

TITLE 150: DEPARTMENT OF PUBLIC SAFETY

SUBCHAPTER 150-50.3 REGULATIONS DEFINING HEAVY EQUIPMENT OR CONSTRUCTION VEHICLES WITH RIGHTHAND DRIVE

Part 001 General Provisions [Reserved]

Part 100 Heavy Equipment or Construction Vehicles Definition

§ 150-50.3-101 Heavy Equipment or Construction Vehicles

Subchapter Authority: 1 CMC § 2507; 9 CMC § 1204; 9 CMC § 2101(c).

Subchapter History: Adopted 14 Com. Reg. 9186 (Apr. 15, 1992); Proposed 14 Com. Reg. 8748 (Feb. 15, 1992); Emergency 14 Com. Reg. 8738 (Feb. 15, 1992) (effective for 120 days from Jan. 24, 1992).

Commission Comment: PL 1-8, tit. 1, ch. 10, codified as amended at 1 CMC §§ 2501-2507, creates the Department of Public Safety (DPS) within the Commonwealth government, composed of a police force. See 1 CMC § 2501; see also PL 14-25 § 3 (effective Aug. 20, 2004) (amending 1 CMC § 2501). 1 CMC § 2504(f) authorizes the Department to inspect motor vehicles and enforce motor vehicle registration laws. 1 CMC § 2507 directs the Department to adopt rules and regulations regarding activities over which it has jurisdiction.

Title 9 of the Commonwealth Code sets forth the vehicle code for the CNMI. 9 CMC § 1201 creates a Bureau of Motor Vehicles (BMV) within the Department of Public Safety. The BMV is authorized to administer the vehicle code and to develop rules and regulations necessary to carry out the administration of the laws vested in the Bureau for adoption by the Director of DPS. 9 CMC § 1204.

9 CMC § 2101(c) provides registration requirements for righthand drive motor vehicles, including heavy equipment or construction vehicles and authorizes the Director of DPS to define heavy equipment or construction vehicles by regulation.

Part 001 - General Provisions

[Reserved.]

Part 100 - Heavy Equipment or Construction Vehicles Definition

§ 150-50.3-101 Heavy Equipment or Construction Vehicles

(a) “Heavy equipment or construction vehicles” are any vehicles used primarily off the highways for construction purposes and which move only occasionally on public highways or roads. They include, but are not limited to, bucket loaders, earth moving scrapers and carryalls, ditchers, backhoes, dump trucks, tractor dump trailers, tractor mowers, graders, scarifiers, power shovels and drag lines, spreaders, road rollers, road sweepers, transit mixers, cranes and crane trucks, welders, pumps, and speed swings. They do not include equipment or vehicles originally designed for the transportation of persons or property.

(b) All other types of equipment or vehicles with right hand drive shall, upon request, be physically inspected by the Bureau of Motor Vehicles Chief or other authorized by the Department of Public Safety personnel who shall determine whether each such piece of equipment or vehicle qualifies as “heavy equipment or construction vehicle(s)” and shall report

TITLE 150: DEPARTMENT OF PUBLIC SAFETY

and maintain records of the reasons therefor.

Modified, 1 CMC § 3806(g).

History: Adopted 14 Com. Reg. 9186 (Apr. 15, 1992); Proposed 14 Com. Reg. 8748 (Feb. 15, 1992); Emergency 14 Com. Reg. 8738 (Feb. 15, 1992) (effective for 120 days from Jan. 24, 1992).

Commission Comment: The original paragraphs were not designated. The Commission designated subsections (a) and (b). The Commission changed the word “or” after “transportation” to “of” to correct a manifest error.