

## Legal Authorities

***On your legal authorities page, you must include the sections of the U.S.C., CFR, PL, Acts, etc., that you cite in your supporting statement.***

- ***You may use hyperlinks to the specific sections that you cite (PLEASE DON'T CITE FROM CORNELL LAW, it had been deemed unofficial).***
- ***Contact your legal office if you have difficulty completing your legal authorities page.***
- ***Your legal office must review this document (with all attachments), and compare it to the legal authorities cited in your supporting statement, to ensure that everything is cited correctly.***
- ***Please include the name of the attorney who clears your legal authorities on the clearance listing page for your package.***

Examples:

1. Foreign Service Act of 1980, as amended, in particular [22 U.S.C. §§ 4084](#)
  - a. (a) Establishment The Secretary of State shall establish a health care program to promote and maintain the physical and mental health of members of the Service, and (when incident to service abroad) other designated eligible Government employees, and members of the families of such members and employees.
2. [5 CFR 930.108](#)
  - a. At least once every 4 years, each agency will ensure that employees who operate Government-owned or leased vehicles are medically able to do so without undue risk to themselves or others. When there is a question about an employee's ability to operate a motor vehicle safely, the employee may be referred for a medical examination in accordance with the provisions of part 339 of this chapter.
3. [5 CFR 339.301](#)
  - a. A routine pre-employment medical examination is appropriate only for a position with specific medical standards and/or physical requirements, or that is covered by a medical evaluation program established under this part.
4. [14 FAM 433.1](#)
  - a. The SHEM Motor Vehicle Safety Management Program (MVSMP) provisions in this section shall be implemented to ensure all official vehicles are operated safely. These requirements also apply to personally owned vehicles (POVs) overseas when used for official business.
  - b. Specific safe operation requirements for armored vehicles are disseminated by DS/PSP/DEAV in the Annual Armored Vehicle Maintenance ALDAC available on the DS/PSP/DEAV SharePoint site. Preventive maintenance for armored vehicles must be performed in accordance with these DEAV ALDACs and 12 FAM 386.
  - c. As outlined in 14 FAM 431.6-1 and 14 FAM 435.1, chiefs of mission must incorporate MVSMP requirements into the mission motor vehicle policy to address risks associated with all vehicles owned and operated by agencies under COM authority.
5. [14 FAM 433.4 Medical Certification](#)
  - a. The MVAO must ensure that all chauffeurs and incidental operators are medically certified for driving official vehicles. The post health unit makes determinations of medical fitness in accordance with criteria established by the Bureau of Medical Services (M/MED/EX). Medical certifications are not required for incidental operators only operating POVs for official duties.

- b. Chauffeurs: Chauffeurs must successfully complete post's medical exam and certification before being hired. Based on the examination results, certification will be granted for up to two years, and must be revalidated at its expiration to maintain employment as an operator.
- c. Incidental operators: All incidental operators must receive medical certification before driving an official vehicle. If they provide sufficient information, the post health practitioner may use existing medical exams to determine eligibility for certification. In the absence of existing exam information, a new medical exam must be completed. Based on the examination results, certification may be granted for up to four years. To maintain official vehicle driving privileges, the certification must be revalidated at its expiration. Exception: Any incidental operator driving one of the following vehicle types must have a medical exam and certification renewed not later than every two years:
  - i. Gross Vehicle Weight Rating (GVWR) or 11,341 kg (25,000 lbs.) or more;
  - ii. Vehicles that can transport more than 15 passengers (including the driver); and
  - iii. Vehicles that require placarding for hazardous materials transport.
- d. The health unit is authorized to suspend or revoke a chauffeur's or incidental operator's medical certification at any time consistent with 6 FAM 1944.2, subparagraph a(3).
- e. The MVAO or VAO must maintain records of certification dates and status, and ensure all operators are operating with current medical certification using the "Employees" module in FMIS.

6. [Privacy Act of 1974, 5 U.S.C. § 552a](#)

7. [Genetic Information Nondiscrimination Act \(GINA\)](#)

8. [HIIPA](#) - Health Insurance Portability and Accountability Act of 1996

\*Approved by L/EMP Michael Yohannan 01/10/2024