

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 11: Rules of the Road

Article IX. Reckless Driving, Driving While Intoxicated and Negligent Homicide

§ 11-902.3. Authorized course providers—Fees—Course requirements

Cite as: 47 CNCA § 11-902.3

A. Courses for drinking drivers shall be offered only by nonprofit educational institutions of higher learning, governmental or nonprofit organizations.

B. Enrollment fees for those attending the courses may be set by the Department of Mental Health and Substance Abuse Services within a range of not less than Sixty-five Dollars (\$65.00) and not more than:

1. One Hundred Fifty Dollars (\$150.00) for a ten-hour course; and
2. Three Hundred Sixty Dollars (\$360.00) for a twenty-four-hour course.

C. Enrollment in the course shall not be limited to persons ordered to enroll, attend and successfully complete the course under the provisions of 47 CNCA § 11-902.2.

D. All alcohol and drug substance abuse courses related to driver license revocation and course facilitators shall be approved and certified by the Department of Mental Health and Substance Abuse Services.

E. Any rules promulgated by the Department of Mental Health governing:

1. Minimum curriculum requirements for such courses;
2. Facilities, equipment and instructional materials for such courses;
3. Minimum qualifications for course facilitators;
4. Grounds for reprimand and for revocation, suspension or nonrenewal of the authority to conduct such courses and for revocation of a facilitator's certification;
5. Attendance requirements; and
6. Guidelines for certifying to the Department of Mental Health and Substance Abuse Services and the Department of Public Safety successful completion of such course, shall be applicable within the Cherokee Nation for the purposes of this title.

F. Any institution conducting a course for drinking drivers shall notify the prosecutor and the court of all persons who successfully complete such course as a condition to a deferred or suspended sentence pursuant to 47 CNCA § 11-902.2.

Historical Data

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