



Council of the Cherokee Nation

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

Legislation Details (With Text)

File #: LA-07-06 **Version:** 1 **Name:** The Cherokee Nation Motor Vehicle Code Amendment Act of 2006

Type: Legislative Act **Status:** Passed

File created: 3/20/2006 **In control:** TRIBAL COUNCIL

On agenda: 3/30/2006 **Final action:** 4/17/2006

Enactment date: 4/17/2006 **Enactment #:** LA-07-06

Title: A LEGISLATIVE ACT AMENDING LA#01-01, "THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE"; ADDING DEFINITIONS; AND ADDING NEW SECTIONS 204(T) AND 204(K)

Sponsors: Bill John Baker, Cara Cowan Watts

Indexes: Registration, Tax Commission

Code sections: Title 68 - Revenue and Taxation

Attachments: 1. LA-07-06.pdf

Date	Ver.	Action By	Action	Result
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Committee: Rules Author: Paula Ragsdale
Date 3-20-06 Committee Date: 3-30-06 Sponsor Bill John Baker/Cara Cowan Watt
An Act

◆ Legislative Act 7-06
A LEGISLATIVE ACT AMENDING LA 01-01, "THE CHEROKEE NATION MOTOR VEHICLE LICENSING AND TAX CODE"; ADDING DEFINITIONS; AND ADDING NEW SECTIONS 204(T) AND 204(K)
BE IT ENACTED BY THE CHEROKEE NATION: Section 1. Title and Codification
Example: This act shall be known as the "Cherokee Nation Motor Vehicle Code Amendment Act of 2006" 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 assembled and abandoned motor vehicles, respectively.

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, and 03-05.

Section 4. Definitions
Section 103 of LA#01-01 is hereby amended as follows, to include the following new definitions:
V. "Assembled Vehicle" means a vehicle front which major components front IWO Of more vehicles are being incorporated into a single unit
W. "major component" means a body or cab frame and front end or rear end clip, if the public VIN is changed.
X. "Abandoned Vehicle" means an article of personal property, any service rendered to the owner thereof by furnishing material labor or skill for the protection improvement safekeeping towing, storage or carriage thereof, has a special lien thereon, dependent on possession, for the compensation, if any, which is due such person from the owner for such service.

Section 5. Amendment
Section 204 is hereby amended to include the following new provisions: J. Registration
Tax on Assembled Vehicles
There is hereby levied a registration tax of one and one-half percent (14 %) of the actual purchase price of Assembled Vehicles not previously registered with the Cherokee Nation or any Other tribe or with any territory or state provided that the actual purchase price is no more than twenty percent (20%) less than the average retail value. This registration tax shall be levied upon any Vehicle registered pursuant to this Act upon its sale by a Tribal Citizen to another Tribal Citizen. "Average retail value" is determined as used in Subsection B of this section.

Assembled Vehicles shall
III. Affidavit of Assembly and Ownership. Affidavit shall be approved by the Cherokee Nation Tax Col-Mission Motor Vehicle Division.
(21. Upon approval of the Affidavit of Assembly and Ownership the Cherokee Nation Marshal Service shall conduct an inspection and permanently affix a Cherokee Nation assigned Number to the vehicle.

K. Registration Tax on Abandoned Vehicles

There is hereby levied a registration tax of one and one-half percent (1 Vi % l of the actual purchase price of Assembled Vehicles not previously registered with the Cherokee Nat ion or airs other tribe or with any territory or stale provided that the actual purchase Price is CO more than twenty Percent (2044.) less than the average retail value. This registration tax shall also be levied upon any Vehicle registered pursuant to this Act upon its sale by a Tribal Council to another Tribal Citizen. "Average retail value" is determined as used in Subsection B and D of this section.

The Cherokee Nation Tax Commission shall adopt rule, and regulations to set forth the procedures and requirements for the ownership transfer of Abandoned Vehicles.

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 arty part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining pacts or provisions of this act.

Section 8. Effective Date

The provisions of this act shall become effective thirty (30)days from and after the dale 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 10th day of April, 2006.

Joe Grayson, President Council of the Cherokee Nation

ATTEST: Don Garvin, Secretary Council of the Cherokee Nation

Approved and signed by the Principal Chief this 17th day of April, 2006.

Chad Smith, Principal Chief Cherokee Nation

Callie Catcher, Secretary/Treasurer Cherokee Nation

YEAS AND NAYS AS RECORDED:

Audra Smoke-Conner	YEA	Melvina Shotpouch	YEA	
Bill John Baker	YEA	Meredith A. Frailey	YEA	
Joe Crittenden	YEA	John F. Keener	YEA	
Jackie Bob Martin	YEA	Cara Cowan Watts	YEA	
Phyllis Yargee	YEA	Buel Anglen		YEA
David W. Thornton, Sr.	YEA	William G. Johnson	YEA	
Don Garvin	YEA	Charles "Chuck" Hoskin	YEA	
Linda Hughes-O'Leary	YEA			