

Evaluation of Government
Vehicle Regulation and Use

Follow-Up Report



**Office of the Public Auditor
State of Yap**



OFFICE OF THE STATE PUBLIC AUDITOR

YAP STATE GOVERNMENT

Federated States of Micronesia

P.O. Box 927, Colonia, Yap FM 96943

Phone: (691) 350-3416 Fax: (691) 350-4987 www.audit Yap.org

EXECUTIVE SUMMARY

In August 2011, we completed an evaluation of the use of government vehicles and conformity with the Yap State Government Vehicle Regulations. Our evaluation revealed a lack of compliance with the vehicle regulations and failure to consistently prepare and maintain proper records. This report presents the results of a follow-up we performed of that evaluation.

The purpose of our follow-up was to determine whether the findings and recommendations contained in our evaluation report have been addressed, and that appropriate corrective action has been taken and is achieving the desired results. Management is responsible for implementing the recommendations contained in the evaluation report or communicating decisions to forego implementing the reported recommendations.

What we found was a flagrant disregard for the Government Vehicle Regulations. More than a year after our evaluation report, remedying the violations and compliance deficiencies has been given little or no attention. Continued lack of adherence to government regulations and rampant disregard for its accountability has resulted in contributing to a growing abuse in the use of government vehicles. Adequate enforcement by public safety and other State officials is sorely lacking. The system of policing and oversight is flawed, and because there is little enforcement, agencies continue to flout the vehicle regulations. This is further worsened by a lack of communication among the agencies mandated to enforce the vehicle regulations. Vital information is not being shared between these agencies, as required by the Government Vehicle Regulations.

As this is a follow-up to a previous report, we did not conduct an exit conference to discuss the results of our review or circulate a draft of this report. This follow-up does not change or modify any of the original findings and recommendations contained in our evaluation report. The accompanying pages include the findings and recommendations contained in our evaluation report dated August 31, 2011, along with the results of our follow-up procedures.

Patrick J. Zacchini, CPA

Acting Public Auditor

December 10, 2012



Pacific Association of Supreme Audit Institutions (PASAI)



Association of Pacific Island Public Auditors (APIPA)

**GOVERNMENT VEHICLE REGULATION AND USE
FOLLOW-UP EVALUATION****TABLE OF CONTENTS****INTRODUCTION**

Background	1
Objective and Scope	3
Methodology	4
Conclusion	4

FINDING AND RECOMMENDATIONS

Finding 1: Vehicle Logs	5
Recommendation	5
Follow-up	6
Finding 2: Trip Tickets	6
Recommendation	7
Follow-up	7
Finding 3: Vehicle Records	7
Recommendation	8
Follow-up	8
Finding 4: Designated Parking	9
Recommendation	10
Follow-up	10
Finding 5: Vehicle Registration	11
Recommendation	11
Follow-up	11
Finding 6: Vehicle Regulations	12
Recommendation	12
Follow-up	12
Finding 7: Enforcement of Vehicle Regulations	12
Recommendation	13
Follow-up	13

APPENDICES

Appendix I: Vehicle Trip Logs	15
Appendix II: Vehicle Trip Tickets	18
Appendix III: Designated Parking	22

GOVERNMENT VEHICLE REGULATION AND USE FOLLOW-UP EVALUATION

INTRODUCTION

Background

Consistent with the Yap State Constitution and public law, Government Vehicle Regulation 1993-01, as amended by State Regulation 2002-03, was established to govern the acquisition, use, maintenance, and disposition of all government vehicles. The Governor is authorized by the Government Vehicle Act to issue regulations for implementing the Act. The regulations cover all departments, offices, and branches of the state government (“agencies”). Additionally, Executive Order 2008-04 lists the designated lots for parking of government vehicles after normal business hours. Finally, a memorandum summarizing the requirements of the Government Vehicle Regulations was issued in 2007 by the then Attorney General.

Under Government Vehicle Regulations, agencies are required to maintain travel logs for vehicles. The logs should include the trip purpose and destination, start and end time, number of miles travelled for each trip, and the name of the vehicle operator. Vehicle use must be for official purposes only. Official purpose is defined by regulation as routine administrative functions or special assignments that are “necessary for or contribute to the efficient and effective operation of the government.”

The use of government vehicles after normal business hours is prohibited unless specifically authorized. Directors, chiefs, and administrators for their agency employees, and the Governor and certain government officials for their staff, may authorize vehicle use after working hours. Unless authorized for after-hours use, all vehicles must be parked in designated areas during weekends and holidays and on weekdays from 4:30 PM to 7:30 AM. That authorization must be written as evidenced by issuance of a trip ticket. The trip ticket contains the vehicle number and description, operator’s name, passengers, if applicable, date and time of expected use, purpose of trip or use, and authorizing signature. Trip tickets must also specify the parking location of the vehicle when not in use. A copy of the trip ticket should be submitted to DPS.

Use of a government vehicle after normal working hours is intended to be temporary in nature and must be for official business purposes. Individuals operating such a vehicle must have a valid driver’s license and a government operator’s I.D. card in their immediate possession. In certain circumstances, the requirement of the possession of a government operator’s I.D. card may be waived by the appropriate agency chief.

GOVERNMENT VEHICLE REGULATION AND USE FOLLOW-UP EVALUATION

Special purpose vehicles such, as police cars, ambulances, fire and utility trucks, and other vehicles made for special purposes, or approved by the Governor for special purposes are exempt from the trip ticket requirements. However, special purpose vehicles must be used only for their intended official purpose(s), and operators are required to have a valid driver's license and a government vehicle operator's I.D. card. Vehicles assigned to the Governor, Lieutenant Governor, Members of the Legislature, State Court judges, and the Chairman of the Councils of Pilung and Tamol are exempted from the government vehicle regulations.

It is the responsibility of agency directors and chiefs to discipline employees who violate government vehicle regulations. In addition, Government vehicles detained and inspected by public safety officials which are found to be in violation of the regulations may be impounded. Moreover, violation of any of the provisions of the Government Vehicle Regulations is a misdemeanor which carries a fine of up to \$500.

Office of Administrative Services (OAS)

OAS is responsible for affixing on all government vehicles, including special purpose vehicles, a state seal with the name of the department or agency to which the vehicles are assigned and, to ensure easy identification of government vehicles, developing and utilizing an appropriate license plate numbering system. OAS also processes and issues operator I.D. cards. Government Vehicle Regulations require OAS to maintain information on operator I.D. cards it issues, and share that information with DPS. Additionally, if an agency continues to violate the regulations, OAS has the authority to repossess a vehicle(s) assigned to an agency.

Department of Public Safety (DPS)

DPS is charged with enforcing the Government Vehicle Regulations by, from time to time, stopping on the road and inspecting government vehicles, especially during the hours of from 4:30 PM through 7:30 AM. DPS may impound vehicles found to be in violation of these regulations. Apart from reporting violations to the appropriate agency officials, DPS is required to also communicate these to OAS and the Attorney General.

Office of the Attorney General (OAG)

OAG issued in February 2012 a memo entitled "Compliance with State Government Vehicle Regulations," albeit not within the 30 days OAG committed to in their written response to our

evaluation (see page 15, Evaluation Report of Government Vehicle Regulation and Use, August 31, 2011). This memo was, among other things, intended to create uniformity and prevent confusion by, for example prescribing a standardized Trip Ticket. The memo stated the standardized trip ticket was shown as an attachment, and also made reference to an attached Vehicle Trip Log. The memo may not have been fully distributed to all agency chiefs. Some agencies indicate they did not get a copy of the memo, others say they got a copy but without the attachment, and still others say they cannot recall receiving the memo. A few agencies have elected to forego using the required standardized trip ticket, or ignore the OAG memo altogether.

Objective

The purpose of our review was to follow-up the actions taken, if any, regarding the findings and recommendations contained in our evaluation report on the Government Vehicle Regulations and Use. Our follow-up review was designed to determine if appropriate corrective action has been taken and is achieving the desired results, or that management has assumed the risk of not taking corrective action on the reported findings. Management is responsible for implementing the recommendations contained in our original evaluation report or communicating decisions to forego implementing the reported recommendations.

Scope

Our follow-up was limited in scope and consisted of only the agencies and divisions that were included in our original evaluation. This comprised 34 divisions spread among 7 agencies, 3 other agencies, and the Fais and Satawal communities. Our scope included reviewing the findings and recommendations contained in our original evaluation report, and the actions, if any, taken to address these. However, we did not perform any detail testing and relied principally on inquiry and observation. Additionally, we did not include in our review special purpose vehicles and other vehicles that are exempt from the Government Vehicle Regulations. Nevertheless, any information that came to our attention during this review that we considered relevant and significant has been included in this report.

We received responses to our original evaluation report from only four agencies. The management responses and our evaluation of those responses have been omitted in this report. The full evaluation report dated August 31, 2011, along with the management responses and our evaluation of the management responses can be viewed on our website at www.audityap.org.

GOVERNMENT VEHICLE REGULATION AND USE FOLLOW-UP EVALUATION

Methodology

In conducting our follow-up, we made inquiries of Public Safety officials and procurement personnel from OAS. We interviewed key agency personnel and those responsible for or involved in the management of their government vehicles, and reviewed travel logs and trip tickets. As described earlier, the OAG issued a memo in connection with the Government Vehicle Regulations. We did not receive a copy of the memo when issued, but requested and obtained an electronic copy from OAG, albeit without the attachment. A copy of the vehicle trip log referenced in the memo was obtained by us from OAS.

Our follow-up was performed in accordance with the Quality Standards for Inspections and Evaluations issued by the Council of the Inspectors General on Integrity and Efficiency of the United States, and pursuant to the authority vested in the Public Auditor as codified under Title 13, Chapter 7, Section 703 of the Yap State Code, which states in part:

“The Public Auditor shall inspect and audit all accounts, books, and other financial records of the State Government, to include but not limited to, every branch, department, office, political subdivision, board, commission and agency, and other public legal entities or non-profit organizations receiving public funds from the State Government, and to prepare written reports of such inspections and audits for presentation to the Governor and the Legislature;”

CONCLUSION

Little or no corrective action has been taken to address the findings and recommendations contained in our original evaluation, and there continue to be lapses in compliance and recordkeeping. Without strong enforcement and stiff penalties for violations, disregard for government vehicle regulations is growing. In order to resolve these conditions, State officials must vastly improve the oversight of agencies and hold top management accountable for adherence to government vehicle regulations. In turn, top management should hold staff accountable to ensure policies and procedures are followed, monitored, and enforced. Agency chiefs and senior management must adhere to the same standards they hold their employees to and themselves avoid actions that are abusive in fact or appearance. Meaningful reform can only occur when leadership is not complicit in the misuse of government vehicles.

GOVERNMENT VEHICLE REGULATION AND USE FOLLOW-UP EVALUATION

Stern enforcement measures and stiff penalties are needed to prevent things from spiraling out of control. Until these conditions are remediated it is likely that the State will continue to experience problems with compliance of the Government Vehicle Regulations.

FINDINGS AND RECOMMENDATIONS

Finding No. 1: Vehicle Logs

Our review of vehicle logs revealed the following:

- Entries consistently fail to record the full name of the operator, often just indicating the operator's first name. Although the regulation merely states the name of the operator is required, the full name should be written in the log.
- Fully half the logs fail to indicate the purpose of the trip.
- Logs failed to record the completion time of trips 45% of the time.
- Forty log entries did not indicate the starting time for each trip.
- Mileage was not entered or, if entered, included only the beginning or ending mileage figure 38% of the time.

There were occasional lapses each in recording the operator name, trip destination, and date of trip on the logs. In addition, log entries often failed to indicate whether the time was a.m. or p.m., notwithstanding it might have been self-evident in many cases.

We also identified indications of possible abuse in the use of vehicles during normal business hours. For example, official business in some cases was listed as "to get my glass," "to take my medicine," "shopping," "home," "lunch," "errands," and "off work" with the destination stated as "home." Additionally, vehicle logs revealed some entries for weekend use with no corresponding authorization (trip tickets).

Recommendation: Re-emphasize to department and agency management the significance of maintaining proper vehicle log records and the importance of complying with public law. Management should also be reminded that assigned vehicles may be repossessed if an agency continually violates government vehicle regulations.

Since use of government vehicles must be for official business only, the purpose of the trip is an important component of the vehicle log. DPS is charged by law with “enforcing these regulations by way of stopping and/or inspecting from time to time vehicles.” A lack of purpose on the log may preclude DPS from determining whether the vehicle is being properly used.

Follow-Up:

Overall, our review of procedures has not shown any improvement in compliance. Except for the State Court, none of the agencies are using the standardized vehicle log prescribed by OAS. Although Government Vehicle Regulations do not require the use of any specific form, the OAS specified log contains all of the required information and appears to be the preference according to a memo issued by the OAG.

OAG in February 2012 issued a memo entitled “Compliance with State Government Vehicle Regulations,” albeit not within the 30 days OAG committed to in their written response to our evaluation report. Based on the results of our follow-up review, this has by and large been ignored by agencies and divisions.

Most of the logs used by agencies are deficient in one or more respects. Some do not contain the number of miles covered for each trip; others fail to include a section for the fuel gauge. The use of vehicle logs is further discussed in the follow-up section under Finding No. 3. Specific details on the use of Vehicle Trip Logs can be found in Appendix I attached.

Finding No. 2: Trip Tickets

Our review of trip tickets issued during a one month period revealed the following:

- We noted 32% of tickets examined were not on file with the DPS patrol desk, indicating they had either been lost or not forwarded to DPS by the relevant agency.
- Tickets for 40% did not specify the parking location of the vehicle when not in use.
- There is no standard form for authorizing off-hours use of vehicles. Each agency has its own design and used its own format for trip tickets.
- The description of the purpose for 43%, though adequate, could be more detailed.

We also identified indications of possible abuse in the use of vehicles outside of normal business hours. The expectation is that this kind of vehicle use would principally be for a few days or a weekend and this is what should be reflected on trip tickets. However, we noted instances in which trip ticket dates authorized use of vehicles for extended periods of time and for purposes which raise questions about its use for official business. Nearly 20% of trip tickets

examined contained dates reflecting extended use of vehicles, in one case for 183 consecutive days. In another instance, the stated business purpose was listed as “to work at the office after working hours” and “vehicle will be parked at the operator’s residence.”

Recommendation: To reduce the likelihood of abuse of vehicle use and ensure trip tickets accurately reflect the nature of and authorized use of vehicles, institute random checks of trip tickets filed with DPS. Additionally, a standard trip ticket form should be developed by OAS, which has the responsibility to “design and revise all official forms required by these regulations” {State Regulation 1993-01, §12, ¶(e)}.

Follow-Up

Of the 10 agencies and Fais and Satawal communities, only 2 are using the OAG standardized trip ticket. Despite OAG’s stipulation that all “departments must now use the standardized ‘Trip Ticket,’” many agencies prefer and continue to use their own formats. Notwithstanding which format was used, in the course of our follow-up we also noted instances in which trip tickets were not prepared correctly or did not include some required information, such as passenger names.

Based on information we obtained through inquiry of agency personnel and perusal of vehicle logs and trip tickets, we noted at least 3 instances in which the chief of an agency or division is operating a government vehicle for commuting or other personal use, and/or where a director or chief of an agency or division is authorizing their own trip tickets. We also noted the issuance of “blanket” trip tickets, or those issued that cover an extended period of time, such as a month or several months. In one case, a trip ticket was issued to authorize the use of a vehicle for 24 hours, 7 days a week for the whole year.

Finally, in a written response to our original evaluation report, OAG pledged to consult with OAS and the Governor “regarding the issue of a random check of trip tickets” et al. We were not able to determine if any consultation has taken place. Accordingly, we must conclude no random checks have been performed and there is little consideration given to implementing them.

Finding No. 3: Vehicle Records

Our evaluation of compliance with government vehicle requirements was limited by the lack of available documents in connection with the following:

- The departments of Youth & Civic Affairs (Media & Protocol) and Health Services (DHS) use one log sheet for all vehicles in their agencies.

- Twenty agencies, roughly 46% of all those assigned vehicles, represent they do not maintain copies of vehicle logs on file. Accordingly, we were not able to examine any vehicle log entries for this group. The list of departments and, if applicable, the specific agencies not in compliance are as follows:

Department of Youth & Civic Affairs – Youth Services
Department of Youth & Civic Affairs – Historic Preservation Office
Environmental Protection Agency – Office
Office of Administrative Services (OAS)
Office of Planning & Budget (OPB)
Department of Public Works & Transportation
Department of Resources & Development – Marine Resources
Department of Resources & Development - Workforce Enrichment Division
Satawal Community
Waab Community Health

- We could not obtain trip tickets from a number of agencies which did not keep copies of trip tickets on file. These agencies included the Department of Health Services, OAS, OPB, and Satawal Community.

Although there is no requirement for a separate log to be maintained by vehicle, in order for DPS to carry out its responsibilities and, for example, to perform a proper inspection, it is necessary to maintain a log for each vehicle and that it remain in the vehicle, at least during times when not parked. In addition, pursuant to the Yap State Archives and Records Management Act of 1998, ¶1306(c) requires agencies “comply with any requirements relating to preservation, security, transfer, and management of public records,” and Yap State Regulation No. 2005-05, “Keeping of Minutes and Records” stipulates that records detailing maintenance, service, and operation of agency vehicles be retained for at least 7 years. The list of documents identified in this section includes trip tickets and vehicle running sheets (logs).

Recommendation: To ensure agencies properly maintain logs and otherwise comply with government vehicle regulations, OAS should conduct periodic desk reviews of travel logs and trip tickets and report the results to the Governor. A desk review is a quick assessment not requiring fieldwork that is essentially a document review.

Follow-up:

For the 7 agencies which comprise 34 divisions, 3 separate agencies, and the Fais and Satawal Communities included in our review, fully one-third do not use vehicle logs at all. Additionally, 3 divisions started using vehicle logs only after we announced our follow-up and paid a visit to their offices. Specific details on the use of Vehicle Trip Logs can be found in the attached Appendix I.

Our review of the use of trip tickets revealed that 12 of the 34 divisions and the Fais and Satawal Communities either do not maintain trip tickets or have none on file. One division began keeping trip tickets after we announced our follow-up and made a visit to their office. Several divisions were able to find in their files only 1 or 2 tickets, while for others, trip tickets are kept in vehicles until expired, lost, or otherwise discarded. There were 2 divisions of an agency in which almost all the trip tickets on file were unsigned (not authorized) and another agency which had on file only electronic copies of the trip tickets, but these did not bear any authorized signature. Specific details on the use of Trip Tickets can be found in the attached Appendix II.

OAG's written response to our evaluation report stated that OAG would recommend to the Governor that "quarterly reviews of any and all vehicle records be performed." We could not confirm if such recommendation was made or if reviews of vehicle records are performed.

Based on the results of our follow-up review, it is clear that agencies are destroying, discarding, or otherwise disposing of public records, for example, trip tickets in violation of public law. Our original finding referenced the Yap State Archives and Records Management Act of 1998 and Yap State Regulation No. 2005-05. Yap State Code, Title 9, §309 provides a maximum penalty of up to one year in prison and/or a fine of up to \$5,000 for violation thereof. We are not aware of any prosecution or enforcement of these provisions in recent history.

Finding No. 4: Designated Parking

We performed an inspection of government vehicles for a specific date and noted that 9 vehicles were missing from their designated parking locations, but did not have trip tickets on file with DPS. In addition, the following agencies did not adhere to their designated parking locations, but park their vehicles at their office premises:

- Department of Education – Administration
- Department of Education – Curriculum
- Department of Education – Technology
- Department of Education – School Area Supervisor
- Department of Education – Special Education
- Department of Public Works & Transportation – Airport
- Department of Youth & Civic Affairs – Media & Protocol
- Environmental Protection Agency
- Office of Planning & Budget – Fais Community
- Satawal Community
- Waab Community Health Center – Gagil Dispensary
- Waab Community Health Center – Tomil Dispensary
- Waab Community Health Center – Rumung/Maap
- Waab Community Health Center – Nimgil

Recommendation: A comprehensive review of all regular government vehicle assignments should be performed to determine whether agencies have a justified need and optimally utilize their vehicles, and if vehicles can be better used in other capacities. In connection therewith implement a tracking system to identify underutilized vehicles. Monitor vehicle use by requiring agencies to report each month their vehicle use (days, hours, etc.) and mileage.

Consider centralizing responsibility for government vehicles under which the care, operation, repair, and disposal of vehicles would shift to the state government. Vehicles could be maintained in government motor pools and assigned to agencies by request on an hourly, daily, or other short or long term basis. Agencies would be charged a fee for the use of government vehicles. The benefits of centralization and storage of vehicles in motor pools are:

- More efficient use of the vehicle fleet. Presently, vehicles are permanently assigned. Some vehicles see only limited use during the day and, in some cases remain parked and unused for several days. Even vehicles that remain idle are subject to wear from the elements and need to be maintained. The pooling of these resources will increase utilization.
- Increased security and reduced likelihood of damage from theft and/or vandalism.
- Improved accountability, since the location and use of each vehicle at any one time would be known.
- Substantial reduction or elimination of abuse in the use of government vehicles.
- Establishing uniform guidance and help in identifying opportunities for improving the vehicle fleet's cost efficiency.
- Charging fees for vehicle use would make costs more visible to agencies and business units and provide an incentive for users to be more judicious in their vehicle use.

Additionally, to account for vehicle user fees, a fleet management revolving fund should be established. Revolving funds allow organizations to recover the cost of services from users, which maximizes efficient and effective use of vehicles. Revolving funds are intended to operate on a break-even basis, using the fees generated by the fund to finance its operations. Revolving funds may also be used to accumulate funds in a dedicated reserve to pay for the replacement of vehicles.

Follow Up

There appears to be no change in the parking practices of agencies. Nearly half of the agencies, or divisions thereof, reviewed, including the Fais and Satawal Communities, report they park vehicles overnight in places other than their legally designated parking locations. The same

entities cited in the original evaluation report continue to be in violation of the Government Vehicle Regulations. This includes vehicles parked at the residences of certain agency chiefs and vehicle operators for WCHC clinics. Specific details on adherence to designated parking can be found in the attached Appendix III.

Additionally, we noted no evidence DPS is checking vehicles for proper parking in their designated locations.

Finding No. 5: Vehicle Registration

Registration was expired for 27% of regular government vehicles. The length of time vehicles have remained unregistered ranged from less than a month to as long as 28 months.

Recommendation: As the operator of state owned vehicles it is the responsibility of each agency to ensure its vehicles are properly registered. It is unlawful (YSC, Title 25, ¶1208) for any person to operate a motor vehicle which is not registered. To safeguard the public and adhere to public law, require that:

- DPS immediately impound all regular government vehicles whose registration has lapsed beyond a specified grace period, e.g. 5 days.
- DPS communicate to OAS in a timely manner the registration status of all government vehicles.
- OAS repossess vehicles whose registration have been expired more than 6 months.

Follow-Up

We were not able to obtain a current list of government vehicle registrations from DPS because, according to public safety officials, the list is only infrequently updated and DPS is still compiling a current list of registrations. We believe 2010 was the last time the list of government vehicle registrations was updated. The list that is presently maintained by DPS is the one that we reviewed during our initial evaluation, and our comments thereon are reflected in the above finding and recommendation.

A written response to our evaluation report was received from OAG which stated they would perform a review of "Division of Public Safety policies and procedures in regards to the impound of government vehicles which have lapsed." We could not determine if such a review has taken place.

Finding No. 6: Vehicle Regulations

The State Government Vehicle Regulations were issued in 1993. These were amended in 2002 to clarify the requirements of the State official seal, and an executive order issued in 2008 to designate the parking areas of all regular government vehicles during outside working hours.

However, the regulations make reference to a Government Vehicle Review Committee (GVRC), which no longer exists, and many of the functions of this former panel have been assumed by other agencies, such as OAS, DPS, and OPB.

Recommendation: Update government vehicle regulations to reflect the changing conditions and circumstances that have taken place since its inception. State law and policy should also allow employees to use personal vehicles when it is reasonable or more cost-effective than using state vehicles.

Revise regulations or establish a policy to require a minimum annual days/mileage use for each vehicle class or category, e.g., the lesser of 75% of working days or 2,500 miles a year. Agencies should maximize efficient and effective use of state owned vehicles when determining the nature and number of vehicles required. If a vehicle does not meet the days use/mileage requirement, the vehicle should be reassigned to another use or agency.

Follow-Up:

In response to our evaluation report, OAS submitted in writing that the regulations would be reviewed and a "recommendation made to Governor for updates and improvements." We could find no evidence that any recommendation was made or review of the vehicle regulations was undertaken.

Finding No. 7: Enforcement of Vehicle Regulations

Improvements are needed in the enforcement of government vehicle regulations. Statistics obtained from DPS show only 30 citations issued on government vehicles over the most recent ten-month period for which data is available. Nearly half the vehicles cited were impounded, and copies of citations were provided to the Yap State Court and AG. However, copies were not provided to OAS, as required by law. Moreover, only 5 of the citations were issued for times outside of normal working hours.

In a memo dated June 8, 2007 summarizing the requirements of the Government Vehicle Regulations, the AG noted compliance "may have waned for the course of time." He argued that, for example, "there appears to be government vehicles that are being operated after

normal working hours without proper authorization, that are not properly registered and/or labeled, and that are not parked in their designated parking areas, and that there may be operators of government vehicles without the proper operators' ID cards." These are some of the same issues that have been raised in this evaluation report.

The purpose of the AG memo was to alert agencies to a new initiative by his office and DPS within the coming 30 days to "place more emphasis on enforcement with the aim to compel compliance." There appears to have been little improvement in the enforcement of government vehicle regulations in the nearly 4 years since.

Recommendation: To improve enforcement actions and compel compliance with government vehicle regulations, increase DPS inspection and traffic stops of government vehicles. Additionally, consider:

- Strengthening the sanctions and penalties that may be imposed on agencies who fail to comply with government vehicle regulations. This might include removal of vehicle privileges, such as the right to use of government vehicles outside of normal working days, suspension of use of vehicle for a period of time, and reduction or elimination of assigned vehicles.
- Require agency heads on an annual basis to approve the agency's assigned category of use for state vehicles used by the agency and confirm the agency is in compliance with the government vehicle regulations. The agency head has ultimate responsibility for use of state-owned vehicles and in ensuring legal and regulatory compliance.

Follow-up:

In our original evaluation, we obtained from DPS statistics on the number of times government vehicles were stopped and received a citation. DPS provided a list of 30 instances covering roughly 10 months from 8/31/10 thru 7/7/11 in which vehicles were stopped and issued citations, of which 14 were impounded by DPS. DPS could not provide statistics for periods prior to 8/31/10. However, of those 30 instances that vehicles were stopped, all involved some other traffic violation, such as reckless driving, unsafe passing, failure to signal, etc., which would normally cause a vehicle to be stopped without regard to whether or not it was a government vehicle. Moreover, only 5 of the 30 instances occurred after normal government working hours. The Government Vehicle Regulations specifically provide that it is DPS's responsibility to enforce the regulations "by way of stopping and/or inspecting from time to time vehicles, particularly during non-working hours."

During our follow-up, we again requested this information for periods subsequent to our August 31, 2011 evaluation report. DPS provided a list covering the period from 10/20/11 thru 10/30/12, approximately 1 year. The list contained 7 instances in which government vehicles

were stopped and citations issued, vehicles impounded, or both. In a period following issuance of our evaluation report, when we should have expected an environment of heightened alert, enforcement actually decreased, and significantly. Moreover, 5 of the aforementioned 7 instances involved normal traffic violations.

In its written response to our evaluation report, OAG committed to performing “a top to bottom evaluation of the vehicle regulation enforcement process at Public Safety.” We could not determine if this has actually occurred, but the decreased level of enforcement suggests not much, if anything, has been done.

Additionally, we obtained from OAS a list of individuals with government operator I.D. cards. OAS has responsibility for processing and issuing I.D. cards for government vehicle operators. According to this list, however, nearly 10% of the more than 400 operator I.D. cards are expired. We also noted the list contains the names of individuals with active operator I.D. cards who are no longer government employees and whose I.D. cards should have been returned or otherwise invalidated. Worse yet, there is no sharing of information by OAS with DPS in connection with government I.D. card holders, such as expiration dates, as required by the Government Vehicle Regulations.

We also noted the following:

- › There is nothing to indicate that DPS is stopping and inspecting special purpose vehicles. Although special purpose vehicles are exempt from the trip ticket requirements, they are not exempt from all the other provisions of the Government Vehicle Regulations.
- › DPS does not report or otherwise communicate the citations it issues of government vehicles or the government vehicles that are impounded to OAS, which is required as a responsibility of DPS in the Government Vehicle regulations.
- › It is the responsibility of OAS to repossess vehicles “assigned to an agency if the agency continues to violate” Government Vehicle Regulations. However, to the best of our knowledge, OAS has not repossessed any vehicle in the known history.

APPENDIX I

Agency	Vehicle Trip Logs Used		Comments
	Yes	No	
Department of Education (DOE)			Standardized trip log prescribed by OAS not used. DOE received the memo from OAG but preferred to use its own form.
Administration	X		Full compliance with maintaining vehicle logs.
Yap High School (YHS)	X		Full compliance with maintaining vehicle logs.
Early Childhood Education (ECE)	X		Substantial compliance except for instances of not indicating completion time of trips on log sheets as required by government vehicle regulations.
Vocational Education	X		Full compliance with maintaining vehicle logs.
Professional Development Office (PDO)	X		Full compliance with maintaining vehicle logs.
Special Education	X		Substantial compliance except for instances of using initials instead of names on log sheets.
Waab Elementary School	X		Substantial compliance except for instances of not indicating completion time and dates of trips on log sheets.
Technology	X		Full compliance with maintaining vehicle logs.
Curriculum	X		Full compliance with maintaining vehicle logs.
School Area Supervisors (SAS)	X		Substantial compliance except for numerous instances of failing to indicate completion time of trips on log sheets as required by government vehicle regulations.
Department of Health Services (DHS)			Standardized OAS trip log not used. DHS received the memo from OAG, but continued to use its own form. Log sheets do not contain number of miles covered for trip as required by government vehicle regulations.
Administration	X		
Environmental Health (Sanitation)		X	No log maintained.
Mental Health		X	No log maintained.
Medical Supply	X		Began logging in vehicle use November 6, 2012. No log prior to that date. Current log does not contain destination and number of miles covered for trips, which is required.

Agency	Vehicle Trip Logs Used		Comments
	Yes	No	
Department of Health Services (DHS) Maintenance		X	No log maintained.
Department of Public Works & Transportation (PW&T) Administration Airport Shop Sea Transportation Contract & Engineering Mgt. (C&EM) Road and Ground		X X X X X X	PW&T represents they did not receive the memo from OAG. No vehicle log maintained. However, the office maintains a log of all trip tickets to keep track of the vehicles of all divisions in use after normal government working hours. No vehicle logs maintained. No vehicle logs maintained. No vehicle logs maintained. No vehicle logs maintained. No vehicle logs maintained.
Department of Resources & Development (R&D) Work Enrichment Division (WED) Marine Resources Management Division (MRMD)	X	X	R&D received the memo from OAG and also obtained a copy of the standardized OAS vehicle log. No vehicle logs maintained. Full compliance with maintaining vehicle trip logs.
Department of Youth & Civic Affairs (DY&CA) Historic Preservation Office (HPO) Media & Protocol (Media) Election Commission	X	X X	Began to maintain log sheets on October 18, 2012. Log not maintained prior to that date. Log sheets only maintained for one of the two vehicles. Standardized vehicle trip log prescribed by OAS not used. Log sheets show numerous instances of using the vehicle to buy or get lunch. Also, Commissioner used to take the vehicle home, but now only does so occasionally to commute home and back, sometimes with trip tickets and sometimes without using trip tickets. Vehicle also used by Commissioner to attend board meetings at Yap Visitors Bureau.
Environmental Protection Agency (EPA)		X	Standardized vehicle log prescribed by OAS not used. Log sheets not maintained.

Agency	Vehicle Trip Logs Used		Comments
	Yes	No	
Office of Administrative Services (OAS)			OAS standardized vehicle log form is used.
Procurement & Property Management (PPM)	X		Substantial compliance except for failing to complete several log entries.
Tax & Revenue	X		Full compliance with maintaining vehicle logs.
Office of Planning & Budget (OPB)		X	Vehicle logs (OAS standardized log was employed) not consistently used. Only two employees were logging their trips (log sheets kept in vehicle). Other employees simply stopped logging their trips after February 2012. Moreover, after June 2012, the two employees who had been logging their trips ceased doing so.
Yap State Court	X		Full compliance with maintaining vehicle trip logs.
Waab Community Health Clinic (WCHC)			WCHC represents they did not receive OAG memo. Standardized trip log prescribed by OAS not used.
Main Office	X		Substantial compliance, except no log maintained for CEO's vehicle.
Gagil CHC	X		Full compliance with maintaining vehicle trip logs.
Maap/Rumung CHC	X		Full compliance with maintaining vehicle trip logs.
Tomil CHC	X		Substantial compliance except for instances of not stating the official purposes of the trips.
Nimgil CHC	X		Full compliance with maintaining vehicle trip logs.
Cancer Program	X		New log sheets implemented on October 23, 2012 after visit to program office by audit staff. However, log still does not conform to standardized log sheet prescribed by OAS. Logs maintained prior to October 23 but did not conform to Government Vehicle Regulation requirements.
Fair Community		X	No vehicle trips logs maintained.
Satawal Community		X	No vehicle trips logs maintained.

APPENDIX II

Agency	Vehicle Trip Tickets Filed		Comments
	Yes	No	
Department of Education (DOE)			DOE received the memo from OAG. DOE does not use the standardized trip ticket prescribed by OAG, preferring to use their own which is similar in content to the OAG form.
Administration	X		Full compliance
Yap High School (YHS)		X	No trip tickets on file; Vehicle operator's copy of trip ticket kept in vehicles until lost or discarded; It appears YHS Principal uses one vehicle 24/7 and for commuting to work.
Early Childhood Education (ECE)		X	No trips tickets on file.
Vocational Education	X		Full compliance; trip tickets filed at DOE main office.
Professional Development Office (PDO)	X		Substantial compliance; Trip tickets filed at DOE main office.
Special Education		X	No trip tickets.
Waab Elementary School	X		Substantial compliance; Trip tickets filed at DOE main office.
Technology	X		Same as above.
Curriculum	X		Same as above.
School Area Supervisors (SAS)	X		Same as above.
Department of Health Services (DHS)			OAG standardized trip ticket not used. Received the memo from OAG. However, memo and attached standardized trip ticket were not distributed to the divisions. It appears director preferred to continue to use DHS' form, which is more comprehensive.
Administration		X	Trip tickets prepared and used, but not maintained on file.
Environmental Health (Sanitation)		X	Not maintained. Trip tickets discarded after use.
Mental Health		X	Same as above
Medical Supply		X	Keeping trip tickets since on or about October 26, 2012, after audit was announced and site visit scheduled.
Maintenance		X	Have not been using trip tickets.
Department of Public Works and Transportation (PW&T)			PW&T represents it did not receive OAG memo. PW&T keeps a logbook of trip tickets at the main office to keep track of all divisions' vehicle usage after normal business hours. Only a few actual trip tickets were on file.

Agency	Vehicle Trip Tickets Filed		Comments
	Yes	No	
Administration		X	Administration vehicle transferred to Airport June 4, 2012 (no written record of transfer). No trip tickets on file for this vehicle prior to that date.
Airport		X	Two vehicles: No trip tickets for one vehicle. For the other vehicle, only last 3 tickets on file. Tickets authorized for multiple drivers and for extended periods, e.g., 3 months; Director authorized himself as driver; ticket lists passengers as a group, e.g., "crew" or "personnel" rather than specific names as required; trip purpose is not specific enough.
Shop		X	No trip tickets
Sea Transportation		X	No trip tickets
Contract & Engineering Mgt. (C&EM)		X	Trip tickets kept in vehicles; there are instances of the same (one) trip ticket used for several vehicles (two to three)
Road and Ground		X	Trip tickets only used for 1 of 3 vehicles, the newer one; trip purpose too general and not specific as required; Tickets authorized for extended periods, e.g., 1 ticket for 3 months; Trip tickets not filed, kept in vehicle until expired, lost, or discarded.
Department of Resources & Development (R&D)			R&D received the memo from OAG, but does not use standardized trip ticket.
Work Enrichment Division (WED)		X	Only 1 trip ticket on file, although some were found in the vehicle.
Marine Resources Management Division (MRMD)	X		Substantial compliance.
Department of Youth & Civic Affairs (DY&CA)			
Historic Preservation Office (HPO)		X	No trip tickets on file.
Media & Protocol (Media)		X	Trip tickets not filed. Some trip tickets for one vehicle found, but most kept in vehicles and discarded after use. Some trip tickets issued for periods of up to two months in duration. Trip tickets authorized by division chief including those for his use for extensive periods (57 days).
Election Commission	X		But, director occasionally takes vehicle home for personal use and commuting, with or without a trip ticket; Director authorized her own use of vehicle; passenger names not indicated on trip tickets.

Agency	Vehicle Trip Tickets Filed		Comments
	Yes	No	
Environmental Protection Agency (EPA)		X	Does not use standardized trip ticket prescribed by OAG. Based on discussions with EPA personnel, Director takes vehicle home. However, blanket trip tickets are continuously issued for one month periods (1 ticket for the whole month). Names were not indicated for passengers' names and official purpose too broad (not specific). Same official purpose used for all trip tickets provided.
Office of Administrative Services (OAS) Procurement & Property Management Tax & Revenue		X X	Standardized trip ticket form used by OAS. Except for 1 or 2, all tickets maintained on file were unsigned (unapproved). Unauthorized (unsigned) trip tickets on file. Only 1 signed trip ticket on file which did not indicate names of passengers.
Office of Planning & Budget (OPB)		X	Standardized trip ticket form used by OPB. No authorized (signed) trip tickets on file. Electronic copies of trip tickets maintained, but tickets are unsigned.
Yap State Court	N/A		No vehicle use requiring trip tickets.
Waab Community Health Clinic (WCHC) Administration Gagil CHC Maap/Rumung CHC Tomil CHC Nimgil CHC Cancer Program		X X X X X	WCHC represents they did not receive OAG memo. Accordingly, standardized trip ticket prescribed by OAG. No trip tickets on file, tickets kept in vehicle; Only one trip ticket to document CEO 24/7 exclusive use of vehicle for all of 2012. CEO represents this was approved by the Board of Directors. No trip tickets on file; tickets kept in vehicles until expired, lost or discarded. Blanket authorization for vehicle use over extended time periods (one trip ticket issued to cover four months). Same as above. Same as above. Same as above. No trip tickets on file.

Agency	Vehicle Trip Tickets Filed		Comments
	Yes	No	
<i>Fais Community</i>		X	Trips tickets not on file; kept in vehicle until expired, lost, or discarded.
<i>Satawal Community</i>		X	Same as above.

APPENDIX III

Agency	Designated Parking Lot	Vehicles parked in designated location?		Comments
		Yes	No	
Department of Education (DOE)				
Administration	Motor Pool & YHS		X	Vehicle parked at DOE compound in Alaw, not a designated location.
Yap High School (YHS)	Motor Pool & YHS		X	Only one of two vehicles parking in designated location. Other vehicle is used by and parked at principal's residence.
Early Childhood Education (ECE)	Motor Pool & YHS	X		Full compliance.
Vocational Education	Motor Pool & YHS		X	Vehicle parked at DOE compound in Alaw, not a designated location.
Professional Development Office (PDO)	Motor Pool & YHS		X	Same as above.
Special Education	Motor Pool & YHS		X	Same as above.
Waab Elementary School	Motor Pool & YHS		X	Same as above.
Technology	Motor Pool & YHS		X	Same as above.
Curriculum	Motor Pool & YHS		X	Same as above.
School Area Supervisors (SAS)	Motor Pool & YHS		X	Same as above.
Department of Health Services (DHS)				
Administration	DHS Premises	X		Full compliance
Environmental Health (Sanitation)	DHS Premises	X		Full compliance
Mental Health	DHS Premises	X		Full compliance
Medical Supply	DHS Premises	X		Full compliance
Maintenance	DHS Premises	X		Full compliance

Agency	Designated Parking Lot	Vehicles parked in designated location?		Comments
		Yes	No	
Department of Public Works & Transportation (PW&T)				
Administration	PW&T Premises	X		Full compliance
Airport	PW&T Premises		X	Vehicle parked at Airport.
Shop	PW&T Premises	X		Full compliance
Sea Transportation	Motor Pool	X		Full compliance
Contract & Engineering Mgt. (C&EM)	PW&T Premises	X		Full compliance
Road and Ground	PW&T Premises	X		Full compliance
Department of Resources & Development (R&D)				
Work Enrichment Division (WED)	Motor Pool	X		Full compliance
Marine Resources Management Division (MRMD)	MRMD Premises	X		Full compliance
Department of Youth & Civic Affairs (DY&CA)				
Historic Preservation Office (HPO)	Motor Pool	X		Full compliance
Media & Protocol (Media)	Motor Pool		X	Vehicle parked at Media premises, not a designated parking location.
Election Commission	Motor Pool		X	Vehicle parked at residence when Commissioner takes vehicle home; Otherwise parked on Media premises.
Environmental Protection Agency (EPA)				
	Motor Pool		X	Vehicle parked at Director's home or EPA premises.
Office of Administrative Services (OAS)				
Procurement & Property Management (PPM)	Motor Pool	X		Full compliance
Tax & Revenue	Motor Pool	X		Full compliance

Agency	Designated Parking Lot	Vehicles parked in designated location?		Comments
		Yes	No	
Office of Planning & Budget (OPB)	Motor Pool	X		Full compliance
Yap State Court	Yap State Court	X		Full compliance
Waab Community Health Clinic (WCHC)				
Administration	DHS Premises	X		Substantial compliance except for one vehicle used by CEO which is parked at his residence.
Gagil CHC	DHS Premises		X	Vehicle parked at clinic or at operator's residence.
Maap/Rumung CHC	DHS Premises		X	Vehicle parked at clinic or at operator's residence.
Tomil CHC	DHS Premises		X	Vehicle parked at clinic or at operator's residence.
Nimgil CHC	DHS Premises		X	Vehicle parked at clinic or at operator's residence.
Cancer Program	DHS Premises		X	Vehicle parked at Media Division premises.
Fais Community	Motor Pool		X	Vehicle not parked in designated parking location.
Satawal Community	Motor Pool		X	Vehicle not parked in designated parking location.