



CHEROKEE NATION TAX COMMISSION  
MOTOR VEHICLE DIVISION  
RULES AND REGULATIONS

CHAPTER	<u>2</u>	<u>REGISTRATION AND LICENSING</u>	SUBSECTION	<u>F</u>	<u>MANUFACTURED HOMES</u>
REGULATION #		<u>MV:01-2-235.1.a</u>	<u>CANCELLATION OF MANUFACTURED HOME TITLE</u>		
APPROVED BY:			DATE:		
EFFECTIVE DATE:		<u>TBD</u>			
AUTHORITY:	<u>Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103.202, 203, 204, 205</u>				

Owners of manufactured homes that have been permanently affixed to real estate may make application to cancel the Cherokee Nation certificate of title. Only the owner of record on the Cherokee Nation title, out of state title, or assigned MSO, may make application through the Tax Commission.

1. Owners of new manufactured homes, or previously titled manufactured homes entering from another state, may make application to cancel the Cherokee Nation manufactured home title before it is issued, by submitting the MSO or out of state title for cancellation. The Cherokee Nation title will be placed on "CANCEL" status.
2. Other than as described in (1) of this Section, a Cherokee Nation certificate of title for the manufactured home in the name of the applicant must be submitted. If a record owner seeks to cancel a manufactured home certificate of title, but is unable to produce the title certificate, a printout generated from the Commission computer file, verifying record ownership, will suffice in lieu of a title. The printout is to be attached to the Application of Title Cancellation.
3. Proof of ownership must be submitted to the county assessor's office where the home is located, along with a completed Application for Title Cancellation. The county assessor's office will ensure title owner and landowner are one and the same, and validate the cancellation application.
4. An application fee set forth by statute must be remitted with the cancellation application.
5. The Tax Commission must verify that no active lien appears on the record. If an active lien is reflected, a Cancellation Denial Notice will be given to the owner and the lienholder. The owner will be given a "Notice to Owner of the Existence of an Active Lien upon Application to Cancel Cherokee Nation Certificate of Title" and the application fee will be returned. The lienholder will be given a "Notice to Lienholder of Application to Cancel Cherokee Nation Certificate of Title" The Cherokee Nation title will not be cancelled until all liens are released.
6. A copy of the "Application for Cancellation Form" and the "Notice to County Assessor Form" will be forwarded to the county assessor of the county in which the property is located by the Tax Commission after receiving the completed cancellation application documentation, approved by the county assessor's office, and payment of the applicable cancellation fee.



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REGULATION #		<u>MV:01-2-235.1.b</u>	<u>REINSTATEMENT OF CANCELLED MANUFACTURED HOME TITLE</u>		
APPROVED BY:			DATE:		
EFFECTIVE DATE:		<u>TBD</u>			
AUTHORITY:		<u>Legislative Act "The Cherokee Nation Motor Vehicle Licensing and Tax Code" § 103.202, 203, 204, 205</u>			

Owner of a manufactured home upon which the certificate of title has previously been cancelled due to attachment to real estate may apply to the Cherokee Nation Tax Commission for reinstatement and issuance of a new original certificate of title.

1. The reinstatement application is to be completed by the owner of record. There are two (2) documentary requirements on the application for reinstatement:
  - a. The homeowner must attest ownership of the manufactured home; and
  - b. The homeowner shall provide a title opinion by a licensed attorney, declaring that the owner of the manufactured home has a marketable title to the real property upon which the manufactured home is located and that no documents file of record in the county clerks office concerning the real property contain mortgage, recorded financial statement, judgment, or lien of record. The opinion must be signed by the issuing attorney on his/her letterhead and be executed, or updated, within thirty (30) days of the application date.
2. A properly completed application for reinstatement may be submitted to the Cherokee Nation Tax Commission for approval.
3. Upon approval by the Tax Commission, a new original certificate of title shall be issued and registration fees collected for the balance of the calendar year.
4. Reinstatement of a manufactured home certificate of title does not absolve the owner of any Ad Valorem tax obligation to the county where the manufactured home was or is located.



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CHAPTER	2	REGISTRATION AND LICENSING	SUBSECTION	G	OTHER VEHICLES
REGULATION #	MV:01-2-235.3		ALL-TERRAIN VEHICLE		
APPROVED BY:			DATE:		
EFFECTIVE DATE:	October 1, 2013 TBD		SUPERCEDES MATERIAL DATED		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, utility 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, utility 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, utility vehicle, 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, utility 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, utility 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, utility vehicles, and motorcycles used exclusively for use off roads or highways purchased on or after June 16, 2006, and for all-terrain vehicles, utility 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, utility 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, utility 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, utility 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, [utility 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	<b>REGISTRATION AND LICENSING</b>	SUBSECTION	J	<b>DISCOUNTS</b>
REGULATION #	<b>MV:01-2-249</b>		<b>DISABLED VETERAN 100 PERCENT</b>		
APPROVED BY:			DATE:		
EFFECTIVE DATE:	<b>October 1, 2013 TBD</b>		SUPERCEDES MATERIAL DATED:	<b>October 1, 2013</b>	
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.
- G.H. The sales tax exemption for the 100% disabled veteran extends to the surviving spouse of a deceased qualified veteran if the surviving spouse has not remarried. Sales qualifying for the exemption are limited to \$1000.00 per year for the surviving spouse.



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CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	B	APPLICATIONS FOR CERTIFICATES OF TITLE
REGULATION #	MV:01-3-306		APPLICATIONS FOR CERTIFICATES OF TITLE		
APPROVED BY:			DATE:		
EFFECTIVE DATE:	<del>JANUARY 1, 2015</del> TBD		SUPERCEDED MATERIAL DATED:	<del>OCTOBER 1, 2013</del> JANUARY 1, 2015	
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 Couple; 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~~ or his/her 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 to~~ either or both questions- ~~is 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 Cherokee Nation compact jurisdiction 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 on page two 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 match.
  2. Persons authorized to perform inspection; non-release of title. These inspections are to be performed by authorized Cherokee Nation Tax Commission personnel ~~only or~~ vehicle owner. 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 or received. Non complying forms will be rejected. 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	7	<i>BOAT AND MOTORS</i>	SUBSECTION	A	<i>GENERAL PROVISIONS</i>
REGULATION #	<i>BM:02-7-706</i>		<i>REGISTRATION AND TITLE</i>		
APPROVED BY:			DATE:		
EFFECTIVE DATE:	<b>October 1, 2013</b> <u>TBD</u>		SUPERCEDES MATERIAL DATED:	<b>October 1, 2013</b>	
AUTHORITY:	Legislative Act "The Cherokee Nation Boat and Motor Licensing and Tax Code 18-02"				

Each boat and motor will have both a certificate of title and registration form.

A boat owner must carry the registration in the boat when in operation.



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CHAPTER	7	BOAT AND MOTORS	SUBSECTION	A	GENERAL PROVISIONS
REGULATION #	BM:02-7-708		DISPLAY OF REGISTRATION		
APPROVED BY:			DATE:		
EFFECTIVE DATE:	October 1, 2013 TBD		SUPERCEDES MATERIAL DATED:	October 1, 2013	
AUTHORITY:	Legislative Act "The Cherokee Nation Boat and Motor Licensing and Tax Code 18-02"				

~~A boat owner must carry the registration in the boat when in operation.~~

All boats must properly display the permanent number and a current registration decal.

Permanent numbers assigned by the Cherokee Nation Tax Commission are to be displayed as follows:

1. Must be painted, applied as a decal, or otherwise affixed to both sides of the bow as high above the water line as possible.
2. The color must be in contrast to its background.
3. Must read from left to right on both sides of the bow.
4. Must be in bold BLOCK characters that are at least three (3) inches in height and one-half inch in stroke width.
5. Characters must be in color that contrasts sharply with the background color of the hull.
6. Letters must be separated from the numbers by a space or hyphen.  
Example OK 3456 AB or OK-3456-AB
7. No other numbers may be displayed on either side of the bow.
8. The current annual registration decals must be affixed on both sides of the bow, behind (towards the stern) and in line with and within six inches of the permanent number.



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CHAPTER	<u>7</u>	<u>BOATS AND MOTORS</u>	SUBSECTION	<u>A</u>	<u>GENERAL PROVISIONS</u>
REGULATION #	<u>BM:02-7-722</u>		<u>LOST, STOLEN, OR MUTILATED DECALS</u>		
APPROVED BY:			DATE:		
EFFECTIVE DATE:	<u>TBD</u>				
AUTHORITY:	<u>Legislative Act "The Cherokee Nation Boat and Motor Licensing and Tax Code 18-02"</u>				

A. Procedures upon the loss, theft, or damage to decal: In the event of loss mutilation, or destruction of decal, an Affidavit for Replacement [CNTC form 32-01] must be completed by the applicant.