



Office of the Governor of Guam

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Office of the People's Speaker
vicente (ben) c. pangelinan

FEB 06 2004

TIME: 4:25 () AM (✓) PM
RECEIVED BY: 

FEB 06 2004

Felix Perez Camacho
Governor

Kaleo Scott Moylan
Lieutenant Governor

The Honorable Vicente C. Pangelinan
Speaker
I Mina' Bente Siete Na Liheslaturan Guåhan
Twenty-Seventh Guam Legislature
155 Hesler Street
Hagåtña, Guam 96910

Dear Speaker Pangelinan:

Transmitted herewith is Bill No. 196 (COR), "AN ACT TO *AMEND* §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO *AMEND* §9301 OF CHAPTER 9, ARTICLE 3 OF TITLE 30, GUAM ADMINISTRATIVE RULES, RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS," which I signed into law on February 6, 2004 as **Public Law 27-66**.

Sincerely yours,

KALEO S. MOYLAN
I Maga'låhen Guåhan Para Pa'go
Acting Governor of Guam

Attachment: copy attached of signed bill

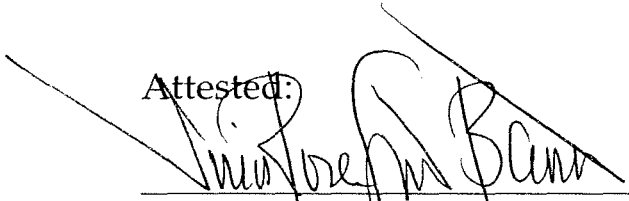
cc: The Honorable Tina Rose Muna-Barnes
Senator and Legislative Secretary

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2004 (SECOND) Regular Session

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

This is to certify that **Substitute Bill No. 196 (COR), "AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO AMEND §9301 OF CHAPTER 9, ARTICLE 3 OF TITLE 30, GUAM ADMINISTRATIVE RULES, RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS,"** was on the 4th day of February, 2004, duly and regularly passed.

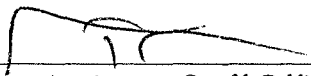
Attested:



Tina Rose Muña Barnes
Senator and Legislative Secretary

vicente (ben) c. pangelinan
Speaker

This Act was received by *I Maga'lahren Guåhan* this 5 day of February, 2004,
at 4:30 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



KALEO S. MOYLAN
I Maga'lahren Guåhan, Para Pa'go

Date: Feb 06, 2004

Public Law No. 27-66

I MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

Bill No. 196 (COR)

As substituted by the Committee
on Economic Development, Retirement,
Investments, Public Works, and Regulatory
Functions, further substituted by the Committee
on Rules and amended on the Floor.

Introduced by:

Toni Sanford
F. B. Aguon, Jr.
J. M.S. Brown
F. R. Cunliffe
C. Fernandez
Mark Forbes
L. F. Kasperbauer
R. Klitzkie
L. A. Leon Guerrero
J. A. Lujan
T. R. Muña Barnes
v. c. pangelinan
J. M. Quinata
R. J. Respicio
Ray Tenorio

**AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF
THE GUAM CODE ANNOTATED RELATIVE TO CARRIER
SAFETY AND HAZARDOUS MATERIAL REGULATIONS
AND TO AMEND §9301 OF CHAPTER 9, ARTICLE 3 OF
TITLE 30, GUAM ADMINISTRATIVE RULES, RELATIVE
TO POLICIES OF CARRIER SAFETY AND HAZARDOUS
MATERIALS REGULATIONS.**

- 1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**
- 2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
- 3 that the Department of Revenue and Taxation ("Department") is charged with

1 administering Guam's Motor Carrier Safety Assistance Program (MCSAP),
2 funded annually by a continuing grant from the United States Federal Motor
3 Carrier Safety Administration for the purpose of implementing national safety
4 standards in operating commercial vehicles and the transportation of
5 hazardous materials. Since the adoption of various Federal Motor Carrier
6 Safety Regulations and Federal Hazardous Materials Regulations in 1987 and
7 in 1999, the Department has reported a decline in overall safety violations
8 involving commercial vehicles operating on Guam's roadways.

9 While these Federal regulations are regularly reviewed, and have been
10 routinely updated to improve effectiveness and uniformity in these safety
11 standards, *I Liheslaturan Guåhan* finds Guam's laws do not contain a provision
12 for updating these Federal regulations. *I Liheslaturan Guåhan* further finds that
13 the Department has determined this statutory provision is necessary in order
14 to administer Guam's Motor Carrier Safety Assistance Program.

15 It is the intent of *I Liheslaturan Guåhan* to authorize automatic adoption
16 of updates of those Federal Motor Carrier Safety Regulations and Federal
17 Hazardous Materials Regulations that have been specifically established and
18 adopted by local statute.

19 **Section 2.** §5116 of Chapter 5, Title 16 of the Guam Code Annotated, is
20 hereby *amended* to read as follows:

21 **"§5116. Carrier Safety and Hazardous Material Regulations.** (a)
22 The Director of the Department of Revenue and Taxation ("Director") is
23 authorized to promulgate as Guam regulations, either: (1) the Federal
24 Motor Carrier Safety Regulations (49 CFR Parts 385, 386, 390 through
25 399), *except* such portions as may be determined by the Director to be

1 inapplicable, and highway-related portions of the Federal Hazardous
2 Materials Regulations (49 CFR Parts 107, 171 through 173, 177, 178 and
3 180); or (2) such Guam regulations applicable to motor carrier safety,
4 including highway transportation of hazardous materials, as are
5 compatible with Federal regulations.

6 The regulations promulgated by the Director shall be effective as
7 interim regulations until such date as they may be amended pursuant to
8 the Administrative Adjudication Law, Chapter 9 of Title 5 of the Guam
9 Code Annotated.

10 (b) The Director is authorized to promulgate regulations
11 providing for the right of entry and inspection; the right to inspect
12 commercial motor vehicles; and the right to inspect and copy
13 documents necessary to determine compliance with applicable law,
14 rules and regulations related to motor carrier requirements by
15 government personnel sufficient to enforce the Regulations adopted
16 pursuant to Subsections (a) and (c) of this Section and to perform the
17 activities set forth in Guam's Enforcement Plan for implementation of
18 the Regulations. Such Regulations shall be effective as interim
19 Regulations from the date of promulgation until such date as they be
20 amended pursuant to the Administrative Adjudication Law.

21 (c) Whenever the Federal Motor Carrier Safety Regulations and
22 Federal Hazardous Materials Regulations used by the government of
23 Guam referenced in this §5116(a)(1) pursuant to this Chapter are
24 updated, the Department of Revenue and Taxation is authorized to
25 automatically adopt such updates as Guam regulations, subject to the

1 promulgation of rules pursuant to procedures required under the
2 Administrative Adjudication Law.”

3 **Section 3.** §9301 of Article 3, Chapter 9, of Title 30 of the Guam
4 Administrative Rules, is hereby *amended* to read:

5 **“§9301. General Provisions: Title and Authority.** The Director
6 of the Department of Revenue and Taxation (“Director”) may designate
7 one (1) or more employees of the Department as inspectors to determine
8 whether persons subject to the requirements of the Federal Motor
9 Carrier Regulations (49 CFR Parts 385, 386, 390 through 399) and
10 highway-related portions of the Federal Hazardous Materials
11 Regulations (49 CFR Parts 107, 171 through 173, 177, 178, and 180)
12 (“Regulations”) are complying with the requirements of the
13 Regulations. Pursuant to 16 GCA §5116, as enacted by Public Law 19-4,
14 these Regulations were made effective on Guam by Executive Order 87-
15 27, executed on July 30, 1987. 16 GCA §5116 also authorizes the Director
16 to promulgate regulations providing for the right of entry and
17 inspection; the right to inspect commercial motor vehicles; and the right
18 to inspect and copy documents necessary to determine compliance with
19 applicable law, rules and regulations related to motor carrier
20 requirements by government personnel sufficient to enforce the
21 Regulations.”

I MINA' BENTE SIETE NA LIHESLATURAN GUAHAN

2004 (SECOND) Regular Session

Date: February 4, 2004

VOTING SHEET

SBill No. 196(COR)

Resolution No. _____

Question: _____

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
AGUON, Frank B., Jr.	✓				
BROWN, Joanne M. S.	✓				
CUNLIFFE, F. Randall	✓				
FERNANDEZ, Dr. Carmen	✓				
FORBES, Mark	✓				
KASPERBAUER, Lawrence F.					✓
KLITZKIE, Robert	✓				
LEON GUERRERO, Lourdes A.	✓				
LUJAN, Jesse A.	✓				
MUÑA-BARNES, Tina Rose	✓				
pangelinan, vicente "ben" C.	✓				
QUINATA, John "JQ" M.	✓				
RESPICIO, Rory J.	✓				
SANFORD, Antoinette "Toni" D.	✓				
TENORIO, Ray	✓				

TOTAL

14 0 0 0 1

CERTIFIED TRUE AND CORRECT:


 Clerk of the Legislature

* 3 Passes = No vote
 EA = Excused Absence



Office of Senator Antoinette (Toni) Sanford
Assistant Majority Leader

TWENTY-SEVENTH GUAM LEGISLATURE

Chairwoman, Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions
Suite 15B, 777 Route 4, Sinajana, Guam 96926 / Telephone (671) 479-8664/6 Fax (671) 479-8667 Email: sensanford@ite.net

January 20, 2004

Senator Lou Leon Guerrero
Chairperson, Committee on Rules & Health
TWENTY-SEVENTH GUAM LEGISLATURE
155 Hesler Street
Hagatna, Guam 96910


Dear Senator Leon Guerrero,

The Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions, to which Bill No. 196 (COR) AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO MAKE CHANGES TO §9301 OF CHAPTER 9 ARTICLE 3 OF TITLE 30 GUAM ADMINISTRATIVE RULES RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS. was referred, wishes to report its findings and recommendation TO DO PASS as substituted by the Committee.

The voting record is as follows:

TO PASS	<u>5</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.


Antoinette (Toni) Sanford

Attachment.

2004 JAN 26 AM 9:08



Office of Senator Antoinette (Toni) Sanford
Assistant Majority Leader

TWENTY-SEVENTH GUAM LEGISLATURE

Chairwoman, Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions
Suite 15B, 777 Route 4, Sinajana, Guam 96926 /Telephone (671) 479-8664/6 Fax (671) 479-8667 Email: sensanford@ite.net


January 20, 2004

MEMORANDUM

TO: Committee Members
FROM: Chairwoman
SUBJECT: Committee Report and Voting

Transmitted herewith for your information and action is the report on Bill No. 196 (COR) "AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO MAKE CHANGES TO §9301 OF CHAPTER 9 ARTICLE 3 OF TITLE 30 GUAM ADMINISTRATIVE RULES RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS." as substituted by the Committee on Economic Development, Retirement, Investment, Public Works and Regulatory Functions.

Please review the report and take the appropriate action on the voting sheet. Your prompt attention and action on this matter is greatly appreciated. Should you have any questions regarding the report or accompanying documents, please do not hesitate to contact me.


Antoinette (Toni) Sanford

Attachment.







Office of Senator Antoinette (Toni) Sanford
Assistant Majority Leader

TWENTY-SEVENTH GUAM LEGISLATURE

Chairwoman, Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions
Suite 15B, 777 Route 4, Sinajana, Guam 96926 /Telephone (671) 479-8664/6 Fax (671) 479-8667 Email: sensanford@ite.net

Bill No. 196 (COR) "AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO MAKE CHANGES TO §9301 OF CHAPTER 9 ARTICLE 3 OF TITLE 30 GUAM ADMINISTRATIVE RULES RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS." as substituted by the Committee on Economic Development, Retirement, Investment, Public Works and Regulatory Functions.

	TO PASS	NOT TO PASS	TO ABSTAIN	INACTIVE FILE
 TONI SANFORD Chairperson	✓			
FRANK B. AGUON, JR Vice-Chairperson				
LARRY KASPERBAUER Member				
 LOU LEON GUERRERO Member	✓			
JESSE A. LUJAN Member	✓			
TINA MUNA BARNES Member	✓			
JOHN M. QUINATA Member				
 RORY J. RESPICIO Member				
BEN C. PANGELINAN Speaker & Ex-officio Member				

MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

Bill No. 196 (COR)

As Substituted

by the Committee on Economic Development, Retirement,
Investments, Public Works, and Regulatory Functions

Introduced by:

Toni Sanford 

AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO MAKE CHANGES TO §9301 OF CHAPTER 9 ARTICLE 3 OF TITLE 30 GUAM ADMINISTRATIVE RULES RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS.

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

2 **SECTION 1. Legislative Findings and Intent.**

3 *I Liheslaturan Guåhan* finds The Department of Revenue and
4 Taxation is charged with administering Guam's Motor Carrier Safety
5 Assistance Program (MCSAP), funded annually by a continuing grant
6 from the U.S. Federal Motor Carrier Safety Administration for the
7 purpose of implementing national safety standards in operating
8 commercial vehicles and the transportation of hazardous materials.
9 Since the adoption of various Federal Motor Carrier Safety and Federal

1 Hazardous Materials regulations in 1987 and in 1999, the department
2 has reported a decline in overall safety violations involving commercial
3 vehicles operating in Guam's roadways.

4 While these federal regulations are regularly reviewed, and have
5 been routinely updated to improve effectiveness and uniformity in these
6 safety standards, *I Liheslaturan Guåhan* finds Guam's laws do not contain
7 a provision for updating these federal regulations. *I Liheslaturan Guåhan*
8 further finds the department has determined this statutory provision is
9 necessary in order to administer Guam's Motor Carrier Safety
10 Assistance Program (MCSAP).

11 It is the intent of I Lihislaturan Guahan to authorize automatic
12 adoption of updates of those federal Motor Carrier Safety and
13 Hazardous Materials regulations that have been specifically established
14 and adopted by local statute.

15 **SECTION 2.** Section 5116 of Chapter 5 Title 16 of the Guam Code
16 Annotated is hereby amended to read as follows:

17 "Section 5116. Carrier Safety and Hazardous Material
18 Regulations. (a) The Director of the Department of Revenue and
19 Taxation is authorized to promulgate as Guam regulations, either:

1 (1) the Federal Motor Carrier Safety Regulations (49 CFR Parts 385,
2 386, 390 through 399), *except* such portions as may be determined
3 by the Director to be inapplicable, and highway-related portions
4 of the Federal Hazardous Materials Regulations (49 CFR Parts 107,
5 177-173, 177, 178 and 180) or (2) such Guam regulations applicable
6 to motor carrier safety, including highway transportation of
7 hazardous materials, as are compatible with Federal regulations.

8 The regulations promulgated by the Director of Revenue
9 and Taxation shall be effective as interim regulations until such
10 date as they may be amended pursuant to the Administrative
11 Adjudication Law, Chapter 9 of Title 5 of the Guam Code
12 Annotated.

13 (b) The Director of Revenue and Taxation is authorized to
14 promulgate regulations providing for the right of entry and
15 inspection; the right to inspect commercial motor vehicles, motor
16 carrier related property including equipment and buildings; and the right
17 to inspect and copy documents by territorial personnel sufficient to
18 enforce the regulations adopted pursuant to Subsections (a) and (c)
19 of this Section and to perform the activities set forth in Guam's

1 Enforcement Plan for implementation of the regulations. Such
2 regulations shall be effective as interim regulations from the date
3 of promulgation until such date as they be amended pursuant to
4 the Administrative Adjudication Law.

5 (c) Whenever the FMCSRs and FHMRs used by the government
6 of Guam referenced in this §5116(a)(1) pursuant to this Chapter are
7 updated, the Department of Revenue and Taxation is authorized to
8 automatically adopt such updates as Guam regulations, subject to the
9 promulgation of rules, procedures required under the Administration
10 Adjudication Law.

11 SECTION 3. §9301 of Article 3, Chapter 9 of Title 30 of the Guam
12 Administrative Rules is hereby amended to read:

13 **“Article 3**

14 **Motor Carrier Inspection**

15 §9301. General Provisions: Title and Authority. The
16 Director of the Department of Revenue and Taxation (“the
17 Director”) may designate one or more employees of the
18 Department of as inspectors to determine whether persons subject
19 to the requirements of the Federal Motor Carrier Regulations (49

1 CFR Parts 385, 386, 390 through 399) and highway-related
2 portions of the Federal Hazardous Materials Regulations (CFR
3 Parts 107, 171-173, 177, ~~and~~ 178, and 180) (the Regulations) are
4 complying with the requirements of the Regulations. Pursuant to
5 16 GCA §5116, as enacted by P.L. 19-4, these regulations were
6 made effective on Guam by Executive Order 87-27, executed on
7 July 30, 1987. Title 16 GCA §5116 also authorized the Director to
8 promulgate regulations providing for the right of entry and
9 inspection; the right to inspect commercial motor vehicles and motor
10 carrier related property including equipment and buildings; and the right
11 to inspect and copy documents by territorial personnel sufficient to
12 enforce the Regulations.”

**COMMITTEE ON ECONOMIC DEVELOPMENT, RETIREMENT,
INVESTMENTS, PUBLIC WORKS, AND REGULATORY
FUNCTIONS**

Twenty-Seventh Guam Legislature
155 Hesler Street, Hagatna Guam 96910



**COMMITTEE REPORT
ON**

BILL NO. 196 AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 GCA RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TOMAKE CHANGES TO §9301 OF CHAPTER 9 ARTICLE 3 OF TITLE 30 GUAM ADMINISTRATIVE RULES RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS.

COMMITTEE MEMBERS

Chairperson Senator Toni Sanford
Vice-Chairperson Senator Frank B. Aguon, Jr.

Majority Members

Senator Lou Leon Guerrero
Senator Tina Muna Barnes
Senator John M. Quinata
Senator Rory Respicio
Speaker ben c. pangelinan (ex-officio)

Minority Members

Senator Jesse A. Lujan
Senator Larry Kasperbauer

I. OVERVIEW

A. Purpose and Essential Elements

INTENT

To adopt new federal commercial motor vehicle carrier and hazardous materials regulations to comply with requirements under an annual federal grant.

SECTION 1. Legislative Findings and Intent. States in order to comply with a grant requirement, Guam laws must provide for the adoption of amendments and updates of federal commercial motor vehicle carrier safety and hazardous materials regulations.

SECTION 2. Adds the adoption of federal regulation Part 385 and 386; Amends §5115(b) by adding authorization to provide the right to inspect and copy, as necessary, commercial motor vehicles and motor carrier related property to include equipment, buildings, and paperwork - by government officials inclusive of updated regulations that have been adopted.

Adds new subsection © Whenever the FMCRs and HMRs used and adopted by the government of Guam in this §5116(a)(1) pursuant to this Chapter is updated, the Department of Revenue and Taxation is authorized to adopt such changes subject to the promulgation of rules, procedures required under the Administrative Adjudication Law.

SECTION 3. Amends §9301 of Article 3, Chapter 9 of Title 30 of the Guam Administrative Rules to adopt regulation Part 385 and 386; adds authorization to provide right to inspect and copy, as necessary, commercial motor vehicles and motor carrier related property to include equipment, buildings, and paperwork.

B. Public Hearing Conducted

The Committee on Economic Development, Retirement, Investments, Public Works and Regulatory Functions conducted a public hearing on Wednesday, November 12, 2003 in the Legislative Public Hearing Room, I Liheslaturan Guahan, in Hagatna. Public notice was provided on November 6, 2003.

Committee Chairwoman Toni Sanford called the public hearing to order at 12:10 pm in the Legislative Public Hearing Room. Committee members present were: Senators Tina Muna Barnes and Carmen Fernandez. Non-committee members present included Senator Robert Klitzkie.

Written testimony was received from Mr. Jeff C. Borja, President of Mobil Oil Guam, Inc.; and Mr. Robert Koeppen, Jr. Vice President of Operations, South Pacific Petroleum.

Mr. Frank R. Blaz, Assistant to the Director of Department of Revenue and Taxation appeared and provided written and oral testimony on behalf of Director Artemio Ilagan.

II. SUMMARY OF TESTIMONY

Mr. Robert Koeppen, Jr. Vice-President of Operations of South Pacific Petroleum submitted written testimony stating Bill No. 196 would impose no financial or operational impact on their company. Mr. Koeppen' written testimony states South Pacific Petroleum's current standards and procedures already meets the requirements covered in Bill No. 196.

Mr. Jeff C. Borja, President of Mobil Oil Guam, Inc. submitted written testimony concerning a provision which would authorize Revenue and Taxation to enter into the properties of businesses which operate commercial motor carrier vehicles would:

- 1) Impact the company's civil liability and insurance coverage;
- 2) Make it difficult for Mobil to ensure the appropriate personnel are present for inspections of vehicles on the property, of relevant physical facilities and access to the appropriate records; and
- 3) Unscheduled visits are disruptive, affecting the work functions of those involved in inspections as well as ancillary personnel.

Mr. Borja testified government access to private property is normally restricted to ensure privacy and to protect constitutional guaranteed rights, and the government is obligated to obtain warrants, subpoenas to enter private property and for the production of people and documents. Before entering, government should provide some procedural and administrative process upon which a 'probably cause' is determined to justify the onsite inspection. Mr. Borja recommended the provision to allow entry into properties is broad and that restrictions and safeguards must be built into the language of Bill No. 196 to ensure the company's privacy rights are protected.

Mr. Frank R. Blaz, assistant to the Director of the Department of Revenue and Taxation, appeared before the Committee and presented oral and written testimony in favor of Bill No. 196 on behalf Director Artemio Ilagan. In his written testimony, Mr. Ilagan.

Mr. Blaz stated under the current law, the inspectors of the department's Motor Carrier division are authorized to merely conduct random inspections. They set up at locations throughout the island and pull over commercial vehicles for inspections. With the passage of Bill No. 196, it will allow these inspectors to go to carrier companies to also do some inspections of the records and also the vehicles, and the of the drivers at those locations – that is the major benefit of the bill being proposed.

Mr. Blaz stated will it may appear surprising so some that these amendments are only now being proposed since the department first began administering its Motor Carrier program in 1986, Bill No. 196 applies a proactive approach to assisting the department fulfill its mission; rather than having to wait for the vehicles to be out on the road for violations to be discovered, the bill provides the authority to do routine inspections and perform preventive safety measures. Mr. Blaz stated since 1995 there has been a reduction in crashes involving commercial motor vehicles (attached to written

testimony); the proposed amendments will only enhance and improve the current effectiveness of the safety program.

Senator Sanford told the Committee, the Department had requested the previous Twenty-Sixth Guam Legislature to review and approve the amendments, however, no action had been taken on the matter. She stated addressing the matter now would bring Guam's Motor Carrier program in compliance with the federal standards.

Referring to page 3, line 14-16 of the Bill, Senator Robert Klitzkie stated new language is being added to the current law that would give the 'right to inspect and copy, as necessary, commercial vehicles.' Senator Klitzkie questioned whether the language could be improved to mean copy records? Senator Sanford concurred; the intent of the proposed language is to copy records and documents. Senator Klitzkie suggested the term 'paperwork' might be better replaced with a 'documents.' He asked whether what is intended by the amendment is that the director is authorized to promulgate regulations providing someone the right of entry, however, it is not clear who he is authorizing the 'right of entry to'?

Senator Sanford suggested it should be granted to the inspectors? Mr. Blaz agreed; it's the inspectors who should be given that authority. Senator Klitzkie stated the bill also gives the inspectors the right to copy papers and documents relative to the inspection of commercial motor vehicles and motor carrier related property. He suggested rewriting this language.

Senator Klitzkie stated while the thrust of the bill appears to incorporate parts of the Code of Federal Regulations, etc. the proposed language needs to be written clearer. He stated the Committee might want to consider the 'device' that is used relative to the Uniform Building Code. He stated the UBC is incorporated by reference into Guam's statutes and the updates are incorporated by reference. So if the UBC is updated then Guam's statutes and regulations are also updated. He stated the Committee should consider using a similar device in the bill and may want to also consider adding a 60-day timeline. For example, if the Code of Federal Regulations were updated today, sixty days later, that same update would be effective in Guam's statutes. The benefit of using this device in the bill would give the agency the opportunity to come to the Legislature and asked that we be relieved from that particular provision if the agency felt it were inapplicable to Guam.

Senator Tina Muna Barnes asked what would local companies have to do differently, should the bill become law? Mr. Blaz stated while some nominal costs may be incurred by businesses, the larger benefit to the public provided in ensuring safety measures and standards are complied with is the basis for the agency's support on the bill. Mr. Blaz stated the current random inspections are also a source of frustration because when violations are found the vehicles are immediately grounded.

Senator Barnes asked Mr. Blaz to summarize the current regulations and how does Revenue and Taxation intend to implement the proposed amendments? Mr. Blaz stated the amendments in Bill No. 196 have a larger affect on inspectors rather than commercial

vehicle owners. He stated the department currently has 5 inspectors; the bill would allow them to perform compliance reviews at the company's sites – there will be a need for some preliminary training before these reviews can be performed.

Senator Barnes asked whether the agency would be giving Public Service Announcements or disseminating information to those carriers who would be affected? Mr. Blaz responded yes. Senator Barnes asked whether the funding received requires a local match? Mr. Blaz stated no, the program is 100% federally funded. In order to continue to receive the funding and participate in the federal program, the updated amendments must be implemented by Revenue and Taxation. He stated while the grant requires compliance in 5 elements – Revenue and Taxation is presently only meeting 3 out of the 5 elements. By providing Revenue and Taxation with the statutory authority to perform compliance reviews, Bill No. 196 will help the agency meet of these required elements.

Senator Barnes stated she is in support of the bill and believes the grant program is an important program to maintain.

Senator Sanford stated she sponsored the bill at the request of Revenue and Taxation – the amendments are needed in order to ensure the continuance of the grant program as well as to ensure the safety and general welfare of the community. She stated the Committee also received written testimony from Shell Guam in support of the bill and that they do not foresee any financial or logistical issues or conflicts should the bill be passed into law.

III. COMMITTEE FINDINGS

The Committee on Economic Development, Retirement, Insurance, Public Works, and Regulatory Functions finds that several suggestions provided by those testifying were appropriate and would improve the legislation and therefore has made the following changes:

- Added “to authorize the automatic adoption of those federal Motor Carrier Safety and Hazardous Materials regulations that have been specifically established and adopted by local statute” to Legislative Findings and Intent.
- Reworded for clarity proposed amendments to §5116(b) and proposed new §5116(c) Chapter 5 Title 16 GCA [in Section 2 of the Bill No. 196] to read:

(b) The Director of Revenue and Taxation is authorized to promulgate regulations providing for the right of entry and inspection; right to inspect commercial motor vehicles, motor carrier related property including equipment, and buildings; and the right to inspect and copy documents by territorial personnel sufficient to enforce the regulations adopted pursuant to Subsections (a) and (c) of this Section and to perform the activities set forth in Guam's Enforcement Plan for implementation of the regulations. Such regulations shall be effective as interim regulations from the date of promulgation until such date as they be amended pursuant to the Administrative Adjudication Law.

(c) Whenever the FMCSRs and HMRs used by the government of Guam and referenced in this §5116(a)(1) pursuant to this Chapter are updated, the Department of Revenue and Taxation is authorized to automatically adopt such

updates as Guam regulation, subject to the promulgation of rules, procedures required under the Administration Adjudication Law.

- Amended proposed language in Section 3 of the Bill No. 196 relative to providing consistency in language and references to §5116(b) and proposed new §5116(c) Chapter 5 Title 16 GCA.

IV. COMMITTEE RECOMMENDATIONS

The Committee on Economic Development, Retirement, Investments, Public Works, and Regulatory Functions recommends that Bill No. 196 (COR) be amended as indicated in Section III. above, and further recommends that Bill No. 196 (COR), as Substituted by the Committee on Economic Development, Retirement, Investments, Public Works, and Regulatory Functions, “AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO MAKE CHANGES TO §9301 OF CHAPTER 9 ARTICLE 3 OF TITLE 30 GUAM ADMINISTRATIVE RULES RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS,” be reported out with the recommendation TO DO PASS.

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You may also apply in person @ IBC Bldg., Suite 107, Harmon Ind. Park, Harmon, Guam

Astumbo Dededo
2bd 1ba house on 1/4 acre land
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DEDEDO, NCS
3bd 2ba newly renovated house with 1/4 acre land
\$123,000
3% down \$777.81/m plus T&I

CHALAN PAGO
Tal Road
\$119,000
3bd 2ba house w/ 1/4 acre land

DEDEDO HOUSE
3BD 2BA
\$115,000
3 down/ \$725/mo. plus T&I

Talofoto House
3bd 2.5ba with 1/4 acre land
\$128,000
0 down \$834.46/mo plus T&I

UNIVERSITY OF GUAM
UNIBETSEDAT GUAHAN
MANGILAO, GUAM

Paid with government funds University for Guam
The University of Guam is soliciting proposals for Classroom Renovations.

The specifications, together with all the necessary response forms, are set forth in the **Invitation to Bid No. P01-04**. Copies of the specifications may be obtained with a \$20.00 non-refundable fee at the Consolidated Procurement Office located at the Administration Building, University of Guam, Mangilao.

A pre-bid conference will be held on **November 14, 2003, Friday, at 9:00 am, at the Marine Laboratory, University of Guam, Mangilao, Guam.**

All sealed proposals should be submitted and received by the **Consolidated Procurement Office, on or before 2:00 pm, Friday, November 28, 2003.**

/s/DR. HAROLD L. ALLEN
PRESIDENT

Guam Visitors Bureau
Setbision Bisitan Guahan

THE GUAM VISITORS BUREAU would like to establish a list for the following position:

MARKETING OFFICER II - Japan Market
Pay Grade M1 - M10 \$28,678.00 - \$43,018.00

GVB job applications and descriptions can be picked up at 401 Pale San Vitores Road, Tumon. Deadline to submit applications is 5 p.m. Friday, November 14, 2003. No telephone calls please. Kindly address all correspondences to the Human Resources Department.

Federal and local law requires verification of identity and eligibility of all new hires. GVB complies with the law on a non-discriminatory basis. GVB is an Equal Opportunity Employer.

The Best Service... all the time!
OPEN HOUSE Nimitz Hill
Saturday, November 8th from 10~2pm
FEATURES
T Location
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T Large Yard
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T Four Bedrooms
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Anthony Godwin I Principal Broker

TWENTY-SEVENTH GUAM LEGISLATURE
Committee on Economic Development, Retirement, Investment, Public Works & Regulatory Functions

SENATOR TONI SANFORD, CHAIRPERSON
Tel: 479-8664 Fax 479-8667 Email: senatorsanford@site.net

IN THE SUPERIOR COURT OF GUAM

CITIBANK, Plaintiff,
vs.
ISABEL A. BENAVENTE and ANTHONY REID P. ROSARIO, Defendants.

CIVIL CASE NO. CV1584-99

AMENDED NOTICE OF EXECUTION SALE OF REAL PROPERTY

TO: DEFENDANT AND TO ALL INTERESTED PERSON

PLEASE TAKE NOTICE that I, the Marshal of the Superior Court of Guam will, pursuant to the Writ of Execution issued by the Superior Court of Guam in the above-entitled case, the Notice of Levy on Real Property dated May 15, 2003, I will, on Nov 13, 2003 at 10:00 A.M., at the office of the Mayor of the Municipality of Piti, of the Territory of Guam, sell at public auction, to the highest bidder for cash, all of the right, title and interest of the Defendant in and to the following described real property as is necessary to satisfy the judgment taken against Defendant.
The property to be sold is described as:
Lot No. 94-R7, Piti, Guam Estate No. 14272, as said lot is marked and designated on Map Drawing No. IS1866P593, dated September 2, 1966 and recorded under Instrument No. 23248, in the department of Land Management, Government of Guam. Area: 1,215± square meters. Certificate of Title No. 18934.

Dated: SEP 25 2003

Superior Court of Guam
By: Joseph J. Leon Guerrero
Deputy Marshal

GHURA
Guam Housing and Urban Renewal Authority
Auridat Ginima' Yan Rinneban Siadat Guahan
117 Bien Venida Avenue • Sinajana, Guam 96926
Phones: (671) 477-9851 to 4 • Fax: (671) 472-7565 • TTY # (671) 472-3701

Felix P. Camacho Governor
Kaleo S. Moylan Lt. Governor

NOTICE FOR PUBLIC COMMENT
REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
PAID FOR WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

The Guam Housing and Urban Renewal Authority (GHURA) is requesting public comment regarding the proposed reprogramming of Community Development Block Grant (CDBG) funds from completed and postponed activities to ongoing activities.

Project	Balance
B99-02 New Construction Inarajan Senior Center (completed)	\$ 6,111.03
B99-04 Economic Self Sufficiency (completed)	\$ 3,027.70
B00-02 New Construction Inarajan Fire Station (completed)	\$ 10,597.17
B00-04 One Stop Homeless Assistance Center (completed)	\$ 3,948.09
B01-15 Demolition of Inarajan Mayor/Fire Station (completed)	\$ 16,835.67
B01-17 Renovation of Toto Gardens Multipurpose Bldg. (completed)	\$ 1,080.53
B02-01 Acquisition of facility for Catholic Social Services (postponed)	\$411,488.07
B02-05 Piti Senior Citizens Center (postponed)	\$299,911.74
Total Amount:	\$753,000.00

Reprogramming Proposal	Reprogramming Amount
Increase Funding: Dementia Care Facility	
B99-14	\$ 9,138.73
B00-14	\$ 14,545.26
B01-18	\$ 17,916.20
B02-14	\$ 65,586.81
Increase Funding; Emergency Shelter Facility; B02-15	\$302,813.00
Increase Funding; Rehabilitation of Sinajana Senior Citizens Center; B02-16	\$185,000.00
Increase Funding; Construction of Merizo Senior Citizens Center; B02-17	\$150,000.00
Increase Funding; Construction of Agat Senior Citizens Center; B02-18	\$ 8,000.00
Total Reprogramming:	\$753,000.00

The public is invited to provide oral or written comments on the proposed reprogramming. Written comments will be accepted no later than 5:00 p.m., Wednesday, December 9, 2003 at GHURA's GCIC Office at 414 Soledad Avenue, 3rd Floor, GCIC Building, Suite 306, Hagåtña, Guam 96910. For more information, please contact Mr. Michael J. Duenas, Chief Planner from our Research, Planning, and Evaluation Division at (671) 475-1407.

/s/ RONALD S. DE GUZMAN
Executive Director

PUBLIC HEARING
Wednesday, November 12, 2003
Legislative Public Hearing Room, Hagatna

9:00 AM

- Bill No 194 an act to approve the terms and conditions of the revolving line of credit authorized by "the disaster recovery relief fund act of 2002"
- Bill No. 196 An act to amend §5116 of Chapter 5 of Title 16 GCA relative to Motor Carrier Safety and Hazardous Material Regulations and to make changes to §9301 of Chapter 9 Article 3 of Title 30 Guam Administrative Rules relative to policies of Carrier Safety and Hazardous Materials regulations.
- Bill No. 193 An act to add a new section 66202.1 to Title 21, GCA an act to requiring Gov't, Autonomous and Public entities to obtain permist for clearing, grading and construction projects.

THIS AD WAS PAID FOR BY GOV'T FUNDS



Senator Toni Sanford
Chairperson
Committee on Economic Development, Retirement,
Investment, Public Works and Regulatory Functions
777 Route 4 Suite 15B
Sinajana, Guam 96929

Re: Bill 196 "An Act to amend Section 5116 of Chapter 5 Title 16 as it relates to Carrier Safety and Hazardous Material Regulations"

Dear Senator Sanford and Members of the Committee:

Currently the Motor Carrier Safety Assistance Program (MCSAP) is administered by the Dept. of Revenue and Taxation. Five National Program Elements are available for this Program. They are as follows:

1. Driver/Vehicle Inspections
2. Compliance Reviews (CRs)
3. Traffic Enforcement
4. Public Education and Awareness
5. Data Collection and Reporting

The Guam Program presently does three of the five elements, which are Elements (1), (4) and (5). This Bill will provide for the second element to be added to the program. Basically, the compliance reviews would enable the inspectors to do on-site inspections at carrier locations. The goal would be to assess the safety fitness and regulatory compliance of a carrier's operation to pinpoint weaknesses and recommend corrective actions to prevent possible commercial motor vehicle accidents. This is especially significant for the transport of hazardous materials.

I thank you again for this opportunity to provide this statement and wish that your Committee favorably considers this Bill.

Sincerely,

for **ARTEMIO B. ILAGAN**
Director

CRASH STATISTICS FY1995 – FY2003				
Year	Fatal Crashes	Fatalities	Non-Fatal Crashes	Total Crashes
1995	0	0	18	147
1996	0	0	51	156
1997	1	1	27	348
1998	3	3	26	148
1999	0	0	29	282
2000***				
2001	0	0	16	18
2002	0	0	32	37
2003	0	0	17	17

*** Figures for FY2000 not available - GPD was unable to provide us the figures due to the lack of resources. ***

Government access to private property is ordinarily restricted to ensure privacy and to protect constitutionally guaranteed rights. With very few exceptions, this fundamental premise therefore obligates government officials, from whatever agencies, in whatever jurisdiction, to obtain warrants and subpoenas to enter private property and for the production of people and documents. Government officials must demonstrate to a court or appropriate administrative hearings officer that probable cause exists that a law has been or is being violated, so as to justify the intrusion. Absent these protections, any other intrusion of this type is by cooperation and coordination of the private individual or business.

Mobil would like to see that these types of constitutional and privacy-related safeguards are built into Bill 196, so that any regulations promulgated by the Director of Revenue and Taxation will reflect these concerns.

Thank you for your time and consideration of these important issues relating to Bill number 196.

Sincerely,



Jeff C. Borja
President

OFFICE OF SENATOR
ANTOINETTE (TONI) SANFORD

#2039
NOV 12 2003

TIME: 8:02 AM() PM()

REC'D BY: 



November 10, 2003

Office of Senator Antionette (Toni) Sanford
Assistant Majority Leader
Twenty-Seventh Guam Legislature
Suite 15B, Sinajana Mall
777 Route 4
Sinajana, Guam 96926

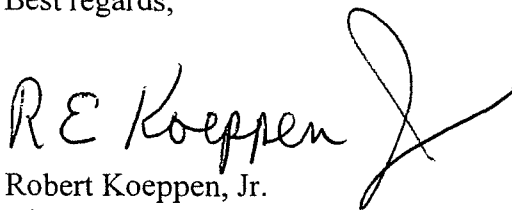
Re: Proposed Bill No. 196

Honorable Senator Toni Sanford,

We thank you for the notification of Bill No. 196, and your interest in how the proposed legislation would impact on the business of South Pacific Petroleum Company (SPPC).

SPPC has reviewed Bill No. 196 and it's referenced CFRs. After checking against procedures which are already in place within our company, we have concluded that our current standards maintained in our company meet the requirements covered in Bill No. 196. Consequently if the Bill should become law under its current terms, the new law would have no financial or operational impact on our business.

Best regards,



Robert Koeppen, Jr.
Vice President of Operations

cc: Michael S. Hahm
Executive Vice President/COO



OCT 28 2003

TIME: _____ AM() PM()

REC'D BY: Ledra

Senator Lou Leon Guerrero RN, MPH

October 23, 2003

MEMORANDUM

To: Senator Toni Sanford, Chairwoman
 Committee on Economic Development, Retirement, Investments,
 Public Works & Regulatory Functions

From: Senator Lou Leon Guerrero, Chairwoman *LLG*
 Committee on Rules and Health

Subject: Referral – Bill No. 193 (COR) and Bill No. 196 (COR)

In accordance with Section 6.04.04.01 of the Standing Rules of the Mina' Bente Siete na Liheslaturan Guahan,

Bill No. 193 (COR) "AN ACT TO ADD A NEW SECTION 66202.1 TO TITLE 21, GUAM CODE ANNOTATED AN ACT TO REQUIRING GOVERNMENT, AUTONOMOUS AND PUBLIC ENTITIES TO OBTAIN PERMITS FOR CLEARING, GRADING AND CONSTRUCTION PROJECTS." and

Bill No. 196 (COR) "AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO MAKE CHANGES TO §9301 OF CHAPTER 9 ARTICLE 3 OF TITLE 30 GUAM ADMINISTRATIVE RULES RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS."

are referred to your Committee on Economic Development, Retirement Investments, Public Works & Regulatory Functions as the principal committee.

A copy of these bills may be obtained at the office of the Clerk of the Legislature.

Also in accordance with Section 7.01 of the Standing Rules, the Principal Committee shall notify the Speaker, the Chairwoman of the Committee on Rules and the Executive Director, the date, time, subject matter, number and title of the bill for which a public hearing will be held.

Thank you.

Cc: Senator J. M. S. Brown, Author, Bill No. 193 (COR)
 Clerk of the Legislature

- Democrat Majority Leader
- Committee on Rules & Health
Chairwoman
- Committee on Utilities & Land
Member
- Committee on Appropriation
& Budgeting, General
Government Operations
Reorganization & Reform
Member
- Committee on Community,
Culture, Recreation &
Public Broadcasting
Member
- Committee on Economic
Development, Retirement,
Investments, Public Works,
& Regulatory Functions
Member
- Committee on Education
& Housing
Member
- Committee on Judiciary
& Transportation
Member
- Committee on Youth &
Senior Citizens,
Federal & Foreign Affairs
Member

cc: [unclear]

OCT 04 2003
Lry

MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

Bill No. 194 (COR)
Introduced by:

Toni Sanford 

AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO MAKE CHANGES TO §9301 OF CHAPTER 9 ARTICLE 3 OF TITLE 30 GUAM ADMINISTRATIVE RULES RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 SECTION 1. Legislative Findings and Intent.

3 *I Liheslaturan Guåhan* finds The Department of Revenue and
4 Taxation is charged with administering Guam's Motor Carrier Safety
5 Assistance Program (MCSAP), funded annually by a continuing grant
6 from the U.S. Federal Motor Carrier Safety Administration for the
7 purpose of implementing national safety standards in operating
8 commercial vehicles and the transportation of hazardous materials.
9 Since the adoption of various Federal Motor Carrier Safety and Federal
10 Hazardous Materials regulations in 1987 and in 1999, the department

1 has reported a decline in overall safety violations involving commercial
2 vehicles operating in Guam's roadways.

3 While these federal regulations are regularly reviewed, and have
4 been routinely updated to improve effectiveness and uniformity in these
5 safety standards, *I Liheslaturan Guåhan* finds Guam's laws do not contain
6 a provision for updating these federal regulations. *I Liheslaturan Guåhan*
7 further finds the department has determined this statutory provision is
8 necessary in order to administer Guam's Motor Carrier Safety
9 Assistance Program (MCSAP).

10 It is the intent of I Lihislaturan Guahan to authorize the
11 Department of Revenue and Taxation to automatically adopt updates of
12 those federal Motor Carrier Safety and Hazardous Materials regulations
13 that have been specifically established and adopted by local statute.

14 **SECTION 2.** Section 5116 of Chapter 5 Title 16 of the Guam Code
15 Annotated is hereby amended to read as follows:

16 "Section 5116. Carrier Safety and Hazardous Material
17 Regulations. (a) The Director of the Department of Revenue and
18 Taxation is authorized to promulgate as Guam regulations, either:
19 (1) the Federal Motor Carrier Safety Regulations (49 CFR Parts 385,

1 386, 390 through 399), *except* such portions as may be determined
2 by the Director to be inapplicable, and highway-related portions
3 of the Federal Hazardous Materials Regulations (49 CFR Parts 107,
4 177-173, 177, 178 and 180) or (2) such Guam regulations applicable
5 to motor carrier safety, including highway transportation of
6 hazardous materials, as are compatible with Federal regulations.

7 The regulations promulgated by the Director of Revenue
8 and Taxation shall be effective as interim regulations until such
9 date as they may be amended pursuant to the Administrative
10 Adjudication Law, Chapter 9 of Title 5 of the Guam Code
11 Annotated.

12 (b) The Director of Revenue and Taxation is authorized to
13 promulgate regulations providing for the right of entry and
14 inspection, *right to inspect and copy, as necessary, commercial motor*
15 *vehicles and motor carrier related property to include equipment,*
16 *buildings, and paperwork* by territorial personnel sufficient to
17 enforce the regulations adopted pursuant to Subsection (a) of this
18 Section *including amendments to the CFRs and HMRs adopted therein,*
19 and to perform the activities set forth in Guam's Enforcement Plan

1 for implementation of the regulations. Such regulations shall be
2 effective as interim regulations from the date of promulgation
3 until such date as they be amended pursuant to the
4 Administrative Adjudication Law.

5 (c) Whenever the FMCSRs and HMRs used and adopted by the
6 government of Guam in this §5116(a)(1) pursuant to this Chapter is
7 updated, the Department of Revenue and Taxation is authorized to adopt
8 such changes subject to the promulgation of rules, procedures required
9 under the Administration Adjudication Law.

10 SECTION 3. §9301 of Article 3, Chapter 9 of Title 30 of the Guam
11 Administrative Rules is hereby amended to read:

12 "Article 3

13 Motor Carrier Inspection


14 §9301. General Provisions: Title and Authority. The
15 Director of the Department of Revenue and Taxation ("the
16 Director") may designate one or more employees of the
17 Department of as inspectors to determine whether persons subject
18 to the requirements of the Federal Motor Carrier Regulations (49
19 CFR Parts 385, 386, 390 through 399) and highway-related

1 portions of the Federal Hazardous Materials Regulations (CFR
2 Parts 107, 171-173, 177, ~~and 178~~, and 180) (the Regulations) are
3 complying with the requirements of the Regulations. Pursuant to
4 16 GCA §5116, as enacted by P.L. 19-4, these regulations were
5 made effective on Guam by Executive Order 87-27, executed on
6 July 30, 1987. Title 16 GCA §5116 also authorized the Director to
7 promulgate regulations providing for the right of entry and
8 inspection, right to inspect and copy, as necessary, commercial motor
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11 enforce the Regulations.”

OCT 07 2003

MINA'BENTE SIETE NA LIHESLATURAN GUÅHAN
2003 (FIRST) Regular Session

Bill No. 196 (COR)
Introduced by:

Toni Sanford 

AN ACT TO AMEND §5116 OF CHAPTER 5 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO CARRIER SAFETY AND HAZARDOUS MATERIAL REGULATIONS AND TO MAKE CHANGES TO §9301 OF CHAPTER 9 ARTICLE 3 OF TITLE 30 GUAM ADMINISTRATIVE RULES RELATIVE TO POLICIES OF CARRIER SAFETY AND HAZARDOUS MATERIALS REGULATIONS.

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