

16 GCA VEHICLES
CH. 13 SCHOOL CROSSING GUARDS

CHAPTER 13
SCHOOL CROSSING GUARDS

§ 13101. School Crossing Guards.

§ 13102. Enforcement.

SOURCE: This Chapter was repealed/reenacted by P.L. 25-38:4.

NOTE: The effective date of this new Chapter was August 27, 1999. As to its applicability, P.L. 25-38:6 states:

Section 6. Application. This Act applies to any claim for harm caused by an act or omission of a volunteer where that claim is filed on or after the effective date of this Act, but only if the harm that is the subject of the claim or the conduct that caused such harm occurred on or after such effective date.

§ 13101. School Crossing Guards.

(a) The Chief of the Guam Police Department is hereby authorized to appoint and equip volunteers and designated employees of the Department of Education, and may provide training to such volunteers as school crossing guards to direct traffic at school crossings, streets and highways in the vicinity of schools and bus stops, by means of lawful orders, signs or semaphores. Such persons shall wear a distinctive garb or insignia indicating such appointment. *'School crossing guard'* shall mean any person eighteen (18) years of age and older acting with or without compensation who is authorized by this Chapter to supervise, direct, monitor, or otherwise assist school children at a street or intersection in the vicinity of a school or bus stops.

(b) With the approval of the Chief of Police, a school crossing guard may be authorized, in addition to directing traffic at school crossings, to direct and regulate the flow of traffic in the event of a fire, explosion, hurricane, tornado or other emergency situation. Such volunteer shall *not* have the power of arrest provided to peace officers.

(c) Provisions of Chapter 16 of Title 7 of the Guam Code Annotated, which provide liability protection for volunteers shall apply to any volunteer school crossing guard authorized under this Section *if* all requirements set forth in § 16103 of Title 7 of the Guam Code Annotated are met.

(d) The Guam Police Department shall maintain a list of authorized school crossing guards.

16 GCA VEHICLES
CH. 13 SCHOOL CROSSING GUARDS

2009 NOTE: P.L. 28-045:10 (June 6, 2005) changed the name of the Department of Education to the Guam Public School System. P.L. 30-050:2 (July 14, 2009) reverted the name of the Guam Public School System to the Department of Education. References to Guam Public School System have been changed to Department of Education pursuant to P.L. 30-050:3.

§ 13102. Enforcement.

(a) It shall be unlawful for any person driving or operating any vehicle to willfully fail or refuse:

(1) to comply with any lawful order or direction of any peace officer or any individual authorized under § 13101, to direct, control or regulate traffic; *or*

(2) to stop *not* less than fifty feet (50') from the nearest side of a school pedestrian lane where any signal device, flagman or other person is stationed, giving warning that children are about to cross, or are crossing, the street and it is further declared unlawful to proceed until such signal has stopped, raised or been removed, or the flagman or person stationed at such pedestrian lane has given a signal to go, or has left the locality.

(b) A peace officer may arrest the driver of a motor vehicle if the peace officer has probable cause to believe that the driver has operated the vehicle in violation of this Chapter within the past four (4) hours.

(c) In addition to any other citation for penalties or fines that may be levied, every person violating this Section shall be issued a citation and shall be guilty of a misdemeanor, and upon conviction, punished by a fine not less than Fifty Dollars (\$50.00), nor more than Two Hundred Dollars (\$200.00) for each violation."

Section 6. Application. This Act applies to any claim for harm caused by an act or omission of a volunteer where that claim is filed on or after the effective date of this Act, but only if the harm that is the subject of the claim or the conduct that caused such harm occurred on or after such effective date.
