

***I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN***  
**2007 (FIRST) Regular Session**

**Bill No. 52 (EC)**

As substituted by the Committee on Finance, Taxation, Commerce and Economic Development and amended on the Floor.

Introduced by:

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

**AN ACT TO AMEND §3413 OF ARTICLE 4 OF CHAPTER 3, TITLE 11 GUAM CODE ANNOTATED, RELATIVE TO CONSUMPTION OF ALCOHOLIC BEVERAGES AT BUS STOPS; AND TO AMEND ITEM (2) OF §90105 OF CHAPTER 90, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO SMOKING AT BUS STOPS.**

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

2           **Section 1. Legislative Intent and Findings.** *I Liheslaturan Guåhan*  
3 intends to provide our school children with a safe and healthy environment,  
4 including Guam's bus stops. Anecdotal information received from village mayors,

1 parents, and other sources indicates that bus stops are being used as places to  
2 consume alcoholic beverages and to smoke tobacco, often in the presence of  
3 children. *I Liheslaturan Guåhan* intends to prohibit the use of alcohol and tobacco  
4 at all bus stops. This prohibition will create a secondary benefit of less littering  
5 around bus stops.

6 **Section 2.** §3413 of Article 4 of Chapter 3, Title 11, Guam Code Annotated is  
7 *amended* to read:

8 “§3413. **Same: Consumption Forbidden.** Unless authorized by a  
9 license issued for the premises and sold by the licensee, a person *shall* not  
10 consume any alcoholic beverages on any premises where alcoholic beverages  
11 are sold, *nor* except as prescribed by the Board by regulation, on any premises  
12 open to *or* used by the public. No person *shall* consume alcoholic beverages  
13 at any bus stops, bus shelters, *or* any facility provided for students waiting for  
14 bus transportation to and from school.

15 All monies collected from citations issued pursuant to this Section *shall*  
16 be deposited in the Police Services Fund.”

17 **Section 3.** Item (2) of §90105 of Chapter 90, Title 10 Guam Code Annotated  
18 is *amended* to read:

19 “(2) Buses, taxicabs, airplanes, and other means of public transit, and  
20 ticket, boarding, and waiting areas of public transport depots, including bus  
21 stops, bus shelters, *or* any facility provided for students waiting for bus  
22 transportation to and from school.

23 All monies collected from citations issued pursuant to this subsection  
24 *shall* be deposited in the Police Services Fund.”

25 **Section 4. Notices to be Displayed.** The Director of Public Works *shall*,  
26 as part of DPW’s annual bus stop maintenance program, affix to all bus stops on

1 Guam a notice in appropriate language *or* symbols indicating that the use of alcohol  
2 and tobacco products are prohibited in the bus stops, bus shelters, *or* any facility  
3 provided for students waiting for bus transportation to and from school, and that  
4 violations of the pertinent sections of law *shall* be punishable by fines and  
5 imprisonment.

6 **Section 5. “Alcohol Consumption Not Allowed” Citation Process.** To  
7 accomplish the purposes of this Act, the Guam Police Department shall develop,  
8 pursuant to the Administration Adjudication Law, a citation format and procedures  
9 to collect fines and for the identification of deposits.

10 **Section 6.** Within sixty (60) days after enactment hereof, the Director of  
11 DPW shall complete an inventory, in collaboration with all village Mayors, of all  
12 existing locations where school buses pick up and discharge children, and describe  
13 therein the physical condition of each. The Director *shall* then prepare a plan to  
14 construct a bus shelter if a location has none and to repair damaged and deteriorated  
15 bus shelters. The Director of DPW *shall* then transmit this plan together with an  
16 estimated appropriation therefor to *I Maga’lahi* and the Speaker of *I Liheslatura*.