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

Bill No. 381-31(cor)

Introduced by:

D. G. Rodriguez, Jr. ✓

**AN ACT TO PROMOTE VEHICLES PURCHASED
BY THE GOVERNMENT OF GUAM MEET
CERTAIN FUEL EFFICIENT STANDARDS, BY
ADDING A NEW §5013 TO PART A OF ARTICLE 1,
CHAPTER 5, TITLE 5, GUAM CODE
ANNOTATED - GUAM PROCUREMENT LAW.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative findings and intent. *I Mina'Trentai Unu Na Liheslaturan Guåhan* finds that vehicles purchased by the government Guam, generally, are vehicles which were purchased with little or no consideration being given as to their efficiency relative to fuel consumption. This has resulted in a government owned fleet of vehicles which are being operated at a higher cost, when more efficient vehicles may be available, which could satisfactorily meet the operational needs of the agency requesting the procurement.

I Liheslaturan finds that many cars procured by government agencies are gas guzzling vehicles that cause unnecessary pollution and negatively impact our island's environment. It further finds that the less gas that a car uses, the less pollution the car creates. *I Liheslaturan* also finds that gas prices around the world, especially for the island of Guam, have been increasing at a staggering rate. The constant need to purchase gas for inefficient government-owned vehicles at such high prices is a needless burden to the government of Guam which could and must be reduced. Having more fuel efficient vehicles will relieve some of this

1 burden, and allow for the savings realized to be used for other purposes, as well as
2 reduce harmful emissions which negatively impact our island environment.

3 It is the intent of this Act is to develop a government-wide procurement
4 policy relative to the purchasing of motor vehicles which have a demonstrated
5 reduction and dependence on petroleum based fuels, and still meets the
6 operational needs of the respective agencies.

7 It is, further, the intent of *I Liheslaturan* to insure that the procurement of
8 energy efficient vehicles include an appropriate consideration for requiring a
9 maintenance service agreement, inclusive of providing regular preventative
10 maintenance, and any necessary repairs on a timely basis.

11 **Section 2:** A new §5013 is hereby added to Part A of Article 1, Chapter 5,
12 Title 5, Guam Code Annotated [Guam Procurement Law], to read::

13 **“§5013. Vehicle Procurement:** (a) To the extent *practicable*, all
14 government agencies *shall*, when procuring new vehicles, seek to purchase energy
15 efficient vehicles with a demonstrated reduced dependency on petroleum-based
16 fuels, and which still meets the operational needs of the agency.

17 (b) The Policy Procurement Office, in consultation with the Guam Energy
18 Office, *shall*, within 120 days of the enactment of this Section, promulgate vehicle
19 standards, and applicable rules and regulations relative to the government
20 procurement of energy efficient vehicles. The vehicle standards rules *shall* seek to
21 ensure, *to the extent practicable*, the purchase of vehicles in the following
22 descending order of priority:

23 (1) Reduced fuel consumption, as compared to other vehicles which
24 also would meet the operational needs of the agency, but consume higher
25 volumes of petroleum based fuel;

1 (2) Petroleum-hybrid vehicles, to include, but not limited to,
2 gasoline-electric or plug-in hybrid electric vehicles, hydrogen or fuel cell
3 vehicles, liquid propane gas, and any other such energy efficient technology
4 which is available and can be sustained on Guam, and still satisfactorily
5 meets the needs of the agency.

6 (3) If a fuel efficient vehicle that meets the needs of the agency is not
7 available, or cases in which its technology can not be supported on Guam,
8 *then*, the agency shall seek to select a vehicle that is identified by the United
9 States Environmental Protection Agency in its annual "Fuel Economy
10 Leaders" report as being among the top performers for fuel economy in its
11 class.

12 (c) Exemptions. Motor vehicles purchased by government agencies for the
13 purpose of law enforcement, emergency response, utilitarian use (a non-sedan
14 vehicle where a commercial grade vehicle is required, e.g., a truck, van, jeep and
15 other types for similar purposes), shall be exempted from meeting the fuel
16 efficient standards required pursuant to this Section, when necessary. Each motor
17 vehicle to be purchased by the government which does not reach the fuel efficient
18 standards mandated pursuant to this Section must be justified with the reason for
19 exclusion clearly identified.

20 (d) Maintenance and Service Agreement Required. The energy efficient
21 vehicle(s) selected *shall* have complete on-island maintenance service available,
22 to include, as well, the immediate availability of parts. The purchase shall include
23 a policy or agreement to provide preventative maintenance, and conduct as
24 necessary any repairs, so as to ensure the longevity of the vehicle.”

25 **Section 3: Severability.** *If* any provision of this Law or its application to
26 any person or circumstance is found to be invalid or contrary to law, such
27 invalidity shall *not* affect other provisions or applications of this Law which can

1 be given effect without the invalid provisions or applications, and to this end the
2 provisions of this Law are severable.

3 **Section 4: Effective Date.** This act *shall* take effect immediately upon
4 enactment.