A BILL FOR AN ACT

To amend title 52 of the Code of the Federated States of Micronesia dealing with Public Employment to create a new “Subchapter VII: Employee Use of Government Resources” with section 601 titled “Government Vehicles,” and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

Section 1. Title 52 of the Code of the Federated States of Micronesia Public Employment is hereby amended to create a new “Subchapter VII: Employee Use of Government Resources” with section 601 titled “Government Vehicles” to read as follows:

“Section 601. Government Vehicles.

(1) National Government Vehicle Use

All FSM national government vehicles shall be used only for the official business of the national government. Only members and staff of the national government with valid FSM government drivers’ licenses are authorized to drive such vehicles.

(a) National Government Vehicle Use During Working Hours.

During workings hours, FSM government vehicles may be released only upon the approval of the Speaker of Congress, the President of the Federated States of Micronesia, the Chief Justice of the Supreme Court or the National Police or by that person’s designee. A log sheet shall be maintained listing information on each
vehicle’s use including the driver’s intended
destination and purpose for usage, the date, time and
mileage of the vehicle at the time of release and the
date, time and mileage of the vehicle upon return of the
vehicle.

(b) National Government Vehicle Use During Non-
Working Hours.

(i) All FSM national government vehicles
shall be parked during non-working hours at such place
or places as may be designated by the President of the
Federated States of Micronesia, the Speaker of Congress,
the National Police or the Chief Justice of the Supreme
Court or by that person’s designee unless being used by
the President, Vice President, National Police, Speaker,
Vice Speaker, Floor Leader, Chief Justice of the Supreme
Court or Associate Supreme Court Justice. No person
other than the President, Vice President, National
Police, Speaker, Vice Speaker, Floor Leader, Chief
Justice of the Supreme Court, Associate Supreme Court
Justices is permitted to drive any national government
vehicle during non-working hours without written
approval of the President of the Federated States of
Micronesia, the Speaker of Congress, the National
Police, or the Chief Justice of the Supreme Court or by
that person’s designee.
(ii) All persons driving a national government vehicle after hours except for the President, Vice President, National Police, Speaker, Vice Speaker, Floor Leader, Chief Justice of the Supreme Court or Associate Supreme Court Justice shall carry on their person written authorization to maintain possession and usage of the national government vehicle after hours signed by the President of the Federated States of Micronesia, the Speaker of Congress, the National Police or the Chief Justice of the Supreme Court or by that person’s designee. Such written authorization shall be presented upon the request of the National Police. If a driver of a national government vehicle is unable to provide written authorization to maintain possession and usage of the national government vehicle after hours, the National Police shall take possession of and secure the national government vehicle.

(iii) The National Police shall report unauthorized usage of government vehicles to the Department of Justice and to the appropriate person: President, Speaker of Congress or the Chief Justice of the Supreme Court so that appropriate disciplinary action can be taken.

(iv) All persons violating this directive shall be subject to appropriate disciplinary action
listed under Title 52: Public Employment Chapter 1: Public Service System Subchapter V: Disciplinary Action.

(c) National Government VIP Vehicle Use.

National government VIP vehicles shall be used exclusively for the transportation of Heads of States and members of the diplomatic corps as requested by the Secretary of the Department of Foreign Affairs or his designee and approved by the President or Vice President or their designee.

(2) Liability for Use of National Government Vehicles.

The person to whom the vehicle is checked out is responsible for all damages or injuries caused by the driver’s negligence including damage to the vehicle itself. In the event of an unauthorized use, the employee is responsible for all damages and injuries regardless of fault.

(3) Maintenance of National Government Vehicles.

Each department, office and executive agency shall be responsible for the maintenance and the provision of fuel and oil for its own vehicles. The Department of Transportation, Communications and Infrastructure shall be responsible to secure the least expensive local repair shop(s) and fuel station(s) to national government vehicles.
(4) **Administration of National Government Vehicle Use.**

The Division of National Police shall monitor the parking and use of national government vehicles. The National Police shall provide security for all vehicles parked in the designated parking areas."

Section 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: 12/9/09

Introduced by: /s/ Dion G. Neth

Dion G. Neth