

An Act

Legislative Act 2 -91

ACT RELATING TO ESTABLISHING A UNIFORM VEHICLE CODE FOR THE CHEROKEE NATION

BE IT ENACTED BY THE CHEROKEE NATION that the Cherokee Nation Code, providing for regulation of Motor Vehicles, Highway Safety, Punishment, and Procedures thereto, incorporated under this act and attached hereto is hereby adopted as the Cherokee Nation Uniform Vehicle Act to be codified as Title 7A-47 of the Cherokee Nation Code.

Section 7A-47-1-1. Uniform Vehicle Code

The several laws codified herein shall be known as the Cherokee Nation Uniform Vehicle Code.

Section 7A-1-2. Purpose.

The purpose of the Cherokee Nation Uniform Vehicle Code shall be to:

1. provided comprehensive and thorough police protection and law enforcement for all residents of the Cherokee Nation;
2. exercise vehicle regulation and jurisdiction over Indian Country within the Cherokee Nation;
3. provide for a vehicle offense code and procedure;
4. provide due process for persons charge with a crime or offense under this code.

Section 7A-47-1-2. Definitions

For purposes of this Title:

- (a) The "Nation" means the Cherokee Nation;
- (b) "Indian Country" means that area defined by 18 U.S.C.A 1151;
- (c) "Indian" means any person who is a member or is eligible for membership in the Cherokee Nation;
- (d) "Jurisdiction" means jurisdiction of the Cherokee Nation and its Courts over all violations of this code committed within its territorial jurisdiction within the following categories:
 - (i) offenses and crimes committed by Indians against all others, Indian and non-Indian;
 - (ii) offense committed by Indians, which are victimless;
 - (iii) non-Indians who by operation of law or their actions are subject to the jurisdiction of the Cherokee Nation;


Section 7A-47-2-2. Penalties.

The maximum penalty for any crime or offense under this Title shall be the maximum penalty as provided for in 25 U.S.C.A. 1302 (7).


Section 7A-47-3-1 Emergency Declared.

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this act shall take effect and be in full force from and after its passage and approval.


Passed by the Cherokee Nation Tribal Council on the 9th day of February, 1991.


John A. Ketcher, President
Cherokee Nation Council

Approved and signed by the Principal Chief this 9th day of February, 1991.


Wilma P. Mankiller,
Principal Chief,
Cherokee Nation of Oklahoma

ATTEST:


Gary D. Chapman, Secretary/Treasurer
of the Cherokee Nation of Oklahoma

YEAS AND NAYS AS RECORDED:

Amon Baker	<u>YES</u>	Stann Hummingbird, Jr.	<u>YES</u>
Sam Ed Bush	<u>YES</u>	Robert McSpadden	<u>YES</u>
Joe Byrd	<u>YES</u>	Patsy Morton	<u>YES</u>
Gary Chapman	<u>YES</u>	Jeff Muskrat	<u>YES</u>
Sam Daugherty	<u>YES</u>	Harold Phillips	<u>YES</u>
James Eagle	<u>YES</u>	Goodlow Proctor	<u>YES</u>
Joe Grayson, Sr.	<u>YES</u>	Woodrow Proctor	<u>YES</u>
Betty Lacy Buckhorn	<u>YES</u>		