

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 60-31 (COR)

Introduced by:

M. Silva Taijeron

2011 JAN 21 10:23
[Signature]
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**AN ACT TO AMEND §26103 AND TO ADD A NEW CHAPTER
27 TO TITLE 16 OF THE GUAM CODE ANNOTATED
RELATIVE TO PROHIBITING VEHICLE PASSENGERS
RIDING IN THE BED OF A PICKUP TRUCK.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. §26103, Title 16 of the Guam Code Annotated is hereby *amended* to read:

“§26103. Driver and Passenger(s). Seat Belts Required.

Each driver and all passengers of a motor vehicle, as defined in Title 16, Guam Code Annotated, §1102 (s), excluding a motorcycle, as defined in Title 16, Guam Code Annotated, §1102 (q), and excluding passengers covered under §§ 26101 and 26102 of this Chapter, shall be restrained by a seat belt assembly that meets federal motor vehicle safety standards and is used in accordance with the assembly manufacturer’s operating instructions.

~~(a) Passengers riding in the bed of a pickup truck are exempted from the requirement to utilize a seat belt assembly, as stated in this Section, provided, that the following criteria are met:~~

~~(1) The bed of the pickup truck is surrounded on all four (4) sides by a secure vertical body extension, inclusive of a tailgate, that is~~

at least fourteen (14) inches high;

~~(2) All seats in the cab of the pickup truck are occupied by a passenger;~~

~~(3) Passengers in the bed of the truck are twelve (12) years of age or older;~~

~~(4) Passengers in the bed of a pickup truck remain seated on the floor of the truck bed at all times;~~

~~(5) Passengers are *not* leaning against the tailgate of the pickup truck; and~~

~~(6) There are *no more than* five (5) passengers riding in the bed of the pickup truck.”~~

Section 2. A new Chapter 27 is hereby *added* to Title 16 of the Guam Code Annotated to read:

“CHAPTER 27

PASSENGERS IN BED OF PICKUP TRUCK

§27101. Passengers Prohibited From Riding in Pickup Bed.

Passengers of a motor vehicle are prohibited from riding in the bed of a pickup truck, as the bed is designed for the transportation of cargo.

§27102. Penalty.

Notwithstanding any other provision of law, the driver of a vehicle which violates §27101, Title 16 of the Guam Code Annotated shall be fined one hundred dollars (\$100.00) for each passenger riding in a pickup bed.”

Section 3. Enactment. The provisions of this Act shall become effective thirty (30) days upon enactment.

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