

TWELFTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

THIRD REGULAR SESSION, 2001

*Public Law 12-84*

**SENATE BILL NO. 12-104**

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**AN ACT**

To require safety helmets for operators and passengers of bicycles, human power vehicles, all terrain vehicles (ATV's) and mopeds under the age of eighteen (18); and for other purposes.

**BE IT ENACTED BY THE TWELFTH NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:**

**Section 1. Findings.** The Legislature finds that the head trauma caused by bicycle, all terrain vehicles (ATV's), and moped accidents are frequently seen and treated at the Commonwealth Health Center's emergency room. In addition, the Legislature finds that these bicycles, all terrain vehicles, and moped related head trauma accidents could have been prevented if the operators or passengers had worn safety helmets in the course of operating their vehicles. The Legislature further finds that the age group most affected are the eighteen and under group.

**Section 2. Purpose.** The purpose of this Act is to require the operators and passengers, under that age of eighteen (18), while operating bicycles, other human powered vehicles, all terrain vehicles (ATV's) and mopeds on any highway or secondary road within the Commonwealth to wear safety helmets of a type required by the Federal Motor Vehicle Safety Standard or as approved by the Commissioner of Public Safety.

**Section 3. Amendments.** 9 CMC, Division 5, Chapter 7, Article 2 is hereby amended by adding a new section to read as follows:

“§5758. **Safety Helmets.**

- (a) An operator or passenger less than eighteen (18) years of age of a bicycle, or other human power vehicle, or all terrain vehicle (ATV's), or moped shall wear a safety helmet securely fastened on such person's head while on a highway, secondary road or designated bike path.
- (b) A 'safety helmet' shall mean a type of helmet meeting the requirements of Federal Motor Safety Standard No. 218, 49 CFR, Sec. 571.218 or a helmet approved by the Commissioner of Public Safety.

- (c) Any person who violates this section shall be fined not less than \$50 per violation, in the case of a minor under the age of eighteen (18), the parents or legal guardians shall be responsible for any fine under this Act.”

**Section 4. Severability.** If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid, shall not be affected hereby.

**Section 5. Savings Clause.** This Act and a repealer contained herein shall not be construed as affecting any existing right acquired under contract or acquired under statutes repealed or under any rule, regulation or order adopted under the statutes. Repealers contained in this Act shall not affect any proceeding instituted under or pursuant to prior law. The enactment of this Act shall not have the effect of terminating, or in any way modifying any liability civil or criminal, which shall already be in existence at the date this Act becomes effective.

**Section 6. Effective Date.** This Act shall take effect upon its approval by the Governor, or upon its becoming law without such approval.

**CERTIFIED BY:**

**ATTESTED TO BY:**

/s/ \_\_\_\_\_  
**PAUL A. MANGLONA**  
PRESIDENT OF THE SENATE

/s/ \_\_\_\_\_  
**JOAQUIN G. ADRIANO**  
SENATE LEGISLATIVE SECRETARY

Approved this 18<sup>th</sup> day of January, 2002

/s/ \_\_\_\_\_  
**JUAN N. BABAUTA**  
**GOVERNOR**  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS