

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

2011-07-30
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MUA
PM 4:30

Bill No. 325-31 (cor)

Introduced by:

T.C. Ada
R.J. Respicio
D.G. Rodriguez, Jr.
A.B. Palacios, Sr.

**AN ACT TO ADD A NEW §3329.1 TO CHAPTER 3 OF TITLE 16,
GUAM CODE ANNOTATED, RELATIVE TO PROVIDING FOR
THE SAFETY OF THE VISUALLY IMPAIRED WHEN
CROSSING GUAM ROADWAYS.**

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that it
3 is the policy of Guam to encourage and enable the blind, the visually handicapped, and
4 the otherwise physically disabled to participate fully in the social and economic life of the
5 island. To meet this goal, it is imperative to enact traffic safety regulations that provide
6 for the safety of the visually impaired; as such, this Act shall mandate that drivers take all
7 safety precautions necessary when approaching an individual who is visually impaired.

8 **Section 2.** A new §3329.1 to Chapter 3, Title 16, Guam Code Annotated, is
9 hereby *added* to read:

10 **“§3329.1. Traffic Safety for the Visually Impaired.** The driver of a vehicle
11 approaching a totally or partially blind pedestrian who is carrying a cane predominantly
12 white or metallic in color (with or without a red tip) or using a guide dog shall take all
13 necessary precautions to avoid injury to such blind pedestrian, and any driver who fails to
14 take such precautions shall be liable in damages for any injury caused such pedestrian;
15 provided that a totally or partially blind pedestrian not carrying such a cane or using a

1 guide dog in any of the places, accommodations or conveyances listed in §§2114-2116 of
2 Chapter 2 of Title 19, Guam Code Annotated, shall have all of the rights and privileges
3 conferred by law upon other persons, and the failure of a totally, or partially blind
4 pedestrian to carry such a cane or to use a guide dog in any such places, accommodations
5 or conveyances shall not be held to constitute nor be evidence of contributory
6 negligence.”

7 **Section 3. Effective Date.** Notwithstanding any other provisions of law, the
8 action requested herein is approved and will be in effect when this Act is signed into law
9 by the Governor.

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