

TITLE 9: VEHICLE CODE
DIVISION 2: REGISTRATION AND LICENSES

§ 2201. Definitions.

(a) Birth certificate. The record related to a birth that is permanently stored either electronically or physically by the Commonwealth government or equivalent agency in the registrant's State or Territory of birth.

(b) Bureau or BMV. The Commonwealth Bureau of Motor Vehicles.

(c) Card. A driver's license or identification card issued by the Bureau of Motor Vehicles or an equivalent State office.

(d) Certified copy of a birth certificate. A copy of the whole or part of a birth certificate registered with the State that the State considers to be the same as the original birth certificate on file with the State Office of Vital Statistics or equivalent agency in a registrant's State of birth.

(e) Data verification. Checking the validity of data contained in source documents presented under this regulation.

(f) DHS. The U.S. Department of Homeland Security.

(g) Digital photograph. A digital image of the face of the holder of the driver's license or identification card.

(h) Document authentication. Determining that the source document presented under these regulations is genuine and has not been altered.

(i) Driver's license. A license to operate a vehicle in the Commonwealth.

(j) Duplicate. A driver's license or identification card issued subsequent to the original document that bears the same information and expiration date as the original document and that is reissued at the request of the holder when the original is lost, stolen, or damaged and there has been no material change in information since prior issuance.

(k) False document. A document is false if it has been altered so as to make it false in any respect or if it purports:

(1) to have been made in the form in which it is made by a person who did not in fact make it in that form; or

(2) to have been made in the form in which it is made on the authority of a person who did not in fact authorize its making in that form; or

(3) to have been made in the terms in which it is made by a person who did not in fact make it in those terms; or

(4) to have been made in the terms in which it is made on the authority of a person who did not in fact authorize its making in those terms; or

(5) to have been altered in any respect by a person who did not in fact alter it in that respect; or

(6) to have been altered in any respect on the authority of a person who did not in fact authorize the alteration in that respect; or

(7) to have been made or altered on a date on which, or at a place at which, or otherwise in circumstances in which, it was not in fact made or altered; or

(8) to have been made or altered by an existing person who did not in fact exist.

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(l) Federal agency. All U.S. executive agencies and U.S. government corporations.

(m) Identification card. A document made or issued by or under the authority of the Bureau of Motor Vehicles or a State office with equivalent function which, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals.

(n) Lawful status. A person in lawful status is a citizen or national of the United States; or an alien (i) lawfully admitted for permanent or temporary residence in the United States; (ii) with conditional permanent resident status in the United States; (iii) who has an approved application for asylum in the United States or has entered into the United States in refugee status; (iv) who has a valid nonimmigrant status in the United States; (v) who has a pending application for asylum in the United States; (vi) who has a pending or approved application for temporary protected status (TPS) in the United States; (vii) who has approved deferred action status; or (viii) who has a pending application for lawful permanent residence (LRP) or conditional permanent resident status.

(o) Material change. Any change to the personally identifiable information of an individual as defined under this section. Notwithstanding the definition of personally identifiable information below, a change of address of principal residence does not constitute a material change.

(p) Passport. A passport booklet or card issued by the U.S. Department of State that can be used as a travel document to gain entry into the United States and that denotes identity and citizenship as determined by the U.S. Department of State.

(q) Personally identifiable information. Any information which can be used to distinguish or trace an individual's identity, such as their name; driver's license or identification card number; social security number; biometric record, including a digital photograph or signature; alone, or when combined with other personal or identifying information, which is linked or linkable to a specific individual, such as a date and place of birth or address, whether it is stored in a database, on a driver's license or identification card, or in the machine readable technology on a license or identification card.

(r) Principal residence. The location where a person currently resides.

(s) Reissued card. A card that the Bureau of Motor Vehicles issues to replace a card that has been lost, stolen, damaged, or to replace a card that includes outdated information. A card may not be reissued remotely when there is a material change to the personally identifiable information.

(t) Renewed card. A driver's license or identification card that the Bureau issues to replace a renewable card.

(u) State. A State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(v) Temporary lawful status. A person in temporary lawful status is a person who: has a valid nonimmigrant status in the United States; has a pending

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application for asylum in the United States; has a pending or approved application for temporary protected status (TPS) in the United States; has approved deferred action status; or has a pending application for LPR or conditional permanent resident status.

(w) Verify. Procedures to ensure that:

- (1) the source document is genuine and has not been altered; and
- (2) the identity data contained in the document is valid.

Sources: [PL 3-11](#), § 505; amended by [PL 3-61](#), § 1 (§§ 204, 212); [PL 5-23](#), § 5; [PL 16-1](#), § 2, modified; (b) amended by [PL 17-45](#) § 2(A) (June 13, 2011), modified; (b) amended and (b)(1) enacted by [PL 19-10](#) § 2 (Oct. 13, 2015), modified; amended by [PL 19-58](#) § 4 (2201) (Aug. 1, 2016), modified.

Commission Comment: Pursuant to its authority under [1 CMC § 3806\(e\)](#) and (g), the Commission removed numbers that repeated words and corrected a manifest error in subsection (b) by making one instance of “Bureau of Motor Vehicle” plural. [PL 16-1](#), enacted on May 2, 2008, contained severability and savings clause provisions and the following:

Section 1. Findings and Purpose. The Commonwealth Legislature finds that violation of [9 CMC § 2201\(c\)](#) should be a civil offense rather than a misdemeanor due to the nature of the offense, the lack of a victim, and the current cost to the court system in appointing attorneys to represent persons charged under the section.

[PL 19-10](#), enacted on October 13, 2015, contained severability and savings clause provisions and the following:

Section 1. Findings and Purpose. The Legislature finds that many brave men and women of the Commonwealth willingly answered the call to defend the freedoms we are enjoying by fighting for our country not only in foreign lands but also in our islands. Furthermore, the Legislature finds that many men and women put their lives on the line to make our country a safer place in which to live. Additionally, the Legislature finds that the sacrifices these selfless and valiant men and women made in leaving their families to face adversities in foreign lands such as Korea, Vietnam, Kosovo, Kuwait, Afghanistan, Horn of Africa, and Iraq merit recognition. A meaningful way to show our gratitude is by lowering the operator’s license fees for Veterans.

Other states and territories have provided such benefits to its veterans and it is time that the Commonwealth further honor the contributions and the sacrifices made by the sons and daughters of the Commonwealth that have led to the freedom we enjoy today. Additionally, the Legislature finds that in order for a veteran to avail of the discounted benefit, he or she must have served at least 180 consecutive active service days. They also must be honorably discharged from the United States Armed Forces. The Legislature further finds that veterans must be certified eligible by the CNMI Veterans Office in order to avail of the discounted benefit.

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Therefore, the intent of this Act is to amend Title 9, Division 2 Chapter 2 § 2201.

In accordance with [PL 19-10](#) § 2, the Commission left subsections (a), (c), (d), and (e) unchanged, pursuant to [1 CMC § 3806\(g\)](#).

[PL 19-58](#) renumbered [9 CMC §§ 2201–2206](#) to [9 CMC §§ 2202–2207](#) and added a definitions section at [9 CMC § 2201](#). In addition to savings and severability clauses, [PL 19-58](#) included the following Short Title and Findings and Purpose sections:

Section 1. Short Title. This Act may be cited as the “Commonwealth Real ID Act.”

Section 2. Findings and Purpose. The Legislature finds that compliance with the Federal Real ID Act of 2005 is in the best interests of the Commonwealth. This Act will make it more difficult for criminals to obtain multiple licenses or identification cards and it enhance the security of existing drivers’ licenses. Further, this Act will allow the Bureau of Motor Vehicles to issue Real ID compliant identification cards to residents of the Commonwealth that do not wish to obtain a drivers’ license or are unable to do so.

Compliance with the Real ID Act of 2005 is important to the Commonwealth. If the Commonwealth fails to comply with the Real ID Act of 2005, then residents would be subjected to a wide range of consequences, such as: (1) federal agencies would no longer accept Commonwealth drivers’ licenses or identification cards as identification; (2) Commonwealth citizens would no longer be able to use drivers’ licenses or identification cards to access federal facilities; and (3) Commonwealth citizens would no longer be able to use drivers’ licenses or identification cards to board commercial aircraft.

The purpose of this Act is to bring the Commonwealth into full compliance with the Federal Real ID Act of 2005.

The Commission changed the capitalization of certain terms in (a), (i), (k), (o), and (q) for the purpose of conformity pursuant to [1 CMC § 3806\(f\)](#). The Commission changed “Drivers’ license:” to “Driver’s license.” in (i), changed “has” to “it has” in (k), and changed “Rule” to “section” in (o) pursuant to [1 CMC § 3806\(g\)](#).