

TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

PUBLIC LAW NO. 10-64
H.B. NO. 10-225, HD1, SD1

SECOND SPECIAL SESSION, 1996

AN ACT

To amend P.L. 9-37 to exempt Commonwealth Judges from the requirement that government vehicles assigned to them be marked and have government plates; and for other purposes.

BE IT ENACTED BY THE TENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Findings. The Legislature finds that, for security reasons, it is desirable that judges' cars not be singled out or marked in a distinctive manner. For purposes of this Act, the Legislature defines "judges" as including special judges on active duty, and visiting judges from other jurisdictions if the Chief Justice chooses to designate them as such.

Section 2. Amendment. Public Law 9-37, Section 3, amending 1 CMC Section 7406(a) is hereby further amended by the addition of a new subsection (4) to read as follows:

“(4) ‘Judge’ means those individuals who are serving as Justices in the Commonwealth Supreme Court; Judges in the Commonwealth Superior Court or in the U.S. District Court for the Mariana Islands; special judges, but only during the period that they are actively serving with the Court; and judges from other jurisdictions who have been designated as visiting judges by the Chief Justice of the Supreme Court.”

All subsequent subsections are renumbered accordingly.

Section 3. Amendment. Public Law 9-37, Section 3 amending 1 CMC Section 7406(b), subsection (3) is hereby further amended to read as follows:

“(3) This subsection shall not apply to law enforcement vehicles, nor to vehicles used by elected officials or judges. Violation of this subsection shall be an infraction, punishable by a fine of up to \$500.00 and/or 3 days imprisonment.”

Section 4. Amendment. Public Law 9-37, Section 3, amending 1 CMC, Section 7406(f) is hereby further amended to read as follows:

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“(f) Marking of government vehicles. All government vehicles or government leased vehicles, excepting only unmarked law enforcement vehicles and cars driven by elected officials or judges, shall be clearly marked as such on both front doors, or, in the case of water craft, on both sides of the hull well above the waterline. The Chief of Procurement and Supply shall provide for such marking, and may also assign registration numbers.

No person shall operate or use a government or government leased vehicle that is not marked in accord with this subsection. Violation of this subsection shall be an infraction, punishable by a fine of up to \$500, and/or 3 days imprisonment.”

Section 5. Amendment. Public Law 9-37, Section 3, amending 1 CMC Section 7406(g), subsection (3), is hereby further amended to read as follows:

“(3) This subsection shall not apply to unmarked law enforcement vehicles, nor to vehicles assigned to judges.”

Section 6. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section 7. Savings Clause. This Act and any repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying, any liability civil or criminal, which shall already be in existence at the date this Act becomes effective.

Section 8. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED BY:

/s/ Diego T. Benavente
DIEGO T. BENAVENTE
Speaker
House of Representatives

/s/ Evelyn C. Fleming
EVELYN C. FLEMING
House Clerk

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____ Approved ____ this ____ 29th ____ day of ____ July ____, 1997

____ /s/ Jesus C. Borja ____
~~FROILAN C. TENORIO~~ JESUS C. BORJA
Actg. Governor
Commonwealth of the Northern Mariana Islands