

*I Mina'Trentai Kuáttro Na Liheslaturan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
188-34 (COR)	Fernando Barcinas Esteves	AN ACT TO AMEND § 3602 OF ARTICLE 6, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE INCREASE AND RECALCULATION OF THE OFFICIAL VEHICLE INSPECTION SAFETY FEE FOR THE ACQUISITION AND REPAIR OF GUAM POLICE DEPARTMENT PATROL VEHICLES.	9/22/17 4:32 p.m.						

*I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN*  
2017 (FIRST) Regular Session

Bill No. 188-34(COR)

Introduced by:

Fernando Barcinas Esteves F.B.E.

**AN ACT TO AMEND § 3602 OF ARTICLE 6, CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO THE INCREASE AND RECALCULATION OF THE OFFICIAL VEHICLE INSPECTION SAFETY FEE FOR THE ACQUISITION AND REPAIR OF GUAM POLICE DEPARTMENT PATROL VEHICLES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that in Bill 294-32, which became Public Law 32-205, *I Mina' Trentai Dos Na*  
4 *Liheslatura* made extensive findings, to wit:

5 “*I Liheslaturan Guåhan* finds that the annual vehicle safety inspection  
6 program is an effective tool to keep dangerous vehicles off the roadways and keep  
7 our community safe. However, *I Liheslatura* realizes that it is the police officer  
8 that patrols the beat who is key to ensuring the safety and security of the  
9 community every day of the year. *I Liheslaturan Guåhan* also finds that the  
10 number of cars in the Guam Police Department’s fleet that are in-service and  
11 available for patrolling our streets and neighborhoods has dropped to an  
12 unacceptable level, delaying police services to our community and hindering  
13 response to emergencies, thus endangering the lives of our residents. In order to  
14 keep the Guam Police Department’s vehicle fleet operating, GPD has had to rely  
15 on generous donations of patrol cars, motorcycles and scooters from private  
16 business, as well as the occasional identification of federal funds to ensure that the

2017 SEP 22 PM 4:32 WPL

1 heart of our economic center in Tumon is protected. Additionally, throughout the  
2 Guam Police Department, our dedicated public servants have been spending their  
3 personal funds for many years to keep the Guam Police Department's aging fleet  
4 and equipment operating, so that they can continue to serve and protect our  
5 community, island-wide.”

6 *I Mina' Trentai Kuattro Na Liheslatura* wholeheartedly adopts and  
7 republishes those findings.

8 *I Liheslaturan Guåhan* further finds that the Patrol Vehicle and Equipment  
9 Revolving Fund is funded by the administrative fees (also known as the Official  
10 Vehicle Inspection Safety (OVIS) Fee) of the current vehicle safety inspection fee  
11 of fifteen dollars (\$15). The OVIS fee is calculated at twenty percent (20%) or  
12 three dollars (\$3) of the current vehicle safety inspection fee. The eighty percent  
13 (80%) or twelve dollars (\$12) of the current vehicle safety inspection fee remains  
14 with the proprietors of vehicle safety inspection stations.

15 *I Liheslaturan Guåhan* further finds that the revenues collected in past fiscal  
16 years from the OVIS fees permitted the Guam Police Department (“GPD”) to  
17 submit requisitions to the General Services Agency (GSA) for the maintenance and  
18 repair of its fleet and for the purchase of Police Sport Utility Vehicles (SUVs)  
19 through the procurement process.

20 *I Liheslaturan Guåhan* further finds that the “Cars for the Community  
21 CAPE Fleet Use Agreement” between Atkins Kroll, Inc., dba Toyota Rent-A-Car  
22 (“TRAC”) and GPD is set to expire in December of this year. This Agreement  
23 temporarily provided GPD with an extended lease of ten (10) Toyota Priuses,  
24 which enhanced Neighborhood Watch Programs by creating an immense impact in  
25 patrol visibility in our villages.

26 It is, therefore, the intent of *I Liheslaturan Guåhan* to increase the safety  
27 inspection fee from fifteen dollars (\$15) to twenty-five dollars (\$25) and

1 recalculate the Official Vehicle Inspection Safety Fees from twenty percent (20%)  
2 or three dollars (\$3) to forty percent (40%) or ten dollars (\$10) of the current  
3 vehicle safety inspection fee for the acquisition and repair of patrol vehicles. The  
4 revenue potential from the increase and recalculation of fees will support patrol  
5 operations while granting some relief with respect to budgetary management and  
6 considerations.

7 **Section 2.** § 3602 of Article 6, Chapter 3, Title 16, Guam Code Annotated,  
8 is hereby *amended*, to read:

9 **“§ 3602. Regulations: Fee.** (a) (1) The Director of Revenue and  
10 Taxation is hereby authorized to make necessary rules and regulations,  
11 subject to the approval of *I Maga'låhien Guåhan*, for the administration and  
12 enforcement of inspections required under § 3601, including designation of  
13 the period or periods of time within which said inspections shall be made  
14 and for the issuance and use of decalomania or other identification to be  
15 attached to vehicles with reference to inspection status.

16 (2) The Director shall, commencing on January 1, 2015, and every  
17 two (2) years thereafter, review the safety inspection fee, and may increase  
18 the fee by an amount not to exceed ten percent (10%) of the fee on  
19 December 31, 2014. This adjustment shall not require the concurrence of *I*  
20 *Liheslaturan Guååhan* (the Legislature) nor require compliance with the  
21 AAL, but the Director shall cause a notice describing the original fee and the  
22 increase to be published on its website and in a newspaper of general  
23 circulation in Guam; and to be given to the media and to the Speaker of *I*  
24 *Liheslaturan Guåhan* at least sixty (60) days prior to the implementation  
25 date. A proposed increase in excess of ten percent (10%) of the fee on  
26 December 31, 2014, shall require the Director to conduct the rate review and  
27 adoption process of the proposed increase pursuant to Article 3, Chapter 9

1 (Administrative Adjudication Law), Division 1, Title 5, Guam Code  
2 Annotated.

3 (b) (1) The fee to be charged for each such inspection shall be ~~Fifteen~~  
4 ~~Dollars (\$15.00)~~ twenty-five dollars (\$25.00), inclusive of the administrative  
5 fee (also known as the Official Vehicle Inspection Safety (OVIS) Fee),  
6 which shall be calculated at ~~twenty percent (20%)~~ forty percent (40%) of the  
7 current fee; provided, that the existing OVIS Fee of ~~Three Dollars (\$3.00)~~ ten  
8 dollars (\$10.00) shall not be adjusted below this amount.

9 (2) The fee for re-inspection done pursuant to § 3601(c) (3) shall be  
10 ~~Two Dollars (\$2.00)~~ two Dollars (\$2.00).

11 (3) Commercial and Armed Forces of the United States vehicle safety  
12 inspection stations shall retain all fees collected, as payment for inspection  
13 services rendered, however, such stations shall be required to purchase  
14 official inspection administrative forms from the Department of Revenue  
15 and Taxation.

16 (4) All OVIS Fees shall be deposited into the “Police Patrol Vehicle  
17 and Equipment Revolving Fund<sup>22</sup>,” a separate account established pursuant  
18 to § 77135 of Article 1, Chapter 77, Title 10, Guam Code annotated, for that  
19 purpose.”

20 **Section 3. Effective Date.** This Act *shall* be effective on January 1, 2018.