



CHEROKEE NATION TAX COMMISSION  
MOTOR VEHICLE DIVISION  
RULES AND REGULATIONS

CHAPTER	1	GENERAL PROVISIONS	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	<b>MV:01-1-102</b>		<b>DEFINITIONS</b>		
APPROVED BY:			DATE:	<b>10-15-2020</b>	
EFFECTIVE DATE:	<b>OCTOBER 15, 2020</b> <small>TBD</small>		SUPERCEDES MATERIAL DATED	<b>FEBRUARY 26, 2018</b> <small>OCTOBER 15, 2020</small>	
AUTHORITY:	Title 68 Revenue & Taxation; Motor Vehicle Licensing and Tax §1304				

The following definitions shall apply to the enumerated terms throughout these regulations.

- A. Act – shall mean Legislative Act entitled “The Cherokee Nation Motor Vehicle Licensing and Tax Code” # 01-01 as amended.
- B. Administrator – shall mean the Administrator of the Commission.
- C. Cherokee Nation Compact Jurisdiction – Shall include all areas located within those boundaries described by the patents of 1838 and 1846 diminished only by the Treaty of July 19, 1866 and the act of March 3, 1893, and shall further encompass the entirety of the areas delineated by the State of Oklahoma as Mayes County, Rogers County, Wagoner County, Tulsa County and Muskogee County.
- D. Commercial Trailer – shall mean any trailer used primarily for the transportation of goods in the ordinary course of any trade or business.
- E. Commercial Vehicle – shall mean any vehicle used primarily for the transportation of persons or goods in the ordinary course of any trade or business.
- F. Commission – shall mean the Cherokee Nation Tax Commission.
- G. Eligible Vehicle – shall mean any Vehicle which is owned by a Tribal Citizen who resides within the Reservation Boundaries of the Cherokee Nation.
- H. Farm Tractor – shall mean any Vehicle owned by a farmer.
- I. Farm Trailer – shall mean any Trailer owned by a farmer for the purpose of transporting farm animals or products to market and not for commercial or industrial purposes.
- J. 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 the 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. 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.
- K. Motorcycles – shall mean any two or three-wheeled personal vehicle.
- L. Nation – shall mean Cherokee Nation.
- M. Person – shall mean natural person or legal entity legally competent to hold title to a vehicle.
- N. Purchase Price – shall mean price of vehicle, excluding credit for any trade-in, rebate or discount.



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- O. Purchase Price (At Large) – shall mean price of vehicle; may include a deduction for any dealer rebates or discounts; may not include deduction for any traded in vehicle.
- P. Reservation Boundaries of the Cherokee Nation – shall mean the territorial boundaries the Nation as they existed as of January 1, 1900.
- Q. Personal Vehicle – shall mean any vehicle. Personal Vehicle shall not include a Commercial, Farm Truck, Farm Trailer, or a Recreational Vehicle.
- R. Rebuilt Vehicle – shall mean any salvage vehicle which has been rebuilt and inspected for the purpose of registration and title with the Cherokee Nation, another tribe or state.
- S. Recreational Vehicle – shall mean any vehicle that is equipped to serve as temporary living quarters for recreational, camping or travel purposes and is used solely as a family or personal conveyance.
- T. Salvage Vehicle – shall mean any vehicle which is within the last (10) model years and has been damaged by collision or other occurrence to the extent that the cost of repairing the vehicle for safe operation on the highway exceeds sixty percent (60%) of its fair market value, immediately prior to the damage.
- U. Trailer – shall mean any portable structure having two or more wheels.
- V. Tribal Citizen – shall mean any person who is duly enrolled as a member of the Cherokee Nation pursuant to the Cherokee Nation Membership Act, L.A. 6-92, as amended.
- W. Vehicle – shall mean any wheeled conveyance for carrying persons or property capable of being propelled under its own power.
- X. Manufactured Home – shall mean any structures transportable in one or more sections built on a permanent chassis and designed to be used as dwellings with or without permanent foundations.
- Y. Physical Disability – shall mean an illness, disease, injury, or condition by reason of which a person:
  - 1. Cannot walk two hundred (200) feet without stopping to rest.
  - 2. Cannot walk without the use of assistance from a brace, cane, crutch, another person, prosthetic device, wheelchair or other assistance device.
  - 3. Is restricted to such an extent that the person's forced (respiratory) expiratory volume for one (1) second, when measured by spirometry, is less than one (1) liter, or the arterial oxygen tension is less than sixty (60) mm/hg on room air at rest.
  - 4. Must use portable oxygen.
  - 5. Has physical limitations which are classified in severity as Class III or Class IV according to standards set by the American Heart Association.
  - 6. Is severely limited in the person's ability to walk due to an arthritic, neurological or orthopedic condition.
  - 7. Is certified legally blind.
  - 8. Is missing one or more limbs.
- Z. Assembled Vehicle – shall mean a vehicle from which major components from two or more vehicles are being incorporated into a single unit.
- AA. Major Component – shall mean a body or cab, frame, and front end or rear end clip, if the public VIN is changed.
- BB. Abandoned Vehicle - shall mean 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; or a vehicle that is determined to be abandoned by Cherokee Nation



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District Court after proper public notice is given so an unknown owner or interest holders may attend court proceedings to protest legal change of ownership.

CC. All-Terrain Vehicle – shall mean a motorized vehicle manufactured and used exclusively for off highway use which is sixty (60) inches or less in width, with an un-laden dry weight of one thousand five hundred (1,500) pounds or less, traveling on two or more low-pressure tires.

DD. **Street Legal Utility Terrain Vehicle (UTV)** – shall mean a vehicle powered by an internal combustion engine, **or rotator displacement of four hundred cubic centimeters (400cc) or more or by an electric engine and capable of speeds of 45 mph or greater, safety belts or shoulder harness for each occupant, bench seat or side by side seat, four wheels in contact with the ground but excluding tractor.**

EE. Off Road Motorcycles – ORM's shall mean motorcycles 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.

FF. Mini-truck – shall mean 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 un-laden 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.

GG. Low Speed Electrical Vehicle – shall mean any four-wheeled electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than twenty (20) miles per hour but not greater than twenty-five (25) miles per hour and is manufactured in compliance with the National Highway Traffic Safety Administration standards for low-speed vehicles.

HH. Medium Speed Electrical Vehicle – shall mean any self propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body, whose speed attainable in one (1) mile is more than thirty (30) miles per hour but not greater than thirty-five (35) miles per hour.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	G	OTHER VEHICLES	
REGULATION #	MV:01-2-235.1		<b>ABANDONED VEHICLE</b>			
APPROVED BY:			DATE:	10-15-2020		
EFFECTIVE DATE:	<b>OCTOBER 15, 2020</b> <small>TBD</small>		SUPERCEDES MATERIAL DATED:	<b>OCTOBER 1, 2013</b> <small>OCTOBER 15, 2020</small>		
AUTHORITY:	Title 68 Revenue & Taxation; Motor Vehicle Licensing and Tax § 1304, 1354					

## Definition

“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 services.

- A. Prior approval required. Any person who wishes to sell a vehicle for storage fees or work done for which they have not been compensated must submit proper documentation to the Tax Commission for approval.
- B. Forms available. Abandoned Vehicle packet [17-01A] includes CNTC forms required 16-01, 17-01, 18-01, & 20-01 may be obtained from the Tax Commission or online at [www.cherokee.org](http://www.cherokee.org)
- C. Persons qualified to file mechanic’s lien “Abandoned Vehicle”. Every person who, while lawfully in possession of an article of personal property, renders any service 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. The required ownership and lien holder information are described by guidelines established in LA 01-01 Section 4-5.
- D. Manner of foreclosure. Said lien may be foreclosed by a sale of such personal property upon the notice and in the manner following. The notice shall contain.
  1. The names of the owner and any other party or parties who may claim any interest in said property.
  2. A description of the property to be sold.
  3. The nature of the work, labor or service performed, material furnished, and the date thereof.
  4. The time and place of sale.
  5. The name of the party, agent or attorney foreclosing such lien.



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E. Notice Requirements:

1. General requirements. Such notice shall be posted in three (3) public places in the county where the property is to be sold at least ten (10) days before the specified time of the sale. A copy of the notice shall be mailed to the owner and any other party or parties claiming any interest in the property, if known, at their last known post office address by registered mail on the day of posting. Any party or parties claiming an interest in the property shall include owners of chattel mortgages and conditional sales contracts as shown by the records at the Cherokee Nation Tax Commission. A receipt for certified mail must be included in the application for title.
2. Notice to owner and other interest holders prior to sale. Since the purchaser of a vehicle possessed by a mechanic or garage man has priority over the secured party's lien, the mechanic or garage man may sell the vehicle upon notifying the owner and any other party who may claim any interest in the vehicle, of the amounts due for the repairs or storage of the vehicle and the date on which the vehicle will be sold.

2. All transfers from court order, bankruptcy and sheriff's bill of sale must be submitted to CNTC Audit Department for approval.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	G	OTHER VEHICLES
REGULATION #		MV:01-2-235.12			STREET LEGAL UTILITY TERRAIN VEHICLE - UTV
APPROVED BY:			DATE:		
EFFECTIVE DATE:	TBD		SUPERCEDES MATERIAL DATED:		NA
AUTHORITY:		Title 68 Revenue & Taxation; Motor Vehicle Licensing and Tax § 1352			

**STREET LEGAL UTILITY TERRAIN VEHICLE - UTV** – Shall mean; A street legal utility vehicle having.

1. A bench seat or side-by-side seat for the use of each rider;
2. Four wheels in contact with the ground, but excluding a tractor;
3. A combustion engine with a piston or rotor displacement of four hundred cubic centimeters (400 cc) or greater or by an electric engine and capable of maintaining speeds of forty-five (45) miles per hour or greater;
4. For each occupant, safety belts or safety shoulder harnesses which shall be of a type and shall be installed pursuant to 49 C.F.R., Section 571.208 et seq;
5. All equipment required with respect to equipment on vehicles by provisions of Oklahoma Statutes Title 47 Sections 2-201 through 12-232.

A Street Legal Utility Vehicle operated on the streets and highways shall be registered as a motor vehicle.

The operator of a street-legal utility vehicle shall be at least sixteen (16) years of age and hold a valid Oklahoma driver license.

6. Street-legal utility vehicles that are registered as a motor vehicle may be in operation on the streets and highways. Provided, however, street-legal utility vehicles shall not be operated on the National System of Interstate and Defense Highways of U.S. Highways.