



United States Department of the Interior

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WASHINGTON, D.C. 20240

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November 23, 1977

Memorandum

To: Director of Territorial Affairs
From: Assistant Solicitor, Territories
Subject: Laws Applicable to the Northern Mariana Islands

Resident Commissioner Canham is concerned about the applicability of OSHA and the Highway Safety Act of 1973 to the Northern Mariana Islands. The Highway Safety Act is currently applicable to Guam and, therefore, will become applicable to the Northern Mariana Islands after January 9, 1978. 23 USC Supp V, 1975 §401, Section 502 of the Covenant.

OSHA is already applicable to the TTPI 29 U.S.C. 653(a). Currently, the High Court has jurisdiction to effect judicial enforcement of OSHA. Secretarial Order 2918, as amended, Part IV. Administrative enforcement of OSHA is presently carried out by local TTPI personnel under an agreement with the Department of Labor pursuant to 29 U.S.C. 656(c)(1). After January 9, 1978, it would appear that relief or enforcement proceedings will be under the jurisdiction of the 9th Circuit. See 29 U.S.C. 660. Since OSHA has been applicable in the TTPI since 1970 without apparently causing any significant problems, I doubt its continued application to the NMI will be any more troublesome than it has in the past.

With regard to the Highway Safety Act this may cause some minor problems and expenses in bringing the local roads, signs, markings and other road safety requirements into compliance. Also the vehicle safety requirements may result in some adjustments, but I am reasonably confident that the motor vehicles imported into the NMI for use or sale probably meet all established requirements. There was a time when the Virgin Islands were concerned because of the prevalent use of non-conforming recreational vehicles, but I doubt the NMI has this problem.

I trust this answers your inquiry.

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C. Brewster Chapman, Jr.

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