

Commonwealth of the Northern Mariana Islands
Office of the Governor

Saipan, Mariana Islands 96950

31 JUL 1991

The Honorable Pedro R. Guerrero
Speaker, House of Representatives
Seventh Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

and

The Honorable Joseph S. Inos
Senate President
Seventh Northern Marianas
Commonwealth Legislature
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 7-191, H.D.1, S.C.S.1, the Taxicab Regulation Act of 1991, which was passed by the Seventh Northern Marianas Commonwealth Legislature.

I am happy to say that through the efforts of both the Legislature and the Administration, this legislation has finally reached its final stage. The ever-growing tourist industry and the increase in population, mandates the regulating of transportation service provided by taxicabs to our visitors and residents. The legislation will augment the safety for the visitors and residents, as well as provide for a first-rate taxicab industry.

This bill becomes Public Law No. 7-33. Copies bearing my signature are attached for your reference.

Sincerely,


LORENZO I. DE LEON GUERRERO
Governor

Attachments

CC: Special Assistant for Programs and Legislative Review

HOUSE OF REPRESENTATIVES
SEVENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE
SEVENTH SPECIAL SESSION, 1991

PUBLIC LAW NO. 7-33

HOUSE BILL NO. 7-191, H.D.1,

SEN. COMM. SUBST. 1

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AN ACT

TO REGULATE THE TAXICAB INDUSTRY IN THE COMMONWEALTH; AND
FOR OTHER PURPOSES.

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Offered by Representatives: Stanley T. Torres, Jesus T. Attao,
Diego T. Benavente, Juan S. Reyes, Manuel C. Sablan, and
Thomas P. Villagomez

Date: October 17, 1990

HOUSE ACTION

First and Second Reading: November 30, 1990

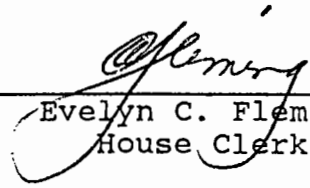
Final Reading: July 11, 1991

SENATE ACTION

Referred to Committee on: Resources, Economic Development and
Programs

Standing Committee Report No. 7-84

Second and Final Reading: June 14, 1991


Evelyn C. Fleming
House Clerk

AN ACT

To regulate the taxicab industry in the Commonwealth; 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
2 "Taxicab Regulation Act of 1991".

3 Section 2. Findings. The Legislature finds that tourism
4 is an important industry to the Commonwealth, and that the
5 quality of overland transportation of these visitors to and
6 from their choice destinations should be first-rate. The
7 Legislature finds it is necessary and beneficial to regulate
8 the taxicab industry in order to provide safe, clean, and
9 dependable transportation to the guests and residents of the
10 Commonwealth.

11 Section 3. Repealer. 1 CMC, Division 5, Section
12 5107(f)(8) is hereby repealed in its entirety.

13 Section 4. Definitions. 9 CMC, §1103 is hereby amended
14 to include the following new subsection "(p)" which is to be
15 inserted between existing subsections (o) and (p), and
16 existing subsections (p) through (r) are renumbered
17 accordingly.

18 "(p) 'Taxicab' means a passenger vehicle, other
19 than a motor bus, for hire."

20 Section 5. Taxicab Bureau. There is hereby established
21 a Taxicab Bureau within the Department of Finance. The
22 Taxicab Bureau shall be headed by a Chief, who shall be

1 designated by the Director of the Department of Finance and
2 shall report to the Director. The Chief so designated may
3 hold another position within the Department of Finance. The
4 Chief shall work closely with the Chief of the Motor Vehicle
5 Bureau and the Chief of Weights and Measures to ensure
6 enforcement of the provisions contained in this Act.

7 Section 6. Duties and Responsibilities of the Taxicab
8 Bureau Chief. The duties and responsibilities of the Chief
9 shall include, but are not limited to the following:

10 (a) Promulgate rules and regulations necessary to
11 carry out the intent and purposes of this Act and in
12 accordance with the Commonwealth Code which:

13 (1) Adopt a schedule of taxicab fares
14 establishing mandatory fares for all hires of
15 taxicabs;

16 (2) Establish mandatory metering procedures
17 for all taxicabs. Said meters shall be installed
18 and operable in each individual taxicab within 90
19 days of the effective date of this Act;

20 (3) Regulate the calibrating of taxicab meters
21 in accordance with 4 CMC, Division 5, Chapter 4;

22 (4) Regulate radio communications and
23 establish any other appropriate procedures or
24 requirements to ensure that taxicabs are operated
25 efficiently and safely so that residents and
26 tourists are provided with adequate taxicab
27 service. Such other regulations may provide for a

1 dress code for taxicab drivers, and shall also
2 provide for the suspension or termination of
3 taxicab drivers and for the suspension or
4 termination of the taxicab licenses of taxicab
5 companies when the Bureau finds either such
6 individuals or companies in substantial
7 noncompliance with the regulations promulgated
8 pursuant to this Act;

9 (5) Prohibit adhesive or spray tinting on
10 taxicab windows and require visibility through all
11 windows;

12 (6) Require all taxicabs be insured under a
13 general or public liability policy of insurance
14 issued by a qualified insurance company licensed to
15 do business in the Commonwealth, as follows: (i)
16 for a minimum coverage of one hundred thousand
17 dollars (\$100,000) for bodily injury or death of
18 any one person in any one accident; a minimum
19 coverage of three hundred thousand dollars
20 (\$300,000) for bodily injury or death of more than
21 one person in any one accident; and a minimum
22 coverage of thirty thousand dollars (\$30,000) for
23 injury to or destruction of property in any one
24 accident, as well as uninsured motorist coverage in
25 the same amounts, unless otherwise provided by

1 law. The owner of any vehicle operated or used as
2 a taxicab shall be held responsible for compliance
3 with this Section.

4 (b) Issue a certification of fitness indicating
5 that an applicant for a taxicab driver's license meets
6 the requirements set forth in Section 6 herein.

7 (c) Issue a registration number for each taxicab.
8 Every individual, partnership, company, corporation or
9 other business association in whose name a taxicab is
10 registered shall prominently display on both sides of the
11 exterior of such taxicab the word "taxi", its
12 registration number, and the name under which it is
13 registered. In the event that more than one taxicab is
14 registered in the name of any one individual,
15 partnership, corporation, company or other business
16 association, such taxicabs shall be serially numbered and
17 the applicable serial number similarly displayed on both
18 sides of the exterior of each such taxicab in such size
19 and manner as the Chief by uniform regulations shall
20 prescribe. In no case, shall a taxicab be registered
21 without proof of compliance with Section 5(a)(6) herein.

22 (d) Promulgate such rules and regulations necessary
23 to carry out the intent of this Act. Such rules and
24 regulations shall include but are not limited to those
25 necessary to implement Section 6(a), (b), and (c);
26 Section 7(c), (d); Section 8 and Section 12 of this Act.
27 Said regulations shall be promulgated and adopted within

1 thirty (30) days of the effective date of this Act and
2 shall become effective thirty (30) days after their
3 adoption. All persons, owning or operating taxicabs
4 within the Commonwealth as of the effective date of said
5 regulations shall be given thirty (30) days in which to
6 comply with said regulations.

7 Section 7. Taxicab Driver's License .

8 (a) No person shall operate a taxicab upon a
9 highway for rent or hire without having in his immediate
10 possession a valid taxicab driver's license.

11 (b) In addition to the necessary qualifications set
12 forth in 9 CMC, Division 2, Chapter 2, an applicant for
13 a taxicab driver's license must be a citizen of the
14 United States or any other territory under the
15 administration of the United States, and a bona fide
16 resident of the Commonwealth. A bona fide resident for
17 purposes of this section is defined as a person qualified
18 and registered to vote in the Commonwealth and over the
19 age of eighteen (18) years. No person shall be licensed
20 as a taxicab driver who has ever been convicted of a
21 felony, or who has been convicted of theft of a vehicle,
22 homicide by a vehicle, fleeing or attempting to elude a
23 police officer, or twice convicted of reckless driving or
24 driving while under the influence of alcohol or drugs, as
25 defined by the Commonwealth Code. For purposes of this
26 Section, a plea of guilty shall be deemed a conviction.

1 (c) After certification of fitness by the Bureau of
2 Taxicabs, all applications for a taxicab driver's license
3 shall be filed with the Bureau of Motor Vehicles, under
4 such uniform regulations as the Chief of Motor Vehicles
5 may prescribe, and shall require fingerprinting and such
6 oral and written examinations and driving tests as may be
7 proper to determine the fitness of each applicant.
8 Thereafter, the Chief of Motor Vehicles shall approve or
9 disapprove each such application in accordance with the
10 provisions of this Act.

11 (d) Upon the approval of an application for a
12 taxicab driver's license, a fee, as set by the Bureau of
13 Taxicabs, shall be paid by the applicant to the Chief of
14 Motor Vehicles. For each duplicate or substitute license
15 issued, a fee of five (\$5.00) dollars shall be paid to
16 the Chief of Motor Vehicles.

17 (e) A license number shall be assigned annually to
18 each licensee. Such taxicab driver's license shall
19 remain in full force and effect as the identification
20 number for the taxicab driver throughout the license
21 year.

22 (f) A taxicab driver's license entitles the
23 licensee to all rights and privileges of a chauffeur and
24 operator, in addition to all the rights and privileges of
25 a taxicab driver.

26 (g) In addition to any other provisions for
27 suspension or revocation of a driver's license, the Court

1 may revoke permanently the license of any taxicab driver
2 upon his conviction of any of the offenses as specified
3 in Section 6(b) of this Act.

4 Section 8. Display of License, Rates and Driver
5 Identification.

6 (a) Every person operating a vehicle registered as
7 a taxicab shall permanently display in the interior of
8 such vehicle, so as to be plainly visible from wherever
9 a passenger rides therein, the following information:

- 10 1. A photograph of the operator,
- 11 2. The full name of the operator,
- 12 3. The taxicab driver's license number,
- 13 4. The taxicab's registration number,
- 14 5. A schedule of taxicab rates as set by the
15 Bureau of Taxicabs, in English, Chamorro,
16 Carolinian, Japanese and Korean,
- 17 6. A map which indicates the distances
18 between villages and major tourist sites of the
19 island on which the taxicab is located,
- 20 7. A statement, in the above languages, that
21 every person has the right to make a complaint as
22 to any impropriety on the part of the taxicab
23 driver or owner to the Marianas Visitor's Bureau or
24 the Bureau of Taxicabs along with the appropriate
25 phone number for each.

26 (b) The photograph, which shall be a true, clear,
27 and recognizable likeness of the face of the operator,

1 shall be of such size; the name, the taxicab driver's
2 license number, the taxicab registration number and the
3 schedule of rates shall be printed in such form and size
4 and shall be displayed and attached to the interior of
5 the taxicab in such manner as the Bureau of Taxicabs
6 shall prescribe.

7 Section 9. Chauffeur's License.

8 (a) No person shall operate a vehicle as a
9 Chauffeur, as defined in 9 CMC, Section 1102(c), without
10 having in his immediate possession a valid chauffeur's
11 license issued under this Act. A chauffeur's license
12 authorizes the licensee to drive as an operator and as a
13 chauffeur.

14 (b) In addition to those requirements for an
15 operator's license, every applicant for a chauffeur's
16 license must be at least eighteen (18) years old and
17 shall be required to submit to an examination appropriate
18 to the type of vehicle or combination of vehicles he
19 desires a license to drive. The examination shall
20 include a written examination and an actual demonstration
21 of the ability to safely operate the vehicle(s).

22 (c) The requirements set forth in Section 6(a)(6)
23 are hereby made applicable to applicants for chauffeur's
24 licenses.

25 Section 10. Amendment. 9 CMC, Section 2204(b) is hereby
26 amended to read as follows:

1 "(b) A chauffeur's license shall be required for:

2 (1) Any vehicle for hire, other than a
3 taxicab, used in transporting passengers; and

4 (2) Any vehicle capable of carrying 10 or
5 more passengers used in conveying children to and
6 from schools."

7 Section 11. Penalty. The owner of an unregistered
8 taxicab or an unlicensed taxi driver shall be guilty of an
9 infraction and be subject to a fine of \$500.00 or imprisonment
10 of thirty (30) days or both.

11 Section 12. Grandfather Clause.

12 (a) For any person employed as a taxicab driver on
13 the effective date of this Act who under federal law is
14 defined as either an immediate relative of a United
15 States citizen or a permanent resident, the requirements
16 of citizenship and bona fide residency are hereby waived.

17 (b) For any applicant denied a certification of
18 fitness for a taxicab operator's license by the Bureau of
19 Taxicabs based on a conviction of the offenses as
20 specified in Section 6(b) of this Act, a hearing may be
21 requested within a reasonable time, as determined by the
22 Bureau of Taxicabs. The hearing shall be conducted by
23 the Parole Board to determine whether the conviction is
24 for a minor felony or traffic violation and whether the
25 evidence shows that the applicant is now fully reformed.
26 Said hearing shall be an informal hearing with any
27 evidence considered that the Board deems appropriate. If

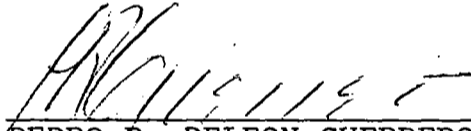
1 after such hearing, the Board agrees the applicant is fit
2 then a certification of fitness shall be issued by the
3 Board.

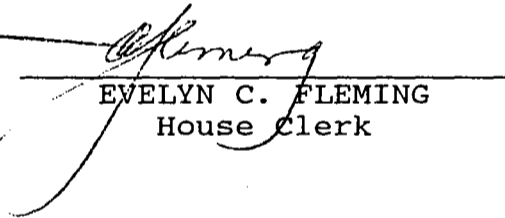
4 Section 13. Severability. If any section of this Act or
5 any regulation issued under the authority of this Act should
6 be declared invalid or unenforceable by a court of competent
7 jurisdiction, the judicial determination shall not affect the
8 validity of the Act or regulations as a whole, or any part
9 thereof, other than the particular part declared invalid or
10 unenforceable.

11 Section 14. Effective Date. This Act shall take effect
12 upon its approval by the Governor, or upon its becoming law
13 without such approval.

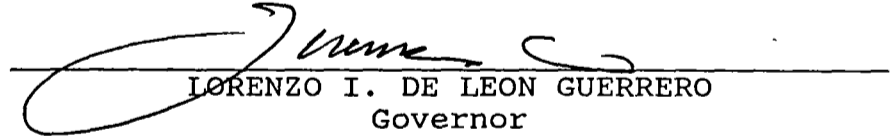
CERTIFIED BY:

ATTESTED BY:


PEDRO R. DELEON GUERRERO
Speaker of the House


EVELYN C. FLEMING
House Clerk

APPROVED this 31st day of July, 1991


LORENZO I. DE LEON GUERRERO
Governor
Commonwealth of the Northern Mariana Islands