

I MINA' TRENTAI DOS NA LIHESLATURAN GUÅHAN
2013(FIRST) Regular Session

Bill No. 34.32(CDR)

Introduced by:

V. Anthony Ada
R. J. Respicio

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**AN ADD A NEW §§ 7178 & 7179 TO 16GCA RELATIVE
TO VEHICLE REGISTRATIONS.**

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

2 **Section 2.** Section 2. A new Section 7178 is *added* to Chapter 7 of 16GCA to read as
3 follows:

4
5 **§7178. Point of Sale (POS) Registration authorized.** The director of the
6 Department of Revenue and Taxation shall, unless there exists legitimate reason not to,
7 by contract, authorize an automobile dealer licensed to do business on Guam to issue
8 registration certificates and license plates for vehicles sold by said dealer.

9 (a) The director may require each dealer it authorizes to issue registration
10 certificates and license plates/decalcomania to:

- 11 (1) Undergo training for staff and management involved in the
12 registration process,
13 (2) Provide a secure facility for data processing equipment and license
14 plates,
15 (3) Post a fidelity bond, to indemnify the dealer against criminal acts that
16 may be committed by an employee, in an amount not to exceed One
17 Thousand Dollars (\$1000) per employee involved in the registration
18 process,

1 (4) Pay all or a portion of reasonable data communications costs between
2 the dealership office and the Department of Revenue and Taxation;
3 and

4 (5) Require any other conditions necessary for an efficient and secure
5 registration process.

6 (b) All registration and licensing fees shall be retained by the Government of
7 Guam in a manner prescribed by Public Law.

8 (c) Any person who attempts to use data processing equipment, license plates
9 and decalcomania in manner inconsistent with this section commits a misdemeanor for
10 the first offense and a third degree felony for subsequent offenses. These penalties are
11 in addition to other penalties prescribed by Public Law.

12 (d) The Director of Revenue and Taxation may revoke a dealer's authorization
13 prior to the expiration of the contract for cause.

14 (e) The Department shall promulgate rules and regulations pursuant to the
15 provisions of Chapter 9 of 5GCA (Administrative Adjudication Law) for the
16 administration of the provisions of this Section.

17
18 **Section 2.** A new Section 7179 is *added* to Chapter 7 of 16GCA to read as follows:

19 **§ 7179. Temporary Registration Plates.**

20 (a) The Department may authorize a dealer or distributor of motor vehicles or
21 motorcycles to issue temporary registration license plates. The
22 Department shall require that all authorized dealer or distributors submit
23 proof of status as a bona fide dealer or distributor.

24 (b) A dealer or distributor may issue a temporary registration license plate for
25 a fee of not more than Ten Dollars (\$10) for each plate to a purchaser of
26 an unregistered motor vehicle or motorcycle.

1 (c) A dealer or distributor who issues a temporary registration license plate
2 shall mark or stamp thereon with indelible ink in letters at least $\frac{3}{4}$ of an
3 inch high the following information:

- 4 1. The word "Guam";
- 5 2. The dealer or distributor's name;
- 6 3. The date of issuance;
- 7 4. The date of expiration; and
- 8 5. The make and serial number of the motor vehicle or motorcycle.

9 The dealer or distributor shall immediately transmit this information to the
10 Department.

11 (d) Every dealer or distributor who issues a temporary registration license
12 plate shall maintain at such place of business a record of the following
13 information:

- 14 1. All temporary registration license plates issued by such dealer;
- 15 2. The date of receipt and issuance;
- 16 3. The name of the purchaser to whom the temporary registration
17 license plate was issued;
- 18 4. The make and serial number of the vehicle for which issued; and
- 19 5. Such other information as the Department may require.

20 Each record shall be kept for a period of at least three (3) years from the
21 date of entry and shall be available for inspection by representatives of the
22 Department during regular business hours.

23 (e) A temporary registration license plate issued to an owner or purchaser of a
24 vehicle in accordance with this section shall be valid for a period of sixty
25 (60) days from the date of issuance *or* until the issuance of a permanent
26 registration plate or until the cancellation or rescission of the contract of
27 purchaser, whichever occurs first. Upon the expiration of a temporary
28 registration plate the holder thereof shall immediately destroy the same.

1 (f) The director of the Department shall have the specific power, after
2 hearing, to suspend the right to issue temporary registration license plates
3 of any dealer or distributor who fails to comply with the requirements of
4 this section or any other applicable rules or regulations.

5 (g) The Department shall promulgate rules and regulations pursuant to the
6 provisions of Chapter 9 of 5GCA (Administrative Adjudication Law) for
7 the administration of the provisions of this Section.