

# An Act

## Legislative Act 19-17

### A LEGISLATIVE ACT AMENDING TITLE 68 OF THE CHEROKEE NATION CODE ANNOTATED, THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE

#### BE IT ENACTED BY THE CHEROKEE NATION:

#### Section 1. Title and Codification

This act shall be known as the Motor Vehicle Licensing and Tax Amendment of 2017, and codified as Title 68, Chapter 9, Section 1304 of the Cherokee Nation Code Annotated.

#### Section 2. Purpose

The purpose of this act is to amend the definitions of "Act" and Farm Truck" as codified in Title 68, Chapter 9, Section 1304 of the Cherokee Nation Code Annotated.

#### Section 3. Legislative History

LA-24-08 eff. November 14, 2008

LA-01-01 eff. March 12, 2001

#### Section 4. Definitions

#### Section 5. Substantive Provisions of Law

2. "Act" shall mean Title 68, Chapter 9, "The Cherokee Nation Motor Vehicle Licensing and Tax~~this act, LA 01-01.~~

12. "Farm truck" shall mean pickup, truck, or truck tractor used primarily for agricultural purposes. For purposes of farm truck registration eligibility, "pickup" means a small light truck with an open back or box used for hauling and designed or converted primarily for carrying or hauling farm commodities, property, livestock or equipment, rather than people. any vehiele equipped with four or more wheels and a cargo area for the conveyance of property that is used primarily for agricultural purposes, but not for commereial or industrial purposes. Manufacturers Statement of Origin, Titles or Registrations must be classified under body model as pickup or truck. ~~Vyans and sport utility vehicles shall not be eligible to carry a farm truck tag. Provided, that no vehicle shall be registered as a farm truck unless the applicant produces an income tax Schedule F for the preceding year or presents a valid exemption card issued pursuant to the provisions of 68 O.S. § 1358.1. Provided, further, that said Schedule F or exemption card must pertain to the applicant, the applicant's spouse, or a business entity owned and controlled by the~~

applicant or the applicant's spouse. Provided, further, that an applicant shall not be eligible to register more than four (4) trucks as farm trucks. Business shall not be included in said limitation.

**Section 6. Provisions Not Cumulative**

The provisions of this act shall not be cumulative to existing law and shall supersede any existing law in conflict therewith.

**Section 7. Severability**

The provisions of this act are severable and if any part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

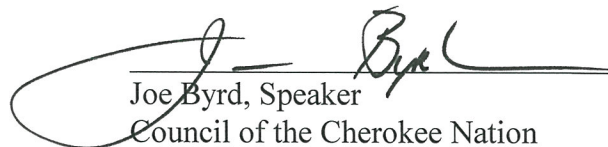
**Section 8. Effective Date**

The provisions of this act shall become effective thirty (30) days from and after the date of its passage and approval.

**Section 9. Self-Help Contributions**

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

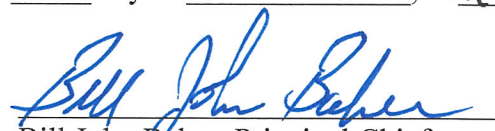
Enacted by the Council of the Cherokee Nation on the 19<sup>th</sup> day of June, 2017.

  
Joe Byrd, Speaker  
Council of the Cherokee Nation

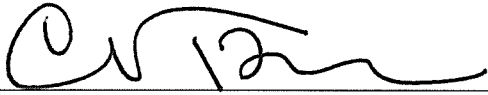
**ATTEST:**

  
Frankie Hargis, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 21 day of June, 2017.

  
Bill John Baker, Principal Chief  
Cherokee Nation

**ATTEST:**



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Chuck Hoskin, Jr., Secretary of State  
Cherokee Nation

**YEAS AND NAYS AS RECORDED:**

Rex Jordan	<u>Yea</u>	Janees Taylor	<u>Yea</u>
Joe Byrd	<u>Yea</u>	Dick Lay	<u>Yea</u>
David Walkingstick	<u>Yea</u>	Buel Anglen	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Harley Buzzard	<u>Yea</u>
Bryan Warner	<u>Yea</u>	Keith Austin	<u>Yea</u>
David W. Thornton, Sr.	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Don Garvin	<u>Yea</u>	Wanda Hatfield	<u>Yea</u>
Frankie Hargis	<u>Yea</u>	Jack D. Baker	<u>Yea</u>
Curtis G. Snell	<u>Yea</u>		

**ADMINISTRATIVE CLEARANCE**

Dept/Program:

Signature/Initial Date

**Executive Director:**

*Sharon Swepton* 4/15/17  
Signature/Initial Date

**Treasurer: (Required:  
Grants/Contracts/Budgets)**

Signature/Initial Date

**Government Relations:**

Signature/Initial Date

**Administration Approval:**

*Bill John Baker* 5/13/17  
Signature/Initial Date

**LEGISLATIVE CLEARANCE:**

**Legal & Legislative Coordinator:**

*Brittain* 5/13/17  
Signature/Initial Date

**Standing Committee & Date:**

*Byrd* 5/16/17

**Chairperson:**

*Byrd*  
Signature/Initial Date

**Returned to Presenter:**

Date

**Cherokee Nation  
Act/Resolution Proposal Form**

Act

Resolution

**TITLE:**

DEPARTMENT CONTACT: Sharon Swepton

RESOLUTION PRESENTER: Sharon Swepton

COUNCIL SPONSOR: Rex Jordan  
Joe Byrd

**NARRATIVE:**

THE PURPOSE OF THIS ACT IS TO AMEND LA#01-01,  
SECTION103(H) TO CLARIFY THE DEFINITION "FARM TRUCK"

"Farm Truck" shall mean pickup, truck, or truck tractor used primarily for agricultural purposes. For purposes of farm truck registration eligibility. "pickup" means a small light truck with an open back or box used for hauling and designed primarily for carrying of property, rather than people and "truck" mean a motor vehicle designed or converted primarily for carrying or hauling farm commodities, property, livestock or equipment, rather than people. ~~any Vehicle equipped with four or more wheels and a cargo area for the conveyance of property that is used primarily for agricultural purposes, but not for commercial or industrial purposes.~~ MSO/Titles/Registrations must be classified under body;model as pickup or truck. Vans, wagons, and sport utility vehicles shall not be eligible to carry a "Farm Truck" tag. Provided, that no Vehicle shall be registered as a Farm Truck unless the applicant produces an income tax "Schedule F" for the preceding year or presents a valid exemption card issued pursuant to the provisions of Section 1358.1 of Title 68 of Oklahoma Statutes. Provided further that said Schedule F or exemption card must pertain to the applicant, the applicant's spouse or a business entity owned and controlled by the applicant or the applicant's spouse, Provided further that an applicant shall not be eligible to register more than four trucks as "Farm Trucks".