

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

Bill No. 148-31 (COR)

Introduced by:

ADOLPHO B. PALACIOS, SR.



AN ACT RELATIVE TO FURTHER ENSURING
THE SAFETY OF DRIVERS, PASSENGERS AND
CONSTRUCTION WORKERS IN GUAM'S
MAJOR HIGHWAY CONSTRUCTION AREAS
THROUGH THE APPLICATION OF DOUBLE
FINES FOR TRAFFIC CITATIONS ISSUED IN
CONSTRUCTION ZONES, AND THE
PLACEMENT OF APPROPRIATE SIGNAGE
WITHIN THESE AREAS.

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1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent.

3 *I Liheslaturan Guahan* finds that many of Guam's primary
4 highways and roadways are anticipated to undergo major upgrades
5 or complete expansions, to include bridges, in the next several years
6 causing tremendous traffic congestion and further increasing the
7 level of hazard and safety concerns associated within these major
8 construction areas.

9 With the increase in the construction activities in Guam's major
10 roadways, it is critical that all measures be undertaken that will
11 continue to ensure the safety of the multitudes of drivers and
12 passengers who have to travel in these areas, and just as importantly

1 the safety of the construction workers. An approach to addressing
2 these safety concerns is through implementing measures which will
3 serve as a preventive mechanism that will require motorists who
4 drive in these heavy construction areas to drive with additional
5 caution and to comply with the temporary reduced speed limits
6 within the construction zones. One measure that has proven to be
7 effective in ensuring direct compliance with the reduced speed limit
8 in construction areas in many jurisdictions in the mainland U. S. is
9 the application of double fines for traffic citations issued in these
10 heavy construction zones.

11 Therefore, it is the intent of *I Liheslaturan Guahan* to ensure the
12 safety of motorists, passengers and construction workers in major
13 highway construction areas through the establishment of double
14 fines for traffic citations issued in heavy roads or highway
15 construction zones, and to further provide for the erection of proper
16 and adequate signage notifying drivers and passengers of these
17 increased fines. This provision is intended to serve as a safety
18 measure and as a form of encouraging proper compliance with the
19 reduced speed limit restrictions in major roadway construction areas.

20 **Section 2. Doubling of All Traffic Fines Issued in Major**
21 **Highway Construction Zones.**

22 All traffic fines and citations issued in major highway or
23 roadway construction zones for a violation thereof shall be assessed

1 at a rate double to the regular fine rate. The application of the double
2 rate shall only be assessed in major highway construction zone areas,
3 which must be so designated with appropriate signage.

4 **Section 3. Placement of Construction, Reduced Speed Limit,**
5 **and Double Fine Signage in Major Highway Construction Zones.**

6 The Department of Public Works shall require the placement of
7 appropriate signage by contractors performing major construction
8 work on Guam’s Primary and Secondary Roadways in compliance
9 with the provisions contained herein. Signage shall include the
10 identification of the beginning and the end of the highway
11 construction zone or areas, reduced speed limit, and the application
12 of double fines within the construction zone.

13 **Section 4. Public Notification of Applicable Provisions in**
14 **this Act.**

15 Prior to the effective date of the provisions contained herein,
16 the Department of Public Works in conjunction with the Guam Police
17 Department shall provide public notification to the community on
18 the application of reduced speed limits and the doubling of traffic
19 fines imposed in major construction areas in Guam’s highways and
20 roadways.

21 **Section 5. Compiler of Law to Incorporate Provisions into**
22 **Guam Code.**

1 The Compiler of Laws shall incorporate the provisions
2 contained herein in the appropriate section of the Guam Code
3 Annotated, as deemed necessary.

4 **Section 6. Effective Date.**

5 The provisions contained herein shall be effective within One
6 Hundred and Twenty (120) days of the enactment of this Act.

7 **Section 7. Severability.**

8 If any provision of this Act or its application to any person or
9 circumstance is found to be invalid or contrary to law, such invalidity
10 shall not affect other provisions or applications of this Act which can
11 be given effect without the invalid provisions application, and to this
12 end the provisions of this Act are severable.