

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 4132. Definitions.

As used in this article:

- (a) “Person” means a person, individual, partnership, corporation, and the Commonwealth government, including its agencies, governmental corporations and political subdivisions.
- (b) “Road” means any street, road, or thoroughfare over which vehicles travel.

Source: PL 5-41, § 2; PL 18-23 § 2 (Oct. 8, 2013).

Commission Comment: The Commission inserted quotation marks around the word “Person” in subsection (a) pursuant to 1 CMC § 3806(g). PL 18-23 (Oct. 8, 2013), contained, in addition to savings and severability clauses, the following:

Findings and purpose. The Commonwealth Legislature finds that the economic, population, and development growth within the Commonwealth of the Northern Mariana Islands has, in part, resulted in streets and roads being cut into or trenched to lay sewer, water pipes, or repair leaks. The impacts are that the portion of the street or road that was excavated or trenched into is not properly restored to its original safe condition. The Department of Public Works has identified more than 100 portions of streets and roads that are not properly restored or have not been repaired. In many cases, Government agencies are responsible for many of the road cutting and trenching without proper restoration.

The Commonwealth Legislature also finds that the Commonwealth of the Northern Mariana Islands receives annual federal funding from State Agencies to construct and improve designated Territorial Routes within the Commonwealth. Furthermore, with the current road cutting conditions and enforcement challenges, the Commonwealth stands to be at financial risk of future federal funds for non-compliance with federal regulations regarding the Commonwealth’s responsibility for the proper maintenance and management of designated routes.

The Commonwealth Legislature further finds that the agency responsible for majority of these improperly patched up road or street sections are government agencies and officials. The Commonwealth legislature finds that such destruction of public property is against the best interest of the Commonwealth and public welfare when all forms of public transportation must always be kept safe and clean. Therefore, the Commonwealth Legislature finds that it is reasonable and appropriate to amend 2 CMC section 4132(a) Definitions since it does not apply to Government agencies causing challenges for the Commonwealth to carry out the enforcement authority as it relates to road cutting standards, policies, and requirements.