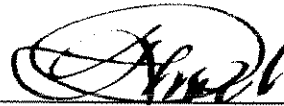


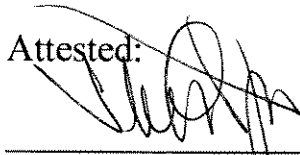
*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2014 (SECOND) Regular Session

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

This is to certify that **Bill No. 236-32 (COR)**, "AN ACT TO *ADD A NEW §3102.5 TO ARTICLE 1 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE ROAD TESTING REQUIREMENT FOR CERTAIN COMMERCIAL MOTOR VEHICLE DRIVER'S LICENSES,*" was on the 1<sup>st</sup> day of February, 2014, duly and regularly passed.

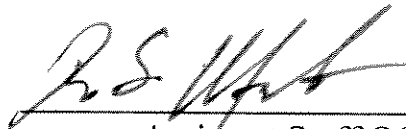


Judith T. Won Pat, Ed.D.  
Speaker

Attested: 

Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1<sup>st</sup> day of FEB,  
2014, at  
10:50 o'clock P.M.



Assistant Staff Officer  
*Maga'lahi's Office*

APPROVED:

EDWARD J.B. CALVO  
*I Maga'lahen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN***  
**2013 (FIRST) Regular Session**

**Bill No. 236-32 (COR)**

As substituted by the Committee on Aviation, Ground  
Transportation, Regulatory Concerns and Future Generations;  
and amended on the Floor.

Introduced by:

Aline A. Yamashita, Ph.D.  
T. C. Ada  

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V. Anthony Ada  
FRANK B. AGUON, JR.  
B. J.F. Cruz  
Chris M. Dueñas  
Michael T. Limtiaco  
Brant T. McCreadie  
Tommy Morrison  
T. R. Muña Barnes  
Vicente (ben) C. Pangelinan  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Michael F. Q. San Nicolas  
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW §3102.5 TO ARTICLE 1  
OF CHAPTER 3, TITLE 16, GUAM CODE  
ANNOTATED, RELATIVE TO AUTHORIZING  
THE DEPARTMENT OF REVENUE AND  
TAXATION TO OUTSOURCE THE ROAD  
TESTING REQUIREMENT FOR CERTAIN  
COMMERCIAL MOTOR VEHICLE DRIVER'S  
LICENSES.**

- 1           **BE IT ENACTED BY THE PEOPLE OF GUAM:**  
2           **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guáhan* finds  
3 that there is a high demand for driver's licenses to operate commercial vehicles,

1 inclusive of trucks, school buses, and other passenger vehicles. Naturally, the  
2 demand for such licenses will increase as a result of population growth and  
3 economic development.

4 *I Liheslatura* further finds that current budget constraints have inhibited the  
5 Drivers License Examination Branch of the Motor Vehicle Division within the  
6 Department of Revenue & Taxation from employing adequate staffing levels  
7 needed to administer the road tests in a timely manner. Currently, the wait time is  
8 approximately six (6) months. Furthermore, if the applicant fails the initial road  
9 test, the wait for a subsequent test date could be an additional six (6) months. Such  
10 delays present challenges for businesses, government agencies, and residents that  
11 transport people, supplies, materials and commodities around the island.

12 Therefore, *I Liheslatura* intends to authorize the DRT Motor Vehicle  
13 Division to outsource the road testing function to selected private entities that have  
14 been certified by DRT as having met all the prerequisites established by the Motor  
15 Carrier Division. Concomitantly, the DRT *shall* assume the responsibility for  
16 quality assurance of the performance of the selected testing companies.

17 **Section 2.** A new §3102.5 is hereby *added* to Article 1 of Chapter 3, Title  
18 16, Guam Code Annotated, to read as follows:

19 **“§ 3102.5 Outsource Road Test Examinations.**

20 (a) The DRT Division of Motor Vehicles may contract up to  
21 three (3) business entities to conduct and certify behind-the-wheel  
22 road tests for persons applying for a Chauffeurs License Class B,  
23 Chauffeurs License Class C, Class D and Class G.

24 (b) The DRT *shall*, within sixty (60) days from the effective  
25 date of this Act, develop and transmit to *I Liheslaturan Guåhan* rules  
26 and regulations that establish provisions to include, but *not* limited to,

1 the qualification criteria of testing entities, the process for selection of  
2 a testing entity, the administrative requirements that must be  
3 maintained by the testing entity to ensure accountability,  
4 recertification requirements, quality assurance measures, key  
5 performance indices, and other parameters that may be required to  
6 ensure the integrity of the testing function.”

7 **Section 3. Effective Date.** This Act *shall* become effective upon  
8 enactment.

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