

TITLE 10: LOCAL LAWS
DIVISION 2: SECOND SENATORIAL DISTRICT (TINIAN, ETC.)

§ 2472. Tinian Vehicular Environmental Impact Fee.

There is hereby established a local fee of two dollars for each scooter rental and five dollars for each car rental, all-terrain vehicle (“ATV”), tour bus or van, within the Second Senatorial District. The Tinian Vehicular Environmental Impact Fee is due and payable to the Tinian Municipal Treasury at the end of each quarter. The Tinian Director of DLNR and DPW, along with the Tinian Municipal Treasurer, may promulgate mutually agreed upon regulations to implement the Act, if necessary which shall include but not be limited to a prohibition on said funds derived from 10 CMC Sections 2472 and 2473 being reprogrammed by the Mayor or the Delegation.

Provided further that a separate subaccount administered in accordance with 10 CMC Section 2472 shall be established wherein the fees shall be assessed to the business operator to account for every user. Said fees shall be collected by the respective business operator or vendor and submitted to the Tinian Municipal Treasury to account for each individual, no more than one time per visit, up to thirty days who:

- (a) Utilizes Tinian roadways as a passenger on a tour bus or van (\$5.00 per person);
- (b) Utilizes a scooter on the island of Tinian or Aguiguan (\$2.00);
- (c) Utilizes an all-terrain vehicle on the island of Tinian or Aguiguan (\$5.00).

For purpose of this section day trips shall not constitute an additional visit or result in additional fees.

Source: Tinian LL 15-12, § 2; amended by TLL 18-8 § 2 (May 8, 2014), modified.

Commission Comment: Tinian LL 15-12 was enacted on August 31, 2007, and contained the following findings and purpose in addition to another enactment (10 CMC § 2473) and severability and savings provisions:

Section 1. Findings and Purpose. The Tinian and Aguiguan Legislative Delegation finds that it is in the best interest of the Second Senatorial District to establish a fee for all rentals of cars and scooters on the island of Tinian and to create the Tinian Tourism and Beautification Revolving Fund for the development, improvement, and maintenance of the various culturally and historically significant sites on the island of Tinian.

The Commission struck the figures “\$2.00,” “\$5.00,” and “30” pursuant to 1 CMC § 3806(e). The Commission corrected the capitalization of the word “section” pursuant to 1 CMC § 3806(f). The Commission added a quotation mark after the word “ATV,” removed an extra comma after the word “upon,” and added punctuation at the ends of subsections (a) and (b) pursuant to 1 CMC § 3806(g).

TLL 18-8 (May 8, 2014) contained, in addition to severability and savings clauses, the following Findings and Purposes section:

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Section 1. Findings and Purposes. The Tinian and Aguiguan Legislative Delegation finds that it is in the best interest of the Second Senatorial District to establish a fee that will be collected by the business vendor for every one of their customers who rides on our roads in a tour bus or van, and who utilize scooters or all-terrain vehicles on the islands of Tinian or Aguiguan. These fees shall be considered locally generated revenue and as such they shall not be administered or collected by the CNMI Department of Finance. Instead, as revenue generated within the Second Senatorial District, the revenue shall be managed exclusively by the Tinian Treasury.

The Commonwealth Legislature finds that 10 CMC Section 2472 already provides for a fee for the use of scooters and rental cars on Tinian and that this fee shall be used for the Tinian Tourism and Beautification Revolving Fund for the development, improvement, and maintenance of the various culturally and historically significant sites on the island of Tinian. Moreover, subsection (5) of 10 CMC Section 2473 specifically provides for the “development, preservation, and maintenance of Tinian historical sites.”

This new fee shall be collected and administered in the same manner as 10 CMC Sections 2472 and 2473 for the sole purpose of maintenance of Tinian’s historic parks and roadways.