

**BILL NUMBER NCA 21-123**

**TO BE INTRODUCED INTO THE MUSCOGEE (CREEK) NATIONAL COUNCIL**

**October 29, 2021**  
**(DATE OF INTRODUCTION)**

**INTRODUCED BY: Office of the Principal Chief**

**SPONSOR(S): Travis Scott**

**COMMITTEE ON: Business, Finance & Justice**

**CLASSIFICATION: 36-Taxation and Revenue**

**A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 36,  
CHAPTER 3, ENTITLED "MOTOR VEHICLE TAX AND LICENSE CODE"**

**Be it enacted by the National Council of the Muscogee (Creek) Nation:**

**SECTION ONE. FINDINGS. The National Council finds that:**

A. The increased jurisdictional authority following the decision of the United States Supreme Court in *McGirt v. Oklahoma* requires the Nation to amend its laws in furtherance of Tribal sovereignty within the Muscogee (Creek) Nation Reservation and to provide expanded services and benefits for Citizens, both within and outside the Reservation boundaries.

B. A review of the Muscogee (Creek) Nation Tax Code indicates the need for certain amendments to be enacted to increase the revenue base for the Nation and including statutory authority allowing Citizens who reside outside of the Reservation boundaries to register eligible vehicles with the Nation's Tax Commission in the same manner as Citizens who reside within the Reservation boundaries.

C. The National Council hereby adopts and enacts the attached amendments to Title 36 in furtherance of the Nation's right to legislate on matters for the benefit of Citizens regardless of residency as recognized in Sections 7(a) of Article VI of the Nation's Constitution.

**SECTION TWO. AMENDMENT. These amendments shall be codified in Title 36 of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification of said amendments and its inclusion in pocket parts of the Code of Laws of the Muscogee (Creek) Nation, the Codification Committee is hereby authorized: (1) to approve any changes related to the manner in which sections, articles, chapters, and sub-chapters are designated consistent with the format in the Code of Laws published in 2010 by West Publishing Company; (2) to include footnoted references to the legislative history**

1 in said pocket parts to the Code of Laws and; (3) to note in said pocket parts any editorial  
2 correction of minor clerical or grammatical errors in the following amendments, without  
3 further National Council approval:

### 4 5 CHAPTER 3. MOTOR VEHICLE TAX AND LICENSE CODE 6

#### 7 § 3–101. Citation 8

9 This chapter of Title 36 shall be known and cited as the Muscogee (Creek) Nation “Motor  
10 Vehicle Tax and License Code.”  
11

#### 12 § 3–102. Definitions 13

14 The following words and phrases when used in this chapter shall, for the purposes of this  
15 chapter, have the meanings respectively ascribed to them in this section, except where  
16 the context otherwise requires:  
17

18 A. “All terrain vehicle” shall mean a motorized vehicle manufactured and used  
19 exclusively for off-highway use which is sixty (60) inches or less in width with an unladen  
20 dry weight of one thousand five hundred (1500) pounds or less, traveling on two (2) or  
21 more low-pressures tires.  
22

23 B. “Commercial vehicle” shall mean any vehicle used primarily for the  
24 transportation of persons or goods in the ordinary course of trade or business.  
25

26 C. “Eligible vehicle” shall mean any personal vehicle, commercial vehicle,  
27 motorcycle, recreational vehicle, trailer, farm truck, all terrain vehicle, or Utility Vehicle,  
28 **or Vessel** ~~which is principally garaged within the political jurisdiction of the Muscogee~~  
29 ~~(Creek) Nation and title to which is held by: (i) the Muscogee (Creek) Nation, (ii) a~~  
30 ~~chartered community of the Muscogee (Creek) Nation which is located in the political~~  
31 ~~jurisdiction of the Muscogee (Creek) Nation or (iii) any enrolled member of the Muscogee~~  
32 ~~(Creek) Nation who resides within the political jurisdiction of the Muscogee (Creek)~~  
33 ~~Nation. An “eligible vehicle” shall not include a salvage vehicle. **who is sixteen (16)**~~  
34 **years of age and above.**  
35

36 D. “Farm trailer” shall mean any vehicle owned by a farmer and used primarily  
37 for the purpose of transporting farm products to market or for the purpose of transporting  
38 to the farm material or things to be used thereon, and not for commercial or industrial  
39 purposes.  
40

41 E. “Farm truck” shall mean any vehicle equipped with four (4) or more wheels  
42 and a cargo area for the conveyance of property that is used primarily for agricultural  
43 purposes, but not for commercial or industrial purposes. Vans and sport utility vehicles  
44 may not carry a “farm truck” tag.  
45

46 F. “Motorcycle” shall mean any two (2) or three-wheeled personal vehicle.

1  
2 G. "Person" shall mean any natural person or legal entity legally competent to  
3 hold title to a motor vehicle.  
4

5 H. "Personal vehicle" shall mean any vehicle having four (4) or more wheels,  
6 including but not limited to cars, trucks, vans and sport utility vehicles; provided however,  
7 the definition of personal vehicle shall not include a commercial vehicle as defined in  
8 subsection A of this section, a recreational vehicle as defined in subsection I of this  
9 section or a farm truck as defined in subsection D of this section.  
10

11 I. "Physically disabled driver" shall mean any person who is an enrolled  
12 member of the Muscogee (Creek) Nation and who generally meets the definition of a  
13 physically disabled person under Oklahoma law, as may be further modified by the Tax  
14 Commissioner of the Muscogee (Creek) Nation.  
15

16 J. "Rebuilt vehicle" shall mean any salvage vehicle which has been rebuilt and  
17 inspected for the purpose of registration and title with another Tribe or state.  
18

19 K. "Recreational vehicle" shall mean any vehicle that is equipped to serve as  
20 temporary living quarters for recreational, camping or travel purposes and is used solely  
21 as a family or personal conveyance.  
22

23 L. "Salvage vehicle" shall mean any vehicle which is within the last ten (10)  
24 model years and has been damaged by collision or other occurrence to the extent that  
25 the cost of repairing the vehicle for safe operation on the highway exceeds sixty percent  
26 (60%) of its fair market value, immediately prior to the damage.  
27

28 M. "Senior citizen" shall mean any person who is an enrolled member of the  
29 Muscogee (Creek) Nation who has reached the age of Fifty-five (55) and is licensed by  
30 the State of Oklahoma any state or territory to drive an eligible vehicle.  
31

32 **N. "Territorial Jurisdiction" shall mean the territorial jurisdiction of the**  
33 **Muscogee Courts shall extend to all the territory defined in the 1866 Treaty with the**  
34 **United States, including without limitation any real property within the Nation's**  
35 **political jurisdiction as defined in Article I, Section 2 of the 1979 Muscogee (Creek)**  
36 **Nation Constitution and which constitutes Muscogee (Creek) Nation Indian**  
37 **Country as follows: (1) property owned by any Muscogee citizen subject to federal**  
38 **restrictions against alienation or held in trust by the United States for the benefit**  
39 **of any Muscogee citizen or (2) property held in trust by the United States for the**  
40 **benefit of the Muscogee (Creek) Nation or (3) any property owned by Muscogee**  
41 **(Creek) Nation or (4) property which otherwise constitutes Indian Country as that**  
42 **term is used in 18 U.S.C. § 1151.**  
43

44 NO. "Trailer" shall mean any vehicular portable structure built on a chassis  
45 which is not propelled by its own power but is towed by another vehicle with a width not  
46 exceeding eight (8) feet in travel mode and overall length not exceeding forty (40) feet,

1 including the hitch or coupling, whether used for towing property or livestock or as a  
2 temporary dwelling for travel or recreational use.

3  
4 **OP.** "Vehicle" shall mean any wheeled conveyance for carrying persons or  
5 property capable of being propelled under its own power through the use of an electric  
6 engine or internal combustion engine greater than fifty (50) cubic centimeters, designed  
7 primarily for use on roads and/or highways and equipped with brakes, headlights, tail  
8 lights, brake lights, a horn, turn signals and a rearview mirror, the ownership of which is  
9 reflected on a Certificate of Title.

10  
11 **PQ.** Utility Terrain Vehicle shall mean a vehicle powered by an internal  
12 combustion engine, electric engine, manufactured and used exclusively for off-highway  
13 use, equipped with seating for two or more people, a steering wheel and travels on four  
14 or more wheels.

15  
16 **QR.** Street Legal Utility Vehicle shall mean a vehicle powered by a combustion  
17 engine with a piston or rotor displacement of 400 cubic centimeters or greater and capable  
18 or maintaining speeds of 45 miles per hour or greater, including a bench seat or side-by-  
19 side seat for the use of each rider, four wheels in contact with the ground, safety belt or  
20 shoulder harnesses for each occupant, and equipped with two head lamps, two tail lamps,  
21 two rear license plate lights, two red reflectors on the rear, two stop lamps, and turn  
22 signals that flash. If street legal utility is over 80" wide, must have two front amber  
23 clearance lamps, two rear red clearance lamps, two side marker lamps (front is amber,  
24 rear is red), two reflex reflectors (front is amber, rear is red), and vehicular hazard warning  
25 lamps.

26  
27 **S. Handicap Placard or Plate shall mean any citizen can be issued a**  
28 **placard with an application signed by a physician showing your disability. Not**  
29 **limited to paralysis, blindness, loss of mobility.**

30  
31 **T. Black Tags shall mean Creek Tax Commission shall issue a black tag**  
32 **to an owner of a motor vehicle upon the filing of an affidavit with the Commission**  
33 **that the motor vehicle is not being used upon public streets or public highways**  
34 **within the jurisdiction of The Muscogee Creek Nation**

35  
36 **U. Junked vehicle means any vehicle which is incapable of operation or**  
37 **use on the highway, has no resale value except as a source of parts or scrap and**  
38 **has an eighty percent (80%) loss in fair market value.**

39 **V. "Active duty military personnel" means a person who is on active duty**  
40 **status in the uniformed military of the United States of America in possession of a**  
41 **valid current military identification.**

42 **W. Veteran means any veteran of the United States military who has been**  
43 **honorably discharged as evidenced by the form DD 214.**

1        **X.     *Disabled veteran* means a veteran, as defined in this section, who has**  
2 **been certified by the U.S. Department of Veterans Affairs as disabled.**

3        **Y.     Vessel means every device, other than a canoe, paddleboat or**  
4 **seaplane on the water, used or capable of being used as a means of transportation**  
5 **on water, including but not limited to personal watercraft.**

6  
7        **Z.     "*Vessel Motor*" means any internal combustion engine mounted at the**  
8 **stern of a vessel or placed inside a vessel which provides the transfer of power to**  
9 **move the vessel through the water.**

10  
11 § 3–103. Registration eligibility

12  
13        A.     Muscogee (Creek) Nation. The Muscogee (Creek) Nation shall register all  
14 eligible vehicles to which it holds title with the Muscogee (Creek) Nation Tax Commission.

15  
16        B.     Chartered communities. Any chartered community of the Muscogee  
17 (Creek) Nation which holds title to an eligible vehicle shall have the option to apply for  
18 registration of said eligible vehicle with the Muscogee (Creek) Nation Tax Commission,  
19 instead of registration with another governmental entity.

20  
21        C.     Citizens. Any Muscogee (Creek) Nation citizen who resides within the  
22 ~~political jurisdiction of the Muscogee (Creek) Nation~~ **territorial jurisdiction of the**  
23 **Muscogee (Creek) Nation** and who holds title to an eligible vehicle shall have the option  
24 to apply for registration of said vehicle with the Muscogee (Creek) Nation Tax  
25 Commission, instead of registration with another governmental entity; provided that failure  
26 of such person to apply for registration of an eligible vehicle with the Muscogee (Creek)  
27 Nation Tax Commission or with another governmental entity within thirty (30) days after  
28 purchasing or obtaining possession of said motor vehicle or within twenty (20) days of  
29 expiration of the previous tag shall subject said person to penalties as provided in  
30 subsection B of Title 36, § 3–112. **Any Muscogee (Creek) Nation citizen who resides**  
31 **outside the territorial jurisdiction of the Muscogee (Creek) Nation is also eligible to**  
32 **apply for registration of an eligible vehicle under this Chapter as a non-resident**  
33 **and by signing an acknowledgement form to be promulgated by the Muscogee**  
34 **(Creek) Nation Tax Commission affirming the status of the citizen as a non-**  
35 **resident.**

36  
37 § 3–104. Certificate of title requirement

38  
39        A.     Title. Prior to the registration of an eligible vehicle with the Muscogee  
40 (Creek) Nation for the first time by a specific owner of the vehicle, the owner shall apply  
41 to the Tax Commissioner, on such form as the Commissioner shall by rule direct, for a  
42 Muscogee (Creek) Nation Vehicle Certificate of Title for said vehicle. The applicant shall  
43 furnish proof of purchase from a licensed new or used car dealer, or a properly endorsed  
44 Vehicle Certificate of Title issued by another jurisdiction, or in the case of an applicant  
45 who has acquired title to a vehicle already registered with the Muscogee (Creek) Nation

1 Tax Commission, a properly endorsed Muscogee (Creek) Nation Vehicle Certificate of  
2 Title.

3  
4 B. Original, transfer, and duplicate titles. Upon proper application and  
5 payment of all fees and taxes, the Tax Commissioner shall issue an Original Muscogee  
6 (Creek) Nation Vehicle Certificate of Title to the first purchaser of a vehicle from a new  
7 vehicle dealer, a Transfer Muscogee (Creek) Nation Certificate of Title to a second or  
8 subsequent owner of a vehicle whether purchased from an individual or dealer, and a  
9 Duplicate Muscogee (Creek) Nation Vehicle Certificate of Title to the owner of record to  
10 replace a lost, stolen or mutilated original or transfer title. ~~No Muscogee (Creek) Nation~~  
11 ~~title shall be issued on a salvage title issued by another tribe or state. The Muscogee~~  
12 ~~(Creek) Nation shall not issue any titles on salvage vehicles.~~ Notice of liens against said  
13 vehicle shall be placed upon said title either by submission of a valid lien entry form from  
14 a lending institution or upon receipt of a title issued by another tribe or state with a valid  
15 lien filed upon the face of the title.

16  
17 C. Fee. The Commissioner shall charge a fee of five dollars (\$5.00) for issuing  
18 each original, transfer or duplicate Muscogee (Creek) Nation Vehicle Certificate of Title.  
19 A receipt will be given for said fee.

20  
21 § 3-105. Registration application

22  
23 A. Documents. Each applicant for vehicle registration with the Muscogee  
24 (Creek) Nation shall present upon application the following documents:

- 25  
26 1. The applicant's properly endorsed Muscogee (Creek) Nation Vehicle  
27 Certificate of Title; or an application for a Muscogee (Creek) Nation  
28 Vehicle Certificate of Title if the applicant has not previously obtained  
29 such Certificate.  
30 2. Valid United States state or Territorial driver's license or other  
31 documents prescribed by the Commissioner showing applicant's  
32 residence ~~within the boundaries of the political jurisdiction of the~~  
33 ~~Muscogee (Creek) Nation;~~ **whether within or outside the boundaries**  
34 **of the territorial jurisdiction of the Muscogee (Creek) Nation;**  
35 **provided, any applicant who resides outside the territorial**  
36 **jurisdiction of the Muscogee (Creek) Nation will have a non-**  
37 **resident status and must also sign an acknowledgement form as**  
38 **provided in Section 3-103.C of this Chapter;**  
39 3. If the applicant is an individual, a copy of the applicant's Muscogee  
40 (Creek) Nation ~~membership~~ **citizenship** card, along with a signed  
41 statement consenting to the Tax Commissioner's release of information  
42 confirming his or her status as a Muscogee (Creek) Nation citizen to a  
43 subsequent purchaser upon request by the purchaser; and,  
44 4. Proof of current liability insurance policy or bond covering any liability for  
45 an accident involving such motor vehicle, to limit, exclusive of interest  
46 and costs of: (i) Not less than ten thousand dollars (\$10,000) because

1 of bodily injury to or death to any one person in any one accident, (ii) not  
2 less than twenty thousand dollars (\$20,000) of bodily injury to or death  
3 of two (2) or more persons in any one accident, and (iii) not less than ten  
4 thousand dollars (\$10,000) because of injury to or destruction of  
5 property of others in any one accident. **Minimum liability insurance.**  
6

7 B. Approval. Upon approval of the registration application and payment of all  
8 applicable fees and taxes by the applicant, the Tax Commissioner shall provide to the  
9 applicant a Muscogee (Creek) Nation certificate of registration, tag and decal.  
10

11 C. Denial. The Commissioner shall have the authority to deny registration to  
12 any applicant when the application information is determined to be insufficient to meet  
13 requirements for registration, fraudulent or incorrect or the applicant has failed to pay all  
14 applicable fees and taxes. The Commissioner shall notify the applicant of the denial of  
15 the registration by certified mail.  
16

17 D. Revocation. If the Commissioner approves an application for registration  
18 and fraudulent information is subsequently discovered, the Commissioner shall have the  
19 authority to revoke the registration. The Commissioner shall notify the applicant of the  
20 revocation of the registration by certified mail.  
21

## 22 § 3–106. Registration tax

23

24 A. Registration tax charge. A one-time registration tax shall be charged for  
25 the registration of any eligible vehicle not previously registered with the Muscogee (Creek)  
26 Nation by the specific applicant, including the registration of an eligible vehicle registered  
27 with the Muscogee (Creek) Nation by a previous owner/seller of the vehicle, as follows:  
28

- 29 1. Registration tax on personal vehicles. A registration tax of one and one-  
30 half percent (1.5%) of the actual purchase price (A.P.P.) shall be  
31 charged for a personal vehicle, provided that the actual purchase price  
32 (A.P.P.) is not more than twenty percent (20%) above the average retail  
33 value and no more than twenty percent (20%) below the average retail  
34 value.
- 35 2. Registration tax on motorcycles. A registration tax of one and one-half  
36 percent (1.5%) of the actual purchase price (A.P.P.) shall be charged for  
37 registration of a motorcycle, provided that the actual purchase price  
38 (A.P.P.) is no more than twenty percent (20%) above the average retail  
39 value and no more than (20%) below the average retail value.
- 40 3. Registration tax on commercial vehicles. A registration tax equal to one-  
41 half (1/2) of the amount of the tax imposed on personal vehicles shall be  
42 charged for registration of a commercial vehicle, provided that the owner  
43 of said vehicle shall sign an affidavit, under oath, in such form as shall  
44 be prescribed by the Tax Commissioner, that the vehicle will be used  
45 primarily for trade or business purposes, and shall either: (i) Affix the  
46 federal employer identification number of said business to the affidavit,

1 or (ii) cause the name of the business to be permanently affixed on each  
2 side of said vehicle in letters or numerals of at least one (1) inch in height  
3 and in a color contrasting with the color of said vehicle. Proof of trade or  
4 business purposes shall be required each year for subsequent  
5 registrations.

6 4. Registration tax on recreational vehicles. A registration tax equal to one-  
7 half (1/2) of the amount of the tax imposed on personal vehicles shall be  
8 charged for registration of a recreational vehicle.

9 5. Registration tax on all terrain vehicles. A registration tax of one and one-  
10 half percent (1.5%) of the actual purchase price (A.P.P.) shall be  
11 charged for an all terrain vehicle, provided that the actual purchase price  
12 (A.P.P.) is not more than twenty percent (20%) above the average retail  
13 value and no more than twenty percent (20%) below the average retail  
14 value. However, if the all terrain vehicle is used for agricultural/farm  
15 purposes and the citizen provides an agricultural exemption card to the  
16 Tax Commission, then the all terrain vehicle shall be exempt from  
17 registration tax.

18 6. Registration Tax on utility terrain vehicles and Street Legal Utility  
19 Vehicles. A registration tax of one and one-half percent (1.5%) of the  
20 actual purchase price (A.P.P.) shall be charged for utility terrain vehicles  
21 and street legal utility vehicles, provided that the actual purchase price  
22 (A.P.P.) is not more than twenty percent (20%) above the average retail  
23 value and no more than twenty percent (20%) below the average retail  
24 value.

25 **7. Registration Tax on vessels and vessel motors. A registration tax**  
26 **of one and one-half percent (1.5%) of the actual purchase price**  
27 **(A.P.P.) shall be charged for registration of a vessel and**  
28 **registration of a vessel motor, provided that the actual purchase**  
29 **price (A.P.P.) is not more than twenty percent (20%) above the**  
30 **average retail value and no more than twenty percent (20%) below**  
31 **the average retail value.**

32  
33 B. Registration tax for physically disabled drivers. A registration tax equal to  
34 one half (1/2) of the amount of the tax imposed on personal vehicles shall be charged for  
35 registration of a vehicle owned and operated by a physically disabled driver as defined in  
36 this chapter. Eligible persons are allowed to register not more than two (2) vehicles under  
37 this section.

38  
39 C. Registration tax for senior citizens. A registration tax equal to one-half (1/2)  
40 of the amount of the tax imposed on personal vehicles shall be charged for registration of  
41 a vehicle owned and operated by a senior citizen as defined in this chapter. Eligible  
42 persons are allowed to register not more than two (2) vehicles under this section.

43  
44 D. No registration tax on farm trucks and commercial trailers. There shall be  
45 no registration tax levied on farm trucks, farm tractors, farm trailers, commercial trailers,  
46 or regular trailers.



1  
2 E. No registration tax for veterans. There shall be no registration tax levied  
3 on eligible vehicles owned by citizens of the Muscogee (Creek) Nation who present  
4 documentation that they are entitled to veteran status.  
5

6 § 3–107. Annual registration fee  
7

8 A. Regular fees. Unless subject to a special fee pursuant to subsection B, C,  
9 D or E of this section, there is hereby levied on every eligible vehicle which is registered  
10 with the Muscogee (Creek) Nation Tax Commission an annual registration fee in  
11 accordance with the following schedule, provided that the registration fee on said vehicles  
12 previously registered with any other tribe or with any state shall be figured as if those  
13 vehicles had been registered with the Muscogee (Creek) Nation for an identical number  
14 of years:  
15

- 16 1. Registered for 1–5 years: \$75.00
- 17 2. Registered for 6–10 years: \$55.00
- 18 3. Registered for 11–15 years: \$30.00
- 19 4. Registered for 15 or more years: \$15.00  
20

21 B. Special fees for physically disabled drivers. Citizens of the Muscogee  
22 (Creek) Nation who qualify as physically disabled drivers as defined in this chapter shall  
23 be entitled to the amount of thirty dollars (\$30.00) for annual registration of not more than  
24 two (2) eligible vehicles.  
25

26 **1. Handicap Placards \$7.00 Citizens of the Muscogee Creek Nation**  
27 **who qualify as physically disabled or loss of mobility.**  
28

29 C. Special fees for senior citizens. Citizens of the Muscogee (Creek) Nation  
30 who qualify as senior citizens as defined in this chapter shall be entitled to pay a special  
31 fee in the amount of thirty dollars (\$30.00) for annual registration of not more than two (2)  
32 eligible vehicles.  
33

34 D. Special fees for veterans. Citizens of the Muscogee (Creek) Nation who  
35 present documentation that they are entitled to veteran status shall be entitled to pay a  
36 special fee for annual registration of not more than two (2) eligible vehicles as follows:  
37

- 38 i. **1. Veterans only, special fee: \$15.00**
- 39 ii. **2. Disabled veterans, special fee: \$11.50**
- 40 iii. **3. Winners of medals for heroism in combat, special fee: \$5.00**
- 41 iv. **4. Prisoners of war, special fee: FREE**
- 42 **5. Veterans Widow, special fee**  
43

44 E. Special fees for farm trucks. The annual registration fee on farm trucks  
45 shall be a special fee in the amount of thirty dollars (\$30.00) per registered vehicle.  
46

1 F. Special fees for commercial trailers, farm trailers, and personal trailers.  
2 The annual registration fee on commercial trailers, farm trailers, and regular trailers shall  
3 be four dollars (\$4.00) per vehicle.

4  
5 G. Special fees for all terrain vehicles. A one-time registration fee on all terrain  
6 vehicles shall be ten dollars (\$10.00) per vehicle.

7  
8 § 3–108. License plate

9  
10 A. Standard license plate. Each vehicle registered with the Muscogee (Creek)  
11 Nation shall be issued a license plate to be properly displayed on the rear of said vehicle.  
12 All license plates shall be in such form as described:

13  
14 ~~1. Each license plate shall be made of metal with white lettering on a red~~  
15 ~~background, unless otherwise provided herein,~~

16 ~~21.~~ Each license plate shall bear the name Muscogee (Creek) Nation,  
17 unless otherwise provided herein,

18 ~~32.~~ Each license plate shall bear the Muscogee (Creek) Nation seal,  
19 ~~unless otherwise provided herein,~~ **unless otherwise permitted by the**  
20 **Tax Commissioner,**

21 ~~4. Each license plate shall bear the word Oklahoma, unless otherwise~~  
22 ~~provided herein,~~

23 ~~53.~~ Each license plate shall contain no more than ~~five~~ **six** **6**  
24 **characters** made up of numbers, letters or a unique combination of  
25 both, unless otherwise provided herein.

26 ~~64.~~ The identifying symbols shall be large and clear enough to be read  
27 by the unaided eye at a distance of; not less than fifty (50) feet.

28 ~~75.~~ Each license plate shall provide a space for the placement of month  
29 and year decals on the upper left and the upper right corners of the  
30 license plate, respectively.

31 ~~86.~~ The license plates for each class of vehicles shall be distinctive and  
32 different from those assigned to other classes of vehicles.

33  
34 B. License plates with special symbols or legends. The Commissioner may,  
35 at his/her discretion provide by rule or regulation for special symbols or legends to be  
36 placed upon personal vehicles license plates issued for the following ~~classes of persons,~~  
37 provided that the Commissioner shall **may** first require documentation that the owner of  
38 the vehicle is entitled to the special symbol or legend:

- 39  
40 1. The physically handicapped,  
41 2. Veterans of the armed forces,  
42 3. Winners of selected medals for heroism in combat,  
43 4. Past or present prisoners of war,  
44 5. Parents whose child has been killed as a result of service in the armed  
45 forces, and  
46 6. Past and present elected Tribal officials

1 7. Clan

2 8. Designer

3  
4 C. Personalized license plates. The Commissioner may, at his/her discretion  
5 provide by rule or regulation for personalized license plates for personal vehicles upon  
6 request of the owner. Personalized license plates may be placed on personal vehicles in  
7 lieu of the regular tag. The Commissioner may charge additional fees for issuing  
8 personalized license plates. The Commissioner reserves the right to reject a request for  
9 a personalized license plate at any time without stating a reason. Personalized license  
10 plates shall contain no more than five (5) characters, made up of numbers, letters or a  
11 unique combination of both.  
12

13 D. Muscogee (Creek) Nation government vehicles. The Commissioner shall  
14 issue without charge, appropriate titles, certificates of registration and license plates for  
15 any motor vehicle owned by the Muscogee (Creek) Nation or its agencies. Title to any  
16 such vehicles shall be in the name of the Muscogee (Creek) Nation and such vehicles  
17 may be disposed of only by action of the National Council. If the particular agency has  
18 been authorized to purchase and dispose of property in the name of the agency by law  
19 of the National Council, the agency may hold title to a vehicle purchased through an  
20 authorized budget line item in its own name, and dispose of the vehicle pursuant to its  
21 authorized powers, unless the purchase was made from appropriated Tribal funds the  
22 vehicles may be declared surplus property and disposed of in accordance with Title 32,  
23 § 3–101 et seq.  
24

25 E. Lost, mutilated or destroyed license plate or decal. In the event of loss,  
26 mutilation or destruction of a license plate or decal the owner of such registered vehicle  
27 shall file an affidavit showing such fact and obtain another plate or decal. The charge shall  
28 be five dollars (\$5.00) for each such plate or decal. In the event a license plate becomes  
29 so mutilated as to make its numbers, letters or decals unreadable, the owner/operator of  
30 the vehicle shall be subject to fine. Law enforcement shall have the authority to detain  
31 and cite any owner or operator of vehicles bearing such mutilated license plates.  
32

33 § 3–109. Operation of motor vehicle in the Muscogee (Creek) Nation  
34

35 A. Driver's license. Every operator of a motor vehicle upon the public streets,  
36 roadways or highways ~~in the political jurisdiction of the Muscogee (Creek) Nation~~ shall  
37 have in their possession a currently valid United States state or territorial driver's license  
38 and shall exhibit such license to any law enforcement officer upon request.  
39

40 B. Insurance.  
41

- 42 1. Unless otherwise provided in this subsection, every owner or operator  
43 of a motor vehicle operated upon the public streets, roadways or  
44 highways ~~in the political jurisdiction of the Muscogee (Creek) Nation~~  
45 shall maintain with some insurance company or surety company, a

1 liability insurance policy or bond, to cover any liability for an accident  
2 involving such motor vehicle, to limit, exclusive of interest and costs of:

- 3
- 4 a. ~~Not less than ten thousand dollars (\$10,000) because of bodily injury~~  
5 ~~to or death of two (2) or more persons in any one accident, and~~  
6 **Minimum liability coverage.**  
7 b. ~~Not less than twenty thousand dollars (\$20,000) because of bodily~~  
8 ~~injury to or death of two (2) or more persons in any one (1) accident,~~  
9 ~~and~~  
10 c. ~~Not less than ten thousand dollars (\$10,000) because of injury to or~~  
11 ~~destruction of property of others in any one (1) accident.~~  
12

- 13 2. This requirement shall not apply to any operator if the owner of such  
14 motor vehicle has such insurance which covers the operator while  
15 he/she is operating the vehicle.  
16

17 C. Insurance security verification form. Except as provided in subsection D of  
18 this section, every owner of a motor vehicle registered within the Muscogee (Creek)  
19 Nation shall carry in such vehicle at all times a current owner's security verification form  
20 listing the vehicle which has been issued by an insurance company or surety company  
21 and shall produce such form upon request for inspection by any law enforcement officer  
22 or representative of the Commissioner and, in the case of a collision, the form shall be  
23 shown upon request to any person affected by said collision.  
24

25 D. Exemption from insurance security verification form requirement. The  
26 following shall not be required to carry an owner's or operator's security verification form  
27 or an equivalent form during operation of a motor vehicle and shall not be required to  
28 surrender such form for vehicle registration purposes:  
29

- 30 1. Any vehicle owned or leased by the federal, state, territory or Tribal  
31 government, or any agency or political subdivision thereof;  
32 2. Any vehicle bearing the name, symbol or logo of a business, corporation  
33 or utility on the exterior whose business, corporation or utility has a  
34 deposit, bond, self-insurance or fleet policy on file with the Tax  
35 Commissioner;  
36 3. Any vehicle authorized for operations, pursuant to a permit number  
37 issued by the Interstate Commerce Commission; and  
38 4. Any vehicle owned by a licensed used motor vehicle dealer and not  
39 regularly used upon the public highways.  
40

41 § 3-110. Sale of vehicle with Muscogee (Creek) Nation title to non-Indian  
42

43 Any sale of a vehicle with a valid Muscogee (Creek) Nation title from a Muscogee (Creek)  
44 Nation citizen to a non-member shall require the seller to provide a copy of his or her  
45 current CDIB or Muscogee (Creek) Nation membership cards to the purchaser. If the  
46 seller fails to provide this information upon sale, the Muscogee (Creek) Nation Tax

1 Commissioner may provide information confirming the seller's status as a Muscogee  
2 (Creek) Nation citizen upon request of the purchaser.

3  
4 ~~§ 3-111. Recognition of foreign titles and registrations~~

5  
6 ~~It shall not be unlawful by reason of this title for any person to possess or operate a motor~~  
7 ~~vehicle within the political jurisdiction of the Muscogee (Creek) Nation so long as the~~  
8 ~~vehicle is properly registered and tagged by the jurisdiction in which such person resides~~  
9 ~~in which the vehicle is principally garaged in the jurisdiction of the Muscogee Creek Nation~~  
10 ~~and extends like or similar recognition to the vehicle tags, certificates of title and~~  
11 ~~registrations issued by the Muscogee (Creek) Nation.~~

12  
13 § 3-1121. Penalties

14  
15 A. False or fraudulent information. Any Indian person who knowingly issues  
16 or promulgates false or fraudulent information in connection with either the security  
17 verification form or an equivalent form of an owner or operator shall be guilty of an offense  
18 and shall be subject to a fine not exceeding five hundred dollars (\$500.00) or  
19 imprisonment for not more than six (6) months or by both such fine or imprisonment.

20  
21 B. Failure to register. Failure of the owner of an eligible vehicle to apply for a  
22 Muscogee (Creek) Nation certificate of title, certificate of registration, tag and decal within  
23 twenty (20) days of the date of expiration of a Muscogee (Creek) Nation tag shall result  
24 in the civil penalty of twenty-five cents (\$0.25) per day beginning on the twenty-first (21st)  
25 day. This penalty shall not exceed two (2) times the registration fee for the vehicle. Any  
26 vehicle not registered within three (3) months after the expiration of the previous  
27 Muscogee (Creek) Nation registration and being operated upon any public street or  
28 highway is hereby declared contraband and shall be subject to seizure and sale.

29  
30 C. Waiver of penalties for failure to register. The Commissioner shall have  
31 the authority to waive penalties for failure to register a vehicle, in cases where such  
32 vehicle is proven to have been inoperable during the registration period. Proof of  
33 inoperability may be by, but is not limited to, submission of parts or repair receipts or such  
34 other evidence deemed appropriate by the Tax Commission.

35  
36 D. Operation of vehicle; criminal offense. Any Indian person who operates, or  
37 allows to be operated a motor vehicle owned by him/her, in violation of the provisions of  
38 this chapter, shall be guilty of a misdemeanor and shall be subject to a fine not exceeding  
39 two hundred fifty dollars (\$250.00), or imprisonment for not more than thirty (30) days, or  
40 both such fine and imprisonment.

41  
42 E. Operation of vehicle; public nuisance; seizure. Any motor vehicle operated  
43 in violation of the provisions of this chapter shall be considered a public nuisance. The  
44 Commissioner shall seize any Muscogee (Creek) Nation license plate placed upon such  
45 vehicles and not allow the return or re-registration of the vehicle until a security verification  
46 form is filed with the Commissioner or other action as ordered by the Commissioner is

1 taken to verify that such vehicle will not be used in violation of this section. If such vehicle  
2 has been in an accident, any law enforcement officer shall impound such vehicle until a  
3 security verification form or other appropriate action as ordered by the Commissioner is  
4 filed with the Commissioner. If no form is filed within six (6) months, the Attorney General  
5 shall file appropriate forfeiture proceedings to forfeit such vehicle to the Nation.

6  
7 § 3–1132. Use of tax revenues  
8

9 The tax revenue collected pursuant to the Motor Vehicle Code shall be earmarked for  
10 funding of education, public health and welfare, public safety, construction and  
11 improvement of roads and parking lots within the jurisdiction of the Muscogee (Creek)  
12 Nation, and such other matters as determined by the National Council to be in the best  
13 interest of the Muscogee (Creek) Nation and its citizens.  
14

15 § 3–1143. Intergovernmental agreements; authority  
16

17 The Principal Chief of the Muscogee (Creek) Nation is hereby authorized to enter into  
18 intergovernmental agreements of any kind with any Governmental Authority to implement  
19 the provisions of this Motor Vehicle Tax and License Code. The term “Governmental  
20 Authority” shall include (a) any federal, tribal, state, county or municipal government or  
21 political subdivision thereof, (b) any governmental or quasi-governmental agency,  
22 authority, board, bureau, commission, department, instrumentality or public body, or (c)  
23 any court, administrative tribunal or public utility.  
24

25 **SECTION THREE. EFFECTIVE DATE.** This Act shall become effective immediately  
26 upon proper approval and execution in accordance with the requirements of the  
27 Muscogee (Creek) Nation Constitution.