

TITLE 70: DEPARTMENT OF FINANCE

**SUBCHAPTER 70-30.2
GOVERNMENT VEHICLE REGULATIONS**

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Subchapter Authority: 1 CMC § 2553(j); 1 CMC § 2557.

Subchapter History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: 1 CMC § 2551 creates the Department of Finance within the Commonwealth government. 1 CMC § 2553(j) authorizes the Department to be in control of and be responsible for procurement and supply in the Commonwealth. The Department is authorized to adopt rules and regulations regarding those matters within its jurisdiction. See 1 CMC § 2557.

1 CMC § 7406 specifically addresses the use of government vehicles. PL 9-37 § 3 (effective Apr. 22, 1995), the "Government Vehicle Act of 1994," repealed and reenacted 1 CMC § 7406 in order to more effectively regulate the use of government vehicles. See PL 9-37 § 2, reprinted in the commission comment to 1 CMC § 7406. The regulations codified in this subchapter have not been updated or revised to reflect the new law.

In May, 2012, the Department of Finance proposed amendments to the rules and regulations for government vehicles. See 34 Com. Reg. 32422 (May 29, 2012). A notice of adoption has not been published to date.

Part 001 - General Provisions

§ 70-30.2-001 Authority

The regulations in this subchapter are issued under the authority of CNMI Constitution, article 10, section 8, and 1 CMC § 2553(j), and 1 CMC § 2557.

Modified, 1 CMC § 3806(d), (f).

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History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

§ 70-30.2-005 Purpose

The purpose of the regulations in this subchapter is to provide the standards in which CNMI government vehicles are to be procured and maintained; to establish standards for control and accountability on the use of government vehicles; to provide for the efficient and proper use of such vehicles; to safeguard such assets from waste and abuse due to unauthorized or improper use, or mismanagement; to protect the government from any liability resulting from any unauthorized use or misuse and report any impropriety in the use of such vehicles; and to provide for the day to day record keeping on the use of government vehicles.

Modified, 1 CMC § 3806(d).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

§ 70-30.2-010 Definitions

- (a) “CNMI” or “Commonwealth” means the Commonwealth of the Northern Mariana Islands, which lie within the area north of the 14 degrees north latitude, south of 21 degrees north latitude, west of 150 degrees east longitude and east of 144 degrees longitude, as extended by the Marine Sovereignty Act (commencing at § 1101 of title 2 of the Commonwealth Code).
- (b) “CNMI government” means any government entity within the CNMI and includes the executive, legislative, and judicial branches of the government, autonomous agencies or instrumentalities, and administrative departments or agencies. It also includes the government offices and activity heads established and located outside the CNMI and supported by CNMI funds.
- (c) “Director” means the Director of the Department of Finance or his designee.
- (d) “Chief” means the Chief of the Division of Procurement and Supply within the Department of Finance.
- (e) “Director of Public Safety” means the Director of the CNMI Department of Public Safety or his designee.
- (f) “Employee” means all persons, other than government officials, as defined herein, whom are receiving compensation from the CNMI government, its agencies and instrumentalities.
- (g) “Government official” means a department head, activity head, agency head and their deputies; judges of the Commonwealth judiciary; any elected official; or any CNMI

government official with expenditure authority who is authorized by law to administer, obligate, or expend public funds.

(h)(1) “Government vehicle” means all motor vehicles:

- (i) As defined in the CNMI Vehicle Code, 9 CMC § 1102(u);
- (ii) Owned or leased by the CNMI government; and
- (iii) Vehicles purchased or leased from federal funds where the CNMI government is the grantee.

(2) The term shall not include privately owned vehicles or any other vehicle rented by employees or government officials on a day-to-day basis during intra-island and off-island travel. Nor shall the term include “heavy equipment vehicle” as defined in the CNMI Vehicle Code, 9 CMC § 1102(w).

(i) “Regular government working hours,” for the purposes of this subchapter, means the hours from 7:30 am to 4:30 pm. Monday through Friday and other than on official government holidays. The term shall also include the one hour period prior to and after the above stated hours.

Modified, 1 CMC § 3806(d), (f), (g).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: The original paragraphs of subsection (h) were not designated. The Commission designated subsections (h)(1) and (h)(2).

In subsection (i), the Commission moved the comma after “hours” inside of the closing quotation mark.

Part 100 - Government Vehicles

§ 70-30.2-101 Procurement of Government Vehicles

(a) The procurement of vehicles by the CNMI government or any of its agencies or instrumentalities shall be consistent with the CNMI Procurement Regulations [NMIAC, title 70, chapter 30.3], and policies and procedures adopted by the Director. Such procurement shall be in accordance with the vehicle fleet management plan approved by the Director which shall contain standard vehicle specifications and features for the type or class of vehicle, authorized for use by employees, government officials, division chiefs, administrative personnel, and specialty activities. The Director may, from time to time, amend the vehicle fleet management plan as required to economically and effectively meet the vehicle and transportation needs of the CNMI government.

(b) All government vehicles shall bear CNMI government license plates and any other identification as may be approved and assigned by the Chief. Such license plates and identification shall be clearly visible during operation of the vehicle. This provision does not apply to those vehicles which the Director of Public Safety has requested an exemption for security and other precautions. Such exempt vehicles shall be separately identified under procedures prescribed by the Director.

(c) Government vehicles shall not be equipped with tinted, reflective, or darkened window glass that might interfere with outside visibility of the interior of the vehicle or with the visibility of the operator at any time, except those vehicles which the Director of Public Safety has determined and requested the installation of such equipment or other material for security and other precautions.

(d) No vehicle which has been procured or leased by the CNMI government may be altered or modified without the specific concurrence of the Director.

Modified, 1 CMC § 3806(f).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: The May 1993 notice of adoption changed the proposed language of subsection (b).

§ 70-30.2-105 Use of Government Vehicles

Government vehicles shall be used exclusively as follows:

(a) Government vehicles may be used by government officials 24 hours a day, seven days a week, in the performance or in the furtherance of their official duties. Division Chiefs and other designated employees may use government vehicles on the same basis upon the approval by the appropriate government official and with the concurrence of the Director.

(b) Government vehicles may be used by employees in accordance with this subchapter and only for the purpose of accomplishing their regularly assigned duties and responsibilities and as authorized by the appropriate government official; provided that government vehicles may only be used during regular government working hours and for official government business.

(c) Use of a government vehicle by an employee at any time to accomplish regularly assigned and scheduled duties and responsibilities outside regular government working hours shall require the written authorization by the government official with the concurrence of the Director. Such written authorization must be retained by the employee on his or her person during the operation of the vehicle. The Director shall provide a copy of the written authorization to the Director of Public Safety. A special authorization shall be visibly displayed on the vehicle.

(d) Use of a government vehicle by an employee at any time to accomplish irregularly assigned and unscheduled duties outside regular government working hours shall require prior and immediate notification to the Department of Public Safety. Such notification shall be reported in writing to the Director within 24 hours of the authorization.

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(e) Official guests of the CNMI government, including guests of government officials, may have the use of a government vehicle upon the approval of the appropriate government official and concurrence by the Director. Such approval shall be in writing and contain the identity of the guest, the official nature of the guest's visit, the date of issuance, the date of the expiration of authorization, and the purpose of use. The Director shall provide a copy of the written authorization to the Director of Public Safety. Such written authorization must be retained by the official guest on his or her person during the operation of the vehicle.

(f) All government vehicles shall be parked overnight and on weekends and holidays in secure areas as designated by the Director. Upon the written authorization of the government official and with the concurrence of the Director, certain vehicles may be driven home by designated employees based upon the following guidelines:

(1) The employee's regularly assigned duties include 24-hour emergency or on-call services requiring the use of the government vehicle; or

(2) Where the Director has not designated a secure area and the government official is unable to locate a secure location on government property to park the vehicle during nonbusiness hours; and

(3) The designated employee agrees to assume responsibility for maintaining the safety and security of the vehicle at his or her residence during those hours; and

(4) The designated employee agrees to assume primary responsibility for any liability or damage occurring from any accident that may occur where such employee is determined to be negligent by the Director, or the Department of Public Safety, or by a court of competent jurisdiction; and

(5) The employee shall retain the written authorization and the vehicle shall be properly marked in accordance with this subchapter; and

(6) The employee agrees to be responsible for any tax consequences resulting from the benefit of the use of the government vehicle to and from his or her home and place of employment.

(g) Government vehicles shall not be used to transport anyone other than government officials and employees and only for official government business. When official government business requires, the government official with the concurrence of the Director, may authorize the use of government vehicles to transport non-employees and other passengers. Any person who allows unauthorized passengers in government vehicles shall be personally liable for any damage or injury to persons or property. The CNMI government expressly refuses to accept any liability in such a situation.

(h) Restrictions on the use of government vehicles may be waived by the Governor during the time of natural disaster or other emergencies.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: The May 1993 notice of adoption changed the proposed language in subsections (f)(2) and (f)(4).

§ 70-30.2-110 Vehicle Log Records

Except for vehicles assigned to and used by government officials; official government guests; emergency vehicles used by the Department of Public Safety, Civil Defense, Commonwealth Utilities Corporation, or Department of Public Health; and other authorized law enforcement officers, all other vehicles shall be equipped with continuous vehicle trip log forms at all times when in use by employees.

- (a) The Chief shall prepare and make available for use by all government employees, vehicle assignment and trip log forms which shall be used by the operator to provide basic trip information such as date, time, places of travel, purpose of travel, beginning and ending speedometer readings, total miles driven, the signature of the vehicle operator and vehicle identification data.
- (b) These log forms shall be placed in every vehicle and maintained by the vehicle operator.
- (c) Monthly, each government official shall account for the accuracy of the log forms, sign the log sheets, and transmit the log forms to the Chief where they will be maintained and filed as a part of the operational history of each vehicle.
- (d) Failure to maintain and submit these forms within fifteen days after the close of each month to the Chief, shall be grounds for the Director to take possession of the vehicle in question.

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: The May 1993 notice of adoption changed the proposed language in subsection (d).

§ 70-30.2-115 Maintenance and Upkeep of Government Vehicles

Every government official shall be responsible for the maintenance and upkeep of all vehicles assigned to his or her activity.

- (a) Unless approved by the Director, all government vehicles shall be fueled only at the CNMI centralized fuel station maintained and operated by the Department of Public Works at Lower Base. However, government vehicles may be fueled elsewhere as long as it does not incur any cost to the government and all such costs are borne by the employee or government official.
- (b) In coordination between the Director and the Department of Public Works, government vehicles shall be turned in for periodic preventive maintenance in accordance with the schedule and procedures established by the two departments.
- (c) No government vehicle shall be turned in for maintenance or repairs to any privately owned and operated vehicle repair shops without specific approval of the Chief.

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History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: The May 1993 notice of adoption changed the proposed language in subsection (a).

§ 70-30.2-120 Government Vehicle Operator's Permit

No person is authorized to drive or operate a government vehicle without a valid government vehicle operator's permit issued by the Department of Public Safety. For purposes of this section, government vehicle operator's permit issued by the Personnel Office shall be construed as meeting the requirements of this section for a period of 180 days following adoption of the regulations in this subchapter. Prior to the expiration of the 180 day period every employee and government official shall comply with the requirements of this section and obtain a government vehicle operator's permit from the Department of Public Safety.

(a)(1) Subject to subsection (b), CNMI government employees may be issued a CNMI government vehicle operator's permit for operation of the appropriate class of government vehicle to be driven or operated by the employee if:

(i) The employee is in possession of a valid CNMI driver's license as provided in title 9, division 2, chapter 2 of the Commonwealth Code;

(ii) The employee provides information of any accidents, arrests, or convictions for traffic violations of any vehicle codes, outstanding monetary liabilities for any traffic related incidents, and denial or non-renewal of any vehicle liability insurance for five years prior to the application date;

(2) Failure to provide complete and/or accurate information shall be grounds for non-issuance of a CNMI government vehicle operator's permit or revocation of a previously issued permit.

(b) Prior to issuing a CNMI government vehicle operator's permit, the Department of Public Safety shall review the driving record of the employee-applicant for violations obtained while driving a vehicle, such as driving under the influence of alcohol or drugs as defined in 9 CMC § 7105 or reckless driving as defined in 9 CMC § 7104. Where such violation has occurred, a CNMI government vehicle operator's license shall be denied. Such denial may be appealed to the Director by the appropriate government official to whom the employee reports. The appeal must be made within fifteen days of the denial date.

(c) The Director of Public Safety shall have the discretion to deny a government vehicle operator's permit if he or she finds the employee poses an unacceptable liability risk to the government. Such denial may be appealed to the Director by the appropriate government official to whom the employee reports. The appeal must be made within fifteen days of the denial date.

(d) Prior to issuing a CNMI government vehicle operator's permit to operate special emergency vehicles, the Department of Public Safety shall conduct a special Emergency Vehicle Operator's Course (EVOC) for those employees who will be driving such

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emergency vehicles. The Department of Public Safety shall issue government vehicle operator's permits to operate emergency vehicles only to those employees who successfully completed and pass the EVOC.

(e) Employees and government officials shall have in their possession while operating a government vehicle, a valid CNMI driver's license as provided in title 9, division 2, chapter 2 of the Commonwealth Code and a CNMI government vehicle operator's permit issued by the Department of Public Safety.

(f) An employee's and government official's CNMI government vehicle operator's permit shall expire on the earlier of the expiration date of such employee's private CNMI driver's license or the termination date of the employee's or government official's employment with the CNMI government.

(g) Official guests of the CNMI government shall have in their possession a driver's license valid under the CNMI Vehicle Code and written authorization from the CNMI government official for use of the vehicle which shall contain the identity of the guest, the official nature of the guest's visit, the date of issuance, date of expiration of authorization, and the purpose of use. The Director shall provide a copy of the written authorization to the Director of Public Safety.

(h) An employee's or government official's CNMI government vehicle operator's permit shall be revoked when such employee is convicted of violating 9 CMC §§ 7104 and 7105.

Modified, 1 CMC § 3806(d), (f), (g).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: The original paragraphs of subsection (a) were not designated. The Commission designated subsections (a)(1) and (a)(2).

The May 1993 notice of adoption changed the proposed language in the opening paragraph.

In the opening paragraph, the Commission corrected the spelling of "by." In subsection (a)(2), the Commission changed the final semi-colon to a period.

§ 70-30.2-125 Accidents

Every government employee shall exercise every precaution to prevent accidents. In case of an accident, the employee or government official concerned shall comply with the regulations set forth herein and the procedures prescribed by the Director.

(a) The operator of a government vehicle shall be responsible for notifying the following persons immediately, either in person or by telephone of any accident in which the vehicle may be involved:

(1) The Department of Public Safety; and

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(2) The employee's supervisor or appropriate government official. In the case of accidents involving government officials, the person to be contacted shall be the Chief.

(b) The vehicle operator shall, within twenty-four hours, obtain and record information pertaining to the accident on the operator's report of motor vehicle accident form. The form, upon completion, shall be submitted to the vehicle operator's supervisor or appropriate government official. A copy of the report shall be provided to the Chief.

(c) The vehicle operator shall also obtain the names, addresses, and telephone numbers of any witnesses and wherever possible, have witnesses complete the statement of witness form and submit the completed form to the vehicle operator's supervisor or appropriate government official along with the operator's report of motor vehicle accident form.

(d) The vehicle operator shall make no statements as to responsibility for the accident except to his or her supervisor or to the Director.

(e) Whenever a vehicle operator is injured and cannot comply with the above requirements, the appropriate government official shall comply with the above requirements as soon as possible after the accident.

(f) Where any damage to the government vehicle occurs, the Director of Public Safety shall immediately inform the Director as to the status of the vehicle. Upon notification by the Director of Public Safety that the necessary investigation has been completed, the Chief shall immediately cause the vehicle to be taken to the CNMI government procurement and supply compound for safekeeping, surveying, or other appropriate action.

(g) The Director of Public Safety shall provide the Chief a complete copy of the accident report including a synopsis of how the accident occurred and who, if anyone, is at fault.

(h) Every accident involving a CNMI government vehicle shall be investigated by the Chief. A report of the investigation shall include the operator's report of motor vehicle accident form, the statement of witness form (if available), and the Department of Public Safety's accident report. The procedures for investigation of accidents of CNMI government vehicles shall be promulgated by the Director.

(i) The Chief shall obtain three vehicle estimates for the cost of repairs from three different autobody repair shops within fifteen working days after the accident and submit that information to the appropriate government official advising such government official to take the necessary action, as appropriate

(j) The failure of a vehicle operator to report an accident involving a CNMI government vehicle as outlined above or where the operator has a high accident

frequency or cost, shall be sufficient justification for the Director to revoke such employee's CNMI government vehicle operator's permit.

Modified, 1 CMC § 3806(e), (f), (g).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: In the opening paragraph, the Commission changed "regulation" to "regulations" to correct a manifest error. The Commission inserted a comma after the word "surveying" in subsection (f) pursuant to 1 CMC § 3806(g).

The May 1993 notice of adoption changed the proposed language in subsection (f).

§ 70-30.2-130 Liability

The employee or government official shall be personally liable for any damage or injury to persons or property as a result of negligence or violations of this subchapter. The CNMI government shall not be liable for any loss, damage, or injury caused by or resulting from any employee, government official, or any other person operating a government vehicle in violation of this subchapter or through any act of negligence of such person.

Modified, 1 CMC § 3806(d).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: The Commission inserted a comma after the word "damage" pursuant to 1 CMC § 3806(g).

Part 200 - Enforcement and Penalties

§ 70-30.2-201 Enforcement

This subchapter shall be enforced as follows:

(a) The Chief shall have authority to investigate violations of this subchapter and determine the consequences and necessary action provided by this subchapter in the interest of the government. This investigation is not a substitute nor should it interfere, prevent or inhibit the normal and required investigation process of the Department of Public Safety. All persons operating or in possession of government vehicles shall be required to provide information or documents requested by the Chief in the course of the investigation. Refusal to cooperate shall be deemed a violation of this subchapter and subject to revocation of the government vehicle operator's permit. In addition, such refusal may subject the employee or government official to the requirement to pay for any costs related to the cause of action.

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(b) Pursuant to a joint enforcement agreement between the Department of Finance and the Department of Public Safety:

(1) The Department of Public Safety shall report any alleged violation of this subchapter. The observing Department of Public Safety Officer shall prepare a report of the alleged violation which includes the identity of the vehicle operator, vehicle license number or identification number, date, time, and place where the violation of this subchapter allegedly occurred. These reports shall be submitted by Department of Public Safety to the Chief on a weekly basis;

(2) The observing Department of Public Safety Officer may, on his or her discretion, stop any person driving a government vehicle if in the judgment of such officer, the operation of such vehicle may be in violation of this subchapter. The Department of Public Safety Officer shall prepare a report of such incident which includes such information as described in (b)(1) above and whether the written authorization for use of the vehicle was presented to the officer. Such reports shall be submitted by the Department of Public Safety to the Chief on a weekly basis;

(3) Where the Department of Public Safety Officer determines that the use of the government vehicle is unauthorized, the officer shall immediately restrain the vehicle or otherwise immobilize the vehicle from operation and inform the Chief of such action and the vehicle's location for subsequent appropriate action.

(4) Any vehicle restrained or immobilized as a result of unauthorized or improper use may be towed away or confiscated by the Chief without prior notice. The determination of unauthorized use shall be pursuant to this subchapter and procedures promulgated by the Director.

(c) The Director shall forward a report of allegations of violations of this subchapter to the respective government official for immediate investigation, inquiry, or action. The results of the government official's inquiry shall be prepared in writing and submitted to the Director within fifteen days upon notification of such violation. The Director shall review these findings and if no further action is warranted, the findings will be filed by the Chief as a part of the history of that vehicle.

(d) Upon a determination by the Director that this subchapter has been violated and/or the interest of the CNMI government is in peril, the Director shall have authority to revoke the employee's CNMI government vehicle permit, immediately confiscate the vehicle in question, bring disciplinary action against the offending official or employee, or refer the matter to the Attorney General or Department of Public Safety for further investigation.

Modified, 1 CMC § 3806(c), (d), (f).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

§ 70-30.2-205 Penalty of Perjury

Any written statement required by this subchapter shall be made by certification under penalty of perjury. Any person who states or subscribes any material which he or she

does not believe to be true, is guilty of perjury and upon conviction may be subject to the penalty prescribed in 6 CMC § 3306.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

§ 70-30.2-210 Revocation of Government Vehicle Operator's Permit

An employee's or government official's government vehicle operator's permit may be revoked by the Director for any of the following reasons:

- (a) Failure to provide complete and accurate driving information history;
- (b) Conviction of a violation of 9 CMC §§ 7104 and 7105;
- (c) Unauthorized use of a government vehicle;
- (d) Failure to keep a complete and/or accurate vehicle log;
- (e) Failure to report an accident and provide correct and/or accurate information on the required form to the appropriate persons;
- (f) Failure to cooperate with the investigation of an accident by the Department of Public Safety or Director;
- (g) Unauthorized or improper use or misuse of the government vehicle;
- (h) High frequency rate of accidents by an employee; and
- (i) Any violation of the government vehicle regulations in this subchapter.

Modified, 1 CMC § 3806(d).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Part 300 - Procedures and Implementation

§ 70-30.2-301 Procedures

The Director shall have the authority to prescribe all necessary procedures not inconsistent with this subchapter for the full and complete implementation of this subchapter.

Modified, 1 CMC § 3806(d).

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History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

§ 70-30.2-305 Implementation and Coordination

(a) Within 90 days from the effective date of the regulations in this subchapter, the Division of Procurement and Supply shall inventory and inspect all government vehicles and install the markings and other identification required under § 70-30.2-101(b) of this subchapter.

(b) Within 30 days from the effective date of the regulations in this subchapter, the Director of Public Safety shall submit a list of all government vehicles exempted from the vehicle marking and other identification requirements under § 70-30.2-101(b) of this subchapter.

(c) Within 60 days from the effective date of the regulations in this subchapter, the Division of Procurement and Supply shall process those vehicles exempted under the provisions of § 70-30.2-101(b).

(d) Within 30 days from the effective date of the regulations in this subchapter, all government vehicles equipped with tinted or reflective glass or other materials prohibited under this subchapter and where such vehicles are not exempted under § 70-30.2-101(c), shall be turned in to the Division of Procurement and Supply for the removal of such material in conformance with this subchapter. The operation of any vehicle not exempted and equipped with prohibited materials and operated after the above 30 day period, shall be grounds for confiscation and the Director may take possession of such vehicle without prior notice.

(e) Within 30 days from the effective date of the regulations in this subchapter, the appropriate government official shall forward written authorizations for the Director's concurrence a list of all those employees authorized to operate government vehicles outside regular government working hours pursuant to § 70-30.2-105 of this subchapter.

(f) Within 30 days from the effective date of the regulations in this subchapter, all government officials shall forward written authorizations for the Director's concurrence a list of all those designated employees authorized to drive the government vehicle to and from his or her home and place of work based on the guidelines pursuant to § 70-30.2-105 of this subchapter.

(g) Within 30 days from the effective date of the regulations in this subchapter, all government officials shall forward written authorizations for the Director's concurrence, a list of all those employees regularly assigned duties that include 24-hour emergency or on-call services pursuant to § 70-30.2-105 of this subchapter.

Modified, 1 CMC § 3806(c), (d).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: The May 1993 notice of adoption changed the proposed language in subsections (c), (d) and (g).

Part 400 - Miscellaneous Provisions

§ 70-30.2-401 Applicability

This subchapter shall apply in full force and effect to the procurement, management, control and use of government vehicles to all senatorial districts of the Commonwealth and in other CNMI government offices outside the Commonwealth. Certain exceptions shall apply to the 1st senatorial district of Rota, the 2nd senatorial district of Tinian, and other government offices outside the Commonwealth and shall be promulgated at a later date. The effective date of the implementation of this subchapter in these areas and locations other than the 3rd senatorial district of Saipan, shall be prescribed at a later date.

Modified, 1 CMC § 3806(d), (f).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: The May 1993 notice of adoption changed the proposed language of this section.

§ 70-30.2-405 Supersession

Upon the effective date of the regulations in this subchapter, all prior procedures, policies, or regulations governing the procurement, management, control and use of government vehicles are hereby superseded.

Modified, 1 CMC § 3806(d).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).

Commission Comment: The May 1993 notice of adoption changed the proposed language of this section.

§ 70-30.2-410 Severability

If any provision of the regulations in this subchapter should be held invalid by a court of competent jurisdiction, the validity of the remaining provisions of this subchapter shall not be affected thereby.

Modified, 1 CMC § 3806(d).

History: Adopted 15 Com. Reg. 10648 (May 15, 1993); Proposed 15 Com. Reg. 10509 (Apr. 15, 1993); Proposed 15 Com. Reg. 10371 (Jan. 15, 1993).