

GUAM RULES AND REGULATIONS

TITLE 7
ENERGY CONSERVATION

(UPDATED THROUGH MARCH 20, 2020)

**7 GAR-ENERGY CONSERVATION
CH. 1 – GUAM ENERGY OFFICE
CH. 2 - PLUG-IN ELECTRIC VEHICLE REBATE PROGRAM ACT**

**TITLE 7
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**CHAPTER 1
GUAM ENERGY OFFICE**

(No rules in effect)

NOTE: Rule-making authority cited for formulation of regulations for the Guam Energy Office by the General Counsel of the Federal Energy Office, Section 205181, Federal Register Volume 39, No. 10, effective January 15, 1974.

Guam Public Law 12-101 requires that the Guam Energy Office comply with the rules and regulations adopted by the Federal Energy Office, toward carrying out the intent of the Emergency Petroleum Allocation Act of 1973 (Fed. Public Law 93-159)

However, the federal law mentioned has since been repealed and whatever energy policy there is in the federal government now comes through the Department of Energy. There is no Emergency Petroleum Allocation in effect, nor even in existence as a contingency.

The Guam Energy Office's 1991 function is to administer various federal grants relative to energy conservation and to distribute funds pursuant to the Exxon Petroleum Case out of which Guam receives a share of the recovery. The use of these funds is governed by rules of the federal Department of Energy and by the District Court distributing the funds.

**CHAPTER 2
GUAM ENERGY OFFICE PLUG-IN ELECTRIC VEHICLE REBATE
PROGRAM ACT**

SOURCE: Adopted by P.L. 35-081:2 (Mar. 20, 2020).

- § 7201. Authority.
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- § 7203. Same: Definitions.
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- § 7205. Same: Program, Phase-out.
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§ 7201. Authority.

The Guam Energy Office (GEO) is the authority to implement and administer the Plug-In Electric Drive Motor Vehicle Rebate Program in accordance with Article 9 of Chapter 3, Title 16, GCA.

§ 7202. Purpose.

The purpose of these Rules and Regulations is to establish procedural requirements for plug-in electric vehicle rebates funded under the General Fund.

§ 7203. Same: Definitions.

Terms used in these rules and regulations which are defined in Title 16 Guam Code Annotated shall have the same definition for the purpose of these rules and regulations.

(a) Business shall mean a locally registered business in good standing.

(b) Nonprofit shall mean a locally registered non-profit entity in good standing.

(c) Natural person shall mean a human being.

(b) Purchaser shall mean the natural person, business, or nonprofit who purchased a new qualified plug-in vehicle for which an application for the Program is made.

(c) Qualified plug-in electric drive motor vehicle shall mean a new zero-emissions vehicle with at least four wheels, that draws propulsion using a traction battery that has at least four kilowatt hours (kwh) of capacity, uses an external source of energy to recharge the battery, has a gross vehicle weight

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rating of not more than 14,000 pounds, and meets specified emission standards.

§ 7204. Same: Rebate Incentive Offered.

(a) Each natural person, business, or nonprofit that purchases a qualified plug-in electric drive motor vehicle shall be eligible for one (1) rebate that shall be calculated as ten percent (10%) of the total base price of the qualified plug-in electric drive motor vehicle. Said rebate shall not exceed Three Thousand Dollars (\$3,000) per qualified plug-in electric drive motor vehicle.

(b) Each natural person shall only be eligible for one rebate for said natural person's lifetime. Each business or nonprofit shall only be eligible for up to three (3) rebates, cumulatively, for said business' or nonprofit's lifetime.

(c) The terms the purchaser must meet include, but are not limited to, proof of purchase of the new qualified plug-in electric drive motor vehicle and proof of insurance for said vehicle.

(d) The purchaser shall agree to maintain ownership of the qualified plug-in electric drive motor vehicle for a period of not less than thirty-six (36) months, and shall complete and submit the necessary forms as prescribed by the GEO to claim a rebate pursuant to the Program.

(e) If the purchaser transfers ownership of the qualified plug-in electric drive motor vehicle for which a rebate was granted within the thirty-six (36) month period, the purchaser shall repay a prorated amount of the rebate granted to be determined by §7208 of this Chapter.

(f) The rebate offered in this Section shall be in addition to any federal tax credit applicable to the purchase of a qualified plug-in electric drive motor vehicle.

§7205. Same: Program, Phase-out.

The rebate authorized in this Chapter is subject to a phase-out (reduction) once one hundred (100) qualified plug-in electric drive motor vehicle rebates have been provided beginning after October 1, 2014. The phase-out shall begin in the second calendar

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quarter after the quarter in which the hundredth (100th) rebate has been granted. During this quarter, the GEO shall be authorized to only provide fifty percent (50%) of the full rebate for the following two (2) quarters, then twenty-five percent (25%) of the full rebate for an additional four (4) quarters, and no rebate thereafter.

§7206. Procedure: Application.

A standard rebate application form shall be provided by GEO to the Purchaser. The Director of the GEO shall approve all applications submitted to the GEO for rebate.

§7207. Procedure: Requirement.

As a condition for receiving Guam rebate funds, the applicant must comply with the requirements below. The Purchaser is responsible for reviewing program requirements prior to applying for a rebate. Eligible Purchaser(s) must meet the following requirements:

(a) A natural person must be a bona fide resident of Guam and provide proof of Guam residency. A business or non-profit must be registered with the government of Guam and in good standing.

(b) A new qualified plug-in electric drive motor vehicle shall be purchased from a registered dealership participating in the Plug-In Vehicle Rebate Program as in agreement with the GEO.

(c) Active duty military members with permanent residency in Guam are eligible to apply.

(d) The Purchaser shall submit a rebate application at the GEO.

(e) A new qualified plug-in electric drive motor vehicle purchase date must be on or after the effective date of Public Law 32-164.

(f) The Purchaser shall not make or allow any modifications to the qualified plug-in electric drive motor vehicle's system for other than its intended purpose.

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(g) Retain ownership, registration and vehicle insurance of the qualified plug-in electric drive motor vehicle for a minimum of 36 consecutive months immediately after the purchase date.

(h) The Purchaser shall provide proof of insurance coverage to the GEO for the 36 months or as required by law.

(i) If the qualified plug-in electric drive motor vehicle has been sold or ownership of vehicle has been transferred within the 36 month period, the Purchaser shall repay a prorated amount of the rebate granted as determined by the GEO.

§7208. Procedure: Prorate Formula.

Rebate Amount Issued/36 months = Rebate Amount per month. Remaining Term x Rebate Amount per month Prorated Amount Owed.

§7209. Procedure: Exceptions.

There shall be no exceptions except as provided for by law.

§7210. Severability.

If any section or part of these rules and regulations is held invalid for any reason, the invalidity shall not affect the validity of the remaining sections or parts of these rules and regulations.
