

**Cherokee Nation Code Annotated**  
**Title 21: Crimes and Punishments**  
**Part VI. Crimes Against Public Peace**  
**Chapter 53: Manufacturing, Selling and Wearing Weapons**  
**§ 1289.13a. Improper transportation of firearms**

Cite as: 21 CNCA § 1289.13a

A. Notwithstanding the provisions of Section 1272 or 1289.7 of this title, any person stopped pursuant to a moving traffic violation who is transporting a loaded pistol in the motor vehicle without a valid handgun license authorized by the Cherokee Nation Self-Defense Act or valid license from another state, or in violation of any law related to the carrying or transporting of firearms, whether the loaded firearm is concealed or unconcealed in the vehicle, may be issued a traffic citation in the amount of Seventy Dollars (\$70.00), plus court costs for transporting a firearm improperly. In addition to the traffic citation provided in this section, the person may also be arrested for any other violation of law.

B. Any firearm lawfully carried or transported as permitted pursuant to state law shall not be confiscated, unless:

1. The person is arrested for violating another provision of law other than a violation of subsection A of this section; provided, however, if the person is never charged with an offense pursuant to this paragraph or if the charges are dismissed or the person is acquitted, the weapon shall be returned to the person; or

2. The officer has probable cause to believe the weapon is:

a. contraband; or

b. a firearm used in the commission of a crime other than a violation of subsection A of this section;

C. Nothing in this section shall be construed to require confiscation of any firearm.

Historical Data

LA 28-20, eff. December 14, 2020.