

A BILL FOR AN ACT

To require all gas service stations to provide to the public free compressed air, a gauge for measuring air pressure, and tap water; 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 air and tap water
2 services are essential to the safe operation of motor vehicles. However, the Legislature
3 finds that there are currently only a few gas service stations that provide air and tap water
4 services. The availability and access to air and tap water services are necessary for the
5 safety of motorists on the road, especially in emergencies. The Legislature also finds that
6 while the services are important it is equally important to provide reasonable leeway in
7 ensuring compliance with this Act.

8 Therefore, the purpose of this Act is to require all gas service stations to have free
9 compressed air and tap water.

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

12 “Section 101. Compressed Air and Tap Water Required.

13 Every gas service station in the CNMI shall provide, during operating hours, and
14 make available at no cost to customers compressed air, a gauge for measuring air
15 pressure, and tap water to the public for use in servicing motor vehicles except tractor
16 trailers, dump trucks, cement trucks and buses provided however that the pump and tap
17 water services shall be provided in case of immediate and urgent need of the services.

18 Section 102. Complaint Line.

1 The Division of Enforcement and Compliance of the Department of Commerce
2 (Division) shall, not later 5 days after the enactment of this Act, provide a customer
3 complaint telephone number to report any gas service station that does not provide to the
4 public compressed air, a gauge for measuring air pressure, and tap water.

5 Section 103. Inspection and Citation.

6 (a) Notwithstanding any law to the contrary, employees of the Division, upon
7 inspection, or upon notice of a complaint are empowered to investigate a complaint
8 against a service station for lack of free air and tap water and issue a notice of violation
9 citation to the station.

10 (b) No violation citation shall be issued if the service station can establish that the
11 failure to provide the service is due to circumstances beyond the control of the gas
12 service station operator. For purposes of this subsection, “circumstances beyond the
13 control of the of the gas service station operator” shall mean “no CUC power service to
14 provide the compressed air, no CUC water service to provide the tap water service,
15 unexpected break down of air service pump, natural disaster, and vandalism, in whole or
16 in part, of the air service apparatus or tap water system.” Provided however that the
17 service station shall restore the required service that is within its control and within a
18 reasonable period but not beyond 90 days from the date the required service is not
19 available.

20 Section 104. Citation Appeal.

21 (a) The service station operator may appeal a citation in writing to the Division
22 within 10 business days the operator receives a citation.

23 (b) The Division shall provide the operator the opportunity to be heard within 30
24 days from the date the written appeal is received.

25 (c) The Division shall issue a decision within 30 days after the hearing.

26 (d) If the operator is not satisfied with the Division’s decision, the operator may
27 seek judicial review in accordance with 1 CMC § 9112.

28 Section 105. Penalty.

1 (a) Penalty fines shall be established by regulation authorized by this Act for each
2 violation (e.g., no compressed air service or no tap water service), or any subsequent
3 violation thereof.

4 (b) In no event shall the service station be ordered by the Division to close for
5 any violation of the provisions of this Act or the promulgated rules as authorized in this
6 Act.

7 Section 106. Promulgation of Regulations.


8 The Secretary of the Department of Commerce (Secretary) shall promulgate
9 necessary regulations in accordance with the Administrative Procedures Act to carry out
10 the intent of this Act within 120 days from the date of enactment. The regulations shall
11 include but not limited to the time and date of service station inspection, certification of
12 compliance with the Act, notice of noncompliance and period to cure the noncompliance
13 penalty fines, and the appeal process.”

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

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

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

Date: 9/16/25

Introduced By: 

Senator Francisco Q. Cruz

Reviewed for Legal Sufficiency by:


Senate Legal Counsel