

## AN ACT

To amend Sections 211 and 213 of Title 83 of the Trust Territory Code to increase penalties for driving over speed limits and under the influence of drugs or intoxicating liquor, and for other purposes.

THE PEOPLE OF PALAU REPRESENTED IN THE OLBIIL ERA KELULAU DO ENACT AS FOLLOWS:

1 Section 1. Section 211 of Title 83 of the Trust Territory Code  
2 is amended as follows:

3 "§211. Speed Limits. (1) No person shall drive a vehicle upon  
4 a highway at a speed greater than is reasonable and prudent,  
5 having due regard to the traffic, surface and width of the  
6 highway and the hazard at intersections and any other condi-  
7 tions then existing. Any person who drives a vehicle upon a  
8 highway at a speed in excess of that indicated in this section  
9 for the particular location shall be guilty of a misdemeanor.  
10 Except where otherwise designated by the President, said in-  
11 dicated speeds are as follows:

12 (a) Fifteen miles per hour: when passing a school  
13 building or the grounds thereof, during the school recess or  
14 while children are going to or leaving school during opening or  
15 closing hours; when passing a church; when passing public  
16 processions or assemblages on or near any highway.

17 (b) Twenty miles per hour: in any business or resi-  
18 dential district.

19 (c) Twenty-five miles per hour: outside of a business  
20 or residential district.

21 (2) (a) The President is hereby authorized in his discretion  
22 to establish by regulation or higher speed limits than those  
23 indicated herein upon highways or between widely spaced

1 intersections or lower speed limits than those indicated here-  
2 in in particularly hazardous areas, if signs are erected giving  
3 notice of the speed limit so established.

4 (b) Regulations authorized under the provisions of this  
5 section shall be issued in accordance with the provisions of  
6 law governing the promulgation of administrative regulations.

7 (3) The speed limits set forth herein shall not apply to  
8 emergency vehicles when operated in emergencies and when the  
9 drivers thereof sound audible signal by horn, bell, siren or  
10 exhaust whistle. This provision, however, shall not relieve  
11 the driver of an emergency vehicle from the responsibility to  
12 drive of an emergency vehicle from the responsibility to drive  
13 with due regard for the safety of all persons using the street,  
14 road or highway.

15 (4) Any person convicted of a violation of this section shall  
16 be punished by imprisonment for not more than thirty days, or  
17 by a fine of two hundred dollars, or both; for a second  
18 conviction of a violation of this section occurring within one  
19 year of a prior conviction under this section such person shall  
20 be punished by imprisonment for not more than thirty days, or  
21 by a fine of four hundred dollars, or both; upon a third or  
22 subsequent conviction of a violation of this section occurring  
23 within one year of the first two prior convictions under this  
24 section such person shall be punished by imprisonment for not  
25 more than thirty days, or by a fine of one thousand dollars,  
26 or both, and shall have his license revoked."

27 Section 2. Section 213 of Title 83 of the Trust Territory Code  
28 is amended as follows:

29 "§213. Persons under the influence of drugs or intoxicating

RPPL NO. 1-57

S. BILL No. 186, SD1, SD2, SD3

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1            Liquor. It shall be unlawful for any person who is an habitual

1 user of narcotic drugs or any person who is under the  
 2 influence of intoxicating liquor or narcotic drugs to drive any  
 3 vehicle upon any highway within the Republic of Palau. Any  
 4 person violating this provision shall be guilty of a  
 5 misdemeanor, and, upon conviction thereof, shall be punished  
 6 by imprisonment for not more than one year, or by a fine of  
 7 five hundred dollars, or both; for a second conviction of a  
 8 violation of this section occurring within one year of a prior  
 9 conviction under this section such person shall be punished by  
 10 imprisonment for not more than one year, or by a fine of one  
 11 thousand dollars, or both; upon a third or subsequent  
 12 conviction of a violation of this section occurring within one  
 13 year of the first two prior convictions under this section  
 14 such person shall be punished by imprisonment for not more  
 15 than one year, or by a fine of two thousand dollars, or both,  
 16 and shall have his license revoked."

17 Section 3. Effective Date. This Act shall take effect upon  
 18 its approval by the President of the Republic of Palau, or upon its  
 19 becoming law without such approval, except as otherwise provided  
 20 by law.

Approved this 25 day of May 1983.

/s/ \_\_\_\_\_  
 Haruo I. Remelick  
 President  
 Republic of Palau