

the vehicle, except two-wheeled vehicles, which require rear tags only. Motor vehicles of the DOD are governed by applicable departmental directives.

(b) Official U.S. Government tags shall be displayed on the motor vehicle to which originally assigned until the vehicle is removed from Government service or transferred, or until the tags are mutilated or defaced so as to necessitate their replacement.

§ 101-38.202-7 Lost or stolen tags.

Agency fleet managers, upon receipt of information on lost or stolen tags, should report the loss or theft to their local office of security (or equivalent) or the issuing Fleet Management System, as applicable. District of Columbia tags or other State tags which are lost or stolen should be reported to the District of Columbia, Department of Transportation, or the appropriate State agency.

§ 101-38.203 Agency identification.

The full name of the department, agency, establishment, corporation, or service owning the vehicle, or a title descriptive of the service in which it is operated (if such a title readily identifies the department, agency, establishment, corporation, or service concerned), shall be displayed conspicuously in letters contrasting to the color of the vehicle. This identification for other than vehicle windows shall be in letters between 1 inch high and 1½ inches high. Subsidiary words, or titles of subordinate units, if used, shall be in letters between ½ inch and ¾ inch high. The identification should be applied through the use of decals (elastomeric pigmented film type). Each agency is responsible for acquiring its own decals. For examples of suggested possible arrangements, see § 101-38.4801. Law enforcement vehicles shall not be bound by the dimension requirements contained in this section. Identification on vehicle windows shall be of sufficient size to convey the proper legends and agency identification.

§ 101-38.203-1 Civilian agencies.

Except as provided in § 101-38.200(d), § 101-38.200(f) and § 101-38.204, all Government-owned or leased motor vehi-

cles shall be conspicuously identified by displaying the legends "For Official Use Only" and "U.S. Government," and immediately below the legends, the agency identification of the agency operating the vehicle. The legends and agency identification are to be located as follows:

(a) *On motor vehicles:* On the left side of the rear window, not more than one-and-one half inches from the bottom of the window.

(b) *On motor vehicles without rear windows or where the markings on the rear window are not conspicuous:* Centered on both front doors or in any appropriate position on each side of the vehicle.

(c) *On trailers:* Centered on both sides of the front quarter of the trailer in a conspicuous location.

§ 101-38.203-2 Department of Defense.

Commercial design motor vehicles of the Department of Defense (DOD) shall display the legend "For Official Use Only," an appropriate title for the DOD component, and the registration number assigned by the DOD component controlling the vehicle. Those vehicles operating within the District of Columbia must comply with § 101-38.201-1.

§ 101-38.203-3 Removal of legend and agency identification.

Whenever a vehicle is permanently removed from Government service, all agency identification and any other Government identification shall be removed from the vehicle before transferring the title or delivering the vehicle.

§ 101-38.204 Exemptions.

§ 101-38.204-1 Unlimited exemptions.

Unlimited exemptions from the requirement to display official U.S. Government tags and other identification are granted to the organizational activities of the agencies listed below, subject to the provisions of § 101-38.204-4.

(a) *Administrative Office of the United States Courts.* All motor vehicles operated by United States probation offices and pretrial services agencies of the judicial branch of the U.S. Government.

(b) *Agriculture, Department of.* Motor vehicles that the Agricultural Marketing Service, Animal and Plant Health Inspection Service, Food Safety and Inspection Service, Forest Service, Grain Inspection, Packers and Stockyard Administration, Packers and Stockyard Program, Food and Consumer Service, and Office of Inspector General use in the conduct of investigative or law enforcement activities.

(c) *Commerce, Department of.* Motor vehicles operated by the Office of Export Enforcement, International Trade Administration, and the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, for surveillance and other law enforcement activities.

(d) *Defense, Department of.* Motor vehicles used for intelligence, investigative, or security purposes, including such vehicles used by the U.S. Army Intelligence Agency and the Criminal Investigation Command of the Department of the Army; Office of Naval Intelligence of the Department of the Navy; Office of Special Investigations of the Department of the Air Force; the Defense Criminal Investigation Service, Office of the Inspector General; and the Defense Logistics Agency.

(e) *District of Columbia.* Motor vehicles operated by St. Elizabeths Hospital in out-patient work where the identification of the vehicles would be prejudicial to the patient.

(f) *Education, Department of.* Motor vehicles operated by the Office of the Inspector General for law enforcement and investigative purposes.

(g) *Energy, Department of.* Motor vehicles that the Department of Energy uses in the conduct of security or investigative operations.

(h) *Environmental Protection Agency.* Motor vehicles used for law enforcement and investigative purposes operated by the Office of Inspector General and the Office of Enforcement and Compliance Assurance.

(i) *Federal Communications Commission.* Motor vehicles operated by the Field Operations Bureau for investigative purposes.

(j) *General Services Administration.* Motor vehicles operated by Special Agents of the Public Buildings Service, Federal Protective Service and Special

Agents of the Office of Inspector General while engaged in criminal investigations, surveillance, and security activities.

(k) *Federal Communications Commission.* Motor vehicles operated by the Field Operations Bureau for investigative purposes.

(l) *Health and Human Services, Department of.* Motor vehicles operated by the Food and Drug Administration in undercover law enforcement and similar investigative work; one vehicle operated by the National Institutes of Health in transporting mentally disturbed children; and motor vehicles operated by the Office of Investigations and Office of the Inspector General that are used for law enforcement and investigative purposes.

(m) *Interior, Department of the.* Those motor vehicles operated by the U.S. Fish and Wildlife Service in the enforcement of Federal game laws; motor vehicles assigned to the special agents of the Bureau of Land Management whose duties are to investigate crimes against public lands; motor vehicles assigned to special officers of the Bureau of Indian Affairs; motor vehicles operated by the National Park Service assigned to the U.S. Park Police and other law enforcement activities which are used for undercover surveillance to investigate crimes against public lands; and motor vehicles assigned to the special agents of the Office of Inspector General whose duties are to investigate possible crimes of fraud and abuse by departmental employees and its contractors and grantees.

(n) *Justice, Department of.* All motor vehicles operated in undercover law enforcement activities or investigative work by the Department.

(o) *Labor, Department of.* All motor vehicles used for investigation, law enforcement, and compliance by the Manpower Administration (Bureau of Apprenticeship and Training); Office of Labor-Management Standards; Occupational Safety and Health Administration; Employment Standards Administration; and Mine Safety and Health Administration.

(p) *National Aeronautics and Space Administration.* Motor vehicles that the

National Aeronautics and Space Administration uses in the conduct of investigation or law enforcement activities.

(q) *National Labor Relations Board.* Motor vehicles that the field offices use for investigative activities.

(r) *National Security Council.* All motor vehicles operated by the Central Intelligence Agency.

(s) *Nuclear Regulatory Commission.* Motor vehicles that the Nuclear Regulatory Commission designates for use in the conduct of security operations or in the enforcement of security regulations.

(t) *Office of Personnel Management.* Motor vehicles designated by the U.S. Office of Personnel Management for use in the investigative program of the Office of Personnel Investigations and Regional Investigation activities.

(u) *Postal Service, United States.* Motor vehicles that the Postal Inspection Service uses for investigative and law enforcement activities.

(v) *State, Department of.* All motor vehicles designated for the protection of both domestic and foreign dignitaries and motor vehicles used in the investigations of passport and visa fraud cases.

(w) *Transportation, Department of.* All motor vehicles used for intelligence, investigative, or security purposes by the DOT Office of Inspector General; the OST Office of Security; the Investigations and Security Division and field counterparts in the U.S. Coast Guard; the Office of Civil Aviation Security and field counterparts in the Federal Aviation Administration; and the Idaho Division Office of Motor Carriers in the Federal Highway Administration.

(x) *Treasury, Department of the.* All motor vehicles operated by the U.S. Secret Service; Criminal Investigation Division, Internal Security Division, and vehicles used for investigative purposes by the Collection Division of the Internal Revenue Service; the Office of Enforcement and the Office of Inspection of the Bureau of Alcohol, Tobacco and Firearms; and the Office of Enforcement, Office of Compliance Operations, and Office of Internal Affairs of the U.S. Customs Service.

(y) *Veterans' Affairs, Department of.* All motor vehicles used for investigative purposes by the Office of the Inspector General.

[51 FR 11684, Apr. 4, 1986, as amended at 57 FR 53282, Nov. 9, 1992; 62 FR 327, Jan. 3, 1997]

§ 101-38.204-2 Special exemptions.

All vehicles assigned for the personal use of the President and the heads of executive departments as enumerated in 5 U.S.C. 101 are exempt from the requirement to display official identification. All vehicles, other than those assigned for the personal use of the President, shall display the official U.S. Government tags.

§ 101-38.204-3 Requests for exempted motor vehicles in the District of Columbia.

The head of each executive agency shall designate an official to approve requests for regular District of Columbia tags for motor vehicles exempted from carrying U.S. Government tags and other identification. Agencies shall furnish the name and facsimile signature for each representative to the District of Columbia, Department of Transportation, annually.

§ 101-38.204-4 Report of exempted motor vehicles.

The head of each executive agency shall submit a report, upon request, to the General Services Administration, ATTN: MTV, Washington, DC 20405, concerning motor vehicles exempted under subpart 101-38.2. Interagency report control number 1537-GSA-AR has been assigned to this reporting requirement.

[62 FR 327, Jan. 3, 1997]

Subpart 101-38.3—Official Use of Government Motor Vehicles

§ 101-38.300 Scope.

This subpart prescribes the requirements governing the use of Government motor vehicles acquired for official purposes.

§ 101-38.301 Authorized use.

Officers and employees of the Government shall use Government-owned or -leased motor vehicles for official