



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam.

MAY 30 2014

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

32-14-1710
Date: 6-3-14
Time: 2:57pm
Received by: [Signature]

2014 JUN -3 PM 3:40
[Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 203-32 (COR) "AN ACT TO ADD A NEW CHAPTER 45A TO DIVISION 2 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE PLUG-IN ELECTRIC VEHICLE REBATE PROGRAM ACT" which lapsed into law on May 24, 2014 as Public Law 32-164.

Senseramente,

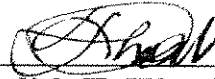
EDDIE BAZA CALVO

1710

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

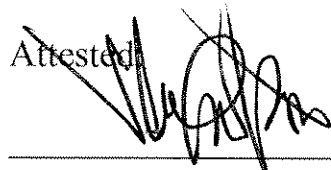
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 203-32 (COR), "AN ACT TO ADD A NEW CHAPTER 45A TO DIVISION 2 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE PLUG-IN ELECTRIC VEHICLE REBATE PROGRAM ACT,"** was on the 9th day of May, 2014, duly and regularly passed.



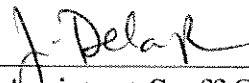
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 12th day of May,
2014, at 2:43 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDDIE BAZA CALVO
Governor of Guam

Date: MAY 24 2014

Public Law No. 32-164

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

Bill No. 203-32 (COR)

As substituted by the Committee on Appropriations,
Public Debt, Legal Affairs, Retirement, Public Parks,
Recreation, Historic Preservation and Land;
and amended on the Floor.

Introduced by:

Chris M. Dueñas
Dennis G. Rodriguez, Jr.
Tommy Morrison
V. Anthony Ada

T. C. Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
Michael T. Limtiaco
Brant T. McCreadie
T. R. Muña Barnes
Vicente (ben) C. Pangelinan
R. J. Respicio
Michael F. Q. San Nicolas
Aline A. Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW CHAPTER 45A TO DIVISION
2 OF TITLE 10, GUAM CODE ANNOTATED,
RELATIVE TO ESTABLISHING THE PLUG-IN
ELECTRIC VEHICLE REBATE PROGRAM ACT.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 Guam to be an ideal location for the use of plug-in electric vehicles. According to
4 national driving statistics, the typical car owner drives *less than* thirty miles daily.
5 The average daily driving distance for Guam drivers would seem to fall within the

1 national average given our size and the location of most centers of employment
2 and commerce.

3 *I Liheslatura* further finds that several Guam car dealers offer electric
4 vehicles that purport the capability to go between 73 and 80 miles on a full charge,
5 which has been rated by the USEPA as between 110 and 132 miles per gallon
6 (mpg) equivalent. The Guam Power Authority estimates the cost to “fill up” an
7 electric vehicle is about \$2.50 per gallon, as opposed to \$4.73 per gallon of
8 unleaded gas. If a typical family on Guam spends \$400 per month on fuel
9 purchases, this same family could realize a savings of almost \$200 at the fuel pump
10 by purchasing a plug-in electric vehicle.

11 *I Liheslatura* further finds plug-in electric vehicles to be a relatively recent
12 innovation in automotive technology, which has led to higher prices for this type of
13 vehicle. In recognition of the need to improve consumer interest in electric
14 vehicles, the federal government has been offering a tax credit that can be taken at
15 the time of purchase or when the purchaser files a return for the year in which the
16 electric vehicle was purchased. The offering of this tax credit levels the playing
17 field when a consumer considers the purchase of a new vehicle.

18 Therefore, it is the intent of *I Liheslaturan Guåhan* to also level the playing
19 field by strongly encouraging Guam motorists to consider the purchase of plug-in
20 electric vehicles by offering its own rebate incentive program for plug-in electric
21 vehicle purchasers. It is also the intent of *I Liheslaturan Guåhan* that this rebate
22 shall be *in addition to* any federal tax credit applicable to the purchase of plug-in
23 electric vehicles.

24 **Section 2.** A new Chapter 45A is hereby *added* to Division 2 of Title 10,
25 Guam Code Annotated, to read:

26 **“CHAPTER 45A**

27 **PLUG-IN ELECTRIC VEHICLE REBATE PROGRAM ACT**

- 1 § 45A101. Establishment and Title.
- 2 § 45A102. Definitions.
- 3 § 45A103. Rebate Incentive Offered.
- 4 § 45A104. Eligible Vehicle, Determined.
- 5 § 45A105. Rebates, Funded.
- 6 § 45A106. Program, Phase-out.
- 7 § 45A107. Rules and Regulations.
- 8 § 45A108. Effective Date.
- 9 § 45A109. Severability.

10 **§ 45A101. Establishment and Title.** This Chapter *shall* be known
11 as the *Plug-In Vehicle Rebate Program Act* (Act). The Guam Energy Office
12 (GEO) *shall* develop, implement, and administer the *Plug-In Vehicle Rebate*
13 *Program* (Program) to provide financial assistance toward the purchase of a
14 plug-in electric vehicle.

15 **§ 45A102. Definitions.** For the purposes of this Chapter, *except* as
16 otherwise specifically provided, the following words and phrases, together
17 with all of the common derivatives thereof (i.e. verbs, plurals, gender, etc.),
18 *shall* have the meaning ascribed to them in this Chapter.

19 (a) Natural person *shall* mean a human being.

20 (b) Purchaser *shall* mean the natural person who purchased a
21 new qualified plug-in vehicle for which an application for the
22 Program is made.

23 (c) Qualified plug-in electric drive motor vehicle *shall* mean
24 a new vehicle with *at least* four wheels, that draws propulsion using a
25 traction battery that has *at least* four kilowatt hours (kWh) of capacity,
26 uses an external source of energy to recharge the battery, has a gross

1 vehicle weight rating of *not more than* 14,000 pounds, and meets
2 specified emission standards.

3 **§ 45A103. Rebate Incentive Offered.** Each natural person that
4 purchases a qualified plug-in electric drive motor vehicle *shall* be eligible
5 for one (1) rebate that *shall* be calculated to consist of *not more than* ten
6 percent (10%) of the total base price of the qualified plug-in electric drive
7 motor vehicle *not to exceed* a total base price of Thirty Thousand Dollars
8 (**\$30,000**). Each natural person *shall only* be eligible for one rebate for said
9 natural person's lifetime. The terms the purchaser must meet include, but are
10 *not* limited to, proof of purchase of the new qualified plug-in electric drive
11 motor vehicle and proof of insurance for said vehicle. The purchaser *shall*
12 agree to maintain ownership of the qualified plug-in electric drive motor
13 vehicle for a period of *not less than* thirty-six (36) months, and *shall*
14 complete and submit the necessary forms as prescribed by the GEO to claim
15 a rebate pursuant to the Program. If the purchaser transfers ownership of the
16 qualified plug-in electric drive motor vehicle for which a rebate was granted
17 within the thirty-six (36) month period, the purchaser *shall* repay a prorated
18 amount of the rebate granted to be determined by the GEO in the
19 formulation of its promulgated rules and regulations. The rebate offered in
20 this Section *shall* be *in addition to* any federal tax credit applicable to the
21 purchase of a qualified plug-in electric drive motor vehicle.

22 **§ 45A104. Eligible Vehicle, Determined.** A rebate is available for
23 the purchase of a new qualified plug-in electric drive motor vehicle pursuant
24 to the definition in §45A102(c) of this Chapter.

25 **§ 45A105. Rebates, Funded.** Beginning with Fiscal Year 2015, the
26 rebates *shall* be paid from sums set aside in the annual budget of the
27 government of Guam enacted for each fiscal year. Beginning in Fiscal Year

1 2015, Three Hundred Thousand Dollars (\$300,000) *shall* be appropriated
2 from the General Fund to the Guam Energy Office for the payment of
3 rebates to eligible claimants. This appropriation *shall* continue to be
4 available until fully expended.

5 **§ 45A106. Program, Phase-out.** The rebate authorized in this
6 Chapter is subject to a phase-out (reduction) once one hundred (100)
7 qualified plug-in electric drive motor vehicle rebates have been provided
8 beginning after October 1, 2014. The phase-out *shall* begin in the second
9 calendar quarter after the quarter in which the hundredth (100th) rebate has
10 been granted. During this quarter, the GEO *shall* be authorized to *only*
11 provide fifty percent (50%) of the full rebate for the following two (2)
12 quarters, then twenty-five percent (25%) of the full rebate for an additional
13 two (2) quarters, and no rebate thereafter.

14 **§ 45A107. Rules and Regulations.** Within one hundred eighty
15 (180) days after the enactment of this Act, the GEO *shall* adopt such rules
16 and regulations as may be necessary to implement the provisions of this
17 Chapter in accordance with the Administrative Adjudication Act.

18 **§ 45A108. Effective Date.** With the exception of §45A106 and
19 §45A107 of this Chapter being effective upon enactment of this Act, all
20 other provisions of this Chapter *shall* be effective on October 1, 2014.

21 **§ 45A109. Severability.** If any of the provisions of this Chapter or
22 the application thereof to any person or circumstance is held invalid, such
23 invalidity *shall not* affect any other provision or application of this Chapter
24 which can be given effect without the invalid provision or application, and to
25 this end the provisions of this Chapter are severable.”