

GOVERNMENT OF GUAM
Office of the Governor
Agana, Guam

EXECUTIVE ORDER NO. 12 -60

USE OF GOVERNMENT VEHICLES

WHEREAS, Section 3002.1, Government Code of Guam, enacted by Public Law 5- 141, provides:

"Section 3002.1. Same: government vehicles. No government vehicle, whether government-owned or leased, shall be used for other than official purposes. No such vehicle shall be used for the transportation of any government officer or employee between his place of abode and place of employment except in connection with official duties for the convenience of the government. Subject to the limitations imposed herein, the Governor by Executive Order, the Legislature through its Committee on Rules, and the Judicial Council by rule, shall prescribe the use of government vehicles assigned respectively to the Executive Branch, Legislative Branch, and Judicial Branch, and shall take appropriate action to discipline any member of their respective branches who shall violate this section. Such action may be by way of administrative fine, suspension, or removal, and in the case of members of the classified service shall be taken pursuant to the Personnel Law. Such action shall not preclude prosecution for any criminal offense. The provisions of this section shall not apply to any vehicle assigned for the use of the Governor, the Speaker of the Legislature, the Judge of the District Court of Guam, or the Secretary of Guam."

NOW, THEREFORE, pursuant to the authority vested in me therein, and by Section 6 of the Organic Act of Guam, it is hereby ordered and directed as follows:

1. Definitions. As used herein, the following definitions shall apply:

(a) "Government vehicle" includes government-owned or leased vehicles, whether primarily for the transportation of persons or property or both.

(b) "Government" means the Executive Branch, Government of Guam, except as otherwise indicated.

(c) "Employees" includes officers.

(d) "Department" includes any agency or instrumentality of the Government to which one or more government vehicles may be assigned, including the Office of Budget and Management.

(e) "Director" means the head of each department, as defined in (d).

2. Policy. It is the policy of the Government to minimize the necessity of purchasing and maintaining a fleet of government vehicles. To the extent possible, it is urged that employees furnish their own transportation, when on official business, upon a reimbursable mileage basis as authorized. Government vehicles, however, where needed, should be assigned and made available on such a basis as to obtain maximum efficient usage.

3. No government vehicle shall be used for other than official purposes. Official purposes exclude any private use of a government vehicle by any employee. No government vehicle shall be used for the transportation of an employee between his place of abode and place of employment except in connection with official duties for the convenience of the Government. Government vehicles may be furnished for the use of independent contractors performing services for the Government, visiting consultants, and official representatives of Federal agencies.

4. Each Director shall be responsible for the enforcement within his department of Section 3002.1 and this order. Each Director shall determine, when the situation arises, on a specific or continuing basis, when an employee may operate a government vehicle between his place of abode and place of employment, which must, in every case, be in connection with official duties and for the convenience of the Government.

In case of violations, appropriate disciplinary action will be taken by the Director, which shall be pursuant to the Personnel Law with regard to employees in the classified service. With regard to other employees, disciplinary action shall be by fine, suspension, or removal, except that approval of the Governor is required for removal. A fine of a half day's pay, or suspension for a half day, is deemed reasonable in the case of a first offense of average circumstances.

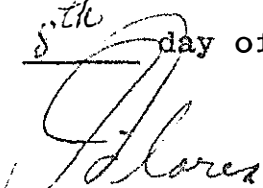
5. All government vehicles, except vehicles mentioned in the last sentence of Section 3002.1, Government Code, suitably marked police and fire vehicles of the Department of Public Safety, and vehicles used in confidential investigative work, shall bear the following designation on a suitable and prominent place of the vehicle:

"Government of Guam
Official Use Only"

Where appropriate, the Department to which a vehicle is assigned may also be designated. The Director of Public Works, or the Director of any Department which maintains vehicles assigned to it, shall take prompt measures to implement this section.

6. This order shall be under the over-all cognizance of the Director of Budget and Management who shall institute and carry out procedures for the proper checking and auditing of the use of vehicles to determine compliance herewith. He shall submit a quarterly report to the Governor, commencing January 1, 1961, including therein any recommendations he may deem advisable.

Issued at Agana, Guam, this ^{8th} day of September, 1960.


JOSEPH FLORES
Governor of Guam

COUNTERSIGNED:


MANUEL F. L. GUERRERO
Assistant Secretary