

INDIAN AFFAIRS MANUAL

- 1.1 Purpose.** This chapter documents Indian Affairs' (IA) Motor Vehicle Safety Program policy. The purpose of this policy is to facilitate the safe operation of a motor vehicle while in the performance of the employee's duties.
- 1.2 Scope.** This policy applies to all employees under the authority of the Assistant Secretary - Indian Affairs (AS-IA), including offices reporting to the AS-IA, the Bureau of Indian Affairs (BIA), and the Bureau of Indian Education (BIE), who are required to operate a government-owned or leased motor vehicle, or to operate their personal vehicle as part of their official duties or while on Federal Government business.
- 1.3 Policy.** It is the policy of IA to restrict motor vehicle operations to qualified and authorized persons. Full-time operators and incidental operators must also have in their possession a valid state driver's license and be in full compliance with IA's Motor Vehicle Safety Program policy and procedure(s).
- 1.4 Authority.**
- A. Statutes and Regulations.**
- 1) P.L. 101-194, Ethics Reform Act of 1989
 - 2) 5 CFR Subpart A, Motor Vehicle Operators
 - 3) 29 CFR 1926.601, Motor Vehicles
 - 4) 40 U.S.C. Chapter 1 § 101 et seq., Federal Property and Administrative Services Act of 1949, as amended
 - 5) 40 U.S.C. § 606, Regulations related to operation
 - 6) 41 CFR 101-38.3, Official Use of Government Motor Vehicles
 - 7) 41 CFR 102-5, Home-to-Work Transportation
 - 8) 41 CFR 102-34, Motor Vehicle Management
 - 9) 49 CFR §§ 350-399, Federal Motor Carrier Safety Regulations

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B. Guidance.

- 1) 370 Departmental Manual (DM) 752: Discipline and Adverse Actions
- 2) 412 DM 1: Motor Vehicle Management - General Program Policies
- 3) 485 DM 16: Motor Vehicle Safety
- 4) Executive Order (EO) 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009
- 5) General Services Administration (GSA) Federal Management Regulation (FMR) Bulletin B-2: Wireless Phone Use in U.S. Government Vehicles
- 6) GSA FMR Bulletin B-3: Use of Tobacco Products in U.S. Government Vehicles

C. Handbooks.

- 1) 25 IAM 4-H: IA Motor Vehicle Safety Handbook, current version
- 2) Department of the Interior (DOI) Motor Vehicle Management Handbook, April 2019

1.5 Responsibilities.

- A. **Director, Office of Facilities, Property, and Safety Management (OFPSM)** reports to the IA Deputy Assistant Secretary – Management (DAS-M) and is responsible for oversight, policy, and procedures governing IA facilities management and construction, property, safety, and risk management, including the administration and management of the Motor Vehicle Safety Program.
- B. **Chief, Division of Safety and Risk Management (DSRM), OFPSM** is responsible for oversight, policy, procedures, administration, and management of the Motor Vehicle Safety Program. This includes administering the program across IA's locations in Albuquerque, NM; Boise, ID (National Interagency Fire Center); Lakewood, CO (Division of Energy and Mineral Development and Division of Water and Power); Reston, VA; and Washington, D.C.
- C. **Directors and Deputy Directors, BIA and BIE** are responsible for ensuring that employees comply with all applicable requirements of the Motor Vehicle Safety Program.

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- D. Deputy Bureau Director (DBD), Office of Justice Services (OJS), BIA** is responsible for conducting their own review of an applicant's driving record from the appropriate state motor vehicle office(s), documenting any conflicts or concerns with respect to an employee's driving qualifications, and completing eligibility and authorization requirements.
- E. Director, IA Office of Human Capital Management (OHCM), DAS-M** is responsible for ensuring applicants for employment meet all requirements if the vacant position requires the incumbent to operate a government-owned, leased, rented, or personal vehicle in the performance of their duties. Additionally, the OHCM must ensure that each position description includes a statement concerning the requirement to operate a motor vehicle, occasionally operate a motor vehicle, or to not operate a motor vehicle in the performance of his/her duties.
- F. Regional Safety Managers (RSMs)** work with the DRSM to ensure that the program is implemented within their respective regions.
- G. BIE Safety Program Managers (SPMs)** work with the DRSM to ensure that the program is implemented at school facilities and site operations.
- H. Managers and Supervisors** are responsible for the designation of those positions that require the operation of government-owned, leased, rented, or personal vehicles as a requirement of the position description, and for ensuring that qualified full-time operators and incidental operators are in full compliance with the requirements of this policy. Managers and supervisors should ensure that employees can operate the vehicles or equipment for which they are authorized, and must educate employees about IA policies for using seat belts, prohibiting drug and alcohol use, vehicle misuse, unauthorized passengers, and accidents.
- I. Motor Vehicle Operators** using government-owned, leased, rented, or personal vehicles when on official Federal Government business must:
- 1) annually submit their GSA Form 3607, Motor Vehicle Operator's License and Driving Record, to their supervisor to renew their driving authorization;
 - 2) annually submit to their supervisor the IA Annual Incidental Motor Vehicle Operator's Certification;
 - 3) have in their possession a valid state driver's license, a valid government identification badge, and must adhere to the established IA Motor Vehicle Safety Program policy;
 - 4) operate motor vehicles in a safe and prudent manner, and exercise a reasonable degree of care, skill, and judgement in the performance of their duties;

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- 5) ensure that all vehicle occupants wear safety belts;
- 6) ensure that all vehicle occupants refrain from the use of tobacco products while in IA provided vehicles; and
- 7) notify his/her supervisor of any physical condition that may affect their ability to operate the vehicle safely.

1.6 Definitions.

- A. Commercial motor vehicle** is a vehicle having a gross vehicle weight rating (GVWR) of 26,001 or more pounds, a vehicle towing a trailer weighing 10,000 pounds or more, a vehicle hauling hazardous material which requires display signs noting the hazardous material content of the vehicle, a vehicle designed to transport 16 or more people, including the driver, or a school bus. Operators of these vehicles must have a valid Commercial Driver's License (CDL).
- B. Commercial operator** is an employee who operates a commercial vehicle and is required by the state (where operated) or as a condition of employment to possess a CDL.
- C. Employee** means all permanent, temporary, intermittent, and contract employees; interns; student teachers; volunteers; and administratively determined (AD) emergency workers as defined in 5 U.S.C. 2105.
- D. Full-time operator** is any employee who is regularly required to operate a motor vehicle that is inherent in the performance of their duties and is occupying a position officially classified as a motor vehicle operator. Employees are required to have a valid state driver's license and a valid IA Motor Vehicle Operators Authorization card in their possession at all times while driving on official business.
- E. Heavy equipment operator** is an employee that is trained, certified, and thoroughly knowledgeable about the equipment they are authorized to operate.
- F. Incidental operator** is any employee who is required to operate a motor vehicle in order to properly carry out his/her assigned duties but whose principal duties are not operating a motor vehicle and his/her position is not classified as a motor vehicle operator.
- G. Motor vehicle** is a government-owned, leased, or rented motor vehicle and/or privately owned, leased, or rented motor vehicle, with a GVWR of less than 26,000 pounds, designed to transport up to 16 people (including the driver), and which does not haul hazardous materials or tow vehicles with a GVWR of 10,000 pounds or more

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[e.g. sedans, light trucks, Sports Utility Vehicles (SUVs), All Terrain Vehicles (ATVs), and Utility Terrain Vehicles (UTVs)].

1.7 Reports and Forms.

- A. See the corresponding handbook, 25 IAM 4-H: Motor Vehicle Safety Handbook, for details on forms and submissions.
- B. All forms mentioned herein (except for the GSA Form 3607, Motor Vehicle Operator's License and Driving Record) are located on the IA Forms webpage here: <https://www.bia.gov/policy-forms/online-forms> (on the 'Indian Affairs Specific Forms and Guidance' tab).
- C. The GSA Form can be found on GSA's webpage here: <https://www.gsa.gov/forms-library/motor-vehicle-operators-license-and-driving-record>.

Approval

JASON
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Jason Freihage
Deputy Assistant Secretary – Management

Date