



CHEROKEE NATION TAX COMMISSION
MOTOR VEHICLE DIVISION
RULES AND REGULATIONS

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REGULATION #	MV:01-1-100		PURPOSE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202				

The provisions of this Chapter have been promulgated for the purpose of compliance with the Cherokee Nation's Motor Vehicle Licensing and Tax Code, LA 01-01, and to facilitate the administration, enforcement, and collection of taxes and other levies.



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REGULATION #	MV:01-1-101		MOTOR VEHICLE DIVISION		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act # "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202				

Titles, tags, registration and various fees are collected by the Division and files are maintained on ownership records of all vehicles, manufactured homes and trailers.



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REGULATION #	MV:01-1-102		DEFINITIONS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103				

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. Commercial Trailer – shall mean any trailer used primarily for the transportation of goods in the ordinary course of any trade or business.
- D. Commercial Vehicle – shall mean any vehicle used primarily for the transportation of persons or goods in the ordinary course of any trade or business.
- E. Commission – shall mean the Cherokee Nation Tax Commission.
- F. Eligible Vehicle – shall mean any Vehicle which is owned by a Tribal Citizen who resides within the Reservation Boundaries of the Cherokee Nation.
- G. Farm Tractor – shall mean any Vehicle owned by a farmer.
- H. 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.
- I. Farm Truck – shall mean any Vehicle equipped for the conveyance of property for agricultural purposes, but not for commercial or industrial purposes. Vans and sport utility vehicles shall not be eligible to car a Farm Truck tag.
- J. Motorcycles – shall mean any two or three-wheeled personal vehicle.
- K. Nation – shall mean Cherokee Nation.
- L. Person – shall mean natural person or legal entity legally competent to hold title to a vehicle.
- M. Reservation Boundaries of the Cherokee Nation – shall mean the territorial boundaries the Nation as they existed as of January 1, 1900.
- N. Personal Vehicle – shall mean any vehicle. Personal Vehicle shall not include a Commercial, Farm Truck, Farm Trailer, or a Recreational Vehicle.
- O. 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.
- P. 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.
- Q. 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.



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- R. Trailer – shall mean any portable structure having two or more wheels.
- S. 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.
- T. Vehicle – shall mean any wheeled conveyance for carrying persons or property capable of being propelled under its own power.
- U. 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.
- V. 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.
- W. Assembled Vehicle – shall mean a vehicle from which major components from two or more vehicles are being incorporated into a single unit.
- X. Major Component – shall mean a body or cab, frame, and front end or rear end clip, if the public VIN is changed.
- Y. 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 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.
- Z. 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.
- AA. Utility Vehicle – shall mean a vehicle powered by an internal combustion engine, electric engine
- BB. 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.



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- CC. 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.
- DD. 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.
- EE. 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	1	GENERAL PROVISION	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV:01-1-108		CONFIDENTIALITY OF MOTOR VEHICLE INFORMATION		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act # 25-01§ 75-1-6 (A-2). Matters exempt from disclosure. "Freedom of Information and Privacy Act of 2001"				

Information of a personal nature where the public disclosure thereof would constitute unreasonable invasion of personal privacy shall be withheld from disclosure except in accordance with the rules enacted by the Cherokee Nation Tax Commission (hereinafter "CNTC") or as otherwise allowed by Cherokee Nation law. Information of a personal nature shall include, but is not limited to, information as to gross receipts contained in applications for business licenses and any other sources of information or records, except information specifically designated by law as a public record, which would include the name, address, and telephone number of any person. This provision must not be interpreted to restrict access by the public and press to information contained in public records.

All information contained in certificates of title, applications therefore, vehicle registration records and computer data files is hereby declared to be confidential information and shall not be copied by anyone or disclosed to anyone other than an employee of the CNTC in the performance of his or her duty, except as provided herein or pursuant to an order from the courts of the Cherokee Nation.

- A. Procedure for release of vehicle and lien information. – Vehicle and lien information may be released only to qualified requestors upon completion of [CNTC Form 38-01] and remittance of the processing fee of One Dollar (\$1.00) per vehicle. Upon approval, the requested data may be provided at the appropriate processing fee established by the Commission.
- B. Who may obtain vehicle and lien information. – Vehicle and lien information may be released for permissible uses, which is defined as:
 1. For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, Tribal, or State agency in carrying out its functions.
 2. For use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers.
 3. For use in the normal course of business by a legitimate business or its agents, or contractors, but only;
 - a) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and



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- b) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
4. For use in connection with any civil, criminal, administrative, or arbitral proceeding in any Federal, Tribal, or State court or agency or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, Tribal, or State Court.
5. For use in research activities, and for use in producing statistical reports, so long as the personal information is not published, re-disclosed, or used to contact individuals.
6. For use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.
7. For use in providing notice to the owners of towed or impounded vehicles.
8. For use by any licensed private investigative agency or licensed security service for any purpose permitted under this subsection.
9. For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under 49 U.S.C. § 313.
10. For use in connection with the operation of private toll transportation facilities.
11. For any other use in response to requests for individual motor vehicle records if the CNTC has obtained the express consent of the person to whom such personal information pertains.
12. For bulk distribution for surveys, marketing or solicitations if the CNTC has the express consent of the person to whom such personal information pertains.
13. For use by any requestor, if the requestor demonstrates it has obtained the written consent of the individual to whom the information pertains.
14. For any other use specifically authorized under the law of the Cherokee Nation, if such use is related to the operation of a motor vehicle or public safety.
 - a) The current owner;
 - b) An individual, on behalf of the current owner, with written authorization;
 - c) A licensed wrecker or towing service, for notification to owners;
 - d) A legitimate business, for purpose of;
 - i. Verifying the accuracy of personal information submitted to the business by the individual to whom the requested information pertains; or
 - ii. Obtaining correct information for purposes of preventing fraud by pursuing legal remedies against, or recovering on a debt or security interest against the individual to whom the requested information pertains.



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- e) A requestor who is to use the information in conjunction with a civil, criminal, administrative, or arbitral proceeding in a Federal, Tribal, State, or local court or agency, or before any self-regulatory body. Use may include service of process, investigation in anticipation of litigation, and the execution or enforcement of a judgment or order;
 - f) A requestor, pursuant to an order of any court;
 - g) An insurer or insurance support organization;
 - h) A licensed private investigative agency or licensed security service, for purposes permitted by 25-01 §75-1-6.;
 - i) A governmental or law enforcement agency, or a court, for use in an official function;
 - j) Any person compiling and publishing motor vehicle statistics, provided that names and addresses of individuals shall not be disclosed;
 - k) Any motor vehicle manufacturer or an authorized representative thereof, in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls or advisories, performance monitoring of motor vehicles, motor vehicle parts and dealers, motor vehicle market research activities, including survey research, and removal of non-owner records from the original owner records of motor vehicle manufacturers; or
 - l) For use in connection with the operation of private toll transportation facilities.
- C. Insurance information release – Insurance information, including insurer and policy number, may be released to a law enforcement officer investigating an accident, or to a licensed Oklahoma wrecker service, when that information is needed to establish responsibility for wrecker fees.
- D. Penalties for the release of prohibited information – The release of any information not specifically authorized by statute, as described in subsections (b) and (c) of this Section, is strictly prohibited, and may be subjected to penalties enumerated in Legislative Act 25-01§ 75-1-13.
- E. Types of information released and fees - The [CNTC form 38-01], and sources of information provided under this Section may be available at the appropriate processing fee established by the Commission.
- 1. Current ownership or lienholder information may be provided for permissible uses as listed in subsection (b) of this Section by motor vehicle revenue agents or the Tax Commission upon approval and remittance of the processing fee of One Dollar (\$1.00).
 - 2. Computer generated title history information may be provided by the Motor Vehicle Audit Department upon approval and remittance of the processing fee of Five Dollars (\$5.00).
 - 3. Title history information may be provided by the Motor Vehicle Audit Department upon approval and remittance of the processing fee of Seven Dollars and fifty cents (\$7.50)
 - 4. Copy of lien release may be provided by the Motor Vehicle Audit Department upon approval and remittance of the processing fee of Seven Dollars and fifty cents (\$7.50)



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5. Certified copy of lien release may be provided by the Motor Vehicle Audit Department upon approval and remittance of the processing fee of Ten Dollars (\$10.00).
 6. Certified title history may be provided by the Motor Vehicle Audit Department upon approval and remittance of the processing fee of Ten Dollars (\$10.00).
- F. Certain information release to motor vehicle revenue agents – When required in the performance of their duties, motor vehicle revenue agents may request and receive from the Motor Vehicle Audit Department copies of submitted documentation relating to a transaction performed at their tag office.



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CHAPTER	1	GENERAL PROVISION	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV:01-1-104		DOCUMENTS REQUIRED FOR REGISTRATION		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act # 01-01 "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 207				

A. Documents required for title and registration

Membership verified with the Registration Department of Cherokee Nation, valid Oklahoma driver's license, and valid Oklahoma insurance verification.

B. Proof of physical address within the Reservation Boundaries of the Cherokee Nation.

1. A valid Oklahoma driver's license showing citizens physical address within Cherokee Nation boundaries; or
2. Current utility bill showing citizens physical address within Cherokee Nation boundaries; or
3. Three (3) pieces of current mail showing citizens physical address within Cherokee Nation boundaries; or
4. Cherokee Nation membership photo ID showing physical address within Cherokee Nation boundaries; or
5. Oklahoma State photo ID showing citizens physical address within Cherokee Nation boundaries.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV:01-2-200		GENERAL REGISTRATION INFORMATION		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103 F, 204				

- A. Motor vehicles to be registered; license tag required; title - Every motor vehicle, except salvage vehicles, vehicles on used car dealers' lots for sale and vehicles assigned to charitable organizations licensed through the Oklahoma Secretary of State's office, is required to be registered and a license tag displayed on the rear bumper. The tag is designed to remain on the vehicle until the Cherokee Nation Tax Commission authorizes a replacement and is renewed each year by means of a registration decal. The type of registration required depends on the type of vehicle and, in some cases, its use. A vehicle cannot be registered without a Cherokee Nation Title or proof that such Cherokee Nation Title exists and is in the name of the registrant. Proof of previous year's registration must be obtained before renewing registration on any non-salvaged vehicle. A current mail-out registration notice is considered proof for either purpose.
- B. Expiration; renewal; early renewal - Vehicles should not be renewed before the first day of the month of expiration. However, certain circumstances may exist which would allow for early renewal.
- C. Registration and licensing of leased vehicle - An individual leasing a vehicle may make application for any special tag or registration rate that he or she is entitled to. A copy of the lease agreement, listing the applicant as lessee, must be submitted and attached to the Cherokee Nation Tax Commission copies of the paperwork.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
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APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
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AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 203				

Procedure for determining years of registration - The year of registration fee will be determined by subtracting the model year of the vehicle from the registration expiration year. For example, a 1987 model being registered to expire in 1992 would be assessed the fifth year rate ($92 - 87 = 5$).



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV:01-2-202		STAGGERED REGISTRATION		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 203				

- A. Staggered registration procedures - All vehicles, except manufactured homes purchased new or brought in from any other tribe or from any state or territory will be registered on a staggered basis.
- B. Adjustment of expiration month - The new owner of a vehicle previously registered in any other tribe or with any state or territory may adjust the expiration month upon their initial registration. The purchaser of a new vehicle or the owner of a vehicle brought in from another state may establish the registration expiration month upon initial registration. A registration may not be issued for less than three months or more than fifteen months.
- C. Motorcycles and mopeds - shall be registered on a staggered system of registration effective January 1, 2011. The Cherokee Nation Tax Commission shall notify in writing prior to December 1, 2010, all owners of motorcycles or mopeds registered as of such date, who shall have a one-time option of registering for a period of not less than three (3) months nor greater than fifteen (15) months. Subsequent renewals for these registrants will be for twelve (12) months, expiring on the last day of the month chosen by the registrant under the one-time option as provided herein. All motorcycles and mopeds registered pursuant to new applications received on or after December 1, 2010, shall also be registered pursuant to the provisions of this paragraph.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV:01-2-203		NON-STAGGERED REGISTRATION		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act # "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202				

- A. Calendar year registrations - Manufactured Homes are registered on a calendar year basis (December expiration).
- B. Registration may be prorated - The following quarterly periods in which a vehicle is purchased or enters the reservation boundaries of the Cherokee Nation determines the portion of a full year registration and tax due.
 - 1. December 1 through March 31 - Full Year tax due.
 - 2. April 1 through June 30 - 3/4 Year tax due - Monthly rate times 9.
 - 3. July 1 through September 30 - 1/2 Year tax due - Monthly rate times 6.
 - 4. October 1 through November 30 - 1/4 Year tax due - Monthly rate times 3.
- C. No credit in excess of new registration fee - In no case will credit be made on the unused portion of a registration in excess of the new registration fee.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV:01-2-204		PROCEDURE FOR CHANGING TYPE OF REGISTRATION		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act " The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202				

- A. Surrender of registration and tag - When the type of registration on a vehicle is to be changed (Commercial tag in lieu of a farm tag, etc.) the applicant is to surrender all copies of registration and tag being exchanged to the Cherokee Nation Revenue agent.
- B. New registration and tag issued for new classification; adjusted fee and credits - The agent will issue a new registration and tag, basing the registration fee applicable to the new type of tag for the portion of the registration period remaining less credit, if any, for the old tag for the portion of the registration period remaining.
- C. No refunds available; credit limited to one exchange - If credit allowed on the previous registration exceeds the license and registration fee due on the registration being issued, no refund will be made. Credit will be allowed on one exchange of tags only. If subsequent exchanges are made, full fee for the portion of the year remaining will be due.
- D. Back taxes and penalties based on new classification - If back taxes and penalties are due upon changing from one type of registration to another where the tax rate differs, back taxes and penalties shall be based on the rate in effect during the time the vehicle was not tagged, using the new type of classification.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MW:01-2-205		MAIL ORDER REGISTRATION RENEWAL – NOT PERMITTED IN DELINQUENCY PERIOD		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act # The Cherokee Nation Motor Vehicle Licensing and Tax Code § 202				

Registration renewals, which are delinquent and subject to a penalty as provided by law, shall not be renewed by mail. However, renewal registration applications, which are postmarked prior to the date the registration became delinquent shall be accepted and renewed without penalty.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV:01-2-206		LIABILITY INSURANCE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202, 207 A4				

- A. Insurance verification form - The owner of a motor vehicle to be registered or titled in this Nation must surrender a current insurance security verification form to the tag agent prior to the processing of his registration, unless otherwise provided. The security verification shall contain the following information;
1. Name, address of the carrier, and the five-digit NAIC company code.
 2. The name, address and phone number of the agent where the existence of security may be verified, if other than carrier.
 3. Name of insured.
 4. Notice that an owner's policy has been issued pursuant to Compulsory Insurance Law of this state.
 5. Year, make and the vehicle identification number of each insured vehicle. (Note: Not required if Owner's form states "Fleet Coverage").
 6. Inclusive dates the motor vehicle liability policy is in effect and
 7. The policy number
 8. A warning to the owner of state law requirements that one copy be surrendered to the motor license agent on registration and one copy carried in the vehicle.
- B. Registration in conformity with insurance period - The registration should be issued only within the inclusive dates shown on the certification form.
- C. Trailers; vehicles not in use - Trailers are not included in the motor vehicle category and will not require a security verification form. Owners of vehicles not in use at the time of registration may register their vehicle upon signing a Non-Use Affidavit [CNTC Form 31-01].
1. The yearly validation decal issued to the owner of a vehicle who has filed a Non-Use Affidavit [CNTC Form 31-01] in lieu of liability insurance verification will be issued a decal of a separate and distinct color from all other yearly decals. It shall be the owner's responsibility to obtain insurance if such vehicles are put into service at a later time.
 2. The owner of the vehicle is required, upon putting the vehicle back in service, to purchase another decal indicating the liability insurance coverage. A valid insurance verification form will be required and payment of a replacement tag/decal fee, and the insurance verification fee.
- D. Fleet vehicles - On blanket coverage of fleet vehicles, the year, make and serial number are not required on the certification form. It shall bear the term "Fleet Coverage." This term shall be typed or written on the lower right hand portion of the registration certificate by the Revenue agent.



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- E. Exceptions to insurance verification requirements - The following shall not be required to surrender a security verification form to the Revenue agent.
1. Any vehicle owned or leased by the Cherokee Nation or any Cherokee Nation agency.
 2. Any vehicle held for sale by a licensed Car Dealer.

Processing fee authorized - The Revenue agent is authorized to charge a fee for processing a security verification form or Non Use Affidavit upon registration of a motor vehicle.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV:01-2-207		CREDIT FOR REGISTRATION TAX AND REGISTRATION ON THEFT OF VEHICLE; DEFECTIVE VEHICLE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202				

- A. Theft of vehicle - If a new vehicle is stolen within 90 days of purchase, credit will be allowed on the registration tax and registration fee for a new replacement vehicle. A police report of the theft is required.
- B. Vehicle certified as defective - If a new vehicle is certified by the manufacturer as defective within 6 months of purchase, credit will be allowed on the registration tax and registration fee for a new replacement vehicle. A statement from the manufacturer is required.
- C. Procedure for obtaining credit.
 1. Credit will be allowed for the full amount paid upon the initial registration of the original vehicle in this Nation. The credit amount will not be prorated for period of time the original vehicle was in use. Registration tax may be credited down to no charge. Registration fee may be credited down to a minimum charge.
 2. Credit will not be allowed for any late penalties paid.
 3. No refund will be given if credit from original vehicle exceeds amount due on replacement.
 4. Both rules apply only to the original purchaser of a new vehicle. If a transfer of ownership occurs before the vehicle loss, no credit will be allowed.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV:01-2-208		LICENSE PLATE TRANSFER		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202				

- A. Retention and transfer of license plate - A person may retain the license plate of any vehicle registered to that person to be transferred to a second vehicle. The license plate removed from the first vehicle may be transferred to a new or used second vehicle.
- B. Definitions
 - 1. "First Vehicle" means the vehicle from which a license plate is removed and transferred to a second vehicle.
 - 2. "Second Vehicle" means the vehicle to which a license plate is transferred after removal from a first vehicle; and
 - 3. "Vehicle" means a passenger vehicle and does not include farm or commercial vehicles. This does include motorcycles and motor homes.
- C. Issuing replacement tag for first vehicle - The replacement tag is to be issued on currently registered vehicles. If the tag for this vehicle has expired, it must be renewed before the replacement tag can be issued. If the second vehicle is not being registered at the same time as the replacement, the owner must keep a copy of the replacement tag registration. It will be necessary to turn that copy in when registering the second vehicle. An insurance verification is not required for this registration.
- D. Reissuing the tag to a new vehicle, used vehicle from other tribe or territory, or a vehicle which expired on a used dealer's lot. A registration listing the tag being transferred and a new decal will be issued upon collecting the proper amount of registration fees due. Proof must be provided that a replacement tag was issued for the first vehicle. The proof required is a copy of the replacement tag registration. This copy should be attached to the Cherokee Nation Tax Commission copy of the registration of the second vehicle. If the applicant has not purchased a replacement tag and has sold the first vehicle, the replacement fee plus any penalties will be collected.
- E. Reissuing the tag to a used vehicle already registered in the reservation boundaries of the Cherokee Nation.
 - 1. When registrations are current - If the vehicle registration is current, a new month and yearly decal corresponding to the tag being surrendered will be issued to be placed on the tag being transferred. The tag removed from the second vehicle must be surrendered to the tag office.
 - 2. When registration has expired - If the tag on the second vehicle has expired, it will be necessary for the new owner to renew the registration before transferring his tag to the new vehicle.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV-01-2-209		DISPLAY OF VEHICLE LICENSE PLATES		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202, 206.				

- A. Vehicle license plates shall be firmly affixed to the rear of the vehicle.
- B. Vehicle license plates shall be affixed and displayed in such a manner that the letters and numerals shall be read from left to right parallel to the ground.
- C. No vehicle license plate may be displayed in an inverted or reversed position, or in such a manner that the letters and numerals are not readily identifiable.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #		MY:01-2-210	LOST, STOLEN, OR MUTILATED TAGS AND DECALS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Licensing and Tax Code" § 202, 207				

- A. Procedures upon the loss, theft, or damage to tag or decal - In the event of loss, mutilation, or destruction of a license plate and/or decal, an "Affidavit for Replacement Tag and/or Decal" [CNTC form 32-01] must be completed by the applicant.
- B. When no additional fee due - A new tag may be issued upon the annual renewal at no additional charge.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	B	PENALTIES
REGULATION #	MV-01-2-211		NEW VEHICLES PURCHASED BY CHEROKEE RESIDENTS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202, 203-208				

- A. General provisions - The maximum penalty allowed by statute is assessed after thirty (30) days from assignment on all vehicles.
- B. No penalty on initial registration of commercial trailers - There is no late registration penalty on the initial registration of a commercial trailer in this nation.
- C. Due dates which fall on non-business days - A waiver may be granted if the 30th day falls on Sunday or a holiday and the vehicle is registered on Monday, or on the day following a holiday.
- D. Manufactured homes - are assessed penalties equal to the registration fee, if not registered within 30 days from the assignment date; not to exceed \$100.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	B	PENALTIES
REGULATION #	MV-01-2-212		USED VEHICLES PURCHAED OUT OF STATE, TERRITORY OR OTHER TRIBE BY A CHEROKEE RESIDENT		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202, 207				

If not registered within thirty (30) days of assignment, a daily penalty accrues from the date of entry for thirty (30) days. On the 31st day, the maximum penalty amounts apply as outlined in LA # 01-01 § 207 B1.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	B	PENALTIES
REGULATION #			VEHICLES WITH EXPIRED CHEROKEE NATION, OKLAHOMA, ANY OTHER TRIBE OR TERRITORY LICENSE PLATES PURCHASED FROM A USED CAR OR USED TRAILER DEALER		
APPROVED BY:		<i>Jimmy Hummingbird</i>	DATE:		9-11-13
EFFECTIVE DATE:		October 1, 2013			
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202, 207				

A daily penalty accrues beginning the 31st day after assignment and continues accruing until the vehicle is registered or until the maximum penalty is reached. The penalty may not, however, exceed two (2) times the registration fee due. The maximum on this particular penalty applies to all vehicle classifications.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	B	PENALTIES
REGULATION #	MV-01-2-214		RENEWAL REGISTRATIONS		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202, 207B				

General renewal provisions; grace period; due dates; maximum amount - All registrations expire the last day of the month shown on the registration. The following month is considered a grace month during which no penalty accrues. After the grace month, on vehicles a daily penalty accrues. On the first (1st) day of the following month, the maximum penalty will apply. The penalty may not exceed two (2) times the registration fee due.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	B	PENALTIES
REGULATION #		MV:01-2-215	MANUFACTURED HOMES ON USED DEALERS' LOTS-RESERVED		
APPROVED BY:		RESERVED	DATE:		RESERVED
EFFECTIVE DATE:		RESERVED			
AUTHORITY:					

"RESERVED"



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	B	PENALTIES
REGULATION #	MV-01-2-216		WAIVER OF PENALTIES		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202, 207 B2				

- A. Annual registration required generally - A vehicle must be registered yearly, whether in use or not. If an owner fails to do so, fees and penalties are due for the current year and one previous year.
- B. Waiver of penalty available for inoperable vehicle; procedure - If an applicant provides parts or repair receipts and an Affidavit of Inoperative Motor Vehicle (CNTC form 22-01) declaring the vehicle was inoperable, the penalties (on both years) may be waived. The repairs must be of a substantial nature and the required documentation must be attached to the request for waiver.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-217		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-218		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-219		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-220		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-221		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-222		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-223		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-224		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-225		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-226		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-227		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-228		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-229		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	C	DEALERS
REGULATION #	MV:01-2-230		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:					

RESERVED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	D	NON-COMMERCIAL VEHICLES
REGULATION #	MV 91-2-231		NON COMMERCIAL VEHICLES		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202, 203, 204, 205				

Rates are based on a combination of the actual purchase price and number of year registered.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	E	COMMERCIAL VEHICLES
REGULATION #	MV-01-2-232		COMMERCIAL VEHICLES		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103,202, 203, 204, 205				

A commercial vehicle is any vehicle used primarily for the transportation of persons in the ordinary course of any trade or business.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	E	COMMERCIAL VEHICLES
REGULATION #	MV 01-2-233		COMMERCIAL TRUCKS AND TRUCK TRACTORS		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103,202, 203, 204, 205				

- A. Basis of registration - Commercial Trucks and Truck Tractors are registered on the basis of declared gross laden weight. Commercial trucks registered for 15,000 lbs. or less are registered on a combination of age and declared gross laden weight of the vehicle. Declared laden weight is the combined weight of a vehicle when fully equipped for use and the cargo or payload transported thereon. The weight declared is at the discretion of the registrant, provided that in no event may the figure be less than the unladen weight of the vehicle fully equipped for use plus the manufacturers rated carrying capacity.
- B. Minimum weight for truck tractors; minimum fee - The minimum weight allowed on a truck tractor is 15,000 lbs.
- C. Display of commercial status; inspections - All commercial trucks and truck tractors must have the name of the commercial establishment or the words "Commercial Vehicle" permanently and prominently displayed upon the outside of the vehicle in letters not less than 2" high and 2" wide. The letters must be in contrast to their background in order to be legible from a distance of 50 feet when the vehicle is not in motion. All commercial trucks and truck tractors with a combined laden weight of 26,000 lbs. or less shall be physically inspected for compliance with the sign requirement upon their initial commercial registration in this Nation and upon any transfers of ownership. Vehicles registering at 15,000 lbs. or less must also meet additional requirements.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	E	COMMERCIAL VEHICLES
REGULATION #	MV-01-2-234		ADDITIONAL DISPLAY REQUIREMENTS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103,202, 203, 204, 205				

- A. Application - The additional guidelines in this Section apply to all commercial trucks registering at 15,000 lbs. and under. Commercial Trucks include pickups and other vehicles on a truck chassis. Passenger vehicles may not be registered as a commercial truck.
- B. Affidavit of commercial use - An Affidavit of Commercial Use for vehicles with combined laden weight of 15,000 lbs. or less (CNTC Form 40-01) must be completed and attached to the Cherokee Nation Tax Commission copy of the receipt upon the initial registration, renewal registration and transfer of ownership.
- C. Requirements upon initial registration or transfer of ownership - Upon an initial registration or transfer of ownership, one of the following three additional items must be submitted and listed on the Commercial Use Affidavit.
 1. Sales Tax Permit Number
 2. Federal Employer I.D. Number, or
 3. If owner is sole proprietor, a copy of Schedule C of most recent income tax return.
- D. Renewal requirements - Upon registration renewal, a Commercial Use Affidavit must be completed, listing a description of how the required sign reads on the vehicle. If the sign description listed on the affidavit by the vehicle owner reflects the actual name of the business, no additional documentation is required to renew the commercial registration. If the sign description listed on the affidavit by the vehicle owner reflects that the sign reads "Commercial Vehicle" one of the additional three proofs (Sales Tax #, Federal Employer I.D. #, Schedule C) must be submitted in order to renew the commercial registration.
- E. Procedure for change of weight classification. The weight may be raised on commercial trucks or tractors during the registration period on an additional tax receipt.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	F	MANUFACTURED HOMES
REGULATION #	MV-91-2-235		MANUFACTURED HOMES		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103,202, 203, 204, 205				

- A. Initial title and registration. In most instances, manufactured homes purchased new or brought in from another state, tribe or territory are initially titled and registered at motor license agencies. Thereafter, they are placed on county Ad Valorem tax rolls and will be issued registration renewal decals by the County Treasurer.
- B. License plate and decal required. A manufactured home license plate and registration decal are required on all manufactured homes registered in this territorial reservation boundary of the Cherokee Nation as of January 1, 1900.
- C. Fees may be prorated for remainder of current year. For those manufactured homes purchased new or coming in from another state, tribe or territory, license plates and corresponding registration decals shall be issued upon payment of the applicable registration fee for the balance of the year.
- D. Issuance of license and decal for currently registered manufactured homes; proof of payment of ad valorem tax. For those manufactured homes already located and registered in this Nation on December 1, 1988, a license plate and registration decal shall be issued upon proof of current Ad Valorem taxes paid. Proof of payment must be in the form of a Manufactured Home Tag Certification form or Manufactured Home Certificate (form 936R). When presented with proof of payment, a license plate and corresponding decal will be issued for a total fee as set forth by statute.
- E. Basis used for registration fee and registration tax. Both the registration fee and registration tax fee are based upon the selling price of the manufactured home. The selling price will be entered as the Actual Purchase Price when issuing an original Cherokee Title.
- F. Registration tax on manufactured homes. The registration tax on new manufactured homes is levied on one-half 1/2 of the retail-selling price. The registration tax on a used manufactured home will be applied to 65% of one-half the resale price.
- G. Sale of manufactured home; transfer of title; change of basis. If the manufactured home is sold, the title must be transferred to the new owner, who will have the title issued in his name.
- H. Proof of payment of ad valorem tax required upon transfer. Proof of current paid ad valorem taxes must be obtained before transferring ownership of a manufactured home.
- I. Manner of proof. Acceptable proof of paid ad valorem taxes will be a Form 936R Manufactured Home Certificate or other receipt issued by a county treasurer which lists the manufactured home being transferred and clearly designates that taxes for the current calendar year have been paid in full.



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- J. When other basis used in determining tax. Should the manufactured home be repossessed or brought in used from out-of-state, Oklahoma, other tribe or territory the blue book suggested selling price would be used as a base price for the registration and collection of Registration tax.
- K. Late registration; penalties. For late registration of manufactured homes, which are not registered within the 30 day period from the date of purchase or the date the manufactured home was brought into this Nation, the penalty shall be an amount equal to two times the registration fee.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	G	OTHER VEHICLES
REGULATION #	MV 01-2-235.1		ABANDONED VEHICLE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103, 204."				

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
- 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.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	G	OTHER VEHICLES
REGULATION #	MV 01-2-235.2		ASSEMBLED VEHICLE		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103, 204,"				

"Assembled Vehicle" means a vehicle from which major components from two or more vehicles are being incorporated into a single unit.

- A. When Affidavit of Assembly and Ownership is required. An affidavit of Assembly and Ownership is required when major components from two or more vehicles are being incorporated into a single unit. For purposes of this Section, "major component" means a body or cab, frame, and front end or rear end clip, if the public VIN is changed.
- B. Documentation required. Documentation required to support application for Cherokee Nation title using an Affidavit of Assembly and Ownership includes.
 1. A completed Affidavit of Assembly and Ownership (CNTC Form 24-01). The applicant must complete the Affidavit of Assembly and Ownership (CNTC Form 24-01) and supporting documentation. Title or notarized bills of sale for all major components must be submitted, including.
 - a) The vehicle identification number (VIN) of the vehicle from which the part was removed; and
 - b) An original bill of sale or receipts for other components used to build the vehicle. Examples of other components may include: frame, engine, transmission, doors, hood, sheet metal, bed, tire and wheels, interior components.
 2. A completed Application for Cherokee Nation Certificate of Title (CNTC Form 01-01). The applicant must complete the Application for Cherokee Nation Certificate of Title (CNTC Form 01-01), as follows;
 - a) The year to be listed on the certificate of title will be the year of the body or cab of the vehicle which is constructed.
 - b) The make of the vehicle will be (AV2006BU); "AV", for Assembled Vehicle, "2006BU" for the year and make of the vehicle that best describes the vehicle.
 - c) The model of the vehicle will be the letter code currently used on the Cherokee Nation Certificate of Title.
 - d) The body type will reflect the current body type of the vehicle. Example: 2DR.
 - e) The sales price will be the original price for the body or cab of the vehicle.
 - f) Registration taxes due on the rebuilt vehicle will be determined as follows:



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- i. Registration tax will not be collected if the title was in the registrant's name on each of the major components used to build the current vehicle.
 - ii. Registration tax will be due upon transfer if the title was not in the registrant's name on each of the major components used to build the current vehicle.
- C. Approval required. Any application for title using the Affidavit of Assembly and Ownership must be approved by the Motor Vehicle Division prior to the time the vehicle is inspected by the Cherokee Nation Tax Commission.
- D. Inspection required. When the Motor Vehicle Division has approved application for title, the applicant must make an appointment for an inspection by the Cherokee Nation Marshal office. The CN Tax Commission then inspects the vehicle, and a Cherokee Nation assigned Number is permanently affixed to the vehicle by the CN Marshal Office.
- E. Cherokee Nation assigned number. The Cherokee Nation Assigned Number will be the valid vehicle identification number (VIN) for the reconstructed vehicle.
- F. Active liens. If a lien is active on any vehicle identification number (VIN) used to build the vehicle, the paperwork must be returned to the Motor Vehicle Division, and the following procedure will apply.
1. The Lien Department of the Motor Vehicle Division will issue a corrected Lien Entry Form, reflecting the new vehicle identification number (VIN) assigned by the Cherokee Nation Tax Commission.
 2. The Lien Department of the Motor Vehicle Division will then notify any lien holder of the corrected vehicle identification number (VIN).
- G. No active liens. If no liens are active on any vehicle identification number (VIN) used to build the vehicle, the approved Cherokee Nation Tax Commission Application for Title (CNTC Form 01-01) and Assembly and Ownership Affidavit (CNTC Form 24-01), all original receipts and notarized bills of sale associated with this transaction, Form 65-01, can then be taken to a Cherokee Nation Motor License Agency for processing.
- H. Issuance of title; tag and decal, if applicable. At the time the Cherokee Nation Certificate of Title is issued, a current tag and decal will be issued also, if applicable. All plates issued to any original vehicle used as a component for the rebuilt vehicle become invalid.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	G	OTHER VEHICLES
REGULATION #	MV-01-2-235.3		ALL-TERRAIN VEHICLE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103"				

All-terrain vehicle" means a motorized vehicle manufactured and used exclusively for off-highway use which is sixty (60) inches or less in width, with an unladen dry weight of on thousand five hundred (1,500) pounds or less, traveling on two or more low-pressure tires.

- A. The Cherokee Nation Tax Commission shall assign an all-terrain vehicle or motorcycle, used exclusively off roads and highways a distinctive number and issue to the owner a certificate of registration and decal but not a license plate. The initial decal for an all-terrain vehicle or motorcycle shall be attached to the front of the all-terrain vehicle and shall be in clear view. The decal shall be on the front or on the front fork of the motorcycle used exclusively off roads and highways and the decal shall be in clear view.
- B. Except as otherwise provided by this section, all-terrain vehicles and motorcycles used exclusively off roads or highways shall be registered once with the Cherokee Nation Tax Commission within thirty (30) days after purchase.
- C. For all-terrain vehicles or motorcycles used exclusively off roads or highways purchased prior to June 12, 2006, registration shall not be required, but shall be allowed at the option of the owner of the all-terrain vehicle or motorcycle used exclusively off roads or highways.
- D. All-terrain vehicles or motorcycles used exclusively off roads or highways owned or purchased by a person that possesses an agricultural exemption pursuant to Section 204-F of the Cherokee Nation Statutes may be registered as provided by this section.
- E. For all-terrain vehicles and motorcycles used exclusively for use off roads or highways purchased on or after June 16, 2006, and for all-terrain vehicles and motorcycles used exclusively for use off roads or highways purchased prior to June 16, 2006, which the owner chooses to register pursuant to the provisions of subsection C of this act, an initial and nonrecurring registration fee of Six Dollars (\$6.00) shall be assessed at the time of initial registration by the owner.
- F. Except for persons that possess an agricultural exemption pursuant to Section 204-F of this title, the registration tax shall be levied upon transfers of legal ownership of all-terrain vehicles and motorcycles used exclusively off roads and highways, which occur on or after June 16, 2006. The registration tax for new and used all-terrain vehicles and motorcycles used exclusively off roads and highways shall be levied at one and one-half percent (1 ½%) of the actual sales price of each new and used all-terrain vehicle and motorcycle used exclusively off roads and highways before any discounts or credits are given for a trade-in.



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- G. The tax levied pursuant to this section shall be due at the time of the transfer of legal ownership or first registration in this state of such vehicle: provided, the tax shall not be due at the time of the issuance of a certificate of title for an all-terrain vehicle or motorcycle used exclusively off roads and highways which is not required to be registered but which the owner chooses to register pursuant to the provisions of subsection D of this act, and shall be collected by the Cherokee Nation Tax Commission, as applicable, or a Tax Commission Agent, at the time of the issuance of a certificate of title for any such vehicle.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	G	OTHER VEHICLES
REGULATION #	MV-01-2-235.4		MINI TRUCKS		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103"				

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.

- A. Mini-trucks shall be registered pursuant to the provisions of the Cherokee Nation Vehicle Licensing and Tax Code.
- B. Mini-trucks which have been titled and registered pursuant to the provisions of the Cherokee Nation Vehicle Licensing and Tax Code may be operated on the roadways of this state; 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 operations of motor vehicles on the roadways of this state provided by law.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	G	OTHER VEHICLES
REGULATION #	MY:01-2-235.5		LOW SPEED AND MEDIUM SPEED ELECTRICAL VEHICLES		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103"				

- A. Low-speed electrical- vehicle-means any four-wheeled electrical vehicle that is powered by an electrical 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 in 49 C.F.R. 571.500.
- 1 Such vehicles may be titled and registered at the option of the owner, with the registrant paying registration tax, rather than sales tax. Medium-speed vehicles are eligible for any motor vehicle registration classification for which the vehicle type (i.e. passenger; truck) and owner qualify. Registration fees applicable to the registration classification and standard vehicle registration tax rates apply, unless the owner qualifies for a special rate or exemption.
 - 2 Restrictions on operation; No person shall operate any low-speed electrical vehicle on any street or highway with a posted speed limit greater than thirty-five (35) miles per hour.
 - 3 Titling documentation; In general, standard vehicle titling documentary requirements apply. However, when issuing an original title to a low-speed electrical vehicle that has never been titled previously, the Commission may accept a notarized bill of sale, or other similar ownership instrument, as an alternative to a properly assigned certificate of title or Manufacturer's Statement of Origin (MSO).
- B. Medium-speed electrical vehicle- means any self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crushproof body design, 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 and is manufactured in compliance with the National Highway Traffic Safety Administration standards for low-speed vehicles in 49 C.F.R. 571.500. Titling and registration is mandatory for such vehicles.
1. Titling and registration is mandatory for such vehicles. Medium-speed vehicles are eligible for any motor vehicle registration classification for which the vehicle type (i.e. passenger; truck) and owner qualify. Registration fees applicable to the registration classification and standard vehicle registration tax rates apply, unless the owner qualifies for a special rate or exemption.



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2. Titling documentation; In general, standard vehicle titling documentary requirements apply. However, when issuing an original title to a medium-speed electrical vehicle that has never been titled previously, the Commission may accept a notarized bill of sale, or other similar ownership instrument, as an alternative to a properly assigned certificate of title or Manufacturer's Statement of Origin (MSO).



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	H	SPECIAL LICENSE PLATES
REGULATION #	MV 01-2-236		SPECIAL LICENSE PLATES		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103,202, 203, 204, 205				

- A. General Provisions - General provisions. Applications for all types of personalized tags may be ordered from Cherokee Nation Tax Commission. Special license plates shall not be transferred to any other person but shall be removed from the vehicle upon transfer of ownership and retained. The special license plate may then be used on another vehicle but only after such other vehicle has been registered for the current year with a motor license agent.
- B. Leased Vehicles - An individual leasing a vehicle may make application for any special tag or registration rate that he or she is entitled to. A copy of the lease agreement, listing the applicant as lessor, must be submitted and attached to the Cherokee Nation Tax Commission copies of the paperwork.
- C. No Conflict Policy - No special plate can be issued which conflicts with the regular plate numbering system.
- D. Non-Offensive Content Policy - No special plate will be issued which may be offensive to the general public.
- E. Fees - Special plate fees are set by Cherokee Nation Tax Commission. If a special plate or decal is mailed, a mailing fee for a metal plate or mailing fee for a decal is collected.
- F. Original Applications - renewal. All original applications must be submitted to the Cherokee Nation Tax Commission. Renewal decals may be obtained from the Cherokee Nation Tax Commission for all special plates.
- G. Authorization of new special license plates. The Cherokee Nation Tax Commission is hereby authorized to design and issue new special license plate types to any member that applies to the Commission for the creation of a special license plate and meets the conditions and minimum standards outlined by law.



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REGULATION #	MV 01-2-237		PERSONALIZED LICENSE PLATES		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" §103,202, 203, 204,205				

Personalized license plates will be issued bearing a maximum of seven letters, seven numbers or a combination of 4 letters and 3 numbers in the standard block type including spaces and hyphens. No punctuation marks or symbols will be used. Remittance must accompany the application (CNTC 15-01) for the plate and is in addition to the annual license fee.



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REGULATION #	MV 01-2-238		MOTORCYCLE PERSONALIZED LICENSE PLATES		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" §103,202, 203, 204,205				

Motorcycle Personalized license plates will be issued bearing a maximum of six (6) letters or a combination of 4 letters and two numbers including spaces and hyphens in the standard block type. No punctuation or symbols or a tag with 6 or less numbers can be used. Such plates may be ordered at any time during the year. Remittance must accompany the application (CNTC -14-01) and is in addition to the annual license fee.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	H	SPECIAL LICENSE PLATES
REGULATION #	MV 01-2-239		PHYSICALLY HANDICAPPED		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103, 202, 203, 204, 206				

- A. A special tag displaying a stylized human figure may be ordered. The applicant must have a Disabled Parking permit from the Department of Public Safety to qualify for this plate. Special parking privileges may be extended to a physically disabled person who displays a five year placard or a physically disabled license plate, on a motor vehicle, operated by or under the direction and for the use of the physically disabled person.
1. To receive the Disabled Parking Permit, an application may be obtained from the Department of Public Safety. The application must be completed by a physician licensed to practice medicine.
 2. Procedure for ordering license plate; to order the tag, a completed application for Handicapped Plate (Form 71-01) must be submitted to Cherokee Nation Tax Commission.
 3. Renewal - the Cherokee Nation Tax Commission upon proof of current registration will renew the handicapped plate.
- B. Special registration rate may apply. If a vehicle is modified as a direct result of the physical disability of the owner, or of a relative of the owner within the second degree of consanguinity, a special registration may be available. The disabled individual must qualify for a Department of Public Safety Disabled Parking Permit. The vehicle modification must be permanent, and of a nature that could not be considered standard equipment, or normal, optional, vehicle equipment. Examples of qualifying modifications are hand controls, foot pedals, or wheelchair lifts. The Cherokee Nation Tax Commission will make vehicle modification eligibility determinations.
- C. Procedure for obtaining special rate. An applicant for the special rate must complete the Cherokee Nation "Affidavit for Physically Disabled Registration", (Form 23-01) describing modification (s) made to the vehicle and listing the Oklahoma Department of Public Safety Handicapped Parking Insignia number, recipients name, and relationship to the vehicle owner.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	H	SPECIAL LICENSE PLATES
REGULATION #	MY 01-2-240		VETERANS OF THE ARMED FORCES – REVOKED		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" §103,202, 203, 204,205				

REVOKED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	H	SPECIAL LICENSE PLATES
REGULATION #	MV-01-2-241		BRONZE, SILVER STAR, PURPLE HEART		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" §103,202, 203, 204,205				

- A. **Bronze or Silver Star** – such plates shall be designed for any citizen who has been awarded the Bronze Star military decoration or the Silver Star military decoration. Such person may apply for a military decoration license plate for each vehicle with a rated carrying capacity of one (1) ton or less.
- B. **Purple Heart Recipient License Plate** - such plate shall be designed for any citizen who has been awarded the Purple Heart military decoration and upon the death of the recipient, the spouse of the recipient. Such persons may apply for a Purple Heart recipient license plate for vehicles with a rated carrying capacity of one (1) ton or less. The surviving spouse of any deceased veteran who has been awarded the Purple Heart military decoration, if such spouse has not since remarried, or if remarried, the remarriage has been terminated by death, divorce or annulment, may apply for such plate for one vehicle with a rated carrying capacity of one (1) ton or less.
- C. **Qualifications and Application** - Veterans who have been awarded selected medal(s) for heroism in combat may apply for a special plate. To qualify, the applicant must complete an application (Form 73-01) and provide a copy of Form DD214, Certificate of Award, or Separation papers showing qualification for the type of plate applied for, to the Cherokee Nation Tax Commission. Remittance must accompany the application for the plate and is in addition to the annual license fee.
- D. **Fees, Renewal** - These tags are issued and renewed each year.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	H	SPECIAL LICENSE PLATES
REGULATION #	MV 01-2-242		EX-PRISONER OF WAR		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" §103,202, 203, 204,205				

- A. **Prisoner of War License Plates** – such plates shall be designed for honorably discharged or present members of the United States Armed Forces and civilians who were former prisoners of war held by foreign country and who can provide proper certification of that status. Such persons may apply for a prisoner of war license plate for no more than two vehicles with each vehicle having a rated carrying capacity of one (1) ton or less. The surviving spouse of any deceased former prisoner of war, if said spouse has not since remarried, may apply for a prisoner of war license plate for one vehicle with a rated carrying capacity of one (1) ton or less.
- B. **Qualifications and Application** - To qualify, the applicant must complete an application (Form 74-01) and provide a copy confirmation letter from department of veteran affairs showing qualification for the type of plate applied for, to the Cherokee Nation Tax Commission. Remittance must accompany the application.
- C. **Fees, Renewal.**- These tags are issued and renewed each year.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	H	SPECIAL LICENSE PLATES
REGULATION #	MY:01-2-243		PARENTS WHOSE CHILD HAS BEEN KILLED AS A RESULT OF SERVICE IN ARMED FORCES - REVOKED		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" §103,202, 203, 204,205				

REVOKED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	H	SPECIAL LICENSE PLATES
REGULATION #	NY:01-2-244		PAST AND PRESENT ELECTED TRIBAL OFFICIALS - REVOKED		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" §103,202, 203, 204,205				

REVOKED



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	H	SPECIAL LICENSE PLATES
REGULATION #	MV:01-2-244.1		VETERAN OF FOREIGN WAR		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" §103,202, 203, 204,205				

- A. **Veteran of Foreign War Plates** - such plates shall be designed for honorably discharged or present members of the United States Armed Forces who served and was in a foreign county during war time and who can provide proper certification of that status. Such persons may apply for a veteran of foreign war license plate for vehicles with a rated carrying capacity of one (1) ton or less.
- B. **Qualifications and Application.** To qualify, the applicant must complete an application (Form 75-01) and provide a copy of Form DD214, Certificate of Award, or Separation papers showing qualification for the type of plate applied for, to the Cherokee Nation Tax Commission. Remittance must accompany the application.;
- C. **Fees, Renewal.** These tags are issued and renewed each year.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	H	SPECIAL LICENSE PLATES
REGULATION #	MV:01-2-244.2		DISABLED AMERICAN VETERAN		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" §103,202, 203, 204,205				

- A. **Disabled American Veteran License Plates** - such plates shall be designed for tribal citizens presenting proper certification from the United States Department of Veterans Affairs or the Armed Forces of the United States certifying such veteran has a service-connected disability rating of fifty percent (50%) or more. Such persons may apply to the Tax Commission for a disabled veteran's license plate for no more than two vehicles with each vehicle having a rated carrying capacity of one (1) ton or less. The surviving spouse of any deceased disabled veteran, if the spouse has not since remarried, or if remarried, the remarriage is terminated by death, divorce, or annulment, may apply for a disabled veterans license plate for one vehicle with a rated carrying capacity of one (1) ton or less.
- B. **Qualifications and Application.** To qualify, the applicant must complete an application (Form 72-01) and attach original ODVA 599 FORM (This card will be returned to with license plate) to the Cherokee Nation Tax Commission. Remittance must accompany the application.
- C. **Fees, Renewal.** These tags are issued and renewed each year.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	1	ENFORCEMENT
REGULATION #	MY:01-2-245		SALE OF VEHICLES SEIZED FOR IMPROPER REGISTRATION AND/OR LICENSE PLATES		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202				

- A. As soon as practicable after seizing, or receiving notice of seizure of a Motor Vehicle for lack of or improper license plate or registration, from the Cherokee Nation Tax Commission, the Cherokee Nation Marshal Service, or other duly authorized peace officer of this Nation, the Administrator of the Cherokee Nation Tax Commission shall cause notice to be sent by certified mail, restricted delivery, return receipt requested, to the registered owner of such vehicle at the owner's last known address as shown by the records of this commission.
- B. The notice shall the owner that the vehicle will be sold (The sale shall not be less than fifteen (15) days from the date of the notice). At public sale on a date and at a time and place specified in the notice, unless the owner.
 - 1. Properly registers the vehicle and pays the Commission all license, registration and title fees due and owning including any penalty and interest; or
 - 2. Appears before the Cherokee Nation Tax Commission on a date and at a time and place specified in the above notice (which shall not be less than ten (10) days from the date of such notice) and shows why the fees and penalties should not be paid, nor the vehicle sold.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	1	ENFORCEMENT
REGULATION #	MV 01-2-246		ORDER OF SALE FROM CHEROKEE NATION TAX COMMISSION HEARING		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202				

If the owner of a vehicle seized for an improper registration or license plate fails to properly register the vehicle and pay the fees and penalties before the time and date of the hearing before the Cherokee Nation Tax Commissioners, or fails to appear and show cause why the vehicle should not be sold, the Cherokee Nation Tax Commissioners shall order the sale to proceed at the time, date and place specified in the notice described in MV: 01-2-245.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	1	ENFORCEMENT
REGULATION #	MV-01-2-247		NOTICE OF SALE TO LIEN HOLDERS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202				

Upon release of the order from the Cherokee Nation Tax Commissioners to sell a vehicle seized for improper registration or license plate, the Administrator of the Cherokee Nation Tax Commission shall cause notice of the sale of the vehicle to be posted, as provided by law, and mailed to all holders of liens or security interests in the vehicle, as they appear in the records of the Commission. The Administrator of the Cherokee Nation Tax Commission will arrange for the sale of the vehicle as stated in the notice described in MV: 01-2-245 and as provided by law.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	1	ENFORCEMENT
REGULATION #	MV-01-2-248		RETURN OF SALE TO BE FILED		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 202				

Upon the sale of a vehicle seized for improper registration or license plate, the Administrator of the Cherokee Nation Tax Commission shall cause a return of sale to be filed with the Cherokee Nation Tax Commission, stating the following information;

1. The date, time and place of the sale;
2. A description of the vehicle;
3. The name of the registered owner;
4. The name of the successful bidder; and,
5. The amount paid.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	J	DISCOUNTS
REGULATION #	MY.01-2-249	DISABLED VETERAN 100 PERCENT			
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 204"				

- A. Any vehicle which is purchased by an individual who has been honorably discharged from active service in any branch of the Armed Forces of the United States or the Oklahoma National Guard and who has been certified by the United States Department of Veterans Affairs, its successor, or the Armed Forces of the United States to be a disabled veteran in receipt of compensation at the one-hundred-percent rate for a permanent disability sustained through military action or accident resulting from disease contracted while in such active service shall be exempt from registration tax.
- B. The exemption may be claimed on only one (1) vehicle in a consecutive three (3) year period by any single qualifying veteran.
- C. The exemption applies to motor vehicles only. It does not apply to boats or motors.
- D. The exemption does not apply to surviving spouses of qualified veterans.
- E. Qualifying veteran must be listed on the title as an owner of the vehicle.
- F. The vehicle must have been purchased on or after June 19, 2006.
- G. A letter from the United States Department of Veterans Affairs must be presented certifying that the veteran is receiving disability compensation at the 100% rate or the exemption card issued to document the sales tax exemption must be presented.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	K	FOREIGN VEHICLES
REGULATION #	MV:01-2-250		RESERVED		
APPROVED BY:	RESERVED		DATE:	RESERVED	
EFFECTIVE DATE:	RESERVED				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 204"				

RESERVED



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MVA:01-3-300		CERTIFICATE OF TITLE REQUIRED		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 205				

The owner of every motor vehicle shall possess a certificate of title as proof of ownership of such vehicle.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV 01-3-301		TYPES OF CERTIFICATES		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 205				

Cherokee Nation utilizes three (3) title types. The title types are as follows.

- A. Original Title.
- B. Transfer Title.
- C. Duplicate Title



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MY 01-3-302		GENERAL REGISTRATION PREREQUISITE FOR ISSUANCE OF TITLE		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205				

A Cherokee Nation Title will not be issued without a current Cherokee Nation registration except for purposes of recording a lien on a title.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV: 07-3-303		TITLE IN MORE THAN ONE PERSON		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205				

- A. When issuing a Cherokee Nation title to more than one person, should "and" be used, all parties must sign the assignment to sell the vehicles. When "or" or "and/or" is used any of the parties may sign the assignment.
- B. If more than one name is listed and there is no distinction whether assignment is "and", "and/or", or "or", the title will be issued with "and".



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MY 01-3-304		BRANDING OF ANY OTHER TRIBES, STATE OR TERRITORY TITLES		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205				

Any special brand or notation listed on any tribe, state, or territory or a title or a vehicle making application for an original Cherokee Nation title must be carried forward to the Cherokee Nation certificate.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MY 01-3-305	UNDELIVERABLE CHEROKEE NATION TITLE			
APPROVED BY:	<i>Jimmy Hummingbird</i>	DATE:	9-11-13		
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205				

Any owner of a vehicle who purchased a title, but never received the title through the U.S. Postal Services, may complete a statement of facts and receive a replacement title free of charge. The statement must be completed no earlier than twenty (20) days and later than ninety (90) days from the date of the title issuance. .



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	B	APPLICATIONS FOR CERTIFICATES OF TITLE
REGULATION #	MY:01-3-306		APPLICATIONS FOR CERTIFICATES OF TITLE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205				

An application for Cherokee Nation Certificate of Title for a Vehicle (CNTC Form 01-01) must be completed as part of the supporting documentation for all original Cherokee Nation titles issued. Required information as follows;

A. Model, year, and make.

B. Body type

1. Automobile; 2Dr Coupe; 4Dr Sedan; 2Dr Convertible
2. Truck; Pickup; Truck; Truck-Tractor
3. Travel Trailer
4. House Trailer
5. Motor Home
6. Motorcycle
7. Bus; School Bus
8. Trailer or Semi trailer

C. Model

1. Automobile; Model, name and number
2. Manufactured Home; Model, name, if any, length and width.
3. Travel Trailer; Model, name, length and width.
4. Motorcycle; Model, name, number and number of cylinders.
5. Bus; Model, and number of passenger seats.
6. Truck; Brief description of body, model number, manufacturer's rated capacity and number of rear axles.
7. Truck-pickup; Model name, number an manufacturer's rated capacity.
8. Truck-Tractor; Model number and number of rear axles.
9. Trailer-Large Trailers; Brief description of body, length number of axles.
10. Small Trailers; Brief description of body length and number of wheels.

D. Vehicle Identification Number VIN -The vehicle identification number or serial number if not a vehicle, is to be listed. Alternatives must be approved by Cherokee Nation Tax Commission, Motor Vehicle Division.

E. Signature, The owner of his agent must sign the application for title.

F. Declaration of damage or theft.

1. Required for all vehicles not over ten model years old. Owners of vehicles 10 model years old or less, with the exception of new vehicles or vehicles on any other tribe, state or territory titles that are already branded (salvage, rebuilt, etc.) being registered for th first time in the reservation boundaries of the Cherokee Nation must complete this portion of the Application for Title.



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2. Declaration to be executed by owner. The owner must first answer, to the best of his knowledge, the first two questions. If the answer is no to both, to remainder of this section need not be completed. If the answer of either or both questions. Is yes he/she must then complete the entire declaration.
 3. Recovered theft brand. Should the owner indicate that the vehicle had been stolen, but the cost of repairing it to a roadworthy condition amounted to less than 60% of its fair market value at the time of loss, the Cherokee Nation Certificate of Title is to be branded "Recovered Theft".
 4. No brand when damage unrelated to theft and repairs less than sixty percent of value. Should the owner indicate that the vehicle had been damaged by collision or other occurrence but the cost of repairing it to a roadworthy condition amounted to less than 60% of its fair market value, the Cherokee Nation Certificate of Title will not be branded.
 5. Salvage title when damage is greater than sixty percent of value. Should the owner indicate that the vehicle had been damaged and the cost of repairing it to a roadworthy condition amounted to more than 60% of its fair market value at the time of loss, the vehicle is to be treated as if it were entering this Nation with a salvage title. This applies regardless of whether the damage was due to theft, collision or other occurrence.
- G. Vehicle Inspection
1. Inspection Required. All previously registered vehicles entering the reservation boundaries of the Cherokee Nation from another state, tribe or territory, must be physically inspected before an original Cherokee Nation title may be issued. The vehicle identification number (VIN) and odometer reading from the vehicle will be entered in this portion of the Application. The VIN found on the vehicle will be compared to the number listed on any other tribe, state, or territory documentation to ensure they
 2. Persons authorized to perform inspection; non-release of title. These inspections are to be performed by authorized Cherokee Nation Tax Commission personnel only. If the vehicle is unavailable for inspection, a hold is to be placed on the Cherokee Nation title. The applicant will be informed that the title will not be released until the VIN inspection has been completed. The Cherokee Nation Tax Commission may allow the inspection to be performed at a location out-of-boundary by another tribe's, states, or territory's department of motor vehicles or law enforcement.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	C	CERTIFICATES OF TITLE
REGULATION #	MX-01-3-307		ORIGINAL CERTIFICATES OF TITLE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205, 207				

- A. Completed application required. An application for Cherokee Nation Certificate of Title (form 01-01) must be completed and forwarded to the Commission with each original title receipt. LA #01-01 Section 207-C states that each person acknowledges they submit themselves to the jurisdiction of the Cherokee Nation and its courts for purposes of enforcement of this Act, including without limitation the assessment and collection of any penalties, fines or interest.
- B. Manufacturer's statement of origin. A Manufacturer's Statement of Origin (MSO) must accompany the title to a vehicle, which has never been titled or registered.
- C. Any tribe, state or territory titles; negotiable titles. When issuing an original title from any tribe, state or territory title to the individual whose name appears on the face, all information must be correctly transcribed from the tribe, state or territory title. Many tribes, states or territories issue non-negotiable titles. When presented with such a title, it will be necessary to hold the Cherokee Nation Title until the negotiable tribe, state or territory title is surrendered. When a vehicle is titled in another tribe, state or territory and the title contains the name of a secured party on the face of the other tribe, state or territory certificate of title, or the tribe, state or territory certificate is being held by the secured party in that tribe, state or territory, the owner of the vehicle shall file an affidavit with the Commission stating that title to the vehicle is being held by a secured party and has not been issued pursuant to the laws of the tribe, state or territory where titled, and that there is an existing lien or encumbrance on the vehicle. The current name and address of the secured party or lien-holder shall also be stated in the affidavit. The form of the affidavit shall be prescribed by the Cherokee Nation Tax Commission. Lack of assignments ordinarily indicates the title is non-negotiable.
- D. Assigned or reassigned other tribe, state or territory titles. Any other tribe, state, or territory title which has been assigned or reassigned on the reverse with an authorized tribe, state, or territory notary is acceptable and an original title will be issued.
- E. Title issued only to assignee. Under no circumstances shall a Cherokee Nation Title be issued to an individual other than to whom the assignment is made.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	C	CERTIFICATES OF TITLE
REGULATION #	MY:01-3-308		INSURANCE LOSS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205, 207				

An insurance company, obtaining a title in its name to a vehicle on which it has paid a loss and which was currently registered at the time of loss, is not required to pay any registration fees or registration taxes upon the submission of a police report or insurance adjuster's report and a declaration by the insurer that the vehicle is held for sale to a dealer.

Branding of any other tribe, state or territory titles, title will be branded as follows;

1. Salvage
2. Rebuilt
3. Salvage
4. Junk
5. Recovered Theft



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	C	CERTIFICATES OF TITLE
REGULATION #	MV 01-3-309		SALVAGE TITLES		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Salvage vehicle defined. A salvage vehicle is a vehicle ten (10) model years and newer which 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 at the time of loss.
- B. Determining classification as a salvage vehicle. To determine the 10-year model age limit for this purpose, subtract 9 from the current latest manufacturers model on sale. September 1 is the generally accepted date that new model vehicles go on sale. For example, prior to September 1, 2001, the latest manufacturers model on sale is 2001 models. Therefore, a ten -year -old vehicle would be a 1992 (2001-9) model. 1992 and older models would be exempt from the salvage requirements. Beginning September 1, 2001, 2002 model vehicles officially go on sale, resulting in 1992 models becoming exempt from the salvage requirements. This formula for determining the age of a model year will apply to all such determinations regarding salvage and rebuilt vehicles.
- C. Change of classification. Vehicles over 10 model years old may go in to, or come out of, salvage at any time. No inspection is required to bring such vehicles out of salvage.
- D. Other tribe, state or territory salvage titles. Vehicles over 10 model years old entering reservation boundaries of the Cherokee Nation with any tribe, state or territory salvage title may receive either a salvage title or original title with a salvage date listed.
- E. Notification by insurance companies. An insurance company paying a loss on a vehicle 7 model years old or newer where the cost of repairing the vehicle to a roadworthy condition exceeds 60% of its fair market value is required to notify the vehicle owner to surrender the title to the Cherokee Nation Tax Commission so that it may be replaced by a salvage title. The Cherokee Nation Tax Commission will also be notified by the insurance company.
- F. Transfer salvage title to insurance company on payment of total loss due to theft; removal of salvage notation. Any vehicle 7-model years old or newer on which an insurance company has paid a total loss due to theft must be transferred to the insurer by a salvage title. However, the salvage notation may be removed if the vehicle is recovered and has suffered damage amounting to less than 60% of the value of the vehicle. Certification to that effect, in the form of a letter on the insurance companies letterhead, will be required.
- G. License plate not affected by salvage classification; current registration generally required. The license plate from a vehicle entering salvage status need not be surrendered. However, registration must be current on a vehicle entering salvage status, unless it is being titled by a salvage dealer.



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- H. Damage by flooding brand. A salvage or rebuilt vehicle which was damaged by flooding, or a vehicle which was submerged at a level to or above the dashboard of the vehicle and on which an amount of loss was paid by the insurer, shall have the notation "Damage by Flooding" listed on the face of the Cherokee Nation title.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	C	CERTIFICATES OF TITLE
REGULATION #	MV 01-3-310	REBUILT TITLES			
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. A salvage vehicle ten (10) model years old or newer, that has been repaired to a roadworthy condition must undergo a rebuilt vehicle inspection by a Cherokee Nation Tax Commission personnel before it may be put into use.
- B. The vehicle owner must complete a "Rebuilt Vehicle Inspection Request" (CNTC Form 41-01 and 42-01) and submit it to the Cherokee Nation Tax Commission personnel.
- C. If an assigned serial number is needed, the owner must contact the Cherokee Nation Tax Commission.
- D. The assigned serial number must be permanently affixed to the vehicle before the rebuilt inspection is performed.
- E. The Cherokee Nation Tax Commission personnel will designate the date, time and location of the inspection within ten (10) working days of receipt of the request.
- F. If the inspection location is not the place of business of the re-builder, the Cherokee Nation Tax Commission Administrator shall issue an "Authorization for Travel and Inspection" (CNTC Form 42-01), authorizing the applicant to operate the vehicle en route to and from the location for the inspection. This form does not relieve the operator of the vehicle from the Cherokee Nation laws.
- G. The inspection is to be performed by the Administrator or by persons employed by the Cherokee Nation Tax Commission.
- H. All vehicle damage shall be repaired before the examination is conducted.
- I. The rebuilt vehicle inspection shall consist of all the following:
 1. Comparison of the vehicle identification number (VIN) with the number recorded on the ownership records.
 2. Inspection of the vehicle identification number and the VIN plate to detect possible alteration or other fraud.
 3. Interpretation of the vehicle identification number recorded on the ownership documents to assure that it accurately describes the motor vehicle in question.
 4. Inspection of the odometer of the vehicle to detect rollback or alteration.
- J. The owner of the vehicle shall present to the Cherokee Nation Tax Commission:
 1. The salvage title;
 2. Receipts for all parts placed on the vehicle. The Commission shall validate the parts used and return the receipts to the owner.
 3. Proof of current liability insurance. An "Affidavit of Non-Use In Lieu of Liability Insurance: (CNTC Form 31-01) is not acceptable.



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- K. The Commission or employee will entirely complete a "Rebuilt Vehicle Inspection" (CNTC Form 43-01). The entire inspection is to be completed, even if the vehicle fails one or more portions of it. If a vehicle fails a rebuilt inspection, the Revenue Agent shall place a "stop flag" on the vehicle record.
- L. If a vehicle fails a rebuilt inspection:
 - 1. A Cherokee Nation rebuilt title will not be issued unless written authorization for issuance of a rebuilt title is obtained from Cherokee Nation Marshal Service.
 - 2. The original (top) copy of the CNTC Form 43-01 is given to the vehicle owner.
- M. If a vehicle which has previously failed a rebuilt inspection is issued written authorization for issuance of a rebuilt title by the Cherokee Nation Marshal Service, the owner must:
 - 1. Return to the Revenue Agent that performed the rebuilt inspection;
 - 2. Submit the original (top) copy of the CNTC Form 43-01; and
 - 3. Submit the letter from the Cherokee Nation Marshal Service authorizing the rebuilt title issuance.
- N. The Revenue Agent must contact the Administrator, for authorization to issue the rebuilt title and for removal of the "stop flag" from the vehicle record.
- O. If a vehicle passes the inspection, the original (top) copy of the OTC Form 43-01 is to be attached as supporting documentation to the rebuilt title receipt.
- P. The second (bottom) copy of the CNTC Form 43-01 is retained by the Motor License Agent regardless of whether the vehicle passes or fails the inspection.
- Q. The rebuilt inspection fee is paid only at the time the rebuilt title is issued. If the owner refuses to title and register the vehicle when the inspection is completed and passed at the inspecting agency, the Revenue Agent is not to release the original (top) copy of CNTC Form 43-01 to the owner.
- R. The Revenue Agent may not be held liable for any damage to the vehicle occurring during the performance of the inspection, however the Revenue Agent may be held liable for any damage to the vehicle caused by negligent acts or omissions in the performance of the inspection.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	C	CERTIFICATES OF TITLE
REGULATION #	MV 01-3-311		DUPLICATE CERTIFICATE OF TITLE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Procedure for obtaining a duplicate certificate of title. An Application for Duplicate Certificate of Title of Vehicle (CNTC form 02-01) is to be used when a vehicle owner has lost the title to a vehicle. Only the record owner may make such application. The applicant shall produce proper identification at the time of application.
- B. Minimum information required for issuance of duplicate certificate of title. In some instances, the applicant may not have all the information necessary to complete the application. Upon identification, the applicant is to sign the application, enter his/her name, address, ID number and current tag number, or, if not currently registered, the last tag number, decal and month of expiration. (Without this basic information no application can be accepted).
- C. Changes in duplicate certificate of title limited to address correction. No information, other than the address, may be changed when issuing a duplicate title.
- D. Current registration required. Registration must be current in the Cherokee Nation, another tribe, state territory before a duplicate title may be issued. If the owner can provide proof that they moved to another tribe, state or territory prior to Cherokee Nation expiration, a current registration is not required.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	C	CERTIFICATES OF TITLE
REGULATION #	MV:01-3-312		RENTAL VEHICLE TITLES		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

Vehicles acquired by rental companies not to be rented for more than 90 days at a time, may be registered and titled by the rental agency exempt from registration tax. A Cherokee Nation title branded "Rental Vehicle" will be issued. If the vehicle is sold less than one (1) year from date of issuance of the title, the rental agency must pay the registration tax plus a 20% penalty on such registration tax before transferring the vehicle, unless the vehicle is being transferred to the manufacturer or its financing company, to a franchised dealer of the same line/make of the vehicle to be transferred, or to anyone, if the vehicle is in a salvage condition (salvage or rebuilt title).



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	D	TRANSFER OF TITLE
REGULATION #	MV-01-3-313		GENERAL PROVISIONS; ASSIGNMENTS; LIENS; REGISTRATIONS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Transfer of title. In most instances, a Cherokee Nation transfer title is issued upon receipt of a properly assigned and notarized Cherokee Nation title and proof of liability insurance. Other instances where a transfer title may be issued are covered in the following subsections.
- B. Use of assignment space provided on title document. The first assignment space on the reverse side of a Cherokee Nation title is to be used by the owner on the face of the title to assign ownership. The subsequent reassignment spaces may be used by Cherokee Nation Tax Commission Revenue Agents only.
- C. Liens transfer. Any active liens indicated on the face of an assigned Cherokee Nation title will be carried forward to the transfer title being issued unless a lien release is presented.
- D. Current registration required; exceptions. Registration must be current on a vehicle before a transfer title may be issued, unless the vehicle is in a salvage status. Licensed used motor vehicle dealers are exempt from this requirement when transferring to other dealers, provided the vehicle was currently registered when it was assigned to the first dealer. Salvage dealers are exempt from registration requirements when obtaining salvage titles.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	D	TRANSFER OF TITLE
REGULATION #	MV 01-3-314		MOTOR VEHICLE TAX STAMP		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Tax stamps required on assignment of vehicle. A motor vehicle tax stamp is required to be affixed by the selling new or used licensed dealer upon assignment of ownership in the following situations:
1. New Vehicles: All vehicles except buses and commercial trailers. This includes boats, motors, and manufactured homes.
 2. Used Vehicles: All vehicles except manufactured homes and commercial trailers.
- B. Tax stamps required on dealer-to-dealer transfers. The tax stamp is required in the above situations on all assignments, including to other dealers, except commercial trailers and manufactured homes.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	D	TRANSFER OF TITLE
REGULATION #	MV:013-315		ODOMETER DISCLOSURE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

A. Federal Truth in Mileage Act. Effective on all transfers of ownership of motor vehicles (see exceptions below) dated on or after April 29, 1989, specific odometer disclosure information is required. All transfers must contain the following.

1. Odometer reading at time of transfer (no tenths of mile).
2. The date of transfer.
3. The seller's printed name (must be individual - no company name), signature and address.
4. The buyer's printed name (must be individual - no company name), signature and address.
5. Vehicle information including make, model year, body type and VIN.
6. The seller shall also certify to the best of his knowledge the odometer reading.
 - a. Reflects the actual.
 - b. Does not reflect the actual mileage.
 - c. Seller shows the odometer is in excess of the mechanical limits.

B. Exemptions. Vehicles which are exempt from the odometer disclosure requirements are;

1. Vehicles which are not self-propelled, such as trailers.
2. Transfers of new vehicles from dealer to dealer on the MSO.
3. Vehicles which are ten (10) years old or older. To make this determination, subtract ten (10) from the current calendar year. For example, 1998 - 10 = 1988. Vehicles which are 1988 models or older are exempt during 1998.
4. Vehicles with a gross vehicle weight rating over 16,000 lbs. Any truck over 2 tons would be exempt.
5. Vehicles purchased in another country.
6. Transfers resulting from involuntary divestitures, such as court orders and repossessions.
7. Transfers to record a name change (same individual), only.
8. Transfers between a revocable trust and a trustee of that trust.
9. All-terrain vehicles and off-road motorcycles.
10. Low-speed electrical vehicles.
11. Medium speed electric vehicles.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	D	TRANSFER OF TITLE
REGULATION #	MV:013-316		ODOMETER BRANDS		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Types of odometer brands. There are four (4) brands utilized on the face of a title to characterize the odometer reading. They are as follows;
1. Actual
 2. Not Actual
 3. Exceeds mechanical limits, and
 4. Odometer discrepancy
- B. Use of odometer brands. The odometer discrepancy is to be used if the mileage figure verified in the odometer disclosure statement is less than the mileage depicted on the title to be transferred. When utilized, this brand will be in addition to whatever brand results from the odometer disclosure statement (actual, not actual, exceeds mechanical limits). For example, if the buyer and seller indicate on the odometer disclosure statement that the mileage listed on it is the actual mileage of the vehicle, even though the figure listed on the disclosure statement is less than that depicted on the assigned title, the brand of "Actual" will be listed on the face of the new title. However, in that situation, it is the responsibility of the revenue agent to also encode the additional brand of "Odometer Discrepancy." The resulting title would have both odometer brands, "Actual" and "Odometer Discrepancy" listed on it.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	D	TRANSFER OF TITLE
REGULATION #	MV:01-3-317		GENERAL ODOMETER DISCLOSURE INFORMATION		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Eventually, virtually all certificates of title issued in the United States will contain the required odometer disclosure statements. However, separate statements will remain in use for quite some time, as older style titles will remain in circulations.
- B. All Cherokee Nation certificates of title, with the exception of boat or motor and titles, issued contain the odometer disclosure statements as part of the assignment on the reverse side of the certificate.
- C. A separate odometer disclosure statement, properly completed and signed by both buyer and seller, may be used to correct an error made on the odometer statements on the title itself upon approval by the Cherokee Nation Tax Commission.
- D. On titles containing odometer disclosure statements, only the sellers name must be witnessed by the notary public.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	D	TRANSFER OF TITLE
REGULATION #	MV 01-3-318		TRANSFER OF TITLE UPON DIVORCE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

When a motor vehicle has been awarded in a divorce action, the applicant must present a certified filed stamped copy of the decree. The decree must identify the vehicle by a Vehicle Identification Number (VIN).



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	D	TRANSFER OF TITLE
REGULATION #	MV-3-319		TRANSFER OF TITLE UPON DEATH		
APPROVED BY:				DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Intestacy; transfer to surviving spouse. If a person dies intestate leaving an automobile, that auto shall become the property of the surviving spouse. If title was held by the deceased to more than one vehicle, the surviving spouse may choose one automobile. The others are to be distributed by the law of descent.
- B. Transfer by third party; required authorization. An assigned title which has been assigned by some person other than the person shown on the face of the title must be accompanied by some form of authorization for assignment. This may be a Power of Attorney, Court Order or authorization by an Executor or an Administrator of an estate.
 1. Transfer by power of attorney. When transferring a title where assignment has been made by Power of Attorney, the Power of Attorney must be stapled to the assigned title.
 2. Transfer by court order. When transferring a title when assignment is completed by the administrator or executrix of an estate, a Court Order must be presented authorizing the sale of the motor vehicle being transferred.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	D	TRANSFER OF TITLE
REGULATION #	MV:01-3-320		PROCEDURES FOR HANDLING ASSIGNMENT ERRORS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

Should an error be made in the assignment of a title or MSO, the following guidelines are to be adhered to;

- A. Misspelled name. Correction of minor misspelling in assignee's name will be allowed by printing correct spelling directly above, beside or below the error, depending on available space. The original spelling is not to be marked out or obliterated to the extent it is not legible. Doing so will void that document.
- B. Error in address. Corrections in assignee's address may also be made in the above manner.
- C. Signature on wrong line. If a seller and/or notary sign on wrong line, a correction may be made by drawing an arrow from the signature to the proper line. Evidence of erasure or liquid correction fluid anywhere on an MSO/title voids that document.
- D. Deletions or additions. A name may not be deleted from an assignment. Only the seller may add a name to an assignment.
- E. Change of date of assignment. Changes in assignment date will be allowed by affidavit only in the following circumstances;
 1. Date obviously incorrect (wrong year, assignment date prior to title issuance date, etc.
 2. Change in date does not affect taxes and/or penalties due and does not conflict with perfected lien date.
- F. Procedure for voiding initial assignment and reissuing another assignment. If a seller wishes to void the first assignment and reassign to different individual in the next available assignment block because the first assignment was made on the wrong MSO/title, a notarized affidavit of fact will be required from the seller along with a photocopy of the properly assigned MSO/title to individual in the first assignment.
- G. Procedure for voiding an assignment where transaction is not completed. If a seller wishes to void an assignment due to the transaction not being completed and delivery of the vehicle never taking place, an affidavit of fact must be prepared by him explaining the circumstances. If the vehicle was ever physically delivered to the purchaser, the transaction was legally complete and all taxes and fees are due, regardless of what transpired thereafter. If the vehicle was never delivered to the purchaser, as declared by the seller in the affidavit of fact, then that assignment may be voided by drawing one large "X" across the assignment. The voided assignment is not to be marked out or obliterated to the extent it is not legible. The MSO/title must then be properly reassigned in the next assignment block.



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- H. Effect of voiding title. When an assignment is voided according to the listed guidelines, an Cherokee Nation title must be brought up in the next assignee's name, even if that entity would not ordinarily be required to do so (such as a dealer). This is to ensure that the circumstances involved are valid and approved under Cherokee Nation Tax Commission policy and to prevent the situation from becoming even more complicated due to the passage of time and inclusion of additional assignees.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	E	AFFIDAVITS FOR USE IN TITLES
REGULATION #	MV:01-3-321		AFFIDAVIT OF ASSEMBLY AND OWNERSHIP		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. When Affidavit of Assembly and Ownership is required. An Affidavit of Assembly and Ownership is required when major components from two or more vehicles are being incorporated into a single unit. For purposes of this Section, "major component" means a body or cab, frame, and front end or rear end clip, if the public VIN is changed. .
- B. Documentation required. Documentation required to support application for Cherokee Nation title using an Affidavit of Assembly and Ownership includes;
1. A completed Affidavit of Assembly and Ownership (CNTC Form 04-01, 21-01). The applicant must complete the Affidavit of Assembly and Ownership (CNTC Form 04-01, 21-01) and supporting documentation. Title or notarized bills of sale for all major components must be submitted, including;
 - a) The vehicle identification number (VIN) of the vehicle from which the part was removed; and
 - b) An original bill of sale or receipts for other components used to build the vehicle. Examples of other components may include: frame, engine, transmission, doors, hood, sheet metal, bed, tire and wheels, interior components.
 2. A completed Application for Cherokee Nation Certificate of Title (CNTC Form 01-01). The applicant must complete the Application for Cherokee Nation Certificate of Title (CNTC Form 01-01), as follows;
 - a) The year to be listed on the certificate of title will be the year of the body or cab of the vehicle which is reconstructed.
 - b) The make of the vehicle will be (AV80BU); "AV", for Assembled Vehicle, "80BU" for the year and make of the vehicle that best describes the vehicle.
 - c) The model of the vehicle will be the 3 or 4-letter code currently used on the Cherokee Nation Certificate of Title. Example: SKYL
 - d) The body type will reflect the current body type of the vehicle. Example: 2DR
 - e) The factory delivered price, (FDP), and the total delivered price, (TDP). will be the original price for the body or cab of the vehicle.
 - f) Registration taxes due on the rebuilt vehicle will be determined as follows;
 - Registration tax will not be collected if the title was in the registrant's name on each of the major components used to build the current vehicle.
 - Registration tax will be due upon transfer if the title was not in the registrant's name on each of the major components used to build the current vehicle.



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- C. Approval required. Any application for title using the Affidavit of Assembly and Ownership must be approved by the Cherokee Nation Tax Administrator.
- D. Inspection required. When application for title has been approved by the Cherokee Nation Tax Administrator a Cherokee Nation assigned Number is permanently affixed to the vehicle.
- E. Cherokee Nation assigned number. The Cherokee Nation Assigned Number will be the valid vehicle identification number (VIN) for the reconstructed vehicle.
- F. Active liens. If a lien is active on any vehicle identification number (VIN) used to build the vehicle, the paperwork must be returned to the Cherokee Nation Tax Commission, and the following procedure will apply: *The Cherokee Nation Tax Commission will issue a corrected Lien Entry Form, reflecting the new vehicle identification number (VIN). *The Cherokee Nation Tax Commission will then notify any lien-holder of the corrected vehicle identification number (VIN).
- G. No active liens. If no liens are active on any vehicle identification number (VIN) used to build the vehicle, the approved Cherokee Nation Tax Commission Application for Title (CNTC Form 01-01) and Assembly and Ownership Affidavit (CNTC Form 04-01, 21-01), all original receipts and notarized bills of sale associated with this transaction, Form 2401, can then be taken to Revenue Agent for processing.
- H. Issuance of title: tag and decal, if applicable. At the time the Oklahoma Cherokee Nation Certificate of Title is issued, a current tag and decal will be issued also, if applicable. All plates issued to any original vehicle used as a component for the rebuilt vehicle become invalid.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	E	AFFIDAVITS FOR USE IN TITLES
REGULATION #	<i>MV:01-3-322</i>		<i>RESERVED</i>		
APPROVED BY:	<i>RESERVED</i>		DATE:	<i>RESERVED</i>	
EFFECTIVE DATE:	<i>RESERVED</i>				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § "				



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	E	AFFIDAVITS FOR USE IN TITLES
REGULATION #	MY01-3-323		REPOSSESSION AFFIDAVIT		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Documentation required. An applicant for a repossession title must submit:
1. The actual or certified copy of the mortgage instrument;
 2. A completed Repossession Affidavit (CNTC Form 13-01);
 3. A copy of the certified letter of notice to other lien holders, if applicable; and
 4. Lien Release numbers three (3) and four (4).
- B. Approval required. All repossessions must be approved by the Cherokee Nation Tax Commission or a revenue agent.
- C. Fees. The mortgagee shall be required to pay statutory repossession and title fees. If the vehicle is not currently registered, the mortgagee shall be issued an initial license plate or decal bearing an expiration date of the month of repossession



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	E	AFFIDAVITS FOR USE IN TITLES
REGULATION #	MV:01-3-324		OWNERSHIP AFFIDAVIT		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. When ownership affidavit is used. The Ownership Affidavit may be used in conjunction with proof of purchase to convey ownership in lieu of a Cherokee Nation Certificate of Title when a buyer never received a Cherokee Nation Certificate of Title from the record owner reflected in the files of the Cherokee Nation Tax Commission.
- B. Documentation required. An applicant using an Ownership Affidavit must present proof of purchase, not to exclude the Federal Odometer Disclosure Statement, if applicable. The proof of purchase must include the following.
1. Complete description of the vehicle, to include the year, make, and the complete vehicle identification number;
 2. Seller's notarized signature;
 3. Buyer's name and address; and
 4. Date of sale (not the notary date).
- C. Approval required. All ownership affidavits must be approved by the Cherokee Nation Tax Commission.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	F	LIENS
REGULATION #	MV: 01-3-325		PERFECTING LIENS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Documents required for perfecting lien. Before perfecting a lien, a Cherokee Nation title, boat or motor title, or an Application for Cherokee Nation Title accompanying a Manufacturer's Statement of Origin or out-of-state, tribe, or territory title must be presented, along with a completed Lien Entry Form.
- B. Effective October 1, 2013 The 6 part lien entry for 2.11 will no longer be accepted to perfect a lien.
- C. Lien form must be legible. All lien form must be typed, computer generated, or printed in a legible manner to be acceptable. All lien entry forms must be clearly legible, as determined by Cherokee Nation Tax Commission.
- D. Secured party information. The secured party must have completed his part of the form, particularly the signature and date of execution. Strikeovers and off line printing are not acceptable.
- E. Title to conform to lien entry form. The name of the secured party will be entered on the face of the secured title exactly as it appears on the lien entry form.
- F. Title receipt reflecting lien to be issued; fees. When recording a lien on a registered vehicle, boat or motor, used as collateral, a title receipt must be issued to reflect the lien. A title fee in addition to the lien fee will be charged.
- G. Reassignment of lien. A secured party may file a reassignment of a lien to another secured party by submitting to the Cherokee Nation Tax Commission Motor Vehicle Division a release of the initial lien, as well as a lien entry form and filing fees for the lien reassignment. The lien entry form is to state it is a reassignment of an existing lien. Upon receipt of proper documentation and payment, the Motor Vehicle Division will enter the new lien information to the vehicle record, reflecting the same effective date and time as the initial lien.
- H. Procedure for removal of lien entry from title. An owner may secure a new title omitting reference to a security interest by presenting the lien release and tendering payment for the new title.
- I. Certain liens not perfectible under Motor Vehicle Code. Lien Entry Forms cannot be accepted on any vehicle that cannot be issued a Cherokee Nation Certificate of Title. (i.e. farm tractors or mobilized farm machinery cannot be issued a title).



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	F	LIENS
REGULATION #	MV:013-325.1		RELEASING LIENS		
APPROVED BY:	<i>Jimmy Hummingbird</i>			9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § , 202."				

One of the following may be accepted to release a perfected lien on a Cherokee Nation title:

1. Original #1 (white), or "certified" copy of #1 release signed and dated of Cherokee Nation lien entry form 2.11.
2. "Certified copy of #4 (blue) of Cherokee Nation lien entry form 2.11 release signed and dated.
3. Should a standard lien release as outlined be unavailable, the lien may be released by submission of a typed, notarized release statement from the secured party. The statement must include the notarized signature of a representative of the secured party, the name of the secured party, name of the debtor, and vehicle identification number/serial number of the vehicle.
4. A faxed copy of the lien release statement may be accepted, provided the fax clearly originated from the lien holder.
5. A verified non-perfected or perfected lien carried forward from an Oklahoma title may be released with the lien print out from Oklahoma Tax Commission database ("release status"), or copy # 4 lien release.
6. Signed and Dated Lien holders release form 75-01; copy 1, 2, or 3.
7. If the lender is out of business and no longer available, their lien may be released by the following procedure;
 - a. A certified letter, restricted delivery, requesting a lien release and listing the year, make, and vehicle identification number is to be sent to the lender's address listed on the Motor Vehicle Division file.
 - b. The administering agency of the lienholder (i.e., Oklahoma Used Motor Vehicle and Parts Commission if an Oklahoma used dealer, State Banking Department if a bank, savings and loan or credit union; Department of Consumer Credit if a finance company) is to be contacted and written confirmation requested that the lienholder is no longer in business at the address requested. If an out-of-state lienholder, that state's equivalent agency is to be contacted. If the response from the administering agency is that the lender was taken over by another business entity, that entity will have to be contacted for a release.
 - c. The returned certified letter and post office receipts, the written confirmation from the administering agency, the Cherokee Nation certificate of title and applicable titling fee is to be submitted the Cherokee Nation Tax Commission for review. If approved, a new Cherokee Nation certificate of title without a lien reflected will be issued.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	F	LIENS
REGULATION #	MV 07-3-326		OUT OF STATE LIENHOLDER NOTIFICATION		
APPROVED BY:	<i>Jimmy Hummingbird</i>			9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Procedures for entry of state, other tribe, or territory lien on Oklahoma title documents. Effective July 1, 1989, the revenue agent or the Tax Commission must complete a lien entry form on a state, other tribe, or territory vehicle registering for the first time in Cherokee Nation, if the state, tribe, or territory document contains the name of a secured party on its face, or if the state certificate is being held by the secured party in that state or any other state. The owner of such a vehicle shall file an affidavit with the Commission or the revenue agent, stating that title to the vehicle is being held by a secured party and has not been issued pursuant to the laws of the state, tribe, or territory where titled, and that there is an existing lien or encumbrance on the vehicle. The current name and address of the secured party or lien holder shall also be stated in the affidavit. The lien will be shown on the face of the original title.
- B. Notification procedure. The lien entry form and releases will then be mailed to the creditor along with a form cover letter informing the creditor and asking them to send in the title so that the Cherokee Nation title with their lien may be delivered to the debtor.
- C. Fees. The total charge for completing and recording the lien as set forth by the Cherokee Nation Tax Commission will be paid by the person registering the vehicle (owner).



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	F	LIENS
REGULATION #	MV-01-3-327		PROVIDING LIEN INFORMATION TO LIENHOLDERS		
APPROVED BY:	<i>Jimmy Hummingbird</i>			DATE:	9-11-13
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

Upon written request, and remittance of the applicable fee, a lien holder may obtain lien information from the Cherokee Nation computer system on any vehicle on which they hold a valid security interest. The fee for obtaining such information from the Cherokee Nation Tax Commission is set forth by the Commission.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	F	LIENS
REGULATION #	MY:01-3-328		RECORDING LIENS ON CERTIFICATE OF TITLE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 101, 201, 202, 205"				

- A. Lien perfected with M.S.O. When an M.S.O. is presented stamped "Lien Perfected", the lien noted on the assignment of the M.S.O. or the Lien Entry Form, will be shown on the title receipt issued. The lien must show the date and time shown on the stamp.
- B. Cherokee Nation Title on which a lien perfected. When presenting a Cherokee Nation Title on which a lien perfected stamp appears, the lien information from the back of the title or the Lien Entry Form will be transferred to the face of the title issued.
- C. Generally, lien information is shown on the face of the transferred title receipt. When transferring an assigned Cherokee Nation Certificate of Title with a lien on the face of the assigned title, the lien information must be shown on the face of the transferred title receipt issued, unless a lien release is received.



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CHAPTER	4	MOTOR VEHICLE REGISTRATION	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV.01-4-400		GENERAL PROVISIONS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § " 101, 201, 202, 205				

- A. Date due; penalty. Registration Tax is due at the time of transfer of legal ownership or possession of a vehicle and must be paid within thirty (30) days of such date. After the thirtieth (30th) day, a penalty is to be collected in addition to the tax due. The daily penalty will accrue until the tax is paid. However, the penalty is not to exceed two times the amount of the registration due.
- B. Rate of tax. On new vehicles, other than manufactured homes and certain commercial vehicles, registration tax is 1.25% of the Actual Purchase Price. On new manufactured homes, registration tax is 1.5% of the actual purchase price. Used manufactured home ¾% applied to 65% of ½ of the actual purchase price.



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CHAPTER	4	MOTOR VEHICLE REGISTRATION	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MY:01-4-401		REGISTRATION TAX LEVY AND EXEMPTIONS		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
EFFECTIVE DATE:	October 1, 2013				
AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § " 101, 201, 202, 203,205				

- A. General levy on transfer of legal ownership. Registration Tax is levied on every exchange of legal ownership on any vehicle registered or being registered in Cherokee Nation unless a specific tax exemption applies.
- B. Exemptions. Following is information on some of the more frequently encountered exempt situations:
 1. Husband and wife; parent and child. Only transfers made without consideration between husband and wife, parent and child, or vice versa, are exempt. A Family Affidavit (Form 30-01) must be included with the other supporting documentation and is to be attached to the Title documentation. This exemption does not apply to transfers between in laws or grandparents to grandchildren.
 2. State, tribe, or other territory residence and registration; nonresident military. Any vehicle brought into Cherokee Nation by a person formerly living in another state, tribe, or territory is exempt, if the person owned and registered the vehicle in such other state, tribe, or territory of his residence at least sixty (60) days prior to the time it is required to be registered in Cherokee Nation. Nonresident members of the Armed Forces stationed in Cherokee Nation may register their vehicle without registration tax if the vehicle has been registered by them in another state, tribe, or territory (60 day limit does not apply).
 3. Nation Vehicles. Any vehicle is exempt is owned by the Cherokee Nation or its agencies and held as a Cherokee Nation asset.
 4. Title by inheritance. Any vehicle on which legal ownership was obtained by inheritance is exempt.
 5. Certain transfers of corporations and partnerships. Legal Ownership of vehicles obtained by transfer as set out below may be exempt:
 - (a) One corporation to another pursuant to reorganization.
 - (b) Dissolution or liquidation of a corporation.
 - (c) To a corporation where previous owners of vehicle hold stock or are partners.
 - (d) To a partnership where owners of vehicles are members of partnership.
 - (e) Dissolution of partnership.
 6. Moped. A motorized bicycle (moped) is exempt if sales tax was paid.
 7. Short term rentals by rental companies. Vehicles acquired by rental companies not to be rented for more than 90 days may be registered and titled by the rental agency exempt from registration tax. A Cherokee Nation title branded "Rental Vehicle" will be issued. If the vehicle is sold less than one (1) year from date of issuance of the title, the rental agency must pay registration tax plus a 20% penalty on such registration tax before transferring the vehicle, unless the vehicle is being transferred to the manufacturer or its financing company, to a franchised dealer of the same line/make of the vehicle to be transferred, or to anyone, if the vehicle is in a salvage condition.



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8. Foreclosure of lien or mortgage; insurance contracts. Any vehicle, the ownership of which was obtained by the lien holder or mortgager under or by foreclosure of a lien or mortgage in the manner provided by law or to the insurer under subrogated rights arising by reason of loss under an insurance contract, is exempt from registration.
9. Insurance companies. An insurance company may obtain title exempt from registration to a vehicle on which they paid a loss.
10. Revocable trusts. Transfers made without consideration between an individual and an express trust which that individual or the spouse, child or parent of that individual has a right to revoke are exempt.
11. Limited liability companies. A limited liability company is a combination of a corporate and a partnership business organization structure. Registration tax exemption applies to the following transfers:
 - (a) Transfers to the limited liability company if former owners are members of the limited liability company and the interest in the company is in proportion to interest in the vehicle prior to the transfer. A notarized bill of sale indicating such will be required as supporting documentation.
 - (b) Transfers of ownership from a limited liability company to members when a dissolution is made. A notarized affidavit indicating such is required.
12. Vehicle lease or lease-purchase agreements. Transfers of ownership of a vehicle acquired by a lessee are exempt from registration, provided the vehicle registration tax was paid at the time of the initial lease or lease-purchase agreement and Cherokee Nation title was issued.



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CHAPTER	4	MOTOR VEHICLE REGISTRATION	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	MV: 01-4-402		CREDIT ON REPLACEMENT VEHICLE		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
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AUTHORITY:	Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § " 101, 201, 202, 203,205				

If a new vehicle is stolen within ninety (90) days of purchase, or if a new vehicle is certified by the manufacturer as defective within six (6) months of purchase, credit on the excise tax and registration fee for a new replacement vehicle will be allowed.



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CHAPTER	5	MISCELLANEOUS PROVISIONS	SUBSECTION	A	GENERAL
REGULATION #	MV-07-5-500		RESERVED TAG NUMBERS - REVOKED		
APPROVED BY:	<i>Jimmy Hummingbird</i>		DATE:	9-11-13	
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AUTHORITY:					

RESERVED TAG NUMBERS - REVOKED