

**BY ORDER OF THE COMMANDER  
UNITED STATES AIR FORCES IN  
EUROPE**

**UNITED STATES AIR FORCES IN  
EUROPE 51-712**

**28 JULY 2014**

*Law*



**CONTROL PROCEDURES FOR THE  
SUPPLY OF TAX-FREE GASOLINE AND  
DIESEL FUEL IN THE UNITED KINGDOM**

**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

---

**ACCESSIBILITY:** Publications and forms are available on the e-Publishing website at [www.e-Publishing.af.mil](http://www.e-Publishing.af.mil) for downloading or ordering.

**RELEASABILITY:** There are no releasability restrictions on this publication.

---

OPR: Det 1, HQ USAFE

Certified by: Det 1, HQ USAFE  
(Col Matthew Grant)

Supersedes: 3AFI51-701, 1 December 2008

Pages: 9

---

This instruction implements Air Force Policy Directive (AFPD) 51-7, *International Law*. It contains procedures for the supply of tax-free motor fuel to entitled personnel of the United States Force (USF) at United States (US) bases throughout the United Kingdom (UK). The procedures contained herein provide a standardized system within the UK that will ensure adequate internal control throughout the entire program. Strict adherence to this instruction is required as deviations therefrom may result in the withdrawal of this tax-free privilege by the UK government from the US Force in the UK. This instruction applies to personnel permanently stationed or on temporary duty (TDY) in the UK. This instruction provides a basis for punitive action under the Uniform Code of Military Justice (UCMJ) for US Air Force military personnel or administrative action, to include possible revocation of all duty-free privileges for military and civilian personnel. This publication applies to Air Force Reserve Command (AFRC) units, to the Air National Guard of the United States (ANGUS), and to dependents and civilian employees as set forth in paragraph 1. For application of this instruction to Army, Navy, and Marine Corps members and respective civilian personnel, see AER 550-33/CINCUSNAVEURI 5840.17A/USAFEI 51-710, *Local Currency, Motor Vehicles And Related Privileges For U.S. Personnel In The United Kingdom*. **Failure to observe the prohibitions and mandatory provisions of this instruction as stated in [paragraph 7](#) and related subparagraphs by military personnel is a violation of the UCMJ, Article 92, Failure to Obey Order or Regulation. Violations by civilian employees may result in administrative disciplinary**

**action (including loss of logistic support privileges) without regard to otherwise applicable criminal or civil sanctions for violations of related laws.** Civilians may also be subject to criminal prosecution by the host nation for violation of host nation laws. **Violations by US contractor employees will be handled according to host nation laws and the terms of their employment contract.** This instruction requires collection and maintenance of information protected by the Privacy Act of 1974 authorized by 10 U.S.C. § 815. System of records notice F024 AF IL C, *Motor Vehicle Operators' Records*, applies. Ensure that all records created as a result of processes prescribed in this publication are maintained IAW Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of IAW Air Force Records Information Management System (AFRIMS) Records Disposition Schedule (RDS). Refer recommended changes and questions about this publication to the Office of Primary Responsibility (OPR) using the AF Form 847, *Recommendation for Change of Publication*; route AF Forms 847 from the field through the appropriate functional chain of command. This publication may be supplemented, but all direct Supplements must be routed to the OPR of this publication for coordination prior to certification and approval. The authorities to waive requirements in this publication are identified with a Tier number (T-0, T-1, T-2, T-3) following the compliance statement. See AFI 33-360, *Publications and Forms Management*, for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the Publication OPR for non-tiered compliance items.

### ***SUMMARY OF CHANGES***

**This document has been substantially revised and must be completely reviewed.** Major changes include a title change from 3AFI 51-701 to USAFEI 51-712 and the OPR change from 3rd Air Force-United Kingdom (3AF-UK) to Headquarters, United States Air Forces in Europe, Detachment 1, which is referred to throughout this document as United States Air Forces in Europe-United States Air Forces Africa/United Kingdom (USAFE-AFAFRICA/UK). It changes the name of the 3AF Form 435, *3 AF Driving/Fuel Permit* to USAFE Form 435, *USAFE-AFAFRICA/UK Driving/Fuel Permit*. It expands the scope to include disciplinary actions for civilians and contractors if this instruction is not adhered to. Changes also include the addition of the definition of "Dependent Spouse." Finally, it clarifies the entitlement for contractor employees of US-owned companies and expands it for military and civilian members who require a valid Power of Attorney (POA) under certain circumstances.

#### **1. Scope.**

1.1. This instruction implements an agreement with Her Majesty's Revenue & Customs on behalf of the UK government. The agreement is applicable to all elements of the US Force in the UK and other eligible personnel within the confines of US installations. It provides control procedures for providing tax-free motor fuel to US Force personnel.

1.2. Violation of the provisions of this instruction may result in the withdrawal of individual purchase privileges, and subject US Force and Department of Defense (DoD) civilian personnel in the UK to disciplinary action under the UCMJ. Dependents may be subject to adverse actions in accordance with applicable service regulations.

1.3. Civilian personnel are subject to disciplinary action (including loss of logistic support privileges) for violations of these paragraphs according to applicable service regulations on civilian misconduct and adverse administrative actions. Civilians may also be subject to criminal prosecution by the host nation for violation of host nation laws.

1.4. Violations by contractor employees will be handled according to host nation laws and the terms of their employment contract.

## 2. Definitions.

2.1. **Tax-free Gasoline.** Gasoline sold by the Army and Air Force Exchange Service (AAFES) at a price exclusive of UK excise duty and other taxes for the purposes of duty driving.

2.2. **Tax-free Diesel Fuel.** Diesel fuel sold by AAFES at a price exclusive of UK excise duty and other taxes for the purposes of duty driving.

2.3. **Duty Driving.** All driving in support of the US military mission by entitled personnel, as defined in paragraph 3 and related subparagraphs below, done both in the performance of normal duties and in order to serve and participate in other activities organized by, sponsored by, or beneficial to the US Force in the UK. It does not include pleasure driving.

2.4. **USAFE Form 435, USAFE-AFAFRICA/UK Driving/Fuel Permit (DFP).** A controlled card that identifies entitled persons and the vehicles into which tax-free motor fuel for duty driving purposes only may be dispensed. Except for personnel on short-term TDY in the UK as discussed in paragraph 3.1. below, this card, along with a valid military identification (ID) card, must be shown at the service station to authorize the purchase of tax-free motor fuel.

2.5. **Permit Issue Office (PIO).** The office designated by the installation commander or senior military officer at an installation to be responsible for the issuance, records and control of DFPs. Ideally, this will be the same office that maintains records of concession vehicles pursuant to 3 AFI 31-204, *Control of Concession Vehicles within the United Kingdom*.

2.6. **Spouse.** Spouse includes a same-sex spouse as well as an opposite-sex spouse.

**3. Entitled Personnel.** The following personnel are entitled to a DFP, provided they meet the provisions of Paragraph 4 below:

3.1. Military and civilian members of the US Armed Forces permanently assigned or TDY in the UK and their dependent spouses. (Reserve and National Guard Component members are authorized while performing active or inactive duty in the UK). Military and civilian members of the US Armed Forces, including Reserve and National Guard on TDY in the UK for less than sixteen days may present their military ID card and TDY orders verifying their TDY status in the UK as proof of eligibility. It is not required that TDY orders show that a rental vehicle is authorized.

3.2. The dependent spouse of a US Armed Forces member who is performing a remote 12-month unaccompanied tour with follow-on orders to the UK or the dependent spouse who remains present in the UK after completion of a tour of duty within the UK while the US Armed Forces member has deployed on a 12-month remote unaccompanied tour. NOTE: This entitlement is limited to 12 months.

3.3. Civilian employees of US military departments (who are not UK nationals or persons ordinarily resident in the UK), including non-appropriated fund activities thereof, but excluding concessionaires and their employees. Dependent spouses of entitled civilian employees are also entitled to a DFP. Civilian employees must be employed with a US military department for a minimum of 20 working hours a week to be entitled to the DFP.

3.4. US civilians accompanying and serving exclusively with the US Armed Forces.

3.5. Individuals who are entitled to have a DFP but have temporarily relinquished their card for traffic violation processing may be issued a temporary DFP for a period not to exceed 90 days. Such cards shall be identified as "temporary" in the tracking database.

3.6. **Note:** Under certain circumstances, and on an exceptional basis, tax-free gasoline or diesel fuel privileges may be granted to persons who are otherwise not entitled. Privileges may be granted to qualified temporary guardians strictly for the benefit of an entitled dependent when both parents (or the sole parent in a single parent household) of the dependent are deployed or are otherwise outside the UK on official government business. Such cases will be reviewed under separate procedures and applications will require review by the base Staff Judge Advocate and the Director of Legal Services, Det 1, HQ USAFE (USAFE-AFAFRICA/UKJA). Base Staff Judge Advocates should be contacted for further information when such a case may exist.

3.7. Non-British military and civilian members of the North Atlantic Treaty Organization Intelligence Fusion Centre. This shall include the non-British spouse of such personnel.

3.8. Military and civilian members of the US Armed Forces who present a valid POA to operate a vehicle registered to a military or civilian member of the US Armed Forces who is deployed or TDY outside the UK on official duty. Such POA holders may only receive fuel in the other member's vehicle if the POA holder has not exhausted his/her quota of registered vehicles in their own right. For example, per 3 AFI 31-204, the POA holder has registered only one vehicle if married or has registered no vehicle if single. This arrangement is only available for on-base fuel sales and may not be extended to the Off-Base Fuel Program (3AFI 51-702).

**4. Eligibility Requirements.** Entitled personnel must satisfy the following requirements:

4.1. The vehicles concerned must be properly registered IAW applicable regulations. This requirement also applies to vehicles rented by entitled personnel.

4.2. Current British road tax must have been paid on the vehicle, except during any period when the vehicle is exempt from road tax under temporary import regulations or the vehicle is otherwise entitled to be driven on the roads in the UK.

4.3. The vehicle and the driver must be covered by required insurance.

4.4. The entitled person must hold a driver's license or permit which is valid for driving in the UK.

**5. Procedures.**

5.1. Each base in the UK will maintain a complete and current list of all personnel who have been issued a DFP at that base. (T-0) The list will include the person's name, license plate numbers, make and model of vehicles for which they are the registered keeper on the DVLA

Form V5C, *Registration Certificate*. The DFP shall also specify its expiration date. No applications for a DFP will be approved for persons or vehicles not included on this list.

5.1.1. Where an entitled person seeks to document more than two vehicles on a DFP, the entitled person must justify why more than two vehicles are required for duty driving purposes. If an entitled person is unable to provide justification, the PIO shall refuse to document a third or subsequent vehicle.

5.1.2. Members must obtain a memorandum from their unit commander or First Sergeant stating that more than two vehicles are required for duty driving purposes. This memorandum must be presented to the PIO before a third or subsequent vehicle is added to the DFP.

5.1.3. Authorization for four vehicles may be documented on each DFP in the case of entitled personnel owning/keeping more than one two vehicles. If more than four vehicles have been approved and must be documented, additional DFPs may be used.

5.1.4. In the case of an entitled person renting or using a vehicle temporarily because their own vehicle has not arrived in country or is under repair, or is being loaned to another entitled eligible individual, a temporary DFP may be issued for periods up to 30 days. Such records shall be identified as “temporary” in the tracking database. Temporary DFPs may also be issued for the same period when the driving permit has been relinquished to local UK authorities for processing of traffic violations. (T-0)

5.2. **Purchase.** Tax-free gasoline will be purchased at authorized AAFES service station facilities only. DFP (or military/civilian TDY orders, see paragraphs 2.4. and 3.1. above) and ID cards must be shown to the attendant at the time of sale. Tax-free gasoline will only be dispensed into or used by registered vehicles except in unusual cases that may involve the temporary use of a vehicle. Individuals seeking to purchase tax-free gasoline for temporary use vehicles must provide adequate documentation (e.g. car rental agreement, power of attorney, supervisor’s letter, etc.) for the duration of the temporary use.

5.3. **Expiration of DFP.** Personnel will be required to relinquish, account for or have restrictions placed upon the use of their DFP on the following occasions:

5.3.1. When an individual is transferred on Permanent Change of Station (PCS) orders.

5.3.2. When an individual sells or otherwise disposes of any vehicle listed on a DFP.

5.3.3. When an individual’s DVLA Form V5C has expired, is withdrawn, or is otherwise invalidated.

5.3.4. When the relevant conditions under which the DFP was issued no longer apply.

5.3.5. If an individual’s driver’s permit is withdrawn, expires or becomes invalid, the individual’s commanding officer has discretion to determine whether the tax-free fuel privilege should also be withdrawn. A driving permit may be stamped “Revoked” while allowing the fuel permit to remain valid.

5.3.6. If AAFES ration privileges have been revoked by a competent authority, the fuel permit must be specifically revoked and the DFP turned in for re-issuance without listed vehicles.

5.3.7. If an individual breaches any of the requirements of paragraph 7.

5.4. **Pumping fuel without proper documents.** The name, unit, base and supervisor's name of any individual who pumps fuel at an AAFES installation without all necessary documents shall be forwarded to the Security Forces commander of the installation on which the fuel was pumped. The individual's commander will be notified in order to take appropriate disciplinary action. (T-0)

## 6. Control of Driving/Fuel Permits.

6.1. Permit Issue Offices in the UK may issue permits to entitled personnel who satisfy the requirements of paragraphs 3 and 4. In each case an individual USAFE Form 3, *Driver's License/Vehicle Registration Application*, must be prepared and maintained. In addition to personal information and details of vehicles, the application form will have details including the installation-unique identification number of any DFP issued to or canceled on behalf of an applicant. Security Forces commanders are responsible for developing procedures to prevent abuse in the distribution of DFPs. (T-0)

6.2. Each PIO will produce its own DFPs using the USAFE Form 435. Each DFP will have an installation-unique identification number that includes an installation acronym, the year of issue and a serial number. Serials will renew each year. Issuing offices may use any form of serial number conducive to database searching and maintenance. (T-0)

### 6.3. DFP expiration dates:

6.3.1. **Military members:** End of DEROS month.

6.3.2. **Appropriated fund employees:** Common Access Card expiration date.

6.3.3. **Nonappropriated fund and other entitled employees:** One year not to exceed the expiration date on their government-issued identification card.

6.3.4. **Entitled US civilian contractors:** One year not to exceed the expiration date on their government-issued identification card.

6.3.5. **Entitled dependents:** Same as sponsor.

6.4. The DFP must be laminated and made tamper proof.

6.5. The new USAFE Form 435 will be used by the PIO immediately and unused prior versions destroyed. Personnel may replace prior versions with the new USAFE Form 435 at will. Otherwise, use of the new USAFE Form 435 will take place through attrition.

6.6. PIOs will establish and maintain a searchable database to record the disposition of all DFPs held, issued or canceled. USAFE Form 3s will be maintained according to normal disposition rules. Records may be deleted one year after the expiration of a DFP or the recipient has permanently departed the UK. (T-0)

### 6.7. Preparing the USAFE Form 435.

6.7.1. Once all information is entered onto the form, it will be over stamped by the base registrar.

6.7.2. Before releasing the USAFE Form 435 to the individual, it must be cut to size and laminated on both sides.

6.7.3. Any spaces used to identify the vehicles entitled to receive motor fuel that are not used must be completely filled in with a series of capital Xs to prevent tampering (i.e. XXXXXXXXXXX).

**7. Prohibited Activities:** Failure to observe the prohibitions and mandatory provisions of paragraphs 7.1. through 7.4. by military personnel is a violation of the UCMJ, Article 92, *Failure to Obey Order or Regulation*. Violations by civilian employees may result in administrative disciplinary action without regard to otherwise applicable criminal or civil sanctions for violations of related laws. Violations by contractor personnel will be handled according to host nation laws and the terms of their employment contract. **It is forbidden to:**

7.1. Alter, deface, counterfeit or, except as provided for by this instruction, sell, give away, barter, pledge or dispose of a DFP in any manner.

7.2. Sell, give away, barter, pledge or dispose of gasoline or diesel fuel obtained under the provisions of this instruction, or loan a vehicle containing tax-free motor fuel to persons not entitled under this instruction (Paragraph 3.).

7.3. Fill, or permit to be filled, containers of any kind, except the tank that is an integral part of the owner's vehicle, with tax-free gasoline or diesel fuel except small quantities for personal domestic use.

7.4. Pump fuel from any AAFES facility in the UK without having in one's possession the DFP and a DoD Identification card.

**8. Interpretation.** Direct all questions involving interpretation of this instruction to UK base legal offices.

DOUGLAS A. COX, Brigadier General, USAF  
Director, Detachment 1, Headquarters United States  
Air Forces in Europe

## Attachment 1

## GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

*References*

**AFPD 51-7**, *International Law*, 5 February 2009

**AFI 31-204 USAFESUP1**, *Air Force Motor Vehicle Traffic Supervision*, 5 January 2006

**AFMAN 33-363**, *Management of Records*, 1 March 2008

**USAFEI 51-710(I)/AER 550-33/CINCUSNAVEURI 5840.17A**, *Local Currency, Motor Vehicles And Related Privileges for U.S. Personnel in the United Kingdom*, 27 September 2013

**3AFI 31-204**, *Control of Concession Vehicles within the United Kingdom*, 10 March 2005

*Prescribed Forms*

**USAFE Form 435**, *USAFE-AFAFRICA/UK Driving/Fuel Permit*

*Adopted Forms*

**AF Form 847**, *Recommendation for Change of Publication*

**DVLA Form V5C**, *Registration Certificate*

**USAFE Form 3**, *Driver's License/Vehicle Registration Application*

*Abbreviations and Acronyms*

**AAFES**—Army and Air Force Exchange Service

**AFI**—Air Force Instruction

**ANGUS**—Air National Guard of the United States

**DEROS**—Date Estimated Return from Overseas

**DFP**—Driving/Fuel Permit—Identification

**DoD**—Department of Defense

**ID**—Identification

**OPR**—Office of Primary Responsibility

**PIO**—Permit Issue Office

**PCS**—Permanent Change of Station

**POA**—Power of Attorney

**TDY**—Temporary Duty

**UCMJ**—Uniform Code of Military Justice

**UK**—United Kingdom

**US**—United States

**USAFE**—AFAFRICA/UK - United States Air Forces in Europe-United States Air Forces Africa/United Kingdom