

COMMONWEALTH OF PUERTO RICO
OFFICE OF THE GOVERNOR
Office of Transportation

103
Sept. 19, 1957

REGULATION NO. 2

ACQUISITION, USE, MAINTENANCE, SALE, AND ALL OTHER
MATTERS IN CONNECTION WITH MOTOR VEHICLES ASSIGNED
TO THE EXECUTIVE AND JUDICIAL BRANCHES OF THE
GOVERNMENT OF PUERTO RICO

- INTRODUCTION -

SECTION 1. - These regulations are promulgated in conformity with Section 3 of Act No. 49, approved August 4, 1947, as subsequently amended by Act No. 163, approved May 12, 1948, providing that:

"The Office of Transportation shall purchase directly and shall keep under its jurisdiction, administration, and control, all motor vehicles and parts thereof, assigned to the executive and judicial branches, as well as any other supplies and equipment necessary for the operation of the Office of Transportation, and shall, with the approval of the Governor, promulgate regulations for the acquisition, use, maintenance, sale, and all other matters in connection with said motor vehicles. Said regulations shall have the force and effect of law. The Chief of Transportation shall submit to the Governor of Puerto Rico an annual report on the activities of and everything in connection with the motor vehicles under the jurisdiction, administration, and control of the Office of Transportation."

SECTION 2. - Section 3 of Administrative Bulletin No. 6 issued by the Governor of Puerto Rico December 23, 1909, which provides that:

"Each head of department, bureau or office of other official or employee shall be held accountable for the custody, care, preservation, and use of all public property acquired by him by purchase, transfer, assignment, gift, or by any other means, and each officer of employee

Regulation No. 2

aforesaid and his sureties, in the absence of due care or diligence, shall be held responsible for the money value of said public property in the case of loss, improper or unauthorized use, misappropriation, or unreasonable deterioration caused to any property for which he is responsible.

is hereby incorporated into these regulations and made a part hereof.

SCOPE AND PURPOSES

SECTION 3. - These regulations shall govern all transactions connected with the acquisition, use, maintenance, sale, exchange, and all other matters connected with motor vehicles under the jurisdiction, administration and control of the Office of Transportation.

SECTION 4. - The main purposes of the motor vehicle control system are resumed as follows:

- a) To exercise a centralized control over the acquisition of motor vehicles to be exclusively devoted to the official service of The People of Puerto Rico.
- b) Establishment of adequate facilities for the care and maintenance of motor vehicles.
- c) To ensure the most efficient use of the vehicles and prohibit the use of the vehicles and prohibit the use thereof for nonofficial purposes.
- d) To provide the most economic means for their repair, servicing and storage.
- e) To establish procedures for the acquisition, assignment, and exchange of motor vehicles.

- f) To provide sources of information with respect to the investment of funds in motor vehicles which might be useful for the exercise of control and the outlining of norms in regard to the acquisition, use, and operation and maintenance cost, endeavoring as far as possible to reduce unnecessary purchases, and to promote the disposal, sale, and elimination from service of any motor vehicle which may appear unnecessary or the maintenance cost of which is not justified because it is excessively high.
- g) To establish procedures for the systematic inspection of motor vehicles for the purpose of reducing operation and maintenance costs.
- h) To exercise control over all motor vehicles in order to safeguard the investment made in such property.

DEFINITIONS

SECTION 5. - When used in these regulations, the following terms shall have the following meanings:

a) VEHICLE:-

Shall mean any motor vehicle regularly used on streets and roads, such as automobiles, buses, station wagons (pisicorre), jeeps, autobuses, light trucks, distribution trucks, trucks, derricks, towcars, trailers, ambulances, hearses, police patrols, fire engines, motorcycles and other similar types

Office of Transportation

Regulation No. 2

-4-

of vehicles, but excluding specialized automotive equipment.

b) PASSENGER AUTOMOBILES:-

Shall mean any touring car, sedan, coupé, bus, station wagon (pisicorre), carryall, auto-bus, jeep and any other similar type of vehicle exclusively used as a passenger car.

c) OFFICIAL BUSINESS:-

Shall mean that it shall be employed exclusively in the official service of The People of Puerto Rico, and in no case shall this term be construed to mean transportation service between the home and the office or place of work, which transportation is considered as strictly personal.

d) OFFICE OF TRANSPORTATION:-

Shall mean the Office of Transportation of the Insular Government created by Act No. 49, approved August 4, 1947, as subsequently amended by Act. No. 163, approved May 12, 1948.

e) DEPARTMENT:-

Shall mean every department, agency, bureau, board, dependency, commission, institution, or office of the executive and judicial branches of the Insular Government, excluding public corporation, the Land Authority, and the University of Puerto Rico.

f) CONTROL:-

Shall mean norms for the acquisition, custody, care, protection, conservation, and adequate use of the vehicles.

g) CENTRAL GARAGE:-

Shall mean the place devoted by the Office of Transportation to the keeping, repair and conservation of all vehicles under its control.

h) DRIVER:-

Shall mean any person authorized to drive a motor vehicle engaged in the transportation of persons or merchandise for pay as an 'auto-mobile driver' or 'truck driver' and any officer or employee authorized by the Office of Transportation to drive a government vehicle while discharging another office.

TRANSPORTATION SERVICE

SECTION 6. - The Office of Transportation will maintain the number of automobiles that may be necessary to render an efficient transportation service to all departments.

SECTION 7. - The heads of department shall designate the officers or employees who may file transportation requisitions in the Office of Transportation. The designation shall be made by using Auditor Form N. S. 201 (Departmental Record of Authorized Signatures).

SECTION 8. - Whenever a need should arise for transportation on official business, the officer or employee authorized to apply for transportation, with the approval of the head of the department or his authorized representative, shall file a requisition with the Office of Transportation using Form OT-1. This requisition shall be filed with the Office of Transportation two working days in advance of the date for which transportation is requested. The requisition shall specify the place to and the date and hour on which the vehicle shall be sent; the number of passengers who are to travel; the route to be followed; the duration of the trip; the purpose thereof; and the appropriation or item

Regulation No. 2

to which the cost of transportation will be charged.

SECTION 9. - In case of absolute emergency, the requirement of requisition may be dispensed with. In these cases the officer or employee authorized to make the transportation requisition shall do so over the telephone, and shall deliver the requisition to the driver of the automobile reporting for the trip.

SECTION 10. - The Office of Transportation shall furnish whatever transportation may be required by the departments, provided the funds to cover the cost thereof have been encumbered for the purpose in the Office of the Auditor of Puerto Rico, through the filing and approval of Form N. S. 749 ("Transportation Requisition"). The number assigned by the Office of the Auditor to this document, shall appear on all transportation requisitions.

SECTION 11. - The Office of Transportation shall not furnish transportation in the cases where the application is not filed by the officer or employee authorized to apply for transportation, approved by the head of the department or its authorized representative, or when the number of the Office of the Auditor is not stated on the transportation requisition.

SECTION 12. - The officers or employees traveling on official business on vehicles furnished by the Office of Transportation pursuant to the requisition therefor furnished, shall adhere to the route specified. When the automobile is forced to deviate from the official route because of requirements of the service, or because of an emergency, the officer or employee in whose name the trip has been authorized, shall insert a note under his signature on the back of the requisition, stating the reasons which caused the change of route.

SECTION 13. - The drivers of the Office of Transportation shall take with them Form OT-2 ("Daily Movement of Vehicles") where the hours of starting and arrival, the reading of the speedometer at the beginning and the end of the trip, the number of miles run, the hours of

waiting, and the fuel taken in service stations outside the Central Garage, shall be entered. The officers or employees who travel shall sign Model OT-2 certifying that the trip was on official business, and shall also insert the date and the hour they left the automobile, and shall sign the transportation requisition at the proper place, attesting that the service applied for was rendered.

TRANSFER OF VEHICLES

SECTION 14. - Department vehicles shall be transferred to the Office of Transportation immediately after these regulations take effect and there is hereby incorporated to these regulations for the purpose, and made a part hereof, Circular No. 11 of the Office of the Auditor of Puerto Rico, dated February 25, 1949, which provides:

"In harmony with the provisions of Act. No. 163, approved May 12, 1948, and of regulations No. 1 of the Office of Transportation, please direct at the earliest opportunity the documentary and physical conveyance of all motor vehicles appearing on the inventory of that government agency to the Office of Transportation. Such conveyance shall be executed in the manner established in the Manual of Procedure for the Control and Accounting of Property, using Form 785 and setting forth a full description of the vehicle, the motor number, serial number, make of the tires installed, and the spare tires and their corresponding valuation."

"In future, when a motor vehicle is acquired and paid for with funds of the various departments and agencies of the Government, the conveyance to the Office of Transportation shall be executed

immediately upon delivery of the vehicle.

ACQUISITION OF MOTOR VEHICLES, PARTS
AND ACCESSORIES THEREOF, AND ALL OTHER
SUPPLIES IN CONNECTION WITH SUCH
VEHICLES

SECTION 15. - On and after the date these regulations take effect all motor vehicles for the use of the various departments, and the parts and accessories therefor, and all the supplies connected with the care and maintenance thereof, shall be acquired by the Office of Transportation.

SECTION 16. - When any department may have need of a vehicle it shall file an application with the Office of Transportation. The following additional information shall be furnished together with the application:

- (a) Type of vehicle desired.
- (b) Reasons which justify the need of the vehicle.
- (c) Information as to whether it is an additional vehicle to be acquired because of service requirements or if it is to replace a vehicle then in service.
- (d) Name of the division, bureau, institution, project, officer or employee for whom the vehicle is to be acquired.
- (e) Appropriation or item to which the cost of the vehicle shall be chargeable.
- (f) Information as to whether or not a position for the driver of the vehicle is included in the budget.

SECTION 17. - No officer or employee may take any steps for the purchase of vehicles without the prior authority and approval of the Office of Transportation.

SECTION 18. - After the approval of the purchase by the Office of Transportation, the latter shall determine the type of vehicle to be acquired; shall submit the specifications and cost to the proper department; shall request the purchase requisition; and shall make the purchase; PROVIDED, That no purchase of a vehicle shall be made without first determining if there is one available to cover the application received, provided it meets the needs and the specifications.

USE OF THE VEHICLES

SECTION 19. - Any vehicle under the control of the Office of Transportation assigned to the continuous official use of the departments, officials or employees, shall be administered and used for the benefit of The People of Puerto Rico, subject to the limitations imposed by law and the regulations, save the exceptions provided by law. The non-official use of the vehicles, therefore, is hereby prohibited, and the vehicles may not be used privately nor for purposes other than those for which they were acquired.

SECTION 20. - The vehicles under the control of the Office of Transportation may not carry any passenger unless they are travelling on official business or when business of the public interest so requires.

SECTION 21. - No officer or employee of the Government of Puerto Rico may drive a vehicle without a license being issued to him therefor by the Commissioner of the Interior under the provisions of Act No. 279, approved April 5, 1946.

SECTION 22. - The head of the department, or his authorized representatives, shall submit to the Office of Transportation a monthly report showing the daily mileage run by each vehicle assigned for the official use of his department, the fuel used, the value of the fuel used, the cost of the services received for washing, greasing, change of oil in the motor, differential, and transmission in the garages under contract for the performance of said services. Such report shall be

submitted on Form OT-3 'Monthly Report on Use of Vehicle'.

CARE AND MAINTENANCE

SECTION 23. - All motor vehicles under the control of the Office of Transportation shall be washed, greased, and repaired in the Central Garage of the Office of Transportation, and at such place, garages or shops previously authorized by the Office of Transportation.

SECTION 24. - Vehicles under the control of the Office of Transportation shall be kept in the Central Garage and in such garages previously authorized by the Office of Transportation, save in such cases where due to service requirements, the vehicle has to spend the night outside the territory or area it serves.

SECTION 25. - Vehicles under the control of the Office of Transportation shall take gasoline and oil at the Central Garage, and at the service stations or garages previously authorized by the Office of Transportation.

SECTION 26. - All vehicles under the control of the Office of Transportation shall be inspected periodically following the plan of preventive conservation measures outlined by the Office of Transportation. The Chief of Transportation shall enforce the plan as soon as these regulations are approved and become effective.

SECTION 27. - Vehicles under the control of the Office of Transportation shall be removed to the Central Garage to make the regular inspections under the plans of preventive conservation measures.

SECTION 28. - The heads of departments shall designate and shall report to the Office of Transportation the names and offices discharged by the officers or employees who shall be responsible for the proper use, care and maintenance of the motor vehicles assigned for the continuous official use of their respective departments.

SALE OF MOTOR VEHICLES, AND PARTS
AND ACCESSORIES THEREOF AND OF ALL
OTHER SUPPLIES IN CONNECTION WITH
SAID VEHICLES

SECTION 29. - There is hereby created the Board of Awards of the Office of Transportation, which shall be composed of the Chief of Transportation, another officer or employee designated by the Chief of Transportation, and a representative of the Office of the Auditor of Puerto Rico. If any member of the board is separated from service in the Insular Government or is unable to serve thereon for any reason, the respective appointing officer shall designate another person to fill the office. The members shall personally attend the meetings, and two members shall constitute a quorum.

SECTION 30. - The Office of Transportation shall proceed to the sale of all such vehicles under its control as, due to their physical condition, are not rendering an efficient and economic service, and which do not warrant their continuance in operation considering the high cost of such operations.

SECTION 31. - The Office of Transportation shall proceed to the sale of all such vehicles under its control as are unnecessary for the activities of the Office of Transportation itself, or of the departments in which they are in service.

SECTION 32. - The Office of Transportation shall proceed to the sale of all such shop equipment, accessories, or supplies connected with the motor vehicles under its control as may be surplus or unserviceable.

SECTION 33. - All sales made by the Office of Transportation shall be made by public sale; PROVIDED, That if the Board should determine, after the public sale is held, that the bids received are not the most beneficial to the general interest of the government, and should decide to reject any or all bids, the Office of Transportation may sell directly

the property not awarded on public sale.

SECTION 34. - The Office of Transportation may sell to the public corporations, the Land Authority, the University of Puerto Rico, the municipalities, and the Government of the Capital, without requirement of public sale, any such vehicles, equipment, accessories, or supplies, connected with said vehicles as may be declared surplus or unserviceable.

SECTION 35. - The Office of Transportation may sell, without requirement of public sale, any vehicle, equipment, accessory, or material declared surplus or unserviceable, the value of which does not exceed one hundred (100) dollars.

SECTION 36. - The Office of Transportation is hereby authorized and empowered to exchange any vehicles under its control and the parts and accessories thereof, as well as any other material and equipment necessary for the operation thereof, whenever in the judgment of the Chief of Transportation the said transaction would be most beneficial to the public interests.

GENERAL PROVISIONS

SECTION 37. - Any accident occurring in which may be involved one of the vehicles under the control of the Office of Transportation, shall be reported to the Office of Transportation by the quickest medium within the twenty-four (24) hours after the same has occurred; PROVIDED, That the said accident shall be reported immediately to the nearest police station for proper investigation; PROVIDED, FURTHER, That a full and detailed report of the accident shall be sent to the Office of Transportation within forty-eight (48) hours after the accident has occurred. Said report shall be submitted in triplicate, using therefor the official blanks furnished by the underwriter of the vehicles' insurance.

SECTION 38. - All accidents shall be investigated by the Office of Transportation. When, upon investigation, it is found that the accident

occurred through the negligence or carelessness of the driver of the vehicle under the control of the Office of Transportation, the said driver shall be under obligation to reimburse the amount of the loss sustained by The People of Puerto Rico. To cover damages caused to the vehicle, the Chief of the Office of Transportation shall prepare the corresponding account against the driver responsible for the accident.

SECTION 39. - When it is found upon an investigation that the accident occurred due to the driver of the vehicle being intoxicated, such driver shall be dismissed from his position.

SECTION 40. - The Office of Transportation shall make periodic inspections or investigations in the departments to determine if the provisions of the regulations relative to the control of the vehicles are being faithfully complied with, as well as to supervise the operation of the procedures established.

SECTION 41. - All vehicles shall always be subject to inspection by duly authorized inspectors of the Office of Transportation, and the heads of departments shall lend them all manner of cooperation so that the inspections and investigations be made swiftly and efficiently.

SECTION 42. - When as a result of an inspection or investigation it should be found that the regulations and procedures of the Office of Transportation are not duly complied with, the latter shall give notice to the head of the department and report to him at the same time the administrative action taken in conformity with the provisions of Section 5 of Act No. 163, approved May 12, 1948. Copy of the notice shall be transmitted to the Governor of Puerto Rico, to the Office of Personnel, and to the Office of the Auditor of Puerto Rico for pertinent action.

SECTION 43. - When as the result of an inspection or investigation it should be found that The People of Puerto Rico has sustained actual

Office of Transportation

Regulation No. 2

-14-

money loss caused by the improper or unauthorized use, unreasonable or unjustifiable deterioration or any other damage caused to a vehicle due to negligence or carelessness in the custody, use, protection and conservation, the Office of Transportation shall prepare the corresponding account on behalf of The People of Puerto Rico against the officer or employee responsible for the proper use, care and maintenance of the vehicle.

SECTION 44. - The permanent assignment of motor vehicles to departments, officers and employees reasonably requiring the continuous use of motor vehicles shall be subject to the regulations promulgated for the purpose by the Office of Transportation with the approval of the Governor.

SECTION 45. - The provisions of Section 19 and 20 of these regulations as regards the use of vehicles, shall not be applicable to the automobiles assigned to the Office of the Governor of Puerto Rico, to the Attorney General of Puerto Rico, to the Treasurer of Puerto Rico, to the Executive Secretary of Puerto Rico, to the Commissioner of Education, to the Commissioner of Labor, to the Commissioner of the Interior, to the Commissioner of Agriculture and Commerce, to the Commissioner of Health and to the Auditor of Puerto Rico.

SECTION 46. - On and after the effectiveness of these regulations all the drivers of motor vehicles under the control of the Office of Transportation shall be appointed by the Chief of Transportation. Likewise, all transactions of personnel in connection with the drivers shall be made and prosecuted through the Office of Transportation; PROVIDED, That for the enforcement of this provision the heads of departments shall submit to the Office of Transportation such information as may be required of them.

SECTION 47. - All the vehicles under the control of the Office of

Transportation, save those used for secret and confidential assignments connected with the public service, shall have printed on both sides the official seal of the Office of Transportation. Such vehicles assigned for the continuous official use of departments, officials or employees, shall carry, in addition to the official seal, the name of the department, division, bureau or project in which they are serving.

SECTION 48. - All the operations connected with all motor vehicles shall be subject, in so far as applicable, to the accounting procedures prescribed by the Office of the Auditor of Puerto Rico.

SECTION 49. - The Chief of Transportation shall issue such administrative circulars and orders as in his judgment may be necessary for the faithful and strict enforcement of the provisions of Act No. 49, approved August 4, 1947, as subsequently amended by Act No. 163, approved May 12, 1948, as well as of the provisions of these regulations.

San Juan, Puerto Rico, August 18, 1949.

(Sgd.) A. MERCADO REVERON
Chief of Transportation

APPROVED: -

(Sgd.) LUIS MUÑOZ MARIN
Governor of Puerto Rico