

## EXECUTIVE ORDER NO. 174

### *Regarding the Use and Control of Government Vehicles*

**WHEREAS**, the operations of the National Government must continue on a perpetual basis, twenty-four hours a day, seven days a week, without regard to what is typically understood to be “normal working hours”; and

**WHEREAS**, certain officials, staff, and employees of the National Government, as a corollary, must be able to perform their duties and must be available to respond to calls to duty at any time; and

**WHEREAS**, the nature of the duties of certain officials, staff, and employees of the National Government include activities which might otherwise be confused with private functions; and

**WHEREAS**, for such officials, staff, and employees of the National Government, there is no such thing as “normal working hours;” and

**WHEREAS**, it is in the best interests of the Republic of Palau that those individuals who may be called to duty at any time and who perform their duties outside what is typically understood to be “normal working hours” have ready access to transportation necessary for them to respond to calls to duty; and

**WHEREAS**, it is in the best interests of the Republic of Palau to provide those individuals who may be called to duty at any time and who perform their duties outside what is typically understood to be “normal working hours” individuals access to and use of such transportation; and

**WHEREAS**, there must, as a consequence of the foregoing incontrovertible facts, be some flexibility in the use of vehicles owned and/or controlled by the National Government,

**NOW, THEREFORE**, I order as follows:

1. This Order and Administrative Directive 30-86, as hereby amended and incorporated herein by reference, shall govern the use of vehicles owned or controlled by the National Government and shall supercede all other Orders or Directives regarding the operation of vehicles owned or controlled by the National Government.

2. The text of Section 1 of Administrative Directive 30-86 is amended to read as follows:

With the exception of any vehicle *which is owned or controlled by the National Government and which is used by the President, Vice President, or exclusively* for law enforcement purposes, . . .

a) . . . .

b) . . . .

~~c) All vehicles which are authorized for use outside normal working hours as designated in paragraph 3(b) and (c) shall display a sticker indicating that the vehicle is authorized for use after normal working hours.~~

3. Section 2 of Administrative Directive 30-86 is amended to read as follows:

No vehicle which is owned or controlled, ~~leased or rented~~ by the *National Government* for official use . . . ; nor shall any *such* vehicle be operated ~~after normal working hours unless the said vehicle is in full compliance~~ *except in accord* with this Directive.

4. The heading and text of Sect\*on 3 of Administrative Directive 30-86 is deleted and replaced with the following:

3. *Use of Government Vehicles Outside the Hours of 7:30 A.M. and 5:00 P.M.*

*Vehicles owned or controlled by the National Government may not be used outside the hours of 7:30 A.M. and 5:00 P.M. except in the following circumstances:*

(a) *the vehicle is operated by or is operating at the direction of or is transporting the President, the Vice President, or a Minister of the National Government; or*

(b) *the vehicle is operated by a duly authorized officer for law enforcement purposes; or*

(c) *the vehicle is operated by an individual who has been assigned a vehicle pursuant to the terms of an agreement with the National Government, provided that such individual carries proof of such assignment while operating the vehicle and that such assignment identifies the vehicle being operated as the one assigned to the individual in question; or*

(d) *the vehicle is operated by an individual carrying a valid temporary use permit issued pursuant to section 4, infra, provided that the individual is operating the vehicle in accord with the terms of the permit; or*

(e) *the vehicle is operated by an individual identified on the list maintained with the Minister of Administration and the Bureau of Public Safety pursuant to section 7, infra, as having a bona fide reason for use of a government vehicle outside the hours of 7:30 A.M. and 5:00 P.M., provided that the individual is operating the vehicle in accord with any restrictions associated with the individual's appearance on said list.*

5. The text of Section 7 of Administrative Directive 30-86 is amended to read as follows:

*The President, the Vice President, and each* ~~Each~~ *Minister, or Agency Head, . . . a list of individuals permitted to operate vehicles owned or controlled by the National Government outside the hours of 7:30 A.M. and 5:00 P.M. ~~vehicles which are required for use outside of normal working hours~~* Such certification shall include:

~~a) The license plate number, the property number and description of the vehicle;~~

~~b) A detailed schedule indicating the day(s) and hour(s), justification~~

~~and the purpose of the use of the vehicle outside of normal working hours;~~

~~c) The names of the authorized driver(s):~~

a) *the name, title, and driver's license number of the individual; and*

b) *the reason for permitting the individual to use a vehicle owned or controlled by the National Government outside the hours of 7:30 A.M. and 5:00 P.M.*

*The certification may also contain such restrictions as the certifying official deems appropriate on the use of a vehicle owned or controlled by the National Government, including limiting the use to certain specified vehicles described by license plate number and physical appearance in the certification and/or certain days set forth in the certification and/or certain hours set forth in the certification. Such certification shall be revocable at the discretion of the official providing the certification, and any revocation shall be deemed effective upon receipt of written notice of the revocation by either the Minister of Administration or the Director of the Bureau of Public Safety.*

6. The text of Section 8 of Administrative Directive 30-86 is deleted and replaced with the following:

*The Bureau of Public Safety is hereby authorized and directed to enforce this Directive. The operation of any vehicle owned or controlled by the National Government outside the hours of 7:30 A.M. and 5:00 P.M., other than a vehicle clearly marked as dedicated for law enforcement purposes, shall serve as probable cause for any officer of the Bureau of Public Safety to stop such vehicle and demand proof of authority to operate the vehicle. If such proof is not presented, the vehicle may be impounded.*

*For the purpose of enforcing this Directive, the Bureau of Public Safety shall maintain copies of the list described in section 7, in/ra, in all patrol vehicles and at all locations from which officers of the Bureau of Public Safety are dispatched or through which activities of officers of the Bureau of public Safety are coordinated.*

7. A new section 9 is added which shall read as follows:

9. *Nothing in this Directive or any certification issued pursuant to section 7 of this Directive shall permit or be construed to permit the operation of a vehicle owned or controlled by the National Government in pursuit of purely personal matters.*

**SO DIRECTED** this 9<sup>th</sup> day of March, 2000, at the State of Koror, Republic of Palau.

Kuniwo Nakamura  
President of the Republic of Palau