



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER
AND PRESIDIO OF MONTEREY
OFFICE OF THE STAFF JUDGE ADVOCATE
1336 PLUMMER STREET, BLDG. 275
MONTEREY, CALIFORNIA 93944

ATZP-JA

July 2010

MEMORANDUM FOR ALL

SUBJECT: Use of Government-Owned Vehicles (GOV)

1. GENERAL RULE:

a. The use of Government-owned or leased motor vehicles is restricted to official purposes only. 31 U.S.C. §1344; DoD 4500.36-R, para. 3-1.

b. Transportation shall not be provided based solely on rank, position, prestige, or personal convenience. AR 58-1 (2-4)(a).

2. REFERENCES:

a. 31 U.S.C. §1344, Passenger Carrier Use.

b. 41 C.F.R. §101-6.400, Home-to-Work Transportation.

c. DoD 4500.36-R, Management, Acquisition, and Use of Motor Vehicles.

d. AR 58-1, Management, Acquisition, and Use of Motor Vehicles.

3. DISCUSSION: Use of a GOV must be essential for the successful completion of a DoD function, activity, or operation, and the use must be consistent with the official purpose for which the vehicle was acquired. Personal convenience, TDY status, rank, position, or prestige, by themselves, are not a valid basis for GOV use.

a. Domicile-to-Duty (D-T-D) travel: This refers to transportation between living quarters and places of duty. This transportation is not for official purposes, except when specifically authorized. Written approval must be obtained from the Service Secretary and each approval is valid for not more than 15 or 90 days, depending on individual circumstances. 31 U.S.C. 1344(b)(9) & AR 58-1(4-3)(6)(d). The exception requires unusual circumstances that present "a clear and present danger" or "other compelling operation considerations." 31 U.S.C. § 1344(d)(2).

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b. Transportation of enlisted personnel between troop billets, places of duty, and dining facilities may be authorized.

c. GOV use may be allowed for duty-hour or after-hours official functions, but the authorized user may not be picked up from or transported to family quarters. In general, the trip must begin and end at the authorized user's normal place of duty. GOV use is not authorized for private social functions.

d. Home-to-Work Transportation. The following Federal officials are authorized home-to-work transportation by statute: the President, the Vice-President, and other principal Federal officials and their designees. 31 U.S.C. § 1344(b)(1-7). No other employees are authorized home-to-work transportation.

e. GOVs shall be pooled to ensure effective utilization. GOVs may not be assigned exclusively to one official or employee, except when the Head of the DoD Component determines that such assignment is essential to mission accomplishment.

f. GOV use is allowed for attendance of official functions (such as changes of command) when the user attends in an official capacity. GOV is not authorized when a person attends solely for personal reasons.

g. Non-DoD and other unofficial users may only ride in a GOV being used for an authorized purpose on a non-interference basis (i.e. there is no deviation from the usual route; and there is not a larger GOV for the purpose of accommodating the unofficial users). These personnel may not be picked up from or transported to their family quarters.

h. Visits to the gym, a health clinic for elective procedures, or dining facilities are not for official purposes, and thus GOVs should not be used. Use of GOVs to these locations may only be authorized if they are required official activities (e.g., a mandatory physical examination).

i. TDY status alone does not justify authorization for a government vehicle. When a government (or a rental) vehicle is authorized, the vehicle may be used for health and necessary comfort purposes, such as trips to dining facilities, barber shops, laundry facilities, and places of worship. Trips to places of entertainment and recreation, such as a theater, may also be allowed (as unofficial use) if it is within a reasonable distance of your TDY location and there is no extra cost to the government. The users are responsible for damages to the vehicle during unofficial use.

j. When traveling on TDY or PCS orders, government transportation is authorized from the traveler's normal places of residence or duty. Public commercial transportation or GOVs may be used as determined by the responsible officer. This authorization extends to family members if they are named in the travel order.

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k. A traveler away from his primary duty station on official duty, even when not on TDY orders, may use GOVs for necessary and reasonable convenience whether it is a government or commercial vehicle.

l. Official visitors may be provided official transportation from arrival until departure if the transportation is for attendance for official events and functions. This extends to transportation to/from the local hotels where the official visitors are staying for each official event and function. However, this does not extend to personal shopping or sightseeing trips.

m. Fare-free shuttle buses are intended for official use, although "space available" use is authorized. Shuttle buses may not operate in areas where there are no government offices or duty sites.

n. Government transportation for unit or installation morale, welfare, and recreation purposes may be authorized when it is determined by the commander that failure to provide the transportation would have an adverse effect on the morale of service members, family members, or DoD civilians. However, where the MWR events take place in locations where other government or public transportation is readily available (e.g., shuttle buses, taxis, POVs, etc.), the commander must be careful to consider whether government transportation is actually being provided for personal convenience rather than satisfying the abovementioned government purpose. In general, where other government or public transportation is readily available, GOVs should not be authorized.

4. If you have any questions or need further information, please feel free to contact the Office of the Staff Judge Advocate, Administrative Law Division, at (831) 242-6402.



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