

**MINA BENTE MUEBE NA LIHESLATURAN GUAHAN**  
**TWENTY- NINTH GUAM LEGISLATURE**  
**2008 (SECOND) Regular**

**Bill No. 278(LS)**

Introduced by:

T.R. Muna-Barnes

2008 APR 23 AM 11:53

*eam*

---

**AN ACT TO MANDATE THE VEHICLE SAFETY  
INSPECTION AND REGISTRATION OF ALL  
GOVERNMENT OF GUAM VEHICLES.**

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

**2 Section 1. Legislative Finding.** I Liheslaturan Guahan finds, and for good reason, that  
**3** there is a scoff-law attitude by government instrumentalities relative to vehicle inspections and  
**4** registration. Such conduct flies in the face of Guam's citizens who lawfully comply, yet must  
**5** share Guam's roads with non-compliant and often unsafe vehicles. Further, employees of the  
**6** government are put in jeopardy in the performance of their public services. The employees'  
**7** raising of concerns and/or requests for repairs or parts deemed essential for the safe operation of  
**8** the vehicles are often ignored or put off with excuses relative to the lack of funds, paperwork  
**9** holdups, and the like. This is unacceptable.

**10** Whereas the payment of registration fees by government instrumentalities to the  
**11** Department of Revenue and Taxation, which is itself a government instrumentality, the matter is  
**12** a left pocket/right pocket expenditure issue. In this light, I Liheslatura finds it is appropriate that  
**13** such fees should be waived. Thus, the only new costs to be incurred pursuant to this Act would  
**14** be relative to vehicle inspections which are conducted by private companies.

1           **Section 2. Legislative Intent.** It is the intent of I Liheslatura to mandate compliance  
2 with vehicle inspection and registration requirements. It is the intent of I Liheslatura that no  
3 government employee and/or public citizen shall be placed in jeopardy, injured or killed for the  
4 lack of governments' compliance with standards relative to public safety.

5           **Section 3. Vehicle inspection and Registration.** Notwithstanding any other provision  
6 of law, rule or regulation, all government of Guam vehicles shall be annually required to fully  
7 comply with and participate in the vehicle safety inspection and registration requirements, as  
8 administered by the Department of Revenue and Taxation, to the same extent that such is  
9 applicable to privately owned vehicles.

10           The Administrators, Directors or equivalent executives of all instrumentalities of the  
11 government of Guam shall, within thirty (30) days of enactment of this Act, cause all vehicles  
12 utilized by, assigned to, and/or owned by their respective agency, authority, or department to  
13 have a current vehicle inspection and current registration document. In the event Title is  
14 maintained by a separate department, then immediate action shall be taken to coordinate  
15 immediate compliance with this Act. After thirty (30) days from enactment of this Act, all  
16 government vehicles not in compliance with this Act shall not be driven upon Guam's roads.

17           The Guam Police Department shall, in the enforcement of this Act, insure that all  
18 government of Guam vehicles are treated in the same manner, relative to enforcement, as are  
19 private vehicles when operated upon Guam's roads, to include impoundment. The issuance of a  
20 citation for the operation of a non-compliant government of Guam vehicle upon Guam's roads  
21 shall be grounds for the Office of the Attorney General of Guam to take legal action.

22           A government of Guam employee shall refuse to drive a non-compliant vehicle, without  
23 jeopardy to his employment standing, performance, or status. No supervisor shall knowingly  
24 order a subordinate to operate a non-compliant vehicle. The Administrators, Directors or  
25 equivalent executives of all instrumentalities shall establish procedures pursuant to which they  
26 are immediately notified of any non-complying vehicles.

1           **Section 4. Waiver of Registration Fee.** The Department of Revenue and Taxation, government  
2 of Guam, shall waive the registration fee for government of Guam vehicles.

3           **Section 5. Penalty for non-compliance.** The Administrators, Directors or equivalent  
4 executives of any instrumentality of the government of Guam who, for whatever reason, order,  
5 authorize, mandate or otherwise allow any vehicle under their administration to operate upon the  
6 roads of Guam without a current vehicle safety inspection or current registration shall be guilty  
7 of a misdemeanor and personally subject to a fine of ONE HUNDRED DOLLARS (\$100.00) per  
8 violation. Each vehicle operated in violation of this Act shall be deemed a separate violation.

9           **Section 6. Funding.** Costs for vehicle inspections shall be paid from existing FY-2008  
10 budget appropriations and authorizations. All governmental instrumentalities shall add the cost  
11 of compliance with this Act to their annual fiscal year budget requests. Failure to request  
12 funding shall result in costs being drawn from the submitted and approved fiscal year budget.