

PART THREE
DELAWARE NATION
TAXATION AND REGISTRATION OF MOTOR VEHICLES

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PART 3

TAXATION AND REGISTRATION OF MOTOR VEHICLES

Section 301 – Definitions:

- (A) “Commercial Vehicle” means any motor vehicle or car, station wagon, van, pickup, or similar type constructed and used primarily for the transportation of persons or goods in the ordinary course of trade or business.
- (B) “Manufactured Home” means any mobile home, house trailer, or other factory manufactured home designed for semi-permanent installation as a residence but maintaining the capability of being pulled upon the highways upon wheels attached thereto.
- (C) “Motor Vehicle” means any wheeled conveyance for carrying person or property capable of being propelled under its own power through the use of an internal combustion engine of greater than fifty cubic centimeter displacement. Provided, however, that farm combines, and similar self-propelled implements of husbandry (not including trucks) used exclusively for farm purposes shall not be considered a motor vehicle.
- (D) “Motorcycle” or “Motorized Bicycle” means any motor vehicle having either two or three wheels.
- (E) “Passenger Automobile” means any motor vehicle or car, station wagon, van, pickup, or similar type constructed and used primarily for the transportation of persons for purposes other than for hire or compensation.
- (F) “Person” means any natural or artificial entity legally competent to hold title to a motor vehicle.

Section 302 – Application:

This Part shall apply to all motor vehicles, owned by a citizen of the Delaware Nation.

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 303 – Tax Imposed on Passenger Automobiles:

There is hereby levied an annual registration tax on every passenger automobile according to the factory delivered price of the vehicle, and year of registration in this, or any other jurisdiction, according to the table of tax rates as follows:

There will be an excise tax of 1% on the factory delivered price of ALL new vehicles.

History: Added by PUBLIC LAW #09-058, August 4, 2009]

| DELAWARE NATION TAX COMMISSION | | | | | | | |
|--|--|------------|------------|-------------------------|------------------|-------------|-------------|
| MOTOR VEHICLE REGISTRATIONS | | | | | | | |
| 1% EXCISE TAX ON FACTORY DELIVERED PRICE OF ALL BRAND NEW VEHICLES | | | | | | | |
| MORE THAN | \$0.00 | \$2,500.00 | \$5,000.00 | \$7,500.00 | \$10,000.00 | \$12,500.00 | \$15,000.00 |
| BUT LESS THAN | \$2,499.99 | \$4,999.99 | \$7,499.99 | \$9,999.99 | \$12,499.99 | \$14,999.99 | OR MORE |
| 1st yr. | \$25.00 | \$38.00 | \$59.00 | \$94.00 | \$120.00 | \$147.00 | \$200.00 |
| 2nd yr. | \$25.00 | \$33.00 | \$51.00 | \$81.00 | \$104.00 | \$128.00 | \$162.00 |
| 3rd yr. | \$25.00 | \$29.00 | \$44.00 | \$70.00 | \$90.00 | \$110.00 | \$141.00 |
| 4th yr. | \$25.00 | \$25.00 | \$38.00 | \$60.00 | \$77.00 | \$94.00 | \$122.00 |
| 5th yr. | \$25.00 | \$25.00 | \$32.00 | \$51.00 | \$65.00 | \$80.00 | \$105.00 |
| 6th yr. | \$25.00 | \$25.00 | \$26.00 | \$43.00 | \$55.00 | \$67.00 | \$89.00 |
| 7th yr. | \$25.00 | \$25.00 | \$25.00 | \$35.00 | \$45.00 | \$55.00 | \$75.00 |
| 8th yr. | \$25.00 | \$25.00 | \$25.00 | \$29.00 | \$37.00 | \$45.00 | \$63.00 |
| 9th yr. | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$29.00 | \$35.00 | \$53.00 |
| 10th yr. | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$27.00 | \$41.00 |
| 11th yr. | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$32.00 |
| OVER 12 | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$25.00 | \$25.00 |
| Renewal Rate | | | | | | | |
| 2nd - 4th Yr. | Flat Renewal Rate of -- | | \$85.00 | | | | |
| 5th - 7th Yr. | Flat Renewal Rate of -- | | \$75.00 | | | | |
| 8th Yr. and over | (Current Motor Vehicle Registration Rates in effect) | | | | | | |
| Duplicate Reg. | \$10.00 | | | Personalized Tag | \$22.00 | | |
| Duplicate Title | \$10.00 | | | | | | |
| | | | | Farm Tag | \$25.00 | | |
| Lost/Stolen Tag | \$10.00 | | | Mtrcle Tag | \$25.00 | | |
| Lost/Stolen Decal | \$5.00 | | | | | | |
| | | | | Veteran Tag | 1/2 REGISTRATION | | |
| Transfer Title | \$10.00 | | | Handicap Tag | 1/2 REGISTRATION | | |
| Lien Entry | \$10.00 | | | Commercial Tag | 1/2 REGISTRATION | | |
| Notary Fee | \$0.00 | | | | | | |
| Rtrnd Check Fee | \$25.00 | | | | | | |

Section 304 – Tax Imposed on Farm Vehicles:

There is hereby levied an annual registration tax on every vehicle, or truck/tractor owned and operated by one or more farmers and used primarily for farm use, but not for commercial or industrial purposes, in the amount of twenty-five dollars (\$25.00). There will be an excise tax of 1% on the factory delivered price of ALL new vehicles. Provided that before issuing such tag, the Delaware Nation Tax Commission shall require proper documentation of the Oklahoma Tax Commission Agricultural Exemption Permit. Every year, thereafter, the Delaware Nation Title holder must provide a copy a current valid Oklahoma Tax Commission Agricultural Exemption Permit before a renewal registration will be issued. If a current valid Oklahoma Tax Commission Agricultural Exemption Permit is not presented, the farm tag will be revoked and a regular Delaware Nation tag will be issued to replace the farm tag, and any additional fees that may be applicable will be due and payable at that time.

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 305 – Tax Imposed on Commercial Vehicles:

There is hereby levied an annual registration tax on every commercial vehicle according to the factory delivered price of the vehicle, and year of registration in this, or any other, jurisdiction at a rate equal to one-half (1/2) of the amount of the tax imposed by Section 303 of this Part. There will be an excise tax of 1% on the factory delivered price of ALL new vehicles. Provided, that the owner or operator of said vehicle shall sign an affidavit under oath, in such form as the Tax Commission shall prescribe, that such vehicle is to be used primarily for his trade or business purposes, and shall: (a) affix the federal employer identification number of said business to the affidavit, and/or (b) cause the name of the business to be affixed to each side of said vehicle in letters or numerals at least one and one-half inch in height and in a color contrasting with the color of said vehicle.

History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 306 – Tax Imposed on Motorcycles and Motorized Bicycles:

There is hereby levied an annual registration tax on every motorcycle according to the factory delivered price of the motorcycle and year of registration in this, or any other, jurisdiction at a rate equal to twenty five dollars (\$25.00) of the tax imposed by Section 303 of this Part. There will be an excise tax of 1% on the factory delivered price of ALL new vehicles.

[History: As amended by PUBLIC LAW #04-54, September 13, 2004]

Section 307 – Tax Imposed on Handicap Tags:

There is hereby levied an annual registration tax on every Handicap vehicle according to the factory delivered price of the vehicle, and year of registration in this, or any other, jurisdiction at a rate equal to one-half (1/2) of the amount of the tax imposed by Section 303 of this Part. There will be an excise tax of 1% on the factory delivered price of **ALL** new vehicles. The Delaware Nation Tax Commission will verify with the State of Oklahoma Department of Public Safety Driver Compliance Division – Handicap, that the handicapped or disabled placard number given is registered to the Delaware Nation Title holder. Once the placard has been verified Delaware Nation Tax Commission will then issue a handicap tag. The Delaware Nation Title holder will be required every year to provide a copy of the State of Oklahoma issued placard before a new Delaware Nation handicapped registration will be issued. If the placard is not confirmed to be valid either by non renewal with the State of Oklahoma or that it is not the Delaware Nation Title holder's placard, then the handicap tag will be revoked and a regular Delaware Nation tag will be issued to replace the handicap tag and any applicable fees will be due and payable at that time. If there is more than one handicap tag(s) issued to the Delaware Nation Title holder, then all but one tag will be revoked and a regular Delaware Nation tag will be issued to replace the handicap tag(s) and any applicable fees will be due and payable at that time.

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 308 - Tax Imposed on Veteran Tags:

There is hereby levied an annual registration tax on every Veteran vehicle according to the factory delivered price of the vehicle, and year of registration in this, or any other, jurisdiction at a rate equal to one-half (1/2) of the amount of the tax imposed by Section 303 of this Part. There will be an excise tax of 1% on the factory delivered price of **ALL** new vehicles. The Delaware Nation Tax Commission requires that a valid DD214 (Discharge Form) must be presented for copy at the time of title registration. There will only be an allowance of one Veteran Tag per Delaware Nation Veteran, all other vehicles owned by the Delaware Nation Veteran must have a different classification of tag. If there is more than one Veteran tag(s) issued to the Delaware Nation Title holder, then all but one tag will be revoked and a regular Delaware Nation tag will be issued to replace the Veteran tag(s) and any applicable fees will be due and payable at that time.

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 309 - Tax Imposed on Active Military Tags:

There is hereby levied an annual registration tax on every active military vehicle according to the factory delivered price of the vehicle, and year of registration in this, or any other, jurisdiction at a rate equal to one-half (1/2) of the amount of the tax imposed by Section 303 of this Part. There will be an excise tax of 1% on the factory delivered price of **ALL** new vehicles. The Delaware Nation Tax Commission requires that a valid Active Military ID must be presented for copy at the time of title registration. There will only be an allowance of one Active Military Discount per Delaware Nation Active Military Tribal Member, all other vehicles owned by the Delaware Nation Active Military Tribal Member will be charged full registration price. If there is more than one Delaware Nation Active Military Tribal Member regular tag(s) issued to the Delaware Nation Title holder, then all but one tag will be revoked of the discount and the regular Delaware Nation registration will be charged to replace the Delaware Nation Active Military Tribal Member discount; and any applicable fees will be due and payable at that time.

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 310 – Tax on Manufactured Homes and Recreational Vehicles:

There is hereby levied an annual registration tax on every manufactured home and recreational vehicles, according to the factory delivered price of the home, and year of registration in this, or any other jurisdiction at a rate equal to one-half the amount of the tax imposed by Section 303 of this Part. There will be an excise tax of 1% on the factory delivered price of all new manufactured home and recreational vehicles

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 311 – Certificate of Title:

Prior to initial registration of motor vehicle, the owner shall apply to the Tax Commission, on such form as the Commission shall by rule direct, for a title for said vehicle. Prior to issuance of a title for a motor vehicle, the Tax Commission shall require the applicant to furnish proof of purchase from a bona fide new or used car dealer, or a properly endorsed Vehicle Certificate of Title issued by this or some other jurisdiction. Notice of liens against said vehicle shall be placed upon said title upon request of the lending institution.

Section 312 – Form of a Vehicle Certificate of Title:

The title issued by the Tax Commission shall be printed on safety paper and be in substantially the following form, on the face of the title:

History: Added by PUBLIC LAW #09-058, August 4, 2009]

Delaware Nation of Oklahoma - Certificate of Title

OWNERSHIP INFORMATION

Name: Jon Doe
Address: ABC Drive
Delaware Reservation, OK 12345

VEHICLE INFORMATION

Make: Acura Model: CAR Body Type: 4DR
Year: 1952 Title Number: 00000 Class: COMM
Vehicle Identification Number: 123456789 Personal Tag Number:
Current Tag Number: DN00000 Personal Decal Number:
Current Decal Number: DN 0000
Delivered Factory Price: \$35,000.00

LIEN INFORMATION

First Lien Holder Name: Credit Union
Address: ABC Ave.
Delaware Nation, OK 00000

Lien Number: 123456789
Date of Lien: 01/01/0001

SECOND LIEN INFORMATION

Second Lien Holder Name:
Address:

Second Lien Number:
Date of Second Lien: 04/16/2009

PREVIOUS TITLE INFORMATION

Jurisdiction: OK
Previous Title Number: 00000
Previous Tag Number:

I certify that according to the records of the Delaware Nation of Oklahoma, the person(s) named above is the owner of the vehicle described. No certification is made that the lien information contained herein is accurate or correct.

By: _____ **Date:** _____

Delaware Nation of Oklahoma
P.O. Box 825
Anadarko, OK 73005
Phone: 405-247-2448



IMPORTANT NOTICE

Every person who is not a licensed dealer in used cars is required to apply for a transfer title within twenty days after acquiring ownership or possession of this vehicle. Failure to do so subject the owner or possessor to a civil penalty. Any assignment must be signed and sworn before a notary public. The previous year's Registration Certificate should accompany this title.

For value received I/we hereby sell, assign, convey and transfer unto:

Full Name (s) _____
Address _____
City/State/Zip _____

the vehicle described on the reverse side of this certificate, warrant the title to the same and certify that at the time of delivery the vehicle is subject to the following liens or encumbrances and none other:

Date: _____
In Favor of: _____
Address: _____

This vehicle (has) (has not) been involved in a casualty or loss. The registration decal number for this vehicle is:

_____, Year _____

Signature of Seller

Subscribed and sworn before me this _____ day of _____
(SEAL)

Notary Public

My Commission Expires _____

=====

REASSIGNMENT BY LICENSED USED CAR PARTS DEALER ONLY

For the value received I/we hereby sell, assign, convey and transfer unto:

Full Name (s) _____
Address _____
City/State/Zip _____

the vehicle described on the reverse side of this certificate, warrant the title to the same and certify that at the time of delivery the vehicle is subject to the following liens or encumbrances and none other:

Date: _____
In Favor of: _____
Address: _____

This vehicle (has) (has not) been involved in a casualty or loss. The registration decal number for this vehicle is:

_____, Year _____

Signature of Seller

Subscribed and sworn before me this _____ day of _____
(SEAL)

Notary Public

My Commission Expires _____

Section 313 – Original, Transfer, and Duplicate Title:

A Title shall be labeled or otherwise identified as follows:

(A) An “Original Title” shall be issued to the first purchaser of a vehicle from a new vehicle dealer. Original title numbers shall contain the prefix OT-.

(B) A “Transfer Title” shall be the title issued to a second or subsequent owner of a vehicle whether purchased from an individual or a dealer. Transfer titles shall contain the prefix TT-.

(C) A “Duplicate Title” shall be the title issued to the owner of record to replace a lost, stolen or mutilated original or transfer title. Duplicate title numbers shall contain the prefix DT-. Duplicate titles shall be issued by the Tax Commission according to such rules concerning proof of ownership as the Tax Commission shall prescribe.

Each title shall bear a number composed of numbers, letters, or a combination thereof, and no two titles shall have the same number.

Section 314 – Title Fees:

The Tax Commission shall charge a fee of \$10.00 for the issuance of any original or transfer title, and a fee of \$10.00 for the issuance of any duplicate title. A receipt shall be given for said fees.

Section 315 – Registration Certificate and Tags:

Upon compliance with Section 317 of this Part, payment of the annual registration tax, the Tax Commission shall issue a Registration Certificate, and a tag or decal to be placed upon the registered vehicle.

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 316 – Form of Registration Certificate:

The Registration Certificate shall be in substantially the following form:

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

*Delaware Nation of Oklahoma
Certificate of Motor Vehicle Registration*

| | | | |
|--------------------------------------|---|--|-------------------------------------|
| <u>Model Year</u> 1952 | <u>Model</u> CAR | <u>Make</u> Acura | <u>Body Type</u> 4DR |
| <u>Classification</u> COMM | <u>VIN</u> 123456789 | <u>FDP</u> \$35,000.00 | <u>Title Number</u> 00000 |
| <u>Tax Exempt</u> | <u>Date Issued</u> 04/16/2009 | <u>Registration Expires</u> 04/30/2010 | <u>Yrs Reg.</u> 0 |
| Current Registration: | | | |
| <u>Tag Number</u> DN00000 | <u>Decal</u> DN 0000 | <u>Tag Number</u> | <u>Decal</u> |

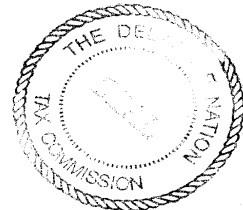
OWNERSHIP INFORMATION

Name: Jon Doe
Address: ABC Drive
Delaware Reservation, OK 12345

I certify that according to the records of the Delaware Nation of Oklahoma, the person(s) named above is the owner of the vehicle described. No certification is made that the lien information contained herein is accurate or correct.

By:

Delaware Nation of Oklahoma
P.O. Box 825
Anadarko, OK 73005
Phone: 405-247-2448



Section 317 – Form of Tags:

Each vehicle registered shall be issued a tag to be properly displayed on the rear of said vehicle. The tag shall remain with the vehicle for a period of five years, and shall be in such form, as the Tax Commission shall prescribe within the following rules.

- (A) Each tag shall be made of metal with lettering, the color of which will be described by the Tax Commission on a gold background.
- (B) Each tag shall bear the name “Delaware Nation” across the top margin.
- (C) Each tag shall contain a distinctive and unique combination of numbers and letters centered thereon, provided, that these identifying symbols shall begin with prefix prescribed by the Tax Commission.
- (D) The identifying symbols shall be large and clear enough to be read by the unaided eye at a distance of not less than fifty feet.
- (E) Each tag shall provide space for the placement of yearly decals on the lower left and lower right corners of the tag.
- (F) The tags of each class of vehicles shall be distinctive and different from those assigned to other classes of vehicles.
- (G) The tags issued to tribally owned vehicles may contain the suffix – EXMT.
- (H) The Tax Commission may in its discretion provide by rule for special symbols or legends to be placed upon passenger automobile tags issued to:
 - (1) The physically handicapped
 - (2) Veterans of the Armed Forces
 - (3) Winners of selected medals for heroism in combat
 - (4) Past or present prisoners of war
 - (5) Parents whose child has been killed while in the Armed Forces
 - (6) Past or present elected tribal officials

Provided, that before issuing any such tag, the Tax Commission shall require documentation that the owner of the vehicle is entitled thereto.

[History: Amended by PUBLIC LAW #05-38, December 30, 2004]

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 318 – Personalized Tags:

The Tax Commission is authorized, in its discretion and pursuant to such rules as it may establish, to provide a personalized tag upon the owner's request for any passenger automobile, which has been properly registered and tagged pursuant to this act. Such tags need not contain the prefix as otherwise required by Section 314c of this Part. Such personalized tag may then be placed upon said vehicle in lieu of the regular tag and decals issued by the Commission. The Tax Commission may charge such additional fees for such personalized tags and decals as may be necessary to defray the cost of production and administration of said tags.

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 319 – Form of Decals:

On initial registration of a vehicle registered pursuant to this Part, the Tax Commission shall issue a set of two decals to be placed upon the tag affixed to the registered vehicle. One decal shall bear an abbreviation of the month of expiration of the vehicle registration, and the other shall bear the last two digits of the year of expiration. On subsequent registrations of a vehicle registered pursuant to this Part, the Tax Commission shall issue one decal bearing the last two digits of the year of expiration. The decal shall be placed on the tag affixed on the lower right corner of the tag. The decals shall be color coded and shall be made in such a way that is impossible to remove them from a tag without destroying them.

[History: Amended by PUBLIC LAW #05-39, December 30, 2004]

Section 320 – Other Requirements for Motor Vehicles:

(A) Every operator of a motor vehicle upon the public streets, roadways, or highways shall have in their possession a currently valid state driver's license and shall exhibit such license to any law enforcement officer upon request.

(B) Every owner/operator of a motor vehicle operated upon the public streets, roadways, or highways shall maintain, with a bona fide insurance company or surety company authorized or approved for this purpose by the Tax Commission, a liability insurance policy, to cover any liability for an accident involving such motor vehicle, to a limit, exclusive of interest and cost of:

- (1) Not less than twenty five thousand dollars (\$25,000) because of bodily injury to or death of any one person in any one accident, and

- (2) Not less than fifty thousand dollars (\$50,000) because of bodily injury to or death of any two or more persons in any one accident, and
- (3) Not less than twenty five thousand dollars (\$25,000) because of injury to or destruction of property of others in any one accident.

This requirement shall not apply to any owner if the operator of such vehicle has such insurance which covers the operator while he is operating the vehicle.

(C) On and after the date of enactment of this Section:

- 1) The owner of a motor vehicle registered with the Delaware Nation shall carry in such vehicle at all times a current owner's security verification form listing the vehicle which has been issued by a bona fide insurance company and shall produce such form upon request for inspection by any law enforcement officer or representative of the Tax Commission and, in case of a collision, the form shall be shown upon request to any person affected by said collision.
- 2) Every person registering a motor vehicle with the Delaware Nation except a motor vehicle which is not being used upon the public highways or public street, or of a manufactured home while said manufactured home is on a permanent foundation, at the time of registration of such vehicle, shall certify the existence of security with respect of such vehicle by surrendering to the Tax Commission or other registering agency a current owner's security verification form or an equivalent form issued by a bona fide insurance company. A temporary insurance card will **NOT** be accepted. The Delaware Nation Tax Commission reserves the right to check the validity of the security verification provided to register a vehicle. Failure to retain sufficient insurance will result in the tribal members tag to be revoked until such insurance is obtained and verified.

The Tax Commission or other registering agency shall require the surrender of such form prior to processing an application for registration or renewal.

(D) The following shall not be required to carry an owner's or operator's security verification form or an equivalent form during operation of the vehicle and shall not be required to surrender such form for vehicle registration purposes:

- 1) Any vehicle owned or leased by the federal, state, tribal government, or any agency or political subdivision thereof,
- 2) Any vehicle bearing the name, symbol, or logo of a business, corporation, or utility on the exterior and which is in compliance with provisions of Sections 7-600 through 7-607 of Title 47 of the Oklahoma Statutes according to records of the Oklahoma Department of Public Safety which reflect a deposit, bond, self-insurance, or fleet policy on file with such Department of the State of Oklahoma,
- 3) Any vehicle authorized for operations, pursuant to a permit number issued by the Interstate Commerce Commission, or the Oklahoma Corporation Commission,
- 4) Any licensed taxicab, and
- 5) Any vehicle owned by a licensed used motor vehicle dealer and not regularly used by him upon the public highways.

(E) Any Tribal Member who knowingly issues or promulgates false or fraudulent information in connection with either an owner's or operator's security verification form or an equivalent form shall be guilty of will full misrepresentation. The Delaware Nation Executive Committee will reserve the right to inspect and review any Tribal Members information that the Delaware Nation Tax Commission may find suspicious. If the Tribal Member is found to be guilty of will full misrepresentation the Delaware Nation Executive Committee can and will be the final authority in deeming the Tribal Member's right to receive tribal tags be banned from that point on.

(F) Any Tribal Member who operates, or allows to be operated a motor vehicle owned by him, in violation of the provisions of this Section shall be guilty of an offense, and shall be subject to a fine not exceeding five hundred dollars (\$500.00), or imprisonment for not more than thirty days, or both such fine and imprisonment.

(G) Any motor vehicle operated in violation of the provisions of this Section, shall be a public nuisance. In such cases, the Tax Commission shall seize any tribal tag placed upon such vehicle and not allow its return or re-registration of the vehicle until a security verification form is filed with the Commission or other action as ordered by the Commission is taken to verify that such vehicle will not be used in violation of this Section. If such vehicle has been in an accident, any law enforcement officer shall impound such vehicle until a security verification form or other appropriate action as ordered by the Commission is filed within six months, the prosecutor shall file appropriate forfeiture proceedings to forfeit such vehicle to the tribe.

(H) It shall be an absolute defense to any proceeding under this Section that a current driver's license or insurance policy was in fact in effect at the date of the incident, and in such cases the action shall be dismissed.

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 321 – Tribally Owned Vehicles:

The Tax Commission shall issue, without charge, appropriate titles, certificates of registration, tags, and decals for any motor vehicle owned by the Delaware Nation or its agencies. Title to all such vehicles shall be in the Delaware Nation and such vehicles may be disposed of only by action of the Executive Committee. If the particular agency has been authorized to purchase and dispose of property in the agency's name by resolution of the Executive Committee, the agency may hold title to a vehicle purchased through an authorized budget line item in its own name, and dispose of the vehicle pursuant to its authorized powers, unless the purchase was made with appropriated tribal funds. If the purchase was made with appropriated tribal funds, the Executive Committee must concur by resolution in the sale of any such vehicle.

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 322 – Authorized Signatures:

The Tax Commission shall by rule designate those individuals or officers who are empowered to sign the Certificates of Title and Registration on behalf of the Tax Commission.

Section 323 – Penalties:

In addition to any other penalty imposed by law, any owner of a motor vehicle who does not apply for, and obtain a certificate of title, certificate of registration, tag, and decal within 30 days after purchasing or obtaining possession of a motor vehicle, or within 30 days of establishing his residence and moving the vehicle within the tribal jurisdiction shall be liable for a civil penalty of \$.25 per day beginning on the 31st day. This penalty shall continue to accrue until the penalty equals twice the amount of the annual registration tax. Any vehicle not registered within three months after the expiration of the previous registration and being operated upon any public street or highway is hereby declared contraband and shall be subject to seizure and sale as in other cases subject to the owner's right to redeem the vehicle by payment of all taxes and penalties due.

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 324 Lien Entry/Removal:

- (A)** To record a security interest on a newly purchased vehicle or a vehicle changing ownership, a secured party submit an Oklahoma lien entry form or a lien entry form from the secured lender along with the assigned Manufacturer's Certificate of Origin (new vehicle) or title (used vehicle) and the lien filing fee of \$10.00 to the Delaware Nation Tax Commission. The lien will be processed and the appropriate forms returned to the secured party. The secured party will return the appropriate documents to the debtor with a notice to title and register the vehicle within thirty (30) days. Upon payment of all applicable transfer taxes and fees, a Delaware Nation title will be issued to the record owner, reflecting the perfected lien.
- (B)** The above lien filing procedure also applies when a lien is being perfected on a vehicle that is not changing ownership. The lien filing fee is \$10.00. A new Delaware Nation title reflecting the perfected lien will be issued to the record owner.
- (C)** For vehicles entering Oklahoma from another state, any lien reflected on the out of state documentation will be carried forward to the Delaware Nation title record. A Delaware Nation lien entry form will be prepared and sent to the lender. The fee for processing such a lien is \$10.00.
- (D)** To release a lien, the lien holder must sign and date two (2) Release of Lien forms. Mail one (1), **signed and dated**; copy of a lien release to the Delaware Nation Tax Commission, P.O. Box 825 Anadarko, Ok 73005, and one (1), **signed and dated**, copy of the lien release to the debtor.

When a lien release cannot be obtained, a notarized statement from the secured party may be accepted.

(Please note all information on lien entry forms must be typed, computer generated, or printed in a legible manner. Forms with illegible information will not be accepted.)

[History: Added by PUBLIC LAW #09-058, August 4, 2009]

Section 325 – Recognition of Foreign Title and Registration:

It shall not be unlawful by reason of this Part for any person to possess or operate a motor vehicle within the jurisdiction of the Delaware Nation so long as the vehicle is properly registered and tagged by the jurisdiction in which such person resides or in which the vehicle is principally garaged, and such jurisdiction extends like or similar recognition to the vehicle tags, certificate of title, and registrations issued by the Delaware Nation.

Section 326 – Effective Date:

In order to provide for the efficient implementation of this Part, the following rules shall govern:

- (A) Any enrolled tribal member may apply for and receive a title, registration, tag, and decal on any motor vehicle immediately upon enactment of this Part.
- (B) This Part shall be mandatory as to all tribally owned vehicles immediately.
- (C) This Part shall be mandatory for all new or used motor vehicles purchased six months after the date of enactment or later.
- (E) This Part shall become mandatory for all persons on and after **August 4, 2009**

[History: Added by PUBLIC LAW #00-13, February 24, 2000]
[History: Added by PUBLIC LAW #09-058, August 4, 2009]