

I Mina'trentai Sais Na Liheslaturan Guåhan  
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
<b>155-36 (COR)</b> As amended by the Committee on General Government Operations, Appropriations, and Housing	V. Anthony Ada Christopher M. Dueñas	AN ACT TO AMEND § 3606(d)(4) OF CHAPTER 3, TITLE 16 AND § 51202 (c) OF ARTICLE 2, CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED AND TO ADD A NEW ARTICLE 6 TO CHAPTER 51 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE DISPOSAL OF JUNK VEHICLES.	6/17/21 1:58 p.m.	6/18/21	Committee on General Government Operations, Appropriations, and Housing			Request: 6/21/21  6/30/21	9/14/22 2:46 p.m. Accepted by the Committee on Rules on September 12, 2022, be processed and posted on the legislature website for public accessibility.



Vice Speaker

**TINA ROSE MUÑA BARNES**

**CHAIRPERSON, COMMITTEE ON RULES**

*I Mina'trentai Sais Na Liheslaturan Guåhan*

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September 14, 2022

# MEMO

**To: Rennae Meno**  
*Clerk of the Legislature*

**From: Vice Speaker Tina Rose Muña Barnes**   
Chairperson, Committee on Rules

**Subject: Bill No. 155-36 (COR) As amended by the Committee**

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*Håfa Adai,*

As per my authority as Chairperson of the Committee on Rules, please ensure that **Bill No. 155-36 (COR) As amended by the Committee on General Government Operations, Appropriations, and Housing. - V. Anthony Ada and Christopher M. Dueñas - "AN ACT TO AMEND § 3606(d)(4) OF CHAPTER 3, TITLE 16 AND § 51202 (c) OF ARTICLE 2, CHAPTER 51, TITLE 10, GUAM CODE ANNOTATED AND TO ADD A NEW ARTICLE 6 TO CHAPTER 51 OF TITLE 10 GUAM CODE ANNOTATED RELATIVE TO THE DISPOSAL OF JUNK VEHICLES,"** accepted by the Committee on Rules on September 12, 2022, be processed and posted on the legislature website for public accessibility.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director, at 472-2461. Thank you and *Si Yu'os Ma'åse'* for your attention to this matter.

Cc: Senator Joe S. San Agustin, Chairperson of the  
Committee on General Government Operations,  
Appropriations, and Housing

Senator V. Anthony Ada., Sponsor of Bill No. 155-36 (COR)

Legal Counsel





# SENATOR JOE S. SAN AGUSTIN

COMMITTEE ON GENERAL GOVERNMENT OPERATIONS, APPROPRIATIONS & HOUSING  
I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN

September 12, 2022

**TO:** The Honorable Tina Rose Muña Barnes  
Chairperson, Committee on Rules

**FROM:** Senator Joe S. San Agustin  
Chairman, Committee on General Government Operations, Appropriations  
and Housing

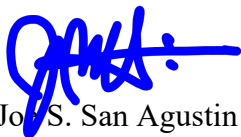
**RE:** Bill 155-36 (COR) As amended

*Håfa Adai* Vice Speaker Barnes!

The Committee on General Government Operations, Appropriations, and Housing is requesting for Amended Bill No. 155-36 (COR) to be posted on the Guam Legislature Website. The Committee is scheduling a second public hearing for Bill No. 155-36 (COR) as amended due to substantive changes that have been made since the introduction of the bill.

Should you have any questions, please do not hesitate to contact our office.

*Si Yu'os Ma'åse!*



Joe S. San Agustin

COMMITTEE ON RULES

RECEIVED:

September 12, 2022

12:35 P.M.



***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2021 (FIRST) Regular Session**

**Bill No. 155- 36 (COR)**

As amended by the Committee on  
General Government Operations,  
Appropriations and Housing.

Introduced by:

V. Anthony Ada  
Christopher M. Dueñas

**AN ACT TO *AMEND* § 3606(d)(4) OF CHAPTER 3,  
TITLE 16 AND § 51202 (c) OF ARTICLE 2, CHAPTER  
51, TITLE 10, GUAM CODE ANNOTATED AND TO  
ADD A NEW ARTICLE 6 TO CHAPTER 51 OF TITLE  
10 GUAM CODE ANNOTATED RELATIVE TO THE  
DISPOSAL OF JUNK VEHICLES.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the scope of Guam's abandoned vehicle is broad since it encompasses all vehicle types including those that park unlawfully, those impounded for any reason and those left to rot on public property.

*I Liheslaturan Guåhan* finds that throughout all jurisdictions in the United States, disposing of junk vehicles in woods, ponds or deserts is a littering violation and violators, if found, are penalized accordingly. Unfortunately, Guam appears to have a much more severe junk vehicle littering problem than the rest of the nation and the current vehicle transfer laws make it difficult to identify the lawful owners.

It is the intent of *I Liheslaturan Guåhan* to add junk vehicles to the definition of littering, to provide procedural due process in the form of a 48-hour notice and direct the fines and fees in existing law to the recycling revolving fund. It is further the intent *I Liheslaturan Guåhan* to allow the current solid waste management,

1 environmental protection and public roadway laws remain the basis for the proper  
2 disposal/ recycling of junk vehicles.

3 **Section 2.** § 3606(d)(4) of Article 6, Chapter 3, Title 16, Guam Code  
4 Annotated is hereby *amended* to read as follows:

5 “(4) The proceeds of each sale shall be deposited in the ~~Abandoned Vehicle~~  
6 ~~and Streetlight~~ Recycling Revolving Fund. Five percent (5.0%) of all  
7 proceeds collected or received under this Section shall be deposited into the  
8 Recycling Revolving Fund and is hereby appropriated and shall continue to  
9 be deemed appropriated to the Guam Environmental Protection Agency to be  
10 expended on administrative costs.”

11 **Section 3.** § 51202 (c) of Article 2, Chapter 51, Title 10, Guam Code  
12 Annotated is *amended* to read as follows:

13 (c) Litter shall mean discarded, used or leftover solid materials, including, but  
14 not limited to, garbage, trash, rubbish, refuse, paper, containers, bulky metallic  
15 waste, packing or construction materials, ~~or~~ carcasses of dead animals, or junk  
16 vehicles as defined under 10 GCA § 516101.

17 **Section 4.** A new Article 6 is hereby added to Chapter 51, Title 10 Guam Code  
18 Annotated to read as follows:

19 **“Article 6**

20 **Junk Vehicles**

21 **§ 516101. Definitions.** For purposes of this article

22 (a) “Automotive scrap metal” means the parts of an automobile made of iron  
23 or alloys of iron and non-ferrous metals as defined by 11 GCA § 74101(d).

24 (b) “Depollution” means the first step in vehicle recycling, and it focuses on  
25 removal of batteries and all the fluids that are used in the operation of a  
26 motor vehicle, including, but not limited to: gasoline, diesel fuel, oil,

1 coolant, brake fluid, transmission fluid, air conditioning refrigerant, gear  
2 oil, and windshield washer fluid. These materials, once removed from the  
3 vehicle, can be reused, reprocessed, recycled, or disposed of, in an  
4 environmentally responsible way that will not contaminate the water table  
5 or the food supply in the ground. All those fluids are then stored in tanks  
6 and safely contained until they can also be reused or recycled.

7 (c) “Certificate of ownership” means a document issued by the Department  
8 of Revenue and Taxation showing ownership of a vehicle.

9 (d) “Junk Vehicle” means an automobile that is incapable of operating on  
10 public streets, roads, and highways; and has no value except as a source of  
11 parts or scrap.

12 (e) “Owner” means the holder of a certificate of title or ownership, or an  
13 individual who possesses a receipt or other form of evidence indicating the  
14 junk vehicle was purchased from the holder of the certificate of title or  
15 ownership.

16 (f) “Scrap Dealer” means scrap metal business as defined by 11 GCA §  
17 74101(g).

18 (g) “Transportation and Disposal Cost” means the cost to tow a junk vehicle  
19 to a scrap dealer, salvage yard, or a recycling center for depollution and  
20 proper disposal and the cost to ship the junk vehicle away from Guam.

21 **§ 516102. Junk Vehicle Forfeiture of Title.**

22 (a) An owner of a junk vehicle is deemed to have intentionally relinquished  
23 title to their junk vehicle when:

24 (1) A littering violation is issued under Article 2 of this Chapter,  
25 involving said junk vehicle; and

1           (2) the owner fails to claim the junk vehicle within forty-eight (48)  
2           hours of the date in which a notice was posted on such vehicle.

3           (b) A junk vehicle is deemed municipal solid waste when the owner is deemed  
4           to have intentionally relinquished title thereto.

5           **§ 516103. Posting of Notice.**

6           (a) The Guam Police Department, Department of Parks and Recreation,  
7           Department of Agriculture, Department of Public Works, Guam Environmental  
8           Protection Agency, Mayors or their designees, may post a “Notice of Relinquishing  
9           of Title” (Notice) on any junk vehicle found on public property.

10          (b) The Notice shall be approved as to form by the Attorney General of Guam  
11          within Ninety (90) days of the enactment of this section.

12          (c) Notices shall be recorded at the Motor Vehicle Division of the Department  
13          of Revenue and Taxation (DRT) and with the mayoral office of the village where  
14          the vehicle is located.

15          (d) No Notice shall be posted on a junk vehicle unless and until the Guam  
16          Environmental Protection Agency certifies that: (1) funds are available to pay for  
17          the transportation and disposal costs of such junk vehicle; and (2) a scrap dealer,  
18          salvage yard, or recycling center agrees to accept such junk vehicle.

19               (1) The Guam Environmental Protection Agency (GEPA) shall  
20               biennially, in public meetings, determine an appropriate fee schedule for the  
21               transportation and disposal costs of junk vehicles. Such costs shall be paid  
22               from the Recycling Revolving Fund.

23          **§ 516103. Claiming of Junk Vehicles.**

1           (a) An owner may claim their junk vehicle at any time prior to the  
2           relinquishing of title pursuant to § 516102 of this Article.

3           (b) Persons claiming junk vehicles are responsible for paying all fines  
4           and fees assessed pursuant to Guam law. Claims may be filed at the  
5           Department of Revenue and Taxation.

6           (c) The Department of Revenue and Taxation, upon receipt of a valid  
7           claim and payment of all fines and fees assessed pursuant to Guam law shall  
8           release the junk vehicle to the legal owner.

9           (d) The legal owner may recover the junk vehicle by presenting a  
10          receipt of claim and payment of applicable fines and fees from DRT to the  
11          mayor's office in the village where the junk vehicle is located.

12          (e) Upon compliance with Subsection (d) of this Section, the owner  
13          must remove the junk vehicle from the area where it is located and move it to  
14          a suitable location within twenty-four (24) hours. Any owner who does not  
15          remove their junk vehicle within said twenty-hours (24) is deemed to have  
16          relinquished title to such vehicle unless arrangements are made at the  
17          discretion of the mayor.

18          **§ 516104. Conditions applicable to Scrap Dealers.** All provisions of Guam  
19          Law and the Guam Administrative Rules and Regulations shall continue to apply to  
20          scrap dealers and no additional rules and regulations are required for scrap dealer  
21          businesses as a result of the enactment of this Article.”

22          **Section 4. Effective Date:** This act is effective Ninety (90) days from  
23          enactment.