

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES |
|-------------------------------------|-------------------------------------|---|-----------------------|---------------|---|---------------------------------------|-----------------------------|---|
| 236-32 (COR) P.L. 32-124 | Aline A. Yamashita, Ph.D., T.C. Ada | AN ACT TO ADD NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO THE RECIPROCATION OF COMMERCIAL DRIVER'S LICENSES. | 12/13/13 1:47 p.m. | 12/16/13 | Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations | 1/15/14 2:30 p.m. | 1/24/14 3:51 p.m. | Fiscal Note Requested 12/16/13 Fiscal Note Received 1/13/14 |
| | DATE PASSED | TITLE | TRANSMITTED | | DUE DATE | DATE SIGNED BY I MAGA'LAHEN GUAHAN | PUBLIC LAW NO. | NOTES |
| | 2/1/2014 | AN ACT TO ADD A NEW §3102.5 TO ARTICLE 1 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE ROAD TESTING REQUIREMENT FOR CERTAIN COMMERCIAL MOTOR VEHICLE DRIVER'S LICENSES. | 2/1/14 | 10:50 p.m. | 2/13/2014 | 2/10/2014 | 32-124 | As substituted by the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations; and amended on the Floor. |

EDDIE BAZA CALVO
Governor



RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

FEB 13 2014

Honorable Judith T. Won Pat, Ed.D.
Speaker
I Mina' trentai Dos Na Liheslaturan Guåhan
155 Hesler Street
Hagåtña, Guam 96910

32-14-1305
Office of the Speaker
Judith T. Won Pat, Ed.D.
Date: 2/14/14
Time: 4:06 PM
Received by: [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 236-32 (COR) "AN ACT TO ADD A NEW §3102.5 TO ARTICLE 1 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE ROAD TESTING REQUIREMENT FOR CERTAIN COMMERCIAL MOTOR VEHICLE DRIVER'S LICENSES" which I signed into law on February 10, 2014 as **Public Law 32-124**.

Senseramente,


EDDIE BAZA CALVO

2014 FEB 14 PM 4:49

1305

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

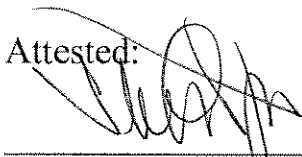
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 236-32 (COR)**, "AN ACT TO ADD A NEW §3102.5 TO ARTICLE 1 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE ROAD TESTING REQUIREMENT FOR CERTAIN COMMERCIAL MOTOR VEHICLE DRIVER'S LICENSES," was on the 1st day of February, 2014, duly and regularly passed.



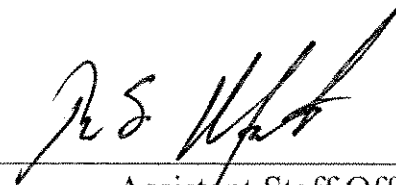
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1st day of FEB,
2014, at
10:50 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: FEB 10 2014

Public Law No. 32-124

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

Bill No. 236-32 (COR)

As substituted by the Committee on Aviation, Ground
Transportation, Regulatory Concerns and Future Generations;
and amended on the Floor.

Introduced by:

Aline A. Yamashita, Ph.D.
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
Vicente (ben) C. Pangelinan
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW §3102.5 TO ARTICLE 1
OF CHAPTER 3, TITLE 16, GUAM CODE
ANNOTATED, RELATIVE TO AUTHORIZING
THE DEPARTMENT OF REVENUE AND
TAXATION TO OUTSOURCE THE ROAD
TESTING REQUIREMENT FOR CERTAIN
COMMERCIAL MOTOR VEHICLE DRIVER'S
LICENSES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there is a high demand for driver's licenses to operate commercial vehicles,

1 inclusive of trucks, school buses, and other passenger vehicles. Naturally, the
2 demand for such licenses will increase as a result of population growth and
3 economic development.

4 *I Liheslatura* further finds that current budget constraints have inhibited the
5 Drivers License Examination Branch of the Motor Vehicle Division within the
6 Department of Revenue & Taxation from employing adequate staffing levels
7 needed to administer the road tests in a timely manner. Currently, the wait time is
8 approximately six (6) months. Furthermore, if the applicant fails the initial road
9 test, the wait for a subsequent test date could be an additional six (6) months. Such
10 delays present challenges for businesses, government agencies, and residents that
11 transport people, supplies, materials and commodities around the island.

12 Therefore, *I Liheslatura* intends to authorize the DRT Motor Vehicle
13 Division to outsource the road testing function to selected private entities that have
14 been certified by DRT as having met all the prerequisites established by the Motor
15 Carrier Division. Concomitantly, the DRT *shall* assume the responsibility for
16 quality assurance of the performance of the selected testing companies.

17 **Section 2.** A new §3102.5 is hereby *added* to Article 1 of Chapter 3, Title
18 16, Guam Code Annotated, to read as follows:

19 **“§ 3102.5 Outsource Road Test Examinations.**

20 (a) The DRT Division of Motor Vehicles may contract up to
21 three (3) business entities to conduct and certify behind-the-wheel
22 road tests for persons applying for a Chauffeurs License Class B,
23 Chauffeurs License Class C, Class D and Class G.

24 (b) The DRT *shall*, within sixty (60) days from the effective
25 date of this Act, develop and transmit to *I Liheslaturan Guåhan* rules
26 and regulations that establish provisions to include, but *not* limited to,

the qualification criteria of testing entities, the process for selection of a testing entity, the administrative requirements that must be maintained by the testing entity to ensure accountability, recertification requirements, quality assurance measures, key performance indices, and other parameters that may be required to ensure the integrity of the testing function.”

Section 3. Effective Date. This Act *shall* become effective upon enactment.

Section 4. Severability. *If* any of the provisions of this law or its application to any person or circumstance is found to be invalid or contrary to law, such invalidity *shall not* affect other provisions or applications of this law which can be given effect without the invalid provisions or application, and to this end the provisions of this law are severable.



FILE 6027

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN

THIRTY-SECOND GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

February 1, 2014

The Honorable Edward J.B. Calvo
I Maga'laken Guåhan
Ufisinan I Maga'lahi
Hagåtña, Guam 96910

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill and Substitute Bill Nos. 61-32(COR), 70-32(COR), 71-32(COR), 130-32(COR), 146-32(COR), 169-32(COR), 179-32(COR), 180-32(COR), 190-32(COR), 192-32(COR), 197-32(COR), 201-32(COR), 202-32(COR), 204-32(COR), 206-32(COR), 214-32(COR), 221-32(COR), 225-32(COR), 226-32(COR), 231-32(COR), 232-32(COR), 235-32(COR), 236-32(COR), 237-32(COR), 242-32(COR), 245-32(COR), 247-32(COR), 248-32(COR) and 268-32(LS) which were passed by *I Mina'Trentai Dos Na Liheslaturan Guåhan* on February 1, 2014.

Sincerely,

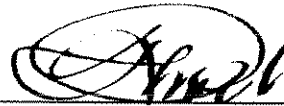
TINA ROSE MUÑA BARNES
Legislative Secretary

FEB 1, 2014
10:50 p.m.
T.S. Muña

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

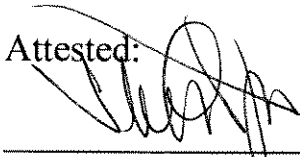
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Bill No. 236-32 (COR)**, "AN ACT TO *ADD A NEW §3102.5 TO ARTICLE 1 OF CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE ROAD TESTING REQUIREMENT FOR CERTAIN COMMERCIAL MOTOR VEHICLE DRIVER'S LICENSES,*" was on the 1st day of February, 2014, duly and regularly passed.



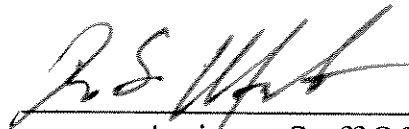
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 1st day of FEB,
 2014, at
10:50 o'clock P.M.



Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

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

Bill No. 236-32 (COR)

As substituted by the Committee on Aviation, Ground
Transportation, Regulatory Concerns and Future Generations;
and amended on the Floor.

Introduced by:

Aline A. Yamashita, Ph.D.
T. C. Ada
V. Anthony Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
Chris M. Dueñas
Michael T. Limtiaco
Brant T. McCreadie
Tommy Morrison
T. R. Muña Barnes
Vicente (ben) C. Pangelinan
R. J. Respicio
Dennis G. Rodriguez, Jr.
Michael F. Q. San Nicolas
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW §3102.5 TO ARTICLE 1
OF CHAPTER 3, TITLE 16, GUAM CODE
ANNOTATED, RELATIVE TO AUTHORIZING
THE DEPARTMENT OF REVENUE AND
TAXATION TO OUTSOURCE THE ROAD
TESTING REQUIREMENT FOR CERTAIN
COMMERCIAL MOTOR VEHICLE DRIVER'S
LICENSES.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds

that there is a high demand for driver's licenses to operate commercial vehicles,

1 inclusive of trucks, school buses, and other passenger vehicles. Naturally, the
2 demand for such licenses will increase as a result of population growth and
3 economic development.

4 *I Liheslatura* further finds that current budget constraints have inhibited the
5 Drivers License Examination Branch of the Motor Vehicle Division within the
6 Department of Revenue & Taxation from employing adequate staffing levels
7 needed to administer the road tests in a timely manner. Currently, the wait time is
8 approximately six (6) months. Furthermore, if the applicant fails the initial road
9 test, the wait for a subsequent test date could be an additional six (6) months. Such
10 delays present challenges for businesses, government agencies, and residents that
11 transport people, supplies, materials and commodities around the island.

12 Therefore, *I Liheslatura* intends to authorize the DRT Motor Vehicle
13 Division to outsource the road testing function to selected private entities that have
14 been certified by DRT as having met all the prerequisites established by the Motor
15 Carrier Division. Concomitantly, the DRT *shall* assume the responsibility for
16 quality assurance of the performance of the selected testing companies.

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21 three (3) business entities to conduct and certify behind-the-wheel
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23 Chauffeurs License Class C, Class D and Class G.

24 (b) The DRT *shall*, within sixty (60) days from the effective
25 date of this Act, develop and transmit to *I Liheslaturan Guåhan* rules
26 and regulations that establish provisions to include, but *not* limited to,

1 the qualification criteria of testing entities, the process for selection of
2 a testing entity, the administrative requirements that must be
3 maintained by the testing entity to ensure accountability,
4 recertification requirements, quality assurance measures, key
5 performance indices, and other parameters that may be required to
6 ensure the integrity of the testing function.”

7 **Section 3. Effective Date.** This Act *shall* become effective upon
8 enactment.

9 **Section 4. Severability.** *If* any of the provisions of this law or its
10 application to any person or circumstance is found to be invalid or contrary to law,
11 such invalidity *shall not* affect other provisions or applications of this law which
12 can be given effect without the invalid provisions or application, and to this end the
13 provisions of this law are severable.

LEGISLATIVE SESSION

I MINA'TRENTAI DOS NA LIHESLATURAN

2014 (SECOND) Regular Session

Voting Sheet

Speaker Antonio R. Unipingco Legislative Session Hall
February 1, 2014

Bill No. 236-32 (COR)

As substituted by the Committee on Aviation,
Ground Transportation, Regulatory Concerns and
Future Generations; and amended on the Floor.

| NAME | Yea | Nay | Not Voting/ Abstained | Out During Roll Call | Absent |
|--|-----|-----|--------------------------|-------------------------|--------|
| Senator Thomas "Tom" C. ADA | ✓ | | | | |
| Senator V. Anthony "Tony" ADA | ✓ | | | | |
| Senator Frank Blas AGUON Jr. | ✓ | | | | |
| Vice-Speaker Benjamin J.F. CRUZ | ✓ | | | | |
| Senator Christopher M. DUENAS | ✓ | | | | |
| Senator Michael LIMTIACO | ✓ | | | | |
| Senator Brant McCREADIE | ✓ | | | | |
| Senator Thomas "Tommy" MORRISON | ✓ | | | | |
| Senator Tina Rose MUÑA BARNES | ✓ | | | | |
| Senator Vicente (ben) Cabrera PANGELINAN | ✓ | | | | |
| Senator Rory J. RESPICIO | ✓ | | | | |
| Senator Dennis G. RODRIGUEZ, Jr. | ✓ | | | | |
| Senator Michael F. Q.SAN NICOLAS | ✓ | | | | |
| Speaker Judith T. WON PAT, Ed.D. | ✓ | | | | |
| Senator Aline A. YAMASHITA, Ph.D. | ✓ | | | | |

TOTAL

15

Yea

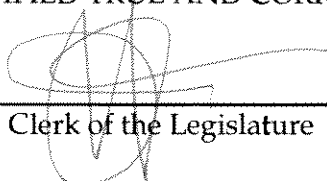
Nay

Not Voting/
Abstained

Out During
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:

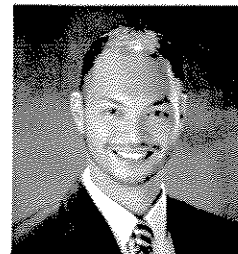

Clerk of the Legislature

I = Pass



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guahan | 32nd Guam Legislature



JAN 23 2014

The Honorable Judith T. Won Pat, Ed.D.

Speaker

I Mina 'Trentai Dos na Liheslaturan Guahan

155 Hesler Place

Hagatna, Guam 96910

VIA: The Honorable Rory J. Respicio
Chairman
Committee on Rules, Federal, Foreign & Micronesian Affairs,
Human & Natural Resources, and Election Reform

RE: Committee Report on Bill No. 236-32 (COR), As Substituted by the Committee

Dear Speaker Won Pat:

Hafa adai! Transmitted herewith is the committee report on Bill No. 236-32 (COR), as substituted by the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations – “AN ACT TO ADD A NEW §3102.5 TO CHAPTER 3, TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO THE AUTHORIZATION TO THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL MOTOR VEHICLE DRIVER’S LICENSES.”

Committee votes are as follows:

| | |
|---------------|---------------------------|
| <u>2</u> | TO DO PASS |
| <u> </u> | TO NOT PASS |
| <u>4</u> | TO REPORT OUT ONLY |
| <u> </u> | TO ABSTAIN |
| <u> </u> | TO PLACE IN INACTIVE FILE |

Respectfully,

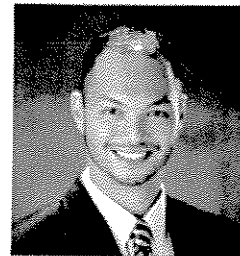

MICHAEL F.Q. SAN NICOLAS

2014 JAN 23 PM 3:51



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE REPORT

BILL NO. 236-32 (COR)

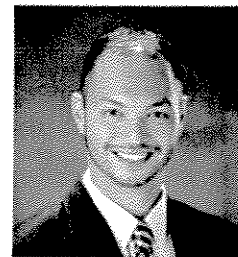
**Introduced by Aline A. Yamashita, Ph.D. and T.C. Ada
As Substituted by the Committee**

**AN ACT TO ADD A NEW §3102.5 TO CHAPTER 3,
TITLE 16 OF THE GUAM CODE ANNOTATED
RELATIVE TO THE AUTHORIZATION TO THE
DEPARTMENT OF REVENUE AND TAXATION
TO OUTSOURCE THE DRIVER TESTING
REQUIREMENT FOR CERTAIN COMMERCIAL
MOTOR VEHICLE DRIVER'S LICENSES.**



Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



JAN 23 2014

MEMORANDUM

TO: All Members
Committee on Aviation, Ground Transportation,
Regulatory Concerns, and Future Generations

RE: Committee Report on Bill No. 236-32 (COR), As Substituted by the Committee

Hafa adai! Transmitted herewith for your consideration is the Committee Report on Bill No. 236-32 (COR), as substituted by the Committee – “AN ACT TO ADD A NEW §3102.5 TO CHAPTER 3, TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO THE AUTHORIZATION TO THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL MOTOR VEHICLE DRIVER’S LICENSES.”

This report includes the following:

- Committee Voting Sheet
- Report Digest
- Copy of Bill No. 236-32 (COR), As Introduced
- Copy of Bill No. 236-32 (COR), As Substituted
- Public Hearing Sign-in Sheet
- Copy of COR Referral of Bill No. 236-32 (COR)
- Request for Fiscal Note
- Notices of Public Hearing
- Copy of the Public Hearing Agenda
- Public Testimony
- Supplemental Documents

Please take the appropriate action on the attached voting sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact my office.

Respectfully,

MICHAEL F.Q. SAN NICOLAS



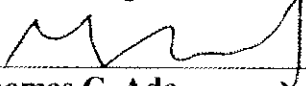




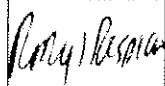

Senator Michael F.Q. San Nicolas

Chairman - Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE VOTING SHEET

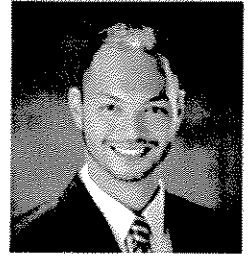
Bill No. 236-32 (COR), as Substituted by the Committee – “AN ACT TO ADD A NEW §3102.5 TO CHAPTER 3, TITLE 16 OF THE GUAM CODE ANNOTATED RELATIVE TO THE AUTHORIZATION TO THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL MOTOR VEHICLE DRIVER'S LICENSES.”

| | SIGNATURE | TO DO PASS | TO NOT PASS | TO REPORT OUT ONLY | TO ABSTAIN | TO PLACE IN INACTIVE FILE |
|--|--|------------|-------------|--|------------|---------------------------|
| Senator Michael F.Q. San Nicolas Chairman |  1/22/14 | | | ✓ | | |
| Senator Thomas C. Ada Vice Chairman |  | ✓ | | | | |
| Speaker Judith T. Won Pat, Ed.D. Member |  | | | ✓ | | |
| Vice Speaker Benjamin J.F. Cruz Member |  | | | ✓ | | |
| Senator Tina Rose Muña Barnes Member |  | ✓ | | | | |
| Senator Vicente C. Pangelinan Member | | | | | | |
| Senator Rory J. Respicio Member |  | | |  1-23-14 | | |
| Senator V. Anthony Ada Member | | | | | | |
| Senator Aline A. Yamashita, Ph.D. Member | | | | | | |



Senator Michael F.Q. San Nicolas

Chairman – Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 236-32 (COR) was introduced on December 13, 2013, by Senator Aline A. Yamashita, Ph.D., and Senator Thomas C. Ada. The bill was subsequently referred by the Committee on Rules to the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations on December 16, 2013.

The Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations convened a public hearing on January 15, 2014 at 2:33 p.m. in *I Liheslatura's* Public Hearing Room. Among the items on the hearing agenda was Bill 236-32 (COR). The hearing was adjourned at 4:45 p.m.

Public Notice Requirements

Public Hearing notices were disseminated via electronic mail to all senators and all main media broadcasting outlets on January 8, 2014, and again on January 13, 2014.

Senators Present

Senator Michael F.Q. San Nicolas, Chairman
Senator Thomas C. Ada, Vice Chairman
Senator V. Anthony Ada, Committee Member
Senator Aline A. Yamashita, Ph.D., Committee Member
Senator Frank B. Aguon, Jr.
Senator Michael T. Limtiaco

Public Testimony

John Camacho, Director, Department of Revenue and Taxation
Maria Flores, Administrator, Division of Motor Vehicles, Department of Revenue and Taxation
Robert Michael, Guam Public Safety Educators
Bruce Blackburn, King Training Center

Written Testimony

John Camacho, Director, Department of Revenue and Taxation

II. TESTIMONY & DISCUSSION

Chairman Michael San Nicolas: We will go ahead and move on with Bill 236-32. Senator Yamashita I will go ahead and yield to you to make your opening statements.

Senator Aline Yamashita: Thank you again, Mr. Chair for having a public hearing in an expeditious manner. I truly appreciate that. Mr. Chair, this is actually a logical follow-up for me when we succeeded last term in getting PL 31-182 signed into law. This is really about productivity and profit. It's really about public and private partnership. It's really about helping our government agency succeed. At the top, I want to thank very

much Director John Camacho and his folks Marie Flores, Jesse Salas and Mr. Steve for always answering our telephone calls and always answering our emails. It's a response to our private sectors saying you know, we are here to do business, we want to get on with the business and we are having some time to wait for some time for the business. Last term, the wait time for driver's licenses was six months, even though we gave overtime authority and we were working on Saturdays, Revenue & Tax were still stretching their resources. So we thought we wanted to outsource and we have, but, let me make this clear to everybody, as we do private public partnership, as we do outsource, the authority for this remains with Revenue and Taxation. I think that is really very important. The authority remains with DRT because they are the government agency that oversees this. And so as we work with Mr. Camacho, on this, he's fully supportive and we thank you for that. He has certainly already given some incredible insight and feedback, and we've already started some changes, we've learned certain things. I thought we had commercial drivers' licenses categories; we do not at this point. So when we talk about reciprocity, for commercial drivers licenses, we know we have some work to do there. For example, when a person from California comes to Guam, as their commercial drivers licenses given by that particular state, and they are able to show DRT that they have met all those rules and regulations, they are willing to work out procedures to honor those drivers licenses. I think that will be very good for our businesses. So what this bill does, again, gives DRT the Authority to develop Rules and Regulations, to identify the standards and procedures of which they will outsource the driving test for our commercial vehicles; and we hope that that will help the private businesses move on with their businesses in partnership. I know that to date, we have a few private businesses employing PL 31-182. We know that the wait time has gone from five months to five days at Revenue and Tax. We know at some private businesses, you can get a driver's test in 24 hours and we know that we are getting some of that data. We are now looking at the data. We know that there are some concerns raised, but we also know that Department of Revenue and Tax has the auditing authority to go out and see. How are we doing? What do we need to do to do better? And when I hear things like, the passing rates are really high. My immediate response as a teacher, when you get closer immediate attention, you're probably going to get better closer passing marks. That's just the way quality teaching works. Last legislation on the floor, the conversation was very energetic. They made sure that the trainer and the testee are not same company. Senator Tom [Ada] put that at least five businesses can have the authority to do the outsourcing. As we proceed again, I expect, I hope that this makes it to the session floor, eventually, and when it does, I am sure that the same kind of deliberation will take place. Everybody at the Legislature is very committed to government service and public private partnership. So with that Mr. Chairman, I probably when on a little too long but I wanted to give a context of how much I've already learned since we introduced this a couple weeks ago. Thank you.

Chairman San Nicolas: No problem Senator Yamashita. We do have a number of individuals who have signed up to testify in favor. I do understand, however, that Mister Camacho of Revenue and Tax has also signed up to testify. We will go ahead and hear Mister Camacho. He does have some technical suggestions and that I want to make sure that we get on the record first so all the Senators are sharp and take their notes we can make sure that things get fully addressed. Mister Camacho, you can start off by including your information and, just to preface it, you are not saying you are in opposition to the bill, but rather you have some suggestion on how to improve it.

John Camacho: Good afternoon Senators, Chairman San Nicolas and members of the committee. A lot of the communication has been done between my Department, Motor Vehicles and the staff of Senator Yamashita, so they're making those changes already. With that, I just want to read our testimony based on the original Bill.

(Mr. Camacho reads written testimony; see attached)

Just to give an update on where we are at, the Bill started 6 months ago. I got a report from my staff, that we are down to 37, and we are looking at 3 months of backlog at commercial testing. With that, I have my staff here the Administrator, Maria Flores and Supervisors Jesse Salas and Steve Aguon, who take care of the Motor Vehicle section. With that, if you have any questions, we are willing to clarify and answer them.

Chairman San Nicolas: Thank you John. I will turn it over to Senator Yamashita. Mr. Vice Chairman?

Senator Tom Ada: Well, no. Maybe my questions I will reserve it for Ms. Flores and her folks since I have some very specific questions about it. But, I'm just wondering; he's made a comment, that the backlog of applicants waiting to be tested for the driver's license that would allow them to drive heavy vehicles has reduced from I guess a list of about 37, I am wondering if that this a function of the fact when the pressure of the military build-up went away, these folks went away, as a result the backlog hasn't been building. I am afraid that once the military build-up, the gates open again, so I think we are going to see that backlog increase again. I guess we need to get in front of that anticipation and have something like this available. I understand there is a balancing act between not jeopardizing the federal funds that I guess that you get in with relation to the heavy vehicles/commercial vehicles licensing and what not. We have to keep that in balance so we do not jeopardize that but none the less, we need to get in front of this issue.

Mr. Camacho: Yes, I guess, Senator Ada. we have to get that particular question on the grant whether will be jeopardizing the grant under Motor Vehicle. That has been cleared by the office of Ms. Marie Flores so that has been cleared. So there is nothing wrong with the grant. The grant is basically to control the flow of the traffic out there; the inspection of the heavy vehicle and it does not control the licensing and conducting of testing. So that has been cleared. As far as the outsourcing the commercial, we agree with that and it's a matter of what we are looking at right now; to validate CDL from the states. That's the mechanism that we are looking right now, how are we going to do that so that's something that our office and Senator Yamashita's staff are working together to try and clear that.

Chairman San Nicolas: Ms. Flores, if could please join us at the table? I do understand that Senator Ada has some specific questions to ask you.

Senator Tom Ada: I guess while we are waiting for Ms. Flores to take her place, how is the program with respect to just your motor vehicle licenses, your operator licenses. I know that has been outsourced, right?

Mr. Camacho: The testing for Operator A, that's been outsourced. We are allowed to sign up five (5) schools and that's been operating since the passing of the law, which Senator Yamashita mentioned. Like she said earlier, we are down to a week's time on our side to accommodate those people taking the Class A test. So we are pretty much good in regards in that area.

Senator Tom Ada: I just have a question for Ms. Flores on this issue: you indicated, Mr. Camacho, that you're trying to reconcile the issue. How do you validate Commercial Driver's Licenses from the states? I guess you're concerned about that because there is a provision in here about reciprocity. Correct?

Mr. Camacho: There is really no reciprocity here because we're only allowing it for them coming here. If it is reciprocity, that means if we go there, they will allow it for us. So, there is no reciprocity here. I think we are clearing that with the good Senator on that language.

Senator Tom Ada: That's right, as I understand it. The requirements to obtain a commercial driver's license in the mainland is a lot more extensive than what it is here. So when you say validating commercial driver's license, are you talking about... my understanding if I'm going to get a Guam driver's license, I have to turn in my mainland driver's license.

Mr. Camacho: That's correct.

Senator Tom Ada: So is that the issue that we are trying to...?

Mr. Camacho: Well, some of the issues that we are looking at CDL are like, how do you know that this person's commercial license has been suspended for example. We don't know so we need to verify those things. I think Maria can elaborate more into that, but that's some of the concerns if we were try basically have them surrender those license and issue those particular Class C or Class D license. So that's some of the things that we are looking at. I think one of the things we are looking at is we use to have access with AMBA. Maria can basically talk more about it. AMBA is a system basically back that we use to access. For many reasons, we don't have that right now. So one of the things we are looking at is trying to get that thing back to our system. If we do have this AMBA, it will basically allow us to communicate with that association, in order to basically verify these CDL's. That's what we are looking at. If Maria wants to elaborate more, you are more than welcome.

Maria Flores: Good afternoon Senators. My name is Marie Flores, Administrator with Motor Vehicle Division. As the Director was mentioning, AMBA does provide what we call, a means to verify whether or not the commercial driver has any infractions, whether it be in California or Florida whatever state; AMBA will be able to capture that through the CDL program. Unfortunately, our department does not have access to AMBA net. It requires membership. As the Director was mentioning, back in the days - 1993, we had access to AMBA net and we were able to verify several things. One to keep abreast of best practices within the nation to include Canada and its provinces. To provide, the ability to determine whether or not a CLD holder coming to Guam has any infraction under their belt that requires adjudication from their issuing jurisdiction. If their coming to Guam, has that been cleared. At present, we don't have that access again. So, that's basically our shortfall.

Senator Tom Ada: If I may? It seems that we are dealing with two groups of drivers. We have drivers who are coming over from the mainland who have commercial driver's licenses, and they want to be able to operate a vehicle here on Guam using that driver's license. Am I correct?

Ms. Flores: Yes.

Senator Tom Ada: That's one group. So with that group, we are having a problem of how do we validate that they in fact; they don't have any bad marks against them. But it seems that when we started working on this; the group that we are really concern about and things that we want to address are things like example – the tour companies, they need to license bus drivers. For them to license a bus driver, it was a one time a backlog of maybe six months, if the guy doesn't pass it, he has to go to the back of the line again and that may take another six months. So that's the group of drivers that we are trying to actually address at this point. The one about the driver from the mainland US coming over, that's I think that's a separate problem that needs to be addressed, but the more immediate one is the one in getting our people here or for the tour companies to be able to hire people and get them licensed in a timely manner. I think that's where the focus needs to be.

Ms. Flores: And in equally important reciprocity should be taken in consideration. It allows individuals who decide to make Guam their home and if we do have reciprocity, it may get a lot easier for them; rather than you know thinking of coming to Guam only to find out that their CDL license is not valid here and then they will have to go through the testing procedures over again. That will be another set back again and that will also impact the economy. As the transportation industry, they are crying for drivers and that will be one way to address that problem; to include addressing the backlog that we have.

Senator Tom Ada: But until we address that validation problem, when that guy from the mainland comes over with his commercial driver's license and finds out that that's not going to work here, then he becomes part of that poll, of the local drivers that we are trying to address.

Ms. Flores: Exactly.

Senator Tom Ada: So, I hope that we can continue moving forward to address the group of local applicants, and in the interim, we'll be working also on that group of mainland drivers who come over and want to be able to jump into a truck, right away, the next day because he's got commercial driver license; which I guess he can do. For what, 30 days right?

Ms. Flores: Yes, sir. 30 days.

Senator Tom Ada: 30 days and hopefully then, with this by outsourcing this, we may be able to address that in a more timely manner. That's the only point I want to bring up and clarify.

Chairman San Nicolas: Thank you Senator Ada. Any of my fellow colleagues have any more questions for these particular testimonies?

Senator Tony Ada: Thank you Mr. Chair. I have a question and I am not sure if it will fall under the reciprocity or not. With our troops that just returned, those that have been driving military trucks 10,000 pounds, buses, and things like that, will we be able to give them commercial driver license with their military experience?

Ms. Flores: That's where we will need to do a little more work with Senator Yamashita's office. We need to provide clarity as far as that provision goes. Our understanding of this provision is that, I will give you an example of a company that provides contractual services to the military which is DZSP at the time it was Raytheon. For the most part, the individuals that were driving the vehicles are contract hire; they are civilian. But the vehicles they we're using are owned by the military government. So, of course, we don't have jurisdiction to pull that vehicle over, much less verifying the licensing endorsement of that individual, unless it causes a case of imminent danger to the general public. That's when whether it be us or GPD can intervene.

Senator Tony Ada: Yeah, but what I am talking about, when they come home there inactive status, again. They are only weekend warriors. They want to take their military driver's license, military experience and be able to get a commercial driver license. Maybe we can work it into the Bill. I was at a conference in D.C. for service members and their families, and in Maryland that's what they did. All these service members that will be returning from Afghanistan, Iraq, these men and women were able to get their commercial driver license in Maryland with their military experience.

Ms. Flores: If I am not mistaken Senator, with the military have their own testing procedures to be able to determine qualification of that individual to drive that particular vehicle. Because I can drive a truck that doesn't necessarily mean that I can drive all trucks. So the military's responsibility is to ensure that they do provide the training for that personnel to drive whatever trucks that is required of them.

Senator Tony Ada: So wouldn't the same apply to commercial? You are looking at a person that's going to drive a truck; what specific truck. You just went from civilian to military.

Ms. Flores: Right. I guess the question lies, we need to provide clarify from the Senator whether or not we're going to recognize the training certification from the military in lieu of actual license issued from another licensing jurisdiction.

Senator Tony Ada: Ok. That's the answer. Thank you very much. I appreciate that.

Senator Yamashita: Senator Ada, as a matter of fact, in our mark-up that we've already started, we actually have a section commercial driver license exemption that does refer to federal statute that will give exemptions for those of military purposes who have been in active duty. I'm sure Tanya will sharing... we'll be talking, they'll be a mark-up, but we are actually already addressing that Senator. Thank you.

Senator San Nicolas: Thank you, Senator Yamashita. Senator Limtiaco.

Senator Limtiaco: Thank you Mr. Chair. The question is for Marie. What is the subscription cost and are there any ideas on how to work it into the Class C Fee Schedule so that you can have access to the subscription service that you need to verify the CDL requirements?

Ms. Flores: Are we looking at increasing the licensing fees? Is that what you are implying?

Senator Limtiaco: Well, I'm considering if the subscription fee is within reason and if you look at the total amount of Class C licenses and Class D licenses that are being issued, you might be able to solve the problem with a very insignificant fee increases on those licensing fees. But I don't know what the subscription fee is.

Ms. Flores: I am going to need to get back to you as far as the actual fee for the AMBA net subscription or membership.

Senator Limtiaco: What are C license and D license fees right now?

Ms. Flores: Depending if you want it for three years or five years. It's basically as your Operator license: \$25.00 for three years and \$45.00 for five years. But, I think I am jumping... there is a bill to extend those licensing renewal periods.

Senator Limtiaco: But currently, they are fairly low at \$25.00 and \$45.00.

Ms. Flores: And you're right that they are considerably low in comparison to other licensing jurisdiction.

Senator Limtiaco: Ok. Thank you, Senator.

Chairman San Nicolas: I guess we'll go ahead and move on with those who have testimony in favor of. We'll be discussing later another item, John but thank you all very much for your input. I will like to beg the indulgence of the audience.

Senator Tom Ada: Can I ask one question?

Chairman San Nicolas: Senator Ada.

Senator Tom Ada: It seems that one hanging sticking point that we have with this Bill right now is on Section 2, oh, I'm sorry, Section 3, that's regarding Commercial Driver License Reciprocity and if that was struck out, does everything else seemed copacetic?

Mr. Camacho: I think they are doing that already, Senator Ada. I think they're... yah.

Senator Tom Ada: Oh you are, so this thing should be... ok. So then this thing should be ready for the June/January session, right?

Chairman San Nicolas: I will like to call forward Mr. Paul Blas, Mr. Robert Michael, and Mr. Blackburn. Please join us today. I will like to beg the indulgence of those who are going to

testify as well as my colleagues. We did have a roundtable meeting scheduled for 4:00 today that will take place after the conclusion of our hearing and due to the length of all our proceeding so far, it's taking quite awhile. We also still have one more confirmation hearing that we need to get through in this public hearing. So, I'd like to beg your indulgences if we could be as expeditious as possible, but I would like to preface that by saying that the general consensus appears as if this solution needs to be addressed as quickly as possible. So gentlemen, if you may.

Mr. Robert Michael: Good afternoon Honorable Senators. I'm here in support of this bill from a perspective of an organization that has been implementing the previous law very successfully for Class A operator licenses. I believe that this will help to unclog some things. We get calls on a weekly basis from people asking that if we do a commercial road exams and even motorcycle license road exams. We get this on a daily basis. There is a need for it. In fact, many of the transportation organizations here, when we initially started doing road exams for operator's license, immediately called us and asked us if we could we do the commercial license, and of course we could not. But the interest at our level has been there. In terms of how it's affected from the operator's road exam, we had nothing but praise from people. I'm glad this is available. We had people that jobs were affected by it - that they were able to get their driver's license before they were deployed. There are many scenarios in which this benefited many people, not to mention that my company is employing people. We're out there and able to do road exams very efficiently, very effectively, very professionally, and very quickly. Sometimes, if people call us and we have an opening, we can do a road exam that day or the next day. So, it's been very successful. We've got nothing but very positive feedback. I would like to say that I have worked with the Department of Revenue and Taxation. And as the Senator stated, they always answer their phones. They've been extremely helpful to us to make this original transition and it's been a very good working relationship. So this is a Bill that I stand up wholeheartedly in support of.

Chairman San Nicolas: Thank you, Mr. Michael. Mr. Blackburn.

Mr. Blackburn: Hi good afternoon. Thank you for this opportunity to express my concerns, and I guess, we're in favor of this Bill. But, we want to go a little bit farther than that, to discuss some of the issues at hand concerning not only the way the Bill presents itself. There seems to be a fundamental disconnect with the Department of Motor Vehicles and where the industry stands and its relationship to the need for drivers. I actually wear two hats today. First one being King Bus tours - I'm the owner and the operator of king bus tour since year 2000, when we formed our corporation here on Guam. We realized after that there's need for us to expand and do other things here on Guam. So, we looked into the idea from my background on being an educator and a trainer for many years. We decided to actually do a school here in 2006, and had been up and operating business as King Training Center here on Guam since 2006. We received our business license and it was Art Illagan at the time that presented the letter of approval for us to go ahead and get that license. As far as we know, we're the only training facility on the island. There's some fundamental things that make it difficult to get a license in the first place. When you first show up, you not only sign a piece of paper that you want to go ahead and take the test, in addition, you have to bring your own tractor-trailer so that makes it very difficult for anybody who wants to get a license here on the island. You have to either go with someone who

has a tractor-trailer and befriend them or you can get into a contract situation where you are going to pay them back by working with them for several amount years; which is, you know, perfectly understood. They put the training into getting someone up to par with taking a test and they want to get that back. Of course, you don't want just have training and someone gets the license and go to someone else. There's that feature. We presented our school as a stand-alone situation, where people could come in and actually pay a fee and get the certified training that will be necessary in all areas that we can present for their taking the test, passing the test, but it was more than that. It was beyond that. It was not just only making sure that they are passing the test, but it was making sure that they were going to be good and safe drivers on the roads of Guam. So there was that point that I want to make. We're part of the National Safety Council. When I first started I had not only to buy my own tractor-trailers to bring in for the training, but I sent all my instructors to California for the California National Safety Council and presented all that information in 2006 for the start up our business. Just to give you a reference in 2006 with what happened with the Director at that time, Art Illagan. I want to read this into the record so you can understand exactly what his thoughts were, and they're pervasive, and I thought he actually had a pretty good look at what it was to become the first and only school here on Guam to teach locals and people to drive heavy equipment here on the island of Guam. And I'll read this letter from him.

(Mr. Blackburn reads letter from Art Illagan, former Director, Department of Revenue and Taxation; see attached)

That was his opinion at the time. Over the many years of being the owner/operators of King Bus Tours, we've had a big need for drivers for our company. It started way back when even before 2000, we needed bus drivers when I was General Manager with Stars & Stripes dinner cruises; we were bussing our own people. We found out that it was a lengthy time to try and get people up to par; not only train them in-house, but get them license because of the lengthy point to actually take a test. At that time, in 2000, it was around three to four months but we were able to live with that over these many years. Up until this last year, something dramatically changed with the policy at DMV. This past year, the policy before was you could at least put your students name down on a list, where you knew where the calendar date and at least know when you were going to be tested. That has been done away with this past year. I had three students that needed to be tested and so what we are trying to do was we are trying to get in front of that, by actually finding out when the test date would be. We were looking for a test date prior to the training because the test date can take up to three to six months and the actual training takes six to eight weeks. The specific company that we were dealing with was Accent Controls Inc. It's part of the Defensive Logistics Agency Defense Distribution Guam Marianas. They're on the Navy side. It's a privatized firm that does transportation for the Navy for goods and services. They provide tractor-trailers and transportation for the Navy in order for them to supply goods and services to the ships. They needed tractor/trailer drivers and contacted my school to get these three drivers up to par so that they could take a test. We were introduced to Accent Controls in July 2012 and started training in September to October 2012. We really had a hard time getting these guys to test. It was harder not having a calendar or a schedule and we were told several times that DMV would call the students or call me. I told them to call me because you want to do the training as close as you can to the date of the actual test. What was happening was that we didn't know when the test date was so we did the training not knowing when the test

date was. Several months later, the students got a call from DMV asking if they were ready to test. The students didn't have the ability to get retrained or take a refresher course before the test date. They were getting called on a Wednesday or Thursday and being asked to take the test the next day or on that Saturday. You have to be a sharp as possible before you go in and take a test. So, this policy shift in the last year and a half has changed dramatically in the way we were doing business. We can't do business on that level. I said that it was absurd to not have a calendar or schedule. For whatever reason fit their needs best, they felt like a calendar or schedule wasn't necessary. It is for us. There is disconnect between DMV and King Training Center, and how we do business together. We were not successful in getting these three licensed yet. It took long for us to get a test date with them. Of course, the students were saying that they didn't want to test. That's perfectly understandable if you aren't behind the wheel of a tractor-trailer for three months and all of a sudden someone from DMV calls and asks if you want to test the next day; that won't work out. The students were told that they'd be called when DMV is ready again, so three more months would go by and the process was repeated. This could go on for years because each and every time there was no refresher course for them to be administered before testing. Even with a refresher course, it isn't as good as training for six to eight weeks and immediately taking the test afterwards. That's the point; there's disconnect between the DMV and, not only the entire transportation community, but my business and those three students. One of the students became a manager at his business and it's not really needed of him to drive so he decided to drop out of the program. He has basically dropped out because he was not able to test. He no longer wanted to go through with it even though I know that his employer wants him to get a license. He has basically said that he no longer wants to test and is tired of trying to go through the entire program. My school does not guarantee anybody a license. We provide the training necessary for them to take and try to pass the exam but we don't guarantee anything. There is no use training if I can't get them tested. In the industry, we talk about people coming in from the States... these are island guys who go off-island for training. They go through ice, snow, and mountains. They come back and are heartbroken because they can't get a license here. When they do hand in their license, it's taken away and they are given an A license. They can drive their regular vehicles but they can't drive a tractor-trailer here on Guam. These are local people and they are getting hurt on a regular basis. These are local guys that can't bring a decent paycheck back home to their families. This is Guam, and we're working with Guam people, but it really isn't working out. It's extremely difficult getting a license on Guam. I appreciate the fact that you are looking into this. Thank you very much.

Chairman San Nicolas: Thank you, Mr. Blackburn. Do any of my colleague have any questions or comments for these two individuals? Thank you very much for this testimony. This concludes the hearing on this bill.

III. FINDINGS AND RECOMMENDATIONS

In consultation with the primary sponsor of Bill No. 236-32 (COR), Senator Aline A. Yamashita, Ph.D., the Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations has included a substituted version of Bill No. 236-32 (COR).

The following changes are reflected in Substitute Bill No. 236-32 (COR):

- Section 3 and Section 4 of the original Bill No. 236-32 (COR) have been removed; Section 2 and Section 5 of the original have been combined into one Section.
- The Department of Revenue and Taxation, Division of Motor Vehicles may contract up to three businesses to conduct and certify road tests for individuals applying for licenses in accordance with Bill 236-32 (COR).

The Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations hereby reports out Bill No. 236-32 (COR), as substituted by the Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations, with the recommendation TO REPORT OUT ONLY.

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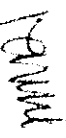
2013 (First) Regular Session

Bill No. 236-32(CAR)

Introduced by

Aline A. Yamashita, PhD 
T.C. Ada 

**AN ACT TO ADD NEW SECTION 3102.5 AND SECTION 3102.6
THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16,
GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING
THE DEPARTMENT OF REVENUE AND TAXATION TO
OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR
CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO
THE RECIPROCATATION OF COMMERCIAL DRIVER'S
LICENSES.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds
3 there is a high demand for vehicle licenses to operate commercial vehicles,
4 inclusive of trucks, school buses and other passenger vehicles. Naturally, the
5 demand for such licenses will increase as a result of population growth and
6 economic development.

7 *I Liheslaturan* further finds that current budget constraints have inhibited
8 the Drivers License Examination Branch of the Motor Vehicle Division within the
9 Department of Revenue & Taxation from employing adequate staffing levels
10 needed to administer the road tests for Commercial Driver's Licenses (CDL) in a
11 timely manner. Currently, the queue is approximately six (6) months.
12 Furthermore, if the applicant fails the initial road test, the wait for a subsequent
13 test date could be an additional six (6) months. While *I Liheslatura* appreciates
14 the efforts of DRT to employ and train additional staff for the Motor Vehicle

1 Division, such delays in public services present challenges for businesses,
2 government agencies and residents that transport people, supplies, materials and
3 commodities around the island.

4 *I Liheslatura* intends to authorize the DRT Motor Vehicle Division to
5 outsource the road testing function for Commercial Driver's Licenses to selected
6 private entities who have been certified by DRT as having met all the prerequisites
7 established by the Motor Vehicle Division. Concomitantly, the DRT shall assume
8 the responsibility for quality assurance of the performance of the selected testing
9 companies.

10 Furthermore, *I Liheslatura* also finds that Guam lacks any reciprocity
11 policy for individuals who hold current CDLs and U.S. Department of
12 Transportation regulated endorsements issued in the United States. Therefore, *I*
13 *Liheslatura* intends to set in place policy to allow the DRT Motor Vehicle
14 Division to recognize CDL holders who have received training above and beyond
15 those required on Guam for CDL.

16 **Section 2.** A new §3102.5 is hereby added to Chapter 3 of Title 16 GCA,
17 to read as follows:

18 **"§3102.5. Outsource Road Test Examinations**

19 The DRT Division of Motor Vehicles *may* contract a business entity to
20 conduct and certify behind-the-wheel road tests for persons applying for a
21 Commercial Driver's License Operators License Class C and Class D."

22 **Section 3.** A new §3102.6 is hereby added to Chapter 3 of Title 16, GCA
23 to read as follows:

1 **“§3102.6. Commercial Driver’s License: Reciprocity.** The territory of
2 Guam shall recognize a Commercial Driver’s License (CDL) issued in the U.S.
3 Applicants shall furnish to the Department of Revenue and Taxation Division of
4 Motor Vehicles (DMV) proof of qualifications and a copy of their current CDL in
5 order to waive the requirement for a CDL skills tests. The DMV shall be
6 responsible for verifying the validity of the endorsements stated on the CDL as
7 well as the Commercial Motor Vehicle (CMV) which the applicant is qualified to
8 operate.”

9 **Section 4.** A new §3102.7 is hereby added to Chapter 3 of Title 16, GCA
10 to read as follows:

11 **§3102.7. Commercial Driver’s License: Exemptions.** The territory
12 shall exempt, in accordance with §3101(b) of this Chapter and pursuant to the
13 requirements of Title 49 of the Code of Federal Regulations, Part 383 (49 CFR
14 383), individuals who operate CMVs for military purposes from having to obtain
15 a CDL. This exception is applicable to active duty military personnel; members
16 of the military reserves; member of the national guard on active duty, including
17 personnel on full-time national guard duty, personnel on part-time national guard
18 training, and national guard military technicians (civilians who are required to
19 wear military uniforms); and active duty U.S. Coast Guard personnel. This
20 exception is not applicable to U.S. Reserve technicians.”

21 **Section 5.** A new §3102.8 is hereby added to Chapter 3 of Title 16, GCA
22 to read as follows:

1 **“§3102.8. Rules.** The Department of Revenue and Taxation shall, within
2 180 days from the effective date of this Act, develop rules and regulations, in
3 compliance with the Administrative Adjudication Law, to carry out the purposes
4 of this Act, including, but not limited to, the qualification criteria of testing
5 entities, the process for selection of a testing entity, the administrative
6 requirements that must be maintained by the testing entity to ensure
7 accountability, recertification requirements, quality assurance measures, key
8 performance indices, and other parameters that may be required to ensure the
9 integrity of the testing function.

10 **Section 6. Effective Date.** This Act shall become effective upon
11 enactment.

12 **Section 7. Severability.** If any of the provisions of this law or its
13 application to any person or circumstance is found to be invalid or contrary to
14 law, such invalidity shall not affect other provisions or applications of this law
15 which can be given effect without the invalid provisions or application, and to this
16 end the provisions of this law are severable.”

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN
2014 (SECOND) Regular Session

Bill No. 236-32 (COR)

As Substituted by the Committee on
Aviation, Ground Transportation,
Regulatory Concerns, and Future
Generations

Introduced by:

Aline A. Yamashita, Ph.D.
T.C. Ada

**AN ACT TO ADD A NEW §3102.5 TO CHAPTER 3, TITLE 16
OF THE GUAM CODE ANNOTATED RELATIVE TO THE
AUTHORIZATION TO THE DEPARTMENT OF REVENUE
AND TAXATION TO OUTSOURCE THE DRIVER TESTING
REQUIREMENT FOR CERTAIN COMMERCIAL MOTOR
VEHICLE DRIVER'S LICENSES.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds there is a high demand for vehicle licenses to operate commercial vehicles, inclusive of trucks, school buses and other passenger vehicles. Naturally, the demand for such licenses will increase as a result of population growth and economic development.

I Liheslatura further finds that current budget constraints have inhibited the Drivers License Examination Branch of the Motor Vehicle Division within the Department of Revenue & Taxation from employing adequate staffing levels needed to administer the road tests in a timely manner. Currently, the queue is approximately six (6) months. Furthermore, if the applicant fails the initial road test, the wait for a subsequent test date could be an additional six (6) months. Such delays

1 present challenges for businesses, government agencies and residents that transport
2 people, supplies, materials and commodities around the island.

3 Therefore, *I Liheslatura* intends to authorize the DRT Motor Vehicle Division
4 to outsource the road testing function to selected private entities that have been
5 certified by DRT as having met all the perquisites established by the Motor Carrier
6 Division. Concomitantly, the DRT shall assume the responsibility for quality
7 assurance of the performance of the selected testing companies.

8 **Section 2.** A new Section §3102.5 is hereby *added* to Chapter 3, Title 16 of the
9 Guam Code Annotated, to read as follows:

10 **“§3102.5 Outsource Road Test Examinations.**

11 (a) The DRT Division of Motor Vehicles *may* contract up to three
12 (3) business entities to conduct and certify behind-the-wheel road tests for
13 persons applying for a Chauffeurs License Class B, Chauffeurs License
14 Class C, Class D and Class G.

15 (b) The DRT shall, within 180 days from the effective date of this Act,
16 develop and transmit to *I Liheslaturan Guåhan* rules and regulations that
17 establish provisions to include, but not limited to, the qualification criteria of
18 testing entities, the process for selection of a testing entity, the administrative
19 requirements that must be maintained by the testing entity to ensure
20 accountability, recertification requirements, quality assurance measures, key
21 performance indices, and other parameters that may be required to ensure the
22 integrity of the testing function.”

23 **Section 3. Effective Date.** This Act shall become effective upon enactment.

24 **Section 4. Severability.** If any of the provisions of this law or its application to
25 any person or circumstance is found to be invalid or contrary to law, such invalidity
26 shall not affect other provisions or applications of this law which can be given effect

1 without the invalid provisions or application, and to this end the provisions of this law
2 are severable.



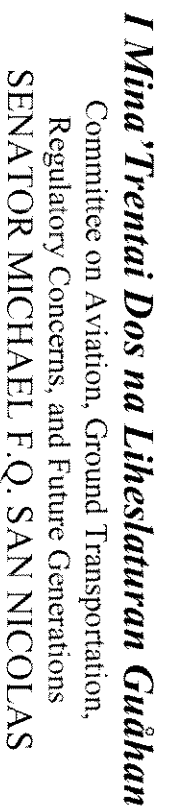
I Mina' Trentai Dos na Liheslaturan Guåhan
Committee on Aviation, Ground Transportation,
Regulatory Concerns, and Future Generations
SENATOR MICHAEL F.Q. SAN NICOLAS

January 15, 2014

Bill No. 236-32 (COR)

Introduced by Aline A. Yamashita, Ph.D., and Thomas C. Ada: "AN ACT TO ADD A NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO THE RECIPROCATION OF COMMERCIAL DRIVER'S LICENSES."

| NAME (Please print) | AGENCY/ ORGANIZATION | CONTACT NUMBER | ORAL TESTIMONY | WRITTEN TESTIMONY | IN FAVOR | NOT IN FAVOR |
|---------------------------|------------------------------|---------------------|-------------------|----------------------|-------------|-----------------|
| Jerry Cruz | Lan Lan Tours | 648-8341 | | | ✓ | |
| Jessica Blas | KEVICKSPAEZ | 479-5925 | | | | |
| Frank Guerrero | Lan Lan Tours | 646-1028 EXT 128 | | | ✓ | |
| Paul Blas | Fukuda Ent | 679-4239 | ✓ | | ✓ | |
| Robert Michael | Guam Public Safety Edv. | 797-3030 | ✓ | | ✓ | |
| James Y. Lopez | V.B.I. | 648-1028 | | | ✓ | |
| Michael | 64 Parrot Band | 462-3221 | ✓ | ✓ | ✓ | |
| James O. Blas | Guam Training Bd. | 687-3439 | ✓ | | ✓ | |
| Alex Kern | Fukuda Ent. | 649-4239 | | | ✓ | |



Bill No. 236-32 (COR)

Introduced by Aline A. Yamashita, Ph.D., and Thomas C. Ada: "AN ACT TO ADD A NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO THE RECIPROCATON OF COMMERCIAL DRIVER'S LICENSES."

[illegible]



Dipattamenton Kontribusion yan Adu'aña

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guåhan

EDDIE BAZA CALVO, Governor Maga'låhi
RAY TENORIO, Lt. Governor Tiñente Gubetnadora

JOHN P. CAMACHO, Director
Direktot
MARIE M. BENITO, Deputy Director
Sigundo Direktot

January 10, 2014

Senator Michael F.Q. San Nicolas

32nd Guam Legislature

155 Hesler Street

Hagatna, Guam 96910

Reference: Bill 236-32 (COR) Outsourcing 3rd Party Testing

Dear Senator San Nicolas:

Kudos! to the staff of Senator Aline Yamashita for their efforts in working towards helping our Department with what has been perceived as a shortfall in meeting the testing demands for prospective commercial motor vehicle operators, seeking an upgrade to their driver's licensing endorsements. We are in support of this Bill and in agreement with the intent and purpose. However, after thorough review, I believe additional work is needed to address a few issues that were discussed during meetings held with the Senator's Chief Analyst - Miss Tanya Mendiola, which are as follows:

1. Guam has not adopted the Commercial Driver's License (CDL) Program as defined in 49 CFR Parts 383; but yet the language used throughout the Bill references CDL's along with this federal provision that enforces CDL's for commercial motor vehicle operators.
2. Title 16 does not include a definition for CDL nor does it provide regulatory compliance to qualify for such licensing endorsements. At best, the current law provides for a Chauffeur's licensing endorsements referenced in Title 16 Chapter 3 Section 3101.
3. Currently, should this Bill pass into law our Department does not have the ability to immediately verify the license status of CDL's issued by other licensing jurisdictions.

Therefore, we recommend that additional effort be made to refine the language used to provide clarity as well as ensure compatible with respective provisions in Title 16. We look forward to working with your office to address these concerns.

Sincerely,

JOHN P. CAMACHO

Director



Dipattamenton Kontribusion yan Adu'ana

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guahan

FELIX P. CAMACHO, Governor Maga'láhi
KALEO S. MOYLAN, Lt. Governor Tiñente Gubetnadora

ARTEMIO B. ILAGAN, Director
Direktot
JOHN P. CAMACHO, Deputy Director
Segundo Direktot

November 15, 2006

To: Mr. Bruce C. Blackburn
King Training Center
P.O. Box 12009
Tamuning, Guam 96931

From: The Director

Subject: Proposed Commercial Driving School

Dear Mr. Blackburn,

After reviewing your formal request for a commercial driving school that included certificates regarding the extent of your training through the California National Safety Council, it is clear you qualify to offer this type of service. Also, bearing in mind that the community would benefit greatly from a safety standpoint in light of recent tragic events.

Your commercial driving school would bring an important service that presently is only available to those individuals who obtain training through their commercial carrier employer. They train to be a bus driver or tractor-trailer operator but must commit to work for the employer for a lengthy period and this is understood because the employer has invested time and resources in the training of the employee. Unfortunately, this training is not mandatory, but it is a good beginning because of what the training accomplishes, which is better educated and more safety-minded drivers. The establishment of your school is approved, recognizing that this promotes safety and it is in the potential drivers' best interest to have another option to acquire these skills.

Thank you for your interest in providing this service.


Artemio B. Ilagan

cc: Motor Vehicle Division

National Safety Council

2012 - 2013

King Training Center

Is a Member of the National Safety Council

Proud Member Since

2/6/2006



Janet Froetscher
President & CEO
National Safety Council

The National Safety Council saves lives by preventing injuries and deaths at work, in homes and communities and on the roads through leadership, research, education and advocacy.

members get more



DEPARTMENT OF REVENUE AND TAXATION
GOVERNMENT OF GUAM
P.O. Box 23607
Barrigada, Guam 96921
www.guamtax.com

BUSINESS LICENSE

SRL NO: 141297

Domestic Corporation
EXPIRES: JUNE 30, 2014

Service
ACCOUNT NO. 13-200901190-003

R

ISSUED TO: DALLAS ENTERPRISES
DOING BUSINESS AS: KING TRAINING CENTER
TYPE OF LICENSE: DRIVING SCHOOL

| | | |
|------------------|-----------|-----------|
| FEE | 50 | 00 |
| PENALTY | | 00 |
| TOTAL FEE | 50 | 00 |

BUSINESS LOCATION: LOT 5292-3-25-2 AMELCO BLDG

MANGILAO GUAM

MAILING ADDRESS: PO BOX 12009

TAMUNING GUAM

TELEPHONE: HOME

BUSINESS

ZIP: 96931
687-3439

6/19/13

PAID

JUN 19 2013

TREASURER OF GUAM

#7

KEEP POSTED IN A CONSPICUOUS PLACE.
LICENSE MUST BE PRODUCED UPON
DEMAND TO ANY AUTHORIZED GOV'T
OFFICIAL.

John P. Camacho
JOHN P. CAMACHO

DIRECTOR OF REVENUE AND TAXATION

Welcome to King Training Center

The programs of King Training Center are designed to introduce students to the procedures and skills found in the transportation industry for either Motor Coach, or Tractor Trailer driving. Students will develop the fundamental skills necessary to operate a commercial vehicle safely to obtain a commercial driver's license - (i.e. Class "C" Tractor Trailer, or Class "D" Motor Coach).

Our training program stresses safe and efficient operation of the vehicles of career choice. We emphasize a working knowledge of the Dept. of Transportation - rules and regulations, where students are given both classroom, and hands-on training to develop necessary skills and background for the entry level licensed driver.

The National Safety Council is the foundation for the "Safety" and "Defensive Driver Training" programs at the King Training Center. Students will attend "Defensive Driving Training" and "First Aid / CPR / AED - Certification programs as part of the school's curriculum. " The mission of the "National Safety Council" is to educate and influence society to adopt safety, health, and environmental policies, practices, and procedures that prevent and mitigate human suffering and economic losses arising from preventable causes." This mission of National Safety Council works in concert with the King Training Center purpose and philosophy.

We want to welcome students who are capable and ambitious to obtain a commercial license. Our mission is to provide the best training available through classroom instruction, books, video presentations, and practical "hands-on-training, that will allow students the opportunity to learn and develop the skills necessary to obtain a commercial driver's license, so they can be gainfully employed in the transportation industry.

Purpose and Philosophy

Our purpose at King Training Center is to provide a school committed to providing quality safety-conscious training in a professional environment that encourages career development, personal growth, and future success. Our program gives students a "hands-on" familiarity with equipment the transportation companies use today, the safety consciousness of defensive driving, and the professional skill and confidence that employers recognize and value.

Qualifications

To qualify for admission to King Training Center - Driving School, a student must:

- Be at least be 18 years of age to enroll.
- Possess a valid Guam Driver's License / Chauffeur's License - Class "A / B"
- Be able to pass DOT / Guam DMV - physical examination, medical certificate, and drug screen
- Know the English language according DOT standards
- Submit a Social Security Card
- Submit the following clearances - Police, Traffic, and Court Clearance

Driving Qualifications

- **Age:** - Must be 18 years of age to obtain a Guam Commercial Driver's License
- **Vision:** - Must be at least 20/40 in each eye with or without corrective lenses, have 70% field of vision in each eye, and not color blind.
- **Hearing:** - Must meet Dept. of Transportation hearing requirement. Must be capable of perceiving a forced whisper in the better ear at not less than five feet with or without the use of hearing aid.
- **Physical Condition:** - Must not have any physical defect or disease likely to interfere with safe driving. Must not have a medical history or clinical diagnosis of diabetes that requires insulin for control. Students must pass a complete physical exam and obtain a DOT-medical certificate.
- **Education:** - Must be able to read, write and comprehend English.
- **Criminal / Driving Record:** - Must be free of convictions of a felony involving the use of a motor vehicle; a crime involving drugs; driving under the influence of drugs or alcohol; hit and run driving which resulted in injury or death. *Special circumstances will be reviewed on an individual basis.
- **Drug / Alcohol Testing:** - Students must submit to; admission , random, reasonable suspicion, and post-accident drug and alcohol testing while attending King Training Center. A refusal to submit to drug testing will be considered a positive result. A positive result for any reason will be cause for immediate dismissal. An applicant may be reconsidered into our training program after completion of DOT requirements through a qualified Substance Abuse Program.

Guam - Class "C" & "D" - Commercial Driver's License Program

King Training Center - Tractor Trailer Operator / or Motor Coach Operator is a 160 hour program, which includes books and study guides, video presentations, classroom lectures, and "hands-on" behind the wheel training. Course work includes:

- Driving on the open road in highway, city, and heavy traffic conditions
- Safe and efficient operation of the vehicle
- Defensive Driving techniques
- In-depth study of DOT safety rules and regulations
- Evaluations and critiques from our team of professional instructors
- Guam - Commercial Drivers License Preparation & Examination - to include:
 - Interior / Exterior Vehicle Inspections
 - Driving Test - (i.e. Straight Alley, Off Set Alley, Serpentine Alley, Parallel Parking, coupling and uncoupling, and "On the road"-driving test.)

Course Curriculum

Depending on the type of license, the following topics will include, but would not be limited to the following itinerary. Course curriculum may vary in length and content depending on the requirements of the school and it's students.

Accident / Breakdown Procedures
Air Breaks
Backing Techniques & Communication
Cargo Securement
City Driving / Turns & Intersections
Coupling & Uncoupling
Defensive Driving -
Driver Fatigue
Driving Techniques
Emergency Maneuvers
Extreme Weather Driving / Rain
Eye on - Defensive Driving Course
Fire - Prevention / Extinguishers
First Aid / CPR / AED - Certification
Fixed Objects
Hazmat Transportation
Hours of Service
Motorcoach Driver's Safety Handbook
Mountains
Night Driving
Passenger Safety - People Skills & Diplomacy
Personnel Health and Safety
Pre / Post Trip Inspections
Professional Truck Driver - Defensive Driving
Resume, Job Applications, & Job Seeking Skills
Road Rage
Road Side Inspections
Safety Regulations - Federal Motor Carrier
Safety Regulations - Motor Coach / Bus Version
Safety Issues
Seeing Hazards
Shifting Gears - Up Shifting / Down Shifting
Skid Control & Recovery Training Program
Speed & Space Management
Trip Planning
Using Your Mirrors
Vehicle Inspections - Motor Coach
Vehicle Inspections - Straight Truck / Tractor Semi - Trailers
Yard Spotting

Dress Code

Students are expected to arrive at school clean and neatly groomed. Students should wear durable and comfortable clothing. Working around heavy equipment might mean contact with dirt and grease, therefore we recommend clothes suitable and comfortable for such conditions.

For obvious safety reasons, we cannot allow the follow:

- sandals, zories, slippers, or open footwear of any kind.
- loose jewelry, or long hair that is not tied back.

Graduation

Students who successfully complete all aspects of the training will receive a diploma. Students who complete only a portion of the course, will receive a "Certificate of Attendance" indicating the total number of hours of training the student has actually completed at King Training Center.

It is the intent of King Training Center to apply the education and skills necessary to pass Guam's Commercial Drivers License Test, and to be gainfully employed in the transportation industry. Students are coached in: "License Preparation" to test, and hopefully pass the exam. The Commercial Driver's License practical exam is given by the Dept. Of Motor Vehicles. King Training Center **does not guarantee** the automatic passing of any exam due to this course.

It is not the intent of our school to teach students to "just pass" the drivers license examination. King Training Center is committed to exposing students to as much of the various aspects of driving heavy equipment in a real "life like" training program, that works in concert with the essential safety aspects of the industry.

A student who has successfully completed the King Training Center course material who does not pass the drivers exam will be allowed to re-test at an additional cost for the use of the vehicle and instructor at \$250.00 dollars / for each additional day.

Admission Procedures

The applicant is first interviewed by the Admissions Representative. This interview serves a two-fold purpose: informing the applicants about our school and careers within the Guam transportation industry, and screening the applicants for their suitability for training under the criteria of the Motor Coach / tractor Trailer Operator Program.

Admissions - will include discussion on the pros and cons of a career within the transportation industry - of career choice. We believe that it is important for applicants to have all the information possible to make an informed career choice. King Training Center will assist the applicant with endeavors to employment, but **does not in any way guarantee employment** after a Guam commercial license has been achieved.

During the interview, it is pointed out that a bad driving record (i.e. DUI, excessive tickets, or driving violations) may make it difficult to obtain employment in the transportation industry. Applicants with bad driving records are discouraged from attending our driving school.

An Enrollment Agreement is processed when the applicant is deemed qualified for training and enrolls in school. The agreement is then reviewed, and is accepted, and final approval is authorized.

Prospects of Employment

The commercial driver is the backbone of the transportation industry, and of course the commercial driver is the one who keeps the wheels of our economy rolling. While there is no guarantee of employment, the employment prospects for qualified commercial drivers are projected to be favorable.

There is no profile of a typical individual who decides to become a professional driver, as they come from all walks of life. The person must be willing to work hard, abide by the rules, and develop good work habits.

King Training Center enables an individual, often with a limited formal education, to obtain an entry level position, which can lead to even better employment opportunities as they build experience.

Employment opportunities only come with good interview and job seeking skills, which makes the difference between a successful career, and unemployment. King Training Center will work closely with students on developing their job-seeking skills. Students are advised on topics ranging from employment applications and resumes, to developing the attitude and work ethic employers are looking for in employees.

Our Location and Contact Information

King Training Center
P.O. Box 12009
Tamuning, Guam 96931

We are located on Route 15 (aka. Back Road to Anderson) – Pagat, Mangilao. Located directly across the street from Hawaiian Rock. We are in the "Amelco Building", and the office is located inside the building - on the 2nd floor.

Our contact numbers are: **Tel:** 734-2573 **Fax:** 734-5143 **Email:** kingbustours@msn.com

Student Attendance / Training Schedule / Holidays

Perfect attendance is very important during any training program. With a short-term program such as ours, even one or two absences can make a student fall short of our objective. We ask students to anticipate and plan around any problems that may have a negative effect on attendance. The following terms and policies delineates King Training Center Policy.

King Training Center observes all local and Federal Holidays. A schedule of holidays will be given to students at the beginning of training for holiday days off. King Training Center reserves the right to modify the schedule for any eventuality that is deem necessary.

Absent / Tardiness / Leave of Absence / Make-Up

We intend on treating our students as adults and professionals. Excessive absence and tardiness will be viewed as a lack of interest or capability to attend school, and will be dropped from the school.

A leave of absence as a result of some special circumstance that makes it impractical for the student to complete the program will be granted a "Leave of Absence". A Leave of Absence indicates that the student has sincere intentions of resuming his / her training. And can submit for re-admission to the Training Center.

King Training Center will make a pro-related refund settlement (rounded-up to the next quarter (40 hours) of the course) based on how many days the student is into the course, which is reasonable and fair to both parties concerned. This refund is available to both dropped students, and students who require a Leave of Absence.

Make-up work for missed days of instruction can be achieved on the weekends at the rate of \$250.00 / per day / per student. In general, the school and it's instructors are flexible to accommodate student schedules, provided that the schedule is made in advance - and agreed upon, there would not be a need for make-up instruction and the associated cost.

Student Conduct

Certain standards of conduct must be observed in order to provide a healthy and safe learning environment for our students. Students can be dropped from school for conduct, act, or attitude un-becoming. Students and Staff are to conduct themselves in a way that gives credit to their school, fellow students, and the transportation industry.

Conditions for Readmission

King Training Center will not readmit a student who has dropped for misconduct, or failure to maintain satisfactory progress. Other circumstances will be reviewed on an individual basis.

Equal Opportunity Policy

King Training Center grants students of any race, color, creed, religion, marital status, sexual orientation, and ethnic origin - all rights, privileges, programs, and activities generally accorded or made available to students at our school.

King Training Center does not discriminate on the basis or race, color, sex, religion, or ethnic origin in administration of its educational policies, admission policies, and other school administered programs.

Tuition

Class "C" Tractor Trailer License - 160 hour preparation = **\$5,000.00 / per student**

Class "D" Motor Coach License - 120 hour preparation = **\$3,500.00 / per student**

Combination License - Class "C" & Class "D" = \$ 5,000.00 for the first 160 hour course, and
\$1,750.00 for the second 60 hour course

1) Fast Track Students - a special program for experienced drivers in need of a Guam commercial license. Admissions and tuition will be granted on a case - by - case basis.

2) The combination program - can be completed with approximately 60 hours of additional time, as the fundamental classroom skills of heavy equipment have already been covered in the curriculum

3) Course curriculum and structure - can be modified by King Training Center to meet the student individual needs, and or, the needs of the Training Center - to develop the fundamental skills necessary for safe and efficient driving.

4) King Training Center - "Tuition" - covers school associated cost, which includes, but not limited to business related cost with the working operation of the school, vehicle insurance, books and publications, instructor and classroom, Motor Coach - or, Tractor Trailer usage, fuel and maintenance, etc.....

All other cost are incurred by the student - such as: Dept. Motor Vehicle fees for licensing, necessary Police, Traffic, and Court clearances, physical and drug testing, social security card, clothing and foot wear, meals, etc.....

5) If there might be any questions - on the above guidelines, please do not hesitate to ask. I can be reached on my cell phone number 687-3439, or alternate: 888-0546. Good Luck with your endeavors.

Sincerely,

Bruce C. Blackburn / President
Dallas Enterprises Inc.
dba: King Training Center



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature
155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com
E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

January 13, 2014

Memorandum

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

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Subject: **Fiscal Notes /Waivers**

Hafa Adai!

Attached please find the fiscal notes, or waivers for the bill numbers listed below.

Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

Bill Nos. 235-32 (COR), 236-32 (COR), 237-32 (COR); 239-32 (COR), 240-32 (COR), 241-32 (COR), and 242-32 (COR)

WAIVER:

Bill No. 245-32 (COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

2014 JAN 13 PM 2:38

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

JOHN A. RIOS
DIRECTOR

RAY TENORIO
LIEUTENANT GOVERNOR

JOSE S. CALVO
DEPUTY DIRECTOR

JAN 10 2014

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 235-32(COR), 236-32(COR), 237-32(COR), 239-32(COR), 240-32(COR), 241-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 245-32(COR).

242-32(COR)

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.


JOHN A. RIOS
Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

Bureau of Budget & Management Research
Fiscal Note of Bill No. 236-32 (COR)

AN ACT TO ADD NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO THE RECIPROCATATION OF COMMERCIAL DRIVER'S LICENSES.

Department/Agency Appropriation Information

| | |
|--|------------------------------------|
| Dept./Agency Affected: Department of Revenue and Taxation | Dept./Agency Head: John P. Camacho |
| Department's General Fund (GF) appropriation(s) to date: | 8,196,472 |
| Department's Other Fund (Specify) appropriation(s) to date: \$821,435 (Tax Collection Enhancement Fund) / \$1,620,468 (Better Public Service Fund) | 2,441,903 |
| Total Department/Agency Appropriation(s) to date: | \$10,638,375 |

Fund Source Information of Proposed Appropriation

| | General Fund: | (Special Fund): | Total: |
|--|---------------|-----------------|--------|
| FY 2012 Unreserved Fund Balance ¹ | | \$0 | \$0 |
| FY 2014 Adopted Revenues | \$0 | \$0 | \$0 |
| FY 2014 Appro. (P.L. 32-68) | \$0 | \$0 | \$0 |
| Sub-total: | \$0 | \$0 | \$0 |
| Less appropriation in Bill | \$0 | \$0 | \$0 |
| Total: | \$0 | \$0 | \$0 |

Estimated Fiscal Impact of Bill

| | One Full Fiscal Year | For Remainder of FY 2014 (if applicable) | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|---|----------------------|--|---------|---------|---------|---------|
| General Fund | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Territorial Educational Facilities Fund | 1/ | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total | 1/ | \$0 | \$0 | \$0 | \$0 | \$0 |

1. Does the bill contain "revenue generating" provisions?
 If Yes, see attachment / / Yes / x / No
2. Is amount appropriated adequate to fund the intent of the appropriation?
 If no, what is the additional amount required? /x/ N/A / / Yes / / No
3. Does the Bill establish a new program/agency?
 If yes, will the program duplicate existing programs/agencies? / / Yes / x / No
 Is there a federal mandate to establish the program/agency? / / Yes / / No
4. Will the enactment of this Bill require new physical facilities? / / Yes / x / No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:
 / / Requested agency comments not received by due date / x / Yes / / No
 / / Other:

Analyst: Michael M. Afague, B&M Analyst IV Date: 12/27/12 Director: John A. Rios, Director Date: JAN 10 2014

According to the Department of Revenue and Taxation, any cost associated with implementation would be absorbed within their current budget.



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryfor Guam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
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Vice-Speaker
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Legislative Secretary
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Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

December 16, 2013

VIA E-MAIL

john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes-- Bill Nos. 236-32 (COR), 237-32(COR), 238-32 (COR), 239-32 (COR) and 240-32 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

| Bill Nos. | Sponsor | Title |
|-------------------------|---|---|
| 236-32 (COR) | Aline A. Yamashita, Ph.D. T.C. Ada | AN ACT TO ADD NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO THE RECIPROCATION OF COMMERCIAL DRIVER'S LICENSES. |
| 237-32 (COR) | Judith T. Won Pat, Ed.D. Aline A. Yamashita, Ph.D. | AN ACT TO AMEND SUBSECTION 12107(c)(4), SUBSECTION 12107(f) AND SUBSECTION 12107(g) OF CHAPTER 12, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM ACADEMY CHARTER SCHOOL ACT OF 2009. |
| 238-32 (COR) | T.A. Morrison V. Anthony Ada Chris Duenas | AN ACT TO AMEND §1001 OF 1GCA RELATIVE TO REESTABLISHING GUAM DISCOVERY DAY AS A LEGAL HOLIDAY OF THE GOVERNMENT OF GUAM. |
| 239-32 (COR) | Dennis G. Rodriguez, Jr. Michael F.Q. San Nicolas | AN ACT TO ESTABLISH AN EXPEDITED JUDICIAL PROCESS TO ADDRESS CLAIMS RELATIVE TO PROPERTY EXPROPRIATED FOR PUBLIC PURPOSES BY THE GOVERNMENT OF GUAM WITHOUT JUST COMPENSATION. |
| 240-32 (COR) | T.R. MUÑA BARNES | AN ACT TO REZONE LOT NO. 54NEW-R1, BLOCK NO. 3, MUNICIPALITY OF TAMUNING, GUAM FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO COMMERCIAL ZONE (C). |



COMMITTEE ON RULES

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MINORITY LEADER


Senator
Aline Yamashita
Member

December 16, 2013

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio 
Chairperson of the Committee on Rules

Subject: Referral of Bill Nos. 236-32(COR) through 240-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 236-32(COR) through 240-32(COR)**.

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!

Attachment

I Mina'Trentai Dos Na Liheslaturan Guahan
Bill Log Sheet

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES |
|---------------------|-------------------------------------|--|-----------------------|---------------|---|---------------------|-----------------------------|--|
| 236-32 (COR) | Aline A. Yamashita, Ph.D., T.C. Ada | AN ACT TO ADD NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVERS' LICENSES, AND TO THE RECIPROCATON OF COMMERCIAL DRIVERS' LICENSES. | 12/13/13 1:47 p.m. | 12/16/13 | Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations | | | Fiscal Note Requested 12/16/13 |



Senator Michael San Nicolas <senatorsannicolas@gmail.com>

First Public Notice - January 15, 2014 Public Hearing and Roundtable Discussion

Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Wed, Jan 8, 2014 at 11:17 AM

To: Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Bcc: aperez@gpagwa.com, Duane George <dmgeorge@guampdn.com>, Ed Davis <edavis@k57.com>, Frank Whitman <editor@mvguam.com>, Gerry Partido <gerry@mvguam.com>, gmmsinc@guam.net, Jason Salas <jason@kuam.com>, John Davis <john@kuam.com>, Kelly Cho <kcn.kelly@gmail.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, PDN Lifestyle <life@guampdn.com>, mabuhaynews@yahoo.com, Mindy Aguon <mindy@kuam.com>, Masako Watanabe <mwatanabe@guampdn.com>, K57 <news@k57.com>, Patti Arroyo <parroyo@k57.com>, radioprod@kuam.com, Ray Gibson <rgibson@k57.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, sports@mvguam.com, tcoffman@k57.com, dcristost@guam.gannett.com, weavert@pstripes.osd.mil, Pacific Daily News <news@guampdn.com>, jtyquiengco@spbgua.com, Kevin Kerrigan <kevin@spbgua.com>, Bruce Hill <hill.bruce@abc.net.au>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@spbgua.com, editor@saipantribune.com, Clynt Ridgell <clynt@spbgua.com>, mcpherson.kathryn@abc.net.au, communications@guam.gov, Troy Torres <troy.torres@guam.gov>, phnotice@guamlegislature.org, "jalerta1 ." <alerta.jermaine@gmail.com>, Matthew Baza <baza.matthew@gmail.com>, Delisa Kloppenburg <delisakloppenburg@gmail.com>, Louella Losinio <louella@mvguam.com>, david@mvguam.com, John Paul Manuel <jpmanuel@gmail.com>, josh@spbgua.com, Speaker Judi Won Pat <speaker@judiwonpat.com>, Vice Speaker Benjamin Cruz <senadotbjcruz@aol.com>, Senator Tina Muña Barnes <senator@tinamunabarnes.com>, Senator Rory Respicio <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, Senator Ben Pangelinan <senbenp@guam.net>, Senator Tom Ada <office@senatorada.org>, Senator Aline Yamashita <aline4families@gmail.com>, Senator Tony Ada <tony@tonyada.com>, Senator Chris Duenas <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, Senator Brant McCreadie <senatorbrantmccreadie@gmail.com>, "Senator Frank Aguon, Jr." <aguon4guam@gmail.com>, Senator Mike Limtiaco <mike@mikelimtiaco.com>, Senator Tommy Morrison <tommy@senatormorrison.com>, mayormcdonald@hotmail.com, agatmayorsoffice@hotmail.com, asanmainamayoroffice@yahoo.com, bmomayor@teleguam.net, bmovmayor@teleguam.net, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordorisfloreslujan@gmail.com>, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayorernestc@yahoo.com, mtm_mayors_office@yahoo.com, pitimayor@yahoo.com, Robert Hofmann <guammayor@gmail.com>, rudyiriarte@gmail.com, talofomayor@gmail.com, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, kones.r@gmail.com, arleen81@gmail.com, kenjoeada@yahoo.com, anghet@hotmail.com, Ken Quintanilla <kenq@kuam.com>, raymond.gibson@guam.gov, Dale Alvarez <daleealvarez@gmail.com>, Responsible Guam <responsibleguam@gmail.com>, floterlaje@gmail.com, Regine Biscoe Lee <regineb.lee@gmail.com>, chuck.ada@guamairport.net, peterroy@guamairport.net, lorilee.crisostomo@bsp.guam.gov, doagridir@yahoo.com, carl.dominguez@dpw.guam.gov, eduardo.ordonez@clb.guam.gov, cgarcia@investguam.com, eric.palacios@epa.guam.gov, felixberto.dungca@grta.guam.gov, kpangelinan@visitguam.org, ndenight@visitguam.org, jbrown@portguam.com, monte.mafnas@dlm.guam.gov, david.camacho@galc.guam.gov, Michael Duenas <mjduenas@ghura.org>, fcamacho@ghura.org, martin.benavente@ghc.guam.gov, alfredo.antolin@dol.guam.gov, joseph.cameron@hrra.guam.gov, Cathy Gogue <cgogue@pbsguam.org>, adonis.mendiola@dya.guam.gov, jose.sanagustin@doc.guam.gov, pedro.leonguerrero@cqa.guam.gov, joey.sannicolas@gfd.guam.gov, fred.bordallo@gpd.guam.gov, chief@gpd.guam.gov, jim.mcdonald@ghs.guam.gov, benito.servino@disid.guam.gov, james.gillan@dphss.guam.gov, leo.casil@dphss.guam.gov, joseph.verga@gmha.org, john.rios@bbmr.guam.gov, benita.manglona@doa.guam.gov, anthony.blaz@doa.guam.gov, John Camacho <jpcamacho@revtax.gov.gu>, Marie Benito <mmbenito@revtax.gov.gu>, benny.m.paulino@us.army.mil, john.unpingco@gvao.guam.gov, jonfernandez@gdoe.net, mary.okada@guamcc.edu, raunderwood@uguam.uog.edu, jllores@gpagwa.com, AG Law <law@guamag.org>, rey.vega@mail.dmhsa.guam.gov, henry.taitano@guam.gov, Julian Janssen

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FIRST PUBLIC NOTICE

FOR IMMEDIATE RELEASE

January 8, 2014

In accordance with the Open Government Law, relative to notice for public meetings, please be advised that the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations will convene a public hearing on **Wednesday, January 15, 2014**, beginning at **2:30 p.m.** in *Liheslaturan Guåhan's* Public Hearing Room for the following items:

Bill No. 216-32 (LS), introduced by Judith T. Won Pat, Ed.D., Tina R. Muna Barnes, and Aline A. Yamashita, Ph.D.: AN ACT RELATIVE TO ENACTING PRINCIPLES OF BALANCED AND RESTORATIVE JUSTICE IN THE JUVENILE CRIMINAL JUSTICE SYSTEM BETWEEN THE VICTIM AND THE OFFENDER.

Bill No. 236-32 (COR), introduced by Aline A. Yamashita, Ph.D., and Thomas C. Ada: AN ACT TO ADD A NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO THE RECIPROCACTION OF COMMERCIAL DRIVER'S LICENSES.

Nomination of **THOMAS V. TANAKA, JR.** to serve as a member of the Cockpit License Board

Additionally, Senator Michael F.Q. San Nicolas will conduct a roundtable discussion beginning at **4:00 p.m.** Representatives from the Guam Police Department, the Department of Revenue and Taxation, and various tow truck companies have been invited to discuss current laws with regards to tow truck operations, rules, and regulations, pursuant to Chapter 12, Title 16 of the Guam Code Annotated.

If written testimony is to be presented at the hearing, copies should be delivered prior to the hearing date. Testimonies should be addressed to Senator Michael F.Q. San Nicolas and will be accepted via hand delivery to our office; our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910; or via email to senatorsannicolas@gmail.com.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Michael F.Q. San Nicolas at 472-6453.

#

3 attachments



Bill No. 216-32 (LS).pdf
45K



Bill No. 236-32 (COR).pdf
461K



TTanakaJr nomination.pdf
626K



Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Second Public Notice - January 15, 2014 Public Hearing and Roundtable Discussion

Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Mon, Jan 13, 2014 at 9:14 AM

To: Senator Michael San Nicolas <senatorsannicolas@gmail.com>

Bcc: aperez@gpagwa.com, Duane George <dmgeorge@guampdn.com>, Ed Davis <edavis@k57.com>, Frank Whitman <editor@mvguam.com>, Gerry Partido <gerry@mvguam.com>, gmmsinc@guam.net, Jason Salas <jason@kuam.com>, John Davis <john@kuam.com>, Kelly Cho <kcn.kelly@gmail.com>, Korean News <koreannews@guam.net>, KPRG <kprg@guam.net>, PDN Lifestyle <life@guampdn.com>, mabuhaynews@yahoo.com, Mindy Aguon <mindy@kuam.com>, Masako Watanabe <mwatanabe@guampdn.com>, K57 <news@k57.com>, Patti Arroyo <parroyo@k57.com>, radioprod@kuam.com, Ray Gibson <rgibson@k57.com>, Sabrina Salas Matanane <sabrina@kuam.com>, Steve Limtiaco <slimtiaco@guampdn.com>, sports@mvguam.com, tcoffman@k57.com, dcristost@guam.gannett.com, weavert@pstripes.osd.mil, Pacific Daily News <news@guampdn.com>, jtyquiengco@spbgum.com, Kevin Kerrigan <kevin@spbgum.com>, Bruce Hill <hill.bruce@abc.net.au>, Bruce Hill <pacificjournalist@gmail.com>, parroyo@spbgum.com, editor@saipantribune.com, Clynt Ridgell <clynt@spbgum.com>, mcpherson.kathryn@abc.net.au, communications@guam.gov, Troy Torres <troy.torres@guam.gov>, phnotice@guamlegislature.org, "jalerta1 ." <alerta.jermaine@gmail.com>, Matthew Baza <baza.matthew@gmail.com>, Delisa Kloppenburg <delisakloppenburg@gmail.com>, Louella Losinio <louella@mvguam.com>, david@mvguam.com, John Paul Manuel <jpmanuel@gmail.com>, josh@spbgum.com, Speaker Judi Won Pat <speaker@judiwonpat.com>, Vice Speaker Benjamin Cruz <senadotbjcruz@aol.com>, Senator Tina Muña Barnes <senator@tinamunabarnes.com>, Senator Rory Respicio <roryforguam@gmail.com>, "Dennis Rodriguez, Jr." <senatordrodriguez@gmail.com>, Senator Ben Pangelinan <senbenp@guam.net>, Senator Tom Ada <office@senatorada.org>, Senator Aline Yamashita <aline4families@gmail.com>, Senator Tony Ada <tony@tonyada.com>, Senator Chris Duenas <duenasenator@gmail.com>, Brant McCreadie <brantforguam@gmail.com>, Senator Brant McCreadie <senatorbrantmccreadie@gmail.com>, "Senator Frank Aguon, Jr." <aguon4guam@gmail.com>, Senator Mike Limtiaco <mike@mikelimtiaco.com>, Senator Tommy Morrison <tommy@senatormorrison.com>, mayormcdonald@hotmail.com, agatmayorsoffice@hotmail.com, asanmainamayorsoffice@yahoo.com, bmomayor@teleguam.net, bmovmayor@teleguam.net, Jessy Gogue <ocp.mayor@gmail.com>, MELISSA SAVARES <melissa.savares@gmail.com>, peter_daigo@hotmail.com, hagatnamayor@hotmail.com, Doris Lujan <mayordoristloreslujan@gmail.com>, nblas_mangilaomayor@yahoo.com, vicemayor_allan.ungacta@yahoo.com, mayorenerstc@yahoo.com, mtm_mayors_office@yahoo.com, pitimayor@yahoo.com, Robert Hofmann <guammayor@gmail.com>, rudyiriarte@gmail.com, talofotomayor@gmail.com, "Mayor Louise C. Rivera" <mayorlcrivera.tatuha@gmail.com>, "Vice Mayor Ken C. Santos" <vicemayorksantos.tatuha@gmail.com>, Umatac Mayor <umatacmo@gmail.com>, kones.r@gmail.com, arleen81@gmail.com, kenjoeada@yahoo.com, anghet@hotmail.com, Ken Quintanilla <kenq@kuam.com>, raymond.gibson@guam.gov, Dale Alvarez <daleealvarez@gmail.com>, Responsible Guam <responsibleguam@gmail.com>, floterlaje@gmail.com, Regine Biscoe Lee <regineb.lee@gmail.com>, chuck.ada@guamairport.net, peterroy@guamairport.net, lorilee.crisostomo@bsp.guam.gov, doagridir@yahoo.com, carl.dominguez@dpw.guam.gov, eduardo.ordonez@clb.guam.gov, cgarcia@investguam.com, eric.palacios@epa.guam.gov, felixberto.dungca@grta.guam.gov, kpangelinan@visitguam.org, ndenight@visitguam.org, jbrown@portguam.com, monte.mafnas@dln.guam.gov, david.camacho@galc.guam.gov, Michael Duenas <mjduenas@ghura.org>, fcamacho@ghura.org, martin.benavente@ghc.guam.gov, alfredo.antolin@dol.guam.gov, joseph.cameron@hrra.guam.gov, Cathy Gogue <cgogue@pbsguam.org>, adonis.mendiola@dya.guam.gov, jose.sanagustin@doc.guam.gov, pedro.leonguerrero@cqa.guam.gov, joey.sannicolas@gfd.guam.gov, fred.bordallo@gpd.guam.gov, chief@gpd.guam.gov, jim.mcdonald@ghs.guam.gov, benito.servino@disid.guam.gov, james.gillan@dphss.guam.gov, leo.casil@dphss.guam.gov, joseph.verga@gmha.org, john.rios@bbmr.guam.gov, benita.manglona@doa.guam.gov, anthony.blaz@doa.guam.gov, John Camacho <jpcamacho@revtax.gov.gu>, Marie Benito <mmbenito@revtax.gov.gu>, benny.m.paulino@us.army.mil, john.unpingco@gvao.guam.gov, jonfernandez@gdoe.net, mary.okada@guamcc.edu, raunderwood@uguam.uog.edu, jllores@gpagwa.com, AG Law <law@guamag.org>, rey.vega@mail.dmhsa.guam.gov, henry.taitano@guam.gov, Julian Janssen

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SECOND PUBLIC NOTICE

FOR IMMEDIATE RELEASE

January 13, 2014

In accordance with the Open Government Law, relative to notice for public meetings, please be advised that the Committee on Aviation, Ground Transportation, Regulatory Concerns and Future Generations will convene a public hearing on **Wednesday, January 15, 2014**, beginning at **2:30 p.m.** in *I Liheslaturan Guåhan's* Public Hearing Room for the following items:

Bill No. 216-32 (LS), introduced by Judith T. Won Pat, Ed.D., Tina R. Muna Barnes, and Aline A. Yamashita, Ph.D.: AN ACT RELATIVE TO ENACTING PRINCIPLES OF BALANCED AND RESTORATIVE JUSTICE IN THE JUVENILE CRIMINAL JUSTICE SYSTEM BETWEEN THE VICTIM AND THE OFFENDER.

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Nomination of **THOMAS V. TANAKA, JR.** to serve as a member of the Cockpit License Board


Additionally, Senator Michael F.Q. San Nicolas will conduct a roundtable discussion beginning at **4:00 p.m.** Representatives from the Guam Police Department, the Department of Revenue and Taxation, and various tow truck companies have been invited to discuss current laws with regards to tow truck operations, rules, and regulations, pursuant to Chapter 12, Title 16 of the Guam Code Annotated.


If written testimony is to be presented for the hearing or roundtable discussion, copies should be delivered prior to the hearing date. Testimonies should be addressed to Senator Michael F.Q. San Nicolas and will be accepted via hand delivery to our office; our mailbox at the Main Legislature Building at 155 Hesler Place, Hagatna, Guam 96910; or via email to senatorsannicolas@gmail.com. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Michael F.Q. San Nicolas at 472-6453.

#

3 attachments

 **TTanakaJr nomination.pdf**
626K

 **Bill No. 216-32 (LS).pdf**
45K

 **Bill No. 236-32 (COR).pdf**
461K

**Listserv: phnotice@guamlegislature.org
As of January 8, 2014**

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As of January 8, 2014**

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Senator Michael F.Q. San Nicolas

Chairman – Committee on Aviation, Ground Transportation,
Regulatory Concerns and Future Generations
I Mina'trentai Dos Na Liheslaturan Guåhan | 32nd Guam Legislature



PUBLIC HEARING

Wednesday, January 15, 2014

2:30 p.m.

Public Hearing Room

I Liheslaturan Guåhan

AGENDA

I. Call to Order

II. Opening Remarks/Announcements

III. Items for Public Consideration

Bill No. 216-32 (LS), introduced by Judith T. Won Pat, Ed.D., Tina R. Muna Barnes, and Aline A. Yamashita, Ph.D.: “AN ACT RELATIVE TO ENACTING PRINCIPLES OF BALANCED AND RESTORATIVE JUSTICE IN THE JUVENILE CRIMINAL JUSTICE SYSTEM BETWEEN THE VICTIM AND THE OFFENDER.”

Bill No. 236-32 (COR), introduced by Aline A. Yamashita, Ph.D., and Thomas C. Ada: “AN ACT TO ADD A NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER’S LICENSES, AND TO THE RECIPROCATION OF COMMERCIAL DRIVER’S LICENSES.”

Nomination of Thomas V. Tanaka, Jr.
Member, Cockpit License Board

IV. Closing Remarks

V. Adjournment



COMMITTEE ON RULES

I Mina'trentai Dos na Liheslaturan Guåhan • The 32nd Guam Legislature

155 Hesler Place, Hagåtña, Guam 96910 • www.guamlegislature.com

E-mail: roryforguam@gmail.com • Tel: (671)472-7679 • Fax: (671)472-3547

Senator
Rory J. Respicio
CHAIRPERSON
MAJORITY LEADER

January 13, 2014

Memorandum

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

From: **Senator Rory J. Respicio**
Majority Leader & Rules Chair

Subject: **Fiscal Notes /Waivers**

Hafa Adai!

Attached please find the fiscal notes, or waivers for the bill numbers listed below.

Please note that the fiscal notes, or waivers, are issued on the bills as introduced.

FISCAL NOTES:

Bill Nos. 235-32 (COR), 236-32 (COR), 237-32 (COR); 239-32 (COR), 240-32 (COR), 241-32 (COR), and 242-32 (COR)

WAIVER:

Bill No. 245-32 (COR)

Please forward the same to MIS for posting on our website. Please contact our office should you have any questions regarding this matter.

Si Yu'os ma'åse'!

Senator
Thomas C. Ada
VICE CHAIRPERSON
ASSISTANT MAJORITY LEADER

Senator
Vicente (Ben) C. Pangelinan
Member

Speaker
Judith T.P. Won Pat, Ed.D.
Member

Senator
Dennis G. Rodriguez, Jr.
Member

Vice-Speaker
Benjamin J.F. Cruz
Member

Legislative Secretary
Tina Rose Muña Barnes
Member

Senator
Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

2014 JAN 13 PM 2:38

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

RAY TENORIO
LIEUTENANT GOVERNOR

JOHN A. RIOS
DIRECTOR

JOSE S. CALVO
DEPUTY DIRECTOR

FACSIMILE INFORMATION PAGE

PLEASE DELIVER TO: Senator Rory Respicio

FACSIMILE NUMBER: 472-3547

FROM: BBMR

Total Pages including this page: 15

If you do not receive legible copies of all the pages, please call back as soon as possible. Phone numbers (671) 475-9412/9450. Fax number (671) 472-2825

RE: Fiscal Note on the following Bill Nos.: 235-32(COR), 236-32(COR), 237-32(COR), 239-32(COR), 240-32(COR), 241-32(COR), 242-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 245-32(COR).

COMMENTS: Fiscal Notes to be picked up via Central Files.

Thank You!

**BUREAU OF BUDGET & MANAGEMENT RESEARCH**

OFFICE OF THE GOVERNOR
Post Office Box 2950, Hagåtña Guam 96932

EDDIE BAZA CALVO
GOVERNOR

JOHN A. RIOS
DIRECTOR

RAY TENORIO
LIEUTENANT GOVERNOR

JOSE S. CALVO
DEPUTY DIRECTOR

JAN 10 2014

Senator Rory J. Respicio
Chairperson, Committee on Rules
I Mina'trentai Unu na Liheslaturan Guåhan
The 31st Guam Legislature
155 Hesler Place
Hagåtña, Guam 96932

Hafa Adai Senator Respicio:

Transmitted herewith is Fiscal Note on the following Bill Nos.: 235-32(COR), 236-32(COR), 237-32(COR), 239-32(COR), 240-32(COR), 241-32(COR) and Fiscal Note Waiver on the following Bill Nos.: 245-32(COR). ^{242-32(COR)}

If you have any question(s), please do not hesitate to call the office at 475-9412/9106.


JOHN A. RIOS
Director

Enclosures
cc: Senator Vicente (ben) Pangelinan

Bureau of Budget & Management Research
Fiscal Note of Bill No. 236-32 (COR)

AN ACT TO ADD NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO THE RECIPROCATATION OF COMMERCIAL DRIVER'S LICENSES.

Department/Agency Appropriation Information

| | |
|--|------------------------------------|
| Dept./Agency Affected: Department of Revenue and Taxation | Dept./Agency Head: John P. Camacho |
| Department's General Fund (GF) appropriation(s) to date: | 8,196,472 |
| Department's Other Fund (Specify) appropriation(s) to date: \$821,435 (Tax Collection Enhancement Fund) / \$1,620,468 (Better Public Service Fund) | 2,441,903 |
| Total Department/Agency Appropriation(s) to date: | \$10,638,375 |

Fund Source Information of Proposed Appropriation

| | General Fund: | (Special Fund): | Total: |
|--|---------------|-----------------|--------|
| FY 2012 Unreserved Fund Balance ¹ | | \$0 | \$0 |
| FY 2014 Adopted Revenues | \$0 | \$0 | \$0 |
| FY 2014 Appro. (P.L. 32-68) | \$0 | \$0 | \$0 |
| Sub-total: | \$0 | \$0 | \$0 |
| Less appropriation in Bill | \$0 | \$0 | \$0 |
| Total: | \$0 | \$0 | \$0 |

Estimated Fiscal Impact of Bill

| | One Full Fiscal Year | For Remainder of FY 2014 (if applicable) | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|---|----------------------|--|---------|---------|---------|---------|
| General Fund | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Territorial Educational Facilities Fund | 1/ | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total | 1/ | \$0 | \$0 | \$0 | \$0 | \$0 |

1. Does the bill contain "revenue generating" provisions?
 If Yes, see attachment / / Yes / x / No
2. Is amount appropriated adequate to fund the intent of the appropriation?
 If no, what is the additional amount required? /x/ N/A / / Yes / / No
3. Does the Bill establish a new program/agency?
 If yes, will the program duplicate existing programs/agencies? / / Yes / x / No
 Is there a federal mandate to establish the program/agency? /x/ N/A / / Yes / / No
4. Will the enactment of this Bill require new physical facilities? / / Yes / x / No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / / Yes / x / No
 / / Requested agency comments not received by due date / / Other:

Analyst: Michael M. Aflague, B&M Analyst IV Date: 1/27/12 Director: John A. Rios, Director Date: JAN 16 2014

According to the Department of Revenue and Taxation, any cost associated with implementation would be absorbed within their current budget.



Dipáttamenton Kontribuslon yan Adu'ána

DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guåhan

EDDIE BAZA CALVO, Governor Maga'åhi
RAY TENDRIO, Lt. Governor Tifene GubetnadoraJOHN P. CAMACHO, Director
Direktor
MARIE M. BENITO, Deputy Director
Sigundo Direktor

December 26, 2013

Mr. John Rios, Director
Bureau of Budget and Management Research
P.O. Box 2950
Hagatna, Guam 96932

Reference: Bill 236-32(COR)

Dear Mr. Rios:

In reviewing Bill 236-32(COR) it appears that there are no fiscal impacts that would affect our Department's current budget.

Should the Bill pass into law we would more than likely mirror the existing programming configuration of the 3rd Party Testing for Operators Driver's License. Presently, our current IT contract should cover the potential changes.

Should you require additional information, please contact Marie Flores, Administrator Motor Vehicle Division at 635-1750 or email mflores@revtax.gov.gu.

Best wishes for a blessed and prosperous New Year!

Sincerely,

JOHN P. CAMACHO

Director



COMMITTEE ON RULES

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Senator
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CHAIRPERSON
MAJORITY LEADER

Senator
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VICE CHAIRPERSON
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Tina Rose Muña Barnes
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Frank Blas Aguon, Jr.
Member

Senator
Michael F.Q. San Nicolas
Member

Senator
V. Anthony Ada
Member
MINORITY LEADER

Senator
Aline Yamashita
Member

December 16, 2013

VIA E-MAIL

john.rios@bbmr.guam.gov

John A. Rios
Director
Bureau of Budget & Management Research
P.O. Box 2950
Hagåtña, Guam 96910

RE: Request for Fiscal Notes– Bill Nos. 236-32 (COR), 237-32(COR), 238-32 (COR), 239-32 (COR) and 240-32 (COR)

Hafa Adai Mr. Rios:

Transmitted herewith is a listing of *I Mina'trentai Dos na Liheslaturan Guåhan's* most recently introduced bills. Pursuant to 2 GCA §9103, I respectfully request the preparation of fiscal notes for the referenced bills.

Si Yu'os ma'åse' for your attention to this matter.

Very Truly Yours,

Senator Rory J. Respicio
Chairperson of the Committee on Rules

Attachment (1)

Cc: Clerk of the Legislature

| Bill Nos. | Sponsor | Title |
|-------------------------|---|---|
| 236-32 (COR) | Aline A. Yamashita, Ph.D. T.C. Ada | AN ACT TO ADD NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO THE RECIPROCATION OF COMMERCIAL DRIVER'S LICENSES. |
| 237-32 (COR) | Judith T. Won Pat, Ed.D. Aline A. Yamashita, Ph.D. | AN ACT TO AMEND SUBSECTION 12107(c)(4), SUBSECTION 12107(f) AND SUBSECTION 12107(g) OF CHAPTER 12, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO THE GUAM ACADEMY CHARTER SCHOOL ACT OF 2009. |
| 238-32 (COR) | T.A. Morrison V. Anthony Ada Chris Duenas | AN ACT TO AMEND §1001 OF 1GCA RELATIVE TO REESTABLISHING GUAM DISCOVERY DAY AS A LEGAL HOLIDAY OF THE GOVERNMENT OF GUAM. |
| 239-32 (COR) | Dennis G. Rodriguez, Jr. Michael F.Q. San Nicolas | AN ACT TO ESTABLISH AN EXPEDITED JUDICIAL PROCESS TO ADDRESS CLAIMS RELATIVE TO PROPERTY EXPROPRIATED FOR PUBLIC PURPOSES BY THE GOVERNMENT OF GUAM WITHOUT JUST COMPENSATION. |
| 240-32 (COR) | T.R. MUÑA BARNES | AN ACT TO REZONE LOT NO. 54NEW-R1, BLOCK NO. 3, MUNICIPALITY OF TAMUNING, GUAM FROM SINGLE-FAMILY DWELLING ZONE (R-1) TO COMMERCIAL ZONE (C). |



COMMITTEE ON RULES

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Senator
V. Anthony Ada
Member
MINORITY LEADER


Senator
Aline Yamashita
Member

December 16, 2013

MEMORANDUM

To: Rennae Meno
Clerk of the Legislature

Attorney Therese M. Terlaje
Legislative Legal Counsel

From: Senator Rory J. Respicio 
Chairperson of the Committee on Rules

Subject: Referral of Bill Nos. 236-32(COR) through 240-32(COR)

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill Nos. 236-32(COR) through 240-32(COR)**.

Please ensure that the subject bills are referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

Si Yu'os Ma'åse!


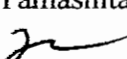
Attachment

I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN

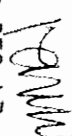
2013 (First) Regular Session

Bill No. 236-32(COR)

Introduced by

Aline A. Yamashita, PhD 
T.C. Ada 

AN ACT TO ADD NEW SECTION 3102.5 AND SECTION 3102.6 THROUGH SECTION 3102.8 TO CHAPTER 3 OF TITLE 16, GUAM CODE ANNOTATED RELATIVE TO AUTHORIZING THE DEPARTMENT OF REVENUE AND TAXATION TO OUTSOURCE THE DRIVER TESTING REQUIREMENT FOR CERTAIN COMMERCIAL DRIVER'S LICENSES, AND TO THE RECIPROCATION OF COMMERCIAL DRIVER'S LICENSES.

2013 DEC 13 PM 1:47


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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 there is a high demand for vehicle licenses to operate commercial vehicles,
4 inclusive of trucks, school buses and other passenger vehicles. Naturally, the
5 demand for such licenses will increase as a result of population growth and
6 economic development.

7 *I Liheslaturan* further finds that current budget constraints have inhibited
8 the Drivers License Examination Branch of the Motor Vehicle Division within the
9 Department of Revenue & Taxation from employing adequate staffing levels
10 needed to administer the road tests for Commercial Driver's Licenses (CDL) in a
11 timely manner. Currently, the queue is approximately six (6) months.
12 Furthermore, if the applicant fails the initial road test, the wait for a subsequent
13 test date could be an additional six (6) months. While *I Liheslatura* appreciates
14 the efforts of DRT to employ and train additional staff for the Motor Vehicle

1 Division, such delays in public services present challenges for businesses,
2 government agencies and residents that transport people, supplies, materials and
3 commodities around the island.

4 *I Liheslatura* intends to authorize the DRT Motor Vehicle Division to
5 outsource the road testing function for Commercial Driver's Licenses to selected
6 private entities who have been certified by DRT as having met all the perquisites
7 established by the Motor Vehicle Division. Concomitantly, the DRT shall assume
8 the responsibility for quality assurance of the performance of the selected testing
9 companies.

10 Furthermore, *I Liheslatura* also finds that Guam lacks any reciprocity
11 policy for individuals who hold current CDLs and U.S. Department of
12 Transportation regulated endorsements issued in the United States. Therefore, *I*
13 *Liheslatura* intends to set in place policy to allow the DRT Motor Vehicle
14 Division to recognize CDL holders who have received training above and beyond
15 those required on Guam for CDL.

16 **Section 2.** A new §3102.5 is hereby added to Chapter 3 of Title 16 GCA,
17 to read as follows:

18 **“§3102.5. Outsource Road Test Examinations**

19 The DRT Division of Motor Vehicles *may* contract a business entity to
20 conduct and certify behind-the-wheel road tests for persons applying for a
21 Commercial Driver's License Operators License Class C and Class D.”

22 **Section 3.** A new §3102.6 is hereby added to Chapter 3 of Title 16, GCA
23 to read as follows:

1 **“§3102.6. Commercial Driver’s License: Reciprocity.** The territory of
2 Guam shall recognize a Commercial Driver’s License (CDL) issued in the U.S.
3 Applicants shall furnish to the Department of Revenue and Taxation Division of
4 Motor Vehicles (DMV) proof of qualifications and a copy of their current CDL in
5 order to waive the requirement for a CDL skills tests. The DMV shall be
6 responsible for verifying the validity of the endorsements stated on the CDL as
7 well as the Commercial Motor Vehicle (CMV) which the applicant is qualified to
8 operate.”

9 **Section 4.** A new §3102.7 is hereby added to Chapter 3 of Title 16, GCA
10 to read as follows:

11 **§3102.7. Commercial Driver’s License: Exemptions.** The territory
12 shall exempt, in accordance with §3101(b) of this Chapter and pursuant to the
13 requirements of Title 49 of the Code of Federal Regulations, Part 383 (49 CFR
14 383), individuals who operate CMVs for military purposes from having to obtain
15 a CDL. This exception is applicable to active duty military personnel; members
16 of the military reserves; member of the national guard on active duty, including
17 personnel on full-time national guard duty, personnel on part-time national guard
18 training, and national guard military technicians (civilians who are required to
19 wear military uniforms); and active duty U.S. Coast Guard personnel. This
20 exception is not applicable to U.S. Reserve technicians.”

21 **Section 5.** A new §3102.8 is hereby added to Chapter 3 of Title 16, GCA
22 to read as follows:

1 **“§3102.8. Rules.** The Department of Revenue and Taxation shall, within
2 180 days from the effective date of this Act, develop rules and regulations, in
3 compliance with the Administrative Adjudication Law, to carry out the purposes
4 of this Act, including, but not limited to, the qualification criteria of testing
5 entities, the process for selection of a testing entity, the administrative
6 requirements that must be maintained by the testing entity to ensure
7 accountability, recertification requirements, quality assurance measures, key
8 performance indices, and other parameters that may be required to ensure the
9 integrity of the testing function.

10 **Section 6. Effective Date.** This Act shall become effective upon
11 enactment.

12 **Section 7. Severability.** If any of the provisions of this law or its
13 application to any person or circumstance is found to be invalid or contrary to
14 law, such invalidity shall not affect other provisions or applications of this law
15 which can be given effect without the invalid provisions or application, and to this
16 end the provisions of this law are severable.”