

TITLE 3: HUMAN RESOURCES
DIVISION 5: PUBLIC SAFETY

§ 5451. Classification and Required Equipment.

(a) *Motor Boat Lights, Whistles and Bells.* All lighting, whistle, and bell requirements are to be in compliance with the United States Coast Guard “Navigation Rules: International-Inland” (CG-169). These rules are published by the United States Coast Guard in pamphlet form and are available at the Coast Guard and public safety offices.

(b) *Lifesaving Devices.* Every vessel shall carry at least one United States Coast Guard approved lifesaving device of the sort prescribed by the regulations of the Director of Public Safety for each person on board, so placed as to be readily accessible. All lifesaving devices shall be in good and serviceable condition.

(c) *Fire Extinguishers.* Every motorboat shall be provided with such number, size, and type of United States Coast Guard approved fire extinguishers capable of promptly and effectually extinguishing burning gasoline, as may be prescribed by the regulations of the Director of Public Safety; provided, that no open boat less than 26 feet long shall be required to have fire extinguishers. The fire extinguishers shall be at all times kept in condition for immediate and effective use and so placed as to be readily accessible.

(d) *Equipment Exemptions in Authorized Races.* The provisions of subsections (a) and (c) of this section do not apply to vessels while competing in any race conducted pursuant to 3 CMC § 5457 or, if such boats be designed and intended solely for racing, while engaged in such navigation as is incidental to the tuning up of the boats and engines for the race.

(e) *Flame Arrester.* Every motorboat shall have the carburetor or carburetors of every engine therein except outboard motors using gasoline as fuel, equipped with such efficient United States Coast Guard approved flame arrester, backfire trap, or other similar device as may be prescribed by the regulations of the Director of Public Safety.

(f) *Ventilation.* Every motorboat and vessel, except open boats, using as fuel any liquid of a volatile nature, shall be provided with means as may be prescribed by the regulations of the Director of Public Safety for properly and efficiently ventilating the bilges of the engine and fuel tank compartments so as to remove any explosive or flammable gases.

(g) *Ship-to-Shore Transceiver.* Every motorboat shall be provided with a functioning multiple channel, marine quality citizens band or VHF radio transceiver when venturing outside of the lagoon.

(h) *Distress Signals (Flares).* Every vessel shall carry adequate flares on board at all times pursuant to the United States Coast Guard regulation or the CNMI Boating Safety regulations.

Source: PL 3-25, § 19; (h) added by PL 14-23, § 3.

Commission Comment: With respect to the references to the “Director of Public Safety,” see Executive Order 94-3 (effective August 23, 1994), reorgan-

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izing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001.

PL 14-23 was enacted on July 30, 2004 and contained a short title, findings and purpose, severability, and savings provisions. PL 14-23 stated:

Section 1. Short Title. This Act shall be known or may be cited as the “Boating Safety Amendment Act of 2004.”

Section 2. Findings and Purpose. The Legislature finds that one of the most important equipment required in boating safety was inadvertently not included in 3 CMC § 5451. The purpose of this Act is to add a new subsection (h) to 3 CMC § 5451, by including Distress Signals (Flares) in the list of required equipment for purpose of enhancing boating safety in the CNMI.