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I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 190-31 (LS), "AN ACT TO *AMEND* SUBSECTIONS (a), (c) AND (d) OF §31A05 OF ARTICLE 1A OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO DRIVER'S LICENSES ROAD TESTING",** was on the 17th day of February, 2012, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 17 day of FEB, 2012, at 1:32 o'clock P .M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 190-31 (LS)
As amended by the Committee on Appropriations,
Taxation, Public Debt, Banking, Insurance, Retirement, and Land;
and further amended on the Floor.

Introduced by: Aline A. Yamashita, Ph.D.
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
B. J.F. Cruz
Chris M. Dueñas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
T. R. Muña Barnes
Adolpho B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Judith T. Won Pat, Ed.D.

AN ACT TO *AMEND* SUBSECTIONS (a), (c) AND (d) OF §31A05 OF ARTICLE 1A OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO DRIVER'S LICENSES ROAD TESTING.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that the Department of Revenue and Taxation already allows licensed private businesses to provide required driver's education classes in order to fulfill the mandates of Public Law 25-96 relative to graduated driver's licenses. *I*

Liheslatura further finds that prospective licensed drivers are faced with lengthy waiting times for road tests as the Department of Revenue and Taxation, Division of Motor Vehicles may be inundated with requests or faced with a lack of manpower to administer the tests. Therefore, it is the intent of *I Liheslatura* to create alternative and reliable means to test and certify the behind-the-wheel skills of driver's license applicants in order to reduce the current long delay applicants experience, but *not* to prohibit the Department of Revenue and Taxation from offering and administering the tests.

Section 2. Subsections (a), (c) and (d) of §31A05 of Article 1A of Chapter 3, Title 16, Guam Code Annotated, are hereby *amended* to read as follows:

"(a) the minimum age for an Intermediate License is sixteen (16) years; candidates for an Intermediate License are required to pass a behind-the-wheel, on-road test to obtain an Intermediate License. The behind-the-wheel, on-road tests *shall* be administered by the Division of Motor Vehicles of the Department of Revenue and Taxation, *or*, by up to five (5) examining entities, who have been approved by the Department of Revenue and Taxation through established rules and regulations, to certify the competency of prospective licensees to operate a vehicle on Guam's roads and highways. Examiners administering road tests *shall not* be from the same driving school, or company, that administered driver's education courses/examinations to the Intermediate Licensee candidate;"

"(c) Zero Tolerance for Alcohol: Intermediate Licensees must *not* have a blood alcohol content that exceeds 0.02 at any time while driving. Intermediate Licensees under the age of eighteen (18) years must be accompanied by a parent or adult guardian who is a fully licensed driver at

all times while driving between the hours of 10:00 p.m. and 6:00 a.m. on weeknights, and 12:00 a.m. and 6:00 a.m. on weekend nights, *except* while driving to and from work. The driver must show proof of employment. In the event that the Intermediate Licensee does *not* have a parent or guardian who is a fully licensed driver, that parent or guardian may designate, during the application process for an Intermediate license, a responsible adult who is a fully licensed driver who is either twenty-one (21) years of age or older, or the permit holder's spouse, who must be a licensed driver, to accompany the Intermediate Licensee while driving;

(d) Intermediate Licensees over the age of eighteen (18) years must be accompanied by a licensed driver who is either twenty-one (21) years of age or older, or the permit holder's spouse, who must be a licensed driver, at all times while driving between 12:00 a.m. and 6:00 a.m. nightly, *except* while driving to and from work (The driver must show proof of employment.); *and*"