

TITLE 3: HUMAN RESOURCES
DIVISION 5: PUBLIC SAFETY

§ 5502. Definitions.

As used in this chapter:

(a) “Commercial recreational purposes” means engaging in an activity for profit or gain and where guests and others are charged for services.

(b) “Hotel” means a public house offering lodging, food and other facilities for travelers and others.

(c) “Person” means every natural person, firm, partnership, association or corporation.

(d) “Qualified lifeguard” means a person who holds a certificate from the American Red Cross, the YMCA, the US Lifesavers Association, Hawaii State Life Guard Association, Ellis & Associates, the Canadian Lifeguard Society, the Australia Lifeguard Association, any US State, Territory, Commonwealth, or any agency or subdivision of the same, an agency of the Commonwealth government, which shall include either PSS or NMC, or a private entity approved by the Commonwealth government to administer a lifeguard training program, certifying that he or she is qualified to save lives of persons who are in the water and need help.

Source: MIDC § 9.28.020; amended by PL 11-26, § 3.

Commission Comment: PL 11-26 amended subsection (d) of this section. PL 11-26 took effect on August 14, 1998. According to PL 11-26, §§ 1 and 2:

Section 1. Short Title. This Act shall be known as “The Lifeguard Act of 1998.”

Section 2. Findings. The Legislature finds the current provisions of 3 CMC, Sections 5502(d) and 5503, entitled “Lifeguards on Beachfront and at Pools”, which was enacted during the Trust Territory Administration, is outdated and no longer meets the needs of the Commonwealth’s dynamic growing tourism sector. An update on these old provisions is needed to ensure that all lifeguards are certified with newer requirements and guidelines in their field of work providing all users of beaches and pools qualified lifeguards.