

Cherokee Nation Code Annotated
Title 47: Motor Vehicles
Chapter 1: Words and Phrases Defined
§ 1-107.4. Class D motor vehicle
Cite as: 47 CNCA § 1-107.4

A. A Class D motor vehicle is any motor vehicle or combination of vehicles, which:

1. Regardless of weight:

a. Is marked and used as an authorized emergency vehicle, as defined in Section 1-103 of this title, or

b. is designed and used solely as a recreational vehicle;

2. Is a single or combination vehicle with a gross combined weight rating of less than twenty-six thousand one (26,001) pounds;

3. Is a single or combination farm vehicle with a gross combined weight rating of more than twenty-six thousand one (26,001) pounds if:

a. It is entitled to be registered with a farm tag and has a farm tag attached thereto,

b. It is controlled and operated by a farmer, his family or his employees,

c. It is used to transport either agricultural products, farm machinery, farm supplies or any combination of those materials to or from a farm, and

d. It is not used in the operations of a common or contract motor carrier, and

e. It is used within one hundred fifty (150) air miles of the person's farm or as otherwise provided by federal law.

4. Is operated by a licensed driver employed by a unit of local government that operates a commercial motor vehicle within the boundaries of that unit of local government for the purpose of removing snow or ice from a roadway by plowing, sanding or salting, if:

a. the properly licensed employee who ordinarily operates a commercial vehicle for these purposes is unable to operate the vehicle, or

b. the employing governmental entity determines that a snow or ice emergency requires additional assistance.

B. A Class D Motor Vehicle shall not include any vehicle which is:

1. Designed to carry sixteen or more passengers, including the driver; or
2. Required to be placarded for hazardous materials under 49 C.F.R., Part 172, subpart F; provided, a farm vehicle, as defined in paragraph 3 of subsection A of this section, which is required to be placarded for hazardous materials under 49 C.F.R., Part 172, subpart F, shall be considered to be a Class D motor vehicle.

Historical Data

LA 2-91, eff. February 9, 1991. Amended LA 02-21, eff. January 11, 2021.