

**30 GAR - REVENUE AND TAXATION
DIV. 2 - LICENSE DIVISION
CH. 9 TAXICABS**

**CHAPTER 9
TAXICABS**

- Article 1. Taxicabs Display and Signs.
- Article 2. Taxicabs Rules and Regulations.
- Article 3. Motor Carrier Inspection.

**ARTICLE 1
TAXICAB DISPLAY AND SIGNS**

- § 9101. General Provisions: Title and Authority.
- § 9102. Same: Scope of Law.
- § 9103. Same: Penalties.
- § 9104. Same: Definitions.
- § 9105. Same: Implementation Time-Table.
- § 9106. Same: Note.
- § 9107. Same: Grandfather Clause.
- § 9108. Same: Interior Display.
- § 9109. Regulations.

NOTE: Rule-making authority cited for taxicab display and signs regulations by the Department of Revenue, 16 GCA § § 11102 and 11103. These Rules and Regulations were filed with the Legislative Secretary on October 2, 1979.

The taxicab display and signs regulations are reprinted here in form as exact as possible to those filed with the Legislative Secretary. The substance of the regulations has not been changed. However, for the purpose of uniformity and ease of use, a new system of numbering has been adopted by the Editor. It is hoped that the revised numerical system will eventually be substituted for that formulated by the Department of Revenue and Taxation.

§ 9101. General Provisions: Title and Authority.

These Rules and Regulations shall be called the “Rules and Regulations Governing Taxicab Display of License, Rates, Driver Identification Signs.” These Rules and Regulations are promulgated by the Director of Revenue and Taxation under authority granted him by 16 GCA §§ 11102 and 11103.

2016 NOTE: Subsection designation deleted to adhere to Compiler’s codification scheme pursuant to 1 GCA §1606.

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§ 9102. Same: Scope of Law.

(a) As directed under 16 GCA § 11102, every person operating a vehicle registered as a taxicab shall permanently display in the interior of such vehicle, so as to be plainly visible from wherever a passenger rides therein, the following information:

(1) Taxicab Driver's Identification to include:

- (A) photograph of driver
- (B) driver's full name
- (C) taxicab driver's license number

(2) Schedule of Legal Taxicab Rated (Taxi Fares)

(b) The photograph, which shall be a true, clear, and recognizable likeness of the face of the operator shall be of such size; the name, the taxicab driver's license number, and the schedule of taxi rates shall be printed in such form and size, and all shall be displayed and attached to the interior of the taxicab in such a manner as the Director of Revenue and Taxation by uniform regulations shall prescribe.

Section 11103 directs that all persons and entities in whose name a taxicab is registered, shall prominently display on both sides of the exterior of such taxicab the word "TAXI" and the name under which it is registered. In the event that more than one (1) taxicab is registered in the name of any one (1) individual, partnership, corporation, company or other business association such taxicab shall be serially numbered and the applicable serial number similarly displayed on both sides of the exterior of said taxicab "in such a manner as the Director of Revenue and Taxation by uniform regulations shall prescribe."

§ 9103. Same: Penalties.

Title 16 Guam Code Annotated § 11104 provides penalties for violation of § 11102 or § 11103:

Misdemeanor punishable by a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment for not more than one hundred eighty (180) days, or by both such fine and imprisonment.

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In addition, the Director of Revenue and Taxation may suspend or revoke a taxicab driver's license for violation of any of the provisions contained herein. (16 GCA § 3101(h) and § 3111(f)).

§ 9104. Same: Definitions.

(a) Taxi same as Cab or Taxicab. (These words may be used interchangeably for purposes of 16 GCA § 11103.)

(b) Director - Director of Revenue and Taxation.

(c) Permanently Display means the taxi signs must be stenciled with waterproof paint.

(d) Plainly Visible means clearly able to be seen at night and by day from any passenger position within the vehicle.

(e) Prominently Display means the 16 GCA § 11103 signs can be read from a distance of one hundred fifty (150) feet by a person with normal 20-20 vision.

§ 9105. Same: Implementation Time-Table.

These Regulations shall be binding with full force and effect thirty (30) days after filing with the Legislative Secretary.

§ 9106. Same: Note.

Henceforth, applicants for taxi driver's license shall be tested on the provisions of these Rules and Regulations. Please note these General Requirements for all Taxis:

(a) Name under which (Taxi) is registered (§ 11103) shall be not less than three (3) inches nor more than five (5) inches in size. The Registered Owner's Name shall be preceded by the word "OWNER" which may be: "one (1) to two (2)" inches in size.

(b) The word TAXI or CAB or TAXICAB must be three (3) inches to five (5) inches and on a separate line from any other words in the Registered Owner's Name. However, the word TAXI or CAB or TAXICAB need appear only once including said word in Registered Owner's Name.

(c) Taxi Plate Number shall be three (3) inches and must appear on a separate line as follows: T-#.

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(d) Words Serviced by must precede Servicing Cab Company's Name. Serviced by which may be: "one (1) to two (2)" inches and followed immediately by the name of the Servicing Cab Company, if any, which shall be not less than three (3) inches nor more than five (5) inches.

(e) Servicing Cab Company Serial Number may be placed on any of three (3) different locations (A, B, or D on Samples B and C) and must be three (3) inches high.

(f) The Registered Owner's Name, Taxi Plate Number, and word TAXI or CAB or TAXICAB must always appear on both front doors (exteriors) and stenciled on with paint in a professional manner. If there is a Servicing Cab Company that Name may appear on rear doors only when there is inadequate space to place it neatly on the front doors.

Servicing Cab Companies shall have all Serviced Cabs stenciled in the same manner. Other than the above there shall be no signs or display on rear doors.

(g) All exterior sign display shall be painted in one (1) uniform color which contrasts clearly with the vehicle's body color (e.g., white on dark, black on white). Fading signs must be repainted so that lettering and numbers are always clear.

The words Serviced By followed by the servicing cab company name may be displayed with permanent tape provided it is affixed professionally and neatly and contrasts with the vehicle's body color.

(h) The word TAXI or CAB or TAXICAB may be shown on top of the roof of the vehicle being utilized as such. This sign may be illuminated up at night for clear identification of the taxi in the dark.

(i) During annual registration of taxicab vehicles renewal of registration will be denied unless all signs and displays and seals are in conformity with the requirements contained in these Rules and Regulations.

(j) During annual vehicle inspection of taxicabs, a safety decal shall be denied any vehicle not in complete conformity with all the requirements of these Rules and Regulations.

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(k) During June renewal of Business License, representatives of all taxi companies must provide a current photograph of the exterior sign display of every taxi vehicle owned by or serviced by that taxi company. Each photograph shall be identified on the back with the Registered Owner's Name, DBA, Taxi Plate Number, Servicing Cab Company, if any, and Serial Number. Should there be any change in SIGN display during the following year, that change must be registered with the Business License Office of the Department of Revenue and Taxation.

(l) It shall be the responsibility of every individual, partnership, corporation or other business association to keep at all times a complete record of all taxicabs it owns or services, including; Name and address of Registered Owner, Name and address of Driver (if different from Registered Owner), Driver's Taxi License Number and Expiration Date, Taximeter Number, and Reinspection Date. This record shall be kept up to date and shall be available to the Director or his representative upon request.

(m) No abbreviations of the Registered Owner's Full Name or Servicing Cab Company's Full Name or other required SIGN Display information is Permitted.

§ 9107. Same: Grandfather Clause.

Registered taxicab owners making written requests (accompanied by color photographs of all doors) before or during November 1979 [taxi registration renewal period] for exemption from technical (size and location) specifications as to letters and numbers, may at the discretion of the Director of Revenue and Taxation be "grandfathered" (exempted) for a period of time from said requirements only if petitioner alleges that the required letters and numbers are already permanently painted onto the taxicab doors and that the expense of re-painting by November 1979 would be unduly burdensome. In no cases, however, shall any taxi be exempted from displaying all the required sign information in a neat and permanent manner somewhere on the doors on each side of the taxi. Grandfather Clause exemptions cease immediately upon transfer of the exempted vehicle to a new owner or re-painting of the exempted vehicle. In no case will these exemptions be valid beyond November 30, 1980.

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§ 9108. Same: Interior Display.

(a) Title 16 Guam Code Annotated § 11102 Interior Display must be as explained below and pictured in the attached photograph:

(1) Taximeter: Installation. The taximeter shall be permanently situated in, on, or against the center of the dash panel. It shall be clearly visible from wherever a passenger rides there-in and shall be at such a position that the flag or lever is in plain view from the vehicle's exterior.

(2) Gearbox Installation. All gear boxes or other parts required for service operation of a taximeter shall be permanently situated within the engine compartment plainly accessible for applying or inspecting the seals. Implementation of the requirement is suspended until February 1, 1980.

(3) Security Seal Required. Adequate provisions shall be made for affixing lead - and - wire seals to the taximeter (and to other parts required for taximeter installation, service, or operations) of each taxi so that no adjustments, or alterations, or replacements affecting in any way the accuracy or indications of the device or the assembly can be made without mutilating the seals.

The sealing means shall be such that it is not necessary to disassemble or remove any part of the device of that vehicle to apply or inspect the seals.

(4) Taximeter: Removal. The Director (of Revenue and Taxation) or his designated representative shall cause all taxi meters or measuring devices which have been found to be inaccurate to be removed from public service until repair is completed and approved by the Department.

(5) Schedule of Fares. Shall be displayed on approved printed form entirely protected by glass or plastic transparent material and securely attached to the housing of the taximeter. This schedule shall be a minimum of 32" (wide) x 6" (long) and must accurately reflect the current fares approved by the Utility Commission.

(6) Driver's Identification Information. Shall be clearly displayed on a printed form (minimum size 3" x 5") protected by glass or transparent plastic and affixed alongside the Fare Schedule. The following information shall be shown:

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(A) 2" x 2" black and white or color photograph (taken within the previous three (3) years) of the Driver's face, date when taken and signed.

(B) Operator's full name.

(C) Operator's Taxicab Driver's License Number.

(7) If another Taxi Driver is permitted by the Taxi's Registered Owner to drive that taxi (whether by rental agreement or otherwise) the following special requirements must be adhered to:

(A) The "other" Taxi Driver must display all the Driver Identification Information (Section (6) above) correctly before driving anywhere.

(B) The Registered Owner remains liable for any infractions or accidents occurring while the "other" driver is in control of the taxi vehicle.

(C) The Registered Owner is subject to suspension and other penalties if he/she permits another driver without a current Guam Taxi Driver's License to operate the taxi.

§ 9109. Regulations.

Title 16 Guam Code Annotated § 11103 Sign Display must be done exactly as shown by the following visual diagrams:

Diagram I: Registered owner is individual person using his own name as his/her taxi DBA.

Diagram II: Registered owner is individual person using his own name as his/her DBA and Serviced by a Cab Company.

Diagram III: Registered owner is a corporation whose taxi is Serviced by another Cab Company.

ARTICLE 2
TAXICAB RULES AND REGULATIONS

- § 9201. General Provisions: Title and Authority.
- § 9202. Definitions.
- § 9203. Taxicab Driver's Identification Card.
- § 9204. Alteration, Removal or Destruction of Taxicab Driver's Identification.

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- § 9205. Format of Taxicab Driver's Identification Card.
- § 9206. Issuance of Taxicab Driver's Identification Card.
- § 9207. Issuance of Taxicab Driver's License.
- § 9208. Convicted Person.
- § 9209. Expiration Date of Taxicab Driver's License and Identification Card.
- § 9210. Revocation or Suspension of Taxicab Driver's License.
- § 9211. Operation of a Taxicab Other Than the Owner or Taxicab Operator.
- § 9212. Annual Review of Driving Record.
- § 9213. Exterior Signs.
- § 9214. Identification of Owner.
- § 9215. Assigned License Number.
- § 9216. Required Letters and Numbering Size.
- § 9217. Signs Approved before this Act.
- § 9218. Color Restrictions: White on Dark/Black on Light.
- § 9219. Driver Number: Display Requirements.
- § 9220. Color Band Option: Taxi Company.
- § 9221. Color Band Option: Company Name.
- § 9222. Driver Number: Use of.
- § 9223. Color Band Option: Director's Approval Required.
- § 9224. Color Band Option: Restrictions.
- § 9225. Sign Display: Approved by Director.
- § 9226. Color Band Option: Installation within 30 Days.
- § 9227. Surrender Taxi Plate.
- § 9228. Remove All Sign Displays.
- § 9229. Abbreviation Prohibited.
- § 9230. Taxi Rates - Charges.
- § 9231. Posting of Fares - Design, Size.
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- § 9233. Charges, Fares, When Permitted.
- § 9234. Additional Passengers - Charges Thereof.
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- § 9236. Use of Different Rates - Prohibited.
- § 9237. Direct Route - Use of.
- § 9238. Extra Large Parcels, Objects - Charges For.
- § 9239. Taxi Meter Requirements.
- § 9240. Installation.
- § 9241. Illumination.
- § 9242. Gearbox - Installation.

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- § 9243. Security Seals - Provisions For.
- § 9244. Indications - Visibility of.
- § 9245. Reinspection.
- § 9246. Random Inspections.
- § 9247. Taxi Meter Flag/Lever Employed.
- § 9248. Vehicle Type.
- § 9249. Vehicle Condition.
- § 9250. Driver's Report - Taxicab Condition.
- § 9251. Unsafe Taxicab - Operation Prohibited.
- § 9252. Proper Exits - Requirement.
- § 9253. Periodic Safety Inspection.
- § 9254. Safety Decal - Issuance without Inspection.
- § 9255. Damaged Vehicle - Prohibited Use of.
- § 9256. Safety Decal - Removal of.
- § 9257. License Plates - Removal of.
- § 9258. Accidents - Report to Director.
- § 9259. Tire.
- § 9260. Lights - Requirement, Interior.
- § 9261. Electrical Wiring - Protection Required.
- § 9262. Fire Extinguisher - Requirement.
- § 9263. Speedometer/Odometer - Requirement.
- § 9264. Engine Steam Cleaning - Requirement.
- § 9265. Tinting, Shades, Curtain Prohibited.
- § 9266. Trip Records.
- § 9267. Receipts to be Issued.
- § 9268. Individual Taxicab Records.
- § 9269. Narcotics, Amphetamine and other Dangerous Drugs.
- § 9270. Intoxicating Liquor.
- § 9271. Taxicab Over-Capacity Load.
- § 9272. Sleeping in the Taxicab.
- § 9273. Advertising.
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- § 9275. Solicitation of Passengers.
- § 9276. Complaints: Director Shall Notify.
- § 9277. Complainant: Notified of Non-Violation.
- § 9278. Complaint: Notification of Hearing.
- § 9279. Complaints: Filing Procedures Posted.
- § 9280. Suspension or Revocation of Business Licenses or Taxicab Companies.
- § 9281. Severability Clause.

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NOTE: Rule-making authority cited for Taxicab Rules and Regulations by the Department of Revenue and Taxation, 16 GCA §§ 11102 and 11103.

These Rules and Regulations were filed with the Legislative Secretary on November 18, 1987.

§ 9201. General Provisions:

Title and Authority. These rules and regulations shall be called the "TAXICAB REGULATIONS". These regulations are promulgated by the Director of Revenue and Taxation under authority granted him by 16 GCA § 11105 (Vehicle Code).

§ 9202. Definitions.

Unless the context otherwise requires, the definitions set forth below governs the construction of terms as used in these rules and regulations:

(a) Taxicab - A passenger vehicle for hire, having a seating capacity of less than eight (8) passengers, which passengers are carried for a fare shown on a meter.

(b) Owner - Any person having legal or equitable title to a taxicab.

(c) Association - A group of taxicab owners organized for the purpose of common benefit as regards operation (i.e., radio dispatch, color scheme or insignia, etc.).

(d) Independently Operated Taxicab - A taxicab which is not part of a fleet, taxi company or association.

(e) Operator - Any person, association or company that owns or leases taxicabs and is engaged in the operation of a taxicab business.

(f) Driver - Any person who drives or is in actual physical control of the taxicab.

(g) Board - A hearing board appointed by the Director of Revenue and Taxation by authority of 16 GCA § 3112(g) of the Vehicle Code.

(h) Department - Means the Department of Revenue and Taxation.

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(i) Director - Means the Director of the Department of Revenue and Taxation.

(j) Intoxicating Liquor - Means beer, distilled spirits or wine and every liquid or solid which contains one half (1/2) of one percent (1%) or more of alcohol by volume and which is fit for beverage purposes either alone or when combined with other substances.

§ 9203. Taxicab Driver's Identification Card.

No taxicab driver shall use or cause to be used, for the purpose of hire, a taxicab which does not have a taxicab driver's identification card mounted within twelve inches (12") of the taxi meter so that it is readily visible to all passengers. The TAXICAB DRIVER'S IDENTIFICATION SHALL NOT BE MOUNTED ON THE SUN VISOR OF THE TAXICAB! The driver's identification card shall be issued by the Director of Revenue and Taxation. This identification card shall be laminated in plastic or so constructed as to make alteration difficult. The Director will charge a Twenty-Five Dollar (\$25.00) fee for each driver identification card issued by him.

§ 9204. Alteration, Removal or Destruction of Taxicab Driver's Identification.

No person shall alter, remove from another taxicab not operated by him, or destroy a taxicab driver's identification card.

§ 9205. Format of Taxicab Driver's Identification Card.

The driver's identification card shall be four inches (4") wide by six inches (6") tall. The lower portion shall contain, in one inch (1") size, the taxicab driver's number. (See Illustration)

§ 9206. Issuance of Taxicab Driver's Identification Card.

(a) No taxicab driver's identification card shall be issued to any person unless he has, having met all requirements and passed all scheduled tests, a valid Guam driver's license.

(b) The rear of the driver's identification card shall contain the following information: driver's date of birth, driver's license number, driver's height, driver's weight, driver's hair color, driver's eye color, expiration date of driver's health card, date license was issued, driver's signature, issuing clerk's signature and the following declaration.

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“I, _____ hereby declare that I have reasonable knowledge of the laws and ordinances of streets, roads, highways and historical locations in the Territory of Guam. I have a reasonable understanding of and can converse in the English language.

SIGNED AND SWORN THIS _____ DAY OF _____, 20____.”

§ 9207. Issuance of Taxicab Driver’s License.

No taxicab driver’s license shall be issued to any person unless he has:

- (a) A valid Guam operator or chauffeur’s license.
- (b) Five (5) years driving experience prior to the filing of his application for a taxicab driver’s license.
- (c) Passed a test showing a sufficient understanding of the traffic laws, ordinances and the Vehicle Code as they apply to taxicabs.
- (d) Passed a test showing a sufficient understanding of the English language.
- (e) Passed a test showing a sufficient understanding of street locations, roads and significant landmarks within the Territory of Guam.
- (f) passed a test which determined him to be free of any form of communicable disease.

§ 9208. Convicted Person.

No person shall be licensed as a taxicab driver, who has been convicted or twice convicted as the case may be, of the offenses specified under 16 GCA § 11101(b) of the Vehicle Code. (See Appendix on pages 3668)

§ 9209. Expiration Date of Taxicab Driver’s License and Identification Card.

Every taxicab driver’s license and identification card shall expire on December of the issuing year unless the license application was approved on November or December of that same year in which event, the

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Director shall cause the taxicab driver's license and identification card to expire on December of the following year. A license at the request of the licensee may be renewed on or before its expiration date upon meeting the standards set hereinabove. The Director shall prorate the license fee in respect to any licensing period that extend beyond one (1) year term. A new set of photographs showing the driver's likeness shall be submitted with each application for license renewal.

§ 9210. Revocation or Suspension of Taxicab Driver's License.

Whenever a taxicab driver's license is revoked or suspended, the Director of Revenue and Taxation shall require that the taxicab driver's identification card be surrendered to and retained by the Director or his representative. The Director shall return the driver's identification at the end of the suspension period to the licensee.

The Director shall give administrative effect to any suspension or revocation of a taxicab driver's license which is ordered by a court or required under the provisions of subsections (a), (b), (c), (d), (e), (i), or (k) of 16 GCA § 3111. The Director may suspend or revoke a taxicab driver's license pursuant to the provisions of subsections (f) or (g) of 16 GCA § 3111, or because of substantial noncompliance with these rules and regulations. The provisions of 16 GCA § 3112 shall apply to any actual or proposed suspension or revocation of a taxicab driver's license.

Title 16 Guam Code Annotated § 11104 provides that any violation of 16 GCA § 7158, § 11101, § 11102 or § 11103 shall be a petty misdemeanor. In addition, the Director of Revenue and Taxation may suspend or revoke a taxicab driver's license for any such violation.

§ 9211. Operation of a Taxicab Other Than the Owner or Taxicab Operator.

Except in an emergency, no owner or taxicab operator shall permit the driving of a taxicab by any person not having in his possession a valid taxicab driver's identification card. The fact that any person is in physical control of such taxicab shall be "prima facie" evidence that he is doing so with the permission of the owner or operator.

§ 9212. Annual Review of Driving Record.

In reviewing each application for renewal of a taxicab driver's license, the Director or his authorized representative shall consider the driving record of each taxicab driver. In reviewing the driving record, the

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Director shall consider any evidence that the driver has violated applicable provisions of these regulations. The Director shall also consider the driver's accident record, any evidence that the driver has violated laws governing the operation of motor vehicles or has driven or operated a motor vehicle while under the influence of alcohol or that has otherwise exhibited a disregard for the safety of the public. A note setting forth the date upon which the review was performed and the name of the person who reviewed the driving record, shall be included in the driver's qualification file.

The Director shall not renew a taxicab driver's license if the Director determines that the driver is not entitled to a license number under § 9206 or § 9207 of these regulations, or 16 GCA § 3111, or that the driver has been guilty of substantial non-compliance with these regulations. The provisions of 16 GCA § 3112 shall apply to any actual or proposed non- renewal of a taxicab driver's license.

§ 9213. Exterior Signs.

Every taxicab operated or to be operated in the Territory of Guam shall, paint on the exterior of each front door, the "tradename" or the complete name of the registered owner.

During the renewal of Business Licenses in June, renewal shall be denied unless the operator, owner or taxi company has provided the Director with a current photograph of the exterior sign display of every taxi vehicle owned by or serviced by that taxi company. Each photograph shall be accompanied with the following information: registered owner's name, DBA, taxi plate number, servicing cab company name, assigned company unit number and driver's name, address and license number.

§ 9214. Identification of Owner.

The word "OWNER" shall be painted on the exterior of each front door, on a line directly above the owner's name or taxicab tradename. It shall be in Gothic letters two inches (2") in size and centered accordingly.

§ 9215. Assigned License Number.

Every taxicab license applicant shall be assigned a license number by the Director, which number shall, prior to the issuance of the license plate, be painted on the exterior of each front door. This license number shall be displayed directly below the words "taxi", "taxicab" or "cab"

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and centered accordingly. This number shall also be permanently displayed on the right rear portion of the taxicab. This taxicab number shall be six inches (6") in height. (See Illustrations 1 and 6.)

§ 9216. Required Letters and Numbering Size.

Except as provided in § 9213, § 9220, or § 9222 letters and numbers painted or to be painted on any vehicle licensed or to be licensed as a taxicab shall be Gothic in style, three inches (3") minimum and five inches (5") maximum in height with a solid minimum width of 3/8 inch.

During annual registration of taxicab vehicles, renewal of registration shall be denied unless all signs and displays are in conformity with the above requirements.

§ 9217. Signs Approved Before This Act.

Taxicabs with a tradename or sign insignia approved for use on or before this act may continue to use such tradename or sign insignia.

§ 9218. Color Restrictions:

White on Dark/Black on Light. Taxicabs having the vehicle body exterior painted a dark color shall have the signs and numbers painted white. Taxicabs having the vehicle body exterior painted a light color (yellow, red, etc.), shall have the signs painted with black paint. These color requirements shall also apply to vehicles painted with a two-tone (two different color) shade.

§ 9219. Driver Number:

Display Requirements. In the event that a taxicab is owned by a taxi company and the company tradename has been painted on the front door (as required under Paragraphs 2, 3 and 4), the driver's number of the person who will be driving the taxicab shall be displayed. This display may be temporary (adhesive letters) or permanent (paint) depending on the duration of the lease (rental agreement) of the taxicab. The driver's number shall be located three inches (3") below the window line of each rear door, preceded by the words DRIVER'S NUMBER or DRIVER'S NO. The word DRIVER'S NUMBER or DRIVER'S NO. shall be one inch (1") sized Gothic letters. The driver's number shall be three (3) inches in height (Illustration 2. Page 14).

§ 9220. Color Band Option:

Taxi Company. Every taxicab company having a fleet of ten (10) or more taxicabs shall submit an application to the Director for assignment and approval of a color band scheme. This color scheme shall be of a shade assigned by the Director, eight inches (8") in width extending from the front line of the rear door, along the side of the vehicle and across the rear of the vehicle at the level of center between the rear window line and the highest point of the rear fender welt (Illustration 5, Page 15).

§ 9221. Color Band Option: Company Name.

The taxi company tradename (DBA) shall be painted within the color band providing at least one inch (1") space between the six inches (6" maximum size) letters and the inside edge of the color band.

§ 9222. Driver Number: Use of.

Every taxicab company using or planning to use the practice of assigning taxicab unit numbers, shall use the taxicab driver's number of taxicab license plate (T-plates) number for this purpose.

§ 9223. Color Band Option: Director's Approval Required.

The Director shall approve each request for the use of a color band scheme by a taxicab company providing that:

- (a) the taxicab company has a fleet of ten (10) or more taxicabs;
- (b) that the color requested and approved has not been previously assigned to a different taxicab company.

§ 9224. Color Band Option: Restrictions.

No color band scheme shall be used by a taxicab operating as an independently operated taxicab.

§ 9225. Sign Display: Approved by Director.

No lettering, sign display, advertising or advertising devices shall be used on any taxicab without the approval of the Director.

§ 9226. Color Band Option: Installation Within 30 Days.

Within thirty (30) days after the approval of the color band scheme or taxi company tradename, the owner or taxicab company operator shall

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cause the painting or installation of the assigned company insignia on every taxicab in the fleet.

§ 9227. Surrender Taxi Plate.

Immediately upon removing the vehicle from service as a taxicab, the registered owner shall remove the license plates (T-plates) from the vehicle and return it to the Motor Vehicle Division of the Department.

§ 9228. Remove All Sign Displays.

Immediately upon removing the vehicle from service as a taxicab, the registered owner or operator shall remove or paint out all distinctive portions of any authorized sign display.

§ 9229. Abbreviation Prohibited.

No abbreviations of the owner, lessee or taxi company's name shall be used by any person as a sign display.

§ 9230. Taxi Rates - Charges.

Every taxicab owner, taxi company or driver, who owns or has control over any taxicab, shall assess a passenger-for-hire the following rates, fares or charges:

- (a) FLAG DOWN RATE (good for first 1/2 mile)
- (b) Every additional 1/4mile thereafter
- (c) First mile total
- (d) Waiting time, every 2 minutes

NOTE: Check with the Department of Revenue and Taxation for the current Taxi Rates. (March 2004)

§ 9231. Posting of Fares - Design, Size.

The schedule of taxicab fares and charges prescribed in Subchapter D hereof shall be four (4) inches wide by six inches (6) in height, printed in Gothic style letters and numbers not less than 3/8 inch in size. This schedule of taxicab fares shall have printed in Japanese translation of every word on the schedule directly below the English word. This schedule of fares shall be posted within twelve (12) inches of the taxi meter, side by side with the taxicab driver's identification card, and readily visible to all passengers seated in the front and rear of the taxicab. Within the lower space marked "Notice to Passengers" the following

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words shall be posted, "DRIVER'S NUMBER". These words shall be 3/4 inch in size with its Japanese translation immediately following it. The schedule of taxicab fares (taxi rate card) shall be laminated in plastic or so constructed as to make alteration difficult (Illustration ____).

§ 9232. Taxi Fare Card: Tampering Prohibited.

NO PERSON SHALL ALTER, REMOVE FROM A TAXICAB NOT OPERATED BY HIM, OR DESTROY A TAXI FARE CARD.

§ 9233. Charges, Fares When Permitted.

Schedule of fares (taxi fares) may only be charged for the use of the taxicab is actually occupied by the passengers-for-hire, standing at the direction of the passengers-for-hire, or when occupied by parcels or baggages belonging to the passengers-for-hire.

§ 9234. Additional Passengers - Charges Thereof.

No taxicab company, owner or driver who owns or controls a taxicab shall assess a fee for any additional passengers in the taxicab, provided all passengers are traveling as one party.

§ 9235. Additional Passengers - Conditional Pick-Up.

Additional passengers shall not be picked up without the consent of all passengers-for-hire already in the taxicab. The fare for the additional passengers-for-hire shall be based upon a new taxi meter reading from the point of departure of the last departing passenger to the destination of the additional passengers-for-hire. The foregoing rates shall be subject to the following exceptions and conditions, whichever the case may be.

§ 9236. Use of Different Rates - Prohibited.

No driver, owner or taxi company shall assess a taxi fare, no shall any driver, owner or taxi company adjust a taxi meter or any of its working parts to show a fare or a charge which is different from the fare or charges prescribed in § 9230. No driver, owner or taxicab company shall permit or engage in transportation for hire with a flat fare agreement as a means of compensation. No driver, owner or taxicab company shall agree, negotiate or contract its services for hire to any person without using or intending to use a taximeter that has been inspected and that which reflects the current rates of fare.

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§ 9237. Direct Route - Use of.

Every taxicab driver shall follow the most direct or usually traveled route between the origin and destination of each trip.

§ 9238. Extra-Large Parcels, Objects - Charges For.

The driver of a taxicab may charge a fee of one dollar (\$1.00) for each extra-large parcel of any parcel requiring strenuous lifting on the part of the driver or the use of a rope or tie-down to secure its presence on or within the taxicab (i.e., bicycle, surfboard, etc.).

§ 9239. Taxi Meter Requirements.

No person shall operate a taxicab or permit a taxicab to be operated for the purpose of hire without first installing a taxi meter, inspected for accuracy and reflecting the current rates of fare as established under § 9231.

§ 9240. Installation.

The taxi meter shall be permanently situated on or against the center of the dashboard panel, connected to the transmission, by a speedometer cable in a manner approved by the Director. The charges or fare indication shall be clearly visible to the passengers seated on the front and rear seats of the taxicab. The taxi meter height shall be such that the flag or lever-arm is plainly visible from the vehicle's exterior.

§ 9241. Illumination.

Adequate lighting facilities shall be provided for so illuminating the face of the taxi meter that the indications thereof may be conveniently read by the passenger, and the face of the taxi meter shall be so illuminated whenever the taxi meter is in operation and artificial illumination is necessary for the convenient reading of its indications. (UR. 2).

§ 9242. Gearbox - Installation.

All gear-reducing box or other parts required for the service operation of a taxi meter shall be permanently situated within the engine compartment of the taxicab, plainly visible for inspection and easily accessible for the application of security seals.

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§ 9243. Security Seals - Provisions For.

Adequate provisions shall be made for affixing lead-and-wire seals to a taxi meter and to other parts required for the service operation of a complete installation on a vehicle, so that no adjustments, alterations or replacements affecting in any way the accuracy or indications of the device or the assembly can be made without mutilating the seal or seals. The sealing means shall be such that it is not necessary to disassemble or remove any part of the device or of the vehicle to apply or inspect the seals.

§ 9244. Indications - Visibility of.

Except when a taxi meter is being cleared, indications of fare and extras shall be clearly visible at all times and at least 10 mm high for the fare and 4 mm high for all other indications.

§ 9245. Reinspection.

Whenever a taxi meter has been damaged, or repairs that might in any way affect the accuracy of its indications have been made, or any of the official security seals have been mutilated, such device shall not thereafter be used until it has been officially examined and reapproved. The Director shall cause the immediate removal of all official stickers or certificates issued to a taxi meter which has been damaged or which official seals have been tampered with.

§ 9246. Random Inspections.

The Director or his representative may from time to time make random inspections of taxicabs and their equipment to assure compliance of all applicable rules and regulations. The verbal order or other orders of the Director or his representative to accomplish such inspections shall be obeyed by all taxi companies, owners and drivers.

§ 9247. Taxi Meter Flag/Lever Employed.

Except in any emergency, the taxi meter flag or lever-arm shall be activated (put in operation) whenever a passenger-for-hire is in the taxicab and the taxicab and the driver has begun his trip. No owner, taxi company or driver shall use or permit to be used as transportation-for-hire a taxicab without first activating the taxi meter.

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§ 9248. Vehicle Type.

No vehicle shall be used as a taxicab or transportation-for-hire unless such vehicle is built for such purpose or is of a sedan type having a seating capacity of less than eight (8) passengers, exclusive of the driver. The vehicle must be equipped with at least two (2) doors for the entrance and exit of passengers in addition to the door or doors which give access to the driver's seat.

§ 9249. Vehicle Condition.

No vehicle shall be operated as a taxicab unless it is reasonably clean and safe inside, so as not to damage the person, clothing or possession of a passenger. The vehicle's exterior shall be reasonably clean and essentially free from cracks, breaks and major dents. It shall be painted to provide adequate protection and appearance. Repairs done to comply with this section shall be done within twenty (20) working days. The taxicab shall be placed "out-of- service" after this 20-day period until such time as the vehicle is returned to its safe condition.

§ 9250. Driver's Report - Taxicab Condition.

Every operator, taxicab owner or taxi company shall require its driver to report and every driver shall prepare a report listing any mechanical defects or deficiencies of the vehicle discovered by him during his operation of the vehicle, as would be likely to affect the safe operation of the taxicab. Such report shall be submitted to the owner or taxi operator for review and immediate action to correct the defects and to return the taxicab to its safe condition.

§ 9251. Unsafe Taxicab - Operation Prohibited.

No taxicab owner or operator shall permit or require a driver nor shall any driver operate a taxicab which a reasonable inspection would reveal, or the report of the last driver revealed, to be hazardous or likely to result in mechanical failure. No taxicab driver shall operate a taxicab, which by reason of its mechanical condition is hazardous to operate or is more likely than a safe vehicle to cause an accident while in operation.

§ 9252. Proper Exits - Requirement.

No person shall ride or be required to ride within the closed body of any motor vehicle unless there are means on the inside thereof of

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obtaining exit. Said means shall be in such condition as to permit ready operation by the occupant.

§ 9253. Periodic Safety Inspection.

(a) No person shall operate no shall any owner permit the operation of or cause to be operated, any taxicab without first passing a safety inspection and obtaining safety decal.

(b) Every person operating a taxicab or registered owner thereof shall have the taxicab safety inspected twice (2 times) each year, once every sixth month following the month in which the last safety inspection occurred.

(c) An official safety inspection decal shall be attached to the taxicab after each safety inspection conducted.

(d) The Director, or his representative, upon completion of a taxicab inspection discovers a mechanical defect on the taxicab hazardous to its safe operation, may order the taxicab driver or owner to remove such taxicab driver or owner to remove such taxicab from service until such time that the taxicab is returned to its safe condition.

(e) The Director may require additional inspections on any or all taxicabs coming under these Subchapters as he finds necessary.

§ 9254. Safety Decal - Issuance Without Inspection.

No person or safety inspector shall issue a safety inspection decal to a taxicab without first conducting a thorough vehicle safety inspection as prescribed by the Department and finding said taxicab to be in safe operating condition.

§ 9255. Damaged Vehicle - Prohibited Use of.

No taxicab operator, company or owner shall permit or require a taxi driver to operate a taxicab which has been damaged in an accident or by other causes unless the taxicab has been safety inspected by a person qualified to ascertain the nature and the extent of the damage and the relationship of such damage to the safe operation of the taxicab. No taxicab shall be operated unless an authorized vehicle inspection station has determined it to be safe for operation in accordance with § 9253.

§ 9256. Safety Decal - Removal of.

The Director shall cause the immediate removal of the safety inspection decal from a taxicab which was involved in an accident. The taxicab owner shall, prior to the operation of the taxicab, cause the taxicab to be safety inspected by an authorized vehicle inspection station. A new safety decal shall be acquired and installed on the taxicab.

§ 9257. License Plates - Removal of.

The Director shall cause the immediate removal of the registration license plates from a taxicab which was involved in an accident, incurring extensive damage to its working parts and requiring the services of a tow truck to arrive at its destination. The Director shall return such license plates to the Motor Vehicle Division.

§ 9258. Accident - Report To Director.

Every taxicab owner shall report the involvement in an accident of a taxicab registered his name to the Director or his authorized representative. The Director shall review the accident report and determine if the accident's occurrence was caused by the negligent operation of the taxicab or by the poor maintenance or mechanical condition of the taxicab.

§ 9259. Tire.

(a) Every taxicab shall be equipped with tires of adequate capacity to support its gross weight.

(b) No taxicab shall be operated on tires which have treads that have been worn smooth, showing no tread impression on any part of the tire, or which exposes any tread fabric or defect whatsoever, likely to cause failure during normal operation of the taxicab.

(c) No taxicab shall be operated on tires not consistent with manufacturer's specification, or of a different size or diameter from the tires used during the initial taxi meter certification.

(d) No taxicab, whose tires have been changed, shall be operated without first acquiring a "Certificate of Reinspection" for its taxi meter.

§ 9260. Lights - Requirement, Interior.

Every taxicab shall be equipped with a light capable of illuminating the interior of the taxicab and controlled by the operation of the doors or

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manually controlled by the driver. Dome Light every taxicab shall have, installed on the roof of the taxicab, a dome light assembly illuminating the words "taxi", "cab" or "taxicab". Every taxicab owner shall within thirty (30) days of availability of the dome light cause the installation of such dome light on the taxicab.

§ 9261. Electrical Wiring - Protection Required.

Electrical wiring shall not be visible within the confines of the taxicab. Wiring shall be grouped together and protected by non-metallic tape, braid or other covering capable of withstanding severe abrasion or shall be protected by being enclosed in a non-metallic sheath or tube.

§ 9262. Fire Extinguisher - Requirement.

Every taxicab shall be equipped with a portable fire extinguisher capable of putting out fire caused by gasoline, oil, paper, clothing materials, electrical and other fires which may occur from the daily operation of a motor vehicle. The fire extinguisher shall be of a type approved by the Territorial Fire Department, readily accessible within the taxicab.

§ 9263. Speedometer/Odometer - Requirement.

Every taxicab shall be equipped with a speedometer and an odometer properly installed and maintained in good working order. No taxicab shall be used in taxicab service while its speedometer or odometer is not properly working or has been disconnected.

§ 9264. Engine Steam Cleaning - Requirement.

Every taxicab's engine compartment and engine parts thereof shall be steamed clean as well as all hoses and electrical so as to clearly expose any and all leakages of gas, oil and other fluid necessary in the operation of a motor vehicle. The gear reducing box and all cables necessary in the mechanical operation of a taxi meter shall also be steamed clean.

§ 9265. Tinting, Shades, Curtain Prohibited.

No taxicab licensed under these Subchapters, shall be equipped with shades, tinting or curtains which may shield the occupants or the driver from observation outside the vehicle.

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§ 9266. Trip Records.

(a) All taxicab drivers shall, keep a Trip Record containing the following entries:

(1) Number of passengers, time (to the minutes), date and odometer reading when leaving the boarding point.

(2) The time (to the minute), date, fare charged and odometer reading at the discharge point.

(3) The time (to the minute), date and odometer reading of departure and return to taxi stand when making trips for a personal purpose.

(b) The Trip Record shall be open to inspection by the Director or his authorized representative during regular business hours.

(c) The Trip Record shall be kept for a period of one (1) year.

§ 9267. Receipts to be Issued.

Every taxicab driver when requested by a passenger to do so, shall give a receipt showing his name, I.D. card number, driver's number, the time, date and place of origin and destination of the passenger's trip, and the amount of the fare. For every receipt issued, there shall be a carbon duplicate retained by the driver for a period of one (1) year. On the back of every receipt issued to the customer, the following information shall be printed: "COMPLAINTS" "FILING PROCEDURES".

§ 9268. Individual Taxicab Records.

It shall be the responsibility of every individual, operator or taxi company to keep, at all times, a complete record of all taxicabs it owns or services. Such record shall contain the name of the driver and address (if different from the owner), the owner's name and address, taxi plate number, company unit number, driver's license number and expiration date, present location, if on duty, and a contact phone number if a radio is not being used.

§ 9269. Narcotics, Amphetamine and Other Dangerous Drugs.

(a) No person shall operate or be in physical control of a motor vehicle who is using any of the following substances:

(1) A narcotic drug or any derivative thereof.

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(2) An amphetamine or any formulation thereof (including but not limited to “pep pills” and “bennies”).

(3) Any other substance to a degree which renders him incapable of safety operating a motor vehicle.

(b) No operator or taxi company shall knowingly require a permit a driver to violate § 9268(a) of this rule.

(c) Section 9268(a) of this rule does not apply to the possession or use of a substance administered to a driver by or under the instruction of a physician who has advised the driver that the substance will not affect his ability to operate a motor vehicle.

§ 9270. Intoxicating Liquor.

(a) No person shall:

(1) Consume an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor within eight (8) hours before operating or having control of a taxicab.

(2) Consume an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor while on duty or operating or in physical control of a motor vehicle.

(b) No intoxicating liquor shall be carried or stored in any taxicab during the business hours of such taxicab, except as the property of a passenger riding in said taxicab.

§ 9271. Taxicab Over-Capacity Load.

No taxicab may carry more adult passengers than the designed capacity of the vehicle, and no more children (except children under five (5) years of age carried in the arms of an adult) than can be seated comfortably on the seats. The taxicab must be loaded in a manner which does not obstruct the driver’s view to the front or sides or interfere with his control over the vehicle.

§ 9272. Sleeping in the Taxicab.

The practice of sleeping in the taxicab is prohibited. Every taxi driver is required to be at his rested and good appearance when reporting for duty.

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§ 9273. Advertising.

No advertising or advertising device shall be placed on or in any taxicab without the approval of the Director.

§ 9274. Disorderly Person.

Notwithstanding any of the foregoing provisions, the operator of a taxicab may refuse to furnish transportation to a disorderly person.

§ 9275. Solicitation of Passengers.

It shall be unlawful for a taxicab driver to harass or aggressively solicit passengers for hire, and it shall be unlawful for a taxi owner to permit the harassment or aggressive solicitation of passengers for hire.

§ 9276. Complaints: Director Shall Notify.

The Director upon receiving a complaint of a violation of these regulations against any driver or owner of a taxicab shall provide a copy of such complaint to such person with notice that an answer must be filed within ten (10) calendar days following the date such notice is provided.

Upon receiving such answer, the Director shall notify the complainant of the contents or nature of the answer and shall take appropriate action to conciliate and resolve the complaint. If the Director is unable to conciliate and resolve the complaint, the Director shall within fifteen (15) calendar days of receiving the respondent driver's answer to immediately following the failure of the respondent driver to answer the complaint with the stipulated time period, refer the matter to the Board for disposition

§ 9277. Complainant: Notified of Non-Violation.

If the fact as alleged in any complaint filed with the Director are clearly not in violation of these regulations, the complainant shall be so notified.

§ 9278. Complaint: Notification of Hearing.

Where a complaint is forwarded pursuant to § 9276, a hearing thereon shall be held in accordance with the provisions of 16 GCA § 3312.

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§ 9279. Complaints: Filing Procedures Posted.

There shall be displayed in a suitable frame on the back of the front seat of each taxicab, in such a position as to be clearly visible to passengers, a notice of the procedures to be followed by persons wishing to file a complaint based on any violations of this Subchapter.

C O M P L A I N T S' FILING PROCEDURES

Call 477-1040 ext. 131 for immediate assistance

- or -

you may complete and file a Complaints Form available through the Weights and Measures Branch of the Department of Revenue and Taxation.

CRIMINAL COMPLAINTS

Call Guam Police Department at 472-8911 for immediate assistance.

DEPARTMENT OF REVENUE & TAXATION
Weights and Measures Inspection Branch
GOVERNMENT OF GUAM
855 WEST MARINE DRIVE
AGANA GUAM 96910
Tel:(671) 477-1040 TELEX: 721-6218 GOVGUAM

GENERAL COMPLAINTS FORM
(Please Print)

NAME: _____
PASSPORT NO.: _____
NATIONALITY: _____ DOB: _____
HOME PHONE: _____
ADDRESS: _____
CI/ID/SS NUMBER: _____
OCCUPATION: _____

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TOUR/COMPANY AFFILIATION: _____

I AM GIVING THE FOLLOWING STATEMENT FREELY AND VOLUNTARILY:

THE ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNATURE: _____

WITNESS(ES): _____

SIGNATURE: _____

PLACE STATEMENT TAKEN: _____

W&M NUMBER: _____

TIME: _____ DATE: _____

FOR WEIGHTS AND MEASURES USE ONLY

ACTION TAKEN: _____

§ 9280. Suspension or Revocation of Business Licenses of Taxicab Companies.

The business license of a taxicab company may be suspended by the Director if he determines, pursuant to proceedings under the Administrative Adjudication law, that the licensee has been in substantial noncompliance with these regulations.

§ 9281. Severability Clause.

If any provision of this article or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the article which can be given effect without the invalid provision or application, and to this end the provisions of the article are declared to be severable.

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**ARTICLE 3
MOTOR CARRIER INSPECTION**

- § 9301. General Provisions: Title and Authority.
- § 9302. Right of Entry and Inspections.
- § 9303. Non-Compliance with the Regulations.

§ 9301. General Provisions: Title and Authority.

The Director of the Department of Revenue and Taxation (“Director”) may designate one (1) or more employees of the Department as inspectors to determine whether persons subject to the requirements of the Federal Motor Carrier Regulations (49 CFR Parts 385, 386, 390 through 399) and highway-related portions of the Federal Hazardous Materials Regulations (49 CFR Parts 107, 171 through 173, 177, 178, and 180) (“Regulations”) are complying with the requirements of the Regulations. Pursuant to 16 GCA § 5116, as enacted by Public Law 19-4, these Regulations were made effective on Guam by Executive Order 87- 27, executed on July 30, 1987. 16 GCA § 5116 also authorizes the Director to promulgate regulations providing for the right of entry and inspection; the right to inspect commercial motor vehicles; and the right to inspect and copy documents necessary to determine compliance with applicable law, rules and regulations related to motor carrier requirements by government personnel sufficient to enforce the Regulations.

SOURCE: Amended by P.L. 27-066:3 (Feb. 6, 2004).

§ 9302. Right of Entry and Inspection.

Any employee designated pursuant to § 9101 shall have the following rights of entry and inspection:

(a) Upon reasonable notice, to enter the business premises of any person subject to the requirements of the Regulations during regular business hours for purposes of examining the books and records of such person to determine the extent of compliance with the Regulations and to make copies of such portions of such books and records as may be relevant to compliance.

(b) Upon reasonable notice, to enter the business premises of any person subject to the requirements of the Regulations during regular business hours for the purpose of inspecting equipment,

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cargoes, materials and supplies to determine the extent of compliance with the Regulations.

(c) At any hour of the day or night, to halt and inspect any vehicle which is then engaged in activities or carrying cargo subject to the requirements of the Regulations for the purposes of determining whether such vehicle or cargo is in compliance with the Regulations.

§ 9303. Noncompliance with the Regulations.

If any person subject to the requirements of the Regulations refuses or neglects to permit an entry or inspection that is authorized by these regulations, or, if the Director, after the making of an inspection that is authorized by these regulations, determines that there is a violation of the Regulations, he may, depending on the facts and circumstances, proceed in one or more of the following ways:

(a) Refer to matter to the Attorney General for consideration of appropriate legal action;

(b) Issue a cease and desist [order] with respect to any activity deemed to be in violation of the Regulations.