

COMMONWEALTH OF PUERTO RICO  
OFFICE OF THE GOVERNOR  
Office of Transportation

108  
Sept. 19, 1957

REGULATION NO. 57-2

REGULATIONS FOR THE ACQUISITION AND SALE OF MOTOR  
VEHICLES AND PARTS THEREOF

ARTICLE 1. - These regulations are promulgated in accordance with section 3 of Act number 49, approved on August 4, 1947, as amended, creating the Office of Transportation of the Commonwealth of Puerto Rico.

ARTICLE 2. - When used herein, the following terms shall have the following meanings:

(a) AUTOMOBILE-

shall mean any two or four door touring car, or any other motor vehicle having a capacity of not more than 6 passenger and used only and exclusively for the transportation of persons.

(b) MOTOR VEHICLE-

shall mean any vehicle propelled by power other than muscular, having a capacity of more than six passengers and used in the transportation of persons; and any other vehicle used for the transportation of materials or things, or having special uses. The term includes motorcycles and motor boats.

(c) AGENCY-

shall mean each of the dependencies (Departments, Agencies, Offices, Boards, Bureaus, Services or independent Commissions) assigned to the Executive and Judicial branches of the Government of the Commonwealth of Puerto Rico. The term does not include the Legislative Assembly, the <sup>203</sup>Public Corporations, or the University of Puerto Rico.

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(d) EMPLOYEE-

shall mean any Government Secretary or any Agency, Office, Board, Service, or Commission Director, and every official or employee of the Executive and Judicial branches of the Government of the Commonwealth of Puerto Rico.

(e) SUPPLIES-

shall mean any material, accessory, spare part, tool, equipment, fuel, or lubricant used in the operation and maintenance of the automobiles or motor vehicles under the control of the Office of Transportation, and for the care, maintenance, and repair of the equipment of the Office of Transportation.

~~ARTICLE 3.~~<sup>307</sup> - After these regulations are in force, the automobiles and motor vehicles for the use of Agencies or employees, as well as the supplies connected with the operation, care, and maintenance thereof, shall be acquired directly by the Office of Transportation, under the provisions hereof, and with the procedures adopted for this purpose by the Chief of Transportation.

ARTICLE 4. - There is hereby created a Board of Awards of the Office of Transportation. The Board shall be composed of three (3) members-namely, The Chief of Transportation (or his Representative) who shall be the Chairman, the Chief of the Finance <sup>103</sup> Division, and the Purchasing Officer.

In case of public sales of automobiles, motor vehicles, or supplies, the third member of the Board shall be the Property Officer of the Office of Transportation who shall replace the Purchasing Officer.

The members shall attend meetings in person, and two (2) shall

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constitute quorum. If any member of the Board resign, be separated from service, or be unable to serve for any reason whatever, the Chief of Transportation shall appoint another official or employee of the Office of Transportation to fill the vacancy.

ARTICLE 5. - Every purchase of an automobile and/or a motor vehicle, and every contract for supplies or services, and every sale, shall be made after receiving bids in public sales; Provided that:

- (a) In case of any purchase which does not exceed six thousand (6,000) dollars or which is to be made immediately by reason of an emergency; or which is to be made from the Government of the United States of America, or the Government of the Capital, or which may be made at a minimum price fixed by a governmental authority, the said purchase may be made in the open market by the Chief of Transportation, without having to call for or receive bids in the manner usual in commercial practice. Likewise, supplies may be purchased in the open market when, after a period of five (5) days in which no bidders have appeared and no bids have been received, the public service requires the purchase of the supplies.
- (b) The automobiles, motor vehicles, or supplies available from only one source may be purchased without having to call for bids. To insure performance of the purchase contract, the Chief of Transportation is hereby authorized to require of the vendor good and efficient security; and he may prescribe the other terms of the said contract, as he may deem appropriate.
- (c) Every purchase or sale requiring bids shall be awarded

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to the lowest responsible bidder in case of purchase, or to the highest responsible bidder in case of sale, considering if they agree in specifications, dates of delivery, and other conditions stipulated in the bidding form; Provided, that in case of purchase bids, the Board of Awards shall consider other factors which, in its judgment, make the acquisition more convenient and advantageous to the Government, <sup>and</sup> independently of the lowest price; Provided, Further, that when the Board of Awards exercises this power to adjudicate the award, it shall state the factors considered for such adjudication.

- (d) The Board of Awards shall have the right to reject each and every one of the bids received after a call, if the Board considers that the bidder lacks responsibility, or if the condition or quality of the automobiles, motor vehicles, or supplies, does not conform with the requirements, or if the prices quoted are considered unreasonable, or if the public interest benefits in any manner by it.

ARTICLE 6<sup>000</sup> - For the official use of employees of the Commonwealth of Puerto Rico, only currently used low-cost automobiles without any special or luxury equipment, except commercial radio, radio-telephone, or any other additional equipment which the Chief of Transportation may deem necessary for public service, may be purchased; Provided, that no automobile whose prices exceeds Two Thousand Eight Hundred (2,800) Dollars may be purchased; Provided, Further, that said price does not include any special equipment; and such automobiles as in the judgment of the Chief of Transportation, with the approval of the Governor, may have to be acquired due to

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special public service needs, shall not be subject to this limitation.

ARTICLE 7. - No automobile or motor vehicle may be replaced before five (5) years of service or before having run eighty thousand (80,000) miles, whatever occurs first, except in cases when an automobile or motor vehicle is partially or totally destroyed because of an accident, or when the Chief of Transportation determines that for just cause it is not convenient to the public interest to keep it in operation.

ARTICLE 8. - The Chief of Transportation shall proceed to sell every automobile, or motor vehicle which, because of its condition, is not rendering efficient service or when its operation at a high cost is not justified. Likewise, the Chief of Transportation shall proceed to sell any automobile, motor vehicle, or supplies not necessary for the activities of any Agency or the Office of Transportation; Provided, that the Agency to which the automobile or motor vehicle is assigned shall be notified at least three (3) months in advance; Provided, Further, that before proceeding to sell the unnecessary automobile or motor vehicle, the Chief of Transportation shall determine if the automobile or motor vehicle may be assigned to another Agency to the advantage of the public interest.

ARTICLE 9. - The Chief of Transportation may sell to the public corporations, the Government of the Capital, Municipal Governments, or the University of Puerto Rico any automobile, motor vehicle, or supply without the need of a public sale; Provided, that the sale shall be effected subject to the provisions of law for such transactions and to the procedures established by the Secretary of the Treasury.

ARTICLE 10. - The Chief of Transportation is hereby empowered to exchange automobiles, motor vehicles, or supplies, in mutual agreement with the agencies to which the automobile or vehicles are

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assigned, if he deems that the transaction is beneficial to the public interest.

ARTICLE 11. - The Chief of Transportation may sell, without need of a public sale, surplus or obsolete or useless automobiles, motor vehicles, or supplies, whose value does not exceed one hundred (100) dollars per unit; Provided, that the employees of the Office of Transportation may not take direct or indirect part in these sales, or in sales made by auction.

ARTICLE 12. - These Regulations repeal Sections 29, 30, 31, 32, 33, 34, 35, and 36 of Regulations No. 2 approved August 18, 1949, and Regulations No. 6 approved February 12, 1954.

(Sgd.) AGUSTIN MERCADO  
Chief of Transportation

Approved:

(Sgd.) LUIS MUÑOZ MARIN  
Governor

I Attest:

(Sgd.) N. ALMIROTY  
Assistant Secretary of State