

No. 5823

**UNITED STATES OF AMERICA
and
PANAMA**

Exchange of notes constituting an agreement relating to the establishment of procedures for reciprocal recognition of motor-vehicle operator's licenses issued by the Canal Zone and Panama. Panamá, 31 October 1960

Official texts : English and Spanish.

Registered by the United States of America on 23 August 1961.

**ÉTATS-UNIS D'AMÉRIQUE
et
PANAMA**

Échange de notes constituant un accord créant un système de reconnaissance réciproque des permis de conduire délivrés par la Zone du Canal et par le Panama. Panama, 31 octobre 1960

Textes officiels anglais et espagnol.

Enregistré par les États-Unis d'Amérique le 23 août 1961.

No. 5823. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND PANAMA RELATING TO THE ESTABLISHMENT OF PROCEDURES FOR RECIPROCAL RECOGNITION OF MOTOR-VEHICLE OPERATOR'S LICENSES ISSUED BY THE CANAL ZONE AND PANAMA. PANAMÁ, 31 OCTOBER 1960

I

The American Ambassador to the Panamanian Minister of Foreign Relations

EMBASSY OF THE UNITED STATES OF AMERICA

Panamá, R. P., October 31, 1960

No. 166

Excellency :

I have the honor to refer to meetings and discussions which have taken place between representatives of the Ministry of Foreign Relations and the Canal Zone Government, in which a representative of the Embassy has also participated, on the subject, among other things, of the establishment of procedures for reciprocal recognition of motor-vehicle operator's licenses issued by the Canal Zone and Panamá.

In this connection I have received for transmittal to Your Excellency a letter dated October 28, 1960 from the Governor of the Canal Zone addressed to Your Excellency setting forth the understandings reached concerning this matter. The letter reads as follows :

“October 28, 1960

“Excellency :

“I have the honor to refer to recent discussions between representatives of our two Governments concerning the establishment of procedures for reciprocal recognition of motor-vehicle operator's licenses issued by the two jurisdictions on the Isthmus of Panama in order to establish comity for the convenience of residents of the two jurisdictions.

“As a result of these discussions, the following understandings were reached.

¹ In accordance with the provisions of the said notes, the Agreement came into force on 1 November 1960, the date on which the jurisdictions of the two signatory States had completed any changes in law or regulations required under paragraph 2 of the said Agreement.

"1. *Jurisdiction to license.* Each jurisdiction will limit the exercise of its jurisdiction to license motor-vehicle operators to residents of the jurisdiction ; that is, the competent authorities in the Canal Zone will issue licenses only to residents of the Canal Zone and the authorities in the Republic of Panama will issue licenses only to persons residing within that jurisdiction : *Provided, however,* That in addition to the exercise of licensing jurisdiction based upon residence, each jurisdiction may provide for the issuance of official licenses or permits by any agency or instrumentality of the respective Governments without regard to the residence of the person licensed. It is understood, however, that any such official license or permit shall authorize the operation of only designated, or designated classes of, Government vehicles.

"2. *Reciprocal recognition of operator's licenses.* Each jurisdiction will grant reciprocal recognition to the motor-vehicle operator's licenses issued by the other jurisdiction and will take the necessary action to conform its internal laws and regulations to give effect to this agreement. To be entitled to reciprocal recognition, the licensed operator must have the valid, unexpired license in his immediate possession.

"3. *Revocation or suspension of permission to operate motor-vehicles.* The permission to operate a motor-vehicle within the Canal Zone based upon reciprocal recognition of a motor-vehicle operator's license issued by authorities of the Government of Panama will be subject to revocation or suspension by Canal Zone authorities for the same reasons as constitute grounds for revocation or suspension of a license or permit issued by Canal Zone authorities to residents of the Canal Zone, and the procedures followed in the revocation or suspension of such permission will conform, as nearly as may be practicable, to the procedures prescribed by applicable laws and regulations for the suspension or revocation of a license issued by Canal Zone authorities to residents of the Canal Zone ; as a corollary, the permission to operate a motor-vehicle in the Republic of Panama based upon reciprocal recognition of a motor-vehicle operator's license issued by Canal Zone authorities will be subject to revocation or suspension by the Panamanian authorities for the same reasons as constitute grounds for revocation or suspension of a license or permit issued by Panamanian authorities to residents of that jurisdiction, and the procedures followed in making any such revocation or suspension will conform, as nearly as may be practicable, to the procedures prescribed by applicable laws and regulations for the suspension or revocation of a license issued by Panamanian authorities to a resident of that jurisdiction.

"4. *Notice of revocation or suspension.* In the case of a revocation or suspension by Canal Zone authorities of a person's reciprocal permission to operate, appropriate Panamanian authorities, upon notification of that fact, will, if requested, take the necessary steps to serve any notice required in connection therewith upon the person involved, in conformity with the requirements for giving legal notice in Panamanian jurisdiction, and will duly present to the Canal Zone authorities appropriate evidence or certification that such service of notice has been made ; as a corollary, in the case of a revocation or suspension by Panamanian authorities of a person's reciprocal permission to operate, the appropriate authorities in the Canal Zone, upon notification of that fact, will, if requested, serve any notice required in connection therewith, upon the Canal Zone resident involved, in conformity with the requirements for giving legal notice in the Canal Zone and will duly present to the appropriate officials of the

Government of Panama appropriate evidence or certification that service of notice has been made.

"5. *Exchange of information.* The two jurisdictions will keep each other fully informed of revocations or suspensions of licenses issued by each jurisdiction and of revocations or suspensions of the reciprocal permission to operate.

"6. *Licenses not to be surrendered or annotated.* In connection with the enforcement of the Canal Zone vehicle laws and regulations the Canal Zone authorities will not require the surrender at any stage of an operator's motor-vehicle license issued by the Republic of Panama and will not make any notations thereon with respect to cancellation, suspension, infraction committed in the Canal Zone, or any other matter. Canal Zone authorities will have authority to require that such operator's licenses be exhibited under the circumstances in which a license issued by Canal Zone authorities to a Canal Zone resident are required to be exhibited. In connection with the enforcement of Panamanian vehicle laws and regulations the Panamanian authorities will not require the surrender at any stage of an operator's motor-vehicle license issued by the authorities of the Canal Zone, and Panamanian authorities will not make any notations thereon with respect to cancellation, suspension, infraction committed in Panamanian jurisdiction, or any other matter. Panamanian authorities will have authority to require that such operator's licenses be exhibited under the circumstances in which a license issued by Panamanian authorities to residents of the Republic of Panama are required to be exhibited.

"7. *Cost of licenses; examination in Spanish or English.* No distinction will be made on the basis of citizenship in the fees charged for issuance of an operator's license. Each jurisdiction will provide for the examination of applicants for motor-vehicle operator's licenses in either Spanish or English in the event an applicant is not sufficiently proficient in the official language of the licensing jurisdiction.

"8. *Uniform standards, signs, etc.* The two jurisdictions will establish, to the extent practicable, uniformity in the standards governing issuance of licenses and in the matter of traffic signs, shapes and symbols.

"9. *Consultations respecting public liability insurance, taxi and bus fares.* The two Governments agree to consult with a view to reaching early mutual agreement regarding (a) the establishment of uniform compulsory public liability insurance for commercial and/or non-commercial vehicles and (b) revision of the present joint agreement, executed in 1943,¹ governing bus and taxi fares for vehicles operating in both jurisdictions, in the interest of establishing modernized, uniform requirements in these areas. It is understood that, if the two jurisdictions are unable to agree upon the requirements to be established in these fields, it may become necessary for one or both jurisdictions to take unilateral action in the establishment of requirements for its particular jurisdiction.

"10. *Consultation regarding application.* The two Governments will, upon the request of either of them, consult regarding any matter relating to the application or implementation of this Agreement.

¹ Not printed by the Department of State of the United States of America.

"11. *Termination of Agreement.* Either Government may terminate this Agreement by giving six months' notice.

"In exercise of the authority vested in the President of the United States by section 322 of Title 2 of the Canal Zone Code, which authority has been delegated to me by the President under Executive Order No. 9746 of July 1, 1946, as amended by Executive Order No. 10595 of February 7, 1955, and after consultation with the Ambassador of the United States to your Government, I have the honor to propose that, if these understandings meet with the approval of the Government of the Republic of Panama, the present note and Your Excellency's note in reply concurring therein shall constitute an Agreement between our two Governments on the subjects treated, effective on that date on which both jurisdictions shall have completed any changes in law or regulation required under paragraph 2 of this Agreement.

"Please accept, Excellency, the renewed assurances of my highest consideration.

"(Signed) W. A. CARTER
"Governor of the Canal Zone

"His Excellency Galileo Solís
"Minister of Foreign Relations
"Panama, R. P."

As stated in his letter, the Governor of the Canal Zone has consulted with the Embassy in regard to this matter, which the Embassy considers would be to the mutual advantage of the residents of both the Canal Zone and Panamá. If the understandings set forth in the Governor's letter meet with the approval of the Government of Panamá, a note in reply to this effect from Your Excellency would be understood to constitute the necessary agreement on this subject.

Accept, Excellency, the renewed assurances of my highest consideration.

Joseph S. FARLAND

His Excellency Galileo Solís
Minister of Foreign Relations

[TRANSLATION¹ — TRADUCTION²]

REPUBLIC OF PANAMA

MINISTRY OF FOREIGN RELATIONS

Panamá, October 31, 1960

P.r.e.u. No 1012/1026-1

Mr. Ambassador :

I have the honor to acknowledge receipt of Your Excellency's note No. 166 dated the 31st of this month, in which you transcribe for me the text of a proposal by Major General William A. Carter, Governor of the Canal Zone, for the purpose of concluding an agreement between the Government of the Republic of Panama and the Government of the United States of America intended to standardize the motor-vehicle traffic regulations of the jurisdictions of the Republic of Panama and the United States of America in the Canal Zone in order to obtain, among other things, reciprocal recognition of licenses to operate such vehicles, issued respectively, by the authorities of the two jurisdictions.

I am happy to inform Your Excellency, in reply, that the Government of the Republic of Panama accepts the following points of the proposed Agreement mentioned above :

[See note I]

It is understood that this Agreement shall enter into force as soon as the authorities of the Government of the Republic of Panama and those of the Government of the United States of America in the Panama Canal Zone bring their traffic laws and regulations into conformity with the provisions of Point 2 of the present Agreement.

Accept, Excellency, the renewed assurances of my highest and most distinguished consideration.

Galileo SOLÍS
Minister of Foreign Relations

His Excellency Joseph S. Farland
Ambassador of the United States of America
Panamá

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.