



OFFICIAL POLICY			
Acquisition and Use of Government Owned or Leased Vehicles			
Source:	Acquisition and Business Services	Version:	3
Approved:	Inci Tonguch-Murray	Effective:	12/15/2016
	INCI TONGUCH-MURRAY <small>Digitally signed by INCI TONGUCH-MURRAY Date: 2018.07.09 15:29:53 -04'00'</small>	Review:	7/9/2018
Title:	Chief Financial Officer		

1 POLICY

1.1 Purpose

This policy establishes policy and procedures for the acquisition or leasing and use of all motor vehicles owned or leased by Export-Import Bank of the United States (the Bank)

1.2 Background

This policy replaces and expands on the previous policy titled "Use of Government Owned or Leased Vehicles" which is hereby canceled.

This policy complies with 31 U.S. Code § 1344, which requires agencies to develop policies and procedures for the use government-owned or leased vehicles (GOVs). This policy also provides mandatory procedures for buying or leasing a GOV, consistent with Bank Office of Inspector General (OIG) report OIG-EV-16-03.

1.3 Policy Statement

For the purchase or lease of a GOV, the Bank will comply with the Federal Acquisition Regulation (FAR). In addition, the Bank will ensure utilization factors are documented and justified, will use the General Services Agency (GSA) Fleet Management to source vehicles, and comply with the Buy American Act. These practices ensure compliance with all laws and regulations and preclude the expenses of down payments or additional insurance costs. All future vehicle acquisitions will be documented in accordance with this policy.

The Bank will engage GSA Fleet, the federal vehicle leasing entity for the leasing of vehicles for the purpose of transportation of personnel and government property.

GSA Fleet is the government entity authorized through an independent statutory authority, to provide vehicle leasing and fleet management services to government agencies. The policy governing the acquisition and operation of GSA Fleet is set forth by the Federal Property Management Regulation (FPMR) See 41 C.F.R. Part 101-39.

EXIM engagement with GSA Fleet is not contractual, instead is authorized and governed by the implementing regulations included in

the Federal Property Management Regulation (FPMR) 41 C.F.R. Part 101-39. This policy sets utilization guidance and request for replacements or additions to the fleet. The Bank allows officially designated employee operators (drivers) to use GOVs for the following official purposes:

- 1.3.1 Transporting the Chairman and/or Directors for official purposes.
- 1.3.2 Providing courier service between the Bank and other federal agencies and embassies.
- 1.3.3 Transporting Presidential appointed, Senate Confirmed (PAS) employees to meetings and conferences.
- 1.3.4 Home-to-work travel is only allowed per the Federal Management Regulation Part 102-5 criteria, which generally do not apply to Bank business.
- 1.3.5 Travel for personal errands/business (e.g., stops for meals and pick up the dry cleaners) is only permitted for TDY travel
- 1.3.6 Transporting Government contractors for official purposes that are authorized by their contract.

2 AUTHORITY

- 2.1 **Authority** for this policy Legal Authority for this policy is set forth under the following public laws, rules, and regulations. To the extent that this policy conflicts with an existing law or regulation, the law or regulation shall prevail.
 - 2.1.1 40 U.S.C. 471-535 and other U.S.C. sections establish GSA as a central organization providing an economic and efficient system for procurement. The Act sets forth requirements for the management of Government property. It provides a foundation for fleet management through property management law.
 - 2.1.2 41 CFR § 10-26.501. GSA is a mandatory source of supply for the purchase of vehicles for Executive Agencies under the Federal Property Management Regulation (FPMR).
 - 2.1.3 FAR Subpart 7.4 Provides guidance pertaining to the decision to acquire equipment by lease or purchase. It applies to both the initial acquisition of equipment and the renewal or extension of existing equipment leases.
 - 2.1.4 FAR Subpart 8.11 deals with procedures for the leasing, from commercial concerns, of motor vehicles that comply with Federal Motor vehicle safety regulations.
 - 2.1.5 41 U.S.C. §§ 8301–8305 (The Buy American Act) requires the United States government to prefer U.S. made products in its acquisitions.
 - 2.1.6 41 CFR 102-2.5. The Federal Management Regulation Part 102-5 deals with Home-to-Work Transportation.
 - 2.1.7 41 CFR 101.39 3 The use and care of GSA Interagency Fleet

Management System (IFMS)

- 2.1.8 31 U.S Code § 1343-1344, 1349 establishes the basic parameters for use of GOVs, including limitations, exceptions, and potential penalties for misuse.
- 2.1.9 31 U.S. Code § 1349(b) restricts the use of Government- owned or leased vehicles to official purposes.
- 2.1.1041 C.F.R. § 102-34, Subpart D sets forth the GSA regulations governing official use of GOVs.
- 2.1.115 C.F.R. § 734.502(c)(4) pertains to special provisions for certain Presidential Appointees and employees to participate in political activity while on duty, in uniform, and in any room or building occupied in the discharge of official duties.
- 2.1.12 Executive Order 13043 requires each federal employee who occupies any seating position in a motor vehicle on official business to have the seat belt properly fastened at all times when the vehicle is in motion.
- 2.1.13 Executive Order 13513 prohibits the use of text-messaging by government employees or federal contractors while driving on official business.

2.2 **Review Cycle** for this policy shall be annually

2.3 **Review History**

Date	Changes
12/15/16	New policy implemented
3/31/17	GSA Fleet Management addition
7/9/18	Update Office Responsibility

3 DEFINITIONS

- 3.1 **Official Purpose:** Travel between places of official Bank business. Official Purpose does not include personal errands or making personal stops during official travel. Whether a particular use is "official" is a matter of administrative discretion. All factors must be considered including whether the use is essential to the successful completion of a Bank function, activity, or operation, as well as consistent with the purpose for which the motor vehicle was acquired.
- 3.2 **Travel authorization:** Written permission from an authorized agency representative to travel on official business.
- 3.3 **Government-Owned Vehicle (GOV):** An automobile that is (a) owned by the agency; or (b) assigned or dispatched to the agency from the GSA fleet.
- 3.4 **Driving:** Operating a GOV with the motor running, including while temporarily stationary because of traffic, a traffic light or stop sign, entering or leaving a parking space, on an active roadway, or otherwise.
- 3.5 **Hands-Free Device:** An electronic device, especially a mobile phone, which can be operated without using one's hands.
- 3.6 **Text Messaging:** Reading or entering data into any handheld or other electronic device, including for the purpose of SMS texting, emailing,

instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication while driving on official business is prohibited by Executive Order 13513.

- 3.7 **Valid Driver's License:** A license to operate a motor vehicle, issued in the name of the driver by the proper authority of any State, the District of Columbia, or other U.S. territory, which is valid to operate a motor vehicle.
- 3.8 **Vehicle Coordinator:** A Bank employee who has responsibility for the day-to-day management of Bank GOVs. This individual is responsible for issuing keys, scheduling and assigning GOVs, and reporting problems caused by mechanical failure and/or accidents.
- 3.9 **Vehicle Usage log:** A record document maintained by driver and approved and managed by vehicle coordinator. Attached I provides template to use
- 3.10 **Home-to-work (HtW):** The use of a GOV to transport an employee between his/her home and place of work

4 SCOPE AND APPLICATION

- 4.1 All vehicle acquisitions and negotiations will be performed by the Office of Contracting Services (OCS). OCS employees must comply with the provisions of this policy as it pertains to their duties.
- 4.2 Office of Facilities is responsible for EXIM Fleet management and represents the Bank with GSA Fleet
- 4.3 The Bank employs one official driver, and alternate drivers to operate the GOVs used by the Bank. The primary and each alternate driver are subject to the provisions of this policy. Any other Bank employee authorized to operate a GOV is also subject to the provisions of this policy.
- 4.4 No officials of the Bank are authorized home-to-work transportation under 31 USC §1344(b). No employees of the Bank are engaged in field work eligible for home-to-work transportation under 13 USC §1344(a) or Part 102-5 of the Federal Management Regulation. If and to the extent that any employees of the Bank would require home to work transportation for reasons of clear and present danger or emergency (as these terms are defined in §102-5.30 of the Federal Management Regulation), the President of the Bank shall provide such authorization as provided in §102-5.50. .
- 4.5 Any Bank employee who willfully uses or authorizes the use of a government-owned or leased vehicle for other than official purposes shall be subject to adverse administrative action, up to and including removal from federal service.
- 4.6 Bank drivers shall read and adhere to the applicable Office of Personnel Management regulations, standards, and procedures with respect to motor vehicle operator requirements, as supplemented by this policy.
- 4.7 This Policy applies only to the use of government owned or leased vehicles and not to rental cars.

- 5 RESPONSIBILITY**
- 5.1 The Head of the Acquisition and Business Services, Head of Contracting Activity (HCA) is responsible for establishing the policies and procedures for vehicle acquisitions. The head of Acquisition and Business Services approves Memorandum Attachment C
Memorandum to GSA Fleet should include:
 - 5.1.1 Type of Vehicle requested: Sedan or Passenger and Cargo Van
 - 5.1.2 Projected use of miles per month for billing
 - 5.1.3 Certification of funds and account code
 - 5.1.4 Brief description of projected activity of vehicle
 - 5.1.5 POC information
 - 5.1.6 Data and location requested for the delivery of the vehicle
 - 5.2 The Director of Facilities and Capital Planning is responsible for establishing the policies and procedures implementing the Bank's GOV program, and for designating a Vehicle Coordinator to manage and administer the GOV program.
 - 5.3 The Vehicle Coordinator is responsible for
 - 5.3.1 Maintaining liaison with other Government departments and agencies on matters pertaining to GOVs, and motor vehicle safety;
 - 5.3.2 Be the POC with GSA Fleet Zonal customer representative, follow the guidance and policy set forth in the GSA Fleet Customers Leasing Guide. Attachment B
 - 5.3.3 Filling driver positions through hiring methods authorized by OPM, including verifying a safe driving record, and possessing a valid driver's license.
 - 5.3.4 Discuss and evaluate with Director of Facilities and HCA , best vehicle acquisition tools described in GSA Fleet that best fit agency needs.
 - 5.3.5 For the request of a new vehicle or replacement, to contact GSA Fleet Zonal customer and prepare Memorandum for the approval of HCA and submission to GSA
 - 5.3.6 Access Vendor Customer Self Service (VCSS), GSA invoice platform on monthly basis to pay vehicle lease invoices. Coordinate with Business Center and CFO budgetary and funding availability.
 - 5.3.7 Approve and maintain driver's log. See attachment
 - 5.3.8 Ensuring that accidents involving GOVs are investigated thoroughly, and reports processed as required, and
 - 5.4 Drivers of Bank GOVs are responsible for complying with the procedures and safety requirements outlined in this policy, and with obeying all motor vehicle traffic laws of the state and/or local jurisdiction in which they operate. Drivers will maintain vehicle usage logs detailing dates, times, user, purpose, starting location, ending

location, total mileage, fuel usage and any other relevant data.

- 5.5 The General Counsel is responsible for determining liability and scope of employment with respect to GOVs.

6 PROCEDURES

6.1 Replacement of Vehicle Lease

- 6.1.1 HCA, Director of Facilities and Vehicle Coordinator should meet to define vehicle need and schedule

- 6.1.2 Vehicle Coordinator prepares draft Memorandum to send to GSA Fleet with specifications mentioned 5.1.1

- 6.1.3 HCA should approve and consult with General Counsel

6.2 Utilization and justification

- 6.2.1 Director of Facilities and Vehicle Coordinator should keep track of miles, number of trips and days used for vehicle use justification.

- 6.2.1.1. A memorandum to the HCA should be presented at the time of annual renewal of lease. Metrics for justification should include number of miles, total number of trips per year and total number of days used. Vehicle is justified if one or more to the following metrics applies: 12,000 miles per year; or

- 6.2.1.2. 78 days per year or

- 6.2.1.3. 100 trips per year

6.3 Main Driver Requirements

All drivers for Bank-owned and leased GOVs require the following:

- 6.3.1 A valid driver's license.

- 6.3.2 Background check, including driving record, conducted by the Director of Security.

6.4 Scheduling Use of GOVs and Drivers

- 6.4.1 GOVs and drivers may be scheduled directly with the Chairman's office, or through the Office of Facilities.

- 6.4.2 Driver will complete weekly logs attached. Logs are approved and archive by Vehicle Coordinator.

6.5 Maintenance and Care

All Bank employees using GOVs (including drivers and passengers) are responsible for the proper care, operation, maintenance, and protection of the GOV during their use.

- 6.5.1 Seatbelts must be worn at all times while operating or riding in GOVs;

- 6.5.2 Drivers are prohibited from text messaging and using electronic equipment while driving, including, but not limited to, cell phones, Blackberries, or other electronic devices;

- 6.5.3 In order to protect GOVs from theft or damage, drivers must park or store the vehicle in a manner that reasonably protects it, and lock the vehicle when unattended; and
- 6.5.4 Bank employees should keep vehicle interiors clean and free of trash.

6.6 Traffic and Non-Moving Violations

- 6.6.1 Drivers should be familiar with, and must obey all motor vehicle traffic laws of the state, and/or local jurisdictions.
- 6.6.2 Drivers must report any tickets, or other violations to the Vehicle Coordinator within 24 hours of receipt. Any Driver who fails to report the ticket, respond to a court summons, or fails to promptly pay a fine, will be prohibited from driving a Bank GOV until the ticket issue and/or fine has been resolved.
- 6.6.3 Consistent with Executive Order 13513, drivers will use hands-free electronic devices and shall avoid distractions.

6.7 Fueling

- 6.7.1 Fuel for a GOV should be purchased using the Government Purchase Card (GPC) issued to the driver. In the event that a GPC is not available, personal funds may be used for fuel purchases, which will be reimbursed.
- 6.7.2 Drivers should use self-service pumps when possible with the grade of fuel recommended by the manufacturer.

6.8 Parking

- 6.8.1 Vehicles must be parked in the Bank's Lafayette Building parking garage each night, unless the GOV authorization permits otherwise. There is no designated parking space number, but the GOV should be parked in a spot that allows for easy accessibility.
- 6.8.2 Parking spaces for daytime use are available in front of the Lafayette Building on a first-come, first-serve basis.
- 6.8.3 Drivers may park in commercial parking lots when performing official duties and drivers will be reimbursed for parking fees.

6.9 Passengers

- 6.9.1 GOVs may be used to transport employees or non-employees as long as the use is for official business only. A guest of an employee authorized use of GOV may accompany the employee on a space- available, no-increased-cost basis and only when approved in advance by the employee's supervisor. The supervisor shall take liability risks into consideration for such approvals.

6.10 Roadside Assistance

- 6.10.1 In the case of vehicle trouble or mechanical failure of a GOV, the driver will immediately notify the Vehicle Coordinator. The Vehicle Coordinator will make arrangements to dispatch help to the driver. A driver should not abandon the GOV unless emergency medical attention is required, or in the event of similar exigent

Circumstances.

6.10.2 If the GOV is immobile, contact the Vehicle Coordinator to arrange for removal of the vehicle, and for your transportation back to the office.

6.11 Accidents

Drivers involved in an accident in a Bank GOV must follow the following procedures, if another vehicle or person is involved:

6.11.1 Show a valid driver's license to authorities responding to the scene or the other persons involved in the accident on request;

6.11.2 Notify the police, the Vehicle Coordinator, and supervisor, as soon after the accident as possible;

6.11.3 Collect all pertinent information about the other driver involved in the accident. Attachment D

6.11.3.1. Name and address;

6.11.3.2. Driver's license number, issuing state, and expiration date;

6.11.3.3. Name, telephone number, and address of vehicle owner(s);

6.11.3.4. Make, type, year of vehicle(s);

6.11.3.5. License plate number(s) and state of issuance, and

6.11.3.6. Name of insurance company and policy number.

6.11.3.7. Damage to the other vehicle(s) involved;

6.11.3.8. Damage to the Bank GOV;

6.11.3.9. Name, badge number of the police officer at the scene, if any, and the police report number;

6.11.3.10. Names and addresses of any witnesses to the accident, and

6.11.3.11. Names of any passengers in the vehicle(s).

6.11.4 Do not admit fault, promise payment, or sign anything unless required by law enforcement authorities. If a statement is requested by authorities, discuss details of the accident only to the extent necessary.

6.11.5 Do not abandon the GOV unless exigent circumstances so require. (See paragraph 6.8).

6.11.6 By the close of business, on the day of an accident (or the next business day for accidents occurring after work hours or on weekends), complete GSA Standard Form 91 (SF 91), Motor Vehicle Accident Report, and Standard Form 94 (SF 94), Statement of Witness. Copies of both forms should be located in the glove box of the GOV.

6.11.7 Submit the SF 91 and SF 94. All accident forms must be signed by the Vehicle Coordinator, and forwarded to the Office of the General Counsel (OGC) along with any relevant documents

attached.

In the event of an accident involving a Bank driver operating a GOV, the Vehicle Coordinator must:

- 6.11.8 Notify OGC immediately on learning of the accident;
- 6.11.9 If the vehicle is leased through GSA, the Vehicle Coordinator must submit a copy of the accident report to the insurance representative within 24 hours of the accident.
- 6.11.10 If an injury prevents the driver from completing any of the required forms or reporting, the Vehicle Coordinator will ensure that accident reporting forms are properly completed as soon as practical.

6.12 Liability

Assignment of liability for damages or injuries resulting from driving a Bank GOV will depend on multiple factors, including prior approval to use the GOV, the nature of the use, and whether the use was within the scope of the approval and the driver's scope of employment.

- 6.12.1 Any employee receiving a claim, legal notice, or other correspondence asserting liability against the Bank for property damage or personal injury as a result of an incident involving a GOV and/or driver should immediately forward it to OGC.
- 6.12.2 In the event of an accident or other incident in which a Bank vehicle is damaged, the Bank driver will not be held financially responsible for damage to the vehicle, as long as there has been approval to use the vehicle, the driver was performing official Bank business at the time of the damage, and the driver was acting within the driver's scope of employment. OGC will make all scope of employment determinations.
- 6.12.3 Drivers of Bank GOVs must obey all motor vehicle traffic laws of the jurisdiction in which the vehicle is operated. If a driver is fined or otherwise penalized for an offense committed while performing official duties, payment is the personal responsibility of the driver. (FMR 102-34-235)

- A Vehicle Usage Log
- B Memorandum to GSA Fleet
- C Accident documentation guide
- D GSA Fleet Customer Leasing Guide



Weekly Vehicle Use Log

Driver's Name:

Vehicle :

Start Period date :

End Period :

Total Number of Trips

Date	Starting Place	Destination	Purpose	Start Mile	End Mile	Mileage	Additional Passengers

Notes :

Signature of Employee : _____

Date:

Signature of Supervisor : _____

Date:



Reducing Risk. Unleashing Opportunity.

MEMORANDUM

DATE: [Click here to enter a date.](#)

TO: GSA Fleet Management

FROM: Head of Contracting Activity

CC: Director of Facilities

SUBJECT: **Vehicle Lease Replacement**

Memorandum to GSA Fleet should include:

- 1.1.1 Type of Vehicle requested: Sedan or Passenger and Cargo Van
- 1.1.2 Projected use of miles per month for billing
- 1.1.3 Certification of funds and account code
- 1.1.4 Brief description of projected activity of vehicle
- 1.1.5 POC information
- 1.1.6 Data and location requested for the delivery of the vehicle



MEMORANDUM Continued Page 2



Accident Documentation Guide*

Driver's Name:		
Date:	Click here to enter a date.	Time:

Information about Driver and Vehicle	
1	Brief description of the situation and place
2	Name and address;
3	Driver's license number, issuing state, and expiration date;
4	Name, telephone number, and address of vehicle owner(s);
5	Make, type, year of vehicle(s);
6	License plate number(s) and state of issuance
7	Name of insurance company and policy number
8	Name and badge number of the police officer at the scene, if any, and the police report number;
9	Names and addresses of any witnesses to the accident
10	Names of any passengers in the vehicle(s).

Signature of Employee :

Signature of Supervisor :

*To keep at vehicle at all times