

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 12: Equipment of Vehicles

Article IV. Other Equipment

§ 12-404. Windshields and windows—Obstruction, obscuring, or impairing of driver's view-Electric windshield wiper mechanism

Cite as: 47 CNCA § 12-404

A. As used in this section:

1. "Critical area" means the area cleaned by the normal sweep of the windshield wiper blade on the driver's side. The area covered by the wiper blade cannot be reduced from manufacturer's original specifications;
2. "Noncritical areas" means all other areas;
3. "Outright breakage" means glass which is severely cracked or shattered to the extent that air passes through it or, if by running a fingertip over the cracked area, the glass moves or sharp edges can be felt;
4. "Star break or shot damage" means a vented break with cracks radiating from the point of impact; and
5. "Stress or hairline crack" means a crack which has no visible point of impact.

B. No person shall operate any motor vehicle which:

1. Is not equipped with a windshield;
2. Has any outright breakage in the windshield or in the window on either side of the driver;
3. Has any star break or shot damage, three (3) inches or more in diameter, located in the critical area; or
4. Has two or more stress or hairline cracks, twelve (12) inches or more in combined length, located in the critical area.

C. No person shall drive any motor vehicle with any sign, poster, other nontransparent material, or debris, including but not limited to snow, ice, or frost, upon the front windshield or the side wings, or side or rear windows or suspend any sign, poster, object, or other material from the interior of the vehicle which materially obstructs, obscures, or impairs the driver's clear view of the highway ahead or to either side or of any intersecting highway.

D. The windshield on every motor vehicle shall be equipped with an electric windshield wiper mechanism for cleaning rain, snow, or other moisture from the windshield.

Every windshield wiper blade and windshield wiper mechanism upon a motor vehicle shall be maintained in good working order. When replacing the wiper blade, the length of the blade shall not be reduced from the manufacturer's specification.

Historical Data

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