



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

ATZP-JA

30 November 2018

MEMORANDUM FOR ALL

SUBJECT: Use of Government-Owned Vehicles (GOV)

1. PURPOSE: To establish guidelines for employee use of Government-Owned Vehicles.

2. REFERENCES:

- a. 31 U.S.C. § 1344, 3 January 2012, Passenger Carrier Use.
- b. DoD 4500-36-R, 7 July 2015, Acquisition, Management, and Use of DoD Non-Tactical Vehicles.
- c. AR 58-1, 12 June 2014, Management, Acquisition, and use of Motor Vehicles.

3. DISCUSSION:

a. Use of Government-Owned-Vehicles: Generally, the use of a Government-Owned Vehicle (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. GOVs shall be pooled to ensure effective utilization.

(1) 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.

(2) Personal convenience, TDY status, rank, position, or prestige, by themselves, are not a valid basis for GOV use. AR 58-1, para. 2.4.

(3) Official motor vehicle transportation requirements do not include: transportation to private social functions; personal errands or side trips for unofficial purposes; transportation of dependents or visitors without an accompanying official; or in support of non-DOD activities unless specifically approved under the provisions of

Army Regulations. Generally, GOVs shall not be used to transport personnel between their domiciles and places of duty or employment. AR 58-1, para. 2.4.

(4) 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 moral of service members, family members, or DoD civilians. Transportation of enlisted personnel between troop billets, places of duty, and dining facilities may be authorized upon a commander's determination that such movement is incident to the performance of duty. In general, however, where other government or public transportation is readily available, GOVs should not be authorized.

b. Domicile-to-Duty (D-T-D) travel: D-T-D refers to transportation between living quarters and places of duty. D-T-D transportation is prohibited by 31 U.S.C. § 1344 except as specifically provided therein. The Secretary of the Army may, however, grant written authorization of D-T-D transportation for essential individuals not named in 31 U.S.C. § 1344. D-T-D approval under this exception requires demonstration of unusual circumstances that present "a clear and present danger" or "other compelling operation considerations." 31 U.S.C. § 1344(d)(2). Any approval granted pursuant to this exception is not valid for more than 15 or 90 days, depending on individual circumstances. 31 U.S.C. § 1344(b)(9) & AR 58-1, para. 4-3(6)(d).

c. GOVs and TDY: TDY status alone does not justify authorization for use of a GOV. Additional factors including need, distance involved, duration of the mission, or other conditions must be considered prior to authorizing the use of a GOV. Where there are adequate alternatives to use of a GOV, such as DOD or commercial bus services, the use of an individual GOV or commercial rental vehicle is prohibited.

(1) 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.

(2) 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.

d. Although a GOV may otherwise be authorized, use of the GOV is subject to certain restrictions.

(1) 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.

(2) 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. However, using a GOV to travel to or from commercial entertainment facilities (professional sports venues, amusement parks, concerts, and so forth) is not authorized. AR 58-1, para. 2.3(j)(1-2).

(3) 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.

(4) 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.

e. GOVs and Non-DoD Users: 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.

f. Penalties for Misuse of GOVs: Misuse or unauthorized use of GOVs may result in administrative and/or criminal sanctions.

(1) Civilian Personnel: A DoD civilian employee who misuses or authorizes the use of a GOV for unofficial purposes will be suspended from duty without compensation for not less than 1 month by the DoD Component head concerned. Civilian employees may also be subject to prosecution under 18, U.S.C. § 641 for misuse of a GOV. DoD 4500-36-R, Enclosure 5.

(2) Military Personnel: Military personnel who willfully use or authorize the use of a GOV, except for official purposes, may be subject to prosecution under the Uniform Code of Military Justice or appropriate administrative proceedings. DoD 4500-36-R, Enclosure 5.

4. Point of contact is the undersigned at (831) 242-6414.

Karen L. Judkins
Chief, Administrative Law