

A BILL FOR AN ACT

To amend 9 CMC, Divisions 1 and 2, Sections 1102(b), 1103, 1208, 2103, 2104, 2106, and Sections 2201 through 2205, and to add new Sections 2213 and 2214, for the purpose of establishing new fees, procedures, requirements for, and powers and authority of, the Bureau of Motor Vehicles for the registration of vehicles and operator's licenses; and for other purposes.

BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Short Title. This Act may be cited as the "Bureau of Motor Vehicles Records
2 Amendment Act of 1996".

3 Section 2. Purpose. The purpose of this Act is to establish new powers and authorities of, and a
4 new fee schedule for, the Bureau of Motor Vehicles, Records and Firearms Identification, Department of
5 Pubic Safety, for the issuance of reports, operator's licenses and registration of motor vehicles.

6 Section 3. Findings. The Legislature finds that the present powers, authorities and fee schedule
7 for reports, operator's licenses and vehicle registration was established during the Third Legislature, and
8 although the costs to the government for this activity (e.g. the purchasing of license plates, films and other
9 materials) has increased significantly since then, the fees have remained the same. The Legislature finds
10 that the fee schedule needs to be revised in order to increase revenues as a means to offset higher
11 operational costs incurred by the Bureau of Motor Vehicle, Records and Firearms Identification.

12 Section 4. Amendment. 9 CMC, Section 1102(b) is hereby amended to read as follows:

13 "(b) 'Bureau' means the Bureau of Motor Vehicles, Records and Firearms Identification
14 established by this Title."

15 Section 5. Amendment. 9 CMC Divisions 1 and 2 are hereby amended to replace all references
16 to "Chief" with "Director," and all references to "Director" with "Commissioner."

17 Section 6. Amendment. 9 CMC Section 1103 is hereby amended by adding the following
18 definitions, which shall be incorporated into the Section in alphabetical order with appropriate
19 renumbering:

20 "'Special Construction Equipment' means any vehicle used primarily off the highways for
21 construction purposes and which moves only occasionally on public highway or roads, including
22 but not limited to, bucket loaders, ditchers, graders, transit mixers, dump trucks, crane trucks,

1 track dump trailers, backhoes, tractor mowers, or others as determined by the Chief or his
2 Designee of the Bureau of Motor Vehicle, Records and Firearms Identification by adopted rules.

3 'Truck Tractor' means a motor vehicle designed and used primarily for drawing other
4 vehicles and not so constructed as to carry a load other than a part of weight of the vehicle drawn.

5 'Utility Trailer' means a trailer or semi-trailer which does not exceed a gross weight of
6 6,000 pounds."

7 Section 7. Amendment. 9 CMC Section 1208 is hereby amended to read as follows:

8 "Section 1208. Authority to Approve or Reject Application. The Bureau shall examine
9 and determine the genuineness, regularity and legality of every application for registration of a
10 vehicle, for a certificate of title, for an operator's license, or of any other application lawfully
11 made by the Bureau. The Bureau shall require all applicants to show proof of identity. The
12 Bureau may make necessary investigations or require genuineness, regularity or legality or the
13 truth of any statement contained within it, or for any other reason when authorized by law."

14 Section 8. Amendment. 9 CMC Section 2102 is hereby amended to read as follows:

15 "Section 2102. Records.

16 (a) The Bureau shall file each application received, and shall register the
17 vehicle or bicycle described and the owner index cards as follows:

18 (1) Numerically, under a distinctive registration number assigned to
19 the vehicle and the owner, and

20 (2) Alphabetically, under the name of the owner.

21 (b) All registration and license records in the office of the Bureau of Motor
22 Vehicles, Records and Firearms Identification are public records, other than those
23 declared under law to be for the confidential use of the Bureau of under any Privacy Act
24 ~~and~~ are to be open for inspection by the public during business hours."

25 Section 9. Amendment. 9 CMC Section 2103(a) is hereby amended to read as follows:

26 "(a) An owner upon transferring a registered vehicle or bicycle shall endorse the name
27 and address of the transferee and the date of transfer upon the reverse side of the certificate of
28 ownership issued for the vehicle and immediately forward the ~~card~~, certificate of ownership and
29 the vehicle registration to the Bureau. The transferee, before operating or permitting the operation
30 of the vehicle or bicycle upon a highway, shall apply and obtain the registration thereof as upon
31 an original registration and certificate of ownership. In the event of a transfer by inheritance,
32 devise, bequest, or execution of sale of registered vehicle or bicycle, the registration shall expire
33 and the vehicle or bicycle may not be operated upon the highways until and unless the person
34 entitled to it applies for and obtains ~~the~~ a transfer registration and certificate of ownership thereof.

1 Expiration of all vehicles being transferred will remain on the same months as it was first
2 registered in the Commonwealth.

3 Section 10. Amendment. 9 CMC Section 2104 is hereby amended to read as follows:

4 Section 2104. Registration Fees.

5 (a) There shall be paid to the ~~Director of~~ Department of Finance each
6 transaction for the registration of vehicles the following fees:

7 (1) Bicycles, ~~\$1.50~~ \$10;

8 (2) Mopeds and motorcycles up to 100cc, ~~\$5~~ \$20;

9 (3) Motorcycles over 100cc, ~~\$10~~ \$25;

10 (4) Pickups, Jeeps, Sedans, Automobiles and other motor vehicles not
11 exceeding ~~six~~ seven passengers including the driver not counting extended seats
12 or one or one-half ton capacity and weighing less than 2,000 pounds, \$25 ;

13 (5) Trucks, ~~buses~~, and other self-propelled equipment and machinery
14 by gross vehicle weight in pounds as specified by the manufacturer or other
15 means of weighting by the Bureau at the time of the original sale or entry into
16 the Commonwealth; which ever is greater:

17 (A) Under 2,999 pounds or fraction thereof, ~~\$25~~ \$50.

18 (B) 3,000 to 4,999 pounds or fraction thereof, ~~\$50~~ \$100;

19 (C) 5,000 to 7,499 pounds or fraction thereof, ~~\$100~~ \$200;

20 (D) 7,500 to 9,999 pounds or fraction thereof, pounds and
21 ~~over \$200~~ \$500.

22 (6) Low boys or trailer, ~~\$25~~ \$50;

23 (7) All other self-propelled vehicles, ~~\$50~~ \$75;

24 (8) For duplicate or substitute registration cards and ~~plates~~ certificate
25 of ownership; subdivisions (2) and (3), \$2.50; subdivisions (4), (5), and (6), \$5;
26 ~~and subdivisions (7), \$10~~ \$25;

27
28 (9) Cargo vans by weight:

29 (A) Two tons or less, \$100;

30 (B) More than two tons, \$200;

31 (10) Passenger vans / vehicles with eight passengers or more and than
32 twelve passengers not counting extended seats, \$100;

33 (11) Buses by number of passengers including driver:

34 (A) 12 to 25, \$100;

1 (B) 26 to 35, \$250;

2 (C) 36 or more, \$500;

3
4 (12) Taxis, \$100;

5 (13) Interchange of taxi license plates, \$25;

6 (14) Replacement of license plates for all vehicles, \$25 and for
7 motorcycles and bicycles, \$10;

8 (15) Interchange of taxi license plates, \$25.

9 ~~(b) All persons who paid more than \$25 in 1983 for the registration fees for~~
10 ~~pickups shall receive reimbursement for the amount paid in excess of \$25.~~

11 (b) For all transfers of certificate of ownership, the receiver shall pay \$50;
12 provided, however, that transfers made ten days or more after date of change in
13 ownership shall pay \$75;

14 (c) Personalized license plates, \$100;

15 (d) Interchange of personalized license plates, \$50;

16 (e) Penalty fees for late renewal of motor vehicle registration are as follows:

17 (1) Within fifteen (15) days after day of expiration, \$50;

18 (2) Sixteen (16) to thirty (30) days after day of expiration, \$70;

19 (3) More than thirty (30) days after day of expiration, \$150;"

20 Section 11. Amendment. 9 CMC Section 2106 is hereby amended to read as follows:

21 "Every owner whose vehicle or bicycle is registered shall display plates issued by the
22 Bureau showing the registration number and year. A month and year sticker shall be issued by the
23 Bureau and shall be placed on the plates at a location designated by the Bureau. This plate shall
24 be attached to the front and the other plate to the rear of the vehicle except for motorcycle and
25 bicycle, the plate shall be attached to the rear only or bicycle. ~~These~~ plates shall be kept clean and
26 the numbers must be clearly visible from a distance of 50 feet. No vehicle or bicycle owner may
27 display an unofficial plate at the front or the rear of his vehicle or bicycle.

28 Section 12. Amendment. 9 CMC Section 2107 is hereby amended to read as follows:

29 "Section 2107. Registration: Expiration and Renewal. Every vehicle or bicycle
30 registration under this division shall expire annually at midnight on the last day of the month
31 designated by the Bureau. The expiration month shall remain and shall never change. The
32 Bureau may not re register or renew any expired vehicle registration until a valid report of its
33 safety inspection is made by a certified inspection station in the Commonwealth."

34 Section 13. Amendment. 9 CMC Section 2111 is hereby amended to read as follows:

1 "Section 2111. Registration; Application; Inspection. Upon receipt of an original for
2 application for registration, the Bureau may not register any vehicle until a valid report of its
3 safety equipment inspection is made by a certified inspection station or by the Bureau.

4 Section 14. Amendment. 9 CMC Section 2201(b) is hereby amended to read as follows:

5 "(b) A fee of ~~\$15~~ \$25 shall be paid to the ~~Director of~~ Department of Finance for each
6 operator's license issued. A fee of ~~\$5~~ \$20 shall be paid to the ~~Director of~~ Department of Finance
7 for each duplicate or substitute license issued."

8 Section 15. Amendment. 9 CMC, Section 2204 is hereby amended by adding a new subsection
9 "(e)" to read as follows:

10 "(e) All applicants shall be required to proof of identity before any examination of
11 application for new, renewal, change of information and duplicate of operator's license or permit
12 is issued."

13 Section 16. Amendment. 9 CMC Section 2205 is hereby amended to read as follows:

14 "Section 2205. Learner's (Driving) Permits and Fees.

15 (a) Upon receiving from any person qualified under the provisions of the
16 Division an application for a temporary learner's driving permit in any class, the Bureau
17 shall issue the permit after examining the person's physical and mental qualification to
18 operate a motor vehicle in the class applied for.

19 (b) Learner's driving permits are valid for sixty (60) days from date of issue, or
20 until sooner canceled by law or suspended or revoked, or until the holder has
21 successfully qualified for an operator's license of the class as the learner's driving permit.

22 (c) The holder of a learner's driving permit may operate a motor vehicle of the
23 class for which the permit is issued when accompanied by a person at least 21 years ~~old~~
24 ~~with at least one year of licensed experience operating a vehicle of a class for which the~~
25 ~~permit is issued.~~ of age, a holder of a valid 3 year CNMI license permit with at least one
26 year experience operating a vehicle of the same class as the applicant is applying for,
27 and who follows all laws, rules and regulations that pertain to the operations of a vehicle
28 in the Commonwealth. Failure to comply with the above is cause for suspension or
29 revocation of the permit by the Bureau for a period not to exceed six (6) months. The
30 individual must retake and successfully pass the examination before the Bureau will issue
31 another permit.

32 (d) A fee of ~~\$5~~ \$10 shall be paid to the ~~Director of the~~ Department of Finance
33 for each learner's driving permit issued. A fee of ~~\$5~~ 10 shall be paid to the ~~Director of~~

1 ~~the~~ Department of Finance for each duplicate or substitute permit issued. A fee of \$20
2 shall be paid to the Department of Finance for reissuing of any revoked permits.

3 Section 17. Amendment. 9 CMC Section 2207 is hereby amended by adding a new subsection
4 "(c)" to read as follows:

5 (c) All examinations shall be in the English language and other official languages stated
6 in Article XXII of the Commonwealth Constitution."

7 Section 18. Amendment. A new Section "2213" and "2214" is added to 9 CMC, Division 2,
8 Chapter 2 to read as follows:

9 "Section 2213. Change of Name. Any person holding a valid CNMI operator's license
10 who legally affects a change of name shall be required within ten (10) days of the name change to
11 have the license reissued and a pay a fee of \$25. An additional penalty fee of \$25 shall apply for
12 license reissued more than ten days after the effective date of the name change. Penalty fee will
13 not affect those individuals that were off island but must proceed immediately upon arrival.

14 "Section 2214. Reciprocity. Any person who is at least sixteen (16) years of age and
15 who has in his possession a valid operator's license issued to him from any state, commonwealth
16 or territory of the United States, shall be eligible to receive an operator's license from the Bureau
17 of Motor Vehicle / Records, Department of Public Safety, without examination; upon payment of
18 the required fees and successfully passing the eyesight test. The Bureau may require any
19 applicant to take and successfully pass such additional tests as the Bureau may find reasonably
20 necessary to determine his or her qualification according to the type or general class of license
21 applied for. The examination may include any or all of the tests required or authorized by Section
22 2207 upon original application.

23 Section 19. Severability. If any provision of this Act or the application of any such provision to
24 any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of
25 this Act or the application of its provisions to persons or circumstances other than those to which it is held
26 invalid shall not be affected thereby.

27 Section 20. Savings Clause. This Act and any repealer contained herein shall not be construed as
28 affecting any existing right acquired under contract or acquired under statutes repealed or under any rule,
29 regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any
30 proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of
31 terminating, or in any way modifying, any liability civil or criminal, which shall already be in existence at
32 the date this Act becomes effective.

33 Section 21. Effective Date. This Act shall take effect upon its approval by the Governor or upon its
34 becoming law without such approval.

HOUSE BILL NO. _____

Date: _____

Introduced By: _____
Rep. Oscar M. Babauta

Reviewed for Legal Sufficiency:
