



## COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

**Benigno R. Fitial**

Governor

**Eloy S. Inos**

Lieutenant Governor

Honorable Paul A. Manglona  
Senate President, The Senate  
Seventeenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Honorable Eliceo D. Cabrera  
Speaker, House of Representatives  
Seventeenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that pursuant to the override action of the House of Representatives and the Senate of the Seventeenth Northern Marianas Commonwealth Legislature on May 24, 2011 and June 13, 2011, respectively, Senate Bill No. 17-20, SD1, HS1, HD2, SD2, entitled, "To authorize the Bureau of Motor Vehicles to establish a student driver education program; and for other purposes," the bill became **Public Law No. 17-45**. Copies of this law are forwarded for your reference.

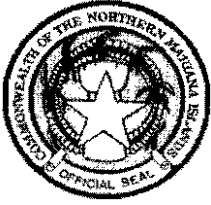
Sincerely,

A handwritten signature in black ink, appearing to read "Benigno R. Fitial".

BENIGNO R. FITIAL

cc: Lt. Governor  
Attorney General  
Department of Public Safety  
Department of Finance  
Department of Public of Works  
Commonwealth Utilities Corporation  
Northern Marianas College  
Public School System  
All Departments and Agencies  
Mayors  
Special Assistant for Programs and Legislative Review

Caller Box 10007 Saipan, MP 96950 Telephone: (670) 664-2200 /2300 Facsimile: (670) 664-2211/2311



*The Senate*  
NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
P.O. BOX 500129  
SAIPAN, MP 96950

Public Law No. 17-45

June 14, 2011

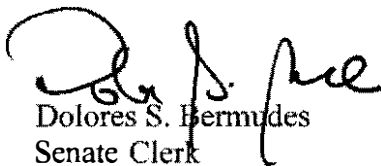
The Honorable Benigno R. Fitial  
Governor  
Commonwealth of the Northern Mariana Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Fitial:

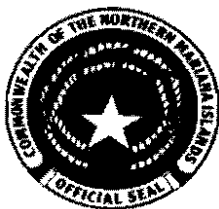
The Senate on June 13, 2011 and the House of Representatives on May 24, 2011, Seventeenth Northern Marianas Commonwealth Legislature, voted in accordance with Article II, Section 7(c) of the CNMI Constitution to override the veto on Senate Bill No. 17-20, SD1, HS1, HD2, SD2, entitled, "To authorize the Bureau of Motor Vehicles to establish a student driver education program; and for other purposes."

Please inform us of the Public Law number assigned to this Act.

Sincerely yours,

  
Dolores S. Bermudes  
Senate Clerk

Attachment



# COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Public Law No. 17-45

**Benigno R. Fitial**  
Governor

**Eloy S. Inos**  
Lieutenant Governor

**MAY 13 2011**

The Honorable Paul A. Manglona  
Senate President  
Seventeenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Honorable Eli D. Cabrera  
Speaker, House of Representatives  
Seventeenth Northern Marianas  
Commonwealth Legislature  
Saipan, MP 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have disapproved S.B. 17-20, SD1, HS1, HD2, SD2 entitled, "To authorize the Bureau of Motor Vehicles to establish a student driver education program; and for other purposes," which was passed by the House of Representatives and the Senate of the Seventeenth Northern Marianas Commonwealth Legislature.

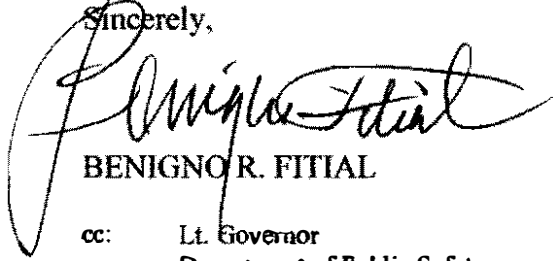
The legislature believed that mandatory driver's education program was necessary resulting in the enactment of Public Law 15-25. I am sympathetic to the concerns expressed in the findings with respect to the affordability of the driver's education program, and I understand that currently there is only one commercial business operating in the island of Saipan and none in the island of Rota or Tinian. However, the Bureau of Motor Vehicles is neither ready nor equipped to establish a driver's education program. Establishing a driver's education program entails training instructors, drafting an approved curriculum, acquiring vehicles, insuring them, and factoring in the cost of fuel for the driving instruction portion of the program. It also exposes the government to liability should accidents occur with a student driver.

I recognize that this legislation increases fees for licenses and permits. Still, it does not fund the driver's education program as 50% of the fees will go to the Department of Public Works and the Commonwealth Utilities Corporation for maintaining roads and lighting the streets.

Caller Box 10007 Saipan, MP 96950 Telephone: (670) 664-2200 /2300 Facsimile: (670) 664-2211/2311

For the reason stated above, I am returning Senate Bill 17-20, SD1, HS1, HD2, SD2 disapproved. Thank you for your time and understanding on this matter.

Sincerely,



BENIGNO R. FITIAL

cc: Lt. Governor  
Department of Public Safety  
Press Secretary, Office of the Governor  
Special Assistant, Office of Programs and Legislative Review  
All Departments and Agencies



# *The Senate*

NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

P.O. BOX 500129  
SAIPAN, MP 96950

Public Law No. 17-45

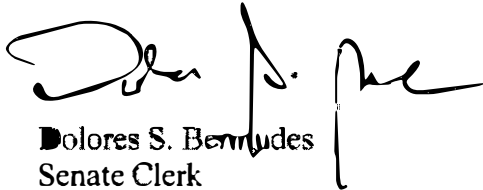
April 04, 2011

The Honorable Benigno R. Fitial  
Governor  
Commonwealth of the Northern  
Mariana Islands  
Capitol Hill  
Saipan, MP 96950

Dear Governor Fitial:

I have the honor of transmitting herewith Senate Bill No. 17-20, SD1, HSI, HD2, SD2, entitled, "To authorize the Bureau of Motor Vehicles to establish a student driver education program; and for other purposes," which was passed by the Senate and the House of Representatives of the Seventeenth Northern Marianas Commonwealth Legislature.

Sincerely yours,



Dolores S. Berrudes  
Senate Clerk

Attachment



**THE SENATE**  
**SEVENTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

Public Law No. 17-45  
**SENATE BILL NO. 17-20, SD1, HS1, HD2, SD2**

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**AN ACT**

To authorize the Bureau of Motor Vehicles to establish a student driver education program; and for other purposes.

**SENATE ACTION**

**Offered by Senator(s):** Pete P. Reyes

**Date:** March 04, 2010

**Referred to:** None

**Standing Committee Report No.:** None

**Final Reading:** February 22, 2011

**HOUSE ACTION**

**Referred to:** Committee on Education

**Standing Committee Report No. :** 17-43 and 17-57

**First and Final Reading:** March 28, 2011

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**SENATOR JOVITA M. TAIMANAO**  
**SENATE LEGISLATIVE SECRETARY**

**SEVENTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE**

**FIRST REGULAR SESSION, 2010**      Public Law No. 17-45  
**SENATE BILL NO. 17-20, SD1, HS1, HD2, SD2**

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**AN ACT**

To authorize the Bureau of Motor Vehicles to establish a student driver education program; and for other purposes.

BE IT ENACTED BY THE SEVENTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1            **Section 1. Findings.** The Legislature finds that the intent of Public Law 15-25 was  
2 to make the highways and roads of the CNMI safer by requiring persons applying for a  
3 driver's license for the first time to take a mandatory driver's education class. At this time,  
4 there is only one commercial business on Saipan that offers a certified driver's education  
5 class for first time drivers. The driver's education class costs approximately \$350.00 per  
6 person. Most families cannot afford to pay \$350.00 for their child or children to take the  
7 driver's education class. As a result, many persons applying for a driver's license for the  
8 first time do not possess a driver's license but continue to illegally drive on the streets of  
9 Saipan.

10            The Legislature further finds that there is no commercial business in Rota or Tinian  
11 that presently offers driver's education classes to the public. As such, the Commissioner of  
12 the Department of Public Safety suspended the mandatory education class requirement for  
13 the first time drivers of Rota and Tinian. So as it stands, most of the first time drivers of  
14 Rota and Tinian possess a driver's license and are legally driving on the streets while the  
15 first time drivers on Saipan are illegally driving because they cannot afford to pay for the  
16 driver's education class which is required to obtain their driver's license.

1           The Legislature finds that this predicament can be resolved if the Bureau of Motor  
2 Vehicles establishes a Driver Education Program.

3           The purpose of this Act is not to temporarily suspend the driver education  
4 requirement for persons in the CNMI who are first time drivers but to authorize the Bureau  
5 of Motor Vehicles to establish a Driver Education Program to prepare persons for the  
6 written and practical driving tests necessary to obtain a driver's license at the age of sixteen.

7           **Section 2. Amendment.**

8           (A) Title 9, Division 2, Chapter 2, Article 1 § 2201 (b) is amended as follows:

9                           (b) ~~A fee of \$15 shall be paid to the Director of the Department of~~  
10                           ~~Finance for each operators license issued. A fee of \$5 shall be paid to the~~  
11                           ~~Director of the Department of Finance for each duplicate or substitute license~~  
12                           ~~issued. A fee of \$40 shall be paid for each operator's license issued. A fee of~~  
13                           ~~\$10 shall be paid for each duplicate or substitute license. All fees collected,~~  
14                           ~~including the learner's permit fee, shall be distributed as follows: 50% for the~~  
15                           ~~operations and programs of the Bureau of Motor Vehicles, 35% for the~~  
16                           ~~upkeep and maintenance of road shoulders by the Department of Public~~  
17                           ~~Works and 15% to the upkeep and maintenance of street lights by the~~  
18                           ~~Commonwealth Utilities Corporation. The Commissioner of the Department~~  
19                           ~~of Public Safety in consultation with the Director of the Bureau of Motor~~  
20                           ~~Vehicles shall be the expenditure authority of the 50% for the operations and~~  
21                           ~~programs of the Bureau of Motor Vehicle provided that each respective~~  
22                           ~~senatorial districts' expenditure authorities shall be as follows: in the First~~  
23                           ~~and Second Senatorial District, the Department of Public Safety Resident~~  
24                           ~~Director Heads, and in the Third Senatorial District, the Department of Public~~  
25                           ~~Safety Commissioner."~~

26           (B) Title 9, Division 2, Chapter 2, Article 1, Section 2205 (d) is amended as follows:

27                           (d) ~~A fee of \$5 shall be paid to the Director of the Department of~~  
28                           ~~Finance for a learners permit issued. A fee of \$5 shall be paid to the Director~~  
29                           ~~of the Department of Finance for each duplicate or substitute permit issued. A~~



1 fee of \$20 shall be paid for a learner's permit. A fee of \$10 shall be paid for  
2 each duplicate or substitute permit issued. All fees collected, including the  
3 learner's permit fee, shall be distributed as follows: 50% for the operations  
4 and programs of the Bureau of Motor Vehicles, 35% for the upkeep and  
5 maintenance of road shoulders by the Department of Public Works and 15%  
6 to the upkeep and maintenance of street lights by the Commonwealth Utilities  
7 Corporation. The Commissioner of the Department of Public Safety in  
8 consultation with the Director of the Bureau of Motor Vehicles shall be the  
9 expenditure authority of the 50% for the operations and programs of the  
10 Bureau of Motor Vehicle provided that each respective senatorial districts'  
11 expenditure authorities shall be as follows: in the First and Second Senatorial  
12 District, the Department of Public Safety Resident Director Heads, and in the  
13 Third Senatorial District, the Department of Public Safety Commissioner."

14 (C) Title 9, Division 2, Chapter 2, Article 4 is amended by adding a new § 2421,  
15 §2422 to read as follows:

16 **§ 2421. Driver Education Program: Authorization.** The Bureau of Motor  
17 Vehicles is hereby authorized to establish a Driver Education Program, for people in  
18 the Commonwealth to meet the needs of people who are of driving age within the  
19 Commonwealth community. Such program shall be deemed as meeting the  
20 requirements of Title 9, Division 2, Chapter 2, Article 4.

21 **§ 2422. Education Program: Eligibility.** Persons between the age of 15 and  
22 above who are first time driver's and are in the CNMI shall be eligible for the Driver  
23 Education Program.

24 (D) **Amendment.** Title 9, Division 2, Chapter 2, Article 4, Section 2411(e) is  
25 amended by adding a new paragraph (4).

26 **§ 2411 (e) Driver education program or programs means:** “(4)  
27 Notwithstanding any other provision of this article to the contrary, a program to  
28 obtain a learner's permit at the age of fifteen and one half years may be conducted by  
29 any licensed driver over the age of twenty one years as described in 9 CMC § 2205

1            (c). This program does not need certification from the Department of Public Safety.”

2            **Section 3. The following is hereby enacted.**

3            **Special Accounts.** Funds realized under this act shall be distributed accordingly.

4            (A)    The Secretary of Finance shall establish separate special accounts for the  
5            respective senatorial districts, Operations Bureau of Motor Vehicle Account  
6            (BMV), and shall deposit 50% of the funds realized under this Act as  
7            collected by each respective senatorial district. The expenditure authority for  
8            each separate account shall be the respective Department of Public Safety  
9            head within that senatorial district.

10          (B)    The Secretary of Finance shall establish a special account, Upkeep and  
11          Maintenance of Road Shoulders Account and shall deposit 35% of the funds  
12          realized under this Act. The expenditure authority shall be the Secretary of  
13          Public Works.

14          (C)    The Secretary of Finance shall establish a special account, Upkeep and  
15          Maintenance of Street Lights Account and shall deposit 15% of the funds  
16          realized under this Act. The expenditure authority shall be the Executive  
17          Director of the Commonwealth Utilities Corporation.

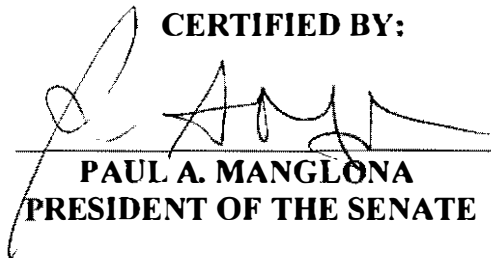
18          **Section 4. Severability.** If any provision of this Act or the application of any such  
19          provision to any person or circumstance should be held invalid by a court of competent  
20          jurisdiction, the remainder of this Act or the application of its provisions to persons or  
21          circumstances other than those to which it is held invalid shall not be affected thereby.

22          **Section 5. Savings Clause.** This Act and any repealer contained herein shall not be  
23          construed as affecting any existing right acquired under contract or acquired under statutes  
24          repealed or under any rule, regulation or order adopted under the statutes. Repealers  
25          contained in this Act shall not affect any proceeding instituted under or pursuant to prior  
26          law. The enactment of the Act shall not have the effect of terminating, or in any way


1 modifying, any liability, civil or criminal, which shall already be in existence on the date  
2 this Act becomes effective.

3 **Section 6. Effective Date.** This Act shall take effect upon its approval by the  
4 Governor or becoming law without such approval.

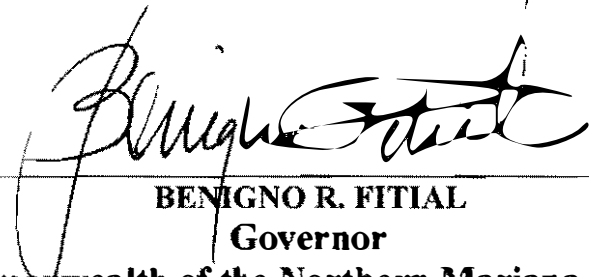
**CERTIFIED BY:**

  
\_\_\_\_\_  
**PAUL A. MANGLONA**  
**PRESIDENT OF THE SENATE**

**ATTESTED BY:**

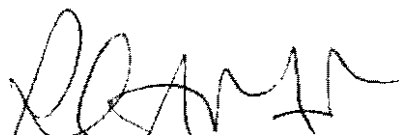
  
\_\_\_\_\_  
**JOVITA M. TAIMANAO**  
**SENATE LEGISLATIVE SECRETARY**

DISAPPROVED this 13<sup>th</sup> day of MAY, 2011

  
\_\_\_\_\_  
**BENIGNO R. FITIAL**  
**Governor**  
**Commonwealth of the Northern Mariana Islands**

Overridden by the Senate on June 13, 2011 and the House of Representatives on May 24, 2011 with the affirmative vote of two-thirds of the members in each House.

**CERTIFIED BY:**



PAUL A. MANGLONA  
President of the Senate

DATE: 6/14/11



ELICEO D. CABRERA  
Speaker of the House of Representatives

DATE: 6/14/11

Became Public Law No. 17-45 on 15th day of June, 2011.