

## **CHAPTER 25 - MOTOR VEHICLE LICENSING**

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### **SECTION 25-1 Title; Findings; Purpose; Definitions; Applicability**

25-1.01 Title. This Chapter shall be known as the Motor Vehicle Licensing and Registration Code.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-1.02 Findings. The Business Council of the Spokane Tribe of Indians finds:

- (a) Since the establishment of its Reservation in 1877, the Spokane Tribe has exercised its inherent sovereign powers to control the access and presence of persons to and on its Reservation.
- (b) Motor vehicle traffic on the Reservation continues to increase over time commensurate with the growing Reservation population, and with the increase in visitors entering the Reservation to engage in commercial or recreational activities.
- (c) The provisions of this Chapter are necessary for the Tribe to effectively regulate and control motor vehicle traffic on its Reservation and to maintain a safe and efficient transportation system.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-1.03 Purpose. The purposes of this Chapter are to:

- (a) Provide for the orderly registration and licensing of vehicles owned and operated by the Spokane Tribal Government and by Spokane Tribal Members who reside on the Spokane Reservation;
- (b) Assist law enforcement in identifying the owners of such vehicles;
- (c) Prevent fraudulent transfers, theft, conversion, or other wrongful transactions or use of vehicles;

- (d) Assist in ensuring that such vehicles meet minimum safety requirements; and,
- (e) Provide positive identification of vehicles within the service area in cases of emergency.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-1.04 Definitions. In this Chapter the following words and phrases have the designated meanings unless a different meaning is expressly provided or the content clearly indicates a different meaning.

- (a) "Certificate of Title" means a legal document issued by a tribal or state governmental entity that shows:
  - (1) The name and address of the registered owner and the legal owner; and
  - (2) The vehicle identification number.
- (b) "Court" means the Spokane Tribe of Indians Tribal Court.
- (c) "Legal owner" means a person having a security interest in a vehicle perfected in accordance with tribal or state law.
- (d) "Mobile Home" means a vehicle designated to be towed as a single unit or in sections upon the highway by a motor vehicle and equipped and used or intended to be used, primarily for human habitation, with walls of rigid non-collapsible construction.
- (e) "Owner" means a person, other than a secured party, having a property right in, or current right to possession of, a vehicle. An Owner also means any person, firm, association, or corporation owning or renting a motor vehicle, or having the exclusive use thereof, under a lease or otherwise, for a period of greater than thirty (30) days.
- (f) "Register" means the act of assigning a registration plate and validation sticker(s) to a vehicle, and to renew the same.
- (g) "Registered Owner" means the person whose lawful right of possession of a vehicle has most recently been recorded by a tribal or state governmental entity, as evidenced by a Certificate of Title or Vehicle Registration Certificate.
- (h) "Registrant" means a person for whom a Vehicle Registration Certificate and License Plates have been issued.

Adopted 02/23/2014; Resolu. 2015-143.
- (i) "Registrar" means the duly appointed Registrar of Motor Vehicles of Spokane Tribe of Indians and any designees of the Registrar.
- (j) "Reservation" means all lands within the exterior boundaries of the Spokane Indian Reservation as described in Article II of the Constitution and Bylaws of the Spokane Tribe of Indians.
- (k) "Reside on the Reservation" means to currently live at a residence located within the Reservation on more than a temporary or transient basis.
- (l) "Secured Party" means a lender, seller or other person to whom accounts have been sold.

- (m) "Tribe" means Spokane Tribe of Indians.
- (n) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway or roadway.
- (o) "Vehicle Registration Certificate" means an official document issued by a governmental entity providing proof of registration of a motor vehicle and containing the signature of the Registered Owner.

For the purpose of effectuating the purposes of this Chapter, any terms not defined herein shall have the meanings given to them in the statutes of the State of Washington, as amended for time to time, except where the context otherwise indicates or requires.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Amended 02/23/2015; Resolu. 2015-143.

#### 25-1.05 Application.

- (a) All motor vehicles (i.e., every self-propelled vehicle including motorcycles and snowmobiles) of any sort, type or kind, or any trailer, wagon or motor drawn vehicle owned, rented or leased by the Spokane Tribe of Indians and operated exclusively in the service of the Spokane Tribe, shall be licensed and registered exclusively by the Spokane Tribe.
- (b) A member of the Spokane Tribe who resides on the Reservation and whose vehicle(s) is located (garaged) on the Reservation may have a tribal registration and tribal license plates issued by the Registrar.
- (c) A Tribal member business may register its vehicles if all of the following apply:
  - (1) The business has a valid Spokane Tribe business license;
  - (2) The business if not a sole proprietorship is organized under Spokane Tribal Law;
  - (3) The business is at least majority owned by a Spokane Tribal member or members;
  - (4) The principal place of business is within the Spokane Indian Reservation.
  - (5) All other requirements of 25-2.02 apply to a business registration.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

### **SECTION 25-2 Vehicle Licensing and Registration Requirments**

25-2.01 General Requirements. No vehicle shall be licensed by the Spokane Tribe nor a certificate of registration issued unless: (1) a Certificate of Title is presented by the owner to the Registrar; or (2) a valid Vehicle Registration Certificate for the vehicle is presented by the owner to the Registrar; or (3), in the case of tribal governmental vehicles, the original purchasing documents from the vendor or other proof of ownership/purchase is presented to the Registrar.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-2.02 Information Required: Application; Process; Forms. Application for original registration and for renewal of registration shall be made to the Registrar of Motor Vehicles of the Spokane Tribe on forms prescribed by the Registrar and shall be accompanied by the required fee. Applications for original registrations of a vehicle shall contain the following information:

- (a) The name of the owner;

- (b) The address of the owner;
- (c) For Individual applicants;
  - (1) Current Spokane Tribal Enrollment Card and a current Washington State Driver's License with a current physical address located within the Spokane Indian Reservation; and  
  
Amended 1/22/2015, Resolu. 2015-101; Amended 02/23/2015; Resolu. 2015-143.
  - (2) at least one additional piece of documentation to corroborate current physical address, such as a utility bill, real property title, or a lease.
- (d) For a Tribal Member Business applicant;
  - (1) Copy of valid Spokane Tribe business license;
  - (2) Documentation that business is a least majority owned by a member or members of the Spokane Tribe;
  - (3) Documentation that the principal place of business is within the Spokane Indian Reservation;
  - (4) A sworn statement from the business owner applicant that the motor vehicle will be primarily garaged at the principal place of business.
- (e) A description of the vehicle, including make, model, identifying number and any other information which the Spokane Tribe may reasonably require for the proper identification of the vehicle;
- (f) [RESCINDED]  
  
Rescinded 1/22/2015, Resolu. 2015-101; Reaffirmed 02/23/2015; Resolu. 2015-143.
- (g) A certificate of Title demonstrating the Applicant to be the owner of the vehicle; or a valid Vehicle Registration Certificate for the vehicle demonstrating the Applicant to be the Registered Owner of the vehicle; or, in the case of tribal governmental vehicles, the original purchasing documents from the vendor or other proof of ownership/purchase.
- (h) Such further information as the Registrar may reasonably require to determine whether the vehicle is by law entitled to registration or to determine the proper registration fee for the vehicle.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Amended 02/23/2015; Resolu. 2015-143.

25-2.06 Information Required on Registration Certificate. The registration certificate shall contain the following information:

- (a) The date of registration.
- (b) Registration number assigned to the registered owner and to the vehicle.
- (c) The name and address of the registered owner and the name and address of the legal owner.
- (d) The vehicle identification number.
- (e) The trade name, model and year of the vehicle.

- (f) If a passenger vehicle, the maximum seating; if a truck or tractor and trailer, the maximum gross weight.
- (g) The registration shall be printed on bank note quality paper that is resistant to tampering and counterfeiting.
- (h) The Registration must clearly state that the registration cannot be used to transfer ownership of the vehicle.
- (i) Any other information required by the Spokane Tribe.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-2.07 Application by person under the age of eighteen (18). Spokane Tribal vehicle registration(s) will not be authorized for any individual under the age of 18 years of age.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-2.08 Inspection of Vehicle and Verification of the Odometer Reading

- (a) Each vehicle for which an application for registration has been submitted shall be subject to a verification of VIN, and an odometer reading.

Amended 1/22/2015, Resolu. 2015-101.

- (b) [RESCINDED]

Rescinded 1/22/2015, Resolu. 2015-101; Reaffirmed 02/23/2015; Resolu. 2015-143.

- (c) The Tribal Police may notify the Washington State Highway Patrol in the event it appears that a VIN may have been destroyed, removed, altered or defaced or there are other particular circumstances warranting such notification, including possible criminal offenses such as the theft of all or part of a vehicle.

Readopted 08/01/2006, Resolu. 2006-524; Amended 09/30/2013, Resolu. 2013-440; Amended 06/12/2014, Resolu. 2014-248; Amended 02/23/2015; Resolu. 2015-143.

25-2.09 Surrender of Previously Issued Registration and License Plate. Upon issuance of a Registration Certificate and License Plate issued pursuant to this Chapter, the recipient shall surrender to the Registrar any certificate of registration and license plate issued by any other governmental agency of any state or Indian tribe.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-2.10 Validation or Registration Stickers. The Registrar may utilize validation stickers to be attached to registration plates to indicate registration expiration dates or other appropriate information.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-2.11 Expiration and Renewal.

- (a) License plates shall be valid for a period of seven years beginning with the date of issuance of new plates.

- (b) At the end of the sixth year, the Registered Owner shall receive notice of the date upon which the plates will expire.
- (c) If a license plate number has expired and is not renewed within sixty days of its expiration the plate number shall be available for use by another Registrant.

Adopted 02/23/2015; Resolu. 2015-143.

### **SECTION 25-3 Grounds for Refusing Registration**

25-3.01 Refusal To Issue Registration. The Registrar shall refuse registration of a vehicle under the following circumstances:

- (a) No registration shall be issued unless the applicant resides upon and the vehicle(s) are located on the Spokane Reservation;
- (b) The required fee has not been paid;
- (c) The applicant has failed to furnish the information or documents required by this Chapter; or
- (d) The applicant has had his or her registration suspended or revoked in accordance with Section 25-6 and such suspension or revocation is still in effect.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Amended 02/23/2015; Resolu. 2015-143.

### **SECTION 25-4 30-day Permit; Temporary Registration Certificate**

25-4.01 Temporary Registration/License Certificate.

- (a) The Registrar may issue a temporary registration/license certificate, not to exceed thirty days, upon issuance of an original Registration, original purchase documents or bill of sale by previous owner; to include a release of interest to an eligible Applicant and pending the issuance of a permanent license plate for the vehicle.

Amended 1/22/2015, Resolu. 2015-101; Reaffirmed 02/23/2015; Resolu. 2015-143.

- (b) The owner shall make application upon forms prescribed by the Registrar.

Amended 1/22/2015, Resolu. 2015-101; Reaffirmed 02/23/2015; Resolu. 2015-143.

- (c) All temporary certificates shall be affixed to the interior rear of the vehicle, on the driver's side of the car and in a position as not to obstruct the rear-view of any driver.

- (d) The Registrar shall issue no other temporary registration/license certificate for any one vehicle upon expiration of the first thirty (30) day permit.

Amended 1/22/2015, Resolu. 2015-101; Reaffirmed 02/23/2015; Resolu. 2015-143.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Amended 02/23/2015; Resolu. 2015-143.

### **SECTION 25-5 Design, Procurement and Issuance of License Plates**

25-5.01 Design and Style of License Plates. The Spokane Tribe of Indians shall determine the size, color, and design of the License Plate, which shall contain:

- (a) Visible evidence of the period for which the vehicle is registered,

- (b) Means of identifying the specific Vehicle and Owner that the plates were issued to.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-5.02 Mandatory Information to be Displayed on License Plates. All License Plates shall have displayed upon them the following:

- (a) The registration number or letter assigned to the vehicle or owner;
- (b) The name "Spokane Tribe of Indians" or an abbreviation thereof; and,
- (c) An indication of the period for which the specific plate is issued or the date of expiration of registration.

All license plates issued shall be treated with a reflective material and otherwise be legibly designed.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Amended 02/23/2015; Resolu. 2015-143.

25-5.03 Issuance of License Plates. Upon issuing a vehicle registration, the Registrar shall, within thirty days:

- (a) Issue and deliver prepaid to the applicant License Plates for each automobile, motor truck, motor bus, school bus or self-propelled mobile home registered; and
- (b) Issue and deliver prepaid to the applicant one registration plate for a trailer or motorcycle registered.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-5.04 Issuance of Replacement or Duplicate Plates. Whenever a current License Plate is illegible, lost, or destroyed, the owner of the vehicle shall immediately apply to the Registrar for replacement. The Registrar shall issue a replacement upon:

- (a) satisfactory proof of the loss or destruction of the plate, or it is illegible and the surrender of the illegible plates to the Registrar;
- (b) payment of the required fee; and,
- (c) payment of the cost of the replacement plate.

When issuing a replacement plate, the Registrar may assign a new number and issue a new plate rather than a duplicate of the original.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-5.05 Transfer of License Plate. A license plate may be transferred from one vehicle and/or individual upon application as prescribed in section 25-2, including additional information as the Registrar may deem necessary.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Amended 1/22/2015, Resolu. 2015-101; Readopted 02/23/2015; Resolu. 2015-143.

25-5.06 Display of License Plate. License Plates issued pursuant to this Chapter shall be displayed as follows:

- (a) To an automobile, motor truck, motor bus, school bus or self-propelled mobile home: attached firmly and rigidly in a horizontal position, one to the front and one the to the rear of the vehicle.
- (b) To a trailer or motorcycle: attached firmly and rigidly in a horizontal position to the rear of the trailer or motorcycle.
- (c) The plate shall at all times be maintained in a legible condition and shall be so displayed that they can be readily and distinctly seen and read.
- (d) Any law enforcement officer may require the operator of any vehicle on which plate is not properly displayed to display such plate as required by this section.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

#### 25-5.07 Transfer of Motor Vehicle Ownership; Effect on Registration; Effect on License Plate

- (a) A license plate issued pursuant to this Chapter is the personal property of the Registrant and serves as evidence that the registrant has properly registered the motor vehicle with the Tribe.
- (b) Transfer of ownership of a motor vehicle registered under this Chapter terminates the vehicle registration and requires the new owner to register the motor vehicle with the government in whose territory the motor vehicle will be garaged.
- (c) Upon transfer of ownership of a motor vehicle registered under this Chapter, the license plate shall be removed from the motor vehicle.
- (d) Upon transfer of ownership of a motor vehicle registered under this Chapter, the Registrant may apply to transfer the license plate to another vehicle pursuant to Section 25-5.05.

Adopted 02/23/2015; Resolu. 2015-143.

### **SECTION 25-6 Suspension/Revocation of Registration**

25-6.01 Suspension/Revocation of Registration. The Registrar shall suspend and/or revoke a vehicle registration and corresponding License Plates when:

- (a) The registration was completed in error, or
- (b) The registered owner is in violation of any provision of this Chapter.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-6.02 Period of Suspension. Any registration suspended pursuant to this section continues to be suspended until reinstated by the Registrar who shall reinstate the registration when the reason for the suspension has been removed.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-6.03 Return of License Plates; Penalty for Non-Compliance. Whenever the registration of a vehicle is suspended under this section, the owner or person in possession of the license plates shall forthwith



return them to the Spokane Tribe. Any person who fails to return the plates as required by this Section may be required to pay a fine not to exceed \$50.00.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-6.04 Revocation. Revocation of registration shall occur when the period of suspension exceeds ninety (90) days. The owner shall be notified in writing that the registration has been revoked pursuant to this Section.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-6.05 Jurisdiction. Any disputes arising under this section shall be brought before Spokane Tribal Court.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

## **SECTION 25-7 Special Permits for Disabled Persons**

25-7.01 Special Permit Available.

- (a) All vehicles registered with the Spokane Tribe of Indians pursuant to this code and that are dedicated to the transportation of disabled persons shall be issued special license plates, decals, or cards indicating such.
- (b) Prior to the issuance of the special license plates, decals, or card the Registrar shall require that an application be completed documenting that an M.D. or D.O. has certified that the person(s) for which the registered vehicle is dedicated to transporting meet the requirements set forth 25-7.02.
- (c) Those vehicles shall be allowed free and unlimited parking in areas within the Reservation or other trust lands owned by the Tribe where parking is restricted as to persons or the length of time.
- (d) However, this permit does not apply to those zones or areas in which stopping and parking is prohibited to all vehicles.
- (e) The operator of the vehicle transporting disabled persons shall prominently display the card, decal, or license plates.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143; Amended 3/20/2015; Resolu. 2015-169.

25-7.02 Disabled Persons Defined. For purposes of Section 25-7.01, a disabled person shall be defined as anyone who meets one of the following criteria:

- (a) Loss of both lower limbs;
- (b) Loss of normal or full use of the lower limbs to sufficiently constitute a severe disability;
- (c) Is so severely disabled that the person cannot move without the aid of crutches or a wheelchair;
- (d) Loss of both hands;
- (e) Suffers from lung disease or suffers impairment of the cardiovascular system to such a degree that the capabilities of the person for motion are severely limited; or,

- (f) Is of such advanced age and suffers from disabilities associated with age that the capabilities of the person for motion are severely limited.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-7.03 Reciprocity. Any vehicle displaying a special card, license or decal from another jurisdiction indicating the vehicle's use for transporting disabled or handicapped people should be granted the same rights and privileges within the boundaries of the Reservation and on the trust lands of the Spokane Tribe as those licensed by the Spokane Tribe.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

### **SECTION 25-8 Cancellation of Registration**

25-8.01 Cancellation of Registration. The Registrar shall cancel a registration whenever:

- (a) A transfer of title is set aside by the Court by order or judgment;
- (b) A transfer of title to the vehicle has occurred and the owner has changed; or
- (c) It is subsequently discovered that the issuance of a registration for the vehicle is prohibited by law.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

### **SECTION 25-9 Remedies for Holders of Security Interests**

25-9.01. Remedies for Holders of Security Interests. For purpose of this Chapter, the Spokane Tribe of Indians hereby adopts and incorporates by reference applicable sections of Article IX of the Uniform Commercial Code as enacted in Washington and requires the Registrar to notify by registered mail, return receipt requested, any holder of a registered security interest of any action under this Chapter that may affect their rights as registered.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

### **SECTION 25-10 Maintenance of Records**

25-10.01 Maintenance of Vehicle Records. Records on all vehicles licensed pursuant to this Code shall be maintained at the Spokane Tribal Police Department, Wellpinit, WA 99040.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-10.02 Maintenance of Registration Records. The Registrar shall maintain records of all applications and all certificates issued by the Registrar.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-10.03 Current and timely Records List. The Registrar shall keep accurate and updated list of all license plates issued, including;

- (a) The number of the registration plate;

- (b) The name of the owner;
- (c) The Vehicle Identification Number (VIN);
- (d) The address of the owner; and
- (e) A description of the motor vehicle, including year, make, and model.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

## **SECTION 25-11 Enforcement**

25-11.01 Powers of Law Enforcement Officers. Any duly sworn law enforcement officer, including law enforcement officers of the State of Washington, are hereby authorized and empowered to enforce the provisions of this Chapter and to execute and serve all warrants and processes issued by the Spokane Tribal Court under any law of the Spokane Tribe of Indians.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-11.02 Civil Infractions. A person who:

- (a) Operates a vehicle for which a current registration plate or validation sticker has been issued without such plate or tag being attached to the vehicle;
- (b) Operates a vehicle with a registration plate attached in a non-rigid or non-horizontal manner or in an inconspicuous place so as to make it difficult to see or read the plate;
- (c) Operates a vehicle with a registration plate that is illegible due to the accumulation of dirt or other foreign matter or the deterioration or mutilation of the plate; or
- (d) Violates of any provision of this Chapter.

Shall have committed a civil infraction and shall be subject to a fine of not less than \$50.00 and not more than \$500.00 for each violation.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-11.03 Civil Infractions-Adjudication. Civil infractions issued pursuant to this Chapter shall be adjudicated pursuant to SLOC Section 15-3.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-11.04 Fraudulent Application for Registration or License Plate. A person who:

- (a) Uses a false or fictitious name or address;
- (b) Makes a materially false statement;
- (c) Fails to disclose a security interest;
- (d) Submits a false, forged, or fictitious document in support of an application, or;

- (e) Conceals any other material fact in an application for a registration of title

Shall be guilty of motor vehicle licensing fraud and may be sentenced to a fine of not less than \$500.00 and not more than \$5000.00 or six (6) months in jail.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-11.05 Fraudulent Vehicle Licensing Practices. A person who:

- (a) With fraudulent intent permits another, not entitled thereto, to use or have possession of a certificate of registration;
- (b) Fails to notify the Registrar of Motor Vehicles or his or her designee of any fact required by the provisions of this Chapter;
- (c) Except as part of an official government function, destroys, removes, alters or defaces a VIN on a vehicle or who sells, barter, exchanges or knowingly owns or possesses a vehicle the VIN of which has been destroyed, removed, altered or defaced. The Tribal Police shall seize any such vehicle for which a VIN has been destroyed, removed, altered or defaced.
- (d) Knowingly tampers with or alters a motor vehicle odometer reading, or causes another person to alter or tamper with a motor vehicle odometer reading;
- (e) Lends to another a registration plate, knowing that the person borrowing the plate is not authorized by law to use it;
- (f) Displays upon a vehicle a registration plate not issued for such vehicle, or not otherwise authorized by law to be used thereon;
- (g) Willfully twists, paints, alters or adds to, or cuts off any portion of a registration plate or sticker; or who places or deposits or causes to be placed or deposited on such plate or sticker any substance to hinder the normal reading of such plate; or who defaces, disfigures changes or attempts to change any letter or figure thereon; or,
- (h) Sells, trades, barter, or otherwise disposes of the plate(s) in a manner which is prohibited by provisions of this Chapter.

Shall be guilty of fraudulent vehicle licensing practices and upon conviction shall be sentenced to a fine of not less than \$500.00 and not more than \$5000.00 or six (6) months in jail, or both.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-11.06 Enforcement by Registrar.

- (a) The Registrar is authorized to prescribe rules and regulations as necessary to implement this Chapter.
- (b) The Registrar may request the Spokane Business Council or any Tribal law enforcement officer to aid in the performance of the Registrar's official duties.
- (c) The Registrar may appoint current employees of the Spokane Tribe as designees as may be required to administer the provisions of this Chapter.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

## **SECTION 25-12 Jurisdiction**

25-12.01 Spokane Tribal Court. The Spokane Tribal Court shall exercise exclusive jurisdiction over any cause of action which arises from this Chapter.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-12.02 Sovereign Immunity. Nothing in this Chapter shall waive the sovereign immunity of the Spokane Tribe, the Spokane Tribal Business Council or any tribal employee or agent.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

## **SECTION 25-13 Reservation of Right**

25-13.01 Reservation of Rights. The Spokane Business Council reserves the right to:

- (a) Alter, amend or increase or decrease the fees, forfeiture and penalties imposed herein;
- (b) Amend or repeal the several provisions of this Chapter, and all rights and privileges granted or extended are subject to such reserved right.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

## **SECTION 25- 14 Tribal Attorney Obligations**

25-14.01 Tribal Attorney Obligation. The Attorney(s) designated by the Spokane Business Council shall represent the interests of the Spokane Tribe and the Registrar in any matter arising from any provision of this Chapter.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

## **SECTION 25-15 American Association of Motor Vehicle Administrators: Policy Positions**

25-15.01 American Association of Motor Vehicle Administrators. The implementation of the provisions of this Chapter shall be accomplished, as much as feasible, according to the policies promulgated by the American Association of Motor Vehicle Administrators.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

## **SECTION 25-16 Motor Vehicle Information**

25-16.01 Motor Vehicle Information. The Registrar shall endeavor to develop procedures to provide pertinent vehicle information for vehicles registered under this Chapter through the National Law Enforcement Telecommunication System (NLETS), NCIC and the Washington Criminal Justice Information System (WACJIS). This information shall include at a minimum:

- (a) The make, model year, VIN, body type, and tribal license plate number of the vehicle;
- (b) The name and current address of the owner; and
- (c) The registered gross laden weight of every commercial vehicle.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

25-16.02 Motor Vehicle Information. Motor vehicle information held by the Registrar shall be made available in a reasonable and timely manner to other government agencies for purposes of law enforcement and motor vehicle regulation.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

## **SECTION 25-17 Reciprocity and Exemptions**

25-17.01 Reciprocity. Motor vehicles properly licensed and registered pursuant to the laws of any nation, Indian Tribe or nation, state, foreign country, territory or federal district shall not be required to display a license of the Spokane Tribe if:

- (a) The vehicle displays a valid license plate from another sovereign jurisdiction;
- (b) The vehicle has a valid vehicle registration certificate from that sovereign jurisdiction that is on his or her person or within the vehicle; and,
- (c) The sovereign jurisdiction in which the vehicle is registered allows vehicles owned and operated by the Spokane Tribe and its members and which are licensed and registered according to this Chapter the same exemptions, benefits and privileges granted to vehicles properly registered and licensed by that sovereign jurisdiction.

Readopted 8/01/06, Resolu. 2006-524; Amended 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.

## **Section 25-18 Severability**

25-18.01 Severability. If any provision of this Chapter or its application to any person or circumstance is held invalid, the remainder of the Chapter or the application of the provision to other persons or circumstances is not affected.

Adopted 9/30/2013, Resolu. 2013-440; Amended 6/12/2014, Resolu. 2014-248; Readopted 02/23/2015; Resolu. 2015-143.