

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

<b>TABLE OF CONTENTS</b>	
<b>TOPIC</b>	<b>Section</b>
<b>Overview: Purpose, Policy, Scope, Authorities, Terms, and Responsibilities</b>	1.1 What is the purpose of this chapter? 1.2 What is the scope of this chapter? 1.3 What are the authorities for this chapter? 1.4 What terms do you need to know to understand this chapter? 1.5 Who is responsible for management of motor vehicles and motor equipment?
<b>Requirements and Licensing</b>	1.6 What are the requirements for motor vehicle and motor equipment operator programs? 1.7 Who may operate Service motor vehicles or motor equipment? 1.8 Under what conditions/situations does the Service prohibit operation of motor vehicles or motor equipment? 1.9 What age does an operator have to be? 1.10 Does an operator need a State driver's license? 1.11 What must you do if your State-issued driver's license has been suspended or revoked? 1.12 Can commercial operators have more than one license? 1.13 What must a supervisor do before allowing someone to operate a motor vehicle or motor equipment? 1.14 What are the experience and proficiency requirements for operation of heavy equipment and specialty tracked equipment in wildland fire operations? 1.15 Is there any additional training needed for Off-Road Utility Vehicle (ORUV) operation on a wildfire? 1.16 Do supervisors need to do anything else for employees who hold a commercial driver's license (CDL)? 1.17 Who pays for a CDL?
<b>Equipment, Training, Retaining Credentials, and Other Issues</b>	1.18 What safety equipment must operators use? 1.19 Do motor vehicle and motor equipment operators have to inform their supervisors of traffic violations? 1.20 Are there special requirements for operating ORUVs? 1.21 What are the training requirements for operators of motor vehicles and motor equipment? 1.22 Do motor vehicle operators need to complete defensive driving training? 1.23 What credentials must a Heavy Equipment Safety and ORUV Safety Instructor have? 1.24 May supervisors suspend or revoke operator privileges? 1.25 What happens if operators continue to operate vehicles or equipment after their privileges have been suspended or revoked?

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

<b>TABLE OF CONTENTS</b>	
<b>TOPIC</b>	<b>Section</b>
	1.26 May operators use cell phones or other electronic devices while operating motor vehicles or motor equipment?
	1.27 May operators or passengers smoke, vape, or use smokeless tobacco while operating a Service-owned, leased, or rented motor vehicle or motor equipment?
	1.28 How long may a driver operate a vehicle in 1 day?
	1.29 What are some frequently asked questions about the use of Government vehicles?

## **OVERVIEW**

**1.1 What is the purpose of this chapter?** This chapter establishes minimum requirements for the operation of motor vehicles and motor equipment for the U.S. Fish and Wildlife Service (Service).

### **1.2 What is the scope of this chapter?**

**A.** This chapter applies to:

**(1)** Service employees, volunteers, and others conducting official duties for the Service in motor vehicles and motor equipment, regardless of ownership;

**(2)** Managers and operators who are responsible for Service-owned, General Service Administration (GSA)-provided, and commercially rented, leased, or loaned motor vehicles and motor equipment; and

**(3)** Operators of Service-owned equipment identified in Service written agreements, such as Memorandums of Understanding and Agreement (MOUs and MOAs), interagency agreements, etc., in accordance with those agreements. Any agreement that involves operation of vehicles/equipment must clearly indicate responsibility for costs or liability of damage to Service equipment, third party claims, and injury compensation for non-Service personnel related to such operations. See [section 1.7](#).

**B.** This chapter does not apply to:

**(1)** Contractors who operate or transport their own motorized vehicles and equipment within the scope of a contract or written agreement (e.g., cooperative farming agreements). Such contractors must comply with the specifics of the contract or agreement and applicable Federal, State, and local regulations.

**(2)** The operation of watercraft and aircraft. They are covered in [Parts 241](#) and [330](#), respectively.

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

**1.3 What are the authorities for this chapter?**

- A.** Federal Property Management Regulations, Motor Vehicle Management ([41 CFR 102, Part 102-34](#)).
- B.** Reimbursement of Employee License Costs and Certification Fees ([43 U.S.C. 1471e](#)).
- C.** Commercial Driver's License Standards; Requirements and Penalties ([49 CFR 383](#)).
- D.** Safety and Health Regulations for Construction ([29 CFR 1926](#)).
- E.** [485 DM 16](#), Motor Vehicle Safety.
- F.** Programs for Specific Positions and Examinations (Miscellaneous), Subpart A - Motor Vehicle Operators ([5 CFR 930, Part 107-115](#)).
- G.** [Executive Order 13513](#), Federal Leadership on Reducing Text Messaging While Driving.
- H.** American National Standards Institute (ANSI)/Recreational Off Highway Vehicle Association [1-2014](#).
- I.** ANSI/National Golf Cart Manufacturers Association (NGCMA) [Z130.1](#).
- J.** [ANSI/NGCMA Z135](#).

**1.4 What terms do you need to know to understand this chapter?**

**A. Motor Vehicle.** A motor vehicle is any self-propelled or mechanically drawn conveyance that is designed to operate on highways to transport property or passengers. In accordance with Federal Automotive Statistical Tool (FAST) categorizations, the Service categorizes motor vehicles as follows:

**(1) Passenger vehicles.** These types of vehicles include:

- (a)** Low-speed electric vehicles (LSEVs);
- (b)** Sedans, which include sub-compact, compact, midsize, and large sedans and limousines;
- (c)** Sport Utility Vehicles (SUV), which include light SUVs and medium SUVs; and
- (d)** Passenger vans, which include light passenger vans and medium passenger vans.

**(2) Trucks.** There are three general subcategories of trucks:

- (a)** Light trucks, which are pickup trucks that have a gross vehicle weight rating (GVWR) of 12,500 pounds (lbs.) or less;

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

(b) Medium duty trucks, which are trucks with conventional cabs, van bodies, dump trucks, and stake side trucks that have a GVWR of 12,501 - 24,999 lbs.; and

(c) Heavy duty trucks, which are trucks with conventional cabs, van bodies, dump trucks, stake side trucks, and tractor trucks that have a GVWR of 25,000 lbs. and greater.

**(3) Commercial motor vehicle.** Only operators with a commercial driver's license (CDL) may operate commercial motor vehicles. Commercial motor vehicles may be medium or heavy duty trucks used to transport passengers or property if the vehicle:

(a) Has a GVWR of 26,001 or more lbs.;

(b) Has a gross combination weight rating (GCWR) of 26,001 or more lbs. This GCWR includes a towed unit with a GVWR of more than 10,000 lbs. (see Table 1-1 below for examples of combination weights requiring a CDL); or

<b>Table 1-1: Calculating Gross Combination Weight</b>				
<b>Truck GVWR</b>	<b>+</b>	<b>Trailer GVWR</b>	<b>=</b>	<b>Gross Combination Weight Rating (GCWR)</b>
16,000 lbs	+	10,200 lbs.	=	26,200 lbs.
22,000 lbs	+	12,000 lbs.	=	34,000 lbs.

(c) Is designed to transport 16 or more passengers, including the driver. This includes vans, buses, shuttles, passenger-carrying trams, tram trailers, and trolleys.

(d) Is of any size and is used to transport materials that are hazardous according to the standards in the Hazardous Materials Transportation Act. The implementing regulations for the Act (49 CFR 172, subpart F) provide requirements for placarding the motor vehicle.

**(4)** Our use of the term 'motor vehicle' in this chapter does not include:

(a) Off-Road Utility Vehicles (ORUV) (see [243 FW 6](#)),

(b) Motor equipment ([see 1.4B](#)), and

(c) Trailers.

**B. Motor Equipment.** Motor equipment is any item of equipment that is self-propelled or drawn by mechanical power or designed principally for operators to use off highways. The term includes construction and maintenance equipment, materials handling equipment, and forestry and agriculture equipment. There are three categories of motor equipment:

**(1) Light duty motor equipment.** Light duty motor equipment includes:

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

(a) Riding, zero turn, and front-mounted, self-propelled lawn mowers up to 35 horsepower (HP) and other equipment not required to have a Rollover Protective Structure (ROPS) as defined in [29 CFR 1926, subpart W](#); and

(b) Electric powered utility vehicles (e.g., golf carts, Cushmans, E-Z-GOs, Tigers, and similarly designed equipment).

**(2) Heavy duty motor equipment.** Table 1-2 describes many of the types of heavy duty motor equipment.

<b>Table 1-2: Heavy Duty Motor Equipment</b>	
<b>Equipment</b>	<b>Comments/Examples (if applicable)</b>
(a) Crawler-dozers and crawler-loaders	
(b) Four-wheel-drive loaders	Articulating or straight frame
(c) Motor graders	Articulating or straight frame
(d) Draglines	
(e) Power excavators	
(f) Motor cranes	
(g) Agricultural tractors that are:	<ul style="list-style-type: none"> <li>· Self-propelled,</li> <li>· 2/4 wheel or track driven,</li> <li>· More than 20 engine HP,</li> <li>· Equipment designed to furnish power to agricultural/forestry/construction/ industrial tools or attachments,</li> <li>· Manufactured with a ROPS, and</li> <li>· Defined in <a href="#">29 CFR 1928.51(b)(1)</a>.</li> </ul>
(h) Amphibious/soft tracked equipment (wheeled or tracked) over 1,900 lbs. curb weight including:	<ul style="list-style-type: none"> <li>· Weasels</li> <li>· Thiokols</li> <li>· Roligons</li> <li>· Marsh Masters</li> <li>· SnowCats</li> <li>· Muskegs</li> <li>· Gyro-Tracs</li> <li>· Geo-Boys</li> <li>· Hydro-Axes</li> </ul>
(i) Self-propelled scraper pans	
(j) Industrial tractors	Front-end loader/backhoes
(k) Skid steers	
(l) Forklifts	Classes 1-7
(m) Industrial powered lift trucks	

**(3) ORUVs.** ORUVs include:

(a) Off-road motorcycles;

(b) Amphibious vehicles (wheeled or tracked) with a curb weight of 1,900 lbs. or less, e.g., an Argo;

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

(c) Utility vehicles (multi-tired or tracked), commonly called UTVs, with a GVWR of 3,750 lbs. or less (see [ANSI/ROHVA 1-2014](#)), e.g., Gator, Mule, Ranger. This does not include electric golf carts ([ANSI/NGCMA Z130.1](#)) or personal transportation vehicles ([ANSI/NGCMA Z135](#)), e.g., Cushman, CarryAll, E-Z-GO;

(d) Snowmobiles; and

(e) All-terrain vehicles (ATVs). ATVs are off-highway vehicles that have a seat that the operator straddles, handlebars for steering control, and are specifically designed to travel on four low pressure tires (see [ANSI/SVIA-1-2010](#)). ATVs include vehicles that are manufactured for use by a single operator and:

- (i) No passenger, or
- (ii) One passenger (called 2+ seating).

**C. Operator.** An operator is a Service employee, volunteer, or other individual conducting official duties who is authorized to operate motor vehicles or motor equipment, and individuals identified in written Service agreements who are authorized to operate Service motor vehicles or motor equipment.

**D. GVWR.** The GVWR is the value the manufacturer specifies as the maximum rated weight of a single motor vehicle.

**E. CGVWR.** The CGVWR is the maximum towing capacity for which manufacturers design and engineer Class 6, 7, and 8 trucks.

(1) The CGVWR is calculated by the combined scale weight of the truck, trailer, and cargo. Design features are incorporated into the manufacturing of a truck at the factory. Features include cooling system size, frame rail strength, engine torque curves, transmission style, axle rating, spring weights, tire size/rating, differential ratios, bearing size, etc.

(2) To determine what the CGVWR for a truck is:

(a) Check the original purchase order documentation for that truck. Since the CGVWR is a selectable option under the GSA vehicle standards, it should be on the documentation; or

(b) Using the vehicle identification number (VIN), contact the truck manufacturer and ask for the CGVWR for that truck.

**1.5 Who is responsible for management of motor vehicles and motor equipment? See Table 1-3.**

<b>Table 1-3 Responsibilities for the Service’s Motor Vehicle and Motor Equipment Operator Requirements and Responsibilities Program</b>	
<b>This official...</b>	<b>Is responsible for...</b>
<b>A. The Director</b>	Ensuring there is a motor vehicle and motor

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

<b>Table 1-3 Responsibilities for the Service's Motor Vehicle and Motor Equipment Operator Requirements and Responsibilities Program</b>	
<b>This official...</b>	<b>Is responsible for...</b>
	equipment operator safety program.
<b>B. The Assistant Director – Business Management and Operations</b>	<p>(1) Establishing overall policy and guidance for the proper and safe management of motor vehicles and motor equipment throughout the Service, and</p> <p>(2) Implementing the requirements in this chapter in Headquarters (HQ).</p>
<b>C. Regional Directors and Regional Special Agents-In-Charge (SACs)</b>	Implementing the requirements in this chapter within their areas of responsibility.
<b>D. The Chief, Division of Safety and Health</b>	<p>(1) Recommending revisions to this policy, as necessary, and</p> <p>(2) Providing technical assistance to the Regional and HQ Safety Managers.</p>
<b>E. Regional/HQ Heavy Equipment Coordinators</b>	<p>(1) Coordinating the required training and logistics for heavy duty motor equipment, designating trainers for the Region/HQ, and documenting the training on <a href="#">FWS Form 3-2268</a>, Record of Heavy Equipment Training;</p> <p>(2) Coordinating required training for ORUVs and designating trainers for the Region/HQ;</p> <p>(3) Requesting that a supervisor suspend or revoke authorization to operate heavy duty motor equipment or ORUVs based on operational concerns or accident history. The Coordinator must adequately document the basis for such a request in writing for an employee's supervisor or line manager to suspend or revoke the authorization; and</p> <p>(4) Working with program managers to address vehicle and equipment purchasing and training issues with non-Service entities involved in MOUs, MOAs, interagency agreements, cooperative agreements, etc.</p>
<b>F. Regional/HQ Safety Managers</b>	(1) Helping supervisors and Regional/HQ Heavy Equipment Coordinators interpret program requirements;

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

<b>Table 1-3 Responsibilities for the Service’s Motor Vehicle and Motor Equipment Operator Requirements and Responsibilities Program</b>	
<b>This official...</b>	<b>Is responsible for...</b>
	<p><b>(2)</b> Coordinating with supervisors and Regional/HQ Heavy Equipment Coordinators about accident history and analysis; and</p> <p><b>(3)</b> Requesting that a supervisor suspend or revoke authorization to operate motor vehicles or motor equipment based on operational concerns or accident history (with adequate written justification and supervisory coordination with the servicing Human Resources office).</p>
<b>G. Regional Fleet Managers</b>	Managing and coordinating the Regions’ fleet management activities across the entire vehicle lifecycle to ensure Regional compliance with Service policies and performance objectives. Specific responsibilities are detailed in <a href="#">Park 320</a> of the Service Manual.
<b>H. Regional/HQ Contracting and General Services staff</b>	Assisting in the preparation of contracts, MOUs, MOAs, interagency agreements, etc. when they include the operation of Service-owned vehicles and equipment, or the operation of vehicles on Service property. This is necessary to protect the interests of the Service, and also to ensure non-Service employees can use their required procedures so they are protected during operations.
<b>I. Project Leaders/Supervisors/ Facility Managers</b>	<p><b>(1)</b> Ensuring that operators are qualified, competent, and authorized to operate motor vehicles, motor equipment, and ORUVs;</p> <p style="padding-left: 40px;"><b>(a)</b> Documenting operators’ authorization using <a href="#">FWS Form 3-2267</a> (Authorization for Operation of Motor Vehicles and/or Equipment) when they are assigned to operate vehicles or equipment,</p> <p style="padding-left: 40px;"><b>(b)</b> Reviewing <a href="#">FWS Form 3-2267</a> with the operators if additional training is needed,</p> <p style="padding-left: 40px;"><b>(c)</b> Updating <a href="#">FWS Form 3-2267</a> when they add new vehicles or equipment to an operator’s job requirements, and</p> <p style="padding-left: 40px;"><b>(d)</b> Validating operators’ State drivers licenses</p>

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

<b>Table 1-3 Responsibilities for the Service’s Motor Vehicle and Motor Equipment Operator Requirements and Responsibilities Program</b>	
<b>This official...</b>	<b>Is responsible for...</b>
	<p style="text-align: center;">at least annually;</p> <p><b>(2)</b> Following authorization, suspension, or revocation requirements in <a href="#">section 1.24</a> and <a href="#">1.25</a> and amending <a href="#">FWS Form 3-2267</a> to indicate the action taken;</p> <p><b>(3)</b> Ensuring personnel complete the mandatory training required in this and Regional policy. For example, some Regions require completion of a defensive driving course prior to operation and every 3 years thereafter;</p> <p><b>(4)</b> Ensuring that employees acquire, use, equip, maintain, and dispose of motor vehicles, ORUVs, and motor equipment as required in <a href="#">Part 320</a> and <a href="#">243 FW 1-6</a>;</p> <p><b>(5)</b> Ensuring that motor vehicle operators understand and follow the requirements for reporting motor vehicle accidents as described in <a href="#">Part 320</a>;</p> <p><b>(6)</b> Ensuring that we develop written agreements (e.g., MOUs, MOAs, interagency agreements, or cooperative agreements) if we share or loan Service motor vehicles or equipment to partners. The memorandums or agreements must protect the Service by assigning liability for damages to Service vehicles or motor equipment, operator injuries, and third party claims to that of the partner or agency operating the vehicle or equipment. They must also state the need for completion of Service training that is required by this and Regional policy (see <a href="#">section 1.7D</a>); and</p> <p><b>(7)</b> Perform proactive maintenance to limit interruptions due to unscheduled repairs and breakdowns.</p>
<b>J. Employees, volunteers, and others on official business</b>	<p><b>(1)</b> Obtaining proper authorization before operating vehicles and equipment (see <a href="#">section 1.5(1)(a)</a>);</p> <p><b>(2)</b> Complying and ensuring passengers comply with these and other Service requirements and applicable Federal, State, and local laws;</p>

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

<b>Table 1-3 Responsibilities for the Service’s Motor Vehicle and Motor Equipment Operator Requirements and Responsibilities Program</b>	
<b>This official...</b>	<b>Is responsible for...</b>
	<p><b>(3)</b> Transporting authorized passengers only (employees, volunteers, invitational travelers, etc.);</p> <p><b>(4)</b> Reporting accidents and damage to Service motor vehicles and motor equipment as described in <a href="#">Part 320</a>;</p> <p><b>(5)</b> Reporting to their supervisor traffic violations while operating a Service motor vehicle and suspensions and restrictions affecting their State operator’s license (see <a href="#">section 1.19</a>); and</p> <p><b>(6)</b> Advising their supervisor of temporary physical condition(s) or any prescribed medication(s) that may affect their ability to safely operate vehicles or motor equipment.</p>

**REQUIREMENTS and LICENSING**

**1.6 What are the requirements for motor vehicle and motor equipment operator programs?** Regional Directors and Regional SACs ensure that all facilities responsible for the operation of motor vehicles and equipment establish and implement procedures to:

**A.** Ensure that supervisors and operators meet the requirements of this chapter and other applicable Service policies, such as [243 FW 1-6](#) and those in Part [320](#).

**B.** Restrict motor vehicle and motor equipment operations to qualified and authorized personnel.

**(1)** ‘Qualified’ means that, at a minimum, the operator:

**(a)** Has a valid State driver’s license from the State in which they permanently reside for the type and class of vehicle he or she operates, and

**(b)** Meets the requirements in this chapter.

**(2)** ‘Authorized’ means that your supervisor has verified and documented your qualifications and provided written approval on [FWS Form 3-2267](#) to allow you to operate Service motor vehicles or motor equipment. We may authorize Service partners and State agencies to operate motor vehicles (see [section 1.7D](#)).

**C.** Provide funding to pay for a CDL and associated costs if the license is a requirement of an employee’s position description.

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

D. Examine employees' State driver's licenses at least annually to ensure the licenses are valid for the class of vehicles they must operate.

**1.7 Who may operate Service motor vehicles or motor equipment?** All operators must meet the minimum Service qualification requirements and their supervisor must authorize them in accordance with this chapter before they operate any motor vehicles or motor equipment for the Service. Based on a safe driving record, operators must continue to demonstrate competence to operate the type of motor vehicle and equipment to which they are assigned.

A. Do not allow anyone other than those people described in this section to operate Service motor vehicles or motor equipment. For example, do not allow a Friends of the National Wildlife Refuge System member to operate Service motor vehicles or motor equipment unless he/she has a signed Volunteer Services Agreement (see [section 1.7B](#)).

B. Volunteers must have a signed Volunteer Services Agreement ([Optional Form \(OF\) 301A](#)) and a valid State driver's license for the class and type of vehicle before operating any Service motor vehicle. Volunteers also must have completed the appropriate training to operate Service motor vehicles or motor equipment.

C. Contractors (including temporary office help hired through a private temporary service) and cooperative farmers may operate their own vehicles and equipment on Service lands when and where permitted. We do not allow them to operate Service vehicles or motor equipment unless we have a signed contract or agreement clause to cover issues of liability and insurance, including requirements in subsection D(1) – (4) below (see [48 CFR 45.3](#), specifically 45.304). As required by the policy in [Part 320](#) of the Service Manual, Service managers must ensure contractors and cooperators only use the motor vehicles or motor equipment for the work authorized in their contract or agreement.

D. Service partners and State agencies that have co-purchased, share, or borrow Service motor vehicles or motor equipment for the benefit of the Service may operate it only:

(1) After the entity and the Service sign an MOU. The MOU must have language that limits the Service's responsibility for any damage, injury, or tort claims. Following is an example liability statement:

*To the extent authorized by law, neither party will be required to hold the other party harmless from responsibility for damages or other liability arising from this MOU. Instead, each party is responsible for its own acts and their results and is not responsible for the acts of the other party and those results. Each party agrees to assume all risks and liability for itself, its agents or employees, and for any injury to people or property resulting from operations of its agents or employees under this MOU. Each party also agrees to assume risk and liability for any loss, cost, damage, or expense resulting from acts, negligence, or the failure to exercise proper precautions of or by itself or its agents to this agreement. If both parties are liable, the degree of each party's financial responsibility is limited to its degree of culpability. Liability of the Federal Government is governed by the Federal Tort Claims Act ([22 U.S.C. 2761 et seq.](#)) and liability of the partner is governed by applicable Federal and State laws.*

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

(2) After all operators of motor vehicles and motor equipment have completed Service qualification requirements and safety training or its approved equivalent, e.g., heavy equipment and ORUV training, (see [section 1.21](#) and [231 FW 3](#), Acceptance of Equivalent Federal Training to Meet Mandatory Requirements),

(3) By using all applicable safety equipment (see [section 1.18](#)), and

(4) By following the requirements in [243 FW 1-6](#).

**1.8 Under what conditions/situations does the Service prohibit operation of motor vehicles or motor equipment?**

A. Operators must refrain from operation of motor vehicles or equipment (also see [Part 320](#) of the Service Manual):

(1) When the operator is under the influence of alcohol or drugs, and

(2) If a prescribed medication has the capacity to inhibit the operator's response or ability to safely operate the motor vehicle or motor equipment.

B. See [section 1.26](#) for prohibitions on cell phones and other electronic devices.

C. Operators must not operate motor vehicles and motor equipment if their State driver's license or supervisor's authorization has been revoked or suspended (see sections [1.11](#), [1.13](#), [1.24](#), and [1.25](#)).

**1.9 What age does an operator have to be?**

A. All operators of motor vehicles and equipment must be at least 18 years of age.

B. All operators of commercial motor vehicles must be at least 21 years of age. However, managers in the Service's Fire Management program may allow employees 18-21 years old to operate our commercial fire vehicles if they get a waiver from the Department. You can find detailed information on this exception in the [Interagency Standards for Fire and Fire Aviation Operations, chapter 7](#).

**1.10 Does an operator need a State driver's license? Yes.**

A. All operators must have a valid State driver's license with them for the State in which they permanently reside for the class of vehicle they are operating. All operators must also have a valid agency identification card or document (e.g., Service-issued building access ID card, other Government credential, Volunteer Services Agreement ([OF 301A](#)), travel authorization, etc.) with them at all times while driving a Service-owned or leased motor vehicle ([5 CFR 930](#)). Law enforcement officers conducting undercover investigations are exempt from carrying a valid State driver's license and agency identification card.

B. If the vehicle is a commercial vehicle (see [section 1.4A\(3\)\(c\)](#)), then the operator must have with him/her a valid State CDL with applicable endorsements for that class of vehicle.

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

**C.** Operators of off-road motorcycles must have a State-issued motorcycle-class or endorsed license (see [243 FW 6](#)).

**1.11 What must you do if your State-issued driver's license has been suspended or revoked?** Operators of Service motor vehicles or motor equipment must immediately notify their supervisor if their State driver's license has been suspended or revoked.

**1.12 Can commercial operators have more than one license?** No. Individuals who operate commercial motor vehicles may only have one driver's license ([49 CFR 383.21](#)).

**1.13 What must a supervisor do before allowing someone to operate a motor vehicle or motor equipment?**

**A.** Before a supervisor grants or renews authorization to operate motor vehicles or motor equipment for the Service, he or she must determine that the individual is qualified to operate the vehicle or equipment. The supervisor must also complete [FWS Form 3-2267](#) to document that the individual is:

**(1)** Fully trained (basic and refresher training as described in [section 1.21](#), [Exhibit 1 to this chapter](#), [Part 320](#), and [243 FW 1-6](#)),

**(2)** Properly licensed, and

**(3)** Able to demonstrate competence to operate the type of motor vehicle and motor equipment to which they are assigned based on a safe driving record.

**B.** Supervisors ensure that when an employee operates motor vehicles or motor equipment, the motor vehicle class or equipment (or both) are specifically identified on [FWS Form 3-2267](#). For volunteers, the type and class of motor vehicles and motor equipment must also be identified on their Volunteer Services Agreement ([OF 301A](#)).

**C.** Supervisors must follow suspension or revocation procedures (see sections [1.24](#) and [1.25](#)) when an employee or volunteer fails to maintain their qualifications or demonstrates a lack of responsibility in operating motor vehicles or motor equipment.

**1.14 What are the experience and proficiency requirements for operation of heavy equipment and specialty tracked equipment in wildland fire operations?**

**A.** Service policy states that before operating heavy equipment for wildland fire duties, the operator must complete the 8-hour Heavy Equipment Safety Training program that includes 3 hours of pre-class, 4 hours of classroom work, and 1 hour of operation time.

**B.** We require that the operator complete a performance-based position task book to document experience and on-the-job training for heavy equipment for working on wildland fires. Before an operator is eligible to initiate a position task book for heavy equipment use on a wildland fire, he/she must demonstrate that he/she is a proficient operator of the specific heavy equipment.

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

The operator must be able to perform common tasks and be knowledgeable of all instruments, equipment controls, and equipment limitations/restrictions in varying terrains/environmental conditions typically encountered. The operator must be able to react instinctively in an emergency situation should the need arise.

**(1)** Personnel can only achieve proficiency by spending time in the seat operating in various situations.

**(2)** However, we don't measure proficiency by seat time, but by the operator's ability to comprehend the limitations of each type of machine he/she is operating and their own limitations.

**C.** The operator's supervisor must document on [FWS Form 3-2267](#) that the operator has the proficiency level needed to start and complete the task book under the supervision of a qualified wildland fire heavy equipment operator.

**D.** Once the operator has completed the above requirements, he/she must initiate and complete the position task book as required by the Service policy appropriate to the equipment and complete other required wildland fire qualifications.

**(1)** The wildland fire qualifications of dozer operator, tractor plow operator, and specialty tracked equipment operator require documentation of wildland fire experience in a position task book.

**(2)** Position task books must be completed and certified according to guidance in the [Interagency Standards for Fire and Fire Aviation Operations](#) and the [Wildland Fire Qualifications System Guide \(PMS 310-1\)](#).

**(3)** Position task books can be printed from the [National Wildland Coordinating Group Position Task Book Web site](#).

**E.** Supervisors can help employees gain proficiency in several ways, such as pairing new operators with senior operators and having them attend Maintenance Action Team (MAT) projects.

**1.15 Is there any additional training needed for ORUV operation on a wildfire?**

**A.** Before operators may use an ORUV on a wildfire, they must complete initial Service ORUV training for the specific type of ORUV they will use.

**B.** The operator must be able to perform common tasks and be knowledgeable of all instruments, equipment controls, and equipment limitations/restrictions to operate in varying terrains and environmental conditions typically encountered. The operator must be able to react instinctively in an emergency situation.

**(1)** Personnel can only achieve proficiency by spending time in the seat operating in various situations.

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

**(2)** However, we don't measure proficiency by seat time, but by the operator's ability to comprehend the limitations of each type of machine he/she is operating and their own limitations.

**C.** The operator's supervisor must document on [FWS Form 3-2267](#) that the operator has the proficiency level needed to operate the equipment during a wildland fire.

**1.16 Do supervisors need to do anything else for employees who hold a CDL?** Yes. When a CDL is required, in addition to the requirements described in [section 1.13](#), supervisors must:

**A.** Verify that the commercial motor vehicle operator is at least 21 years old (see exception for the fire program in [section 1.9](#));

**B.** Ensure that the operator has a valid, endorsed State CDL for the class of vehicle he/she will operate, regardless of location of operation;

**C.** Ensure that the operator is physically qualified to operate the vehicle and that he/she carries, or has readily available, an original or a copy of a current medical examiner's certificate that he/she is physically qualified to drive a commercial motor vehicle (see [49 CFR 391](#));

**D.** Inform the operator of potential penalties for failure to use the assigned equipment in a safe and lawful manner; and

**E.** If the operator is a Service employee, enroll the operator in the Department of the Interior (Department) Random Drug Testing Program.

**1.17 Who pays for a CDL?**

**A. Positions where a CDL becomes a requirement:**

**(1)** An employee's duty station is usually responsible for paying for the CDL and all associated costs, including medical exams.

**(2)** If holding a valid CDL becomes a condition of employment after the employee is hired, the duty station pays for the CDL and associated costs.

**B. Positions where holding a CDL is a condition of getting the job:**

**(1)** The individual is responsible for paying for the CDL and associated costs if he/she applies for the position and the requirement for a CDL is a condition of employment.

**(2)** Once an employee is in a position requiring a CDL, the duty station is responsible for all costs associated with maintaining the license for as long as it is necessary for the employee to perform the duties of his/her position and as required to comply with Federal and State law or Departmental or Service policy.

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

**EQUIPMENT, TRAINING, RETAINING CREDENTIALS, and OTHER ISSUES**

**1.18 What safety equipment must operators use?** In addition to the requirements below, see [243 FW 1-6](#), [241 FW 3](#), and [Part 320](#) of the Service Manual.

**A.** When seatbelts are provided, all drivers and passengers must wear them whenever the motor vehicle or motor equipment is in motion, on or off the highway. Drivers must not operate a motor vehicle or motor equipment unless all passengers are wearing their seatbelts (see [Part 320](#)).

**(1)** Employees must not remove seatbelts from motor vehicles or motor equipment.

**(2)** If seatbelts are not part of the manufacturer's original equipment for the particular model, but are installed on newer models of the same equipment, then the equipment must be retrofitted with seatbelts approved by the manufacturer. The equipment must be taken out of service if there are no viable retrofit kits available, unless the Regional Safety Manager grants an exemption. The exemption must also be signed by the Assistant Regional Director of the affected program, or his or her designee.

**(3)** Employees must use and maintain all manufacturer-installed secondary restraint systems (e.g., airbags) in compliance with the manufacturer's design and recommendations.

**B.** Operators of ORUVs and motor equipment must wear personal protective equipment (PPE) as required by a Job Hazard Assessment (JHA). If the ORUV is designed to carry passengers, then the passengers must wear the same PPE as the operator (see [243 FW 6](#)).

**1.19 Do motor vehicle and motor equipment operators have to inform their supervisors of traffic violations?** Yes, if they received the violation when performing official duties. If an operator (other than a commercial operator) receives a violation off duty and it results in the suspension or revocation of the operator's driver's license, he or she must report it to the supervisor. Following are specific requirements:

**A.** By the end of the business day following the day a citation, conviction, or written notice is issued, the motor vehicle or motor equipment operator must notify his or her supervisor:

**(1)** Of any moving traffic citation or conviction received while performing official duties;

**(2)** If their driver's license is suspended, revoked, or canceled; and

**(3)** If they have been disqualified from holding a State or international license.

**B.** If you are fined or otherwise penalized for an offense you commit while performing your official duties, payment is your personal responsibility (see [41 CFR 102-34.235](#)). You must obey all motor vehicle traffic laws of the State and local jurisdiction, except when the duties of your position require otherwise.

**C.** Commercial motor vehicle operators must also notify their supervisors of any citations, whether occurring on or off duty. They must also follow any notification procedures applicable to

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

their State licensing authority or [49 CFR 383](#), whichever is stricter. [49 CFR 383](#) requires that the commercial motor vehicle operator notify the State licensing authority in writing within 30 days of an out-of-State conviction (other than a parking violation). The written notification must contain:

- (1) Driver's full name;
- (2) Driver's license number;
- (3) Date of conviction;
- (4) Specific criminal or other offense(s), serious traffic violation(s), and other violation(s) of State or local law relating to motor vehicle traffic control for which the person was convicted and any suspension, revocation, or cancellation of driving privileges as a result of the conviction(s);
- (5) Indication of whether the violation was in a commercial motor vehicle;
- (6) Location of offense; and
- (7) Driver's signature.

**1.20 Are there special requirements for operating ORUVs? Yes.**

**A.** Only individuals who have successfully completed Service ORUV training or its approved equivalent in accordance with the requirements in this chapter and [243 FW 1-6](#) may operate ORUVs.

**B.** Service-owned or leased ORUVs may not be operated for recreational activities either apart from or in conjunction with official purposes.

**C.** Operators of ORUVs may not carry passengers unless the manufacturer's model is designed for transportation of both operator and passenger. If a passenger is transported on an ORUV, the passenger must wear the same PPE as the operator (see [243 FW 6](#)).

**D.** When not in operation, operators must secure or lock ORUVs to prevent unauthorized use or theft.

**1.21 What are the training requirements for operators of motor vehicles and motor equipment?** Operators must satisfactorily complete appropriate training (see [Exhibit 1](#)) and be otherwise qualified and authorized before operating motor vehicles or equipment. The operator must demonstrate competence to operate the type of motor vehicle and equipment to which he/she is assigned. A safe driving record or reauthorization through a refresher training program is evidence of competence to operate a motor vehicle and motor equipment. Supervisors must use [FWS Form 3-2267](#) to document the type and extent of training each operator has successfully completed. The supervisor and the operator must keep a copy of training records and certificates at the field station.

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**A. Motor Vehicle Training.**

- (1) Motor vehicle training must follow the guidelines of the State issuing the driver's license.
- (2) Motor vehicle operators must comply with Regional policies that may require additional training, such as defensive driving training.

**B. Heavy Duty Equipment Training.**

- (1) Initial 8-hour heavy equipment safety training must follow the guidelines in the Service's *Heavy Equipment and ORUV Safety Training Handbook* and should be documented on [FWS Forms 3-2267 and 3-2268](#).
- (2) Before an operator may operate any category of heavy equipment, they must successfully complete the following training:
  - (a) Pre-class study program located on DOI Learn (contact your Regional Heavy Equipment Coordinator for more details),
  - (b) 4 hours of classroom instruction provided by a Service Heavy Equipment Safety Instructor, and
  - (c) 1 hour of actual equipment operation for each category of equipment he/she will operate.
- (3) Operators must take heavy equipment safety training from a program provided by a Service Heavy Equipment Safety Instructor (or its approved equivalent), or take a Service-approved private heavy equipment safety training course. Contact your Regional Heavy Equipment Coordinator to schedule the training.
- (4) The operator of heavy equipment must pass a written and operational examination that demonstrates satisfactory knowledge and application of the following:
  - (a) Proper methods for fueling, adding oil, adding coolant, servicing the battery, and lubricating the vehicle as required by the manufacturer;
  - (b) Pre-start procedures that include proper safety checks;
  - (c) Starting and warming up the engine;
  - (d) Proper operational procedures that include use of all controls and demonstration of travel maneuvers necessary for the types of terrain that the operator will encounter;
  - (e) Proper hookup and inspection of equipment and accessories (e.g., cables, slings, lifting hooks, clevises) which are, or may be used, with the equipment;
  - (f) Operation of the equipment with various attachments or accessories and the ability to identify appropriately rated and manufacturer-authorized attachments and accessories;

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

- (g) Proper shut-down procedures;
- (h) Proper transport and tiedown procedures (see [243 FW 5](#)) and the ability to identify appropriately rated and manufacturer-authorized trailers, hitches, and tiedown components; and
- (i) Service policies relating to equipment operation, guarding, transportation, PPE (see [241 FW 3](#)), and hearing loss prevention (see [242 FW 3](#)).

(5) After completing the initial 8-hour training requirement, operators must successfully complete the online refresher training and associated exam every 3 years for any of the categories of heavy equipment they operate. Refresher training may be required sooner if the operator is involved in an accident, a near-miss incident, or if the Project Leader/supervisor/facility manager observes poor operational practices. The Regional Heavy Equipment Coordinator manages the refresher training program. See the Service *Heavy Equipment Safety Training Handbook* for additional details.

(6) To operate a motor crane (defined in [29 CFR 1910.180](#), and including conventional and hydraulic mobile cranes, boom trucks, tower cranes, and overhead cranes) operators must:

- (a) Complete a nationwide certification program meeting [29 CFR 1926 Subpart CC, Appendix C](#) and [ASME/ANSI B30.5-2011](#) or later standards, or
- (b) Complete a State crane operator licensing program (if required), and
- (c) Comply with Power Crane and Shovel Association Mobile Hydraulic Crane Standard (PCSA Standard #4).

**C. Powered Industrial Trucks (PIT) Training.**

(1) PIT (forklift) operators must take sufficient training and be knowledgeable about PIT designations, hazardous locations/atmospheres, and other operational requirements in [29 CFR 1910.178](#), [243 FW 1](#), and [243 FW 4](#).

(2) Only operators meeting the training requirements in [29 CFR 1910.178](#) and this policy may operate a PIT within their scope of employment or written agreement with the Service (e.g., MOU). Project Leaders/supervisors/facility managers and employees should determine training requirements by consulting their Regional Heavy Equipment Coordinator.

(3) Operators must take refresher training and be evaluated in accordance with OSHA standards when:

- (a) The operator has been observed to operate the vehicle in an unsafe manner,
- (b) The operator has been involved in an accident or near-miss incident,

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

- (c) The operator has received an evaluation that reveals that he/she is not operating the truck safely,
  - (d) The operator is assigned to drive a different type of truck, or
  - (e) A condition in the workplace changes in a manner that could affect safe operation of the truck.
- (4) You can find the PIT refresher training requirements in [29 CFR 1910.178\(l\)\(4\)](#).
- (5) An evaluation of each PIT operator's performance must be conducted at least once every 3 years. Any of the following employees may conduct the evaluations:
- (a) A Service Heavy Equipment Safety Instructor;
  - (b) The PIT operator's supervisor, if the supervisor has completed initial PIT training, is current with refresher training, and has completed the Service's online PIT training; or
  - (c) An experienced PIT operator preferably from another station who is current with refresher training.
- (6) The person performing the evaluation must use FWS Form 3-2479 to document the evaluation. See Exhibit 2 for answers to frequently asked questions about the evaluations. After the form is completed, signed, and dated, the supervisor must insert a copy in the PIT operator's station personnel file. He/she must also send a copy to the Regional Heavy Equipment Coordinator so that it can be included in the learning management system (i.e., DOI Learn).

**D. Light Duty Motor Equipment Training.**

- (1) Operators must successfully complete a course developed by the equipment manufacturer or other appropriate source of certified experienced instructors. See [Exhibit 1](#) for the minimum course requirements.
- (2) The operator of light duty motor equipment must demonstrate satisfactory knowledge and application of the following:
- (a) Proper maintenance procedures for the equipment as required by the manufacturer;
  - (b) Pre-start procedures that include proper safety checks and selection of PPE;
  - (c) Starting the engine;
  - (d) Proper operational procedures that include use of controls and demonstration of travel maneuvers necessary for the types of terrain that the operator will encounter;
  - (e) Proper hookup of equipment and accessories that are or may be used with the equipment;

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

(f) Operation of the equipment with various attachments and accessories and the ability to identify appropriately rated and manufacturer-authorized attachments and accessories;

(g) Proper shut-down procedures;

(h) Proper transport and tiedown procedures (see [243 FW 5](#)) and the ability to identify appropriately rated and manufacturer-authorized trailers, hitches, and tiedown components; and

(i) Service policies relating to equipment operation, guarding, transportation, PPE (see [241 FW 3](#)), and hearing loss prevention (see [242 FW 3](#)).

(3) We require refresher training every 3 years or as soon as possible after the Project Leader/supervisor/facility manager observes or becomes aware of poor operational practices, or if the employee has an accident or near accident while operating the equipment.

(4) Before a supervisor may renew an operator's authorization to operate light duty motor equipment, he/she must determine that the operator is fully trained and qualified.

#### **E. ORUV Training.**

(1) Operators must complete the initial minimum 6-hour hands-on safety training requirement for each category of ORUV (ATV, UTV, snowmobile, amphibious vehicle) by either successfully completing a Service-provided training or by taking a Service-approved ORUV safety training course. Service-approved courses must be equivalent to or exceed the content of the Service ORUV course. Contact your Regional Heavy Equipment Coordinator to register for Service-provided training or for a list of Service-approved training courses.

(2) ORUV safety training must adhere to guidelines and the format described in the Service *Heavy Equipment and ORUV Safety Training Handbook*.

(3) We require all operators to successfully complete both the online refresher training and final exam every 3 years for ORUVs. Contact your Regional Heavy Equipment Coordinator for more information about the program.

(4) To request approval of an ORUV course offered by another vendor or agency, the requestor must submit course material documenting course content and any other necessary information to the Regional Heavy Equipment Coordinator and Regional Safety Manager. The course must be equivalent to or exceed the requirements of the current Service safety course to be considered for approval.

#### **F. 15-Passenger Vans.**

(1) Supervisors must ensure operators of 15-passenger vans are trained and experienced in the vans' unique handling characteristics. Design and handling characteristics make them drive

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

differently from other passenger vehicles. Fifteen-passenger vans are substantially longer and wider than a car, so they:

- (a) Require more space and additional reliance on the side-view mirrors for changing lanes;
- (b) Do not respond as well to abrupt steering maneuvers;
- (c) Require additional braking time;
- (d) When occupied by 10 or more passengers, have a rollover rate nearly three times the rate of vans that are lightly loaded. The vans become more difficult to control in emergency situations, such as unexpected evasive maneuvers at higher speeds; and
- (e) Have tire wear and inflation issues that contribute to many rollover accidents.

**(2) Supervisors:**

- (a) Should select one or two experienced drivers to drive passenger vans. These designated drivers will gain valuable experience from their continued use of the vans;
- (b) Must provide a briefing on avoiding van rollover risks and the authorization requirements to operate the vehicle. You can find guidance on operation of passenger vans on the [National Highway Traffic Safety Administration's](#) and the Department of Transportation's Web sites. Check with your Regional Safety office for additional assistance;
- (c) Must ensure drivers have a valid State driver's license for transporting up to 16 passengers, including the driver, or a valid State CDL for transporting 16 or more passengers, including the driver. This includes both on-road and off-road operations;
- (d) Must ensure compliance with [Part 320](#) of the Service Manual and all State requirements for marking; and
- (e) Must not allow seasonal employees or volunteers to drive these vehicles unless they have substantial experience operating 15-passenger vans.

**(3) Because of the hazards associated with these vehicles, drivers must:**

- (a) Inspect the vehicle before operation and pay special attention to tire wear and inflation; and
- (b) When they drive the van on public roadways:
  - (i) If practical, limit the number of passengers to nine,
  - (ii) Not exceed posted speed limits,
  - (iii) Require passengers to sit in the front-most seats, and
  - (iv) Not allow storage or transportation of any item on the roof.

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

**1.22 Do motor vehicle operators need to complete defensive driving training?** We highly recommend defensive driving training, and your Region may require it. Check with your Regional Safety Manager for your Region's requirements.

**A.** If defensive driving training is required, you:

**(1)** Should successfully complete the National Safety Council's (NSC) Defensive Driving course in accordance with your Regional policy to operate motor vehicles on official duty, and take it again at least once every 3 years after that; or

**(2)** May substitute comparable training for the NSC Defensive Driving course with the approval of your Regional Safety Manager.

**B.** Supervisors:

**(1)** Should offer an operator the opportunity to acquire appropriate defensive driving training, including operators in Regions that do not require such training. The training must be appropriate to the types of vehicles and operating conditions under which the employee is expected to operate;

**(2)** May require employees/volunteers to successfully complete additional motor vehicle operator safety training, such as Driver Improvement Program courses, when their driving performance or accident history indicates the need for remedial or refresher training;

**(3)** May require additional training on operating in specific conditions (snow and ice, swamps, steep four-wheel drive roads, etc.) that an operator may encounter; and

**(4)** Must provide employees the original and maintain copies of any driving training records and certificates in the Department's learning management system (i.e., [DOI Learn](#)).

**1.23 What credentials must a Heavy Equipment Safety and ORUV Safety Instructor have?**

**A.** A Heavy Equipment Safety Instructor is a Service employee who provides safety training to our employees, volunteers, and partners. Instructors must coordinate all their training activities with the Regional Heavy Equipment Coordinator, including the required training elements described in [section 1.20B](#) and the *Heavy Equipment and ORUV Safety Training Handbook*. The mandatory training for a Heavy Equipment Safety Instructor includes successful completion of, at minimum:

**(1)** The National Conservation Training Center's (NCTC) "Delivering a Training Session" course or a similar course,

**(2)** A 32-hour heavy equipment-related "Train-the Trainer" course, and

**(3)** Recertification consisting of 16 hours of additional training every 3 years, as we describe in the *Heavy Equipment and ORUV Safety Training Handbook*.

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

**B.** An ORUV Safety Instructor is a Service employee who provides safety training to our employees, volunteers, and partners and coordinates training activities with the Regional Heavy Equipment Coordinator (see the *Heavy Equipment and ORUV Safety Training Handbook*). The training for an ORUV Safety Instructor includes completion of, at a minimum:

- (1) NCTC's "Delivering a Training Session" course or a similar course,
- (2) A 32-hour Service-approved ORUV "Train-the-Trainer" course, and
- (3) 16 hours of recertification training every 3 years (see the *Heavy Equipment and ORUV Safety Training Handbook*).

**1.24 May supervisors suspend or revoke operator privileges? Yes.**

**A.** Supervisors must suspend or revoke operator privileges if operators fail to maintain their qualifications, or if they demonstrate a careless disregard in operating either the Service's or their own personal motor vehicles or motor equipment.

**B.** Supervisors must revoke or suspend heavy duty motor equipment, light duty motor equipment, or ORUV operators' privileges if they do not complete refresher training and reauthorization within 3 years after the last training session and authorization.

**C.** Supervisors must document suspensions and revocations and any subsequent remedial actions on the operator's [FWS Form 3-2267](#).

**1.25 What happens if operators continue to operate vehicles or equipment after their privileges have been suspended or revoked?**

**A.** Employees who continue to operate Service motor vehicles or motor equipment after their privileges have been withdrawn or suspended are subject to disciplinary action and risk losing their protection against liability under the Federal Tort Claims Act. Volunteers who do the same also risk losing their protection against liability under the Federal Torts Claims Act. Acting outside the scope of duties or being willfully negligent may have adverse effects on an employee's or volunteer's ability to receive workers' compensation benefits for injuries.

**B.** Any adverse or disciplinary action taken against an employee must be in accordance with applicable laws and policies. Supervisors should contact their servicing Human Resources office for assistance (also see [5 CFR 930](#)).

**1.26 May operators use cell phones or other electronic devices while operating motor vehicles or motor equipment?**

**A.** No.

(1) The operator must park the motor vehicle or motor equipment to use the device. This applies to operators driving Service-owned, leased, or rented vehicles or motor equipment; when driving

**FISH AND WILDLIFE SERVICE  
VEHICLE AND EQUIPMENT MANAGEMENT**

**Vehicle and Equipment Management      Part 321 Motor Vehicle and Equipment Operator Program**  
**Chapter 1 Authorization, Training, and Safety Requirements      321 FW 1**

---

privately-owned vehicles or motor equipment while on official Service business; and when using Service-supplied electronic equipment while driving, even when off-duty.

**(2)** Operators moving their vehicles to the road shoulder to use a cell phone, text a message, etc. must do so in a way that allows them to safely signal before leaving the roadway. They must park the vehicle as far as safely possible off the roadway and turn on the vehicle hazard lights while roadside.

**(3)** We strongly encourage employees to refrain from off-duty use of personal cell phones or other electronic devices while operating motor vehicles or motor equipment.

**(4)** Emergency communicators using a vehicle-based two-way radio are exempt from this prohibition. For non-emergency two-way radio communications, the operator should stop the vehicle to reduce the likelihood of an accident or near miss.

**(5)** Operators should pre-program electronic devices, such as Global Positioning System (GPS) units, to operate before moving the motor vehicle.

**B.** Personnel with specific needs associated with emergency operations during fire or other emergency activities are exempt from these requirements. Use of a cell phone or other electronic device during law enforcement operations is left to the discretion of the law enforcement officer.

**1.27 May operators or passengers smoke, vape, or use smokeless tobacco while operating a Service-owned, leased, or rented motor vehicle or motor equipment?** No. See [242 FW 13](#) for more information.

**1.28 How long may a driver operate a vehicle in 1 day?**

**A.** When possible, the supervisor planning the work should not require more than 8 hours driving within a 24-hour period. They should consider factors such as work environment, number of consecutive days performing work (fatigue), and medical conditions that may affect the employee's ability to drive safely and adjust maximum driving time, as necessary.

**B.** Vehicle operators are always responsible for safe vehicle operation. If at any time an operator feels like they cannot operate a vehicle safely due to fatigue or for any other reason, they have an obligation to safely stop the vehicle. If this happens, it may mean they have to stay overnight to rest and continue the trip during the next duty shift under the requirements in [265 FW 10](#), Temporary Duty Travel – Emergency, Illness, Injury, or Death.

**C.** Employees must not exceed 10 hours driving time (behind the wheel, including rest stops) during a 24-hour period. Trip planning must allow for at least 8 consecutive hours off duty prior to beginning a shift. We allow exceptions to these requirements when exceeding these times is essential to addressing immediate and critical fire and law enforcement issues. A 16-hour duty day, including driving and all other duties, should be the maximum allowed unless required under exceptional circumstances. When a driver must exceed a 16-hour work shift, the driver's

