

CERTIFICATION OF MOTOR VEHICLE OPERATORS

I. PURPOSE:

This document establishes uniform bureau procedures for employees and managers in certifying the driving status of employees authorized to operate government owned, rented, leased, or privately owned motor vehicles when operated for official purposes or while on official travel or at temporary duty sites while performing official duty.

II. AUTHORITY:

5 CFR Part 930, subpart A¹
49 CFR 383²
485 DM 16³
Director's Order 50B⁴
IPMD 410, subpart 114-60.207⁵

III. DELEGATION OF AUTHORITY:

This Bulletin delegates to Regional Directors and assumes subsequent delegation to Superintendents and equivalent officials the authority to implement and administer the Motor Vehicle Operator Certification guidance. Exercise of this authority must be in a manner consistent with law, rule and regulation, applicable Departmental Policy, and this Bulletin.

IV. SCOPE:

Applies to all National Park Service employees, to include volunteers, student interns and emergency employees, who operate either government owned, leased, or rented motor vehicles, or who operate privately owned motor vehicles as authorized for official purposes while on official temporary travel or as a condition of employment in the performance of official duties.

V. DEFINITIONS:

A. Motor Vehicle is any vehicle with a gross weight of less than 26,000 pounds, designed to transport less than 15 persons, and which does not haul hazardous materials or tow vehicles having a gross weight of 10,000 pounds or more, e.g. sedans, all terrain vehicles, trucks, motor cycles, and other light motor vehicles.

B. Commercial Motor Vehicle all vehicles having a gross vehicle weight (GVW) of more than 26,000 pounds, a vehicle towing a trailer with a 10,000 pound or more GVW rating, a vehicle hauling hazardous material requiring the vehicle to be placarded, a vehicle designed to transport 15 or more people including the driver, and school buses to include all endorsements. These vehicles can only be operated by someone holding a valid Commercial Driving License.

¹ http://www.access.gpo.gov/nara/cfr/waisidx_04/5cfr930_04.html

² http://www.access.gpo.gov/nara/cfr/waisidx_03/49cfr383_03.html

³ <http://elips.doi.gov/elips/release/3246.htm>

⁴ <http://www.nps.gov/policy/DOrders/DO50BRM.doc>

⁵ <http://www.doi.gov/pam/114-60-2.html#207>

C. Official Duties include duties of record as documented in the official Position Description, official travel activities and those other duties assigned by the supervisor.

D. Valid Drivers License (VDL) issued by either a State, the District of Columbia, Puerto Rico, or any possession or territory over which the United States of America has administrative jurisdiction, that entitles the holder to operate a motor vehicle over public highways and roads.

E. Government Motor Vehicle (GOV) is a government-furnished motor vehicle: NPS owned vehicles, vehicles leased from the General Services Administration or leased from commercial sources and which are used in the performance of official duties. Includes all privately owned motor vehicles used in the performance of official duties.

F. Regular MVO are employees, to include volunteers, who occupy positions identified as MVO, or who are reasonably expected as a condition of employment to frequently operate a GOV as a regular requirement of the position held. Often, but not exclusively, such positions may require the employee to hold a commercial driving license. Includes employees who operate commercial motor vehicles.

G. Incidental MVO are employees, to include volunteers, required or authorized to operate a GOV within the scope of employment, but for which motor vehicle operation is not a primary duty or purpose of the position held. Includes employees who operate commercial motor vehicles.

VI. BASIC RESPONSIBILITIES:

A. Associate Directors, Regional Directors, the Chief, U.S. Park Police, are responsible for ensuring that those delegated officials have implemented the requirements of this guidance within their areas of responsibility.

B. Superintendents and equivalent officials are responsible to ensure that each subordinate Regular MVO and Incidental MVO possesses a VDL that identifies the State authorizing the holder to operate the class of vehicle required for the employee to perform official duties. Such responsibility may be delegated to the Deputy Superintendent, Chief Law Enforcement Ranger or similar senior authority by written notice. NOTE: Background investigations may not fulfill this requirement.

C. Supervisors are responsible to obtain Incidental MVO employee self-certification forms and to certify the operation of a GOV by those employees.

VII. RESTRICTIONS:

A. Employees convicted under State law, on Native Reservations, or on National Park property, of operating a motor vehicle while under the influence of alcohol, consumption of controlled substances, driving while impaired, leaving the scene of an accident without making oneself known to the proper authority, or by suspension⁶ or revocation of a VDL are prohibited from operating a GOV. Reinstatement of GOV operating privileges occurs only after the employee demonstrates his or her reinstatement of a VDL.

⁶ In some situations, a court of proper jurisdiction may issue interim driving privileges pending the outcome of the suspension action. Such situated employees may continue to operate GOV's for forty-five (45) days, not to exceed ninety-days (90), from the date the VDL was originally suspended.

B. Employees who test positive for bureau required drug or alcohol tests shall be prohibited from operating a GOV. Reinstatement of GOV driving privileges occurs only after the employee successfully passes a subsequent drug or alcohol test and completes obligated counseling.

VIII. EMPLOYEE RESPONSIBILITIES:

A. Employees are responsible for reporting any situation that may alter their authorization status or their ability to operate a GOV. All employees who operate a GOV must:

1. hold a VDL for the class of motor vehicle required to be operated;
2. for Incidental MVO, submit a photocopy of their drivers license and complete Valid Drivers License Self-Certification form (copy attached) prior to first GOV operation and again annually thereafter.
3. for Regular MVO, submit every four years a completed GSA Form 3607, Motor Vehicle Operators License and Driving Record,⁷ and submit all State issued certified (submitted directly to the NPS by State authorities using State sealed envelop or by internet) driving records that disclose all VDL's, whether current or past, possessed by the employee;
NOTE: Unless NPS requests a driving record directly from an issuing State, the expenses related to the employee's requirement to obtain and submit a certified State driving record belongs to that employee and no official time shall be granted for the employee to obtain and submit these documents.
4. report the following to the supervisor:
 - All incidents involving the operation of GOV, to include while on official travel, that could result in a violation, citation, charge, arrest, warrant, or civil action;
 - Physical arrest for a traffic-related offense such as operating under the influence of alcohol or drugs whether on or off duty;
 - All incidents involving a GOV and the use of controlled substances or intoxicating beverages; impairment resulting from prescription drugs, illness, or medical condition,; or other factors that impair concentration, motor skills or reaction time; and,
 - Legal or court ordered suspension,⁸ revocation, cancellation or other limiting factor of driving privileges for any length of time, or any disqualification from using a VDL.

B. Unless in exceptional situations, all MVO shall report to the supervisor incidents identified above either prior to, or as soon as possible after, but not later than the next business day. Failure of any MVO to timely report to the supervisor any incidents identified above may result in the consideration of appropriate disciplinary action.

IX. SUPERINTENDENT AND SENIOR USPP OFFICER RESPONSIBILITIES:

A. Unless listed as a condition of employment in the official Position Description, consider whether official duties necessitate employee operation of a GOV.

B. Ensure that every subordinate Regular MVO has submitted, at minimum, once every four years, a completed Form 3607, and has submitted all certified State issued driving records, which, in the Superintendent's opinion, supports the employee holding a VDL.

⁷<http://www.gsa.gov/Portal/gsa/ep/formslibrary.do?viewType=DETAIL&formId=8D4A3C5FA7B721AA85256AA2005014E5>

⁸ The employee may continue to operate GOV on other than public highways for a period forty-five (45) days, not to exceed ninety-days (90), from the date the VDL was originally suspended.

C. Ensure that each supervisor, at a minimum, has obtained from each Incidental MVO a photocopy of a State issued drivers license issued in that employee's name and that each employee has signed and submitted the Valid Drivers License Self-Certification form.

D. Immediately suspend driving duties and responsibilities of any employee who is:

1. Arrested, charged, or convicted of either reckless driving, driving while intoxicated or driving under the influence;
2. Arrested, charged, or convicted of a criminal offense related to a traffic incident involving alcohol, controlled substances, prescription drugs or other medications that caution against operating a motor vehicle when taking such drugs, including but not limited to vehicular homicide, vehicular manslaughter, or endangerment;
3. Disqualified from holding a VDL, including suspension, revocation, or cancellation of a VDL for types and class of vehicle operated;
4. Directed and fails to produce a VDL to a proper authority;
5. Directed and fails to submit a signed Valid Drivers License Self-Certification form;
6. Directed and fails to submit a fully completed GSA Form 3607;
7. Directed and fails to submit all State issued certified⁹ driving records that disclose all VDL's, whether current or past, possessed by the employee.¹⁰

E. If an employee's driving privileges are restricted in any manner by the State where the employee's license of record was issued, at the minimum, those same restrictions will apply concurrently to the employee's operation of a GOV.¹¹

F. Consider adverse, disciplinary or other appropriate action against a MVO who is either convicted for operating under the influence, is convicted for leaving the scene of an accident without making his/her identity known to proper authority, or whose VDL is revoked or where suspension is upheld by a court of proper jurisdiction. Consideration of discipline should be withheld where a drivers license has been suspended until a court of proper jurisdiction has ruled. Contact your servicing Human Resources Office for assistance.

G. Undergo, and direct subordinate supervisors to undergo training to recognize and address behavioral patterns that may give rise to potential reasonable suspicion of employee abuse of controlled substances, prescription drugs, or intoxicating beverages.

H. Where appropriate, recommend employee attendance at the Employee Assistance Program (EAP) and/or other relevant programs.

X. CERTIFICATION PROCESS:

A. No less than every four (4) years, or more often if circumstances warrant, Superintendents shall direct all Regular MVO to complete GSA Form 3607 and to submit a certified copy of the employee's driving record issued by a State, the District of Columbia, Puerto Rico, or any possession or territory over which

⁹ Exercise caution where the driving record is submitted directly by the employee and is not in a State-sealed envelope.

¹⁰ In situations where an employee refuses to submit a State issued driving record when directed, the NPS shall request the employee sign a release and the NPS shall obtain such record prior to the consideration of any disciplinary action.

¹¹ In some situations, a court of proper jurisdiction may issue interim driving privileges to the employee pending the outcome of a suspension action. Such situated employees may continue to operate GOV's for a period forty-five (45) days, not to exceed ninety-days (90), from the date the VDL was originally suspended.

the United States of America has administrative jurisdiction (the latter should be submitted directly to the NPS by State authorities using either a State sealed envelop or by internet).

B. Annually, or more often if circumstances warrant, those employees designated Incidental MVO shall submit a photocopy of their current State issued drivers license (unless such current license was issued less than one year from request date wherein a photocopy of the current and past licenses shall be submitted) and a completed Valid Drivers License Self-Certification form to their supervisor. In situations where relevant information suggests the need to the supervisor, the supervisor may also require the Incidental MVO to submit a certified copy of each State issued drivers license (submitted directly to the NPS by State authorities using an envelope sealed by a State employee or by internet).

C. Superintendents authorize the operation of GOV's by Regular MVO. Supervisors authorize the operation of GOV's by Incidental MVO. In both situations, authorization is given only after the official is satisfied that the materials submitted by the employee reasonably establish that the employee holds a VDL. Contact your servicing Human Resources Office for assistance where information suggests an employee does not hold a VDL. Authorization may be given either verbally or in writing, at the discretion of the official.

XI. RETENTION OF CERTIFICATION RECORDS:

A. The records collected by this guidance represent records that are subject to the Privacy Act.¹² Access to these records shall be protected from unwarranted or casual access and shall not be released to any person other than the person named in the record through written request or to officials having an official government reason related to the conduct of official business.

B. Driving records are not filed in the Official Personnel Folder.

C. Superintendents shall maintain sufficient records to schedule certification renewals for Regular MVO's. Renewal certifications supercede either initial or past renewal certifications. Superseded initial or past renewal certificates shall be destroyed, unless a new suspension, revocation, or some other modified driving record exists. In these latter situations, the superseded records should not be destroyed but should be forwarded to the servicing Human Resources office.

D. Employees reassigned to other NPS positions requiring certification by another official causes the existing certification to be transferred to that new official subject to the Privacy Act limitations. Employees who leave the NPS, who are reassigned or who accept a position that does not require driving certification causes the current and any previous certification record to be destroyed

XII. Vacancy Announcement Suggested Language:

A. Incidental MVO:

You may be required to operate a government (or private) motor vehicle as part of your official duties. Prior to your first official motor vehicle operation, and again every year thereafter (or more frequently if management determines such need exists), you will be required to sign an affidavit certifying to your possession of a valid State issued drivers license that is current and has not been revoked, suspended, canceled, or otherwise disqualified in any way to prohibit your operation of a motor vehicle. You will also submit a photocopy of your valid State issued drivers license prior to your first official motor vehicle

¹² 5 USC §552a

operation, and again every year, or more frequently if management determines such need exists. Lastly, you may be required to submit (within a State sealed envelope or submitted directly by the State authorities), and at your own expense, all certified driving records from all States that discloses all valid drivers licenses, whether current or past, possessed by you.

Please indicate in your application whether you possess a valid State drivers license.

B. Regular MVO:

This position requires that you operate a government (or private) motor vehicle as part of your official duties. A valid State drivers license is required.

As a condition of employment, you will be required to submit a completed GSA Form 3607, Motor Vehicle Operator's License and Driving Record. You must also submit (within a State sealed envelop or submitted directly by the State authorities), and at your own expense, all certified driving records from all States that discloses all valid drivers licenses, whether current or past, possessed by you.

If you are tentatively selected for employment in this position, you will be required to complete GSA Form 3607 and submit the above State issued documents. Your employment, after your tentative selection, will be contingent upon receipt of these documents in a timely manner and that those documents establish, to the satisfaction of the selecting official, that you possess a valid drivers license.

C. Volunteer MVO:

All volunteers required to operate a government motor vehicle as part of their official duties must present a valid State-issued drivers license or international driver's document when signing the volunteer agreement form. The volunteer agreement must clearly state that the volunteer employee is required to drive a government motor vehicle while performing official duties and that proof of said valid drivers license or international drivers document has been provided.

Attachments