

A BILL FOR AN ACT

To amend 9 CMC §3114 by requiring the Department of Public Safety's Rules & Regulations regarding Commercial vehicles be consistent with those of the United States Department of Transportation's Federal Motor Carrier Safety Administration; and for other purposes.

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

1 **Section 1. Findings and Purpose.** The Legislature finds that as the
2 Commonwealth continues to grow and more motor carriers operate on our highways,
3 there is an increased need to update the regulations adopted by the Department of Public
4 Safety in regards to Commercial Motor Vehicles. These updates reflect the changes made
5 by the United States Department of Transportation's Federal Motor Carrier Safety
6 Administration. These regulations ensure that each motor carrier that operates on our
7 highways met the minimum safety requirements as determined by the Federal Motor
8 Carrier Safety Administration and the Commercial Vehicle Safety Alliance.

9 **Section 2. Amendment.** 9 CMC § 3114 of the Commonwealth Code is hereby
10 amended to read as follows:

11 **“§ 3114. Rules and Regulations.**

12 The Department of Public Safety shall adopt rules and regulations
13 prescribing the permissible requirements for motor carriers, motor carrier drivers,
14 equipment and the transportation of hazardous materials and sanctions for their
15 violation which are consistent with comparable regulations of the United States
16 Department of Transportation's Federal Motor Carrier Safety Administration

1 relating to these subjects as contained in Title 49 of the United States Code of
2 Federal Regulations.

3 (a) ~~Unless exception is made by the Department of Public Safety after~~
4 ~~public hearings held pursuant to the Administrative Procedure Act [1 CMC § 9101~~
5 ~~et seq.],~~ ~~the rules of the~~ Department shall be current with the rules adopted by
6 the United States Department of Transportation's Federal Motor Carrier Safety
7 Administration in under ~~the~~ Title 49 of the United States Code of Federal Regulations,
8 Amendments to the Federal Motor Carrier Safety Regulations and the Federal
9 Hazardous Materials Regulations after the effective date of this section shall
10 automatically be adopted by the Department of Public Safety's rules and
11 regulations, as now or hereafter amended, relating to requirements for motor
12 carriers, motor carrier drivers, equipment and the transportation of hazardous
13 materials.

14 (b) The Department of Public Safety is authorized to conduct inspections
15 pursuant to the rules and regulations adopted and to impose fines and sanctions for
16 violations thereof.

17 (c) Applicability. Provisions in the Federal Motor Carrier Safety
18 Regulations, the Federal Hazardous Materials Regulations and the Department of
19 Public Safety's rules and regulations shall apply to Inter-State and Intra-State Motor
20 Carriers."

21 **Section 3. Amendment.** 9 CMC § 1102 of the Commonwealth Code is hereby
22 amended to read as follows:

23 **“§ 1102. Definitions.**

24 In this title, unless the context otherwise requires, the following definitions
25 apply:

26 (a) “Bicycle” means any motorless contrivance operated with not more than
27 three wheels in contact with the ground and propelled by human power.

28 (b) “Bureau” means the Bureau of Motor Vehicles established by this title.

1 (c) "Chauffeur" means a person who is employed for the principal purpose
2 of operating a motor vehicle on the highways for compensation.

3 (d) "Chief" means the Chief of the Bureau of Motor Vehicles established
4 by this title.

5 (e) "Commercial motor vehicle" ~~means a vehicle of a type required to be~~
6 ~~registered by this title, used or maintained for the transportation of persons for hire,~~
7 ~~compensation or profit, or designed, used or maintained primarily for the~~
8 ~~transportation of property.~~ means a motor vehicle or combination of motor vehicles
9 used in commerce to transport passengers or property of the motor vehicle:

10 (1) Has a gross vehicle weight rating or gross combination weight
11 rating of 10,001 or more pounds;

12 (2) The vehicle is designed to transport more than eight passengers,
13 including the driver; or

14 (3) Is of any size and is used in the transportation of materials found
15 to be hazardous for the purposes of the Hazardous Materials Transportation
16 Act [49 U.S.C. Appx. § 1801 et seq.] which require motor vehicles to be
17 placarded under the Hazardous Materials Regulations (49 C.F.R. Part 172,
18 Subpart F).

19 (f) A "Crosswalk" means:

20 (1) That portion of a highway ordinarily included within the
21 prolongation or connection of the boundary lines of sidewalks at
22 intersections where the intersecting highways meet at approximately right
23 angles, except the prolongation of any such lines from an alley; or

24 (2) Any portion of a highway distinctly indicated for use as a
25 pedestrian crossing by lines or other markings on the surface.

26 (g) "Dealer" means a person engaged in the business of buying, selling or
27 exchanging vehicles of a type required to be registered by this title who has an
28 established place of business for that purpose in the Commonwealth.

29 (h) "Department" means the Department of Public Safety.

1 (i) "Director" means the Commissioner of the Department of Public Safety,
2 except where otherwise delineated in the Title.

3 (j) "Emergency brake" means any braking gear or mechanism for applying
4 braking effort to at least two wheels of a vehicle, normally operated by the
5 operator's hand. If any vehicle has two brakes, both designed to be operated by the
6 foot, a brake with a ratchet or other device for holding the brake in the applied
7 position shall be construed as an emergency brake.

8 (k) "Established place of business" means a place actually occupied either
9 continuously or at regular periods by a dealer, or where the dealer's books and
10 records are kept, or where a substantial part of a business is transacted.

11 (l) "Explosive" means any chemical, compound or mechanical mixture that
12 is commonly used or intended for the purpose of producing an explosion sufficient
13 to produce destructive effects upon persons or property.

14 (m) "Garage" means a building or other place in which the business of
15 storing or safekeeping of vehicles belonging to members of the public is conducted.

16 (n) "Headlight" means a complete road illuminating device located upon
17 the front of a vehicle, the rays of which are projected forward, other than a sidelight,
18 auxiliary driving light, searching or spot light.

19 (o) "Heavy equipment vehicle" means any motor vehicle weighing over a
20 gross weight of 2.5 tons and manufactured with an open area separate from the
21 driver's compartment and designed primarily for the transportation of property.

22 (p) "Highway" means a way or place of whatever nature open to the use of
23 the public for purposes of vehicular traffic, including ways or places that are
24 privately owned or maintained.

25 (q) "Intersection" means the area embraced within the prolongation of the
26 lateral curb lines or, if none, then of the lateral boundary lines of two or more
27 highways which join one another at approximately right angles or the area within
28 which vehicles traveling upon different highways joining at any other angle may
29 intersect.

1 (r) “Interstate motor carrier” means an individual or company that is in
2 trade, traffic, or transportation of between the CNMI and another jurisdiction;
3 including movements made within the CNMI that originated in, terminated in, or
4 went through another jurisdiction. Intrastate motor carrier means a carrier that
5 performs trade, traffic, or transportation exclusively within the CNMI.

6 (†) (s) “Moped” means a motor-driven vehicle designed to travel on not
7 more than three wheels in contact with the ground, with or without pedals to permit
8 propulsion by human power, and with a motor or engine size of less than 50 cubic
9 centimeters.

10 (§) (t) “Motor bus” means a motor vehicle operated for the carriage of
11 passengers for hire or a school bus which is designed to carry more than eight
12 passengers.

13 (‡) (u) “Motor carrier” means an individual or company that is contracted or
14 private carriers of property and passengers, including their agents, officers and
15 representatives who engage in inter-state and/or intra-state commerce. motor
16 vehicle or combination of motor vehicles used in commerce to transport passengers
17 or property if the motor vehicle:

18 (1) Has a gross vehicle weight rating or gross combination weight
19 rating of 10,001 or more pounds;

20 (2) The vehicle is designed to transport more than eight passengers,
21 including the driver; or

22 (3) Is of any size and is used in the transportation of materials found
23 to be hazardous for the purposes of the Hazardous Materials Transportation
24 Act [49 U.S.C. Appx. § 1801 et seq.] which require motor vehicles to be
25 placarded under the Hazardous Materials Regulations (49 C.F.R. Part 172,
26 Subpart F).

27 (†) (v) “Motorcycle” means a motor vehicle, other than a bicycle, moped,
28 motor scooter, or tractor, designed to travel on not more than three wheels in contact
29 with the ground with an engine size greater than 250 cubic centimeters.

1 (⋄) (w) “Motor scooter” means a motor vehicle designed to travel on not
2 more than three wheels in contact with the ground, with an engine size greater than
3 50 cubic centimeters but less than 250 cubic centimeters, and with a step-through
4 frame.

5 (⋄) (x) “Motor truck” means a motor vehicle designed, used or maintained
6 primarily for the transportation of property.

7 (⋄) (y) “Motor vehicle” means a ~~device in, upon or by which any person or~~
8 ~~property is or may be propelled, moved or drawn upon a highway~~ motor vehicle
9 driven or drawn by mechanical power and manufactured primarily for use of public
10 streets, road, and highways, but does not include a vehicle operated only on a rail
11 line.

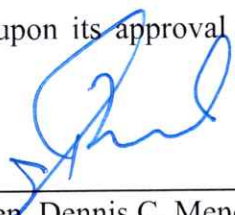
12 (⋄) (z) “Pickup truck” means any motor vehicle weighing under a gross
13 weight of 2.5 tons and manufactured with an open area separate from the driver’s
14 compartment and designed primarily for the transportation of property.”

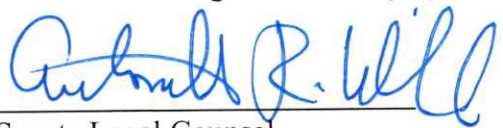
15 **Section 4. Severability.** If any provisions of this Act or the application of any such
16 provision to any person or circumstance should be held invalid by a court of competent
17 jurisdiction, the remainder of this Act or the application of its provisions to persons or
18 circumstances other than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

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

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

Date: 7/3/25

Introduced by: 
Sen. Dennis C. Mendiola

Reviewed for Legal Sufficiency by:

Senate Legal Counsel