

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 181-33 (COR)

Introduced by:

T. C. Ada 

AN ACT TO AMEND § 3102.1 OF CHAPTER 3 OF TITLE 16 GUAM CODE ANNOTATED, RELATIVE TO WAIVER OF FEES FOR SPOUSE AND LEGAL GUARDIAN OF 100% DISABLED VETERANS AND FOR GOLDSTAR WIDOWS/WIDOWERS AND PARENTS.

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

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

3 *Guåhan* has recognized the service and dedication of members in our Armed
4 Forces, both past and present. As such, *I Liheslatura* has waived the fees for
5 issuance of a motor vehicle driver's license, to include all classes and
6 endorsements, for all active duty members, reservists, and veterans and the
7 vehicle registration fees for veterans who have been rated by the U.S.

8 Veterans Administration as 100% Disabled or Individually Unemployable.

9 *I Liheslatura* further finds that for veterans who are 100% Disabled or
10 Individually Unemployable the same benefits should be extended to their

11 spouses or legal guardians in the event that their disability prevents them
12 from taking advantage of their fee waiver benefits. In many cases, these

13 spouses are the caregivers for these disabled Veterans. *I Liheslatura* also

14 finds that the same benefits should be extended to the surviving spouse and
15 parents who qualify as Gold Star Widows/Widowers and Gold Start Parents

16 of the soldier who was mortally wounded in combat as a result of hostile

1 enemy action.

2 **Section 2.** § 3102.1 of Chapter 3 of Title 16 Guam Code Annotated
3 is amended to read as follows:

4 **“§ 3102.1. Waiver of Fees for Veterans and Designation of**
5 **Veteran Status.**

6 (a) The fee for the issuance of a motor vehicle driver’s license,
7 to include all classes and endorsements, is waived for:

8 1. Active Duty and Reserve component members,
9 retirees, and Veterans of the United States Armed Forces.
10 Veterans include persons who served in the Guam Combat
11 Patrol, the United States Navy Insular Forces, Guam Militia or
12 Civilian Scouts, Wake Island Defenders, Philippines Scouts and
13 the United States Armed Services.

14 2. The waiver of driver’s license fee shall be
15 extended to Gold Star Widows or Widowers and Gold Star
16 Parents who are eligible pursuant § 7120.3(b) of Chapter 7 of
17 16 Guam Code Annotated.

18 3. The spouse or legal guardian of veterans who
19 have been determined to be 100% Disabled or Individually
20 Unemployable as referenced in § 7160(e) of Chapter 7 of 16
21 GCA.

22 (b) Any person listed above and whose character of military
23 service was honorable as verified by the applicant’s Report of
24 Transfer or Discharge (DD Form 214), or Military Identification Card
25 Department of Defense Form 2 (~~Retired~~), Common Access Card
26 (CAC), or other accepted forms used to verify membership in the
27 organization listed and certified by the government of Guam Office of

1 Veterans Affairs (OVA) may apply to the License Division of the
2 Department of Revenue and Taxation for a Driver's License.
3 Certification by the OVA will be based only upon records they have
4 available. When requested by the OVA, the Department of Revenue
5 and Taxation shall provide a listing of ~~Veterans~~ persons granted fee
6 waivers pursuant to this section.

7 (c) The driver's license of any person listed in (a) above
8 shall include the designation "Veteran", or in the case of applicants
9 eligible for the Gold Star exemptions the designation "Veteran (GS)",
10 or in the case of the spouse or legal guardian of a veteran who has
11 been determined to be 100% Disabled or Individually Unemployable
12 the designation "Veteran (DAV)".

13 (d) Eligibility Period

14 1. Spouse. Benefits extended to a spouse eligible
15 under this Article, shall continue for as long as that individual is
16 legally married to the Veteran who is eligible for the benefits. If
17 the marriage is terminated by divorce, eligibility for the benefits
18 shall end on the date of the adjudicated Final Decree.

19 2. Surviving Spouse. Benefits extended to a
20 Surviving Spouse eligible under this Article, shall continue for
21 a period of ten (10) years from the date of death of service
22 member.

23 3. Legal Guardian. Benefits extended to a Legal
24 Guardian eligible under this Article, shall continue for the
25 periods as follows:

26 (a) until minor children for which the guardian is
27 legally responsible for, reach the age of eighteen (18) or

1 until the age of twenty-three (23), if enrolled as a full-
2 time student in an accredited degree or certification
3 program; or

4 (b) the service member for whom the legal
5 guardian is responsible for becomes deceased.

6 **Section 3.** § 7160(e) of Chapter 7 of Title 16 Guam Code Annotated
7 is amended to read as follows:

8 (e) The annual license and registration fee in § 7160 (a) shall be
9 waived upon initial issuance and subsequent renewal of vehicle
10 license and registration for any Veteran determined by the U.S.
11 Department of Veterans Affairs (USDVA) to be 100% Disabled or
12 Individually Unemployable due to military service connected injuries
13 or the spouse or legal guardian of veterans who have been determined
14 to be 100% Disabled or Individually Unemployable as referenced in §
15 7160(e) in Chapter 7 of 16 GCA. The fee shall be waived for one (1)
16 noncommercial passenger vehicle, which includes sedans, coupes,
17 pick-up trucks, motorcycles, and station wagons manufactured
18 primarily for the purpose of carrying passengers, and including those
19 passenger cars pulling other light trailers, registered to the Veteran, or
20 legal guardian applying for benefits under this Section. A document
21 issued by the USDVA or a U.S. military ID card which certifies the
22 disability rating, must be furnished to the Department of Revenue and
23 Taxation in order to waive the annual Motor Vehicle License and
24 Registration Assessment