

**TITLE 3: HUMAN RESOURCES**  
**DIVISION 5: PUBLIC SAFETY**

**§ 5411. Boating Safety: Declaration of Policy.**

(a) In order to protect the public interest in the prudent and equitable use of the waters of the Commonwealth and to enhance the enjoyment of pleasure boating and other recreational water sports on the waters of the Commonwealth, the Department of Public Safety shall establish and pursue comprehensive educational programs designed to advance boating and general water safety.

(b) The Department of Public Safety shall do all things necessary to conduct a comprehensive boating safety program as provided in chapter 131 of part I of subtitle II of title 46 of the United States Code, 46 U.S.C. §§ 13101–13110; to comply with rules promulgated under that act by the secretary of the department in which the Coast Guard is operating; and to accept federal financial assistance provided in that act.

(c) The Department of Public Safety is authorized to adopt regulations and charge reasonable fees as necessary to conduct its comprehensive boating safety program. Any fees collected shall be given over to the Department of Public Safety to fund its education program and its boating safety activities.

**Source:** [PL 3-25](#), § 2; repealed and reenacted by [PL 19-45](#) § 2(section 2) (May 17, 2016), modified.

**Commission Comment:** [PL 3-25](#) took effect October 13, 1982. [PL 3-25](#), § 31 repealed Trust Territory Code title 19, chapter 1 (19 TTC §§ 1-55). In addition to a severability clause, PL 3-25 included short title and declaration of policy sections as follows:

Section 1. Short Title. This Act may be cited as the “Boating Safety Act of 1982”.

Section 2. Declaration of Policy. It is hereby declared that the policy of the Legislature and the purpose of this Act is to improve boating safety and to foster greater development, use, and enjoyment of all waters of the Commonwealth of the Northern Mariana Islands by development of a comprehensive boating safety program and by creating standards and requirements for the use of boats. It is further declared the policy of the Legislature to encourage closer cooperation and assistance between the Commonwealth of the Northern Mariana Islands and the federal government in developing, administering, and enforcing federal and local laws and regulations pertaining to boating safety.

Section 1 of [PL 3-25](#) was originally codified as § 5401. [PL 19-05](#) enacted Article 3 of this chapter in September 2015, adding code sections beyond those enacted in 1982. Because the short title set forth in [PL 3-25](#) no longer applied to the entire chapter, the Commission removed § 5401 and merged it into this Commission Comment.

In addition to savings and severability clauses, [PL 19-45](#) included the following Short Title and Findings sections:

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Section 1. Short Title. This Act may be cited as the “Commonwealth Boating Safety Act of 2015.”

Section 2. Findings. The Legislature finds that safety of boaters in the Commonwealth would be substantially improved if the Department of Public Safety were authorized to conduct a comprehensive boater education programs designed to improve the safety and competence of boaters in the Commonwealth.

The Legislature further finds that the safety of boaters, swimmers, and all who use the waters of the Commonwealth can be improved by mandating no-wake zones in the Commonwealth and by prohibiting the operation of a vessel in a careless and imprudent manner which does not rise to the level of reckless operation of a motorboat.

The Commission changed the capitalization of “code” and “coast guard” in subsection (b) for the purpose of conformity pursuant to [1 CMC § 3806\(f\)](#). The Commission changed “46 U.S.C. 13101 to 13110” in subsection (b) to “46 U.S.C. §§ 13101–13110” pursuant to [1 CMC § 3806\(g\)](#).