



LEGISLATURE OF AMERICAN SAMOA
American Samoa Government

RECEIVED FROM THE LEGISLATURE OF AMERICAN SAMOA DURING ITS
FOURTH REGULAR SESSION OF THE 37TH LEGISLATURE, ORIGINAL AND TWO
COPIES OF:

S.B. #37-53
H.B. #37-39

RECEIVED IN GOVERNOR'S OFFICE: M. Mori
Signature of person receiving

12:30 PM
TIME

MAIKO MOI
PRINT NAME

11/28/22
DATE

NOTE:
In both SB 37-53 and HB 37-39, 4.0301(18) lists the Department of Search and Rescue and the Department of Corrections. Neither bill has been signed into law so both departments were introduced using the same number. The Legislative Reference Bureau (LRB) is authorized to amend bills and acts as long as the changes are not substantive, including but not limited to numbering and renumbering. The LRB will sequence the list based on the order in it was signed by the Governor.

THE THIRTY-SEVENTH LEGISLATURE OF AMERICAN SAMOA

Fourth Regular Session

Begun and held at Fāgatogo, Tutuila, American Samoa
on Monday, the eleventh day of July
two thousand and twenty two

AN ACT ESTABLISHING THE DEPARTMENT OF SEARCH AND RESCUE WHICH WILL INCLUDE FIRE, EMERGENCY MEDICAL, AND MARINE PATROL SERVICES; AMENDING SECTIONS 4.0301, 20.0304, 20.0306, 20.0310, 20.0320, 20.0331, 20.0333, 20.0342 AND 20.0343 A.S.C.A.; AND CREATING A CHAPTER 15 IN TITLE 4 A.S.C.A.

Preamble:

WHEREAS, search, rescue, fire protection, marine patrol, and emergency medical services are specialized functions that are distinct from those typically associated with law enforcement; and

WHEREAS, it is imperative that our government promote the safety of our society by providing search, rescue, fire protection, marine patrol, and emergency medical services and establish a Department of Search and Rescue; and

WHEREAS, due to the urgent need to have the Department of Search and Rescue up and running immediately and without delay, this Act shall become effective after passage by the Legislature and approval by the Governor.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 4.0301 is amended to read:

“4.0301 Required departments.

(a) There are, within the Executive branch of the territorial government, the following departments:

- (1) a department of legal affairs;**
- (2) a department of health;**
- (3) a department of public works;**
- (4) a department of education;**
- (5) a department of agriculture;**
- (6) a department of administrative services;**
- (7) a department of port administration;**
- (8) a department of local government;**

- (9) a department of public safety;
- (10) a department of parks and recreation;
- (11) a department of human resources;
- (12) a department of treasury;
- (13) a department of marine and wildlife resources;
- (14) a department of commerce;
- (15) a department of human and social services;
- (16) a department of youth and women's affairs; and
- (17) a department of homeland security; and
- (18) a department of search and rescue.

(b) Each department has such responsibilities as are prescribed by law or assigned by the Governor.”

Sec 2. 20.0304 is amended to read:

“20.0304 Administrative rules.

(a) The Department of ~~Public Safety~~ Search and Rescue may adopt administrative rules under 4.1001 et seq. to implement this chapter with respect to:

- (1) the numbering and marking of undocumented vessels;
- (2) requirements for associated equipment;
- (3) boat and associated equipment standards;
- (4) operating requirements;
- (5) boating safety education;
- (6) safety patrol and enforcement activity; and
- (7) violations of provisions of these chapters.

(b) The Department of ~~Public Safety~~ Search and Rescue shall adopt administrative rules under 4.1001 et seq. necessary to require all vessels, including those exempted from other sections of this chapter, to comply with uniform reporting and investigation of standards of casualties and accidents.”

Sec 3. 20.0306 is amended to read:

“20.0306 Fees.

For each vessel required to be registered and numbered under this chapter, the Department of ~~Public Safety~~ Search and Rescue shall assess and collect from the owner the following fees and charges:

- (1) Initial annual registration fee. For the issuance of an original certificate;
 - (A) For each vessel less than twenty feet in length, \$10.00;
 - (B) For each vessel twenty feet or more in length, \$20.00;
 - (C) For each amphibious vehicle that is licensed as a motor vehicles, \$10.00;
- (2) Annual certificate renewal fee. For the annual renewal of a certificate:
 - (A) For each vessel less than twenty feet in length, \$5.00;
 - (B) For each vessel twenty feet or more in length, \$10.00;
 - (C) For each amphibious vehicle that is licensed as a motor vehicle, \$5.00;

(3) Reregistration fee for the reregistration of a vessel, after a certificate has been canceled or voided, the appropriate amount provided in (1)(A) or (B) of this section.

(4) Transfer fee. For the transfer of a certificate, \$5.00;

(5) Certificate and registration sticker replacement fee. For the issuance of a replacement certificate or a replacement set of vessel registration stickers, \$10.00;

(6) Certificate modification fee. For modifying a certificate, \$5.00;

(7) Penalty charges for lateness. For each month or fraction thereof that a registration, renewal, reregistration or transfer is delinquent, one tenth of the appropriate fee shall be added to the normal fee;

(8) Exemptions. The department may reasonably establish, by rules, exemptions from the fees required by this section.

~~(9) The above fees and charges may be modified after every 5 years. The Department of Public Safety shall initiate the modification of fees and charges under this chapter."~~

Sec 4. 20.0310 is amended to read:

"20.0310 Numbering of vessels--Required.

(a) Every vessel operating on the waters of this Territory must be numbered in accordance with the Federal Boat Safety Act, 46 U.S.C. § 1451 et seq., 33 CFR Parts 173 & 174, and 46 U.S.C. Chapter 123.

(b) No person may operate or give permission to operate any vessel on such waters unless the vessel is numbered in accordance with this chapter, or in accordance with a federally approved numbering system within a state, and unless (1) a certificate of number awarded to such vessel is in full force and effect, and (2) the identifying number set forth in the certificate of number is displayed on each side of the bow of the vessel. This section does not apply to a vessel which has a valid marine document issued by the Bureau of Customs of the United States Government or any federal agency successive thereto.

(c) The owner of any vessel is required to register every year upon expiration of the certificate of numbers on December 31 with the Department of ~~Public Safety~~ Search and Rescue. This section does not apply to a vessel which has a valid marine document issued by the Bureau of Customs of the United States Government or any federal agency successive thereto.

(d) Each person using a vessel to which this part applies shall present the certificate of number and shall surrender the certificate in a manner prescribed by the issuing authority within 15 days after it becomes invalid under the following circumstances;

(1) The person whose name appears on the certificate of number as owner of the vessel transfers all of his ownership of the vessel;

(2) The vessel is destroyed or abandoned;

(3) A certificate of number issued authority is invalid if:

(A) The application for the certificate of number contains a false or untrue statement;

(B) The fees for the issuance of the certificate of number are not paid;

(C) A certificate of number is invalid 60 days after the day on which the vessel is no longer principally used in the territorial waters of American Samoa where the certificate was issued.

(e) The certificate of number is invalid when the person whose name appears on the certificate involuntarily loses his interest in the numbered vessel by legal process.

(f) If a certificate of number is lost or destroyed, the person whose name appears on the certificate as the owner may apply for a duplicate certificate by submitting to the issuing authority an application on forms supplied by the issuing authority. Payment of a fee charged for the reissuance must be made before the certificate is issued.

(g) A temporary certificate is valid for not more than 60 days after it is issued by the issuing authority pending the issuance of a certificate of number. A temporary certificate is not valid after the date that the owner receives the official certificate of number from the issuing authority.

(h) Each form for application for a certificate of number must contain the following information:

(1) Name of the owner of vessel;

(2) Address of the owner;

(3) State in which vessel is or will be principally used;

(4) The number previously issued by an authority for the vessel, if any;

(5) Whether the application is for a number, renewal of number, or transfer of ownership;

(6) Whether the vessel is used for pleasure, rent or lease, dealer or manufacturer demonstration, commercial passenger carrying, commercial fishing, or other commercial use;

(7) Year vessel was manufactured or model year;

(8) Manufacturer's hull identification number, if any;

(9) Overall length of vessel;

(10) Type of vessel (open, cabin, house, or other);

(11) Whether the hull is wood, steel, aluminum, fiberglass, plastic or other;

(12) Whether the propulsion is inboard, outboard, inboard outdrive, sail or other;

(13) Whether the fuel is gasoline, diesel, or other;

(14) The signature of owner;

(i) Each certificate of number must contain the following information;

(1) Number issued to the vessel;

(2) Expiration date of certificate;

(3) State of principal use;

(4) Whether the vessel is used for pleasure, rent or lease, dealer or manufacturer demonstration, commercial passenger carrying, commercial fishing or other commercial use;

(5) Address of owner, including zip code;

(6) Manufacturer's hull identification number if any;

(7) Make of vessel;

(8) Year vessel was manufactured;

(9) Overall length of vessel;

(10) Whether the vessel is an open boat, cabin cruiser, houseboat, or other type;

(11) Hull material; wood, steel, aluminum, fiberglass plastic or others;

(12) Whether the propulsion is inboard, outboard, inboard outboard drive, or sail;

(13) Whether the fuel is gasoline or diesel or other.”

Sec 5. 20.0320 is amended to read:

“20.0320 Safety equipment required.

(a) Every vessel shall have aboard such safety equipment as shall be set out in the rules and regulations of the Department of ~~Public Safety~~ Search and Rescue. Such safety equipment may consist of, but shall not be limited to, the following:

(1) one life preserver, buoyant vest, ring buoy or buoyant cushion, of a type approved by the Commandant of the United States Coast Guard and in good and serviceable condition, for each person on board;

(2) when in operation between sunset and sunrise, a light or lights, sufficient as determined by the Director of ~~Public Safety~~ Search and Rescue, to make the vessel's presence and location known to any and all other vessels within a reasonable distance;

(3) each vessel shall have a backfire flame arrester; one approved device on each carburetor of all gasoline engines except outboard motors;

(4) if carrying or using any inflammable or toxic fluid in an enclosure for any purpose, and if not an entirely open vessel, an efficient natural or mechanical ventilation system, which shall be capable of removing resulting gases prior to, and during, the time such vessel is occupied by a person; when no fixed extinguishing system is installed in machinery spaces, at least one B-1 type approved hand portable fire extinguisher;

(5) such additional equipment designed to promote the safety of navigation and of persons as the Department of ~~Public Safety~~ Search and Rescue may find to be appropriate and for which it has provided in its rules and regulations.

(b) Vessels of the following types should have the following distress signal devices:

(1) Vessels 16 feet in length should have the following distress signal devices:

(A) Pyrotechnic red flares, hand held or aerial;

(B) Pyrotechnic orange smoke, hand held or floating;

(C) Launchers for aerial red meters or parachute flares;

(D) Orange distress flag;

(E) Electric distress light;

(2) Vessels 16 feet to less than 26 feet in length shall have the following devices and distress signal devices:

(A) One life jacket or personal floatation device (PFD) for each person on board;

(B) Back-fire flame arrester;

(C) Portable/Fire extinguisher;

(D) Three hand-held red flares for day and night use;

(E) One electric distress light for night;

(F) One hand-held red flare and two parachute flares for day and night use;

(G) One hand-held smoke signal, two floating orange smoke signals and one electric distress light for day and night use;

(3) Vessels 26 feet to less than 40 feet in length shall have the following devices and distress signal devices;

(A) One life jacket or PFD for each person on board;

(B) Back-fire flame arrester;

(C) Portable/Fire extinguisher, at least two B-1 Type approved hand portable fire extinguishers; or at least two B-1 Type approved portable fire extinguishers; or at least one B-11 Type approved;

(D) Three hand-held red flares;

(E) One electric distress light;

(F) One hand-held red flare and two parachute flares for day and night use;

(G) One hand-held smoke signal, two floating orange smoke signals and one electric distress light for day and night;

(H) No person may operate a boat built after July 31, 1980, that has a gasoline engine unless it is equipped with an operable ventilation system. For boats built after April 25, 1940, and before August 1, 1980 (with engines using gasoline fuel and other fuels having a flashpoint of 110° F or less) the following is required:

(i) At least two ventilating ducts fitted with cowls or their equivalent for the purposes of properly and efficiently ventilating the bilges of every engine and fuel tank compartment. There shall be at least one exhaust duct installed so as to extend to the lower portion of the bilge.

(ii) For boats which are built after July 31, 1978, but prior to August 1, 1980, there is no requirement for ventilation of the fuel tank compartment if there is no electrical source in the compartment and if the fuel tank vents to the outside of the boat. The operator of a vessel is required to keep the system in operating condition;

(iii) Visual distress signal requirements shall be the same as for vessels 26 feet to 40 feet in length.

(4) Vessels between 40 feet and 65 feet in length shall have the following devices and distress signal devices:

(A) One life jacket or PFD for each person on board and one type IV PFD;

(B) Back-fire flame arrester requirement is same as for 26 feet to 40 feet vessels stated above;

(C) Ventilation requirements is the same as those of 26 feet to 40 feet vessels;

(D) Portable/Fire extinguisher shall be at least three B-1 Type approved portable fire extinguishers; when an approved fixed system is installed, one less B-1 Type is required.

(E) Visual distress signal is same as for vessels 26 to 40 feet in length.

(c) No person may operate or give permission for the operation of a vessel which is not required by this section or modification thereof.

(d) The Refuse Act of 1899 prohibits the throwing, discharging or depositing of any refuse matter or any refuse matter of any kind (including trash, garbage, oil and other liquid pollutants into the waters of the United States and its territories to a distance of three miles from the coastline. The Federal Water Pollution Contract Act prohibits the discharge of oil or hazardous substances in quantities which may be harmful into U.S. and its Territorial navigable waters, the Contiguous Zone, and water within 200 miles in some cases. You must immediately notify the ~~commissioner of public safety~~ Director of Search and Rescue if your vessel or facility discharges oil or hazardous substances into the water. Federal regulation issued under the Federal Water Pollution Control Act requires that:

(1) no person may operate a vessel of less than 100 gross tons unless it has a fixed or portable means to discharge oil bilge slop to a reception facility. A bucket or bailer is considered a portable means.

(2) vessels 26 feet in length and over must have posted a placard at least 5 by 8 inches, made of durable material, fixed in a conspicuous place in the machinery spaces, or at the bilge pump control station, stating the following: "THE DISCHARGE OF OIL PROHIBITED - THE FEDERAL WATER POLLUTION CONTROL ACT, PROHIBITS THE DISCHARGE OF OIL OR OILY WASTE INTO OR UPON THE NAVIGABLE WATERS OF THE UNITED STATES OR WATERS OF THE CONTIGUOUS ZONE, IF SUCH DISCHARGE CAUSES A FILM OR SHEEN UPON, OR DISCOLORATION OF THE SURFACE OF THE WATER, OR CAUSES A SLUDGE OR EMULSION BENEATH THE SURFACE OF THE WATER. VIOLATORS ARE SUBJECT TO A PENALTY OF \$5,000.

(e) Marine sanitation devices.

All recreational boats with installed toilet facilities must have an installed, operable marine sanitation device (MSD). Boats under 65 feet in length may use a Type I, II or III MSD. All installed MSD's must be Coast Guard certified devices and are so labeled except for holding tanks, which are already certified by definition under the regulation, if they store only sewage and flushwater at ambient air pressure and temperature.

(f) Ventilation requirements.

The purpose of the ventilation requirement is to prevent fires and explosions aboard gasoline powered pleasure boats by ventilating compartments which contain fuel vapors.

(1) All motorboats or motor vessels, except open boats, and as provided in paragraphs (d) and (e) of this section, the construction or decking over of which is

commenced after April 25, 1940, and which use fuel having a flash point of 110° F or less, shall have at least two ventilator ducts, fitted with cowls or their equivalent, for the efficient removal of explosive or flammable gases from the bilges of every engine and fuel tank compartment. There shall be at least one exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilge and at least one intake bilge below the level of the carburetor air intake. The cowls shall be located and trimmed for maximum effectiveness so as to prevent displaced fumes from being circulated.

(2) The term "open boats", means those motor boats or motor vessels with all engine and fuel tank compartments, and other spaces to which explosive or flammable gases and vapors from these compartments may flow, open to the atmosphere and so arranged as to prevent the entrapment of such gases and vapors within the vessel.

(3) Where alterations are needed for existing motorboats or motor vessels to comply with the requirements in this section, such alterations shall be accomplished as soon as practical but in any case shall be completed within six weeks of notification of discrepancy.

(4) Boats built after July 31, 1978, are exempted from the requirements of paragraph (a) for fuel tank compartments that:

(A) Contain a permanently installed fuel tank if each electrical component is ignition protected;

(B) Contain fuel tanks that vent to the outside of the boat;

(5) The current criteria for determination of an open compartment is that three conditions must be met in order to consider an engine or fuel compartment open to the atmosphere and therefore exempt from federal ventilation requirements. These three conditions are:

(A) Engine and fuel tank compartments shall have as a minimum 25 square inches of open area directly exposed to the atmosphere for each cubic foot of net compartment volume;

(B) There must be no long or narrow unventilated spaces accessible from such compartments in which a flame front could propagate;

(C) Long narrow compartments such as side panels if joining engine or fuel compartments and not serving as ducts thereto, shall have at least 15 square inch openings at 15 inch intervals along the length of the compartment formed. No person may operate a boat built after 31 July 1980, that has a gasoline engine for electrical generation, mechanical power, or propulsion unless it is equipped with an operable ventilation system that meets the requirements."

Sec 6. 20.0331 is amended to read:

"20.0331 Duties of persons involved in accidents.

(a) It is the duty of the operator of a vessel involved in a collision, accident, or other casualty, so far as he can do so without serious danger to his own vessel, crew and passengers (if any), to render to other persons affected by the collision, accident, or other casualty such assistance as may be practicable and as may be necessary in

order to save them from or minimize any danger caused by the collision, accident or other casualty, and also to give his name, address, and identification of his vessel in writing to any person injured and to the owner of any property damaged in the collision, accident, or other casualty.

(b) If the collision, accident, or other casualty results in death or injury to a person or damage to property in excess of \$100, the operators of the vessels involved shall file with the Department of ~~Public Safety~~ Search and Rescue a complete report of the collision, accident, or other casualty on forms approved by the Department of ~~Public Safety~~ Search and Rescue. Such report shall be submitted within 48 hours after the occurrence. Where a person dies or is lost at sea or where a person is injured that requires medical treatment beyond first aid, the report shall be filed within 24 hours of the occurrence.

(c) When, as a result of an occurrence that involves a vessel, the operator or any person on board the vessel shall, without delay, by the quickest means available notify the Department of ~~Public Safety~~ Search and Rescue, ~~marine enforcement division~~ of the following:

- (1) the date, time, and exact location of the occurrence;
- (2) the name of each person who died or disappeared;
- (3) the number of and name of the vessel; and
- (4) the names and addresses of the owner and operator.”

Sec 7. 20.0333 is amended to read:

“20.0333 Regattas, races, marine parades, tournaments, and exhibitions.

(a) The Department of ~~Public Safety~~ Search and Rescue may authorize the holding of regattas, motorboat or other boat races, marine parades, tournaments, or exhibitions on any waters of this Territory.

(b) It shall adopt, and may from time to time amend, rules concerning the safety of motorboats and other vessels and persons thereon, either observers or participants.

(c) Whenever a regatta, motorboat or other vessel race, marine parade, tournament or exhibition is proposed to be held, the person in charge thereof shall, at least 30 days prior thereto, file an application with the Department of ~~Public Safety~~ Search and Rescue for permission to hold such regatta, motorboat or other vessel race, marine parade, tournament, or exhibition. The application shall be made on a form provided by the Department of ~~Public Safety~~ Search and Rescue and shall set forth the date and time when, and location where, it is proposed to hold such regatta, motorboat or other vessel race, marine parade, tournament, or exhibition. No event shall be conducted without authorization of the Department of ~~Public Safety~~ Search and Rescue in writing.

(d) The provisions of this section do not exempt any person from compliance with applicable federal law or regulation, but nothing contained in this section shall be construed to require the securing of a Territorial permit pursuant to this section if a permit therefor has been obtained from an authorized agency of the United States.”

Sec 8. 20.0342 is amended to read:

“20.0342 Enforcement of chapter.

Members of the police force of the Department of ~~Public Safety~~ Search and Rescue, officers and members of the United States Coast Guard stationed in American Samoa, and other persons as provided by the rules of the department of ~~public safety~~ Search and Rescue, have authority to enforce the provisions of this chapter, and in exercise thereof, have authority to stop and board any vessel subject to this chapter and also have the authority to arrest violators of provisions of this chapter.”

Sec 9. 20.0343 is amended to read:

“20.0343 Violation--Penalty.

(a) Any person violating any of the provisions of this chapter, or of the rules and regulations adopted and promulgated pursuant to this chapter, shall be fined not more than \$1,000 or imprisoned not more than one year, or both; provided that in addition to, or as a condition to the suspension of, the fines and penalties, the court may deprive the offender of the privilege of operating any vessel, in the waters of the Territory for a period not more than two years.

(b) Except when required by Territorial law to take the purported violator immediately before a district judge a person arrested for a violation of any provision of this chapter including any rule or regulation adopted and promulgated pursuant to this chapter, the enforcement officer, upon arresting a person for violation of any provision herein, including any rule or regulation adopted and promulgated pursuant to this chapter shall, in the discretion of the enforcement officer, either (1) issue a summons or citation to the purported violator to appear and answer to the charge against him or her at a certain place and at a time within fourteen days after such arrest, or (2) where there is a possibility that the purported violator may flee the Territory of American Samoa and that there is a likelihood that he or she will not make the appearance within the time and place as stated in the summons or citation, the enforcement officer shall take the purported violator without unnecessary delay before a district judge for arraignment and a bail to assure his appearance may be set by the district judge.

Said summons or citation shall be printed in a form comparable to the form of summons and citations used for arresting offenders in traffic cases in American Samoa. The form and content of such summons or citation shall be adopted or prescribed by the ~~commissioner of public safety~~ Director of Search and Rescue or his authorized representatives.

The original of a summons or citation shall be given to the purported violator and the other copy or copies shall be filed with the District Court and the Department of ~~Public Safety~~ Search and Rescue. The District Court may prescribe alternative methods of distribution for the original and any other copies.

Summonses and citations shall be consecutively numbered and the carbon copy or copies of each shall bear the same number.

Any person who fails to appear at the place and within the time specified in the summons or citation issued to the person by the enforcement officer, upon the person's arrest for violation of any provision of this chapter, including any rule and regulation promulgated pursuant to this chapter, shall be guilty of misdemeanor and, on condition shall be fined not more than \$1,000 or be imprisoned not more than six months, or both.

In the event any person fails to comply with a summons or citation issued to such person, or if any person fails or refuses to deposit bail as required, the enforcement officer shall cause a complaint to be entered against such person and secure the issuance of warrant for that person's arrest.

When a complaint is made to any prosecuting officer of the violation of any provision of this chapter, including any rule or regulation promulgated thereunder, the enforcement officer who issued the summons or citation shall subscribe to it under oath administered by another official of the Department of ~~Public Safety~~ Search and Rescue or officials of the High Court or District Court who has been appointed and authorized by the Governor of American Samoa to administer oaths and take acknowledgements.”

Sec 10. There is created a Chapter 15 under Title 4 A.S.C.A. which reads:

**“CHAPTER 15
DEPARTMENT OF SEARCH AND RESCUE**

Sections:

- 4.1501 Department of Search and Rescue—Creation—Responsibility.
- 4.1502 Director.
- 4.1503 Power of arrest.

4.1501 Department of Search and Rescue – Creation – Responsibilities.

There is established the Department of Search and Rescue within the Executive Branch of the American Samoa Government. The Department of Search and Rescue is responsible for providing fire, emergency medical services, and marine patrol services for American Samoa.

4.1502 Director.

(a) The Governor shall appoint a Director of Search and Rescue who is responsible to oversee all operations of the Department of Search and Rescue.

(b) The Director of Search and Rescue shall:

(1) Establish training and policies to provide competent search, rescue, marine patrol, fire protection, and emergency medical services;

(2) Contract with a medical director to provide medical supervision of paramedics and emergency medical technicians; and

(3) Promulgate rules required to carry out the intent of this chapter pursuant to the Administrative Procedures Act, Section 4.1001, et seq.

4.1503 Power of arrest.

(a) The Director may appoint law enforcement officers who are the graduates of a police academy that was approved by the Commissioner of Public Safety or otherwise authorized by law.

(b) Law enforcement officers authorized under this code section may make arrests:

(1) With an arrest warrant; and

(2) Without a warrant:

(A) for offenses that occur on the waters of American Samoa or on any vessel on the waters of American Samoa;

(B) for offenses committed in violation of Title 20; and

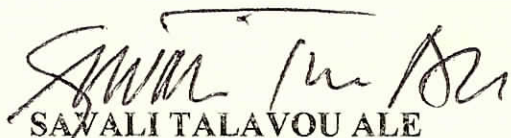
(C) for the offenses of resisting or interfering with an arrest and obstructing government operations.”

Sec 11. Effective date.


Due to the urgent need to have the Department of Search and Rescue up and running immediately and without delay, this Act shall become effective after passage by the Legislature and approval by the Governor.



TUAOLO MANAIA FRUEAN
President of the Senate



SAVALI TALAVOU ALE
Speaker, House of Representatives



12/8/22

Hon. Lemanu S. P. Mauga
Governor
of American Samoa

NOFOA'IGA TOLUSEFULU-FITU FONOFAITULAFONO AMERIKA SAMOA

Fono Tele Lona Fa

Nofoa ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulutasi o Iulai
Lua afe luasefululua

O SE TULAFONO E FAAVAE AI LE MATAGALUEGA O SA'ILIGA MA LAVEA'I E AOFIA I AI LE TINEIMU, FAALAVELAVE TAU FALEMA'IGASEGASE, MA LĒ AUAŪNAGA O LE LEOINA O LE SAMI; SUIA AI MAGA 4.0301, 20.0304, 20.0306, 20.0310, 20.0320, 20.0331, 20.0333, 20.0342 MA LE 20.0343 TTAS.; MA FAAVAE AI SE MATAUPU 15 I LE ULUTALA 4 TTAS

Faatomuaga:

- TALUAI o sailiga, lavea'i, puipuiga mai mu, leoina o le sami, ma auaunaga mo gasegase faafuasei o galuega faapito e ese mai ai lava i galuega masani o le faamalosi tulafono; ma
- TALUAI, e taua le una'ia e lo tatou malo o le saogalemu o tatou tagata e ala i sa'iliga, o le lavea'i, puipuiga mai mu, leoina o le sami ma faalavelave mo gasegase faafuasei, ma faatu ai se Matagaluega mo Sailiga ma le lavea'i; ma
- TALUAI, talu ai e moomia vave ona faagaioia loa ma aua le faatuai o le Matagaluega o Sailiga ma Lavea'i, o le a taualoa ai lenei Tulafono pe a mae'a le pasia e le Fonofaitulafono mā faamaonia e le Kōvāna.

IA FAATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:

Maga 1 4.0301 ua suia nei e faitauina:

"4.0301 Matagaluega manaomia.

(a) Ua i ai i totonu le Lalā Faamalosi Tulafono o le malō faale-teritori, o matagaluega ua ta'ua i lalo:

- (1) se matagaluega o mataupu tau tulafono;**
- (2) se matagaluega o le soifua maloloina;**
- (3) se matagaluega o galuega lautele;**
- (4) se matagaluega o a'oga;**
- (5) se matagaluega o fa'ato'aga;**
- (6) se matagaluega o tautua tau pulega;**

- (7) se matagaluega o le pulega o le taulaga;
- (8) se matagaluega o le malo fa'alelotoifale;
- (9) se matagaluega o le saogalemu lautele;
- (10) se matagaluega o paka ma malaetaalo;
- (11) se matagaluega o tagata faigaluega;
- (12) se matagaluega o le tupe;
- (13) se matagaluega o faiga faiva ma le vaomatua;
- (14) se matagaluega o fefa'atauaiga;
- (15) se matagaluega o le manuia lautele; ma
- (16) se matagaluega o tupulaga ma tama'ita'i; ~~ma~~
- (17) se matagaluega o le saogalemu faalotoifale; ma
- (18) se matagaluega o sailiga ma lavea'i.

(e) O matagaluega taitasi e iai ana fatuaiga ua aiaia e le tulafono pe faatonuina e le Kovana."

Maga 2. 20.0304 ua suia e faitauina faapea:

"20.0304 Faatonuga/tulafono e pulea ai.

(a) O le matagaluega o le ~~saogalemu lautele~~ Sailiga ma Lavea'i e mafai ona ia fa'aaoga tulafono e pulea ai i lalo o le 4.1001 ma isi, e faataunuu ai lenei mataupu e faasino i:

- (1) le faanumeraina ma le faailogaina o vaa e leai ni pepa;
- (2) faatonuga mo mea faigaluega e ono fa'aaoga;
- (3) tulaga taualoa o vaa ma mea faigaluega e ono fa'aaoga ai;
- (4) manaoga mo le faagaoioia o galuega;
- (5) aoaoga mo le saogalemu o folauga;
- (6) leoleoga o le saogalemu ma gaoioiga tau le faamalosiga; ma
- (7) soliga o aiaiga o nei mataupu.

(e) O le a fa'aaoga e le matagaluega o le ~~saogalemu lautele~~ Sailiga ma Laveai tulafono e pulea ai i lalo o le 4.1001 ma isi e mulimuli mai. e manaomia ina ia faatonu ai vaa uma, e aofia ai i latou o loo faagafua i lalo o isi maga o lenei mataupu, e usitai ina ia tutusa le faiga o lipoti ma suesuega o tulaga i manu'aga ma faalavelave faafuasei."

Maga 3. 20.0306 ua suia e faitauina:

"20.0306 Tupe e Totogi.

Mo vaa taitasi uma ua faatonuina ia resitara ma faanumera i lalo o lenei mataupu, o le a fua ma ao e le matagaluega o le ~~saogalemu lautele~~ Sailiga ma Laveai mai le pule tupe totogi nei:

- (1) Totogi faale-tausaga amata. Mo le tuuina atu o le uluai tusi faamaonia;
- (A) Mo vaa uma e itiiti i le 20 futu le umi, \$10.00;
- (E) Mo vaa uma e 20 futu pe sili atu le umi, \$20.00;
- (I) Mo taavale/vaa uma e alu i le sami ma le lauelele ua faalaisene o se taavale, \$10.00;

- (2) Totogi o le faafouga taitausaga o le tusi faamaonia:
- (A) Mo vaa taitasi e i lalo mai le 20 futu le umi, \$5.00;
- (E) Mo vaa taitasi e 20 futu pe sili atu le uumi, \$10.00;
- (I) Mo taavale/vaa taitasi e alu i le sami ma le laueleele ua faalaisene o se taavale, \$10.00;
- (3) Totogi mo le toe resitalaina o vaa e toe fia resitala, ina ua uma ona faaleaogaina pe soloia se tusi faamaonia, o le aofai tatau o loo aiaia i le (1)(A) poo le (E) o lenei maga.
- (4) Totogi o le faau. Mo le faau'ese o se tusi faamaonia, \$5.00;
- (5) Totogi e toe suia ai, pe afai ua le iloa, poo se tusi faamaonia o resitala. Mo le toe tuuina atu o sui o tusi faamaonia poo sui o pepa faapipii (stickers) \$10.00;
- (6) Totogi o le toe suia o tusi faamaonia, \$5.00
- (7) Sala o le tuai. Mo masina taitasi poo se vaega foi o le masina e tuai ai o le resitala, toe faafou, toe resitalaina poo se faauiese foi, e totogi le tasi o vae sefulu o le totogi e tatau ona i ai, e faaopoopo i le totogi masani;
- (8) Fa'agafuaga. E mafai e le matagaluega ona faatulaga, e ala i ni tulafono galue, ni fa'agafuaga ona o ni mafuaaga tatau, mai totogi ua faatonuina e lenei maga.
- ~~(9) O totogi ma tau ua tauina i luga e mafai ona teuteuina pe a mavae tausaga tai 5. E mafai e le matagaluega o le saogalemu lautele ona teuteuina totogi ma tau i lalo o lenei mataupu."~~

Maga 4. 20.0310 ua suia e faitauina:

"20.0310 Faanumeraina o vaa—E manaomia.

(a) E tatau ona faanumeraina vaa uma o loo faagaoioia i ogasami o lenei Teritori e tusa ai ma le Tulafono a le Malo Tele mo le Saogalemu o Folauga, 46 U.S.C. 1451 ma mulimuli mai ai, vaega 33 o le Tulafono o Tuutuuga a le Feterala (CFR) 173 & 174, ma le 46 Tusi Tulafono a le Iunaite Setete (USC). Mataupu 123.

(e) E leai se tagata e mafai ona ia faagaoioia pe tuu atu se faatagaga e faagaoioi ai soo se vaa i ia ogasami vagana ua faanumeraina lea vaa e tusa ma lenei mataupu, pe e tusa ma se faiga o le faanumeraina i totonu o se setete ua talia e le malo tele, ma vagana ua (1) o se tusi faamaonia o le numera ua tuuina atu i lea vaa o loo atoatoa lona malosi ma le taualoa, ma (2) o le numera e faailoa ai e pei ona tusia i le tusi faamaonia o le faanumeraina o loo fa'aalia i itu taitasi o le taumua o le vaa. O lenei maga e le aafia ai se vaa o loo i ai sona pepa tau folauga sa tuuina atu i ai le Vaega o Tiute o le Malo o le Iunaite Setete poo soo se ofisa o le malo tele mo lea lava matātā.

(i) O le pule o soo se vaa e tatau ona ia resitalaina i tausaga uma ina ua muta le taualoa o le tusi faamaonia o le numera ia Tesema 31 e pei ona iai i le matagaluega o le saogalemu lautele Sailiga ma Laveai. O lenei maga e le aafia ai se vaa o loo iai sona pepa tau folauga sa tuuina atu iai e le Vaega o Tiute o le Malo o le Iunaite Setete poo soo se ofisa o le malo tele mo lea lava matātā.

(o) O tagata taitoatasi o loo fa'aaogaina se vaa e aafia i lenei vaega o le a ia folasia le tusi faamaonia o numera ma o le a ia tuuina atu le tusi faamaonia i se faiga ua faatonuia e le puleaga e avane ai i totonu o aso e 15 talu ona lē taualoaina i tulaga nei;

(1) O le tagata o loo fa'aalia lona igoa i le tusi faamaonia o le numera faapea o ia le pule o le vaa ua ave'ese atu uma lana pulega i le vaa;

(2) Ua faatama'ia po ua lafoa'i le vaa;

(3) O se tusi faamaonia o le numera ua tuuina atu e se puleaga e faia ia tusi, o le a lē taualoa pe afai:

(A) O loo iai se faamatalaga le tonu pe pepelo i le talosaga mo le tusi faamaonia o le numera;

(E) E lei totogia le tau o le tuuina atu o le tusi faamaonia o le numera;

(I) O le a lē taualoa se tusi faamaonia o le numera i le 60 aso mai le aso na lē toe fa'aaogaina ai lea vaa i ogasami o le Teritori o Amerika Samoa sa tuuina atu ai lea tusi faamaonia.

(u) O le a lē taualoa le tusi faamaonia o le numera pe afai o lē o loo fa'aalia lona igoa i luga o le tusi faamaonia ua lē toe manao i le vaa e ala i taualumaga faale-tulafono.

(f) Afai ua le iloa po ua faatama'ia le tusi faamaonia o le numera, o le tagata o loo fa'aalia lona igoa i le tusi faamaonia e faapea o ia le pule e mafai ona ia talosaga mo se kopi o le tusi faamaonia e ala i le tuuina atu i le pule'aga na maua mai ai le tusi faamaonia se tusi i pepa ua saunia e le puleaga e faia tusi faamaonia. E tatau ona tuuina atu le totogi e tatau ai mo le toe tuuina mai o le tusi faamaonia.

(g) E taualoa se tusi faamaonia lē tumau mo aso e lē silia le 60 talu lona tuuina atu e le pulega e faia tusi faamaonia e faatali ai le tuuina atu o se tusi faamaonia o le numera. O le a lē taualoa se tusi faamaonia lē tumau pe a uma le aso na maua ai e le pule le tusi faamaonia o le numera aloa'ia mai le pulega e faia ia tusi.

(1) O talosaga uma mo tusi faamaonia o numera ia aafia ai faamatagala nei:

(1) Igoa o le pule o le vaa;

(2) Tuātusi a le pule;

(3) Le setete o loo/poo le a fa'aaogaina ai le vaa;

(4) Le numera sa tuuina atu muamua e le pulega mo le vaa, pe afai e iai;

(5) Pe mata ole talosaga e mo se numera, toe faafouga, poo le suiga o le pule;

(6) Pe mata o le vaa e fa'aaoga mo ni tafaoga, lisi pe fa'aaoga totogi, fa'aילוaina o le faioloa poo le na fausia le vaa, la'uina faapisinisi o pasese, fagotaga faapisinisi, poo isi fa'aaogaina faapisinisi;

(7) Le tausaga na fau ai le vaa poo le tausaga o le fausaga;

(8) Le numera e ilogofie ai le tino o le vaa, pe afai e iai;

(9) Le umi atoa o le vaa;

(10) Ituaiga o vaa (tatala, faipotu, fale, poo nisi);

(11) Poo le tino o le vaa o se laau, u'amea, alumini, tioata-malō, se uga poo se isi mea;

(12) Pe o le afi e i totonu, fafo, ola mai totonu, failā poo nisi;

- (13) Pe alu i le penisini, tiso/suauu, poo se isi mea;
- (14) Le saini a le pule;
- (m) O tusi faamaonia uma o numera ia aofia ai faamatalaga ia:
- (1) Numera ua tuuina i le vaa;
- (2) Aso e muta ai le aoga o le tusi faamaonia;
- (3) Setete e autu iai le fa'aaogaina;
- (4) Po o le vaa e fa'aaoga mo tafaoga, e lisi pe fa'aaoga totogi, i fa'aaliga a le faioloa poo le na fauina, e la'u pasese totogi, i-le pisinisi fagota poo isi fa'aaogaina faapisinisi;
- (5) Tuatusi o le pule, aofia ai le numera faaaoga mo meli feavea'i (zip code);
- (6) Le numera e iloagofie ai le tino o le vaa, pe afai e iai;
- (7) Fausaga o le vaa;
- (8) Tausaga na fausia ai le vaa;
- (9) Le umi atoa o le vaa;
- (10) Po o le vaa o se vaa tatala, faipotu, vaa pei o se falenofu, poo se isi ituaiga vaa;
- (11) Mea o loo fausia ai le tino; laau, u'amea, alumini, tioata-malō, uga, poo nisi mea;
- (12) Pe tuleia e se afi i totonu, afi i fafo, totonu ma fafo, poo se la;
- (13) Pe alu i le penisini poo le tiso-poo se isi mea.”

Maga 5. 20.0320 ua suia e faitauina:

“20.0320 Mea faigaluega mo le saogalemu e manaomia.

(a) Ia i luga o vaa uma mea faigaluega mo le saogalemu e pei ona o le a faatulaga i tulafono galue ma poloaiga a le matagaluega o le ~~saogalemu~~ lautele Sailiga ma Lavea'i. O nei meafaigaluega mo le saogalemu e mafai ona aofia, ae le gata ai, mea nei:

(1) tasi le mea fa'aola, ofu fa'amaanu, mama poo aluga fa'amaanu, o se ituaiga ua faamaonia mai le Pule o le Gataifale a le Iunaite Setete, ma o loo lelei ma i se tulaga e mafai ona fa'aaoga, mo tagata taitoatasi o i luga o le vaa;

(2) pe a faagaoioia i le vā o le lāgoto ma le lāoso, o se molī, poo ni molī, ia lava e pei ona faamaonia e le faatonu o le ~~saogalemu~~ lautele Sailiga ma Laveai ina ia faailoa atu le vaa ma le nofoaga o i ai i soo se vaa ma vaa uma i se mamao e tatau ai;

(3) ia iai i vaa uma se mea e tineia ai se afi e mafua i ni aloiafi e sau mai le afi o le vaa; ia tofu le kapureita o afi kesi ma se mea tinei mu faapea vagana ai afi i fafo;

(4) pe afai e tauave pe fa'aaoga soo se mea faasuavai e mū pe oona i totonu o se mea puipuia mo soo se faamoemoe, ma pe afai e le o se vaa e tatala atoa, o se faiga ua fausia pe faalagolago i le natura poo se masini foi mo le faagasolo ai o le 'ea, e mafai ona aveesea ai kasa a o lei oo, poo le taimi foi lava nofoia ai lea vaa e se tagata, pe a leai se mea e tineia ai se mū ua fapipiina i mea e i ai masini, ia i ai se mea e titina ai se mū o le ituaiga o le B-1 ua uma ona faamaonia pe tasi pe sili atu;

(5) o mea faigaluega faaopopo taitasi ua fuafua e puipuia ai le saogalemu o folauga atoa foi ma tagata e pei ona o le a silafia e le matagaluega o le ~~saogalemu~~

lautele Sailiga ma Laveai ua tatau ai ma ua faapea ona aiaia i ana tulafono galue ma tuutuuga.

(e) O vaa o ituaiga ua taua i lalo ia iai mea faailo nei mo taimi o faalavelave:

(1) O vaa e 16 futu le umi e tatau ona iai masini faailo nei mo taimi o faalavelave:

(A) Felea mumū e pupusa, u'u i le lima pe faalele i luga;

(E) Asu lanu moli pupusa, u'u i le lima pe faaopeopea;

(I) Fana mo mita mūmū e faalele poo parasuti felea;

(O) Fu'a lanu moli faailo faalavelave;

(U) Moli eletise e fa'ailoa ai faalavelave;

(2) O vaa e 16 futu ma i lalo ifo o le 26 futu o le a iai mea nei ma mea e fa'ailoa ai faalavelave:

(A) Tasi le ofu faaola poo se mea faamaanu (PFD) mo tagata taitoatasi o loo i luga o le vaa;

(E) Mea tinamū e faatatau mo se mu e sasao ona o ni aloiafi mai totonu;

(I) Tinamu feavea'i;

(O) Tolu felea mūmū e u'u e fa'aaoga i le ao ma le po;

(U) Tasi le moli eletise mo faalavelave;

(F) Tasi le felea mūmū e u'u ma parasuti felea e lua e fa'aaoga i le ao ma le po;

(G) Tasi le saina fa'aasu e u'u, lua saina fa'aasu lanu moli fa'aopeopea ma le moli eletise e tasi e fa'aaoga i faalavelave i le ao ma le po;

(3) O vaa e 26 futu ae itiiti ifo i le 40 futu le uumi o le iai mea faigaluega ma mea fai saina mo faalavelave e faapenei:

(A) Tasi le ofu faaola poo le PFD mo tagata taitoatasi o loo i luga o le vaa;

(E) Tina mū mo afi e mafua i aloiafi mai le afi o le vaa;

(I) Tinamū feavea'i, ia le itiiti i le lua ituaiga B-1 ua faamaonia, tinamu feaveai; pe a le itiiti i le lua ituaiga tinamu-faamaonia ituaiga B-1; pe le itiiti i le tasi le ituaiga ua faamaonia o le B-11.

(O) Tolu felea mūmū e u'u i le lima;

(U) Tasi le moli eletise mo faalavelave;

(F) Tasi le felea mumu ma parasuti e lua e fa'aaoga i le ao ma le po;

(G) Tasi le mea fa'aasu u'u i le lima, lua mea fa'aasu lanu moli e faaopeopea ma le moli eletise e tasi e fa'aaoga i le ao ma le po;

(L) E leai se tagata e mafai ona ia faagaoioia se vaa na fausia ina ua tea Iulai 31, 1980, e iai se afi kesi vagana ua pipi'i ai se ala-savili e galue lelei. Mo vaa na fausia i tua mai o Aperila 25, 1940, ma a'o lumanai Aokuso 1, 1980 (e iai afi kesi ma isi suauu e iai le 'aloiiafi e oo i le 110°F poo le itiiti ifo) o mea nei e tatau ona iai:

(i) Ia le itiiti i le lua ala-savili ua faapipi'i iai ma o la ufiufi poo ni mea e fetau iai ina lelei ma tulaga tatau le savili mo lalo o alavai uma ma tulaga o tane suauu. A laitiiti ia tasi se paipa e feula mai ai i fafo le 'ea e faapipi'i i se faiga e oo atu ai i le itu i lalo o alavai.

(ii) Mo vaa na fausia a ua mavae Iulai 31, 1978, ae lei oo ia Aokuso 1, 1980, e lē faatonuina ia iai se ala-savili mo tane suauu pe a leai se eletise i totonu o le potu lea ma pe afai e pupusa i fafo le savili mai se itu o le vaa. E faatonuina le ua faagaoioia le vaa ia tausia ia mea i se tulaga e gaoioi lelei ai pea;

(iii) O faatonuga mo faailo o faalavelave o le a pei ona manaomia mo vaa e 26 i le 40 futu le uumi.

(4) O vaa i le vā o le 40 futu ma le 65 futu le uumi e tatau ona iai masini nei ma faailo mo faalavelave:

(A) Tasi le ofu faaola poo le PFD mo tagata taitasi o loo i luga o le vaa ma le ituaiga IV PFD e tasi;

(E) Faatonuga mo tina mū mo afi e amta mai aloiafi e sau i le afi o le vaa, e tutusa ma le faatonuga mo vaa e 26 i le 40 futu le uumi e pei ona fa'aalia i luga;

(I) Faatonuga o ala-savili e tutusa ma faatonuga mo vaa e 26 e oo atu i le 40 futu;

(O) Tinamū feaveai o le a lē itiiti i le tolu B-1 o le ituaiga ua faamaonia; i le taimi e faapipi'i ai mea tumau ua faamaonia, to'ese le B-1 e tasi mai le aofai na faatonuina;

(U) O faailo mo faalavelave e tutusa ma faatonuga mo vaa e 26 i le 40 futu le uumi.

(i) E leai se tagata e mafai ona ia faagaoioia pe faataga le faagaoioia o se vaa e le o manaomia i lenei maga poo sona teuteuga/suiga.

(o) E faasā i le Tulafono o Otaota Lafoa'i o le 1899 le togi 'ese, fa'aalu poo le lafoa'ia o soo se otaota, lafoa'i poo le tuuina o soo se mea tau otaota poo soo se otaota o soo se ituaiga (aofia ai lapisi, otaota, suau'u ma soo se mea faasuavaia e leaga ai le sami i totonu o sami o le Iunaitē Setete ma ona teritori i le mamao e tolu maila mai le apitagalū. O le Tulafono Feterale mo Konekarate o le suavai vale (Polulu) e faasā ai le lafoa'i o suau'u poo mea e afaina ai le soifua i ni aofaiga e mafai ona tupu ai se afaina i totonu o sami o le U.S. ma ona teritori, le Sone Fesootai, ma sami i totonu o le 200 maila. E tatau ona e fa'aailoa vave i le komesina-o le saogalemu-lautele Faatonu o le Sailiga ma Laveai pe afai o lou vaa poo se isi mea totino ua ia te oe, ua masaa atu ai se suauu poo ni mea e afaina ai le soifua i totonu o le sami. O faatonuga faafeterale ua tuuina mai i lalo o le Tulafono Feterale mo Konekarate o Vai Polulu o loo manaomia ai e faapea:

(1) e leai se tagata e mafai ona ia faagaoioia se vaa e itiiti ifo i le 100 tone le mamafa vagana ua iai se faiga ua faapipii mau pe feavea'i foi e aveese ai le suauu leaga mai lalo o afi i se mea e faatali ai. O se pakete poo se mea faapena e mafai ona vaaia o se mea e mafai ona feaveai.

(2) o vaa e 26 futu ma sili atu le uumi e tatau ona latou faapipi'i se saina/faailoga e 5 i le 8 inisi e faia i se pepa 'anagatā, faapipi'i i se tulaga iloa gofie i le mea o i ai masini, po o le tulaga e faatonutonu ai pamu, e ta'u mai ai e faapea: "E FAASĀ ONA LAFOA'I LE SUA U'U – E FAASĀ I LALO O LE TULAFONO FETERALE MO LE PULEA O VAI POLULU, ONA SASAA SUA U'U POO OTAOTA SUA U'U UA I TOTONU POO LUGA O LE SAMI E MAFAI ONA

FEOA'I AI I LE IUNAITE SETETE POO LE SONE FESOOTA, PE AFAI O SEA SUAUU UA TUPU AI SE TO'A POO SE IILA POO UA ESE AI FOI LE LANU O LE SAMI, POO UA TUPU AI SE 'ALU ELEELEA POO SE TO'A I LALO O LE SAMI. O I LATOU E SOLI LENEI TULAFONO E FA'AE'E IAI SE FAASALAGA E \$5000.

(u) Mea faigaluega mo le tumamā i le sami.

O vaa o tafaoga uma ua iai potu e ui ai e tatau ona tuuina foi iai ma ni tane mo fale ui (MSD). O vaa i lalo ifo o le 65 futu le uumi e mafai ona fa'aaogaina le Ituaiga I, II poo le III MSD. O MSD uma e tatau ona faamaonia e le Vaega Leoleo o le Gataifale ma ia faailoa i se pepa e faapipi'i iai vagana ai tane o loo teu ai le suavai vale ma le otaota, ua uma ona faamaonia i lalo o le tulafono galue, pe afai o loo teuina ai na o le otaota ma le vaivale i le malosi o le 'ea ma le vevela e siomia ai.

(f) Mea manaomia mo le feavea'ia o le 'ea.

O le mafuaaga e manaomia ai le faafealua'i o le 'ea, ina ia puipuia ai se mea e tupu ai se mū ma ni mea e pāpā i luga o vaa e alu i le kesi i le faasavilia o vaega o le vaa e i ai se ausa o le suauu.

(1) O vaa afi uma, vagana vaa tatala, pei ona aiaia i parakalafa (o) ma le (u) o lenei maga, na amata ona fausia o latou fola a ua te'a le aso 25 o Aperila, 1940, ma e fa'aaoga ai le suauu e amata ona asu i le 110 tikeri (F)° poo le itiiti ifo, o le a iai ni ala-savili e le itiiti e lua pe sili atu foi, o le a i ai ni mea e aveesea ai o se kasa e ono pā pe 'apo afi foi mai lalo o le afi/enesini ma tulaga o tane suauu. Ia iai lava se paipa se tasi ua pipi'i ai e ta'i mai fafo o le vaa e oo atu i lalo o le vai eleelea ma ia i ai se alavai e sau i totonu se tasi e maualalo ifo na i lo le kapureita. O le ufi ia faapipi'i ma tipi lelei ina ia atoatoa lona malosi e punitia le ausa o suauu mai le toe taamilo atu i totonu.

(2) O le faaupuga "vaa tatala", o lona uiga o vaa afi laiti poo vaa afi tetele foi o latou enisini ma tane suauu, faapea isi avanoa uma e ono se'e atu i ai kasa ma le ausa o suauu, e matalatala agai i fafo ma ua fuafuaina ia aua ne'i punitia ia kasa ma le ausa i totonu o le vaa.

(3) Pe afai e manaomia ni suiga mo va'aafi laiti poo va'aafi tetele o loo iai nei ina ia usitai ai i faatonuga o lenei maga, o ia suiga ia vave ona faataunuu i se avanoa vave e tatau ai ia mautinoa e mae'a i totonu o vaiaso e ono mai le aso na oo atu ai o le fa'aaliga o faaletonu.

(4) O vaa na fausia a ua te'a Iulai 31, 1978, e faagafua mai faatonuga o le parakalafa (a) mo tulaga o tane suauu pe afai:

(A) O ia tane suauu ua faapipi'iina tumau ma o ona totoga e pi'itia e le eletise ua uma ona puipuia mai le 'apo afi;

(E) O tane suauu e iai paipa e ta'i ai le 'ea i fafo o le vaa.

(5) O le faiga o le faaiuga poo se vaega o le vaa e tatala e faalgalago i tulaga e tolu e ao ina usitaia ina ia taualoa se enisini/afi poo se vaega o le vaa faapea e tatala ma o le mea lea e ao ai ina faagafua mai faatonuga faafeterale e faasino i ala-savili. O ia tulaga e tolu e faapea:

(A) O avanoa mo enisini ma tane suauu o le a iai e le itiiti ifo i le 25 inisi faatafafā o se avanoa e tatala agai i fafo i le 'ea mo futu kupita taitasi uma o le aofai o le avanoa;

(E) Aua nei iai ni avanoa lauiti uumi e le sao iai se savili e fesootai ma tulaga o enisini e faaono 'apo ai ni 'aloiafi ma faatupu tele ai;

(I) O avanoa vaapiapi uumi e pei o pito o potu pe afai e sosoo ma tulaga o enisini poo tane suauu ae le oni ala-savili mo na mea, ia iai ni pu faasolosolo e le itiiti ifo i le tai 15 inisi faatafafā e vāvā ta'i 15 inisi i le umi atoa lava o le avanoa. E leai se tagata e mafai ona ia faagaoioia se vaa na fausia ina ua mavae Iulai 31, 1980, e iai sona enisini kesi mo le gaosia o le eletise, malosi fa'a-enisini, poo le malosi e tulei ai vagana ua iai sona faiga lelei o ala-savili e feagai ma tuutuuga manaomia."

Maga 6. 20.0331 ua suia e faitauina:

"20.0331 Tiute o tagata aafia i faalavelave faafuasei.

(a) O le tiute o lē ua faagaoioia se vaa ua aafia i se fetō'aiga, faalavelave faafuasei, poo se isi manu'aga, i se malosi e oo iai lona mafaia e aunoa ma le tupu ai o se afaina tele o lona vaa, 'auvaa ma le pasese (pe a iai), le tuuina atu i tagata ua afaina i fetō'aiga, faalavelave faafuasei, poo isi manu'aga le fesoasoani e mafai ma e tatau ona faia ina ia faasaoina latou pe faaitiitia se tulaga matuia o le a mafua mai i lea fetō'aiga, faalavelave faafuasei, poo se isi manu'aga, ma ia ta'u atu lona igoa, tuatusi, ma le numera e iloa ai lona vaa i se tusitusiga i le tagata ua manu'a ma i le pule o soo se mea totino ua faaleagaina i le fetō'aiga, faalavelave faafuasei, poo se isi manu'aga.

(e) Afai o le fetō'aiga, faalavelave faafuasei, poo isi manu'aga ua i'u atu i se maliu poo se manu'a i se tagata poo le faaleagaina o se mea totino e sili atu i le \$100 lona tau, o ē faagaoioia vaa ua aafia o le a latou failaina i le matagaluega o le ~~saogalemu-lautele~~ Sailiga ma Lavea'i se lipoti atoa o le fetauiga, faalavelave faafuasei, poo isi manu'aga i pepa ua talia-faamaonia i le matagaluega o le ~~saogalemu-lautele~~ Sailiga ma Lavea'i. O lea lipoti ia tuuina atu i totonu o itula e 48 talu ona uma le mea na tupu. Pe afai na maliu pe le iloa i le sami se tagata pe ua manu'a se tasi ma manaomia ai se togafitiga faafomai e sili atu na i lo sina uluai fesoasoani, e tatau ona failaina lea lipoti i totonu o le 24 itula talu ona uma le mea sa tupu.

(i) Pe afai, ona o se mea na tupu na aafia ai se vaa, o lē na faagaoioia le vaa poo soo se tasi i luga o le vaa, ia vave, aua le faatuai ona logoina i se auala aupito vave, le matagaluega o le ~~saogalemu-lautele~~, Sailiga ma Laveai vaega faamalosi tulafono tau vaa mea nei:

(1) le aso, taimi, ma le ogasami tonu na tupu ai le faalavelave;

(2) le igoa o tagata taitoatasi ua maliu pe ua le iloa;

(3) le numera ma le igoa o le vaa; ma

(4) igoa ma tuatusi o le pule ma lē na faagaoioia le vaa."

Maga 7. 20.0333 ua suia nei e faitauina:

“20.0333 O Tuugavaa, tuuga, solo a vaa, tauvaga, ma fa’aaliga.

(a) O le matagaluega o le ~~saogalemu~~-lautele Sailiga ma Lavea’i e mafai ona faatagaina ni tuugavaa, tuuga o va’aafi ma isi lava tuuga faapena, o solo a vaa i le sami, o tauvaga, poo isi fa’aaliga i soo se ogasami o lenei Teritori.

(e) Na te fa’aaoga, ma na te mafai foi ona suia mai lea taimi i lea taimi, tulafono galue e faasino i le saogalemu o va’aafi ma isi vaa ma tagata o loo folau ai, poo ni tagata maimoa poo tagata auai i ia gaoioiga.

(i) I soo se taimi e fuafua ai le faia o se tuugavaa, tuuga a va’aafi poo isi vaa, solo a vaa, tauvaga poo se fa’aaliga, o lē e pulea ia tauvaga, i le 30 aso a’o lumanai ai, na te faila se talosaga i le Matagaluega o le ~~saogalemu~~-lautele Sailiga ma Laveai mo se faatagaga e faia ai tuugavaa, tuuga a va’aafi poo isi vaa, solo a vaa, tauvaga, poo se fa’aaliga. O lea talosaga o le a faia i luga o se pepa ua saunia e le matagaluega o le ~~saogalemu~~-lautele Sailiga ma Laveai ma o le a ta’uina ai le aso ma le taimi, le ogasami, e fuafua e faia ai ia tuugavaa, tuuga a va’aafi poo isi vaa, solo a vaa, tauvaga, poo fa’aaliga. E lē mafai ona faia sea sauniga e aunoa ma se faatagaga tusitusia mai le matagaluega o le ~~saogalemu~~-lautele Sailiga ma Lavea’i.

(o) E le mafai i lalo o aiaiga o lenei maga ona faagafua soo se tagata mai le usitai i tulafono a le feterale poo faatonuga, ae peitai, e leai se mea o i totonu o lenei maga e mafai ona faauigaina faapea ua manaomia faamalosi ai le umia o se pemita mai le teritori i lalo o lenei maga pe afai ua uma ona maua se pemita mo lea faamoemoe mai se ofisa o le Iunaite Setete ua iai lea malosi.”

Maga 8 20.0342 ua suia e faitauina:

“20.0342 Faamalosi o le mataupu.

O le vaega o leoleo a le Matagaluega o le ~~Saogalemu-Lautele~~ Sailiga ma Laveai, ofisa, ma sui o le Leoleoga o le Gataifale a le Iunaite Setete o loo galulue i Amerika Samoa, ma isi tagata o loo aiaia i tulafono a le matagaluega o le ~~saogalemu~~-lautele Sailiga ma Laveai, e i ai le pule e faamalosi ai aiaiga o lenei mataupu, ma i le faatinoina o ia mea, e iai le pule e taofi ai ma ulu atu i totonu o soo se vaa e noatia i lenei mataupu, ma ia iai foi le pule e puefaapagota ai le au solitulafono o aiaiga o lenei mataupu.”

Maga 9. 20.0343 ua suia e faitauina:

“20.0343 Soliga—Faasalaga.

(a) Soo se tasi e solia soo se aiaiga o lenei mataupu, poo tulafono galue ma faatonuga ua fa’aaoga ma faasalalauina faalauaitete e tusa ma lenei mataupu, o le a faasalaina e le silia le \$1000 poo le faafalepuipui e le silia le tausaga e tasi, poo sala uma e lua; vagana ai ua faapea ia faaopoopo atu i lena, po ona o se tuutuuga o le taofia o faasalaga ma sala tupe, e mafai e le faamasinoga ona aveese mai lē ua solitulafono le aiā e faagaoioia ai soo se vaa, i sami o le Teritori mo se taimi e le silia le lua tausaga.

(e) Vagana ina ua faatonuina e le tulafono a le teritori ia aveina loa lē ua solitulafono i luma o se faamasino faaitumalo, o se tagata ua pueina ona o se soliga o

soo se aiaiga o lenei mataupu e aofia ai se tulafono galue poo se faatonuga ua aloa'ia ma faalauaiteleina e tusa ma lenei mataupu, o le ofisa faamalosi tulafono, ina ua na pueina se tagata mo se soliga o soo se aiaiga o lenei tulafono, e aofia ai soo se tulafono galue poo se faatonuga ua aloaia ma faalauaiteleina e tusa ma lenei mataupu, i le filifiliga atamai a le ofisa faamalosi tulafono, na te faia se tasi o mea nei: (1) tuu atu i lē ua sesē se tusi samania poo se moliga ina ia oo ane tali i moliaga faasaga ia te ia i se taimi ma se nofoaga i totonu o aso e sefulu fā mai le aso na pueina ai, poo (2) pe afai e iai se avanoa e ono sola 'ese le ua molia mai le Teritori o Amerika Samoa ma ua foliga mai masalo e le oo ane ia i le taimi ma le nofoaga ua tauina i le samania poo le moliga, o le a aveina loa e le ofisa faamalosi tulafono le ua molia e aunoa ma se faatuai i luma o se faamasino faaitumalo mo le faia o se uluai iloiloga ma tau mai ai se tupe e tatala ai i tua e faamautinoa ai lona oo ane i le faamasinoga.

O lea samania poo se moliga o le a lomina i se pepa e foliga i pepa samania ma moliga o loo fa'aoga e ofisa o loo pueina tagata solitulafono o taavale i Amerika Samoa. O le foliga ma faaupuga o lea pepa samania poo le moliga o le a talia-aloa'ia pe faaupuina e le ~~komesina o le saogalemu lautele~~ Faatonu o Sailiga ma Laveai poo sona sui tofia.

O le uluai samania poo le moliga o le a tuuina atu i lē ua tuua'ia ma o le tasi kopi pe sili atu, o le a failaina i le Faamasinoga Faaitumalo ma le matagaluega o le ~~saogalemu lautele~~ Sailiga ma Laveai. E mafai e le Faamasinoga Faaitumalo ona faatonu se isi auala e tufatufa ai pepa muamua ma nisi lava kopi.

O pepa samania ma moliga o le a faanumeraina i numera sosoo ma o le kopi poo kopi uma o le a fa'aalia ai lea lava numera.

Soo se tasi e lē oo ane i le nofoaga ma le taimi ua faatonuina i le pepa samania poo le moliga ua tuuina atu ia te ia e le ofisa faamalosi tulafono, ina ua pueina lea tagata mo se soliga o soo se aiaiga o lenei mataupu, aofia ai ma soo se tulafono galue ma faatonuga ua faalauaiteleina e tusa ma lenei mataupu, o le a nofosala i se soligatulafono māmā ma, pe afai e tausalaina, o le a faasala tupe e le silia le \$1,000 poo le faafalepuipua e le silia masina e ono, poo sala uma e lua.

Pe afai o le a lē usitai se tasi i le samania poo le moliga ua tuuina atu ia te ia, poo, pe afai ua le faia po ua musu e totogi le tupe e tatala ai e pei ona manaomia, o le a faauluina loa e le ofisa faamalosi tulafono se moliaga faasaga i lea tagata ma saili loa ia na maua se faatagaga e pueina faamalosi ai lea tagata. ma mautinoa le faia o se samania mo le pu'e faapagotaina o lena tagata.

Pe a oo ane i se ofisa faamalosi tulafono se tagi e uiga i se soliga o soo se aiaiga o lenei mataupu, e aofia ai soo se tulafono galue poo se faatonuga ua faalauaiteleina i lalo o lenei mataupu, o le ofisa faamalosi tulafono lea na tuuina atu le samania poo le moliaga o le a na faamaonia e ala i se tautoga e faia e se isi ofisa o le matagaluega o le ~~saogalemu lautele~~ Sailita ma Lavea'i poo ni ofisa o le Faamasinoga Sili poo le Faamasinoga Faaitumalo ua tofia ma tuuina iai le malosi e le Kovana o Amerika Samoa e faia tautoga ma tali i moliga.”

Maga 10. Ua faavae nei se Mataupu 15 i lalo o le Ulutala 4 TTAS e faitauina:

“MATAUPU 15

MATAGALUEGA O SAILIGA MA LAVEAI

Maga:

4.1501 Matagaluega o Sailiga ma Laveai—Faavaeina—Fatuaiga.

4.1502 Faatonusili.

4.1503 Malosi o le pu’e faapagotaina.

4.1501 Matagaluega o Sailiga ma Lavea’i—Faavaeina—Fatuaiga.

Ua faavae nei se Matagaluega o Sailiga ma Lavea’i i totonu o le Lala Faamalosi Tulafono o le Malo o Amerika Samoa. O le Matagaluega o Sailiga ma Laveai e gafa ma auaunaga tau tineimū, faalavelave o gasegase faafuasei, ma le leoina o le sami i Amerika Samoa.

4.1502 Faatonusili.

(a) E tofia e le Kovana le Faatonusili o Sailiga ma Laveai e gafa ma le vaaia o gaoioiga uma lava a le Matagaluega.

(e) O mea nei e faia e le Faatonusili o Sailiga ma Lavea’i:

(1) Faavae ni faigatausisia o toleni e saunia lelei ai auaunaga i sa’iliga, o galuega lavea’i, leoina o le sami, puipuiga mai mu, ma galuega mo faalavelave tau gasegase/falema’i.

(2) Konekarate ma se faatonusili tau falema’i ina ia maua ai le ta’ita’iga tau falema’i o e galulue fesoasoani i gasegase faafuase’i; ma

(3) Lomia ma faailoa tulafono galue mo le faataunuuina o mana’oga o lenei mataupu e tusa ai ma le Tulafono o Tualumaga o Galuega, Maga 4.1001 ma isi e mulimuli mai ai.

4.1503 Malosi o le pu’e faapagotaina.

(a) E mafai ona tofia e le Faatonusili o ofisa faamalosi tulafono ua i’u mai se a’oga faaleoleo na faamaonia e le Komesina o le Saogalemu Lautele poo ua faatagaina e le tulafono.

(e) O ofisa faamalosi tulafono ua faatagaina i lenei maga o le tulafono e mafai ona latou pu’e faapagota:

(1) E ala i se samania e pu’e faapagota ai; ma

(2) E aunoa ma se samania/faatagaga:

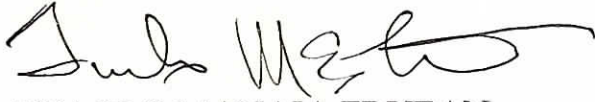
(A) mo solitulafono e faia i luga o ogasami/vai o Amerika Samoa poo luga o se isi lava vaa i ogasami o Amerika Samoa;

(E) mo solitulafono na faia e soli ai le Ulutala 20; ma

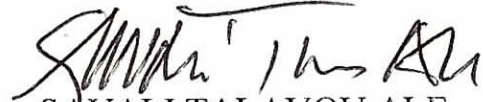
(I) mo solitulafono o le faatautee poo le faalavelave i se pu’e faapagota ma le faia o gaoioiga a le malo.”

Maga 11. Aso e taualoa ai.

Talu ai le mana'oga vave ina ia faagaioici loa se Matagaluega o Sailiga ma Laveai, e aunoa ma le faatuai, o le a taualoga ai lenei Tulafono i le taimi lava e pasia ai e le Fonofaitulafono ma faamaonia e le Kovana.



TUAOLO MANAIA FRUEAN
Peresetene, Maota Maualuga



SAVALI TALAVOU ALE
Fofoga Fetalai, Maota o Sui

 12/8/22

Lemienu S. P. Mauga
Kovana
Amerika Samoa