

I MINA' BENTE NUEBI NA LIHESLATURAN GUÁHAN  
2008 (SECOND) Regular Session

Bill No. 263 (EC)

Introduced by:

Ray Tenorio  
J. T. Won Pat  
J. P. Guthertz

**AN ACT TO ADD A NEW §19170 TO CHAPTER 19 OF 16GCA  
RELATIVE TO THE PRESENTATION OF INSURANCE  
DOCUMENTS TO ESTABLISH “PROOF OF INSURANCE.”.**

2008 APR -4 PM 4: 26

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1.** §19107 is hereby added to Chapter 19 of 16GCA to read:

**“§19107. Presentation of Insurance Documents to Establish  
“Proof of Insurance.”** All drivers shall provide, upon request of a law  
enforcement officer during a traffic stop, proof of insurance coverage  
sufficient to comply with the provisions of this Chapter.

The penalties for failure to comply with the provisions of this Section  
are as follows:

(a) Any driver who does not possess “proof of insurance” for the  
vehicle in his possession that is properly insured as required by this Chapter  
commits a violation.

(b) Any driver who does not possess “proof of insurance” for the  
vehicle in his possession, that is *not* properly insured as required by this  
Chapter shall be punished in accordance to the penalties prescribed by this  
Chapter.

1           (c) Any driver that *knowingly* presents any insurance certificate,  
2 policy or other documentation to establish “proof of insurance” for the  
3 vehicle in his possession, that is *not* properly insured as required by this  
4 Chapter commits a petty misdemeanor.

5           (d) Any driver that *knowingly* presents any insurance certificate,  
6 policy or other documentation to establish “proof of insurance” for the  
7 vehicle in his possession, that is *not* properly insured as required by this  
8 Chapter, and is at fault in an automobile accident in which the total value of  
9 the loss to the innocent party(s) is Five Thousand (\$5,000) or *less*, commits  
10 a misdemeanor.

11           (e) Any driver that *knowingly* presents any insurance certificate,  
12 policy or other documentation to establish “proof of insurance” for the  
13 vehicle in his possession, that is *not* properly insured as required by this  
14 Chapter, and is at fault in an automobile accident in which the total value of  
15 the loss to the innocent party(s) is *more* than Five Thousand (\$5,000)  
16 commits a third degree felony.

17           (e) For purposes of paragraphs (c), (d) and (e) of this Section, failure  
18 to pay premiums as prescribed by the automobile insurance policy of other  
19 payment agreement with the insurer or the insurer’s general agent, subagent,  
20 broker or solicitor is *prima facie evidence* that an owner and or driver  
21 *knowingly* presented an insurance certificate, policy or other documentation  
22 to establish “proof of insurance” to establish compliance with the provisions  
23 of this Chapter.