

A BILL FOR AN ACT

To regulate off-road vehicles including ATVs, SxS, and UTVs; and for other purposes.

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

1 **Section 1. Findings and Purpose.** The Legislature finds there is an increase in
2 the use of off-road vehicles including all-terrain vehicles (ATV), side by side vehicles,
3 (SxS), and utility terrain vehicles (UTV) throughout the Commonwealth for commercial,
4 recreational, personal and occupational purposes. Although off-road vehicles are smaller
5 than the average motor vehicle, off-road vehicles require the use of minimum safety
6 equipment such as helmets and seatbelts. Off-road vehicles must also have certain vehicle
7 parts to pass the mandated vehicle inspection.

8 The Legislature further finds that off-road vehicles are traveling on the primary
9 highways thereby making it more dangerous for all vehicle drivers if the rules of the road
10 are not followed by all drivers. There are also certain rules of the road that off-road vehicles
11 must adhere to such as operating only on the right lane of a two or more laned highway at
12 all times except when making a turn. Accordingly, the purpose of this legislation is to
13 regulate off-road vehicles including all-terrain vehicles, side by side vehicles, and utility
14 terrain vehicles.

15 **Section 2. Amendment.** Title 9, Division 5, Chapter 7 of the Commonwealth
16 Code is hereby amended to add a new article 3 to read as follows:

17 **“Article 3. Off-Road Vehicles: ATVs, SxS & UTVs.**

18 **§ 101. Definition: Off-Road Vehicles: ATVs, SxS & UTVs.**

1 As used in this article, an off-road vehicle is considered to be any type of vehicle
2 which is capable of driving on and off paved or gravel surface shall include the following
3 types of vehicles:

4 (a) “All-terrain vehicle” (often written as ATV) is a vehicle that travels on low-
5 pressure tires, with a seat that is straddled by the operator, along with handlebars for
6 steering control. An all-terrain vehicle (ATV) is also known as a quad, quad bike, three-
7 wheeler, four-wheeler or quadricycle.

8 (b) “Side by side vehicle” (often written as SxS) is a small 2 to 6 person four-wheel
9 drive off-road vehicle, also called UTV (Utility Task Vehicle), a ROV (Recreational Off-
10 Highway Vehicle), or a MOHUV (Multipurpose Off-Highway Utility Vehicle).

11 **§ 102. Traffic Laws Apply to Persons on Off-Road Vehicles: ATVs, SxS &**
12 **UTVs.**

13 While operated on any highway, an off-road vehicle including an ATV, SxS &
14 UTV are considered vehicles for purposes of highway traffic operation regulations and
15 control as set forth in this title.

16 **§ 103. Passengers on Off-Road Vehicles: ATVs, SxS & UTVs.**

17 It is unlawful for an operator of an off-road vehicle including an ATV, SxS, and
18 UTV on a highway to carry any other person on it, unless on a seat securely fastened to the
19 vehicle and designed for the purpose of carrying a passenger.

20 **§ 104. Safety Equipment.**

21 (a) Operators and passengers of an off-road vehicle including an ATV, SxS, and
22 UTV, while being operated on any highway within the Commonwealth, shall wear securely
23 fastened on their heads safety helmets of a type approved by the commissioner. All off-
24 road vehicles including ATVs, SxS, and UTVs while being operated on any highway
25 within the Commonwealth shall have the required safety equipment approved by the
26 Commissioner.

27 (b) All off-road vehicles including ATVs, SxS, and UTVs offered for lease or rental
28 to the public shall be required to display a red or orange flag or pennant of not less than
29 one-hundred square inches affixed to a pole or other mast, such pole or mast being not less

1 than four feet nor greater than five feet tall, and affixed to the frame of the vehicle. No
2 writing or other mark shall be permitted on the flag except that the owner or lessor of the
3 all-terrain or off-road vehicle may place the name of the leasing company on the flag.

4 **§ 105. Operating Off-Road Vehicles: ATVs, SxS & UTVs on Beaches.**

5 It is unlawful for any person to operate an off-road vehicle including ATVs, SxS,
6 and UTVs on any public beach.

7 **§ 106. Operating Off-Road Vehicles: ATVs, SxS & UTVs on Highways Laned**
8 **for Traffic.**

9 (a) All off-road vehicles including ATVs, SxS, and UTVs are entitled to full use of
10 a lane and no motor vehicle may be driven in such a manner as to deprive any all-terrain
11 or off-road vehicle of the full use of a lane.

12 (b) The operator of an off-road vehicle including ATVs, SxS, and UTVs may not
13 overtake and pass in the same lane occupied by the vehicle being overtaken. This
14 subsection does not apply to a police officer in the performance of his duties.

15 (c) No person may operate an off-road vehicle including ATVs, SxS, and UTVs
16 between lanes of traffic or between adjacent lines or rows of vehicles. This subsection does
17 not apply to police officers in the performance of their duties.

18 (d) Off-road vehicles including ATVs, SxS, and UTVs may not be operated more
19 than two abreast in a single lane.

20 (e) Off-road vehicle including ATVs, SxS, and UTVs shall be operated on the right
21 lane of a two or more laned highway at all times except when making a turn.

22 (f) No person may operate a privately-owned all-terrain or off-road vehicle between
23 the hours of 6:00 p.m. to 6:00 a.m. on a highway.

24 **§ 107. Off-Road Vehicles: ATVs, SxS & UTVs for Lease or Rental.**

25 (a) All persons leasing or renting off-road vehicles including ATVs, SxS, and
26 UTVs shall provide their customers with a brief summary of the Commonwealth traffic
27 laws. Provided further, all persons leasing or renting off-road vehicles including ATVs,
28 SxS, and UTVs shall be provided the use of helmets that meet the requirements of the
29 Federal Motor Safety Standard No. 218, 49 CFR, Sec. 571.218 or a helmet approved by

1 the Commissioner of Public Safety at no additional expense. Vendors in violation of this
2 provision shall be fined not less than two hundred dollars and not more than five hundred
3 dollars for every separate offense.

4 (b) No person may offer an off-road vehicle including ATVs, SxS, and UTVs for
5 lease or rental to the public between the hours of 6:00 p.m. to 6:00 a.m.

6 (c) No person may operate an all-terrain or off-road vehicle offered for lease or
7 rental to the public between the hours of 6:00 p.m. to 6:00 a.m.

8 **§ 108. Penalties: General.**

9 (a) Every person who fails or refuses to comply with or violates any provision of
10 this article is guilty of an infraction punishable by a fine of not more than \$100 for the first
11 conviction and for a second or any subsequent conviction within a period of one year by a
12 fine of not more than \$250.

13 (b) Every person who fails or refuses to comply with or violates § 107(b) of this
14 article shall be guilty of a misdemeanor punishable by imprisonment of not more than 30
15 days and a fine of not more than \$1,000, or both. In addition, any person who violates the
16 provisions of § 107(b) of this article shall be subject to revocation of any relevant existing
17 license to do business within the Commonwealth.”

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

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

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

Date: 1/29/25

Introduced By: 
Senator Donald M. Manglona

Reviewed for Legal Sufficiency by:


Senate Legal Counsel