



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

Adopted - 11/30/2022 ✓
STANDING COMMITTEE REPORT NO. 22-57
DATE: OCTOBER 21, 2022
RE: H.B. 22-79

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. 22-79:

“To allow for right hand drive vehicles that are twenty-five (25) years or older to be imported and registered in the CNMI; and for other purpose.”

begs leave to report as follows:

I. RECOMMENDATION:

After considerable discussion, your Committee recommends that H. B. No. 22-79 be passed by the House in the form of House Substitute 1.

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DATE 11/22/2022 TIME 1:54p

II. ANALYSIS:

A. Purpose:

The purpose of House Bill No. 22-79 is to allow for right hand drive vehicles that are twenty-five (25) years or older to be imported and registered in the CNMI and for other purpose.

B. Committee Findings:

Your Committee finds that Right Hand Drive vehicles are common modes of transportation used in foreign countries, such as Japan, Hong Kong, South Africa, Great Britain, and so forth.¹ In the United States, however, Left Hand Drive vehicles are the commonly used vehicles among their respective motorists. Your Committee further finds that in the United States, there are no laws that prohibit the usage of Right Hand Drive vehicles for they will be obligated to obey the same traffic rules and regulations as other vehicles.² Furthermore, there are no mandatory steering wheel structure regulations for vehicles as long as they abide and comply to Federal Motor Vehicle Safety Standards in the National Highway Traffic Safety Administration (NHTSA) and the Environmental Protection Agency (EPA) regulations. Your Committee finds that the usage of Right Hand Drive vehicles should be permitted since they do not violate any federal law and regulation regarding vehicles.

Your Committee finds that pursuant to 9 CMC §2101, Right Hand Drive vehicles are prohibited unless they are heavy equipment or construction vehicles. Further, specifically under subsection (e) of the specified statute, a Right Hand Drive vehicle must be converted to a Left Hand Drive vehicle in order for it to be lawfully registered. Your Committee finds that such requirements can be very costly and serves as a inhibition for such vehicles to be registered. Cognizant of the support of certain members in the community, your Committee finds that the usage of Right Hand Drive vehicles in the CNMI will not be problematic for they will be required to obey the same traffic rules and regulations that the CNMI currently possesses. Furthermore, your Committee finds that pursuant to 49 U.S.C §30112(b)(9), a non-complying motor vehicle shall be exempted from importation restriction if such vehicle is at least twenty-five (25) years old. Your Committee finds that the proposed legislation aims to follow such federal statute.

It is the intent of your Committee to amend the Findings and Purpose Section of the proposed legislation to provide better clarity. Therefore, your Committee agrees with the intent and purpose of House Bill No. 22-79 and recommends its passage in the form of House Substitute 1.

C. Public Comments:

The Committee received comments from the following:

¹ <https://sg.news.yahoo.com/reason-behind-hand-driving-countries-091537545.html>

² <https://drivingpress.com/can-you-drive-a-right-hand-drive-car-in-the-usa/>

- Mr. Harry Wilcox, Private Citizen

Mr. Wilcox is in support of the proposed legislation.

- Mr. Kevin K. Ward, Vice President and Director of Operations, Century Insurance Company, LTD.

Mr. Ward informed the committee of the risks associated with Right Hand Drive vehicles.

D. Legislative History:

House Bill No. 22-79 was introduced by Representative Richard T. Lizama on September 23, 2021 to the full body of the House and was referred to the House Standing Committee on Judiciary and Governmental Operations for disposition.

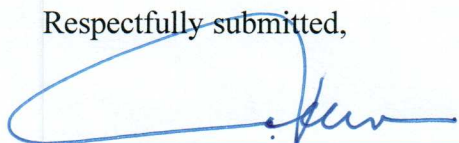
E. Cost Benefit:

The enactment of House Bill No. 22-79, HS1 will not result in additional costs to the CNMI government. On the contrary, the proposed legislation aims to generate additional revenues due to the probable increase in vehicle registrations for operational purposes. This avenue will allow for interested motorists to register their Right Hand Drive vehicle(s) with the Bureau of Motor Vehicle (BMV).

III. CONCLUSION:

The Committee is in accord with the intent and purpose of H. B. NO. 22-79, and recommends its passage in the form of House Substitute 1.

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. Manglona, Member



Rep. Christina M.E. Sablan, Member



Rep. Edwin K. Propst, Member

Reviewed by:



House Legal Counsel

Attachment:

- An e-mail dated April 05, 2022 from Mr. Harry Wilcox; and
- A letter from Mr. Kevin Ward, Vice President and Director of Operations for Century Insurance Company, LTD.

Rep Celina Babauta

From: killercave cow <russthree@gmail.com>
Sent: Tuesday, April 5, 2022 2:07 PM
To: rep.villagomeze@cnmileg.net; rep.attaob@cnmileg.net; rep.yumulr@cnmileg.net; rep.babautac@cnmileg.net; rep.babautas@cnmileg.net; rep.camachov@cnmileg.net; rep.lizamar@cnmileg.net; rep.manglonad@cnmileg.net; rep.propste@cnmileg.net; rep.sablanc@cnmileg.net; rep.stafflerl@cnmileg.net; rep.yangetmaid@cnmileg.net; rep.adar@cnmileg.net; rep.camachoj@cnmileg.net; rep.demapana@cnmileg.net; rep.floresj@cnmileg.net; rep.sablanj@cnmileg.net; rep.sannicolasp@cnmileg.net
Subject: In support of House Bill No. 22-79
Follow Up Flag: Follow up
Flag Status: Flagged

4/5/22

Esteemed Representatives,

I am writing you as a citizen of the CNMI asking for your support of House Bill No. 22-79.

This bill would allow the local registration of 25-year-old vehicles in accordance with Federal laws regarding the same. Established Federal guidelines exist for the importation and registration of these vehicles, just currently, the CNMI has local laws against "all Right-hand Drive" vehicles. This is unfortunate as US States and territories currently enjoy the benefit that these vehicles bring citizens.

Guam, Samoa, and Puerto Rico for example have the benefit of these options as they recognize the Federal exemption and guidelines and by adhering to these, offer the citizens a wider choice of "classic" categorized vehicles.

Some of the benefits that would be enjoyed would be lower maintenance costs, lower initial vehicle costs, ease of maintenance, fun car culture, lower fuel consumption, smaller ecological footprint. Some of these vehicles get over 30mpg. Some vehicles are in a truck configuration that would be most helpful to agricultural, landscape, construction, or anyone who needs to economically move goods around the island.

Having owned one of these vehicles, I can personally attest to the popularity and interest on the island. Not a day would go by where I wouldn't be asked about the vehicle and its registration and care. Many individuals expressed interest and hope that these vehicles would be more readily available and how it made sense for the low powered vehicles to be available on our island for a multitude of reasons. It just made sense.

Esteemed members of the House of Representatives, I make myself available for any inquires on how I imported the truck, how it operates, what the procedure was, about the operation and maintenance of these vehicles. I am confident that if given the chance, you too will feel confident that the simple recognition of this Federal Exemption will be a boon and benefit to the people of the CNMI.

Thank you for your time.

Harry Wilcox

russthree@gmail.com

670 287 4403.



Century Insurance

June 22, 2022

Dear Representative Richard T. Lizama,

Re: HB 22-79

In response to your June 21st email, we are familiar with these vehicles in Guam and understand this is and has been a current topic of the NMIA on right hand vehicles for Saipan. I can only speak for Century Insurance and not the other carrier analysis of these risks or appetite. RH drive vehicles currently in Guam are allowed by law and Century will only consider writing these risks, if the applicant currently has other business with Century and generally not considered on a stand-alone applicant inquiry. They are written for Third Party Liability cover only with minimal limits. I understand the bill is pending in Saipan and depending if this Bill becomes law, at that time, Century would consider writing these risks for minimum TPL subject to satisfactory vehicle inspections.

As with any vehicle, due diligence and safety by the operator is priority, and I think we all recognize that RH drive vehicles on western roads per se, dictate enhanced driver awareness needs. Maybe that is an option/requirement for the BMV to take the lead on and set precedent in establishing RHD vehicle awareness classes pending registration. It could instruct additional visual awareness needs, Weight/load transfer in turns to avoid roll over. I understand these vehicles by engineering to not offer a typical frame support and set up by design, and more or less unibody.

I hope my general comments assist your needs.

Regards,

Kevin K. Ward , SCLA
Vice President & Director
Of Operations
Century Insurance Company, LTD.
Guam * Saipan—A Tan Holdings Company
Tele: (671) 648-0611 Fax: (671) 648-0608
Cellular: (671) 688-2118
www.centuryinsurancegroup.net

Century Insurance Company Limited

Ground Floor, CIC Centre, Beach Road, South Garapan, PMB 193 Box 10000, MP 96950-8900, CNMI
Tel. No.: (670) 234-0609/10 • Fax No.: (670) 234-1845 • Website: <http://www.centuryinsurancegroup.net>

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2021

Second Regular Session, 2021

H. B. 22-79, HS1

A BILL FOR AN ACT

To allow for right hand drive vehicles that are twenty-five (25) years or older to be imported and registered in the CNMI; and for other purpose.

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

1 **Section 1. Findings and Purpose.** The Legislature finds that registration of
2 Right Hand Drive (RHD) vehicles in the CNMI is prohibited under 9 CMC § 2101
3 unless the Right Hand Drive vehicle legally entered the CNMI prior to December
4 30, 1991, or if the vehicle(s) primary use is for agricultural or construction
5 purposes. Currently, many residents of the CNMI have made their concerns known
6 when it comes to registering and/or importing Right Hand Drive vehicles for their
7 personal use. This legislation is presented to bring attention to the public interest in
8 importing Right Hand Drive vehicles that are permitted under current US Vehicle
9 Importation Regulations, namely, the 25 year “Classic” exemption.

10 Currently, Right Hand Drive vehicles (RHD vehicles) are not able to be
11 registered in the CNMI except in the case of “Construction” or “Agriculture”
12 vehicles. To register a Right Hand Drive vehicle, the vehicle would have to be

1 registered under commercial guidelines and meet the requirements for a
2 construction or agriculture vehicle.

3 The majority of United States jurisdictions allow for importation and
4 registration of Right Hand Drive vehicles, some with stipulations regarding use but
5 largely recognizing the Federal allowances for such vehicles.

6 Guam for example, has many RHD vehicles and is enjoying the benefit and
7 practicality of such RHD vehicles for island use. The CNMI falls under the same
8 stipulations for federal funding regarding its traffic programs and grants as Guam,
9 American Samoa, and Puerto Rico. If these territories have experienced no losses
10 to their funding for recognizing the federal regulations on these vehicles, it stands
11 to reason that the CNMI would fall under the same allowances. Therefore the
12 purpose of this legislation is to allow for right hand drive vehicles that are twenty-
13 five (25) years or older to be registered in the CNMI.

14 **Section 2. Amendment.** Title 9, Division 2, Chapter 1, § 2101 (b)(c) of the
15 Commonwealth Code is hereby amended as follows:

16 **“§ 2101. Registration: Application.**

17 (a) Every owner of a motor vehicle or bicycle shall, before operating
18 any such motor vehicle or bicycle on any highway of the Commonwealth,
19 register it with the bureau. The application for registration shall be made on
20 the prescribed form, signed by the owner and contain the applicant’s
21 residence address as well as a brief description of the vehicle or bicycle to

1 be registered, including the name of the manufacturer, the engine and serial
2 number when applicable, and whether the vehicle or bicycle is new or used.

3 (b) The owner of any foreign motor vehicle shall exhibit such
4 evidence that will satisfy the bureau that the applicant is the lawful owner
5 of the vehicle; provided, that no foreign vehicle with right hand drive unless
6 twenty-five (25) years or older, except or a heavy equipment or construction
7 vehicle, shall be imported into the Commonwealth, or registered, unless the
8 vehicle has been previously registered in the Commonwealth or the United
9 States, its territories or possessions.

10 (c) Notwithstanding any other law to the contrary, any owner of a
11 motor vehicle with right hand drive which legally entered the
12 Commonwealth prior to December 30, 1991, and any owner of a right hand
13 drive vehicle twenty-five (25) years or older, and any right hand drive heavy
14 equipment, 50 tons or higher primarily used for agricultural purposes, or
15 construction vehicle shall be permitted to register the vehicle upon approval
16 of the Department of Environmental Quality regarding vehicular emission
17 control standards as found in the Commonwealth's air pollution control
18 regulations promulgated pursuant to 2 CMC §§ 3101 et seq., the
19 Commonwealth Environmental Protection Act, and presentation of
20 satisfactory evidence of ownership to the bureau. The Director of Public

1 Safety is authorized to promulgate regulations to define the types of vehicles
2 to be included in the definition of heavy equipment or construction vehicles.

3 (d) No motor vehicle shall be registered or re-registered under this
4 chapter unless the application for registration or renewal of registration
5 contains satisfactory evidence of minimum motor vehicle liability insurance
6 for the vehicle, as required under the provisions of 9 CMC §§ 8101 et seq.,
7 and the bureau shall maintain a copy of such satisfactory evidence in
8 connection with each motor vehicle so registered.

9 ~~(e) Notwithstanding subsection (b) any right hand drive vehicle,~~
10 ~~other than a vehicle described in subsection (c) in the Commonwealth as of~~
11 ~~February 1, 2017, may be registered after the following conditions are met:~~

12 ~~(1) The vehicle is converted from right hand driver to left hand~~
13 ~~driver;~~

14 ~~(2) The vehicle is inspected by the Director of the Bureau of Motor~~
15 ~~Vehicles and the Director determines that the converted vehicle is safe to~~
16 ~~drive; and~~

17 ~~(3) The conversion pursuant to subsection (e)(1) and the inspection~~
18 ~~pursuant to subsection (e)(2) shall be accomplished within 90 days after~~
19 ~~Public Law 20-21 became law.”~~

20 **Section 3. Severability.** If any provisions of this Act or the application of
21 any such provision to any person or circumstance should be held invalid by a court

1 of competent jurisdiction, the remainder of this Act or the application of its
2 provisions to persons or circumstances other than those to which it is held invalid
3 shall not be affected thereby.

4 **Section 4. Savings Clause.** This Act and any repealer contained herein
5 shall not be construed as affecting any existing right acquired under contract or
6 acquired under statutes repealed or under any rule, regulation, or order adopted
7 under the statutes. Repealers contained in this Act shall not affect any proceeding
8 instituted under or pursuant to prior law. The enactment of the Act shall not have
9 the effect of terminating, or in any way modifying, any liability, civil or criminal,
10 which shall already be in existence on the date this Act becomes effective.

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

Prefiled: 09/07/2021

Date: 09/07/2021 Introduced by: /s/ Rep. Richard T. Lizama

Reviewed for Legal Sufficiency by:

/s/ John B. Layde
House Legal Counsel