

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Regular Session, 2021

H. B. 22-90

A BILL FOR AN ACT

To create a “CNMI Road & Highway Regulatory Signs” account separate from the general fund; and for other purposes.

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

1 **Section 1. Findings and Purpose.** The Legislature finds that under 1 CMC
2 § 2403, the Department of Public Works is responsible to construct and maintain
3 all public roads as well as the construction, maintenance, and operation of public
4 signs and traffic signals. Sadly in the CNMI, traffic accidents occur regularly with
5 incidents involving damaged public signs or traffic signals. In many cases, drivers
6 rely on road signs to keep us safe and to ensure we are moving in the right direction.
7 So to combat accidents from happening in the future and to keep drivers in the
8 CNMI safe on public roads or highways, this bill proposes to create a separate
9 account called the “CNMI Road & Highway Regulatory Signs” account separate
10 from the general fund specifically for the purpose of having the Department of

1 Public Works construct, maintain, and operate public signs and traffic signals as
2 stated under 1 CMC § 2403 (b).

3 The Legislature further finds that by creating a separate account for the
4 Department of Public Works (DPW), specifically for purposes stated in 1 CMC §
5 2403 (b), the Department of Public Works (DPW) can expeditiously construct,
6 maintain, and operate public signs and traffic signals in a manner that does not
7 jeopardize the lives and safety of CNMI drivers. Under the current law, if a traffic
8 accident occurs where a public sign or traffic signal is damaged by a vehicle, the
9 vehicle's insurance company, depending on the type of insurance, almost always
10 pays for the damages caused by the operator of the vehicle or by the person at fault.
11 In this case, insurance companies then assess the damage and get the necessary
12 documents or quotes to replace the damaged public sign or traffic signals and then
13 pay or in the CNMI's case deposit the money into the general fund to were many
14 government agencies can have a piece of that money. So to avoid such an issue, it
15 is important to expeditiously construct, maintain, and operate public signs and
16 traffic signs to avoid putting CNMI drivers' lives are not put in danger when driving
17 on CNMI roads or highways.

18 **Section 2. Enactment.** Subject to codification by the Commonwealth Law
19 Revision, the following is hereby enacted and read as follows:

20 **“§ XX. CNMI Road & Highway Regulatory Signs Account.**

1 (a) There is to be establish within the Department of Finance an
2 account to be known as the CNMI Road & Highway Regulatory
3 Signs account, which should be maintained separate and apart
4 from other funds, including the General Fund of the Government
5 and independent records and accounts shall be maintained in
6 connection herewith.

7 (1) Money from the CNMI Road & Highway Regulatory
8 Signs shall be used to pay for the construction,
9 maintenance, and operation of public signs and traffic
10 signs in the CNMI as stated in 1 CMC § 2403 (b).

11 (2) All revenues deposited in the account are reserved for
12 use by the Department of Public Works for the
13 construction, maintenance, and operation of public signs
14 and traffic signs.

15 (3) Notwithstanding any CNMI law or regulation to the
16 contrary, the monies collected shall be deposited into the
17 CNMI Road & Highway Regulatory Signs account
18 which should be a revolving fund account, and any
19 funds at the end of the fiscal year shall not lapse and shall
20 be available without fical year limitation. Said fund shall

1 not be reprogrammed or transferred back into the general
2 fund, or any other account.”

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

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

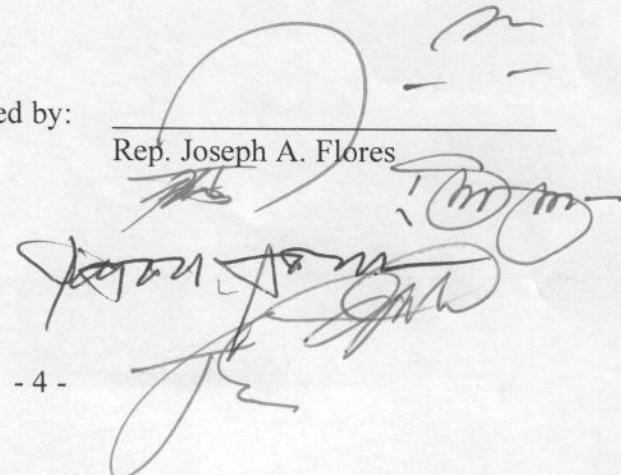
15 **Section 5. Effective Date.** This Act shall take effect upon its approval by
16 the Governor, or its becoming law without such approval.

Prefiled: 12/16/2021

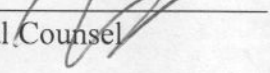
Date: 12/15/21

Introduced by:

Rep. Joseph A. Flores



Reviewed for Legal Sufficiency by:



House Legal Counsel