

State Government Fleet Compliance with the Energy Policy Act of 1992

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Introduction

The U.S. Department of Energy (DOE) is responsible for implementing and enforcing the Alternative Fuel Transportation Program (Program), which encompasses the regulations found in 10 CFR Part 490. DOE promulgated these regulations, which affect certain state government and alternative fuel provider fleets, in 1996, pursuant to the Energy Policy Act (EPAAct) of 1992 (see 42 U.S.C. §§ 13251, 13257), and has amended them several times since. Because of the fleets covered under it, the Program is sometimes referred to as the State and Alternative Fuel Provider (S&AFP) Fleet Program.

EPAAct and the Program regulations require that in the course of a model year, which runs from September 1 of the previous calendar year through the following August 31, a percentage of the nonexcluded light duty vehicles (LDVs) that covered state government and alternative fuel provider fleets acquire each model year must be alternative fuel vehicles (AFVs).¹ Covered fleets also are required to submit to DOE an annual report documenting their compliance with the AFV-acquisition requirements; the report must indicate the number of nonexcluded LDVs acquired during the model year and provide specific information on the fleet's newly acquired AFVs. Annual reports are due to DOE by December 31 and cover the previous model year's acquisitions.

Although all states are in compliance with the Program's requirements, some individual state government fleets may be unaware that they are covered under the Program. Some fleets already reporting to DOE may not fully understand the regulatory requirements. In addition, state fleets that at one time were not covered under the Program may subsequently become covered if they expand their fleet size or move their fleet's location. In other cases, fleets that downsize or change locations may no longer be subject to the Program's requirements.

Therefore, DOE has developed self-audit procedures to facilitate state government fleets' compliance with the Program. DOE believes that state officials are in the best position to perform fleet audits, and that self-audits are the most efficient and least intrusive means of ensuring compliance. While DOE does not have authority to require states to conduct self-audits, EPAAct authorizes DOE to audit the records of state government fleets.

The procedures recommended in this document are based in part on procedures that Maryland state officials have used. Maryland's Office of Legislative Audits reported the results of a self-audit in a January 2002 document, "*Performance Audit Report: Compliance with the Federal Energy Policy Act of 1992 and Use of Alternative Fuel.*" To DOE's knowledge, Maryland is the only state to have conducted a formal review of its fleets for compliance with EPAAct. DOE encourages other states to undertake similar self-audits to increase compliance with EPAAct and has prepared this document to facilitate such compliance reviews and audits.

DOE is committed to working with covered state government fleets to help them attain compliance. In addition to providing this self-audit guidance, DOE is available to assist state officials in setting up their audits and to answer any questions that may arise during those audits.

¹ Besides acquiring AFVs, covered state government and alternative fuel provider fleets may satisfy their annual AFV-acquisition requirements by acquiring specified electric vehicles, making certain investments, purchasing biodiesel in blends of B20 or higher for use in medium- or heavy-duty vehicles, and/or applying banked AFV credits.

1. Overview of EAct Coverage & Requirements

The goals of EAct include reducing U.S. dependence on imported oil and reducing greenhouse gas emissions. EAct's focus on targeted fleets is designed to increase demand for AFVs and alternative fuels. Unlike other regulatory programs that focus on environmental benefits or energy efficiency gains, EAct's transportation provisions are primarily intended to replace petroleum consumption through alternative fuel use.

The Program regulations apply to alternative fuel providers and state entities that meet certain criteria. State entities include agencies, departments, and colleges and universities that are part of the state government. Some state fleets mistakenly believe that the regulations only apply to state agencies. Section 507(o) of EAct, however, extends coverage to "State government fleets, including agencies thereof, but not municipal fleets . . ." 42 USC § 13257(o). Thus, some state government entities are potentially covered by the EAct AFV-acquisition provisions, even if they are not classified as state agencies. The Program regulations also cover most publicly funded university and college systems because they are established by the state, receive state funding, are situated on state property, and/or their governance is often prescribed by state law; many, of course, operate large light-duty vehicle fleets.

1.1 Specific Regulatory Provisions

- **Determining Coverage (10 CFR 490.2 – key definitions):** The Program covers state government "fleets" that meet the following three criteria: (1) the state government entity controls 50 or more LDVs within the United States that are not excluded vehicles;² (2) at least 20 of those nonexcluded LDVs are operated primarily within an area defined as a Metropolitan Statistical Area (MSA) or a Consolidated MSA (CMSA);³ and (3) those 20 or more vehicles are centrally fueled or "capable of being centrally refueled"⁴ (see Figure 1).
- **AFV-Acquisition Requirements (10 CFR 490.201):** "Covered" state entities must ensure that 75% of their annual LDV acquisitions are light-duty AFVs. Fleets that were previously not covered come into the program in the following model year at the 75% acquisition level. As noted earlier, a model year runs from September 1 to August 31 (10 CFR 490.2).
- **Annual Reports (10 CFR 490.205):** Covered state government fleets must file an annual report with DOE by December 31.

To be in compliance, the covered state entity must provide data showing that it acquired the requisite number of AFVs during the model year. In addition to acquiring AFVs, fleets may satisfy up to 50% of their AFV-acquisition requirements by purchasing biodiesel (or renewable diesel) for use in medium- or heavy-duty vehicles in blends that contain at least 20% or more neat biodiesel fuel (i.e., B20/RD20 or higher). Certain investments in alternative fuel infrastructure and non-road equipment or emerging technology vehicles operated on alternative fuel are also eligible for credit. Fleets also may acquire AFV credits from other fleets or use their own banked credits, or they may apply AFV credits earned through the acquisition of non-AFV electric vehicles.

- **Single Report (10 CFR 490.205):** DOE prefers that each state complies with EAct as a single entity, meaning a single, aggregate report that encompasses all of the state's covered fleets. However, states may decide to have individual covered state fleets or groups of covered state fleets comply and report on their own.

If a state decides to change its method of reporting, it must notify DOE. For states that file a single or consolidated report, all state owned or operated vehicles used in an MSA or CMSA are considered part of

² Excluded vehicles include emergency, law enforcement, national security, and nonroad vehicles, vehicles that are parked at private residences when not in use, and vehicles used for testing and evaluation purposes.

³ Geographical areas with populations of 250,000 or more as determined by the 1980 census; DOE has published a list of those areas, and the list is available on the Program Web site (as well as in Appendix A to Subpart A of 10 CFR Part 490).

⁴ "Capable of being centrally fueled" means that a vehicle can be fueled at least 75% of the time at a location that is owned, operated, or controlled by the fleet or covered person, or at a location that is under contract with the fleet or covered person for fueling purposes. 10 CFR 490.2.

the same fleet for purposes of reporting and compliance. Therefore, the annual report the state submits should include all state fleet vehicles acquired for use in an MSA or CMSA. State fleet vehicles that are not used within an MSA or CMSA do not have to be reported. As mentioned above, newly acquired LDVs do not have to be counted or reported if they are “excluded vehicles.”

- **Making up Credit Deficiencies (10 CFR 490.206 – Violations; 10 CFR 490.603 – Prohibited Acts; 10 CFR 490.604 – Penalties and Fines):** Fleets that fail to meet their AFV-acquisition requirements must eliminate the credit deficiency or face potential enforcement action, which may include the assessment of monetary penalties. Fleets may acquire banked AFV credits from other fleets to resolve a deficiency. The Program allows fleets that earn AFV credits (by exceeding the AFV-acquisition requirements in a particular model year) to bank those credits or sell them to other fleets. (Note that fleets may not bank or transfer biodiesel fuel use credits.) A number of state fleets currently have excess AFV credits.
- **Exemptions (10 CFR 490.204):** In some instances, state government fleets may apply for a partial or full exemption from their AFV-acquisition requirements. Fleets that acquire vehicle models that are not available as an AFV or that do not have access to alternative fueling stations or suppliers may apply for exemptions. Under the Program regulations, fleets must request and receive exemptions from DOE *each year*, because the availability of AFVs and fueling infrastructure changes. Under no circumstances should fleets be self-exempting vehicles. Fleets that receive exemptions from DOE also must submit an annual report, and vehicles that qualify for exemptions must be included in the fleet’s report as nonexcluded LDVs. If exemptions are granted, DOE will modify the fleet’s annual report to account for the exemptions. Detailed guidance describing the procedure for filing exemption requests is located in the Guidance Documents section of the EPAct website (epact.energy.gov/guidance-documents). This guidance spells out the process DOE uses to consider exemptions, as well as a fleet’s need to consider all available compliance options, including maximizing the use of biodiesel, before submitting an exemption request.

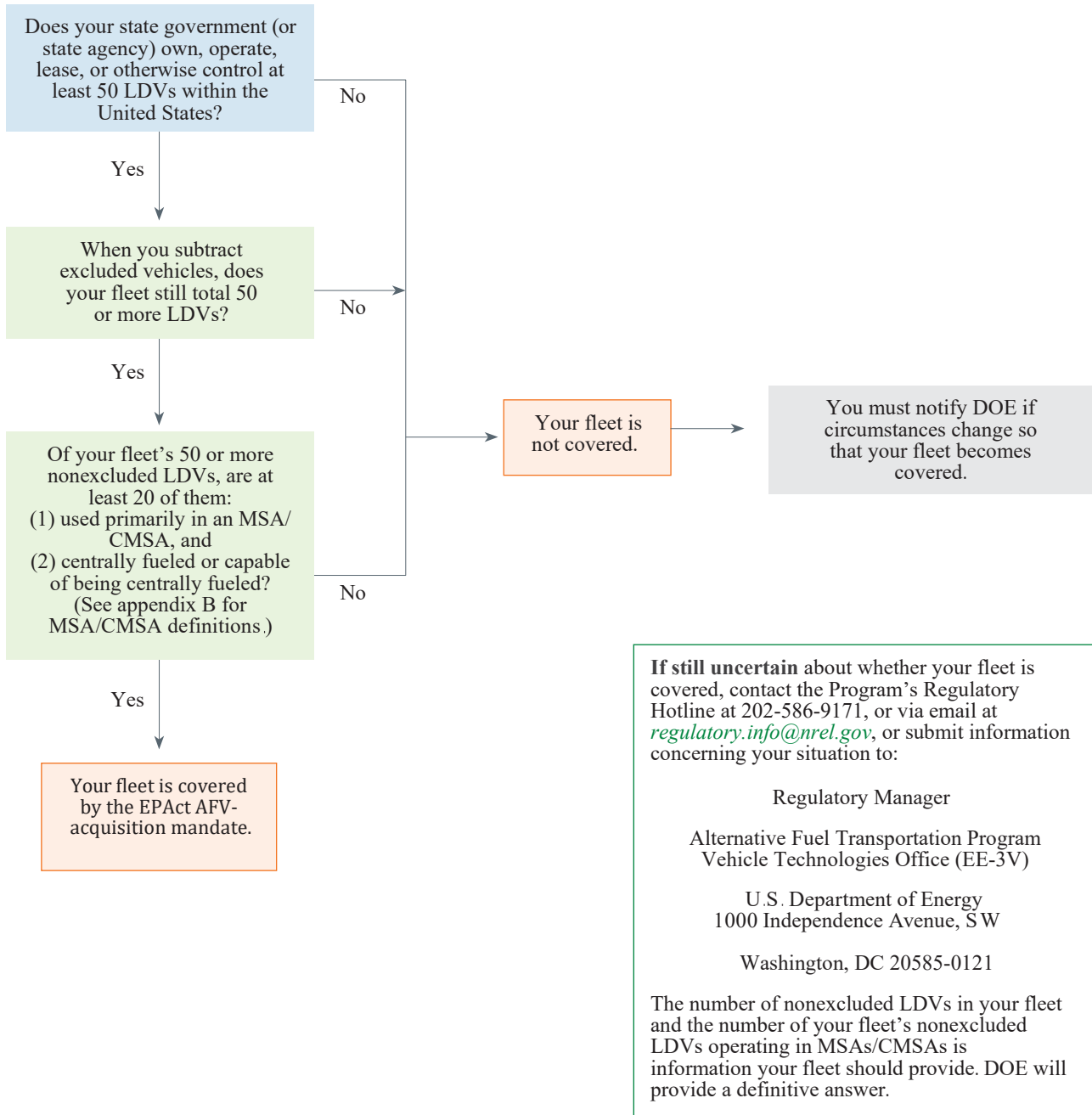
Key Documents to Review

- Standard Compliance: Guidelines to Help State and Alternative Fuel Provider Fleets Meet Their Energy Policy Act Requirements (epact.energy.gov/pdfs/standard_compliance.pdf) and (epact.energy.gov/pdfs/compliance_tool_user_guide.pdf)
- S&AFP Fleet Program: Frequently Asked Questions (epact.energy.gov/faqs)
- Earning Biodiesel Fuel Use Credits Under Standard Compliance (epact.energy.gov/pdfs/biodiesel_guidance.pdf)
- Requesting an Exemption from Standard Compliance (epact.energy.gov/exemptions)
- Legislation and final rulemaking documents (epact.energy.gov/statutes-regulations)
- 10 CFR Part 490.

All of the above documents and additional information to help fleets determine their coverage status and how to comply with EPAct and the Program requirements are located on the EPAct website (epact.energy.gov).

Figure 1. Decision Tree for State Government Fleets

Use this decision tree to determine whether your fleet is covered. If you still are uncertain about your fleet’s coverage, contact the Alternative Fuel Transportation Program staff (see text box, this page).



2. Objectives of a State Self-Audit

A state conducting a self-audit of its fleet should evaluate whether: (1) state guidance to fleets is accurate and complete; (2) state fleet administrators are aware of the S&AFP Fleet Program regulations (10 CFR Part 490); (3) all fleets that meet the criteria for coverage are participating and complying with the S&AFP Fleet Program regulations; (4) fleets are accurately determining their AFV-acquisition requirements; and (5) the state government entity or entities in charge of collecting and assessing vehicle acquisition data and reporting it to DOE are doing so properly.

2.1 Step-by-Step Procedures for an Audit

The self-audit process includes the following steps:

1. Select the authority that will conduct the audit
2. Identify contact information for state fleets
3. Review state guidance materials and information provided to state fleets for accuracy and completeness (DOE can help with this)
4. Review state reporting procedures and forms to determine if they collect appropriate and accurate information
5. Survey individual fleets to determine whether they understand the S&AFP Program's requirements and assess whether potential compliance problems exist
6. Audit the records of fleets that appear to be problematic and/or randomly audit selected agencies
7. Review any problems that are discovered and recommend solutions to ensure that they do not recur.

Use *steps 1–5* to review specific programs and steps the state has put into place to ensure that programs are consistent with DOE's regulations. *Step 6* involves auditing fleets to ensure that they accurately determine their obligations under EAct, satisfy their acquisition requirements, and properly report.

Step 1—Select an Auditor

The state should identify an appropriate governmental entity or entities that will coordinate the state fleet audit. The state entity conducting the audit should be familiar with the regulatory requirements of EAct and have a detailed understanding of state fleet programs. If the state has an entity that regularly audits state government entities and agencies to determine compliance with state or federal regulations, that entity may be the appropriate one to conduct the audit. It also may be appropriate, however, to have the state entity that handles energy or transportation issues conduct the audit.

Step 2—Identify State Agency Contacts

Regardless of which state government entity conducts the audit, the next step is to compile a list of state entities and agencies, including the names and contact information of fleet administrators. In a state that does not file a single annual report with DOE, the review of individual state fleets may be limited to fleets that own or operate 50 or more LDVs. While state government entities or agencies with fewer vehicles than 50 LDVs need not be surveyed or audited, it is recommended that the state survey and audit fleets that are close to 50 vehicles (e.g., 40–49 vehicles) to verify the actual number of vehicles in their fleets and to determine if future expansion plans could result in coverage. Other criteria may be used to further limit the scope of fleets covered by EAct, but DOE suggests that the state survey all government fleet entities that own or operate 50 or more LDVs.

It is also necessary to identify and contact the various entities or agencies responsible for procuring state vehicles, providing instructions to fleets on how to comply with EAct, and collecting data from the fleets to assess and report EAct compliance to DOE. The auditors should schedule meetings with the officials responsible for these functions to identify materials that have been used and to learn what information is available on state purchasing practices. Take notes during these meetings to ensure an accurate record of what was addressed.

Step 3—Review State Guidance Materials

State officials conducting an audit should review all state materials that relate to the S&AFP Program, including letters, guidance documents, and other materials that the state has prepared and sent to fleets. It is possible that the State Energy Office, General Services Administration, State Department of Transportation, and, in some cases, the entity or agency charged with overseeing environmental issues have distributed EAct-related information to state government fleets. Officials should review materials provided to determine its accuracy and completeness. In addition, they should determine whether the materials provided to state fleets are consistent with guidance documents DOE prepared, if there are any errors or omissions in the information presented, and whether instructions are clear and unequivocal. DOE is available to help state authorities review and evaluate this information. In collecting the information, auditors should attempt to learn how the information is distributed and to whom.

Step 4—Review State Reporting Procedures and Forms

The entity conducting the audit should review the process used for collecting, analyzing, and reporting fleet data. If the state uses DOE's FCVT/101/Form to collect information, there is no need to review the form or the instructions. If the state uses its own forms to collect information, review the forms to ensure it is easy for users to enter data accurately. Also check to determine whether the entity or agency in charge of collecting information checked the vehicle identification numbers of reported vehicles, whether the calculations used to determine AFV-acquisition requirements are correct, and whether quality control measures are implemented to ensure that only creditable vehicles are included before the data is transcribed into DOE's online reporting tool to complete the state's report. The fourth step generally applies only to states that file a single annual report. Where individual fleets file reports with DOE, they are expected to follow DOE's instructions for reporting and use DOE's online reporting form.

Step 5—Survey Fleet Administrators

The entity conducting the audit should survey fleet managers to determine whether they understand the EAct requirements and to identify fleets that may be out of compliance with the S&AFP Program's requirements. The survey also should help state authorities determine whether their efforts to educate fleets on the Program's requirements are working (see Figure 2 for an example of a survey for fleet administrators). The survey below is designed to address the coverage and compliance of individual fleets in states that do not file a single or consolidated report. If the state files a single report, DOE suggests the agency or entity responsible for collecting data and reporting use the checklist in the attachment to this document to ensure proper reporting and compliance. The attachment also includes a survey form for states that file a single or consolidated report.

The survey in the attachment is a slightly different version of the survey below. States that file single or consolidated reports are reminded to ensure that they collect and report information on all agencies or entities that own or operate LDVs that are used in the covered Metropolitan Statistical Areas (MSAs) or Consolidated MSAs. In the case of states that file a single report, all state owned or operated vehicles used in a covered MSA or CMSA are considered part of the same fleet for purposes of reporting and compliance. In addition, state-wide reports or consolidated reports should collect and report information on all newly acquired covered vehicles, not simply information on vehicles the state leased or acquired for individual fleets.

Figure 2. Survey questions for fleet administrators

1. Did you know the Energy Policy Act of 1992 requires certain state government fleets to acquire alternative fuel vehicles (AFVs) when they acquire light duty vehicles (LDVs)?
 - Yes _____
 - No _____

2. The AFV-acquisition requirements for state government fleets are set out in the Alternative Fuel Transportation Program, 10 CFR Part 490. Have you received any materials, including guidance, letters, or reports, discussing this Program and how it works? If so, please describe:

3. Does your state government entity or agency own or operate 50 or more LDVs (8,500 GVWR or less)? Do not count nonroad vehicles, emergency or law enforcement vehicles, vehicles that are garaged or parked at personal residences when not in use, and vehicles that are acquired solely for research or testing purposes.
 - Yes _____
 - No _____

4. If your entity or agency owns 50 or more LDVs, are 20 or more of these vehicles used primarily in one of the state's covered metropolitan statistical areas (MSA) or consolidated MSAs?⁵
 - Yes _____
 - No _____

5. If 20 or more LDVs are located in a single MSA or CMSA, are these vehicles centrally fueled or capable of being centrally fueled? "Capable of being centrally refueled" means that a vehicle can be fueled at least 75% of the time at a location that is owned, operated, or controlled by the fleet or covered person, or at a location that is under contract with the fleet or covered person for fueling purposes. Most vehicles (except those that travel on very long trips and only infrequently return to a central location) are considered to be capable of central fueling under the existing definition.
 - Yes _____
 - No _____

6. Are any of the fleets under your control currently submitting an annual report to DOE's S&AFP Fleet Program or to a state agency for the purpose of it submitting the information to DOE?
 - Yes _____
 - No _____

⁵ The survey form should include a list of covered areas. This information is available on the DOE EPA Act Web site at eere.energy.gov/vehiclesandfuels/epact/state/progs/dyn_msa.cgi.

Answer Questions 7–9 if the answer to Question 6 is “Yes.”

7. When reporting nonexcluded LDV acquisitions, do you include all newly acquired vehicles or only those for which AFVs or alternative fuel supplies are available?
 - Report all nonexcluded LDVs __
 - Report only LDVs for which AFVs or alternative fuel are available _____
8. Has your fleet ever received a notice that it was out of compliance?
 - Yes _____
If yes, what was the reason(s) for noncompliance?
 - No _____
9. Please describe any back-up or supporting records or data that your fleet maintains to substantiate information submitted to DOE or the state.

Step 6—Audit Problematic Fleets and Randomly Audit Other Fleets

Examine the responses to the survey questionnaire, and determine which fleets require additional attention. Audit any fleets that are unaware of the Program’s requirements or appear to be “covered” but are currently not reporting to DOE. In addition, audit any fleets that have received a noncompliance notice from DOE. DOE recommends that at least six different state entities are selected for audit. This may include a combination of fleets that performed poorly on the survey and a few random selections. When analyzing fleet data, review data for the past three consecutive and completed model years in comparison to the reports submitted to DOE (if they exist). Approach the appropriate official at each of the six government entities (in person or by telephone, depending on the circumstance) to examine the fleet’s vehicle-purchasing documents and inventory records. Be sure to address the following questions:

- Is the auditor thoroughly familiar with the fleet’s reported data before making contact?
- Does the number of AFVs and other, creditable vehicles the fleet reported agree with the actual acquisition data?
- Does the number of LDVs reported accurately represent all nonexcluded LDVs?
 - Has the fleet incorrectly excluded some vehicles that do not in fact qualify as excluded vehicles?
 - Has the fleet self-exempted any vehicles due to a lack of AFV or alternative fuel availability?
 - Has the fleet accounted for all LDVs that are primarily operated in covered MSAs or CMSAs?

Determine why there is any discrepancy between reported data and actual motor vehicle purchasing and inventory data. Address the following questions:

- Was there a misunderstanding by the fleet of the types of data required?
- Was a vehicle incorrectly reported as an AFV?
- Were the numbers entered into the proper place on the reporting form?
- Were the acquisitions of AFVs and other, creditable vehicles reported for the correct year?
- Were some LDVs improperly excluded?
- Were some vehicles exempted without requesting an exemption from DOE?

Discuss the audit findings openly with the coordinating state entity or agency to gain further insight into problem areas and receive their recommendations for procedural changes. Address the following questions:

- Is there a lack of communication between the fleet and the S&AFP Fleet Program?
- Is better guidance on EAct requirements needed from the Program?
- Should the state entity or agency improve its annual instructions to fleets regarding EAct compliance?
- Would fleet managers and operators benefit by additional training on how to determine “covered” status, fleet compliance, etc.?

Prepare a short report to summarize the results of the audit. Address the following questions:

- Have the auditors included the pertinent data in the report to verify any areas of noncompliance?
- What conclusions can be drawn from the audit regarding reasons for the discrepancies found?

Step 7—Develop a Plan to Address Compliance Problems

The auditors should work with the fleets to develop a strategy that resolves past compliance problems and avoids future compliance problems. The auditors should also correct any problems disclosed as a result of reviewing guidance and reporting materials used by state fleets.

Further Steps

Discuss results of the state program audit, survey, and individual fleet audits with officials from DOE’s S&AFP Fleet Program. Identify ways DOE can provide better guidance or work with state officials to better educate fleet managers.

Attachment A: Checklist for State Audits

Step	Description	Checklist	Date of Completion	Notes
1	Select an agency or governmental unit that will conduct the audit			
2	Identify State Agency and Entity Contacts (including State universities and colleges) Identify individual fleet contacts—fleet managers or department heads Identify contacts at state entity responsible for acquiring vehicles Compare list of fleets with DOE list of state fleets to determine non-reporting entities			
3	Review materials Determine if guidance documents developed by state for individual fleets are accurate Determine if guidance documents developed by individual fleets are accurate Seek DOE assistance in reviewing these documents for accuracy			
4	Review State reporting procedures and forms Determine if fleets are using DOE reporting form or a state form If state has its own forms, review the forms to ensure that all relevant information is collected Determine if fleets are properly calculating requirements (e.g., not self-exempting vehicles, only excluding allowed vehicles) Determine if procedures are used to verify the quality and accuracy of data			
5	Survey State fleet managers* Send questionnaire to fleets identified in Step 1			
6	Review results of survey Determine fleets that need additional review, including: Fleets that are unfamiliar with program Fleets that have large number of vehicles but are not currently reporting to DOE Fleets that indicate unusually small number of vehicles for their size and mission Fleets that have past Program violations and/or deficiencies			
7	Audit fleets identified in Step 6 Visit fleets to review inventory records Compare inventory records with reports submitted to DOE (if fleet is reporting) Determine if there are compliance problems (e.g., excluding covered vehicles, failure to report to DOE, self-exempting vehicles) Debrief with fleet manager(s) to determine why problems exist Summarize results of audit Develop plan to address problem areas			

* If state agencies and entities file individual reports, this survey can be limited to agencies or entities that have 50 or more LDVs. If the state files a single report or a partially consolidated report, all agencies with any LDVs operating in any of the covered MSA/CMSs should be surveyed.

Attachment B: Checklist for Single or Consolidated State Report Filers

Step	Description	Checklist	Date of Completion	Notes
1	Send out notice in August reminding fleets of reporting obligation			
2	Collect data on all newly acquired light duty vehicles (LDVs < 8,500 lbs. GVWR)			
3	Collect information documenting the reasons any newly acquired LDVs that are excluded			
4	Collect relevant information regarding investments in alternative fuel infrastructure, non-road equipment, and/or emerging technology.			
5	Collect required information on all AFV and other, creditable vehicle acquisitions (VIN numbers, model type, zip code location, etc.)			
6*	Include newly acquired vehicles, including vehicles leased for more than 4 months			
7	Notify DOE if there are any agencies/entities that you know are covered but are not included in state report			
8	Collect data on biodiesel purchased for use (fleets should only report the nonpetroleum portion of biodiesel)			
9	If exemptions are necessary, submit request.			
10	Contact the Regulatory Information Line at regulatory.info@nrel.gov or 202-586-9171 with any compliance questions			
11	Contact the Program's Regulatory Information Line at regulatory.info@nrel.gov or 202-586-9171 if you have any reporting problems or questions			
12	Submit timely report to DOE (on or before 12/31)			
13	Periodically assess status of agency or entity fleets to ensure all covered fleets are reporting			
14	Consider conducting periodic audits of fleets to ensure data quality and compliance			

*Notify DOE if the report does not include vehicles acquired or leased outside of the state procurement process. For example, if the State Department of General Services files a consolidated report, it should include all vehicles the covered fleets acquired, even vehicles not purchased or leased through it.

Attachment C: Survey Questions for Fleet Administrators

(For States that File a Single or Consolidated Report)

1. Did you know the Energy Policy Act of 1992 requires certain state government fleets to acquire alternative fuel vehicles (AFVs) when they acquire light duty vehicles (LDVs)?
 - Yes _____
 - No _____
2. The AFV-acquisition requirements for state government fleets are set out in the Alternative Fuel Transportation Program, 10 CFR Part 490. Have you received any materials, including guidance, letters, or reports, discussing this Program and how it works?

If so, please describe:
3. Does your state government entity or agency operate any LDVs (8,500 GVWR or less) in any of the state's covered metropolitan statistical areas (MSA) or consolidated MSAs? *⁶Do not count nonroad vehicles, emergency or law enforcement vehicles, vehicles that are garaged or parked at personal residences when not in use, and vehicles that are acquired solely for research or testing purposes.*
 - Yes
 - No
4. Are your fleet vehicles that are operated in any of the covered MSAs or CMSAs centrally fueled or capable of being centrally fueled? "Capable of being centrally fueled" means that a vehicle can be fueled at least 75% of the time at a location that is owned, operated, or controlled by the fleet or covered person, or at a location that is under contract with the fleet or covered person for fueling purposes. Most vehicles (except those that travel on very long trips and only infrequently return to a central location) are considered to be capable of central fueling under the existing definition.
 - Yes
 - No
5. Are the LDVs your fleet operated and that are identified above included as part of the state's annual report to DOE's S&AFP Fleet Program or to a state agency for the purpose of it submitting the information to DOE?
 - Yes
 - No

Answer Questions 6–7 if the answer to Question 5 is "Yes."

6. When reporting nonexcluded LDV acquisitions, do you include all newly acquired vehicles or only those LDVs for which AFVs or alternative fuel supplies are available?
 - Report all nonexcluded LDVs:
 - Report only LDVs for which AFVs or alternative fuel supplies are available:
7. Please describe any back-up or supporting records or data that your fleet maintains to substantiate information it has submitted to DOE or the state.

⁶ The survey form should include a list of covered areas. This information is available on the DOE EPAAct Web site at <https://epact.energy.gov/covered-fleets/metropolitan-statistical-areas>

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