

**10 GCA HEALTH AND SAFETY
CH. 61 EXPLOSIVES**

**CHAPTER 61
EXPLOSIVES**

- § 61100. Definitions.
- § 61101. Permit to Receive Explosives.
- § 61102. Same: Persons Under Twenty-One (21) Years of Age.
- § 61103. Same: Application.
- § 61104. Same: Denial of Permit.
- § 61105. Record of Sale or Disposition.
- § 61106. Dealers in Explosives: License.
- § 61107. Transporting Explosives.
- § 61108. Lawful Possession.
- § 61109. Regulations.
- § 61110. Unlawful Possession.
- § 61111. Violation.

§ 61100. Definitions.

For purposes of this Chapter:

(a) Explosives means gun powders, dynamite, blasting powder, all forms of high explosives, initiating or priming explosives, blasting caps, ammunition for cannon, explosive projectiles, bombs, torpedoes, mines, grenades, detonating fuses or any other such chemical compounds, mechanical mixtures or devices which may be designated by regulation as materials which the protection of life and property requires to be considered as explosives.

(b) The term explosives does not include small arms ammunition designed for use in firearms which are entitled to registration pursuant to Chapter 60 of this Title.

SOURCE: GC § 8925.

§ 61101. Permit to Receive Explosives.

No person shall receive or possess any explosives without first having secured a permit therefore from the Director of Revenue and Taxation, and it is unlawful for any person to sell, give away or deliver explosives to any person who does not present such a permit.

SOURCE: GC § 8926.

§ 61102. Same: Persons Under Twenty-One (21) Years of Age.

**10 GCA HEALTH AND SAFETY
CH. 61 EXPLOSIVES**

No explosives shall be sold, given or delivered to any person under twenty- one (21) years of age, whether such person is acting for himself or for another person, nor shall any such person be eligible to obtain any permit to receive explosives.

SOURCE: GC § 8927.

§ 61103. Same: Application.

Application for a permit to receive explosives shall be made by filing a sworn statement with the Director of Revenue and Taxation, upon a form prescribed by the Director showing:

- (a) The name and address of the applicant;
- (b) The place where and the purpose for which the explosives are intended to be used;
- (c) The employer or agent designated to receive the explosives and the means by which the same are to be transported.

SOURCE: GC § 8928.

§ 61104. Same: Denial of Permit.

The Director shall, in the exercise of reasonable discretion, deny a permit to any person if the handling or use of explosives by such person would be hazardous to property or dangerous to any person, or if he proposes to transport the explosives in a vehicle which is not reasonably safe for the purpose.

SOURCE: GC § 8929.

§ 61105. Record of Sale or Disposition.

(a) Every person who sells, gives away, delivers, uses or otherwise disposes of explosives shall keep an accurate journal or record book in which shall be noted at the time it is made, each sale, delivery, gift, use or other disposition of an explosive by him, whether in the course of business or otherwise.

(b) The journal or record book shall be maintained on file for a period not less than three (3) years and at all times, on proper demand, shall be subject to examination by any duly authorized law enforcement official.

SOURCE: GC § 8930.

§ 61106. Dealers in Explosives: License.

**10 GCA HEALTH AND SAFETY
CH. 61 EXPLOSIVES**

No person shall be licensed to engage in the business of manufacturing, transporting, storing, selling, transferring or otherwise disposing of explosives, except upon certification by the Director of Revenue and Taxation that such person, his agents and employees, are qualified, capable and possess facilities to conduct such business in a safe manner.

SOURCE: GC § 8931.

§ 61107. Transporting Explosives.

Vehicles when used for transporting explosives upon the public highways shall be marked or placarded and equipped in accordance with §23114 of the Government Code of Guam.

SOURCE: GC § 8932.

§ 61108. Lawful Possession.

Lawful possession of an explosive means the possession of an explosive in any of the following:

(a) In the course of the business of manufacturing, storing, selling or transporting explosives.

(b) In the course of legitimate blasting operations when authorized by a permit issued pursuant to this Chapter.

SOURCE: GC § 8933.

§ 61109. Regulations.

The Director of Revenue and Taxation is authorized to adopt regulations in implementation of this Chapter, subject to approval by the Governor by Executive Order.

SOURCE: GC § 8934.

§ 61110. Unlawful Possession.

Every person not in lawful possession of an explosive who knowingly has any explosive in his possession is guilty of a third degree felony.

SOURCE: GC § 8935, as amended by P.L. 14-143.

§ 61111. Violation.

**10 GCA HEALTH AND SAFETY
CH. 61 EXPLOSIVES**

Every person who violates any provision of this Chapter, for which another penalty is not otherwise provided, including any regulation issued pursuant hereto, is guilty of a petty misdemeanor.

SOURCE: GC § 8937, as amended by P.L. 13-187.
