

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 67: Chemical Tests

§ 754.1. Modification of revocation or denial if no other adequate means of transportation exists--Ignition interlock device--Rules

Cite as: 47 CNCA § 754.1

A. Modification of a revocation or denial arising under the provisions 47 O.S. § 6-205.1 or under the provisions of 47 O.S. §§ 751 through 754 or 761 shall apply to Class D driver licenses only.

B. As a prerequisite and condition of any modification, the person shall be required to have installed an ignition interlock device approved by the Board of Tests for Alcohol and Drug Influence, at the person's own expense, upon any motor vehicle operated by the person. The Department shall require, as a condition of modification, the device to be installed upon any vehicle owned or leased, as reflected on the vehicle registration, by an employer of the person for use by the employer, except when the employer requests the ignition interlock device not be installed. The request shall be in writing and notarized on the official letterhead of the employer and provided by the person to the Department; provided, a request shall not be accepted by the Department under the following circumstances:

1. When the person is self-employed or owns part or all of the company or corporation, or exercises control over some part of the business which owns or leases the vehicle;
2. When the person is employed by a relative who either is within the first degree of consanguinity or who resides in the same household; or
3. When the person has had a prior revocation pursuant to paragraph 2 of subsection A of 47 O.S. § 6-205 or to 47 O.S. §§ 753 or 754.

The person shall comply with all provisions of law and rule regarding ignition interlock devices.

C. The Board of Tests for Alcohol and Drug Influence may promulgate such rules as are necessary to implement and administer the provisions of this subsection relating to ignition interlock devices and the providers of such devices.

Historical Data

LA 21-21, eff. May 17, 2021.

