

THIRD SPECIAL SESSION, 1986

---

---

AN ACT

To amend 9 CMC Division 3 to provide for the establishment and licensing of motor vehicle safety inspection stations and to delegate the responsibility for the inspection of government owned vehicles to each responsible branch, department or agency of the Commonwealth Government.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Short Title. This act may be cited as the Safety Inspection Station Transfer Act of 1986.

Section 2. Purpose. To authorize licensing of privately owned motor vehicle safety inspection stations, and to place the responsibility for complying with the annual safety inspection of government owned vehicles with each agency, department or branch to ensure that each vehicle assigned to that agency, department or branch will have passed an annual safety inspection performed by a licensed motor vehicle inspection station.

Section 3. Amendment. 9 CMC Section 3102 is amended to read as follows:

"Section 3102. Safety Inspections: Government Owned Motor Vehicles. The head of each branch, department and agency of the Commonwealth Government shall ensure that each vehicle assigned to that agency passes an annual safety inspection performed by a licensed motor vehicle safety inspection station."

Section 4. Amendment. 9 CMC Section 3104 is amended to read as follows:

"Section 3104. Safety Inspections: Nature and Purpose of Inspection Required. The purpose of a motor vehicle safety inspection is to determine whether the vehicle inspected meets all lawfully prescribed requirements as to equipment and is in such

safe condition as not to endanger the operator or any other person or property when operated or moved on any road or highway. To accomplish this purpose the following provisions apply:

(a) Every motor vehicle required to be registered must be inspected by a duly licensed safety inspection station. Upon satisfactory completion of inspection, an official certificate of safety inspection shall be issued.

(b) Each vehicle which has passed an annual inspection, shall be issued a sticker certifying passage. To ensure compliance with safety and equipment requirements, the following procedures shall be enforced:

(1) If any motor vehicle is found on inspection not to meet all requirements as to safe operating condition and equipment prescribed under applicable law and rules and regulations of the Bureau, a notice of those deficiencies shall be given to the operator and the operator shall be issued a temporary permit by a duly licensed safety inspection station to indicate that the vehicle has not passed safety inspection. No person may thereafter operate the vehicle except as may be necessary to return the vehicle to the residence or place of business

of the owner or operator; deliver the car to a vehicle repair garage, or to return the vehicle for re-inspection after equipment and safety deficiencies have been corrected. Every owner or operator receiving a notice of deficiencies shall remedy the deficiencies and within one month submit the vehicle for re-inspection. Upon satisfactory completion of inspection, a sticker shall be issued; provided that in lieu of compliance a vehicle owner may surrender the vehicle license and registration and thereupon cease to operate the motor vehicle upon public roads in the Commonwealth.

(2) Following a collision or other accident in which any vehicle is involved, the police officer investigating the accident may remove the safety sticker from the vehicle involved if vehicle damage is so extensive that the vehicle is not in compliance with safety and equipment requirements. Unless subject to subdivision (b)(3), the officer shall attach to the vehicle a sticker as provided for under subdivision (b)(1). The vehicle shall then be subject to the requirements of that subdivision.

(3) If upon inspection any motor vehicle is found to be in such unsafe condition as to be a hazard to public health and safety and cannot reasonably be restored to a safe condition as required by this Title, the officer making the inspection shall remove the sticker and immediately inform the Chief or his designee of that action. The Chief or his designee shall forthwith issue an order to suspend the registration of the motor vehicle and give notice of the order to the owner of the vehicle. Upon removal of a sticker pursuant to this section, the vehicle may not be operated upon public roads in the Commonwealth.

(4) Any person denied a safety inspection certificate may appeal such denial to the Director of Public Safety pursuant to 1 CMC Division 9, Chapter 1, The Administrative Procedure Act within five working days after such denial."

Section 5. Amendment. 9 CMC Division 3 is amended by adding a new Section 3107 to read as follows:

"Section 3107. Safety Inspection Stations: Definition.

For purposes of this Division 'Safety Inspection Station' means

a person, partnership, or corporation that is authorized and licensed by the Chief of the Bureau of Motor Vehicles having jurisdiction at the station location to conduct vehicle safety inspections."

Section 6. Amendment. 9 CMC Division 3 is amended by adding a new section 3108 to read as follows:

"Section 3108. Safety Inspection Stations: Regulations.

Within 90 days after the enactment of this legislation, the Chief of the Bureau of Motor Vehicles shall adopt such regulations and publish such regulations as are necessary to establish, regulate, and administer duly licensed safety inspection stations. As a minimum such regulations shall include:

(a) Every person required to have a license under this Division shall make application to the Director of Commerce and Labor.

(b) Every application for a license for a safety inspection shall be accompanied by a non-refundable license fee in the sum of Fifty Dollars (\$50.00) payable to the Commonwealth Treasury.

(c) All licenses shall be effective on a calendar year basis. License fees for a new inspection station commencing business after January 1st shall be prorated by the month for the balance of the licensing period.

(d) The Director of Commerce and Labor will issue a business license for the operation of a safety

inspection station after receiving a notice from the Chief of the Bureau of Motor Vehicles that such applicant has complied with the provisions of subsection (e) below.

(e) The Chief shall establish testing standards and examination procedures to test each applicant for his knowledge of vehicle safety requirements as set forth by regulations promulgated by the Bureau and that applicant possesses the required equipments to conduct safety inspection.

(f) Each safety inspection station operator must supply to the Chief of the Bureau of Motor Vehicles on forms provided and prepared by the Bureau a record of certification of each vehicle inspected by said operator within ten (10) days after the date of the completed inspection.

(g) A license issued under this Division shall not be transferred from one licensee to another, nor from one location to another.

(h) The placement of the sticker shall only be performed by an employee of the Bureau upon presentation of documentation of satisfactory completion of a safety inspection.

(i) The Chief shall establish and publish a fee schedule for performing safety inspections

---

by the safety inspection station upon the following guidelines: A One Dollare (\$1.00) fee shall be charged for inspection of bicycles; Two Dollars and Fifty Cents (\$2.50) for two-wheeled and three-wheeled vehicles and four-wheeled Quad runners such as mopeds, motorcycles and three- or four-wheeler minibikes; Five Dollars (\$5.00) for four-wheeled vehicles such as jeep, pick-up and sedan; and, higher fees not to exceed Thirty Dollars (\$30.00), shall be charged for all other vehicles. Said fees shall be the operator's sole compensation for conducting the vehicle safety inspection. These fees shall not preclude additional charges which may be mutually agreed to for repairs or corrective action necessitated by the safety inspection.

(j) The safety inspection station shall provide a written cost estimate for repairs or corrective actions required for the vehicle to pass the vehicle safety inspection prior to any work being performed by the safety inspection station.

(k) The inspection station operator shall keep records of each inspection on forms approved by the Bureau. Said records shall be subject to inspection by the Bureau at any time without notice and must be preserved by the operator for a period of two years

from the date of inspection in the event the Bureau desires to and/or inspect such records.

(l) The certification of satisfactory completion of a vehicle safety inspection shall be valid for a period of 30 days. Failure to present the certificate to an authorized Bureau employee within said 30 days period shall render the inspection void and new inspection shall be required.

(m) Until a safety inspection station is licensed on the islands of Rota and Tinian, the Department of Public Safety shall perform the duties of the safety inspection station as required by this act."

Section 7. Amendment. 9 CMC Division 3 is amended by adding a new Section 3109 to read as follows:

"Section 3109. Government Immunities. The Government of the Commonwealth of the Northern Marianas, its officers, employees or agents shall not be liable for any injury caused in whole or in part by the issuance, denial, suspension or revocation of any safety inspection certificate or sticker by any licensed safety inspection station or the failure of any public employee to make an inspection, or inspection which is done inadequately or negligently, for any government vehicle."

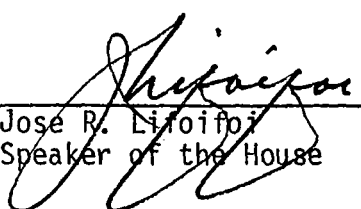
Section 8. Amendment. 9 CMC Sections 3107, 3108, and 3110 are renumbered to read as 9 CMC Sections 3110, 3111, 3112, and 3113 respectively.

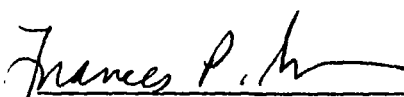
---

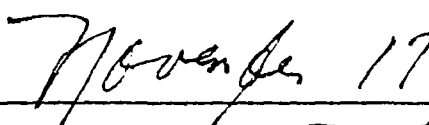
Section 9. Severability. If any provision of this Act, or the application of any such provision to any person or circumstance, shall be held invalid by a court of competent jurisdiction, the remainder of this Act, or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

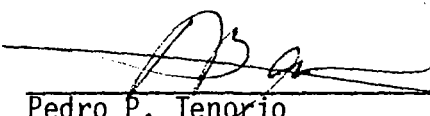
Section 10. Effective Date. This act shall become effective upon its approval by the Governor, or upon its becoming law without such approval.

ATTEST:

  
\_\_\_\_\_  
Jose R. Lifoifoi  
Speaker of the House

  
\_\_\_\_\_  
Frances P. Sablan  
House Clerk

  
\_\_\_\_\_, 1986

  
\_\_\_\_\_  
Pedro P. Tengrio  
Governor  
Commonwealth of the Northern Mariana Islands