



---

## **U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL**

---

# **INSPECTION REPORT**



## **INSPECTION OF THE IMPLEMENTATION OF THE MOTOR VEHICLE OPERATION POLICY BUREAU OF INDIAN AFFAIRS**

**Report No. NM-IS-BIA-0002-2008**

**July 2008**




# United States Department of the Interior

Office of Inspector General  
Western Region  
Federal Building  
2800 Cottage Way, Suite E-2712  
Sacramento, California 95825

JUL 31 2008

## Memorandum

To: George T. Skibine  
Acting Assistant Secretary, Indian Affairs

From: Michael P. Colombo   
Regional Manager

Subject: Inspection Report – *Inspection of the Implementation of the Motor Vehicle Operation Policy, Bureau of Indian Affairs*  
(Report No. NM-IS-BIA-0002-2008)

The safe transportation of people and property is an essential component of the overall mission of the Bureau of Indian Affairs (BIA). However, traffic accidents involving BIA vehicles demonstrate that more needs to be done to ensure that the vehicle fleet operations are as safe as possible. In response, BIA established a Motor Vehicle Operation Policy to review and monitor the driving history of individuals permitted to drive BIA vehicles. We inspected BIA implementation of this policy to determine whether:

- Effective and timely evaluations of new and existing BIA and Bureau of Indian Education (BIE) drivers were conducted, and
- Supervisors were ensuring that Motor Vehicle Operator Authorization Cards were issued to and retained only by those employees with acceptable driving histories.

We made recommendations that we feel would improve the implementation of the licensing policy and ask that you apprise us within 30 days of the actions you take or plan to take in response to this report.

We appreciate the cooperation shown by the BIA staff at the safety offices visited during our inspection. If you have any questions, please call me at (916) 978-5653.

---

# INSPECTION RESULTS

---

## REASON FOR COVERAGE

**THE MOTOR VEHICLE  
OPERATION POLICY  
COVERS APPROXIMATELY 9,300  
EMPLOYEES AT THE BUREAU OF  
INDIAN AFFAIRS AND INDIAN  
EDUCATION.**

Two couples vacationing from Nebraska were killed in Albuquerque, New Mexico on January 25, 2002, by a BIA roads employee driving a government truck the wrong way on Interstate 40 after consuming a 12-pack of beer. In the ensuing lawsuit, evidence showed numerous employees in the BIA Navajo Region with drunken driving citations and convictions, including supervisors. As a result of the lawsuit, BIA implemented the Motor Vehicle Operation Policy to establish clear responsibilities for employees, supervisors, and managers to promote the safe and prudent operation of vehicles while performing official duties.

We decided to conduct this inspection to ensure BIA implemented the Motor Vehicle Operation Policy. *See Appendix 1 for a program snapshot.* Our objective was to determine if license and driving record reviews were timely and effective in ensuring that only employees meeting policy qualifications received and retained Motor Vehicle Operator Authorization Cards.<sup>1</sup>

## WHAT WE FOUND

**Ineffective Implementation of  
Safety Reviews and  
Training Program**

Regional safety offices did not implement the Motor Vehicle Operation Policy in a manner which allowed for timely and effective monitoring of driver histories and training. Specifically:

- Initial drivers' license applications and annual renewals were not received timely and processed effectively. Although every employee required to operate a motor vehicle must complete a Form 3607 - Motor Vehicle Operator's License and Driving Record, upon hire and annually thereafter, we found that 296 out of 700 forms were not received during 2007 at one safety office visited. For the other two safety offices, we noted similar conditions for BIE employees where the Form 3607s were received after the start of the school year, if at all. Failing

---

<sup>1</sup> For a description of the scope and methodology *see Appendix 2.*

to receive these reports from all drivers in a timely manner undermines the effectiveness of safety officer reviews, and delays or thwarts the license revocation process.

- The identification of employee positions that required *regular* versus *occasional* driving had not been performed as required. Such identification is essential in determining what personnel actions are appropriate when an employee loses their driving authorization. Without this identification, supervisors and managers were unable to effectively and consistently propose personnel actions to deal with driving license revocations.
- Mandatory annual Motor Vehicle Operation Policy and tri-annual driver safety training was not adequately documented or tracked for each employee. Although such tracking is essential to ensure that all employees receive required training, we were unable to locate records to support that 35 of 79 employees received such training.

## Recommendations

To remedy these issues, we recommend that the following actions be taken:

- 1: Establish specific schedules at the regional level for receiving and processing Form 3607s to ensure that all forms are received timely.*
- 2: Ensure that the driving requirements for each position description be identified as required by the Policy Guidance Memorandum.*
- 3: Record the training completed for each employee on the respective regional safety office's spreadsheet database or, alternatively, create a new training database.*

## Implementation of Safety Reviews and Training Program BEST PRACTICE

Employee-reported driving history information was not typically validated against information available on the National Highway Traffic Safety Administration's National Driver Registry. This registry, which reports license revocations, suspensions, or serious traffic violations reported by any state related to an individual's driving license, was used by one Safety Officer to validate employee reported driving histories. We believe that this is a "best practice" that other offices should emulate.

## Recommendation

*4: Require regional Safety Officers to obtain employee driver records from the National Highway Traffic Safety Administration's National Driver Registry as part of their annual review process.*

## Delayed License Revocation and Inconsistent Policy Administration

Untimely and ineffective implementation of the Motor Vehicle Operation Policy has resulted in inconsistent safety performance and has allowed employees to continue driving when their driving history should have precluded the continuance of driving privileges. Specifically:

- Supervisors did not always suspend an employee's driver authorization timely. This problem is two-fold. First, delayed filing of Form 3607s prevented Safety Officers from timely reviewing and determining when driving Authorization Cards should be revoked. Second, although Safety Officers properly notified supervisors when previously authorized employees failed to pass all current requirements for holding driving Authorization Cards, supervisors were not required to notify the Safety Officer when Authorization Cards were actually suspended and cards revoked.
- Regional Safety Officers operate independently with no direct line authority to a single safety office. Consequently, each office has implemented the Motor Vehicle Operation Policy independently with no overall assurance of consistency.

## Recommendations

To remedy these issues, we recommend that the following actions be taken:

*5: Ensure that regional Safety Officers' notification letter includes (1) the requirement to notify the Safety Officer when authorization cards were suspended and cards revoked, and (2) a deadline by which these actions are to occur.*

*6: Conduct routine reviews of the regional safety offices to ensure uniformity in program implementation.*

---

# PROGRAM SNAPSHOT

---

The Motor Vehicle Operation Policy, incorporated into Indian Affairs Manual Part 25, Chapter 5, requires all employees authorized to drive bureau vehicles have a valid state driver license and annually submit a GSA Form 3607, “Motor Vehicle Operator’s License and Driving Record” (Form 3607) for review and approval by regional Safety Officers.

## Employee Information

The Form 3607 requires the driver to identify the state issuing their driver license and their driving history of convictions, accidents, suspensions, and any convictions involving alcohol and drugs for the past 4 years. The Form 3607 is submitted to the Safety Officer through the employee’s supervisor.

## Safety Officer Review

The Safety Officer obtains a copy of the employee’s state driving record for comparison to the employee’s Form 3607.

## Notification of Approval

If the employee is approved to drive, the Safety Officer notifies the employee’s supervisor who issues the employee a Motor Vehicle Operator Authorization Card.

## Notification of Denial

If the employee does not pass the review, the Safety Officer notifies the appropriate supervisor, including the reason the employee did not pass. Following notification, the employee’s supervisor is required to immediately suspend the employee’s driving authorization.

## Grounds for Denial

If the failure to pass was a traffic citation, a court acquittal would allow reauthorizing driving. However, convictions within the past 3 years for (1) reckless driving, (2) driving while intoxicated, (3) driving under the influence, (4) a criminal offense related to driving where alcohol or drugs are involved, or (5) driving without a valid state license, result in revocation of the employee’s authorization to drive a BIA vehicle for 3 years.

## Referral to Human Resources

Employees whose driving authorization is revoked, and where driving is an integral part of their job, are supposed to be referred to Human Resources for adverse action.



---

# SCOPE & METHODOLOGY

---

## **INTERVIEWED OFFICIALS AND REVIEWED RECORDS AT THREE REGIONAL OFFICES:**

- Central Office-West
- Navajo
- Great Plains

We reviewed records and interviewed officials at the Central Office-West, Navajo, and Great Plains Regional Offices to determine whether:

- Effective and timely evaluations of new and existing BIA and BIE drivers were conducted, and
- Supervisors were ensuring that Motor Vehicle Operator Authorization Cards were issued to and retained only by those employees with acceptable driving histories.

Our records review consisted of a non-statistical sample of BIA and BIE GSA Form 3607 submissions for CY 2007 and associated information, including adverse action files for employees who had lost driving authorization during this period. Our inspection work was performed during March and April 2008.

## **Report Fraud, Waste, Abuse And Mismanagement**



Fraud, waste, and abuse in government concerns everyone: Office of Inspector General staff, Departmental employees, and the general public. We actively solicit allegations of any inefficient and wasteful practices, fraud, and abuse related to Departmental or Insular area programs and operations. You can report allegations to us in several ways.



***By Mail:***

U.S. Department of the Interior  
Office of Inspector General  
Mail Stop 4428 MIB  
1849 C Street, NW  
Washington, D.C. 20240

***By Phone:***

24-Hour Toll Free 800-424-5081  
Washington Metro Area 703-487-5435

***By Fax:***

703-487-5402

***By Internet:***

[www.doioig.gov](http://www.doioig.gov)