

## SMG 2173.1

### FDA Staff Manual Guides, Volume III – General Administration

#### Motor Vehicle Management

#### Fleet Management Program

Effective Date: 02/16/2021

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#### 1. Purpose.

This SMG provides FDA policy for the use and control of Agency vehicles, either FDA-owned, GSA-leased or commercially leased/rented vehicles.

**Revision/Revocation:** This Staff Management Guide (SMG) supersedes SMG 2173.1, *Utilization of Government Motor Vehicles*, dated February 1st, 1995, and replaces SMG 2171.1, *Issuance of Government Motor Vehicle Operator's Identification Cards*, dated February 16th, 1988 and Guide h:2172.1, *Procedures for Requesting Government Dispatch Motor Vehicles at Headquarters*, dated May 11th, 1990, which are revoked.

**Summary of Changes:** This SMG updates the publications under the category of Motor Vehicle Management by superseding one and replacing two publications, changes the title of this SMG, sets forth the purpose and scope of this SMG,

identified the authorities which this SMG is derived, including the Health and Human Services (HHS) Logistics Management Manual (LMM) Section 5, revises the roles and responsibilities for managers and supervisors, employees and contractors, and specific individuals by duty position for Food and Drug Administration (FDA) fleet management, sets FDA fleet management policy, moves the authorities and definitions to attachments to the SMG and moves the procedures for executing policy from this SMG to manuals, guides and standard operating procedures as established by the FDA Fleet Management Program.

## 2. Scope.

This SMG applies to all FDA organizations, employees, including Public Health Service Commissioned Corps Officers assigned to FDA, and contractors.

## 3. Policy.

A. **Compliance with Applicable Laws and Higher-Level Guidance:** The FDA Fleet Management Program (FMP) will comply with all applicable Federal laws and regulations and Executive Orders (EOs), as well as applicable policies and procedures of HHS. Additionally, the FMP will comply with applicable regulations, policies and procedures from other Federal departments and agencies (DOE, GSA, etc.) with oversight over aspects of the FMP. Additionally, the Agency will comply with all State and local laws and ordinances dealing with vehicle operation applicable to Federal vehicles.

1. The Agency Fleet Program Manager is tasked with ensuring that the Agency and its subordinate organizational elements comply with the provisions of Section 3.A.

B. **Establishment of Agency and Lower Policies and Procedures:** The Agency will establish policies, practices and procedures, including, but not limited to, standard operating procedures, manuals, guides, programs, etc., in order to comply with applicable Federal laws and regulations as well as applicable regulations, policies and procedures of HHS and other Federal departments and agencies with oversight over aspects of the FMP.

1. The Fleet Management Staff (FMS) led by the Agency Fleet Program Manager is tasked with accomplishing this for the Agency. This includes preparing and submitting all proposed new or revised policies, practices and procedures, including standard operating procedures, manuals, guides, programs, etc., for review and approval by the appropriate approving authority. The Agency Fleet Program Manager will review annually all Agency fleet policies, practices, procedures, etc., and recommend changes for review and approval by the appropriate approving authority.

- a. For purposes of this SMG, the term “the FMP will establish procedures”, implies FMS has responsibility for preparing and submitting for review and approval by the appropriate approving authority any Agency standard operating procedures, manuals, guides, programs, etc., related to the topic discussed within that section of the SMG.
2. Centers and lower level organizations within the Agency are authorized to establish those policies, practices and procedures, including standard operating procedures, manuals, guides, programs, etc., necessary for Center or lower compliance with higher level guidance.
3. All Agency, Center and lower level organization fleet policies, practices and procedures, including standard operating procedures, manuals, guides, programs, etc., must be in compliance with applicable Federal laws and regulations, applicable regulations, policies and procedures of HHS, applicable higher-level FDA organizations (Centers and below) and other Federal departments and agencies with oversight over aspects of the FMP. All Agency, Center and lower fleet policies, practices and procedures are subject to review to verify and ensure such policies, practices and procedures comply with applicable laws or higher-level guidance.

#### **4. Responsibilities.**

- A. **FDA Chief Operating Officer:** In accordance with HHS LMM Section 5.1.7, the FDA Chief Operating Officer (COO), as the Operations and Staff Division (OP/STAFFDIV) Senior Executive Officer for FDA, the role of provides direction for developing and establishing an effective and efficient fleet and transportation management program. The COO is responsible for:
  1. Directing the establishment of and approving Agency fleet and transportation management policies.
    - a. Delegating to the OFEMS Director the authority to direct the establishment of and approving Agency fleet and transportation management policies, including this SMG.
  2. Directing the establishment of appropriate levels of fleet management structures within the Agency to administer proper fleet management.
  3. Delegating authority to managers, supervisors, employees, contractors and fleet program managers, fleet operations managers, fleet operations representatives, vehicle custodians and drivers/operators to carry out the fleet and transportation management policies within the Agency.
  4. Delegating to the Director, Office of Facility Engineering and Missions Support Services (OFEMS) the authority to establish and operate the FDA

Fleet Management Program on behalf of the Agency as a program under OFEMS.

- a. Under the authority to establish and operate the FDA Fleet Management Program, delegating to the OFEMS Director the authority to direct the establishment of and approving Agency fleet and transportation management procedures and, at the OFEMS Director's discretion, further delegating this authority to subordinate OFEMS Managers and supervisors with OFEMS responsibility for the FDA Fleet Management Program, including the Agency Fleet Manager.

**B. Director, OFEMS:** In accordance with SMG 1117A, OFEMS manages Agency logistics programs and services, including fleet management. OFEMS also serves as the Agency's governing body responsible for managing and overseeing all Agency Fleet Management program activities. The OFEMS Director is responsible for:

1. Establishing and operating the FDA Fleet Management Program on behalf of the Agency as a program under OFEMS.
2. Recommending establishment of Agency fleet and transportation management policies for approval by the COO.
3. Recommending the establishment of appropriate levels of fleet management structures within the Agency to administer proper fleet management for approval by the COO.
4. Appointing the Agency Fleet Program Manager and delegating to them the authority to operate the FDA Fleet Management Program on behalf of the Agency as a program under OFEMS.
5. Directing the establishment of and approving Agency fleet and transportation management procedures and may further delegate this authority to subordinate OFEMS Managers and supervisors, including the Agency Fleet Program Manager.

**C. Agency Fleet Program Manager:** The Agency Fleet Program Manager (also known as the Agency Fleet Manager) is a position assigned within OFEMS. The Agency Fleet Program Manager is responsible for:

1. Operating the FDA Fleet Management Program (FMP) on behalf of the Agency as a program under OFEMS.
2. Directing those OFEMS employees and contractors assigned to support the FMP as applicable designated as the Fleet Management Staff (FMS).

3. Providing Agency level program management and oversight (including Agency-level approval and disapproval) for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles.
4. Recommending through the OFEMS Director for approval by the COO the establishment of Agency fleet and transportation management policies for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles, to ensure compliance with applicable Federal laws, regulations, policies and procedures.
5. Recommending through the OFEMS Director for approval by the COO the establishment of appropriate levels of fleet management structures within the Agency to administer proper fleet management.
6. Recommending to the OFEMS Director the development and implementation of (or if delegated, developing and implementing) Agency level practices and procedures, including standard operating procedures, manuals, guides, etc., for the planning, acquisition, allocation, use, care and maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles, to ensure compliance with applicable Federal laws, regulations, policies and procedures.
7. Representing the Agency fleet program to the HHS fleet program management, other HHS staff sections, other HHS OPSTAFFDIVs, GSA Fleet, DOE, other Federal departments and agencies, organizations and the private sector.
8. Providing guidance, direction, assistance and program oversight to Agency fleet program personnel throughout the Agency, including but not limited to Center Fleet Program Managers and Center Fleet Operations Managers.
9. Providing guidance and assistance on fleet issues to Agency employees and contractors not affiliated with the Agency fleet community.
10. Establishing and maintaining Agency-wide statistical information on vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles GSA-leased and Agency-owned vehicles, including but not limited to vehicle usage, cost, performance, and inventories.

11. Planning and implementing studies, reviews, inspections, audits, etc., to assess and ensure compliance with laws and regulations governing all aspects of the use of vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles.
12. Ensuring adherence by the Agency vehicle fleet to federal environmental standards, including fuel economy and consumption, vehicle acquisition, and sanctioned uses.
13. Identifying budgeting and facility requirements for acquiring, operating, maintaining, parking and storing Agency vehicles and obtaining related supplies, services, and accessories.
14. Establishing and maintaining internal controls for the proper oversight and accountability of Agency fleet operations, including internal controls for the acquisition, use and disposal of GSA-leased and Agency-owned fleet charge cards and auditing of receipts, logs, etc., associated with vehicle use, vehicle expenditures and vehicle lease charges.
15. Establishing record keeping and reporting systems and requirements to ensure the accountability of vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles, including but not limited to vehicle acquisition, use, life cycle, operations, maintenance, and disposition.
16. Reviewing vehicle policies and procedures from Centers and subordinate offices to verify and ensure compliance with applicable vehicle laws, regulations, policies and procedures.
17. Overseeing the establishment and operation of Fleet Advisory Boards, Councils, Team, etc. established under the authority of the Facility Management Council (FMC) and provides updates, reports, etc., to the FMC as requested.
18. Responding on behalf of the Agency to requests for fleet program information, reports, etc., as required.
19. Monitoring that vehicle drivers and operators within the Agency have completed required training to operate government vehicles and taking appropriate action to prohibit government vehicle use by employees and contractors who become ineligible to operate government vehicles.

**D. Center Executive Officers:** Center Executive Officers are responsible for:

1. Providing executive level program management and oversight (including center-level approval and disapproval) for the planning, acquisition, allocation,

use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by their center including law enforcement and special use vehicles.

2. Appointing in writing the Center Fleet Program Manager if the Center has vehicles assigned.
3. Appointing in writing the Center Fleet Operations Manager if the Center has vehicles assigned and may further delegate this appointment authority to the Center Fleet Program Manager.

**E. FDA Facilities Management Council:** In accordance with SMG 2010.12, The FDA Facilities Management Council (FMC) serves in an advisory capacity to OFEMS by allowing FDA programs a forum to communicate and agree to FDA-wide requirements for efficiently and effectively delivering OFEMS services to customers and stakeholders while maintaining an Agency perspective, including fleet management. The FMC ensures issues and policies are addressed and resolved in a manner that enhances operational processes and performance standards. The FMC is responsible for:

1. Reviewing the performance of the FMP and FMS against Service Level Agreement targets, and status of significant fleet program.
2. Provide recommendations to the MC regarding Agency-wide or crosscutting Center fleet program issues or initiatives.
3. Consider specific standing fleet program topics which merit attention by leadership team and require customer or stakeholder input.
4. Identify and recommend fleet-related activities or actions needing FMC attention.
5. Provide Agency-wide governance and oversight of fleet program priorities and performance measures.
6. Advise on strategic priorities affecting the fleet program.
7. Increase transparency of FDA fleet-related activities and operations.
8. Clarify roles and responsibilities for Agency fleet-related activities.
9. Provide fleet-specific input as necessary to address challenges in the Office of Operations Strategic Management Plan.
10. Communicate recommendations, decisions, and actions on the Agency's fleet program to the MC as appropriate.

11. Maintain records of fleet-related FMC recommendations, decision, and actions.
12. Provide input to and work with other Agency components as necessary to achieve FDA fleet program goals and missions.
13. Establish and oversee fleet program and fleet operations boards, councils, teams, etc. for the purpose of fulfilling the FMC's responsibilities and review the recommendations and work products of these groups to develop recommendations and/or options for cross-Agency implementation.

F. **Center Fleet Program Managers:** The Center Fleet Program Manager represents the Center Executive Officer and Center fleet program to the Agency Fleet Program Manager and, as applicable, the Fleet Management Staff. Center Fleet Program Managers are responsible for:

1. Providing Center level program management and oversight for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by their Center including law enforcement and special use vehicles.
2. Serving as the senior level advisor on Center fleet issues to the Center Executive Officer.
3. Recommending to the Agency Fleet Program Manger the establishment of Agency fleet and transportation management policies, practices and procedures, including standard operating procedures, manuals, guides, etc., for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles, to ensure compliance with applicable Federal laws, regulations, policies and procedures.
4. Developing and implementing Center level policies, practices and procedures, including standard operating procedures, manuals, guides, etc., for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles, to ensure Center-level compliance with applicable Federal laws, regulations, policies and procedures and may further delegate this authority to the Center Fleet Operations Manager.
5. Providing supervision, guidance, direction, assistance and program oversight to the Center Fleet Operations Manager.



- a. Appointing in writing the Center Fleet Operations Manager if delegated this appointment authority by the Center Executive Officer.
6. Recommending to the Agency Fleet Program Manager the establishment of appropriate levels of fleet management structures to administer proper fleet management.
7. Identifying Center level budgeting and facility requirements for acquiring, operating, maintaining, parking and storing Agency vehicles and obtaining related supplies, services, and accessories.
8. Serves on Fleet Advisory Boards, Councils, Team, etc. established under the authority of the Facility Management Council (FMC) and provides updates, reports, etc., to the FMC as requested.
9. Responding on behalf of the Center to requests for fleet program information as required.

**G. Center Fleet Operations Managers:** The Center Fleet Operations Manager represents the Center Fleet Program Manager and is the day-to-day point of contact of the Center fleet program to the Agency Fleet Program Manager and, as applicable, the Fleet Management Staff as well as to the Center fleet community. Center Fleet Operations Managers are responsible for:

1. Providing Center level operational management and oversight for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by their Center including law enforcement and special use vehicles.
2. Recommending to the Center Fleet Program Manger the establishment of Agency fleet and transportation management policies, practices and procedures, including standard operating procedures, manuals, guides, etc., for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles, to ensure compliance with applicable Federal laws, regulations, policies and procedures.
3. Recommending to the Center Fleet Program Manger the development and implementation (or, if delegated, developing and implementing) Center level policies, practices and procedures, including standard operating procedures, manuals, guides, etc., for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles, to ensure Center-level compliance with applicable Federal laws, regulations, policies and procedures.

4. Providing guidance, direction, assistance and program oversight to Center fleet program personnel, including but not limited to lower level Fleet Operations Managers as applicable.
5. Directing those Center employees and contractors assigned to support the Center Fleet Operations Manager as applicable.
6. Recommending to the Center Fleet Program Manager the establishment of appropriate levels of fleet management structures to administer proper fleet management.
7. Serves on Fleet Advisory Boards, Councils, Team, etc. established under the authority of the Facility Management Council (FMC) and provides updates, reports, etc., to the FMC as requested.
8. Providing Center-level guidance and assistance on fleet issues to Center employees and contractors not affiliated with the Center fleet community.
9. Establishing and maintaining Center-wide statistical information on vehicles (GSA-leased and Agency-owned) operated by the Center including law enforcement and special use vehicles GSA-leased and Agency-owned vehicles, including but not limited to vehicle usage, cost, performance, and inventories.
10. Planning and implementing studies, reviews, inspections, audits, etc., to assess and ensure Center-wide compliance with laws and regulations governing all aspects of the use of vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles.
11. Ensuring adherence by the Center vehicle fleet to federal environmental standards, including fuel economy and consumption, vehicle acquisition, and sanctioned uses.
12. Providing to the Center Fleet Program Manager Center level budgeting and facility requirements for acquiring, operating, maintaining, parking and storing Agency vehicles and obtaining related supplies, services, and accessories.
13. Enacting and maintaining Agency fleet program as well as establishing and maintaining center level internal controls for the proper oversight and accountability of center fleet operations, including internal controls for the acquisition, use and disposal of GSA-leased and Agency-owned fleet charge cards and auditing of receipts, logs, etc., associated with vehicle use, vehicle expenditures and vehicle lease charges.

14. Enacting and maintaining Agency fleet program as well as establishing and maintaining Center level record keeping and reporting systems and requirements to ensure the accountability of vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles, including but not limited to vehicle acquisition, use, life cycle, operations and maintenance, and disposition.
15. Review vehicle policies and procedures from subordinate Center offices to verify and ensure compliance with applicable vehicle laws, regulations, policies and procedures.
16. Responding on behalf of the Center to requests for fleet program information as required.
17. Monitoring that vehicle drivers and operators within their Center have completed required training to operate government vehicles and taking appropriate action to prohibit government vehicle use by employees and contractors who become ineligible to operate government vehicles.

H. **FDA Managers and Supervisors:** Managers and supervisors at all levels are delegated the authority to carry out the fleet and transportation management policies of the Agency. Managers and supervisors are accountable for the vehicles, fleet program personnel and vehicle drivers and operators within their organization. Managers and supervisors are responsible for:

1. Designating in writing fleet program personnel for the area of responsibility under their authority as authorized for their organizational level.
2. Ensure that proper and sufficient resources are available to fleet program personnel within their organizations to perform their duties.
3. Continuously enforcing administrative directives and measures for the vehicle fleet within their control.
4. Ensuring that motor vehicles are properly acquired, utilized, operated, maintained and disposed of in accordance with Agency and higher-level laws, regulations, policies and procedures.
5. Overseeing the establishment of vehicle policies and procedures for their organization to ensure compliance with applicable vehicle laws, regulations, policies and procedures.
6. Approving the use of fleet vehicles as may be required by policy or procedure.
7. Ensuring that vehicle drivers and operators have completed required training to operate government vehicles and taking appropriate action to prohibit

- government vehicle use by employees and contractors who become ineligible to operate government vehicles.
8. Ensuring that their organization operates and maintains only those number and appropriate types of vehicles necessary to meet organizational mission requirements.
  9. Maintaining awareness of vehicle operations within their area of responsibility.
- I. **Fleet Operations Managers Below Center Level:** The designation of Fleet Operations Manager for an FDA organization below Center level (also known as the Local Fleet Manager) are reserved for those sub-center activities immediately below the Center level which have a large number of vehicles assigned at their location and/or within their organization (example: an ORA District). A Fleet Operations Manager for an FDA organization below Center level is the day-to-day point of contact for their respective Center fleet program to their respective organization's fleet community. Fleet Operations Managers for an FDA organization below Center level are responsible for:
1. Providing operational management and oversight for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by their organization including law enforcement and special use vehicles.
  2. Recommending to the Center Fleet Operations Manger the establishment of Center and/or Agency fleet and transportation management policies, practices and procedures, including standard operating procedures, manuals, guides, etc., for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by the Agency or center including law enforcement and special use vehicles, to ensure Agency, center and organizational-level compliance with applicable Federal laws, regulations, policies and procedures.
  3. Developing and implementing organizational-level policies, practices and procedures, including standard operating procedures, manuals, guides, etc., for the planning, acquisition, allocation, use, care, maintenance, reporting, and disposal for all vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles, to ensure organizational-level compliance with applicable Federal laws, regulations, policies and procedures.
  4. Providing guidance, direction, assistance and program oversight to organization fleet program personnel as applicable.
  5. Directing those organization employees and contractors assigned to support the Sub-center Fleet Operations Manager as applicable.

6. Recommending to the Center Fleet Operations Manager the establishment of appropriate levels of fleet management structures within their organization to administer proper fleet management.
7. Serves on Fleet Advisory Boards, Councils, Team, etc. established under the authority of the Facility Management Council (FMC) and provides updates, reports, etc., to the FMC as requested.
8. Providing organizational guidance and assistance on fleet issues to employees and contractors within their organization not affiliated with the fleet community.
9. Establishing and maintaining statistical information on vehicles (GSA-leased and Agency-owned) operated by the organization including law enforcement and special use vehicles GSA-leased and Agency-owned vehicles, including but not limited to vehicle usage, cost, performance, and inventories.
10. Planning and implementing studies, reviews, inspections, audits, etc., to assess and ensure organization-wide compliance with laws and regulations governing all aspects of the use of vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles.
11. Ensuring adherence by the organization vehicle fleet to federal environmental standards, including fuel economy and consumption, vehicle acquisition, and sanctioned uses.
12. Providing to the Center Fleet Operations Manager organization-level budgeting and facility requirements for acquiring, operating, maintaining, parking and storing Agency vehicles and obtaining related supplies, services, and accessories.
13. Enacting and maintaining Agency and Center fleet program as well as establishing and maintaining organization-level internal controls for the proper oversight and accountability of organization fleet operations, including internal controls for the acquisition, use and disposal of GSA-leased and Agency-owned fleet charge cards and auditing of receipts, logs, etc., associated with vehicle use, vehicle expenditures and vehicle lease charges.
14. Enacting and maintaining Agency and Center fleet program as well as establishing and maintaining organization-level record keeping and reporting systems and requirements to ensure the accountability of vehicles (GSA-leased and Agency-owned) operated by the Agency including law enforcement and special use vehicles, including but not limited to vehicle acquisition, use, life cycle, operations and maintenance, and disposition.

15. Review for organizational approval and, if approved, forwarding for subsequent Center-level review and, if approved, forwarding for ensuing review and approval of the Agency Fleet Program Manager vehicle policies and procedures from subordinate organization offices to ensure compliance with applicable vehicle laws, regulations, policies and procedures.
16. Responding on behalf of the organization to requests for fleet program information.
17. Monitoring that vehicle drivers and operators within their organization have completed required training to operate government vehicles and taking appropriate action to prohibit government vehicle use by employees and contractors who become ineligible to operate government vehicles.
18. Maintaining awareness of who the GSA Fleet Service Representative(s) is/are for their organizational area of responsibility.

**J. Fleet Operations Representatives:** Fleet Operations Representatives assist Center Fleet Program Managers, Center Fleet Operations Managers and Fleet Operations Managers below Center level in the day-to-day management and operation of their respective Center or organization vehicle fleet. They differ from Fleet Program Managers and Fleet Operations Managers at the Center level and below in that they do not perform the full range of duties and activities and do not have the responsibilities of Fleet Program Managers or Fleet Operations Managers. Fleet Operations Representatives are responsible for:

1. Assisting their respective Fleet Program Manager or Fleet Operations Manager in the performance of their duties as outlined in this SMG in the day-to-day management and operation of their respective Center or organization vehicle fleet.
2. Maintaining awareness of vehicle operations within their area of responsibility and making their respective Fleet Program Manager or Fleet Operations Manager aware of matters requiring their attention.

**K. Fleet Vehicle Custodians:** Fleet Vehicle Custodians (or Vehicle Custodians) are designated for each organization location with vehicles directly assigned. Vehicle Custodians are accountable for and function as the day-to-day point of contact for the vehicles assigned to their location. Vehicle Custodians are responsible for:

1. Monitoring the proper care, operation, use, maintenance, and protection of all vehicles assigned to their location and making their supervisor or manager aware of matters requiring their attention.

2. Establishing and maintaining an effective utilization program that ensures efficient and economical use of motor vehicles consistent with established utilization policies and restrictions.
3. Ensuring that all employees and contractors entrusted with the use of Government vehicles are aware of their responsibility for the proper care, operation, use, maintenance, and protection of the vehicles.
4. Ensuring that all employees and contractors entrusted with the use of Government vehicles are aware of all applicable vehicle environmental and energy requirements, including the use of alternative fuel in Alternate Fuel Vehicles (AFVs) to the maximum extent possible.
5. Reporting all accident and incidents involving assigned vehicles, regardless of damage incurred, to their local Fleet Manager or Fleet Operations Representative as well as appropriate supervisors or managers as soon as possible.
6. Establishing controls over fleet credit cards and ensuring cards are used in the performance of official government business. to avoid loss and to prevent unauthorized charges from being incurred.
7. Collecting and maintaining or overseeing the collecting and maintaining of all vehicle records, including but not limited to vehicle logs, fleet credit card purchase receipts, maintenance and repair documentation and receipts, etc., from vehicle drivers and operators and other personnel for all vehicles assigned to their location in accordance with established policies and procedures.
8. As required, reviewing all vehicle logs, fleet credit card purchase receipts, maintenance and repair documentation and receipts, etc., for all vehicles assigned to their location in accordance with established policies and procedures to ensure completeness, accuracy and, if any anomalies are detected, making their supervisor or manager aware of matters requiring their attention.
9. Ensuring that vehicle drivers and operators have completed required training to operate government vehicles and taking appropriate action, including notifying the appropriate supervisors and managers, to prohibit government vehicle use by employees and contractors who become ineligible to operate government vehicles.
10. Responding to established reporting requirements all levels of the Agency fleet program.

**K. Fleet Vehicle Operators/Drivers:** A vehicle driver (also referred to as a driver, vehicle operator or operator) may be either an FDA employee or a contractor (as authorized through terms set forth in their respective contracts). A vehicle driver/operator is the individual actually operating the vehicle versus riding as a passenger in the vehicle. Vehicle drivers/operators are responsible for:

1. Obtaining appropriate approval before using a government vehicle.
2. Ensuring that the motor vehicle they are operating is being used only official purposes as authorized in appropriate Federal laws and Federal, departmental, Agency and related regulations, policies and procedures.
3. Operating government vehicles in compliance with all applicable Federal, State and local vehicle laws.
4. Complying with all applicable Federal, departmental, Agency and related regulations, policies, procedures and guidance related to vehicle operation, vehicle passenger safety, vehicle care, fleet charge card care and use, vehicle record keeping and accident reporting.

**L. FDA Employees and Contractors:** FDA employees and contractors may be involved with Agency vehicle use either on an occasional or regular basis. Both FDA employees and contractors may have need to travel as a passenger in an Agency vehicle. FDA employees may have occasion to utilize Agency vehicles in performance of their official duties and exercise control over their use and are obligated to properly care for, handle, use, and be accountable for such vehicles. Similarly, FDA contractors may use, supervise the use of, or have control over government motor vehicles through terms set forth in their contracts and are also obligated to properly care for, handle, use, and be accountable for such vehicles. Additionally, both FDA employees and contractors may have occasion to observe Agency vehicles in use. FDA employees and contractors are responsible for:

1. Ensuring that government vehicles they use, supervise the use of, or have control/exercise control over are used in compliance with all applicable Federal, State and local vehicle laws.
2. Ensuring that government vehicles they use, supervise the use of, or have control/exercise control over are being used only for official purposes as authorized in appropriate Federal laws and Federal, departmental, Agency and related regulations, policies and procedures.
3. Complying with all applicable Federal, departmental, Agency and related regulations, policies, procedures and guidance related to vehicle passenger safety and vehicle care when travel as a passenger in a government vehicle.



4. Reporting to their supervisor, manager or fleet program personnel any vehicle they observed being operated in an unsafe, unauthorized or otherwise questionable manner.

**5. Procedures.**

Procedures to implement the provisions of the SMG will be found in manuals, guides, etc., as developed and issued by the FMP.

**6. Fleet Policies**

Agency Fleet Policies established to ensure the FMP complies with all applicable Federal laws and regulations, EOs, applicable policies and procedures of HHS, applicable regulations, policies and procedures from other Federal departments and agencies (DOE, GSA, etc.) with oversight over aspects of the FMP as well as those State and local laws and ordinances dealing with vehicle operation applicable to Federal vehicles will be found in the Attachments to this SMG.

**7. Effective Date.**

The effective date of this guide is February 16, 2021.

**8. Document History - SMG 2173.1, Fleet Management Program**

Status (I, R, C)	Date Approved	Location of Change History	Contact	Approving Official
Initial	02/16/2021	N/a	OC/OO/OFEMS/ DOMCR/PPFM	Donald E. Demers, Director, OC/OO/OFEMS

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## Attachment A

### Fleet Structure and Positions

1. **Fleet Organization Structure:** Changes to the fleet organizational structure are requested to and approved by the COO. The Agency Fleet Program Manager will review annually the Agency fleet organizational structure and recommend changes through the OFEMS Director to the COO as appropriate.
  - A. The FMP will establish procedures for changes, etc., for the Fleet Organization Structure to comply with the provisions of Attachment A, Section 1. of this SMG.
2. **Appointment to and Designation of Fleet Program Positions:** All appointments or designations of individuals to perform fleet program duties will be done in writing by the designated appointing authorities.
  - A. The FMP will establish procedures, etc., for appointment, reappointment, designation, etc., of fleet program positions to comply with the provision of Attachment A, Section 2. and its subsections of this SMG.
  - B. Each Center with vehicles assigned will appoint one Center Fleet Program Manager and one Center Fleet Operations Manager. Only one individual within their respective Center can be appointed the Center Fleet Program Manager or Center Fleet Operations Manager and the same individual cannot be appointed for both positions. The Center Executive Office will appoint in writing the Center Fleet Program Manager as well as the Center Fleet Operations Manager and may further delegate appointment authority for the Center Fleet Operations Manager to the Center Fleet Program Manager.
  - C. The designation of Fleet Operations Manager for an FDA organization below Center level is reserved for those sub-center activities immediately below the Center level which have a large number of vehicles assigned at their location and/or within their organization (example: an ORA District). Only one individual within their respective organization can be designated the Fleet Operations Manager. The Manager of the organizational level will designate in writing the Fleet Operations Manager. The establishment of additional sub-center activity organizations authorized the designation of Fleet Operations Manager must be requested and approved by the respective Center Fleet Operations Manager, Center Fleet Program Manager and Agency Fleet Program Manager and also be an authorized designation for that organizational level as approved by the COO.
  - D. The designation of Fleet Operations Representative is reserved for those positions that directly assist Center Fleet Program Managers, Center Fleet Operations Managers and Fleet Operations Managers below Center level in the day-to-day management and operation of their respective Center or organization vehicle fleet. They differ from Fleet Program and Operations Managers in that they do not perform the full range of duties and activities and do not have the

responsibilities of Fleet Program or Operations Managers. Fleet Operations Representatives will be designated in writing by the respective Fleet Program or Operations Manager which they directly support. There are no limits to the number of Fleet Operations Representatives that can be appointed.

- E. Fleet Vehicle Custodians (or Vehicle Custodians) are designated for each organization location with vehicles directly assigned and will be designated in writing by the individual in charge of the organization at that location. Any government employee, including those with another fleet program designation, can be designated as a Vehicle custodian. Further, individuals in charge of locations with vehicles assigned may designate themselves as the Vehicle Custodian for their location. There are no limits to the number of Vehicle Custodians for a given organizational level.

## Attachment B

### Vehicle Acquisition

1. **Vehicle Acquisition:** Agency vehicles will be acquired in accordance with all applicable Federal laws and regulations and Executive Orders, as well as applicable policies and procedures of HHS as well as applicable regulations, policies and procedures from other Federal departments and agencies (DOE, GSA, etc.) with oversight over aspects of Agency vehicle acquisition.
  - A. The FMP will establish procedures for vehicle acquisition to comply with the provision of Attachment B and its subsections of this SMG.
  - B. The Agency Fleet Program Manager is tasked with ensuring that the Agency and its subordinate organizational elements comply with the provisions of Attachment B. and its subsections, current GSA Fleet Program guidance and HHS Fleet Program guidance for acquisition of government vehicles. All Agency vehicle acquisitions, including lease, purchase, or transfer of any vehicle from any approved source, will be reviewed by the Agency Fleet Manager and HHS Fleet Manager. All Agency vehicle acquisitions must be approved by the Agency Fleet Program Manager and, in turn, the HHS Fleet Manager prior to acquisition.
  - C. The acquisition of vehicles by the Agency will be limited to the minimum number required to meet operational requirements. The vehicles procured will be the smallest, most economical, and fuel-efficient vehicles that meet mission needs.
  - D. Acquisition of Agency vehicles will be limited to those acquired through lease from GSA unless purchase is the only method to acquire the necessary vehicles. If it is necessary to purchase versus leasing a vehicle, the Agency must purchase motor vehicles from GSA unless a waiver is obtained from GSA.
    1. Centers and their subordinate offices may acquire vehicles for short-term use via approved short-term rental programs.
    2. Vehicles will not be acquired through inter-Agency transfer or other methods unless is the only method to acquire the necessary vehicles.
  - E. Agency vehicles will be acquired in compliance with all applicable Federal laws, regulations, Executive Orders. etc., governing energy conservation and environmental standards. Alternative Fuel and Low Greenhouse Gas Emitting Vehicles will be acquired to the maximum extent possible unless a waiver is granted by the HHS Fleet Program Manager.

## Attachment C

### Authorized Vehicle Use

1. **Authorized Use of An Agency Vehicle:** Government vehicles assigned to FDA (whether Agency-owned, GSA-leased or commercially leased) are intended for and should only be used for to perform FDA authorized missions and related official business, otherwise known as Authorized or Official Use. Authorization to use a government vehicle must be granted only when it is in the best interests of the Government and not for the employee's or contractor's personal convenience.
  - A. The FMP will establish procedures for authorized use of Agency vehicles to comply with the provision of Attachment C and its subsections of this SMG.
  - B. **Official Business:** Those activities conducted during duty hours which are considered an official part of an employee's assigned duties are deemed Official Business. The term "official business" shall be interpreted strictly and shall not be construed to encompass the mingling of official business with nonofficial business.
    1. Government vehicles will not be used for personal (nonofficial) business
    2. It is the responsibility of Fleet Program Personnel, managers and supervisors and FDA employees or Contractors utilizing Agency vehicles in performance of their official duties and exercising control over their use to take whatever actions are appropriate to assure that Government-owned or commercially leased/rented vehicles assigned or utilized by their organization are not used for other than official business.
  - C. **Justification for Use of Agency Vehicles:** Public transportation (air, rail, bus, taxi) shall be used in lieu of government-owned or commercially leased/rented vehicles, unless the use of such vehicles is clearly more economical and practicable, and solely in the Government's interest. The following circumstances would justify the use of Government vehicles:
    1. The employee's itinerary requires a number of stops, and the scheduled arrival and departure of public transportation does not coincide with the timetable of the itinerary, resulting in undue loss of Government time.
    2. The employee is required to transport a considerable amount of heavy or bulky equipment that cannot be conveniently carried on public transportation.
    3. The nature of the employee's field work necessitates the use of transportation at a time of day when it would be highly impractical to use public transportation.
    4. The employee is continually engaged in the enforcement of regulatory laws

affecting public health and welfare, and the use of public transportation is impractical and not in the best interest of the Government.

**D. Exclusive Use of Agency Vehicles:** With the exception of vehicles assigned for the use of the FDA Commissioner, no Agency vehicle shall be assigned for the exclusive use of any officer or employee for extended periods of time except when such an assignment is clearly essential to the execution of an authorized function or program. The Agency Fleet Manager is the approving authority for requests for exclusive use of Agency vehicles other than those assigned for the use of the FDA Commissioner.

**E. Authorization to Operate Agency Vehicles:** Government vehicles will not be operated without proper authorization.

1. Each FDA employee who operates a Government vehicle must have the following:

a. Permission to utilize a Government Vehicle.

b. A valid driver's license issued by the State, District of Columbia, territory or possession of the United States wherein the employee resides and from which the employee commutes to his/her place of employment valid for the type of vehicle they are driving/operating.

c. Their HHS Identification Card or some other form of Agency identification.

2. Fleet Program Personnel, managers and supervisors and FDA employees or Contractors utilizing Agency vehicles in performance of their official duties and exercising control over their use are responsible for verifying that drivers/operators have the correct license for the type of vehicle being driven/operated and that the license has not expired or been revoked, and to restrict the use of Government-owned vehicles where safety issues are or become present.

**F. Use of Agency Vehicles Between Duty Station and Public Carrier Terminals and Between Public Carrier Terminals and Temporary Domicile or Temporary Duty Station:** Government-owned motor vehicles may be used by officers and employees in travel status for transportation between home and rail, air, bus, or boat terminals and between the terminal and place of temporary employment or temporary domicile if no less costly method of transportation is available.

**G. Use of Agency Vehicles in Temporary Duty Status:** Agency personnel while on temporary duty (TDY) may operate government owned or leased vehicles while in an official status.

1. Agency personnel must have use of a government vehicle included on their travel authorization.
2. Agency personnel may drive/operate a Government vehicle in TDY status provided they possess a valid state license for the type of vehicle being operated.
3. If used in conjunction with group travel, other Agency personnel may drive/operate an assigned Government vehicle, provided they possess a valid state license for the type of vehicle being operated.
4. Use of Government vehicles in TDY status is limited to official purposes including transportation to and from duty sites, lodgings, dining facilities, medical facilities, drugstores, barber shops, and similar places required for the traveler's health or comfort. However, public perception must be considered.
5. A Government vehicle may be utilized in travel originating to and from the residence of the Agency employee in travel status provided that their travel authorization designates their residence as the originating location and final destination of the travel.
  - a. A Government vehicle may be taken by a traveler from their official duty location to their residence in advance of the start of their travel and may be returned from their residence back to their official duty location after their travel has concluded under the following conditions:
    - (1) It is in the best interest of the Government to take the vehicle from their duty location to their residence in advance of the start of their travel versus taking the vehicle at the start of travel.
    - (2) Any use of the vehicle between the time the vehicle arrives at their residence to the start of travel must be for official business.
    - (3) Any use of the vehicle between the time the vehicle arrives at their residence after the completion to their return to their duty station must be for official business.
    - (4) It is in the best interest of the Government to retain the vehicle at the residence of the traveler until their return to their duty station versus returning the vehicle to their duty station at the immediate completion of travel.

**H. Transporting Persons other than Agency Personnel in Agency Vehicles:**

Transportation of personnel from other Federal agencies in a Government vehicle is authorized when it is in the interest of the Government and does not

interfere with accomplishment of the FDA employee's primary business.  
Transportation of other than Agency personnel is not permitted except as follows:

1. An FDA employee may transport a person or persons other than a Federal employee in a Government Vehicle if the transportation is in conjunction with a program or activity of the FDA, HHS, or of the Federal Government in which the FDA is participating and such transportation is in the interest of the Government.
  2. An FDA employee may also transport a person or persons other than a Federal employee in a Government vehicle when the use of the vehicle is the sole means of alleviating pain or injury or preventing loss of life or serious damage to property.
  3. An FDA employee may not transport members of their family in a government vehicle unless:
    - a. The family members are participating in Official Government Business in conjunction with the FDA employee.
    - b. An FDA employee, who because of specific duties (such as a field investigator or traveling auditor) has a Government vehicle and the duties result in extended detail to another region or location or frequent change in duty post, may transport dependents at the time the detail or change of duty post is accomplished as long as transporting the dependent does not cause additional cost for the Government or cause the employee to deviate from his/her official itinerary. However, prior approval must be obtained from the Agency Fleet Manager and annotated on the travel order.
- I. **Use of Agency Vehicles by other than Agency Personnel:** Use of Agency vehicles by other Federal agencies is not permitted without prior approval of the Agency Fleet Manager and, depending on the circumstances, the HHS Fleet Manager.
- J. **Use of Agency Vehicles by Contractors:** FDA contractors are authorized to use Agency vehicles when vehicle operation is specifically necessary and stated so within their contracts and it is determined that the Agency will benefit from such use. However, contractors are obligated to do the following:
1. Use the motor vehicles only for official purposes in carrying out duties within the scope of their contract with FDA.
  2. Adhere to the appropriate policies of the Federal Acquisition Regulations governing contractor use of Government vehicles as well as all applicable Federal laws and regulations as well as applicable policies and procedures of



HHS and FDA governing use of Government vehicles.

3. Prohibit unauthorized use of Government vehicles.
4. Establish and enforce appropriate penalties against employees and contractors who use or authorize the use of motor vehicles for purposes other than their official duties within their contract.
5. Pay any expense, without government reimbursement, for using such motor vehicles for unofficial purposes.

**K. Use of Privately-Owned Vehicles for Agency Use:** FDA employees and contractors are authorized to use their privately-owned vehicle (POV) for official purposes when it is considered to be advantageous to the Agency. FDA employees and contractors must request and obtain appropriate approval before their POV can be used for official business purposes. FDA Employees and contractors authorized to use POVs for official duties are entitled to reimbursement, per miles driven, based on GSA's annual rates. An FDA employee or contractor assumes full financial liability when using a POV for official business purposes.

**L. Home-to-Work:** Use of Agency vehicles by FDA employees and contractors between their residence and either their duty station or to perform official duties (Home-to-Work) may, under certain, limited circumstances be authorized. Only the Secretary of Health and Human Services (HHS Secretary) may approve of Home-to-Work and this authority cannot be delegated. FDA employees and contractors are prohibited from initiating any Home-to-Work until approval has been granted from the HHS Secretary. The period of time for authorization of Home-to-Work may vary depending on the condition under which the Home-to-Work was approved by the HHS Secretary.

1. FDA employees and contractors are expected to provide their own transportation between residence and place of employment. Circumstances such as inconvenience, awkwardness with a car pool arrangement, or difficulties with a personal vehicle do not justify Home-to-Work.
2. Home-to-Work may be authorized when:
  - it is determined that highly unusual circumstances present a clear and present danger;
  - that an emergency exists;
  - that other compelling operational considerations exist; or,
  - strictly defined field work makes such transportation essential to the conduct of official business.
3. Agency Centers and subordinate offices will submit requests for authorization for Home-to-Work for specific circumstances in accordance with appropriate

Federal laws and regulations and established HHS and FDA procedures.

4. Submitted requests for Home-to-Work must be reviewed and approved by the Agency Fleet Manager prior to submission for review by the FDA Chief Operating Officer or other Agency approving officials.
5. Only those FDA employees and contractors who are approved for Home-to-Work, under the specific conditions for such approval, are authorized to utilize Home-to-Work.
  - a. The specific conditions under which Home-to-Work are approved may include, but are not limited to, job series, duty location, specific assigned duties, work schedule, etc.

**M. Use of Government or Commercially-Leased Vehicles in Foreign Countries:**

The circumstances under which FDA employees and contractors who are either travelling to foreign countries on official business or are based in foreign countries will utilize government-owned or commercially-leased vehicles may vary depending on the country.

1. Government-owned and commercially-leased vehicles operated in foreign countries will observe all traffic laws, etc. of the nation the vehicle is operating in.
2. The Government normally acts as a self-insurer in regard to vehicle liability for both Government-owned and commercially-leased vehicles only when the official travel is performed within all 50 states and territories and possessions. Trip insurance covers potential liability for property damage, and personal injury or death to third parties in foreign countries where Government self-insurance is not recognized.
  - a. Trip insurance policies must be purchased for both Government-owned and commercially-leased vehicles that are regularly or intermittently driven into a foreign country (e.g., Canada, Mexico) on official business, where law requires that insurance be carried, or legal procedures may result in extreme difficulties to Government employees when involved in an accident.
  - b. When a commercially leased vehicle is operated on official business in a foreign area, employees may be reimbursed for trip insurance to cover third party loss and damage claims when it is required by foreign statute or is a practical necessity due to legal procedures of the foreign country involved that could result in detainment of the driver or impoundment of the vehicle in the event of an accident.
  - c. Similarly, the Agency may pay or reimburse employees for the cost of

collision damage insurance when a commercial vehicle is rented or leased for official travel in foreign areas when it becomes necessary to satisfy rental or leasing Agency requirements, foreign statutes, or local legal procedures of the foreign country which could cause extreme difficulty to employees involved in an accident.

3. Agency-owned or GSA-leased vehicles based in the continental U.S. or Alaska will not be taken into a foreign area unless absolutely necessary for the conduct of official business.
  - a. Vehicles rented in the continental United States or Alaska should not be operated outside the continental United States except where such use is specifically authorized by the rental agreement. In addition, vehicles rented in the continental United States should not be operated across international boundaries unless specifically authorized at the time of rental.
4. Commercially-leased vehicles (including rental vehicles) leased in foreign countries by FDA employees and contractors who are either travelling to foreign countries on official business or are based in foreign countries will be operated in accordance with the laws, agreements, etc., of the countries that the vehicle will be operated in governing employees and contractors of the U.S. Government.
5. Government-owned vehicles located in foreign countries that are used by FDA employees and contractors will be operated in accordance with the laws, agreements, etc., of the countries that the vehicle will be operated in governing employees and contractors of the U.S. Government.
6. If a government-owned or commercially-leased vehicle (other than short-term rental vehicles) must be acquired for operation in a foreign country, the Center Fleet Operations Manager, Center Fleet Program Manager and Agency Fleet Manager must be notified prior to initiating any purchase or lease agreements.
  - a. Acquisition of vehicles (other than short term rental vehicles) must be approved by the Center Fleet Operations Manager, Center Fleet Program Manager and Agency Fleet Manager. The Agency Fleet Manager will determine if further approval of the vehicle acquisition is required.
7. The use of Privately-Owned Vehicles (POV) to conduct official business in a foreign area should only be done when it is advantageous to the Government versus using Government-owned and commercially-leased vehicles. When a POV is operated on official business in a foreign area, the employee or contractor must purchase trip insurance, unless their automobile policy includes coverage while performing official Government business in a foreign

area.

8. Reimbursement for purchase of trip insurance and related vehicle coverage by contractors will be in accordance with the provisions of their contract with the Agency and other applicable Federal laws and regulations.

## Attachment D

### Vehicle Operations

1. **Vehicle Operations:** Use of vehicles to accomplish the Agency missions and conduct official business entails compliance with laws, regulations, policies and procedures from the Federal, state and local level. FDA employees and contractors have general and specific responsibilities in observing or ensuring compliance with the provisions of this section and its subsections.
  - A. The FMP will establish procedures for operation of Agency vehicles to comply with the provision of Attachment D. and its subsections of this SMG.
  - B. **Role in Vehicle Operations:** Fleet Program Personnel, managers and supervisors, vehicle drivers/operators and FDA employees or Contractors, including those utilizing Agency vehicles in performance of their official duties and exercising control over their use, have a role in and share responsibility for the proper operation of the Agency vehicle fleet.
    1. FDA Employees and Contractors will observe the provisions of this section and its subsections while riding as a passenger in Agency vehicles or utilizing Agency vehicles in performance of their official duties and exercising control over their use.
    2. Managers and supervisors will monitor the operation and use of vehicles in their respective organization and take whatever actions are appropriate to ensure that all the provisions of this section and its subsections are observed.
    3. Fleet Program Personnel below Center level will monitor the operation and use of vehicles in their respective organization and take whatever actions are appropriate to ensure that all the provisions of this section and its subsections are observed.
    4. Center Fleet Operations Managers will monitor the operation and use of the vehicles in their Center and take whatever actions are appropriate to ensure that all the provisions of this section and its subsections are observed.
    5. The Agency Fleet Program Manager will monitor the operation and use of the vehicles for the Agency and take whatever actions are appropriate to ensure that all the provisions of this section and its subsections are observed.
  - C. **Vehicle Maintenance:** The Agency will establish and maintain a vehicle maintenance program that must: meet federal, state, and local safety and emission standards; meet manufacturer warranty requirements; ensure a safe and economical operating condition for the life of the vehicle; and occur as often as the manufacturer mandates but more often if local operating conditions require.

1. Preventative maintenance shall be performed on all Agency-owned and GSA leased vehicles in accordance with manufacturer's schedules and GSA guidance and procedures.
2. Vehicle Recalls, when applicable, shall be responded to promptly.
3. Vehicle repairs will be accomplished in accordance with manufacturer's, GSA and HHS guidance and procedures.
  - a. The Center Fleet Operations Manager is the approving authority for repairs to Agency-Owned Vehicles. GSA approval must be obtained for repairs on any GSA-leased vehicle.
4. Vehicle maintenance records shall be maintained on all Agency-owned and GSA leased vehicles in accordance with GSA and HHS guidance and procedures.

**D. Safety and Emissions Inspections:** all Agency-owned and GSA-leased vehicles will comply with applicable safety and emissions regulations, including at the federal level with the Clean Air Act.

1. Agency-owned or GSA-leased vehicles are subject to the emissions inspection laws of the state or municipality in which they are regularly housed.
  - a. Motor vehicle emissions inspection requirements shall be performed in accordance with the Clean Air Act and implementing State regulations.
2. Any Agency-owned or GSA-leased vehicle that is exempt from displaying U.S. Government license plates and tags also is subject to state and local safety inspection standards
3. Agency-owned or GSA-leased vehicles must meet or exceed the safety and emissions requirements of their locality.
4. Vehicle safety inspection and emission certifications shall be maintained on all Agency-owned and GSA leased vehicles in accordance with GSA and HHS guidance and procedures.

**E. Housing and Care of Vehicles:** all Agency-owned and GSA-leased vehicles should be housed so as to provide reasonable protection from pilferage and damage.

1. All unattended Agency-owned and GSA-leased vehicles should be locked and housed in a secure manner in accordance with GSA and HHS guidance and procedures. The vehicle keys and corresponding fleet charge cards also

should be secured.

- a. Vehicle Drivers/Operators are responsible for keeping vehicles locked and parked so as to provide reasonable protection from pilferage and damage while the vehicle is in their care.
2. All Agency-owned and GSA-leased vehicles shall be cleaned on a regular basis in accordance with GSA and HHS guidance and procedures.
    - a. Vehicle Drivers/Operators and FDA employees and contractors riding as passengers will take whatever actions are appropriate to keep vehicles as clean as possible while in use, especially the vehicle interiors to avoid unnecessary cleaning.
- F. **Alternative Fuel Usage:** All dual or flex-use All Alternative Fuel Vehicles (AFVs), whether Agency-Owned or GSA-leased, will use alternative fuels at all times unless a waiver is granted from the Department of Energy (DOE).
1. Centers operating AFVs may obtain a waiver from the DOE if alternative fuel is not practically available to the fleet or is unreasonably more expensive than conventional fuel (costs more on a gallon-to-gallon basis).
  2. Centers desiring a waiver will request a waiver according to accordance with GSA, DOE and HHS guidance and procedures.
  3. Vehicle Drivers/Operators will use alternative fuels in any AFV they are operating at all times unless a waiver has been granted from the DOE for that AFV.
- G. **Safety Belt Use:** Each Federal employee occupying any seating position of a motor vehicle on official business, whose seat is equipped with a seat belt, shall have the seatbelt properly fastened at all times when the vehicle is in motion.
1. FDA Employees and contractors driving/operating any Government-owned or commercially leased/rented vehicles shall wear safety belts whenever the vehicle is in operation. The vehicle driver/operator shall ensure that all vehicle occupants are wearing their safety belts prior to operating the vehicle.
- H. **Observance of Traffic Laws:** FDA employees and contractors who drive/operate Agency-owned, GSA-leased or commercially leased/rented motor vehicles are obligated to obey all federal, state, and local traffic laws. FDA employees and contractors are personally responsible and liable for the payment of fines or other penalties resulting from the motor vehicle driver/operator's infraction.
- I. **Other Restrictions on Vehicle Operations:** FDA employees and contractors

will observe all restrictions (tobacco products, cell phone/handheld use, etc.) established by Federal, state or local laws or ordinances, executive orders, or GSA, HHS or other applicable Agency policies or procedures.

1. The use of tobacco products is prohibited in government-owned or commercially leased/rented vehicles. An FDA employee or contractor may be charged for the cost of cleaning the affected vehicles(s) beyond normal detailing procedures to remove tobacco odor or residue or repairing damage caused as a result of tobacco use.
  2. FDA employees and contractors must discontinue reading from or entering data into any handheld device (or other electronic device) while operating a vehicle owned or leased by the Agency. This includes any of the following:
    - Texting;
    - E-mailing;
    - Instant messaging;
    - Obtaining navigational information; or
    - Engaging in any other form of electronic data retrieval, communication, or transfer.
    - a. This ban on text messaging applies even when stopped at traffic lights and stop signs. To use data-transferring devices, a vehicle operator must pull over to a safe location (or off of the main road) and park the vehicle. Data transferring is prohibited in all of the following situations:
      - Driving Agency-owned or leased vehicles;
      - Driving privately-owned vehicles on official Government business; and
      - Using electronic equipment supplied by the Government while driving any vehicle (including privately-owned vehicles not operating on official Government business).
    - b. FDA employees and contractors operating vehicles for emergency response or law enforcement purposes are exempt.
- J. **Daily Vehicle Record-Keeping.** Each FDA employee or contractor who operates a Government-owned or leased vehicle is required to complete the Daily Record of Government Vehicle, (Form FDA 3369), for each trip in accordance with established procedures. This daily record will be maintained for each vehicle and shall be readily available for audit until disposed of in accordance with Department and Agency Records Management procedures.



## Attachment E

### Fleet Vehicle Management

1. **Fleet Vehicle Management:** The Agency vehicle fleet will be managed to ensure compliance with appropriate laws, regulations, policies and procedures. The Agency will establish programs, courses, etc., to achieve this end. FDA employees and contractors have general and specific responsibilities in observing or ensuring compliance with the provisions of this section and its subsections.
  - A. The FMP will establish procedures for management of Agency vehicles to comply with the provision of Attachment E. and its subsections of this SMG.
  - B. **Role in Fleet Vehicle Management:** Fleet Program Personnel, managers and supervisors, vehicle drivers/operators and FDA employees or Contractors, including those utilizing Agency vehicles in performance of their official duties and exercising control over their use, have a role in and share responsibility for the proper management of the Agency vehicle fleet.
    1. FDA Employees and Contractors will observe the provisions of this section and its subsections while utilizing Agency vehicles in performance of their official duties and exercising control over their use.
    2. Managers and supervisors will monitor the management of vehicles in their respective organization and take whatever actions are appropriate to ensure that all the provisions of this section and its subsections are observed.
    3. Fleet Program Personnel below Center level will monitor the management of vehicles in their respective organization and take whatever actions are appropriate to ensure that all the provisions of this section and its subsections are observed.
    4. Center Fleet Operations Managers will monitor the management of the vehicles in their Center and take whatever actions are appropriate to ensure that all the provisions of this section and its subsections are observed.
    5. The Agency Fleet Program Manager will monitor the management of the vehicles for the Agency and take whatever actions are appropriate to ensure that all the provisions of this section and its subsections are observed.
  - C. **Vehicle Utilization:** Agency-owned and GSA-leased vehicles will be utilized in such a manner as to ensure efficient and economical use of all vehicles assigned.
    1. Vehicles that have been obtained with funding designated for a particular program should be assigned for the use of that program. Use of such vehicles for purposes outside of the designated program must be limited.

Such uses must be justified to, and approved by, the respective Center Fleet Operations Manager.

2. Vehicle usage should be managed to ensure maximum and equitable utilization of all vehicles assigned within an organization. Low use/mileage vehicles shall be rotated with high use/mileage vehicles within the same organization whenever possible to equalize the use of the vehicles assigned.
3. Centers and their sub-organizations must be able to justify a full-time vehicle assignment based on established Federal vehicle utilization guidelines to ensure efficient and economical use of the vehicles assigned. Other utilization factors, such as days used, Agency mission, and the relative costs of alternatives to a full-time vehicle assignment, may be considered as justification where miles traveled guidelines are not met. All vehicles assigned to an organization should be fully utilized before additional vehicles are requested for the same organization.
4. If a vehicle does not meet utilization guidelines, it may not be essential to the accomplishment of that organization's mission. Vehicles that consistently fail to meet utilization objectives are subject to either transfer to a location within the same organization that has a greater need for the vehicle, transfer to another Agency Center or turn-in/disposal in accordance with applicable GSA and HHS guidelines.
5. In addition to the Agency Fleet Program Manager, vehicle utilization records will be reviewed on a regular basis by Fleet Operations Managers below Center level, Managers and Supervisors, Center Fleet Operations Managers and Center Fleet Program Managers.

D. **Fleet Training:** The FMP will establish and maintain necessary training programs, courses, etc., to properly operate Agency fleet vehicles and manage the Agency fleet program. The FMP will monitor the compliance by FDA employees and contractors of the completion, certification, and retraining/recertification of any Federal, HHS, Agency or other training courses, programs, etc., required to drive/operate a Federal fleet vehicle or operate and maintain the Agency fleet program.

1. All FDA employees and contractors that drive/operate a Federal fleet vehicle (including any FDA employees or contractors who use a vehicle on an occasional or casual manner and/or any FDA employees or contractors whose routine duty assignment calls for the use of a Federal fleet vehicle) will complete all Federal, HHS or Agency driver/operator and/or safety training that is required in order to drive/operate a Federal fleet vehicle, including any provided via the HHS University Learning Management System (LMS).
  - a. The FMP will establish and maintain, subject to review and approval by

the HHS Fleet Manager, alternative training to fleet vehicle training courses available through the HHS University Learning Management System (LMS) for either those FDA employees and contractors who duties require them to drive/operate a Federal fleet vehicle prior to gaining access the LMS or for those contractor personnel who are not authorized access to the LMS.

2. Agency Fleet program personnel will complete all applicable Federal, HHS or Agency fleet training programs, courses, etc., required to operate and maintain the Agency fleet program.
  - a. The FMP will establish and maintain, subject to review and approval by the OFEMS Director, Agency fleet training programs, courses, etc., required to operate and maintain the Agency fleet program.
    - (1) The Agency Fleet Manager will identify and establish, subject to review and approval by the OFEMS Director, those Agency fleet training programs, courses, etc., required to operate and maintain the Agency fleet program that are required, either in general, by location, or by specific duty position, of Fleet program personnel.

**E. Fleet Safety Program:** The FMP will establish and maintain a Fleet Safety Program focused on reducing and preventing overall vehicle accidents and incidents by promoting overall vehicle safety and targeting specific areas of risk and establishing consistent messages of safety awareness among Agency Fleet vehicle drivers/operators.

**F. Vehicle Records and Data Management:** The Agency will comply with all laws, regulations, policies and procedures governing Government vehicle records. The Agency will comply with all laws, regulations, policies and procedures governing Government vehicle data systems and data management.

1. The Agency will use the HHS Vehicle database of record (either GSA/other Federal database systems and/or any HHS-specific database systems) as the Agency database of record.
  - a. The FMP may establish supplemental vehicle databases as required to operate and maintain the Agency fleet program.
  - b. Centers may establish supplemental vehicle databases as required to operate and maintain their Center fleet program.
2. The Agency Fleet Program and FMS will acquire and maintain access to all database systems (either GSA/other Federal database systems, any HHS-specific database systems and any Agency database systems) as required to operate and maintain the Agency fleet program.

- a. Fleet program personnel will acquire and maintain access to all database systems (either GSA/other Federal database systems, any HHS-specific database systems and any Agency database systems) as required by GSA/other Federal departments or agencies, HHS, or the Agency to operate and maintain the Agency and Center fleet programs.
    - (1) The Agency Fleet Program Manager will identify those Agency fleet program personnel not otherwise required by GSA/other Federal departments or agencies or HHS, who must to acquire and maintain access to all database systems (either GSA/other Federal database systems, any HHS-specific database systems and any Agency database systems) in order to operate and maintain the Agency and Center fleet programs.
  3. Fleet program personnel will submit all requested reports and information required by Federal or state law or regulation GSA/HHS or other Federal department or Agency policies or procedures, or as directed by the FMP to operate and maintain the Agency and Center fleet programs.
  4. The FMP will maintain records (including electronic) of all Agency-owned and GSA-leased vehicles and all associated programs, activities, etc., including those records required by law, regulation policy and procedure, necessary to operate and maintain the Agency fleet program. The FMP will maintain those electronic records that can be accessed and utilized by authorized Agency employees and contractors to operate and maintain the Agency, Center and subordinate organization fleet programs.
    - a. Centers and subordinate organizations will maintain records (including electronic) of all Agency-owned and GSA-leased vehicles and all associated programs, activities, etc., including those records required by law, regulation, policy and procedure, necessary to operate and maintain Center and subordinate organization fleet programs. The Agency Fleet Program Manager and FMS will have access to all records established by Centers and subordinate organizations under this section. The Center Fleet Program Manager and Center Fleet Operations Manager will have access to all records established by their respective Center's subordinate organizations under this section.
- G. **Fleet Charge Cards:** The FMP will comply with all laws, regulations, policies and procedures governing fleet charge cards and related use. The Agency Fleet Program Manager will oversee the fleet card activity of all Agency-owned and GSA-vehicles and other authorized equipment utilizing fleet cards. Center Fleet Operations Managers will oversee the fleet card activity of all Agency-owned and GSA-vehicles and other authorized equipment utilizing fleet cards within their respective Centers.

1. GSA-leased vehicles will utilize fleet charge cards provided by GSA. Agency-owned vehicles will utilize fleet charge cards provided by the Agency. Agency equipment, including off-road vehicles and boats, will utilize fleet cards provided by the Agency unless and until replaced by Agency-provided purchase cards or other such charge card program.
  - a. The issue, use, replacement, turn-in and disposal of GSA-issued fleet cards for GSA-leased vehicles will be in accordance with GSA policy and procedure. The FMP will establish submental procedures as necessary to operate and maintain the Agency fleet program.
2. FMP will maintain the fleet charge program for all Agency-owned vehicles and other authorized equipment utilizing fleet cards. FMP will establish procedures for issue, use, replacement, turn-in and disposal of Agency-issued fleet cards.
3. Fleet cards are to be used to obtain services and supplies for official use only. Use of the fleet card for personal or other unauthorized use is strictly prohibited.
  - a. All receipts and related purchase documentation will be retained in accordance with GSA, HHS, and Agency policies and procedures.

H. **Energy Conservation and Environmental Standards:** Agency vehicles will comply all Federal laws and mandates governing Energy Conservation and Environmental Standards unless otherwise exempted or granted the appropriate waivers.

1. Alternative Fuel: Agency vehicles must use environmentally preferable fuels wherever and whenever possible unless granted the appropriate waivers from DOE.

I. **Vehicle Motor Pools:** Centers are authorized to establish vehicle motor pools for the Center and any subordinate organizations if the circumstances for pooling are favorable. Vehicle motor pools may be established when:

- Organizations generally have similar transportation needs and are physically in proximity to each other to permit motor pool operations;
- Motor pool operations would achieve higher utilization rates because motor vehicles are more effectively rotated and consistently used;
- Motor pool operations would achieve increased efficiency of collective vehicle usage in contrast to individually-assigned vehicles; and
- Motor pool operations would require fewer vehicles per employee without compromising the availability or quality of transportation.

1. Authorization must be requested through and granted by the Agency Fleet

Program Manager for two or more Centers to pool vehicles.

2. Authorization must be requested through and granted by the Agency Fleet Program Manager and the HHS Fleet Program Manager to pool Agency vehicles with vehicles of other HHS organization or other Federal departments or agencies.
3. Agency vehicle motor pools will adhere to all applicable HHS, GSA and other applicable Federal Department or Agency regulations, policies and guidance related to motor pool operations.

J. **Vehicle Registration and Identification:** The Agency fleet program will comply with Federal, state and local laws and ordinances and HHS, GSA, or other applicable Federal department or Agency regulations and procedures for registering and identifying Agency-owned or GSA-leased vehicles.

1. All Agency-owned and GSA-leased vehicles operated on any public thoroughfare are required to have U.S. Government license plates, issued by the Federal Motor Vehicle Registration System (FMVRS). Vehicles will not be operated until properly plated.
  - a. The Agency Fleet Program Manager will obtain and disperse plates for all Agency-owned vehicles after the vehicles have been entered in the FMVRS. Vehicles leased from GSA will be registered and plated by GSA before acceptance by the Agency.
2. Agency-owned and GSA-leased vehicles used for undercover law enforcement and similar investigative work may be exempted from the requirement for displaying official U.S. Government tags and other identification, in which case exempt vehicles will use license plates of the state or municipality in which they are regularly operated.
  - a. Agency organizations must request an exemption to operate Agency-owned or GSA-leased vehicles with license plates of the state or municipality in which they are regularly operated. Final approval must be granted before state or municipality license plates can be installed.
    - (1) Requests for exemption for Agency-owned vehicles require submission to and approval by the Center Fleet Operations Manager and Agency Fleet Program Manager approval and final approval of the HHS Fleet Program Manager.
    - (2) Requests for exemption for GSA-leased vehicles require submission to and approval by GSA, the Center Fleet Operations Manager and Agency Fleet Program Manager, and final approval of the HHS Fleet Program Manager.

- b. When the State/municipality license plate is received, the Agency Fleet Program Fleet Manager shall be informed of the tag number assigned.
  3. For both Agency-owned and GSA-leased vehicles, license plates on four-wheeled vehicles must be placed on the *front and rear bumpers*. Two-wheeled vehicles are required to post plates on *only the rear bumper*.
    - a. All Agency-owned vehicles must display the license plates that were assigned to them and may be removed only if:
      - The vehicle is sold or transferred;
      - The vehicle is removed from Agency service; or
      - The plates are damaged and require replacement.
    - b. All expired or damaged license plates for Agency-owned vehicles must be sent to the Agency Fleet Program Manager who will arrange for proper destruction of the plates.
    - c. All GSA-leased vehicles must display the license plates that were assigned to them and may be removed in accordance with the guidelines established by GSA.
    - d. All expired or damaged license plates for Agency-owned vehicles must be processed in accordance with the guidelines established by GSA.
  4. All Agency-owned GSA-leased vehicles that display FMVRS-issued license plates are not required to register with state and local authorities. Those vehicles exempted from using FMVRS-issued license plates must be registered in accordance with the jurisdiction in which the vehicle normally operates.
  5. All Agency-owned and GSA-leased vehicles are required to display government identification on the vehicle in accordance with law and regulation unless exempted.
- K. **Internal Controls:** The FMP will establish and maintain internal controls, including those internal controls mandated by Federal law and regulation or GSA, HHS or other applicable Federal department or Agency policies or procedures, for the proper oversight and accountability of Agency fleet operations and management, including, but not limited to, internal controls for the acquisition, use and disposal of GSA-leased and Agency-owned fleet charge cards and auditing of receipts, logs, etc., associated with vehicle use, vehicle expenditures and vehicle lease charges.
  1. The Agency Fleet Program Manager is responsible for determining those Agency internal controls which need to be established and maintained in

addition to those internal controls mandated by Federal law and regulation or GSA, HHS or other applicable Federal department or Agency policy or procedure necessary to operate and maintain the Agency fleet program.

2. Centers and their sub-organizations are authorized to establish internal controls for the proper oversight and accountability of Center and sub-organization fleet operations.
  - a. The Center Fleet Operations Manager is responsible for determining those Center level internal controls which need to be established and maintained in addition to those internal controls mandated by the Agency or by Federal law and regulation or GSA, HHS or other applicable Federal department or Agency policy or procedure necessary to operate and maintain their Center fleet program.



## Attachment F

### Accidents and Accident Reporting

1. **Accidents and Accident Reporting:** The FMP will comply with all applicable Federal law and regulation or GSA, HHS or other applicable Federal department or Agency policies or procedures (including those contained in EO 13043; 41 CFR 101-39; 41 CFR 102-34; and 28 USC 2672) regarding the management and reporting of accidents involving Agency-owned or GSA-leased or commercially leased/rented vehicles, including but limited to risk management guidelines, accident notification, accident documentation procedures, investigation measures, and disciplinary action as it relates to vehicle accidents.
  - A. The FMP will establish procedures for vehicle alteration, transfer, replacement and disposal to comply with the provision of Section Attachment F. and its subsections of this SMG.
  - B. Authorized vehicle drivers/operators will exercise every precaution to prevent accidents involving Agency-owned, GSA leased or commercially leased/renter vehicles, including planning appropriately for vehicle trips based on necessary travel time, traffic and weather conditions and using proper safety procedures while operating the vehicle.
  - C. If an Agency-owned, GSA leased or commercially leased/renter vehicle is involved in an accident or incident within any state, territory, commonwealth, or possession of the United States or the District of Columbia, the FDA employee or contractor who was driving/operating the vehicle must notify the following immediately:
    - The vehicle driver's/operator's supervisor;
    - If a contractor, the Contracting Officer's Representative/Contracting Officer; and
    - Federal, state, and local authorities, as required by law.
    1. If the vehicle involved in the accident/incident is leased from GSA, the driver/operator also must notify the GSA Accident Control Center and all other GSA representatives in accordance with GSA, HHS and Agency Policy and Guidance.
    2. If the vehicle involved in the accident/incident is leased/rented from a commercial vendor, the driver/operator must notify the commercial vendor regarding the accident.
    3. The supervisor of the driver/operator must notify the following within 1 business day (immediately in the case of accidents/incidents involving injury/death):
      - The Local Fleet Manager;
      - The Center Fleet Operations Manager; and

- The Agency Fleet Program Manager.
4. If the vehicle driver/operator is unable to report the accident because of injury, the supervisor or Local Fleet Manager must alert federal, state, and local authorities as soon as possible.
  5. The vehicle operator must make no admissions of fault regarding the vehicle accident except to his or her supervisor or Government investigating officer.
- D. Accident/incident documentation, including, but not limited to forms, completion requirements, submission, etc., will comply with all applicable Federal law and regulation or GSA, HHS or other applicable Federal department or Agency policies or procedures.
1. The following individuals are responsible for ensuring that sufficient quantities of all required forms are kept at all times in Agency-owned or GSA-leased vehicles within their control:
    - Agency Fleet Program Manager for Agency-owned or GSA-leased vehicles;
    - Center Fleet Operations Managers for Agency-owned or GSA-leased vehicles assigned to their respective Centers;
    - Local Fleet Managers for Agency-owned or GSA-leased vehicles assigned to their respective organizations; and
    - Vehicle Fleet Custodians for Agency-owned or GSA-leased vehicles assigned to their location.
  2. If the vehicle driver/operator is unable to complete the required documentation because of injury from the accident, the driver's/operator's supervisor or Local Fleet Manager will complete the forms to the best of their ability, with later verification from the vehicle operator, police reports, and witnesses.
  3. Accidents/Incidents will be investigated in accordance with all applicable Federal law and regulation or GSA, HHS, FDA or other applicable Federal department or Agency policies or procedures.

## Attachment G

### Vehicle Alteration and Transfer

1. **Vehicle Alteration and Transfer:** Agency vehicle alteration and transfer will be acquired in accordance with all applicable Federal laws and regulations and Executive Orders, as well as applicable policies and procedures of HHS as well as applicable regulations, policies and procedures from other Federal departments and agencies (DOE, GSA, etc.) with oversight over aspects of Agency vehicle alteration and transfer.
  - A. The FMP will establish procedures for vehicle alteration, transfer, replacement and disposal to comply with the provision of Attachment G. and its subsections of this SMG.
  - B. Alteration of an Agency-owned or GSA-leased vehicles may be authorized only after receipt of proper approval and is limited to only to the extent necessary to modify the vehicle to accomplish the Agency mission(s). Alteration of Commercially-leased/rented vehicles is prohibited. All efforts will be taken to avoid alterations to GSA-leased vehicles once the vehicles have entered Agency service by having needed alterations included as part of the original vehicle acquisition.
    1. Alteration of Agency-owned vehicles is authorized upon submission to and approval by the Center Fleet Operations Manager.
    2. Alteration of GSA-leased vehicles is prohibited without prior submission to and receipt of approval by GSA.
      - a. In addition to GSA approval, alteration of GSA-leased vehicles requires submission to and approval by the Center Fleet Operations Manager, Center Fleet Program Manager and final review and approval of the Agency Fleet Program Manager, in turn.
  - C. Transfer of an Agency-owned or GSA-leased vehicles may be authorized only after receipt of proper approval and may be requested to the extent necessary to accomplish the Agency mission(s) including, but not limited to:
    - Meeting changes in mission requirements necessitating transfer of the vehicle(s) to another organization or location; or
    - Improving Agency vehicle utilization
    1. Transfer of Agency-owned vehicles within and between Center suborganizations is authorized upon submission to and approval by the Center Fleet Operations Manager. Transfer of Agency-owned vehicles between Centers is authorized upon review by and approval by the losing and gaining Center Fleet Operations Managers, losing and gaining Center Fleet Program Managers and final review and approval of the Agency Fleet

Program Manager, in turn.

2. Transfer of GSA-leased vehicles within and between Center suborganizations is authorized with prior submission to and receipt of approval by GSA. Transfer of GSA-leased vehicles between Centers is authorized with prior submission to and receipt of approval by GSA.
  - a. In addition to GSA approval, transfer of GSA-leased vehicles within and between Center suborganizations requires prior submission to and approval by the Center Fleet Operations Manager and Center Fleet Program Manager, in turn.
  - b. In addition to GSA approval, transfer of GSA-leased vehicles between Centers requires prior submission to and approval by the losing and gaining Center Fleet Operations Managers and Center Fleet Program Managers, in turn. All transfers of GSA-vehicles between Centers requires notification of the Agency Fleet Program Manager upon transfer of the vehicle(s).

## Attachment H

### Vehicle Replacement and Disposal

1. **Vehicle Replacement and Disposal:** Agency vehicle replacement and disposal will be acquired in accordance with all applicable Federal laws and regulations and Executive Orders, as well as applicable policies and procedures of HHS as well as applicable regulations, policies and procedures from other Federal departments and agencies (DOE, GSA, etc.) with oversight over aspects of Agency vehicle replacement and disposal.
  - A. The FMP will establish procedures for vehicle replacement and disposal to comply with the provision of Attachment H. and its subsections of this SMG.
  - B. Replacement of Agency-owned and GSA-leased vehicles will be with vehicles of similar type, capacity and capability unless a similar type vehicle is no longer available, or mission requirements necessitate a different vehicle.
    1. Replacement of an Agency-owned vehicles will be limited to those acquired through lease from GSA unless replacement via another Agency-owned vehicle is the only method to acquire the necessary replacement vehicles.
      - a. Requests for replacement of Agency-owned vehicles requires submission to and approval by the Center Fleet Operations Manager, Center Fleet Program Manager, final Agency review and approval of the Agency Fleet Program Manager, and final review and approval of the HHS Fleet Program Manager, in turn.
    2. Requests for replacement of GSA-leased vehicles requires initial submission to and receipt of approval by GSA.
      - a. In addition to GSA approval, replacement of GSA-leased vehicles requires submission to and approval by the Center Fleet Operations Manager and Center Fleet Program Manager, in turn.
      - b. In situations involving GSA-leased vehicles where:
        - The requestor of the replacement action is the Center Fleet Operations Manager;
        - The replacement vehicle requested is of a different similar type, capacity and capability;
        - The replacement action is being deferred; or
        - The replacement is being declined in favor of disposal without replacement,The action requires submission to and approval by the Center Fleet Program Manager, final Agency review and approval of the Agency Fleet Program Manager, and final review and approval of the HHS Fleet Program, in turn.

- C. An Agency vehicle will be disposed of when it is of no further use to the Agency or it has reached the end of its useful and cost-effective life, including when the cost of repairing a vehicle (whether through normal operation or due to accident/incident) exceeds its fair market value. Agency vehicles identified for disposal will be stored until they are processed for disposal. Disposal of Agency-owned or GSA-leased vehicles may be authorized only after receipt of proper approval for disposal.
1. Agency-owned vehicles will be disposed of through HHS, unless the Department directs otherwise. Disposal of GSA-leased vehicles will be accomplished by return of the vehicle to GSA.
  2. Requests to dispose of Agency-owned vehicles requires submission to and approval by the Center Fleet Operations Manager, Center Fleet Program Manager, final Agency review and approval of the Agency Fleet Program Manager, and final review and approval of the HHS Fleet Program Manager, in turn.
  3. Requests to dispose of GSA-leased vehicles requires submission to and approval by the Center Fleet Operations Manager, the Center Fleet Program Manager, final Agency review and approval of the Agency Fleet Program Manager, and final review and approval of the HHS Fleet Program, in turn.
  4. Use of Agency vehicles awaiting disposal is prohibited without prior submission of and receipt of approval.
    - a. Request to use Agency-owned vehicles awaiting disposal requires submission to and approval by the Center Fleet Operations Manager, Center Fleet Program Manager, final Agency review and approval of the Agency Fleet Program Manager, and final review and approval of the HHS Fleet Program Manager, in turn.
    - b. Requests to use GSA-leased vehicles awaiting disposal requires initial submission to and receipt of approval by GSA.
      - (1) In addition to GSA approval, Requests to use GSA-leased vehicles awaiting disposal requires submission to and approval by the Center Fleet Operations Manager and Center Fleet Program Manager, final Agency review and approval of the Agency Fleet Program Manager, and final review and approval of the HHS Fleet Program Manager, in turn.

## Attachment I

### Vehicle Misuse

1. **Vehicle Misuse:** The FMP will comply with all applicable Federal laws and regulations and Executive Orders, as well as applicable policies and procedures of HHS as well as applicable regulations, policies and procedures from other Federal departments and agencies with oversight over aspects of vehicle misuse by Agency employees or contractors.
  - A. The FMP will establish procedures for reporting, investigating, documenting and correcting instances of unintentional and intentional vehicle misuse or abuse to comply with the provision of Attachment I. and its subsections of this SMG.
  - B. The Agency Fleet Program Manager will ensure that all reported instances of possible vehicle misuse or abuse of Agency-owned or GSA-leased vehicles by Agency employees or contractors are investigated.
    1. Center Fleet Program Managers will ensure that all reported instances of possible vehicle misuse or abuse of Agency-owned or GSA-leased vehicles by Center employees or contractors are investigated.
    2. Center Fleet Program Managers will report the findings of all investigations of possible vehicle misuse or abuse of Agency-owned or GSA-leased vehicles by Center employees or contractors and provide the following:
      - Was the report of vehicle misuse or abuse substantiated or not; and
      - If the vehicle misuse or abuse was substantiated, was it intentional or unintentional?
    3. Agency employees or contractors are subject to the provisions of 31 USC 1349(b).

## Attachment J

### Authorities

The information contained in this SMG is governed by the following:

- [Title 41, Chapter 102, Subpart 34 of the Code of Federal Regulations \(CFR\)](#)
- [United States Code \(USC\), Title 40, Sec 121\(c\)](#)
- [USC, Title 28, Section 2672](#)
- [The Federal Property and Administrative Services Act \(FPAS\) of 1949](#), as amended (revised by Public Law [PL] 107-217, codified at Title 40 of the USC Public Buildings, Property and Works), and referred to as The Property Act. □
- [Public Law 84-863](#)
- [Public Law 93-638](#)
- [Title 41, Chapter 102, Subpart 5 of the CFR](#)
- [Public Law 99-272](#), Consolidated Omnibus Budget Reconciliation Act of 1985 codified at USC 40, Chapter 20, Federal Motor Vehicle Expenditure Control.
- [Americans With Disabilities Act \(ADA\) of 1990](#)
- [Alternative Fuels Act of 1988](#)
- [Clean Air Act Amendments of 1990 \(CAAA\)](#)
- [Comprehensive Environmental Response, Compensation and Liability Act \(CERCLA\)](#)
- [Emergency Planning and Community Right-to-Know Act \(EPCRA\)](#)
- [Federal Contract Compliance Manual \(FCCM\)](#)
- [Resource Conservation and Recovery Act \(RCRA\)](#)
- [Government Performance and Results Act \(GPRA\) of 1993](#)
- [Chief Financial Officers Act of 1990](#) □
- [Government Management and Reform Act \(GMRA\) of 1994](#) □
- [Federal Financial Management Improvement Act of 1996](#)
- [29 CFR 1910 Occupational Safety and Health Standards](#)
- [29 CFR 1960 Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters](#)
- [Motor Carrier Safety Improvement Act of 1999](#)
- [Executive Order \(EO\) 10579](#), signed November 30, 1954, which includes regulations relating to the establishment and operation of General Services Administration (GSA) Fleet.
- [EO 12196](#), signed February 26, 1980, which describes Occupational Safety and Health programs for federal employees.



- [EO 12731](#), signed October 17, 1990, which describes principles of ethical conduct for federal employees.
- [EO 13031](#), signed December 13, 1996, which encompasses federal use of alternative fuel vehicles (AFVs).
- [EO 13043](#), signed April 16, 1997, which mandates increasing seat belt use in the United States.
- [EO 13221](#), signed July 31, 2001, which directs federal agencies to purchase products that use minimal standby power when possible.
- [EO 13693](#), signed March 25, 2015, Planning for Federal Sustainability in the Next Decade which sets federal fleet goals for consumption of petroleum and alternative fuels.
- [EO 13513](#), signed October 1, 2009, which prohibits text messaging in government-owned or leased vehicles.
- [EO 13514](#), signed October 5, 2009, which extends and reiterates environmental goals of various legislation and executive orders.
- Office of Management and Budget (OMB), [Circular A-11](#), Exhibit 33, Section 33.9, and Exhibit 55, which contains reporting guidance for federal agencies in the areas of motor vehicle budgeting and AFV/fuel usage, respectively.
- [OMB Circular A-123 Management Accountability and Control](#), which provides guidance regarding the use of fleet charge cards and the recovery of taxes paid on fleet charge card purchases.
- [The Energy Policy Act \(EPAAct\) of 1992](#)
- [EPAAct of 2005](#)
- [The Energy Independence and Security Act \(EISA\) of 2007](#)
- [The National Defense Authorization Act \(NDAA\) of 2008](#)
- [EPA's Green Vehicle Guide](#)
- HHS Fleet Management Plan
- HHS Logistics Management Manual, Section 5
- HHS Vehicle Allocation Methodology (VAM) Table

## Attachment K

### Definitions

**Acquisition** – The acquiring, by contract, of supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated.

**Alternative Fuel** – A fuel type other than petroleum-based gasoline or diesel as defined by the Energy Policy Act (EPAAct) of 2005. (Examples are ethanol, methanol, compressed natural gas, propane, B100, and electrical energy).

**Alternative Fuel Vehicle (AFV)** – Any motor vehicle that uses a fuel type other than petroleum-based gasoline or diesel, as defined by EPAAct 2005. Examples of AFVs are plug-in hybrids, dual-fueled vehicles, electric vehicles, hybrid electric vehicles, hydrogen fuel cell vehicles, and other vehicles using alternative fuels or designated as AFVs by EPAAct 2005.

**Authorized Use** – The use of government-owned or leased motor vehicles for official purposes (i.e., to further the mission of the Agency), excluding transportation of an employee or contractor between his or her home and place of employment.

**Delegated Authority** – Any duty or role for which an HHS employee or contractor has been given approval to carry out and complete within the parameters of their job description.

**Disposal** – Removal of a vehicle from government inventory, in the case of Agency-owned vehicles, usually by sale, including transfers and donations. In the case of GSA-leased vehicles, it is by turn-in to GSA.

**Agency Owned or Leased Motor Vehicle** – Any vehicle used by FDA that is either owned or leased from a commercial or government source. For this SMG, all vehicles are Agency-owned, GSA-leased or commercially leased/rented.

**Fleet Charge Card** – An FDA or GSA-assigned charge card for fuel, minor maintenance, and repair services for vehicles leased to an Agency.

**Garage** – Parking or storing a vehicle in a manner that protects it from theft or damage.

**Government-Owned** – Equipment either furnished by the federal government or for which the cost is charged to a federal contract, grant, or agreement.

**Home-to-Work Transportation** – Authorized to those employees or contractors engaged in field work, or faced with a clear and present danger, an emergency, or a compelling operational consideration, or federal officials authorized by statute, as provided in 31 USC

1344(b)(1) through (b)(7).

**Housing** – Parking or storing a vehicle in a manner that protects it from theft or damage.

**Motor Pool** – A fleet of vehicles controlled by a single Agency and available for use as needed.

**Vehicle** – Any vehicle, self-propelled or drawn by mechanical power. For the purposes of this SMG, motor vehicle can be applied to ground transportation, and special purpose vehicles.

**Vehicle Maintenance** – The process of maximizing vehicle reliability, safety, availability and operating performance while minimizing labor, parts, and contracted service expenditures.

**Privately Owned Vehicle (POV)** – A vehicle owned by an HHS employee or contractor that is used for official business for which the Government, on the basis of mileage, reimburses the employee or contractor.

**Utilization** – The measurement of a vehicle's usage, usually expressed in average annual miles per vehicle (based on average in-use vehicle inventory and total mileage).

## **Attachment L**

### **Acronyms**

**ADA** – Americans with Disabilities Act

**AFV** – Alternative Fuel Vehicle

**CAAA** – Clean Air Act Amendments

**CERCLA** – Comprehensive Environmental Response, Compensation, and Liability Act

**CFR** – Code of Federal Regulations

**COO** – Chief Operating Officer

**DOE** – Department of Energy

**ECD** – Environmental Compliance Dashboard

**EO** – Executive Order

**EISA** – Energy Independence and Security Act of 2007

**EPA** – Environmental Protection Agency

**EPAct** – Energy Policy Act of 1992 and 2005

**EPCRA** – Emergency Planning and Community Right-to-Know Act

**FAR** – Federal Acquisition Regulation

**FAST** – Federal Automotive Statistical Tool

**FDA** – Food and Drug Administration

**FMC** – Facility Management Council

**FMP** – Feet Management Program

**FMR** – Federal Management Regulations

**FMS** – Feet Management Staff

**FPAS** – Federal Property and Administrative Services Act of 1949

**GMRA** – Government Management and Reform Act

**GPRA** – Government Performance and Results Act

**GSA** – General Services Administration

**HHS** – Department of Health and Human Services

**LMM** – Logistics Management Manual

**MC** – Management Council

**NDAA** – National Defense Authorization Act of 2008

**OFEMS** – Office of Facility Engineering and Missions Support Services

**OMB** – Office of Management and Budget

**OPSTAFFDIV** – Operations and Staff Division

**PL** – Public Law

**POV** – Privately Owned Vehicle

**RCRA** – Resource Conservation and Recovery Act

**SF** – Standard Form

**SMG** – Staff Management Guide