

I MINA 'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (First) REGULAR SESSION

Bill No. 78 (LS)
(EC)

Introduced by:

A.R. Unpingco

2007 MAR 7 PM 2:1
[Signature]

AN ACT TO ADD A NEW §3347 TO ARTICLE 3 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO READING, WRITING, OR SENDING ELECTRONIC MESSAGES WHILE OPERATING A MOVING MOTOR VEHICLE; PRESCRIBING PENALTIES; AND, PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Statement. The safe operation of a motor vehicle requires a minimum of distraction in order to avoid the hazards one encounters on Guam's roadways. The growing popularity of "text messaging" amongst Guam's youth and adults must not become an additional hazard to the safe operation of vehicles. It the intent of *I Liheslaturan Guåhan* to make the reading, writing, or sending of electronic message while operating a motor vehicle a traffic violation.

Section 2. New Section. A new §3347 is added to Article 3 of Chapter 3, Title 16, Guam Code Annotated to read as follows:

“§ 3347. a) Except as provided in subsection (b) of this Section, a person operating a motor vehicle while reading, writing, or sending electronic messages is guilty of a traffic infraction.

(b) Exceptions. Subsection (a) does not apply to a person operating:

- (1) An authorized emergency vehicle;
- (2) A moving motor vehicle who is also operating an amateur radio and who holds a current, valid amateur radio station license issued by the Federal Communications Commission; or
- (3) A moving vehicle using a hand-held wireless communications device to:
 - (i) Report illegal activity;
 - (ii) Summon medical or other emergency help;
 - (iii) Prevent injury to a person or property

1 (c) Any person who violates the provisions of Subsection (a) of this Section is guilty of a
2 misdemeanor and upon conviction thereof shall be punished by a fine not to exceed One Hundred
3 Dollars (\$100.00).”

4 (d) Notwithstanding the provisions of §9502 of Chapter 9.5 of Title 7, Guam Code
5 Annotated, all fines collected under this Section shall be deposited into the Police Services Fund and
6 made available by appropriation.

7 **Section 3. Effective Date.** This Act shall become effective six (6) months after
8 enactment into law.