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Office of the Governor of Guam

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Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

15 DEC 2008

2008 DEC 19 PM 3:47

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Bente Nuebi Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 331 (LS), "AN ACT TO **ADD NEW §§ 3218 AND 3219 TO CHAPTER 3, ARTICLE 2, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE PROHIBITION OF THE SALE OF TIRES AGED OVER SIX (6) YEARS, THE STATING OF THE DATE OF MANUFACTURE, AND THE MANDATORY POSTING OF THE DANGERS OF AGED TIRES AT THE POINT OF SALE**" which was signed into law on December 2, 2008 as Public Law No. 29-120.

Please note a technical error with Bill No. 331. Bill No. 331 seeks to add a new Section 3218 to Chapter 3, Article 2, Title 16 of the Guam Code Annotated, however, this section already exists as "Applicability of Article for Government of Guam Owned Vehicles".

Sins eru yan Magåhet,

FELIX P. CAMACHO
I Maga'låhen Guåhan
Governor of Guam

Attachment: copy of Bill

cc: The Honorable Tina Rose Muña Barnes,
Senator and Legislative Secretary

29-08-0962

12/15/08
5:05 pm

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

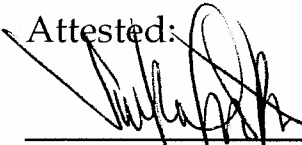
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that Substitute Bill No. 331 (LS), "AN ACT TO ADD NEW §§3218 AND 3219 TO CHAPTER 3, ARTICLE 2, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE PROHIBITION OF THE SALE OF TIRES AGED OVER SIX (6) YEARS, THE STATING OF THE DATE OF MANUFACTURE, AND THE MANDATORY POSTING OF THE DANGERS OF AGED TIRES AT THE POINT OF SALE," was on the 21st day of November, 2008, duly and regularly passed.



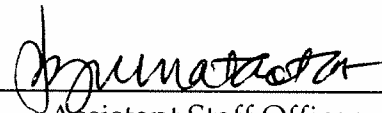
Judith T. Won Pat, Ed. D.
Speaker

Attested:



Tina Rose Muña Barnes
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 25 day of Nov., 2008, at
9:41 o'clock A.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



MIKE W. CRUZ, MD
GOVERNOR OF GUAM ACTING

Date:

12/2/08

Public Law No. 29-120

I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Bill No. 331 (LS)

As substituted by the Committee on
Public Safety, Criminal Justice and
Youth, and amended.

Introduced by:

Frank T. Ishizaki
R. J. Respicio
A. B. Palacios, Sr.
Frank F. Blas, Jr.
Edward J.B. Calvo
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Judith P. Guthertz, DPA
J. A. Lujan
Tina Rose Muña Barnes
v. c. pangelinan
Dr. David L.G. Shimizu
Ray Tenorio
J. T. Won Pat, Ed.D.

**AN ACT TO ADD NEW §§3218 AND 3219 TO CHAPTER 3,
ARTICLE 2, TITLE 16, GUAM CODE ANNOTATED,
RELATIVE TO THE PROHIBITION OF THE SALE OF TIRES
AGED OVER SIX (6) YEARS, THE STATING OF THE DATE
OF MANUFACTURE, AND THE MANDATORY POSTING OF
THE DANGERS OF AGED TIRES AT THE POINT OF SALE.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds

3 that a study conducted by Safety Research and Strategies Inc., shows that tires, like

1 any other rubber product, have a limited service life regardless of tread depth and
2 use. As tires age, the rubber components become harder and less elastic and the
3 potential for corrosion and oxidation of the internal steel belts increases, even
4 though there may be no external evidence of deterioration. The dangers of “aged”
5 tires is a little known problem outside of the industry and one that is likely the
6 cause of a significant number of tread separation problems. “Aged” tires are often
7 unsuspectingly put into service after having served as a spare, stored in garages or
8 warehouses, or simply used on a vehicle that is infrequently driven. In many
9 instances these tires show no visible sign of deterioration, and absent any visible
10 indicators, tires with adequate tread depth are likely to be put into service
11 regardless of age. *I Liheslaturan Guåhan* also finds that two (2) major automobile
12 manufacturers, Ford and DaimlerChrysler, began recommending tire replacement
13 after six (6) years, regardless of mileage *or* remaining tread depth. *I Liheslaturan*
14 *Guåhan* further finds that a key study on this issue was conducted by the British
15 Rubber Manufacturers Association, which includes many of the same tire
16 companies that produce and sell tires in the United States, and according to the
17 study, association members strongly recommend that unused tires should not be
18 put into service *if* they are over six (6) years old, and that all tires should be
19 replaced ten (10) years from the date of their manufacture.

20 It is the intent of *I Liheslaturan Guåhan* to increase driver awareness as to
21 the dangers of aged tires that are being sold and used on Guam. It is also the intent
22 of *I Liheslaturan Guåhan* to mandate all wholesale and retail points of sale to
23 specifically inform buyers of the dangers of aged tires, the dates of manufacture of
24 all tires sold, and to prohibit the sale of tires that are older than six (6) years.

25 **Section 2.** A new §3218 is hereby *added* to Chapter 3, Article 2, Title 16,
26 Guam Code Annotated, to read as follows:

27 **“§3218. Tire Safety.**

1 (a) The sale of tires older than 6 (six) years, for use on vehicles
2 operated on the highways and roadways of Guam, is prohibited.

3 (b) All sellers, vendors, distributors of tires *shall* provide a written
4 statement of the date of manufacture of the tires being sold.

5 (c) Each retailer, wholesaler and distributor of tires on Guam *shall*,
6 at the place of sale, post in a conspicuous location, in letters at least two (2)
7 inches tall, a statement that indicates the dangers of aged tires. The
8 statement *shall* be printed as follows:

9 **"WARNING – AGED TIRES CAN FAIL IN USE, CAUSING**
10 **LOSS OF VEHICLE CONTROL, AND PERSONAL INJURY. TIRES**
11 **DETERIORATE WITH AGE, EVEN WITH LITTLE *OR* NO USE. TIRES**
12 **OLDER THAN SIX (6) YEARS MAY *NOT* BE SOLD OR MOUNTED FOR**
13 **USE ON VEHICLES OPERATED ON THE HIGHWAYS AND**
14 **ROADWAYS OF GUAM."**

15 **Section 3.** A new §3219 is hereby *added* to Chapter 3, Article 2, Title 16,
16 Guam Code Annotated, to read as follows:

17 **"§3219. Penalties.** Any person who knowingly sells a tire(s) *or*
18 mounts a tire(s) on a vehicle in violation of §3218 of this Chapter commits a
19 third degree felony."

20 **Section 4. Severability.** *If* any of the provisions of this Act or the
21 application thereof to any person or circumstance is held invalid, such invalidity
22 shall *not* affect any other provision or application of this Act which can be given
23 effect without the invalid provision or application, and to this end the provisions of
24 this Act are severable.