

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 11: Rules of the Road

Article VIII. Speed Restrictions

§ 11-805.3. Electric personal assistive mobility devices-Registration—Operation requirements—Warning notice

Cite as: 47 CNCA § 11-805.3

A. Notwithstanding any other provisions of law, an electric personal assistive mobility device, as defined in Section 1 of this act, shall not be:

l. Registered pursuant to the Oklahoma Vehicle License and Registration Act; or

2. Operated on the highways or turnpikes of this state except as provided in subsection B of this section.

B. An electric personal assistive mobility device may be operated upon the sidewalks, walking trails, bikeways, and municipal streets of this state. A municipality may prohibit the operation of an electric personal assistive mobility device on public streets where the speed limit is greater than twenty-five (25) miles per hour but, except for enforcement of the provisions of subsection C of this section, may not otherwise restrict the operation of an electric personal assistive mobility device.

C. 1. A person operating an electric personal assistive mobility device shall:

a. not be required to have an Oklahoma driver license to operate the device,

b. obey all speed limits,

c. yield the right of way to pedestrians and human powered devices motor-driven cycles and motor scooters shall at all times, conform to 47 CNCA § 11-801(A),

d. As used in this give an audible signal before overtaking and passing any pedestrian, and

e. wear or equip the electric personal assistive mobility device with reflectors and a headlight when operating at night.

2. Failure to comply with any requirement set forth in subparagraphs b through e of paragraph l of this subsection shall result in a warning for the first offense, a fine of Ten Dollars (\$10.00) for the second offense, and impoundment of the electric personal assistive mobility device for up to thirty (30) days for subsequent offenses. Each act of noncompliance shall be considered a separate offense.

D. 1. It shall be unlawful to manufacture, assemble, sell, offer to sell, or distribute an electric personal assistive mobility device in this Nation unless the device is accompanied by a warning notice. The warning notice shall be substantially similar to the following:
"REDUCE THE RISK OF SERIOUS INJURY AND ONLY USE WHILE WEARING FULL PROTECTIVE GEAR, WHICH SHALL INCLUDE HELMET, WRIST GUARDS, ELBOW PADS, AND KNEE PADS".

2. A person, firm, corporation, or other legal entity that regularly engages in the business of manufacturing, assembling, selling, or distributing electric personal assistive mobility devices and complies with the requirements of this subsection shall not be liable in a civil action for damages for any physical injury sustained by an operator of an electric personal assistive mobility device as a result of the operator's failure to wear protective gear in accordance with the notice required by paragraph l of this subsection.

Historical Data

LA 02-21, eff. January 11, 2021.