



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Legislation Details (With Text)

File #: 09-005 **Version:** 1 **Name:** The Cherokee Nation Motor Vehicle Licensing and Tax Code Amendment

Type: Legislative Act **Status:** Passed

File created: 1/19/2009 **In control:** EXECUTIVE AND FINANCE COMMITTEE

On agenda: 1/29/2009 **Final action:** 2/17/2009

Enactment date: 2/17/2009 **Enactment #:** LA-04-09

Title: A LEGISLATIVE ACT AMENDING LA#01-01, "THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE"; AMENDING AND ADDING DEFINITIONS;

Sponsors: Chuck Hoskin Jr.

Indexes: Motor Vehicle, Tax Commission

Code sections: Title 68 - Revenue and Taxation

Attachments: 1. LA-04-09

Date	Ver.	Action By	Action	Result
2/26/2009	1	OFFICE OF THE CHIEF	Signed	
2/17/2009	1	TRIBAL COUNCIL	Approved	Pass
2/5/2009	1	RULES COMMITTEE	Approved and Forwarded to Council	Pass

**A LEGISLATIVE ACT AMENDING LA#01-01, "THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE"; AMENDING AND ADDING DEFINITIONS;
BE IT ENACTED BY THE CHEROKEE NATION:**

Section 1. Title and Codification

Example: This act shall be known as the "The Cherokee Nation Motor Vehicle Code Amendment Act of 2008" and codified as _____ (Title) _____ (Section) _____ of the Cherokee Nation Code Annotated.

Section 2. Purpose

The purpose of this act is to amend LA# 01-01, the Cherokee Nation Motor Vehicle Licensing and Tax Code, to add new definitions and provisions for registration of Mini-trucks and Off-Road Motorcycles.

Section 3: Legislative History

Legislative Act #01-01, "The Cherokee Nation Motor Vehicle and Licensing Tax Code" of 2001, as amended by Legislative Acts 27-01, 34-01, 34-02, 04-03, 19-03, 25-04, 29-04, 03-05, 07-06, 12-06, 17-06, and 8-06.

Section 4. Definitions

Section 103 of LA#01-01 is hereby amended as follows, to include the following new definitions:

- AA.** Off-Road motorcycles (ORM's) means a motorcycle manufactured for and used exclusively off roads, highways, and any other paved surfaces. Small street or sidewalk mini-motorcycles or scooters are not included in this category.
- BB.** "Mini-truck" means a foreign-manufactured import or domestic-manufactured vehicle powered by an internal combustion engine with a piston or rotor displacement of one thousand cubic centimeters (1,000 cu

cm) or less, which is sixty-seven (67) inches or less in width, with an unladen dry weight of three thousand four hundred (3,400) pounds or less, traveling on four or more tires, having a top speed of approximately fifty-five (55) miles per hour, equipped with a bed or compartment for hauling, and having an enclosed passenger cab;

Section 5: Amendment

Section 204 and 205 of LA #01-01 is hereby amended to include the following;

M. Registration Tax for "Mini-Trucks";

Mini-trucks shall be registered pursuant to the provisions of the Cherokee Nation Motor Vehicle Licensing and Tax Code. The Cherokee Nation Tax Commission shall promulgate rules for the titling and registration of mini-trucks.

Mini-trucks which have been titled and registered pursuant to the provisions of the Cherokee Nation Motor Vehicle Licensing and Tax Code may be operated on the roadways of the state of Oklahoma; provided, however, mini-trucks shall not be permitted to travel upon any highway in this state which is a part of the National System of Interstate and Defense Highways. Operators of mini-trucks shall comply with all traffic regulations and rules of conduct for the operation of motor vehicles on the roadways of the state of Oklahoma provided by law.

Section 6. Provisions as cumulative

The provisions of this act shall be cumulative to existing law.

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.