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NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

28<sup>TH</sup> CONSTITUTIONAL REGULAR SESSION, 2007

BILL NO.: 160

P.L. 2007-94

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AN ACT

to amend the Motor Traffic Act, 1986 in order remove the requirement for vehicles to be registered during a set period; and to provide for the establishment of a citation system in order to remove the requirement for persons to go to court where a person elects to pay a fine directly.

Section 1.     **Short Title**

This Act may be cited as the Motor Traffic (Amendment) Act, 2007.

Section 2.     **Amendments**

(1) Section 107(1) of the Motor Traffic Act, 1986 is hereby amended to read as follows:

**§107.           Registration card.**

(1) The Chief of Police shall issue to the owner a registration card which shall contain on the face of it the date of issue, the date of expiration, the registration number, the name and address of the owner, and a description of the registered vehicle including the engine number.

(2) Section 109 of the Motor Traffic Act, 1986 is hereby amended to read as follows:

**§109.           Expiration and renewal.**

(1) The registration of every vehicle registered under this Chapter shall expire on the expiration date stated on the registration card, and shall be renewed annually upon application by the owner and payment by him of the prescribed fee.

1 (2) The owner of a vehicle must register his or her vehicle before the expiration  
2 date stated on the registration card.

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4 (3) Section 184 of the Motor Traffic Act, 1986 is hereby deleted as follows:

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6 (4) A new Part X is hereby inserted, which shall contain new sections 184, 185, and  
7 186 to read as follows:

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9 **PART X – CITATIONS FOR MISDEMEANOR OFFENCES**

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11 **§184. Establishment of a citation system.**

12 (1) A citation system is hereby established for the imposition and direct payment  
13 of fines under this Act by those persons that elect to do so.

14 (2) Notwithstanding the penalties prescribed for misdemeanor offences in this  
15 Act, the Cabinet may approve a Schedule of Fines for offences committed under this  
16 Act. A fine set by the Cabinet shall not be less than the minimum amount or exceed the  
17 maximum amount prescribed for an offence under this Act.

18 (3) The Schedule of Fines approved by the Cabinet under this subsection (2) shall  
19 be promulgated in accordance with the Administrative Procedures Act, 1979.

20 (4) If a person elects to do so, he or she may pay the fine directly to the [court]  
21 within 14 days of receiving the citation notice from a police officer. The [court] shall  
22 immediately issue a receipt and notify the police prosecutor that the fine has been paid, at  
23 which time the traffic citation against that person will be cancelled.

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1 (5) Where a person does not elect to pay a fine, the traffic citation will be referred  
2 to the court in the usual manner.

3 (6) A citation notice under this section shall be in a prescribed form approved by  
4 the Minister.

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6 **§185. Issuance of citation notices**

7 (1) A police officer may issue a citation notice to a person that has or is  
8 committing an offence under this Act.

9 (2) The officer must inform the person to whom the notice has been issued that he  
10 or she may elect to pay the fine or to go to court in the usual manner.

11 (3) The Police Commissioner must ensure that a police officer carries out his or  
12 her duties responsibly under this section.

13  
14 **§186. Collection and disbursement of fines**

15 (1) The [court] shall ensure that all fines imposed and collected under this Act  
16 and the Safety Inspection Regulations shall be paid into the Ministry of Justice Special  
17 Revenue Fund in accordance with section 104(1)(b) of the Judiciary Fund Act, 1989 and  
18 the Ministry of Justice Special Revenue Fund Act, 1989.

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20 **Section 3. Effective Date**

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22 This Act shall take effect in accordance with the Constitution and the Rules of  
23 Procedure of the Nitijela.

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CERTIFICATE

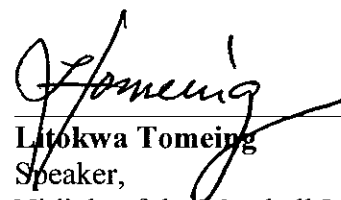
I hereby certify:

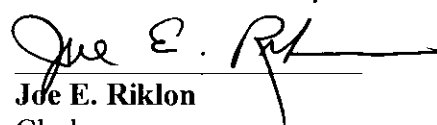
(1) That Nitijela Bill No: 160 was passed by the Nitijela of the Marshall Islands on the 27<sup>th</sup> day of September, 2007; and

(2) That I am satisfied that Nitijela Bill No: 160 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 29<sup>th</sup> day of October, 2007.

Attest:

  
Litokwa Tomeing  
Speaker,  
Nitijela of the Marshall Islands

  
Joe E. Riklon  
Clerk,  
Nitijela of the Marshall Islands