

Seventeenth Northern Marianas Commonwealth Legislature

IN THE HOUSE OF REPRESENTATIVES

Session, 2012

H. B. 17- 264

A BILL FOR AN ACT

To amend 9 CMC 5251 to create two new subsections that increase the fines associated with violating speed limits by 50% and allow the Department of Public Safety to collect fines associated with this new subsection.

**BE IT ENACTED BY THE FOURTEENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Purpose.** In order to provide for safer driving conditions throughout
2 the Commonwealth, tougher laws are needed. The purpose of this Act is to create a safer
3 driving experience by increasing fines for drivers that choose to drive faster than the
4 speed limit. This legislation amends 9 CMC section 5251 (Speed limits) by increasing
5 the maximum fines by 50% to discourage drivers from driving at high speeds. Thus, the
6 maximum fine for a first offense will increase from \$100.00 to \$150.00. The fine for a
7 second offense will increase from \$250.00 to \$375.00.

8 Furthermore, to generate revenue for the Department of Public Safety and off-set
9 the operational costs associated with enforcement of traffic laws, particularly, section
10 5251, this legislation also allows the Department of Public Safety to collect all fines
11 collected under this section.

1 **Section 2. Amendments to 9 CMC section 5251 of the Commonwealth Code**

2 **Annotated Traffic Code.** Two new subsections (g) and (h) are hereby added to Title 9
3 Article 2 of the Commonwealth Code Annotated section 5251 Speed Limits which shall
4 provide as follows:

5 “(g) Every person who fails or refuses to comply with or violates any provision of 9
6 CMC section 5251 (Speeding) is guilty of an infraction punishable by a fine of not more than
7 \$150.00 for the first conviction and for a second or any subsequent conviction within a period of
8 one year by a fine of not more than \$375.00.

9 “(h) All fines and penalties presently assessed for violations of 9 CMC section 5251 shall
10 be increased by 50% provided that any and all amounts collected from said fines and penalties
11 relating to violations of 9 CMC section 5251 shall be transferred and deposited into a General
12 Fund account for the exclusive use of the Department of Public Safety to be expended by the
13 Commissioner of Public Safety.”

14 **Section 3. Severability.** If any provision of this Act or the application of any
15 such provision to any person or circumstance should be held invalid by a court of
16 competent jurisdiction, the remainder of this Act or the application of its provisions to
17 persons or circumstances other than those to which it is held invalid shall not be affected
18 thereby.

19 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not
20 be construed as affecting any existing right acquired under contract or acquired under
21 statutes repealed or under any rule, regulation, or order adopted under the statutes.
22 Repealers contained in this Act shall not affect any proceeding instituted under or

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

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

Prefiled: 1/10/12

Date: 1/10/12

Introduced By: Janet Maratita
Rep. Janet U. Maratita

Reviewed for introduction purposes only by:

Joseph M. Davis
House Legal Counsel