

Cherokee Nation Code Annotated

Title 47: Motor Vehicles

Chapter 74: Uniform Certificate of Title Act

§ 1111.28. Duties and operation of filing office

Cite as: 47 CNCA § 1111.28

A. The CNTC shall maintain a file of the information provided in a security interest statement received by the CNTC under 47 CNCA § 1111.24 for a least one (1) year after termination of the security interest statement under 47 CNCA § 1111.26. The information must be accessible by the vehicle identification number for the vehicle and any other indexing methods as provided by the CNTC.

B. If a person that files a record with the CNTC, or submits information that is accepted by the CNTC, requests an acknowledgment of the filing or submission, the CNTC shall send to the person an acknowledgment showing the vehicle identification number of the vehicle to which the record or submission relates, the information in the filed record or submission, and the date and time the record was received or the submission accepted. A request under this section must contain the vehicle identification number and be delivered by means authorized by the CNTC.

C. The CNTC shall send or otherwise make available in a record the following information to any person that requests it:

1. whether there is on file on a date and time specified by the CNTC, but not a date earlier than three (3) business days before the CNTC received the request, any certificate of title and security interest statement that:

a. covers a vehicle identified by a vehicle identification number designated in the request; and

b. has not been canceled or terminated;

2. the effective date of the security interest statement; and

3. the name of the owner of record and all security interest statements indicated in the files of the CNTC that are not subject to a termination statement under 47 CNCA § 1111.26.

D. In responding to a request under this section, the CNTC may communicate the requested information in any medium. However, if requested, the CNTC shall send the requested information in a record that is admissible in evidence in the courts of this jurisdiction without extrinsic evidence of its authenticity.

E. The CNTC shall comply with the requirements of this section at the time and in the manner prescribed by the rules of the CNTC but shall comply with requests under this section not later than two (2) business days after the CNTC receives the request. A reasonable fee may be imposed for this service.

Historical Data

LA 43-04, eff. December 15, 2004.