

(S.B. 515)
(Conference)

(No. 162)

(Approved December 23, 2005)

AN ACT

To establish the obligation of any department, agency, public corporation, office, municipality and dependency of the Commonwealth of Puerto Rico, including the Legislative Branch and the Judicial Branch, to contract only for the purchase of regular gasoline to be used in all official vehicles of the Commonwealth of Puerto Rico, unless the manufacturer otherwise recommends.

STATEMENT OF MOTIVES

The present fiscal situation of the Commonwealth of Puerto Rico, with a structural deficit acknowledged by the Executive Branch, justifies the implementation of cautionary measures leading to a decrease in the distribution of the public funds of the country.

It is estimated that the Government of the Commonwealth of Puerto Rico, through its departments, agencies, offices and other dependencies, including the municipalities and the public corporations, as well as the Legislative and Judicial Branches, annually spends millions of dollars in contracting for the purchase of gasoline to be used in official Commonwealth vehicles. When contracting for such a service no distinction is made between the use of regular gasoline and premium gasoline, which is more expensive, for the official vehicles according to the recommendations of the manufacturer. Furthermore, the use of self-service pumps rather than

having the gasoline pumped by a gas station employee means additional savings. This fact, which must also be seen in context to the high prices of petroleum at the international level, has resulted in a constant increase in the price of gasoline in Puerto Rico, premium gasoline being the costliest.

To such effects it is important to establish this Act in order to guarantee that the monies invested by the Government of the Commonwealth of Puerto Rico for the purchase of gasoline be used to obtain a more economic, but equally productive service, which even more so is similar to the service given to thousand of Puerto Rican families that save by using regular gasoline in their vehicles on a daily basis.

The purpose of this Act is to establish that the public funds for contracting for gasoline services be used only for purchasing regular gasoline at self-service pumps for all official vehicles of the Commonwealth of Puerto Rico unless the vehicle manufacturer recommends otherwise. We shall thus guarantee that this service be contracted at the lowest possible cost both for the benefit of the Puerto Rican taxpayer and for our fiscal economy.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-Title.-

This Act shall be known as the “Gasoline Purchase Contracts for Official Vehicles Act.”

Section 2.-Purpose.-

In order to reduce the operating expenses of the Government of the Commonwealth of Puerto Rico throughout its departments, agencies, offices, municipalities, public corporations and other government entities, including the Legislative Branch and the Judicial Branch, contracts may only be executed for purchasing regular gasoline at self-service pumps to be used by

all official vehicles of the Commonwealth of Puerto Rico, unless the vehicle manufacturer recommends otherwise.

Section 3.-Definitions.-

For the purposes of this Act the following terms shall have the meaning expressed below:

- (a) regular gasoline – means the low-octane gasoline in the market that meets the operating requirements provided by the vehicle manufacturer.
- (b) official vehicle – means all vehicles that run under their own power, designed to operate in the public highways, be it bought, leased, rented, donated, ceded or lent, to be used by the Government of the Commonwealth of Puerto Rico and its departments, agencies, offices, municipalities, public corporations and other government entities, including the Legislative Branch and the Judicial Branch.

Section 4.-Fine and Special Restitution.-

All public officials or employees or private persons who, knowingly or negligently violate the obligation imposed in this Act shall incur an administrative fault and be penalized with a fine of not less than two hundred (200) dollars nor of more than five hundred (500) dollars. They shall furthermore refund from their own money the cost for the service contracted in violation of the provisions of Section 2 of this Act.

Section 4.-Consignment of Collections.-

The funds proceeding from the fines for violations of this Act shall be consigned in the Emergency Fund of the Commonwealth of Puerto Rico.

Section 5.-Effectiveness.-

This Act shall take effect immediately after its approval and shall apply to all contracts dated subsequently to the date of effectiveness of the same.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 162 (S.B. 515) (Conference) of the 2nd Session of the 15th Legislature of Puerto Rico:

AN ACT to establish the obligation of any department, agency, public corporation, office, municipality and dependency of the Commonwealth of Puerto Rico, including the Legislative Branch and the Judicial Branch, to contract only for the purchase of regular gasoline to be used in all official vehicles of the Commonwealth of Puerto Rico, unless the manufacturer otherwise recommends,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 1st of March of 2006.

Francisco J. Domenech
Director