

**16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES**

**CHAPTER 5
SIZE, WEIGHT AND LOAD LIMITATIONS AND
RESTRICTION OF CERTAIN VEHICLES**

- § 5101. Definitions.
- § 5102. Size, Weight and Load Limitations.
- § 5103. Width of Vehicles and Loads.
- § 5104. Height of Vehicles and Loads.
- § 5105. Length of Vehicles and Loads.
- § 5106. Trailers and Towed Vehicles.
- § 5107. Maximum Permissible Load Limit.
- § 5108. Performance Requirements.
- § 5109. Authority to Stop, Inspect and Weigh Vehicles; Removal of Excess Loads.
- § 5110. Restrictions of Certain Vehicles.
- § 5111. Liability for Damage to Highways or Structures.
- § 5112. Penalties.
- § 5113. Proceedings to Make Owner Co-defendant.
- § 5114. Permits for Excess Size and Weight.
- § 5115. Restriction of Use of Highways: Effective Date.
- § 5116. Carrier Safety and Hazardous Material Regulations.

§ 5101. Definitions.

As used in this Chapter, the following definitions will hold true:

Axle: The common axis of rotation of one (1) *or* more wheels, whether in one (1) *or* more segments and regardless of the number of wheels carried thereon.

Axle Group: An assemblage of two (2) *or* more consecutive axles considered together in determining their combined load effect on a bridge *or* pavement structure.

Axle Load: The total load transmitted to the road by all wheels whose centers are included between the two (2) parallel transverse vertical planes forty (40) inches apart, extending across the full width of the vehicle.

Connecting Mechanism: An arrangement of parts interconnecting two (2) *or* more consecutive axles to the frame of a vehicle in such a manner as to equalize the load between the axles.

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

Gross Weight: The weight of a vehicle *and/or* vehicle combination without load, plus the weight of any load thereon.

Height: The total vertical dimension of any vehicle above the ground surface including any load and load holding device thereon.

Highway: The entire width between the boundary lines of every publicly maintained surface, when any part thereof is open to the use of the public for purposes of vehicular travel; synonymous and interchangeable in usage with "street".

*Length:*The total longitudinal dimension of any vehicle *or* combination of vehicles, including any load *or* load holding devices thereon.

Load: A weight *or* quantity of anything resting upon a support.

Motor Vehicle: A vehicle which is self- propelled *or* propelled by electric power obtained from overhead trolley wires, but not operating upon rails.

Owner: A person, other than a lienholder, having the property in *or* title to a vehicle, including a person entitled to use and possession of a vehicle subject to a security interest in another person, but excluding a lessee under a lease not intended as security.

Primary Road: A primary road is a road with two (2) *or more* lanes each way, *or* any road with at least two (2) contiguous miles with a speed limit of thirty-five (35) mph *or* greater.

Scale Tolerance: An allowable variation in the static weight of an axle load in accordance with, but *not exceeding*, the precision of the scale involved.

Secondary Road: A secondary road is any road, paved *or* unpaved, that does not meet the definition of "primary road" as herein stated.

*Semi-Trailer:*A vehicle designed for carrying persons *or* property and drawn by a truck-tractor on which parts of its weight and load rests.

Single Axle: An assembly of two (2) *or more* wheels, whose centers are on one (1) transverse vertical plane *or* may be included between two (2) parallel transverse vertical planes forty (40) inches

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

apart extending the full width of the vehicle.

Single Axle Weight: The total weight transmitted to the road by a single axle.

Special Permit: A written authorization to move *or* operate on a highway, a vehicle *or* vehicles with indivisible load of a size *and/or* weight exceeding the limits prescribed for vehicles in regular operation.

Tandem Axle: Any two (2) *or more* consecutive axles whose centers are more than forty (40) inches but *less than* ninety-six (96) inches apart, and are individually attached *and/or* articulated from a common attachment to the vehicle including a connecting mechanism designed to equalize the load between the axles.

Tandem Axle Weight: The total weight transmitted to the road by two (2) *or more* consecutive axles whose centers may be included between parallel transverse planes spaced forty (40) inches but *less than* ninety-six (96) inches apart, extending the full width of the vehicle.

Trailer: A vehicle designed for carrying persons *or* property and drawn by a motor vehicle which carries no part of the weight and load of the trailer on its own wheels.

Truck: A motor vehicle designed, used *or* maintained primarily for the transportation of property.

Truck-Tractor: A motor vehicle designed for drawing other vehicles, but not for a load other than a part of the weight of the vehicle and load drawn.

Vehicle: A device in, upon *or* by which any person *or* property may be transported *or* drawn upon a highway.

Vehicle Combination: A truck-tractor and semi-trailer, either with *or* without a full trailer, *or* a truck with one (1) *or* more full trailers.

Width: The total outside transverse dimension of a vehicle, including any load *or* load holding devices thereon, but excluding approved safety devices and tire bulge due to load.”

SOURCE: GC § 23200, enacted by P.L. 13-16:1. Amended by P.L. 29-027:3 (Oct. 24, 2007).

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

§ 5102. Size, Weight and Load Limitations.

(a) It is unlawful for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved on any highway, any vehicle or vehicles of a size, weight or a load exceeding or otherwise failing to comply with the limitations or requirements stated in this Chapter.

(b) The provisions of this Chapter governing size, weight and load shall not apply to a vehicle operated under the terms of a special permit issued as herein provided.

SOURCE: GC § 23201, enacted by P.L. 13-16:1.

§ 5103. Width of Vehicles and Loads.

No vehicle, including any load and load holding device thereon shall exceed a total width of one hundred two (102) inches.

SOURCE: GC § 23202, enacted by P.L. 13-16:1.

§ 5104. Height of Vehicles and Loads.

No vehicle, including any load and load holding devices thereon, *shall* exceed a total height of fourteen (14) feet for secondary roads and fifteen (15) feet for primary roads.

SOURCE: GC § 23203, enacted by P.L. 13-16:1. Amended by P.L. 29-027:4 (Oct. 24, 2007).

§ 5105. Length of Vehicles and Loads.

(a) No vehicle, including any load and load holding devices, shall exceed a total length of forty (40) feet extreme overall dimension, inclusive of front and rear bumpers.

(b) A bus, equipped with three (3) axles, shall not exceed an equal overall length, inclusive of front and rear bumpers of forty (40) feet.

(c) No combination of two (2) vehicles coupled together, including any load thereon, shall have an overall length, inclusive of front and rear bumpers, in excess of sixty (60) feet, except as otherwise provided in respect to the use of a pole or pipe dolly as authorized in Subsection 5105(f) of this Chapter.

(d) No other combinations of vehicles shall consist of more than two (2) units, except that one (1) truck-tractor semi-trailer may haul one (1)

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

trailer. No such combinations, including any load, shall exceed an overall length, inclusive of front and rear bumpers of sixty-five (65) feet.

(e) Subject to the foregoing provisions of this Chapter limiting the length of vehicles and loads, the load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles shall not exceed more than three (3) feet beyond the foremost part of that vehicle. The load upon any vehicle operated alone, or the load upon the rear vehicle of a combination of vehicles shall not extend more than six (6) feet beyond the rear of the fixed bed or body of the vehicle, unless that vehicle is followed by an escort vehicle with a rotating yellow beacon and a sign stating "Long Load."

(f) The limitations as to the length of vehicles and loads heretofore stated in § 5105 shall not apply to any load upon a pole or pipe dolly as defined in Subsection 1102(y). No poles or pipes or structural materials or crane which cannot be dismembered, provided, that no pole or pipe or material or crane exceeds eighty (80) feet in length, shall be so transported unless a permit has first been obtained as authorized in § 5114.

SOURCE: GC § 23204, enacted by P.L. 13-16:1.

§ 5106. Trailers and Towed Vehicles.

(a) When one (1) vehicle is towing another the drawbar or other connection shall be of sufficient strength to pull all weight towed thereby, and said drawbar or other connection shall not exceed fifteen (15) feet from one vehicle to the other, except the connection between any two (2) vehicles transporting poles, pipes, machinery or other objects of a structural nature which cannot readily be dismembered.

(b) When one (1) vehicle is towing another, and the connection consists of a chain, rope or cable, that connection shall be not less than ten (10) feet and no more than fifteen (15) feet, and there shall be displayed upon such a connection, a white flag or cloth, not less than twelve (12) inches on an edge. When one (1) vehicle is towing another, their speed shall not exceed twenty-five (25) miles per hour or the posted speed limit, whichever is lower.

SOURCE: GC § 23205, enacted by P.L. 13-16:1.

§ 5107. Maximum Permissible Load Limit.

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

Vehicle Gross Weight: The total gross weight imposed on the highway surface by a vehicle, or combination of vehicles, shall be determined by the application of Table I:

TABLE I

20	Maximum Load per Axle (1000 lbs)
36	Maximum Load per Tandem Axle (1000 lbs)
36	2-Axle Single Unit
56	3-Axle Single Unit
54	2-Axle Tractor 1-Axle Trailer
68	2-Axle Tractor 2-Axle Trailer
76.8	3-Axle Tractor 2-Axle Trailer
76.8	Maximum Gross Weight

SOURCE: GC § 23206, enacted by P.L. 13-16:1.

§ 5108. Performance Requirements.

(a) Brake performance shall conform to the requirements set forth in the most recent Uniform Vehicle Code of the National Committee on Uniform Traffic Laws and Ordinances.

(b) Linkage between any combination of vehicles shall conform to the current recommended practice of the Society of Automotive Engineers.

(c) Vehicles in regular operations shall be permissible only when such loads are transmitted to the highway surface through wheels equipped with pneumatic tires, and no such tire equipment shall be designed for use or used with an operating inflation pressure in excess of one hundred five (105) pounds per square inch.

(d) Vehicles in regular operation shall be permissible only when on said vehicles, the wheels of the last axle in contact with the highway surface are covered by fendering and/or mud flaps, or a similar device that will deflect any object thrown by the wheels in motion.

(e) Vehicles in regular operation shall have their identification numbers painted in a contrasting color and at a minimum height of three (3) inches. These numbers shall be in a conspicuous place on the front and rear of that

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

vehicle. The company name will be clearly displayed on the side doors of all vehicles in regular operation. Numbers, license plates and all lights shall be wiped clean before any and all hauls.

(f) Vehicles operated on any highway and loaded and carrying any of the following loads shall have said load covered and secured in such manner as to prevent said load or covering from being loosened, detached or in any manner creating litter or constituting a hazard to other users of the highway:

(1) Any trash, refuse or garbage of composition which is of such nature as to permit any portion or piece of such to be loosened or detached.

(2) Sand, soil, crushed rocks or aggregate of less than four inches (4") per unit/pebble or other standard measure for such aggregate.

(3) Any liquid or similar load that if leaking will cause a road hazard.

(4) Any other load, which in the opinion and discretion of the Guam Police Department, the Guam Environmental Protection Agency, the Department of Public Health and Social Services, or the Department of Parks and Recreation, poses a potential hazard or potential litter is such load were not covered and/or secured.

(5) The Guam Police Department shall promulgate rules and regulations, pursuant to the Administrative Adjudication Law, governing the enforcement of this subparagraph (f), which regulations shall not include any requirement for a permit for the private hauling of loads unless the same are hazardous and being hauled commercially, but shall include a requirement that trucks must be equipped with mudflaps to prevent their tires from ejecting pebbles and other debris to following vehicles.

SOURCE: GC § 23207, enacted by P.L. 13-16:1. Subsection (f) is R/R by P.L. 20-100:1.

§ 5109. Authority to Stop, Inspect and Weigh Vehicles; Removal of Excess Loads.

(a) Any police officer *or* Division of Motor Vehicles/Motor Carrier Safety Assistance Program (DMV/MCSAP) inspector observing conditions of vehicle appearance, operation *or* cargo storage, which might represent a potential *or* actual hazard, is authorized to stop the driver and submit the

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

vehicle to an immediate inspection.

(b) Whenever an officer *or* DMV/MCSAP, upon inspection of a vehicle *and/or* load, determines the existence of a minor infraction, a citation will be issued and the vehicle allowed to proceed to its own shop for correction. When a vehicle is found to be hazardous to the driver or the public, the officer *or* DMV/MCSAP inspector has the authority to direct the discontinuance of the vehicle passage and require the vehicle to be moved to a storage area *or* government facility, and said vehicle *shall* remain there until such repairs *or* corrections as stated can be effected either there, *or* its own shop. Such vehicle will not be allowed back into normal operation until corrections are made.

(c) Any police officer *or* DMV/MCSAP inspector having reason to believe that the weight of a vehicle, either unladen *or* with load, is unlawful, is authorized to require the driver to stop and submit to a weighing of same by means of portable scales and should a question of weight arise, the officer *or* DMV/MCSAP inspector will require that such vehicles be driven to the nearest official scales.

(d) Whenever an officer *or* DMV/MCSAP inspector, upon weighing a vehicle and load, as provided above, determines that the weight is unlawful, such officer *or* DMV/MCSAP inspector will require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the weight of such vehicle such limit as permitted under this Chapter. A two thousand (2000) pound tolerance over and above the maximum permissible weight will be allowed before the removal of load will be required. All material so unloaded *shall* be cared for by the owner *or* driver of such vehicle at the risk of said owner *or* driver.

(e) Any driver of a vehicle who fails *or* refuses to stop and submit the vehicle, either unladen *or* with load, to an inspection *and/or* weighing, *or* who fails or refuses when directed by the officer *or* DMV/MCSAP inspector upon inspection *and/or* weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this Section *shall* be guilty of a misdemeanor.

SOURCE: GC § 23208, enacted by P.L. 13-16:1; Subsection (e) amended by P.L. 13-187:150. Entire section amended by P.L. 29-027:5 (Oct. 24, 2007).

§ 5110. Restriction of Certain Vehicles.

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

(a) It is unlawful for any person to drive or move, or the owner to cause or knowingly permit to be driven on any highway, off-road heavy construction equipment, steel rollers, solid rubber tires, sheeps-foot, tracks, tracks with lugs, tires that incorporate steel mats or chains and/or any other wheel, vehicle or contrivance that the Director of Public Works or his authorized representative deems harmful or destructive to the highway surface, except for those vehicles that are engaged in actual work on or near the highway.

(b) The provisions of this Section governing restrictions of certain vehicles from the highway shall not apply to any said vehicle or vehicles that are transported by trailer, so long as the total gross weight does not exceed the maximum allowable weight provided in § 5107.

SOURCE: GC § 23209, enacted by P.L. 13-16:1.

§ 5111. Liability for Damage to Highways or Structures.

(a) Any person driving or moving any vehicle, object or contrivance, including any person operating or moving a vehicle or combination of vehicles, either legally or under a special permit authorized in § 5114, shall be liable for all damage any highway or highway structure may sustain as the result of any careless, negligent or illegal driving or moving of said vehicle, combination of vehicles, object or contrivance.

(b) Any person driving or moving any vehicle, object or contrivance, including any person operating or moving a vehicle or combination of vehicles either legally or under a special permit authorized in § 5114, shall be liable for all damage to structures spanning the highway, or a part of the highway, by reason of vehicles or load heights in excess of that which such structure will permit, when the clearance height of the vehicle or load or load-holding device thereon is in excess of thirteen (13) feet six (6) inches.

(c) Any person driving or moving any vehicle, object or contrivance, including any person operating or moving a vehicle or combination of vehicles either legally or under a special permit authorized in § 5114, shall be liable for all damage to structures spanning the highway, or part of the highway, by reason of vehicles or load width in excess of that which such structure will permit and, in any event, where the width of the vehicle or load is in excess of one hundred two (102) inches.

(d) Any vehicle or combination of vehicles of an unusually large size or weight shall be required to obtain a special hauling permit at least forty-

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

eight (48) hours in advance of the expected moving date. At this time the owner of said vehicle or combination of vehicles will provide proof that arrangements have been made for the removal and replacement of overhead and off-road obstructions, routing, authorized testing of the highway surface, police escort and any other requirements deemed necessary for moving by the Director of Public Works or his authorized representative. All costs shall be borne by the owner.

(e) Whenever such driver or mover is not the owner of any vehicle or combination of vehicles, object or contrivance, but is so driving or moving same with the express or implied permission of the owner, then the owner and driver or mover shall be jointly and severally liable for any damage.

(f) Any such damage may be recovered in a civil action.

SOURCE: GC § 23210, enacted by P.L. 13-16:1.

§ 5112. Penalties.

(a) Every person, entity *or* organization convicted of a violation of any of the provisions of this Chapter for which another penalty is not provided *shall*, for a first conviction thereof, be guilty of a misdemeanor and punished by a fine of *not more than* Five Hundred Dollars (\$500.00) and \$0.25/pound over the maximum allowable load as authorized in §5107; for a second such conviction within two (2) years thereafter, such person, entity *or* organization *shall* be guilty of a misdemeanor and punished by a fine of *not less than* Five Hundred Dollars (\$500.00) and \$0.25/pound over the maximum allowable load authorized in § 5107, but *not more than* Seven Hundred Fifty Dollars (\$750.00) and \$0.50/pound over the maximum allowable load authorized in §5107; upon a third *or* subsequent conviction within two (2) years after the first conviction such person, entity *or* organization *shall* be guilty of a misdemeanor and subject to fine of *not less than* Seven Hundred Fifty Dollars (\$750.00) and \$0.50/pound over the maximum allowable load authorized in §5107 but *not more than* One Thousand Dollars (\$1,000.00) and \$0.75/pound over the maximum allowable load authorized in §5107. In no event *shall* any fine exceed One Thousand Dollars (\$1,000.00).

(b) All permit fees and fines *shall* be deposited into the Better Public Service Fund at the Department of Revenue and Taxation, to be used by the Division of Motor Vehicles/Motor Carrier Safety Assistance Program.

(c) Responsible Party.

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

(1) Imported Shipping Containers Under Seal. Any importer *or* consignee, whether an individual *or* an entity, organization *or* company, whose shipping container placed under seal has been determined to be in violation of §5107 of this part *shall* be responsible for any fine, penalty, handling, additional transportation *or* other associated cost (including storage).

(2) Export Shipping Containers Under Seal. Any exporter, whether an individual *or* an entity, organization, *or* company, whose shipping container placed under seal has been determined to be in violation of §5107 of this part *shall* be responsible for any fine, penalty, handling, additional transportation *or* other associated cost (including storage).

(3) Local Containers Under Seal. Any individual and any organization, entity, *or* company loading a shipping container under seal not designated for export that has been determined to be in violation of §5107 of this part *shall* be responsible for any fine, penalty, handling, additional transportation *or* other associated cost (including storage).

(4) All Other Local Transport Not Under Seal. Any individual *or* any cargo transporting entity, organization, *or* company determined to be in violation of §5107 of this part *shall* be responsible for any fine, penalty, handling, additional transportation *or* other associated cost (including storage) prescribed in this Section.

SOURCE: GC § 23211, enacted by P.L. 13-16:1; Subsection (a) as amended by P.L. 13-187:151. Entire section amended by P.L. 29-027:6 (Oct. 24, 2007).

§ 5113. Proceedings to Make Owner Co-Defendant.

In any provision, limitation or requirement of this Chapter of an employee of the owner of the vehicle concerning which the violation occurred, employed to operate the vehicle, the court shall, on the request of such employee, take appropriate action to make the owner of the vehicle a co-defendant. In the event it is found that the employee has reasonable grounds to believe that the vehicle or vehicles operated by him as such employee did not violate any provision, limitation or requirement, the court may dismiss the charges against the employee.

SOURCE: GC § 23212, enacted by P.L. 13-16:1.

§ 5114. Permits for Excess Size and Weight.

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

(a) A surety bond in a minimum amount of Five Hundred Dollars (\$500.00), or proper evidence of adequate insurance, must be filed with the Director of Public Works before a permit will be issued for transporting over-width, over-length or over-weight loads on the highway, except when the applicant is a Territorial or Federal Government Agency.

(b) The Director of Public Works, or his authorized representative, may in his discretion, upon application, in writing good cause being shown therefore, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight exceeding the maximum specified in this Chapter, or otherwise not in conformity with the provisions of this Chapter, upon the highways of Guam. A permit issued under this Section shall not authorize the operation or moving of any vehicle or combination of vehicles without the compliance with Chapter 7 of this Title.

(c) The application for any such permit shall specifically describe the vehicle or combination of vehicles and load to be operated or moved, and the particular highways for which the permit to operate is requested, and whether such permit is requested for a single trip, or for continuous operation for a designated period of time.

(d) The Director of Public Works or his authorized representative is authorized to issue or withhold such permit at his discretion, or, if such a permit is issued, to limit the number of trips or to establish time limitations within which the vehicles described may be operated, or to prescribe conditions of operations of such vehicle or vehicles when necessary to assure against undue damage to the highway foundations, surfaces or structures and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any such highway foundations, surfaces or structure. Each permit shall be valid only for a designated number of consecutive calendar days as specified in the permit, but in no event shall a permit be granted for a period longer than ten (10) days.

(e) At the discretion of the Director of Public Works or his authorized representative, blanket permits will be issued for over-sized vehicles presently on island, and said over-sized vehicles may be subject to time-of-operations restrictions.

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

(f) Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer. It shall be unlawful for any person to violate any of the terms or conditions of such permits.

(g) A fee of Five Dollars (\$5.00) shall be charged for each permit and no such permit shall be issued until said fee has been paid.

(h) Any vehicle issued with a permanent special equipment license or requiring a special permit, as required under this Chapter, shall be prohibited from operating on the highways during the hours of 7:00 to 9:00 a.m., 12:00 to 1:00 p.m. and 4:00 to 6:00 p.m., Mondays through Fridays, except in cases of emergencies or at the direction of the Director of Public Works.

(i) In the event of disputes over Department of Public Works policy an Appeal Board shall be convened upon written request to the chairman of the Appeal Board. The Board shall consist of three (3) members. One (1) member from the Guam Contractors Association or a member from the community at large, the Director of Public Safety or his authorized representative and the Chairman of the Guam Transit Authority, who shall serve as chairman of this Appeal Board. The decision of the Appeal Board shall be binding on all parties.

SOURCE: GC § 23213, enacted by P.L. 13:16-1.

§ 5115. When the Director of Public Works May Restrict the Use of Highways.

(a) The Director of Public Works or his authorized representative may prohibit the operations of certain vehicles upon any highway, or impose restrictions as to the weight of vehicles to be operated upon any highway, whenever any highway, by reason of deterioration, rain or other climatic conditions which will seriously damage the highway unless the use of vehicles thereon is prohibited or the weight thereon is reduced. Such prohibition or restriction shall be effective when notice thereof are erected upon the highway affected and/or effected when notice is given by publication.

(b) Effective Date. This Act shall be effective immediately provided that those provisions of this Act which limit height, width and length as defined in § 5101 shall not be applicable to vehicles which were duly registered on the date that this Act became law until April 30, 1982.

16 GCA VEHICLES
CH. 5 SIZE, WEIGHT AND LOAD LIMITATIONS
AND RESTRICTION OF CERTAIN VEHICLES

SOURCE: GC § 23214, enacted by P.L. 13-16:1.

§ 5116. Carrier Safety and Hazardous Material Regulations.

(a) The Director of the Department of Revenue and Taxation (“Director”) is authorized to promulgate as Guam regulations, either: (1) the Federal Motor Carrier Safety Regulations (49 CFR Parts 385, 386, 390 through 399), *except* such portions as may be determined by the Director to be inapplicable, and highway-related portions of the Federal Hazardous Materials Regulations (49 CFR Parts 107, 171 through 173, 177, 178 and 180); or (2) such Guam regulations applicable to motor carrier safety, including highway transportation of hazardous materials, as are compatible with Federal regulations.

The regulations promulgated by the Director shall be effective as interim regulations until such date as they may be amended pursuant to the Administrative Adjudication Law, Chapter 9 of Title 5 of the Guam Code Annotated.

(b) The Director is authorized 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 adopted pursuant to Subsections (a) and (c) of this Section and to perform the activities set forth in Guam’s Enforcement Plan for implementation of the Regulations. Such Regulations shall be effective as interim Regulations from the date of promulgation until such date as they be amended pursuant to the Administrative Adjudication Law.

(c) Whenever the Federal Motor Carrier Safety Regulations and Federal Hazardous Materials Regulations used by the government of Guam referenced in this § 5116(a)(1) pursuant to this Chapter are updated, the Department of Revenue and Taxation is authorized to automatically adopt such updates as Guam regulations, subject to the promulgation of rules pursuant to procedures required under the Administrative Adjudication Law.

SOURCE: Added by P.L. 19-4:15. Subsection (a) amended by P.L. 25-50:1. Amended by P.L. 27-66:2.
