

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 18: Records and Reports of Convictions

§ 18-101. Record of traffic cases—Report of convictions to department

Cite as: 47 CNCA § 18-101

A. Every Magistrate or Judge of a Court shall keep or cause to be kept a record of every traffic complaint, traffic citation or other legal form of traffic charge deposited with or presented to said Court or its traffic-violations bureau, and shall keep a record of every official action by said Court or its traffic-violations bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal and the amount of fine or forfeiture resulting from every said traffic complaint or citation or other legal form of traffic charge deposited with or presented to said Court or traffic-violations bureau.

B. Within five (5) days after:

1. the conviction of any person holding a Class D driver license; or
2. The conviction, as defined in subsection A of Section 6-205.2 of this title, of any person holding a Class A, B or C driver license; or
3. forfeiture of bail of a person;

upon a charge of violating any provision of this act or other law regulating the operation of vehicles on highways every said Magistrate of the Court or Clerk of the Court of record, in which such conviction was had or bail was forfeited shall prepare and immediately forward to the Department an abstract of the record of said Court covering the case in which said person was so convicted or forfeited bail, which abstract must be certified by the person so required to prepare the same to be true and correct.

C. A report need not be made of any conviction:

1. involving the illegal parking or standing of a vehicle;
2. Rendered by a nonlawyer judge, unless, within a period not to exceed the preceding reporting period for Mandatory Continuing Legal Education, the judge has completed courses held for municipal judges which have been approved by the Oklahoma Bar Association Mandatory Legal Education Commission for at least six (6) hours of continuing judicial education credit, and the Department of Public Safety receives verification of such attendance, from the judge. In the case of attendance of a continuing judicial education course, verification may be made by a statement of attendance signed by the course

registration personnel; or the Court shall not make such a report of a conviction involving speeding if the speed limit is not exceeded by more than ten (10) miles per hour.

D. Said abstract must be made upon a form furnished by the Department and shall include the name and address of the party charged, the number, if any, of his operator's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, or whether bail forfeited and the amount of the fine or forfeiture as the case may be.

E. Every court of record shall also forward a like report to the Department upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

Historical Data

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