

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208**

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September 9, 2002

EMS TRANSMISSION 10/16/2002
Instruction Memorandum No. OR-2003-006
Expires: 09/30/2004

To: District Managers
Attn: Administrative Officers, Fleet Managers, Property Managers and Safety Officers

From: State Director

Subject: Reports of Survey for Damaged or Destroyed Vehicles

Program Area: Property Management.

Purpose: To clarify the current regulations regarding the Report of Survey (DI-103) process for damaged or destroyed government-owned or leased vehicles.

Policy/Action: A Report of Survey is required to be submitted in order to determine financial liability of the responsible employee(s) for any damage to or destruction of a GSA or BLM government-owned or leased vehicle.

Exceptions:

- If the operator of the vehicle at the time of the incident is a contracted employee, then the Report of Survey process is not required. However, an effort should be made to recoup the cost of repairs to the government vehicle by contacting the contracting officer.
- If the vehicle damage occurred while a government employee was operating the vehicle, the only exception to the requirement for survey action, is if, for one of the reasons listed below, the District Manager has made a written determination (to be placed in the vehicle file) that there is no need to determine financial liability:
 1. The damage was the result of a parking lot incident, during which the government vehicle involved was legally parked and not moving.
 2. The damage was the result of a two-party accident in which the non-government vehicle involved was clearly and admittedly at fault.

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3. The damage was the result of several minor incidents involving scratches and small dents over a long period of time, on a vehicle that is required to be driven off-road on a regular basis.
 4. The damage was plainly the result of a condition of the vehicle or of the road, which was not avoidable.

In all cases, however, a Report of Survey will **always** be required if the incident involved the loss, damage, or theft of any other government-owned equipment, or if the vehicle was an Interior-owned vehicle that was totaled in the incident.

The Report of Survey (Form DI-103) is to be prepared by the District Office Property Manager and the following documentation should be attached:

- a copy of the accident report;
- a statement from the employee;

- a statement from the employee's supervisor;
- an investigating officer's report, if applicable;
- a statement from the fleet manager (optional);
- a statement from the safety manager (optional), and
- pictures

The Cognizant Employee (vehicle operator), Custodial Officer (supervisor) and the Accountable Officer (District Manager or acting) are all required to sign the Report of Survey before it can be submitted.

If the amount of damage is less than \$5,000 and the Accountable Officer determines that there is no question of employee liability, the Report of Survey is submitted to a locally designated survey officer for determination, prior to being sent to the reviewing authority at the State Office. For any damage above \$5,000, or if there is a possibility that the employee should be held liable, then the Report of Survey is submitted directly to the State Office for Board of Survey action.

Timeframe: Ongoing

Budget Impact: None

Background: In accordance with DM 114-60.810-4, the amount of financial liability assessed an employee for damaged or destroyed government-owned vehicles is limited to \$200 in cases of simple negligence. This means that employees will not be assessed for more than a deductible found on most automobile insurance policies.

However, an employee can be held liable for the complete cost of damage to a government-owned or leased vehicle resulting from gross negligence of the employee. Gross negligence is defined by the Departmental Manual 114-60.100 (r) as an act or omission of the employee(s) that constitutes misconduct in accordance with 370 DM 752, or a wanton and reckless disregard for the property. Some examples of gross negligence would be utilization of the vehicle for personal use or purposeful and flagrant violation of the law. Any finding of liability in these cases would be in addition to possible disciplinary actions against the employee(s) involved.

Manual/Handbook Sections Affected: Departmental Manual 114-60

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Coordination: Oregon/Washington Board of Survey.

Contact: Any questions regarding property or fleet management should be directed to Marge Mascher at (503) 808-6414. Questions regarding Safety should be directed to Jim Chandler at (503) 808-6249. If you have questions regarding disciplinary actions, please direct them to your servicing personnel office.

Districts with Unions are reminded to notify their unions of this IM and satisfy any bargaining obligations before implementation. Your Servicing Personnel Office or Labor Relations Specialist can provide you assistance in this matter.

Signed by
Judy Ellen Nelson
Acting Associate State Director

Authenticated by
Cindy Fredrickson

Distribution
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