

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

February 29, 2012

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

Dear Madame Speaker:

Transmitted herewith is 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", which I signed into law on February 27, 2012 as **Public Law 31-182**.

Senseramente,

RAY TENORIO

I Maga'lahren Guåhan para pa'go
Acting Governor of Guam

Office of the Speaker

Judith T. Won Pat, Ed. D.

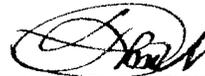
Date 2/29/12
Time 3:18
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Attachment: copy of Bill

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

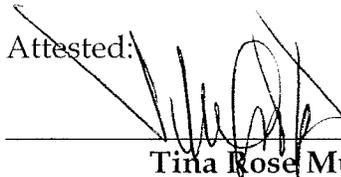
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

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:



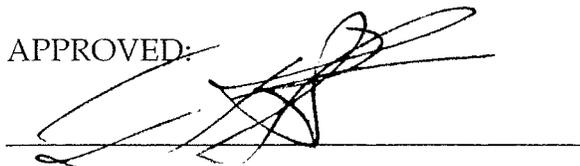
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 17 day of FEB., 2012, at
1:22 o'clock P.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date: Febr. 27, 2012

Public Law No. 31-182

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.**

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

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

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

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

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

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

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

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

6

I MINA' TRENTAI UNU NA LIHESLATURAN GUĀHAN

2012 (SECOND) Regular Session

Date: 2/17/12

VOTING SHEET

ABill No. 190 -31(LS) _____

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.	✓				
ADA, V. Anthony	✓				
BLAS, Frank F., Jr.	✓				
CRUZ, Benjamin J. F.	✓				
DUENAS, Christopher M.	✓				
GUTHERTZ, Judith Paulette	✓				
MABINI, Sam	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
RODRIGUEZ, Dennis G., Jr.	✓				
SILVA TAIJERON, Mana	✓				
WON PAT, Judith T.	✓				
YAMASHITA, Aline A.	✓				

TOTAL

15 0 0 0 0

CERTIFIED TRUE AND CORRECT:


Clerk of the Legislature

* 3 Passes = No vote
EA = Excused Absence

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

February 29, 2012

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Unu Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

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Senseramente,

RAY TENORIO

I Maga'lahren Guåhan para pa'go
Acting Governor of Guam

31-11-1368⁷
Office of the Speaker
Judith T. Won Pat, Ed. D.

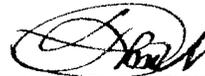
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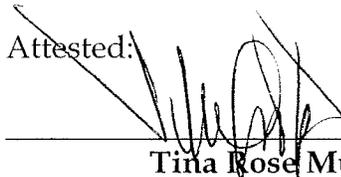
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Judith T. Won Pat, Ed.D.
Speaker

Attested:



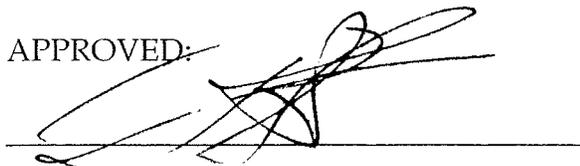
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 17 day of FEB., 2012, at
1:22 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



RAYMOND S. TENORIO
Acting Governor of Guam

Date: Febr. 27, 2012

Public Law No. 31-182

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.
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v. c. pangelinan
R. J. Respicio
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**AN ACT TO *AMEND* SUBSECTIONS (a), (c) AND (d) OF
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1 *Liheslatura* further finds that prospective licensed drivers are faced with lengthy
2 waiting times for road tests as the Department of Revenue and Taxation, Division
3 of Motor Vehicles may be inundated with requests or faced with a lack of
4 manpower to administer the tests. Therefore, it is the intent of *I Liheslatura* to
5 create alternative and reliable means to test and certify the behind-the-wheel skills
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15 wheel, on-road tests *shall* be administered by the Division of Motor
16 Vehicles of the Department of Revenue and Taxation, *or*, by up to five (5)
17 examining entities, who have been approved by the Department of Revenue
18 and Taxation through established rules and regulations, to certify the
19 competency of prospective licensees to operate a vehicle on Guam’s roads
20 and highways. Examiners administering road tests *shall not* be from the
21 same driving school, or company, that administered driver’s education
22 courses/examinations to the Intermediate Licensee candidate;”

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

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

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



Office of

the People

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 01 2011

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B

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

The Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina'trentai Una Na Liheslaturan Guåhan
155 Hesler Place
Hagåtña, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairperson, Committee on Rules

RE: Committee Report on Bill No. 190-31 (LS), As Amended

Dear Speaker Won Pat:

Transmitted herewith is the Committee Report on Bill No. 190-31 (LS), As Amended: "An act to amend § 31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated, relative to drivers licenses road testing." sponsored by Senator Aline A. Yamashita, Ph.D. and which was referred to the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land.

Committee votes are as follows:

- 5 TO PASS
- 0 NOT TO PASS
- 0 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Si Yu'os Ma'åse',

Vicente (ben) Cabrera Pangelinan
Chairman

**COMMITTEE REPORT
ON**

Bill No. 190-31 (LS), As Amended

Sponsored by Aline A. Yamashita, Ph.D.

“An act to amend § 31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated, relative to drivers licenses road testing.”



I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

AUG 01 2011

MEMORANDUM

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

To: All Members
Committee on Appropriations, Taxation, Public Debt, Banking,
Insurance, Retirement, and Land

Vice Chairman
Committee on Education

From: Senator Vicente (ben) Cabrera Pangelinan
Committee Chairperson

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Subject: Committee Report on Bill No. 190-31 (LS), As Amended

Transmitted herewith for your consideration is the Committee Report on Bill No. 190-31 (LS), As Amended: "An act to amend § 31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated, relative to drivers licenses road testing", sponsored by Senator Aline A. Yamashita, Ph.D.

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

This report includes the following:

1. Committee Voting Sheet
2. Committee Report Narrative
3. Copy of Bill No. 190-31 (LS), As Introduced
4. Copy of Bill No. 190-31 (LS), As Amended
5. Public Hearing Sign-in Sheet
6. Copy of submitted testimony and additional documents
7. Fiscal Notes
8. Copy of COR referral Bill No. 190-31 (LS), As Introduced
9. Notices of Public Hearing
10. Copy of the Public Hearing Agenda

Member
Committee on the Guam
Military Buildup and
Homeland Security

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

Si Yu'os Ma'åse',

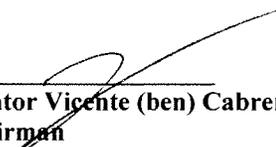
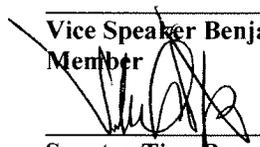
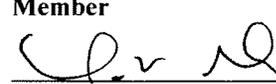
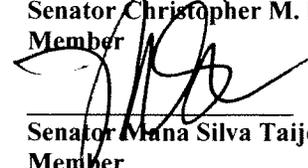

Vicente (ben) Cabrera Pangelinan
Chairman

I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN

Committee Voting Sheet

**Committee on Appropriations, Taxation, Public Debt, Banking, Insurance,
Retirement, and Land**

Bill No. 190-31 (LS), As Amended: "An act to amend § 31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated, relative to drivers licenses road testing."

Committee Members	To Pass	Not To Pass	Report Out Only	Abstain	Inactive File
 Senator Vicente (ben) Cabrera Pangelinan Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speaker Judith T. Won Pat, Ed.D Vice Chairperson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Speaker Benjamin J. F. Cruz Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Tina Rose Muña-Barnes Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith P. Guthertz Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dennis Rodriguez, Jr. Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator V. Anthony Ada Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Christopher M. Duenas Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Senator Mana Silva Taijeron Member	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



I Mina'trentai Unu Na Liheslaturan Guahan

Senator Vicente (ben) Cabrera Pangelinan (D)

Committee Report

Bill No. 190-31 (LS), As Introduced: "An act to amend § 31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated, relative to drivers licenses road testing."

I. OVERVIEW

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land convened a public hearing on June 11, 2011 at 8:30am in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Notices for the public hearing were disseminate via hand-delivery and electronic mail to all senators and all main media broadcasting outlets on June 4, 2011 (5 day notice), and again on June 8, 2011 (48 hour notice).

(a) Committee Members and Senators present:

Senator Vicente (ben) Cabrera Pangelinan, Chairman
Senator Anthony Ada, Member
Senator Christopher Duenas, Member
Senator Adolpho Palacios, Member
Senator Aline Yamashita
Senator Sam Mabini

(b) Appearing before the committee:

Felix Aguon, Do It Right Driving School
Vincent Eblacas, Better Driving School
George Freese, Better Driving School
Tina Santos, Safe Start Drivers Education
John Camacho, Director, Department of Revenue and
Taxation

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
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Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

(c) Written Testimony Submitted:

Felix Aguon, Do It Right Driving School
Richard Luo, Eastern Driving School
John Camacho, Director, Department of Revenue and
Taxation

II. COMMITTEE PROCEEDINGS

(a) Bill Sponsor Summary

Chairman Vicente (ben) Cabrera Pangelinan: The next item on the agenda this Bill number 190 –31 (LS) An act to amend § 31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated, relative to drivers licenses road testing. We have signed up this morning, Mr. Felix Aguon, Mr. Vincent Eblacas, Mr. George Freese and Mr. John Camacho from the Department of Revenue and Taxation.

Before we begin with receiving the public comments on Bill number 190, I would like to give the opportunity for the author of the bill to give us a synopsis of the elements of the bill.

Senator Aline Yamashita: Thank you very much Speaker ben and thank you to all who have been here and have stayed. I really appreciate your time and effort. Speaker ben Bill 190 – 31 attempts to provide a mechanism to the Department of Revenue and Taxation so that they may have an option to increase the efficiency and effectiveness of overseeing road safety. We currently have a public law 25 – 96 that provides for the graduated driver's license that's been installed and it seems to be doing well and allowing those who are of age to show that they are skilled and competent and to graduate within a certain amount of time.

We do know that the Department of Revenue and Taxation outsources the written test. The University of Guam helps them. We also know that for those who are very excited about reaching a certain age or for those businesses who are new to Guam and needs to get a drivers license, they go to the Department of Revenue and Taxation, and often times they stand in line with the rest of us. We know that the Department of Revenue and Taxation has many important duties across the island and seemed to be constantly trying to meet the challenges from being understaffed in meeting their responsibilities.

Speaker ben Bill 190 – 31 is an attempt to help alleviate the stress and tension that is met by potential drivers who are attempting to get an intermediate license. It provides a mechanism for rules and regulations so that the road tests can be outsourced and that whole process could be facilitated by a wider community. We believe that this would in some small matter energize the small businesses out there as well as expedite the waiting time for the road tests. But it's just as important, it does not take away the authority from the Department of Revenue and Taxation. The Department of Revenue and Taxation will still have to oversee the public safety in this manner. They would have to make sure that the rules and regulations that oversees the road tests

is a standard is monitored and that there is quality control within the authority of the Department of Revenue and Taxation.

As we've done our research more and more jurisdictions are going to need outsourcing to help. There is less and less money in the government and this helps, but again, the government remains with the responsibility and safety and again this will ensure that the Department of Revenue and Taxation is the authority.

Please know and I am happy to see many of our owners and managers of the driver's education on our island are here with us today and just as importantly I appreciate the time of Director John Camacho of the Department of Revenue and Taxation. This has been on our table for a while now. We've listened to a lot of concerns and so we look forward to making this service even better. Thank you Speaker ben.

Chairman Vicente (ben) Cabrera Pangelinan: Thank you very much Sen. Yamashita. We will start with the sign up then. Mr. Felix Aguon?

(b) Testimony

1. Felix Aguon, Do It Right Driving School

Felix Aguon: Good morning Mr. Speaker and Senators and members of the committee. I am Felix Aguon I have been doing drivers education for about 17 years. I joined a group of 13 people and we got together and unfortunately none of them are still doing business. I submitted testimony and I'm going to deviate from that. I've been doing this for 17 years and I joined a bunch of other people and unfortunately it hasn't been a lucrative business. As for myself who would have thought. I have had more than 3000 students over that period I have been doing this and I am just dreading the idea that we have reached about six months after you got that permit already that students still have to wait and that's if there passing everything.

I had one student who came to me after failing six times and he had to take an additional nine times because he had a limitation of his English ability. That's just one person. There are thousands of people on this island who know how to drive who are being inhibited because they do not have the ability to speak English. Beside all that the people that they have these limitations we have in place a system.

When I was the person in charge of the motor vehicle division almost 20 years ago we never had these things happen. I had a lot of staff about 42 or 43 people. That has long since changed. There probably little bit more than a dozen people there right now. It's more automated, but one of the biggest problems we are presented with is that we have students who know how to drive but they're kept for about a year before they're able to go out and get their driver's license, which is actually a passage of life. This is something you expected when you were 16 years old.

I could do it in a day when I was a teenager. I don't drive any differently than most people out there. It would take you about five years before you reach the skill level of everybody else out there. I support the idea of the bill though because there is no other way that we're going to be able to reduce the amount of time that people have to wait for their driver's license unless we intervene some way. If this is one way to be able to do that then I support it.

Senator Yamashita, I applaud you and applaud all the other Senators here and I applaud the staff and management of the Department of Revenue and Taxation for taking the time to come up here and testify on this bill because I think that once we get this waiting time reduced, and have it under a month I think it will be a little bit more reasonable. I would like to make a suggestion that if we were to outsource only do it when we reach it period of about a month wait before you reinstate it again. Have a list of different schools that you can outsource to. I want to be sure that it's fair to have the opportunity to go out and look for different people that might be able to do it because if you stick with one you could create something that you don't really want happen.

I appreciate your listening to me today and my comments. I only have one thing in mind that I want to be able to see people get their drivers license in a very short amount of time. Unlike the person that took it 15 times it was five years before he got his driver's license but regardless of his English ability he eventually got it and he stuck to it all the way through. Thank you very much.

Chairman Vicente (ben) Cabrera Pangelinan: Thank you very much Mr. Aguon. Mr. Eblacas?

Testimony

2. Vincent Eblacas, Better Driving School

Vincent Eblacas: My name is Vincent Eblacas and I'm from Mangiloa and I am an instructor for Better Drivers. I've been teaching there for the last couple of years and I have some concerns about what does it mean by qualify? I know that there is something in the Safe Streets Act, but I'm just concerned that we're going to have conflicts of interest in addition to the fact that how do we determine what is truly qualified because I'm an educator and I had to go through a bunch of certifications before I could say that I am an educator.

Now with the Drivers Education, Department of Education does not certify people for that anymore. I only know a couple of people that are actually certified in the Department of Education as driving instructors and they don't teach it as a course. So how's it that were going to determine who is qualified and if you go to most jurisdictions I have not seen where you have a separate license for driver examiner. So I do want to have it where we expedite and make it faster because I know a lot of people are being held back by the three month plus waiting period I want to it reduced as well until we address these logistical issues about how are we going to

ensure there is quality because like I said we support making things better and more efficient but we don't want to sacrifice that safeguard.

I have noticed that we had to shut down a lot of schools because they were just rubberstamping things. We went from over a dozen schools to about half a dozen schools in the past couple of years because it was due to people doing fraudulent activities if we get that resolved then I'm all for it. Like what Mr. Aguon said that we have to make sure that it's fair. So we don't want to just assign it to one school and they basically have a monopoly. We want to have it where it's equally distributed and there is no conflict of interest because it fits my student, I want to make sure that student will pass. That's how it operates a lot of times. That's basically what I have to say at this point.

Chairman Vicente (ben) Cabrera Pangelinan: Thank you very much Mr. Eblacas. Mr. Freese?

Testimony

3. George Freese, Better Driving School

George Freese: I'm one of the few I'm surprised that this gentleman the first time I met him. I am one of the few certified DOE instructors which I came here before when they called Louis Reyes of the human resources at DOE, they said I didn't exist, so I had to come in here and I think I dealt with Senator Respicio and I gave you all a copy of my certification to say that I was certified and they went back to DOE and DOE said "there is an exception Mr. Freese" but I'm concerned about it because I'm an educator and some of you are educators. You want to follow the criteria. Students at that age take it seriously. I am one of the few certified by DOE certified education instructor with 20 years of experience in the government and private enterprise.

We are also affiliated with the National Association of Driver Education, which we could certify even a Shell or Mobile for their drivers to get a cheaper rate if you show your competency and skill in POV driving. You can get some insurance discounts, there is 10% which we try to push with you before the insurance companies wouldn't give that. But some of those issues we try to push. Right now at the University of Guam, the Vice President of the Association of Retired People, I work with John Salas and Bert Unpingco and they have a great package deal for driver education for senior citizens. And to my knowledge is that we couldn't add any more. Just driving here this morning the roads of Guam are dangerous. I've been teaching the private sector and the school system and it's not taken seriously.

The intent of her bill is good. But we had in the past is people taking advantage and not taking it seriously and certifying someone just to get a license. There are other problems on Guam with licensing as we know. And I think it's an important standard and criteria that this is not taken lightly because you get the permit. You go through the process. Some people buy their permits,

some people will signed it off and you know where I'm getting. There is that gray area and also the Department of Revenue and Taxation has been accused of fixing licensing. It's been in the paper, it's been advertised, and there is evidence that even went to court. There's been evidence says something to the foreigners because they don't speak English t here's an assumption "well we'll just sell them a few licenses".

It's never been proven, but there's evidence. There's a lot of smoke and the other part of it is DOE didn't handle it too well in the past. Philippe Gerling offered cars and offered to help. The private sector said we'll help the government and gave it to DOE and never funded it. DOE never wanted it because the curriculum for instructors in school really didn't want it. So they shoved it into the private enterprise. We don't become rich. The quality of welfare on Guam is very important.

I show a movie and it even deals with trains and I said "what does trains have to do with Guam?". So we have a family from Yigo leave Guam moved to the United States and their first big incident in the states is they get hit by a train. So I think also, when we teach driver education, it's just not in Guam. People travel to the Philippines to Asia and there is a universal driving system. Basically the rules of the road are universal. So that's just some things I want to explore with you.

So the key even Vince said, and the others we really need professional credentials to teach. It's really not simple and I teach and drivers education. We have all the modern conveniences, but it's a wonderful way to go to heaven. If it's a Lexus or a Guam bomb and you die in your car. Just like someone mentioned before you're dead right? This is all information to support her bill.

Even in front of the Department of Revenue and Taxation and in front of the law office. All the illegal parking. I'm concerned about it. I even waited for my time. I got up early. So the beginning of this was someone died on the road and someone said "well will make a rule and make the Guam Safe Streets Act and things will change". It doesn't change.

We are already outsourcing it. Schools that have good intention they're still doing it. The fly-by-night school they won't hang in there. We really need qualified driver instructors and DOE did not want to handle it before. You need a clearinghouse to clear the stuff to where someone was watching it the Department of Revenue and Taxation, I've been in the business were 20 years and I don't know who's watching it. I go up there and one day it's like this and one day is like that and nothing against the Department of Revenue and Taxation they have a burden but now they have a new area there and it's been changed, you move from Tiyan then to the Price Costco.

So the Department of Revenue and Taxation I'll give a dollar so they could have a building fund to build in a location. Thank you very much.

Chairman Vicente (ben) Cabrera Pangelinan: Thank you very much and we will go with Ms. Santos.

Testimony

4. Tina Santos, Safe Start Drivers Education

Tina Santos: Good morning Senators. Senator Yamashita. I'm here to represent myself and my husband James Santos. We are owners and certified instructors with Safe Start Drivers Education. I apologize. He's not here he is off island. We support Dr. Yamashita's bill that she has introduced. I would like to thank all of the other schools that have come and everything they have said, I do agree with Mr. Aguon and his testimony in regards to the lack of personnel at DMV. I do testify on that DMV is doing a good job, they answer their phones and answer my questions as fast as some may not believe they do get answers.

Supervisor Jesse is very helpful as well. So I do say DMV is doing their job but they are lacking personnel. The lines when you walk in to DMV is the longest to your left. And if you know to your left, is where we all go for our licenses. I do support everything, even Mr. Freese says in regards to certified instructors because he's a certified instructor. We work together with DOE and I think he knew I was an instructor as well. We are just down the hall from each other. I do agree that we do need to find or certify the schools because they're our day and night driving schools. My husband has been with his driving school for 13 years. I've been there for about four years assisting him as well. So I believe I am qualified to teach.

There are some schools that we agree we should share the wealth. When it comes to us alleviating the burden from DMV from the six-month wait to something that's much shorter. If we do agree to that I do request looking into and certifying the schools because I think the only schools that are certified are the ones that are sitting before you right now. The others that I'm aware of are not here and I won't pinpoint them but there are existing nighters. I am in support of this bill and thank you Dr. Yamashita for introducing this bill.

But like I mentioned my issues are that some students are discouraged because of the wait. I get some students of about 21 years old and I joke around and say hey what took you so long? They said that they have to wait and why am I going to wait? I know how to drive? I teach in the South. They all drive themselves to my class and they think it's funny. And I don't think it's funny. They only see a yellow line they don't know what a white line looks like. So I have to go out and teach them what the white line or a broken line looks like. In the South we don't have that.

They park on the beach it's illegal. They don't know that. It also goes back to education, and teacher's qualification standards for each school. The only standards I know is the standards I've seen in the road test guidelines. To my knowledge, I don't know of any guidelines in the curriculum. We all teach in different ways. Educators here before me probably have their own pace, but were all following the test that we provide to the students.

The other negative impact in support of this bill and in support of sharing the wealth with DMV and do outsourcing with us is, it does come down to political issue. I want my students to pass. It happens in the government and it happens in the private sector, and etc.

I would like to see implementation of equal opportunity for all of us. John Doe is ready to pass this test. DMV says he's up to six months. So he says "let's go to Better Drivers. Ok Better Drivers will be next. Okay, you can go to Safe Start Drivers you can do it at Best Driving." There's a lot of driving schools that I think do very well. The ones not sitting here I do recommend to look into. Thank you again. Thank you Dr. Yamashita and I am in support of this bill.

Chairman Vicente (ben) Cabrera Pangelinan: Si yu'os ma'ase Ms. Santos. John?

Testimony

5. John Camacho, Director, Department of Revenue and Taxation

John Camacho: Good morning Senators, Mr. Chairman, members of the committee. My name is John Camacho and I am the Department of Revenue and Taxation. First thank you for introducing this bill, Senator Yamashita . I only have several comments I have a written testimony that I submitted and I have several comments to the bill and maybe I can echo some of what Felix commented about manpower and resources and in part of my testimony I said that back in 2003 there is double the amount right now. That's right now. We have this five six-month backlog of road test.

I want to support these people here and just to clarify, I think there's just about eight or nine that are active now of the driver's education school. There are some concerns that were looking at right now and another concern were looking at right now is basically establishing a fee to make it standardizing to all these particular road test. And again, there's no fee because the government is carrying the burden of doing these road test.

Secondly, when you do something in law there's always something that is out of cost and the government. We've still have to go out to monitor these schools to make sure that they are in compliance with the law on the road test.

Lastly, maybe there's also a fee. What I put in my written testimony on the Guam Identification Law where we can get some kind of funding source, where on Saturday's a lot of people can take the road test. I have Frank Blas here for any questions you may have.

Chairman Vicente (ben) Cabrera Pangelinan: Thank very much, Mr. Camacho. Senator Yamashita?

Panel Comments and Questions

Senator Aline Yamashita: Thank you very much Speaker ben. Thank you. All your comments have echoed everything we read, and we spoken with many of you over the phone and certainly Director Camacho and his deputy have spoken about this measure. Over and over again the concerns about standards, the concerns about compliance about quality control about fairness and equity have risen. The concern about the Department of Revenue and Taxation having the number of personnel they need to ensure that there is quality control.

Most certainly when we review the bill I will ask Speaker ben if we can have a markup on this to address whatever might need to be addressed. As the process goes on Director Camacho, I would like to work with you to give you the kind of support that you might need to beef up your unit that addresses drivers education.

It's really critical component on our island. We need to have safe drivers if we are getting more and more of them and we have cars all over the place. So it's a health issue. It's a quality of life issue, so I look forward to supporting you. I appreciate all of us in support of this thought as the members of this body debated. I'm sure they will take into consideration what you say, what you proffer and look forward in making this better for you as businesses for the Department of Revenue and Taxation as a licensing unit for the people on Guam. Thank you Speaker ben.

Chairman Vicente (ben) Cabrera Pangelinan: Thank very much, Senator Yamashita. Senator Palacios?

Panel Comments and Questions

Senator Adolph Palacios: Thank you. Mr. Chairman. Mr. Chairman, this bill proposes to what's been a long-standing issue with respect to the wait time for driver's licenses. I have some questions. This driving school you prepare the students to pass a written test and road test.

Vincent Eblacas: Yes sir.

Senator Adolph Palacios: Then how would you reconcile if you know what to do with the road test with a student you taught and prepared to pass that road test. How would you reconcile a conflict of interest? You don't want to fail your student.

Vincent Eblacas: It's a difficult call. Basically, I'm considered one of the most honest people that if they fail I am honest with my students that you failed and this is why you failed. Now if you can state that this is my actual student and your record shows that you're fair is the only way you can reconcile it. It happens with a lot of teachers. We have tested them on different things and we have to come up with an honest answer. You failed because of this and sometimes it could be that there are gaps in the overall education and it happens in all education system as long as you can be shown objective overall. We all have our little subjective things about "yeah this is okay". But if we have a standard like when we do the parallel parking your within 18

inches. No more, no less. That's a passing grade. Follow the standards, and that's the best way we can resolve it we'll find out who fails and why.

Senator Adolph Palacios: With the privilege to administer the test that would give advanced knowledge of what is passing and what is failing in the process is temptation to try and incorporate into the teaching material from the answer material and just prepare this person to pass this test. You know what would be passing. You would be administering that. So all these things about the actual teaching would be more narrow and just specific. In fact, you can just teach the question and the answers.

My point is the control mechanism. I think that really for myself the only way this would work is anyone that teaches prepares people to pass the test should not be eligible to conduct the test and vice versa. Now, if you are authorized to conduct the test, you should not be eligible to have a business to teach this. We'll see people administering the written test. You have to pass the written test whether they passed or not, that's the government. In this case it would be the exception of the road test and I think there should be no difference with the written test and the road test. This is my comments from the conflict of interest point of view and from the control mechanism to minimize abuses.

Even within the Department of Revenue and Taxation itself. There's some impropriety and that's a government agency.

George Freese: Well, I had a long period of living on Guam. There is a written part of it. The competency-based test and then there's a comprehensive part where you have to show the skill. In our school it's not necessary if you reach that criteria to get the permit it's not always the same person that's giving you the test. Were not just a one-man school. In my school we have four or five different people that work there. So it's not just one specific instructor but that's common in education that we teach in the test. In a way that might be good to that we should separate the teacher from the test.

There are dubious people in many places, some of us come in and say "in my other school you can just go there and buy one. We'll then go there." We keep that trust.

Vincent Eblacas: Also for the record our driving school does have the curriculum online at www.Guamdrivingschool.com. You could see literally what we do when you go to the website. I'm not sure what the other schools do, because that's their business but that's what we do. There is that no matter where you go because if you don't teach what is being tested then how are they going to pass? As long as you're being fair about it and were not only teaching that if you look at our curriculum. We also cover other things like the trains. We don't have trains on Guam. I've been in jurisdictions where trains are very common and I have to tell my students about that.

On Guam we never really go over 35 miles per hour because we don't have freeways. I've driven on freeways with no speed limits. And that's a different experience. I had to drive for the military and also trained military so I understand where you're conflict of interest is. But again, if you apply the structure methodology it minimizes that conflict.

George Freese: Another thought came out that many people in Guam when they reach their frustration level and say "I'll drive without a license."? People get away with driving without a license because there's no accountability. You have government employees driving equipment you need to drive that vehicle? Just get in the car and drive. So there's no qualifications. Even chauffeurs license, taxis license, motorcycle license but my friend got hurt. It just takes a short time. That's important to the attitude. One mistake and you're in the hospital. Safety is very important.

Senator Adolph Palacios: I'm just concerned and again the law does not distinguish working to get a license to receive an outsource contract with DRT it doesn't distinguish. It could be anybody. Anybody less honest. That's my concern.

Felix Aguon: The whole purpose behind this bill is to try and reduce the amount of waiting time. I mean everything else is just irrelevant because we're talking right now about reducing the waiting time. I'm all for hiring 20 extra people in the Department of Revenue and Taxation but John you can't do that right? If we can do that on interim basis or some way just so that we can reduce the amount of time students have to wait and get this rite of passage out of their life then I think it's a good thing.

I applaud Senator Yamashita for putting it together. Forget about the honesty of schools. Most people can learn how to drive even without a school. I learned from my sister. She took me to the drag strip.

Panel Comments and Questions

Senator Tony Ada: Mr. Camacho stated some kind of flat fee for those being charge behind the wheel. What is a reasonable flat fee for that type of education?

John Camacho: It would be a worthwhile study to look into it right now. I don't have an amount. I don't know if my administrator would have any idea and even with that. I think there should be a study done first to look at all the factors and expenses that are incurred during the time of the road test.

Senator Tony Ada: How about in the driving schools. What would be...

George Freese: Right now Senator Ada as it developed over the years, background information is important because in the beginning when you first didn't have driving schools. The fee was like \$350.00 and they made a package deal and some schools could meet it in some couldn't. It was competency-based to take the test knowledge portion and then you have your

skill based. Our school kind of took it up because a lot of people after they got their permit they were happy for a while.

Before you can drive on Guam without any insurance, so some of the legislation is being enforced and being corrected is helping the system, leading all the way up here it's a package deal. If we offer a package deal we could make a little money in the system and could meet the needs of the community because it's a community effort. There doesn't have to be an added fee, it's kind of what the market will bear.

We have to pay anyway. We have to pay gross receipts tax anyway. Some companies put the gross receipts tax up front. But I'm living on Guam. Do you know what the gross receipts tax is in the Philippines? Twelve percent. On Guam were only 4%. So if you're in the business if the fees you have to pay the taxes anyway so an added fee would be worth the time and effort. Get opinions from other people.

Senator Tony Ada: Thank you Mr. Chairman.

Chairman Vicente (ben) Cabrera Pangelinan: Thank very much, Senator Ada.

Tina Santos: I have one opinion for package deals. I'm not sure exactly how the other eight or so driving schools will charge their customers, but we are one of the driving schools that charge as a package deal because the written exam/permit and the road test is two things required by DMV. So you come to my driving school, we would prepare you for the permit but you would come back because you paid for that fee and my husband would prepare you for the road test.

That's the only reason why we do a package deal. But if you break it down actually it's the same thing. We pretty much all charge a standard price. If you do take Mr. Freese's school if you put what the charges were his road test and what I charge for my road test. It's about the same. It's just that we put in a package deal.

Going back to Mr. Taitano safety is a big concern. That's what we're here for to learn about safety when you're out on the roads and to learn the laws. You need to build standards to pass. Mr. Taitano did in the past it was just like swimming our parents pushed us in the water and if you make it you make it. But that's not what we want to do. It's very important. Going down to even with a recent colleague of mine got into is a motorcycle accident. He's not in a good situation right now, so that is one thing and yes he has his motorcycle license. But even with that his road test was just to go around in circles. I have a motorcycle license as well. It's just driving around circles and go around this little thing. No one will follow me on the road. I learned on my own and that's all I have to say. Thank you.

Chairman Vicente (ben) Cabrera Pangelinan: Thank very much.

Felix Aguon: Some students come to me and already know how to drive. I don't really want to take all their money from them, but because it's a requirement. We do as much as possible for them in a short time as possible. There are some that come to us for the eight hour driving and he spend 16 hours with us because they in the very beginning did not know how to drive.

I had this student from Bangladesh one time. She came to me and we were out times eight times for 16 hours and I remember one of the times were out on the road and she got onto the curb in front of the Agana Shopping Center and almost hit Shirley's and she was on route four.

Panel Comments and Questions

Senator Sam Mabini: I have several questions for the school representatives. What current certifications do schools have and are required to have?

George Freese: In the beginning to open driving school on Guam you just go to walk in to the Department of Revenue and Taxation and say I want to open a driving school. So there wasn't any criteria, but now there is under some legislation. Things change, things have improved. The Department of Revenue and Taxation people should be able answer that. What are the criteria for opening a driving school?

Senator Sam Mabini: I think if anything, there is a requirement for certification but maybe schools may have multiple certifications different industry standards?

George Freese: Well in the past there was no criteria it was just the integrity of individuals that were teachers that felt that not giving the skill was a safety issue. I had a card of a guy who could get you a license, but he had a selective audience and could get an illegal license. I worked with the attorney general. Mr. Gumataotao trying to get that legislation. It's such a small island that to squeal on our neighbors. We don't want tell on each other.

Why couldn't we form clearinghouse for that or something. One has never done that in education. We have the National Association in the United States but we really have nothing local. My concern is remember the green cars? A government vehicle was painted green and someone said no. Now we have different colored vehicles. Like she said you can get a motorcycle license were just going around in circles. So I want to put the meat into a licensing.

This weekend at the University of Guam we have another meeting with people on a national level, the American Association of Drivers Education with a curriculum.

Senator Sam Mabini: That was my main question. Is everyone all certified by this National Association of Driver's Education? Frank?

Frank Blas: My name is Frank Blas from the motor vehicle division. You will find the requirements in title 16, chapter 3 with the heading of private driving schools. I know that there's a secondary teaching certificate requirement for all those who have established a driving school.

When I came to motor vehicles division in 2003 the time when Mr. Freese mention that there may have been some schools that were established by the previous management of the department allowing them to conduct a kind of service following those requirements. So that's something I believe has happened, and I know it still falls on our office to regulate this service that is out there, so we're mentioning how shorthanded we are and how difficult it is.

Panel Comments and Questions

Chairman Vicente (ben) Cabrera Pangelinan: What the question is, if you want to open a driving school now there are certain requirements.

Frank Blas: It's in the title 16. The business license office is very much aware of the requirements.

Senator Sam Mabini: For the instructors and the Legislature a great legislation is written by Senator Yamashita. These questions are related because of the schools and the end results of the potential testing. Currently, how many of your students do you reject.? I mean do you stop after several number of times when they go to you? Say 30 or 40 times? Is there a standard?

George Freese: Well, I had one like him. He was kind of a rich guy and his wife happened to be from Japan. I was making a lot of money because he just wanted his wife to do something. Some people never learn how to type or simple skill some people are not good at cooking some people know not to put metal in the microwave. It's just a little thing. They get frustrated or they just drive without a license.

I don't know if you could get statistics from the Police Department of how many people drive without drivers license? My estimate would be 30 or 40%.

Tina Santos: I personally have not rejected anyone because in actuality you should not turn students away whether their second language learners. We have to modify for the students. I had a student who is a ADHD just turn them in to the instructor of the class. You're going to assist me. Just like DOE, you're not to turn students away. You're there to show for them. You're here for one to one and help.

George Freese: I work with special education a lot. She mentioned her students like that. In the curriculum before they never included they're IEP that they should have an opportunity and we were to teach a course just introduction to driving. That awareness of drivers education is very important but now they put in the IEP school to work program is that one of the requirements is to get a driver's license. They never really had that before.

Senator Mabini: It's a little bit of a concern. I wish everyone could drive but many of us can at least say that we think that some people should probably not be on the road because of their driving skill. Another question for Ms. Santos. What happens to the students within coming in knowing that they have been driving to your school without a driver's license?

Tina Santos: First of all, they'll fail my pretest. They are learning based on being pushed into the water and learning that way which I mentioned before.

Senator Mabini: So the next time somebody drives them to your school?

Tina Santos: I follow them outside and see what they do because the people from the South all come together. You will not pass my class. I would not put your name in the list at DMV and say "hey DMV, they've completed the 32 hours required of classroom instruction" until they pass my test.

Senator Mabini: Going back to Senator Palacios's concern about the potential conflict of interest where the instructors can be contracted to do the testing. And you're right, we are a small island that something we should seriously consider. Whether there should be a separation between the driver schools and the testing organization.

George Freese: With the criteria we have a list of the items. Can he start the car? Can you get in the car using the seatbelt? There's a whole list of where you could show the students okay you didn't do this, you didn't do that. It's a very comprehensive test, so it wouldn't be where there's a conflict of interest.

Senator Mabini: I would like to ask a question to the Department of Revenue and Taxation. What are your stats right now as far as retaking the test?

Frank Blas: I would have to get back to you on that. What I've noted here is that in order to go through with approving outside entities to certify drivers that will be one of the first things that you check the stats. We would like to see how well schools have been performing. The educational road testing for us and then that would just take us to the next step. So I'll have to get back to you on that.

Panel Comments and Questions

Chairman Vicente (ben) Cabrera Pangelinan: I guess the proposal here is Frank, is there anything in the testing that we do now in regards to the drivers on the road test that were testing for occupying time that really doesn't impact safety on the roads. So, for example, parallel parking. It takes 30 min. per person. To have them test report parking. And doesn't really involve public safety on where you're going where you're traveling the skills. Could we say that maybe you don't need to test for parallel parking, no one's going to die if they don't know how to parallel park? And if you parallel park and it's not according to the standards then you take it?

So, is there anything that we're testing right now that could shorten the time it takes to take the test she could do more test without compromising the safety on the roads?

Frank Blas: That's a good question senator. It's something to consider. It's an extreme case of someone if someone needs a half an hour to do parallel parking. Before I came to motor vehicles the standards we set where we we're assisted by the state of Hawaii. They had representatives come out and instruct our personnel, one of which is our supervisor of the branch in establishing the standards.

We can see that always got an awful lot of parallel parking requirements over there, so it's a little different. Something to look at. So I agree there may be something about the road test that we may be able to minimize certain areas. Right now the most we do spend about 45 min. per person schedule 35 min. on average. So at times it would take as little as 25 min. to do the testing but at most 45 min., so maybe we can with certain areas of the road test.

Chairman Vicente (ben) Cabrera Pangelinan: Typically, if you're prepping someone for your driving test to say what is the length of time it takes through the paces going through what you expect the Department of Revenue and Taxation to test?

Vincent Eblacas: It's roughly about half an hour. When we were down there in the parking lot we will have them pull out and do the parallel parking and drive around and it takes about half an hour.

Felix Aguon: There was a time when I used to be observing all the time because I used all the guys and from what I understand a lot of my students and failed years past may be is not happening over the past few years because I have been actively involved for more than a year. There were students there that were failing because they didn't put their seatbelt on before they put the key in the ignition. So many of them have to go back and reschedule.

George Freese: For some people it's small, or menial. It's important. That's part of the criteria in the curriculum. It's like going to school not bring a pencil and paper. The first thing you do put your seatbelt on, because it's the law.

Tina Santos: It takes 30 min. also and I do not agree with the comment "what can we do to should we takeout parallel parking?". Nothing. Anything on that form that earns demerits shouldn't be removed. Maybe we should add more parallel parking stalls because there's only one. We're all waiting in line. It's going to take him 20 minutes, me 20 and him 20 because our students are to take that much time trying it all over again and we're in line. And while we're taking our students out in those eight hours that are required he's taking his student out of the DMV test-taker waiting for us in line as well. We do give them the courtesy knowing who he is.

Chairman Vicente (ben) Cabrera Pangelinan: So when you're teaching parallel parking you're going to the place where they test it?

Tina Santos: There's only one. We are all sharing.

Chairman Vicente (ben) Cabrera Pangelinan: Why can't you take it at school?

Vincent Eblacas: We actually have made our own its just other people tend to encroach on us. We do measure of the specs we've actually done the cones and all that. But again, other people chase us off or other people encroach on us, so it becomes problematic. So the Department of Revenue and Taxation only has one. They can expedite that if they have more spaces like she said and that's one of the issues. Even if we have enough examiners we don't have enough testing space to test everybody.

George Freese: The solution to that, that in the states they have off road education. We do it on the road here we take a person out, but you have to judge your student. You have to make a judgment that you want go out there. If Senator Yamashita goes further to have an off-road site. I think for the buses they use the racetrack. So the idea would be to teach people off-road and some they have driving simulators.

Chairman Vicente (ben) Cabrera Pangelinan: Thank you very much. Any other comments? Senator Yamashita?

Panel Comments and Questions

Senator Aline Yamashita: Thank you Speaker ben. I think standards compliance, quality control, options, and fairness, there's always a way to go to school and learn but Christine will be the one to test me. It's unfortunate we came to a point in our society where we have to question the integrity of the teacher. I think it's a very sad statement to that we don't trust. Five of us in here are teachers. So if I teach my students and had to have another teacher test my students that's a really sad statement but that's where we're at in 2011. I suppose director Camacho can review all of this with his staff and I will be requesting from Speaker ben a markup on this and will certainly reflect all your valuable insights and comments. Thank you for your work and thank you for keeping Guam healthy.

Chairman Vicente (ben) Cabrera Pangelinan: Thank you and si yu'os ma'ase. There being no further comments the public hearing is concluded on Bill 190-31.

III. FINDINGS & RECOMMENDATIONS

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement, and Land, hereby reports Bill No. 190-31 (LS), As Amended, by the Committee, with the recommendation TO PASS .

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 & Land

Introduced by:

A.A. YAMASHITA, PhD

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

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guahan* finds that the Department of Revenue and Taxation
4 already allows licensed private businesses to provide required driver's education classes
5 in order to fulfill the mandates of Public Law 25-96 relative to graduated driver's
6 licenses. *I Liheslatura* further finds that prospective licensed drivers are faced with
7 lengthy waiting times for road tests as the Department of Revenue and Taxation, Division
8 of Motor Vehicles may be inundated with requests or faced with a lack of manpower to
9 administer the tests. Therefore, it is the intent of *I Liheslatura* to create alternative and
10 reliable means to test and certify the behind-the-wheel skills of driver's license applicants
11 in order to reduce the current long delay applicants experience, but not to prohibit the
12 Department of Revenue and Taxation from offering and administering the tests.

13 **Section 3. Section 31A05(a) of Article 1A of Chapter 3 of Title 16, Guam**
14 **Code Annotated, is hereby amended to read as follows:**

15 **“§ 31A05. Stage 2: Intermediate License.**

16 The following are the requirements to obtain and for the use of an Intermediate
17 License:

18 (a) the minimum age for an Intermediate License is sixteen (16) years; candidates
19 for an Intermediate License are required to pass a behind-the-wheel, on-road test
20 to obtain an Intermediate License. The behind-the-wheel, on-road tests shall be
21 administered by the Division of Motor Vehicles of the Department of Revenue

1 and Taxation or by examiners, who have been approved by the Department of
2 Revenue and Taxation to certify the competency of prospective licensee to
3 operate a vehicle on Guam roads and highways;

4 (a)(1) Examiners administering road tests shall not be from the same driving
5 school, or company, that administered driver's education courses/examinations to
6 the Intermediate Licensee candidate;

7 (b) must have completed a Driver's Education course approved by the Department
8 of Revenue and Taxation to obtain an Intermediate license; *and*

9 (c) Zero Tolerance for Alcohol: Intermediate Licensees must *not* have a blood
10 alcohol content that exceeds 0.02 at any time while driving (Intermediate
11 Licensees under the age of eighteen (18) years must be accompanied by a parent
12 or adult guardian who is a fully licensed driver at all times while driving between
13 the hours of 10:00 p.m. and 6:00 a.m. on weeknights and 12:00 a.m. and 6:00 a.m.
14 on weekend nights, *except* while driving to and from work. The driver must show
15 proof of employment. In the event that the Intermediate Licensee does *not* have a
16 parent or guardian who is a fully licensed driver, that parent or guardian may
17 designate, during the application process for an Intermediate license, a responsible
18 adult who is a fully licensed driver who is either twenty-one (21) years of age or
19 older, or the permit holder's spouse, who must be a licensed driver, to accompany
20 the Intermediate Licensee while driving.);

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

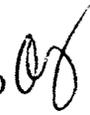
26 (e) the Intermediate Licensee must *not* be at fault in any collision and remain
27 conviction free of all traffic and motor vehicle code violations for twelve (12)
28 consecutive months to move to Stage 3.”

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

2011 MAY -9 AM 9:46
llm

BILL NO. 190-31 (LS)

Introduced by:

A.A. YAMASHITA, PhD 

**AN ACT TO AMEND § 31A05(a) OF ARTICLE 1A OF CHAPTER 3
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20 to obtain an Intermediate License. The behind-the-wheel, on-road tests shall be
21 administered by the Division of Motor Vehicles of the Department of Revenue

1 and Taxation or by instructors qualified to teach a Driver's Education course, who
2 have been approved by the Department of Revenue and Taxation, who will certify
3 the prospective licensee as competent to drive after achieving a passing rating on
4 the behind-the-wheel, on-road tests administered by said instructors;

5 (b) must have completed a Driver's Education course approved by the Department
6 of Revenue and Taxation to obtain an Intermediate license; *and*

7 (c) Zero Tolerance for Alcohol: Intermediate Licensees must *not* have a blood
8 alcohol content that exceeds 0.02 at any time while driving (Intermediate
9 Licensees under the age of eighteen (18) years must be accompanied by a parent
10 or adult guardian who is a fully licensed driver at all times while driving between
11 the hours of 10:00 p.m. and 6:00 a.m. on weeknights and 12:00 a.m. and 6:00 a.m.
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13 proof of employment. In the event that the Intermediate Licensee does *not* have a
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17 older, or the permit holder's spouse to accompany the Intermediate Licensee while
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20 accompanied by a licensed driver who is either twenty-one (21) years of age or
21 older, or the permit holder's spouse at all times while driving between 12:00 a.m.
22 and 6:00 a.m. nightly, *except* while driving to and from work (The driver must
23 show proof of employment.); *and*

24 (e) the Intermediate Licensee must *not* be at fault in any collision and remain
25 conviction free of all traffic and motor vehicle code violations for twelve (12)
26 consecutive months to move to Stage 3.”



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan

COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
INSURANCE, RETIREMENT AND LAND
 Monday, July 11, 2011
Bill No. 190-31 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
Felix Aguon	Depto	838 4553	Felixaguon @Yahoo.com	/	✓	Yes
Vincent Eblanos		734 1581	Vebiano @hotmail.com		✓	No
George J. Freese	Mangilao	687-2123	freesej@stinet		✓	No



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "Ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
 INSURANCE, RETIREMENT AND LAND**

Monday, July 11, 2011

8:11 190

SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
Christina Santos		480-3030			✓	<input checked="" type="radio"/> Yes <input type="radio"/> No

324 W. Soledad Ave. Hagatna, Guam 96910
 Ph: 473-4236 Fax: 473-4238
 Email: senbenp@guam.net



Mina'trentai Unu Na Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE
Senator Vicente "ben" Cabrera Pangelinan

**COMMITTEE ON APPROPRIATIONS, TAXATION, PUBLIC DEBT, BANKING,
 INSURANCE, RETIREMENT AND LAND**
 Monday, July 11, 2011
Bill No. 190-31 (COR)
SIGN UP SHEET

NAME	ADDRESS	PHONE	EMAIL	WRITTEN	ORAL	SUPPORT Yes No
John P. Ramirez	DRT			✓	✓	Yes

324 W. Soledad Ave. Hagatna, Guam 96910
 Ph. 473-4236 Fax. 473-4238
 Email: senbenp@guam.net

EASTERN DRIVING SCHOOL

*979 Army Drive, Barrigada, Gu 96913
Tel: (671) 637-2928 Fax: (671) 637-6202*

July 7, 2011

MEMORANDUM

TO: Guam Legislature
Attn: Lisa Cipollone

FROM: Eastern Driving School
Barrigada, Guam

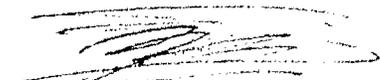
RE: *Testimony on Bill No. 190-31 (COR)
An Act to Amend §31A05(a) of Article 1A of Chapter 3 of Title 16,
Guam Code Annotated relative to Driver's Licenses Road Testing*

We respectfully submit our stand or testimony regarding the above-subject legislation.

Eastern Driving School has nothing against the bill and, therefore, supports its intent 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.

Our firm's only concern is the capability of our Government of Guam to fully handle the situation – in terms of manpower and other resources. Otherwise, the bill sounds to be beneficial to the Government and the public in general.

SUBMITTED BY:



RICHARD LUO
Eastern Driving School

Good Morning Senators, members of the committee, Ladies and Gentlemen. My name is Felix Aguon, a certified driving instructor and I have been doing this for about 17 years. I am here to submit testimony on Bill No. 190- 31 relative to the situation regarding the lengthy waiting time it takes to get a driver's license here on Guam. In particular the waiting period between the time you have to sign up for the road test to the time you can take the actual test.

From what I understand that waiting time is now up to 6 months. The way things are now going it will be much longer as time passes because the system of testing has taken so long and has not changed.

At one point in my life I was assigned to be the administrator of the Motor Vehicle Division (MVD) of the Department of Revenue and Taxation. I spent most of the time while I was there trying to put out little fires here and there between employees of the division and the public. 18 years later I can see that things have not changed all that much. I applaud the work and the efforts of the MVD staff and administrators they have a perpetually tough job.

In an ideal world the idea to reduce the waiting time to take the road test by using outsourcing to certain driving schools for certification is good but this world is not ideal and there are many negative things that can happen that will cause this to quickly not be a situation that is ideal. I would prefer to see more government workers assigned to MVD. If that is not possible then going and getting a few schools to outsource to should only be a temporary thing and not a permanent means to reduce the number of people waiting.

I can teach a student how to parallel park in less than 10 minutes and I ask that he continue to practice that even though he is not with me. If you can't speak English you need to be penalized for your lack of ability..

I would like to suggest that you only outsource when the waiting time reaches more than a month. I hope the system will be fair.. The only thing I see that makes the waiting time so long is the number of people failing the road test is so large Thank you all very much.



Dipáttamenton Kontribusion yan Adu'ána

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guåhan

EDDIE BAZA CALVO, Governor Maga'láhi
RAY TENORIO, Lt. Governor Tifente Gubetnadora

JOHN P. CAMACHO, Director
Direktot
MARIE M. BENITO, Deputy Director
Segundo Direktot

July 8, 2011

The Honorable Senator Yamashita
Ste. B104, Orlean Pacific Plaza
865 S. Marine Corps Drive
Tamuning, Guam 96931

Re: Bill No. 190-31(LS) entitled "An Act to Amend § 31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated, Relative to Driver's Licenses Road Testing."

Dear Senator Yamashita,

Thank you for introducing a bill proposing a solution to the backlog of operator's road tests currently being experienced by the Driver's License Examination Branch. In 2003, the staff had twice the number of employees. Since then, the population has increased, more laws have passed and additional services are offered increasing the duties of the reduced staff. This bill will allow Department of Revenue and Taxation (DRT) to approve private instructors currently providing the classroom instruction to certify the prospective licensees as having the competency to pass the required government road test. These certifications are to occur in addition to the road tests being conducted by Dept. of Revenue and Taxation employees.

This bill raises the following concerns:

- 1) Having private entities such as the driving schools certify drivers will result in fees being increased for the public. The 8-hour Behind-the-Wheel instruction is currently provided by the schools and to allow them to certify they meet the government's standard will justify increasing the cost to the customer. DRT foresees more time being spent beyond the 8-hour Behind-the-Wheel instruction to ensure the customer meets the standard. It would be worthwhile to conduct a study to determine a reasonable fee for the road testing. This fee should be a fixed fee to avoid burdening the customer with high fees.
- 2) With the schools providing this additional service, the task still falls on the Driver's License Examination Branch personnel to continue to regulate the activity of the driver's education schools. The testing of a driver's skills on the road is on an individual basis. Those approved to provide this certification will first be trained and reviewed by DRT personnel. This will require time spent with these private sector employees, taking away from the DRT personnel's regular duties, which will result in other services being delayed. The DRT personnel will not be assigned only to train and review, but will also be expected to make periodic checks with the schools to ensure this activity is conducted properly.

Even if this were to pass into law, I am asking your office to also assist the branch in finding another alternative to increase the staff of the branch or provide for a funding source to pay for overtime to offer the road tests on Saturdays. One possibility is to have the fees collected for the Guam Identification Cards go to a special fund to pay for the special services on a Saturday. Over \$100,000 in revenue is collected for Guam Identification Cards with the projected overtime cost ranging from \$70,000 to \$80,000 for the year. When road test scheduling is made more current, the Saturday operation could be expanded to provide for other services to be offered on a



Dipáttamenton Kontribusion yan Adu'ána

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guåhan

EDDIE BAZA CALVO, Governor Maga'låhi
RAY TENORIO, Lt. Governor Tiñente Gubetnadora

JOHN P. CAMACHO, Director
Direktot
MARIE M. BENITO, Deputy Director
Segundo Direktot

Saturday when the majority of the customers are available. With our mutual goal of improving the service to the public, DRT believes this will accomplish it more effectively without increasing the cost of driver's education.

Thank you for allowing me to provide this testimony for Bill 190-31. Please contact me if you should have any questions.

Sincerely,

John P. Camacho

cc: Office of the Deputy Director

**Bureau of Budget & Management Research
Fiscal Note of Bill No. 190-31 (LS)**

AN ACT TO AMEND § 31A05(a) OF ARTICLE IA OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO DRIVERS LICENSES ROAD TESTING.

Department/Agency Appropriation Information

Dept./Agency Affected: Department of Revenue & Taxation		Dept./Agency Head: John P. Camacho	
Department's General Fund (GF) appropriation(s) to date:			9,320,658
Department's Other Fund (Specify) appropriation(s) to date: \$818,249 (Tax Collection Enhancement Fund) / \$1,585,109 (Better Public Service Fund)			2,403,358
Total Department/Agency Appropriation(s) to date:			\$11,724,016

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2010 Unreserved Fund Balance		\$0	\$0
FY 2011 Adopted Revenues	\$0	\$0	\$0
FY 2011 Appro. (P.L. 30-235)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2011 (if applicable)	FY 2012	FY 2013	FY 2014	FY 2015
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
(Specify Special Fund)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

1. Does the bill contain "revenue generating" provisions? // Yes /x/ No
2. Is amount appropriated adequate to fund the intent of the appropriation? // Yes /x/ No
If no, what is the additional amount required? \$ _____ /x/ N/A
3. Does the Bill establish a new program/agency? // Yes /x/ No
If yes, will the program duplicate existing programs/agencies? // Yes /x/ No
Is there a federal mandate to establish the program/agency? // Yes /x/ No
4. Will the enactment of this Bill require new physical facilities? // Yes /x/ No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes /x/ No
// Requested agency comments not received by due date / / Other: _____

Analyst: Michael M. Aflague, B&M Analyst, BBMR Date: 5/23/11 Director: Beata A. Mangiona, Director Date: 6/7/11

Footnotes: Reference attached testimony provided by the Department of Revenue & Taxation.



COMMITTEE ON RULES

I Mina'trentai Unu na Liheslaturan Guåhan • The 31st Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryfonguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

2011 MAY 11 PM 4:37

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Judith P. Guthertz
VICE CHAIRPERSON
ASST. MAJORITY LEADER

MAJORITY MEMBERS:

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Senator
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LEGISLATIVE SECRETARY
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Senator
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ASST. MAJORITY WHIP

Senator
Thomas C. Ada

Senator
Adolpho B. Palacios, Sr.

Senator
vicente c. pangelinan

MINORITY MEMBERS:

Senator
Aline A. Yamashita
ASST. MINORITY LEADER

Senator
Christopher M. Duenas

May 11, 2011

MEMORANDUM

To: Pat Santos
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio
Chairperson, Committee on Rules

Subject: Referral of Bill Nos. 190-31 (LS) through 191-31 (LS)

As Chairperson of the Committee on Rules, I am forwarding my referral of Bill Nos. 190-31(LS) through 191-31 (LS).

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all Senators of *I Mina'trentai Unu na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os ma'åse!

(4) Attachments

I Mina 'Trentai Unu Na Liheshlauran Guahan

Bill Log Sheet

May 11, 2011

Page 1 of 1

Bill No.	Sponsor(s)	Title	Date Introduced	Date Referred	120 Day Deadline	Committee Referred	Public Hearing Date	Date Committee Report Filed	Status (Date) Passed? Failed? Vetoed? Overridden? Public Law?
190-31 (LS)	A.A. Yamashita, Ph. D.	AN ACT TO AMEND § 31A05(a) OF ARTICLE 1A OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO DRIVER'S LICENSES ROAD TESTING.	5/09/11 9:46 a.m.	05/11/11		Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land			

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Agent Orange

Budget FY2012 (10)

Calvo (10)

campaign 2010 (3)

CMTF (1)

DC-Conf Trip

Democrat Speech

Dos Amantes

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Faxes

Faxes 31GL

Fundraiser 2010

FY11 Comm Rpts

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From: Lisa Cipollone cipo@guamlegislature.org
To: phnotice@guamlegislature.org
Date: Mon, Jul 4, 2011 at 2:55 PM
Subject: Public Hearing - 1st Notice
Mailed by: guamlegislature.org

Jul 4 (4 days ago)

Ready

Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Monday, July 11, 2011 at the Guam Legislature Public Hearing Room beginning at 8:30 am and again at 2:00pm. The agenda is as follows:

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Lunes, gi diha 11 gi Hulio, 2011 (Monday, July 11, 2011)

Kuátton Inekungok Pupleko gi I Liheslaturan Guåhan (Guam Legislature Public Hearing Room)

Alas ocho i media gi egga'an (8:30 AM)

TAREHA (AGENDA)

Priniponi Siha (Bills)

Bill No. 164-31 (COR): An Act to rezone Lot No.'s 10060-REM-R6-NEW, 10060-REM-1-R2 and 10129-1, all in the Municipality of Dededo from Agricultural "A" to Commercial "C" Zone.

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Alas dos gidespues di talo'áni (2:00pm)

TAREHA (AGENDA)

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Tanya M.C. Mendiola
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- ✖ Chris Budasi
- ✖ Edison Manaloto
- ✖ olivia
- ✖ Selina Onedera-Salas

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Lisa Cipollone
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Office of Senator ben c. pangelinan
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no, not this time. next hearing. we had too many bills this time
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Tanya M.C. Mendiola to me Jul 5 (3 days ago) Reply

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Subject: Public Hearing
Date: Mon, Jul 4, 2011 at 2:54 PM
From: guamlegislature.org

Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Monday, July 11, 2011 at the Guam Legislature Public Hearing Room beginning at 8:30 am and again at 2:00pm. The agenda is as follows:

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Lunes, gi diha 11 gi Hulio, 2011 (Monday, July 11, 2011)

Kuaiton Inekungok Pupbleko gi Lihestaturan Guahan (Guam Legislature Public Hearing Room)

Alas ocho i media gi egga'an (8:30 AM)

TAREHA (AGENDA)

Priniponi Siha (Bills)

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Chat

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Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7 Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guåhan gi www.guamlegislature.com Yanggen para un na hâlom testigu-mu, chule para i ifisinan-mâmi gi 324 West Soledad Avenue gi iya Hagåtña, pat guatto gi i Kuatton Katta gi i Liheslatura. pat faks gi 473-4238, patsino imel gi sen@senp.guam.net Este na nutisio inapâsi nu i fendon gubetnamento

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-- Lisa Cipollone Chief of Staff Office of Senator ben c. pangelinan (671) 473-4236 cipo@guamlegislature.org

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Senator Vicente "ben" Cabrera Pangelinan

Office of the People
Website: www.senben.com

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

gi Lunes, gi diha 11 gi Julio, 2011
(Monday, July 11, 2011)

Kuánton Inekungok Pupbleko gi Liheslaturan Guahan
(Guam Legislature Public Hearing Room)

Alas ocho i media gi egga'an
(8:30 AM)

**Priniponi Siha
(Bills)**

**TAREHA
(AGENDA)**

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*Alas dos gi despues di tala'ani
(2:00pm)*

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Yanggen un nisisita espesial na setbisyon, put, labot agang i lhisian Singadot Vicente (ben) Cabrera Pangelinan, gi 473-423617. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, halom gi i uepsdit i Liheslaturan Guahan gi www.guamlegislature.com. Yanggen paya un na halom testigos, ehule, pardi i lhisian-mami gi 324 West Soledad Avenue, In Hagåtña, put guatio gi i Kudtton Kátta gi i Liheslaturan, pdt. faks gi 473-4238, phtsino imel gi senbenp@guam.net. Este na notisia inapasi na i fendon gubternamento.

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campaign 2010 (3)

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

CMTF (1)

gi Lunes, gi diha 11 gi Hulio, 2011 (Monday, July 11, 2011)

DC-Conf Trip

Kuátton Inekungok Pupbleko gi I Liheslaturan Guáhan (Guam Legislature Public Hearing Room)

Democrat Speech

Alas ocho i media gi egga'an (8:30 AM)

Dos Amantes

TAREHA (AGENDA)

Farmer's Coop

Priniponi Siha (Bills)

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FY11 Comm Rpts

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Military Buildup (2)

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Alas dos gidespues di lalo'ani (2:00pm)

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TAREHA (AGENDA)

PR

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Referrals

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If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net.

Lisa Cipollone
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- ALICIA PEREZ
aliciaperez69@hotmail.com
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Hafa Adai,
 Senator Vicente (ben) Cabrera Pangelinan and the Committee on Appropriations, Taxation, Public Debt, Banking, Insurance, Retirement and Land will hold a public hearing on Monday, July 11, 2011 at the Guam Legislature Public Hearing Room beginning at 8:30 am and again at 2:00pm. The agenda is as follows:

INEKUNGOK PUPBLEKO (PUBLIC HEARING)

gi Lunes, gi diha 11 gi Hulio, 2011 (Monday, July 11, 2011)

Kuánton Inekungok Pupbleko gi l Liheslaturan Guáhan (Guam Legislature Public Hearing Room)

Alas ocho i media gi egga'an (8:30 AM)

TAREHA (AGENDA)

Priniponi Siha (Bills)

- Bill No. 164-31 (COR): An Act to rezone Lot No.'s 10060-REM-R6-NEW, 10060-REM-1-R2 and 10129-1, all in the Municipality of Dededo from Agricultural "A" to Commercial "C" Zone.
- Bill No. 215-31 (COR): An Act to rezone Lot No. 1068-1-1NEW-A-R1 in the Municipality of Barrigada from "C" Commercial to "M-1" Light Industrial Zone.
- Bill No. 218-31 (COR): An Act to Rezone Lot No. 3, Track 1942, in the Municipality of Barrigada from Single-Family Dwelling (R-1) to Multiple-Family Dwelling (R-2) Zone.
- Bill No. 243-31 (COR): An Act to re-zone Lot 6, Block 2, Track 148 in the Municipality of Barrigada from "A" to "M-1" Light Industrial.
- Bill No. 241-31 (COR): An Act to exempt maps of the Chamorro Land Trust lease sites previously approved by the Chamorro Land Trust Commission from the requirements of Article 2, Chapter 62 of the Guam Code Annotated, relative to subdivision and recordation procedures.
- Bill No. 134-31 (COR): An Act to Renumber §§59111 and to add new §§59111 and 59111.1 through 59111.9 to Chapter 59 of Title 5 Guam Code Annotated, Relative to establishing the Guam Police Department Headquarters Building Fund, and to identifying sources of revenue required to pay obligations authorized

Chat

- Lisa Cipollone
- Scott Mendiola
- Stephanie Mendiola
- Anjelica Kulani Okada
- Elaine Tajalle
- Artemio Hernandez
- Chelsa Muna-Brecht
- Chris Budasi
- Edison Manaloto
- olivia
- Selina Onedera-Salas

through §59103 and §59110 of this Chapter.

Bill No. 178-31 (COR): An Act to add a new §3106.1 to Article 1 and a new §3702.1 to Article 7 of Chapter 3, Title 11 Guam Code Annotated; Relative to the prohibition of caffeinated malt beverages.

Bill No. 182-31 (COR): An Act to amend and add §80128, Title 5 Guam Code Annotated, Chapter 80 relative to authorizing to the Guam Public Library System to contract for lease of a portion of frontage property at the Nieves M. Flores Public Library in Hagatña to operate a small mobile food establishment.

Bill No. 190-31 (COR): An Act to amend §31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated relative to Driver's Licenses Road Testing.

Alas dos gidespues di talo'ñani
(2:00pm)

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(AGENDA)

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Senator Vicente (ben) Cabrera Pangelinan (D)

July 5, 2011

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Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

James & Christina Santos
Safe Start Driving School
535 Pale Ramon Hata Street
Yigo, Guam 96915

Re: Public Hearing Notice

Hafa Adai Mr. & Mrs. Santos,

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **8:30 am on Monday, July 11, 2011** at the Guam Legislature's Public Hearing Room. The following is the agenda:

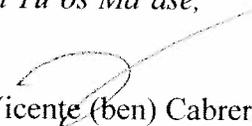
8:30 am

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Si Yu'os Ma'ase,


Vicente (ben) Cabrera Pangelinan
Senator

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

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Lisa Cipollone
Chief of Staff
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Senator Vicente (ben) Cabrera Pangelinan (D)

July 5, 2011

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Les & Colleen Smith
Pauline Smith
Better Driving School
P.O. Box 217945
GMF Barrigada
Guam 96915

Re: Public Hearing Notice

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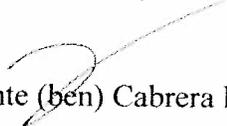
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Si Yu'os Ma'ase,


Vicente (ben) Cabrera Pangelinan
Senator

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Chief of Staff
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Senator Vicente (ben) Cabrera Pangelinan (D)

July 5, 2011

Felix Aguon
Do It Right Driving School
Via Email: mijooreality@hotmail.com

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Si Yu'os Ma'ase,


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Senátor

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

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July 5, 2011

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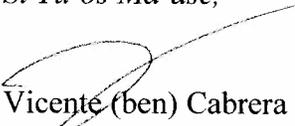
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Senator



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Public Hearing Notice

from Lisa Cipollone cipo@guamlegislature.org 9:34 AM (6 minutes ago)
to sunleADERGU@guam.net
date Tue, Jul 5, 2011 at 9:34 AM
subject Public Hearing Notice
mailed by guamlegislature.org



sunleADERGU

sunleADERGU@guam.net



Show details

Hafa Adai,

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at 8:30 am on Monday, July 11, 2011 at the Guam Legislature's Public Hearing Room. The following is the agenda:

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Testimonies can be delivered to our office at 324 West Soledad Avenue in Hagatna or at the mail room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net prior to the public hearing. For copies of the bill, you can log on to www.guamlegislature.com or contact our office at 473-4236.

Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangasinan
(671) 473-4236
cipo@guamlegislature.org

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Chat

- Lisa Cipollone
Selina Onedera-Salas
Anjelica Kulani Okada
Elaine Tajalle
Scott Mendiola
Artemio Hernandez
Chelsa Muna-Brecht
Chris Budasi
Edison Manaloto
olivia
Stephanie Mendiola

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Insurance, Retirement, and
Land

Vice Chairman
Committee on Education

Member
Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member
Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 5, 2011

Mr. Richard Luo
Eastern Driving
979 Army Drive
Barrigada, Guam 96915

Re: Public Hearing Notice

Hafa Adai Mr. Luo,

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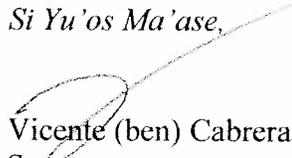
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Si Yu'os Ma'ase,


Vicente (ben) Cabrera Pangelinan
Senator

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>

Office of

I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 1, 2011

the People

Chairman

Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman

Committee on Education

Member

Committee on Rules,
Federal, Foreign &
Micronesian Affairs and
Human & Natural
Resources

Member

Committee on
Municipal Affairs,
Tourism, Housing, and
Recreation

Member

Committee on the Guam
Military Buildup and
Homeland Security

Member

Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

Governor Edward Calvo
Office of the Governor
Adelup, Guam

Re: Public Hearing Notice

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324 W. Soledad Ave Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-4888 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>

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Letter to Governor Edward Calvo
July 1, 2011
Page 2

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Letter to Governor Edward Calvo
July 1, 2011
Page 3

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Si Yu'os Ma'ase,

Vicente (ben) Cabrera Pangelinan
Senator

July 1, 2011

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Tourism, Housing, and
Recreation

Member
Committee on the Guam
Military Buildup and
Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

Leonardo Rapadas, Esq.
Attorney General of Guam
Office of the Attorney General
Hagatna, Guam

Re: Public Hearing Notice

Hafa Adai General Rapadas,

JUL - 5
JC
10am

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Letter to Attorney General Leonardo Rapadas
July 1, 2011
Page 2

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Letter to Attorney General Leonardo Rapadas
July 1, 2011
Page 3

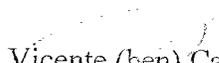
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Si Yu'os Ma'ase,


Vicente (ben) Cabrera Pangelinan
Senator

July 1, 2011

the People

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Vice Chairman
Committee on Education

Member
Committee on Rules,
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Homeland Security

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Reform

Ms. Doris Flores Brooks
Public Auditor
Office of the Public Auditor
Hagatna, Guam

RECEIVED	
OFFICE OF PUBLIC ACCOUNTABILITY	
DATE:	<u>July 5, 2011</u>
TIME:	<u>10:17 AM</u>
BY:	<u>L. M. M.</u>

Re: Public Hearing Notice

Hafa Adai Ms. Brooks,

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Letter to Ms. Doris Brooks
July 1, 2011
Page 2

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Letter to Ms. Doris Brooks

July 1, 2011

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Vicente (ben) Cabrera Pangelinan
Senator

July 1, 2011

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Mr. David Leddy
President
Guam Chamber of Commerce
Hagatna, Guam

Re: Public Hearing Notice

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July 1, 2011
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Si Yu'os Ma'ase,

Vicente (ben) Cabrera Pangelinan
Senator

V. Cabrera Pangelinan
July 1, 2011
7:00 PM



I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 1, 2011

Mr. John P. Camacho
Director
Department of Revenue & Taxation
P.O. Box 23607
Barrigada, Guam
96921



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Bill No. 215-31 (COR): An Act to rezone Lot No. 1068-1-1NEW-A-R1 in the Municipality of Barrigada from "C" Commercial to "M-1" Light Industrial Zone.

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Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

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Committee on Rules,
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Homeland Security

Member
Committee on Health and
Human Services, Senior
Citizens, Economic
Development, and Election
Reform

Letter to Director Camacho
July 1, 2011
Page 2

Bill No. 134-31 (COR): An Act to Renumber §59111 and to add new §§59111 and 59111.1 through 59111.9 to Chapter 59 of Title 5 Guam Code Annotated, Relative to establishing the Guam Police Department Headquarters Building Fund, and to identifying sources of revenue required to pay obligations authorized through §59103 and §59110 of this Chapter.

Bill No. 178-31 (COR): An Act to add a new §3106.1 to Article 1 and a new §3702.1 to Article 7 of Chapter 3, Title 11 Guam Code Annotated; Relative to the prohibition of caffeinated malt beverages.

Bill No. 190-31 (COR): An Act to amend §31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated relative to Driver's Licenses Road Testing.

2:00pm-2:30pm -Bill No. 72-31 (COR): An Act to add a new Chapter 8 to 11GCA relative to quantifying and reporting the affects of the Earned Income Tax Credit (EITC) as it relates to the Compact of Free Association.

2:30pm-3:00pm -Bill No. 199-31 (COR): An Act to Amend §2103.5 of Chapter 2 of Title 4 of the Guam Code Annotated Relative to requiring a tax clearance report from the Department of Revenue & Taxation for submission for legislative advice and consent.

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3:30pm-4:00pm -Bill No. 231-31 (COR): An Act to Repeal and Reenact §23111 of Chapter 23, 5 Guam Code Annotated relative to the Medical Referral Benefits Bank Act and name it the Senator Edward J. Cruz Medical Referral Mileage Bank Account.

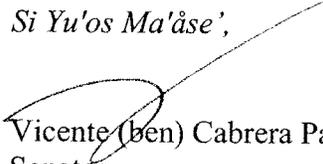
5:30pm-6:30pm –Bill No. 141-31 (COR): An Act to promote Early Childhood Learning and Development opportunities through the promotion of Modern Child Care Facilities by providing a Business Privilege Tax Exemption for Child Care Centers and Group Child Care Homes by adding a new Part (3&) to Subsection (k) of §26203, Chapter 26, Title 11 Guam Code Annotated.

Letter to Director Camacho
July 1, 2011
Page 3

Testimonies can delivered to our office at 324 West Soledad Avenue in Hagåtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net prior to the public hearing.

For copies of the bill, log on to: <http://guamlegislature.com> or www.senbenp.com.

Si Yu'os Ma'åse',



Vicente (ben) Cabrera Pangelinan
Senator



the People

Chairman
Committee on Appropriations,
Taxation, Public Debt, Banking,
Insurance, Retirement, and
Land

Vice Chairman
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I Mina'trentai Unu Na Liheslaturan Guåhan

Senator Vicente (ben) Cabrera Pangelinan (D)

July 5, 2011

Mr. Rueban Olaguir
JRC Driving School
P.O. Box 6553
Tamuning, Guam 96913

Re: Public Hearing Notice

Hafa Adai Mr. Olaguir,

The Committee on Appropriations, Taxation, Public Debt, Banking, Insurance and Land will conduct a public hearing beginning at **8:30 am on Monday, July 11, 2011** at the Guam Legislature's Public Hearing Room. The following is the agenda:

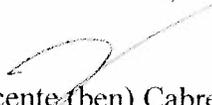
8:30 am

Bill No. 190-31 (COR): An Act to amend §31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated relative to Driver's Licenses Road Testing.

This letter invites you to provide written and/or oral testimony. Please do not hesitate to contact me should you have any questions or comments.

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Si Yu'os Ma'ase,


Vicente (ben) Cabrera Pangelinan
Senator

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Website: <http://senbenp.com>



**I Mina'Trentai Unu Na
Liheslaturan Guahan
THIRTY-FIRST GUAM LEGISLATURE**

**Senator Vicente "ben" Cabrera Pangelinan
Office of the People
Website: www.senbenp.com**

**INEKUNGOK PUPBLEKO
(PUBLIC HEARING)**

***gi Lunes, gi diha 11 gi Hulio, 2011
(Monday, July 11, 2011)***

***Kuátton Inekungok Pubbleko gi I Liheslaturan Guahan
(Guam Legislature Public Hearing Room)***

***Alas ocho i media gi egga'an
(8:30 AM)***

**TAREHA
(AGENDA)**

**Priniponi Siha
(Bills)**

Bill No. 164-31 (COR): An Act to rezone Lot No.'s 10060-REM-R6-NEW, 10060-REM-1-R2 and 10129-1, all in the Municipality of Dededo from Agricultural "A" to Commercial "C" Zone.

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Bill No. 182-31 (COR): An Act to amend and add §80128, Title 5 Guam Code Annotated, Chapter 80 relative to authorizing to the Guam Public Library System to contract for lease of a portion of frontage property at the Nieves M. Flores Public Library in Hagatna to operate a small mobile food establishment.

Bill No. 190-31 (COR): An Act to amend §31A05(a) of Article 1A of Chapter 3 of Title 16, Guam Code Annotated relative to Driver's Licenses Road Testing.

Alas dos gidespues di talo'ani
(2:00pm)

TAREHA
(AGENDA)

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4:00pm-4:30pm – Bill No. 255-31 (COR): An Act to Appropriate Five Hundred Twenty-Five Thousand Dollars (\$525,000) to the Guam Department of Education for air-conditioning equipment and maintenance and collateral equipment for George Washington High School, Simon Sanchez High School, Southern High School and Agueda Johnston Middle School.

4:30pm-5:30pm - Bill No. 222-31 (COR): An Act to Amend Section 4 of Public Law 28-71 and §§14229 and 14235 of Title 12 Guam Code Annotated relative to the authorization of Guam Water-Works Authority to issue debt for the purpose of reimbursing the General Fund for debt service paid or to be paid on bonds issued by the government to pay capital costs of the island water and wastewater systems, and relative to a guarantee of such debt by the government.

5:30pm-6:30pm – Bill No. 141-31 (COR): An Act to promote Early Childhood Learning and Development opportunities through the promotion of Modern Child Care Facilities by providing a Business Privilege Tax Exemption for Child Care Centers and Group Child Care Homes by adding a new Part (3&) to Subsection (k) of §26203, Chapter 26, Title 11 Guam Code Annotated.

Yanggen un nisisita espesiât na setbision, put fabot âgang i Ifisinan Sinadot Vicente (ben) Cabrera Pangelinan gi 473-4236/7. Yanggen un nisisita kopian i priniponi siha ginen este na tareha, hâlom gi i uepsait i Liheslaturan Guâhan gi www.guamlegislature.com. Yanggen para un na'hâlom testigu-mu, chule' para i ifisinan-mâmi gi 324 West Soledad Avenue gi iya Hagâtña, pat guatto gi i Kuatton Katta gi i Liheslatura, pat faks gi 473-4238, patsino imel gi senbenp@guam.net. Este na nutisiu inapâsi nu i fendon gubetnamento.

If you require any special accommodations, please call the Office of Senator Vicente (ben) Cabrera Pangelinan at 473-4236/7. For copies of any of the Bills or Resolutions listed on this agenda, you may log on to the Guam Legislature's website at www.guamlegislature.com. Testimonies may be submitted directly to our office at 324 West Soledad Avenue in Hagâtña or at the Mail Room of the Guam Legislature, via fax at 473-4238, or via email at senbenp@guam.net. This notice was paid for with government funds.



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Driving Schools- addresses/contacts

Tanya M.C. Mendiola

tanya m.c. mendiola to me

Jul 1 (4 days ago) Reply

tanya4families@gmail.com

Hi, Lisa: Below, are the names of the driving schools that Ms. Liz asked for:

(at the base of the list, closed schools)

✓ Safe Start Driving School: Christina/James Santos - 734-6214

education - safestart@yahoo.com

535 Pale Ramon Haya Street

Yigo

✓ Better Driving School: Les/Colleen Smith: Les & Colleen or Pauline Smith

P.O. Box 217945

GMF, Barrigada

734DRIV

betterdrivers@gmail.com

✓ Do It Right Driving School: Felix Aguon

6461325

mijooreality@hotmail.com

838-4553 felix.aguon@yahoo.com

✓ Eastern Driving - 6372928

Richard Luo

979 Army Drive

Barrigada

sunleadergu@guam.net

✓ JRC Driving School - 6468172

Mr. Ruban Olaguir

P.O. Box 6553

Tamuning, Guam 969113

Closed: K & L, Success Driving, Wheels, Carmen's Driving

Questionable: Signs & Signals - Jan - 4828509

--
Tanya M. Champaco Mendiola
Chief Analyst
Office of Senator Aline A. Yamashita, PhD
Families First!
visit: alincguam.com

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- Lisa Cipollone
- Anjelica Kulani Okada
- Scott Mendiola
- Artemio Hernandez
- Charlie Onedera
- Chelsa Muna-Brecht
- Chris Budasi
- Edison Manaloto
- olivia
- Selina Onedera-Salas
- Stephanie Mendiola



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- Fundraiser 2010
- FY11 Comm Rpts
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- Messages Comm 3...
- Military Buildup (2)
- NCSL Fall Seminar...
- PA Docs
- PR
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Public Hearing

from **Lisa Cipollone** cipo@guamlegislature.org 9:31 AM (10 minutes ago) [Reply](#)

to safestart@yahoo.com

date Tue, Jul 5, 2011 at 9:31 AM

subject Public Hearing

mailed-by guamlegislature.org



safestart

safestart@yahoo.com



[Show details](#)

Hafa Adai Mr. & Mrs. Santos,

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8:30 am

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..

Lisa Cipollone
Chief of Staff
Office of Senator ben c. pangalanan
(671) 473-4236
cipo@guamlegislature.org

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

2011 MAY -9 AM 9:46
llll

BILL NO. 190-31(LS)

Introduced by:

A.A. YAMASHITA, PhD 

AN ACT TO AMEND § 31A05(a) OF ARTICLE 1A OF CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO DRIVERS LICENSES ROAD TESTING .

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

2 **Section 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guahan* finds that the Department of Revenue and Taxation
4 already allows licensed private businesses to provide required driver's education classes
5 in order to fulfill the mandates of Public Law 25-96 relative to graduated driver's
6 licenses. *I Liheslatura* further finds that prospective licensed drivers are faced with
7 lengthy waiting times for road tests as the Department of Revenue and Taxation, Division
8 of Motor Vehicles may be inundated with requests or faced with a lack of manpower to
9 administer the tests. Therefore, it is the intent of *I Liheslatura* to create alternative and
10 reliable means to test and certify the behind-the-wheel skills of driver's license applicants
11 in order to reduce the current long delay applicants experience, but not to prohibit the
12 Department of Revenue and Taxation from offering and administering the tests.

13 **Section 3. Section 31A05(a) of Article 1A of Chapter 3 of Title 16, Guam**
14 **Code Annotated, is hereby amended to read as follows:**

15 **“§ 31A05. Stage 2: Intermediate License.**

16 The following are the requirements to obtain and for the use of an Intermediate
17 License:

18 (a) the minimum age for an Intermediate License is sixteen (16) years; candidates
19 for an Intermediate License are required to pass a behind-the-wheel, on-road test
20 to obtain an Intermediate License. The behind-the-wheel, on-road tests shall be
21 administered by the Division of Motor Vehicles of the Department of Revenue

1 and Taxation or by instructors qualified to teach a Driver's Education course, who
2 have been approved by the Department of Revenue and Taxation, who will certify
3 the prospective licensee as competent to drive after achieving a passing rating on
4 the behind-the-wheel, on-road tests administered by said instructors;

5 (b) must have completed a Driver's Education course approved by the Department
6 of Revenue and Taxation to obtain an Intermediate license; *and*

7 (c) Zero Tolerance for Alcohol: Intermediate Licensees must *not* have a blood
8 alcohol content that exceeds 0.02 at any time while driving (Intermediate
9 Licensees under the age of eighteen (18) years must be accompanied by a parent
10 or adult guardian who is a fully licensed driver at all times while driving between
11 the hours of 10:00 p.m. and 6:00 a.m. on weeknights and 12:00 a.m. and 6:00 a.m.
12 on weekend nights, *except* while driving to and from work. The driver must show
13 proof of employment. In the event that the Intermediate Licensee does *not* have a
14 parent or guardian who is a fully licensed driver, that parent or guardian may
15 designate, during the application process for an Intermediate license, a responsible
16 adult who is a fully licensed driver who is either twenty-one (21) years of age or
17 older, or the permit holder's spouse to accompany the Intermediate Licensee while
18 driving.);

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

24 (e) the Intermediate Licensee must *not* be at fault in any collision and remain
25 conviction free of all traffic and motor vehicle code violations for twelve (12)
26 consecutive months to move to Stage 3.”