

## INFORMATION PAPER

- 1. SUBJECT:** Use of Non-tactical Vehicles (NTVs), including TDY Rental Vehicles
- 2. REFERENCES:**
  - a. DoD 4500.36-R
  - b. Army Regulation 58-1, Management, Acquisition, and Use of Motor Vehicles (10 August 2004).
  - c. Army Regulation 608-1, Army Community Service Center (19 September 2007).
  - d. Army Directive 2007-01, Secretary of the Army Policy for Travel by Department of the Army Officials -SATP (Current: 25 Jan 07) (2010 revision status affected by DOD 4500.56 and DOD 4500.43, Operational Support Airlift)
- 3. PURPOSE:** To provide information on the authorized use of NTVs, including TDY rental vehicles.
- 4. BOTTOM LINE:** The use of DoD-owned or -leased NTVs is restricted to official purposes only.
- 5. DISCUSSION:**
  - a. NTV use is highly controlled by federal law and regulations. Questions concerning the authorized use of a NTV must be resolved in strict compliance with the guidance contained in DoD 4500.36-R, AR 58-1, AR 608-1, and the Secretary of the Army Travel Policy.
  - b. Commanders are responsible for determining what constitutes an official purpose and for approving NTV use. There are general guidelines on NTV use that commanders may apply when deciding whether a particular purpose is official. In addition, there are certain NTV uses that are either specifically authorized or specifically prohibited by law, regulation, or policy.
  - c. As a general rule, the use of a NTV must be:
    - (1) Essential to complete a DoD function, activity, action, or operation successfully; and
    - (2) Consistent with the purpose for which the vehicle was acquired.
  - d. NTV use will not be authorized when the justification is based solely on rank, position, prestige or personal convenience.
  - e. When motor vehicle transportation is determined to be essential to the performance of official business, the following methods shall be considered in the order shown, to the extent they are available and capable of meeting mission requirements:
    - (1) DoD-scheduled bus service.

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- (2) Scheduled public transportation.
- (3) DoD motor vehicles.
- (4) Voluntary use of privately-owned motor vehicle on a reimbursable basis.
- (5) Taxicab, on a reimbursable basis.

f. The most frequently recurring questions involving the official use of NTVs fall into one of three broad categories—travel to after-hours and social functions; spouse travel; and TDY or PCS travel. Each of these areas is addressed separately below.

(1) **After-Hours and Social Functions.**

(a) Transportation by NTV to attend an after-hours or social function is an exception to policy. Other than TDY travel, travel to any official function that begins at the traveler's home is considered home-to-work transportation and is prohibited. All transportation by NTV to attend after-hours and social functions must generally begin and end at the normal place of duty. The *only* authorized exception is for travelers for whom the Secretary of the Army has approved home-to-work transportation (often called "domicile-to-duty" or DTD transportation).

(b) Subject to the above restrictions, the following are *examples* of after-hours and social functions for which a commander *may* authorize NTV use in advance: (i) certain dining-ins (e.g., where the program provides a training benefit); (ii) international liaison functions (e.g., functions that further host nation relations); (iii) attendance at official ceremonies (e.g., changes of command, funerals, retirements, etc.); (iv) dinners with members of Congress where military issues will be discussed; (v) dinners with retired Army Chiefs of Staff where command issues will be discussed; and (vi) official dinners that are part of a conference program and include a substantive speaker or professional discussion during the meal.

(c) The following are examples of after-hours and social functions for which a commander may *not* authorize NTV use: (i) hail and farewell dinners; (ii) private or personal social functions (e.g., office parties); and (iii) dining-outs and military balls.

(d) Government vehicles may *not* be used to transport personnel or supplies needed for conducting personal business or supporting unofficial functions (e.g., office luncheons, hail and farewell dinners, etc.).

(2) **Spouse Travel.**

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(a) Spouses of Army employees may accompany their sponsors in a NTV **only** when: (i) the use of the vehicle has already been authorized to accomplish official business; (ii) space is available in the vehicle (i.e., other official passengers are not bumped and a larger vehicle is not required to accommodate the spouse); and (iii) there is no additional cost to the Government.

(b) Spouses of Army employees may proceed independently to or from an official function in a NTV **only** when: (i) their sponsor is authorized to receive DTD transportation; (ii) their presence at the function is in the best interest of the Government; and (iii) circumstances have made it impractical or impossible for their sponsor to accompany them to or from the event.

(c) Family Readiness Group (FRG) official volunteers may use NTVs for authorized family support activities. See AR 608-1 Appendix J.

(3) **TDY and PCS Travel.**

(a) TDY status does **not necessarily** justify NTV travel. Instead, NTV use is predicated on need, cost, distance, and other conditions, including the availability of public transportation. When authorized by the commander, a NTV may be used for transportation between the TDY lodging and duty sites. In addition, a NTV may be used to travel to restaurants, drugstores, places of worship, barbershops, laundries and similar places for the traveler's health and comfort **if** public transportation is unavailable or its use is impractical (e.g., when public transportation does not accommodate the traveler's duty schedule or it costs more than using the NTV). However, a NTV may **not** be used for transportation to entertainment or recreational facilities (e.g., professional sporting events, concerts, etc.).

(b) Within USAREUR, Commanders may **not** authorize the use of NTVs to transport personnel between their home and commercial or military terminals in conjunction with official travel **unless**: (i) required for emergencies or for security; or (ii) terminals are located where other means of transportation are not available or cannot meet mission requirements.

(c) TDY Rental Vehicles. Vehicles rented by Government employees using charge cards are **not** Government vehicles for purposes of official use restrictions when the employee pays the rental company directly and is later reimbursed. This is true even when the vehicle is rented using a Government contractor-issued travel charge card. Government employees may use these rental vehicles to travel to entertainment or recreational facilities, or for other personal errands; however, reimbursement for the rental vehicle is limited to the costs associated with the official use of the vehicle. Any costs for off-duty, unofficial use are at the employee's personal expense and liability (e.g., gas, mileage, and insurance). In contrast, vehicles rented under a Government contract, for which the employee does not pay and later claim reimbursement, are considered Government vehicles and are restricted to official use only.

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(d) PCS Moves. NTVs are *not* generally authorized to transport either personnel or baggage during a PCS move. However, commanders may authorize the use of NTVs for official in- and out-processing when DOD-scheduled transportation and public transportation cannot responsively meet mission requirements (e.g., because of long delays, poor connections, etc.).

g. Penalties for misuse of DOD motor vehicles. The unauthorized misuse of an Army-owned or controlled motor vehicle may be cause for disciplinary actions as follows:

(1) Civilian personnel. Violations may result in suspension from duty, without compensation, for not less than 1 month; with a longer suspension or removal from office if circumstances warrant, or criminal sanctions.

(2) Military personnel. Soldiers may be disciplined under provisions of the Uniform Code of Military Justice or other administrative procedures deemed appropriate.

(3) Financial liability. Financial liability will be assessed against members of the and Army civilian employees when Government property (including a motor vehicle) is lost, damaged, or destroyed, as a result of their negligence, willful misconduct, or deliberate unauthorized use.