

NINETEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

3rd Reg. SESSION, 2016

S. B. NO. 1983

A BILL FOR AN ACT

TO ESTABLISH FIRE LANES IN THE
COMMONWEALTH; AND FOR OTHER PURPOSES.

BE IT ENACTED BY THE NINETEENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purposes.** The Legislature finds that during an
2 emergency event, it is very important that emergency vehicles are provided with
3 unobstructed access to the building or facility. Any obstructions can delay or even
4 prevent adequate emergency operations from proceeding. The delay could cost
5 someone's life.

6 Fire equipment and other emergency vehicles may be required to pass one
7 another when a fire engine is parked and hooked up to a fire hydrant. This may be to
8 respond to the scene at hand or exit the site to respond to another emergency. There is no
9 question that adequate working space is required around the fire engines.

10 The Legislature finds that when a fire occurs, seconds count. Every second that a
11 fire burns, it has more chance to consume materials and cause damage. Additionally,
12 every second that a fire burns in a building, the chances of injuries or fatalities in that
13 building go up considerably. The fire crew relies on clear lanes of passage for other
14 emergencies, such as medical or law enforcement reasons.

15 The Legislature finds that to ensure a clear path for firefighters and emergency
16 personnel, it's important to establish fire lanes and keep these lanes free of clutter and
17 vehicles. If there is blockage in a fire lane and an emergency responder takes a few extra
18 seconds to respond, that's a few more chances for a fire to grow or a person to go without

1 that needed assistance and more damage to be done.

2 **Section 2. Enactment.** Subject to the codification by the Law Revision
3 Commission, the following is hereby enacted:

4 “Section 101. Definition.

5 For the purposes of this chapter, the words “*fire lane*” shall mean the area within
6 any public right-of-way, easement or private property designated for fire trucks and other
7 firefighting or emergency equipment to use, travel upon and/or park.

8 Section 102. Establishment.

9 Fire lanes in conformance with this chapter shall be established by the
10 Commissioner of the Department of Fire and EMS or designee, and in conjunction with
11 the building official. These lanes shall be referred to as “designated fire lanes” in this
12 chapter.

13 Section 103. Penalty for Violations.

14 Any person who fails to mark or maintain the marking of a designated fire lane as
15 prescribed in this chapter, or who parks a vehicle in, allows the parking of a vehicle in,
16 obstructs or allows the obstruction of a designated fire lane is guilty of an infraction. The
17 maximum penalty for failing to mark or maintain the marking of a designated fire lane
18 shall be not more than a fine of \$150.00. The maximum penalty for parking a vehicle in,
19 allowing the parking of a vehicle in, obstructing, or allowing the obstruction of a
20 designated fire lane, shall be not more than a fine of \$150.00. Each day or part of a day
21 during which the unlawful act or violation occurs shall constitute a separate offense.

22 Section 104. Impoundment.

23 Any vehicle or object obstructing a designated fire lane is hereby declared a
24 traffic and fire hazard and may be immediately towed and impounded, without prior
25 notification to its owner. The owner shall be held responsible for all towing and impound
26 fees.

27 Section 105. Marking.

1 All designated fire lanes shall be clearly marked in one of the following manners:

2 (a) Vertical curbs shall be painted red on the top and side, extending the length of
3 the designated fire lane. The pavement adjacent to the painted curbs shall be marked with
4 block lettering a minimum of 5 inches in height and with a three-inch brush stroke
5 reading: "No Parking – Fire Lane." Lettering shall be white and spaced at no more than
6 20-foot intervals.

7 (b) Rolled curbs or surface without curbs shall have a red six-inch-wide stripe
8 painted extending the length of the designated fire lane. The surface adjacent to the strip
9 shall be marked with block lettering a minimum of 6 inches in height and with a
10 minimum three-inch brush stroke reading: "No Parking – Fire Lane." Lettering shall be in
11 yellow and spaced at no more than 20-foot intervals.

12 (c) Fire lane signs which shall be as follows:

13 (1) Reflective in nature.

14 (2) Use red letters on white background.

15 (3) Use three-inch lettering, to read "No Parking – Fire Lane."

16 (4) A minimum of 12 inches wide by 18 inches tall.

17 (5) Spaced no more than 50 feet apart and posted on or immediately next
18 to the curb or side of the road.

19 (6) Top of the sign to be not less than four feet nor more than six feet from
20 the ground.

21 (7) Signs may be placed on a building when approved by the
22 Commissioner.

1 (8) When posts are required for signs, they shall be a minimum of two-
2 inch galvanized steel or four-inch by four-inch pressure treated wood.

3 (9) Signs are to be placed so they face the direction of vehicular travel.

4 Section 106. Obstruction Prohibited.

5 The obstruction of a designated fire lane by a parked vehicle or any other object is
6 prohibited and shall constitute a traffic and fire hazard and is considered an immediate
7 hazard to life and property.

8 Section 107. Exemption to sign, marking requirements.

9 (1) Signs posted prior to the enactment of this Act, will be allowed to remain until
10 there is a need for replacement. When replaced, the new sign must then meet the
11 requirements set forth in this chapter.

12 (2) Markings will be allowed to remain until there is a need for repainting. When
13 repainted, the new markings must then meet the requirements as set forth in this chapter.

14 Section 108. Maintenance.

15 Except for fire lane markings on public land, the fire lane markings shall be
16 maintained at the expense of the property owner and as often as is deemed necessary to
17 clearly identify the designated area as a fire lane. The Commissioner of Fire and EMS
18 shall notify the property owner if the fire lane markings on private property need to be
19 maintained.

20 Section 109. Towing Notification.

21 At each entrance to property where fire lanes have been designated, signs shall be
22 posted as set forth in this chapter, in a clear, conspicuous location and shall clearly state

1 “Vehicles parked in Fire Lanes may be towed and impounded.” They shall also state the
2 name, telephone number and address of the towing company where the vehicle may be
3 redeemed.

4 Section 110. Enforcement.

5 a. A police officer from the Department of Public Safety or a Firefighter
6 from the Department of Fire and EMS shall immediately remove a vehicle any provision
7 in this chapter.

8 b. A police officer or firefighter shall issue a citation to the registered owner
9 of the vehicle for a violation of provision in this chapter.

10 Section 111. Regulations.

11 The Commissioner of Fire and EMS shall promulgate reasonably necessary
12 regulations for the removing, towing, impoundment, storage, release of vehicles in
13 violation of a provision of this chapter and set fees and fines not specifically provided in
14 this chapter.

15 Section 112. Fire Lane Revolving Fund.

16 The fines and fees collected pursuant to this chapter and any regulations
17 promulgated by the Commissioner shall be deposited in the Fire Lane Revolving Fund,
18 established by the Secretary of Finance, and shall be available to the Department of Fire
19 and EMS without further appropriation. The Commissioner shall be the expenditure
20 authority of the Fire Lane Revolving Fund.”

21 **Section 3. Severability.** If any provision of this Act or the application of any
22 such provision to any person or circumstance should be held invalid by a court of
23 competent jurisdiction, the remainder of this Act or the application of its provisions to

1 persons or circumstances other than those to which it is held invalid shall not be affected
2 thereby.

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

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

Prefiled:

Date: 2/17/14

Introduced By: 
Senator Arnold I. Palacios

Reviewed for Legal Sufficiency by:


Senate Legal Counsel