

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

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*WML*

BILL NO. 190-31(LS)

Introduced by:

A.A. YAMASHITA, PhD 

**AN ACT TO AMEND § 31A05(a) OF ARTICLE 1A OF CHAPTER 3  
OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO  
DRIVERS LICENSES ROAD TESTING .**

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

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

3 *I Liheslaturan Guahan* finds that the Department of Revenue and Taxation  
4 already allows licensed private businesses to provide required driver's education classes  
5 in order to fulfill the mandates of Public Law 25-96 relative to graduated driver's  
6 licenses. *I Liheslatura* further finds that prospective licensed drivers are faced with  
7 lengthy waiting times for road tests as the Department of Revenue and Taxation, Division  
8 of Motor Vehicles may be inundated with requests or faced with a lack of manpower to  
9 administer the tests. Therefore, it is the intent of *I Liheslatura* to create alternative and  
10 reliable means to test and certify the behind-the-wheel skills of driver's license applicants  
11 in order to reduce the current long delay applicants experience, but not to prohibit the  
12 Department of Revenue and Taxation from offering and administering the tests.

13 **Section 3. Section 31A05(a) of Article 1A of Chapter 3 of Title 16, Guam**  
14 **Code Annotated, is hereby amended to read as follows:**

15 **“§ 31A05. Stage 2: Intermediate License.**

16 The following are the requirements to obtain and for the use of an Intermediate  
17 License:

18 (a) the minimum age for an Intermediate License is sixteen (16) years; candidates  
19 for an Intermediate License are required to pass a behind-the-wheel, on-road test  
20 to obtain an Intermediate License. The behind-the-wheel, on-road tests shall be  
21 administered by the Division of Motor Vehicles of the Department of Revenue

1 and Taxation or by instructors qualified to teach a Driver's Education course, who  
2 have been approved by the Department of Revenue and Taxation, who will certify  
3 the prospective licensee as competent to drive after achieving a passing rating on  
4 the behind-the-wheel, on-road tests administered by said instructors;

5 (b) must have completed a Driver's Education course approved by the Department  
6 of Revenue and Taxation to obtain an Intermediate license; *and*

7 (c) Zero Tolerance for Alcohol: Intermediate Licensees must *not* have a blood  
8 alcohol content that exceeds 0.02 at any time while driving (Intermediate  
9 Licensees under the age of eighteen (18) years must be accompanied by a parent  
10 or adult guardian who is a fully licensed driver at all times while driving between  
11 the hours of 10:00 p.m. and 6:00 a.m. on weeknights and 12:00 a.m. and 6:00 a.m.  
12 on weekend nights, *except* while driving to and from work. The driver must show  
13 proof of employment. In the event that the Intermediate Licensee does *not* have a  
14 parent or guardian who is a fully licensed driver, that parent or guardian may  
15 designate, during the application process for an Intermediate license, a responsible  
16 adult who is a fully licensed driver who is either twenty-one (21) years of age or  
17 older, or the permit holder's spouse to accompany the Intermediate Licensee while  
18 driving.);

19 (d) Intermediate Licensees over the age of eighteen (18) years must be  
20 accompanied by a licensed driver who is either twenty-one (21) years of age or  
21 older, or the permit holder's spouse at all times while driving between 12:00 a.m.  
22 and 6:00 a.m. nightly, *except* while driving to and from work (The driver must  
23 show proof of employment.); *and*

24 (e) the Intermediate Licensee must *not* be at fault in any collision and remain  
25 conviction free of all traffic and motor vehicle code violations for twelve (12)  
26 consecutive months to move to Stage 3.”