

§ 2101. Registration: Application.

(a) Every owner of a motor vehicle shall, before operating any such motor vehicle on any highway of the Commonwealth, register it with the bureau. The application for registration shall be made on the prescribed form, signed by the owner and contain the applicant's residence address as well as a brief description of the vehicle or bicycle to be registered, including the name of the manufacturer, the engine and serial number when applicable, and whether the vehicle or bicycle is new or used.

(b) (1) The owner of any motor vehicle shall exhibit such evidence that will satisfy the bureau that the applicant is the lawful owner of the motor vehicle; and that the motor vehicle is covered by a Certification of Compliance issued under 49 U.S.C. § 30115, or is otherwise exempted and eligible for sale, introduction, delivery for introduction in interstate commerce, or importation into the United States under United States Motor Vehicle Safety Code Standards (49 U.S.C.A Subt. Vi, Pt. A, Ch. 301. § 30101 *et seq.*).

(2) The Secretary of Finance and the Commissioner of the Department of Public Safety are authorized and encouraged to adopt regulations in order to implement this legislation that will allow owners of motor vehicles to file a single declaration with supporting documents and that will satisfy the 49 C.F.R. §§ 591.5 and 591.6 certification requirements for all CNMI governmental entities, including an anticipated CNMI Customs declaration.

(c) Notwithstanding the provisions of Section (a) and (b) above, any owner of a motor vehicle that has legally entered the Commonwealth prior to January 6, 2023, may register and re-register the motor vehicle in the Commonwealth, provided the motor vehicle and owner otherwise comply with applicable law, including, but not limited to, providing proof of the motor vehicle annual safety inspections.

(d) No motor vehicle shall be registered or re-registered under this chapter unless the application for registration or renewal of registration contains satisfactory evidence of minimum motor vehicle liability insurance for the vehicle, as required under the provisions of [9 CMC §§ 8101](#) *et seq.*, and the bureau shall maintain a copy of such satisfactory evidence in connection with each motor vehicle so registered. Provided, however, that the expiration of the motor vehicle liability insurance shall be in the same month as the expiration of the vehicle registration set forth in 9 CMC § 2107. Furthermore, if the applicant has two or more vehicles, the said applicant shall be given the option to allow for the registration of his/her vehicles to expire in the same month as the vehicle intended for registration/re-registration at a fee of \$25 per vehicle.

Source: PL 5-39, § 3 (repealing PL 3-61, § 1 (§ 201), as amended by PL 5-9, § 313); amended by PL 7-14, § 4; PL 7-49, §§ 1, 2; subsection (d) added by PL 11-55, § 4; (c) amended and (e) enacted by PL 20-21, §§ 2, 3 (Oct. 6, 2017), modified; amended by PL 22-26, § 2 (Jan. 6, 2023), modified; amended by PL 22-34, § 2 (Jan. 31, 2023).

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Commission Comment: With respect to the references to the “Director of Public Safety” and the “Department of Environmental Quality,” see Executive Order 94-3 (effective Aug. 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to [1 CMC § 2001](#).

PL 11-55, § 4 which added new subsection (d) to this section took effect on January 29, 1999. PL 11-55 contained findings and purpose as follows:

Section 2. Findings and Purpose. It is the intent of this Act to recognize the existing privilege to own or operate a motor vehicle on the public streets and highways of the Commonwealth when such vehicles are used with due consideration for others and their property, and, to promote safety and provide financial responsibility requirements for such owners and operators whose responsibility it is to recompense others for injury to person or property caused by the operation of a motor vehicle. Accordingly, the Legislature finds that no person should have the privilege to own or operate a motor vehicle on the public streets and highways of the Commonwealth unless they have the minimum level of liability insurance required by this Act, and this Act therefore requires such minimum liability insurance as a condition of owning or operating a motor vehicle in the Commonwealth.

The Legislature finds that there is substantial problem in the Commonwealth with damages caused to persons and property by uninsured motorists. The unfortunate and unjust result of this problem is that innocent victims of motor vehicle accidents are often burdened with damages that are never paid by the uninsured motorist that caused such injuries. It is therefore the intent of this Act to ensure, in the most effective way practical, that any time a person operates or owns a vehicle, as a condition thereof, they must first have liability insurance in relation thereto. The Legislature finds that a person who suffers damages as a result of a motor vehicle accident caused by another should not have to bear such financial burden, rather, the party most at fault should bear such burden. By these means, this Act establishes the following hierarchy of liability for the payment of such damages: First, any person who negligently, recklessly, or intentionally causes a motor vehicle accident in which another person or their property is injured, such perpetrator should pay for those damages, and must by law and as a condition of owning or operating a motor vehicle, have the financial responsibility by way of liability insurance to be capable of paying such damages up to the minimum limits set forth in this Act. Second, if a person does cause such damages but, in violation of law, did not have the minimum liability insurance required by law, and is otherwise unable to pay for such damages, then the damages shall be paid, if the uninsured perpetrator who caused such accident was unlawfully denied liability insurance by an insurance provider, then that insurance provider shall be liable for such damages up the amount that would have been covered by the minimum liability insurance required by this Act.

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By these means, both insurance providers and the government will be encouraged to abide by the requirements of this Act to avoid such liability. Accordingly, this Act is intended to reduce the likelihood of a person being injured in a motor vehicle accident caused by another, and then left uncompensated for their injuries and damages. The actual perpetrator of such damages shall have the primary financial responsibility to pay for those damages via mandatory, minimum liability insurance. However, in the event that the perpetrator is unable to pay them, and, if the perpetrator's lack of insurance is somehow attributable to either an insurance provider or the government's failure to abide by those provisions in this Act which are designed to ensure that every motorist has liability insurance, then either of these parties may be liable for such damages under certain circumstances.

In codifying PL 20-21 §§ 2, 3[2101], the Commission omitted drafting marks in (c) pursuant to 1 CMC § 3806(g). The Commission numbered PL 20-21 § 2 as (e) pursuant to 1 CMC § 3806(a). The Commission inserted a comma after "2017" in (e); changed "9 CMC § 2101(b)" to "subsection (b)" and "9 CMC § 2101(c)" to "subsection (c)" in (e); changed "Vehicle" to "Vehicles" in (e)(2); and changed "subsection (a)" to "subsection (e)(1)", "subsection (b)" to "subsection (e)(2)", and deleted "of this section" after "subsection (e)(2)" in (e)(3) pursuant to 1 CMC § 3806(g). The Commission changed "after this Act becomes" to "after Public Law 20-21 became" in (e)(3) pursuant to 1 CMC § 3806(d).

Legislative Findings of 2023 Amendment.— In addition to severability and savings clause provisions, PL 22-26 included the following Findings and Purpose section:

Section 1. Findings and Purpose.

The Legislature finds that registration of Right-Hand Drive (RHD) vehicles in the CNMI is prohibited under 9 CMC § 2101 unless the Right-Hand Drive vehicle legally entered the CNMI prior to December 30, 1991, or if the vehicle(s) primary use is for agricultural or construction purposes. Currently many residents of the CNMI have made their concerns known when it comes to registering and/or importing Right Hand Drive vehicles for their personal use. This legislation is presented to bring attention to the public interest in importing Right Hand Drive vehicles that are permitted under current US Vehicle Importation Regulations, namely, the 25 year "Classic" exemption.

Currently, Right Hand Drive vehicles (RHD vehicles) are not able to be registered in the CNMI except in the case of "Construction" or "Agriculture" vehicles. To register a Right-Hand Drive vehicle, the vehicle would have to be registered under commercial guidelines and meet the requirements for a construction or agriculture vehicle.

The majority of United States jurisdictions allow for importation and registration of Right-Hand Drive vehicles, some with stipulations regarding use, but largely recognizing the Federal allowances for such vehicles.

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Guam for example, has many RHD vehicles and is enjoying the benefit and practicality of such RHD vehicles for island use. The CNMI falls under the same federal stipulation for federal funding regarding its traffic programs and grants as Guam, American Samoa, and Puerto Rico. If these territories have experienced no losses to their funding for recognizing the Federal Regulations on these vehicles, it stands to reason that the CNMI would be under the same allowances. Therefore, one of the purposes of this legislation is to allow for right hand drive vehicles that are twenty-five (25) years or older to be imported and registered in the CNMI.

This legislation also recognizes the other federal law exceptions to the requirement that all motor vehicles have certification of compliance pursuant to 49 U.S.C. § 30115 (*e.g.*, 49 U.S.C. §§ 30113 and 30114 and 49 C.F.R. § 591.5), “grandfathers” in non-compliant motor vehicles already in the CNMI, allows the movement of farm and heavy equipment (which are not considered “motor vehicles” under the law) on the CNMI’s roads under limited circumstances, and deletes any reference to bicycles requiring registration as no such program is necessary in the CNMI.

Furthermore while federal law allows the Commonwealth and other territories and states to prescribe motor vehicle safety standards different than federal standards, the state and territorial standards may only be more, not less, stringent than federal law.^[footnote 1] Current CNMI law purports to impose standards that are lower than federal law, thereby allowing motor vehicles on our roadways that are not compliant with federal motor vehicle safety standards.

^[footnote 1] 49 U.S.C. § 301013(b).

The primary purpose of this legislation is to clarify and simplify Commonwealth law regarding the importation and registration of motor vehicles by: (1) making the Commonwealth better able to ensure the safety of Commonwealth drivers and roadways by clearly requiring that newly imported vehicle must comply with United States motor vehicle safety standards; (2) allowing for the importation of motor vehicles that are allowed to be imported elsewhere in the United States (*e.g.* non-DOT certified vehicles more than 25 years old); (3) making enforcement of motor vehicle safety law in the Commonwealth simpler and more straightforward for our dedicated customs officials and employees by recognizing only federal motor vehicle safety standards, and requiring that they follow the more straightforward motor vehicle importation processes that federal officials follow, and (4) including a clear prohibition of the importation of reconstructed and salvage motor vehicles, as required by federal law.

Modifications.— In codifying PL 22-26, the Commission numbered portions of subsec. (b) as paragraphs (1) and (2), pursuant to 1 CMC § 3806(a); substituted “January 6, 2023,” for “the effective date of this legislation” in (c), pursuant to 1 CMC § 3806(d); and substituted “C.F.R.” for “CFR” in (b)(2), pursuant to 1 CMC § 3806(g).

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Legislative Findings of 2023 Amendment.— In addition to severability and savings clause provisions, PL 22-34 included the following Findings and Purpose section:

Section 1. Findings and Purpose.

The Legislature finds that in many cases, the expiration of the vehicle registration is dissimilar from the expiration of the motor vehicle liability insurance. Cognizant of the unfortunate and sometimes unforgiving events that may take place while operating a motor vehicle, the absence of a valid motor vehicle liability insurance, given that the registration of the vehicle is still valid, will prove to be problematic for the motorists in the near future. The Legislature further finds that by mirroring the two expirations of such necessary requirements in operating a vehicle, all motorists will be protected and covered from any unforeseeable circumstance that may cause serious financial and/or physical strains. Furthermore, it is imperative that the financial and physical well-being of our motorists is protected at all times especially while operating a vehicle.

The Legislature also finds that many motorists in the Commonwealth possess two or more vehicles. Given the intent of this proposed legislation, it is imperative to also amend 9 CMC § 2107 to provide options to the motorists and allow for them to choose whether they are in favor of paying a one-time fee and changing the renewal registration dates on their other vehicles. By amending the previously stated provision and giving them such an option, it will allow for better harmony between the renewal registration dates of the vehicles and the finances of the registered motorists who are legally registered on more than one vehicle.

Therefore, the purpose of this Act is to amend 9 CMC § 2101(d) by providing the option for the motor vehicle liability insurance expiration to be consistent with the vehicle registration expiration and for other purposes.