



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
NATIONAL INTERAGENCY FIRE CENTER
3833 SOUTH DEVELOPMENT AVENUE
BOISE, IDAHO 83705-5354

April 28, 2009

Memorandum

To: BIA-NIFC Staff
From: Director, Branch of Wildland Fire Management
Subject: Motor Vehicle Operation Policy

A handwritten signature in black ink, appearing to read "Lyle Carlisle".

To conform to the Motor Vehicle Operation Policy memorandum dated May 3, 2006, and to bring NIFC staff into compliance with current Department of Interior (DOI) and Bureau Motor Vehicle Operation Policy, all employees are required to respond to this memorandum no later than May 15, 2009.

In 5 CFR 930, and DOI Policy 485 DM 16, all employees who operate a motor vehicle on official duty for the Bureau must meet all requirements addressed. Motor vehicles include Government Owned Vehicles (GOV), lease or rentals, and Privately Owned Vehicles (POV).

Employees and Supervisors must complete GSA Form 3607, and sign the "Acknowledgement of Receipt and Understanding" Form. Completed copies will be sent to Teresa Wesley, Administrative Assistant at NIFC in a sealed Blue "Special Attention Mail Envelope". All forms must be complete, and signed certifying statements are correct. Supervisors will be required to complete and sign the Supervisory Review section.

All drivers will receive Defensive Driver training within three (3) months of hire and refresher training every 3 years thereafter. Documentation will be submitted to verify completion or recertification.

Individuals qualified, and current to operate specialized machinery such as All Terrain Vehicles (ATV), Fork Lifts, Snowmobiles, etc. will be required to add in the remarks section any certifications. All specialized equipment requests will require documentation of training, and currency for addition to the Motor Vehicle Operator's Identification Card (OF-346).

All completed GSA Form 3607 will be validated with the National Drivers Registry for accuracy. All personnel who receive a favorable determination, and have completed Defensive Driver training/recertification will be issued an Motor Vehicles Authorization Card that will be valid four (4) years from issuance with a current state issued driver's license.

For questions or more information, please contact Tony Beitia, NIFC Wildland Fire Safety Specialist at (208)-387-5177 or via email at tony_beitia@nifc.gov.

Attachments:

Motor Vehicle Operation Policy Memorandum, May 03, 2006
Motor Vehicle Operator's license and Driving Record – GSA Form 3607
Acknowledge of Receipt and Understanding Form

5 CRF 930 Link: <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=5:2.0.1.1.41.1&idno=5>

DOI motor Vehicle Safety Policy 485 DM 16 Link:
http://74.125.95.132/search?q=cache:1Phf4a3turcJ:206.131.241.18/elips/DM_word/3246.doc+485+DM+16&hl=en&ct=clnk&cd=2&gl=us



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, D.C. 20240

IN REPLY REFER TO:

Division of Forestry

JUN 19 2006

Memorandum

To: All Regional Directors

From: Director, Bureau of Indian Affairs 

Subject: Clarification of Motor Vehicle Operation Policy for the Wildland Fire Program

A new Bureau of Indian Affairs (BIA) Motor Vehicle Operation Policy was issued on May 3, 2006. This memorandum provides clarification regarding implementation of that policy within the BIA Wildland Fire Program.

The BIA Motor Vehicle Operation Policy provides direction for Indian Affairs motor vehicle operators. There have been recent questions from the field as to whether this policy applies to our non-BIA federal and non-federal cooperators that respond to wildland fires in Indian Country. Each year a large number of our cooperators respond to assist with our wildland fires. These individuals are "resource ordered" through the interagency wildland fire dispatch system. These cooperator individuals include and are not limited to non-federal partners such as state wildland fire personnel and rural or volunteer fire departments; other federal agencies such as Bureau of Reclamation and United States Geological Survey; international firefighters such as Canadian and Australian individuals; Administratively Determined (ADs) hires from non-BIA agencies, and; other agency federally retained contractors such as helicopter pilots and fuel truck drivers. Individuals assist from throughout the nation and the number of individuals required each year is dependent on the fire situation. There is no way to identify in advance which individuals will respond to assist on a particular incident. Therefore, it is impractical to secure a driving record for these responders and issue a BIA Motor Vehicle Operator Authorization Card. Without the aid of these cooperators each year, the BIA would not be able to fulfill its trust responsibility for wildland fire protection.

With respect to the BIA Wildland Fire Program the BIA, Motor Vehicle Operation Policy applies only to individuals that are Indian Affairs employees as defined in the policy. It does not apply to our federal and non-federal cooperators that respond to wildland fires on Indian lands.

If you have any questions or comments, please contact Lyle Carlile, Chief, Branch of Fire Management at 208-387-5575



THE ASSOCIATE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON, DC 20240

MAY - 3 2006

Memorandum

To: Deputy Assistant Secretaries
Director, Bureau of Indian Affairs
Director, Office of Indian Education Programs
All Central Office Directors
All Regional Directors
All Education Line Officers

From: Associate Deputy Secretary

A handwritten signature in black ink that reads "James E. Casar".

Subject: Motor Vehicle Operation Policy

In compliance with the requirements of 5 CFR 930 and the Department's Motor Vehicle Safety Policy, 485 DM 16, this Motor Vehicle Operation Policy (Policy) is to establish clear responsibilities for employees, supervisors, and managers, and to promote the safe and prudent operations of motor vehicles while performing assigned duties in support of Indian Affairs (IA). This Policy supersedes the New Motor Vehicle Operation Policy for the Bureau of Indian Affairs (BIA) signed by the Assistant Secretary - Indian Affairs on March 19, 2004.

I. Definitions

- A. **Employee.** All permanent, temporary, intermittent, and contract employees; interns; student teachers; and administratively determined (AD) emergency workers as defined in 5 U.S.C. 2105.
- B. **Motor Vehicle.** A Government owned, rented or leased motor vehicle and/or privately owned, rented or leased motor vehicle, with a gross vehicle weight (GVW) of less than 26,000 pounds, designed to transport less than 15 people, and which does not haul hazardous materials or tow vehicles with a GVW of 10,000 pounds or more (e.g. sedans, light trucks, sports utility vehicles (SUVs) and all terrain vehicles (ATVs).
- C. **Motor Vehicle Operator.** An employee who drives a motor vehicle, including commercial motor vehicles, in the performance of their duties and responsibilities.
- D. **Commercial Operator.** An employee who operates a commercial vehicle and is required to possess a Commercial Driver's License (CDL).
- E. **Commercial Motor Vehicle.** A vehicle having a GVW rating of more than 26,000 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 15 or more people including the driver, or a school bus. Operators of these vehicles must have a valid CDL.

II. Driver Qualifications

An employee may be authorized to drive on Indian Affairs business if he or she satisfies the following requirements:

- A. Be 18 years of age or older;
- B. Has a valid State driver's license;
- C. Has the requisite experience needed to drive the type of vehicle being assigned or used;
- D. Has no convictions or uncontested citations within the three-year period immediately preceding their submittal of GSA Form 3607, Motor Vehicle Operator's License and Driving Record, for Reckless Driving, Driving While Intoxicated (DWI), Driving Under the Influence (DUI) or Leaving the Scene of an Accident;
- E. Has not demonstrated a pattern of unsafe driving or behaviors (e.g. drug or alcohol abuse, unusual aggression, etc.) that would cause a supervisor to question the likelihood that the individual will drive safely and prudently while on Indian Affairs business; and
- F. Possesses current Motor Vehicle Operators Authorization from his/her supervisor.

III. Roles and Responsibilities

- A. Deputy Assistant Secretaries, BIA Director, Deputy Directors and Regional Directors, and Director, Office of Indian Education Programs (OIEP) are responsible for carrying out the requirements of this policy within their areas of responsibility.
- B. Managers, supervisors, contracting officers and awarding officials must:
 - 1. Carefully consider whether duties and responsibilities assigned to an employee require the operation of a government-owned or government-leased motor vehicle, commercial motor vehicle, rental motor vehicle, or privately-owned or privately-leased motor vehicle in the performance of official or contractual duties, responsibilities or activities, including duties of record and other duties assigned or historically assigned to such positions or activities;
 - 2. Ensure that each IA Motor Vehicle Operator under their supervision possesses a valid driver's license that indicates State authorization to operate the class of vehicle required in the performance of duties. This responsibility is met by ensuring each employee completes the annual Authorization Process

described in Section 7 of this memorandum, which includes a requirement to conduct an annual review of the employee's current license and a current motor vehicle driving record. If at any time the supervisor has a concern with an employee's driving record, he or she will initiate a review of the employee's driving record. Failure to meet this responsibility may result in disciplinary action against the supervisor;

3. Ensure that all term contracts and commercial contracts under their administration, at the time of contract renewal, include certification from the contractors certifying that they will self-administer and ensure compliance with the requirements of this policy;
4. Based on available information, ensure no authorization is given to individuals with restricted driving privileges (i.e., home to work licenses);
5. Ensure that no Motor Vehicle Operator is permitted to operate a government owned or leased motor vehicle, commercial motor vehicle, rental motor vehicle and/or privately owned or leased motor vehicle in the performance of official duties while: (a) intoxicated by ingesting controlled substances or consuming intoxicating beverages, including any impairment resulting from the use of prescription or over-the-counter drugs; or (b) impaired by a medical or physical condition, or other factor that affects his/her motor skills, reaction time, or concentration;
6. Immediately terminate driving privileges for a Motor Vehicle Operator who is:
 - a. Arrested for, charged with, or convicted of Reckless Driving, Driving While Intoxicated (DWI), or Driving Under the Influence (DUI);
 - b. Arrested for, charged with, or convicted of a criminal offense related to a traffic incident involving alcohol or drugs, including but not limited to vehicular homicide, vehicular manslaughter, or endangerment;
 - c. Disqualified from holding a State driver's license, including restriction, suspension, revocation, or cancellation of a State driver's license for the type and class of vehicle operated;
 - d. Upon request, fails to provide a valid CDL medical certificate;
 - e. Not in possession of a current IA/BIA/OIEP Motor Vehicle Operator Authorization Card;
7. As directed in 5 CFR 930.113, take appropriate action when a Motor Vehicle Operator:

- a. Is convicted for operating a motor vehicle under the intoxicating influence of alcohol, narcotics, or pathogenic drugs;
 - b. Is convicted of leaving the scene of an accident without making his or her identity known;
 - c. Is not qualified to operate a Government owned or leased vehicle safely because of a physical or medical condition;
 - d. No longer possesses a State license by revocation or suspension;
 - e. Fails to report incidences noted in paragraph 6 above to his or her supervisor; and
 - f. Exhibits behaviors inconsistent with the safe and prudent operation of a motor vehicle;
8. Where appropriate, recommend the Employee Assistance Program (EAP) and other programs to employees whose performance appears impaired by the use of controlled substances, prescription drugs, or intoxicating beverages; and
9. Take appropriate actions to investigate allegations of employee's alcohol or drug abuse problem or a history of unsafe driving, regardless of whether or not the employee has ever been charged with an offense. Supervisors may at their discretion, consider a pattern of unsafe driving acts as a factor in determining whether an employee meets driver qualifications. (For example, an employee is convicted of DWI or other unsafe driving practices over a 10-year period, with DWI arrest longer than three-years preceding their submittal of GSA Form 3607, Motor Vehicle Operator's License and Driving Record).

C. The Division of Safety and Risk Management will:

- 1. Receive and process Motor Vehicle Operator License and Driving Record forms (GSA Form 3607) for their service area.
 - a. The Division of Safety and Risk Management is responsible for Central Office West Programs in Albuquerque, NM; Lakewood, CO; Boise, ID (NIFC). The Division is also responsible for Office of Law Enforcement Services (OLEES) and Office of Indian Education Programs (OIEP) Central Office West;
 - b. The Central Office East Collateral Duty Safety Officer is responsible for Central Office East Programs in Washington, DC; Reston, VA; and Herndon, VA; and
 - c. Regional Safety Managers are responsible for all regional programs, including OIEP within the region.

2. **Conduct the annual evaluation of the applicant's driving record.**
 3. **Return GSA Form 3607 with certification to the supervisor after processing.**
 4. **Document any conflicts or concerns with respect to an employee's driving qualifications.**
- D. **Employees, generally, have responsibility to inform supervisors of operator incidences or behaviors that would be considered covered by this policy or represent unsafe driving behavior. All employees share an affirmative duty to ensure our vehicles are used properly by responsible individuals who have a high regard for both personal and public safety while operating a government vehicle. Employees may report any suspected violations to the Indian Affairs Motor Vehicle Hotline: (505) 563-5460.**

IV. Operator Requirements

Motor Vehicle Operators must:

- A. **Comply with State, local and tribal traffic laws and the lawful instruction of emergency and law enforcement personnel;**
- B. **Abstain from ingesting controlled substances, intoxicating beverages, prescription drugs or other medications that caution against operating a motor vehicle when taken, to avoid being impaired;**
- C. **Not transport intoxicating beverages, controlled substances, or any passenger who is in possession of intoxicating beverages or controlled substances without written approval of immediate supervisor. Exceptions to this prohibition are allowed for social services, emergency, and law enforcement personnel whose duties and responsibilities require otherwise;**
- D. **Not transport unauthorized passengers in a Government owned or leased motor vehicle;**
- E. **Report to his/her supervisor any medical or physical condition, including the use of controlled substances, prescription or over-the-counter drugs, which may impair the driver from the safe operation of a motor vehicle;**
- F. **Successfully complete motor vehicle safety training at least every three years;**
- G. **Notify their supervisor if their State driving privileges are restricted, suspended, revoked, or canceled, or if they have been otherwise disqualified from holding a license. Employees are also responsible for reporting any situation that may alter**

their authorization or ability to operate a motor vehicle, such as any legal or court ordered suspension of driving privileges or any limiting medical condition;

- H. Report all incidents involving a Government owned or leased motor vehicle, commercial motor vehicle, rental motor vehicle, or a privately owned or leased motor vehicle that occur during the performance of their official duties;

Report all on-duty incidents involving a Government owned or leased motor vehicle, commercial motor vehicle, rental motor vehicle, or a privately owned or leased motor vehicle that could result in a violation, citation, charge, arrest, warrant, or civil action;

- J. Report all incidents involving a Government owned or leased motor vehicle, commercial motor vehicle, rental motor vehicle, or privately owned or leased motor vehicle and the use of controlled substances or intoxicating beverages; impairment resulting from prescription or over-the-counter drugs, illness, or medical condition; or other factors that impair concentration, motor skills or reaction time;
- K. Report any restriction, suspension, revocation, or cancellation of their driver's license, for any length of time, or any disqualification from holding a State, commercial, or international operator's license; and
- L. Notify supervisors of these incidents no later than the following business day after their occurrence. Failure to inform the supervisor of any such situation may subject employees to disciplinary action.

V. Authorization Procedures

- A. All employees and term contract employees whose job requires operation of a motor vehicle must annually request authorization to operate a motor vehicle in carrying out the duties of their positions.
- B. All employees and term contract employees must annually submit to their supervisor GSA Form 3607, Motor Vehicle Operator's License and Driving Record to renewal. In completing the form, individuals will provide a response to all questions (Section II) and certify that their statements are true and correct to the best of their knowledge (Section III).
- C. Supervisors will review the GSA Form 3607 for accuracy and completeness, complete and sign Section IV – Supervisory Review, and forward to the appropriate safety office for the receipt of application for their regions.
- D. The appropriate safety office will review the submitted forms and request a copy of the applicant's driving record from the appropriate State motor vehicle office(s) and if appropriate and where feasible, the tribal court where employees primarily operate motor vehicles within that tribal jurisdiction.

- E. Upon a receipt of a favorable review of the driving record, the safety officer will complete Section V – Certification of Eligibility and Authorization, sign and date, certifying that the individual meets his IA driver qualifications.**
- F. With the safety officer's certification, the supervisor may issue a Motor Vehicle Operator authorization Card (Attachment 2). The Card will be issued for a period of five years.**
- G. Based on the safety officer's report that the applicant is not qualified, the supervisor will not issue or will revoke a Motor Vehicle Operator Authorization Card. Supervisors are reminded that they may be personally liable if they authorize an employee to operate a motor vehicle on government business if an employee is determined not to be qualified by virtue of failing to meet qualification standards.**

VI. Failure to Report Incidents Involving Motor Vehicles

Failure of the motor vehicle operator to report such incidents of traffic citations or accident violations to the supervisor as soon as possible after the occurrence, but no later than the next business day, may result in disciplinary or other adverse action.

Attachments

MOTOR VEHICLE OPERATOR'S LICENSE AND DRIVING RECORD (See Privacy Act Information on reverse)		TO BE COMPLETED BY CERTIFYING OFFICIAL ONLY CARD NUMBER - FROM OF-348	
APPLICANT'S NAME (Last, First, Middle Initial)		DATE ISSUED	DATE EXPIRES
NAME OF ORGANIZATION	OFFICE TELEPHONE NUMBER	VEHICLE (S) APPLICANT IS REQUESTED TO OPERATE <input type="checkbox"/> TYPE A - PASSENGER VEHICLES <input type="checkbox"/> TYPE B - TRUCKS > 1 TON AND ALL-WHEEL-DRIVE <input type="checkbox"/> TYPE C - TRACTOR-TRAILER & TRAILER PULLING <input type="checkbox"/> TYPE D - PASSENGER CARRYING BUSES <input type="checkbox"/> TYPE E - SPECIAL PURPOSE VEHICLES, SUCH AS AMBULANCES, FIRE APPARATUS, WRECKERS, CRANES, EARTH MOVING EQUIPMENT, ETC. SPECIFY TYPE:	
OFFICE MAILING ADDRESS (Include ZIP CODE)			

SECTION I - PERSONAL DATA FROM CURRENT DRIVERS LICENSE

STATE	LICENSE NUMBER	DATE ISSUED	DATE EXPIRES	RESTRICTIONS ON STATE LICENSE			
STATE LICENSE TO OPERATE (Vehicle)	SEX	BIRTH DATE		COLOR of HAIR	COLOR of EYES	HGT.	WGT.
RESIDENTIAL ADDRESS		CITY		STATE		ZIP CODE	

SECTION II - DRIVING RECORD

A - RECORD OF TYPES OF VEHICLES DRIVEN DURING THE PAST FOUR YEARS

TYPE OF VEHICLES DRIVEN	ESTIMATED MILES DRIVEN	ESTIMATED DAYS DRIVEN

B - RECORD OF DRIVING CONVICTIONS (Except Parking) DURING THE PAST FOUR YEARS

DATE	NATURE OR TYPE OF VIOLATION	CITY AND STATE	ACTION TAKEN

C - RECORD OF ACCIDENTS DURING THE PAST FOUR YEARS

DATE	NATURE OF ACCIDENT	CITY AND STATE	ACTION TAKEN

D - RECORD OF SUSPENSION OR REVOCATION OF LICENSE DURING THE PAST FOUR YEARS

DATE	REASON FOR SUSPENSION OR REVOCATION	CITY AND STATE	ACTION TAKEN

SECTION II - DRIVING RECORD (Continued)

E. RECORD OF CONVICTIONS OPERATING UNDER THE INFLUENCE OF ALCOHOL, NARCOTICS OR PATHOGENIC DRUGS			
DATE	REASON FOR CONVICTION (INCLUDING TRIBAL COURT)	CITY AND STATE	ACTION TAKEN

F. RECORD OF ABUSE OR NEGLECT TO OR UNAUTHORIZED USE OF GOVERNMENT VEHICLES			
DATE	INFRACTION	CITY AND STATE	ACTION TAKEN

SECTION III - APPLICANT'S CERTIFICATION

ANY FALSE STATEMENT IN THIS APPLICATION MAY RESULT IN DENIAL, SUSPENSION, OR REVOCATION OF IDENTIFICATION CARD. I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.	
APPLICANT'S SIGNATURE	DATE SIGNED

SECTION IV - SUPERVISORY REVIEW

APPLICANT IN MY OPINION [<input type="checkbox"/> IS <input type="checkbox"/> IS NOT] CONSIDERED QUALIFIED TO SAFELY OPERATE THE VEHICLE (S) FOR WHICH AUTHORIZATION IS REQUESTED. (Explain, if needed). 		
SUPERVISOR'S SIGNATURE	TITLE	DATE SIGNED

SECTION V - CERTIFICATION OF ELIGIBILITY AND AUTHORIZATION

TYPES OF VEHICLES AUTHORIZED TO OPERATE <input type="checkbox"/> TYPE A - PASSENGER CARS, STATION WAGONS, CARRYALLS, AND TWO WHEEL DRIVE TRUCKS, ONE TON AND UNDER. <input type="checkbox"/> TYPE B - ALL TRUCKS OVER ONE TON AND VEHICLES WITH MORE THAN TWO-WHEELED DRIVE - EXCEPT THOSE LISTED UNDER TYPES C, D, AND E. <input type="checkbox"/> TYPE C - TRACTOR-TRAILER VEHICLES, AND OTHER TRAILER PULLING VEHICLES - INCLUDING SEDANS ETC. WHEN SUCH VEHICLES ARE USED TO PULL TRAILERS. <input type="checkbox"/> TYPE D - PASSENGER CARRYING BUSES. <input type="checkbox"/> TYPE E - SPECIAL PURPOSE VEHICLES SUCH AS AMBULANCES, FIRE APPARATUS, WRECKERS, CRANES, GRADERS, EARTH MOVING EQUIPMENT, AND OVERSIZED VEHICLES. (Specify particular type.)		
SIGNATURE OF CERTIFYING OFFICIAL	ORGANIZATION	DATE

REMARKS

IN COMPLIANCE WITH THE PRIVACY ACT OF 1974, the following information is provided: Solicitation of the information is authorized by the Federal Property Administrative Services Act of 1949, as amended. Authority for solicitation is Executive Order 9397, dated November 22, 1943. Disclosure of the information is voluntary. The principal purposes are (1) to provide necessary data to determine whether the applicant is competent to operate a Federal motor vehicle; and (2) to provide a written record of the applicant's previous driving record, physical fitness, and ability. The information contained on this form may be transferred outside GSA as a routine use to appropriate Federal, State, or local organizations when relevant to civil, criminal, and regulation investigation or prosecution or pursuant to a request by GSA, or such other agency in connection with the hiring or retention of an employee, the issuance of a security clearance, the investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit. Failure to provide requested information may result in denial of the applicant's request for a motor vehicle operator's identification card.

GENERAL SERVICES ADMINISTRATION **GSA FORM 3607 BACK (6-89)**



**United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
NATIONAL INTERAGENCY FIRE CENTER
3833 SOUTH DEVELOPMENT AVENUE
BOISE, IDAHO 83705-5354**

April 29, 2009

ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING

I, _____ hereby acknowledge receipt and understanding of the
Motor Vehicle Operation Policy of May 3, 2006.

Signature

Date