



RALPH DLG. TORRES
Governor

ARNOLD I. PALACIOS
Lieutenant Governor

COMMONWEALTH of the NORTHERN MARIANA ISLANDS
OFFICE OF THE GOVERNOR

March 21, 2020

The Honorable Blas Jonathan "BJ" T. Attao
Speaker
House of Representatives
Twenty-First Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Rec'd by: Pedro Towan
[Signature]
3/21/2020 2:45 pm

The Honorable Victor B. Hocog
Senate President
The Senate
Twenty-First Northern Marianas
Commonwealth Legislature
Capitol Hill
Saipan, MP 96950

Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law **House Bill No. 21-35: SD 1** entitled, "To restrict the use of mobile electronic devices while driving vehicles; and for other purposes.", which was passed by the House of Representatives and the Senate of the Twenty-First Northern Marianas Commonwealth Legislature.

This bill becomes **Public Law No. 21-17**. Copies bearing my signature are forwarded for your reference.

Sincerely,

[Signature]
RALPH DLG. TORRES

cc: Lt. Governor; Press Secretary; Attorney General's Office; Department of Public Safety; Office of Public Auditor; Special Assistant for Administration; Special Assistant for Programs and Legislative Review

HOUSE CLERK'S OFFICE
RECEIVED BY *[Signature]*
DATE 4/13/2020 TIME 12:42 L



*Twenty-First Legislature
of the
Commonwealth of the Northern Mariana Islands*

IN THE HOUSE OF REPRESENTATIVES

FIRST SPECIAL SESSION

APRIL 12, 2019

REPRESENTATIVE EDMUND S. VILLAGOMEZ of Saipan, Precinct 3 (*for himself*, Representatives,) in an open and public meeting with an opportunity for the public to comment, introduced the following Bill:

H. B. No. 21-35, SD1

AN ACT

**TO RESTRICT THE USE OF MOBILE ELECTRONIC DEVICES
WHILE DRIVING VEHICLES; AND FOR OTHER PURPOSES.**

The Bill was referred to the House Committee on Judiciary and Governmental Operations, which submitted Standing Committee Report 21-17; adopted 7/18/2019.

**THE BILL WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON
FIRST AND FINAL READING, JULY 18, 2019;
without amendments and transmitted to the
THE SENATE.**

The Bill was referred to the Senate Committee on Judiciary, Government & Law, which submitted Standing Committee Report 21-63; adopted 12/16/2019.

**THE BILL WAS PASSED BY THE SENATE ON FIRST AND FINAL READING, DECEMBER 16, 2019;
with amendments in the form of H. B. No. 21-35, SD1.**

H. B. 21-35, SD1 WAS RETURNED TO THE HOUSE OF REPRESENTATIVES ON DECEMBER 17, 2019.

The House of Representatives accepted the Senate amendments and passed H. B. No. 21-35, SD1 during its First Day, Third Regular Session on February 7, 2020.

THE BILL WAS FINALLY PASSED ON FEBRUARY 7, 2020.


Linda B. Muña, House Clerk



*Twenty-First Legislature
of the
Commonwealth of the Northern Mariana Islands*

IN THE HOUSE OF REPRESENTATIVES

FIRST DAY, THIRD REGULAR SESSION

FEBRUARY 7, 2020

H. B. No. 21-35, SD1

AN ACT

**TO RESTRICT THE USE OF MOBILE ELECTRONIC DEVICES
WHILE DRIVING VEHICLES; AND FOR OTHER PURPOSES.**

**BE IT ENACTED BY THE TWENTY-FIRST NORTHERN
MARIANAS COMMONWEALTH LEGISLATURE:**

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Mobile Electronic Device Restrictions in Vehicles Safety
3 Act.”

4 **SECTION 2. FINDINGS AND PURPOSES.**

5 The Legislature finds that there are significant safety concerns regarding the
6 widespread practice of using cellular telephones and other mobile electronic devices while
7 operating motor vehicles. Many vehicle accidents are the result of drivers operating motor
8 vehicles while texting or using their mobile telephones. Accordingly, it is in the best interests

HOUSE BILL 21-35, SD1

1 of the health and welfare of the residents of the Commonwealth of the Northern Mariana
2 Islands to establish safety guidelines for the use of mobile electronic devices while operating
3 motor vehicles.

4 **SECTION 3. ENACTMENT.**

5 Title 9, Division 5 of the Commonwealth Code is amended by adding a new Chapter
6 10 to read as follows:

7 **“Chapter 10. Mobile Electronic Device Restrictions.**

8 **§ 5951. Short Title.** This chapter may be cited as the “Mobile Electronic Device
9 Restrictions in Vehicles Safety Act.”

10 **§ 5952. Hand-Held Mobile Electronic Device: Prohibited Use.**

11 (a) A person shall not drive, operate, or be in actual physical control of a motor
12 vehicle on a public road or highway, including all types of vehicles regulated under this
13 Title, while using a mobile electronic device unless that device is specifically designed
14 and configured to allow for hands-free listening and talking, and that device is used
15 solely for talking in that hands-free manner while driving, operating, or being in actual
16 physical control of the motor vehicle.

17 (b) “Mobile electronic device” means any handheld or other portable electronic
18 equipment capable of providing wireless or data communication between two or more
19 persons or of providing amusement, including but not limited to a cellular phone, text
20 messaging device, paging device, personal digital assistant, tablet, laptop computer,
21 video game, or digital photographic device, but does not include any equipment or any
22 equipment installed in a motor vehicle for the purpose of providing navigation,

SOUTH DAKOTA
HOUSE BILL 21-35, SD1

1 emergency assistance to the operator of the motor vehicle, or video entertainment to
2 the passengers in the rear seats of the motor vehicle.

3 (c) "Use" or "using" means holding a mobile electronic device while operating,
4 driving, or being in actual physical control of a motor vehicle.

5 (d) A violation of this section is an infraction punishable by a base fine of three
6 hundred dollars (\$300) for a first offense and five hundred dollars (\$500) for each
7 subsequent offense.

8 (e) This section does not apply to a person using a mobile electronic device for
9 emergency purposes, including, but not limited to, an emergency call to a law
10 enforcement agency, health care provider, fire department, or other emergency services
11 agency or entity.

12 (f) This section does not apply to emergency responders using a mobile
13 electronic device while operating an authorized emergency vehicle in the course and
14 scope of his or her duties. Emergency service professionals include any federal and
15 state law enforcement officers, health care providers, emergency medical technicians,
16 fire fighters, and other similar emergency responders.

17 (g) This section does not apply to a person when using a digital two-way radio
18 that utilizes a Cellular/Mobile telephone that operates by pressing a push-to-talk feature
19 and does not require immediate proximity to the ear of the user, and the person is
20 driving one of the following vehicles:

21 (1) A commercial vehicle as defined in § 1102(e) of this Title.

22 (2) A heavy equipment vehicle as defined in § 1102(o) of this Title.

HOUSE BILL 21-35, SD1

1 (3) A motor carrier as defined in § 1102(t) of this Title.

2 (4) A motor truck as defined in § 1102(w) of this Title except for pick-
3 up truck as defined § 1102(y) of this Title.

4 (5) A tow truck, which is a vehicle used to take disabled motor vehicles
5 to another location in case of a breakdown or collision, or to impound illegally
6 parked vehicles on public or private property.

7 (h) This section does not apply to a person driving, operating, or being in actual
8 physical control of a motor vehicle on private property.

9 (i) This section does not apply to a person driving, operating, or being in actual
10 physical control of a motor vehicle which is at a complete stop, while the engine is
11 turned off, and in a safe location by the side of the road out of the way of traffic.

12 **§ 5953. Motor Bus and Taxi Cab Drivers: Prohibition Against Use of**
13 **Mobile Electronic Device.**

14 (a) A person may not drive a motor bus as defined in § 1102(s) or a taxi cab as
15 defined in § 1103(q) of this Title while using a mobile electronic device unless that
16 device is specifically designed and configured to allow for hands-free listening and
17 talking, and that device is used solely for talking in that hands-free manner while
18 driving, operating, or being in actual physical control of the motor vehicle.

19 (b) A violation of this section is an infraction punishable by fine of five hundred
20 dollars (\$500) for a first offense, seven hundred fifty dollars (\$750) for a second
21 offense, and one thousand dollars for a third or subsequent offense.

HOUSE BILL 21-35, SD1

1 (c) This section does not apply to a driver using a Mobile Electronic Devices
2 for emergency purposes, including, but not limited to, an emergency call to a law
3 enforcement agency, health care provider, fire department, or other emergency service
4 agency or entity.

5 **SECTION 4. SEVERABILITY.**

6 If any provisions of this Act or the application of any such provision to any person or
7 circumstance should be held invalid by a court of competent jurisdiction, the remainder of this
8 Act or the application of its provisions to persons or circumstances other than those to which
9 it is held invalid shall not be affected thereby.

10 **SECTION 5. SAVINGS CLAUSE.**

11 This Act and any repealer contained herein shall not be construed as affecting any
12 existing right acquired under contract or acquired under statutes repealed or under any rule,
13 regulation, or order adopted under the statutes. Repealers contained in this Act shall not affect
14 any proceeding instituted under or pursuant to prior law. The enactment of the Act shall not
15 have the effect of terminating, or in any way modifying, any liability, civil or criminal, which
16 shall already be in existence on the date this Act becomes effective.

HOUSE BILL 21-35, SD1

1 **SECTION 6. EFFECTIVE DATE.**


2 This Act shall take effect upon its approval by the Governor, or its becoming law
3 without such approval.

Attested to by:



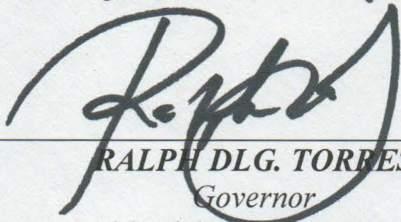
Linda B. Muña, House Clerk

Certified by:



SPEAKER BLAS JONATHAN "BJ" T. ATTAO
House of Representatives
21st Northern Marianas Commonwealth Legislature

Approved this **21st** day of **MARCH**, 2020



RALPH DLG. TORRES
Governor
Commonwealth of the Northern Mariana Islands