

FILE COPY

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

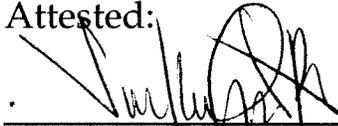
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 263 (EC)**, " **AN ACT TO ADD A NEW §19107 TO CHAPTER 19 OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE PRESENTATION OF INSURANCE DOCUMENTS TO ESTABLISH "PROOF OF INSURANCE",**" was on the 21st day of November, 2008, duly and regularly passed.



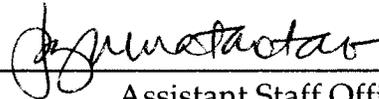
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 25 day of Nov., 2008, at 9:41 o'clock A.M.



Assistant Staff Officer
Maga'laha's Office

APPROVED:

FELIX P. CAMACHO
I Maga'lahaen Guåhan

Date: _____

Public Law No. _____

MINA'BENTE NUEBI NA LIHESLATURAN GUÁHAN
2008 (SECOND) Regular Session

Bill No. 263 (EC)

As amended by the Author
and further amended.

Introduced by:

Ray Tenorio
J. T. Won Pat, Ed.D.
Judith P. Guthertz, DPA
Frank F. Blas, Jr.
Edward J.B. Calvo
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Frank T. Ishizaki
J. A. Lujan
Tina Rose Muña Barnes
A. B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
Dr. David L.G. Shimizu

**AN ACT TO *ADD* A NEW §19107 TO CHAPTER 19 OF TITLE
16, GUAM CODE ANNOTATED, RELATIVE TO THE
PRESENTATION OF INSURANCE DOCUMENTS TO
ESTABLISH “PROOF OF INSURANCE”.**

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

2 **Section 1.** A new §19107 is hereby *added* to Chapter 19 of Title 16, Guam
3 Code Annotated, to read:

4 “§19107. **Presentation of Insurance Documents to Establish**
5 **'Proof of Insurance.'** All drivers *shall* provide, upon request of a law

1 enforcement officer during a traffic stop, proof of insurance coverage
2 sufficient to comply with the provisions of this Chapter.

3 The penalties for failure to comply with the provisions of this Section
4 are as follows:

5 (a) Any driver who does *not* possess 'proof of insurance' for
6 the vehicle in his possession, that is properly insured as required by
7 this Chapter, commits a violation.

8 (b) Any driver who does *not* possess 'proof of insurance' for
9 the vehicle in his possession, that is *not* properly insured as required
10 by this Chapter, *shall* be punished in accordance with the penalties
11 prescribed by this Chapter.

12 (c) Any driver that *knowingly* presents any insurance
13 certificate, policy *or* other documentation to establish 'proof of
14 insurance' for the vehicle in his possession, that is *not* properly
15 insured as required by this Chapter, commits a petty misdemeanor.

16 (d) Any driver that *knowingly* presents any insurance
17 certificate, policy *or* other documentation to establish 'proof of
18 insurance' for the vehicle in his possession, that is *not* properly
19 insured as required by this Chapter, and is at fault in an automobile
20 accident in which the total value of the loss to the innocent party(s) is
21 Five Thousand Dollars (\$5,000) or *less*, commits a misdemeanor.

22 (e) Any driver that *knowingly* presents any insurance
23 certificate, policy *or* other documentation to establish 'proof of
24 insurance' for the vehicle in his possession, that is *not* properly
25 insured as required by this Chapter, and is at fault in an automobile
26 accident in which the total value of the loss to the innocent party(s) is

1 *more* than Five Thousand Dollars (\$5,000), commits a third degree
2 felony.

3 (f) For purposes of subsections (c), (d) and (e) of this
4 Section, failure to pay premiums as prescribed by the automobile
5 insurance policy *or* other payment agreement with the insurer *or* the
6 insurer's general agent, sub-agent, broker *or* solicitor is *prima facie*
7 *evidence* that an owner and *or* driver *knowingly* presented an
8 insurance certificate, policy *or* other documentation to establish
9 'proof of insurance', to comply with the provisions of this Chapter."