



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

MAR 12 1996

The Honorable Ted S. Nelson
Acting Speaker
Twenty-Third Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>J. Lopez</u>
Time	<u>4:10</u>
Date	<u>3-12-96</u>

Dear Speaker Nelson:

Enclosed please find a copy of Substitute Bill No. 364 (LS), "AN ACT TO ADD A NEW SUBSECTION (h) TO §3339, TO AMEND §3315, AND TO ADD A NEW §3345 TO TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO TRAFFIC SIGNALS", which I have signed into law today as **Public Law No. 23-83**.

This legislation authorizes the Guam Power Authority and the Department of Public Works to work in conjunction with the private sector to use private generators at intersections where electric traffic signals are installed. It also provides for placing signs at intersections to alert the public to stop before proceeding at every intersection where an electric traffic signal is installed and is not operating.

Very truly yours,

Carl T. C. Gutierrez

Attachment
231040

Office of VICE SPEAKER TED S. NELSON	
<u>ltdh</u>	<u>b</u>
Print Name	Initial
Date: <u>3-12-96</u>	Time: <u>1:30p</u>

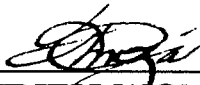
TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

This is to certify that Substitute Bill No. 364 (LS), "AN ACT TO ADD A NEW SUBSECTION (h) TO §3339, TO AMEND §3315, AND TO ADD A NEW §3345 TO TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO TRAFFIC SIGNALS," was on the 28th day of February, 1996, duly and regularly passed.




D. PARKINSON
Speaker

Attested:



JUDITH WON PAT-BORJA
Senator and Legislative Secretary

This Act was received by the Governor this 1st day of March
1996, at 5:40 o'clock P.M.


Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 3-12-96

Public Law No. 23-83

TWENTY-THIRD GUAM LEGISLATURE
1996 (SECOND) Regular Session

Bill No. 364 (LS)
As Substituted by the Author

Introduced by:

E. Barrett-Anderson
V. C. Pangelinan
T. S. Nelson
T. C. Ada
J. P. Aguon
A. C. Blaz
J. M. S. Brown
F. P. Camacho
M. C. Charfauros
H. A. Cristobal
M. Forbes
A. C. Lamorena V
C. A. Leon Guerrero
L. A. Leon Guerrero
S. L. Orsini
D. Parkinson
J. T. San Agustin
A. L. G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

AN ACT TO ADD A NEW SUBSECTION (h) TO §3339,
TO AMEND §3315, AND TO ADD A NEW §3345 TO
TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO
TRAFFIC SIGNALS.

1 **BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:**
2 **Section 1. Legislative Findings and Intent.** The Legislature finds that
3 there exists a critical situation to traffic safety whenever power is interrupted

1 at intersections, and that the absence of any clear legislation addressing
2 safety practices on the road when approaching a non-functioning traffic
3 intersection leaves the public in an untenable situation, subject to no rules of
4 the road to follow or abide by. This situation should not be left to the
5 hazardous guess-work of motorists as they approach a non-functioning
6 traffic intersection but should be clearly addressed by legislation that states
7 how motorists should respond in the event an intersection is non-functioning.
8 The Legislature further finds that in many instances there are private
9 business generators in close proximity to many intersections, and a program
10 that would allow a business to adopt a signal light for the safety of the public
11 at large is feasible until the island's power problems are solved.

12 **Section 2.** A new Subsection (h) is added to §3339 of Title 16, Guam
13 Code Annotated, to read as follows:

14 “(h) (1) The driver of any vehicle approaching an intersection
15 which has official traffic control signals that are inoperative shall stop
16 at the intersection, and may proceed with caution when it is safe to do
17 so.

18 (2) When two or more vehicles approach an intersection from
19 different highways at the same time, and the official traffic control
20 signal is inoperative, the drivers shall stop before entering the nearest
21 crosswalk at the intersection or before entering the intersection, and the
22 right to proceed shall be subject to the same rules that are applicable
23 after making a stop at a stop sign.

24 (3) The Department of Public Works shall install signs at each
25 intersection that read: STOP when traffic signal light is not working.
26 Yield to Right of Way.”

1 **Section 3.** §3315 of Title 16, Guam Code Annotated, is amended to read
2 as follows:

3 “§3315. **Entering Traffic Intersections.** (a) A driver shall not
4 enter an intersection or marked crosswalk unless there is sufficient
5 space on the other side of the intersection or marked crosswalk to clear
6 the intersection.

7 (b) In crossing an intersection of highways, the operator of a
8 vehicle shall, at all times, cause such vehicle to travel on the right half of
9 the highway, unless such right half is obstructed or impassable.”

10 **Section 4.** A new §3345 is added to Title 16, Guam Code Annotated, to
11 read as follows:

12 “§3345. **Adopt-A-Traffic Signal.** (a) The Department of Public
13 Works, in coordination and with the concurrence of the Guam Power
14 Authority, is authorized to solicit and approve the accommodation of a
15 private business or corporation to provide an independent source of
16 power generation to any traffic signal which becomes inoperative as a
17 result of power outages. The cost for installation and connection shall
18 be borne by the Department of Public Works from the agency’s
19 operational budget.

20 (b) The Guam Power Authority is authorized to grant, by rule and
21 regulation, a customer billing credit to any business or corporation that
22 offers to provide power generation to any traffic signal under this
23 program.

24 (c) The Department of Public Works shall continue to be
25 responsible for the maintenance and operation of the traffic signal, and
26 all lines which connect the signal to the independent power generation
27 source within the approved site. The business or corporation shall be

1 responsible for all maintenance and operation of the power generation
2 source at the approved site.

3 (d) Any business or corporation that is approved under this
4 program shall not be liable in contract or tort for any claims or damages
5 that may occur as a result of any injury to persons or property at or
6 within a traffic intersection. The government of Guam, through its
7 agencies and officers, shall be liable to the extent allowed under present
8 law."

TWENTY-THIRD GUAM LEGISLATURE

1996 (SECOND) Regular Session

6

Date: 2/28/96

VOTING SHEET

Bill No. 364

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	ABSENT/ OUT DURING ROLL CALL
ADA, Thomas C.	✓			
AGUON, John P.	✓			
BARRETT-ANDERSON, Elizabeth	✓			
BLAZ, Anthony C.	✓			
BROWN, Joanne S.	✓			
CAMACHO, Felix P.	✓			
CHARFAUROS, Mark C	✓			
CRISTOBAL, Hope A.	✓			
FORBES, MARK	✓			
LAMORENA, Alberto C., V	✓			
LEON GUERRERO, Carlotta	✓			
LEON GUERRERO, Lou	✓			
NELSON, Ted S.	✓			
ORSINI, Sonny L.	✓			
PANGELINAN, Vicente C	✓			
PARKINSON, Don	✓			
SAN AGUSTIN, Joe T.	✓			
SANTOS, Angel L. G.	✓			
SANTOS, Francis E.	✓			
UNPINGCO, Antonio R.	✓			
WONPAT-BORJA, Judith	✓			

TOTAL 21 0 0 0

CERTIFIED TRUE AND CORRECT:

Recording Secretary

PL 33-83



Senator Mark C. Charfauros

Chairman

Committee on Judiciary, Criminal Justice and Environmental Affairs
Twenty-Third Guam Legislature

Tel.: (671) 472-3342/3/5

Fax: (671) 472-3440

October 27, 1995

SPEAKER DON PARKINSON
Twenty-Third Guam Legislature
155 Hesler St.
Agana, Guam 96910

Dear Mr. Speaker:

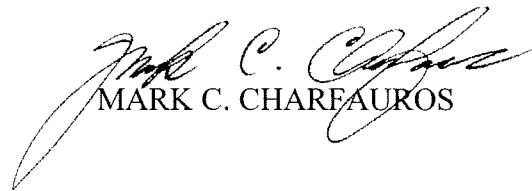
The Committee on Judiciary, Criminal Justice and Environmental Affairs to which was referred **Bill No. 364**, wishes to report back to the Legislature with its recommendation to pass **Bill No. 364- As substituted by the author** "AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION 3339 AND AMEND SECTION 3315 ALL TO TITLE 16 GUAM CODE ANNOTATED RELATIVE TO TRAFFIC SIGNALS."

The voting record is as follows:

TO PASS	<u>10</u>
NOT TO PASS	<u>0</u>
ABSTAIN	<u>0</u>
TO PLACE IN INACTIVE FILE	<u>0</u>

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.



MARK C. CHARFAUROS

Attachments

● Senator Mark C. Charfauros ●
Chairman
Committee on Judiciary, Criminal Justice and Environmental Affairs
Twenty-Third Guam Legislature

Tel.: (671) 472-3342/3/5

Fax: (671) 472-3440

September 27, 1995

MEMORANDUM

TO: Members

FROM: Chairman

SUBJECT: Committee Report - **Bill No. 364** - As substituted by the author "AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION 3339 AND AMEND SECTION 3315 ALL TO TITLE 16 GUAM CODE ANNOTATED RELATIVE TO TRAFFIC SIGNALS."

Transmitted herewith for your information and action is the Committee on Judiciary, Criminal Justice and Environmental Affairs' Report on the subject Bill.

The narrative report is accompanied by the following:

1. Original Bill 364; Bill 364 As substituted by the author;
2. Committee Voting Sheet;
3. Testimony and Sign-in Sheet
4. Public Hearing Notice.

Should you have any questions on the narrative report or the accompanying documents, I would be most happy to answer any of them.

Please take the appropriate action on the attached voting sheet and return the documents to my office for transmittal to the other members.






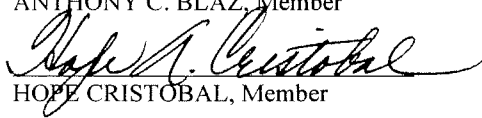



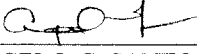
Your attention and cooperation in this matter is greatly appreciated.


MARK C. CHARFAUROS

Attachments.

**COMMITTEE ON JUDICIARY, CRIMINAL JUSTICE AND
ENVIRONMENTAL AFFAIRS**
23rd Guam Legislature
VOTING RECORD

Bill No. 364 -As substituted by the author "AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION 3339 AND AMEND SECTION 3315 ALL TO TITLE 16 GUAM CODE ANNOTATED RELATIVE TO TRAFFIC SIGNALS."

	<u>TO PASS</u>	<u>NOT TO PASS</u>	<u>ABSTAIN</u>	<u>INACTIVE FILE</u>
 MARK C. CHARFAUROS, Chairman	✓	—	—	—
 JUDITH WONPAT-BORJA, Vice-Chairperson	✓	—	—	—
 THOMAS C. ADA, Member	✓	—	—	—
 ELIZABETH BARRETT-ANDERSON, Member	✓	—	—	—
 JOANNE BROWN, Member	✓	—	—	—
ANTHONY C. BLAZ, Member	—	—	—	—
 HOPE CRISTOBAL, Member	✓	—	—	—
A. TONY LAMORENA, Member	—	—	—	—
 LOU LEON GUERRERO, Member	✓	—	—	—
 TED S. NELSON, Member	—	—	—	—
 VICENTE C. PANGELINAN, Member	✓	—	—	—
 ANGEL L.G. SANTOS, Member	✓	—	—	—
DON PARKINSON, Ex-Officio Member	—	—	—	—

COMMITTEE ON JUDICIARY, CRIMINAL
JUSTICE AND ENVIRONMENTAL
AFFAIRS

Twenty-Third Guam Legislature

COMMITTEE REPORT

on

Bill No. 364

As substituted by the author

“AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION 3339 AND AMEND SECTION 3315 AND ADD A NEW SECTION 3345 ALL TO TITLE 16 GUAM CODE ANNOTATED RELATIVE TO TRAFFIC SIGNALS.”

I. OVERVIEW

The Committee on Judiciary, Criminal Justice and Environmental Affairs scheduled a public hearing on September 20, 1995 at 9:30 a.m. at the Legislative Public Hearing Room. Public notice was announced on the September 19, 1995 issue of the PDN. Members present were:

Senator Mark C. Charfauros, Chairman

Senator Ben Pangelinan

Senator Ted Nelson

Senator Judith WonPat-Borja

Senator Hope Cristobal

Senator Angel L.G. Santos

Senator Tom Ada

Senator Lou Leon Guerrero

Senator Alberto Lamorena

Senator Mark Forbes, nonmember

Appearing before the Committee to testify on the bill were:

No Public Participation

II. SUMMARY OF TESTIMONY



No Public Participation

III. FINDING AND RECOMMENDATION

The Committee finds that a critical situation to traffic safety exist whenever power is interrupted at intersections. The Committee finds that motorists approaching a non-functioning traffic intersection should be guided by a defined course of action, as opposed to the current situation of driving through intersections with little notice or regard for others. The Committee finds that Bill 364 would provide suitable guidelines for an appropriate course of action by mandating that motorists stop before proceeding through a non-functioning intersection. The Committee finds that Bill 364 would also provide for the implementation of an Adopt-A-Traffic Signal Program. This program would allow private business' to provide independent sources of power to traffic signals during power outages. The Committee finds that this program may contribute to the significant reduction of hazardous situations at traffic intersections.

Accordingly, the Committee on Judiciary, Criminal Justice and Environmental Affairs, to which was referred **Bill No. 364**, does hereby submit its findings and recommendation to the Twenty-Third Guam Legislature **TO DO PASS Bill No. 364 As substituted by the author** "AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION 3339 AND AMEND SECTION 3315 ALL TO TITLE 16 GUAM CODE ANNOTATED RELATIVE TO TRAFFIC SIGNALS."



COMMITTEE ON RULES

Twenty-Third Guam Legislature
155 Hesler St., Agana, Guam 96910

September 8, 1995

MEMORANDUM

TO: Chairman, Committee on Judiciary, Criminal Justice
and Environmental Affairs

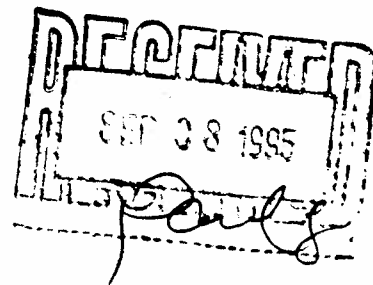
FROM: Chairman, Committee on Rules

SUBJECT: Referral - Bill No. 364

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended you schedule a public hearing at your earliest convenience.


SONNY LUJAN ORSINI

Attachment:



TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 364

Introduced by:

ELIZABETH BARRETT-ANDERSON *EBB*

Alustobal
AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION
3339 AND AMEND SECTION 3315 ALL TO TITLE 16
GUAM CODE ANNOTATED RELATIVE TO TRAFFIC SIGNALS

1 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:
2

3 Section 1. Legislative Findings and Intent. The
4 Legislature finds that there exists a critical situation to traffic safety
5 whenever power is interrupted at intersections, and that the absence
6 of any clear legislation addressing safety practices on the road when
7 approaching a non-functioning traffic intersection leaves the public
8 in an untenable situation, subject to no rules of the road to follow or
9 abide by. This situation should not be left to the hazardous guess-
10 work of motorists as they approach a non-functioning traffic
11 intersection but should be clearly addressed by legislation that states
12 how motorists should respond in the event an intersection is non-
13 functioning. The Legislature further finds that in many instances
14 there are private business generators in close proximity to many
15 intersections, and a program that would allow a business to adopt a
16 signal light for the safety of the public at large is feasible until the
17 island's power problems are solved.

18 Section 2. A new Subsection (h) is added to Section 3339 of
19 Title 16, Vehicle Code of Guam, to read follows:

1 “(h) (1) The driver of any vehicle approaching an intersection
2 which has official traffic control signals that are inoperative
3 shall stop at the intersection, and may proceed with caution
4 when it is safe to do so.

5 (2) When two vehicles enter an intersection from different
6 highways at the same time, and the official traffic control is
7 inoperative, both drivers shall stop before entering the
8 nearest crosswalk at the intersection or before entering the
9 intersection, and the right of proceed shall be subject to the
10 same rules that are applicable after making a stop at a stop
11 sign.”

12 **Section 3.** Section 3315 of Title 16, Vehicle Code of Guam, is
13 amended to read as follows:

14 “Section 3315. Entering Traffic Intersections. A driver
15 shall not enter an intersection or marked crosswalk unless
16 there is sufficient space on the other side of the intersection
17 or marked crosswalk to accommodate the drivers vehicle
18 without obstructing the through passage of vehicles from
19 either side.

20 (b) In crossing an intersection of highways, the operator of a
21 vehicle shall, at all times, cause such vehicle to travel on the
22 right half of the highway, unless such right half is obstructed
23 or impassable.



COMMITTEE ON RULES

Twenty-Third Guam Legislature
155 Hesler St., Agana, Guam
96910

10/2/95

MEMORANDUM

TO: Chairperson, Committee on Judiciary, Criminal Justice and
Environmental Affairs

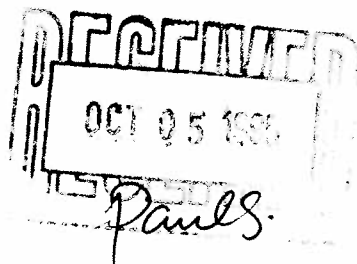
FROM: Chairman, Committee on Rules

SUBJECT: BILL 364 AS SUBSTITUTED BY THE AUTHOR

The above Bill is referred to your Committee as the principal committee. Please note that the referral is subject to ratification by the Committee on Rules at its next meeting. It is recommended you schedule a public hearing at your earliest convenience: As Substituted by the Author.


SONNY LUJAN ORSINI


Attachment



TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 364
(As Substituted by the Author)

Introduced by:

E. BARRETT-ANDERSON 

B. PANGELINAN 

**AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION
3339 AND AMEND SECTION 3315 AND ADD A NEW
SECTION 3345 ALL TO TITLE 16 GUAM CODE
ANNOTATED RELATIVE TO TRAFFIC SIGNALS**

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

2
3 **Section 1. Legislative Findings and Intent.** The
4 Legislature finds that there exists a critical situation to traffic safety
5 whenever power is interrupted at intersections, and that the absence
6 of any clear legislation addressing safety practices on the road when
7 approaching a non-functioning traffic intersection leaves the public
8 in an untenable situation, subject to no rules of the road to follow or
9 abide by. This situation should not be left to the hazardous guess-
10 work of motorists as they approach a non-functioning traffic
11 intersection but should be clearly addressed by legislation that states
12 how motorists should respond in the event an intersection is non-
13 functioning. The Legislature further finds that in many instances
14 there are private business generators in close proximity to many
15 intersections, and a program that would allow a business to adopt a
16 signal light for the safety of the public at large is feasible until the
17 island's power problems are solved.

1 **Section 2.** A new Subsection (h) is added to Section 3339 of
2 Title 16, Vehicle Code of Guam, to read follows:

3 “(h) (1) The driver of any vehicle approaching an intersection
4 which has official traffic control signals that are inoperative
5 shall stop at the intersection, and may proceed with caution
6 when it is safe to do so.

7 (2) When two vehicles enter an intersection from different
8 highways at the same time, and the official traffic control is
9 inoperative, both drivers shall stop before entering the
10 nearest crosswalk at the intersection or before entering the
11 intersection, and the right of way shall be subject to the
12 same rules that are applicable after making a stop at a stop
13 sign.”

14 **Section 3.** Section 3315 of Title 16, Vehicle Code of Guam, is
15 amended to read as follows:

16 “Section 3315. **Entering Traffic Intersections.** A driver
17 shall not enter an intersection or marked crosswalk unless
18 there is sufficient space on the other side of the intersection
19 or marked crosswalk to accommodate the drivers vehicle
20 without obstructing the through passage of vehicles from
21 either side.

22 **(b)** In crossing an intersection of highways, the operator of a
23 vehicle shall, at all times, cause such vehicle to travel on the
24 right half of the highway, unless such right half is obstructed
25 or impassable.

26 **Section 4.** A new Section 3345 is added to Title 16, Guam
27 Code Annotated to read as follows:

1 “Section 3345. Adopt-A-Traffic Signal. (a) The
2 Department of Public Works, in coordination and with the
3 concurrence of the Guam Power Authority, is authorized to
4 approve on a annual basis the request of a private business or
5 corporation to provide an independent source of power
6 generation to any major traffic signal which becomes
7 inoperative as a result of power outages. The cost for
8 installation and connection shall be born by the Department of
9 Public Works from the agency’s operational budget.

10 (b) The Guam Power Authority is authorized to grant, by rule
11 and regulation, a customer billing credit to any business or
12 corporation that offers to subsidize power generation to any
13 traffic signal under this program.

14 (c) The Department of Public Works shall continue to be
15 responsible for the maintenance and operation of the traffic
16 signal, and all lines which connect the signal to the
17 independent power generation source within the approved
18 site. The business or corporation shall be responsible for all
19 maintenance and operation of the power generation source at
20 the approved site.”

21 (d) Any business or corporation that is approved under this
22 program shall not be liable in contract or tort for any claims
23 or damages that may occur as a result of any injury to persons
24 or property at or within a traffic intersection. The
25 government of Guam, through its agencies and officers, shall
26 be liable to the extent allowed under present law.



Notice of Public Hearing

23rd Guam Legislature

Senator

Mark C. Charfauros

Chairman, Committee on Judiciary, Criminal Justice and
Environmental Affairs

Bill No. 263: AN ACT TO ADD A NEW §80.30.1, A NEW §80.31.1 AND A NEW §67.62.1 TO 9 GCA RELATIVE TO MANDATORY SENTENCING FOR THE POSSESSION OF CRYSTAL METHAMPHETAMINE, AND THE CREATION OF A SPECIAL FUND TO SUPPORT DRUG TREATMENT AND EDUCATION AND LAW ENFORCEMENT, FOR THE PURPOSES OF COMBATING THE INCREASING ABUSE OF CRYSTAL METHAMPHETAMINE, OTHERWISE KNOWN AS "ICE", IN THE TERRITORY OF GUAM AND TO PROTECT THE YOUTH OF GUAM FROM THE DANGERS OF THIS ILLEGAL SUBSTANCE;

Bill No. 295: AN ACT TO CREATE A NEW CHAPTER 88 TO 9 GCA RELATIVE TO ESTABLISHING A PROGRAM FOR SUBSTANCE ABUSE TESTING, ASSESSMENT AND TREATMENT FOR PERSONS CONVICTED AND INVOLVED IN THE GUAM JUSTICE SYSTEM, AS A MEANS OF REDUCING RECIDIVISM, ADDRESSING OFFENDERS AS A HIGH RISK GROUP, AND REDUCING SUBSTANCE ABUSE AND ITS DELETERIOUS EFFECTS IN THE TERRITORY OF GUAM;

Bill No. 300: AN ACT TO AMEND PUBLIC LAW 22-116 TO INCLUDE JUVENILES CONVICTED OF SEXUAL ASSAULT UPON ANOTHER PERSON TO UNDERGO MANDATORY TESTING FOR HIV OR OTHER SEXUAL DISEASES;

Bill No. 307 as substituted: AN ACT TO ADD A NEW SECTION 70.26 TO CHAPTER 70 OF TITLE 9 GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE USE OF MOTORIZED VESSELS IN AREAS WHERE NO RECREATIONAL WATER USE MASTER PLAN EXISTS;

Bill No. 313: AN ACT TO AMEND CHAPTER 86 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE CRIMINAL INJURIES COMPENSATION COMMISSION;

Bill No. 316: AN ACT TO REQUIRE THE GUAM JUDICIAL COUNCIL TO ADOPT STANDARD JUDICIAL FORMS FOR PURPOSES OF FILING CIVIL AND CRIMINAL LITIGATIONS, SPECIAL PROCEEDINGS, PETITIONS, MOTIONS, NOTICES, ORDERS AND REQUESTS THAT MAY BE FILED IN COURT;

Bill No. 334: AN ACT TO REPEAL AND REENACT §8106 OF TITLE 7 GCA RELATIVE TO AUTHORIZING MARSHALS OF THE SUPERIOR COURT OF GUAM TO ISSUE TRAFFIC CITATIONS;

Bill No. 356: AN ACT TO AMEND SUBSECTION (f) OF §5.55 OF TITLE 8, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE DEFINITION OF "PEACE OFFICER" FOR THE CUSTOMS AND QUARANTINE AGENCY;

Bill No. 363: AN ACT TO AMEND §3401.0(h) OF TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING GOVERNMENT SECURITY PERSONNEL TO ENFORCE STATUTES CONCERNING ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES;

Bill No. 364: AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION 3339 AND AMEND SECTION 3315 ALL TO TITLE 16 GUAM CODE ANNOTATED RELATIVE TO TRAFFIC SIGNALS.

Date: Wednesday, September 20, 1995

Time: 9:30 a.m.

Place: Public Hearing Room,

Guam Legislature Temporary Bldg., Agana, Guam

The Public is invited to participate

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 364
(As Substituted by the Author)

Introduced by:

E. BARRETT-ANDERSON *EAB*
B. PANGELINAN *[Signature]*

**AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION
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19 or marked crosswalk to accommodate the drivers vehicle
20 without obstructing the through passage of vehicles from
21 either side.

22 (b) In crossing an intersection of highways, the operator of a
23 vehicle shall, at all times, cause such vehicle to travel on the
24 right half of the highway, unless such right half is obstructed
25 or impassable.

26 **Section 4.** A new Section 3345 is added to Title 16, Guam
27 Code Annotated to read as follows:

1 “Section 3345. Adopt-A-Traffic Signal. (a) The
2 Department of Public Works, in coordination and with the
3 concurrence of the Guam Power Authority, is authorized to
4 approve on a annual basis the request of a private business or
5 corporation to provide an independent source of power
6 generation to any major traffic signal which becomes
7 inoperative as a result of power outages. The cost for
8 installation and connection shall be born by the Department of
9 Public Works from the agency’s operational budget.

10 (b) The Guam Power Authority is authorized to grant, by rule
11 and regulation, a customer billing credit to any business or
12 corporation that offers to subsidize power generation to any
13 traffic signal under this program.

14 (c) The Department of Public Works shall continue to be
15 responsible for the maintenance and operation of the traffic
16 signal, and all lines which connect the signal to the
17 independent power generation source within the approved
18 site. The business or corporation shall be responsible for all
19 maintenance and operation of the power generation source at
20 the approved site.”

21 (d) Any business or corporation that is approved under this
22 program shall not be liable in contract or tort for any claims
23 or damages that may occur as a result of any injury to persons
24 or property at or within a traffic intersection. The
25 government of Guam, through its agencies and officers, shall
26 be liable to the extent allowed under present law.

TWENTY-THIRD GUAM LEGISLATURE
1995 (FIRST) Regular Session

Bill No. 364 (LS)

Introduced by:

ELIZABETH BARRETT-ANDERSON *EBD*

**AN ACT TO ADD A NEW SUBSECTION (H) TO SECTION
3339 AND AMEND SECTION 3315 ALL TO TITLE 16
GUAM CODE ANNOTATED RELATIVE TO TRAFFIC SIGNALS**

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

2

3 **Section 1. Legislative Findings and Intent.** The
4 Legislature finds that there exists a critical situation to traffic safety
5 whenever power is interrupted at intersections, and that the absence
6 of any clear legislation addressing safety practices on the road when
7 approaching a non-functioning traffic intersection leaves the public
8 in an untenable situation, subject to no rules of the road to follow or
9 abide by. This situation should not be left to the hazardous guess-
10 work of motorists as they approach a non-functioning traffic
11 intersection but should be clearly addressed by legislation that states
12 how motorists should respond in the event an intersection is non-
13 functioning. The Legislature further finds that in many instances
14 there are private business generators in close proximity to many
15 intersections, and a program that would allow a business to adopt a
16 signal light for the safety of the public at large is feasible until the
17 island's power problems are solved.

18 **Section 2.** A new Subsection (h) is added to Section 3339 of
19 Title 16, Vehicle Code of Guam, to read follows:

1 “(h) (1) The driver of any vehicle approaching an intersection
2 which has official traffic control signals that are inoperative
3 shall stop at the intersection, and may proceed with caution
4 when it is safe to do so.

5 (2) When two vehicles enter an intersection from different
6 highways at the same time, and the official traffic control is
7 inoperative, both drivers shall stop before entering the
8 nearest crosswalk at the intersection or before entering the
9 intersection, and the right of way shall be subject to the
10 same rules that are applicable after making a stop at a stop
11 sign.”

12 **Section 3.** Section 3315 of Title 16, Vehicle Code of Guam, is
13 amended to read as follows:

14 “Section 3315. **Entering Traffic Intersections.** A driver
15 shall not enter an intersection or marked crosswalk unless
16 there is sufficient space on the other side of the intersection
17 or marked crosswalk to accommodate the drivers vehicle
18 without obstructing the through passage of vehicles from
19 either side.

20 (b) In crossing an intersection of highways, the operator of a
21 vehicle shall, at all times, cause such vehicle to travel on the
22 right half of the highway, unless such right half is obstructed
23 or impassable.