

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 11: Rules of the Road

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

**§ 11-905. Person involved in personal injury accident without a valid driver license—
Causing great bodily injury—Causing death**

Cite as: 47 CNCA § 11-905

A. Any person who, while operating a vehicle in this state without a valid driver license for the class of vehicle being operated, or while knowingly disqualified to operate a motor vehicle in this state, or while such person knows or should have known that his or her driver license is canceled, denied, suspended or revoked, causes an accident which results in personal injury to any other person, may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a misdemeanor punishable by imprisonment for a term not more than one (1) year, or by a fine in an amount not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

B. 1. Any person who, while operating a vehicle in this state without a valid driver license for the class of vehicle being operated, or while knowingly disqualified to operate a motor vehicle in this state, or while such person knows or should have known that his or her driver license is canceled, denied, suspended or revoked, causes an accident resulting in great bodily injury to any other person, may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a felony punishable by imprisonment for a term not more than three (3) years, or by a fine in an amount not exceeding Fifteen Thousand Dollars (\$15,000.00), or by both such fine and imprisonment.

2. As used in this subsection, "great bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

C. Any person who, while operating a vehicle in this state without a valid driver license for the class of vehicle being operated, or while knowingly disqualified to operate a motor vehicle in this state, or while such person knows or should have known that his or her driver license is canceled, denied, suspended or revoked, causes an accident resulting in the death of any other person, may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a felony punishable by imprisonment for a term not more than

three (3) years, or by a fine in an amount not exceeding Fifteen Thousand Dollars (\$15,000.00), or by both such fine and imprisonment.

D. The provisions of this section may be charged in addition to any other chargeable offense allowed by law.

Historical Data

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