

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

MAY 1  
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Bill No. 56 (EC)  
Introduced by:

A. B. PALACIOS, SR.

AN ACT RELATIVE TO REQUIRING THAT ALL PRIVATE BUSINESSES PROVIDING PUBLIC TRANSPORTATION SERVICES ENSURE THAT ALL DRIVERS, DISPATCHERS, AND TRANSPORT CARE ATTENDANTS PARTICIPATE IN A PASSENGER ASSISTANCE TRAINING AND ORIENTATION PROGRAM, TO INCLUDE AN ANNUAL REFRESHER TRAINING PROGRAM, TO MEET CERTIFICATION REQUIREMENTS FOR PROPERLY SERVICING THE COMMUNITY, PARTICULARLY IN THE PROVISION OF SERVICES TO CHILDREN, SENIOR CITIZENS, AND INDIVIDUALS WITH DISABILITIES; THROUGH ADDING A NEW §3101.1 TO CHAPTER 3, ARTICLE 1, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED.

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

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

1        *I Liheslaturan Guåhan* finds that one of the major concerns expressed by  
2 mass transit riders and users of the public transportation services being offered to  
3 the community is the need for a better understanding by drivers, dispatchers, and  
4 transport care attendants of how to better service the public's transportation needs,  
5 and ultimately provide the level of professionalism and courtesy that the riders and  
6 individual customers deserve. This situation can be addressed through ensuring  
7 that those involved in the actual delivery of the services receive the type of training  
8 and orientation to enable them to properly service the public community,  
9 particularly those who may be in need of any additional special consideration.  
10

1           Therefore, it is the intent of I Liheslaturan Guahan to ensure that any service  
2 provider that is providing public transportation services through the program  
3 offered by the government of Guam, that such service providers ensure that their  
4 drivers, dispatchers, and transport care attendants receive the appropriate level of  
5 passenger assistance training and certification to properly service the public,  
6 particularly those who require special attention, especially children, senior citizens  
7 and individuals with disabilities.

8           **Section 2. Passenger Assistance Training Orientation and Annual Refresher**  
9 **Training Certification Requirements for Public Transportation Service**  
10 **Providers, Drivers, Dispatchers, and Transport Care Attendants.**

11           A new subsection §3101.1 is hereby added to Article 1, Chapter 3 of  
12 Division 1, Title 5, Guam Code Annotated, relative to the provision of public  
13 transportation services, to read as follows:

14           **“§3101.1. Public Transportation Services.**

15           The Department of Administration shall have the exclusive franchise for the  
16 furnishing of public transportation within Guam and on its roads and highways.

17           I.) Any individual, business or organization providing contractual public  
18 transportation services to the community administered by the Division of Public  
19 Transportation Services within the Department of Administration shall be required  
20 to meet the following requirements upon the awarding or granting of such services:

- 21           a.) Shall ensure that each employee, i.e. driver, dispatcher, or transport care  
22 attendant, who will directly service or work with members in the  
23 community complete, within six months of any contractual agreement  
24 entered into between the government of Guam and a private service  
25 provider, a minimum of sixteen (16) hours of passenger assistance  
26 training orientation on the provision of direct public services, i.e. possess  
27 the general knowledge and understanding of working with and servicing  
28 the public, to include the proper treatment of customers (children, senior

1 citizens, individuals with disabilities and others), and in particular the  
2 riders and users of the public transportation services;

3 b.) Shall ensure that each employee, i.e. driver, dispatcher, or transport care  
4 attendant, complete a passenger assistance training refresher course every  
5 year following the initial orientation training, of no less than four (4)  
6 hours of instructional training on the provision of proper training and on  
7 updating personnel on current services and requirements, i.e. changes in  
8 legal requirements, enhancements in technological services, etc.

9 c.) Shall ensure that no individual who has not completed said orientation or  
10 refresher training as required, with the exception of the initial six months  
11 of the contractual arrangement, is permitted to provide direct public  
12 transportation service to its customers and the public.

13 d.) Shall provide the Department of Administration with a police clearance  
14 for each driver, dispatcher, or transport care attendant prior to said  
15 individuals providing direct service to the public.

16 e.) Any costs associated to ensure proper and timely compliance with the  
17 passenger assistance training orientation or refresher training  
18 requirements set forth in the previous subsections shall be borne by the  
19 private service provider of the public transportation.

20 II.) The Department of Administration, in the formulation of any and all  
21 bids

22 and awards, for the provision of public transportation services through the program  
23 administered therein shall incorporate the passenger assistance training and  
24 orientation program, and certification requirements set forth in the previous  
25 subsections; and shall further include said provisions in the preparation of any  
26 contracts entered into for such services. No bids or awards shall be granted to an  
27 individual, business or organization who does not agree to comply with the  
28 requirements herein.

1           III.) Non-compliance with the initial training and certification  
2 requirements (passenger assistance training), to include the refresher training  
3 course requirements, as set forth herein shall be condition for cancellation and  
4 termination of any and all contracts entered into for the provision of public  
5 transportation services through the Department of Administration.

6           IV.) The Department of Administration shall work collectively with the  
7 University of Guam, Guam Community College, or other certified training source  
8 in the formulation of the appropriate instructional "Passenger Assistance Training  
9 and Orientation Program", to include the annual refresher training course, that will  
10 meet the requirements set forth herein. Upon completion of said training program,  
11 the University, College, or other certified training source shall further provide a  
12 written certification, i.e. a certificate of completion, to any and all attendees and  
13 copies to the respective employer and the Department of Administration. The  
14 training instruction shall include, where appropriate, the familiarization and  
15 knowledge of providing public services to the community (to include safety,  
16 policy, regulation, customer service, and sensitivity training, etc.), information on  
17 existing laws and mandates applicable to the provision of public transportation  
18 services, and a general understanding in providing services to individuals with  
19 disabilities or others in need of special service support consideration.

20           V.) The Department of Administration, through its Division of Public  
21 Transportation Services, shall be responsible for ensuring the proper review and  
22 compliance with the provisions contained herein; and in so doing, shall conduct an  
23 annual assessment of the public service provider's compliance or non-compliance  
24 of this Section. A written report thereupon shall be prepared, reviewed and signed  
25 by the Director of Administration on the service provider(s)' activities in relation  
26 to the requirements set forth herein, and copies of such report shall be forwarded to  
27 the public transportation service provider, I Maga'lahaen Guahan and I Liheslaturan  
28 Guahan no later than January 30 of each year.