



HOUSE OF REPRESENTATIVES

TWENTY-SECOND LEGISLATURE

COMMONWEALTH OF THE NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

P.O. BOX 500586 SAIPAN, MP 96950

CELINA R. BABAUTA

CHAIRPERSON

JUDICIARY AND GOVERNMENTAL OPERATIONS COMMITTEE

STANDING COMMITTEE REPORT NO. 22-37

DATE: FEBRUARY 01, 2022

RE: H.B. 22-17

The Honorable Edmund S. Villagomez
Speaker of the House of Representatives
Twenty-Second Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations to which was referred:

H. B. No. 22-17:

“To amend 9 CMC § 2401 to authorize the Bureau of Motor Vehicles to regulate chauffeur licenses in the CNMI; and for other purposes.”

begs leave to report as follows:

I. RECOMMENDATION:

After considerable discussion, your Committee recommends that H. B. NO. 22-17 be passed by the House in its current form.

II. ANALYSIS:

A. Purpose:

The purpose of House Bill No. 22-17 is to amend 9 CMC § 2401 to authorize the Bureau of Motor Vehicles to regulate chauffer licenses in the CNMI.

HOUSE CLERK'S OFF
RECEIVED BY *[Signature]*
DATE 02/18/22 TIME 3:22 pm

B. Committee Findings:

Your Committee finds that pursuant to 9 CMC §2401, no person is allowed to operate a vehicle as a chauffeur without an appropriate chauffeur license. Despite such restriction, it does not specify which agency shall regulate and issue such licenses, unlike the other licenses. For example, pursuant to 9 CMC §2202, the Bureau of Motor Vehicle shall be the agency that issues a vehicle operator's license. Furthermore, pursuant to 9 CMC §2301, the Bureau of Taxicabs shall be responsible for issuing a taxicab driver's license. Cognizant of such regulatory powers granted to such agencies, your Committee finds that the Bureau of Motor Vehicle would be the appropriate agency to regulate the issuance of chauffeur licenses.

Your Committee also finds that chauffeur licenses are regulated by certain agencies within a state government. Such states include Michigan¹, New York², Nevada³, and so forth. As a fellow jurisdiction under the United States, it is imperative that we follow their example in requiring chauffeur licenses to be properly regulated and issued. Furthermore, the Bureau of Motor Vehicle, as the agency in charge of issuing motor vehicle licenses, is the appropriate government agency to ensure compliance. Therefore, your Committee agrees with the intent and purpose of House Bill No. 22-17 and recommends its passage in its current form.

C. Public Comments/Public Hearing:

The Committee received comments from the following:

- Robert A. Guerrero, Commissioner, Department of Public Safety

The Commissioner of the Department of Public Safety fully supports the legislation.

D. Legislative History:

House Bill No. 22-17 was introduced by Representative Joseph Lee Pan T. Guerrero on February 19, 2021 to the full body of the House and was referred to the House Standing Committee on Judiciary and Governmental Operations for disposition.

A similar legislation, namely House Bill No. 21-69, was introduced on August 2, 2019 to the full body of the House and was referred to the House Standing Committee on Judiciary and Governmental Operations for disposition. No further action was taken.

E. Cost Benefit:

The enactment of House Bill No. 22-17 will result in additional cost to the CNMI government in the form of costs associated with additional staffing, training, record-keeping, and so forth. However, the probable revenues realized under this legislation heavily outweigh the costs.

¹ https://www.michigan.gov/sos/0,4670,7-127-1627_8669_53323---,00.html

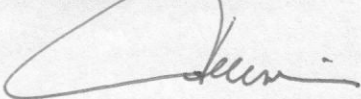
² <https://dmv.ny.gov/driver-license/get-license-drive-taxi-or-livery-vehicle>

³ <https://dmvnev.com/cdl.htm>

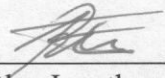
III. CONCLUSION:

The Committee is in accord with the intent and purpose of H. B. NO. 22-17, and recommends its passage in its current form.

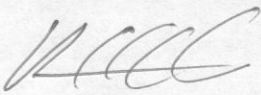
Respectfully submitted,



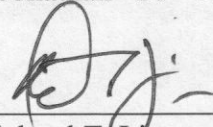
Rep. Celina R. Babauta, Chairperson



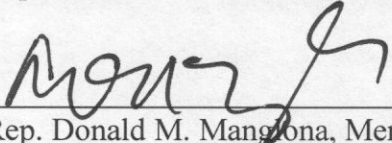
Rep. Blas Jonathan "BJ" T. Attao, Vice Chair



Rep. Vicente C. Camacho, Member



Rep. Richard T. Lizama, Member

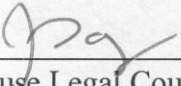


Rep. Donald M. Mangiona, Member

Rep. Christina M.E. Sablan, Member

Rep. Edwin K. Propst, Member

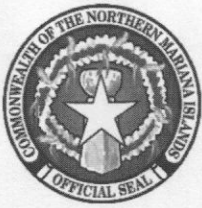
Reviewed by:



House Legal Counsel

Attachment:

- Letter dated August 10, 2021 from the Commissioner of the Department of Public Safety.



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
DEPARTMENT OF PUBLIC SAFETY



Ralph DLG. Torres
Governor

Robert A. Guerrero
Commissioner

Arnold I. Palacios
Lieutenant Governor

August 10, 2021

The Honorable Celina Babauta
Chairwoman, House Standing Committee on Judiciary &
Government Operations
The House of Representatives
22nd Northern Mariana Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

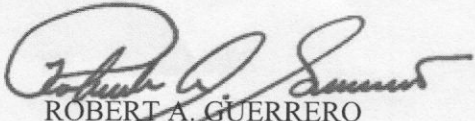
Ref. Comment on H.B. 22-7, H.B. 22-17, H.B. 22-35, H.B. 22-36, H.B. 22-37 & H.B. 22-39

Dear Representative Babauta:

Thank you for the opportunity to comment on H.B. 22-7 "To provide clarity relative to the crime of promoting prison contraband, otherwise known as the Contraband Reform Act of 2021; and for other purposes.", H.B. 22-17 "To amend 9 CMC § 2401 to authorize the Bureau of Motor Vehicles to regulate chauffeur licenses in the CNMI: and for other purposes.", H.B. 22-35 "To add a provision to prohibit convicted felons from possessing firearms and/or ammunitions; and for other purposes.", H.B. 22-36 "To repeal and reenact 6 CMC § 4115 to provide better clarity for the trial courts to impose sentences", H.B. 22-37 "To amend Title 6, Division 3, Chapter 2 of the Commonwealth Code by establishing a penalty provision for criminal defendants who fail to appear in court on their scheduled date." and H.B. 22-39 "To amend Title 6, Division 6, Chapter 5 "By adding a new § 6503. Witness to Child Outcry of Abuse; and for other purposes.". The department fully supports the purpose and intent of these legislations.

Should you have any questions, please do not hesitate to let us know. Again, thank you for this opportunity to comment on this important legislation.

Sincerely,


ROBERT A. GUERRERO
Commissioner of Public Safety

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Session, 2021

H. B. 22-17

A BILL FOR AN ACT

To amend 9 CMC § 2401 to authorize the Bureau of Motor Vehicles to regulate chauffeur licenses in the CNMI; and for other purposes.

BE IT ENACTED BY THE 22ND NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purpose.** The Legislature finds that 9 CMC §
2 2401 provides that no person may operate a vehicle as a chauffeur without a
3 chauffeur license. However, Section 2401 does not clearly specify which
4 government agency will regulate chauffer licenses unlike other licenses in the
5 Vehicle Code. For example, 9 CMC § 2202 provides that vehicle operator's licenses
6 shall be issued by the Bureau of Motor Vehicles and 9 CMC § 2301 states that the
7 Bureau of Taxicabs shall regulate the taxicab driver's licenses.

8 The Legislature further finds that the Bureau of Motor Vehicles (BMV) is
9 the most appropriate government agency to regulate chauffer licenses in the
10 Commonwealth of the Northern Mariana Islands (CNMI). BMV currently regulates
11 vehicle operator's licenses and vehicles, and chauffeur licenses require the same
12 basic requirements of operator's licenses in addition to other requirements.

1 Accordingly, the purpose of this legislation is to amend 9 CMC § 2401 to authorize
2 the Bureau of Motor Vehicles to regulate chauffeur licenses in the CNMI.

3 **Section 2. Amendment.** 9 CMC § 2401 is hereby amended to read as
4 follows:

5 **“§ 2401. Chauffeur’s License.**

6 (a) No person shall operate a vehicle as a chauffeur, as defined in 9
7 CMC § 1102(e), without having on his or her person or in his or her
8 immediate possession a valid chauffeur’s license issued by the Bureau of
9 Motor Vehicles under this article. A chauffeur’s license authorizes the
10 licensee to drive as an operator and as a chauffeur.

11 (b) In addition to those requirements for an operator’s license, every
12 applicant for a chauffeur’s license must be at least 18 years old and shall be
13 required to submit to an examination appropriate to the type of vehicle or
14 combination of vehicles he desires a license to drive. The examination shall
15 include a written examination and an actual demonstration of the ability to
16 safely operate the vehicle(s).

17 ~~(c) The requirements set forth in 1 CMC § 2596(a)(6) are hereby~~
18 ~~made applicable to~~ All applicants for chauffeur’s licenses shall be required
19 to be insured under a general or public liability policy of insurance issued
20 by a qualified insurance company licensed to do business in the
21 Commonwealth, as follows:

1 (i) A minimum coverage of \$50,000 for bodily injury or
2 death of any one person in any one accident;

3 (ii) A minimum coverage of \$100,000 for bodily injury or
4 death of more than one person in any one accident; and

5 (iii) A minimum coverage of \$30,000 for injury to or
6 destruction of property in any one accident, as well as uninsured
7 motorists coverage in the same amounts, unless otherwise provided
8 by law. The person with a chauffer license shall be held responsible
9 for compliance with this section."

10 **Section 3. Regulations.** The Bureau of Motor Vehicles through the
11 Department of Public Safety shall promulgate rules and regulations necessary to
12 implement the provisions of this Act.

13 **Section 4. Severability.** If any provision of this Act or the application of
14 any such provision to any person or circumstance should be held invalid by a court
15 of competent jurisdiction, the remainder of this Act or the application of its
16 provisions to persons or circumstances other than those to which it is held invalid
17 shall not be affected thereby.

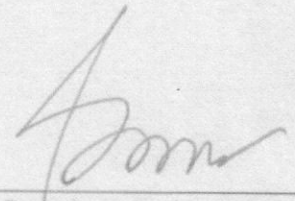
18 **Section 5. Savings Clause.** This Act and any repealer contained herein
19 shall not be construed as affecting any existing right acquired under contract or
20 acquired under statutes repealed or under any rule, regulation or order adopted
21 under the statutes. Repealers contained in this Act shall not affect any proceeding

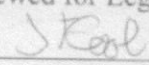
1 instituted under or pursuant to prior law. The enactment of the Act shall not have
2 the effect of terminating, or in any way modifying, any liability, civil or criminal,
3 which shall already be in existence on the date this Act becomes effective.

4 **Section 6. Effective Date.** This Act shall take effect upon its approval by
5 the Governor or becoming law without such approval.

Prefiled: Feb. 4, 2021

Date: _____

Introduced by: 
Rep. Rep. Joseph Leepan T. Guerrero

Reviewed for Legal Sufficiency by:

House Legal Counsel