

The remaining balance shall be available for remission or mitigation. The Ruling Official shall direct the distribution of the remaining balance in the following order or priority, except that the Ruling Official may exercise discretion in determining the priority between petitioners belonging to classes described in paragraphs (a)(3) and (4) of this section in exceptional circumstances:

- (1) Owners;
- (2) Lienholders;
- (3) Federal financial institution regulatory agencies (pursuant to paragraph (e) of this section), not constituting owners or lienholders; and
- (4) Victims not constituting owners or lienholders (pursuant to § 9.8).

(b) *Sale or disposition of property prior to ruling.* If forfeited property has been sold or otherwise disposed of prior to a ruling, the Ruling Official may grant relief in the form of a monetary amount. The amount realized by the sale of the property is presumed to be the value of the property. Monetary relief shall not be greater than the appraised value of the property at the time of seizure and shall not exceed the amount realized from the sale or other disposition. The proceeds of the sale shall be distributed as follows:

- (1) Payment of the government's expenses incurred incident to the forfeiture and sale, including court costs and storage charges, if any;
- (2) Payment to the petitioner of an amount up to his or her interest in the property;
- (3) Payment to the Assets Forfeiture Fund of all other costs and expenses incident to the forfeiture;
- (4) In the case of victims, payment of any amount up to the amount of his or her loss; and
- (5) Payment of the balance remaining, if any, to the Assets Forfeiture Fund.

(c) *Trustees and other assistants.* In the exercise of his or her discretion, the Ruling Official, with the approval of the Asset Forfeiture and Money Laundering Section, may use the services of a trustee, other government official, or appointed contractors to notify potential petitioners, process petitions, and make recommendations to the Ruling Official on the distribution of property to petitioners. The expense for such assistance shall be paid out of the forfeited funds.

(d) *Other agencies of the United States.* Where another agency of the United States is entitled to remission or mitigation of forfeited assets because of an interest that is recognizable under this part or is eligible for such transfer pursuant to 18 U.S.C. 981(e)(6), such agency shall request the transfer in

writing, in addition to complying with any applicable provisions of §§ 9.3 through 9.5. The decision to make such transfer shall be made in writing by the Ruling Official.

(e) *Financial institution regulatory agencies.* A Ruling Official may direct the transfer of property under 18 U.S.C. 981(e) to certain federal financial institution regulatory agencies or an entity acting in their behalf, upon receipt of a written request, in lieu of ruling on a petition for remission or mitigation.

(f) *Transfers to foreign governments.* A Ruling Official may decline to grant remission to any petitioner other than an owner or lienholder so that forfeited assets may be transferred to a foreign government pursuant to 18 U.S.C. 981(i)(1), 19 U.S.C. 1616a(c)(2), or 21 U.S.C. 881(e)(1)(E).

(g) *Filing by attorneys.* (1) A petition for remission or mitigation may be filed by a petitioner or by his or her attorney or legal guardian. If an attorney files on behalf of the petitioner, the petition must include a signed and sworn statement by the client-petitioner stating that:

- (i) The attorney has the authority to represent the petitioner in this proceeding;
- (ii) The petitioner has fully reviewed the petition; and
- (iii) The petition is truthful and accurate in every respect.

(2) Verbal notification of representation is not acceptable. Responses and notification of rulings shall not be sent to an attorney claiming to represent a petitioner unless a written notice of representation is filed. No extensions of time shall be granted due to delays in submission of the notice of representation.

(h) *Consolidated petitions.* At the discretion of the Ruling Official in individual cases, a petition may be filed by one petitioner on behalf of other petitioners, provided the petitions are based on similar underlying facts, and the petitioner who files the petition has written authority to do so on behalf of the other petitioners. This authority must be either expressed in documents giving the petitioner the authority to file petitions for remission, or reasonably implied from documents giving the petitioner express authority to file claims or lawsuits related to the course of conduct in question on behalf of these petitioners. An insurer or an administrator of an employee benefit plan, for example, which itself has standing to file a petition as a "victim" within the meaning of § 9.2(v), may also file a petition on behalf of its insured or plan beneficiaries for any claims they

may have based on co-payments made to the perpetrator of the offense underlying the forfeiture or the perpetrator of a "related offense" within the meaning of § 9.2(s), if the authority to file claims or lawsuits is contained in the document or documents establishing the plan. Where such a petition is filed, any amounts granted as a remission must be transferred to the other petitioners, not the party filing the petition; although, in his or her discretion, the Ruling Official may use the actual petitioner as an intermediary for transferring the amounts authorized as a remission to the other petitioners.

Dated: December 19, 1996.

Janet Reno,

Attorney General.

[FR Doc. 97-117 Filed 1-2-97; 8:45 am]

BILLING CODE 4410-14-M

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-38

[FPMR Amendment G-111]

RIN 3090-AG26

Motor Vehicles

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Final rule.

SUMMARY: This regulation updates fuel economy standards; provides references to the newly-established General Services Administration (GSA) Office of Governmentwide Policy; updates reporting requirements pertaining to leasing vehicles from commercial activities; updates organizational titles within the Departments of Agriculture, Labor and the Treasury; and provides unlimited exemptions from the requirement to display official U.S. Government tags and other identification for certain activities of the Environmental Protection Agency, GSA, and the Departments of Defense, Housing and Urban Development, Transportation, and Veterans Affairs (VA). The regulation also revises residence to place of employment procedures for users of GSA Interagency Fleet Management System vehicles; revises restrictions on the use of leaded gasoline in Government-owned or -leased motor vehicles; reformats the Table of Minimum Replacement Standards; revises requirements for the use of the SF 149, U.S. Government National Credit Card, and SF 149A, U.S. Government Fleet Credit Card, and makes minor editorial changes. This

regulation is issued to show new references to the GSA Office of Governmentwide Policy; reflect new fuel economy standards issued by the Secretary of Transportation, to update exemptions for the identification of motor vehicles, to update gasoline requirements for Government operated motor vehicles; to provide a separate replacement category for ambulances, to delete the restriction that fuel credit cards cannot be used for vehicles leased or rented from commercial sources for less than 60 continuous days, and to update the regulation in light of current industry practices, other regulatory requirements, and improved readability. The intended result is to reduce administrative burdens on agencies, to update 41 CFR Part 38 in light of other regulatory issuances, to provide updated fuel economy standards, to update the list of activities authorized exemption from the requirement to display official U.S. Government identification and license plates, and to correct organizational structure inconsistencies caused by agency reorganizations.

EFFECTIVE DATE: January 3, 1997.

FOR FURTHER INFORMATION CONTACT: Michael W. Moses, Office of Governmentwide Policy, Federal Vehicle Policy Division (202-501-2507) or E-mail at mike.moses@gsa.gov.

SUPPLEMENTARY INFORMATION: The GSA has determined that this rule is not a significant rule for the purposes of Executive Order 12866.

Regulatory Flexibility Act

This final rule is not required to be published in the Federal Register for notice and comment. Therefore, the Regulatory Flexibility Act does not apply.

GSA has established the Office of Governmentwide Policy (OGP) in response to President Clinton's request for GSA to place greater emphasis on its policy functions. The new Federal Vehicle Policy Division (MTV), within the Office of Transportation and Personal Property of OGP, is tasked with establishing Governmentwide policies that promote efficiency and economy in the operation of Federal agency vehicle fleets. Some of the Governmentwide functions previously performed by the GSA Interagency Fleet Management Division are now the responsibility of this new office. The regulation is being updated to reflect this new office, where appropriate.

GSA's Interagency Fleet Management System (IFMS) has been a "provider of choice" since its inception in 1954. Vehicle support from the IFMS has historically been based upon mutual

agreement between GSA and executive agencies based on cost effectiveness and the availability of vehicles. The regulation currently requires executive agencies desiring to lease vehicles for 60 consecutive days or more to first obtain a determination from GSA of whether vehicle requirements can be satisfied through the IFMS. This requirement may be interpreted to mean that the IFMS is a mandatory source for vehicle services. Accordingly, the regulation is revised to remove this requirement.

The Secretary of Transportation establishes yearly fleet average fuel economy standards for passenger automobiles and light trucks. Prior to this amendment, 41 CFR 101-38.104 provided fuel economy standards through fiscal year 1995 for passenger automobiles and through fiscal year 1994 for light trucks. The Secretary of Transportation has established fuel economy standards for passenger automobiles through fiscal year 1998, and for light trucks through fiscal year 1997. Accordingly, the FPMR is updated by this amendment to reflect these additional standards.

On May 1, 1996, the Defense Logistics Agency (DLA) requested an unlimited exemption from the requirement to display U.S. Government identification on vehicles used for intelligence, investigative, or security purposes. This request was approved by GSA.

On April 29, 1996, the Environmental Protection Agency requested an unlimited exemption from the requirement to display U.S. Government identification on vehicles used for law enforcement and investigative duties. The request was specifically for the Office of Inspector General and the Office of Enforcement and Compliance Assurance. This request was approved by GSA.

On April 9, 1996, the GSA Public Buildings Service requested an unlimited exemption from the requirement to display U.S. Government identification on vehicles assigned to the GSA Federal Protective Service. The request specifically identified Special Agents of the GSA Federal Protective Service engaged in criminal investigations and surveillance activities. On May 10, 1996, a similar request was received for the GSA Office of Inspector General. These requests were approved by GSA.

On January 30, 1996, the Department of Transportation, Federal Highway Administration requested an unlimited exemption from the requirement to display U.S. Government identification in lieu of requesting a continuation of the limited exemption now in effect. The request specifically identified

Special Agents of the Idaho Division Office of Motor Carriers, Federal Highway Administration. This request was approved by GSA.

On October 12, 1995, the Department of the Treasury requested that Federal Property Management Regulations, § 101-38.204-1(u), be corrected to reflect current organizational titles for activities within the Bureau of Alcohol, Tobacco, and Firearms (ATF). Specifically, the request stated that the Office of Criminal Enforcement and the Office of Internal Affairs within ATF had been changed on October 1, 1994, to the Office of Enforcement and the Office of Inspection. On May 6, 1996, the Department of Labor requested that § 101-38.204-1(m) be corrected to reflect an organizational change within DOL. Specifically, the Office of Manpower Administration (Bureau of Apprenticeship and Training) is now identified as the Employment and Training Administration. A similar request to correct organizational titles within § 101-38.204-1(b) was received from the Department of Agriculture on May 15, 1996. The regulation is being changed to reflect these new titles.

On May 7, 1996, the Department of Housing and Urban Development requested an unlimited exemption from the requirement to display official U.S. Government tags and other identification for vehicles used by the Office of Inspector General for law enforcement and investigative purposes. GSA approved this request.

On August 7, 1995, the Department of Veterans Affairs requested an unlimited exemption from the requirement to display official U.S. Government tags and other identification for regional Field Inspectors and Property Management Inspectors. GSA approved this request on August 22, 1995, and is changing this regulation to reflect this additional exemption.

Prior to May 1993, the GSA Interagency Fleet Management Division (IFMS) required customer agencies to notify the servicing GSA Fleet Management Center when vehicle operators were allowed residence to place of employment travel in IFMS vehicles. When GSA's internal handbook was rewritten in May 1993, this requirement was deleted to reduce the workload on customer agencies and GSA. This regulation removes this reporting requirement.

On February 2, 1996, the Environmental Protection Agency published a direct final rule titled Prohibition on Gasoline Containing Lead or Lead Additives for Highway Use (40 CFR part 80). The regulation promulgated provisions in the Clean Air

Act which prohibit the introduction of gasoline containing lead or lead additives into commerce for use as a motor vehicle fuel after December 31, 1995. Accordingly, the provisions in 41 CFR 101-38.401-1 concerning the restrictions on the use of leaded gasoline in Government-owned or -leased motor vehicles operated within the 50 States is no longer needed and is being removed.

Federal Property Management Regulations Amendment G-78 was issued on April 4, 1986. This amendment reformatted FPMR Parts 101-38 and 101-39 to separate issues covering the Federal fleet as a whole and issues concerning interagency motor pool management. Prior to the issuance of FPMR G-78, minimum replacement standards for ambulances were identified as a separate entity. Amendment G-78 grouped ambulances with sedans and station wagons under a passenger vehicle category. The Department of Defense (DOD) has requested that ambulances be returned to a separate category, since ambulances are routinely classified as special purpose vehicles built and operated for a distinct purpose other than transporting passengers. GSA agrees with DOD's request and is revising the Table of Minimum Replacement Standards accordingly.

The Department of Health and Human Services, Food and Drug Administration, has requested a deviation from § 101-38.800 of the FPMR. The agency's investigative mission requires the short-term rental of commercial motor vehicles on a routine basis. The regulation now states that Government fuel credit cards can only be used for vehicles rented or leased for 60 continuous days or more; thus, an agency must pay cash for fuel purchases and be reimbursed through imprest funds. This procedure is time

consuming and does not take advantage of the Government's exemption from State sales taxes. Additionally, with the discontinuance of GSA IFMS dispatch vehicle services at most locations, the Government has increased its reliance on the commercial sector for short-term vehicle needs. GSA has decided that the 60-day restriction is burdensome for the Government as a whole and no longer makes good economic sense. This restriction is being removed.

On April 16, 1996, GSA informally sent a draft copy of this amendment to all major Federal agencies asking for their comment on the proposed changes and to solicit additional changes not included in that draft. Comments were received from the Departments of Agriculture, Defense, Labor, Treasury, and Veterans Affairs and the Environmental Protection Agency. These comments involved changes in organizational structures, additional exemptions to 41 CFR 101-38.204-1, and editorial changes to improve readability. These comments are addressed in this amendment.

List of Subjects

41 CFR Part 101-38

Energy conservation, Government property management, Motor vehicles, Reporting and record keeping requirements.

For the reasons set out in the preamble, 41 CFR Part 101-38 is amended as follows:

1. The authority citation for part 101-38 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)).

PART 101-38—MOTOR EQUIPMENT MANAGEMENT

1a. The heading of Part 101-38 is revised to read as set forth above.

2. Section 101-38.001-19 is revised to read as follows:

§ 101-38.001-19 Light truck.

Light truck means a truck up to 8,500 pounds gross vehicle weight rating (GVWR), which is a four-wheeled vehicle propelled by fuel (gasoline, diesel, or an alternative fuel such as natural gas, ethanol, or methanol), is manufactured primarily for use on public streets, roads, and highways, and is contained in Federal Standard No. 307 (Trucks: Light commercial, two-wheel drive) or Federal Standard No. 292 (Trucks: Light commercial, four-wheel drive).

3. Section 101-38.104 is amended by revising paragraphs (b)(2), (b)(3), and (b)(4) (i) (A) through (E) to read as follows:

§ 101-38.104 Fuel efficient passenger automobiles and light trucks.

* * * * *

(b) * * *

(1) * * *

(2) The Federal fleet program enables GSA to determine the total fleet average fuel economy achieved by all executive agencies at the end of each fiscal year and to provide management assistance to agencies to ensure compliance with Executive Order 12375. Copies or synopses of actual vehicle leases and vehicle purchases not procured through the GSA Automotive Center shall be forwarded to the General Services Administration, ATTN: MTV, Washington, DC 20405, not later than December 1st of each year, in accordance with the requirements set forth in § 101-38.105.

(3) Passenger automobiles and light trucks acquired by executive agencies must meet the fleet average fuel economy objectives set forth below for the appropriate fiscal year:

Fiscal year	Miles per gallon			
	Average ¹ fuel econ- omy stand- ard	Passenger automobiles	Light trucks	
			Fleet aver- age fuel ² economy 4 × 2	Fleet aver- age fuel ² economy 4 × 4
1977	18.0	18.0		
1978	18.0	20.0		
1979	19.0	22.0	17.2	15.8
1980	20.0	24.0	16.0	14.0
1981	22.0	26.0	16.7	15.0
1982	24.0	24.0	18.0	16.0
1983	26.0	26.0	19.5	17.5
1984	27.0	27.0	20.3	18.5
1985	27.5	27.5	19.7	18.9
1986	26.0	26.0	20.5	19.5
1987	26.0	26.0	21.0	19.5
1988	26.0	26.0	21.0	19.5

Fiscal year	Miles per gallon			
	Average ¹ fuel econ- omy stand- ard	Passenger automobiles	Light trucks	
			Fleet aver- age fuel ² economy 4 × 2	Fleet aver- age fuel ² economy 4 × 4
1989	26.5	26.5	21.5	19.0
1990	27.5	27.5	20.5	19.0
1991	27.5	27.5	20.7	19.1
1992	27.5	27.5	³ 20.2	³ 20.2
1993	27.5	27.5	³ 20.4	³ 20.4
1994	27.5	27.5	³ 20.5	³ 20.5
1995	27.5	27.5	³ 20.6	³ 20.6
1996	27.5	27.5	³ 20.7	³ 20.7
1997	27.5	27.5	³ 20.7	³ 20.7
1998 and beyond	27.5	27.5	(⁴)	(⁴)

* * * * *

(4) * * *

(ii) * * *

(A) Six-cylinder automatic transmission passenger vans and cargo vans (200) divided by 22.1 mpg, plus

(B) Eight-cylinder automatic transmission passenger vans and cargo vans (75) divided by 19.2 mpg, plus

(C) Six-cylinder manual transmission pick-ups (100) divided by 20.8 mpg, plus

(D) Six-cylinder automatic transmission pick-ups (200) divided by 20.5 mpg, plus

(E) Six-cylinder automatic transmission compact van wagons (25) divided by 23.4 mpg.

$$= \frac{600}{\frac{200}{22.1} + \frac{75}{19.2} + \frac{100}{20.8} + \frac{200}{20.5} + \frac{25}{23.4}}$$

$$= \frac{600}{9.0490 + 3.9063 + 4.8077 + 9.7561 + 1.0684}$$

$$= \frac{600}{28.5883} = 20.9876 \text{ (Rounded to nearest 0.1 mpg)}$$

* * * * *

4. Section 101-38.105 is amended by revising paragraphs (a), (e), (h) and (i) to read as follows:

§ 101-38.105 Agency purchase and lease of motor vehicles.

(a) Executive agencies that obtain a waiver of the provisions of § 101-26.501-1 in accordance with paragraphs (b) and (c) of that section may acquire vehicles without using the services of the GSA Automotive Center. Copies or synopses of actual vehicle leases and purchases acquired for domestic fleets which are not acquired through the GSA Automotive Center will be furnished to the General Services Administration, ATTN: MTV, Washington, DC 20405. Each submission shall use the unadjusted combined city/highway mileage ratings for passenger automobiles and light trucks developed by the Environmental Protection Agency (EPA) for each fiscal year. The submissions shall be forwarded to GSA

as soon as possible after the purchase or effective date of the lease. All submissions for the previous fiscal year shall reach GSA by December 1st of each year. GSA issues information concerning the EPA mileage ratings and miles per gallon rating guidance to assist agencies in the timely planning of their acquisitions. Agencies not intending to purchase or lease vehicles or agencies that satisfy their total motor vehicle requirements through the GSA Interagency Fleet Management System shall so inform GSA.

* * * * *

(e) In order to maintain a master record of all leased passenger vehicles and light trucks under 8,500 pounds (GVWR), agencies shall forward to the General Services Administration, ATTN: MTV, Washington, DC 20405, copies or synopses of lease agreements for those vehicles leased for a period of 60 continuous days or more, or they may submit the following information:

- (1) Number of vehicles, by category;
- (2) Year;
- (3) Make;
- (4) Model;
- (5) Transmission type (if manual, number of forward speeds);
- (6) Cubic inch displacement;
- (7) Fuel type (i.e., gasoline or alternative fuel);
- (8) Monthly lease cost;
- (9) Duration of lease (include option to renew);
- (10) Vehicle type (4X2 or 4X4—light trucks only);
- (11) Gross vehicle weight rating (GVWR): Light trucks only; and
- (12) Lessor's name and address.

* * * * *

(h) Agencies may request GSA assistance when planning their acquisitions by contacting the General Services Administration, Attn: MTV, Washington, DC 20405.

(i) Information concerning vehicles purchased for agencies by the GSA Automotive Center is provided

internally; therefore, vehicles procured by GSA are not required to be reported.

§ 101-38.106 [Removed]

5. Section 101-38.106 is removed.

6. Section 101-38.200 is amended by revising paragraphs (f) and (g) to read as follows:

§ 101-38.200 General requirements.

* * * * *

(f) Exemptions, in addition to those authorized in §§ 101-38.204-1 and 101-38.204-2 may be authorized by the head of the agency or designee upon written certification that conspicuous identification will interfere with the purpose for which the motor vehicle is used. This certification shall be maintained at the agency headquarters. A copy of this certification shall also be provided to the General Services Administration, Attn: FBF, Washington, DC 20406, if the vehicle is obtained through the GSA Interagency Fleet Management System. Approval by GSA will not be required. The certification must state that the motor vehicle(s) is (are) acquired and used primarily for the purpose of investigative, law enforcement, or intelligence duties involving security activities or for safety of the vehicle's occupant(s), and that the

identification of the motor vehicle(s) would interfere with the discharge of such duties or endanger the security of individuals or the United States Government. Vehicles regularly used for common administrative purposes not directly connected with the performance of law enforcement, investigative, or intelligence duties involving security activities shall not be exempt. All exemptions granted under the provisions of this § 101-38.200(f) are limited to 1 year. If the requirement for exemption still exists at the end of the year, the agency shall recertify its intent to continue the exemption. A copy of this certification shall be forwarded to GSA if the vehicle is leased from the GSA Interagency Fleet Management System.

(g) Certain organizational units of Federal agencies may be authorized to remove official Government markings and substitute license plates issued by the appropriate State, Commonwealth, territory, or possession whenever the agency head or designee determines that temporary removal is in the public interest. A written determination and justification for temporary removal of official Government markings shall be maintained at the agency headquarters. This determination shall also be

submitted to the General Services Administration, Attn: FBF, Washington, DC 20406, if the vehicle is leased from the GSA Interagency Fleet Management System.

7. Section 101-38.202-2 is amended by revising paragraph (b)(1) to read as follows:

§ 101-38.202-2 Outside the District of Columbia.

* * * * *

(b) * * *

(1) Purchase orders shall include the code letters to be imprinted on the tags; the dates on which deliveries are required; the consignee and shipping instructions; the symbol number of the appropriation to be charged; and the signature of an officer authorized to obligate the cited appropriation.

* * * * *

8. Section 101-38.202-4 is revised to read as follows:

§ 101-38.202-4 Numbering and coding.

Official U.S. Government tags shall be numbered serially for each executive agency, beginning with 101, and shall be preceded by a letter code designating the agency having accountability for the motor vehicles as follows:

ACTION	ACT
Agriculture, Department of	A
Air Force, Department of the	AF
Army, Department of the	W
Commerce, Department of	C
Consumer Product Safety Commission	CPSC
Corps of Engineers, Civil Works	CE
Defense Commissary Agency	DECA
Defense Contract Audit Agency	DA
Defense, Department of	D
Defense Logistics Agency	DLA
District of Columbia Redevelopment Land Agency	LA
Education, Department of	ED
Energy, Department of	E
Enrichment Corporation, U.S.	EC
Environmental Protection Agency	EPA
Executive Office of the President	EO
Council of Economic Advisers, National Security Council, Office of Management and Budget	
Export-Import Bank of the United States	EB
Federal Communications Commission	FC
Federal Deposit Insurance Corporation	FD
Federal Emergency Management Agency	FE
Federal Home Loan Bank Board	FB
Federal Mediation and Conciliation Service	FM
Federal Reserve System	FR
Federal Trade Commission	FT
General Accounting Office	GA
General Services Administration	GS
Government Printing Office	GP
Health and Human Services, Department of	HHS
Housing and Urban Development, Department of	H
Interagency Fleet Management System, GSA	G
Interior, Department of	I
Judicial Branch of the Government	JB
Justice, Department of	J
Labor, Department of	L
Legislative Branch	LB
Marine Corps	MC
National Aeronautics and Space Administration	NA

National Capital Housing Authority	NH
National Capital Planning Commission	NP
National Guard Bureau	NG
National Labor Relations Board	NL
National Science Foundation	NS
Navy, Department of the	N
Nuclear Regulatory Commission	NRC
Office of Personnel Management	OPM
Panama Canal Commission	PC
Railroad Retirement Board	RR
Securities and Exchange Commission	SE
Selective Service System	SS
Small Business Administration	SB
Smithsonian Institution	SI
National Gallery of Art	
Soldiers' and Airmen's Home, U.S.	SH
State, Department of	S
Tennessee Valley Authority	TV
Transportation, Department of	DOT
Treasury, Department of the	T
United States Information Agency	IA
United States Postal Service	P
Veterans Affairs, Department of	VA

9. Section 101-38.202-5 is revised to read as follows:

§ 101-38.202-5 Requests for additional code designations.

Additional code designations are issued by GSA upon written request to General Services Administration, ATTN: MTV, Washington, DC 20405.

10. Section 101-38.204-1 is amended by redesignating paragraphs (h) through (v) as paragraphs (k) through (y); adding paragraphs (h), (i) and (j); and revising paragraphs (b), (d), and redesignated paragraphs (n), (v), (w), and (x) to read as follows:

§ 101-38.204-1 Unlimited exemptions.

* * * * *

(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.

* * * * *

(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.

* * * * *

(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.

* * * * *

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

* * * * *

(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.

* * * * *

11. Section 101-38.204-4 is revised to read as follows:

§ 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.

12. Section 101-38.301 is revised to read as follows:

§ 101-38.301 Authorized use.

Officers and employees of the Government shall use Government-owned or -leased motor vehicles for official purposes only. "Official purposes" does not include transportation of an officer or employee between his or her residence and place of employment, unless authorized under the provisions of 31 U.S.C. 1344, or other applicable law. A copy of any written approval shall be maintained at the appropriate level within the agency. Each agency should establish procedures to monitor and control the use of its vehicles at all times. Officers and employees entrusted with a motor vehicle are responsible for the proper care, operation, maintenance, and protection of the vehicle. Any officer or employee who uses or authorizes the use of such vehicle for other than official purposes is subject to a suspension of at least 1 month or, up to

and including, removal by the head of the agency (31 U.S.C. 1349).

13. Section 101-38.401-1 is amended by removing the introductory text, redesignating paragraph (c) as paragraph (b), and revising paragraph (a) introductory text to read as follows:

§ 101-38.401-1 Gasoline for use in motor vehicles.

(a) Unleaded (0.05gm/gal.) gasoline shall be used in all Government-operated motor vehicles used overseas unless—

- (1) * * *
- (2) * * *

(b) Under no circumstances should premium gasoline be used in Government-owned vehicles, except for those vehicles that require premium gasoline.

14. Section 101-38.401-2 is amended by revising the introductory text and removing paragraphs (a) through (d) to read as follows:

§ 101-38.401-2 Use of self-service pumps.

Heads of agencies shall require the use of self-service pumps by their motor vehicle operators when purchasing fuel at commercial service stations with self-

service pumps to the fullest extent possible. Operators should minimize the cost of fuel purchases by using service stations which accept the Standard Form 149, U.S. Government National Credit Card, and SF 149A, U.S. Government Fleet Credit Card, for gasoline purchases at self-service pumps.

15. Section 101-38.402 is amended by revising paragraph (a) to read as follows:

§ 101-38.402 Replacement standards.

(a) Table of minimum replacement standards.

TABLE OF MINIMUM REPLACEMENT STANDARDS

Vehicle description	Life expectancy	
	Years	Miles
Sedans/Station Wagons	3	60,000
Ambulances	7	60,000
Buses:		
Intercity-Type	N/A	280,000
City-Type	N/A	150,000
School-Type	N/A	80,000
Trucks:		
Less than 12,500 pounds GVWR	6	50,000
12,500—23,999 GVWR	7	60,000
24,000 pounds and over	9	80,000
4-or 6-wheel drive vehicles	6	40,000

* * * * *

16. Section 101-38.504 is revised to read as follows:

§ 101-38.504 Assistance to agencies.

GSA is available to assist agencies in establishing or revising their scheduled maintenance programs. Requests for this assistance shall be submitted by owning agencies to the General Services Administration, ATTN: MTV, Washington, DC 20405.

17. Section 101-38.701 is amended by revising paragraph (a)(1) to read as follows:

§ 101-38.701 Transfer of title for Government-owned motor vehicles.

(a) * * *

(1) All Government-owned motor vehicles to be titled by State motor vehicle activities shall be transferred by executing Standard Form (SF) 97, The United States Government Certificate to Obtain Title to a Vehicle. The use of this form in foreign countries is optional.

* * * * *

18. Section 101-38.800 is amended by revising paragraph (f) to read as follows:

§ 101-38.800 General.

* * * * *

(f) The SF 149 and SF 149A may be used for any properly identified U.S.

Government motor vehicle, boat, small aircraft, or nonvehicular equipment.

19. Section 101-38.903 is amended by revising paragraphs (a) and (b)(1) to read as follows:

§ 101-38.903 Reporting of data.

(a) Federal agencies shall use Standard Form 82, Agency Report of Motor Vehicle Data, to report vehicle inventory, cost, and operating data to GSA. Interagency Report Control Number 1102-GSA-AN has been assigned to this reporting requirement.

(b) * * *

(1) Each owning agency shall submit a Standard Form 82 to the General Services Administration, ATTN: MTV, Washington, DC 20405 within 75 calendar days after the end of the fiscal year.

* * * * *

Dated: October 28, 1996.

David J. Barram,

Acting Administrator of General Services.

[FR Doc. 97-52 Filed 1-2-97; 8:45 am]

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FEDERAL MARITIME COMMISSION

46 CFR Part 572

[Docket No. 94-31]

Post-Effective Reporting Requirements for Agreements Among Ocean Common Carriers Subject to the Shipping Act of 1984

AGENCY: Federal Maritime Commission.

ACTION: Final Rule; lifting of stay.

SUMMARY: The Federal Maritime Commission ("FMC" or "Commission") is lifting the stay of monitoring report requirements contained in its agreement regulations. The filing of the quarterly monitoring reports will begin with the report covering the first quarter of calendar year 1997.

EFFECTIVE DATE: 46 CFR 572.701(a) and 572.702, which were stayed at 61 FR 11564, March 21, 1996, are effective January 3, 1997.

FOR FURTHER INFORMATION CONTACT: Austin L. Schmitt, Director, Bureau of Economics and Agreement Analysis, Federal Maritime Commission, 800 North Capitol Street, N.W., Washington, DC 20573-0001, 202-523-5787.

SUPPLEMENTARY INFORMATION: In Docket No. 94-31, *Information Form and Post-Effective Reporting Requirements for Agreements Among Ocean Common*