

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 11: Rules of the Road

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

§ 11-903. Negligent homicide

Cite as: 47 CNCA § 11-903

A. When the death of any person ensues within one (1) year as a proximate result of injury received by the driving of any vehicle by any person sixteen (16) years of age or older in reckless disregard of the safety of others, the person so operating such vehicle shall be guilty of negligent homicide.

B. Any person convicted of negligent homicide shall be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year or by fine of not less than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

In addition to the fine or penalty, the court shall order the person to attend a driver improvement or defensive driving course, as provided in Section 6-206.1 of this title. Furthermore, if the records of the Department of Public Safety for the person reflect a conviction for any traffic offense within the three (3) years immediately preceding the conviction for negligent homicide, the fine shall be enhanced to double the amount of the fine imposed pursuant to this subsection.

C. The Cherokee Nation shall report any conviction under this section to the Commissioner of Public Safety for revocation of the convicted person's license or permit to drive and any nonresident operating privilege of any person convicted of negligent homicide.

Historical Data

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