



DEPARTMENT OF THE AIR FORCE
WASHINGTON DC



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MEMORANDUM FOR DISTRIBUTION C
MAJCOMs/FOAs/DRUs

FROM: AF/A1

SUBJECT: Air Force Guidance Memorandum Establishing Van Pool Mass Transportation Benefit Program (MTBP) Outside of the National Capital Region (ONCR)

By Order of the Secretary of the Air Force, this Air Force Guidance Memorandum immediately establishes policy which governs the use of a transportation incentive for van pools ONCR. Compliance with this Memorandum is mandatory. To the extent the directions are inconsistent with other Air Force publications, the information herein prevails, in accordance with AFI 33-360, *Publications and Forms Management*.

This guidance applies to individuals at all levels, including civilian employees, Active Duty military, Air Force Reserve and Air National Guard.

The attachment provides the program guidance.

Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of in accordance with Air Force Records Information Management System (AFRIMS) Records Disposition Schedule (RDS).

This Memorandum becomes void after one year has elapsed from the date of this Memorandum, or upon publishing of a new instruction or manual permanently establishing this guidance *DoDI 1000.27*, whichever is earlier. My point of contact is Veronica Smalls, Compensation and Workforce Management Division, (240) 612-4350 or veronica.b.smalls.civ@mail.mil

DANIEL R. SITTERLY, SES, SAF/MR
Acting Assistant Secretary
(Manpower and Reserve Affairs)

Attachment

CHAPTER 1 GENERAL INFORMATION

1.1. Overview. Executive Order 13150, dated 21 April 2000, established tax exempt subsidies for the Federal workforce utilizing mass transportation in order to reduce traffic congestion and air pollution. As the AF looks to reduce program costs, improve program efficiencies and support the original intent of the program to have more riders in fewer vehicles on the road, the following policy is established to strengthen the internal control environment.

1.2. Purpose. In accordance with DoDI 1000.27, Mass Transportation Benefit Program (MTBP), this memorandum establishes AF policy governing the use of van pools ONCR.

1.3. Applicability. AF military and civilian personnel, whether funded by Active, Guard, or Reserve appropriations, as well as non-appropriated fund civilians ONCR. Also, applies to AF Reserve Command units and the Air National Guard ONCR. ONCR is defined as the 50 states, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

1.4. Policy. The AF shall provide mass transit benefits to van pool riders to offset commuting cost to the extent authorized by law and regulation, to reduce pollution and traffic congestion, preserve the environment, and expand transportation alternatives ONCR. (T0)

1.4.1. As a commuter highway vehicle, van pools may qualify as a transportation fringe if the criteria for Qualified Means of Transportation (QMOT) is met. Van pools participating in the Mass Transportation Fringe Benefits Program must adhere to Internal Revenue Code 26 United States Code (USC) 132F, Qualified Transportation Fringe. (T0)

1.4.2. In accordance with 26 CFR 1.132-9, to be considered a QMOT the van pool must seat a minimum of 6 passengers (not including the driver), and must have at least 50% of the adult seating capacity of the vehicle (not including the driver) used for the transportation of employees to and from work representing 80% of the usage of the van. Known as the 80/50 rule. (T0)

1.4.3. Personally Owned Vehicles (POV), rental vehicles, personal carpools, ride sharing by individual riders often referred to as "slugs," employee purchased vans that do not meet the requirements under Title 26 U.S.C. Section 132.

1.5. Definitions and Glossary. See Parts I & II of DoDI 1000.27, October 28, 2008.

1.6. References. DoDI 1000.27, MTBP, October 28, 2008; Department of Army MTBP ONCR Program Policy, Procedures and Guidelines, July 2013.

CHAPTER 2

ROLES AND RESPONSIBILITIES

2.1. HQ AF MTBP Action Officer (AO). Executes policy, provides guidance, and has overall responsibility for MTBP as outlined in the DoDI. Responsibilities specific to the AF include, but are not limited to:

2.1.1. Develops or revises directives, guidance, instructions and other program information based on DoD instructions, Department of Transportation (DOT) guidance, and other regulations and laws as required. Ensures compliance with applicable guidance identified in the references and this guidance.

2.1.2. Provides general support for MAJCOM, NGB, and AFR program managers with questions regarding policy/procedures, reimbursements, program objectives and responsibilities, and internal controls.

2.1.3. Reviews and certifies agreements between the AF and DOT for program support/services. Ensures programming and funding support.

2.2. Installation Commander. Shall appoint an installation Program Manager (PM) and/or Reviewing Official (RO) to provide support for the administration of the local MTBP as needed for effective operations. (T0) The PM may serve as the RO. See DoDI 1000.27, Enclosure 2, section 7.

2.2.1. The installation PM will assist the Commander and the RO in carrying out the functions list in Enclosure 2, section 8. (T0) The PM should also:

2.2.1.1. Maintain a list of van pool vendors utilized by agency participants, to include the name of the driver or operator, van pool business name, address, and phone number. The list of van pool vendors, with driver and operator identified, should be cross referenced and validated to ensure consistency and accuracy with van pool participants receiving the transit benefit. (T1)

2.2.1.2. Review monthly logs to determine compliance to governing regulations and laws. Recoup expenses that cannot be recouped by returning fare media or deducting the amount the participant receives in future months for repayment to be made to the AF. (T1)

2.2.1.3. Maintain an internal tracking system of participants. Review reports to verify eligibility, compliance and commuting costs. Keep all application documents in secure location for 3 years. (T1).

2.2.1.4. Notify participants and/or supervisor in writing of the policy requirement to adjust benefits for actual commuting expenses when records show no adjustment due to vacations, holidays, etc., or for funding or certification discrepancy. (T1)

2.3. Federal Van Pool Provider/Vendor. An entity which contractually offers the use of a commuter highway vehicle meeting the van pool qualifications set forth in 26 CFR § 1.132-9 26, Federal Register Vol. 77, No. 250 /December 31, 2012 / Notice 77180, and DoDI 1000.27, Enclosure 5.

2.3.1. The vehicle may be owned or operated by public transit or commercial authorities, or a private vendor in the business of transporting persons for compensation or hire. The purpose is for transporting personnel during their local commute to and from their residence, or commuting origination point, to their place of employment/duty station.

2.3.2. Van pools must meet the 80/50 rule. Van pool providers who fail to meet the 80/50 rule for a given month may be required to repay the AF for the payments received. An exception may be requested in writing to the installation PM for extenuating circumstances. (T0)

2.3.3. Van pool providers are required to provide written certification to the PM that they meet the requirements listed in regulatory guidance prior to participation. (T0)

2.3.4. All van pool riders, whether Federal employees or non-Federal employees, must pay the same rate for van pool services. Providers will furnish a written invoice or contract clearly showing the cost for each participant. (T0)

2.3.5. Van pool providers are not permitted to use benefits to hold participants' seats in a van pool during extended absences.

2.3.6. Van pool providers must prevent the accumulation of excess transit benefits on their accounts. Providers must ensure the timely return of any excess transit benefits to the AF. (T0)

2.4. Van Pool Manager.

2.4.1. Serves as treasurer for the group. Determines the cost per participant, receives vouchers or fare cards and submits to the provider for payment. Receives receipts for van pool riders.

2.4.2. Maintains a van pool log to document, on a daily basis, which participants are using the van pool to commute to and from work. Ensures all benefit participants sign the van pool log at the end of the month to certify that the van pool log accurately reflects the participant's actual riding history. Ensures logs are provided to the PM by the fifth calendar day of the following month for review and maintenance.

2.4.3. Collects copies of signed receipts from van pool riders to document the actual commuting cost for van pool participants. Ensures invoices and receipts are provided monthly to the installation PM to be maintained for 12 months in accordance with AFMAN 33-360.

2.4.4. Notifies the PM if participants are not using the van pool for at least 50% of the working days of the month. Obtains refund from the van pool provider if there is a surplus left on the account or debit card at the end of the month of more than \$200. Assists PM in determining if circumstances require reimbursement from the participants.

2.5. Supervisors. See DoDI 1000.27, Enclosure 2, section 9. (T0)

2.6. Participants. In addition to the guidelines outlined in DoDI 1000.27, Enclosure 2, section 10, participants are also responsible for:

2.6.1. Riding in a qualified van pool for at least 50% of the working days in a month. Recalculating estimated costs on number of days actually utilized the van pool. May be required to repay the AF the pro-rated amount for the entire number of working days that a QMOT was not used.

2.6.2. Paying the cost of holding a seat. Participants are required to notify the installation PM of all changes to their application or extended absences (TDY, jury duty, short term leave, and unforeseen extenuating circumstances).

2.6.3. Reviewing, verifying and signing logs and receipts/invoices for van pool manager by agreed upon date.

2.6.4. Ensuring excess funds are returned to the AF, if the balance on the van pool account is more than \$200.

CHAPTER 3

PROGRAM OVERSIGHT AND PROCEDURES

3.1. Program Management and Oversight. To prevent waste, fraud, and abuse, internal controls shall include those set forth in DoDI 1000.27, Enclosure 3. (T0)

3.2. Participant Eligibility. To be eligible to participate in the MTBP, participants must meet the criteria outlined in Enclosure 4 of the DoDI. (T0)

3.3. Commuting Costs. In accordance with DoDI 1000.27, the installation PM has the authority and responsibility to determine the reasonableness of commuting costs.

3.3.1. Participants are responsible for estimating monthly commuting costs in accordance with guidance provided at Enclosure 7, or verifying estimates of the van pool provider.

3.3.2. Van pool providers that charge per seat and the cost remains the same when ridership increases or decreases and issue individual invoices and receipts for each participant, the actual commuting cost for that individual should equal the amount on the invoice or receipt.

3.3.3. Van pools providers that issue one invoice or receipt for the entire van pool, the actual commuting cost for each individual should equal the total amount of the invoice or receipt divided by the number of seats in the vehicle regardless of whether those seats are currently occupied by a rider. Mass transit benefits may not be used to offset the cost of empty seats in a van pool. (T0)

3.4. Submission of Claims. Claims are submitted in accordance with the criteria at Enclosure 8, DoDI 1000.27. Claims for reimbursement are limited to a small number of employees whose mode of transportation does not accept the debit card.

3.5. Prohibition. Misuse of transit benefits are subject to appropriate administrative action, including discipline and disqualification from the MTBP.