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CHAPTER 3
GENERAL PROVISIONS

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§ 3101. License: Requirement.

(a) Unless expressly exempted under this Title, a person shall not drive a motor vehicle upon a highway without having in his immediate possession a valid operator's or chauffeur's license issued under this Title. An operator's license authorizes the licensee to drive as an operator only. A chauffeur's license authorizes the licensee to drive as an operator or as a chauffeur.

(b) A person employed by or in the service of the United States while operating a vehicle owned or controlled by the United States need not obtain an operator's or chauffeur's license.

(c) A person having in his immediate possession a valid operator's license or chauffeur's license issued by the Republic of Palau, the Federated States of Micronesia, the Republic of the Marshall Islands, Japan, the Republic of China (Taiwan), countries of the European Union, Canada, New Zealand, the Republic of Korea, the Republic of the Philippines, or Australia may drive a motor vehicle upon the highways for a period not exceeding thirty (30) days from the date such person arrived on Guam. However, upon the expiration of such thirty (30) day period, such person must (i) have been issued a Guam driver's license in order to continue driving on Guam, and (ii) be required to take a written test, and if that person passes the written test, then a driver's license shall be issued; provided however, if such person fails the written test twice, such person shall be required to complete a driver education seminar before being allowed to retake the test, which seminar must include at least eight (8) hours of classroom instruction and four (4) hours of in-car instruction, and must pass the required road test. An individual is entitled to take a written test only three (3) times pursuant to this Subsection, and to be issued a license under this Subsection, an individual must pass both the written and the road test.

In addition, a person having in his immediate possession a temporary operator's or chauffeur's license issued under this Title may drive a motor vehicle upon the highways for a period not exceeding thirty (30) days, while the Guam Police Department is completing investigation and determination of all facts relative to the applicant's right to receive a license. Such temporary license is invalid when the applicant's license has been issued or refused.

The thirty (30) days period herein may be extended for a period equal to the earlier of one (1) year from the date the licensee arrived on Guam or the expiration date of the out-of-Guam license, provided that the licensee (i) registers his or her license with the Department of Revenue and Taxation, and

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(ii) pays a registration fee to the Treasurer of Guam not to exceed Twenty-five Dollars (\$25). Upon approval, the Director of Revenue and Taxation shall issue a Certificate of Registration that states (i) the name and age of the licensee, (ii) the expiration date of the Certificate, and (iii) the licensee's number as an out-of-Guam licensee.

The Department of Revenue and Taxation may withhold registration of a foreign license if (i) the Department of Revenue and Taxation cannot verify or has cause to doubt the validity of such foreign license, (ii) the licensee is unable to document the date of his entry into Guam, or (iii) the foreign license has been revoked or suspended by the jurisdiction issuing the license. The Department of Revenue and Taxation may require a prospective registrant to validate his license through passage of a written exam, road test or both.

(d) A person having in his immediate possession a valid operator's, chauffeur's *or* motorcycle operator's license issued by any other territory, Commonwealth, *or* state of the United States, may drive a motor vehicle *or* a motorcycle upon the roads and highways for a period *not exceeding* thirty (30) days from the date such person arrived on Guam. However, upon the expiration of such thirty (30) day period, such person must have been issued a Guam driver's license in order to continue driving on Guam. Such person *shall* be exempted from taking the written driver's license examination *or* demonstration test. Upon issuance of the Guam driver's license, such person *shall* surrender the driver's license previously issued by the other United States jurisdiction to the Division of Motor Vehicles of the Department of Revenue and Taxation, unless the Director of Revenue and Taxation has adopted other procedures for the disposition of the previously issued license from the other United States jurisdiction.

The thirty (30) days period herein may be extended for a period equal to the earlier of one (1) year from the date the licensee arrived on Guam *or* the expiration date of the out-of-Guam license, provided that the licensee, (i) registers his *or* her license with the Department of Revenue and Taxation; and (ii) pays a registration fee to the Treasurer of Guam *not to exceed* Twenty-five Dollars (\$25). Upon approval, the Department of Revenue and Taxation *shall* issue a Certificate of Registration that states, (i) the name and age of the licensee; (ii) the expiration date of the Certificate; and (iii) the licensee's out-of-Guam driver's licensee number.

The Department of Revenue and Taxation may withhold registration of an out-of-Guam license if, (i) the Department of Revenue and Taxation cannot

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verify or has cause to doubt the validity of such out-of-Guam license; (ii) the licensee is unable to document the date of entry into Guam; or (iii) the out-of-Guam license has been revoked or suspended by the jurisdiction issuing the license. The Department of Revenue and Taxation may require a prospective registrant to validate his license through passage of a written exam, road test or both.

(e) A person having in his immediate possession an instruction permit issued under this Title may drive a motor vehicle upon the high ways for a period not exceeding ninety (90) days when accompanied by, and under the immediate supervision of, a licensed operator or chauffeur.

The Director of Revenue and Taxation may further restrict a permit to any applicant as he may determine to be appropriate to assure the safe operation of a motor vehicle by the permittee.

(f) An applicant for a license or permit shall submit an application to the Department of Revenue and Taxation on a form prescribed by it, verified under oath and containing the following information:

(1) the applicant's full name, age, sex and both mailing and residence addresses;

(2) the height, weight and color of eyes of the applicant;

(3) the kind of license applied for;

(4) whether the applicant has been licensed previously as an operator or chauffeur, and if so, when and in what jurisdiction and whether or not any such license has been suspended or revoked, and if so, the date of and reason for such suspension or revocation;

(5) whether the applicant previously has been refused an operator's or chauffeur's license in Guam, and if so, the date and the reason for such refusal;

(6) whether the applicant has previously operated a motor vehicle, and if so, for what length of time;

(7) whether the applicant has the normal use of both hands and feet;

(8) whether the applicant has ever been afflicted with heart condition, epilepsy, paralysis, insanity or other disability or disease affecting his ability to exercise reasonable and ordinary control in operating a motor vehicle upon a highway;

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(9) whether the applicant understands traffic signs and signals;

(10) one (1) parent or guardian of an applicant under the age of eighteen (18) shall attest to his relationship with the minor; certify the correctness of information furnished on the application form; give his consent to the issuance of a license to the applicant and shall sign the application;

(11) the applicant and licensing official shall sign all approved applications and date the application at the time signatures are made; and

(12) a valid Certificate of Completion of a drivers education course by the applicant, if the applicant is applying for a license for the first time or if the applicant is under eighteen (18) years of age, and any other information necessary to determine whether the applicant is entitled to a license under this Title.

An applicant for a chauffeur's license shall state the type of vehicle or combination of vehicles he desires to operate.

(g) The Department of Revenue and Taxation shall not issue any license or permit unless it determines that the applicant is lawfully qualified for a license or permit and approves the application.

(h) The examination shall include a test of the applicant's knowledge and understanding of the provisions of this Title governing the operation of vehicles upon the highway, his understanding of traffic signs and signals, and the applicant shall be required to give an actual demonstration of his ability to exercise ordinary and reasonable control in operating a motor vehicle by driving the same under the supervision of an examining officer. The examination shall also include a test of the hearing and eyesight of the applicant and such other matters as may be necessary to determine the applicant's mental and physical fitness to operate a motor vehicle upon the highways and whether any ground exists for refusal of a license or permit under this Title. Every applicant for a chauffeur's license shall be required to submit to an examination appropriate to the type of vehicle or combination of vehicles he desires a license to drive.

(i) An applicant is not entitled to an operator's or chauffeur's license or instruction permit:

(1) Who is not of legal age to receive such license or permit. An applicant for a new operator's license or instruction permit must (i) have a valid Certificate of Completion of a drivers education course and (ii) be at

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least eighteen (18) years of age, whether applying for a new license or for renewal of an existing license, or if under eighteen (18) must be at least sixteen (16) years of age and have the consent in writing of his parents or guardians to drive a motor vehicle. An applicant for a chauffeur's license must be at least eighteen (18) years of age and if the application is for a new license and not a renewal, must have a valid Certificate of Completion.

(2) Who is a habitual drunkard or addicted to the use of narcotic drugs or a habitual user of any other drug rendering such person incapable of safely operating a motor vehicle.

(3) Who is insane or feeble minded or an idiot, imbecile or epileptic.

(4) Who is unable as shown by examination to understand traffic signs or signals or who does not have a reasonable knowledge of the provisions of this Title governing the operation of vehicles upon the highways.

(5) When it appears by examination or other evidence that such person is unable to safely operate a motor vehicle upon a highway because of physical or mental defect or except in the case of an applicant for an instruction permit, lack of skill. Any physical or mental defect of the applicant which in the opinion of the Director of Revenue and Taxation does not affect the applicant's ability to exercise reasonable and ordinary control in operating a motor vehicle upon the highway shall not prevent the issuance of a license or permit to the application.

(6) Who has been certified by the Department of Law as being in non-compliance with a court order of support, unless a confirmation of compliance from the Department of Law or the Superior Court of Guam is received by the Director of Revenue and Taxation.

(j) The Director of Revenue and Taxation may disapprove the application:

(1) If he is satisfied that the applicant is not entitled thereto under the provisions of this Title.

(2) If the applicant has failed to furnish the Department of Revenue and Taxation the information required in the application or any reasonable additional information requested by the Department.

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(3) If he determines that the applicant has made or permitted to be made, unlawful use of any operator's or chauffeur's license.

(4) If he determines that the applicant has used a false or fictitious name in any application for a license, or knowingly made a false statement or knowingly concealed a material fact or otherwise committed any fraud in any such application.

(5) If he determines that the applicant is a negligent or incompetent operator of a motor vehicle. Any person who has been convicted on four (4) or more occasions in a consecutive period of twelve (12) months, or six (6) or more occasions within a consecutive period of twenty-four (24) months, or eight (8) or more occasions within a consecutive period of thirty-six (36) months of violations of the provisions of the Vehicle Code involving the safe operation of vehicles on the highway and which are by law required to be reported to the Department of Revenue and Taxation shall prima facie be presumed to be a "negligent operator of a motor vehicle."

(k) Every license and permit shall state whether it is an operator's or chauffeur's license or instruction permit and shall bear thereon the distinguishing number assigned to the application, the dates of issue and expiration, the name, date of birth, residence address, height, weight, color of eyes, a photograph of the licensee (except that the instruction permit shall not bear a photograph of the licensee) and a space upon which the licensee shall write his usual signature. No license shall be valid until it has been signed by the licensee. In the case of a chauffeur's license, the license shall also state whether it is a general or restricted license, and if restricted, the type of vehicle or combination of vehicles the licensee is permitted to operate. Each license and permit shall also contain a space for common restrictive requirements such as corrective lenses, hearing aid, hand control or pedal extension, left foot accelerator, no night driving or other.

(l) The licensee or permittee shall have his license or permit in his immediate possession at all times when driving a motor vehicle upon a highway and when so driving shall display such license or permit upon demand of a member of the Guam Police or any peace or traffic officer enforcing the provisions of this Title. Any charge under this Subsection shall be dismissed when the person so charged produces in court an operator's or chauffeur's license duly issued to such person and valid at the time of his arrest.

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(m) Every operator's or chauffeur's license hereafter issued shall expire three (3) years after the first anniversary of the date of birth of any applicant occurring after the date of issuance. The anniversary of the date of birth of any applicant born on February twenty-ninth (29th) shall, for the purposes of this Section, during the years in which there is no February twenty-ninth (29th), be considered as March first (1st). Every such license shall be renewable for a like period within ninety (90) days prior to its expiration. Any license that would otherwise expire on a Saturday or legal holiday shall be valid until the next business day. An applicant for renewal of license shall make application therefor in the same manner as in the case of an original application for a license upon such form as may be required. The Director of Revenue and Taxation at his discretion may require an examination of the applicant as upon an original application. To the extent its facilities permit, the Department of Revenue and Taxation shall, in the course of its investigation, check the record of the applicant for convictions for traffic violations and traffic accidents, and may withhold or refuse certification of eligibility for a license or renewal of a license unless satisfied upon reasonable proof that the applicant can and will operate a motor vehicle safely.

(n) In the event a license or permit issued under this Title is lost, destroyed or mutilated, the licensee or permittee may obtain a duplicate from the Department of Revenue and Taxation upon making satisfactory proof of such fact. Any person who loses a license or permit and thereafter finds the original must immediately surrender such original to the Department of Revenue and Taxation.

(o) After passing an examination as required under Subsection (g) to include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motorcycle, *or* upon qualifying under subsection (d) of this Section an applicant may have his operator's, or chauffeur's *or* motorcycle permit endorsed by the Director of Revenue and Taxation, *or* his designee, authorizing the applicant to operate a motorcycle on the highways of Guam. The Director of Revenue and Taxation may, in his discretion, accept evidence of a military motorcycle permit in lieu of this examination and endorsement. *No person shall* operate a motorcycle on the highway without first complying with this Section *except* that a person having in his immediate possession a valid motorcycle operator's license issued by any other territory *or* state of the United States, *or* by a foreign country, may operate a motorcycle upon the highways for a period *not* exceeding thirty (30) days from the date such person arrived in Guam. The requirement that the person pass an

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examination and receive an endorsement for operation of a motorcycle *shall not* be applicable to the operation of a motorcycle *or* when a sidecar is attached to the motorcycle. Any person who operates a motorcycle in violation of this Title *shall* be guilty of a petty misdemeanor.

SOURCE: GC § 23100, enacted by P.L. 1-88 as amended by P.L. 12-155. Subsection (a) repealed by P.L. 22-20:5; repealed and reenacted by P.L. 24-116:2. Subsection (c) amended by P.L. 14-72:5; amended by P.L. 22-146:21 (12/29/94); amended by P.L. 27-48:3; amended by P.L. 28-162:1 (Jan. 4, 2007). Subsection (d) added by P.L. 27-48:2; amended by P.L. 28-162:2 (Jan. 4, 2007); P.L. 30-014 (Apr. 17, 2009). Subsection (e) repealed and reenacted by P.L. 14-92:1; Subsection (e)(12) amended by P.L. 22-20:9(d). Subsection (h)(1) amended by P.L. 22-20:9(e). Subsection (h)(6) added by P.L. 24-116:3, expired on 9/30/1999 by operation of P.L. 24-116:13 and reenacted in its present form by P.L. 25-161:3, effective on July 10, 2000. Subsection (j) repealed and reenacted by P.L. 14-92:1. Subsection (n) amended by P.L. 13-187:143 and P.L. 16-114:15. Subsection (o) amended by P.L. 30-014:3 (Apr. 17, 2009).

NOTE: § 3101 (a) was repealed by P.L. 22-20:5. The 24th Legislature just passed P.L. 24-116:2 which repealed and reenacted (a) of § 3101.

CROSS REFERENCES: See § 3110 of this Chapter for what appears to be a replacement section for subsection (a). Former subsection (a) positively required that a person carry in his possession an appropriate driver*s license. It also defined the difference between an operator*s and chauffeur*s license.

NOTE: P.L. 22-72:48(c) states, with respect to the requirement that all new drivers take a course in drivers education:

The references in subsection (e)(12) [Section 9 of Public Law 22-20] to "individuals applying for a new Guam drivers license" or "applying for a license for the first time" shall mean any individual or applicant who does not possess a valid drivers license issued by any state or territory of the United States.

CROSS REFERENCES: With respect to taking Drivers* tests in foreign languages, the Legislature stated in P.L. 21-138, as amended by P.L. 22-121:

Section 1. **(a) Legislative findings.** The Legislature finds that the diverse ethnic makeup of the territory of Guam has resulted in many people who wish to drive having had difficulty obtaining driver's licenses from the Division of Motor Vehicles because of their lack of English language skills. In the past, the Motor Vehicle Division personnel have allowed applicants to use translators. This system, which has not been successful in other jurisdictions, is not reliable. California has translated the driver's examination into several languages and has included all requested language translations in its computer data bank. The Department of Revenue and Taxation, Division of Motor Vehicles, is computerized now and has the same

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capability to provide translations of study materials and written driver's license examinations.

(b) Within sixty (60) days of the effective date of this amendment, the Department of Revenue and Taxation shall provide study materials and

(c) In any driver's license examination given in a language other than English, all questions about road signs shall use any English word or words written on such signs in describing or depicting such signs. If an applicant needs an interpreter in taking a road driving test in order to understand the commands of the tester, such applicant can bring with him or her during such road test such an interpreter, whose expense shall be for the account of the applicant.

(d) Ten Thousand Dollars (\$10,000) are hereby appropriated from the General Fund to the Department of Revenue and Taxation to begin the necessary translations.

§ 3101.1. License: Selective Service.

(a) Applicants between the ages of eighteen (18) and twenty-five (25) may register with the United States Selective Service System in compliance with Title 50 U.S.C. App. 451, et. seq., as amended, when applying for a Guam motor vehicle driver's license pursuant to § 3101 of this Title.

(b) Every qualified applicant identified in this Section may authorize the Guam Motor Vehicle Administrator to:

(1) Collect the necessary personal information required for registering the applicant with the United States Selective Service System and electronically transmit the necessary personal information;

(2) Transmit said information to the United States Selective Service System pursuant to provisions in this Section for purposes of registering the applicant with the United States Selective Service System; and

(3) Collect, on a form determined by the Guam Motor Vehicle Administrator, from each applicant, his affirmation that he is consenting to registration with the United States Selective Service System, if so required by Title 50 U.S.C. App. 451, et. seq., as amended.

(c) The Guam Motor Vehicle Administrator may establish a procedure to collect from the application of a consenting qualified applicant under twenty-six (26) years of age the necessary personal information required for registering the applicant with the United States Selective Service System and

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transmit the necessary personal information of the applicant to the United States Selective Service System for purposes of registering the applicant, if so required pursuant to Title 50 U.S.C. App. 451, et. seq., as amended.

(d) The provisions of this Title shall apply to all consenting qualified applicants under twenty-six (26) years of age applying for issuance, renewal, or duplicate of a Guam motor vehicle driver's license.

(e) Refusal by the applicant to register with the United States Selective Service System shall not be a basis for denial of a Guam motor vehicle driver's license.

SOURCE: Added by P.L. 27-82:2, passed 04/30/2004, to become effective 120 days thereafter (P.L. 27-82:3).

§ 3101.2. License: Effect of Military Service.

(a) Unless suspended, canceled or revoked, a driver's license issued under this Title that is held by a person who is on active duty in the armed forces of the United States and is absent from Guam, notwithstanding the expiration date of the license, remains valid as provided herein. If the licensee is honorably discharged from active duty, the license remains valid until the earlier of (1) the 91st day after the date of the discharge; or (2) the 31st day from the date on which the person returns to Guam, provided that the licensee has discharge or separation papers in his immediate possession.

(b) The Director of Revenue and Taxation shall renew the license, without examination, of a licensee whose license remains valid as defined in Subsection (a) hereof and who presents evidence of discharge or separation from service in the armed forces within the time limits in said Subsection."

SOURCE: Added by P.L. 28-160:1 (Jan. 4, 2007).

§ 3102. Same: Fees.

The following fee schedule in items (1) through (8) is valid for a three (3) year period. The applicant may elect for a license, notwithstanding § 3101(m), Chapter 3, Title 16 GCA, which shall be valid for a five (5) year period, provided that, the fee for such a license shall be Forty-five Dollars (\$45.00). The fee for the issuance of a motor vehicle driver's license is as follows:

- | | |
|---------------------------------|---------|
| (1) Operator's License | \$25.00 |
| (2) Chauffeur's License Class B | \$25.00 |
| (3) Chauffeur's License Class C | \$25.00 |

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(4) Chauffeur's License Class D	\$25.00
(5) Motorcycle Class F	\$25.00
(6) Mini Bus Class G	\$25.00
(7) Modified Vehicle Class H	\$25.00
(8) All other classes	\$25.00
(9) Driver's License Renewal	
Fee - Three (3) years	\$25.00
Five (5) years)	\$45.00
(10) Instruction Permit for 120 days	\$10.00
(11) Driver's License Late Penalty	\$ 5.00
every three (3) months after	
expiration not to exceed	\$40.00
(12) Temporary Driver's License	
valid for one (1) year	\$10.00
(13) Reinstatement Fee	\$20.00
(14) Out of Guam processing fee	\$10.00
(15) Certification Fee	\$10.00
(16) Written Test Fee (Operator,	
Chauffeur & Motorcycle)	\$15.00
(17) Foreign Language Operator	
Written Test Fee	\$35.00
(18) Cost of Mailing (The Department	
of Revenue and Taxation may	
adjust the mailing costs to provide	
for additional fees the U.S. Postal	
Service may charge)	\$ 3.00

An instruction permit shall not be issued for a period to exceed ninety (90) days. A temporary permit shall not be issued for a period to exceed thirty (30) days.

SOURCE: P.L. 1-88 as amended by P.L. 2-100. Amended by P.L. 29-002:V:I:35 (May 18, 2007).

§ 3102.1. Waiver of Fees for Veterans.

The fee for an operator's or chauffeur's license is waived for veterans of the United States Armed Forces. Veterans include persons who served in the

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Guam Combat Patrol, the United States Navy Insular Forces, Guam Militia or Civilian Scouts, Philippines Scouts and the United States Armed Service.

Any person listed above and whose honorable status can be verified by the Department of Defense 214 Form (DD214) or other forms used to verify membership in the organization listed and certified by the Government of Guam Veterans Affairs Office may apply to the License Division of the Department of Revenue and Taxation for a Driver's License.

SOURCE: Enacted by P.L. 28-079:2 (Dec. 5, 2005).

§ 3103. Driver Education: Student Permits: Application.

(a) Any student over fifteen and one-half (15 1/2) years of age who is enrolled in an approved Driver Education Program offered by a school of secondary level may apply for a student permit.

(b) The application shall be signed by the applicant and shall be accompanied by a statement signed by the parents, guardian, or persons having legal custody of the student consenting to his participation in the Driver Education Program.

SOURCE: GC § 23100.1, enacted by P.L. 11-198.

§ 3104. Same: Issuance.

The Principal may issue or reissue a student permit without cost whenever the applicant has filed a proper application therefor. Said permit shall be signed by the Principal, the Driver Education Instructor, and the student.

SOURCE: GC § 23100.2, enacted by P.L. 11-198.

§ 3105. Same: Limitations.

A student permit shall entitle the student to operate a motor vehicle only at such times as the student is taking driver training instruction in connection with a Driver Education Program, and then only in the direction and under the supervision of the instructor, and shall be valid only for the period covered by the course and for not more than one (1) year from the date of issuance. Any holder driving in violation of the limitations of a student permit shall be punished in the same manner as if he had no license or permit to drive whatsoever.

SOURCE: GC § 23100.3, enacted by P.L. 11-198.

§ 3106. Same: Cancellation.

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A student permit may be canceled by the Principal whenever, in his opinion, the safety of the student or other persons requires the action and shall be cancelled upon the written request of the parent, or any other person who signed the consent to issue the permit.

All student permits shall be surrendered and returned to the Principal whenever cancelled or upon completion of the course of instruction for which issued.

SOURCE: GC § 23100.4, enacted by P.L. 11-198.

§ 3107. Same: Instruction Permit.

Any student who successfully completes an approved Driver Education Program and who has the consent in writing of his parents, guardian, or persons having legal custody of him shall be eligible to apply for an instruction permit issued pursuant to § 3101 of this Code notwithstanding the fact that he is not at least sixteen (16) years of age.

SOURCE: GC § 23100.5, enacted by P.L. 11-198.

§ 3108. Instruction Permits: Alternative Provision.

The Director shall issue to any person who is in his sixteenth (16th) year and has successfully completed the written driver's license examination a permit which shall be valid until such person reaches his sixteenth (16th) birthday so long as he is accompanied by a licensed parent or guardian while operating a motor vehicle.

SOURCE: GC § 23100.6, enacted by P.L. 14-92:6.

§ 3109. Prohibitions.

A person shall not:

(a) Knowingly permit or authorize the driving of a motor vehicle, owned by him or under his control, upon the highways by another person, whether as operator or chauffeur, unless such other person is duly licensed to drive.

(b) Display or cause or permit to be displayed or have in his possession any cancelled, revoked, suspended, fictitious or fraudulently altered license or permit.

(c) Lend his license or permit to any other person or knowingly permit the use thereof by another.

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(d) Display or represent as one's own any license or permit not issued to him.

(e) Fail to refuse to surrender to the Department of Revenue and Taxation, upon lawful demand, any license or permit which has been suspended, revoked or cancelled.

(f) Use a false or fictitious name in any application for a license or permit or knowingly make a false statement or knowingly conceal a material fact or otherwise commit a fraud in any such application.

(g) Permit any unlawful use of a license or permit issued to him.

(h) Photograph, photostat, duplicate or in any way reproduce any license or permit or facsimile thereof in such a manner that it could be mistaken for such a license or permit, or display or have in his possession any such photograph, photostat, duplicate, reproduction or facsimile unless authorized by the provisions of this Title.

SOURCE: GC § 23101, enacted by P.L. 1-88 as amended by P.L. 12-155.

§ 3109.1. Punishments.

Any person who violates the provisions of subsections (a) or (e) of § 3109 of this Title shall be guilty of a misdemeanor. Any person who violates the provisions of subsections (b), (c), (d), (f), (g) or (h) of said § 3109 shall be guilty of a felony of the third degree.

SOURCE: Added by P.L. 22-20:4 (6/22/93)

§ 3110. Same Penalty.

[Repealed]

SOURCE: GC § 23101.1, enacted by P.L. 3-63 as amended by P.L. 13-187:144. Amended by P.L. 22-20:3 (6/22/93). Repealed by P.L. 24-124:2.

§ 3111. Same: Suspension and Revocation.

(a) Whenever any person is convicted of a violation of any provision of this Title relating to the speed of vehicles or of reckless driving, the court may, unless this Title makes mandatory a revocation of such license by the Director of Revenue and Taxation, suspend the license of such person for a period of not to exceed thirty (30) days upon first conviction, for a period of not to exceed sixty (60) days upon a second conviction, for a period of not to exceed six (6) months upon a third or any subsequent conviction.

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(b) A court may suspend the privilege of any person to operate a motor vehicle for a period not exceeding six (6) months, upon conviction of such person of any of the following offenses:

(1) Failure of the driver of the vehicle involved in an accident to stop at the scene of the accident or otherwise comply with the provision of this Title relating thereto.

(2) Reckless driving proximately causing bodily injury to any person.

(c) Whenever a court duly suspends a license, the court shall require such license to be surrendered to it. Unless required by the provisions of this Section to send the license to the Department of Revenue and Taxation, the court shall retain such license during the period of suspension and return it to the licensee at the end of such period after endorsing thereon a record of the suspension.

(d) Whenever any person is convicted of any offense for which this Title makes mandatory the revocation of the license or licenses of such person by the Director of Revenue and Taxation, the privilege of such person to operate a motor vehicle is suspended until the Director of Revenue and Taxation takes action required by this Title, and the court in which such conviction is had shall require the surrender to it of all operator's and chauffeur's licenses issued to the person convicted, and the court shall, within ten (10) days after such conviction, forward the same with the required report of such conviction to the Department of Revenue and Taxation.

(e) The Director of Revenue and Taxation shall immediately revoke the privilege of any person to operate a motor vehicle upon a highway upon receipt of a duly certified abstract of the record of any court showing that such person has been convicted of any of the following crimes or offenses:

(1) Criminal homicide resulting from the operation of a motor vehicle.

(2) Driving when addicted to the use or under the influence of narcotic or other drugs.

(3) Failure of the driver of a vehicle involved in an accident resulting in injury or death of any person to stop at the scene of the accident.

(4) Theft or unlawful taking of a vehicle.

(5) Any felony in the commission of which a motor vehicle is used.

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The privilege revoked under this Subsection shall not be renewed until the expiration of one (1) year after the date of such revocation and until the person whose privilege was so revoked gives proof of ability to respond in damages in an amount determined by the Director of Revenue and Taxation.

(f) The Director of Revenue and Taxation may revoke a license or permit upon any of the grounds which authorize the refusal to issue a license or permit and may also suspend or revoke a license or permit upon a conviction of a licensee or permittee of operating a vehicle upon a highway while under the influence of intoxicating liquor.

(g) The Director of Revenue and Taxation may suspend the privilege of any person to operate a motor vehicle upon a highway upon receipt of duly certified abstract of the record of any court showing that such person has been convicted of any of the following crimes or offenses:

(1) Failure to stop in the event of an accident resulting only in damage to property.

(2) A first conviction of reckless driving proximately causing bodily injury to any persons or a second or subsequent conviction of reckless driving not involving bodily injury to any person.

(3) Failure to stop upon striking an unattended vehicle. In any case under this Subsection the Director of Revenue and Taxation is authorized to require proof of ability to respond in damages in an amount determined by the Director of Revenue and Taxation.

(h) Whenever the Director of Revenue and Taxation revokes or suspends the privilege of a non-resident to operate vehicles in Guam the Department of Revenue and Taxation shall send a certified copy of such order to the proper authorities in the state wherein such person is a resident.

(i) Whenever the Director of Revenue and Taxation revokes or suspends the privilege of any person to operate a motor vehicle upon a highway or revokes or suspends an operator's or chauffeur's license issued to him evidencing such privilege, the revocation or suspension shall apply to all operator's or chauffeur's licenses held by him and all such licenses shall be surrendered to Department of Revenue and Taxation.

(j) Whenever the Director of Revenue and Taxation cancels an operator's or chauffeur's license, such license shall be surrendered to the Department of Revenue and Taxation. All suspended licenses shall be retained by the Department of Revenue and Taxation. Upon the expiration of the period of

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suspension by the Director of Revenue and Taxation of any license, the Department of Revenue and Taxation shall return the license to the licensee, or may authorize the granting of a new license.

(k) Upon receiving a duly certified abstract of the record of any court showing that a person has been charged with driving a motor vehicle upon a highway after his operator's or chauffeur's license or his driving privilege has been suspended or revoked, the Director of Revenue and Taxation, in the case of a suspension, shall extend the period of suspension of license for an additional like period and in the case of revocation, shall not authorize the issuance of a new license for an additional period of one (1) year from and after the date such person would otherwise have been entitled to apply for a new license.

(l) For the purpose of this Section, a plea of guilty or a judgment of guilty, whether probation is granted or not, or a forfeiture of bail, constitutes a conviction of any of the crimes herein mentioned.

(m) The Director of Revenue and Taxation shall suspend the privilege of any person to operate a motor vehicle upon a highway upon receipt of a certification from the Department of Law that the person is in non-compliance with a court order of support, such suspension to remain in effect until a confirmation of compliance from the Department of Law or the Superior Court of Guam is received.

(n) At the request of a non-custodial parent whose operator's license has been suspended for non-compliance with a court order of support under Subsection (m) of this Section, the Director of Revenue and Taxation may issue the non-custodial parent a temporary operator's license valid for a period not to exceed one hundred twenty (120) days.

SOURCE: GC § 23102, enacted by P.L. 1-88 as amended by P.L. 12-155; Subsection (e)(1) of § 23102 amended by P.L. 13-187:145. Subsections (m) and (n) added by P.L. 24-116:4, expired by operation of P.L. 24-116:13 on 9/30/1999 and reenacted by P.L. 25-161:4, 5 effective July 10, 2000.

§ 3112. Same: Same: Hearings.

(a) A person shall be entitled to demand in writing a hearing before the Director of Revenue and Taxation or his representative whenever the Director of Revenue and Taxation:

(1) Has refused to issue such person an operator's or chauffeur's license or to renew the same;

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(2) Has given notice of the imposition of terms or conditions of probation; or

(3) Has given notice of the suspension or revocation of his privilege of operating a motor vehicle upon a highway or an operator's or chauffeur's license issued to such a person.

The applicant or licensee shall not be entitled to a hearing under this Subsection whenever such action by the Director of Revenue and Taxation is made mandatory by the provisions of this Title, or when such person has had an opportunity to be heard, nor to a formal hearing whenever the action was taken on grounds ascertainable on examination or re-examination pursuant to the provisions of this Title.

(b) As an additional and alternative procedure to that set forth in Subsection (a), the Director of Revenue and Taxation may give to any person whose license he proposes to revoke, suspend, or on whom he proposes to impose terms of probation, or whose application for license he proposes to review, notice and an opportunity to be heard before taking such action. In such case the Director of Revenue and Taxation shall give notice of his proposed action by a statement setting forth the proposed action and the grounds therefor, and notifying the person of his right to a hearing; or the Director, at the time he gives notice of his intention to act may set the hearings, giving ten (10) days notice thereof.

(c) In either of the cases stated in Subsection (a) or (b) above, the person receiving the notice shall have ten (10) days in which to respond to the notice. He may either (1) demand a formal hearing, or (2) demand an informal hearing in which he may controvert any point at issue or present any evidence, statement, or argument for the consideration of the Director of Revenue and Taxation, or may present orally to the Director of Revenue and Taxation any evidence or statement pertinent to the question and submit the question for determination by the Director of Revenue and Taxation.

(d) Whenever any question is submitted for determination by the Director of Revenue and Taxation without formal hearing as stated in Subsection (c), the Director of Revenue and Taxation shall have the right upon the request of the person whose privilege of driving is in question, or at his own option to, re-open the question, and to take further evidence, to change or to set aside any order heretofore made.

(e) Failure to respond to a notice given under Subsection (a) or (b) hereof within ten (10) days shall be deemed a waiver of the right to a hearing, and

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authorize the Director of Revenue and Taxation to take the action without hearing; but in such case the Director of Revenue and Taxation shall have the right upon the request of the person whose privilege of driving is in question, or at his own option, to set aside any order heretofore made, or to give a formal hearing or an informal hearing.

(f) If a formal hearing is demanded the Director of Revenue and Taxation shall fix a time and place for hearing as early as may be arranged, and give ten (10) days' notice of such hearing to the applicant or licensee.

(g) Hearings shall be conducted by the Director of Revenue and Taxation or by a referee or hearing board appointed by him from officers or employees of the Department of Revenue and Taxation.

(h) At any hearing, the Director of Revenue and Taxation shall consider the official records maintained or kept by the Department of Revenue and Taxation pursuant to law or filed with the Department under the requirements of law and shall likewise be entitled to receive as evidence, either at the hearing, or subsequent thereto with the consent of the applicant or licensee, and use as proof concerning any fact relating to the ability of the applicant or licensee to operate a motor vehicle safely, the following material in addition to sworn testimony presented in open hearing:

(1) Reports of attending or examining physicians.

(2) Reports of special investigators appointed by the Department of Revenue and Taxation to investigate and report upon any scientific or medical question.

(3) Properly authenticated reports of hospital records, excerpts from expert testimony received by the Director of Revenue and Taxation or a hearing board upon similar issues of scientific fact in other cases and the prior decisions of the Director of Revenue and Taxation upon such issues.

(i) Upon the conclusion of the hearing the referee or board shall make findings on the matters under consideration and recommendations may also be prepared and submitted to the Director of Revenue and Taxation.

(j) The Director of Revenue and Taxation, upon review of the records, evidence and of the findings, if any, shall render his decision concerning refusal of an operator's or chauffeur's license, the imposing of terms or conditions or probation, or concerning the suspension or revocation of the privilege of operating a motor vehicle or of any operator's or chauffeur's

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license, or in those cases in which an action has been previously taken by the Department of Revenue and Taxation, the Director of Revenue and Taxation shall render his decision sustaining, modifying or revising the order of suspension or revocation or the refusal to issue a license or the order imposing terms or conditions of probation or he may set aside the prior action of the Department and direct that probation be granted to such person and fix the terms and conditions of such probation. The decision of the Director of Revenue and Taxation following any formal hearing shall be final and not subject to modification for one (1) year except where the cause for which the action was taken has been removed.

(k) Nothing in this Title shall be deemed to prevent a review or other action as may be permitted by the laws of Guam by a court of competent jurisdiction with reference to any order of the Director of Revenue and Taxation refusing, canceling, suspending, or revoking a license.

(l) The Department of Revenue and Taxation shall file every application for license received by it and maintain:

(1) A suitable index containing, in alphabetical order, all applications denied and on each thereof, note the reasons for such denial.

(2) A suitable index containing, in alphabetical order, all applications granted.

(3) A suitable index containing, in alphabetical order, the name of every licensee whose license has been suspended or revoked by the Department or by a court and after each such name note the reasons for such action and the period of revocation or suspension.

(4) The Department shall also file all accident reports and abstracts of court records of convictions received under this Code and in connection therewith maintain convenient records or make suitable notations in order that an individual record of each licensee showing the convictions of such licensee and the traffic incidents in which he was involved shall be readily ascertainable.

SOURCE: GC § 23103, enacted by P.L. 1-88 as amended by P.L. 12-155.

§ 3113. Public and Private Drivers Education Services.

(a) The Director of Revenue and Taxation shall develop Rules and Regulations under the provisions of the Administrative Adjudication Law, relative to licensing public and private drivers education services, which Rules

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shall require forty (40) hours of training, with thirty-two (32) classroom hours and eight (8) hours in-automobile or on-road, and that such training be applicable to all minors and to those adults who are applying for a "first time" driver's license. Such Rules shall also require that a licensed service firm which issues Certificates of Completion must possess the following: (1) a secondary teaching certificate issued by the Guam Public School System with an endorsement in drivers education; or a certificate to teach drivers education from a recognized educational institution or training agency in Guam or from another territory or state which has Drivers Education Training; or a safety education minor or major from a United States accredited Institute of Higher Education (IHE); and (2) a current first aid/CPR certification card issued by a recognized training institution that provides emergency care training which meets the current revisions in the Occupational Safety and Health guidelines and risk reduction strategies posted by the Center for Disease Control or other recognized medical entities.

(b) The following are standards that will be evaluated by the Director of Revenue and Taxation before issuing any certificate for operation of a driving school business:

(1) Vehicles: All driving school businesses must own, or designate at least one (1) automobile to be used for driving school instruction. That automobile must be equipped with dual controls, preferably with both dual steering and dual brakes, but with a minimum of dual brakes. The automobile must be inspected by the Director of Revenue and Taxation before a certificate of authorization to operate a driving school is issued.

(2) The driving school also must have driving school insurance for vehicles.

(3) An undertaking to provide on-road instruction where no credit is provided to the student unless the student is actually driving a dual control automobile under the supervision of the instructor.

SOURCE: Added by P.L. 22-20:9(f). Amended by P.L. 22-72:48(d) (1/19/94). Amended by P.L. 22-146:22 (12/29/94). Amended by P.L. 27-100:1 (6/25/2004).

COMMENT: Reference to Department of Education changed to Guam Public School System pursuant to P.L. 28-045:10 (June 6, 2005).

NOTE: Section 3 of P.L. 27-200 contains the following:

Section 3. Evaluation of Current Drivers Education License Holders for Compliance with Standards. For current holders of a Drivers Education Business License, each such business must be evaluated within one (1) year of the effective date

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hereof. The licensee must complete all requirements within the one (1) year period of time in order to continue operating a driving school. Each driving school business license holder must have a teaching certificate issued by the Department of Education before beginning to offer driving school services, or to continue offering driving school services, and each instructor shall have an AB Guam Driver's License.

§ 3113.1. Written Test and Learner's Permit.

All students must have passed the written test and received a Learner's Permit before any school, including public schools, can provide on-road instruction.

SOURCE: Added by P.L. 27-100:2 (6/25/2004).

§ 3114. Licenses Issued to Minors.

All licenses issued to persons under the age of eighteen (18) years of age shall prominently display the month and year in which such person will turn eighteen (18) years of age.

SOURCE: Added by P.L. 24-169:2.

§ 3115. Licenses Issued to Organ Donors.

All applicants to Guam Driver's License shall indicate whether he or she wishes and consents to be an organ donor under the Uniform Anatomical Gift Act and shall be a part of the application form. For those under eighteen (18) years of age, a parental consent shall be required prior to organ donor procurement. For those licenses issued to persons agreeing to organ donor shall have the words affix "Organ Donor" on the lower segment of the picture portion of the license, or other section of the license that the Director of Revenue and Taxation deems appropriate. A driver's license with the organ donor designation is only revocable by obtaining a new driver's license without the organ donor designation.

SOURCE: Added by P.L. 24-249:2.

§ 3116. Publication.

The Department of Revenue and Taxation is authorized to publish various handbooks, covering the rules and regulations of each class of drivers, and to charge a fee therefore as follows:

1. Operator's Handbook \$ 5.00
2. Chauffeur's Handbook \$ 5.00

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3. Motorcycle Handbook § 5.00

SOURCE: Added by P.L. 29-002:V:I:36 (May 18, 2007)..

Article 1A
Graduated Drivers' Licenses

SOURCE: This Article was added by P.L. 25-96:1.

- § 31A00. Legislative Findings and Intent.
- § 31A01. Effective Date.
- § 31A02. Definitions.
- § 31A03. Applicability and Exceptions.
- § 31A03.1. Verification Requirement.
- § 31A04. Stage 1: Learner's Permit.
- § 31A04.1. Administrative Provisions for Stage 1: Learner's Permit.
- § 31A05. Stage 2: Intermediate License.
- § 31A05.1. Administrative Provisions for Stage 2: Intermediate License.
- § 31A06. Stage 3: Full Licensure.
- § 31A07. Administrative Rules and Regulations.
- § 31A08. Fees.

§ 31A00. Legislative Findings and Intent.

I Liheslaturan Guðhan [The Legislature] finds momentum continues to build for the adoption of graduated driver licensing systems. Recent releases from the National Highway Traffic Safety Administration ('NHTSA') and the National Transportation Safety Board ('NTSB') clearly indicate that their programs will emphasize graduated licensing as a measure to improve traffic safety for new drivers and drivers who are under the age of twenty-one (21).

The NHTSA encourages states to implement a graduated driver licensing system to ease young drivers and new drivers into the driving environment through more controlled exposure to progressively more difficult driving experiences or driver licensing stages, prior to full licensure.

Authorities attribute the problems of new drivers, especially younger drivers, to inexperience and inadequate driving skills, excessive driving during high risk hours - especially nighttime, risk-taking, poor judgment and poor decision making. It also is believed that considerable experience is required,

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after initial licensing, before a new driver achieves dependable driving know-how, skill and judgment.

To address these problems, NHTSA and the American Association of Motor Vehicle Administrators ('AAMVA') developed an entry-level driver licensing system. It consists of three (3) distinct stages, named by the type of license possessed at each stage: learner's permit, intermediate (provisional) license, and full license. Young drivers are required to demonstrate responsible driving behavior in each stage of licensing before advancing to the next. This legislation is modeled after those recommendations.

In recent years graduated and provisional licensing laws have been enacted in several States and the trend is continuing. Several other States have introduced legislation to implement graduated licensing requirements. To be effective, graduated licensing must be coordinated with driver education. Graduated licensing, in combination with improved driver education, holds promise as a way to provide positive incentives for new drivers to drive safely.

It is the intent of *I Liheslaturan Guåhan* to implement *Graduated Drivers Licensing for Guam* for all new licensees obtaining a drivers license after June 30, 2000. In doing so *I Liheslaturan Guåhan* affirms that a driver's license is a privilege, not a right and such privilege, for the safety of all who use our roadways should only be extended through demonstrated driving experience.

§ 31A01. Effective Date.

The Graduated Licensing requirements of this Article shall be effective on June 30, 2000.

§ 31A02. Definitions.

Definitions as used in this Article include:

(a) 'Zero Tolerance' for Alcohol means a Blood Alcohol Content ('BAC') of 0.02 percent or less while driving. Although an alcohol free driver is desirable, 0.02% BAC is the accepted level required by the National Highway Traffic Safety Administration to account for certain medical conditions, such as certain forms of diabetes mellitus in which the bodies of some individuals afflicted with this disease may naturally produce small quantities of alcohol during the metabolism of carbohydrates.

(b) 'BAC' means Blood Alcohol Content.

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(c) '*Drivers Education*' means a course of instruction approved by the Director of the Department of Revenue and Taxation for the purpose of providing prospective licensed drivers with a general knowledge of traffic laws, motor vehicle safety and safe operation of a motor vehicle.

§ 31A03. Applicability and Exceptions.

(a) This Article shall apply to all new prospective driver's licensees. The Director of the Department of Revenue and Taxation shall exempt licensees who have received a valid driver's license from any state, territory or possession of the United States or from countries that have been determined to use prudent and acceptable drivers licensing standards provided one (1) of the following provisions apply:

(1) driver's license holders who have completed all steps of graduated driver's licensing who were issued a license in a state, territory or country that requires graduated driver's licensing; or

(2) holders of a driver's license issued by another state, territory or country who have at least five (5) years of driving experience as a licensed driver; or

(3) driver's license holders serving on active duty in any branch of the United States Armed Forces who possess a driver's license issued by another state or territory of the United States.

(b) This Section does not apply to any current reciprocity agreements in effect between other states and territories and Guam prior to the enactment of this Section.

(c) All individuals possessing a learner's permit on June 30, 2000, shall be required to complete the licensing requirements of this Article. All license holders under the age of eighteen (18) on June 30, 2000 shall retain their full licensure privileges.

SOURCE: Amended by P.L. 28-29:1.

§ 31A03.1. Verification Requirement.

It shall be the responsibility of the licensing authority to establish and maintain a means of verifying the requirements of Subsections (1) and (2) of § 31A03(a).

SOURCE: Added by P.L. 28-29:2.

§ 31A04. Stage 1: Learner's Permit.

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The following are the requirements to obtain and for the use of a Learner's Permit:

(a) the minimum age for a learner's permit is fifteen and one-half (15.5) years, candidates for a Learner's Permit are required to pass vision and written knowledge tests, including rules of the road and traffic signs and signals;

(b) permit holders under the age of eighteen (18) years must be accompanied by a parent or adult guardian who is a fully licensed driver at all times while driving; (In the event that the permit holder does *not* have a parent or guardian who is a fully licensed driver, that parent or guardian may designate, during the application process for a Learner's Permit, a responsible adult who is a fully licensed driver who either is twenty-one (21) years of age or older, or the permit holder's spouse to accompany the permit holder while driving.);

(c) permit holders over the age of eighteen (18) years must be accompanied by a licensed driver who is either twenty-one (21) years of age or older, or the permit holder's spouse at all times while driving, *except* for United States military personnel while on their work duty schedule or married persons;

(d) permit holders under the age of eighteen (18) years must have the permit holder's parent, guardian or designee certify that the permit holder has completed at least fifty (50) hours of supervised driving, ten (10) hours of which must be during night hours after 7:00 p.m.; *and*

(e) Zero Tolerance for Alcohol: permit holders must *not* have a blood alcohol content that exceeds 0.02 at any time while driving. Permit holders must *not* be at fault in any collision and remain conviction free of all traffic and motor vehicle code violations for six (6) consecutive months to move to Stage 2.

§ 31A04.1. Administrative Provisions for Stage 1: Learner's Permit.

(a) The Department of Revenue and Taxation shall ensure that Stage 1 Learner's Permits are distinctive from other driver's licenses, and all vehicles driven by the permit holder must be adequately insured to cover the permit holder for liability consistent with the mandatory liability insurance provisions of Chapter 19 of Title 16 of the Guam Code Annotated.

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(b) Law enforcement officers shall report all violations to the Department of Revenue and Taxation within ten (10) working days of the violation. Upon a receipt of a report of a violation by the Department, the permit holder who has violated any of the provisions of this Act shall *not* advance to the next stage of licensure for an additional period of six (6) months, *subject* to the Administrative Rules and Regulations required by this Act.

§ 31A05. Stage 2: Intermediate License.

The following are the requirements to obtain and for the use of an Intermediate License:

(a) the minimum age for an Intermediate License is sixteen (16) years; candidates for an Intermediate License are required to pass a behind-the-wheel, on-road test to obtain an Intermediate License;

(b) must have completed a Driver's Education course approved by the Department of Revenue and Taxation to obtain an Intermediate license; *and*

(c) Zero Tolerance for Alcohol: Intermediate Licensees must *not* have a blood alcohol content that exceeds 0.02 at any time while driving (Intermediate Licensees under the age of eighteen (18) years must be accompanied by a parent or adult guardian who is a fully licensed driver at all times while driving between the hours of 10:00 p.m. and 6:00 a.m. on weeknights and 12:00 a.m. and 6:00 a.m. on weekend nights, *except* while driving to and from work. The driver must show proof of employment. In the event that the Intermediate Licensee does *not* have a parent or guardian who is a fully licensed driver, that parent or guardian may designate, during the application process for an Intermediate license, a responsible adult who is a fully licensed driver who is either twenty-one (21) years of age or older, or the permit holder's spouse to accompany the Intermediate Licensee while driving.);

(d) Intermediate Licensees over the age of eighteen (18) years must be accompanied by a licensed driver who is either twenty-one (21) years of age or older, or the permit holder's spouse at all times while driving between 12:00 a.m. and 6:00 a.m. nightly, *except* while driving to and from work (The driver must show proof of employment.); *and*

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(e) the Intermediate Licensee must *not* be at fault in any collision and remain conviction free of all traffic and motor vehicle code violations for twelve (12) consecutive months to move to Stage 3.

§ 31A05.1. Administrative Provisions for Stage 2: Intermediate License.

The Department of Revenue and Taxation shall ensure that Stage 2 Intermediate Licenses are distinctive from other driver's licenses, and all vehicles driven by the Intermediate Licensee must be adequately insured to cover the Intermediate Licensee for liability consistent with the mandatory liability insurance provisions of Chapter 19 of Title 16, Guam Code Annotated.

Law enforcement officers shall report all violations to the Department of Revenue and Taxation within ten (10) working days of the violation. Upon a receipt of a report of a violation by the Department, the permit holder who has violated any of the provisions of this Act shall *not* advance to the next stage of licensure for an additional period of six (6) months, *subject* to the Administrative Rules and Regulations required by this Act.

§ 31A06. Stage 3: Full Licensure.

The following are the requirements to obtain full licensure:

(a) a full licensee must be at least Seventeen (17) years of age; *and*

(b) must have completed the intermediate licensing stage or be exempt under the provisions of § 31A03 as a result of possessing a valid drivers license from any state, territory or possession of the United States, or from countries that have been determined use prudent and acceptable drivers licensing standards, in which case the provisions of Chapter 3 shall apply. The Director may waive the requirements of §§ 31A04 and 31A05 *if* it can be determined that through prior driving experience, an applicant meets the safe driving experience requirements for full licensure, but may, *however*, require passage of a written examination on the traffic laws of Guam.

The Director of Revenue and Taxation may, upon suspension of any full license by operation of law, require that such licensee upon completion of the suspension period, revert to Stage 2: Intermediate licensing, as a condition for reinstatement of full licensure privileges.

§ 31A07. Administrative Rules and Regulations.

