

Cherokee Nation Code Annotated

Title 68: Revenue and Taxation

Chapter 9: Motor Vehicle Licensing and Tax

§ 1304. Definitions

Cite as: 68 CNCA § 1304

For the purposes of this code, and notwithstanding any other definitions set forth elsewhere in this Title, the words and terms set forth below shall be defined as follows:

1. **"Abandoned Vehicle"** means an article of personal property, any service rendered to the owner thereof by furnishing material, labor or skill for the protection, improvement, safekeeping, towing, storage or carriage thereof, has a special lien thereon, dependent on possession, for the compensation, if any, which is due such person from the owner for such service; or a vehicle that is determined to be abandoned by the Cherokee Nation District Court after proper public notice is given so an unknown owner or interest holders may attend court proceedings to protest legal change of ownership.
2. **"Act"** shall mean Title 68, Chapter 9, "The Cherokee Nation Motor Vehicle Licensing and Tax.
3. **"Administrator"** shall mean the Administrator of the Commission.
4. **"All-Terrain Vehicle"** means a vehicle powered by an internal combustion engine manufactured and used exclusively for off-highway traveling on three or more low-pressure tires and having a seat designed to be straddled by the operator and handlebars for steering.
5. **"Assembled Vehicle"** means a vehicle from which major components from two or more vehicles are being incorporated into a single unit.
6. **"Commercial Trailer"** shall mean any trailer used primarily for the transportation of goods in the ordinary course of any trade or business.
7. **"Commercial Vehicle"** shall mean any vehicle used primarily for the transportation of persons or goods in the ordinary course of any trade or business.
8. **"Commission"** shall mean the Cherokee Nation Tax Commission.
9. **"Eligible Vehicle"** shall mean any personal vehicle, commercial vehicle, motorcycle, recreational vehicle, farm truck, farm tractor, farm trailer or other trailer, which is 1) owned by a tribal citizen or owned by the federally-recognized Delaware Tribe of Indians for the use of conducting official government business, and 2) is principally garaged within or outside

of the Reservation of the Cherokee Nation. Also included are vehicles belonging to active military personnel and college students who maintain permanent residency in the Reservation of the Cherokee Nation but are temporarily domiciled in another location. The Commission shall determine the appropriate documentation for active military personnel or college student residency, and shall develop procedures for determining whether vehicles are owned by the federally-recognized Delaware Tribe of Indians and eligible for registration and licensing.

10. **"Farm Tractor"** shall mean any vehicle owned by a farmer and used primarily for pulling or towing farming equipment, tilling the soil or in other agricultural activities. Provided, that no vehicle shall be registered as a farm tractor unless the applicant produces an income tax Schedule F for the preceding year or presents a valid exemption card issued pursuant to the provisions of 68 O.S. § 1358.1. Provided, further, that said Schedule F or exemption card must pertain to the applicant, the applicant's spouse, or a business entity owned and controlled by the applicant or the applicant's spouse. Provided, further, that an applicant shall not be eligible to register more than four (4) tractors as farm tractors. Businesses shall not be included in said limitation.

11. **"Farm Trailer"** shall mean any trailer owned by a farmer and used primarily for the purpose of transporting farm animals or products to market or for the purpose of transporting to the farm material or things to be used thereon, and not for commercial or industrial purposes. Provided, that no vehicle shall be registered as a farm trailer unless the applicant produces an income tax Schedule F for the preceding year or presents a valid exemption card issued pursuant to the provisions of 68 O.S. § 1358.1. Provided, further, that said Schedule F or exemption card must pertain to the applicant, the applicant's spouse, or a business entity owned and controlled by the applicant or the applicant's spouse. Provided, further, that an applicant shall not be eligible to register more than four (4) trailers as farm trailers. Businesses shall not be included in said limitation.

12. **"Farm Truck"** shall mean pickup, truck, or truck tractor used primarily for agricultural purposes. For purposes of farm truck registration eligibility, "pickup" means a small light truck with an open back or box used for hauling and designed or converted primarily for carrying or hauling farm commodities, property, livestock or equipment, rather than people. Manufacturers Statement of Origin, Titles or Registrations must be classified under body model as pickup or truck. Vans and sport utility vehicles shall not be eligible to carry a farm truck tag. Provided, that no vehicle shall be registered as a farm truck unless the applicant produces an income tax Schedule F for the preceding year or presents a valid exemption card issued pursuant to the provisions of 68 O.S. § 1358.1. Provided, further, that said Schedule F or exemption card must pertain to the applicant, the applicant's

spouse, or a business entity owned and controlled by the applicant or the applicant's spouse. Provided, further, that an applicant shall not be eligible to register more than four (4) trucks as farm trucks. Business shall not be included in said limitation.

13. **"Low-Speed Electrical Vehicle"** means any four-wheeled electrical vehicle that is powered by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current and whose top speed is greater than twenty (20) miles per hour but not greater than twenty-five (25) miles per hour and is manufactured in compliance with the National Highway Traffic Safety Administration standards for low-speed vehicles in 49 C.F.R. § 571.500.

14. **"Major Component"** means a body or cab, frame, and front end or rear end clip, if the public VIN is changed.

15. **"Manufactured Home"** shall mean structures, transportable in one or more sections, which, in the traveling mode, are eight feet (8') or more in width or forty feet (40') or more in length, or, when erected on site, are more than three hundred twenty square feet (320 sq. ft.), and which are built on a permanent chassis and designed to be used as dwellings with or without permanent foundations when connected to the required utilities, and include the plumbing, heating, air conditioning and electrical systems contained thereon.

16. **"Medium-Speed Electrical Vehicle"** means any self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one (1) mile is more than thirty (30) miles per hour but not greater than thirty-five (35) miles per hour.

17. **"Mini-Truck"** means a foreign-manufactured import or domestic-manufactured vehicle powered by an internal combustion engine with a piston or rotor displacement of one thousand cubic centimeters (1,000 cu cm) or less, which is sixty-seven inches (67") or less in width, with an unladen dry weight of three thousand four hundred pounds (3,400 lbs.) or less, traveling on four or more tires, having a top speed of approximately fifty-five (55) miles per hour, equipped with a bed or compartment for hauling, and having an enclosed passenger cab.

18. **"Motorcycle"** shall mean any two or three-wheeled personal vehicle.

19. **"Nation"** shall mean the Cherokee Nation.

20. **"Off-Road Motorcycles"** (ORM's) means a motorcycle manufactured for and used exclusively off roads, highways, and any other paved surfaces. Small street or sidewalk mini-motorcycles or scooters are not included in this category.

21. **"Person"** shall mean any natural person or legal entity legally competent to hold title to a vehicle.

22. **"Reservation boundaries of the Cherokee Nation" or "Cherokee Nation Reservation"** shall mean the area which includes the boundaries of the Cherokee Nation territory as described by the patents of 1838 and 1846 diminished only by the Treaty of July 19, 1866, and the Act of March 3, 1893.

23. **"Personal Vehicle"** shall mean any vehicle having four or more wheels, including but not limited to cars, trucks, vans and sport utility vehicles, and any motorcycle; provided however, the definition of personal vehicle shall not include a commercial vehicle as defined in subdivision 4 of this section, a farm truck as defined in subdivision 9 of this section, a farm trailer as used in subdivision 8, a farm tractor as used in subdivision 7 of this section, or a recreational vehicle as defined in subdivision 16 of this section.

24. **"Physical Disability"** means an illness, disease, injury or condition by reason of which a person:

- a. cannot walk two hundred feet (200) without stopping to rest;
- b. cannot walk without the use or assistance from a brace, cane, crutch, another person, prosthetic device, wheelchair or other assistive device;
- 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;
- d. must use portable oxygen;
- e. has functional limitations which are classified in severity as Class III or Class IV according to standards set by the American Heart Association;
- f. is severely limited in the person's ability to walk due to an arthritic, neurological or orthopedic condition;
- g. is certified legally blind; or
- h. is missing one or more limbs.

To qualify for a "physically disabled" plate an individual must meet one or more of the above requirements, and present sufficient documentation that they are persons qualified through the Oklahoma Department of Public Safety (DPS) as being physically disabled and having a five (5)-year expiration parking permit from DPS attesting to such disability.

25. **"Rebuilt Vehicle"** shall mean any salvage vehicle which has been rebuilt and inspected for the purpose of registration and title with Cherokee Nation, another tribe or state.

26. **"Recreational Vehicle"** shall mean any vehicle that is equipped to serve as temporary living quarters for recreational, camping or travel purposes and is used solely as a family or personal conveyance.

27. **"Salvage Vehicle"** shall mean any vehicle which is within the last ten (10) model years and has been damaged by collision or other occurrence to the extent that the cost of repairing the vehicle for safe operation on the highway exceeds sixty percent (60%) of its fair market value, immediately prior to the damage.

28. **"Trailer"** shall mean any portable structure having two or more wheels that is built on a chassis and is designed to be towed by a vehicle and not propelled by its own power, with a width not exceeding eight (8) feet in travel mode and overall length not exceeding forty (40) feet, including the hitch or coupling, whether used for towing property or livestock or as a temporary dwelling for travel or recreational use. **"Trailer"** shall include in its meaning any mobile home until such time as it becomes affixed to the land.

29. **"Tribal citizen"** shall mean any person who is duly enrolled as a citizen of Cherokee Nation pursuant to the Cherokee Nation Membership Act, 11 CNCA § 1 et seq., LA 06-92, as amended.

30. **"Utility Vehicle"** means a vehicle powered by an internal combustion engine, electric engine or combination thereof, manufactured and used exclusively for off-highway use, equipped with seating for two or more people and a steering wheel, traveling on four or more wheels.;

31. **"Vehicle"** shall mean any wheeled conveyance for carrying persons or property capable of being propelled under its own power through the use of an electric engine or internal combustion engine greater than fifty cubic centimeters (50cc), designed primarily for use on roads and/or highways and equipped with brakes, headlights, taillights, brake lights, a horn, turn signals and a rear-view mirror, the ownership of which is reflected on a certificate of title.

Historical Data

LA 01-01, eff. March 12, 2001. Amended LA 27-01, eff. August 9, 2001; LA 34-01, eff. September 12, 2001; LA 29-04, eff. September 10, 2004; LA 07-06, eff. May 17, 2006; LA 12-06, eff. July 19, 2006; LA 17-06, eff. September 20, 2006; LA 08-07, eff. March 17, 2007; LA 05-08, eff. May 18, 2008; LA 23-08, eff. November 14, 2008; LA 24-08, eff. November

14, 2008; LA 04–09, eff. March 21, 2009; LA 23–10, eff. September 22, 2010; LA 33–10, eff. December 23, 2010; LA 27–13, eff. October 31, 2013; LA 19–17, eff. July 21, 2017. Amended LA 45-24, eff. November 16, 2024. Amended LA 31-25, eff. November 10, 2025.

2017 Legislation

LA 19–17, Section 2, provides:

"Section 2. Purpose. The purpose of this Act is to amend the definitions of 'Act' and 'Farm Truck' as codified in Title 68, Chapter 9, Section 1304 of the Cherokee Nation Code Annotated."