

(S. B. 861)

(No. 34)

(Approved January 24, 2006)

AN ACT

To amend Section 18 of Act No. 164 of July 23, 1974, as amended, to provide that the sum obtained as compensation for damages to vehicles assigned to said Corps, shall be deposited in the Police funds in the case of a claim for damages to an insurance policy for an accident involving a vehicle assigned to the Puerto Rico Police.

STATEMENT OF MOTIVES

The fight against crime concerns all, the Government and the citizenry, reason for which the responsibility of having a better Police force should be shared by all. It is the duty of this Legislature to seek alternatives addressed to directing funds to the Puerto Rico Police, so that they are used in the fight against crime.

Through Act No. 164 of July 23, 1974, as amended, the General Services Administration is empowered to regulate the purchase and disposition of motor vehicles for the agencies of the Commonwealth of Puerto Rico, including the Puerto Rico Police. The purpose of this Act is to establish uniformity in the process of purchases and disposition of motor vehicles. However the application of the law in some cases does not contribute to facilitate the work of Government agencies, as is the case of the Puerto Rico Police.

At present the Puerto Rico Police has a fleet of approximately 7,178 motor vehicles, which are distributed throughout the Island of Puerto Rico. It is the responsibility of the Police to cover all operating and repair

expenses of its vehicular fleet chargeable to the operating budget of said government dependence.

Although the Puerto Rico Police is responsible for covering the repairs and maintenance expenses of its vehicular fleet, if one of these vehicles is damaged in an automobile accident, the Puerto Rico Police defrays its repair expenses, and if there is an insurance that covers said damages, the payment received as compensation is covered into the funds of the General Services Administration.

We find that this administrative practice is contrary to the best interests of the Puerto Rico Police and that it substantially limits the funds available to this Corps to comply with the responsibility to which it is bound by law. To remedy this limitation, it is necessary to amend the Act in order to ascertain that every payment received as compensation for an accident in which a vehicle of the Puerto Rico Police is involved shall be deposited in the operating funds of said Corps and that it may be used as part of its budget.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 18 of Act No.164 of July 23, 1974, as amended, is hereby amended to read as follows:

“Section 18.- Transportation Program

The Administration shall acquire directly through purchase or lease or other means permissible under the laws of the Commonwealth of Puerto Rico and have under its jurisdiction, administration and control, all motor vehicles and any other means of land, air, and maritime transportation and their accessory parts attached to the Executive Branch, as well as any other material or equipment needed for the operation of this program.

(a) The Administrator is authorized to promulgate regulations on:

(1) ...

(2) ...

(3) ...

(4) ...

(5) Standards and procedures through which steps may be taken for the judicial recovery of damages caused to the government fleet of the Executive Branch under its jurisdiction; and to settle administratively the claims for damages to the fleet, through legal tender or in kind, following the procedure established for it by regulations approved by the Secretary of Treasury and the Secretary of Justice. Included with the documents pertaining to every settlement carried out by the Administrator shall be an estimate of the damages caused, prepared by a competent expert, specifying the sum for which said estimate is made. Sufficient photographs demonstrating the extent of the damages caused shall also be included, as well as photographs of those vehicles involved with their respective license plate.

However, when the General Services Administration makes a claim to any insurance policy for an accident which involves a vehicle assigned to the Puerto Rico Police, it shall be bound to reimburse to the Police any sum it receives as compensation.

(6) ...

Section 7.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 34 (S.B. 861) of the 3rd Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 18 of Act No. 164 of July 23, 1974, as amended, to provide that the sum obtained as compensation for damages to vehicles assigned to said Corps, shall be deposited in the Police funds in the case of a claim for damages to an insurance policy for an accident involving a vehicle assigned to the Puerto Rico Police,

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

In San Juan, Puerto Rico, today 5th of June of 2006.

Francisco J. Domenech
Director

