

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

2011 JAN 31 PM 12:23  
GJM

Bill No. 60-31 (COR)

Introduced by:

M. Silva (Tajeron)



**AN ACT TO AMEND §26103 AND TO ADD A NEW CHAPTER  
27 TO TITLE 16 OF THE GUAM CODE ANNOTATED  
RELATIVE TO PROHIBITING VEHICLE PASSENGERS  
RIDING IN THE BED OF A PICKUP TRUCK.**

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

**Section 1.** §26103, Title 16 of the Guam Code Annotated is hereby *amended* to read:

**“§26103. Driver and Passenger(s). Seat Belts Required.**

Each driver and all passengers of a motor vehicle, as defined in Title 16, Guam Code Annotated, §1102 (s), excluding a motorcycle, as defined in Title 16, Guam Code Annotated, §1102 (q), and excluding passengers covered under §§ 26101 and 26102 of this Chapter, shall be restrained by a seat belt assembly that meets federal motor vehicle safety standards and is used in accordance with the assembly manufacturer’s operating instructions.

~~(a) Passengers riding in the bed of a pickup truck are exempted from the requirement to utilize a seat belt assembly, as stated in this Section, provided, that the following criteria are met:~~

~~(1) The bed of the pickup truck is surrounded on all four (4) sides by a secure vertical body extension, inclusive of a tailgate, that is~~

1 at least fourteen (14) inches high;  
2 ~~(2) All seats in the cab of the pickup truck are occupied by a~~  
3 ~~passenger;~~  
4 ~~(3) Passengers in the bed of the truck are twelve (12) years of age~~  
5 ~~or older;~~  
6 ~~(4) Passengers in the bed of a pickup truck remain seated on the~~  
7 ~~floor of the truck bed at all times;~~  
8 ~~(5) Passengers are not leaning against the tailgate of the pickup~~  
9 ~~truck; and~~  
10 ~~(6) There are no more than five (5) passengers riding in the bed of~~  
11 ~~the pickup truck.”~~

12 **Section 2.** A new Chapter 27 is hereby *added* to Title 16 of the Guam Code  
13 Annotated to read:

14 **“CHAPTER 27**  
15 **PASSENGERS IN BED OF PICKUP TRUCK**

16  
17 **§27101. Passengers Prohibited From Riding in Pickup Bed.**

18 Passengers of a motor vehicle are prohibited from riding in the bed of a pickup  
19 truck, as the bed is designed for the transportation of cargo.

20 **§27102. Penalty.**

21 Notwithstanding any other provision of law, the driver of a vehicle which  
22 violates §27101, Title 16 of the Guam Code Annotated shall be fined one  
23 hundred dollars (\$100.00) for each passenger riding in a pickup bed.”

24 **Section 3. Enactment.** The provisions of this Act shall become effective thirty  
25 (30) days upon enactment.

1           **Section 4. Severability.** *If* any provision of this Law or its application to any  
2 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
3 *not* affect other provisions or applications of this Law which can be given effect  
4 without the invalid provisions or application, and to this end the provisions of this  
5 Law are severable.