

I MINA'TRENTAI UNU NA LIHESLATURAN GUAHAN
2011 (FIRST) Regular Session

Bill No. 38-31(COR)

Introduced by:

ADOLPHO B. PALACIOS, SR. 

AN ACT RELATIVE TO FACILITATING THE
TIMELY ISSUANCE OF GENERAL OPERATORS
DRIVERS LICENSES, THROUGH THE
ALLOWANCE OF OFF-DUTY ROAD
EXAMINATIONS FOR LICENSE
ENDORSEMENT "A" CLASS LICENSES, BY
AMENDING SUBSECTION "(uu)" OF §1102 OF
CHAPTER 1, TITLE 16, GUAM CODE
ANNOTATED.

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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

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3 Section 1. Legislative Findings and Intent:

4 *I Liheslaturan Guahan* finds that due to financial limitations of
5 the government of Guam in providing necessary personnel support,
6 the Division of Motor Vehicle of the Department of Revenue and
7 Taxation has been experiencing serious extended delays in
8 administering the road tests for individuals applying for a non-
9 commercial motor vehicle operators' license, and in meeting the
10 demand for providing these licenses.

11 Furthermore, as the island undergoes the military buildup
12 process, the need for these licenses will continue to increase as a
13 result of the anticipated growth in the overall population of Guam.

1 The *Liheslaturan Guahan* further finds that the Motor Vehicle Division
2 administers several hundred written tests every testing cycle, which
3 is conducted every few weeks. The backlog in the provision of the
4 non-commercial motor vehicle operators' license is a direct result of
5 the challenges that confronts DMV with the scheduling and the
6 conduct of the road tests for applicants, and the need for additional
7 personnel support or greater flexibility in the administration of the
8 driver's license program, such as providing for off-duty
9 examinations. Currently, the waiting period for a road test is at times
10 more than six (6) months.

11 Therefore, just as Public Law 30-140 was enacted for the
12 purpose of expediting the issuance of commercial motor vehicle
13 operators' licenses by way of providing for the off-duty conduct of
14 road tests on weekends and holidays, it is likewise appropriate that
15 these accommodations be made for non-commercial applicants
16 seeking a motor vehicle operators' license. It is the intent of *I*
17 *Liheslaturan Guahan* that the Department of Revenue & Taxation be
18 authorized to administer "off-duty" road examinations for Operators
19 License Endorsement "A" category licenses, and to enhance the
20 timeliness of the issuance of these licenses for the island community.

21 **Section 2. Off-Duty Road Examinations by the Motor Vehicle**
22 **Division for Individual Operators License.**

1 The Department of Revenue & Taxation Motor Vehicle Division
2 is hereby authorized to administer "off-duty" road examinations for
3 Operators License Endorsement "A" category licenses.

4 **Section 3. Inclusion of Operators License Endorsement A.**

5 Subsection (uu) of §1102 of Chapter 1, Title 16, Guam Code
6 Annotated, is hereby amended, to read as follows:

7 "(uu) *Services* means Operators License Endorsement A, and
8 Chauffeurs License Endorsement B, C, D and G road examinations."

9 **Section 4. Proposed Rules and Regulations.**

10 The Department of Revenue and Taxation shall promulgate
11 appropriate Rules and Regulations, if deemed necessary, to ensure
12 the compliance and timely implementation of the provisions
13 contained in this Act. Said Rules and Regulations shall take into
14 consideration the maximum administration of road tests, in
15 accordance with the Department's mandate, within regular
16 government operational hours. The Director of the Department shall
17 be responsible for the proper and effective administration of the off-
18 duty road examinations, and shall be the final approving authority in
19 the conduct of such off-duty road tests.

20 **Section 5. Effective Date.**

21 This Act shall be effective following the promulgation and
22 formal adoption of the program Rules and Regulations as highlighted
23 herein, or otherwise upon enactment.