



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

MAR 16 1997

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<u>[Signature]</u>
Time	<u>10:09 am</u>
Date	<u>3/18/97</u>

Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 7 (LS), "AN ACT TO REPEAL AND REENACT §3305 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO MOTORCYCLE SAFETY HELMETS AND TO ADD A NEW §3306 OF TITLE 16 GUAM CODE ANNOTATED, RELATIVE TO THE SALE OF SAFETY HELMETS", which I have signed into law today as **Public Law No. 24-02**.

In 1995, the National Highway System Designation Act was signed into law; that federal law de-links the receipt of federal funds from the enactment by states and territories of mandatory helmet laws and mandatory minimum speed limits.

There have been many studies conducted over the years on motorcycle safety. Although motorcycles have a fairly high rate of accidents, the use of helmets is not a conclusive factor in significantly reducing accidents. Young, inexperienced riders are more at risk for accidents than older riders, and many accidents have been shown to involve the use of alcohol or drugs. The use of helmets is not as conclusive for predicting accidents as is participation in a motorcycle safety training program. A safety training program has been shown to have good results in reducing accidents.

At this time, 3 states do not have any helmet law; 25 states require a helmet to be worn; 21 states require riders under a certain age to wear helmets; one state requires underage passengers, learners, and novice riders to wear helmets. Many states require riders to wear eye protection, as wind in the eyes causes decreased vision. Many states also require

Office of the Speaker
 Date 3/17/97
 Time 10:30 am
 Rec'd [Signature]
 Print Name Monique

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motorcycle helmets
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headlights to be used in the daytime, to assist other vehicles in seeing motorcyclists.

At this time, I urge the legislature and the community to look into designing and implementing safety training programs for motorcyclists, particularly to assist new riders. I also urge the use of eye protection and headlights during the daytime.

Very truly yours,


Carl T. C. Gutierrez

Attachment

00091

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 7 (LS), "AN ACT TO REPEAL AND REENACT §3305 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO MOTORCYCLE SAFETY HELMETS, AND TO ADD A NEW §3306 TO TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE SALE OF SAFETY HELMETS," was on the 7th day of March, 1997, duly and regularly passed.



ANTONIO R. UNPINGCO
Speaker

Attested:



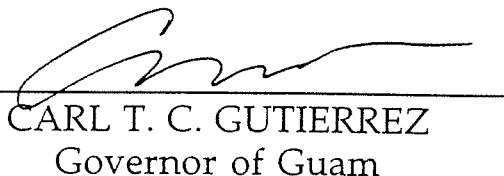
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 12th day of March
1997, at 1:35 o'clock P.M.



Assistant Staff Officer
Governor's Office

APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 3-16-97

Public Law No. 24-02

TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 7 (LS)

As amended by the Committee
on Judiciary, Public Safety and
Consumer Protection, and
amended on the floor.

Introduced by:

E. Barrett-Anderson
J. C. Salas
Mark Forbes
T. C. Ada
F. B. Aguon, Jr.
A. C. Blaz
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
L. F. Kasperbauer
A. C. Lamorena V
C. M. Leon Guerrero
L. Leon Guerrero
V. C. Pangelinan
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. WonPat-Borja

AN ACT TO REPEAL AND REENACT §3305 OF
TITLE 16 OF THE GUAM CODE ANNOTATED,
RELATIVE TO MOTORCYCLE SAFETY HELMETS,
AND TO ADD A NEW §3306 TO TITLE 16 OF THE

GUAM CODE ANNOTATED, RELATIVE TO THE
SALE OF SAFETY HELMETS.

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

2 **Section 1. Legislative Intent.** The Guam Legislature finds that the Federal
3 Government has relaxed national mandates across the nation, pursuant to the
4 National Highway System Designation Act of 1995, allowing states and territories to
5 determine highway requirements and safety standards without penalty or loss of
6 Federal highway funding.

7 **Section 2.** Title 16 Guam Code Annotated §3305 is repealed and reenacted to
8 read:

9 "§3305. **Mandatory Safety Helmets.** Any driver under eighteen (18)
10 years of age and any passenger under eighteen (18) years of age shall wear a
11 safety helmet, of a type approved by the Department of Revenue and Taxation,
12 when riding on a motorcycle, including a bicycle equipped with a motor.
13 Anyone who violates this section shall be subject to a fine of not less than Fifty
14 Dollars (\$50.00) and not more than Five Hundred Dollars (\$500.00)."

15 **Section 3.** A new Title 16 Guam Code Annotated §3306 is added to read:

16 "§3306. **Sale of Safety Helmets.** No person shall sell or offer for sale for
17 use by an operator or passenger of a motorcycle, or bicycle equipped with a
18 motor, a helmet which is not of a type meeting the requirements established by
19 the Department of Revenue & Taxation. Anyone who violates this Section shall
20 be guilty of a petty misdemeanor."