lishment or operation of interagency motor-vehicle pools or systems on the basis of optional use by executive or other Federal agencies.

SEC. 11. *Supplementary regulations*. The Administrator shall, after consultation with the executive agencies concerned and with due regard to their program activities, issue such supplementary regulations of general applicability to the executive agencies concerned as are necessary for the effective and economical operation of pools or systems under the Act [probably means the Federal Property and Administrative Services Act of 1949].

DWIGHT D. EISENHOWER.

§ 602. Authority to establish motor vehicle pools and transportation systems

(a) IN GENERAL.—Subject to section 603 of this title, and regulations issued under section 603, the Administrator of General Services shall—

(1) take over from executive agencies and consolidate, or otherwise acquire, motor vehicles and related equipment and supplies;

(2) provide for the establishment, maintenance, and operation (including servicing and storage) of motor vehicle pools or systems; and

(3) furnish motor vehicles and related services to executive agencies for the transportation of property and passengers.

(b) METHODS OF PROVIDING VEHICLES AND SERVICES.—As determined by the Administrator, motor vehicles and related services may be furnished by providing an agency with—

(1) Federal Government-owned motor vehicles;

(2) the use of motor vehicles, under rental or other arrangements, through private fleet operators, taxicab companies, or local or interstate common carriers; or

(3) both.

(c) RECIPIENTS OF VEHICLES AND SERVICES.—The Administrator shall, so far as practicable, furnish motor vehicles and related services under this section to any federal agency, mixed-ownership Government corporation (as defined in chapter 91 of title 31), or the District of Columbia, on its request.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1121.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
602	40:491(b) (related to establishment).	June 30, 1949, ch. 288, title II, §211(b) (related to establishment), as added Sept. 5, 1950, ch. 849, §5(c), 64 Stat. 583; Sept. 1, 1954, ch. 1211, §2, 68 Stat. 1126.

Subsection (a)(1) is substituted for ''in respect of executive agencies, . . . consolidate, take over, acquire, or arrange for the operation by any executive agency of, motor vehicles and other related equipment and supplies for the purpose of establishing motor vehicle pools and systems to serve the needs of executive agencies'' for clarity and to eliminate unnecessary words.

In subsection (c), the words ''mixed-ownership Government corporation'' are substituted for ''mixed ownership corporation'' for consistency with chapter 91 of title 31. The words ''chapter 91 of title 31'' are substituted for ''the Government Corporation Control Act'' in section 211(b) of the Federal Property and Administrative Services Act of 1949 because of section 4(b) of the Act of September 13, 1982 (Public Law 97–258, 96 Stat. 1067), the first section of which enacted Title 31, United States Code.

§ 603. Process for establishing motor vehicle pools and transportation systems

(a) DETERMINATION REQUIREMENT.—

(1) IN GENERAL.—The Administrator of General Services may carry out section 602 only if the Administrator determines, after consultation with the agencies concerned and with due regard to their program activities, that doing so is advantageous to the Federal Government in terms of economy, efficiency, or service.

(2) ELEMENTS OF THE DETERMINATION.—A determination under this section must be in writing. For each motor vehicle pool or system, the determination must set forth an analytical justification that includes—

(A) a detailed comparison of estimated costs for present and proposed modes of operation; and

(B) a showing that savings can be realized by the establishment, maintenance, and operation of a motor vehicle pool or system.

(b) REGULATIONS RELATED TO ESTABLISHMENT.—

(1) IN GENERAL.—The President shall prescribe regulations establishing procedures to carry out section 602 of this title.

(2) ELEMENTS OF THE REGULATIONS.—The regulations shall provide for—

(A) adequate notice to an executive agency of any determination that affects the agency or its functions;

(B) independent review and decision as directed by the President of any determination disputed by an agency, with the possibility that the decision may include a partial or complete exemption of the agency from the determination; and

(C) enforcement of determinations that become effective under the regulations.

(3) EFFECT OF THE REGULATIONS.—A determination under subsection (a) is binding on an agency only as provided in regulations issued under this subsection.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1122.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
603(a)(1)	40:491(b) (related to determination).	June 30, 1949, ch. 288, title II, §211(b) (related to determination), (c), (e), as added Sept. 5, 1950, ch. 849, §5(c), 64 Stat. 583; Sept. 1, 1954, ch. 1211, §2, 68 Stat. 1126.
603(a)(2)	40:491(e).	
603(b)	40:491(c).	

In subsection (b)(1), the words ''within ninety days after the effective date of this section'' are omitted as obsolete.

§ 604. Treatment of assets taken over to establish motor vehicle pools and transportation systems

(a) REIMBURSEMENT.—

(1) REQUIREMENT.—When the Administrator of General Services takes over motor vehicles or related equipment or supplies under section

602 of this title, reimbursement is required if the property is taken over from—

(A) a Government corporation; or

(B) an agency, if the agency acquired the property through unreimbursed expenditures made from a revolving or trust fund authorized by law.

(2) AMOUNT.—The Administrator shall reimburse a Government corporation, or a fund through which an agency acquired property, by an amount equal to the fair market value of the property. If the Administrator subsequently returns property of a similar kind under section 610 of this title, the Government corporation or the fund shall reimburse the Administrator by an amount equal to the fair market value of the property returned.

(b) ADDITION TO ACQUISITION SERVICES FUND.—If the Administrator takes over motor vehicles or related equipment or supplies under section 602 of this title but reimbursement is not required under subsection (a), the value of the property taken over, as determined by the Administrator, may be added to the capital of the Acquisition Services Fund. If the Administrator subsequently returns property of a similar kind under section 610 of this title, the value of the property may be deducted from the Fund.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1122; Pub. L. 109–313, § 3(h)(5), Oct. 6, 2006, 120 Stat. 1736.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
604(a)	40:491(g).	June 30, 1949, ch. 288, title II, § 211(g), (h), as added Sept. 5, 1950, ch. 849, § 5(c), 64 Stat. 583; Sept. 1, 1954, ch. 1211, § 2, 68 Stat. 1128.
604(b)	40:491(h).	

AMENDMENTS

2006—Subsec. (b). Pub. L. 109–313 substituted ''Acquisition Services Fund'' for ''General Supply Fund'' in heading and text.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109–313 effective 60 days after Oct. 6, 2006, see section 6 of Pub. L. 109–313, set out as a note under section 5316 of Title 5, Government Organization and Employees.

§ 605. Payment of costs

(a) USE OF ACQUISITION SERVICES FUND TO COVER COSTS.—The Acquisition Services Fund provided for in section 321 of this title is available for use by or under the direction and control of the Administrator of General Services to pay the costs of carrying out section 602 of this title, including the cost of purchasing or renting motor vehicles and related equipment and supplies.

(b) SETTING PRICES TO RECOVER COSTS.—

(1) IN GENERAL.—The Administrator shall set prices for furnishing motor vehicles and related services under section 602 of this title. Prices shall be set to recover, so far as practicable, all costs of carrying out section 602 of this title.

(2) INCREMENT FOR REPLACEMENT COST.—In the Administrator's discretion, prices may include an increment for the estimated replacement cost of motor vehicles and related equipment and supplies. Notwithstanding section 321(f) of this title, the increment may be retained as a part of the capital of the Acquisition Services Fund but is available only to replace motor vehicles and related equipment and supplies.

(c) ACCOUNTING METHOD.—The purchase price of motor vehicles and related equipment, and any increment for estimated replacement cost, shall be recovered only through charges for the cost of amortization. Costs shall be determined, and financial reports prepared, in accordance with the accrual accounting method.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1123; Pub. L. 109–313, § 3(h)(6), Oct. 6, 2006, 120 Stat. 1736.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
605	40:491(d).	June 30, 1949, ch. 288, title II, § 211(d), as added Sept. 5, 1950, ch. 849, § 5(c), 64 Stat. 583; Sept. 1, 1954, ch. 1211, § 2, 68 Stat. 1127; Pub. L. 95–506, Oct. 24, 1978, 92 Stat. 1756.

AMENDMENTS

2006—Subsec. (a). Pub. L. 109–313, § 3(h)(6)(A), substituted ''Acquisition Services Fund'' for ''General Supply Fund'' in heading and text.

Subsec. (b)(2). Pub. L. 109–313, § 3(h)(6)(B), substituted ''321(f)'' for ''321(f)(1)'' and ''Acquisition Services Fund'' for ''General Supply Fund''.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109–313 effective 60 days after Oct. 6, 2006, see section 6 of Pub. L. 109–313, set out as a note under section 5316 of Title 5, Government Organization and Employees.

§ 606. Regulations related to operation

(a) IN GENERAL.—The Director of the Office of Personnel Management shall prescribe regulations to govern executive agencies in authorizing civilian personnel to operate Federal Government-owned motor vehicles for official purposes within the States of the United States, the District of Columbia, Puerto Rico, and the territories and possessions of the United States.

(b) ELEMENTS OF THE REGULATIONS.—The regulations shall prescribe standards of physical fitness for authorized operators. The regulations may require operators and prospective operators to obtain state and local licenses or permits that are required to operate similar vehicles for other than official purposes.

(c) AGENCY ORDERS.—The head of each executive agency shall issue orders and directives necessary for compliance with the regulations. The orders and directives shall provide for—

(1) periodically testing the physical fitness of operators and prospective operators; and

(2) suspension and revocation of authority to operate.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1123.)