

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 15: Respective Powers of State and Local Authorities

§ 15-112. Physical disability insignia

Cite as: 47 CNCA § 15-112

A. As used in this section:

1. "Physical disability" means an illness, disease, injury or condition by reason of which a person:

- a. Cannot walk two hundred (200) feet without stopping to rest, or
- b. Cannot walk without the use of or assistance from a brace, cane, crutch, another person, prosthetic device, wheelchair or other assistant device, or
- c. Is restricted to such an extent that the person's forced (respiratory) expiratory volume for one (1) second, when measured by spirometry, is less than one (1) liter, or the arterial oxygen tension is less than sixty (60) mm/hg on room air at rest, or
- d. Must use portable oxygen, or
- e. Has functional limitations which are classified in severity as Class III or Class IV according to standards set by the American Heart Association, or
- f. Is severely limited in his or her ability to walk due to an arthritic, neurological, or orthopedic condition.

2. "Physician" means any person holding a valid license to practice medicine and surgery, osteopathy, or chiropractic, pursuant to the state licensing provisions of Title 59 of the Oklahoma Statutes.

B. Cherokee Nation adopts the physical disability insignia and issued by Department of Public Safety wherein it issues a detachable insignia indicating physical disability to any person who submits an application on forms furnished by the Department, together with a certificate signed by a physician stating that the applicant has a physical disability. The certificate of the physician and the detachable insignia shall each bear an expiration date reflecting the date estimated by the physician to be the termination date of such physical disability unless the physical disability is certified by the physician to be permanent.

C. The Department shall, upon request by a physician, provide said physician temporary insignias indicating physical disability to be issued, at the discretion of the physician, to any person who has a physical disability. The temporary insignia shall bear an expiration

date reflecting the date estimated by the physician to be the termination date of such physical disability, which shall not be later than six (6) months from the date of issuance.

D. A physician may sign a certificate stating that a person has a physical disability, as provided in subsection (B) of this section, or issue to a person a temporary insignia indicating physical disability, as provided in subsection (C) of this section, only if care and treatment of the illness, disease, injury or condition causing the physical disability of such person falls within the authorized scope of practice of said physician.

E. Cherokee Nation shall have the power to formulate, adopt and promulgate rules and regulations as may be necessary to implement and administer the provisions of this section, including, but not limited to, prescribing the manner in which the detachable insignia and the temporary insignia are to be displayed on a motor vehicle.

Historical Data

LA 2-91, eff. February 9, 1991.