

A-113  
PROVINCIAL  
ORDINANCE

**Republic of the Philippines**  
**PROVINCE OF BENGUET**  
**La Trinidad**  
**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**REGULAR MEETING - September 1, 1997**

- PRESENT:**
- HON. WASING D. SACLA, Provincial Vice Governor, Presiding Officer
  - HON. JAMES M. MALAYA, Board Member
  - HON. FRANCISCO E. GOLINGAB, JR., Board Member
  - HON. BIAL A. PALAEZ, Board Member
  - HON. MARCIANO T. INSO, SR., Board Member
  - HON. SAMSON C. PARAN, Board Member
  - HON. AGOSTO P. SANTOS, Board Member
  - HON. DANIO L. BOLISLIS, Board Member
  - HON. FERNANDO M. ARITAO, Board Member
  - HON. JAIME A. GALASGAS, Board Member
  - HON. DOMINGO B. BAY-AN, PCL President, Member
  - HON. REDENTOR P. EDOC, SKF President, Member
  - HON. BONY L. TACIO, Liga ng mga Brgy. Pres., Member

**ABSENT:** HON. VICTORINA P. ALIPIT, Board Member (OB)

**PROVINCIAL ORDINANCE NO. 97-40**

**AN ORDINANCE STREAMLINING THE USE OF SERVICE VEHICLES IN ALL THE OFFICES OF THE PROVINCIAL CAPITOL AND FOR OTHER PURPOSES, TO BE KNOWN AS THE "PROVINCIAL SERVICE VEHICLE ORDINANCE", AND PROVIDING PENALTIES THEREOF**

**EXPLANATORY NOTE**

This Ordinance aims to remedy the constant problem of unavailability of service vehicles for other offices and the appropriate utilization of these vehicles in the provincial government of Benguet.

It has been often reported and constantly observed that several service vehicles of the province are seen anywhere else being used by unauthorized persons and employees of the province. These trips are not usually covered by any trip ticket or travel order which means they are not allowed nor permitted by existing laws, rules, or regulations. These are possible with the present set-up since drivers and other personnel of the province brings home these service vehicles even on Saturdays, Sundays and Holidays. Some are even seen in the lowlands or on some occasions on weekends.

With these legitimate observations, it is quite obvious that the provincial coffer is being bombarded with expenses on extra oil, gasoline/diesel, and maintenance or repairs on service vehicles which the province may well save for the much needed service the people need. There is then a necessity to regulate the unauthorized use of provincial vehicles especially those not specifically assigned to a department head or head of office. This will supplement existing laws and regulations applicable to provincial vehicles.



The Provincial General Service Office is mandated under the Local Government Code of 1991, and under existing rules consistent thereto, to "take custody of and be accountable for all properties, real or personal, owned by the province and those granted to it in the form of donation, reparation, assistance and counterpart of joint projects;" (3(i), Section 490, Local Government Code of 1991). It is then the obligation and concern of the PGSO to take over the service vehicles and be accountable for them. In line with this function, the PGSO shall set up a separate service vehicle motorpool area within the capitol compound in order that service vehicles shall always be available to all who may be authorized to utilize them in accordance with this ordinance and other applicable laws, rules and regulations.

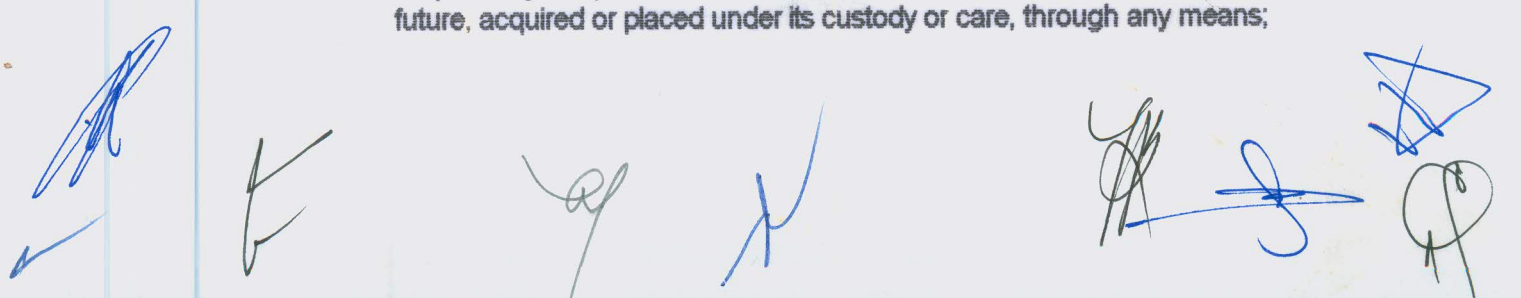
In the recent COA audit of the province for the year 1996, findings of irregularities and unauthorized use of provincial vehicles were documented and reported. Foremost is the non-marking of the phrase "For Official Use Only" and the unofficial use of these service vehicles by officials and/or employees not granted special privileges under existing laws and rules. As verified by the COA, fuel expenditures of the province for the year 1996 amounted to P1,266,902.68 as against P1,147,346.74 in 1995 or an increase of P119,555.94, which increase, in accordance with the COA report, is relatively high considering that plans and programs for 1996 are almost the same with that of 1995. It is also very important to state that the COA recommendations stated the following: "Supplementary to the controls imposed by laws and regulations, THE PROVINCE SHOULD ADOPT OTHER EFFICIENT CONTROL MEASURES/POLICIES APPLICABLE TO THE LOCAL SITUATIONS.(capitalization provided). Likewise, reprimand officials/employees for violations in the use of government vehicles."(Page 15, last paragraph of the COA Report).

Hence, this measure as earlier filed in January 28, 1997, is finally being presented to this august body refined and reformed in accordance with the COA findings and recommendations, for its appropriate action.

AS PROPOSED BY HON. SAMSON C. PARAN, HON. AGOSTO P. SANTOS, HON. FRANCISCO E. GOLINGAB, JR., HON. FERNANDO M. ARITAO AND HON. BIAL A. PALAEZ, and on motion duly seconded, be it

**ORDAINED** by the Sangguniang Panlalawigan of Benguet, in session assembled, the following:

- SEC. 1.** This Ordinance shall be known as the "PROVINCIAL SERVICE VEHICLE ORDINANCE";
- SEC. 2.** Provincial Service Vehicles shall include, but not limited to, all government vehicles assigned to any office or department, employees, and other persons within the Provincial Government of Benguet, whether the same was originally acquired by the province, devolved, transferred, or donated to it, now or in the future, acquired or placed under its custody or care, through any means;





- SEC. 3.** Provincial motor vehicles shall be used strictly and exclusively for official business. The use thereof for private functions such as receptions, parties, excursions, and other personal purposes including the fetching and ferrying of children or any member of the household to and from the school, market or any place thereof is hereby strictly prohibited. The use of provincial vehicles by the spouses, children, relatives, friends, etc., of the officials entitled thereto is also hereby strictly prohibited even if they are in the company of said officials;
- SEC. 4.** All provincial service vehicles, unless exempted in any provision hereof or by other existing laws or regulations, shall be pooled with the Provincial General Services Office. The Provincial Governor shall designate a motorpool area within the provincial capitol where the service vehicles shall be securely parked and guarded under the care and supervision of the GSO; PROVIDED, HOWEVER, that vehicles assigned to the Provincial Engineering Office (PEO) and the Provincial Equipment Management and Services Office (PEMSO) or equivalent office if the same shall be created, which are directly utilized for local public works projects of the province, and ambulances and vehicles exclusively for hospital use, shall be exempted from the pool under this ordinance but shall still be subjected to the other provisions hereof;
- SEC. 5.** The Provincial Governor, the Provincial Vice Governor, and heads of offices in the provincial government shall be entitled to government transportation from residence to office and vice-versa and in connection with civic and semi-official activities beneficial to the public interest in view of the nature of their duties and responsibilities and their official standing in their communities and all vehicles assigned or to be assigned later to them shall not be included in the pool; PROVIDED, HOWEVER, that the Governor shall be assigned three (3) vehicles while the Vice Governor two (2) vehicles and that each head of office shall only be assigned one service vehicle only and all other vehicles previously assigned to them or their respective office shall be included in the pool;
- SEC. 6.** All provincial drivers of service vehicles shall be directly assigned under the PGSO and all their human and budgetary resources and benefits shall be transferred to the PGSO. The GSO shall have general supervision and control over them and shall be responsible for their assignments to their respective vehicles and trips; PROVIDED, that a driver originally assigned to a head of office shall remain in his assignment unless requested otherwise by the concerned head of office. Direct supervision and control over drivers assigned to a head of office shall be vested with the head of office concerned;
- SEC. 7.** All service vehicle drivers shall secure a trip ticket from the GSO for their respective vehicles before any trip within or outside the province shall ever be made unless the same shall be used in emergency or calamity situations. Trip tickets shall only be issued by the GSO based on the trip requests of the concerned head of office for or in behalf of the latter and/or employees under his office. The head of office concerned shall be directly



responsible for every request made by employees under him for the use of any provincial service vehicle. Trip tickets shall strictly be issued only for official business or function and in the form prescribed by existing rules; PROVIDED, however, that for service vehicles exempted from the pool under section 4 hereof and vehicles assigned to heads of offices, including the Provincial Governor and Vice-Governor, the issuance of trip tickets and travel orders shall follow the existing COA and Accounting Rules and Regulations;

**SEC. 8.** Any official or employee who shall utilize any provincial service vehicle, whether the same is pooled in the PGSO or not, shall first secure a written official request from the head of office of his own department. No service vehicle of the province shall be allowed to leave the provincial capitol motorpool garage or compound without the required trip ticket per vehicle per trip. Trips of officials or employees outside the province, other than Baguio City, utilizing any provincial service vehicle shall also be covered by an authority to travel from the Governor; PROVIDED, HOWEVER, that officials and employees receiving commutable transportation allowance in accordance with existing rules are not entitled to the use of any provincial vehicle in the performance of their official duties; PROVIDED, FURTHER, that if one is used by the said official or employee entitled to transportation allowance, a proportionate amount should be deducted from his commutable transportation allowance in accordance with subsection d, Section 317 of the Government Accounting and Auditing Manual (GAAM);

**SEC. 9.** No official, employee, or driver shall bring home any service vehicle any time of the day or night without the required trip ticket. All service vehicles shall be parked at the provincial capitol motorpool when not on official trip and on non-working days and holidays, PROVIDED, HOWEVER, that PEO and PEMSO vehicles shall be parked at the Provincial Motorpool at Wangal, La Trinidad, Benguet or at a government garage provided for the purpose when they are not on official use and during non-office hours and non-workings days and holidays;

**SEC. 10.** No provincial service vehicle, including hospital vehicles and ambulances, PEO and PEMSO vehicles, vehicles for special projects, and vehicles assigned with the Offices of the Governor and Vice Governor, shall be utilized by any other person other than provincial officials and employees granted special privileges under E.O. 31 unless officially approved by the Governor after a written request. In this case, only the GSO shall issue the trip ticket for the utilization of a service vehicle after approval of the request by the Governor and the issuance of an authority to travel, as the case maybe;

**SEC. 11.** Service vehicles assigned to heads of offices, unless otherwise specified in this ordinance, shall remain to be parked at the Capitol Motorpool when not on official use and shall be driven out only by the authorized government driver upon issuance of a trip ticket and/or a travel order, as the case maybe. The same shall be utilized only for fetching and ferrying the head of office concerned to and from his residence and official functions, and the driver shall park the



same in a safe and secured parking area at the residence of the head of office concerned for the whole night unless otherwise used for official function; PROVIDED, HOWEVER, that if a safe and secured parking area is not available at the residence of the head of office, the driver shall return and park the said vehicle in the capitol motorpool for the rest of the day and night;

**SEC. 12.** Repairs and maintenance of provincial service vehicles shall follow the usual government system and procedure except that for pooled vehicles, additional approval of the GSO for their repairs and maintenance shall be secured;

**SEC. 13.** All drivers of service vehicles of the province shall have full responsibility in the operation and care of their respective vehicles. Each driver shall be responsible for the cleaning, washing, simple repairs or maintenance, changing of flat tires, and other daily care of their respective service vehicle;

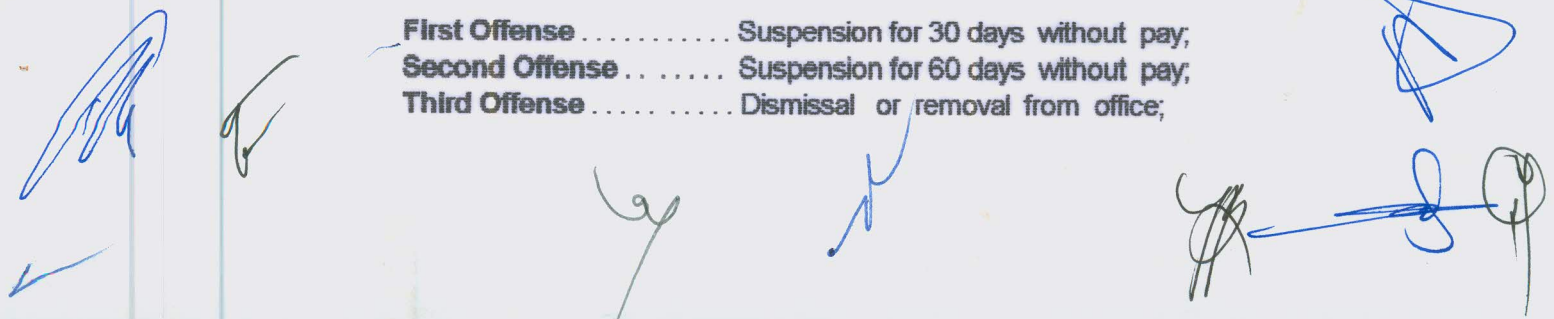
**SEC. 14.** Plantilla positions of provincial drivers which shall be vacated by reason of retirement, resignation, death or any other reasons or cause shall remain to be vacant and shall only be filled up or occupied by drivers who have undergone a favorable performance evaluation for a period of one (1) year as a contractual or casual driver as certified by the Human Resource Management Office (HRMO) in accordance with section 16 hereof. In place of the vacant position, a casual driver shall be hired who shall undergo a one (1) year continuous evaluation period;

**SEC. 15.** All drivers not on trip shall always be available on call within the premises of the Capitol Motorpool during office hours. No driver shall stray out of the said compound without prior permission from the GSO and from the head of office to whom he is assigned. Any driver found to be tipsy, intoxicated, or smelling of liquor, gin, or any intoxicating drink, including prohibited drugs, shall be dismissed from service after due notice and hearing in accordance with existing rules and regulations. Laws on smoking shall also be observed by the driver.

**SEC. 16.** A regular performance evaluation of all drivers shall be undertaken by the HRMO after due consultation and coordination with the head of office concerned every six (6) months from the date of their employment and every 6 months thereafter and the result thereof shall be submitted to the Governor and a copy be furnished the Sangguniang Panlalawigan for information.

**SEC. 17.** Any official, employee, or driver found or caught violating any applicable provision of this ordinance, unless otherwise provided herein, shall be penalized as follows;

- First Offense** ..... Suspension for 30 days without pay;
- Second Offense** ..... Suspension for 60 days without pay;
- Third Offense** ..... Dismissal or removal from office;



**SEC. 18.** If any provision of this Ordinance shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect;

**SEC. 19.** All ordinances, resolutions, executive issuances, provincial rules or regulations, or parts thereof which are inconsistent herewith are hereby repealed or amended accordingly;

**SEC. 20.** This ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

**APPROVED.**

**JAMES M. MALAYA**  
Board Member

**FRANCISCO E. GOLINGAB, JR.**  
Board Member

**BIAL A. PALAEZ**  
Board Member

**MARCIANO T. INSO, SR.**  
Board Member

**SAMSON C. PARAN**  
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PCL President, Member

**REDENTOR P. EDOC**  
SKF President Member

**BONY L. TACIO**  
Liga ng mga Brgy. President  
Member

**CERTIFIED CORRECT :**

**WASING D. SACLA**  
Provincial Vice Governor  
Presiding Officer

**ATTESTED :**

**NOEL S. SABOG**  
Sangguniang Panlalawigan  
Secretary

**APPROVED :**

**RAUL M. MOLINTAS**  
Provincial Governor

Date : 25 SEP 1997