112-05: Home-to-Work Transportation Programs

Department of Homeland Security
DHS Directives System Directive Number: 112-05 Revision Number: 001
Issue Date: 1/12/2010

HOME-TO-WORK TRANSPORTATION PROGRAMS

I. Purpose

This Directive establishes policies, assigns responsibilities and prescribes procedures governing the use of home-to-work transportation programs throughout the Department of Homeland Security (DHS).

II. Scope

- A. This Directive applies throughout DHS.
- B. DHS Management Directive 0530.1, Home-to-Work Transportation Programs, is hereby cancelled.

III. Authorities

- A. Title 31, United States Code (U.S.C.), Section 1344, "Passenger carrier use"
- B. Title 41, Code of Federal Regulations (C.F.R.), Part 102-5, "Home-to-Work Transportation"

IV. Responsibilities

A. Component heads:

- Submit requests to the Secretary, through the Office of the Chief Administrative Officer (OCAO). Authority to submit such requests may not be re-delegated by the Component heads (except to the individual exercising the authority of the Component head under Delegation 0106, "Succession Order and Delegation of Authorities for Named Positions").
- Ensure that such requests directly and specifically facilitate the performance of a Component mission.
- Ensure that adequate records are initiated and maintained so as to preclude fraud, waste and/or abuse, document that travel was done for official purposes only and maintained in accordance with the National Archives and Records Administration General Record Schedule 3.
- Account for and report as necessary taxable benefits rising from employee use of the program.
- Establish management and internal controls sufficient to detect and preclude abuse. Of particular note, such internal controls provide a method for accounting for any income tax impact rising from the use of a home-to-work vehicle.
- Provide a detailed analysis of the costs of the proposed home-to-work program within their Component

—. Submit annually to the Office of the Chief Administrative Officer a certification of the ongoing need for each home-to-work transportation program. Included in the annual certification will be a comparison of costs between those proposed in the original request and those actually incurred in the performance of the program.

B. The Chief Financial Officer:

—. Advises the Component Financial Officers of the requirements for reporting any fringe benefits attributable to participation in home-to-work transportation programs on the employees' W-2.

C. The Chief Administrative Officer:

—. Reviews requests submitted by the Components, ensuring compliance with applicable laws and regulations and makes a recommendation to the Under Secretary for Management regarding the proposed program;

—. Reviews management and internal control plans submitted by the Components as part of the authorization request and, from time to time, conducts a review of the efficacy of Components' efforts in this regard;

—. Prepares consolidated notifications to Congress, as required by 31 U.S.C. § 1344.

D. The Chief Human Capital Officer:

—. Establishes procedures for addressing abuses which are sufficient to comply with the requirements of 31 U.S.C. § 1349.

E. Employees

—. Do not use government assigned vehicles for personal use.

V. Policy

A. In accordance with Title 31 U.S.C. § 1344, only the Secretary may approve home-to-work transportation; this authority may not be re-delegated.

B. Under no circumstances will home-to-work transportation be authorized solely or principally for the comfort or convenience of an employee.

C. Requests to establish and/or modify a home-to-work transportation program are considered only under the following conditions:

1. For persons engaged in field work: An assignment to field work does not, in itself, provide an entitlement to home-to-work transportation. Requests for a home-to-work transportation program based on the field work exemption are based on an ongoing condition that requires the employee to spend a significant amount of time in the field. Component home-to-work transportation programs must contain programmatic management and internal controls sufficient to ensure that home-to-work transportation is only provided on those intermittent occasions for which the requirement actually exists. A field work exemption is not requested, nor is it considered, when the employee's workday begins at the

employee's workplace, or when the employee commutes to a fixed location, regardless of the distance from the employee's official duty station, unless the location is accessible only with government transportation.

2. For persons engaged in intelligence, counter-intelligence, protective services or criminal law enforcement: Requests to establish a home-to-work program based on this exemption require that the employee(s) be engaged directly in one of these four areas and that the employee occupy a position for which transportation between the employee's residence and various locations is essential to the safe and efficient performance of those duties. Employees providing support to these positions are generally not considered for the exemption. In initiating the request, the Component Head certifies that all personnel provided home-to-work transportation under this exemption are directly involved in the execution of tasks under one of these four areas.

3. For persons for whom there is a clear and present danger, or compelling operational considerations or declared emergencies. Requests to establish home-to-work programs based on this exemption are held to an absolute minimum. An employee may be authorized home-to-work transportation when highly unusual circumstances present the conditions of a clear and present danger to the individual. Such conditions will be well documented, and accompanied by a report from the security service supporting the requesting Component, confirming the existence of the threat. Requests for home-to-work transportation based on compelling operational circumstances must contain clear and concise justification identifying the unique circumstances or events prompting the request. Requests approved under this exemption do not exceed 15 days in duration. The Secretary may review such requests, and extend them as appropriate every 15 days, not to exceed a total of 90 days.

- D. Exemptions carry the further limitation in that only other federal employees, who, at the time of the transport are operating in official business, are authorized to share space as passengers. No other persons are authorized.
- E. Employees for whom home-to-work transportation is requested are not authorized to use such transportation until fully approved by the Secretary.
- F. Contingency determinations may be requested to ensure that certain employees are ready to respond to foreseeable, but sudden and immediate circumstances that arise without warning. In order to provide a capability to respond immediately, Components may prepare contingency determinations that identify situations which, if and when such situations occur, will authorize designated employees be provided home-to-work transportation. Contingency determinations require development of administrative controls and supervisory review to prevent abuse. Contingency determinations may be based on situations which present a clear and present danger, emergency, or compelling operational considerations and must be part of a Department-approved plan to respond to emergent circumstances. Such contingent circumstances must be clear, well-defined and of limited duration. See Title 41 C.F.R. § 102-5.50

G. The Components' internal controls are reviewed by the Chief Administrative Officer's Internal Control staff to ensure appropriations limitations are not exceeded and the program is operated in compliance with the law.

VI. Questions

Address questions regarding this Directive to the Office of the Chief Administrative Officer.

Appendix C – DHS Motor Vehicle Fleet Program Acquisition Guide

1. Introduction: Acquisition Processes & Checklists

1.1 Overview

The following pages detail the vehicle acquisition procedures employed by the Department of Homeland Security (DHS) and its Components to justify, approve and acquire additional vehicles (new mission requirement), replacement vehicles (replace current assets) and non-standard vehicles (whether new or replacements, whether acquired through GSA lease, purchase, or commercial procurement). In addition to the narrative and copies of the Compliance Verification Checklists to be used, flow-charts incorporated into this document map the process path and key decision points.

The requirements addressed by each acquisition process are based on various motor-vehicle related laws, regulations, and directives enacted by Congress, the Executive Branch, the Office of Management and Budget (OMB), the Government Accountability Office (GAO), and others as executed by DHS HQ. Therefore, the intent of this document is to provide a single, comprehensive source of processes (checklists) that will assist Fleet Managers in administering the DHS vehicle acquisition program.

DHS and its Components are dedicated to promoting energy efficiency and reducing petroleum consumption and greenhouse gas (GHG) emissions through vehicle fuel efficiency; timely vehicle maintenance; minimized idling; acquisition of alternative fueled vehicles (AFVs), low GHG-emitting vehicles and hybrid electric vehicles; use of alternative fuels (E10, E85); use of biodiesel (B5, B20); and fleet right-sizing, at a minimum. The commitment of the Department is reflected in the acquisition processes.

All Component Fleet Acquisition Plans will be reviewed as follows:

- ✓ Large programs (Components with 5,000 or more FAST reportable vehicles) must submit their plans to the Office of the Chief Procurement Officer through the Acquisition Program Management Division (CPO/APMD).
- ✓ If a Component Fleet Acquisition Plan requires submission to CPO/APMD, a schedule for that review will be sent to the Fleet Manager 30 days prior to the scheduled review.
- ✓ DHS HQ will review programs not required to be reviewed by CPO/APMD annually to ensure compliance.
- ✓ Each Component Fleet Manager will be notified of his or her respective requirements by the DHS Fleet Manager within 30 days of the scheduled review.
- ✓ The DHS Fleet Manager will develop and distribute a list of documents required for review to the Component Fleet Managers.
- ✓ These documents will facilitate reviews by the CPO/APMD.
- ✓ All Component Fleet Managers will be required, at a minimum, to outline their respective acquisition plans and detail their compliance with applicable laws, regulations and policies.
- ✓ Programs subject to review by DHS HQ will be performed in person with recommendations made no later than 30 days after each scheduled review.

1.2 Acquisition Rules and Regulations

Fleet Managers will conform to the laws, regulations, and standard acquisition policies, processes and procedures for all vehicles being acquired, irrespective of the acquisition method. Addendum A and the *DHS Motor Vehicle Fleet Program Manual* list the applicable rules and regulations. Fleet Managers will apply vehicle selection guidelines, methods, and tools to the acquisition process, including those listed below:

- a. Use GSA as the primary source of supply for procurement of all new commercially available motor vehicles, if possible, unless non-standard vehicles are specifically required and justified.
- b. Acquire all motor vehicles in accordance with the *DHS Motor Vehicle Fleet Program Manual* (*Manual* hereafter).
- c. Adhere to the policies and procedures outlined in the *Manual* for acquiring fuel efficient motor vehicles.
- d. Wherever practical, requirements for motor vehicles must be satisfied under GSA's existing standardized buying programs.
- e. Use Federal specifications and standards for purchasing of vehicles, motorized equipment, accessories, and additional equipment except when an existing Federal specification does not adequately cover the essential needs of DHS or the Component.
- f. Process all requisitions for commercially available vehicles via GSA's AutoChoice System.

Note: *Control fleet size. To accomplish this, Components must not only prohibit unauthorized additions to the fleet but also block these from occurring informally.*

- g. Select motor vehicles with the maximum fuel efficiency, minimum body size, engine size, and optional equipment necessary to meet program requirements, unless exempted as detailed in the *Manual*.
- h. Ensure requirements are met for achieving maximum fuel economy standards and reducing petroleum consumption and greenhouse gas (GHG) emissions by right-sizing the fleet (number and types of vehicles). All DHS light- and medium-duty vehicles must be acquired in accordance with EISA 141 and have a GHG emissions score of 7 or higher beginning in FY2011 (see Addendum A). Further guidance on the requirements of EISA 141 can be found in the *Manual*.
- i. Limit new sedans, station wagons, and light- and medium-duty trucks as defined in the Federal Standard published by the GSA Automotive Division, other than those exempted (for example, LE-1 vehicles). Further clarification can be found in Executive Order 13514, Section 12 *Guidance* and the *Manual* (or contact the DHS Fleet Manager).
- j. Purchase medium- and heavy-duty trucks in accordance with the *Manual*.
- k. Ensure that requests for motor vehicles with additional systems and equipment for Government-owned or -operated passenger motor vehicles will be procured in accordance with the guidelines in the *Manual*. The request must contain the

information requirements identified in this document and the *Manual*. The selection must be considered essential and based on the need to provide safety, efficiency, economy, and suitability for the purposes intended.

2. Additional Vehicle(s) Acquisition Process (New Requirement)

Prior to increasing the fleet size by acquiring a vehicle from excess, commercial or GSA lease, new procurement, or acceptance via transfer or donation, Component Fleet Managers must justify the vehicle and obtain approval from the DHS Fleet Manager, regardless of the source of supply and/or funding. Acquisition of vehicles must be approved before entering into any type of agreement with another Federal agency, contractors and sub-contractors or private organizations. DHS and Component Fleet Managers will ensure compliance.

As previously noted, GSA is the mandatory source of supply for procurement of all new commercially available motor vehicles, unless non-standard vehicles are specifically required. However, for tactical vehicles, experimental, prototype, used vehicles or vehicles equipped with aftermarket converted engines for use with alternative fuels, GSA is not the mandatory source nor does GSA purchase these asset types. Also, GSA waivers are not required to purchase these exempt vehicles. GSA approval via the Secretary of DHS is required for the local purchase of motor vehicles from commercial sources.

The following acquisition-process steps correspond to the questions to be answered in the Additional Vehicle(s) Compliance Verification Checklist. See Addendum B for a flowchart of the process. See Addendum C for an illustration of the Checklist. The electronic Checklist itself is separately available on the DHS Mobile Assets web-page.

Step 1: Requestor Completes the Additional Vehicle(s) Compliance Verification Checklist

At the top of the Checklist, provide the requested information, including

- Requesting Component (a drop-down list is provided in the electronic version; select your Component)
- Requesting Field Office
- Contact Person
- Email address
- What method of acquisition will be used (a drop-down list is provided in the electronic version, as shown below; select the method for the vehicle(s) you will be adding to your fleet)
 - Purchase - Autochoice
 - Purchase - GSA Schedule
 - Purchase - OGA Contract
 - GSA Fleet Lease
 - GSA Excess
 - Acquisition through legal seizure
 - Commercial Lease

Each question in the Checklist represents a step that the Requestor must complete.

Q 1	Have you created a written justification that documents the need to add this vehicle to the fleet and do you have such justification on file if needed for audit purposes?
-----	--

Vehicle justification is essential to controlling fleet size and to an effective Vehicle Allocation Methodology (VAM). See the *Manual*, section 70.80.1, and the *Comprehensive Federal Fleet Management Handbook*, Chapters 3, 4, and 5. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 2	Why is this vehicle being requested?
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The need for the additional fleet vehicle(s) should be understood and documented. A clear rationale and explanation of that rationale is the first step in justifying the government-provided transportation, incurring the added cost, increasing DHS’s petroleum consumption and greenhouse gas emissions. A drop-down in the electronic checklist allows one of three possible answers:

Mission Expansion
Maintain Person to Vehicle Ratio
Increased Utilization

Q 3	Have you assessed all other means of transportation such as use of a motor pool, rental, taxi, bus, POV or other transportation alternatives to determine if the vehicle is still needed?
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A key step in a Vehicle Allocation Methodology (VAM) is considering whether an alternative means of transportation, rather than the Federal government providing a vehicle, can meet the transportation need. This question requires that you assess transportation alternatives before acquiring additional vehicles. For further discussion, see section 70.80.2, Acquisition Planning in the *Manual*, which states: “All DHS Components are required to follow the guidance provided by DOE’s Federal Energy Management Program (FEMP) as specified in the *Comprehensive Federal Fleet Management Handbook* dated June 2010” (see Chapters 3, 4, and 5). Use of transportation alternatives can yield reduced petroleum consumption and greenhouse gas (GHG) emissions, as required by Executive Order (EO) 13514. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 4	Will this vehicle be used regularly by more than one person - i.e., multiple drivers, a work crew, or transporting several people? (answer No if used primarily by one person)
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A “yes” answer suggests the type of vehicle that will be needed (e.g., van or pickup, perhaps with crewcab). The response relates to Subpart B of the FMR, which addresses Obtaining Fuel Efficient Motor Vehicles. See, specifically, FMR §102-34.50 – What size motor vehicles may we obtain? The Requester should add fleet vehicles with the smallest and most fuel efficient type possible. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 5	Will this vehicle be used at least five days per week, every week (except holidays)?
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A measure of utilization is how many days a week a vehicle will be driven (aside from miles driven and hours utilized). Low mileage can often be offset by daily need. The Requestor who answers “no” must be able to justify the need for the added vehicles when they may sit, unused, a day (or more) a week. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 6	Is the requested vehicle any type of vehicle OTHER THAN an SUV? (answer No if the request is for an SUV)
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Subpart B of the FMR addresses Obtaining Fuel Efficient Motor Vehicles. See, specifically, FMR §102-34.50 – What size motor vehicles may we obtain? The Requester should add fleet vehicles that are the smallest and most fuel-efficient type possible. A “no” answer means that the Requestor must be able to justify acquisition of an SUV. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 7	Is the requested vehicle any type of vehicle OTHER THAN a Special Purpose? (answer No if the request is for a Special Purpose)
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The same considerations apply to Special Purpose vehicles added to the fleet as for other vehicle types. In the electronic checklist, an informational note that defines Special Purpose vehicles will pop up when you place your cursor over the question. A drop-down in the electronic checklist allows either a “yes” or “no” answer. Questions 24 through 30 ask for more information about Special Purpose vehicles, and they are detailed below.

Q 8	Will this vehicle be garaged within a Metropolitan Statistical Area (MSA)?
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EPAct 1992 requires that 75% of light-duty vehicles acquired in Metropolitan Statistical Areas be alternative fuel vehicles (AFVs). The Requestor must determine whether appropriate AFVs are available when adding vehicles to the fleet. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 9	Can this vehicle be an AFV or hybrid vehicle?
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In addition to EPAct 1992, EO 13423, EO 13514, and the *Comprehensive Federal Fleet Management Handbook* (see chapters 5, 6, and 7 in particular), an affirmative response is essential for achieving compliance with the DHS Secretary's 120-Day Efficiency Review Initiative. The Requester should determine whether the additional fleet vehicles could be AFVs or hybrids. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 10	If an AFV, will this vehicle have reasonable access to alternative fuels such as E85, Biodiesel, or CNG (i.e., within 5 miles or 15 minutes)? (if No, no explanation required) Documentation may be required.
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EPAct 2005 requires the use of alternative fuels in Federal dual-fueled AFVs unless the Department of Energy determines that an agency qualifies for a waiver. The waiver covers vehicles operated by an agency in a particular geographic area in which the alternative fuel required for use in the vehicle is not reasonably available (within a 5-mile or 15-minute drive of the vehicles' garaged location). This question requires the Requestor to have determined whether the additional vehicle(s) will have access to an

alternative fuel or biodiesel. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 11	Have you confirmed that a Low Speed Electric Vehicle (LSEV) cannot perform this mission?
------	--

EISA section 141 Guidance, XI(A) states: “An agency should include NEVs (with a GHG score of 10) in its mix of vehicles when using the Federal Vehicle GHG Emissions Calculator as described in section X(B)(i).” This question requires the Requestor to have determined whether a LSEV can serve as the added “vehicle(s).” A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Note: NEVs are interchangeable with LSEVs.

Q 12	Does the requested vehicle have the minimum Greenhouse Gas rating required by EISA Section 141 Guidance?
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See EISA section 141 Guidance, I, III, V. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 13	Have you used the EISA Section 141 Vehicle GHG Assessment Tool to confirm that the average GHG Score cumulatively at this location is greater than 7?
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See EISA section 141 Guidance, X(C); the *Manual*, section 70.65. The Assessment Tool can be downloaded from the Green Vehicle Guide’s Federal Vehicle Acquisition Web site at www.epa.gov/greenvehicles/Federalfleet.do. If you use the Tool, you must receive approval from the DHS Fleet Manager that it “properly and accurately accounts for all applicable motor vehicle acquisitions completed in a fiscal year or other acquisition cycle specified by the agency.” A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 14	Is this vehicle the smallest and most fuel efficient type that will perform the mission?
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Subpart B of the FMR addresses Obtaining Fuel Efficient Motor Vehicles. See, specifically, FMR §102-34.50 – What size motor vehicles may we obtain? The Requester should acquire the smallest and most fuel-efficient fleet vehicles possible. A “yes” answer means that the Requestor has ensured that this step has been taken. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 15	Have you submitted written justification for any sedan/station wagon larger than Class III (Midsize) to the DHS Fleet Manager?
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The *Manual*, section 70.50, What Size Vehicles DHS Fleet Managers May Acquire, requires approval by the DHS Fleet Manager for acquiring any sedan/station wagon larger than Class III through a formal justification process. If the question does not apply, answer “no” and enter an explanation in the space provided on the Checklist. See Addendum B for a sample justification worksheet. A drop-down in the electronic checklist allows either a “yes,” “no,” or NA (not applicable) answer.

Q 16	If the requested vehicle type is for Law Enforcement Level 1 (L/E 1), have you evaluated and confirmed that it will actually be used for L/E 1 activities regularly?
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See the *Manual*, section 70.35, Additional DHS Definitions and Acronyms, Law Enforcement Vehicles. A “yes” answer indicates that the Requestor has supporting documentation for use of the vehicle(s). A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 17	If this vehicle falls under the “Functional Needs Exception” established by the DHS HQ definition for Law Enforcement Level 1 (L/E 1) vehicles, have you verified that either a specific functional need cannot be met by a low GHG-emitting vehicle or that the Component has implemented cost-effective alternative measures that result in an equivalent amount of petroleum consumption and GHG emission reductions?
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See EISA Section 141 Guidance, X(A) and the *Manual*, section 70.60. Note that the Guidance states: “An agency’s determinations must be detailed in writing. Records of such determinations should be maintained for at least five years and/or in accordance with agency-specific recordkeeping requirements.” A drop-down in the electronic checklist allows either a “yes,” “no,” or NA (not applicable) answer.

Q 18	What is the estimated minimum annual miles this vehicle will be operated (enter mileage figure)?
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Utilization is a key determinant of vehicle need. Your plan of use should include your expectation of how many miles the vehicle(s) will be driven annually.

Q 19	Have you reviewed projected utilization for the requested vehicle to confirm it will meet minimum usage and eventual replacement requirements as set by the Component and DHS HQ (Motor Vehicle Fleet Program Manual)?
------	--

You will find the replacement standards in the *Manual*, which incorporates the Federal standards from the FMR 102.34 (see Subpart E, Replacement of Motor Vehicles and section 70.270 DHS Replacement Standards). A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 20	If this vehicle is expected to travel more than 8,000 miles per year, can it be leased from GSA, rather than purchased?
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See the *Manual*, section 70.80.3, which details the requirements for a lease vs. own analysis. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 21	Have you completed a lease vs. own cost comparison, as required for all new vehicles?
------	---

See the *Manual*, sections 70.80.3, Acquiring Motor Vehicles. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 22	If this request is for local purchase, has a waiver from using GSA’s Auto Choice been requested through the DHS Fleet Manager?
------	--

Use of GSA’s Auto Choice is required. Requestor must obtain a waiver to acquire a vehicle outside the GSA system. See the *Manual*, section 70.80.4. A drop-down in the electronic checklist allows either a “yes,” “no,” or NA (not applicable) answer.

If the request is for a Special Purpose vehicle, the following eight questions apply. For each, a drop-down in the electronic checklist allows either a “yes” or “no” answer. If explanation or descriptive detail is required, enter the information in the Explanation Box at the bottom.

Q 23	Have you provided a detailed description and specified the appropriate vehicle standards or options required, not included in the Federal Standard, in the Explanation Box below?
------	---

Developing specifications and an appropriately detailed description for the special purpose vehicle(s) are essential steps in the acquisition process.

Your decision to request a Special Purpose vehicle should take into consideration the following:

Q 24	Climatic conditions prevailing in the area of vehicle operation?
------	--

For many components, climate varies across geographical areas of operational responsibility and can affect performance. Due diligence requires that climatic conditions be assessed.

Q 25	Vehicle unique operational capabilities?
------	--

A central reason for deciding to acquire a special purpose vehicle is the need for unique operation capabilities. If they haven’t been carefully considered, vehicle need may be questionable.

Q 26	Special terrain requirements?
------	-------------------------------

For many components, terrain varies across areas of operational responsibility and can affect performance. Due diligence requires that unique and varying terrain be assessed.

Q 27	Available maintenance and service?
------	------------------------------------

Depending on the type of vehicle and the geographical area of operation, access to required maintenance and service may be challenging. Due diligence requires that the ability to meet this need be addressed.

Q 28	Conservation of energy resources?
------	-----------------------------------

All vehicles acquired should undergo evaluation in terms of energy conservation and reduction of greenhouse gas emissions.

Q 29	Safety of driver and occupants?
------	---------------------------------

All vehicles acquired should undergo evaluation in terms of safety for both the driver and any occupants. This can extend to having the appropriate license and training for the operation of the vehicle.

Q 30	Use of Alternative Fuels?
------	---------------------------

All vehicles acquired should undergo evaluation in terms of using alternative fuels.

Step 2: Requestor Submits Checklist to Component Fleet Manager for Approval

The Component Fleet Manager shall ensure that all requirements detailed in the Compliance Verification Checklist have been addressed by the Requestor. The Component Fleet Manager shall sign the Checklist and thereby certify satisfactory fulfillment of the requirements.

Step 3: Component Fleet Manager Submits Checklist to DHS HQ Fleet Manager for Approval

The Component Fleet Manager shall submit the signed Checklist to the DHS HQ Fleet Manager for review and approval. The Component Fleet Manager may be required to provide supporting documentation.

2. Replacement Vehicle(s) Acquisition Process

A Component with approved written acquisition policies and procedures may purchase replacement vehicles without submitting a formal acquisition request package on a one-for-one basis; e.g., compact sedan for a compact sedan. Components may also proceed with acquiring a replacement vehicle without submitting a formal acquisition request if downsizing the vehicle type. The need to generate new documentation may not be necessary as long as the Component doesn't change vehicle class or increase fleet size; however, a Component Fleet Manager must submit notification of vehicle replacement to the DHS Fleet Manager prior to acquiring a replacement vehicle whether from excess, a commercial or GSA lease, or through procurement.

As previously noted, GSA is the mandatory source of supply for procurement of all new commercially available motor vehicles, unless non-standard vehicles are specifically required. However, for tactical vehicles, experimental, prototype, used vehicles or vehicles equipped with aftermarket converted engines for use with alternative fuels, GSA is not the mandatory source nor does GSA purchase these asset types. Also, GSA waivers are not required to purchase these exempt vehicles. GSA approval via the Secretary of DHS is required for the local purchase of motor vehicles from commercial sources.

Component Fleet Managers must obtain approval from the DHS Fleet Manager via a Replacement Vehicle Compliance Verification Checklist, regardless of the source of supply and/or funding. The Requestor's signature shall verify that the vehicle(s) being replaced is/are eligible to be replaced based on Federal and DHS vehicle replacement policy. This single Checklist can be used to replace multiple vehicles of the same type and/or class.

The following acquisition-process steps correspond to the questions to be answered in the Replacement Vehicle Compliance Verification Checklist. See Addendum D for a flow

chart of the process. See Addendum E for an illustration of the Checklist. The electronic Checklist itself is separately available on the DHS Mobile Assets web-page.

Step 1: Requestor Completes the Replacement Vehicle(s) Compliance Verification Checklist

At the top of the Checklist, provide the requested information, including

- Requesting Component (a drop-down list is provided in the electronic version; select your Component)
- Requesting Field Office
- Contact Person
- Email address
- What method of acquisition will be used (a drop-down list is provided in the electronic version, as shown below; select the method for the vehicle(s) you will be adding to your fleet)

Purchase - Autochoice
Purchase - GSA Schedule
Purchase - OGA Contract
GSA Fleet Lease
GSA Excess
Acquisition through legal seizure
Commercial Lease

For each vehicle being replaced, provide the VIN, Tag Number, and Standard Item Number (SIN) in the three respective columns of space provided. In the fourth column, you will find the phrase: "Replacement vehicle will be" This column refers to the size of the replacement vehicle, and a drop down allows you to select one of three responses for each vehicle listed:

In-kind
Upgrade
Downgrade

Each question in the Checklist represents a step that the Requestor must complete.

Q 1	Have you reviewed utilization for all the vehicles being replaced to confirm they meet minimum age and usage requirements as set by the Component and DHS HQ (Motor Vehicle Fleet Program Manual)?
-----	--

Components must have utilization documentation available and must ensure that the vehicle(s) being replaced meet the minimum replacement standards. You will find the replacement standards in the *Manual*, which incorporates the Federal standards from the Federal Management Regulations (FMR) 102.34 (see Subpart E, Replacement of Motor Vehicles and section 70.270 DHS Replacement Standards). A drop-down in the electronic checklist allows either a "yes" or "no" answer.

Q 2	Will these replacement vehicles be garaged within a Metropolitan Statistical Area
-----	---

	(MSA)?
--	--------

EPA 1992 requires that 75% of light-duty vehicles acquired in Metropolitan Statistical Areas be alternative fuel vehicles (AFVs). If the answer to question 3 is “yes,” the Requestor must then determine, as question 4 asks, whether AFVs are available and can serve as the replacement vehicle(s). A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 3	Can the replacement vehicles be AFVs or hybrid vehicles?
-----	--

In addition to EPA 1992, EO 13423, EO 13514, and the *Comprehensive Federal Fleet Management Handbook* (see chapters 5, 6, and 7 in particular), this action is essential for compliance with the DHS Secretary's 120-Day Efficiency Review Initiative. The Requester should determine whether the replacement vehicles could be AFVs or hybrids. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 4	Will these vehicles have reasonable access to alternative fuels such as E85, Biodiesel, or CNG (i.e. within 5 miles or 15 minutes)? Alternative Fuel Station location resource: http://maps.nrel.gov/transatlas .
-----	---

EPA 2005 requires the use of alternative fuels in Federal dual-fueled AFVs unless the Department of Energy determines that an agency qualifies for a waiver. The waiver covers vehicles operated by an agency in a particular geographic area in which the alternative fuel required for use in the vehicle is not reasonably available (within a 5 mile or 15 minute drive of the vehicles' garaged location). This question requires the Requestor to have determined whether a replacement vehicle will have access to an alternative fuel or biodiesel.

Q 5	Have you confirmed that Low Speed Electric Vehicles (LSEV's) cannot replace any of the subject vehicles?
-----	--

EISA section 141 Guidance, XI(A) states: “When replacing a conventionally fueled motor vehicle, EPA believes that acquiring a NEV [Neighborhood Electric Vehicle] is a reliable alternative measure as described in section X(B) of this guidance document. An agency should include NEVs (with a GHG score of 10) in its mix of vehicles when using the Federal Vehicle GHG Emissions Calculator as described in section X(B)(i).”

Regarding use of the Calculator, see question 11, below. This question requires the Requestor to have determined whether a LSEV can serve as the replacement vehicle. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Note: NEVs are interchangeable with LSEVs.

Q 6	Are the replacement vehicles the smallest and most fuel efficient type that will perform the mission?
-----	---

Subpart B of the FMR addresses Obtaining Fuel Efficient Motor Vehicles. See, specifically, FMR §102-34.50 – What size motor vehicles may we obtain? The Requester should replace current fleet vehicles with the smallest and most fuel-efficient type possible. A “yes” answer means that the Requestor has ensured that this step has been taken. A drop-down in the electronic checklist allows either a “yes” or “no” answer.

Q 7	Do you anticipate that the replacement vehicle(s) will help reduce your annual petroleum consumption?
-----	---

The requirement to reduce petroleum consumption is unequivocal, based not only on EPA's Act and recent Executive Orders but also by FMR 102-34, Subpart B, Obtaining Fuel Efficient Motor Vehicles; the *Manual*, section 70.40, DHS Compliance with Fuel Efficiency Requirements; and the *Comprehensive Federal Fleet Management Handbook*, Chapter 5. A "yes" answer means that the Requestor has confirmed that the replacement vehicles will reduce petroleum consumption. A drop-down in the electronic checklist allows either a "yes" or "no" answer.

Q 8	Have you submitted written justification for any sedan/station wagon larger than Class III (Midsize) to the DHS Fleet Manager?
-----	--

The *Manual*, section 70.50, What Size Vehicles DHS Fleet Managers May Acquire, requires approval by the DHS Fleet Manager for acquiring a replacement for any sedan/station wagon larger than Class III through a formal justification process. If the question does not apply, answer appropriately and enter an explanation in the space provided on the Checklist. See Addendum B for a sample justification worksheet. A drop-down in the electronic checklist allows either a "yes," "no," or NA (not applicable) answer.

Q 9	Do all of the requested vehicles equal or exceed the EPA estimated fuel economy of the vehicles being replaced?
-----	---

New vehicles replacing old fleet vehicles should achieve the same or better fuel economy. See FMR 102-34, Subpart B, Obtaining Fuel Efficient Motor Vehicles, and the *Manual*, sections 70.40, 50, 60, 65, 70, 75. By answering "yes," the Requestor certifies that a comparison has been made and the results available. A drop-down in the electronic checklist allows either a "yes" or "no" answer.

Q 10	Do all of the requested vehicles have the minimum Greenhouse Gas rating required by EISA section 141 Guidance?
------	--

See EISA section 141 Guidance, I, III, V. A drop-down in the electronic checklist allows either a "yes" or "no" answer.

Q 11	Have you used the EISA Section 141 Vehicle GHG Assessment Tool to confirm that the average GHG Score cumulatively at this location is greater than 7?
------	---

See EISA section 141 Guidance, X(C); the *Manual*, section 70.65. The Assessment Tool can be downloaded from the Green Vehicle Guide's Federal Vehicle Acquisition Web site at www.epa.gov/greenvehicles/Federalfleet.do. If you use the Tool, you must receive approval from the DHS Fleet Manager that it "properly and accurately accounts for all applicable motor vehicle acquisitions completed in a fiscal year or other acquisition cycle specified by the agency." A drop-down in the electronic checklist allows either a "yes" or "no" answer.

Q 12	If these vehicles fall under the "Functional needs Exception" established by the DHS HQ definition for Law Enforcement Level 1 (L/E 1) vehicles, have you verified that either a specific functional need cannot be met by a low GHG-emitting vehicle or that the Component has implemented cost-effective alternative measures that result in an equivalent amount of petroleum consumption and GHG emission reductions?
------	---

See EISA Section 141 Guidance, X(A) and the *Manual*, section 70.60. Note that the Guidance states: "An agency's determinations must be detailed in writing. Records of such determinations should be maintained for at least five years and/or in accordance with agency-specific recordkeeping requirements." A drop-down in the electronic checklist allows either a "yes," "no," or NA (not applicable) answer.

Q 13	What is the estimated minimum annual miles these vehicles will be operated (enter mileage figure)?
------	--

Utilization is a key determinant of vehicle need. Your plan of use should include your expectation of how many miles the vehicle(s) will be driven annually. A drop-down in the electronic checklist allows either a "yes" or "no" answer.

Q 14	If these vehicles are expected to travel more than 8,000 miles per year, can they be leased from GSA, rather than purchased?
------	--

See the *Manual*, section 70.80.3, which details the requirements for a lease vs. own analysis. A drop-down in the electronic checklist allows either a "yes" or "no" answer.

Q 15	If this request is for local purchase, has a waiver from using GSA's Auto Choice been requested through the DHS Fleet Manager?
------	--

Use of GSA's Auto Choice is required. Requestor must obtain a waiver to acquire a replacement vehicle outside the GSA system. See the *Manual*, section 70.80.4. A drop-down in the electronic checklist allows either a "yes," "no," or NA (not applicable) answer.

Step 2: Requestor Submits Checklist to Component Fleet Manager for Approval

The Component Fleet Manager shall ensure that all requirements detailed in the Checklist have been addressed by the Requestor. The Component Fleet Manager shall sign the Checklist and thereby certify satisfactory fulfillment of the requirements.

Step 3: Component Fleet Manager Signs Checklist and Submits to DHS HQ Fleet Manager for Approval

The Component Fleet Manager shall submit the signed Checklist to the DHS HQ Fleet Manager for review and approval. The Component Fleet Manager may be required to provide supporting documentation.

Addendum

Addendum A: Rules and Regulations

- DHS Secretary's 60 and 120 Day Efficiency Review Initiatives
- Clean Air Act Section 118(c)
- 41 CFR 101-26.5 "Purchasing and Leasing Motor Vehicles Procedures"
- 41 CFR 101-26.501 "Medium and Heavy Truck Purchases"

The chart below lists the GHG scores for model year 2011 vehicles.

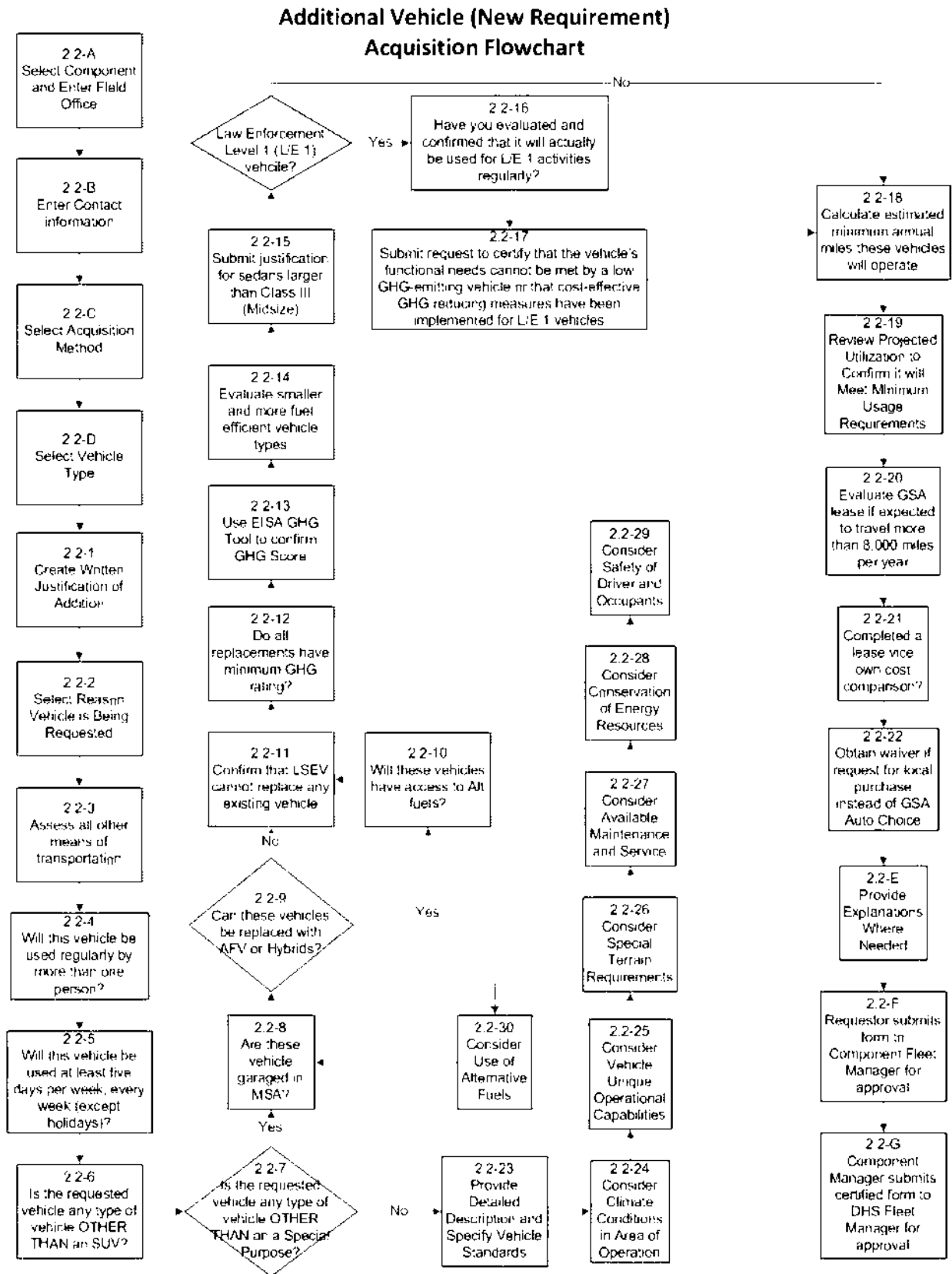
US EPA - Vehicle Environmental Scoring
Greenhouse Gas Score
MY 2011

Score	Grams CO ₂ e per mile	Minimum Label MPG (combined)			
		Gasoline	Diesel	E85	CNG*
10	Less than 188	48	55	35	39
9	188 - 233	39	44	28	32
8	234 - 279	33	37	23	26
7	280 - 325	28	32	20	23
6	326 - 371	25	28	18	20
5	372 - 417	22	25	16	18
4	418 - 463	20	22	14	16
3	464 - 509	18	20	13	14
2	510 - 555	17	19	12	13
1	556 and up	1	1	1	1

*CNG's CO₂ per gallon estimate assumes a gallon equivalent of 121.5 cubic feet

Source: <https://www.epa.gov/greenvehicles/Aboutratings.do>

Addendum B: Additional Vehicle Acquisition-Process Flowchart





Component Fleet Manager Compliance Review
Vehicle Acquisition Checklist **ADDITIONAL** Vehicles

Requesting Component:
Requesting Field Office:

CONTACT PERSON
NAME

What method of acquisition will be used?

Type of Vehicle Requested (select only one from the appropriate drop down list)

Sedans and Station Wagons	Truck/Van/SUV	Other	Law Enforcement
Expansion if required:			

[illegible]

Have you reviewed projected utilization for the requested vehicle to confirm it will meet minimum usage and eventual replacement requirements set by the Component and DHS/DOJ Motor Vehicle Fleet Program Manual?		Yes No
If this vehicle is expected to travel more than 8,000 miles per year, can it be leased from GSA, rather than purchased?		Yes No
Have you completed a lease's own cost comparison, as required for all new vehicles?		Yes No
If this request is for local purchase, has a waiver from using GSA's Auto Choice been requested through the DHS Fleet Manager?		Yes No

If this request is for a Special Purpose vehicle, please answer the following questions:		
Have you provided a detailed description and specified the appropriate vehicle standard or options required, not included in the Federal Standard in the Explanation Box below?		Yes No
Does your item(s) require a Special Purpose vehicle to take into consideration the following:		
1) A unique address, not a line in the area of self-use operations?		Yes No
2) Vehicle unique operational capabilities?		Yes No
3) Special terrain requirements?		Yes No
4) Available maintenance and service?		Yes No
5) Other relevant information:		Yes No
6) Safety of the unique requests?		Yes No
7) Special Abuse/Abuse Report?		Yes No

Provide explanation as required. Include question number for each response. Use additional space if required.

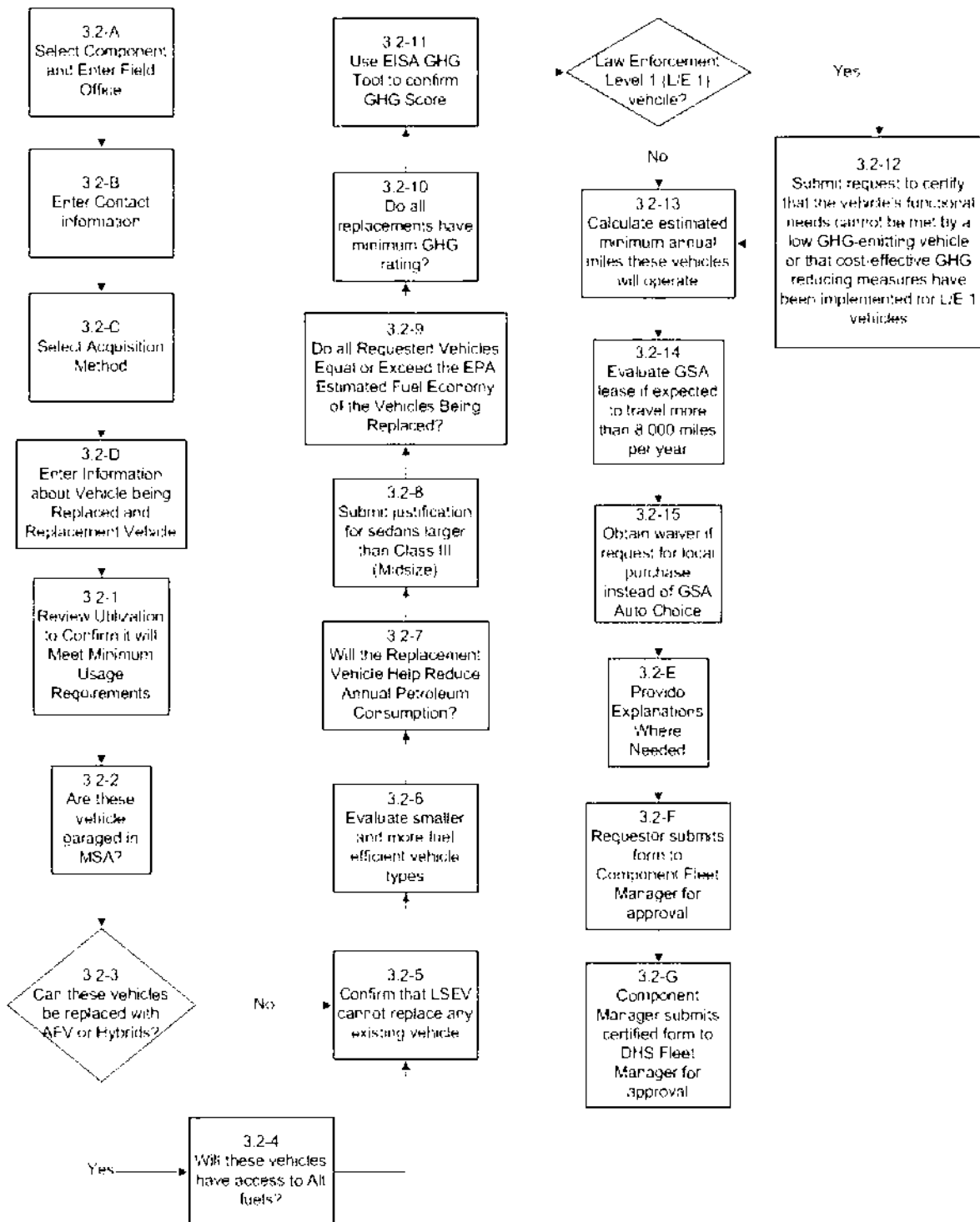
This form must be retained on file for three (3) years from the date of signature.

Requester's Signature	Component Fleet Manager Signature
Print Name	Print Name
Title	Title
Date	Date

Comments: (If you have any comments or questions regarding this form, please contact the DHS Fleet Manager at (202) 693-1234 or (202) 693-1235.)

Addendum D: Replacement Vehicle Acquisition-Process Flowchart

Replacement Vehicle (Existing Asset) Acquisition Flowchart



Requesting Component:
Requesting Field Office:

Contact Person:
email:

What method of acquisition will be used?

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

214

Tag Nummer

Standard Item Number (SIN)

Replacement vehicle will be...

QUESTION

RESPONSE

REFERENCE

If prompted for explanation please provide additional information in the box below

- | | | | |
|----|---|--|--|
| 1 | Provide a completed Participant Assessment being reviewed in part of the participant's support plan and the requirement for both the participant and participant's Manager to sign the report (Form M006.001) | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 2 | With the participant's consent, the participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 3 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 4 | With the participant's consent, the participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 5 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 6 | With the participant's consent, the participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 7 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 8 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 9 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 10 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 11 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 12 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 13 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 14 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |
| 15 | Participant's Manager should discuss the participant's | | EMH 100.04, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014, Chapter 2, Section 1, Effective 11/11/2014 |

14	if this vehicle is expected to travel more than 8,000 miles per year, can it be leased from GSA, rather than purchased?		
15	if this request is for local purchase, has a waiver from using GSA's Auto Check been requested through the DMS Fleet Manager?		
<p>Provide Explanations as required. Use additional space if needed.</p>			
<p>This form must be retained on file for three (3) years from the date of signature.</p>			
<p>Requester Signature _____</p> <p>Print Name _____</p> <p>Title _____</p> <p>Date _____</p>		<p>Requester Chief of Approval _____</p> <p>Print Name _____</p> <p>Title _____</p> <p>Date _____</p>	

Appendix D - GSA FMR Bulletin B-2: Wireless Phone Use in U.S. Government Vehicles

FMR Bulletin B-2 Motor Vehicle Management

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

Dated: February 25, 2002.

G. Martin Wagner,
Associate Administrator,
Office of Governmentwide Policy.

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.

Appendix E – GSA FMR Bulletin B-3: Use of Tobacco Products in U.S. Government Vehicles

GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

GSA Bulletin FMR B-3 Motor Vehicle Management

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.

G. Martin Wagner,
Associate Administrator,
Office of Governmentwide Policy.

Appendix F – GSA FMR Bulletin B-6: Proceeds from Sale of Agency-Owned Vehicles

GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

October 22, 2004

**FMR Bulletin 2004-B6
MOTOR VEHICLE MANAGEMENT**

TO: Heads of Federal agencies

SUBJECT: **Proceeds from Sale of Agency-Owned Vehicles**

1. What is the purpose of this bulletin? This bulletin is a reminder for the Fleet programs of Federal agencies that when replacing agency-owned vehicles under the Exchange/Sale provisions of the Federal Management Regulation (FMR), sale proceeds are retainable as provided under and in compliance with those provisions for purchasing replacement vehicles.
2. What is the effective date of this bulletin? This bulletin is effective October 22, 2004.
3. When does this bulletin expire? This bulletin will remain in effect until specifically cancelled.
4. What is the background? Briefings by some agencies on their Fleet program to the General Services Administration Vehicle Management Policy Division have lacked assurance that when replacing agency-owned vehicles under the Exchange/Sale provisions of the FMR, the Fleet program has been retaining the sale proceeds as prescribed in 41 CFR part 102-39, for purchasing replacement vehicles. As a source of funding for replacement vehicles additional to other Fleet program funding, the availability of sale proceeds should not be overlooked.
5. What must I do as a result of this bulletin? Within the Federal agencies, when replacing agency-owned vehicles under the Exchange/Sale provisions of the FMR, Fleet and Finance programs need work together to ensure retention of sale proceeds as prescribed in 41 CFR part 102-39, for replacement vehicles.
6. Who should we contact for further information and/or to direct comments regarding proceeds from sale of agency-owned vehicles?

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

G. MARTIN WAGNER
Associate Administrator
Office of Governmentwide Policy

Appendix G – GSA FMR Bulletin B-9: Documented Structured Vehicle Allocation Methodology for Agency Fleets

GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

August 26, 2005

GSA BULLETIN FMR B-9 MOTOR VEHICLE MANAGEMENT

TO: Heads of Federal agencies

SUBJECT: Documented Structured Vehicle Allocation Methodology for Agency Fleets

1. What is the purpose of this bulletin? This bulletin provides guidance to Executive Branch agencies (other Federal entities are encouraged to follow this guidance) on the development and maintenance of documented structured vehicle allocation methodologies for agency fleets, i.e., vehicles that are agency-owned, leased from the General Services Administration (GSA), or commercially-leased. Agency adherence to such a methodology will help to ensure that agency vehicle fleets are not over-costly, are correctly sized in terms of numbers, and are the of appropriate type for accomplishing agency missions.
2. What is the effective date of this bulletin? This bulletin is effective upon publication.
3. When does this bulletin expire? This bulletin will remain in effect until specifically superseded or cancelled.
4. What is the background? In April 2002, the Office of Management and Budget (OMB) requested that all Executive Branch agencies take a closer look at their fleet management operations, particularly the size of their fleets. In coordination with OMB, information was collected from the agencies using a survey developed by the Federal Fleet Policy Council (FEDFLEET) and GSA's Vehicle Management Policy Division. The results of the survey indicated a number of deficiencies in the fleet management operations of the agencies. An interagency working group of FEDFLEET members recommended corrective actions, including the establishment, within each agency, of the subject methodology to identify the optimal allocation of the agency vehicles in terms of number and configuration of those vehicles. The need for such a methodology was further validated in a May 2004 Government Accountability Office report on the acquisition and management of Federal motor vehicles.
5. What is the description of the subject methodology and resultant optimal vehicle allocation? An optimal vehicle allocation results not from a formula per se, but from a methodology which provides agency fleet managers with a standard way to document the objective criteria of a vehicle fleet for a specific or generic (where there are common characteristics) office/facility, program, occupational group, or other entity within an

agency. Objective criteria would include, but not necessarily be limited to: number of vehicle users to include, where applicable, user/vehicle ratios; per vehicle mileage; trips per vehicle; mission; terrain; climate; and fleet condition and down-time. The input for the methodology typically is obtained by surveys and/or in-person interviews of stakeholders. The following is a narrative example of the methodology. The example is also displayed in a standardized format as an attachment to this FMR bulletin.

Narrative Example of a Methodology for Border Patrol Station on the Mexican Border

At a Border Patrol Station (BPS) on the Mexican border, the methodology would display the objective criteria and optimal allocation of vehicles assigned to that station. Although a ratio between numbers of vehicles and users for some offices, programs, occupational groups, etc. may not apply, this illustration uses a ratio determined by the Border Patrol Program as applicable to its Border Patrol Agents (BPAs) of a three BPAs-to-two-vehicles ratio, except for a one BPA-for-one vehicle ratio for managers/supervisors and K-9 officers. Thus, if ABC BPS has 280 BPAs, including 10 managers/supervisors and K-9 officers, the vehicle count would be 190. Factoring in fleet condition and down-time, an additional percentage of “back-up” vehicles for other than the managers/supervisor and K-9 officers might appropriately be as much as 5% (9) to have on hand. Based on mission (together with terrain and climate), the 199 vehicles might be divided into vehicle types such as 68% (129) 4X4 SUVs, 11% (21) carryalls, 11% (21) full-size vans, 5% (9) pick-ups, and 5% (19) large sedans. As law enforcement vehicles, “greening requirements” are not applicable.

For related entities at that BPS supporting the BPAs, such as the garage, facilities, administration, information technology, etc., their mission (together with terrain and climate) and workload would most likely govern the optimal allocation of vehicles for those entities; i.e., user to vehicle ratios would not be applicable. The optimal vehicle allocation would display a set number of tow trucks; special purpose vehicles such as bucket trucks, road graders, and fork lifts; ambulances; fire trucks; vans; pick-up trucks; sedans; etc. Greening requirements would apply to those vehicles that are non-special purpose.

In contrast to the optimal allocation of vehicles at a BPS on the Mexican border, would be the optimal allocation of vehicles at a BPS on the Canadian border which would be different due to differences in operations, fleet condition and down-time, terrain, climate, support entities, etc. Even using the same BPA-to-vehicle ratios, the allocation of vehicles at a BPS on the Canadian border used by the BPAs, as well as by the entities supporting the BPAs would not be in match to that of the BPS on the Mexican border. For example, the condition of the fleet used by BPAs on the Canadian border may be better than the condition of the fleet used by BPAs on the Mexican border, and the additional percentage of back-up vehicles due to vehicle down-time would be less than 5%. In terms of operational differences, the number of illegal aliens is less on the Canadian than Mexican border. As a result, the percentage of vehicles of the type used by BPAs on the Mexican border for carrying illegal aliens, may not be as great on the Canadian border.

Regarding as vehicles for support entities, if BPS’ fleet operations on the Canadian border do not have garages, then unlike BPS’ on the Mexican border, they would not have vehicles commensurate with garages, e.g., tow trucks.

6. How should the subject methodology and resultant optimal vehicle allocation be recorded? Because agency vehicle fleet inventories and optimal vehicle allocations should be in balance, the methodology and optimal vehicle allocation should ideally be integrated into the agency's vehicle fleet management information system (MIS) and linked to the agency vehicle fleet inventory to serve as a tool indicating inventory changes as "in match" or "not in match" to the inventory. However, other recording formats for the methodology and optimal vehicle allocation may be used, to include a stand-alone screen in the agency vehicle fleet MIS or in a personal computer file such as Excel, or hard-copy documentation.

7. What are the sources for development of the subject methodology and resultant optimal vehicle allocation? The methodology and optimal vehicle allocation may be developed in-house by the agency, or contracted out to logistics or management consulting firms. For contract resources, the GSA Federal Supply Service Schedules should be consulted, and are accessible at <http://gsaelibrary.gsa.gov>, under first the "Services" link, and then under either the "Logistics Solutions" link or "Management Consulting Solutions" link.

8. What should I do as a result of this bulletin? Where not already in place, each Federal executive agency is strongly encouraged to develop by the suggested date of September 30, 2006 and thereafter maintain the subject methodology and optimal allocation for their vehicle fleet.

Agency vehicle enhancements and replacements should be made to meet the optimal vehicle allocation. Should there be exceptions to the methodology or optimal vehicle allocation, they should be justified, documented, and appended to the methodology. The methodology and optimal vehicle allocation should be updated, as necessary, upon review at least every five years, or upon factors changing such as mission, staffing, fleet condition, etc.

Agencies are advised that the optimal vehicle allocation should not be met at the expense of expanding the use of privately-operated vehicles.

9. Who should we contact for further information and/or to direct comments regarding the subject methodology and resultant optimal vehicle allocation?

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

G. Martin Wagner
Associate Administrator
Office of Governmentwide Policy

Appendix H – GSA FMR Bulletin B-11: U.S. Government License Plate Codes

GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

January 18, 2006

GSA BULLETIN FMR B-11 MOTOR VEHICLE MANAGEMENT

TO: Heads of Federal agencies

SUBJECT: U.S. Government License Plate Codes

1. What is the purpose of this bulletin? This bulletin provides in the attachment the approved license plate codes for Executive Branch agencies and other Federal entities. This bulletin will be updated when additional license plate codes are assigned or changed.
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? The list of U. S. Government license plate codes was formerly published in section 102-34.160 of the Federal Management Regulation. However, for ease of updating, the list is moved to bulletin format.
5. What should I do as a result of this bulletin? This is an informational bulletin. 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 and/or to direct comments regarding U.S. Government license plate codes?

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

John G. Sindelar
Acting Associate Administrator
Office of Governmentwide Policy

ATTACHMENT TO BULLETIN FMR B-11

(Alphabetic) License Plate Prefix Codes for vehicles owned or leased by Federal Departments or Agencies.

License Plate Prefix Code	Name of Federal Entity
A	Department of Agriculture
AF	Department of the Air Force
AFIS	American Forces Information Service
AOC	Architect of the Capitol
ARC	Appalachian Regional Commission
C	Department of Commerce
CE	Corps of Engineers, Civil Works
CF	U.S. Commodity Futures Trading Commission
CM	Defense Information Systems Agency
CP	U.S. Capitol Police
CPSC	Consumer Product Safety Commission
CS	Court Services & Offender Supervision Agency for the District of Columbia
D	Department of Defense
DA	Defense Contract Audit Agency
DECA	Defense Commissary Agency
DHS	Department of Homeland Security
DIA	Defense Intelligence Agency
DISA	Defense Information Systems Agency
DLA	Defense Logistics Agency
DOT	Department of Transportation
E	Department of Energy
EEOC	U.S. Equal Employment Opportunity Commission
EC	U.S. Enrichment Corporation
EO	<ul style="list-style-type: none"> Executive Office of the President Council of Economic Advisors National Security Council Office of Management and Budget
EPA	Environmental Protection Agency

FC	Federal Communications Commission
FCA	Farm Credit Administration
FD	Federal Deposit Insurance Corporation
FM	Federal Mediation & Conciliation Service
FRB	The Federal Reserve Board
FTC	Federal Trade Commission
G	GSA Fleet
GAO	Governmental Accountability Office
GP	Government Printing Office
GS	General Services Administration
HHS	Department of Health and Human Services
HUD	U.S. Department of Housing and Urban Development
I	Interior
IA	U.S. Information Agency
IBB	International Broadcasting Bureau
J	Department of Justice
JB	Judicial Branch
L	Department of Labor
LA	District of Columbia Redevelopment Land Agency
LB	Legislative Branch
LC	The Library of Congress
MC	U.S. Marine Corps
MSPB	U.S. Merit Systems Protection Board
N	Department of the Navy
NA	National Aeronautics and Space Administration
NEA	National Endowment for the Arts
NG	National Guard Bureau
NGA	National Gallery of Art
NG	National Guard Bureau
NL	National Labor Relations Board

NP	National Capital Planning Commission
NRC	Nuclear Regulatory Commission
NS	National Science Foundation
OPM	Office of Personnel Management
P	United States Postal Service
PBG	Pension Benefit Guaranty Corporation
PSA	Pretrial Services Agency
PT	Presidio Trust
RR	Railroad Retirement Board
S	Department of State
SAA	United States Senate
SB	Small Business Administration
SC	Defense Security Cooperation Agency
SE	U. S. Securities and Exchange Commission
SH	U.S. Soldiers' and Airmen's Home
SI	Smithsonian Institution
SS	Selective Service System
T	Department of the Treasury
TV	Tennessee Valley Authority
UPC	Peace Corps
VA	Department of Veterans Affairs
W	Army

Appendix I – GSA FMR Bulletin B-15: Requirements for Management Information Systems in Federal Vehicle Fleets

GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

September 21, 2007

GSA BULLETIN FMR B-15 MOTOR VEHICLE MANAGEMENT

TO: Heads of Federal Agencies

SUBJECT : Requirements for Management Information Systems in Federal Vehicle Fleets

1. What is the purpose of this bulletin? This bulletin provides minimum recommendations for Fleet Management Information Systems (Fleet MIS) in Executive agency motor vehicle fleets. Other Federal entities are also encouraged to consider this information and guidance.

2. What is the effective date of this bulletin? This bulletin is effective September 21, 2007.

3. When does this bulletin expire? This bulletin contains information of a continuing nature and will remain in effect until specifically cancelled.

4. What is the background?

(a) Federal executive agencies are required by Sections 15301 and 15302 of the Consolidated Omnibus Budget Reconciliation Act of 1986 (Pub. L. No. 99-272) (40 U.S.C. Sec. 17502 and 17503) to have a centralized system to identify, collect, and analyze motor vehicle data with respect to all costs incurred for the operation, maintenance, acquisition, and disposition of motor vehicles. An electronic survey conducted by the GSA's Office of Governmentwide Policy during the spring of 2007 analyzed agency compliance with this requirement. This review showed that a majority of agencies surveyed can improve in this area.

(b) On April 10, 2002, the Office of Management and Budget (OMB) sent a letter to all Executive Branch agencies requesting them to review their fleet operations. In coordination with OMB, information was collected from the agencies using a survey developed by the Federal Fleet Policy Council (FedFleet) and GSA's Office of Governmentwide Policy. The results of the survey indicated deficiencies in agencies' fleet management operations. FedFleet recommended corrective actions, including the requirement that each agency have a fleet MIS capable of collecting information essential to managing the fleet; as well as supporting internal (e.g., agency property and finance systems) and external (e.g., Federal Automotive Statistical Tool) reporting requirements; and providing the necessary data to respond to the annual budget process and to support fleet budget requests. The need for such systems was confirmed by the Government Accounting Office in its May 2004 report, *Increased Attention to Vehicle Fleets Could*

Result in Savings (GSA-04-664). This requirement has since been included in section 102-34.347 of the Federal Management Regulation (FMR) (41 CFR 102-34.347).

(c) In order to satisfy Government-wide reporting requirements, it is essential that Federal agencies' Fleet MIS conform to minimum standards. Agencies that do not have such systems should ensure that systems they acquire or develop conform to the minimum requirements established in this bulletin, and agencies that have systems should perform any necessary enhancements to bring such systems into compliance with these requirements.

5. Why is a Fleet MIS Important?

Federal agencies' vehicle fleets support widely varied missions and contend with differing geographic and operational requirements, but the data needed to manage and report on any fleet operation are remarkably uniform. Line or field managers need detailed data on each vehicle, as well as summary and exception reports, in order to make informed decisions about maintenance, repair, and replacement, and to respond to drivers and vendors. Regional and headquarters offices need aggregated data that can spot trends in cost and utilization and assist in directing scarce resources to the particular fleet or program most in need. Headquarters officials and budget officers must allocate scarce resources among many programs, including fleets, and need dependable and timely data with which to judge competing claims. The agency must be able to respond with accurate data to annual budget calls from OMB, and to report inventory, cost, utilization, and alternative fuel data annually in the Federal Automotive Statistical Tool (FAST). Fleet revenues and expenses must be accurately recorded in agency finance systems. A Fleet MIS should be capable of serving all these requirements.

6. What are the mandatory requirements for a Fleet MIS?

(a) General Fleet MIS requirements. A fleet management information system serves several purposes. By law, agencies' Fleet MIS must be able to identify, collect, and analyze all costs involved in the operation of their fleets, including obligations incurred and expenditures made for the acquisition, operation, maintenance, and disposal of vehicles. In addition, agencies must be able to comply with all reporting requirements imposed by statute, Executive Order, and the Federal budget process. Finally, agencies need a fleet management information system that enables them to manage their fleet resources for maximum effectiveness and efficiency. All of these needs can be met by a single appropriately designed system.

A well-designed fleet MIS will collect and store the required data and be capable of producing regular and on-demand reports, in hard-copy and electronic form as needed. This system should be based at the department or agency headquarters level and include all motor vehicles within the department or agency. The system will include reporting and accountability structures to accommodate subordinate regional and field offices. It will be integrated into agency financial and property management systems so as to reduce duplication of data-entry and unnecessary duplication of databases. It will be capable of producing data to satisfy internal and external reporting requirements in an automated fashion.

(b) Specific Fleet MIS Recommendations:

i. Vehicle identification

- Capture identifying data, such as vehicle identification number (VIN), year, make, model, color, engine, fuel type, and gross vehicle weight rating (GVWR)
- Capture Government and State-issued license plate numbers

ii. Acquisition

- Provide automated interface to GSA Automotive Division for vehicle ordering
- Capture tracking data throughout the vehicle ordering process

iii. Utilization

- Capture current vehicle assignments, including the vehicle point of contact and assigned address
- Have the ability to store and access assignment history
- Capture periods where the vehicle is not assigned to a particular vehicle user, i.e., awaiting initial assignment and disposal and awaiting maintenance
- Capture dispatch pool use

iv. Repairs and servicing

- Provide for an automated vehicle repair history
- Provide ability to review vehicle repair files prior to authorizing repairs and the ability to update these files once repairs are approved
- Capture different aspects of repair, including unscheduled repairs, preventive maintenance, and accident repairs
- Provide the capability to schedule and notify vehicle users of preventive maintenance services

v. Accident reporting

- Capture summary accident data, including date/day/time, vehicles involved, vehicle operator, third party information, and downtime
- Facilitate preparation of accident tracking and frequency reports
- Preparation of exception reports identifying vehicles and/or operators that are deemed as needing attention

vi. Disposal

- Capture type of disposal action (exchange/sale meeting replacement criteria, uneconomical to repair, or transfer)
- Capture out of service dates and final disposition date
- Capture all costs of disposal and final disposal proceeds
- Capture fair market value versus disposal proceeds differences
- Maintain complete vehicle records in the MIS for a minimum of 1 year

vii. Financial management

- Capture all direct costs:
 - Capitalized value, depreciation, amortization, and disposal proceeds

- Capture all vehicle modifications and accessory equipment, adding these costs to the capitalized value, if appropriate
- All fuel by type, cost, and source
- All repair/unscheduled maintenance costs, including those from the private sector, in-house operations, and cross servicing agreements
- All preventive maintenance costs, including those from the private sector, in-house operations, and cross servicing agreements
- Commercial lease costs
- GSA Fleet lease costs
- Capture all indirect costs:
 - Facilities, including building purchase/lease, utilities, and maintenance
 - Equipment costs, including office and shop equipment, and tools
 - Miscellaneous cost of in-house operations, including shop supplies
 - Staffing costs of headquarters, field, and shop personnel
 - Staffing overhead costs, including training and staff support offices
 - Administrative costs
- Provide monthly and year-end reporting capabilities
- Provide exception reporting to identify costs outside of industry norms

viii. Reporting

- Provide the capability of automated reporting to the Federal Automotive Statistical Tool (FAST) providing input for:
 - GSA's Federal Fleet Report
 - Department of Energy alternative fuel reporting requirements
 - Energy Information Administration vehicle location reporting requirements
 - OMB annual Circular A-11 reporting requirements
- Provide exception reporting, as necessary
- Provide analytic tools and query capabilities to support data analysis

ix. Interface requirements

- Capable of interfacing with the Federal Automotive Statistical Tool (FAST)
- Capable of interfacing with GSA Automotive Division systems
- Capable of interfacing with internal agency property accountability systems
- Capable of interfacing with internal agency financial systems

9. What is recommended as a result of this bulletin?

Agencies with an existing Fleet MIS should ensure that it meets the minimum standards of this bulletin, and if necessary, should enhance existing systems to do so. Industry standard data elements and codes should be utilized. Appropriate reports should be programmed. Ad hoc query capabilities should be added. Bridge systems which extract the data needed for internal and external reporting systems in acceptable formats should be created. Agencies currently developing a Fleet MIS should ensure that proposals, statements of work, contracts, and other planning documents incorporate these requirements. Agencies that have not yet acquired, developed, or planned for a Fleet MIS should begin that process and verify that these requirements are included.

Acquiring and deploying a Fleet MIS is not enough, however. Agencies should ensure through policies and training that employees use such systems, that complete and accurate data are entered on an ongoing basis, and that such tools are put to effective use in daily management of their fleets. Merely having a system in place does not ensure that accurate data are reported externally, or that fleets are managed more economically and efficiently.

For agencies that use GSA Fleet vehicles, GSA Fleet's management information system is considered to meet the standards of this bulletin for those vehicles. For agencies operating commercially leased vehicles, the lessor may or may not operate a qualifying system and provide appropriate fleet management data to its clients.

Where not already in place, each Federal executive agency should ensure that:

- (a) any existing Fleet MIS meets the standards contained in this bulletin;
- (b) any Fleet MIS in the planning or development stage will meet the standards contained in this bulletin; and
- (c) appropriate funding is requested to develop a Fleet MIS if the agency does not already have such a system.

10. Whom should we contact for further information?

General Services Administration
Office of Governmentwide Policy (MT)
1800 F Street NW., Room 1221
Washington, D.C. 20405
Email: vehicle.policy@gsa.gov

/s/

Kevin Messner
Acting Associate Administrator
Office of Governmentwide Policy

GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

August 29, 2008

Appendix J – GSA FMR Bulletin B-19: Increasing the Fuel Efficiency of the Federal Motor Vehicle Fleet

GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

GSA BULLETIN FMR B-19 MOTOR VEHICLE MANAGEMENT

TO: Heads of Federal Agencies

SUBJECT: **Increasing the Fuel Efficiency of the Federal Motor Vehicle Fleet**

1. What is the purpose of this bulletin? This bulletin provides guidance to Executive Branch agencies on increasing the fuel efficiency of their motor vehicle fleet. Agency adherence to, and communication of, this guidance to Federal employees will help agencies increase the fuel efficiency of their motor vehicle fleet, save money on fuel costs, reduce petroleum use, protect the environment, and conserve natural resources. Other Federal entities are encouraged to follow this guidance.
2. What is the effective date of this bulletin? This bulletin is effective on August 29, 2008.
3. When does this bulletin expire? This bulletin will remain in effect until specifically superseded or cancelled.
4. What is the background? Federal agencies are required to obtain fuel efficient vehicles in accordance with Subpart A of Federal Management Regulation (FMR) part 102-34, *Motor Vehicle Management*. The Energy Policy Act requires agencies to acquire alternative fuel vehicles, and Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management, requires agencies to decrease petroleum consumption and increase alternative fuel use. Also, the Energy Independence and Security Act of 2007 sets forth efforts to enhance energy conservation and efficiency.
5. How can agencies increase fuel efficiency in their motor vehicle fleets? Agency Fleet Managers may increase fuel efficiency in their motor vehicle fleet by incorporating the following strategies into their fleet programs:
 - (a) *Driver Awareness.* Fleet Managers should develop and implement a communication plan to ensure that strategies for improving fleet fuel efficiencies are disseminated agency-wide and that all drivers are aware of fuel efficiencies gained by driving more efficiently. The communication plan should include the following:
 - (i) Drive at speeds that conserve fuel. The Environmental Protection Agency (EPA) estimates a 7 to 23 percent improvement in fuel economy by keeping your speed under 60 miles per hour (mph).

- (ii) Use cruise control, when appropriate, on the highway to maintain a constant speed. Cruise control should not be used in mountainous terrains as it increases fuel usage.
 - (iii) Drive safely and responsibly. Accelerating smoothly from a stop and braking softly both conserve fuel. Fast starts and hard braking wastes fuel. This type of driving also wears out car components, such as brakes and tires. Drivers should maintain a safe distance between vehicles to allow more time to brake and accelerate gradually.
 - (iv) Avoid idling. Prolonged idling increases emissions and wastes fuel. Drivers must adhere to local ordinances regarding idling vehicles.
 - (v) Remove excess weight, such as unnecessary items in the trunk. Carrying extra weight makes the engine work harder thus consuming more fuel. The Department of Energy (DOE) estimates that an extra 100 pounds in the trunk reduces a typical car's fuel economy by 1 to 2 percent.
 - (vi) Use public transportation. Whenever possible, use public transportation as your first mode of travel to attend an event or function in an official capacity. Using public transportation increases the fuel efficiency of your fleet, and decreases the operating and maintenance costs.
 - (vii) Consolidate trips. Planning ahead to consolidate trips and planning routes carefully will enable you to reduce the number of trips, bypass congested routes, and result in fewer start-ups and less stop-and-go traffic. According to the DOE, several short trips all begun with a cold start use twice as much fuel as a single, longer trip that covers the same distance.
- (b) *Proper Maintenance.* Fleet Managers are encouraged to incorporate the following recommendations into preventative maintenance programs and driver inspections:
- (i) Keep your vehicle engines properly tuned. Always check the vehicle Owner's Manual for proper maintenance and follow your agency's internal procedures for obtaining services on your vehicle.
 - (ii) Keep tires properly inflated to the recommended tire pressure. Under-inflated tires increase rolling resistance, reduce fuel economy, and cause tires to wear more rapidly.
 - (iii) Check and replace air filters regularly. Replacing a clogged air filter protects the engine and may increase your fuel economy.
 - (iv) Use the recommended grade of motor oil for your vehicle to increase fuel economy. Also, look for motor oil that says "Energy Conserving" on the API performance symbol to be sure it contains friction-reducing additives.
- (c) *Fleet Management.* Fleet Managers are encouraged to coordinate with agency personnel to incorporate the following fuel efficient management strategies to reduce fuel costs:
- (i) *Vehicle Allocation Methodologies.* Implementing a structured vehicle allocation methodology, as provided in GSA Bulletin FMR B-9, will help ensure that agency fleets are correctly sized in terms of numbers and are comprised of the

appropriate types, including energy efficient and neighborhood electric vehicles, to accomplish the agency's mission.

- (ii) **Home-to-Work Authorizations.** Review your agency's implementation of home-to-work authorizations required to meet your agency's mission. If appropriate, consider reducing the number of vehicles approved for home-to-work to reduce fuel costs.
- (iii) **Vehicle monitoring and diagnostics technology.** Where appropriate, implement the use of remote vehicle monitoring and diagnostics technology to improve fuel efficiency and minimize fleet operating costs. Vehicle monitoring systems not only influence driving behavior but also alert Fleet Managers to emerging situations that require immediate intervention, e.g., preventive maintenance.
- (iv) **Agency-provided Shuttle Service.** Review your agency's use of shuttle service in major metropolitan areas to ensure that equipment used to provide this service is energy efficient, that routes are efficiently planned, and that ridership is sufficient to justify its use. As appropriate, work with other agencies to consolidate shuttle services.
- (v) **Telework and Video Conferencing.** Encourage the use of telework throughout the agency, and embrace new technologies in lieu of traveling to meetings.

6. Where can I find more information on strategies for increasing fuel efficiency?
GSA's Office of Governmentwide Policy publishes guidance on managing Federal motor vehicles on the Internet at www.gsa.gov/vehiclepolicy. Information on telework can be found on the Internet at www.telework.gov. The DOE and the EPA publish information on fuel economy on the Internet at www.fueleconomy.gov. In addition, you may determine the cleanest and most fuel-efficient vehicles by visiting EPA's Green Vehicle Guide at www.epa.gov/greenvehicles.

7. What should I do as a result of this bulletin? Federal agencies are strongly encouraged to develop an internal agency policy to increase fuel efficiency and to communicate these strategies throughout the agency to the driver level.

8. Who should we contact for further information and/or to direct comments regarding increasing fuel efficiency in Federal motor vehicle fleets?

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

(S) Kevin Messner, 8/29/08

Kevin Messner
Acting Associate Administrator
Office of Governmentwide Policy

Appendix K – 40 U.S.C. Chapter 175, Federal Motor Vehicle Expenditure Control

40 USC Chapter Section 901-913 Federal Motor Vehicle Expenditure Control; REVISED to 40 USC Chapter 175 Federal Motor Vehicle Expenditure Control

§ 17501. Definitions

In this chapter, the following definitions apply:

(1) Executive agency. The term “executive agency”—

- (A) means an executive agency (as that term is defined in section 105 of title 5) that operates at least 300 motor vehicles; but
- (B) does not include the Tennessee Valley Authority.

(2) Motor vehicle. The term “motor vehicle” means—

- (A) a vehicle self-propelled or drawn by mechanical power; but not
- (B) a vehicle designed or used for military field training, combat, or tactical purposes, or any other special purpose vehicle exempted from the requirements of this chapter by the Administrator of General Services.

§ 17502. Monitoring system

The head of each executive agency shall designate one office, officer, or employee of the agency—

- (1) to establish and operate a central monitoring system for the motor vehicle operations of the agency, related activities, and related reporting requirements; and
- (2) provide oversight of those operations, activities, and requirements.

§ 17503. Data collection

(a) Cost Identification and Analysis. The head of each executive agency shall develop a system to identify, collect, and analyze data with respect to all costs (including obligations and outlays) the agency incurs in the operation, maintenance, acquisition, and disposition of motor vehicles, including vehicles owned or leased by the Federal Government and privately owned vehicles used for official purposes.

(b) Requirements for Data Systems.

- (1) Scope of requirements.** In cooperation with the Comptroller General of the United States and the Director of the Office of Management and Budget, the Administrator of General Services shall prescribe requirements governing the establishment and operation by executive agencies of the systems required by subsection (a), including requirements with respect to data on the costs and uses of motor vehicles and with respect to the uniform collection and submission of the data.

(2) Conformity with principles and standards. Requirements prescribed under this section shall conform to accounting principles and standards issued by the Comptroller General. Each executive agency shall comply with those requirements.

§ 17504. Agency statements with respect to motor vehicle use

(a) Contents of Statement. The head of each executive agency shall include with the appropriation request the agency submits under section 1108 of title 31 for each fiscal year, a statement—

(1) specifying—

- (A)** the total motor vehicle acquisition, maintenance, leasing, operation, and disposal costs (including obligations and outlays) the agency incurred in the most recently completed fiscal year; and
- (B)** an estimate of those costs for the fiscal year in which the request is submitted and for the succeeding fiscal year; and

(2) justifying why the existing and any new motor vehicle acquisition, maintenance, leasing, operation, and disposal requirements of the agency cannot be met through the Interagency Fleet Management System the Administrator of General Services operates, a qualified private fleet management firm, or any other method which is less costly to the Federal Government.

(b) Compliance with Requirements. The head of each executive agency shall comply with the requirements prescribed under section 17503 (b) of this title in preparing each statement required under subsection (a).

§ 17505. Presidential report

(a) Summary and Analysis of Agency Statements. The President shall include with the budget transmitted under section 1105 of title 31 for each fiscal year, or in a separate written report to Congress for that fiscal year, a summary and analysis of the statements most recently submitted by the heads of executive agencies pursuant to section 17504 (a) of this title.

(h) Contents of Summary and Analysis. Each summary and analysis shall include a review, for the fiscal year preceding the fiscal year in which the budget is submitted, the current fiscal year, and the fiscal year for which the budget is submitted, of the cost savings that have been achieved, that are estimated will be achieved, and that could be achieved, in the acquisition, maintenance, leasing, operation, and disposal of motor vehicles by executive agencies through—

- (1)** the use of a qualified private fleet management firm or another private contractor;
- (2)** increased reliance by executive agencies on the Interagency Fleet Management System the Administrator of General Services operates; or
- (3)** other existing motor vehicle management systems.

§ 17506. Reduction of storage and disposal costs

The Administrator of General Services shall take such actions as may be necessary to reduce motor vehicle storage and disposal costs and to improve the rate of return on motor vehicle sales through a program of vehicle reconditioning prior to sale.

§ 17507. Savings

(a) Actions by President Required. The President shall establish, for each executive agency, goals to reduce outlays for the operation, maintenance, leasing, acquisition, and disposal of motor vehicles in order to reduce, by fiscal year 1988, the total amount of outlays by all executive agencies for the operation, maintenance, leasing, acquisition, and disposal of motor vehicles to an amount which is \$150,000,000 less than the amount for the operation, maintenance, leasing, acquisition, and disposal of motor vehicles requested by the President in the budget submitted under section 1105 of title 31 for fiscal year 1986.

(b) Monitoring of Compliance. The Director of the Office of Management and Budget shall monitor compliance by executive agencies with the goals established by the President under subsection (a) and shall include, in each summary and analysis required under section 17505 of this title, a statement specifying the reductions in expenditures by executive agencies, including the Department of Defense, achieved under those goals.

§ 17508. Compliance

(a) Administrator of General Services. The Administrator of General Services shall comply with and be subject to this chapter with regard to all motor vehicles that are used within the General Services Administration for official purposes.

(b) Managers of Other Motor Pools. This chapter with respect to motor vehicles from the Interagency Fleet Management System shall be complied with by the executive agencies to which such motor vehicles are assigned.

§ 17509. Applicability

(a) Priority in Reducing Headquarters Use. The heads of executive agencies shall give first priority to meeting the goals established by the President under section 17507 (a) of this title by reducing the costs of administrative motor vehicles used at the headquarters and regional headquarters of executive agencies, rather than by reducing the costs of motor vehicles used by line agency personnel working in agency field operations or activities.

(b) Regulations, Standards, and Definitions. The President shall require the Administrator of General Services, in cooperation with the Director of the Office of Management and Budget, to prescribe appropriate regulations, standards, and definitions to ensure that executive agencies meet the goals established under section 17507 (a) of this title in the manner prescribed by subsection (a).

§ 17510. Cooperation

The Director of the Office of Management and Budget and the Administrator of General Services shall cooperate closely in the implementation of this chapter.

Appendix L – 40 U.S.C. 601, Motor Vehicle Pools and Transportation Systems

40 U.S.C. 491, Motor Vehicle Pools and Transportation Systems **REVISED** 40 U.S.C. 601

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1121.)

Historical and Revision Notes		
Revised Section	Source (U.S. Code)	Source (Statutes at Large)
601	40:491(a).	June 30, 1949, ch. 288, title II, § 211(a), as added Sept. 5, 1950, ch. 849, § 5(c), 64 Stat. 583; Sept. 1, 1954, ch. 1211, § 2, 68 Stat. 1126.

Ex. Ord. No. 10579. Interagency Motor-Vehicle Pools and Systems

Ex. Ord. No. 10579, Dec. 1, 1954, 19 F.R. 7925, provided:

Section 1. Purpose and general policy.

(a) The purpose of these regulations is to establish policies and procedures under which interagency motor-vehicle pools or systems may be established, operated, curtailed, or discontinued.

(b) The Administrator of General Services (hereinafter referred to as the Administrator) shall establish and provide for the operation of interagency motor-vehicle pools and systems for the purpose of providing more efficient or economical transportation of Government personnel and property within specific areas by motor vehicles or local transit systems. Pools or systems based in whole or in part upon use of privately-owned vehicles and facilities shall be preferred to Government ownership of vehicles and facilities to the extent that it is feasible to provide required motor-vehicle services of satisfactory quality and cost from commercial or other private sources.

Sec. 2. Conduct of studies to determine advisability of establishing motor-vehicle pools or systems.

(a) The Administrator shall select areas in which studies are to be conducted to determine the advisability of establishing motor-vehicle pools or systems. Before initiating any such study, he shall give at least thirty days notice to the head of each executive agency (as defined in section 3(a) of the Act [now 40 U.S.C. 102 (4)]). The notice shall include a statement of the approximate geographic area to be studied and the date on which the study will begin.

(b) The head of each executive agency receiving notice that such a study is to be made shall provide information which is required or pertinent. He shall also designate one or more officials in the field with whom members of a staff assigned by the General Services Administration may consult. Such designated officials shall provide such

assigned staff with needed information and assistance, including reasonable opportunities to observe motor-vehicle operations and facilities and to examine pertinent cost and other records.

Sec. 3. Determination to establish an interagency motor-vehicle pool or system.

(a) If the Administrator determines, with due regard to the program activities of the agencies concerned, and on the basis of a study made in accordance with section 2 hereof, that an interagency motor-vehicle pool or system should be established, he shall be responsible for preparing a formal determination to that effect. Such determination shall include:

- (1) A description of the proposed operation, including a statement of the types of service and of the geographic area, and the agencies or parts of agencies to be served.
- (2) The name of the executive agency designated to be responsible for operating the pool or system, and the reasons for such designation.
- (3) A statement indicating the motor vehicles and related equipment and supplies to be transferred and the amount of reimbursement, if any, to be made therefrom.

(b) Each determination shall be accompanied by an analytical justification which shall include a comparison of estimated costs of the present and proposed methods of operation and a showing of the estimated savings to be realized through the establishment of the proposed pool or system. The justification shall also describe the alternatives considered in making the determination, and shall include a statement concerning the availability of privately-owned facilities and equipment, and the feasibility and estimated cost (immediate and long-term) of using such facilities and equipment.

(c) The Administrator shall send a copy of each determination to each executive agency affected and to the Director of the Bureau of the Budget [now the Director of the Office of Management and Budget] (hereinafter referred to as the Director).

Sec. 4. Transfers of records, facilities, personnel, and appropriations. Whenever the Administrator prepares a determination as set forth in section 3 of these regulations, he shall also prepare and present to the Director a schedule of the proposed transfer of such records, facilities, personnel, and appropriations as relate primarily to the functions which are to be transferred to the interagency motor-vehicle pool or system. A copy of such schedule shall be sent by the Administrator to each executive agency affected. The Director shall determine the records, facilities, personnel, and appropriations to be transferred.

Sec. 5. Taking effect of determinations. Unless a greater time is allowed therein, any determination made by the Administrator shall become binding on all affected executive agencies forty-five days after the issuance thereof except with respect to any agency which appeals, or requests an exemption, from any such determination in accordance with section 6 of these regulations.

Sec. 6. Review of determinations not agreed to by agencies affected.

(a) Any executive agency may appeal or request exemption from any or all proposals affecting it which are contained in a determination. Appeals shall be submitted in writing

to the Director with a copy to the Administrator within forty-five days from the date of the determination. Such appeals shall be accompanied by factual and objective supporting data and justification.

(b) The Director shall review any determination from which an executive agency has appealed and shall make a final decision on such appeal. The Director shall make such decisions, within seventy-five days after he receives the appeal or as soon thereafter as practicable, on the basis of information contained in the Administrator's determination, the executive agencies' appeals therefrom, and any supplementary data submitted by the Administrator and the contesting agencies. The Director shall send copies of decisions to the Administrator and to the heads of other executive agencies concerned.

(c) The Director's decision upon each such appeal, if it holds that the determination shall apply in whole or in part to the appealing agency, shall state the extent to which the determination applies and the effective date of its application. To the extent that the Director's decision on an appeal does not uphold the Administrator's determination, such determination shall be of no force and effect.

Sec. 7. Compliance with determinations and decisions on appeals.

(a) When a determination or a decision on an appeal made in accordance with these regulations has become effective, each executive agency affected shall comply therewith.

(b) The Director shall take such actions as he deems appropriate to assist in securing compliance with determinations which have become effective. In the exercise of this authority to establish reserves in apportioning appropriations and funds, the Director shall take account of such savings as accrue from the establishment of inter-agency motor-vehicle pools and systems.

(c) The executive agency which operates any pool or system established hereunder shall maintain accurate records of the cost of establishment, maintenance, and operation of any interagency motor-vehicle pool or system established pursuant to these regulations.

(d) The Administrator shall be responsible for maintaining adequate reviews and controls of the economy and efficiency of all pools or systems established in accordance with these regulations, including those not directly operated by the General Services Administration.

Sec. 8. Discontinuance or curtailment of service.

(a) If, during any reasonable period, not exceeding two successive fiscal years, no actual savings are realized from the operation of any pool or system established hereunder, the Administrator shall discontinue the pool or system concerned.

(b) The Administrator may discontinue or curtail a motor-vehicle pool or system when he determines that it is not the most economical method of rendering required motor-vehicle service; but he shall give at least sixty days notice of such intention to executive agencies affected and to the Director before taking such action.

(c) Executive agencies affected by a pool or system for which the Administrator is responsible (including inter-agency pools or systems operated by another executive agency designated by the Administrator) may bring problems of service and cost to the attention of the Administrator, who shall assure that such problems receive proper attention.

(d) Executive agencies receiving motor-vehicle services from an interagency motor-vehicle pool or system under these regulations may request discontinuance or curtailment of their participation in such pool or system after at least one year of participation or in the event that the need for the services from the pool or system ceases. Such requests shall be submitted to the Administrator with pertinent factual justification.

(e) If the Administrator does not agree with such request and is unable to make arrangements which are mutually acceptable to him and to the head of the executive agency concerned, the agency's request for discontinuance or modification and the Administrator's reasons for not agreeing with the request shall be forwarded to the Director who shall be responsible for making a final and binding decision.

(f) When a pool or system is discontinued or curtailed, such transfers of vehicles and related equipment and supplies, personnel, records, facilities, and funds as may be appropriate will be made, subject to the approval of the Director.

Sec. 9. Motor vehicles exempted from inclusion in interagency motor-vehicle pools. The following-described classes of motor vehicles shall be exempt from inclusion in interagency motor-vehicle pools or systems:

(1) Motor vehicles designed or used for military field training, combat, or tactical purposes, or used principally within the confines of a regularly established military post, camp, or depot.

(2) Any motor vehicle regularly used by an agency in the performance of investigative, law enforcement, or intelligence duties if the head of such agency determines that exclusive control of such vehicle is essential to the effective performance of such duties: Provided, that vehicles regularly used for common administrative purposes not directly connected with the performance of law enforcement, investigative, or intelligence duties shall not because of such use be exempted from such inclusion.

(3) Any motor vehicle the conspicuous identification of which as a Government vehicle would interfere with the purpose for which it is acquired and used.

(4) Unless inclusion is mutually agreed upon by the Administrator and the head of the agency concerned:

(i) Motor vehicles for the use of the heads of the executive agencies, ambassadors, ministers, charge [sic] d'affaires, and other principal diplomatic and consular officials.

(ii) Motor vehicles regularly and principally used for the transportation of diplomats and representatives of foreign countries or by officers of the Department of State for the conduct of official business with representatives of foreign countries.

(iii) Motor vehicles regularly used for the distribution and transportation of mails.

(5) Motor vehicles which, because of their design or the special purposes for which they are used, or for other reasons, cannot advantageously be incorporated in an interagency motor-vehicle pool or system if the exemption thereof has been mutually agreed upon by the Administrator and the head of the executive agency concerned.

(6) Motor vehicles exempted by an agency which has authority to make such an exemption under the provisions of the Act [probably means the Federal Property and Administrative Services Act of 1949, now chapters 1 to 11 of this title and title III of the Act of June 30, 1949 (41 U.S.C. 251 et seq.)].

Sec. 10. Optional use arrangements. Nothing in these regulations shall be construed as precluding the establishment or operation of interagency motor-vehicle pools or systems on the basis of optional use by executive or other Federal agencies.

Sec. 11. Supplementary regulations. The Administrator shall, after consultation with the executive agencies concerned and with due regard to their program activities, issue such supplementary regulations of general applicability to the executive agencies concerned as are necessary for the effective and economical operation of pools or systems under the Act [probably means the Federal Property and Administrative Services Act of 1949].

Dwight D. Eisenhower.

Appendix M – 28 U.S.C. 2671, Federal Tort Claims Act

28 U.S.C. 2671, Federal Tort Claims Act

The FTCA provides a limited waiver of the federal government's sovereign immunity when its employees are negligent within the scope of their employment. Under the FTCA, the government can only be sued 'under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred.' 28 U.S.C. S 1346(b). Thus, the FTCA does not apply to conduct that is uniquely governmental, that is, incapable of performance by a private individual.

28 U.S.C. S 2680(h) provides that the government is not liable when any of its agents commits the torts of assault, battery, false imprisonment, false arrest, malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights. However, it also provides an exception. The government is liable if a law enforcement officer commits assault, battery, false imprisonment, false arrest, abuse of process, or malicious prosecution. The government is not liable if the claim against law enforcement officers is for libel, slander, misrepresentation, deceit, or interference with contract. Congress has not waived the government's sovereign immunity against all law enforcement acts or omissions.

Furthermore, the FTCA is limited by a number of exceptions pursuant to which the government is not subject to suit, even if a private employer could be liable under the same circumstances. These exceptions include the discretionary function exception, which bars a claim 'based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of a federal agency or an employee of the Government, whether or not the discretion involved be abused.' 28 U.S.C. S 2680(a).

In order to determine whether conduct falls within the discretionary function exception, the courts must apply a two-part test established in *Berkovitz v. U.S.*, 486 U.S. 531, 536 ('88). See *Kennewick Irrigation Dist. v. U.S.*, 880 F.2d 1018, 1025 (9th Cir.'89). First, the question must be asked whether the conduct involved 'an element of judgment or choice.' *U.S. v. Gaubert*, 499 U.S. 315, 322 ('91) (quotation omitted). This requirement is not satisfied if a 'federal statute, regulation, or policy specifically prescribes a course of action for an employee to follow.' *Berkovitz*, 486 U.S. at 536. Once the element of judgment is established, the next inquiry must be 'whether that judgment is of the kind that the discretionary function exception was designed to shield' in that it involves considerations of 'social, economic, and political policy.' *Gaubert*, 499 U.S. at 322-23.

Absent specific statutes or regulations, where the particular conduct is discretionary, the failure of the government properly to train its employees who engage in that conduct is also discretionary. See, e.g., *Flynn v. U.S.*, 902 F.2d 1524 (10th Cir.'90) (failure of National Park Service to train its employees as to proper use of emergency equipment was discretionary).

The FTCA specifies that the liability of the U.S. is to be determined 'in accordance with the law of the place where the [allegedly tortious] act or omission occurred.' 28 U.S.C. S

1346(b). In an action under the FTCA, a court must apply the law the state courts would apply in the analogous tort action, including federal law. See *Caban v. U.S.*, 728 F.2d 68, 72 (2d Cir.'84); see also *Richards v. U.S.*, 369 U.S. 1, 11-13 ('62).

Under California law, a California court would apply federal law to determine whether an arrest by a federal officer was legally justified and hence privileged. See *Trenouth v. U.S.*, 764 F.2d 1305, 1307 (9th Cir.'85) (applying federal law in an FTCA action for false imprisonment to determine legality of arrest by Department of Defense officers in California); cf. *Gasho v. U.S.*, 39 F.3d 1420, 1427-32 (9th Cir.'94) (applying federal law in FTCA false imprisonment action against federal customs officials to determine if probable cause justified arrest in Arizona).

A plaintiff cannot bring an FTCA claim against the United States based solely on conduct that violates the Constitution because such conduct may violate only federal, and not state, law. See *FDIC v. Meyer*, 114 S.Ct. 996, 1001 ('94).

The substitution provision of the Federal Employees Liability Reform and Tort Compensation Act (FELRTCA) provides that '[u]pon certification by the Attorney General that the defendant employee was acting within the scope of his office or employment at the time of the incident out of which the claim arose . . . the United States shall be substituted as the party defendant.' 28 U.S.C. S 2679(d)(1). The purpose of this amendment to the Federal Tort Claims Act was to 'remove the potential personal liability of Federal employees for common law torts committed within the scope of their employment, and . . . instead provide that the exclusive remedy for such torts is through an action against the United States under the FTCA.' H.R. Rep. No. 700, 100th Cong., 2d Sess. 4 (1988)

Under the FTCA, the U.S. is subject to liability for the negligence of an independent contractor only if it can be shown that the government had authority to control the detailed physical performance of the contractor and exercised substantial supervision over its day-to-day activities. See *U.S. v. Orleans*, 425 U.S. 807, 814-15 ('76); *Lctnes v. U.S.*, 820 F.2d 1517, 1519 (9th Cir.'87).

Appendix N - Federal Leadership on Reducing Text Messaging while Driving

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release October 1, 2009

EXECUTIVE ORDER - - - - - FEDERAL LEADERSHIP ON REDUCING TEXT MESSAGING WHILE DRIVING

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 7902(c) of title 5, United States Code, and the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 101 et seq., and in order to demonstrate Federal leadership in improving safety on our roads and highways and to enhance the efficiency of Federal contracting, it is hereby ordered as follows:

Section 1. Policy.

With nearly 3 million civilian employees, the Federal Government can and should demonstrate leadership in reducing the dangers of text messaging while driving. Recent deadly crashes involving drivers distracted by text messaging while behind the wheel highlight a growing danger on our roads. Text messaging causes drivers to take their eyes off the road and at least one hand off the steering wheel, endangering both themselves and others. Every day, Federal employees drive Government-owned, Government-leased, or Government-rented vehicles (collectively, GOV) or privately-owned vehicles (POV) on official Government business, and some Federal employees use Government-supplied electronic devices to text or e-mail while driving. A Federal Government-wide prohibition on the use of text messaging while driving on official business or while using Government-supplied equipment will help save lives, reduce injuries, and set an example for State and local governments, private employers, and individual drivers. Extending this policy to cover Federal contractors is designed to promote economy and efficiency in Federal procurement. Federal contractors and contractor employees who refrain from the unsafe practice of text messaging while driving in connection with Government business are less likely to experience disruptions to their operations that would adversely impact Federal procurement.

Sec. 2. Text Messaging While Driving by Federal Employees.

Federal employees shall not engage in text messaging (a) when driving GOV, or when driving POV while on official Government business, or (b) when using electronic equipment supplied by the Government while driving.

Sec. 3. Scope of Order.

(a) All agencies of the executive branch are directed to take appropriate action within the scope of their existing programs to further the policies of this order and to implement section 2 of this order. This includes, but is not limited to, considering new rules and

programs, and reevaluating existing programs to prohibit text messaging while driving, and conducting education, awareness, and other outreach for Federal employees about the safety risks associated with texting while driving. These initiatives should encourage voluntary compliance with the agency's text messaging policy while off duty.

(b) Within 90 days of the date of this order, each agency is directed, consistent with all applicable laws and regulations:

- (i) to take appropriate measures to implement this order,
- (ii) to adopt measures to ensure compliance with section 2 of this order, including through appropriate disciplinary actions, and
- (iii) to notify the Secretary of Transportation of the measures it undertakes hereunder.

(c) Agency heads may exempt from the requirements of this order, in whole or in part, certain employees, devices, or vehicles in their respective agencies that are engaged in or used for protective, law enforcement, or national security responsibilities or on the basis of other emergency conditions.

Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Subrecipients.

Each Federal agency, in procurement contracts, grants, and cooperative agreements, and other grants to the extent authorized by applicable statutory authority, entered into after the date of this order, shall encourage contractors, subcontractors, and recipients and subrecipients to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or GOV, or while driving POV when on official Government business or when performing any work for or on behalf of the Government. Agencies should also encourage Federal contractors, subcontractors, and grant recipients and subrecipients as described in this section to conduct initiatives of the type described in section 3(a) of this order.

Sec. 5. Coordination.

The Secretary of Transportation, in consultation with the Administrator of General Services and the Director of the Office of Personnel Management, shall provide leadership and guidance to the heads of executive branch agencies to assist them with any action pursuant to this order.

Sec. 6. Definitions.

(a) The term "agency" as used in this order means an executive agency, as defined in 5 U.S.C. 105, except for the Government Accountability Office.

(b) "Texting" or "Text Messaging" means reading from or entering data into any handheld or other electronic device, including for the purpose of SMS texting, e-mailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication.

(c) "Driving" means operating a motor vehicle on an active roadway with the motor running, including while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise. It does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

Sec. 7. General Provisions.

(a) Nothing in this order shall be construed to impair or otherwise affect or alter:

- (i) Authority granted by law or Executive Order to an agency, or the head thereof;
- (ii) Powers and duties of the heads of the various departments and agencies pursuant to the Highway Safety Act of 1966, as amended, 23 U.S.C. 402 and 403, section 19 of the Occupational Safety and Health Act of 1970, as amended, 29 U.S.C. 668, sections 7901 and 7902 of title 5, United States Code, or the Federal Property and Administrative Services Act of 1949, as amended, 40 U.S.C. 101 et seq.;
- (iii) Rights, duties, or procedures under the National Labor Relations Act, 29 U.S.C. 151 et seq.; or
- (iv) Functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA

THE WHITE HOUSE, October 1, 2009.

Appendix O – EO # 12375, Motor Vehicles

EO 12375, "Motor Vehicles," 3 CFR (1982 Compilation).

EO 12375 of 1982 further amended EO 11912 to reduce the required Federal passenger automobile fleet efficiency established in EO 12003. Whereas EO 12003 required the Federal passenger fleet to exceed manufacturers' average fleet efficiency by 4 miles per gallon, EO 12375 required only that the Federal fleet meet the manufacturers' average efficiency and that light trucks meet standards set by the Secretary of Transportation. This EO contrasted sharply with EO 12003, which was far more ambitious and went beyond some minimum requirements set by Congress.

Appendix P - Memorandum for the Secretary (Exemption of Certain Law Enforcement Vehicles)

This memorandum represents approval of the Secretary for exemptions of certain law enforcement vehicles from EISA 141 and EO 13514.

U.S. Department of Homeland Security
Washington, D.C. 20535

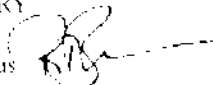


**Homeland
Security**

JAN 20 2011

MEMORANDUM FOR THE SECRETARY

FROM:

Rafael Borrás 
Under Secretary for Management

SUBJECT:

Request Secretary's Approval for Exemptions to the Energy
Independence and Security Act of 2007, Section 141 and
Executive Order 13514 for Specific Law Enforcement Vehicles

This memorandum requests your approval to exempt certain law enforcement (LE) vehicles from the requirements of the Energy Independence and Security Act of 2007, Section 141 (EISA 141), and Executive Order 13514 (EO 13514).

EISA 141 and EO 13514 require the reduction of fossil fuel consumption, increased alternative fuel use, and the acquisition and use of low Greenhouse Gas (GHG) emitting vehicles. Understood within these laws is the recognition that certain types of vehicles (primarily for tactical operations) are not yet capable of full compliance or supported by existing infrastructure. In these cases, the head of the Department may grant exemptions to these requirements of these laws.

DHS has 49,000 vehicles in its inventory. Approximately 36,000 or 73 percent are law enforcement vehicles that could fall under the acceptable definition for exemption. However, as a Department we are committed to sustainability and are looked to as a leader to identify new ways to bring sustainability to the tactical arena.

As such, DHS has refined its definitions for law enforcement vehicles into the three categories summarized below:

- LE I - Vehicles used for dignitary protection, off-road, and pursuit activities and specifically built for these purposes.
- LE II - Vehicles used for patrol or investigations.
- LE III - Vehicles used for administrative purposes, assigned to law enforcement, but not regularly used in that capacity.

LE II and LE III vehicles are not proposed for exemption and can be supported with current alternate fuel technologies and infrastructure.

We request approval to exempt LE I vehicles (approximately 25,000 vehicles or 51 percent of the fleet) from the requirements of EISA 141 and EO 13514 in accordance with the applicable sections

in each law. This exemption will primarily support the tactical operations of the US Border Patrol and US Secret Service and will be limited to a period not to exceed five years.

Recommendation: I recommend you approve exemptions for all LLE vehicles.

Approve date: 11/11/2011 2011

Disapprove date: _____

Modify date: _____

Needs discussion date: _____

Appendix Q – Hyperlinks

Note: Place your cursor over the underlined information, depress your Ctrl button on the bottom left side of your keyboard, and click.

FMR Part 102-34 – Motor Vehicle Management

40 U.S.C. 121(c) - Administrative

40 U.S.C. 17503 – Data Collection

31 U.S.C. 1344 - Passenger Carrier Use

49 U.S.C. 32917 – Standards for Executive Agency Automobiles

OMB's Circular A-11, Preparation, Submission and Execution of the Budget

OMB Circular A-76, Performance of Commercial Activities

Consolidated Omnibus Budget Reconciliation Act, The Consolidated Omnibus Budget Reconciliation Act (COBRA) is Public Law 99-272

E.O. 13423, "Strengthening Federal Environmental, Energy and Transportation Management"

Executive Order 13514 - Federal Leadership in Environmental, Energy, and Economic Performance

Energy Policy Acts (EPA) of 1992

Energy Policy Acts (EPA) of 2005

Energy Independence and Security Act (EISA) of 2007, Sections 141, 142 and 246

Clean Air Act Section 118(c) & 118(d) – Control of Pollution from Government Facilities [(c) Government Vehicles, (d) Vehicles operated on Government Installations]

Secretary's 60 and 120 Day Efficiency Review Initiatives

DOE – Comprehensive Federal Fleet Management Handbook.