



Commonwealth of the Northern Mariana Islands
Office of the Governor
Saipan, Mariana Islands 96950

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REPLY TO:

DEPT. or ACTIVITY

October 13, 1982

The Honorable Benigno R. Fitial
Speaker, House of Representatives
Third Northern Marianas Commonwealth
Legislature
Saipan, CM 96950

and

The Honorable Olympio T. Borja
President of the Senate
Third Northern Marianas Commonwealth
Legislature
Saipan, CM 96950

Dear Mr. Speaker and Mr. President:

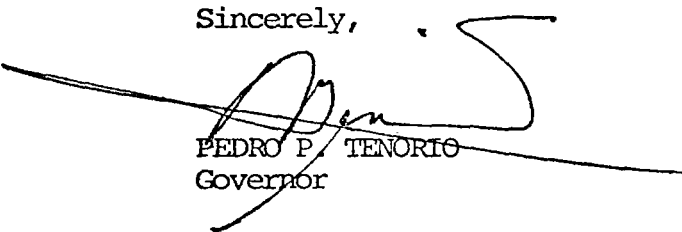
I am pleased to inform you that I have signed into law House Bill No. 53, H.D.2, S.D.2, which was passed by the Third Northern Marianas Legislature.

House Bill No. 53, H.D.2, S.D.2, entitled, "To establish boating safety requirements, to repeal Chapter 1 of Title 19 of the Trust Territory Code, and for other purposes," becomes Public Law No. 3-25.

I cannot overemphasize the importance of this legislation, especially here where our treacherous and, at times, unpredictable waters present great danger to all boat operators and their passengers.

I thank you for the passage of this much needed and long overdue legislation. Copies bearing my signature are forwarded herewith for your ready reference.

Sincerely,


PEDRO P. TENORIO
Governor

cc: Special Assistant for Programs and Legislative Review

THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND SPECIAL SESSION, 1982

AN ACT

To establish boating safety requirements, to repeal Chapter 1 of Title 19 of the Trust Territory Code, and for other purposes.

Offered by Representative Vicente M. Sablan

Date: January 26, 1982

House Action

Referred to: Committee on Resources and Development

Standing Committee Report No. 3-15 and 3-40

First Reading: March 18, 1982

Second Reading: May 13, 1982

Final Reading: September 10, 1982

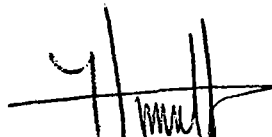
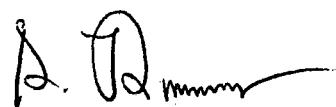
Senate Action

Referred to: Committee on Resources, Economic Development, and Programs

Standing Committee Report No. 3-136

First Reading: August 30, 1982

Second Reading: September 7, 1982

 
Herbert S. Del Rosario
Chief Clerk
House of Representatives

THIRD NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
FIRST REGULAR SESSION, 1982

PUBLIC LAW NO. 3-25
HOUSE BILL NO. 53,
H.D.2, S.D.2

AN ACT

To establish boating safety requirements, to repeal Chapter 1 of Title 19 of the Trust Territory Code, and for other purposes.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1 Section 1. Short Title. This Act may be cited as the "Boating
2 Safety Act of 1982".

3 Section 2. Declaration of Policy. It is hereby declared that the
4 policy of the Legislature and the purpose of this Act is to improve
5 boating safety and to foster greater development, use, and enjoyment
6 of all waters of the Commonwealth of the Northern Mariana Islands by
7 development of a comprehensive boating safety program and by creating
8 standards and requirements for the use of boats. It is further
9 declared the policy of the Legislature to encourage closer cooperation
10 and assistance between the Commonwealth of the Northern Mariana Islands
11 and the federal government in developing, administering, and enforcing
12 federal and local laws and regulations pertaining to boating safety.

13 Section 3. Definitions. As used in this Act--

14 (a) "Boat livery" means a business which holds
15 any vessel for renting, leasing, or chartering.

16 (b) "Commonwealth" means the Commonwealth of the
17 Northern Mariana Islands.

18 (c) "Department" means the Department of Public Safety.

19 (d) "Director" means the Director of Public Safety.

20 (e) "Length" means the distance from end to end of a
21 vessel over the deck excluding sheer.

1 (f) "Open Boat" means those motorboats and motor
2 vessels with all engine and fuel tank compartments and
3 other spaces to which explosives or flammable gases and
4 vapors from these compartments may flow, open to the
5 atmosphere and so arranged as to prevent the accumulation
6 of gases and vapors within the vessel.

7 (g) "Operator" means the person who is in control
8 or in charge of a vessel while it is in use.

9 (h) "Owner" means a person who claims lawful
10 possession of a vessel by virtue of legal title or
11 equitable interest which entitles him to possession of
12 that vessel.

13 (i) "Passenger" means every person carried on
14 board a vessel other than--

15 (1) the owner or his representative;

16 (2) the operator;

17 (3) bona fide members of the crew engaged
18 in the business of the vessel who have contributed
19 no consideration for their carriage and who are paid
20 for their services; or

21 (4) any guest on board a vessel which is being
22 used exclusively for pleasure purposes who has not
23 contributed any consideration, directly, or indirectly,
24 for his carriage.

25 (j) "Person" means an individual, firm, partnership,

1 corporation, company, association, joint-stock association
2 or governmental entity and includes a trustee, receiver,
3 assignee, or similar representative of any of them.

4 (k) "State" means a state of the United States, the
5 Commonwealth of Puerto Rico, the Virgin Islands, Guam,
6 American Samoa, the District of Columbia, the Commonwealth
7 of the Northern Mariana Islands, and the Trust Territory
8 of the Pacific Islands.

9 (l) "Vessel" includes every description of watercraft,
10 other than a seaplane on the water, used or capable of being
11 used as a means of transportation on the water.

12 (m) "Undocumented Vessel" means a vessel which does
13 not have and is not required to have a valid marine document
14 as a vessel of the United States.

15 Section 4. Boat Numbering.

16 (a) All undocumented vessels equipped with propulsion
17 machinery of any type shall have a number issued by the
18 Director.

19 (b) A vessel shall not be required to be numbered if
20 it is any of the following:

21 (1) Foreign vessels temporarily using waters
22 subject to the jurisdiction of the Commonwealth of
23 the Northern Mariana Islands;

24 (2) Military or public vessels of the United
25 States, except recreational-type public vessels;

1 (3) A vessel whose owner is a state, other than
2 the Commonwealth of the Northern Mariana Islands or
3 subdivision thereof, which is principally used for
4 governmental purposes, and which is clearly identifiable
5 as such;

6 (4) Ship's lifeboats;

7 (5) A vessel which has or is required to have
8 a valid marine document as a vessel of the United
9 States; and

10 (6) A vessel already covered by a number in
11 full force and effect which has been awarded to it
12 pursuant to federal law or a federally approved
13 numbering system of another state; Provided, that
14 such vessel shall not remain in the Commonwealth for
15 a period in excess of sixty days without obtaining a
16 number issued by the Director.

17 (c) Nothing in this section shall prohibit the numbering
18 of any undocumented vessel upon request by the owner even
19 though that vessel is exempt from the numbering requirements
20 of this Act.

21 Section 5. Other Numbers Prohibited. No identification numbers
22 other than those awarded to a vessel as indicated in a valid certificate
23 of number that is in full force and effect shall be displayed on the
24 forward half of any undocumented vessel. Any other previously awarded
25 numbers in a certificate of number that has expired, been cancelled or
26 withdrawn shall be covered or removed.

1 Section 6. Numbers Display.

2 (a) Each number required by Section 4 shall:

3 (1) be painted on, permanently attached to,
4 or otherwise permanently displayed on each side of
5 the forward half of the vessel in plain vertical
6 characters not less than six inches in height, except
7 as required by subsection (b) of this section, in
8 plain vertical block characters of not less than three
9 inches in height;

10 (2) have spaces or hyphens that are equal to the
11 width of a letter other than "I" or a number other
12 than "1" between the letter and number groupings;

13 (3) read from left to right; and

14 (4) be one solid color which will form a good
15 contrast with the color of the background and so
16 maintained as to be clearly visible and legible.

17 (b) On vessels so configured that a number on the hull or
18 superstructure would not be easily visible, the number must be
19 painted on or attached to a backing that is attached to the
20 forward half of the vessel so that the number is visible from
21 each side of the vessel.

22 Section 7. Contents of Application for Certificate of Number.

23 The application for a certificate of number shall be made by the owner
24 to the Director in accordance with procedure and form prescribed by
25 the Director along with the fees as required by Section 15 of this Act

1 and shall contain:

2 (a) Name and address, of the owner;

3 (b) Island in which the vessel is principally used;

4 (c) Present Commonwealth or Coast Guard number issued
5 the vessel, if any;

6 (d) Statement as to use (pleasure, livery, government,
7 commercial fishing, charter fishing, carrying passengers for
8 hire, or other);

9 (e) A description of the vessel including, but not
10 limited to, the following so far as it exists: Hull material
11 (wood, steel, aluminum, plastic, other), type of propulsion
12 (outboard, inboard, inboard-outboard, sail, other),
13 manufacturer's rated horsepower, type of fuel (gas, diesel,
14 other), length of vessel, make, type, builder, year built,
15 and country in which built;

16 (f) Manufacturer's hull identification number, if any;

17 (g) Proof of ownership of the vessel; and

18 (h) Any further information the Director reasonably
19 requires to identify the vessel and to enable him to determine
20 whether the owner is entitled to a certificate of number and
21 the existence or non-existence of security interests in the
22 vessel.

23 Section 8. Contents of a Certificate of Number. Each certificate
24 of number shall contain the following information:

25 (a) Number issued to the vessel;

-
- 1 (b) Expiration date of the certificate;
 - 2 (c) Island of principal use;
 - 3 (d) Name and address of the owner;
 - 4 (e) Statement as to use (pleasure, livery, commercial
 - 5 fishing, vessel carrying passenger for hire, or other);
 - 6 (f) Manufacturer's hull identification number, if any;
 - 7 (g) Make, model, type or builder of vessel and year built;
 - 8 (h) Length of vessel;
 - 9 (i) Hull material (wood, steel, aluminum, plastic, other);
 - 10 (j) Type of propulsion (inboard, outboard, inboard-outboard,
 - 11 sail, or other); and
 - 12 (k) Type of fuel (gasoline, diesel or other).

13 Section 9. Form of Number. Each number issued shall consist of
14 the capital letters "CM" identifying the Commonwealth of the Northern
15 Mariana Islands as the jurisdiction of principal use followed by not
16 more than four numerals; followed by:

- 17 (a) PU for pleasure use.
- 18 (b) CF for commercial fishing.
- 19 (c) LR for livery or rental boats.
- 20 (d) CP for carrying passengers for hire.
- 21 (e) CU for other commercial use.

22 Section 10. Authority to Grant or Refuse Applications. The
23 Director shall examine and determine the genuineness, regularity and
24 legality of every application for numbering of a vessel and may in
25 all cases conduct any investigation as may be deemed necessary or

1 require additional information, and shall reject any application if
2 not satisfied with the genuineness, regularity or legality thereof
3 or the truth of any statement contained therein, or for any other
4 reason, when authorized by law.

5 Section 11. Period of Validity and Renewal of Certificate of
6 Number.

7 (a) The certificate of number initially awarded to a
8 vessel pursuant to this Act shall continue in full force
9 and effect for a period ending one year from the date of
10 issuance of that certificate unless sooner terminated or
11 discontinued in accordance with the provisions of this Act.
12 The certificate of number is invalid after the date upon
13 which the person whose name appears on the certificate of
14 number as owner of the vessel transfers all of his ownership
15 in the vessel or the vessel is destroyed or abandoned. The
16 certificate of number issued is invalid if the application
17 for certificate of number contains a false or fraudulent
18 statement or the fees for the issuance of certificate of
19 number are not paid. A certificate of number is invalid
20 60 days after the day on which the vessel is no longer
21 principally used in the Commonwealth or when the person
22 whose name appears on the certificate involuntarily loses
23 his interest in the numbered vessel by legal process.

24 (b) A certificate of number awarded pursuant to this
25 Act may be renewed at any time within the 90-day period

1 preceding the expiration date. The same number shall be
2 assigned if the renewal application is received within a
3 year after the expiration date of the certificate of number.

4 (c) If a certificate of number is lost or destroyed,
5 the person whose name appears on the certificate as the owner
6 may apply for a duplicate certificate by submitting to the
7 Director an application on a form prescribed by the Director
8 and the fee required by Section 15.

9 Section 12. Inspection of Certificate. The certificate of number
10 shall be water-resistant and be available at all times for examination
11 by any federal or Commonwealth law enforcement officer on the vessel
12 for which issued whenever such vessel is in operation.

13 Section 13. Reporting Requirements. The owner of a vessel
14 required to have a number by Section 4 of this Act shall, within
15 fifteen days, notify the Director of any change in his address; the
16 theft or recovery of the vessel; the destruction or abandonment of
17 the vessel; the loss or destruction of a valid certificate of number;
18 or the transfer of all or part of his interest in the vessel.

19 Section 14. Prohibitions.

20 (a) No person shall buy, receive, operate, possess, sell
21 or dispose of a vessel with knowledge that an identification
22 number on the vessel has been removed or falsified and with
23 intent to avoid compliance with this Act or to conceal or
24 misrepresent the identity of the vessel or its owner.

25 (b) No person shall remove or falsify a vessel

1 identification number or affix to a vessel an identification
2 number not authorized by law for use on it in either case to
3 avoid compliance with this Act or to conceal or misrepresent
4 the identity of the vessel or its owner.

5 (c) No person shall, with fraudulent intent, permit
6 another not entitled thereto to use or have possession of a
7 certificate of number.

8 (d) No person shall alter, forge or counterfeit a
9 certificate of number.

10 (e) No person shall have possession of or use a
11 certificate of number knowing it to have been altered,
12 forged or counterfeited.

13 (f) No person shall use a false or fictitious name or
14 address or make a false statement or conceal any material
15 fact, in an application for a certificate of number or its
16 transfer.

17 Section 15. Fees and Charges.

18 (a) The fee for each certificate of number shall be \$10.00.

19 (b) The charge for each duplicate certificate of number
20 shall be \$2.00.

21 Section 16. Report of Accident.

22 (a) The operator of a vessel shall submit a written
23 casualty or accident report to the Director whenever a
24 boating accident results in:

25 (1) The death or the disappearance of any person
26 under circumstances that indicate death or injury;

1 (2) Personal injury requiring medical treatment
2 beyond first aid; or

3 (3) Damage to any vessel and other property
4 damage totaling more than Two Hundred Dollars.

5 (b) The report required by this section must be made:

6 (1) Within forty-eight hours of the occurrence,
7 if said accident has caused the death, disappearance
8 of any person or a person is injured and requires
9 medical treatment beyond first aid; and

10 (2) Within five days of every other accident.

11 (c) Whenever the operator of a vessel is physically
12 incapable of giving an immediate notice of an accident as
13 required in subsection (a) of this section and the operator
14 is not the owner of the vessel, then the owner of the vessel
15 involved in such accident shall make the report not made by
16 the operator.

17 Section 17. Accident Report; Contents. Each report required
18 by Section 16 of this Act must be in writing, dated upon completion,
19 signed by the person who prepared it, and must contain, if available,
20 at least the following information about the casualty or accident:

21 (a) The numbers and names of each vessel involved;

22 (b) The name and address of each owner of each vessel
23 involved;

24 (c) The name of the nearest city or town, island, and
25 the body of water;

- 1 (d) The time and date the casualty or accident
2 occurred;
- 3 (e) The location on the water;
- 4 (f) The visibility, weather, and water conditions;
- 5 (g) The estimated air and water temperatures;
- 6 (h) The name, address, age, or date of birth, telephone
7 number, vessel operating experience, and boating safety
8 training of the operator making the report;
- 9 (i) The name and address of each operator of each
10 vessel involved;
- 11 (j) The number of persons on board or towed on skis by
12 each vessel;
- 13 (k) The name, address, and date of birth of each person
14 injured or killed;
- 15 (l) The cause of each death;
- 16 (m) Weather forecasts available to, and weather reports
17 used by, the operator before and during the use of the vessel;
- 18 (n) The name and address of each owner of property
19 involved;
- 20 (o) The availability and use of personal flotation
21 devices;
- 22 (p) The type and amount of each fire extinguisher used;
- 23 (q) The nature and extent of each injury;
- 24 (r) A description of all property damage and vessel
25 damage with an estimate of the cost of all repairs;

1 (s) A description of each equipment failure that caused
2 or contributed to the cause of the casualty;

3 (t) A description of the vessel casualty or accident;

4 (u) The type of vessel operation (cruising, drifting,
5 fishing, hunting, skiing, racing, or other), and the type of
6 accident (capsizing, sinking, fire, or explosion or other);

7 (v) The opinion of the person making the report as to
8 the cause of the casualty;

9 (w) The make, model, type (open, cabin, house, or
10 other), beam width at widest point, length, depth from
11 transom to keel, horsepower, propulsion (outboard, inboard,
12 inboard outdrive, sail, or other), fuel (gas, diesel, or
13 other), construction (wood, steel, aluminum, plastic,
14 fiberglass, or other), and year built (model year), of the
15 reporting operator's vessel;

16 (x) The name, address, and telephone number of each
17 witness;

18 (y) The manufacturer's hull identification number, if
19 any, of the reporting operator's vessel; and

20 (z) The name, address, and telephone number of the
21 person submitting the report.

22 Section 18. Accident Reports not Public Records.

23 (a) All written reports required by Section 16 shall be
24 without prejudice to the individual so reporting and shall
25 be for the confidential use of the Department or other

1 Commonwealth agencies having use of the records for accident
2 prevention purposes, except that the Department may disclose
3 the identity of a person involved in an accident when that
4 person is not otherwise known or when that person denies his
5 presence at that accident.

6 Section 19. Classification and required equipment.

7 (a) Motor boat lights, whistles, and bells. All
8 lighting, whistle, and bell requirements are to be in
9 compliance with the United States Coast Guard "Navigation
10 Rules: International-Inland" (CG-169). These rules are
11 published by the United States Coast Guard in pamphlet
12 form and are available at the Coast Guard and Public Safety
13 offices.

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

20 (c) Fire extinguishers. Every motorboat shall be
21 provided with such number, size, and type of United States
22 Coast Guard approved fire extinguishers capable of promptly
23 and effectually extinguishing burning gasoline, as may be
24 prescribed by the regulations of the Director of Public
25 Safety; Provided, that no open boat less than twenty-six

1 feet long shall be required to have fire extinguishers. The
2 fire extinguishers shall be at all times kept in condition
3 for immediate and effective use and so placed as to be
4 readily accessible.

5 (d) Equipment exemptions in authorized races. The
6 provisions of paragraphs (a) and (c) of this subsection shall
7 not apply to vessels while competing in any race conducted
8 pursuant to Section 25 of this Act or, if such boats be
9 designed and intended solely for racing, while engaged in
10 such navigation as is incidental to the tuning up of the
11 boats and engines for the race.

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

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

24 (g) Ship-to-Shore Transceiver. Every motorboat shall be
25 provided with a functioning multiple channel, marine quality

1 citizens band or VHF radio transceiver when venturing outside
2 of the lagoon.

3 Section 20. Vessels carrying passengers for hire. All vessels
4 subject to this Act which carry passengers for hire shall, in addition
5 to any rules and regulations promulgated under this Act, comply with
6 the Coast Guard rules and regulations concerning vessels carrying
7 passengers for hire.

8 (a) This section shall not apply to--

9 (1) foreign vessels temporarily using water
10 subject to United States jurisdiction;

11 (2) military or public vessels of the United
12 States, except recreational-type public vessels;

13 (3) a vessel whose owner is a state or
14 subdivision thereof, which is used principally for
15 governmental purposes, and which is clearly
16 identifiable as such; and

17 (4) ships' lifeboats.

18 Section 21. Boat liveries.

19 (a) The owner of a boat livery shall cause to be kept
20 a record of the name and address of the person or persons
21 hiring any motorboat or vessel, the identification number
22 thereof, and the departure date and time, and the expected
23 time of return. The record shall be preserved for at least
24 six months.

25 (b) Neither the owner of a boat livery nor his agent or

1 employees shall permit any motorboat or vessel to depart from
2 his premises unless it shall have been provided, either by
3 the owner or renter, with the equipment required pursuant to
4 Section 19 and any rules and regulations made pursuant to
5 this Act.

6 Section 22. Prohibited operation.

7 (a) No person shall operate any motorboat or vessel, or
8 manipulate any water skis, aquaplane, surfboard, or similar
9 device in a reckless or negligent manner so as to endanger
10 the life, limb, or property of any person.

11 (b) No person shall operate any motorboat or vessel, or
12 manipulate any water skis, aquaplane, surfboard, or similar
13 device while under the influence of alcohol, any narcotic
14 drug, barbiturate or marijuana.

15 Section 23. Water skis, aquaplanes, surfboards, or similar
16 devices.

17 (a) Observer. No person shall operate a vessel on any
18 waters of the Commonwealth towing a person or persons on water
19 skis, aquaplane, surfboard, or similar device unless there is
20 in such vessel a competent person, in addition to the operator,
21 in a position to observe the progress of the person or persons
22 being towed.

23 (b) Hours for skiing. No person shall operate a vessel
24 on any waters of the Commonwealth towing a person or persons
25 on water skis, aquaplane, a surfboard, or similar device, nor

1 shall any person engage in water skiing, aquaplaning,
2 surfboarding, or similar activity at any time between the
3 hours from one hour after sunset to one hour before sunrise.

4 Section 24. Overloading or Unsafe Condition Prohibited.

5 Overloading shall be determined by the capacity plate limitations
6 posted in vessels which has been predetermined by the manufacturer
7 for the class or model boat under United States Coast Guard
8 regulations. The capacity plate posted may be used as a reference
9 in determining an overloaded condition. However, the Director
10 shall consider all elements, including weather, freeboard, adequate
11 lifesaving devices and fire extinguishers in making his decision as
12 to whether the vessel is overloaded or otherwise unsafe. In the
13 absence of a United States Coast Guard approved capacity plate,
14 the Director shall exercise his judgment whether the vessel is
15 overloaded or otherwise unsafe for existing conditions which
16 creates an especially hazardous condition. If these overloaded
17 or unsafe conditions exist, the Director may direct the operator
18 to take whatever immediate and reasonable steps would be necessary
19 for the safety of those aboard the vessel, including directing the
20 operator to return to mooring and to remain there until the
21 situation creating the hazard is corrected or ended.

22 Section 25. Regattas, races, marine parades, tournaments or
23 exhibitions. The Director of Public Safety may regulate the holding
24 of regattas, motorboat or other boat races, marine parades, tournaments
25 or exhibitions which, by their nature, circumstance or location, will

1 introduce extra or unusual hazards to the safety of life on any waters
2 of this territory. Whenever a regatta, motorboat or other boat race,
3 marine parade, tournament or exhibition is proposed to be held, the
4 person in charge thereof, shall at least thirty days prior thereto,
5 file an application with the Director of Public Safety for permission
6 to hold such regatta, motorboat or other boat race, marine parade,
7 tournament or exhibition. The application shall set forth the date,
8 time and location where it is proposed to hold the regatta, motorboat
9 or other boat race, marine parade, tournament or exhibition, and any
10 other information as the Director of Public Safety may by regulation
11 require, and it shall not be conducted without the authorization of
12 the Director of Public Safety.

13 Section 26. Comprehensive safety and educational program. The
14 Director of Public Safety is hereby authorized to inaugurate a
15 comprehensive boating safety and boating educational program, to
16 establish appropriate advisory committees, and to seek the cooperation
17 of boatmen, the federal government and the other states of the United
18 States. The Director of Public Safety may issue safety certificates
19 to persons who complete courses in boating safety education.

20 Section 27. Prohibition; operation near shore.

21 (a) No person shall operate a motorboat, vessel,
22 aqua-plane, or have in tow or otherwise assist a person on
23 water skis over five miles per hour within two hundred yards
24 of the shore.

25 (b) The Director shall promulgate rules and regulations

1 with respect to safety zones, including areas for the
2 departure and landing of vessels, motorboats, and
3 aqua-planes, within the Saipan lagoon.

4 Section 28. Rules and Regulations.

5 (a) The Director of Public Safety is hereby authorized
6 to promulgate rules and regulations with respect to the
7 operation of vessels on any waters within the Commonwealth.

8 (b) Until such time as rules and regulations are
9 adopted, Title 46 of the Code of Federal Regulations,
10 Sections 76, 160, and 162 are hereby adopted as interim
11 regulations governing the provisions and requirements of
12 this Act.

13 Section 29. Enforcement.

14 (a) Authority to stop and board. Any person empowered
15 to enforce the provisions of this Act and any rule or
16 regulation adopted pursuant thereto shall, upon probable
17 cause to believe a violation of this Act exists, have the
18 authority to stop and board any vessel subject to this Act
19 for the purpose of inspection or determining compliance with
20 this Act or any rule or regulation, and is empowered to issue
21 a summons for appearance in court or before a magistrate for
22 all violations of this Act or of the rules and regulations
23 prescribed thereunder. Vessels of law enforcement personnel
24 shall be marked to identify them as designated enforcement
25 vessels.

1 (b) Vessels required to cooperate. Upon being hailed
2 by a designated law enforcement officer, every vessel subject
3 to this Act shall stop immediately if under way and lay to,
4 or shall maneuver in such a way as to permit such officer to
5 come aboard. Compliance with this provision shall not be
6 deemed consent for boarding or search or waivers of any
7 constitutional rights to privacy or security in ownership
8 of property.

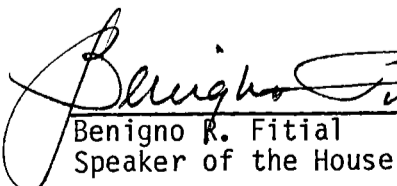
9 Section 30. Penalties.

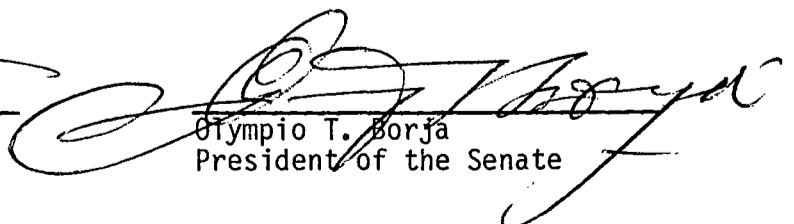
10 (a) Any person who violates any provision of this
11 Act shall be fined not more than One Thousand Dollars or
12 imprisoned not more than one year, or both; Provided, that
13 in addition to, or as a condition to the suspension of, such
14 fines and penalties, the court may deprive such offender of
15 the privilege of operating any vessel on the waters of the
16 Commonwealth for a period of not more than two years.

17 Section 31. Repealer. Chapter 1 of Title 19 of the Trust
18 Territory Code is hereby repealed in its entirety.

19 Section 32. Severability. If any provisions of this Act or the
20 application thereof to any person or circumstance is held invalid, the
21 invalidity shall not affect other provisions or applications of this Act
22 which can be given effect without the invalid provision or application,
23 and to this end the provisions of this Act are severable.

24 Section 33. Effective Date. This Act shall take effect upon its
25 approval by the Governor or upon its becoming law without such approval.

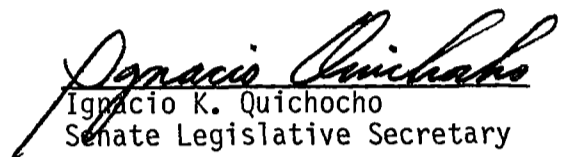

Benigno R. Fitia
Speaker of the House


Olympio T. Borja
President of the Senate

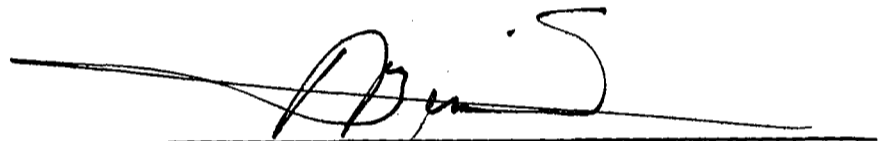
PUBLIC LAW NO. 3-25
H.B. No. 53, H.D.2, S.D.2

ATTEST:


Herbert S. Del Rosario
Chief Clerk


Ignacio K. Quichocho
Senate Legislative Secretary

October 13, 1982


Pedro P. Tenorio
Governor
Commonwealth of the Northern Mariana Islands