

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, TINIAN, ROTA, & NORTHERN ISLANDS



COMMONWEALTH REGISTER
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NUMBER 04

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**VOLUME 30
NUMBER 04
APRIL 25, 2008**

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COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

Benigno R. Fitial
Governor

Timothy P. Villagomez
Lieutenant Governor

EXTENSION OF EMERGENCY Volcanic of Anatahan

WHEREAS, On May 13, 2003, a Declaration of Emergency was issued with respect to volcanic activity on the island of Anatahan; and

WHEREAS, said Declaration declared the island of Anatahan as unsafe for human habitation and restricted all travel to said island with the exception of scientific expeditions; and

NOW, THEREFORE, I, BENIGNO R. FITIAL, by the authority vested in me as Governor, and pursuant to Article III, Section 10 of the Commonwealth Constitution and 3 CMC §5121, do hereby extend a state of disaster emergency in the Commonwealth with the respect of the island of Anatahan under the same terms and conditions as are contained in the original Declaration.

This Extension of Emergency shall remain in effect for thirty (30) days, unless the Governor shall, prior to the end of the 30-day period, notify the Presiding Officers of the term, and giving reasons for extending the emergency.

Dated this 26th Day of March 2008.



BENIGNO R. FITIAL

cc: Lt. Governor (Fax: 664-2311)
Senate President (Fax: 664-8803)
House Speaker (Fax: 664-8900)
Mayor of the Northern Islands (Fax: 664-2710)
Executive Assistant for Carolinian Affairs (Fax: 235-5088)
Attorney General (Fax: 664-2349)
Secretary Of Finance (Fax: 664-1115)
Commissioner of Public Safety (Fax: 664-9027)
Special Assistant for Management and Budget (Fax: 664-2272)
Special Assistant for Programs and Legislative Review (Fax: 664-2313)
Press Secretary (Fax: 664-2290)

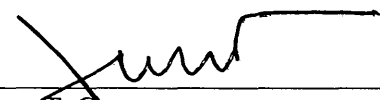
**PUBLIC NOTICE OF PROPOSED AMENDMENTS
TO ADMINISTRATIVE RULES AND REGULATIONS
OF THE WORKERS' COMPENSATION COMMISSION**

The Board of Trustees/Workers' Compensation Commission (Commission) pursuant to 4 CMC § 9351(a)(1), and the Administrative Procedure Act, 1 CMC §9101, *et. seq.*, hereby gives notice to the general public that it has proposed amendments to the Rules and Regulations of the Commission. The attached proposed amendments would modify the Regulations published in the Commonwealth Register, Volume 18, Number 04, at pages 14066 through 14075, on April 15, 1996 (effective date June 25, 1996).

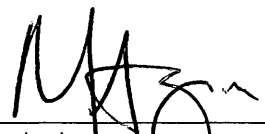
The purpose of these proposed amendments is to add language to Part 8 – 8.104 regarding employers satisfying their payment obligations into the Self-Insurance Fund and/or Special Disability Fund prior to payment of any compensation due to the injured employee(s). Additionally, the citation under Part 8 – 8.102 and 8.104 is amended to reflect the correct citation reference. The Board is soliciting comments and recommendations regarding these proposed amendments, which must be received by the Commission within thirty (30) days of publication of this notice in the Commonwealth Register.

Written comments on these proposed amendments should be sent to Mark A. Aguon, Administrator, NMI Retirement Fund/Workers' Compensation Commission, Hon. Lorenzo I. Deleon Guerrero Retirement Fund Building, Isa Drive, Capitol Hill, P.O. Box 501247, Saipan, MP 96950-1247, or by facsimile to (670) 664-8080. Copies of these proposed amendments may be obtained at the NMI Retirement Fund/Workers' Compensation Commission offices on Saipan, Tinian and Rota.

Dated this 10th day of January, 2008.

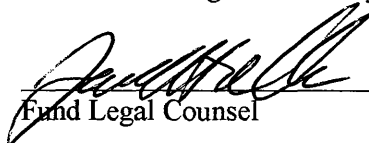


Juan T. Guerrero
Chairman, Board of Trustees
NMIRF / WCC




Mark A. Aguon
Administrator, NMIRF/WCC

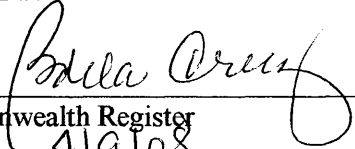
Reviewed for legal sufficiency this 10th day of January, 2008 by:



Fund Legal Counsel

RECEIVED BY:


JOSEPH C VILLACAMPO
Special Assistant for Administration
Date: 03-18-08

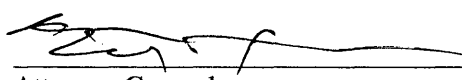
FILED BY:


Commonwealth Register
Date: 4/9/08

Certification by the Office of the Attorney General

Pursuant to 1 CMC § 2153, as amended by P.L. 10-50, the proposed amendments to the Rules and Regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the Office of the Attorney General.

Dated this 7th day of April, 2008.



Attorney General

**PROPOSED AMENDMENTS
TO THE ADMINISTRATIVE RULES AND REGULATIONS
GOVERNING THE WORKERS' COMPENSATION COMMISSION**

Citation of Statutory Authority: The Board of Trustees ("Board") of the Northern Mariana Islands Retirement Fund ("Retirement Fund") / Workers' Compensation Commission ("Commission") has statutory power to promulgate and effect Rules and Regulations pursuant to 4 CMC § 9351(a)(l).


Statement of Goals and Objectives: The Rules and Regulations provide guidelines for the Commission to manage the current potential risk of tremendous financial outlays in the event a catastrophic injury or series of injuries occurs to government employees without their employers having complied with their respective payment obligations into the Self-Insurance Fund or the Special Disability Fund, whichever is applicable depending on the circumstances of the injury. The primary goals and objectives of the proposed amendments are to maintain the financial viability of the Commission's Funds in the event a catastrophic injury or series of injuries occurs to government employees.

Summary of Amendments: These proposed amendments to the Rules and Regulations includes the correction of a citation regarding the definition of "injury" and the clarification that employers must satisfy their payment obligations into the Self-Insurance Fund and/or Special Disability Fund before any compensation payment is made to an injured employee.


For Further Information: Contact Mark A. Aguon, Administrator, NMI Retirement Fund/Workers' Compensation Commission, by telephone (670) 322-3863 or facsimile (670) 664-8080.

Citation of Related and/or Affected Statutes, Regulations and Orders: 3 CMC § 9302(o); 4 CMC § 9351(a)(l); and the Rules and Regulations as amended and published in the Commonwealth Register, Volume 18, Number 04, dated April 15, 1996, effective June 25, 1996.

Dated this 10th day of January, 2008.



Chairman, Board of Trustees, NMIRF/WCC



Administrator, NMIRF/WCC


RECEIVED BY:



JOSEPH C VILLAGOMEZ

Special Assistant for Administration
Date: 03-18-08

FILED AND RECORDED BY:



Commonwealth Register
Date: 4-9-08

**PROPOSED AMENDMENTS
TO ADMINISTRATIVE RULES AND REGULATIONS
OF THE WORKERS' COMPENSATION COMMISSION**

To correct citation under Part 8, Sections 8.102 and 8.104 and to include the following new language under Section 8.104:

PART 8. ADDITIONAL PROCEDURES WHEN CNMI GOVERNMENT IS EMPLOYER

8.101 Records and Reports Must Be Kept and Transmitted.

In cases involving employees of the CNMI Government, such records as are required by the Workers' Compensation law, Title 4 CMC Sections 9301, *et. seq.*, shall be kept by the Administrator. Heads of Governmental agencies or departments shall make or cause to be made and transmitted to the Administrator, the employer's first report of accident or injury and shall thereafter furnish to the Administrator such information as is requested.

8.102 Treatment or Examination for Employee.

When an employee of the CNMI Government suffers an injury as defined in Title 3 CMC Section 9302(~~m~~) (**o**), the department or agency head or supervisor shall send the employee to a local medical facility for such examination and treatment as is necessitated by such injury, and shall furnish to the medical facility such information or certification as the hospital requires.

8.103 Physician's and Other Medical Reports Must Be Transmitted.

- (a) The attending physician's report required by Title 4 CMC, Section 9307, and by these rules and regulations shall be transmitted by the medical facility to the Administrator or to the department or agency head or supervisor who referred the injured employee for treatment, within twenty (20) days of the first treatment.
- (b) Any additional medical reports required by the Administrator shall be promptly rendered and transmitted by the medical facility to the Administrator or to the department or agency head or supervisor who referred the injured employee for treatment.
- (c) Any and all medical reports concerning examination or treatment of an employee under the CNMI Workers' Compensation law, received by department or agency heads or supervisors shall be promptly forwarded to the Administrator.

8.104 Payment of Compensation Following a Determination.

In any case in which the Administrator determines that an employee of the government of the Commonwealth Government has suffered an injury as defined in Title 4 CMC Section 9302(~~m~~) (**o**) for which an amount of compensation is due by either the Government Self-Insurance Fund or an Insurance Carrier, regardless of whether a claim for compensation has been filed, the Administrator shall issue, in the name and on behalf of the Commission, an order directing the Treasurer of the Commonwealth or the Carrier to pay the compensation due, provided the Employer has satisfied all payment obligations into the Self-Insurance Fund and/or the Special Disability Fund, whichever is applicable.

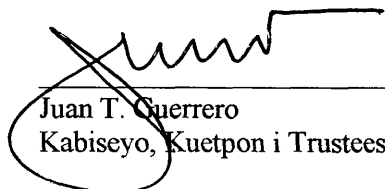
**NOTISIAN PUBLIKU POT MAN MAPROPONE I AMENDASION
SIHA PARA I AREKLAMENTO YAN ERGULASION I
ATMINISTRASION POT I KOMISION I WORKERS'
COMPENSATION**

I Komision i Workers' Compensation gi Kuetpon i Trustees sigun i Lai 4 CMC Seksiona 9351(a)(1), yan i Åkton Areklamenton i Atministrasion, Lai 1 CMC Seksiona 9101, *et seq.*, este na momento man nãna' i notisia para i publiku heneråt na man mapropone amendasion siha para i Areklamento yan Regulasion i Komision. I man che'che'ton ni man mapropone na amendasion siha siempre a tulaika i regulasion ni man mapublika gi Rehistran i Commonwealth, Baluma 18, Numiru 04, gi pãhina 14066 esta 14075, gi Abrit 15, 1996 (ha'ãne anai efektibu gi Junio 25, 1996).

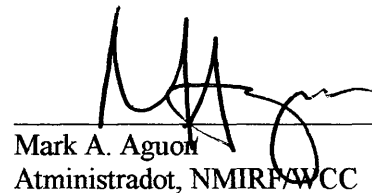
I propositun este na man mapropone na amendasion siha para u ma'omentãyi i mensãhe gi Pãtte 8 - 8.104 ni tineteka i man emplelea siha ni para u mana satisfefecho ni oglibasion man apãsi guatu gi Fundon Self-Insurance yan/osino i Special Disability sigun i man ma'apãsi gi man mapus gi maseha hãfa man ma'apãsi pot rason na chetnudãn i empleão (siha). Adimãs, i areklamento gi papa Pãtte 8 - 8.102 yan 8.104 ma'amenda para u annok i dinanche na areklamento. I Kuetpo man sosohyo' opinion yan rekomendasion siha ni tineteka este siha man mapropone na amendasion siha, ni debi di u fan maresibe' ni i Komision gi halom trenta (30) diha siha gi publikasion este na notisia gi Rehistran i Commonwealth.

I tinige' opinion siha pot este man mapropone na amendasion debi di u mahanãgue si Mark A. Aguon, i Atministradot, gi Fundon i Riterão Siha gi NMI/Komision i Workers' Compensation, gi Hon. Lorenzo I. Deleon Guerrero Retirement Fund Building, gi Isa Drive, gi Capitol Hill, P.O. Box 501247, giya Saipan MP 96950-1247, osino facsimile guatu gi (670) 664-8080. Kopian i man mapropone na amendasion siha siña u fan machule' gi Ofisinan i Fundon i Riterão Siha/Komision i Workers' Compensation giya Saipan, Tinian yan Luta.

Mafecha este gi mina 10th na ha'ãne gi January, 2008.



Juan T. Guerrero
Kabiseyo, Kuetpon i Trustees, NMIRF/WCC

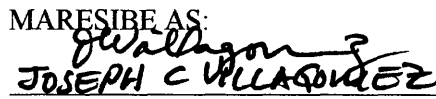


Mark A. Aguon
Atministradot, NMIRF/WCC

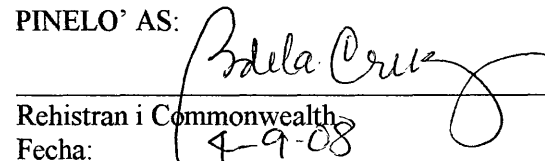
Marebisa para u ligåt sufisiente gi este mina 10th na ha'ãne gi January, 2008 as:



Konseherun Ligåt gi Fundo

MARESIBE AS:

JOSEPH C VILLALOBOS

Especiåt na Ayudãnte Para i Atministrasion
Fecha: 03-18-08


PINELO' AS:


Rehistran i Commonwealth
Fecha: 4-9-08

Setifikasion i Ofisinan i Abugãdu Heneråt

Sigun i Lai 1 CMC Seksiona 2153, ni inamenda ni Lai Publiku 10-50, i man mapropone na amendasion siha para i Areklamenton yan Regulasion ni man che'che'ton esta man ma'ina yan ma'apruueba pot para u fotma yan ligåt sufisiente ni i Ofisinan i Abugãdu Heneråt.

Mafecha este gi mina _____ na ha'ãne gi _____, 2008.



Abugãdu Heneråt

**MAN MAPROPONE NA AMENDASION SIHA PARA I
AREKLAMENTO YAN REGULASION ATMINISTRASION NI
GUMIBIEBETNA I KOMISION I WORKERS' COMPENSATION**

Annok i Áturidât i Lai:

I Kuetpon i Trustees (“Kuetpo”) gi i Fundon Riterão i Sankattan Siha na Islan Marianas (“Fundon i Riterão”) / Komision i Workers’ Compensation (“Komision”) gai áturidât ginen i Lai para u establesi yan na huyong Areklamento yan Regulasion sigun i Lai 4 CMC Seksiona 9351(a)(1) .

Mensâhen Finiho yan Diniseha:

I Areklamento yan Regulasion siha a probeniyi maneha siha para i Komision para u dirihi i guaha siha na ariesga (risk) gi i mineggai na âpas salâpe’ yanggen guaha adet na chetnudan osino siriosu na chetnot yangen masusedi gi i empleão i gubietnamento sin i mu’emplelehu siha ti makukumpli i obligasion niha man apâsi gi i Fundon i Self-Insurance osino i Special Disability, amino gi dos aplikâpble dipende gi i chetnudan. I primet na finiho yan diniseha pot i man mapropone na amendasion siha pot para u masusteni i guinahan salâpe’ gi i Fundon i Komision yan sian kâsu adet osino siriosu na chetnudan masusedi gi i empleãon i gubietnamento siha.

Mensâhe pot i Amendasion Siha:

Este man mapropone na amendasion siha para i Areklamento yan Regulasion a enklusu i dinanche na areklamento ni tineteka i sustânsia pot “chetnudan” yan i klarifikasion na i man emplelea debi di u na satisfecho i obligasion man apâsi gi i Fundon i Self-Insurance yan/osino i Special Disability antes di u guaha maseha hâfa masiñâla na âpas para i chetnudan na empleão.

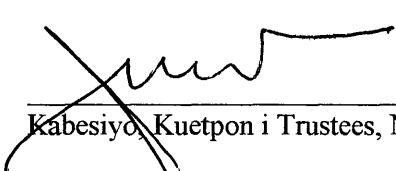
Para Mâs Infotmasion:

Ágang si Mark A. Aguon, i Atministradot, gi Fundon i Ritirão i NMI/Komision i Workers’ Compensation, gi numirun i tilifon (670) 322-3863 osino facsimile gi numiru (670) 664-8080.

Annok i Man Achule’ Yan/Pat Inafekta na Lai Regulasion yan Otden Siha:

3 CMC Seksiona 9302(o); 4 CMC Seksiona 9351(a)(1); yan i Areklamento yan Regulasion siha ni ma’amenda yan mapupblika gi Rehistran i Commonwealth, Baluma 18, Numero 04, ni ma fecha gi Abrit 15, 1996, efektibu gi Junio 25, 1996.

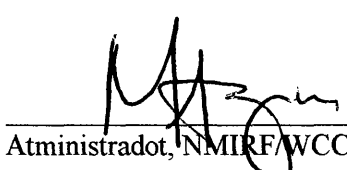
Mafecha este gi mina 10th na ha’âne gi January, 2008.


Kabetsoy, Kuetpon i Trustees, NMIRF/WCC

MARESIBE’ AS:


JOSEPH C VILLALAGON

Episiât na Ayudãnte Para i Atministrasion
Fecha: 03-18-08


Atministradot, NMIRF/WCC

PINELO’ AS:


Rehistran i Commonwealth
Fecha: 4-9-08

**POMWOL LLIWEL NGÁLI ALLÉGHÚL ADMINISTRATIVE IYE E LEMELI
WORKERS' COMPENSATION COMMISSION**

Bwángil Allégh:

Mwiischil Trustees mellól Northern Mariana Islands Retirement Fund ("Fundool Retirement") / Compensation Commission ("Commission") eyoor bwángil ebwe akkaté me Allégh kkaal bwelle reel 4 CMC Tálil 9351(a)(1).

Aweweel Allégh:

Allégh kkaal nge re ayoor a bwelle affat ngáli Commission reel ebwe amwela salaapial kka Emmwel ebwe fitighogho ngáre eyoor wós me ngáre weires kka ebwe ghulaar schóól angaangal gobeno mmwal igha schóóy attarabwaagho (employers) ese toolong llól Self-Insurance Fund me ngare Special Disability Fund, ese lefil ngare eyoor kkapasal filiwos yeel. Mmwal aweewe me objectives reel pomwol lliwel kkaal nge rebwe amwólláatiw mellól fundool Commission ngáre e ghal tooto bwe eyoor wós me wós lefileer schóóy angaangal llól gobenno .

Aweweel Ssiwel:

Pomwol ssiwel kkaal ngáli Allégh me Ammwelil nge ebwal atoloongow affatal aweweel yeel bwelle kkapasal: "injury" me affatal igha schóóy attarabwaagho ebwe ayooralong salapial Self-Insurance Fund me/me ngare Special Disability Fund mmwal óbwós igha ebwe mwet ngáli schóóy angaang kka re filiwós.


Reel Ammataf:

Faingi si Mark A. Aguon, Samwoolul, NMI Retirement Fund/ Workers' Compensation Commission, reel tilifoon ye (670) 322-3863 me ngare facsimile reel (670) 664-8080.

Akkáaw Allégh me Akkulé:


3 CMC Tálil 9302(o), 4 CMC Tálil 9351(a)(1), me Allégh kkaal ikka aa lliwel me akkatééló llól Commonwealth Register, Volume 18, Numero 04, ráálil Séétá 15, 1996, schéschéél wóól Alimate 25, 1996.

Ráálil ye 10th llól January 2008.

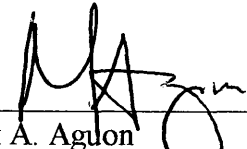


Juan T. Guerrero
Samwoolul, Mwiischil Trustees, NMIRF/WCC

MWIR SÁNGI:



Sów Alillisil Sów Lemelem
Rál: 03-18-08



Mark A. Aguon
Samwoolul, NMIRF/WCC

AMMWEL SÁNGI:



Commonwealth Register
Rál: 4-9-08

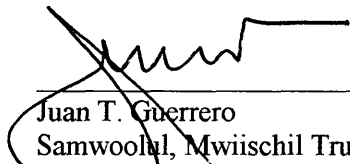
**ARONGORONGOL TOULAP REEL POMWOL LLIWEL KKAAL NGÁLI
ALLÉGHÚL ADMINISTRATIVE MELLÓL WORKERS' COMPENSATION
COMMISSION**

Mwiischil Trustees Workers' Compensation Commission (Commission) sáangi allégh ye 4 CMC Tálil 9351(a)(1), me Alléghúl Administrative Procedure Act, 1 CMC Tálil 9101, et seq., ekke arongaar toulap bwe ekke pomwol lliwel kkaal ngáli Alléghúl me Ammwelil kkaal llól Commission. Pomwol lliwel kka e appasch ebwe ssiweli Allegh kka aa atotoolong llól Commonwealth Register, Volume 18, Numero 04, reel Peigh 14066 mwet ngáli 14075, ótol Séétá (April) 15, 1996 (schescheel otol Alimaté 25, 1996).

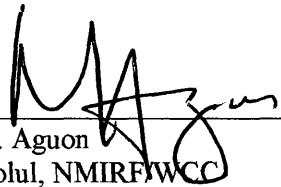
Bwulúl pomwol lliwel kkaal bwelle ebwe atotoolong kkepas yeel llól Peigh 8 – 8.104 igha schóóy attarabwaagho ebwe ayoora salapial Self-Insurance me/Salapial Special Disability mmwal schagh igha ebwe ayoora salapial filiawós ngáliir schóóy angaang, aweewee ye elo llól Peigh 8 – 8.102 me 8.104 aa ssiwel bwelle ebwe bwáari wellóól kkapas. Schóóy mwiisch re tittingór aghiyegh me aweewe reel pomwol lliwel kkaal, iye rebwe bwughil ótol eliigh (30) ráalil sáangi schagh yaal akkatééló llól Commonwealth Register.

Ischil mángemáng reel pomwol lliwel kkaal ebwe akkafang ngáli Mark A. Aguon, Samwoolul, NMI Retirement Fund/Workers' Compensation Commission, Awóolingil Lorenzo I. Deleon Guerrero Retirement Fund Building, Isa Drive, Capitol Hill, P.O. Box 501247, Seipel, MP 96950-1247, me ngare facsimile reel (670) 664-8080. Tilighial pomwol yeel nge emmwel óubwe bwughil mereel NMI Retirement Fund/Workers' Compensation Commission offices mewóól Seipel, Tchúlúyól me Luuta.

Ráalil ye 10th llól January, 2008.



Juan T. Guerrero
Samwoolul, Mwiischil Trustees, NMIRF/WCC

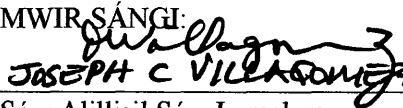


Mark A. Aguon
Samwoolul, NMIRF/WCC

Alúghúlúgh 10th llól ráalil January, 2008 sáangi:



Sów Allégh ngáli Fund

MWIR SÁNGI:


Sów Alillisil Sów Lemelem
Rál: 03-18-08

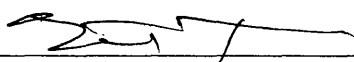
AMMWEL:


Commonwealth Register
Rál: 4-9-08

Alúghúlúgh mereel Bwulasiyool Sów Bwungul Allégh Lapalap

Sáangi allégh ye 1 CMC Tálil 2153, iye aa lliwelló mereel Alléghél Toulap 10-50, pomwol lliwel ngáli allégh kka e appasch nge raa takkal amweri fischi me aléghéghélo mereel Bwulasiyool Sów Bwungul Allégh Lapalap.

Ráalil ye 7th llól April, 2008.



Sów Bwungul Allégh Lapalap



THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
DEPARTMENT OF PUBLIC SAFETY



Benigno R. Fitial
Governor

Claudio K. Norita
Acting Commissioner

Timothy P. Villagomez
Lt. Governor

PUBLIC NOTICE

Adopted Rules & Regulations

Bureau of Motor Vehicles

Emergency (24 hrs.) 911

DPS Main Switchboard
(670) 664-9000

Office of the Commissioner
664-9022

Police Division
664-9001

Fire Division
664-9003

Criminal Investigation Division
664-9042

Bureau of Motor Vehicles
664-9066

Training and Development
664-9093

Administrative Support
664-9000

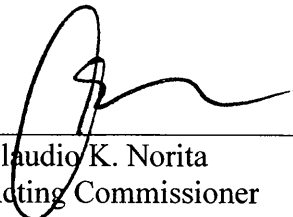
Office of Special Services
64-9120

Rota DPS
Tel: (670) 532-9433
Fax: (670) 532-9434

Tinian DPS
Tel: (670) 433-9222
Fax: (670) 9259

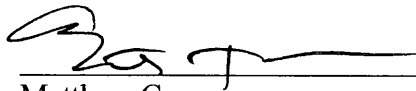
The Commissioner of the Department of Public Safety, in accordance with Public Law 15-25 § 2504(f) and 2507 and 9 CMC § 1204(b), has adopted Rules & Regulations on the "Mandatory Driver Education Act," which was signed into law on August 25, 2006. The regulations are published in accordance with 1 CMC § 9104 and 9105.

Copies of the Rules & Regulations were published on December 18, 2007 in the Commonwealth Register. During the designated period for public comments, comments were received concerning the proposed regulations. These regulations are adopted as originally promulgated.



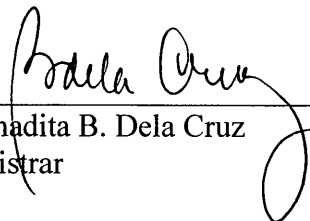
Claudio K. Norita
Acting Commissioner
Department of Public Safety

4-11-08
Date



Matthew Gregory
Attorney General
Commonwealth of the Northern Mariana Islands

4/12/08
Date



Bernadita B. Dela Cruz
Registrar

4-22-08
Date

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
DEPARTMENT OF PUBLIC SAFETY
Bureau of Motor Vehicles

Public Law 15-25
Mandatory Driver Education
Rules and Regulations

Commonwealth of the Northern Mariana Islands
Department of Public Safety
Saipan, MP 96950

PUBLIC NOTICE

Adopted Rules and Regulations

Department of Public Safety

The Commissioner of the Department of Public Safety submits the following Rules and Regulations in accordance with Public Law 15-25. Public Law 15-25 amended Chapter 2 under Title 9 of the Commonwealth Code by establishing the passage and completion of a driver education course as a prerequisite for issuance of operator licenses. This requirement applies to all first time applicants within the Commonwealth and for other purposes.

Mandatory Driver Education

Public Law 15-25

Rules and Regulations

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Amendments

- 1-22 Title 9 CMC subsection 1102 (i)
- 1-23 Title 9 CMC subsection 1203 (b)
- 1-24 Title 9 CMC subsection 7104 (d)

Act

Requires the passage and completion of a driver education course as a prerequisite for the issuance of operator licenses. This prerequisite applies to all persons applying who are seeking an operator license within the Commonwealth for the first time and for other purposes.

1-1 Title 9 CMC subsection 2401 Definitions

For purposes of these regulations, unless the context clearly indicates otherwise, the following definitions apply:

- A. "Approving Authority" means the Commissioner of the Department of Public Safety or an authorized agent of the department.
- B. "Certificate" refers to the written document issued by the Commissioner to a public, private or parochial college, university, or high school that offers driver education to persons as part of the normal program for that institution, indicating the department's approval of the school's driver education program.
- C. "Certified and Certified Program" refers to a public, private or parochial college, university, or high school that offers driver education to persons as part of the normal program for that institution, which holds a current certificate from the Commissioner indicating that it complies with the Department of Public Safety's driver education requirements in this Article.
- D. "Commercial Driver Education School" means a business enterprise conducted by an individual, association, partnership, company, or corporation that charges a fee to educate and train persons to drive motor vehicles or to prepare an applicant for a Commonwealth operator license, and complies with the Department of Public Safety's driver education requirements in this Article.
- E. Driver Education Program
 - (1) A Commercial Driver Education School;
 - (2) A Certified Program;
 - (3) A Public, private or parochial college, university, or high school that offers driver education as approved by the Commissioner.
- F. "Instruction" means lecture, tutoring, practice driving lessons, or other teaching methods given to teach the proper operation of a motor vehicle.
- G. "One hour of instruction time" means sixty (60) minutes of actual instruction. Time given for breaks and time taken between instructions are not counted as instruction time.

- H. “Instructor” means a person, whether acting as an operator of a driver education program or as an employee of the program, who teaches or supervises persons learning to drive motor vehicles, or preparing to take an examination for an operator license, and any person who supervises the work of another instructor.
- I. “Laboratory Instruction” means behind the wheel instruction for vehicles and astride motorcycle for motorcycles.
- J. “Senior Instructor” means that person designated by the Administrator or entity certified to offer driver education, which is to conduct or be responsible for the course of instruction.
- K. “Satisfactorily complete” means attendance at all periods of Classroom and Laboratory Instruction, including make-up sessions, in addition to the completion of an evaluation completed by the Senior Instructor attesting to the satisfactory knowledge of the course materials, and perfunctory ability for operation of the vehicle, acceptable to the entity certified to offer driver’s education.
- L. “Certificate of Completion” means a course completion certificate, issued by a Certified Program or a Commercial Driver Education School as evidence of the satisfactory completion of the driver education program as required in Title 9 CMC subsection 2203 (b), as amended by the Mandatory Driver Education Act of 2004.
- M. “Good Cause” means grounds put forth in good faith that are not arbitrary, irrational, unreasonable, or irrelevant, and that are based on at least one of the following sources:
 - (1) Written information from an identified person;
 - (2) Facts supplied by the program, instructor, or applicant;
 - (3) Driver’s License or accident records;
 - (4) Court or Police Records; or
 - (5) Facts of which the Approving Authority or the Approving Authority’s employees or agents have personal knowledge of.

1-2 Title 9 CMC subsection 2402 Program Certification

- A. All public, private or parochial colleges, universities, high schools, or business enterprises seeking certification shall submit an application with payment of fees to the Department of Public Safety for review and approval.
- B. The application shall include all required documentation in accordance with this Article.
- C. All programs require both Classroom and Laboratory Instruction for approval.

- D. A Program must have at least one certified Senior Instructor.
- E. The Commissioner shall approve all programs which have met the requirements of this Article, unless good cause exists for denial.
 - (1) The Commissioner shall notify the applicant of any missing documentation or requirement within ten (10) days of receipt.
 - (2) The Commissioner shall communicate a decision within ten (10) days of receipt of a completed application.
 - (3) If the application is denied, the Commissioner shall include a communication identifying the basis for the denial of the application and the requirements for approval.
- F. Any applicant who may have been denied certification may reapply upon completion of the requirements.
- G. The Commissioner shall issue certificates to approved institutions or business entities confirming the program as being certified and in accordance with Public Law 15-25.
- H. Certificates of Completion issued by Certified Programs to students in accordance with the provisions of this Article shall serve as evidence of satisfaction of the requirements of mandatory driver education as required in Title 9 CMC subsection 2203 (b), as amended by the Mandatory Driver Education Act of 2004.

1-3 Classroom

- A. The facility must comply with the requirements set forth by the Americans with Disabilities Act of 1990.
- B. The facility must be in compliance with the fire safety code, sanitation, building code, and other regulations mandated by law or regulation.
- C. Classrooms must be equipped with an adequate number of desks, or tables with chairs, to comfortably accommodate students.
- D. The school must maintain an established place of business in the CNMI which is open to the public.
- E. A residence may not be used to provide classroom or behind the wheel instruction. Driver Education Program applicants will be responsible providing proof that the established place of business is not in conflict with local zoning regulations.
- F. The Commissioner of Public Safety or an authorized agent of the Department of Public Safety will inspect the facility for compliance to these Rules and Regulations prior to approval.

- G. All Driver Education Programs shall post the copies of certification issued by the Commissioner within the classroom.

1-4 Title 9 CMC subsection 2403 Student Minimum Requirements

- A. A Driver Education Programs may not enroll any student who has not attained the age of:
- (1) Fifteen and one-half years for course instruction for operation of motor vehicles as identified under Title 9 CMC subsection 2204 (a)(1), (a)(2), or (a)(3); or
 - (2) Twenty-one years for course instruction to obtain a chauffeur's license for the operation of motor vehicles as identified under Title 9 CMC subsection 2204 (b)(1) or (b)(2).
- B. Each enrolled student shall obtain a Learner's Permit in accordance with Title 9 CMC subsection 2205 prior to the beginning of Laboratory Instruction.
- C. A student who has satisfactorily completed a Driver Education Program but has not reached the age of sixteen (16), will not be issued a driver license prior to his or her sixteenth (16th) birthday.
- D. Other persons required to enroll in a Driver Education Program:
- (1) A person holding a valid operator's license that has been cited for three traffic violations within a one-year period;
 - (2) A person whose license has been revoked.

1-5 Title 9 CMC subsection 2404 Classroom Curriculum

- A. All Driver Education Programs shall submit a written classroom curriculum to the Approving Authority for approval.
- (1) No curriculum may be utilized until approved;
 - (2) All instructors shall conduct classroom instruction in accordance with the approved written classroom curriculum;
 - (3) All classroom instruction shall be conducted in a classroom with the instructor physically present with the students during the period of instruction to instruct and address the questions and comments of the students.
- B. The Approving Authority shall approve any classroom curriculum which meets the requirements of this section. The classroom curriculum shall:
- (1) Provide an opportunity for students to analyze and assess several decision-making models and factors that influence highway-user decisions;

- (2) Provide information on how alcohol consumption and other drugs affect a driver's ability to safely operate a motor vehicle, including:
 - (a) Information on the effects of consumption of alcoholic beverage products and the use of illegal drugs, prescription drugs, and non-prescription drugs on the ability of a person to safely operate a motor vehicle;
 - (b) The hazards of driving under the influence of alcohol or drugs; and
 - (c) The legal penalties and financial consequences resulting from the violation of laws prohibiting the operation of a motor vehicle while under the influence of alcohol and/or other drugs.
- (3) Provide the opportunity for students to identify, analyze, and practice making decisions about using occupant restraints and child safety seats;
- (4) Provide the opportunity for students to identify, analyze, and practice a variety of driving decisions about highway users and roadway characteristics;
- (5) Provide the opportunity for students to identify, analyze, and practice making driving decisions about a vehicle's speed under different driving conditions;
- (6) Educate students as to the content and purpose of motor vehicle and traffic laws and the rules for safe driving performance;
- (7) Provide the opportunity for students to identify, analyze, and describe proper procedures for a variety of driving situations;
- (8) Provide the opportunity for students to gather information and practice making decisions about automobile ownership, leasing, insurance, and vehicle maintenance;
- (9) Provide the opportunity for students to identify, analyze, and practice making proper decisions related to drivers' attitudes and emotions;
- (10) Provide the opportunity for students to explore alternative ways to become better drivers and to improve the highway transportation system.
- (11) Educate students on the duties and responsibilities when encountering school busses and emergency vehicles;
- (12) Provide information on the hazards of falling asleep while driving;
- (13) Educate students on the hazards of eating, drinking, smoking, chewing betel nut, and using cell phones while operating a motor vehicle;
- (14) Provide the opportunity for students to explore the impact of motor vehicles upon the environment, ways to conserve fuel consumption, and efforts to develop energy alternatives.

C. Classroom instruction shall not exceed three (3) hours per day.

- D. Classroom instruction shall consist of a minimum of thirty (30) hours of approved instruction. Instruction may be in any language.
- E. The classroom curriculum shall include written examinations to confirm the student's comprehension of presented and assigned material. Written tests and materials used by the school shall not substantially duplicate any part of the actual CMNI operator license examination.

1-6 Title 9 CMC subsection 2405 Laboratory Curriculum

- A. All Driver Education Programs shall submit a written laboratory curriculum to the Approving Authority for approval subject to the following conditions:
 - (1) No curriculum may be utilized until approved;
 - (2) All instructors shall conduct laboratory instruction in accordance with the approved written laboratory classroom curriculum;
 - (3) All laboratory instruction shall include instructions given in English, Chamorro, or Carolinian;
 - (4) All laboratory instruction shall be in the type of vehicle for which the student is enrolled.
- B. All curriculum proposals submitted to the Approving Authority shall substantially comply with the recommendations of the National Highway Traffic Safety Administration (NHTSA) on the instruction of driver education courses.
- C. The Approving Authority shall approve any Laboratory Curriculum which meets all of the following requirements of this section. Approval of the Laboratory Curriculum is a requirement for approval of the Program.
- D. The instructor shall ensure that each student is in possession of a duly issued Learner's Permit in accordance with subsection 2403 of this Article.
- E. Laboratory instruction shall not be on the actual routes utilized for the CNMI operator road tests, except when unavoidable due to lack of alternatives.
- F. The Instructor shall require that seat belts are used at all times by persons in any vehicle utilized for instruction.
- G. The Instructor shall address the physical disabilities of the individual student.
- H. The Laboratory Curriculum shall include at least the following:
 - (1) Educate the student as to the purpose, content, and procedures for Laboratory Instruction;
 - (2) Educate the student as to the gauges and instruments, their purposes and functions;

- (3) Educate the student as to safety preparations prior to moving a vehicle;
- (4) Assist in the development of basic skill in speed control and tracking on forward and backward paths;
- (5) Assist in the orientation to driving and techniques in scanning, recognizing, and responding to obstacles;
- (6) Assist in the development of basic driving skills in parking, including parallel parking, backing, three-point turns, changing lanes, crossing intersections, and passing other vehicles;
- (7) Assist in the development of methods of reduced-risk city driving, highway driving, and interacting with other roadway users;
- (8) Assist in the development of strategies for recognizing and responding to adverse conditions, and emergencies;
- (9) Formal evaluation, self-evaluation, and planning for future improvement;
- (10) Assist in the development of spatial judgment when making turns and/or parking;
- (11) Assist in the development of defensive driving techniques.

I. Laboratory Instruction may not exceed two (2) hours per day.

J. An instructor may not provide laboratory instruction in excess of thirty (30) hours without the written authorization of the Approving Authority.

K. The Driver Education Laboratory Curriculum shall consist of a minimum of six (6) hours of approved instruction, of which:

- (1) Total on-street time shall not be less than three (3) hours; and
- (2) Four (4) hours of simulation may be substituted for one (1) hour of laboratory instruction.

L. An additional twenty-four (24) hours of driving practice is required outside of the Driver Education Program:

- (1) The student must be accompanied by a CNMI licensed driver who is at least twenty-one (21) years of age and in a manner permissible by law;
- (2) A total of six (6) hours must be driven after 6 PM; two (2) of these six (6) night time driving hours must be within the Driver Education Program's Laboratory Curriculum;
- (3) The student must complete the record of driving practice provided by the Bureau of Motor Vehicles or Driver Education Program;
- (4) Upon completion of a total of thirty (30) hours of driving practice, the student must sign the record in the presence of a notary public who will attach a seal; a parent or guardian must sign the record for a student who is less than eighteen (18) years of age;

- (5) The student must present a copy of this record to the Senior Instructor of the Driver Education Program; a certificate of satisfactory completion will not be issued to a student who has not completed this requirement;
- (6) The original, notarized record along with the certificate of satisfactory completion from the Driver Education Program must be presented to the Bureau of Motor Vehicles prior the administration of the driving exam.

1-7 Title 9 CMC subsection 2406 Minimum Requirements for Instructors

- A. The Commissioner of the Department of Public Safety shall approve all instructors who meet the requirements of this section.
- B. All instructors shall be familiar with the standards and guidelines published by the National Traffic Safety Administration (NHTSA) for the instruction of driver education courses.
- C. All instructors or those seeking certification as an instructor shall be required to have both a CNMI and FBI criminal history record check. All applicants, including instructors, are required to undergo fingerprinting as part of their criminal history record check. Applicants shall pay all charges for the fingerprinting and criminal history record checks.
- D. Each instructor for a program shall also meet the following minimum requirements:
 - (1) Possesses a valid CNMI driver's license with the classification and endorsements required for the operation of the class and type of motor vehicle used in driver education;
 - (2) Has not had more than one moving traffic violation within one (1) year prior to obtaining certification; not more than two moving traffic violations within three (3) years prior to obtaining certification; and not more than three moving traffic violations within five (5) years prior to obtaining certification;
 - (3) Has not had any driving under the influence of alcohol or drug conviction within five (5) years prior to obtaining certification;
 - (4) Has not had his or her driver's license suspended, revoked, cancelled, or disqualified within three (3) years prior to obtaining certification;
 - (5) Is at least twenty-one (21) years of age;
 - (6) Possesses a high school diploma or its equivalent;
 - (7) Has had a valid driver's license recognized by the Commonwealth for at least five (5) years;
 - (8) Possesses no criminal record that would make the individual unsuitable to work with children and/or young adults;

- (9) Demonstrates effective communication skills;
 - (10) Demonstrates the ability to engage students in meaningful driver education activities;
 - (11) Demonstrates the ability to accurately observe and assess student performance; and
 - (12) Models positive driving behavior.
- E. Each Instructor shall submit a certified copy of the applicant's driving record to the Program and the Approving Authority dated not earlier than thirty (30) days prior to submittal.
 - F. No individual may serve as an Instructor until approved by the Approving Authority.
 - G. No individual shall be approved as an Instructor whose license has been suspended or revoked within six (6) months of submittal for approval.
 - H. All Instructors shall submit certified copies of their driving records for re-approval to the Program and the Approving Authority within thirty (30) days of the anniversary of the previous date of approval.
 - I. All Instructors who have obtained a valid teaching certificate reflecting certification in Driver Education within the United States or its territories must provide proof of evidence.
 - J. Instructors must show evidence of the successful completion of the National Safety Council's Defensive Driving course.
 - K. Senior Instructors must show evidence of receiving a score of 590 on the Safety/Driver Education (0860) Educational Testing Service Praxis II exam.
 - L. Instructors not classified as Senior Instructors must show evidence of receiving a score of 171 on the Driver Education (0867) Educational Testing Service Praxis II exam.
 - M. All instructors must be certified in Cardio Pulmonary Resuscitation (CPR).

1-8 Title 9 CMC subsection 2407 Insurance

Vehicle Insurance:

- A. All programs shall file with the Commissioner of the Department of Public Safety, evidence of vehicular liability insurance obtained from a company licensed to do business in the CNMI. Evidence of insurance shall be in the form of an original certificate of insurance from the insurance company with the proviso that the insurance may not be canceled or terminated, except upon a minimum of thirty (30) days prior notice to the Commissioner.

- B. Driver Education Programs shall maintain vehicular liability for bodily injury to, or death(s) of, any one, two, or more persons in any one accident in accordance with PL #11-55.
- C. Driver Education Programs shall maintain vehicular liability for damage to, or destruction of the property of others in any one accident in accordance with PL #11-55.
- D. Driver Education Programs shall maintain vehicular liability for medical expenses in accordance with PL #11-55.
- E. Driver Education Programs shall maintain uninsured and underinsured motorist coverage in accordance with PL #11-55.
- F. The Program shall submit to the Commissioner of Public Safety a listing of all vehicles covered by insurance.
 - (1) No vehicle shall be utilized for instruction which has not been identified by the Program and submitted to the Commissioner for inspection and clearance using national standards, if any.
 - (2) The Program shall ensure that the listing provided to the Commissioner is maintained current and accurate, notifying the Approving Authority of any change within five (5) days of notice from the insurance company.
- G. Certification is automatically terminated upon the cancellation of insurance of all vehicles utilized by the Program.
 - (1) Certificates terminated shall be surrendered to the Commissioner within ten (10) days from the date the insurance was cancelled.
 - (2) A Program whose certificate has been terminated may reapply upon meeting the insurance requirements.

Vehicles:

- A. All programs shall file with the Commissioner of Public Safety or an authorized agent, a listing of all vehicles used for instruction. The Driver Education School shall ensure that the listing provided is maintained current and accurate.
- B. No vehicle shall be utilized for instruction which has not been identified by the Program and submitted to the Commissioner of Public Safety for inspection and clearance using national standards, if any.
- C. Vehicles used for instruction cannot be over seven (7) years old and must be equipped with the following:
 - (1) Extra brake pedal operable from the instructor's position;

- (2) Two inside rearview mirrors, one for the use of the student and one for the use of the instructor. Sun visor vanity mirrors may not be utilized for this purpose;
- (3) Cushions for proper seating of students (when necessary);
- (4) A sign or lettering not less than two inches in size with the words STUDENT DRIVER;
- (5) A sign or lettering not less than two inches in size with the name of the school.

1-9 Title 9 CMC subsection 2408 Surety

- A. All Commercial Driver Education Programs shall file with the Approving Authority evidence of a surety company bond for the protection of the contractual rights of students, obtained from a company licensed to do business in the Commonwealth.
- B. Evidence of surety shall be in the form of a certified copy of the original surety from the bonding company with the provision that the bond may not be cancelled or terminated, except upon a minimum of thirty (30) days prior written notice to the Commissioner.
- C. Commercial Driver Education Programs shall maintain bonding not to exceed the principal sum of \$100,000 aggregate liability of surety for all breaches.
- D. Certification of a Program is automatically terminated upon the cancellation of the surety bond.
 - (1) Certificates terminated shall be surrendered to the Commissioner within ten (10) days from the date the bonding was cancelled;
 - (2) A Program whose certificate has been terminated may reapply upon meeting the bonding requirements.
- E. The Commissioner of Public Safety has the authority to waive this requirement if it is determined that there are no companies in the CNMI willing or able to provide this bond.

1-10 Title 9 CMC subsection 2409 Records

- A. Commercial Driver Education Programs shall maintain a contract file for a minimum of five (5) years containing the original and subsequent contracts and renewal agreements by and between the student and the Program.
 - (1) Records shall be maintained in a business-like manner utilizing standard abbreviations;

- (2) Records which are lost, mutilated, or destroyed shall be reported immediately to the Approving Authority by affidavit, noting the date the records were discovered as lost, mutilated, or destroyed; the circumstances involving the loss, destruction, or mutilation; the names of the law enforcement officer or fire department official(s) to whom the loss was reported; the date of the report including a copy of any report made by the enforcement official.
- B. Driver Education Programs shall keep records of instruction for a minimum of five (5) years for each student enrolled. Records shall include:
- (1) General identification information to include the student's legal first, middle and last names; address of residence; date of birth; and contract number (if enrolling in a Commercial Driver Education Program);
 - (2) Date and number of hours of instruction, type of instruction, and records of all scores for written examinations given;
 - (3) Completion date for each phase of instruction and name of the instructor;
 - (4) Copies of the student's evaluations completed by the Senior Instructor for issuance of the Certificate of Completion;
 - (5) A copy of the student's notarized record of driving practice;
 - (6) A copy of the student's Certificate of Completion; and
 - (7) Copies of receipts of any payments made to the Program by the student.
- C. All Driver Education Programs shall maintain for a minimum of five (5) years, records of:
- (1) All documents submitted to the Commissioner of Public Safety or an authorized agent of the Department of Public Safety in accordance with the provisions of this Article;
 - (2) Current originals of certifications and documentation issued by the Commissioner to the Program;
 - (3) Originals of all correspondence and documentation to and from the Approving Authority.
- D. All records required by this section shall be subject to inspection by the Commissioner during reasonable business hours.
- E. All Commercial Driver Education Programs shall provide evidence of current insurance and surety as required in subsections 2407 and 2408 respectively, upon request by any member of the public.
- F. All Programs shall post within the classroom, copies of Certificates issued by the Commissioner.

1-11 Business Liability Insurance

All Programs shall file with the Commissioner of the Department of Public Safety, evidence of at least \$50,000 of business liability insurance obtained from a company licensed to do business in the Commonwealth.

1-12 Administration and Enforcement

- A. The Department of Public Safety's Bureau of Motor Vehicles shall have the power and authority to enforce these Rules and Regulations.
- B. The Bureau of Motor Vehicles shall be responsible for:
 - (1) The issuance of Certificates and the furnishing of instructions and forms to Driver Education Programs within the Commonwealth;
 - (2) The supervision and inspection of Driver Education Programs; and
 - (3) The revocation and surrender of Certificates issued to a Driver Education Program whenever the Bureau of Motor Vehicles determines through inspection or investigation that the Program is not properly conducting in accordance with this Article.

1-13 Application for a Driver Education Program

Each applicant for Certification as a Driver Education Program shall comply with the following procedures:

- A. Application for the Certificate shall be made on an official form supplied by the Commissioner and signed by the applicant under the penalty of perjury.
- B. The applicant for the Certificate must provide the required information on the official form.
- C. The proper authority shall sign each application for Certification as a Program.
- D. Each applicant for Certification as a Driver Education Program shall provide:
 - (1) A record of a CNMI and FBI Criminal History background check;
 - (2) A non-refundable application fee of \$100; payment for the Program Certification application may be made by business or personal check, a US Postal Service money order, or cash, payable to the CNMI Treasury.
- E. No person or entity will be issued a Driver Education Program Certificate if:
 - (1) The requirements as provided in this Article are not met;
 - (2) The information provided on the application is not complete or truthful.

1-14 Driver Education Program Certificates

The Commissioner of the Department of Public Safety is responsible for approving the Certificates issued to the Programs.

- A. The following information shall appear on the Certificate:
 - (1) The registered name of the person, partnership, corporation, or company owning and operating the Program;
 - (2) The “doing business as” (DBA) of the Certified Program;
 - (3) The address and location of the Certified Program;
 - (4) The Certificate control number;
 - (5) The date that the Certificate was issued;
 - (6) The signature of the Approving Authority, the typed name of the Approving Authority, and his or her title.
- B. The Program Certificate shall be posted in a conspicuous location at the place of business.
- C. The Certificate shall not be assigned, transferred, or used for any location other than the location listed on the Certificate.
- D. The Certificate shall be valid for a period of one (1) year from the date of issuance. A renewal application must be filed with the Department of Public Safety’s Bureau of Motor Vehicles no earlier than forty-five (45) days or later than thirty (30) days prior to the expiration of the Certificate.
- E. Upon issuance of the Certificate by the Approving Authority, the applicant shall obtain a business license for the operation of a Driver Education Program from the CNMI Department of Commerce.

1-15 Instructor Certificates: BMV Responsibilities

The Department of Public Safety’s Bureau of Motor Vehicles shall be responsible for:

- A. The issuance of Instructor Certificates to those applicants who have met the requirements established by this Article.
- B. The written and performance examinations for all applicants.
- C. Scoring and recording the results of all applicant examinations.
- D. Maintaining a record of examination results for a period of five (5) years from the date of examination.

- E. The development and issuance of additional instructions and forms as may be necessary for the administering the Instructor application process. The Commissioner of Public Safety shall approve all supplemental instructions and forms.

1-16 Application for Instructor Certification

- A. An application for an Instructor's Certificate shall be on a form approved by the Commissioner of the Department of Public Safety.
- B. The application shall be accompanied by proof that an application fee of \$50 was paid to the CNMI Treasury. Payment for the Instructor Certificate application may be made by business or personal check, a US Postal Service money order, or cash.
- C. The applicant shall certify to the truth of the information provided on the application form.

1-17 Issuance of Instructor Certificates

The Department of Public Safety's Bureau of Motor Vehicles shall issue Instructor Certificates only to those applicants who have met the requirements in accordance with this Article.

1-18 Instructor Certificate Forms

- A. The Instructor Certificate shall be of a design approved by the Commissioner of the Department of Public Safety.
- B. The Instructor Certificate shall be in the possession of the Instructor when conducting in an official capacity.
- C. The Instructor Certificate shall expire one (1) year from the date of issuance, unless suspended or revoked by the Department of Public Safety's Bureau of Motor Vehicles.
- D. Applications for renewal of an Instructor Certificate shall be made not more than sixty (60) days or less than thirty (30) days prior to the expiration of the Certificate.

1-19 Driver Education Program Policies and Procedures

Driver Education Programs shall be operated in accordance with this Article. The Approving Authority may issue additional regulations and instructions which are not inconsistent with this Article.

1-20 Supervision of Driver Education Programs

The Department of Public Safety's Bureau of Motor Vehicles shall exercise supervisory control over all Programs under its jurisdiction.

1-21 Enforcement

- A. Any violation or failure to comply with this Article may result in the suspension or revoking of a Certificate.
- B. The Department of Public Safety's Bureau of Motor Vehicles shall post at its primary location, a list of the Programs and Instructors for which their Certificate has been suspended or revoked.

AMENDMENTS

1-22 Title 9 CMC subsection 1102 (i):

1. "Director refers to the Commissioner of the Department of Public Safety except where otherwise delineated in this Title."

1-23 Title 9 CMC subsection 1203 (b):

- (b) Who has not successfully completed a Driver Education Program as provided in Article 4 of this chapter, if:
 - (1) The applicant has never been issued an operator's license by a government under the jurisdiction of the United States or a foreign country; or
 - (2) The applicant has previously been issued an operator's license by any governmental jurisdiction and that license has been suspended or revoked within one (1) year of application for a CNMI operator's license."

1-24 Title 9 CMC subsection 7104 (d):

- (d) A person convicted under this section may, in the discretion of the Court, be ordered to complete a Driver Education Program approved pursuant to Title 9 CMC subsection 2401 if the individual has not completed a Driver Education Program approved pursuant to subsection 2401.



**Commonwealth of the Northern Mariana Islands
Bureau of Motor Vehicles
Driver Education Instructor Application**



Required Document	Signature	Date of Approval
<input type="checkbox"/> Completed Application	_____	_____
<input type="checkbox"/> Fee - \$50	_____	_____
<input type="checkbox"/> Fingerprint Affidavit	_____	_____
<input type="checkbox"/> Police Clearance	_____	_____
<input type="checkbox"/> Traffic Clearance	_____	_____
<input type="checkbox"/> NSC Defensive Driving Certificate	_____	_____
<input type="checkbox"/> Praxis II Exam Scores	_____	_____
<input type="checkbox"/> CPR Certification	_____	_____
<input type="checkbox"/> High School Diploma/GED	_____	_____
<input type="checkbox"/> Others (Teaching Credentials)	_____	_____
<input type="checkbox"/> Certificate Issued	_____	_____



**Commonwealth of the Northern Mariana Islands
Bureau of Motor Vehicles**



Driver Education Instructor Application

- Initial Application
 Renewal – Instructor Certificate Number _____

Name (First, Middle, Last)		Social Security Number	
Postal Address		Date of Birth	Gender (Male/Female)
Physical Address		CNMI Driver License Number	Date of Expiration
Home Telephone Number	Cellular Number	License Class(es)	Years of Driving Experience
E-Mail Address	Praxis II Test Name and Number	Praxis II Test Score (attach test results)	
Driver Education School	Physical Address	Telephone Number	Cellular Number
Types of Vehicles Used for Instruction <input type="checkbox"/> Automobiles <input type="checkbox"/> Taxis <input type="checkbox"/> Trucks <input type="checkbox"/> Buses <input type="checkbox"/> Motorcycles <input type="checkbox"/> Others			Explain "Others"

Education and Training:

Name of High School(s) Attended	Dates Attended	Date of Graduation
Location	<input type="checkbox"/> Diploma <input type="checkbox"/> GED	
College or University	Dates Attended	Date of Graduation
Location	Major/Minor	Degree
College or University	Dates Attended	Date of Graduation
Location	Major/Minor	Degree
Additional Training Facilities	Dates Attended	Type of Certificate
Location	Specific Skills Acquired	
Additional Training Facilities	Dates Attended	Type of Certificate
Location	Specific Skills Acquired	

YES NO Have you completed the required Cardio-Pulmonary Resuscitation (CPR) course?
 (If answered YES, state the name and location of the training facility plus the dates of attendance and completion. A copy of the certificate must accompany this application.)

Name of Training Facility _____ Location _____

Dates of Attendance _____ Date of Completion _____

Employment History (last five years):

Name on Firm	Address	Contact Information
Kind of Work	Dates of Employment	Reason for Leaving
Name on Firm	Address	Contact Information
Kind of Work	Dates of Employment	Reason for Leaving
Name on Firm	Address	Contact Information
Kind of Work	Dates of Employment	Reason for Leaving

Questions:

- YES NO 1. Do you possess a valid CNMI driver's license with the classification and endorsements required for the operation of the class and type of motor vehicle used in driver education?
- YES NO 2. Have you had a valid driver's license recognized by the Commonwealth for at least five (5) years?
- YES NO 3. Are you at least twenty-one (21) years of age?
- YES NO 4. Do you possess a high school diploma or its equivalent?
- YES NO 5. Have you completed the National Safety Council's Defensive Driving course?
- YES NO 6. Have you passed the Driver Education Praxis II exam (0867) with a score of at least 171 or the Safety/Driver Education Praxis II exam (0860) (for Senior Instructors) with a score of at least 590?
- YES NO 7. Have you had more than one moving traffic violation within one (1) year prior to applying for, or obtaining certification; not more than two moving traffic violations within three (3) years prior to applying for, or obtaining certification; and not more than three moving traffic violations within five (5) years prior to applying for, or obtaining certification?
- YES NO 8. Have you had a driving under the influence of alcohol or drug conviction within five (5) years prior to applying for, or obtaining certification?
- YES NO 9. Have you had your driver's license suspended, revoked, cancelled, or disqualified within three (3) years prior to applying for or obtaining certification?
- YES NO 10. Have you ever been convicted of a felony or a crime involving violence, dishonesty, deceit, indecency, degeneracy, or moral turpitude?
- YES NO 11. Do you possess any criminal record that would make you unsuitable to work with children and/or young adults?
- YES NO 12. Do you have any physical impairment that could hinder your ability to perform the duties of a driving instructor?
- YES NO 13. In the past year, have you had a loss of consciousness or muscle control, caused by any of the following conditions?
 - Brain or Head Injury Heart Mental Seizure Disorder
 - Muscle or Nerve Diabetes Lung Sleeping Disorder

If you answered "YES" to questions #7-13 on the previous page, provide the details of each of those questions on the lines below.

CONDITIONS

As a condition for the issuance and the continued effect of a Driver Education Instructor certificate, the undersigned undertake and agree to all of the following conditions:

- A. I will carry my instructor's certificate at all times while giving driving instructions.
- B. If I lose my certificate, I will report the loss immediately to the Bureau of Motor Vehicles.
- C. If my driver's license is suspended or revoked, my instructor certificate is not valid, and I must surrender it immediately to the Bureau of Motor Vehicles.
- D. If the Bureau of Motor Vehicles determines that I am not or no longer entitled to my certificate, I must surrender it immediately to the Bureau of Motor Vehicles.
- E. I understand that my instructor certificate will expire one (1) year from the date of issuance, unless suspended or revoked by the Bureau of Motor Vehicles.
- F. I understand that I must apply for the renewal of my instructor certificate not more than sixty (60) days or less than thirty (30) days prior to the expiration of the certificate.
- G. I will only use vehicles for laboratory instruction that have been properly equipped and approved by the Department of Public Safety.
- H. I will follow the approved written classroom and laboratory curriculums.
- I. I will comply with all of the provisions of the Department of Public Safety's Rules and Regulations for driver education schools.

I understand that any misrepresentation or concealed material facts will be sufficient cause for denial or suspension of my certificate. I further understand that any conduct resulting in violation of the laws governing driver education instructors will be just cause for revocation or suspension of my certificate or other sanctions as set forth in Public Law #15-25 and the Department of Public Safety's Rules and Regulations for driver education schools.

I certify under penalty of perjury under the laws of the Commonwealth of the Northern Mariana Islands that the foregoing is true and correct.

PRINT/TYPE Name of Instructor Applicant

Date

Sworn to before me this _____ day

Signature

of _____.

(Notary Public) (Seal Required)

My commission expires: _____



**Commonwealth of the Northern Mariana Islands
Bureau of Motor Vehicles
Fingerprint Affidavit**



This form, when signed by the Officer in Charge, affirms that the applicant,
_____ has submitted, or has on file, fingerprints
taken by the Department of Public Safety's Firearms and Records Division.

A background check will be conducted and the results will be made available to
the Commissioner of Public Safety and/or the Director of the Bureau of Motor
Vehicles as required by PL #15-25 and the Mandatory Driver Education Rules
and Regulations.

Officer in Charge

Date



Commonwealth of the Northern Mariana Islands
Department of Public Safety
Driver Education School Application



Required Document	Signature	Date of Approval
<input type="checkbox"/> Completed Application	_____	_____
<input type="checkbox"/> Fee - \$100	_____	_____
<input type="checkbox"/> Business License	_____	_____
<input type="checkbox"/> Business Liability Insurance	_____	_____
<input type="checkbox"/> Classroom Curriculum	_____	_____
<input type="checkbox"/> Laboratory Curriculum	_____	_____
<input type="checkbox"/> Classroom Inspection	_____	_____
<input type="checkbox"/> Vehicular Registration	_____	_____
<input type="checkbox"/> Vehicular Insurance	_____	_____
<input type="checkbox"/> Vehicular Inspection Report for Safety	_____	_____
<input type="checkbox"/> Vehicular Safety Equipment	_____	_____
<input type="checkbox"/> Instructor's Brake Pedal	_____	_____
<input type="checkbox"/> Instructor's Mirror	_____	_____
<input type="checkbox"/> Student Driver Signs	_____	_____
<input type="checkbox"/> School Signs	_____	_____
<input type="checkbox"/> Certificate Issued	_____	_____



**Commonwealth of the Northern Mariana Islands
Department of Public Safety**



Driver Education School Application

- Initial Application
- Renewal – School Certificate Number _____
- Branch Initial Application
- Branch Renewal – Branch Certificate Number _____

Name on Business License		Doing Business As (DBA)	
Postal Address			CNMI Business License Number
Physical Address			Federal Employer Identification Number
Business Telephone Number	Business Cellular Number	Business Facsimile Number	
Contact Person	Home Telephone Number(s)	E-Mail Address	
Type of Business <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation			Web Address
Business Principals – List the name, address, contact information and Social Security Number for all owners, partners, shareholders, officers, and managers.			
Name	Address	Telephone Number(s)	Social Security Number

Questions:

YES NO Have any of the owners, partners, shareholders, officers, managers, or instructors ever operated a Driver Education School before?

(If answered YES, under what name, dates of operation and reason(s) for discontinuation if the school is not still in operation.)

YES NO Have any of the owners, partners, shareholders, officers, managers, or instructors been associated with a driving school whose license has been revoked, cancelled, suspended, or denied in the CNMI or any other state? (If answered YES, list the school name and explain.)

YES NO Have any of the owners, partners, shareholders, officers, managers, or instructors ever been convicted of a felony or a crime involving violence, dishonesty, deceit, indecency, degeneracy, or moral turpitude? (If answered YES, explain.)

Instructors – List the name, address, contact information and BMV Instructor Certificate Number for all instructors.			
Name	Address	Telephone Number(s)	Instructor Certificate Number

Questions:

YES NO Have all of the instructors listed above been certified by the Bureau of Motor Vehicles to teach Driver Education?

(If answered NO, explain.)

YES NO Does the Driver Education School have an instructor who is certified by the Bureau of Motor Vehicles to be a Senior Instructor? (If answered YES, list the name of the Senior Instructor.)

Year	Make and Model of Vehicle	Vehicle Identification Number	License Plate Number	Registrant's Name

Questions:

YES NO Is each of the vehicles listed above insured in accordance with subsection 2407 of the Rules and Regulations for driving schools? Attach proof of vehicular insurance.

(If answered NO, explain.)

YES NO Is each of the vehicles listed above equipped in accordance with subsection 2407 of the Rules and Regulations for driving schools?

(If answered NO, explain.)

YES NO Has each of the vehicles listed above passed its annual inspection and is no more than seven years old in accordance with subsection 2407?

(If answered NO, explain.)

CONDITIONS

As a condition for the issuance and the continued effect of a Driver Education School certificate, the undersigned undertake and agree to all of the following conditions:

- A. To maintain adequate records, as required by the Department of Public Safety's Rules and Regulations and permit the inspection of such records by an authorized representative at reasonable times.
- B. To employ or otherwise make use of instructors who have been properly certified by the Bureau of Motor Vehicles to instruct at the applicant's school.
- C. To advise the Bureau of Motor Vehicles whenever the instructor's employment is terminated by the applicant and a brief statement for the reasons for such terminations.
- D. To comply with all CNMI laws and regulations relating to public health and public safety for the school and business facility in addition to the requirements set forth by the Americans with Disabilities Act of 1990.
- E. To use only vehicles for laboratory instruction that have been properly equipped and approved by the Department of Public Safety.
- F. To purchase and maintain vehicular and business liability insurance and notify the Department of Public Safety whenever either has been cancelled.
- G. To supply and follow approved written classroom and laboratory curriculums.
- H. To enroll only those students who meet the minimum age requirement set forth in the rules and regulations.
- I. To comply with all of the provisions of the Department of Public Safety's Rules and Regulations for driver education schools.

I understand that any misrepresentation or concealed material facts will be sufficient cause for denial or suspension of my certificate. I further understand that any conduct resulting in violation of the laws governing driver education schools or instructors will be just cause for revocation or suspension of my certificate or other sanctions as set forth in Public Law #15-25 and the Department of Public Safety's Rules and Regulations for driver education schools.

I certify under penalty of perjury under the laws of the Commonwealth of the Northern Mariana Islands that the foregoing is true and correct.

PRINT/TYPE Name of Owner, Partner, Officer, or Shareholder

Date

Signature

PRINT/TYPE Name of Owner, Partner, Officer, or Shareholder

Date

Signature

PRINT/TYPE Name of Owner, Partner, Officer, or Shareholder

Date

Sworn to before me this _____ day

Signature

of _____, _____.

(Notary Public) (Seal Required)

My commission expires: _____



**Commonwealth of the Northern Mariana Islands
Bureau of Motor Vehicles**



Driver Education Vehicle Inspection

Name on Business License		CNMI Certificate Number	
Mailing Address			
Physical Address			
Vehicle Year	Make	Model	Mileage
Vehicle Identification Number		License Plate Number	Registration Tag Number

Check Only Items Needing Attention or Repair – All Defects Must Be Corrected			
<input type="checkbox"/> School Signs	<input type="checkbox"/> Windshield	<input type="checkbox"/> Rear Window	<input type="checkbox"/> Front/Side Windows
<input type="checkbox"/> Student Driver Signs (2)	<input type="checkbox"/> Body Condition/Bumpers	<input type="checkbox"/> Floor and Frame	<input type="checkbox"/> Exhaust System
<input type="checkbox"/> Instructor Mirror	<input type="checkbox"/> Rearview Mirror	<input type="checkbox"/> Left Outside Mirror	<input type="checkbox"/> Right Outside Mirror
<input type="checkbox"/> Instructor Brake	<input type="checkbox"/> Floor Brakes	<input type="checkbox"/> Emergency Brake	<input type="checkbox"/> Horn
<input type="checkbox"/> Door Locks/Latches	<input type="checkbox"/> Speedometer	<input type="checkbox"/> Windshield Wipers	<input type="checkbox"/> Windshield Washer
<input type="checkbox"/> Air Conditioner	<input type="checkbox"/> Heater/Defroster/Fan	<input type="checkbox"/> Steering and Suspension	<input type="checkbox"/> Air Bags
<input type="checkbox"/> Seat Belts/Restraints	<input type="checkbox"/> Left <input type="checkbox"/> Right	<input type="checkbox"/> Seat Restraints	<input type="checkbox"/> Left <input type="checkbox"/> Right
<input type="checkbox"/> Lights			
<input type="checkbox"/> Low Beam Head Lights	<input type="checkbox"/> Left <input type="checkbox"/> Right	<input type="checkbox"/> High Beam Head Lights	<input type="checkbox"/> Left <input type="checkbox"/> Right
<input type="checkbox"/> Parking Lights	<input type="checkbox"/> Left <input type="checkbox"/> Right	<input type="checkbox"/> Tail Lights	<input type="checkbox"/> Left <input type="checkbox"/> Right
<input type="checkbox"/> Back Up Lights	<input type="checkbox"/> Left <input type="checkbox"/> Right	<input type="checkbox"/> Brake Lights	<input type="checkbox"/> Left <input type="checkbox"/> Right
<input type="checkbox"/> Turn Signals – Front	<input type="checkbox"/> Left <input type="checkbox"/> Right	<input type="checkbox"/> Turn Signals – Rear	<input type="checkbox"/> Left <input type="checkbox"/> Right
<input type="checkbox"/> Emergency Flashers	<input type="checkbox"/> Left <input type="checkbox"/> Right	<input type="checkbox"/> Side Markers	<input type="checkbox"/> Left <input type="checkbox"/> Right
<input type="checkbox"/> License Plate Lights			
<input type="checkbox"/> Tires and Rims	<input type="checkbox"/> Left Front	<input type="checkbox"/> Right Front	<input type="checkbox"/> Spare Tire
	<input type="checkbox"/> Left Rear	<input type="checkbox"/> Right Rear	<input type="checkbox"/> Other
Remarks			

Inspection Date	<input type="checkbox"/> Passed <input type="checkbox"/> Failed	Re-Inspection Date	<input type="checkbox"/> Passed <input type="checkbox"/> Failed
Inspector's Name			Telephone Number
Business Name			
Physical Address			

Documentation of repairs may be provided in writing lieu of an on site re-inspection.

I certify that I inspected the vehicle identified on this form. The vehicle meets or exceeds safety standards.

PRINT/TYPE Name of Inspector

Date

Signature



Thirty-Hour Driving Record for _____



Session	Date(s)	Total Minutes Driven	Total Mileage	Night Driving	Weather	CNMI Licensed Driver's Signature
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						

I, _____, do solemnly swear or affirm under penalty of perjury that I completed twenty-four (24) hours of day-time driving, and six (6) hours of night-time driving, supervised by a licensed driver over the age of twenty-one.

Subscribed and sworn to before me this _____

day of _____, 20_____

My commission expires: _____

Signature

Date



CERTIFICATE OF COMPLETION CLASSROOM DRIVER EDUCATION



I certify under penalty of perjury under the laws of the CNMI that the student named below has satisfactorily completed an approved classroom course in driver education as mandated by PL #15-25, The Mandatory Driver Education Act of 2006, and the Department of Public Safety's Rules and Regulations.

This form will not be returned to the student.

Student's Full Name	Driver Education School
Passport/Identification Number	Certificate Number
Date of Birth	Telephone Numbers
Address	School's Location
Instructor's Name	Certificate Number
Signature	Date
Senior Instructor's Name	Certificate Number
Signature	Date

In compliance with PL #15-25, The Mandatory Driver Education Act of 2006, and the Department of Public Safety's Rules and Regulations, this form must be presented to the CNMI Bureau of Motor Vehicles prior to taking the Vehicle Code examination.

An additional certificate indicating that the applicant has satisfactorily completed an approved course in behind-the-wheel driver education plus a record of thirty (30) hours of driving practice must be presented by such student before a driving test can be given or driver license issued.



CERTIFICATE OF COMPLETION LABORATORY DRIVER EDUCATION



I certify under penalty of perjury under the laws of the CNMI that the student named below has satisfactorily completed an approved laboratory course in driver education as mandated by PL #15-25, The Mandatory Driver Education Act of 2006, and the Department of Public Safety's Rules and Regulations.

This form will not be returned to the student.

Student's Full Name	Driver Education School
Passport/Identification Number	Certificate Number
Date of Birth	Telephone Numbers
Address	School's Location
Instructor's Name	Certificate Number
Signature	Date
Senior Instructor's Name	Certificate Number
Signature	Date

In compliance with PL #15-25, The Mandatory Driver Education Act of 2006, and the Department of Public Safety's Rules and Regulations, this form must be presented to the CNMI Bureau of Motor Vehicles prior to taking the driving examination.

The notarized original record of driving practice must also accompany this certificate, verification that the applicant has fulfilled the thirty (30) hours of practice requirement. **This notarized record will not be returned to the applicant.**

Commonwealth of the Northern Mariana Islands
Commonwealth Board of Nurse Examiners

Elaine Marie Camacho, Chair
Commonwealth Board of Nurse Examiners, PO Box 501458
Building No. 1336, Capitol Hill, Saipan MP 96950

tel 670.664.4810; fax:670.664.4813
cbone@pticom.com

**PUBLIC NOTICE OF CERTIFICATION AND ADOPTION
OF RULES AND REGULATIONS: FEES
OF THE COMMONWEALTH BOARD OF NURSE EXAMINERS**

PRIOR PUBLICATION IN THE COMMONWEALTH REGISTER
AS PROPOSED REGULATIONS

Volume 30, Number 01, pp 27968-74, 27953-55, of January 22, 2008

Please take notice that the Commonwealth of the Northern Mariana Islands, COMMONWEALTH BOARD OF NURSE EXAMINERS ("Board"), hereby adopts as permanent the above-referenced Proposed Regulations. I also certify by signature below that such adopted regulations are being adopted without modification or amendment, except for the following "non-material" changes:

1. Change: History section updated

The "History", § 140-60-00102 has been amended to fill in date and page numbers, as follows:

002 History.

- (a) History is not part of the operative language of the Regulation, and is included by the Board for the convenience of the reader.
- (b) The Board shall attempt to publish a brief history with each change to these regulations, identifying date and Commonwealth Register citation for the change.
- (c) The history is:
 - (1) Nurse Practice Act of 2003 Act passed and signed by Governor Juan N. Babauta, March 31, 2005, effective 90 days later, on June 30, 2005, PL 14-62.
 - (2) Meetings, procedure, definitions, regulation, licensing, fees, discipline, appeals, other general, and midwives:
 - (i) Proposed Rules or regulations adopted by resolution of the Board of Nurse Examiners on March 30, 2006.
 - (ii) Proposed rules and regulations were published in the Commonwealth Register, Vol. 28, No.05 (5/19/06), pp 025686-

706. Final regulations were promulgated by publication in the Commonwealth Register Vol. 29, No. 11 (11/19/2007), pp 027463-73.

- (3) Proposed rules and regulations on fees were adopted as follows:
- (i) Fees (per 3 CMC § 2306(e)(14)): Emergency Regulations were adopted by resolution of the Board on November 13, 2007, approved by the Governor on January 11, 2008, and delivered to the Register on January 14, 2008. 30 Com. Reg. 1 (1/22/2008), pp 27949-55.
 - (ii) The emergency regulations were published in the Commonwealth Register as proposed regulations, 30 Com. Reg. 1 (1/22/2008), pp 27968-74, 27953-55.
 - (iii) Final regulations were promulgated by publication in the Commonwealth Register. 30 Com. Reg. 4 (4/xxx/2008), pp xxx.

The final form of the fee regulations is being republished for the convenience of the public. The Board believes the changes are "non-material" because they merely update the regulations' history.

DIRECTIONS FOR FILING AND PUBLICATION: I further request and direct that this Notice and the attached revised, final regulations be published in the Commonwealth Register.

Pursuant to 1 CMC § 9105(b), these adopted regulations are effective 10 days after compliance with 1 CMC §§ 9102 and 9104(a) or (b), which, in this instance, is 10 days after this publication in the Commonwealth Register.

The prior publication was as stated above. The Board adopted the regulations as final at its meeting of February 22, 2008.

COMMENTS AND AGENCY CONCISE STATEMENT. Pursuant to 1 CMC § 9104(a)(2), the agency has considered fully all written and oral submissions respecting the proposed regulations. Upon this adoption of the regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption. Please see the following pages for this agency's concise statement, if any, in response to filed comments. Note: There were no filed comments.

Submitted by: Elaine M. Camacho
Elaine Marie Camacho
Chair, Board of Nursing Examiners

4/23/08
Date

Received by:



Esther S. Fleming
Governor's Special Assistant for Administration

Date

Filed and
Recorded by:



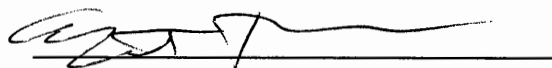
BERNADITA B. DE LA CRUZ
Commonwealth Register

4-23-08

Date

ATTORNEY GENERAL APPROVAL. The adopted regulations were approved for promulgation by the Attorney General in the above-cited pages of the Commonwealth Register, pursuant to 1 CMC § 2153(e) (To review and approve, as to form and legal sufficiency, all rules and regulations to be promulgated by any department, agency or instrumentality of the Commonwealth government, including public corporations, except as otherwise provided by law); and 1 CMC § 9104(a)(3) (obtain AG approval). Due to the further, 'non-material" changes, the Attorney General has approved this final version for promulgation. (*Id.*) Thus, the Rules and Regulations shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Dated the 22nd day of April, 2008.



MATTHEW T. GREGORY,
Attorney General

0 NOPR Final Adoption of Regs Fees 2008.wpd

Commonwealth of the Northern Mariana Islands
Northern Mariana Islands Administrative Code
Title 140 Department of Public Health

Chapter 140-60 - Commonwealth Board of Nurse Examiners Rules and Regulations

Chapter Authority: PL 14-62, as amended.

Regulation History: The Nurse Practice Act of 2003, PL 14-62, ("the Nurse Practice Act" or "the Act") was codified at 3 CMC §§ 2301 - 19. The Act, §§ 2306 (b) and (c) empower the Board to adopt rules for the administration and enforcement of the statute and to protect the public health, safety, and welfare.

[Comment on numbering outline format: The hierarchy /outline is as follows, from top to bottom: Title; Chapter; Part 001-900; Section 101-999; subsection (a); paragraph (1); subparagraph (i); sub-subparagraph (A). The numbering for the title and chapter shall follow the format of the Northern Mariana Islands Administrative Code ("NMIAC"). Citations are to PL 14-62, as amended.]

Table of Contents

Chapter 140-60 - Commonwealth Board of Nurse Examiners Rules and Regulations Page 1 of 3

Part 001 General Provisions Page 1 of 3

 Section 001 Currency of these rules or regulations. Page 1 of 3

 Section 002 History. Page 1 of 3

Part 00700 Fees (per 3 CMC § 2306(e)(14)) Page 2 of 3

[Comment: The Table of Contents is not part of the rule or regulation, but is placed here for the convenience of the reader.]

Part 001 General Provisions

 Section 001 Currency of these rules or regulations.

These rules or regulations are current through the November, 2007, CNMI Register Volume 29 No. 11.

 Section 002 History.

- (a) History is not part of the operative language of the Regulation, and is included by the Board for the convenience of the reader.
- (b) The Board shall attempt to publish a brief history with each change to these regulations, identifying date and Commonwealth Register citation for the change.
- (c) The history is:
 - (1) Nurse Practice Act of 2003 Act passed and signed by Governor Juan N. Babauta, March 31, 2005, effective 90 days later, on June 30, 2005, PL 14-62.

- (2) Meetings, procedure, definitions, regulation, licensing, fees, discipline, appeals, other general, and midwives:
 - (i) Proposed Rules or regulations adopted by resolution of the Board of Nurse Examiners on March 30, 2006.
 - (ii) Proposed rules and regulations were published in the Commonwealth Register, Vol. 28, No.05 (5/19/06), pp 025686-706. Final regulations were promulgated by publication in the Commonwealth Register Vol. 29, No. 11 (11/19/2007), pp 027463-73.
- (3) Proposed rules and regulations on fees were adopted as follows:
 - (i) Fees (per 3 CMC § 2306(e)(14)): Emergency Regulations were adopted by resolution of the Board on November 13, 2007, approved by the Governor on January 11, 2008, and delivered to the Register on January 14, 2008. 30 Com. Reg. 1 (1/22/2008), pp 27949-55.
 - (ii) The emergency regulations were published in the Commonwealth Register as proposed regulations, 30 Com. Reg. 1 (1/22/2008), pp 27968-74, 27953-55.
 - (iii) Final regulations were promulgated by publication in the Commonwealth Register. 30 Com. Reg. 4 (4/xxx/2008), pp xxx.

Part 00700 Fees (per 3 CMC § 2306(e)(14))

Section 001

The following fees must be paid for the following services.

- (a) Advanced Practice Registered Nurse (APRN)

(1)	APRN Initial License Fee	-	140.00
(2)	APRN Renewal	-	80.00
(3)	APRN Interim Permit	-	90.00
(4)	APRN Late Renewal	-	100.00
(5)	APRN Reinstatement	-	140.00
(6)	APRN Endorsement	-	80.00
- (b) Registered Nurse (RN)

(1)	RN Initial License Fee	-	110.00
(2)	RN Examination	-	110.00
(3)	RN Re-Examination	-	110.00
(4)	RN Endorsement	-	90.00
(5)	RN Renewal	-	50.00
(6)	RN Late Renewal	-	60.00
(7)	RN Reinstatement	-	70.00
- (c) Licensed Practical/Vocational Nurse (LPN/LVN)

(1)	LPN Initial License	-	90.00
(2)	LPN Examination	-	90.00
(3)	LPN Re-Examination	-	90.00

	(4)	LPN Endorsement	-	70.00
	(5)	LPN Renewal	-	45.00
	(6)	LPN Late Fee	-	55.00
	(7)	LPN Reinstatement	-	60.00
(d)		Graduate Nurse (GN)		
	(1)	GN Interim Permit	-	60.00
	(2)	Reserved		
(e)		Certified Nurse Technicians (CT)		
	(1)	CT Initial License	-	45.00
	(2)	CT Endorsement	-	45.00
	(3)	CT Renewal	-	30.00
	(4)	CT Late Fee	-	35.00
	(5)	CT Reinstatement	-	40.00
(f)		Certified Nursing Assistants (CNA)		
	(1)	CNA Initial License	-	30.00
	(2)	CNA Endorsement	-	30.00
	(3)	CNA Renewal	-	20.00
	(4)	CNA Late Fee	-	25.00
	(5)	CNA Reinstatement	-	30.00
(g)		Special Services		
	(1)	Verification of License	-	40.00
	(2)	Temporary License Fee	-	50.00
	(3)	Duplicate License Fee	-	40.00
	(4)	Duplicate Certificate Fee	-	45.00
	(5)	Rules & Regulation Hard Copy	-	40.00
	(6)	Nurse Practice Act Hard Copy	-	40.00
	(7)	Change of Name	-	35.00
	(8)	Continuing Education Application		
		(i) Individual	-	50.00
		(ii) Group	-	150.00
	(9)	Xerox Copy, more than 10 sheets-		0.50
	(10)	Extension Fee of License	-	30.00
	(11)	New Nursing Program		
		(i) Application Fee	\$1,000.00	
		(ii) Consulting Fee: minimum of \$5,000.00 and \$1,000/day		
	(12)	Labor Charge after one 1hour	-	\$20.00 per hour
	(13)	Cassette Tape Copy	-	15.00
(h)		Notes: Payment for copies must be provided upon order, unless the Board's Administrator finds good cause for an exception. Labor charges apply to portions of an hour. Example: 3 hours = \$40.		