

Renting Cars while TDY  
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On 15 October 2010, U.S. Government Rental Car Agreement Number 4 (“Agreement”) went into effect. The Agreement is between the US Government and rental car companies. The Agreement provides certain benefits to the Government and to the travelers themselves, including Soldiers and Army civilians.

Under the Agreement, the Government receives rate and mileage benefits. Soldiers and other federal employees under the age of 25 are allowed to rent cars. In most circumstances, other Soldiers will be authorized drivers of the rental car, whether or not those drivers are named on the rental agreement.

Soldiers also benefit under the agreement. Things do not always go so smoothly on TDY and the road can be a dangerous place. There are motor vehicle accidents, thefts, and flat tires. Rocks hit windshields and there are incidents of vandalism. So maybe more important to the driver is that when the Agreement applies, neither the US Government nor the Soldier will be responsible for loss or damages up to \$100,000.00 except in limited circumstances. That is right: no bill to your government charge card and no FLIPL. The rental car company assumes this risk regardless of whether the damage occurs through collision, fire, flood, malicious mischief, vandalism, tire damage, falling objects, glass breakage, strike, and theft.

To protect themselves, Soldiers must make sure that the Agreement applies. Travelers must be in official status. Using a government charge card or presenting travel orders places a Soldier in official status. Soldiers should also secure the rental through the Commercial Travel Office, Defense Travel System, or a Travel Management Center to rent the vehicle.

Also, the Agreement only applies when the “government rate” is charged or when the Government Administrative Rate Supplement (“GARS”) appears on the contract. GARS is the expense charged by car rental companies intended to cover the costs incurred under the Agreement. Soldiers need only review the rental agreement to see a charge for GARS. If it is not on the rental agreement, Soldiers should bring it to the attention of the rental agent.

The Agreement will not apply if the driver is under the influence of alcohol or drugs. Drivers should not use the rental car in military exercises or training, tactical maneuvers, or for law enforcement purposes unless the company has agreed to such operation in writing at the time of rental. The rental agreement will not apply when the car is operated by an unauthorized driver. Authorized drivers include those that are properly licensed drivers including the named renter and the renter's fellow government travelers in official travel status while acting within the scope of employment. Soldiers or federal employees assigned permanently to the TDY location or otherwise not accompanying the traveling party are not authorized drivers. Finally, damages occurring when the rental has been taken across international boundaries, off of paved roads, from lost keys, or adding the wrong fuel type may not be covered either. (For a complete list of exceptions see <http://www.defensetravel.dod.mil/site/rentalCar.cfm>)

If your government charge card has been charged for damages, contact the Fort Carson Legal Assistance Office at 526-5572/5573 to schedule an appointment. Bring with you to your appointment the travel orders, the rental agreement, any correspondence with the car rental company, and any bills or invoices you have received.