



CARL T.C. GUTIERREZ
GOVERNOR OF GUAM

FEB 16 1998

The Honorable Antonio R. Unpingco
Speaker
Twenty-Fourth Guam Legislature
Guam Legislature Temporary Building
155 Hesler Street
Agana, Guam 96910

OFFICE OF THE LEGISLATIVE SECRETARY	
ACKNOWLEDGMENT RECEIPT	
Received By	<i>Panning Lujan</i>
Time	<i>2:25 p.m.</i>
Date	<i>2-17-98</i>

**Refer to
Legislative Secretary**

Dear Speaker Unpingco:

Enclosed please find a copy of Bill No. 372 (COR), "AN ACT TO AMEND §3201(a) OF ARTICLE 2, CHAPTER 3 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO VEHICLE LIGHTS", which I have signed into law today as **Public Law No. 24-120**.

This legislation promotes safe driving conditions by encouraging drivers to turn on their headlights sooner at dusk, and to leave them on longer at dawn. The current law requiring headlights of vehicles to be turned on between One (1) hour after sunset to One (1) hour before sunrise is more appropriate to temperate zones, where there is a considerable time between when the sun rises or sets and the disappearance of light from the skies.

On Guam, where light fades fast from the skies upon sunset and where there is very little light in the moments before sunrise, it is appropriate to conform the requirement to turn on the headlights of vehicles at the times when the daylight is more adequate to support safe driving.

Very truly yours,


Carl T. C. Gutierrez

Attachment 00641

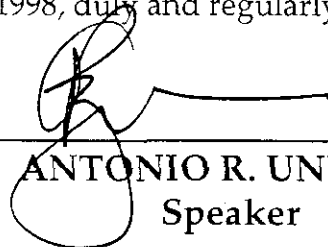
cc: The Honorable Joanne M. S. Brown
Legislative Secretary

Office of the Speaker
ANTONIO R. UNPINGCO
Date: *2-17-98*
Time: *10:25*
Rec'd by: *[Signature]*
Print Name: *CHARLES DAVILA*

TWENTY-FOURTH GUAM LEGISLATURE
1998 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR

This is to certify that Bill No. 372 (COR), "AN ACT TO AMEND §3201(a) OF ARTICLE 2, CHAPTER 3 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO VEHICLE LIGHTS," was on the 4th day of February, 1998, duly and regularly passed.



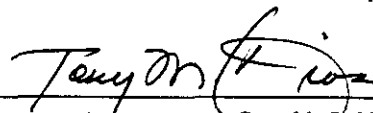
ANTONIO R. UNPINGCO
Speaker

Attested:



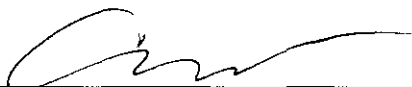
JOANNE M.S. BROWN
Senator and Legislative Secretary

This Act was received by the Governor this 5th day of February, 1998, at
4:00 o'clock P.M.



Assistant Staff Officer
Governor's Office

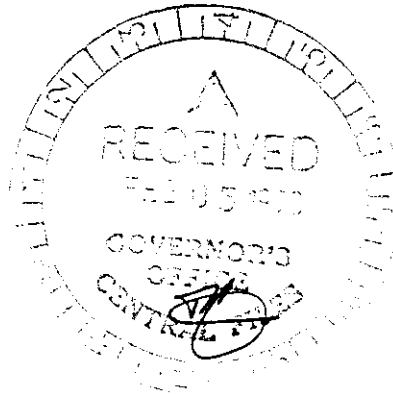
APPROVED:



CARL T. C. GUTIERREZ
Governor of Guam

Date: 2-16-98

Public Law No. 24-120



TWENTY-FOURTH GUAM LEGISLATURE
1997 (FIRST) Regular Session

Bill No. 372 (COR)

As amended on the Floor.

Introduced by:

E. Barrett-Anderson
T. C. Ada
F. B. Aguon, Jr.
A. C. Blaz
J. M.S. Brown
Felix P. Camacho
Francisco P. Camacho
M. C. Charfauros
E. J. Cruz
W. B.S.M. Flores
Mark Forbes
L. F. Kasperbauer
A. C. Lamorena, V
C. A. Leon Guerrero
L. Leon Guerrero
V. C. Pangelinan
J. C. Salas
A. L.G. Santos
F. E. Santos
A. R. Unpingco
J. Won Pat-Borja

AN ACT TO AMEND §3201(a) OF ARTICLE 2,
CHAPTER 3 OF TITLE 16 OF THE GUAM CODE
ANNOTATED, RELATIVE TO VEHICLE LIGHTS.

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

2 **Section 1.** Section 3201(a) of Article 2, Chapter 3 of Title 16 of the
3 Guam Code Annotated is hereby amended to read as follows:

4 **"Section 3201(a). Vehicle Lights.** (a) Every vehicle upon the

1 public highways during the period from sunset to sunrise, and at any
2 other time when there is not sufficient natural light to render clearly
3 discernible persons and vehicles on the highway at a distance of five
4 hundred feet (500'), shall be operated with lighted lamps and
5 illuminating devices, as set forth in this Section, respectively, required
6 for different classes."



Doc. 00641

2 4 T H G U A M L E G I S L A T U R E

Office of the Speaker

Senator Antonio R. Unpingco

155 Hesler Street, Agana, Guam 96910

Speaker

Phones : (671) 472- 3455 / 56 / 57 • Fax : (671) 472-3400

February 17, 1998

Memorandum

Clerk of the Legislature

To: Legislative Secretary
From: Speaker
Subject: Transmittal of Public Laws

ACKNOWLEDGEMENT RECEIPT
Received by: [Signature]
Time: 4:15 pm
Date: 2/17/98

I am referring to you the following Public Laws transmitted to my office from the Governor:

- Public Law 24-120, "AN ACT TO AMEND §3201(a) OF ARTICLE 2, CHAPTER 3 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO VEHICLE LIGHTS"
- Public Law 24-121, "AN ACT TO PROVIDE SUPPLEMENTAL ASSISTANCE TO THOSE COMMERCIAL FARMERS WHO SUFFERED DAMAGE AS A RESULT OF SUPERTYPHOON PAKA"
- Public Law 24-122, "AN ACT TO REPEAL AND REENACT §18201, TO AMEND §§18203(a) AND (g) OF ARTICLE 2, CHAPTER 18 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO THE IMPLIED CONSENT LAW AND SURRENDER OF A DRIVER'S LICENSE"
- Public Law 24-123, "AN ACT TO ADD A NEW §§3301.1, 3301.2, AND 3301.3 TO ARTICLE 3, CHAPTER 3 OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO ELUDING A POLICE OFFICER"
- Public Law 24-124, "AN ACT TO ADD A NEW §18124.1, AND TO REPEAL §3110, BOTH OF TITLE 16 OF THE GUAM CODE ANNOTATED, RELATIVE TO DRIVING WITH SUSPENDED LICENSES"
- Public Law 24-125, "AN ACT TO AMEND §18201(d) OF ARTICLE 2, CHAPTER 18 OF TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO PROVIDING THE RESULTS OF BLOOD ALCOHOL OR TESTS TO POLICE OR PROSECUTOR"

[Signature]
Antonio R. Unpingco
attachments (6)

crd

OFFICE OF THE LEGISLATIVE SECRETARY
ACKNOWLEDGMENT RECEIPT
Received by: [Signature]
Time: 2:25 PM
Date: 2/17/98

2004-120



Committee on Judiciary, Public Safety
and Consumer Protection
Twenty-Fourth Guam Legislature

Senator
Elizabeth Barrett-Anderson
Chairperson

October 29, 1997

Senator
John C. Salas
Vice-Chairman

SPEAKER ANTONIO R. UNPINGCO
Twenty-Fourth Guam Legislature
155 Hesler St.
Agana, Guam 96910

Senator
Anthony C. Blaz
Member

Dear Mr. Speaker:

Senator
Joanne M.S. Brown
Member

The Committee on Judiciary, Public Safety and Consumer Protection, to which was referred **Bill No. 372**, wishes to report back to the Legislature with its recommendation **TO DO PASS**.

Senator
Mark Forbes
Member

The voting record is as follows:

Senator
Edwardo J. Cruz, M.D.
Member

8

TO PASS

Senator
Vicente C. Pangelinan
Member

1

NOT TO PASS

1

ABSTAIN

Senator
Frank Blas Aguon, Jr.
Member

1

TO PLACE IN INACTIVE FILE

Copies of the Committee Report and other pertinent documents are attached.

Your attention to this matter is greatly appreciated.

Sincerely,

E. Barrett-Anderson
ELIZABETH BARRETT-ANDERSON
Chairperson

Attachments

COMMITTEE ON JUDICIARY, PUBLIC SAFETY AND CONSUMER PROTECTION

TWENTY-FOURTH GUAM LEGISLATURE

173 ASPINALL AVENUE, ADA PLAZA CENTER SUITE 108A, AGANA, GUAM 96910

SENATOR ELIZABETH BARRETT-ANDERSON
Chairperson

SENATOR JOHN C. SALAS
Vice-Chairperson

SPEAKER ANTONIO R. UNPINGCO
Ex-Officio Member

VOTING SHEET

Bill 372: An Act to Amend 16 GCA §3201 (a), relative to vehicle lights

<u>COMMITTEE MEMBERS</u>	<u>INITIALS</u>	<u>TO PASS</u>	<u>NOT PASS</u>	<u>ABSTAIN</u>
1). Sen. Elizabeth Barrett-Anderson Chairperson	<i>EPO</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2). Sen. John C. Salas Vice-Chairperson	<i>Salas</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3). Sen. Frank B. Aguon, Jr. Member	<i>FBA 11/5/17</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4). Sen. Anthony C. Blaz Member	<i>Blaz</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5). Sen. Joanne M.S. Brown Member	<i>Joanne</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6). Sen. Edwardo J. Cruz M.D. Member	<i>EJ Cruz</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7). Sen. Mark Forbes Member	<i>Mark Forbes</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8). Sen. Vicente C. Pangelinan Member	<i>Vicente</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9). Speaker Antonio Unpingco Ex-Officio Member		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Committee on Judiciary, Public Safety & Consumer Protection
ELIZABETH BARRETT-ANDERSON, CHAIRPERSON**

**Committee Report
on**

**Bill No. 372: AN ACT TO AMEND 16 GCA §3201(a),
RELATIVE TO VEHICLE LIGHTS.**

I. SUMMARY

The Committee on Judiciary, Public Safety and Consumer Protection held a public hearing Tuesday, October 21, 1997, at 2:00 PM on Bill 372 at the Legislative Public Hearing Room. Public Notice was published in the October 14 and October 21, 1997 editions of the Pacific Daily News.

Committee Members Present:

Senator Elizabeth Barrett-Anderson, Chairperson
Senator Vicente C. Pangelinan

Providing Public Testimony on the Bill

Captain James M. Marques, Acting Chief, Guam Police Department, **oral and written (see Attachment "A")**

Acting Attorney General Charles H. Troutman, **oral and written (see Attachment "B")**

Purpose:

The purpose of the bill is to amend existing law covering the period of the day when vehicle lights must be turned on to eliminate the one-hour "grace period" after sunset and before sunrise. The existing statute, patterned after laws of states in North America where there ordinarily is a "twilight" period before sunrise and after sunset, is inappropriate for Guam where, because of its nearness to the equator, there is insufficient natural light during those times of day for safely operating a vehicle on a public highway without its lights turned on. The amendment will simplify the law's requirements, thereby making it easier for drivers to understand and for traffic officers to enforce.

Relationship to Existing Law:

The bill amends 16 GCA §3201(a). Subsections (b) through (e) of the statute set forth the requirements for headlamps and other lights for various kinds of vehicles operated on the highways of Guam.

By operation of 16 GCA §9108, failure to comply with the provisions of this section is a petty misdemeanor.

II. SUMMARY OF TESTIMONY:

James M. Marques, Acting Chief of Police

The Chief stated that he and the management team members of the Guam Police Department are in favor of the bill and support its passage. Requiring headlights to be turned on immediately after sunset and to be required until the sun comes up will improve traffic safety and remove the uncertainty in the present law for the police and drivers alike.

Charles H. Troutman, Acting Attorney General

Mr. Troutman said he strongly supported the passage of the bill. The Uniform Vehicle Code adopted this change twenty years ago, and in Guam it's even more important to make this change because here in the tropics we don't have the long twilight of the northern latitudes, and if existing law were followed literally by Guam drivers there would be chaos on the highways because by one hour after sunset it is completely dark. The change to be made in the statute will then make it enforceable against those drivers who now are lax about turning on their lights.

III. FINDINGS AND RECOMMENDATIONS

The Committee on Judiciary, Public Safety and Consumer Protection finds enthusiastic support from law enforcement for the passage of Bill No. 372 as introduced by Senator Barrett-Anderson, with no opposition to the bill, and submits its Report to the Twenty-Fourth Guam Legislature with the recommendation **TO DO PASS**.

TWENTY-FOURTH GUAM LEGISLATURE

Committee on Judiciary, Public Safety and Consumer Protection

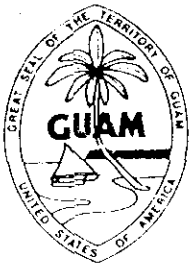
SENATOR ELIZABETH BARRETT-ANDERSON, CHAIRPERSON

PUBLIC HEARING

GOVERNMENT OFFICIALS SIGN-IN SHEET

BILL NO. 372

Please Print Name:	AGENCY	Testimony		I am	
		Oral	Written	For	Against
1. JAMES M. MARQUES, COP	CPD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Charles W. Ironsman	AG	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
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Guam Police Department



Government of Guam

Bldg. No. 233, Central Avenue, Tiyan, Guam 96913
Tel: (671) 475-8473 (Switchboard) • (671) 475-8509/8512/8514
Fax: (671) 472-4036

**CARL T.C.
GUTIERREZ**
Governor of Guam

007 21 1997

Chief of Police

**MADELEINE Z.
BORDALLO**
Lieutenant Governor

The Honorable Senator Elizabeth Barrett-Anderson
Chairperson, Committee on Judiciary, Public Safety
& Consumer Protection
Twenty-Fourth Guam Legislature
Ada Plaza Center
Suite 108A
173 Aspinall Avenue
Agana, Guam 96932

RECEIVED

24th Guam Legislature
Committee on Judiciary, Public
Safety and Consumer Protection

Date: 12/21/97 *hje*

Dear Madame Chairperson:

On behalf of the men and women of the Guam Police Department, I would like to take this opportunity to express my sincerest Si Yuus Maase to you and your committee for your untiring and continuous efforts aimed at improving the quality of life for the people of Guam through meaningful, just and comprehensive legislation.

Copies of Bill Nos. 370, 371, 372, 373, and 374 have been staffed by management team members of the Guam Police Department and with the exception of just some very minor adjustments, it is the consensus of management that we are in concurrence with the overall context of the bills and endorse it fully, as to form.

The recommended changes are as follows:

**AN ACT TO AMEND 16 GCA §§18121 and 18122, RELATING TO
POSSESSION OR STORAGE OF MARIJUANA IN A MOTOR VEHICLE**

COMMENTS:

Section 1. §§18121

Possession of marijuana is already a misdemeanor. Including it is not necessary.

Section 2. §§18122

Drug Free Guam Para Todos

Need to provide definition of usable quantity - amounts over one ounce are still usable.

AN ACT TO ADD NEW SECTIONS TO 16 GCA, RELATIVE TO ELUDING A POLICE OFFICER

COMMENTS:

Section 1. "§3301.2. Definitions

Visual command could mean hand signals when approaching a vehicle on foot such as when conducting stationary radar enforcement, etc.

Section 3. "§3301.3.

If included, sub-section (m) may allow those persons who are drugged or intoxicated a means of avoiding an otherwise valid charge.

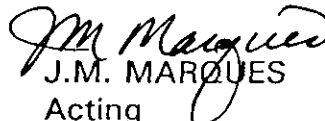
AN ACT TO AMEND 16 GCA §181201(d), RELATIVE TO PROVIDING THE RESULTS OF BLOOD ALCOHOL OR TESTS TO POLICE OR PROSECUTORS

COMMENTS:

1. As a consideration, it may be helpful if the proposed legislation include urine samples.
2. There is no guidance as to when the blood test shall be conducted, at whose request or under what conditions, and whether doctors may refuse. Mandatory blood or urine testing for all victims of accidents would certainly bolster efforts at prosecuting repeat offenders who realize the implications of the tests.

Again on behalf of the Guam Police Department, to you and your fine committee, Dangkulu na Si Yu'us Ma'ase yan agrademento!

Sincerely,


J.M. MARQUES
Acting

cc: Sen. John C. Salas
Sen. Anthony C. Blaz
Sen. Joanne M.S. Brown
Sen. Mark Forbes
Sen. Edwardo J. Cruz, M.D.
Sen. Vicente C. Pangelinan
Sen. Frank Blas Aguon, Jr.



Charles H. Troutman
Attorney General (Acting)

Phone: (671) 472-3324
Telefax: (671) 472-2493

Gus F. Diaz
Chief Deputy Attorney General

October 20, 1997

RECEIVED

24th Guam Legislature
Committee on Judiciary, Public
Safety and Consumer Protection
Date: 10/21/97 *JL*

Honorable Elizabeth Barrett-Anderson
Chairperson
Committee on Judiciary, Public Safety and Consumer Protection
Twenty-Fourth Guam Legislature
Agana, Guam

Dear Senator Barrett-Anderson,

I wish to support **Bill No. 372** relative to when car lights must be on. The Uniform Vehicle Code changed to reflect this Bill some twenty years ago. On Guam, it is even more important to change this law. Because we are in the tropics, we do not have the long twilight of the northern latitudes. If we were to follow the existing law literally, there would be chaos on the highways because, by one our after sunset, it is completely dark. Fortunately, most drivers have ignored the latter of this law from necessity.

So, I urge that you pass this bill so that it can be enforced against those drivers who are lax in turning on their lights even before one hour after sunset or one hour before sunrise, when it is equally dark.

So, I urge your passage of this Bill.

Sincerely yours,

Charles H. Troutman
CHARLES H. TROUTMAN



Commonwealth Now!

FISCAL NOTE
BUREAU OF BUDGET AND MANAGEMENT RESEARCH

BBMR-F7

Bill Number: 372(COR)
 Amendatory Bill: Yes

Date Received: 9/25/97
 Date Reviewed: 10/20/97

Department/Agency Affected: Guam Police Department
 Department/Agency Head: James Marquez, Chief of Police
 Total FY Appropriation to Date: \$27,500,000

Bill Title (preamble): An act to amend 16 GCA subsection 3201(a), relative to vehicle lights.

Change in Law: Yes

Bill's Impact on Present Program Funding:
 Increase _____ Decrease _____ Reallocation _____ No Change X

Bill is for:
 Operations _____ Capital Improvement _____ Other X

FINANCIAL/PROGRAM IMPACT

ESTIMATED SINGLE-YEAR FUND REQUIREMENTS (Per Bill)			
PROGRAM CATEGORY	GENERAL FUND	OTHER	TOTAL
Public Safety			

ESTIMATED MULTI-YEAR FUND REQUIREMENTS (Per Bill)						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL						
OTHER						
TOTAL						

FUNDS ADEQUATE TO COVER INTENT OF THE BILL? — IF NO, ADD'L AMOUNT REQUIRED \$
 AGENCY/PERSON/DATE CONTACTED: _____

ESTIMATED POTENTIAL MULTI-YEAR REVENUES						
FUND	1st	2nd	3rd	4th	5th	TOTAL
GENERAL FUND						
OTHER						
TOTAL						

ANALYST Christine Quichocho DATE 10/20/97 DIRECTOR Joseph E. Rivera, Acting DATE OCT 22 1997

FOOTNOTES: The proposed legislation is an amendment to the operation of vehicle lights as it pertains to vehicle equipment and is regulatory in nature.