October 4, 2017

Memorandum

To: Deputy Attorneys General, Assistant Attorneys General, Supervisors and Employees

From: Attorney General

Subject: Policy 2017-002 – Driving Policy

Hafa adai. Attached is the OAG’s Driving Policy governing the use of government of Guam vehicles.

All staff must acknowledge receipt of this policy (see attached respective division listings) and return the receipt to Human Resources Section.

ELIZABETH BARRETT-ANDERSON

Attachment
OFFICE OF THE ATTORNEY GENERAL
DRIVING POLICY
GOVERNING THE USE OF GOVERNMENT OF GUAM
VEHICLES
Policy Number 2017-002

Statement of Need

OAG staff must take all reasonable measures to ensure that employees, when operating OAG official vehicles, do so safely and in accordance to law. There are various laws, both federal and local, that OAG officials must abide by. This policy applies to all staff of the Office of the Attorney General (OAG) of Guam.

Seat Belt Use Required

16 GCA Chapter 26 § 26103. Each driver and all passengers of a motor vehicle shall be restrained by a seat belt assembly that meets federal motor vehicle safety standards and is used in accordance with the assembly manufacturer’s operating instructions.

No Texting Messaging While Driving

16 GCA Chapter 3 § 3346. It is unlawful for a person to read, write, or send electronic messages, or use or be holding, a mobile phone or similar electronic communications device while driving a vehicle.

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

Prohibition on Use of Government Vehicles

No government of Guam owned, leased, or rented vehicles may be driven home by an employee unless specifically authorized in writing by the Attorney General. (Public Law 34-42, Chapter XIII Section 8, §1103). Government vehicles, whether government-owned, leased or rented, shall be used strictly for official purposes.

Smoking in a Government of Guam Owned Vehicle

Smoking is not allowed within government of Guam buildings. The OAG has extended this prohibition to vehicles owned, leased, or rented by the government of Guam / OAG.
Reporting Requirement

OAG employees who receive a traffic citation or violation in an official vehicle during working hours must provide a copy to the Human Resources Section immediately.

Any damages to an OAG official vehicle must be reported in writing by the operator within 24 hours via their Supervisor, Deputy Attorney General and Chief of Staff, to the Attorney General. A subsequent police report must be submitted once issued by the Guam Police Department or any other law enforcement entity such as the Guam Airport Police or Port Authority Police.

Enhancement of This Policy

This policy represents the minimum policy of the OAG concerning this subject. This policy may be enhanced in writing by the Attorney General of Guam.

User Compliance

I understand that I am required to abide by all laws and regulations regarding the use of a motor vehicle, such as speed limits, observance of traffic signals, all highway and traffic laws of Guam. I understand that if I am issued a citation for violating laws or regulations while operating an OAG official vehicle that I shall submit a copy of the citation to Human Resources Section immediately. I understand that I am personally responsible for any fines or fees associated with such violation. Additionally, I understand that I am personally responsible for any damages to an official vehicle if I am found to be at fault.

I understand that I must possess a valid Guam driver’s license in order to operate an OAG official vehicle. I further understand that if my driver’s license is expired, I must immediately inform my supervisor and refrain from utilizing any official vehicles until such time it is renewed.

I hereby acknowledge the Office of the Attorney General of Guam Driving Policy. I further understand that should I commit a violation of this Policy my access privileges may be revoked and disciplinary action up to and including dismissal and/or appropriate legal action may be taken.

________________________________________________________________________
Employee Name (print)                         Date

________________________________________________________________________
Employee Title                                   Assigned Division

________________________________________________________________________
Employee Signature

Original to be maintained in the employee’s personnel jacket by Human Resources Section, Administration Division.