

§ 302-7.4 Limitation on allowances.

The total amount allowable in § 302-7.3 shall not exceed the maximum amount which would be allowable for transportation and 90 days' temporary storage of the employee's household goods if, instead of moving a mobile home, the maximum quantity of household goods allowable under § 302-8.2 had been moved.

§ 302-7.5 Advance of funds.

An advance of funds may be allowed an employee for the transportation of a mobile home under the requirements provided in § 302-1.14(a). The amount of advance shall not exceed either the estimated amount allowable under § 302-7.3(a) of the construction cost determined under § 302-7.4. No advance is authorized when a Government bill of lading is used as provided in § 302-7.3(f).

[FTR Amdt. 20, 56 FR 46990, Sept. 17, 1991]

PART 302-8—TRANSPORTATION AND TEMPORARY STORAGE OF HOUSEHOLD GOODS AND PROFESSIONAL BOOKS, PAPERS, AND EQUIPMENT

Sec.

- 302-8.1 Applicability.
- 302-8.2 General limitations.
- 302-8.3 Transportation within the continental United States.
- 302-8.4 Transportation outside the continental United States.
- 302-8.5 Temporary storage.
- 302-8.6 Advance of funds.

AUTHORITY: 5 U.S.C. 5738; 20 U.S.C. 905(a); E.O. 11609, 36 FR 13747, 3 CFR, 1971-1975 Comp., p. 586.

SOURCE: 54 FR 20324, May 10, 1989, unless otherwise noted.

§ 302-8.1 Applicability.

Employees covered by this subtitle who have complied with the general requirements as contained in part 302-1 are eligible for transportation and temporary storage of their household goods subject to the provisions of this part when they are transferred, regardless of whether the official stations involved are within or outside the continental United States, are appointed to positions in which Government trans-

portation to the first official station is allowable, or are separated after completion of a period of service overseas.

[54 FR 20324, May 10, 1989, as amended by FTR Amdt. 26, 57 FR 28636, June 26, 1992]

§ 302-8.2 General limitations.

(a) *Maximum weight allowance.* The maximum weight of household goods that may be transported or stored at Government expense is limited to 18,000 pounds net weight for all employees. The total weight of household goods stored under § 302-9.2 plus the weight of household goods transported under this part shall not exceed the maximum weight allowance prescribed in this paragraph.

(b) *Professional books, papers, and equipment.* (1) For purposes of this part, the term "professional books, papers, and equipment" includes those professional or specialized items and other materials which are personally owned by the employee for use in the performance of official duties. The term does not include sports equipment or office, household, or shop fixtures and furniture; e.g., bookcases, file cabinets, desks, and racks of any kind even though used in connection with the professional books, papers, and equipment.

(2) There is no statutory authority to transport personally owned professional books, papers, and equipment in addition to the maximum weight allowance (§ 302-8.2(a)) established by law for transportation of an employee's household goods and personal effects. However, there may be instances in which the weight of the professional books, papers, and equipment would cause an employee's household goods shipment to be in excess of the maximum weight allowance. In such instances, the personally owned professional books, papers, and equipment may be transported to the new permanent duty station as an administrative expense of an agency (not chargeable to travel and transportation appropriations). Shipment of these items as an administrative expense would be instead of shipment as an allowance of the employee.

(3) Authority to transport professional books, papers, and equipment as

Relocation Allowances

§ 302-8.2

an administrative expense shall be subject to agency policy and discretion within the following guidelines:

(i) The employee shall furnish an itemized inventory of professional books, papers, and equipment for review by an appropriate authorizing official at the new permanent duty station. In addition, the employee shall furnish appropriate evidence (as determined by the agency concerned) that transporting the itemized materials as part of the employee's household goods would result in an excess of the employee's maximum weight allowance.

(ii) The authorizing official at the new permanent duty station shall review and certify that the professional books, papers, and equipment as itemized are necessary in the proper performance of the employee's duties at the new duty station and that if these items were not transported to the new duty station, the same or similar items would have to be obtained at Government expense for the employee's use at the new duty station.

(iii) When professional books, papers, and equipment are certified as provided in paragraph (b)(3)(ii) of this section and shipped for the employee as an administrative expense of an agency, shipment shall be by the actual expense method; the commuted rate method shall not be used. When shipped in the same lot with the employee's household goods and other personal effects under the actual expense method, the professional books, papers, and equipment shall be packed and weighed separately; the weight thereof and the administrative appropriation chargeable shall be stated as separate items on the Government bill of lading. In unusual instances in which it is impractical or impossible to obtain separate weights, a constructive weight of 7 pounds per cubic foot may be used.

(c) *Determining the net weight*—(1) *Uncrated shipments.* When household goods are shipped uncrated as in a household mover's van or similar conveyance, the net weight shall be that shown on the bill of lading or on the weight certificate attached thereto, which, under Interstate Commerce Commission (ICC) regulations, includes the weight of barrels, boxes, cartons, and similar materials used in packing,

but does not include pads, chains, dollies, and other equipment needed to load and secure the shipment. When a noncommercial means of shipment is involved (see §302-8.3(a)(3)), the ICC regulations shall apply for determining the net weight. When an employee's claim is based on constructive weight as authorized in paragraph (c)(4) of this section, the net weight shall be the weight as determined under that provision.

(2) *Crated shipments.* When property is transported crated, the net weight shall not include the weight of the crating material. The net weight shall be computed as being 60 percent of the gross weight. However, if the net weight computed in this manner exceeds the applicable weight limitation and if it is determined that, for reasons beyond the employee's control, unusually heavy crating and packing materials were necessarily used, the net weight may be computed at less than 60 percent of the gross weight.

(3) *Containerized shipments.* When special containers designed normally for repeated use, such as lift vans, CONEX transporters, and household-goods shipping boxes are used and the known tare weight does not include the weight of interior bracing and padding materials but only the weight of the container, the net weight of the household goods shall be 85 percent of the gross weight less the weight of the container. If the known tare weight includes interior bracing and padding materials so that the net weight is the same as it would be for uncrated shipments in interstate commerce, the net weight shall not be subject to the reduction. If the gross weight of the container cannot be obtained, the net weight of the household goods shall be determined from the cubic measurement on the basis of 7 pounds per cubic foot of properly loaded container space.

(4) *Constructive weight.* If no adequate scale is available at point of origin, at any point en route, or at destination, a constructive weight, based on 7 pounds per cubic foot of properly loaded van space, may be used. Such constructive weight also may be used for a part-load when its weight could not be obtained at origin, en route, or at destination, without first unloading it or other

part-loads being carried in the same vehicle, or when the household goods are not weighed because the carrier's charges for a local or metropolitan area move are properly computed on a basis other than the weight or volume of the shipment (as when payment is based on an hourly rate and the distance involved). However, in such instances the employee should obtain a statement from the carrier showing the amount of properly loaded van space required for the shipment. (See also §302-8.3(a)(3) with respect to proof of entitlement to a commuted rate payment when net weight cannot be shown.)

(d) *Temporary storage time limit.* The time allowable for temporary storage in connection with an authorized shipment of household goods shall not exceed a period of 90 days. This time period also applies when an employee returns to his/her place of actual residence for leave before serving a new tour of duty outside the continental United States either at a different post of duty or at the same post of duty if the storage is provided instead of furnished quarters or a quarters allowance. However, upon an employee's written request, the initial 90-day period may be extended an additional period not to exceed 90 days under certain conditions if approved by the agency head or his/her designee. Justification for an additional storage period may include, but is not limited to, the following reasons:

- (1) An intervening temporary duty or long-term training assignment;
- (2) Nonavailability of suitable housing;
- (3) Completion of residence under construction;
- (4) Serious illness of employee or illness or death of a dependent; or
- (5) Strikes, acts of God, or other circumstances beyond the control of the employee.

(e) *Origin and destination.* Cost of transportation of household goods may be paid by the Government whether the shipment originates at the employee's last official station or place of residence or at some other point, or if part of the shipment originates at the last official station and the remainder at

one or more other points. Similarly, these expenses are allowable whether the point of destination is the new official station or some other point selected by the employee, or if the destination for part of the property is the new official station and the remainder is shipped to one or more other points. However, the total amount which may be paid or reimbursed by the Government shall not exceed the cost of transporting the property in one lot by the most economical route from the last official station of the transferring employee (or the place of actual residence of the new appointee at time of appointment) to the new official station. In connection with return from overseas for separation, see §302-1.12(d). No property acquired by the employee en route between old and new official stations shall be eligible for transportation under this part.

(f) *Loss and damage liability.* Limitations on the Government's liability for loss or damage of an employee's household goods are contained in the Military Personnel and Civilian Employees' Claims Act of 1964 (31 U.S.C. 3721-3723) and in agency rules and regulations issued under the authority thereof. Since agency practices and regulations under that Act differ, and in view of the different circumstances under which household goods are transported and temporarily stored under the authority of this part, each agency should advise transferred employees of the applicability and restrictions on claims against the Government for loss and damage as related to the transportation circumstances involved. Agencies should also be prepared to give advice to employees as to the liability of the carrier for loss and damage of transported household goods in the transportation circumstances involved so that they will be able to evaluate the need for insurance and the advisability of incurring a valuation charge. (For interstate shipments by motor carrier on commercial bills of lading, see 49 CFR part 1056.)

[54 FR 20324, May 10, 1989, as amended by FTR Amdt. 26, 57 FR 28636, June 26, 1992]