

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Regular Session, 2021

H. B. 22-79

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 importing Right
2 Hand Drive (RHD) vehicles into 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 as it stands many residents of the CNMI have made their
6 concerns known when it comes to registering and/or importing right hand drive
7 vehicles for their personal use. This Legislation is respectfully presented with the
8 intention of bringing attention to the public interest in importing Right Hand Drive
9 vehicles, that are permitted under current US Vehicle Importation Regulations,
10 namely, the 25 year "Classic" exemption.

11 Currently, within the CNMI, Right Hand Drive vehicles (RHD vehicles) are
12 not able to be registered except in the case of "Construction" or "Agriculture"

1 vehicles. To import and register RHD vehicles, it would have to be used registered
2 under commercial guidelines and meet the requirements for a construction or
3 agriculture vehicle.

4 Federally, within the United States, the exception exists for RHD vehicles
5 over 25 years old to be exempt from existing Department of Transportation (DOT)
6 laws concerning when imported under the "classic" exemption. There is also an
7 exemption for Classic vehicles to be imported into the United States from U.S.
8 Environmental Protection Agency (US EPA) regulations if the vehicle is over 23
9 years old.

10 The majority of United States allow for importation and registration of RHD
11 vehicles, some with stipulations regarding use, but largely recognizing the Federal
12 allowances for such vehicles.

13 Guam specifically has many RHD vehicles and is enjoying the benefit and
14 practicality of such RHD vehicles for island use. The CNMI falls under the same
15 federal stipulation for Federal Funding regarding its traffic programs and grants as
16 Guam, American Samoa, and Puerto Rico. If these territories have experienced no
17 losses to its funding for recognizing the Federal Regulations on these vehicles, it
18 stands to reason that the CNMI would be under the same allowances. Therefore
19 the purpose of this legislation is to allow for right hand drive vehicles that are
20 twenty-five (25) years or older to be imported and registered in the CNMI.

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

3 **“§ 2101. Registration: Application.**

4 (a) Every owner of a motor vehicle or bicycle shall, before operating any
5 such motor vehicle or bicycle on any highway of the Commonwealth,
6 register it with the bureau. The application for registration shall be made on
7 the prescribed form, signed by the owner and contain the applicant’s
8 residence address as well as a brief description of the vehicle or bicycle to
9 be registered, including the name of the manufacturer, the engine and serial
10 number when applicable, and whether the vehicle or bicycle is new or used.

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

18 (c) Notwithstanding any other law to the contrary, any owner of a motor
19 vehicle with right hand drive which legally entered the Commonwealth
20 prior to December 30, 1991, and any owner of a right hand drive vehicle
21 twenty-five (25) years or older, and any right hand drive heavy equipment,

1 50 tons or higher primarily used for agricultural purposes, or construction
2 vehicle shall be permitted to register the vehicle upon approval of the
3 Department of Environmental Quality regarding vehicular emission control
4 standards as found in the Commonwealth's air pollution control regulations
5 promulgated pursuant to 2 CMC §§ 3101 *et seq.*, the Commonwealth
6 Environmental Protection Act, and presentation of satisfactory evidence of
7 ownership to the bureau. The Director of Public Safety is authorized to
8 promulgate regulations to define the types of vehicles to be included in the
9 definition of heavy equipment or construction vehicles.

10 (d) No motor vehicle shall be registered or re-registered under this chapter
11 unless the application for registration or renewal of registration contains
12 satisfactory evidence of minimum motor vehicle liability insurance for the
13 vehicle, as required under the provisions of 9 CMC §§ 8101 *et seq.*, and the
14 bureau shall maintain a copy of such satisfactory evidence in connection
15 with each motor vehicle so registered.

16 ~~(e) Notwithstanding subsection (b) any right hand drive vehicle, other than~~
17 ~~a vehicle described in subsection (c) in the Commonwealth as of February~~
18 ~~1, 2017, may be registered after the following conditions are met:~~

- 19 ~~(1) The vehicle is converted from right hand driver to left hand driver;~~
20 ~~(2) The vehicle is inspected by the Director of the Bureau of Motor Vehicles~~
21 ~~and the Director determines that the converted vehicle is safe to drive; and~~

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

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

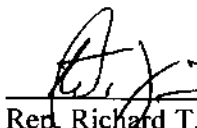
9 **Section 4. Savings Clause.** This Act and any repealer contained herein
10 shall not be construed as affecting any existing right acquired under contract or
11 acquired under statutes repealed or under any rule, regulation, or order adopted
12 under the statutes. Repealers contained in this Act shall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

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

Prefiled: SEP-7, 2021

Date: 9/17/2021

Introduced by:


Rep. Richard T. Lizama

Reviewed for Legal Sufficiency by:



House Legal Counsel