

TITLE 2: NATURAL RESOURCES
DIVISION 2: PORTS

§ 2134. Ports Police; Powers and Authority; Violations and Penalties.

(a) The Commonwealth Ports Authority shall have the power and authority to appoint such number of police officers as may be found necessary for the protection of the Ports. The Commonwealth Ports Authority shall have the power to administer to its police officers an oath or affirmation to faithfully perform the duties of their respective positions or offices. The authority of Commonwealth Ports Authority Ports Police shall be concurrent with the authority of any other law enforcement agency as provided by law.

(b) The Commonwealth Ports Authority Ports Police shall be considered a law enforcement agency, headed by the Chief of the Ports Police. All officers employed by the Ports Police are deemed to be law enforcement officers and shall have all the powers, authority, and benefits that other CNMI law enforcement officers are accorded by law, including the right to carry a firearm in the performance of official duties and immunities. These powers include, but are not limited to, actions undertaken to:

(1) Maintain the peace and perform general security duties at the Ports, including, but not limited to, the authority to arrest and enforce the provisions of this chapter, the regulations promulgated thereunder, applicable federal security programs, and the Vehicle Code.

(2) Serve warrants of arrest; make arrests when there is probable cause to believe a crime has been committed in an officer's presence; make arrests or issue summonses for evasion or attempts to evade the payment of penalties, fines, fees, and other charges for use of the Ports; serve court processes and orders; seize evidence related to any violation of law; and bring persons before the Commonwealth courts when so ordered.

(3) Participate in information-sharing with other Commonwealth and Federal agencies, branches, public corporations, autonomous agencies, elected boards, and licensing boards regarding employee and applicant background and pre-certification checks. Such information may include past criminal convictions, civil offenses, and traffic citations.

(4) Levy fines and penalties for the violation of provisions or regulations promulgated under this chapter, including the right to issue citations to vehicles parked in violation of Commonwealth Ports Authority regulations.

(i) Parking citations shall require the person who parked said vehicle to respond by the payment of a fine in an amount set by the Commonwealth Ports Authority or by appearing in the court which handles misdemeanor traffic offenses in the CNMI, in which event the amount of the fine shall be fixed at the discretion of the judge of said court, but in no event shall the fine exceed \$100. In addition to the right to issue parking citations, Ports Police officers shall have the right to remove improperly parked cars or vehicles in accordance with this chapter and the regulations promulgated thereunder.

(5) Coordinate with federal, state, and local government officials for the protection of the Ports.

(6) Execute any other process issued by a court of competent jurisdiction.

(c) If the Commonwealth Ports Authority enters into a mutual agreement with any other law enforcement agency which provides for the rendering of assistance,

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any Ports Police officer may assist the other law enforcement agency in the enforcement of the laws and regulations enforced by the other law enforcement agency in the other agency's jurisdiction(s). Such assistance is hereby declared to be within the scope of the Port Police officer's jurisdiction and duties as a law enforcement officer of the CNMI.

(d) Persons violating any provisions of this chapter or any rule or regulation adopted by the Commonwealth Ports Authority shall be subject to the fine or penalty provided therein. On default of payment of such fine or penalty, the person may be imprisoned up to 30 days as decreed by a judicial officer of the CNMI. Upon conviction of any subsequent offense, the person shall be subject to an enhanced fine or penalty or to imprisonment up to 60 days, or both, at the discretion of the said judicial officer.

(e) Nothing in this section shall be construed to preclude, or limit in any way, the authority of any Federal or CNMI law enforcement agency, or any other federal police or federal protective service.

Source: [PL 22-21](#), § 2 (Sept. 20, 2022), modified.

Commission Comment: PL 22-21 originally numbered this section as § 2331 in this Article. However, pursuant to 1 CMC § 3806(a), the Commonwealth Law Revision Commission has renumbered this section so that it fits more harmoniously and appropriately within the Commonwealth Code.