

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

FEB 13 2014

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' trentai Dos Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

32-14-1305
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date: 2/14/14
Time: 4:06 PM
Received by:

Dear Madame Speaker:

Transmitted herewith is 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" which I signed into law on February 10, 2014 as Public Law 32-124.

Senseramente,

EDDIE BAZA CALVO

2014 FEB 14 PM 4:49

1305

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

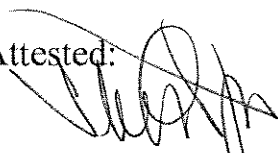
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

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 1st day of February, 2014, duly and regularly passed.



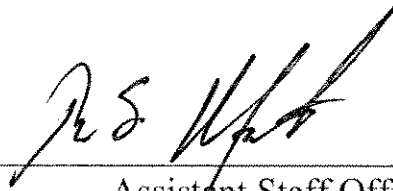
Judith T. Won Pat, Ed.D.
Speaker

Attested:



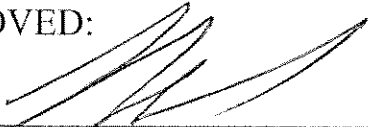
Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1st 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'lahaen Guåhan

Date: FEB 10 2014

Public Law No. 32-124

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
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
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 Guåhan* 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.