

A BILL FOR AN ACT

To amend 9 CMC § 2208(d) to authorize motor vehicle licensure to all residents of the Commonwealth of the Northern Mariana Islands.

**BE IT ENACTED BY THE TWENTY-THIRD NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** The Legislature acknowledges that the issuance
2 of a driver's license under 9 CMC § 2208(d)(5) requires the applicant to submit proof of
3 U.S. citizenship or U.S. national, alien lawfully admitted for permanent or temporary
4 residence in the United States; conditional permanent resident status; an approved asylum
5 application or has entered into the United States in refugee status; has a valid, unexpired
6 nonimmigrant visa or nonimmigrant visa status; has a pending application for asylum in
7 the United States; has a pending or approved application for temporary protected status in
8 the United States; has approved deferred action status; or has a pending application for
9 adjustment of status to that of an alien lawfully admitted for permanent residence in the
10 United States or conditional permanent resident status in the United States.

11 The Legislature finds that a person without legal status in the CNMI cannot obtain
12 a driver's license to operate a motor vehicle. The Legislature also finds that individuals
13 who are not licensed to operate motor vehicles as a result of the current requirement have
14 limited transportation means to get to and from their jobs, dental and medical appointments,
15 school, and other necessary destinations. Therefore, these individuals take chances and
16 operate a motor vehicle without a driver's license, they don't have vehicle insurance, and
17 they don't pay the driver's license fee.

18 Therefore, the purpose of this Act is to allow for all CNMI residents to obtain proper
19 motor vehicle licensure.

20 **Section 2. Amendment.** 9 CMC § 2208 is hereby amended to read:

1 “§2208. Issuance of Licenses and Identification Cards.

2 (a)-(c) [Unchanged.]

3 (d) Minimum issuance standards. The Bureau of Motor Vehicles shall require, at a
4 minimum, presentation and verification of the following information before issuing a card
5 to a person:

6 (1) A photo identity document, except that a non-photo identity document
7 is acceptable if it includes both the person’s full legal name and date of birth.

8 (2) Documentation showing the person’s date of birth.

9 (3) Proof of the person’s social security account number or verification that
10 the person is not eligible for a social security account number.

11 (4) Documentation showing the person’s name and address of ~~principle~~
12 principal residence.

13 (5) Except as provided in paragraph (8) of this subsection, Documentation
14 documentation showing that the person:

15 (i) is a citizen or national of the United States;

16 (ii) is an alien lawfully admitted for permanent or temporary
17 residence in the United States;

18 (iii) has conditional permanent resident status in the United States;

19 (iv) has an approved application for asylum in the United States or
20 has entered into the United States in refugee status;

21 (v) has a valid, unexpired nonimmigrant visa or nonimmigrant visa
22 status for entry into the United States;

23 (vi) has a pending application for asylum in the United States;

24 (vii) has a pending or approved application for temporary protected
25 status in the United States;

26 (viii) has approved deferred action status; or

27 (ix) has a pending application for adjustment of status to that of an
28 alien lawfully admitted for permanent residence in the United States or
29 conditional permanent resident status in the United States.

1 (6) Declaration required. Each applicant must sign a declaration under
2 penalty of perjury that the information presented on the application is true and
3 correct, and the Bureau of Motor Vehicles must retain the declaration. An applicant
4 must sign a new declaration when presenting new source documents to the Bureau
5 of Motor Vehicles on subsequent visits.

6 (7) Regulations. The Bureau of Motor Vehicles shall promulgate
7 regulations describing the documents that it will accept for verification of the data
8 required by this subsection.

9 (8) Exception process. The Bureau of Motor Vehicles may issue ~~regulations~~
10 ~~that provide an exception process for persons who, for reasons beyond their own~~
11 ~~control, are unable to present the necessary documents and must rely on alternate~~
12 ~~documents to establish identity or date of birth.~~ the following:

13 (A) A learner's permit under 9 CMC § 2206 to a person who is not
14 able to provide any of the required documentation under subparagraph (5)
15 of this subsection. Provided that the applicant shall provide any other form
16 of identification.

17 (B) A driver's license, not a Real ID driver's license, to a person
18 who is not able to provide the documentation required under subparagraph
19 (5) of this subsection. Provided that the applicant shall provide any other
20 form of identification. And provided further that the driver's license under
21 this provision shall be for a period of one year and a fee of \$50.00 and
22 renewable each year upon the payment of the annual fee of \$50.00.

23 (e)-(h) [Unchanged.]”

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


28 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not
29 be construed as affecting any existing right acquired under contract or acquired under

1 statutes repealed or under any rule, regulation, or order adopted under the statutes.
2 Repealers contained in this Act shall not affect any proceeding instituted under or pursuant
3 to prior law. The enactment of the Act shall not have the effect of terminating, or in any
4 way modifying, any liability, civil or criminal, which shall already be in existence on the
5 date this Act becomes effective.

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

Date: 1/26/24

Introduced By:



Senator Donald M. Mangiona

Reviewed for Legal Sufficiency by:

 1/12/24

Senate Legal Counsel