

§ 8478. Cellular Prepaid and MiFi Credits: 90-Day Expiration Date.

(a) Telecommunication companies shall impose a 90-day expiration date on cellular prepaid cards and MiFi credits and allow customers to continue using the credits purchased to its full value during the 90-day period.

(b) Penalties.

(1) Any person or entity who violates this section shall be subject to a civil penalty not less than \$5,000 and not to exceed \$10,000 for each such violation.

(2) Actions to recover any penalty provided for in this section shall, where appropriate, be brought by the Attorney General at the request of PUC or any affected person in the Commonwealth of the Northern Mariana Islands.

(3) All funds recovered for penalties from violations of this section shall be paid into the Public Utilities Commission Operational Fund.

Source: PL 19-50 § 2 (June 17, 2016); subsec. (b)(3) amended by PL 23-29, § 9 (Nov. 18, 2024).

Commission Comment: In addition to severability, savings, and effective date clauses, PL 19-50 included the following Findings and Purposes section:

Section 1. Findings and Purposes. The Legislature finds that cellular prepaid plans are designed for customers who cannot afford to go on a postpaid contract with a telecommunications provider. Cellular prepaid plans and MiFi accounts provide customers a prepaid option to fit their needs and financial capability to stay connected with their family, associates, and community.

The Legislature finds that customers who purchase cellular prepaid cards and MiFi credits are compelled to use the credits purchased within a thirty (30) day period. Failure to use the amount purchased by the thirty (30) day expiration will result in the forfeiture of credits which is a loss to the customers and continued financial burden.

The Legislature finds that during these hard economic times, customers who can only afford a cellular prepaid plan should not be forced to use all credits prior to the 30-day expiration date nor should they be penalized for having a remaining balance by the expiration date. The Legislature finds that a 90-day expiration period is more reasonable and gives the customers more time to use up their credits. The 90-day expiration period further gives Telecommunication companies a deadline to cancel cards and MiFi accounts and establish new ones. The purpose of this act is to prohibit telecommunication companies from imposing an expiration period or forfeiture of unused cellular prepaid credits and MiFi credits earlier than 90 days.