

AN ACT RELATING TO
MOTOR VEHICLE LICENSING

BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL

SECTION 1.0 – TITLE AND CODIFICATION

This Chapter shall be known as the Motor Vehicle Licensing Act and shall be codified as Title 5, Chapter 4 of the Snoqualmie Tribal Code.

SECTION 2.0 – STATUTORY AUTHORIZATION

The aboriginal and inherent sovereign power to govern the Snoqualmie Indian Tribe is vested in the Snoqualmie Tribal Council. The Snoqualmie Tribal Council has the authority to safeguard and promote the peace, safety, moral, and general welfare of the members of the Tribe by regulating the behavior of all persons within the jurisdiction of the Tribe and by providing for the enactment and enforcement of laws of the Tribe. This authority includes the ability to adopt laws or resolutions to regulate and license the conduct of business activities within the Tribe's jurisdiction, and to regulate and license persons exercising special privileges or profiting on general resources from Tribal property. Snoq. Tr. Const. Art. VIII, §§ (j), (t).

The State of Washington recognizes the sovereign authority of Indian Tribes to license vehicles owned by Indian Tribes and used exclusively for Tribal governmental purposes. RCW 46.16.022.

SECTION 3.0 – PURPOSE AND SCOPE

The purpose of this Chapter is to facilitate the exercise of the Tribe's various sovereign powers. Many Tribal governmental services require travel off of Snoqualmie Tribal lands in Tribally-owned vehicles. Tribal government officials frequently are obligated to travel in Tribally-owned vehicles to meet with federal, state and Tribal representatives for governmental service. This Chapter is necessary in order to ensure the full use and safety of public roadways used for Snoqualmie Tribal government purposes. The Snoqualmie Tribal Council considers the driving of Tribally-owned vehicles for governmental purposes to be a privilege, which may be granted, denied, suspended or revoked in accordance with Snoqualmie Tribal law.

SECTION 4.0 – DEFINITIONS

AUTHORIZED EMERGENCY VEHICLE means any vehicle of the Snoqualmie Tribal Police Services, the Snoqualmie Tribe Emergency and Risk Management Department, of any other fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington state patrol, ambulance service, public or private, which need not be classified, registered or authorized by the state patrol, or any other vehicle authorized to be used for emergency purposes by either the Snoqualmie Tribe or the Washington state patrol.

COMMERCIAL MOTOR VEHICLE means any motor vehicle used or maintained for the transportation of persons or property for hire, compensation or profit, or designed, used or maintained primarily for the transportation of property or persons.

DEPARTMENT OF TRANSPORTATION means the Snoqualmie Tribe Department of Transportation.

DRIVER means any person who is the operator of a motor vehicle or motor driven boat or vessel, or who is in actual physical control of a motor vehicle or motor driven boat or vessel.

DRIVER'S LICENSE means a document issued by a sovereign jurisdiction giving the holder permission to engage in the privilege of driving on highways.

HIGHWAYS mean all streets, roads, roadways and highways within the territorial jurisdiction of the Snoqualmie Indian Tribe, whether maintained or built by the Tribe, the state of Washington, King County, local municipalities or the United States government.

MOTORCYCLE means a motor vehicle having one seat for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground.

MOTOR VEHICLE means an automotive vehicle that is self-propelled and not operated on rails.

MOTOR DRIVEN BOAT OR VESSEL means a boat or vessel propelled by an internal combustion engine or an electric- or solar-powered motor.

OWNER means a person who has a lawful right of possession of a motor vehicle or motor driven boat or vessel. The term "owner" does not include a person who has lawful permission to use the motor vehicle or motor driven boat or vessel.

RESERVATION means the Snoqualmie Indian Reservation

REVOKE OR REVOCATION means invalidation of a person's privilege to drive a Tribally-owned vehicle for a specified period of time, until reissue.

ROADWAY means a strip of land over which a road passes.

SNOQUALMIE TRIBAL LANDS means all property, lands, both running waters and lakes, and airspace within the exterior boundaries of the Snoqualmie Indian Reservations and lands now or hereafter held in trust by the United States government for the Tribe or any member of the Tribe, so long as those lands are not within the boundaries of the reservation of another Tribe.

SUSPEND OR SUSPENSION means invalidation of an individual's privilege to drive for a specified period of time, until reinstated.

TRAFFIC means the movement of motor vehicles or motor driven boats or vessels along a roadway or waterway for purposes of travel.

TRIBE means the Snoqualmie Indian Tribe.

VEHICLE means a mechanical device that is used as a means of carrying or transporting a person by being operated on a highway, roadway or waterway. The term "vehicle" does not include vehicles propelled by human or animal power.

VEHICLE REGISTRATION CERTIFICATE means a document containing a certified statement from the Tribe that a vehicle is registered in accordance with Snoqualmie Tribal law.

SECTION 5.0 – MOTOR VEHICLE LICENSING AND REGISTRATION REQUIREMENTS

5.1 OPERATOR'S LICENSE AND REGISTRATION REQUIRED

5.1.1 TRIBALLY-OWNED VEHICLES

All motor vehicles owned by the Snoqualmie Indian Tribe and operated in the governmental service of the Snoqualmie Indian Tribe shall be licensed and registered exclusively by the Snoqualmie Indian Tribe, in accordance with this Chapter.

5.1.2 VEHICLES DRIVEN ON SNOQUALMIE TRIBAL LANDS

No person shall operate a vehicle or motor driven boat or vessel on or across Snoqualmie Tribal Lands unless he or she has a valid, Tribally-issued license and Tribally-issued vehicle registration. This requirement is subject to the reciprocity exception set forth in Section 5.6.

5.2 DRIVER'S LICENSE AND REGISTRATION ON PERSON OR IN VEHICLE

5.2.1 TRIBALLY-ISSUED DRIVER'S LICENSES

No person shall operate a Tribally-owned or -leased motor vehicle or motor driven boat or vessel on Snoqualmie Tribal lands or other public highways or waterways unless he or she has a valid, Tribally-issued driver's license on his or her person or within the vehicle being operated.

Issuance of a Tribally-issued driver's license is contingent upon:

- (a) The person reading and signing the Safety Program for Fleet Loss Control Program for the Snoqualmie Indian Tribe, prepared by the Tribe's Emergency & Risk Management Department;
- (b) The person being at least twenty-one (21) years of age.
- (c) The person passing the Defensive Driver's Course provided by the Tribe's Emergency & Risk Management Department.

Copies of Tribally-issued driver's licenses shall be maintained by the Department of Transportation.

5.2.2 TRIBALLY-ISSUED VEHICLE REGISTRATION CERTIFICATE

No person shall operate a Tribally-owned motor vehicle or motor driven boat or vessel on Snoqualmie Tribal lands or public highways or waterways unless he or she has a valid, Tribally-issued motor vehicle registration certificate within the vehicle being operated.

Tribally-issued motor vehicle registration certificates issued for each Tribally-owned vehicle shall be maintained by the Department of Transportation. If required by the Washington Department of Licensing, the Department of Transportation shall provide the Washington Department of Licensing with vehicle description and ownership information similar to that required for vehicles registered in the state of Washington in accordance with RCW 46.16.022(e).

5.3 TRIBAL LICENSE PLATES REQUIRED

- (a) All Tribally-owned vehicles shall display at all times license plates issued by the Snoqualmie Indian Tribe.
- (b) No person shall operate a motor vehicle on Snoqualmie Tribal lands unless the vehicle displays license plates issued by the Snoqualmie Indian Tribe. This requirement is subject to the reciprocity exception set forth in section 5.6 of this Chapter.

- (c) Tribally-issued license plates shall be of standard size, consecutively numbered and shall bear identifying Tribal legends. Tribally-issued license plates shall be displayed on the front and back of all Tribally-owned vehicles.

5.4 CONTENTS OF VEHICLE REGISTRATION CERTIFICATE

The Tribally-issued vehicle registration certificate shall include the following information:

- (a) Name and address of the owner, and if applicable, renter or lessee; and a statement of the nature and character of the ownership of the vehicle, including any encumbrances or liens against the vehicle;
- (b) The make of the vehicle, model, style, year, type of body, and the motor number or vehicle identification number, or serial number if the vehicle is a trailer or other vehicle;
- (c) The type of fuel used to power the vehicle;
- (d) The weight of the vehicle which shall be the shipping weight as given by the manufacturer, except when the vehicle has been substantially modified in size and bulk, a weight slip shall be obtained from a certified weighmaster showing the modified weight and that modified weight shall be reported on the registration certification;
- (e) The license plate number of the vehicle;
- (f) The title number of the vehicle; and
- (g) Any other information that the Tribe may require.

5.5 LIABILITY INSURANCE REQUIRED

5.5.1 MOTOR VEHICLES ON SNOQUALMIE TRIBAL LANDS

No person may operate a motor vehicle on Snoqualmie Tribal lands unless the person is insured under an acceptable motor vehicle liability policy. For purposes of this section, "acceptable" means a policy that complies with the requirements of the State of Washington in accordance with RCW Chapter 46.30. Written proof of insurance for motor vehicle operation must be kept on the person of the driver, or within the vehicle, at all times.

5.5.2 TRIBALLY-OWNED OR –LEASED VEHICLES

No person may operate a Tribally-owned or –leased motor vehicle subject to registration under this Chapter unless the person is insured in accordance with the Washington state

requirements set for in RCW Chapter 46.30. Written proof of insurance for motor vehicle operation must be kept in the Tribally-owned or -leased motor vehicle in accordance with all Tribal fleet policies.

5.6 RECIPROCITY & EXEMPTION FOR NON-TRIBAL VEHICLES & DRIVERS

Any vehicle that is not Tribally-owned or -leased is exempt from the requirement set forth in Section 5.1.2 providing for the Tribally-issued licensing and registration of vehicle requirements on Snoqualmie Tribal lands set forth in this Chapter 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;
- (c) The driver has a valid driver's license from a sovereign jurisdiction that is on his or her person; and
- (d) The sovereign jurisdiction in which the vehicle is registered and the driver is licensed allows Tribally-licensed and -registered vehicles to be operated on its highways or waterways under similar conditions.

SECTION 6.0 – FEES

6.1 LICENSE PLATES; VEHICLE REGISTRATION CERTIFICATE

Snoqualmie Tribal license plates and vehicle registration certificates may be obtained from the Snoqualmie Tribe Department of Transportation. The cost of license plates shall set by the Department of Transportation. No fee will be charged for a license plate or vehicle registration certificate for vehicles owned or leased by the Snoqualmie Tribe.

SECTION 7.0 - TEMPORARY LICENSE & REGISTRATION

The Department of Transportation shall have the authority to issue temporary license plates and proof of registration for a period of time not to exceed thirty (30) days.

SECTION 8.0 – PENALTIES

RESERVED.

SECTION 9.0 – SEVERABILITY

If any section of this Chapter, or the application of any section of this Chapter to any person under any circumstances, is held to be invalid by any court of competent jurisdiction, such invalidity shall not affect the continued effect of any other provision in this Chapter.

SECTION 10.0 – SOVEREIGN IMMUNITY

Nothing in this Chapter shall be deemed a waiver of the Tribe's sovereign immunity.

SECTION 11.0 – AMENDMENT

Any amendment to this Chapter will be effective upon enactment by the Snoqualmie Tribal Council.

**ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 10TH DAY OF JANUARY, 2008
IN SESSION DULY MET, WITH 5 FOR, 0 AGAINST, AND 0 ABSTAINING. TRIBAL COUNCIL
ACT 03-2008; RESOLUTION No. 06-08.**

**CODIFIED BY THE SNOQUALMIE TRIBAL SECRETARY ON THE 21 DAY OF October
2008.**



TRIBAL SECRETARY 10-21-08