

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

Bill No. 67 (EC)
Introduced by:

A. B. PALACIOS, SR. 

**AN ACT RELATIVE TO EXPANDING SERVICES WITHIN
THE HOSPITALITY INDUSTRY THROUGH FORMALIZING
THE REQUIREMENTS FOR THE IMMEDIATE
IMPLEMENTATION OF THE CONTROLLED
ALCOHOLIC CONSUMPTION SERVICE WITHIN
LIMOUSINES AND CHARTERED VEHICLES; THROUGH
AMENDING §3228 AND §3207 OF CHAPTER 3, ARTICLE 2,
TITLE 11, GUAM CODE ANNOTATED, PERTAINING TO
MOBILE LICENSES AND RELEVANT FEES.**

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BE IT ENACTED BY THE PEOPLE OF GUAM:

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

2 *I Liheslaturan Guåhan* finds that Public Law No. 28-22, which would
3 allow for the controlled consumption of alcoholic beverages within limousines
4 and chartered vehicles, was passed on March 21, 2005, and has yet to be
5 implemented due to the requirements of applicable rules and regulations that
6 would guide the compliance and regulatory functions of permitting this type
7 of service. *I Liheslaturan Guahan* further finds that in discussions with
8 representatives of the Department of Revenue and Taxation and with
9 members of the Alcohol Beverage Control Board, the initial requirements for
10 the timely implementation of the provisions contained within the law would
11 be to allow for the application of the existing rules and regulation for on-sale

1 liquor licenses to also apply to the mobile license service and for the
2 establishment of appropriate license fees.

3 Therefore, it is the intent of I Liheslaturan Guahan to establish the
4 necessary guidelines for the immediate implementation of the provisions
5 contained in Public Law No. 28-22, which would expand the hospitality
6 services available within the tourism industry by allowing for the controlled
7 consumption of alcoholic beverages in limousines and chartered vehicles.
8 This provision would link the existing rules and regulation to the mobile
9 license service and further set the license fees, which should result in the
10 Alcohol and Beverage Board, along with the Department of Revenue and
11 Taxation, to commence the administration of the mobile liquor license, and
12 allow for this expanded service to be provided within Guam's hospitality
13 industry.

14 **Section 2.** §3228 of Chapter 3, Article 2, Title 11 of the Guam Code Annotated
15 is hereby amended to read as follows:

16 **“§3228. Mobile License.** A mobile license shall be a General On-Sale
17 License Only ~~general only~~ and shall authorize the licensee to sell alcoholic
18 beverages to passengers, clients and customers for consumption only on the
19 premises of a limousine or bus meeting the requirements of 16 GCA §18121.
20 The license shall be restricted to vehicles owned and registered to the licensee
21 and shall be non-transferable. ~~The Alcoholic Beverage Control Board shall, no~~
22 ~~later than June 15, 2005, develop necessary procedures to implement this~~
23 ~~license and to that end shall issue such rules and regulations as it may deem~~

1 ~~necessary to implement and enforce this provision.~~ All rules and regulations
2 applicable and enforceable, in accordance with Chapter 3, Title 11, Guam
3 Code Annotated, to On-Sale License shall apply to Mobile License.

4 No applicant issued a license under this Section shall authorize any
5 individual to operate a vehicle, as defined herein, who has been convicted of
6 any drug or alcohol-related offense.”

7 **Section 3. Mobile License Fees.**

8 A new Class 12 relative to Mobile Licenses is hereby added to §3207
9 Licenses: Classes and Fees of Chapter 3, Article 2, Title 11, Guam Code
10 Annotated, to read as follows:

11 **“Class 12. Mobile License.**

12 **\$500.00/year.** Applicable to each limousine or chartered vehicles as
13 defined in §18121, Chapter 18, Title 16, Guam Code Annotated.

14 **Section 4. Application of Revenues Generated Through the**
15 **Administration of the Mobile License Program.**

16 Revenues generated in the administration of the mobile license program
17 as provided herein through the Department of Revenue and Taxation shall be
18 appropriated by I Liheslaturan Guahan annually and redirected to the
19 Alcoholic Beverage Board for its compliance and regulatory activities, and for
20 further enforcement of the mobile license program.

21 **Section 5. Severability.**

22 If any of the provisions of this Act or the application thereof to any
23 person or circumstance is held invalid, such invalidity shall not affect any

1 other provision or application of this Act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this Act
3 are severable.