

TITLE 6
COMANCHE
NATION CIVIL
TRAFFIC CODE

TITLE 6. COMANCHE NATION CIVIL TRAFFIC CODE

CHAPTER A. JURISDICTION

Sec. 1 Jurisdiction

- a. The Tribal Court shall have jurisdiction over all vehicles owned or operated within the territorial boundaries of the Comanche Nation Indian Country
- b. The Tribal Police shall have jurisdiction over all vehicles and drivers, Indian or non-Indian within the boundaries of the Comanche Nation Indian Country, and outside the boundaries of the Comanche Nation Indian Country when in fresh pursuit.

Sec. 2 Power to Regulate

The Comanche Nation shall have the power to regulate all matters involving the ownership or operation of vehicles, including but not limited to, registration of and licensing of operators and vehicles, parking, speed limits, and other traffic controls, traffic offenses and enforcement, and trial and punishment of Indian traffic offenders.

CHAPTER B. DEFINITIONS

Sec. 1 Authorized Emergency Vehicle

- a. Any publicly owned ambulance, or any privately owned ambulance being used to respond to an emergency call; or,
- b. Any vehicle operated by or with the authority of a police department, sheriff's department or the Oklahoma Highway Patrol; or,
- c. Any vehicle operated by a forestry or fire department of Tribal, Federal, State, or local government, or agency thereof; or,
- d. Any vehicle which the Comanche Business Committee has authorized as an emergency vehicle.

Sec. 2 Bicycle. Any mechanical device propelled solely by human power.

Sec. 3 Driver. A person who drives or is in actual physical control of a vehicle.

Sec. 4 Farm Vehicle. Any vehicle primarily used in connection for a farming or ranching purpose.

Sec. 6 Owner. A person to whom the real and beneficial use of a vehicle belongs.

Sec. 7 Person. Any person subject to the jurisdiction of the Tribal Court.

Sec. 8 Police Officer. Any person empowered by Comanche Business Committee Resolution to enforce the tribe's Law and Order Code.

Sec. 9 Right of Way. The privilege of the immediate use of the road.

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Sec. 10 Road. All paved, gravel, or dirt streets, roads, or highways within the Comanche Nation Indian Country which are provided for public use or which are commonly used by the public.

Sec. 11 School Bus. Any vehicle clearly marked as a school bus.

Sec. 12 Special Mobile Equipment. Any vehicle which is not used primarily for the purpose of transporting passengers or cargo, including but not necessarily limited to: tractors, bulldozers, rollers, graders, scrapers, etc., that are generally used in the construction industry.

Sec. 13 Traffic. Vehicles, bicycles, pedestrians, or domestic animals moving along a road.

Sec. 14 Valid Driver's License

- a. Any current and valid driver's license issued by:
- (1) the Government of the United States of America;
 - (2) any State of the United States of America; or,
 - (3) the Government of any foreign country.

Sec. 15 Valid License Plate

- a. Any current and valid license plate issued by:
- (1) the Comanche Nation;
 - (2) the governing body of a Federally recognized Indian Tribe;
 - (3) the Government of the United States of America;
 - (4) any State of the United States of America; or,
 - (5) the Government of any foreign country.

Sec. 16 Vehicle. Every mechanical device which may be used for transportation or driven by a person upon a road, including but not limited to: trucks, cars, other four wheeled vehicles, motorcycles, motor scooters, motor bikes, and other two or three wheeled vehicles, but not including mechanical devices propelled solely by human power.

CHAPTER C. DUTIES IMPOSED BY THIS TITLE

Sec. 1 Duties and Authority of Authorized Police Officers

- a. All Police Officers authorized by the Comanche Business Committee shall have the general duty and authority to enforce this Title.
- b. Police Officers shall have the specific duty and authority:
- (1) to issue civil and criminal citations for violation of this Title to Indians and non-Indians for traffic citations..
 - (2) to arrest Indians who violate this Title, and to take the accused violators into custody as provided in this Title, or to arrest and take into custody non-Indians who violate the provisions of this Title within the boundaries of the Comanche Nation Indian Country.
 - (3) to investigate and prepare a written Report on any incident resulting in a citation or infraction, occurring on a road and involving a vehicle, that results in property damage or personal injury, and to file all such reports with the Tribal Court Clerk within 24 hours after completing an investigation; and,

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(4) to have a badge indicating his official authority conspicuously display upon his person while on duty or while exercising his authority.

c. If a Police Officer fails to perform his duty under this Title, a civil action may be brought against him in Tribal Court to recover the damages resulting from such failure. Such an action may be brought by either the Comanche Business Committee or any person suffering damages, and shall be maintained in accordance with this Code.

Sec. 2 Duties of Drivers and Owners

a. It is the duty of all drivers and owners to comply with the provision of this Title.

b. It is the duty of all drivers to exercise due care in operating any vehicle on the Comanche Nation Indian Country, in order to avoid injury to or interference with persons, property, and the peace and quiet of the Comanche Nation Indian Country.

c. If a driver or owner fails to fulfill his duty, under this Title, a civil action may be brought against him in Tribal court to recover the damages resulting from such failure. Such an action may be brought by any person suffering damages, and shall be maintained in accordance with this Code.

CHAPTER D. ENFORCEMENT PROCEDURE

Sec. 1 Citations Issued to Indians

a. Initiating Proceedings - Proceedings against a defendant shall be initiated by issuing a civil citation to the defendant. Issuing of a civil citation constitutes a civil summons to appear in Court. A copy of the citation shall be filed with the Court Clerk, and a second copy shall be retained by the citing officer. When filed with the Court Clerk, the citation shall serve as a civil complaint.

b. Issuance - The citation shall be issued to the defendant personally, except that if the offense is a non-moving violation, then issuance may be made by affixing the citation to a visible location on the offending vehicle.

c. Other Applicable Code Provisions - Criminal Procedure, dealing with citation, are also applicable to proceeding under this Title, when the defendant is an Indian charged with a criminal violation.

Sec. 2 Immediate Arrest of Indian Defendants

a. Standards - An Indian defendant shall be taken into custody and brought before the Tribal Court without reasonable delay, if:

(1) He or she refuses to sign the citation, promising to appear in Court; or to post the cash equivalent to the maximum civil forfeiture scheduled for the violation(s).

(2) He or she is accused of a serious offense against the safety of persons or property.

Sec. 3 Citations Issued to Non-Indians

a. Initiating Proceedings - Proceedings against a non-Indian defendant shall be initiated by issuing a civil citation to the non-Indian defendant. Issuing of a civil citation constitutes a civil summons to appear in Court. A copy of the citation shall be filed with the Court Clerk, and a second copy shall be retained by the citing officer. When filed with the Court Clerk, the citation shall serve as a civil complaint.

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b. Issuance - The citation shall be issued to the defendant personally, except that if the offense is a non-moving violation, then issuance may be made by affixing the citation to a visible location on the offending vehicle.

c. Other Applicable Code Provisions – When the Comanche Nation lacks criminal jurisdiction over a non-Indian who violates a section of Title 2, Comanche Nation Criminal Code and Procedures, the violation shall be considered a civil violation and be subject to the rules and procures within this Code.

Sec. 4 Civil Forfeiture

a. Availability - The Tribal Court may release a defendant who has been taken into custody upon the posting of a cash equivalent to the civil forfeiture set forth in the offense.

b. Civil Forfeiture Schedule - Each offense is subject to the civil forfeiture incorporated within. Where no civil forfeiture is assigned the offense shall be subject to the following:

i. For a first offense, civil forfeiture shall be no less than one hundred dollars (\$100.00) and no more than three hundred dollars (\$300.00).

ii. For a second offense, civil forfeiture shall be no less than three hundred dollars (\$300.00) and no more than six hundred dollars (\$600.00).

iii. For a third or subsequent offense, civil forfeiture shall be no less than six hundred dollars (\$600.00) and no more than nine hundred dollars (\$900.00).

c. Forfeiture of Cash - the cash equivalent to the civil forfeiture set for an offense, may be forfeited by written agreement or a failure to appear for trial.

CHAPTER E. TRIAL OF TRAFFIC OFFENDERS

The trial of defendants in traffic cases shall be governed by the provisions on Civil procedures in all cases.

CHAPTER F. TRAFFIC OFFENSES

Sec. 1 In General

Violation of this Code subjects the offender to civil forfeiture in the amount set in the civil forfeiture schedule.

Sec. 2 Driving Under the Influence of Alcohol

a. Offense - No person, who is under the influence of an intoxicating liquor, or under the combined influence of an intoxicating liquor and any drug, shall drive a vehicle upon any road. A judgment by the Court that a person has violated this section shall result in a civil forfeiture of no less than \$300.00 for the first offense, no less than \$600 for the second offense, and \$900.00 for the third and subsequent offenses.

b. Presumption:

(1) If, at the time of the alleged offense, there was 0.08 percent or more by weight of alcohol in the blood of the accused, it shall be presumed that the accused was under the influence of an intoxicating liquor at that time.

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(2) The foregoing provision shall not be construed as limiting the introduction of any other evidence bearing upon the question of whether the accused was under the influence of an intoxicating liquor at the time of the alleged offense.

c. Implied Consent - Any driver who is operating a vehicle upon the Comanche Nation Indian Country, shall be considered to have consented to a scientific test to determine blood alcohol level when reasonably requested to do so by a police officer. If a driver refuses to submit to a blood alcohol test, it shall be presumed that the accused was under the influence of an intoxicating liquor at that time.

Sec. 3 Drinking Alcoholic Beverages in a Motor Vehicle

No person shall drink any intoxicating beverage while in a vehicle, when such vehicle is upon a road. Violation of this Section will result in a civil forfeiture of no less than \$300.00 for the first offense, no less than \$600 for the second offense, and \$900.00 for the third and subsequent offenses.

Sec. 4 Driving Under the Influence of Drugs

a. Controlled Substance - No person, who is under the influence of any controlled substance listed in this Code, United States Code, Section 812, or any successor legislation to the schedules shall drive a vehicle upon any road. Violation of this Section shall result in a civil forfeiture of no less than \$300.00 for the first offense, no less than \$600 for the second offense, and \$900.00 for the third and subsequent offenses.

b. Non-Narcotic Drug - No person, who is under the influence of any drug other than a controlled substance as specified above, to a degree which renders him incapable of safely driving a vehicle, shall drive a vehicle upon any road. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 5 Depositing Matter on the Road (Littering)

No person shall deposit upon any road or public lands any bottles, cans, garbage, glass, nails, paper, wire, lit substances, or any other substance from a motor vehicle likely to injure or damage traffic using the road or the land itself. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 6 Obstruction of Right of Way

It shall be unlawful to stand, stop or park a vehicle so as to obstruct a right of way. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 7 Reckless Driving

Anyone who drives a vehicle upon a road in a manner so as to endanger any person or property shall be guilty of reckless driving. Violation of this Section shall result in a civil forfeiture of no

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less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 8 Speeding

a. Speeding Restrictions - It shall be unlawful for any person to operate any vehicle upon the Comanche Nation Indian Country at a speed exceeding a posted speed limit or exceeding 30 miles per hour when no speed limit is posted, or at a speed greater than is reasonable and proper due to exist road and weather conditions, regardless of the posted speed limit. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

b. Exception to Speed Restrictions - The speed restrictions, designated in this Code, shall not apply to authorized emergency vehicles responding to an emergency call. This provision does not relieve the driver of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons using the road.

Sec. 9 Driving on the Wrong Side of the Road

a. A driver shall operate his vehicle upon the right half of any road, except when that half of road is out for repair or impassable, or when the driver's vehicle is safely overtaking and passing another vehicle. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

b. An authorized mail carrier of the United State Post Office shall be authorized to drive on the wrong side of the road when necessary to deliver mail, when the carrier may safely do so without endangering or interfering with oncoming traffic.

Sec. 10 Unlawful Passing

a. Offense - it shall be unlawful to overtake and pass a moving vehicle:

- (1) On a bridge, overpass, tunnel, railway crossing, underpass, or at an intersection;
- (2) when coming up to the top of a hill or on a curve where one does not have an unobstructed view 500 feet ahead;
- (3) When there is a solid yellow line in the driver's lane;
- (4) When an oncoming vehicle is so close, that it is unsafe to cross the centerline.

b. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 11 Failure to Signal

a. Mechanical Signals - Except as provided by Subsection "b", of this Section, when a driver of a vehicle slows, turns, changes lanes or stops, he shall give the proper mechanical signal in sufficient time to indicate his intentions to other drivers and pedestrians. Turn signals must be given for the driver(s) approaching, as well as for the driver(s) behind him. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the

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first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

b. When mechanical signals are not given, signals must be given with the left arm as follows:

- (1) For stopping - arm extended downward;
- (2) For left turn - arm extended horizontally;
- (3) For right turn - arm extended at a 90 degree angle.

c. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 12 Improper U-Turns

A driver shall not make U-turn where it is unsafe to do so, or where there is a "No U-Turn" sign. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 13 Failure to Yield Right of Way

a. A vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection.

b. If two or more vehicles approach or enter an intersection from different roads at the same time, the driver on the left shall yield the right of way to the driver on the right.

c. All vehicles shall yield the right of way to pedestrians.

d. All vehicles about to enter or cross a road, shall yield the right of way to vehicles on the road.

e. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 14 Failure to Yield Right of Way to Emergency Vehicle

Upon the approach of any authorized emergency vehicle displaying flashing red or red and blue lights and/or giving an audible signal by siren, the driver of every other vehicle shall immediately stop as far as possible off the right hand edge of the road, and parallel to the right hand edge or curve of the road, clear of any intersection or other roads, and shall remain stopped until the authorized emergency vehicle has passed or unless otherwise directed by a police officer. The provision of this Section apply equally to a vehicle being approached from behind by an authorized emergency vehicle or a vehicle being approached from the front by an authorized emergency vehicle. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 15 Improper Passing of a School Bus

It shall be unlawful for any vehicle to pass a school bus, displaying flashing red lights, that is stopped for the purpose of receiving or discharging children, or to proceed past the school bus until the flashing red lights are turned off and it is safe to do so, or unless the school bus driver

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plainly gives a visual signal that it is all right to pass the school bus (i.e. - if the red lights have malfunctioned and can not be turned off). Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 16 Failure to Obey Traffic Control Device

All drivers, while driving a vehicle, shall obey all legal traffic control devices. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 17 Operation of an Unsafe Vehicle

a. It shall be unlawful to operate any vehicle which is in an unreasonably dangerous condition.

b. Whenever a federal safety standard is established under the National Traffic and Motor Vehicle Act of 1968 (15 USC, Section 1382, et. seq.), no person shall sell or offer for sale a vehicle of item of equipment to which the standard is applicable unless:

- (1) The vehicle or equipment conforms to the applicable federal standard; or,
- (2) The vehicle or equipment displays a certification by the manufacturer or distributor that the vehicle or equipment complies with the applicable federal standards.
- (3) Vehicles manufactured prior to 1968 are exempt from this requirement, but are required to maintain original manufactured equipment on the vehicle in good operating order.]

b. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 18 Equipment Violations

a. Headlights and Taillights:

- (1) During darkness, every vehicle shall be equipped with and have in operation two functioning headlights, except that motorcycles and off-road vehicles designed with one headlight, shall be equipped with and have in operation one functioning headlight
- (2) During darkness, every vehicle shall be equipped with and have in operation one or more functioning tail lights. Tail lights shall be red in color and shall be plainly visible within 500 feet of the rear of the vehicle.

b. Brakes Lights - Every vehicle shall be equipped with one or more functioning brake light and they shall be plainly visible within 300 feet of the rear of the vehicle during normal sunlight and at night.

c. Backup Light - All vehicles, other than motorcycles, snowmobiles, all terrain vehicles, etc., shall be equipped with one or more properly functioning backup light, if such lights were standard equipment on the vehicle as manufacture.

d. Turn Signals - All vehicles shall be equipped with a mechanical turn signal system capable of clearly indicating an intention to turn either right or left, with the exception of certain antique vehicles which were not so equipped when originally manufactured.

e. Brakes:

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(1) Every vehicle shall be equipped with a service brake system and every vehicle, with more than two wheels shall be equipped with a parking brake system. The two systems shall be constructed so that failure of any part except for failure of drums, brakeshoes, or other mechanical part of the wheel brake assembly, shall not leave the vehicle without operative brakes.

(2) All brakes and component parts shall be maintained in good condition and in working order.

(3) Upon application of the service brake system, every vehicle, at any time and under all conditions of loading, shall be capable of stopping within 40 feet from an initial speed of 20 miles per hour.

f. Windshield - Every vehicle with more than two wheels, except farm and off-road vehicles, shall be equipped with an adequate windshield.

g. Horn - Every vehicle, when operated upon a road, shall be equipped with a horn in good working order and capable of emitting a sound audible under normal conditions from a distance of 200 feet. Vehicles which were not originally equipped with a horn are exempted.

h. Tires - No person shall use a vehicle with a pneumatic tire is worn to less than 1/32 of an inch of tread depth in any two adjacent grooves at any location on the tire.

i. Mufflers - Every vehicle shall, at all times, be equipped with an adequate muffler in constant operation and properly maintained to prevent excessive or unusual noise.

j. Violations of any of the Subsections of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 19 Joy Riding

No person shall take or use any vehicle without the owner's permission. The fact that such person did not intend to permanently deprive the owner of said vehicle, shall not be a defense to a charge brought against the person under this Section. Violation of this Section shall result in civil forfeiture of no less than \$300.00 for the first offense, no less than \$600 for the second offense, and \$900.00 for the third and subsequent offenses.

Sec. 20 Negligent Injury to Animals on the Road

The driver of a vehicle shall exercise reasonable and due care to avoid injuring wild or domestic animals on the roadway, under normal circumstances. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 21 Following Too Close

The driver of a vehicle shall not follow another vehicle so close as to create a substantial danger of an accident, taking into account the speed of the vehicle involved, the amount of the traffic, and the road conditions. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 22 Leaving the Scene of an Accident

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a. The driver of any vehicle involved in an accident resulting in injury or death of any person, or damage to a vehicle or property, shall immediately stop as close as possible to the scene of the accident. Violation of this Subsection shall result in a civil forfeiture of no less than \$300.00 for the first offense, no less than \$600 for the second offense, and \$900.00 for the third and subsequent offenses.

b. If personal injury has occurred, or if the damaged vehicle or property is attended by any person, the driver shall give his name, address, vehicle registration information of the vehicle he is driving, the name(s) and address(es) of the owners of said vehicle, and shall show his driver's license and exchange the information thereon, with the driver or passenger of the other vehicle, or give said information to the person attending the damaged vehicle or property. The driver shall give to any person injured in the accident reasonable assistance. Violation of this Subsection shall result in a civil forfeiture of no less than \$300.00 for the first offense, no less than \$600 for the second offense, and \$900.00 for the third and subsequent offenses.

c. The driver of the vehicle involved in an accident resulting in injury or death of any person or apparent property damage shall give immediate notice of the accident to the Tribal Police. For the purpose of this Subsection, immediate notice means "as soon as possible". If the driver is unable to give said notice, then a responsible person who is a passenger in one of the accident vehicles shall notify the Tribal Police. Violation of this Subsection shall result in a civil forfeiture of no less than \$300.00 for the first offense, no less than \$600 for the second offense, and \$900.00 for the third and subsequent offenses.

d. The driver of any vehicle which hits another vehicle or other property, which is unattended, shall immediately stop and attempt to locate and notify the driver or owner of such vehicle or his name and address. If the driver, after reasonable effort, cannot locate the owner or driver, he shall leave in a safe and conspicuous place or attached to the damaged vehicle or property, a note giving his name and address. Violation of this Subsection shall result in a civil forfeiture of no less than \$300.00 for the first offense, no less than \$600 for the second offense, and \$900.00 for the third and subsequent offenses.

Sec. 23 Registration Offenses

a. Offense - No driver shall operate any vehicle on any road within the jurisdiction of the Comanche Business Committee unless the driver has, in his possession, a valid certificate of registration for such vehicle and unless the vehicle displays a valid license plate mounted on the rear of such vehicle.

b. Farm Vehicle Exemption (also known as "Implements of Husbandry") - This Subsection shall not apply to farm vehicles which are being driven on a road in connection with a farming or ranching purpose.

c. Special Mobile Equipment Exemption - Vehicles classified under an applicable Tribal, State or Federal law or regulation as special mobile equipment (generally construction equipment such as tractors, tracked vehicles, cranes, graders, scrapers, etc.) are exempt from the provisions of this Section.

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d. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses..

Sec. 24 Driver's License Offenses

a. No driver shall operate a vehicle, required to be registered under Section 23 of this chapter, without a valid driver's license in possession.

b. No person shall possess or display a canceled, revoked, suspended, fictitious or fraudulently altered driver's license or a valid driver's license not issued to him.

c. No person shall allow another to use his driver's license for identification.

d. No person shall cause or knowingly permit any unlicensed person to operate a vehicle, except a farm vehicle or special mobile equipment, on a road.

e. Violations of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

CHAPTER G. OFF ROAD VEHICLES

Sec. 1 Regulations for Off-Road Vehicles

a. It shall be unlawful to operate a vehicle at a speed or in a manner causing excessive disturbance to land, terrain, wildlife, or vegetation.

b. It shall be unlawful to operate a vehicle in a restricted use area in any manner not permitted therein.

c. It shall be unlawful to operate a vehicle in an area where off-road use is prohibited.

d. Violation of this Section shall result in a civil forfeiture of no less than \$100.00 but not more than \$300.00 for the first offense, no more than \$600 for the second offense, and no more than \$900.00 for the third and subsequent offenses.

Sec. 2 Restricted Areas

The Comanche Business Committee shall have the power to designate areas of Tribal land where off-road vehicle operations are prohibited or restricted. In the absence of a specific designation, all Tribal lands shall be considered closed to the operation of off-road vehicles.

Sec. 3 Permitted Use Areas

The Comanche Business Committee may designate areas where off-road vehicle use is permitted. Such areas shall be designated by conspicuously posted signs advising of the locations and boundaries of the use areas and the regulations governing the use of said areas.

Sec. 4 Exemption for Vehicle Operations on Private Land

Drivers of vehicles operating on privately owned land, with the consent of the land owner tenant, are exempt from the regulations of this Title.