TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

_____ **Regular Session, 2025** **H. B.** 24-5

A BILL FOR AN ACT

To establish provisions for jaywalking; and for other purposes.

BE IT ENACTED BY THE 24TH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Findings and Purpose. The Legislature recognizes the importance of traffic regulations in protecting both motorists and pedestrians. However, residents and tourists frequently disregard these rules, especially in high-traffic areas, creating safety hazards. Currently, the Commonwealth lacks penalties for jaywalking, reducing compliance and increasing risk. While the Legislature remains committed to supporting tourism, it also prioritizes public safety and the need for stronger traffic enforcement.

To address this issue, this Act establishes clear penalties for jaywalking, ensuring accountability and promoting compliance with traffic laws to enhance community safety.

Section 2. Amendment. Title 9, Division 5, Chapter 4, §5404 of the Commonwealth Code is hereby amended to read as follows:

"§ ~~**5404. Crossing at Other Than Crosswalks**~~ **Jaywalking.**

(a) ~~Every pedestrian crossing a highway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the highway.~~ It shall be unlawful for any pedestrian to cross any road at any point between adjacent intersections that are controlled by any traffic control signal device or police officer except in an officially designated crosswalk. Provided that all officially designated crosswalks shall have identifiable signs that are properly erected and visible from a distance of 200 feet in all directions.

(i) Exception: In the absence of an officially designated or visible crosswalk, pedestrians may cross the street in a safe and reasonable manner.

(b)~~The provisions of this section do not relieve the operator of a vehicle from the duty to exercise due care for the safety of any pedestrian upon a highway.~~ A pedestrian who crosses a street outside a marked crosswalk is in violation of § 5404 and shall be guilty of a traffic infraction pursuant to 9 CMC §7112 and fined:

(1) $75 for first offense;

(2) $100 for second offense;

(3) $150 for third or subsequent offense.

(c) Consistent with this Act, there is hereby established within the Commonwealth Treasury a Jaywalking special account. Sixty percent

(60%) of all fines collected pursuant to this Act shall be deposited into the Jaywalking special account to be used as follows:

(1) Fifty percent (50%) of the fines in the special account shall be available for use, without further appropriation, by the Department of Public Works to be used for the sole purpose of the repair and maintenance of crosswalks to include signage and markings. The expenditure authority shall be the Secretary of Public Works; and

(2) Fifty percent (50%) of the fines in the special account shall be available for use, without further appropriation, by the Department of Public Safety for the sole purpose of enforcing the provisions of this Act. The expenditure authority shall be the Commissioner of Public Safety.

The remaining forty percent (40%) of all fines collected pursuant to this Act shall be deposited into the General Fund."

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

1 **Section 4. Savings Clause.** This Act and any repealer contained herein
2 shall not be construed as affecting any existing right acquired under contract or
3 acquired under statutes repealed or under any rule, regulation, or order adopted
4 under the statutes. Repealers contained in this Act shall not affect any proceeding
5 instituted under or pursuant to prior law. The enactment of the Act shall not have
6 the effect of terminating, or in any way modifying, any liability, civil or criminal,
7 which shall already be in existence on the date this Act becomes effective.
8 **Section 5. Effective Date.** This Act shall take effect upon its approval by
9 the Governor, or it becoming law without such approval.

Prefiled: 2/7/2025

Date: _____ Introduced by: _____
Rep. Joseph A. Flores

Reviewed for legal sufficiency by:
_____
House Legal Counsel

Date: 2-4-25