

MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN  
TWENTY-NINTH GUAM LEGISLATURE  
2007 (FIRST) Regular Session

Bill No. 104 (LS)

Introduced by:

A. B. Palacios, Sr.



AN ACT TO AMEND §3401(d) OF CHAPTER 3, ARTICLE 4, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO DISPLAY OF LICENSE PLATE OR REMOVABLE WINDSHIELD PLACARD TO QUALIFIED PERSONS WITH DISABILITY AS SUCH IS DEFINED IN §7120.1, CHAPTER 7, TITLE 16, GUAM CODE ANNOTATED, TO PROVIDE FOR DISMISSAL OF A CITATION ISSUED TO VEHICLES FOR FAILURE TO PROPERLY DISPLAY THE SPECIAL LICENSE PLATE OR THE REMOVABLE WINDSHIELD PLACARD.

BE IT ENACTED BY THE PEOPLE OF GUAM:

1           **Section 1. Legislative findings and intent.** Accessible parking for persons with  
2 disabilities speaks for itself. It is only for persons with a disability as determined by a  
3 physician pursuant to law. The Department of Revenue and Taxation, in coordination with  
4 the Department of Integrated Service for Individuals with Disabilities (DISID), issues  
5 special license plates and/or removable windshield placard to qualified persons with  
6 disabilities for their vehicle, to permit the vehicle to be parked in designated accessible  
7 parking areas. *I Liheslaturan Guåhan* finds that on occasions, the license plate may be  
8 missing from, or the removable placard may not be displayed on a vehicle that is parked in  
9 the designated area. *I Liheslaturan Guåhan* finds that §3401(d) of Chapter 3, Article 4, Title  
10 16, Guam Code Annotated, does not provide for a consideration of mitigating  
11 circumstances for vehicles that are parked in designated area. *I Liheslaturan Guåhan*

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1 believes that mitigating circumstances, such as failure to notice the plate missing or  
2 inadvertent failure to properly display the removable windshield placard, should be  
3 considered if this factor is the only infraction that existed.

4 It is therefore the intent of *I Liheslaturan Guåhan* to provide for dismissal of a citation  
5 issued to vehicles if such issuance was just for the failure to properly display the special  
6 license plate or the removable windshield placard under mitigating circumstances.

7 **Section 2.** Subsection (d) of §3401, Chapter 3, Article 4, Title 16, Guam Code  
8 Annotated, is hereby amended to read:

9 “(d) No person shall park any vehicle in a designated accessible  
10 parking space for persons with disabilities which is on public property or  
11 private property available for public use, unless the vehicle displays a special  
12 license plate, a removable windshield placard or a temporary removable  
13 windshield placard issued pursuant to 16 GCA §7120.1, except that any  
14 vehicle so cited as a result of a failure to display the special license plate, the  
15 removable windshield placard, or the temporary removable windshield  
16 placard so issued pursuant to 16 GCA §7120.1, shall cause the citation to be  
17 dismissed upon presentation to the court of the plate or the placard, or  
18 presentation of any competent documentary evidence that the vehicle so cited  
19 has a current and valid plate or placard, and such vehicle is not in violation of  
20 any other provision of law.”