



Commonwealth of the Northern Mariana Islands  
**Office of the Attorney General**

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OAGHB: 2018-04

Hon. Francisco M. Borja  
Chairperson, Committee on Resources,  
Economic Development, and Programs  
The Senate  
Saipan, MP 96950

**Re: House Bill 20-121 HD1: "To amend 6 CMC § 2301(a)(9) to allow individuals to import used tires for personal use."**

Dear Chairperson Borja:

Thank you for requesting the comments of the Office of the Attorney General on House Bill 20-121 HD1: "To amend 6 CMC § 2301(a)(9) to allow individuals to import used tires for personal use" (the "Bill"). I have reviewed the Bill, and find the Bill legally and constitutionally sufficient. I do have a number of comments as to policy.

The Bill has the laudable objective of ensuring that the people of the Commonwealth can afford replacement tires for their vehicles. However, allowing individuals to import used tires is problematic. First and foremost, tires that have already been used presents a serious safety issue. There is no system in place to evaluate the imported used tires to ensure that they are road-worthy. Without such a system, there is a risk that used tires will not be safe or durable.

The effect of the Bill on the poor is also important to consider. This Bill is motivated by the fact that individuals cannot afford new tires; this issue clearly needs to be addressed. However, allowing those that cannot afford new tires to import used tires will lead to a system in which the poor—some of the most vulnerable members of society—will be forced to compromise their safety, their families' safety, and other motorists' safety to make ends meet. Furthermore, individuals who can afford new tires, but who do not want to pay full price, may elect to import used tires, thereby endangering themselves and their fellow motorists.

There are also environmental concerns regarding the stress placed on the Commonwealth's landfills and transfer stations. Acting Secretary of Public Works Peter P. Camacho has adequately addressed these concerns in his October 16, 2017 letter to the House Standing Committee on Commerce and Tourism. Subsidizing the purchase of new tires for low-income households would avoid the increased strain on the Commonwealth's landfills and transfer stations.

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I encourage this Committee to consider alternative means to address the inability of low income families to purchase new tires. The Committee should consider the making new tires more affordable rather than allowing potentially unsafe tires to be imported into the Commonwealth. A policy choice that does not endanger the safety of motorists is clearly important.

Thank you for soliciting comments on the Bill.

Sincerely,



EDWARD MANIBUSAN  
Attorney General

cc: Deputy Attorney General  
All Members, The Senate