

**NOTTAWASEPPI HURON BAND OF
POTAWATOMI INDIANS
LAW AND ORDER CODE**

TITLE IV

MOTOR VEHICLE CODE

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ARTICLE 1. GENERAL PROVISIONS.

SEC. 101. TITLE. THE TITLE OF THIS CODE SHALL BE THE NHBPI MOTOR VEHICLE CODE.

SEC. 102. PURPOSE. THE PURPOSE OF THIS CODE IS TO:

- A. PROMOTE THE HEALTH, SAFETY AND GENERAL WELFARE OF THE TRIBE, ITS CITIZENS AND VISITORS TO THE TRIBE'S RESERVATION;
- B. GOVERN THE ACTIVITIES OF ALL PERSONS USING MOTOR VEHICLES OWNED OR OPERATED ON THE RESERVATION OF THE NOTTAWASEPPI HURON BAND OF THE POTAWATOMI BY INCORPORATING AND APPLYING THE LAWS OF THE STATE OF MICHIGAN AS TRIBAL LAW TO SUCH ACTIVITIES;
- C. PROVIDE FOR TRIBAL REGULATION OF ACTIVITIES RELATED TO THE OWNERSHIP OR OPERATION OF MOTOR VEHICLES BY ALL PERSONS WITHIN THE TERRITORIAL JURISDICTION OF THE TRIBE.

SEC. 103. SEVERABILITY. IF ANY PROVISION OF THIS CODE IS FOUND TO BE UNCONSTITUTIONAL OR UNLAWFUL BY THE COURTS OF THE TRIBE OR THE FEDERAL COURTS, SUCH PROVISION(S) SHALL BE STRUCK AND THE REMAINDER OF THIS CODE SHALL CONTINUE IF FULL FORCE AND EFFECT.

SEC. 104. EFFECTIVE DATE. THIS CODE SHALL TAKE EFFECT IMMEDIATELY UPON ITS ENACTMENT BY RESOLUTION OF THE TRIBAL COUNCIL.

SEC. 105. INTERPRETATION. IN ITS INTERPRETATION AND APPLICATION THE PROVISIONS OF THIS CODE SHALL BE HELD TO BE MINIMUM REQUIREMENTS AND SHALL BE LIBERALLY CONSTRUED IN FAVOR OF THE TRIBE AND SHALL NOT BE DEEMED AS A LIMITATION UPON OR REPEAL OF ANY OTHER TRIBAL POWER OR AUTHORITY.

SEC. 106. NON-LIABILITY. THE TRIBE DECLARES THAT THERE IS NO LIABILITY ON THE PART OF THE TRIBE, ITS AGENCIES, AGENTS OR EMPLOYEES FOR ANY DAMAGES WHICH MAY OCCUR AS A RESULT OF RELIANCE UPON OR CONFORMITY TO THIS CODE. THE TRIBE BY THE

ADOPTION OF THIS CODE DOES NOT WAIVE ITS SOVEREIGN IMMUNITY
IN ANY RESPECT.

ARTICLE 2. DEFINITIONS.

SEC. 201. DEFINITIONS.

- A. THE DEFINITIONS CONTAINED IN THE MICHIGAN MOTOR VEHICLE CODE, M.C.L. 257.1 ET SEQ., ARE HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.

- B. AS USED IN THIS CODE:
 - 1. "CIVIL INFRACTION" MEANS AN ACT OR OMISSION PROHIBITED BY LAW WHICH IS NOT A CRIME, AND FOR WHICH CIVIL SANCTIONS MAY BE ORDERED.

 - 2. "CRIME" (OR "CRIMINAL") MEANS (OR REFERS TO) AN ACT OR OMISSION FORBIDDEN BY LAW WHICH IS PUNISHABLE UPON CONVICTION BY IMPRISONMENT, FINE NOT DESIGNATED AS A CIVIL FINE, OR OTHER PENAL DISCIPLINE.

 - 3. "INDIAN" MEANS ANY PERSON WHO IS SUBJECT TO FEDERAL CRIMINAL JURISDICTION UNDER THE MAJOR CRIMES ACT, 18 U.S.C. '1153.

 - 4. "MEMBER" MEANS A PERSON ENROLLED IN THE TRIBE PURSUANT TO THE CONSTITUTION AND LAWS OF THE TRIBE GOVERNING CITIZENSHIP AND ENROLLMENT.

 - 5. "NON-INDIAN" MEANS ANY PERSON WHO IS NOT A MEMBER OR INDIAN, AS THOSE TERMS ARE DEFINED IN THIS CODE.

 - 6. "POLICE DEPARTMENT" MEANS THE NOTTAWASEPPI HURON BAND OF THE POTAWATOMI POLICE DEPARTMENT.

 - 7. "RESERVATION" MEANS THE AREA OVER WHICH THE TRIBE EXERCISES CIVIL AND CRIMINAL REGULATORY JURISDICTION, AND INCLUDES ALL LANDS HELD IN

TRUST FOR THE TRIBE BY THE UNITED STATES.

8. "TRIBAL COURT" MEANS THE TRIBAL JUDICIARY ESTABLISHED UNDER ARTICLE X OF THE CONSTITUTION OF THE NOTTAWASEPPI HURON BAND OF THE POTAWATOMI, OR ANY SUCCESSOR PROVISION.
9. "TRIBE" (OR "TRIBAL") MEANS (OR REFERS TO) THE NOTTAWASEPPI HURON BAND OF THE POTAWATOMI.

ARTICLE 3. REGULATION OF MOTOR VEHICLE OWNERSHIP.

SEC.301. MOTOR VEHICLE REGISTRATION.

- A. ALL MOTOR VEHICLES OWNED BY PERSONS RESIDING WITHIN THE RESERVATION SHALL REGISTER WITH THE STATE OF MICHIGAN IN ACCORDANCE WITH THE MICHIGAN MOTOR VEHICLE CODE, M.C.L. 257.1 ET SEQ.
- B. ALL PROVISIONS OF THE MICHIGAN MOTOR VEHICLE CODE RELATED TO MOTOR VEHICLE REGISTRATION, INCLUDING WITHOUT LIMITATION M.C.L. 257.801 THROUGH .810A, ARE HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.

SEC.302. MOTOR VEHICLE TITLE.

- A. TITLE TO MOTOR VEHICLES OWNED BY PERSONS RESIDING WITHIN THE RESERVATION SHALL BE MAINTAINED AND TRANSFERRED BY THE STATE OF MICHIGAN IN ACCORDANCE WITH THE PROVISIONS OF THE MICHIGAN MOTOR VEHICLE CODE, M.C.L. 257.1 ET SEQ.
- B. ALL PROVISIONS OF THE MICHIGAN MOTOR VEHICLE CODE RELATED TO TITLE TO MOTOR VEHICLES, INCLUDING WITHOUT LIMITATION M.C.L. 257.201 THROUGH .259, ARE HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.

SEC. 303. OPERATOR'S LICENSE.

- A. NO PERSON MAY OPERATE A MOTOR VEHICLE WITHIN THE RESERVATION UNLESS SUCH PERSON SHALL HAVE A VALID LICENSE FOR THE OPERATION OF SUCH MOTOR VEHICLE ISSUED BY:
- B. THE STATE OF MICHIGAN IN ACCORDANCE WITH THE PROVISIONS OF THE MICHIGAN MOTOR VEHICLE CODE, M.C.L. 257.1 ET SEQ., OR
- C. ANOTHER STATE IN ACCORDANCE WITH THE PROVISIONS OF THE LAWS OF SUCH STATE.
- D. ALL PROVISIONS OF THE MICHIGAN MOTOR VEHICLE CODE RELATED TO OPERATORS LICENSES, INCLUDING WITHOUT LIMITATION M.C.L. 257.301 THROUGH .328, ARE HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.

SEC. 304. CIVIL LIABILITY AND FINANCIAL RESPONSIBILITY. THE PROVISIONS OF THE CIVIL LIABILITY ACT, M.C.L. 257.501 ET SEQ., AND THE FINANCIAL RESPONSIBILITY ACT, M.C.L. 257.501 ET SEQ., SHALL APPLY TO THE OWNERS AND OPERATORS OF MOTOR VEHICLES WITHIN THE TRIBAL RESERVATION.

SEC. 305. DELEGATION OF AUTHORITY. THE TRIBE HEREBY AUTHORIZES THE MICHIGAN SECRETARY OF STATE, OR ANY OTHER OFFICER, AGENCY OR DEPARTMENT OF THE STATE OF MICHIGAN, TO EXERCISE ANY AUTHORITY AND TAKE ANY ACTION AS PROVIDED IN ANY PROVISION OF THE MICHIGAN MOTOR VEHICLE CODE, M.C.L. 257.1 ET SEQ., INCORPORATED BY REFERENCE AS TRIBAL LAW IN THIS CHAPTER. ANY SUCH AUTHORITY OR ACTION SHALL BE DEEMED TO BE THE AUTHORITY OR ACTION OF THE TRIBE OR EXERCISED OR TAKEN ON BEHALF OF THE TRIBE.

ARTICLE 4. OPERATION OF MOTOR VEHICLES; REGULATIONS.

SEC. 401. RULES OF THE ROAD.

- A. NO PERSON MAY OPERATE A MOTOR VEHICLE WITHIN THE RESERVATION IN VIOLATION OF ANY TRAFFIC REGULATION PROVISION OF THE MICHIGAN MOTOR VEHICLE CODE, M.C.L. 257.1 ET SEQ.

- B. ALL PROVISIONS OF THE MICHIGAN MOTOR VEHICLE CODE RELATING TO THE RULES OF THE ROAD, INCLUDING WITHOUT LIMITATION M.C.L. 257.601 THROUGH .682B, ARE HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.
- C. *ADDITIONAL REGULATIONS.* THE POLICE DEPARTMENT IS HEREBY AUTHORIZED TO PROMULGATE, AND PRESENT TO THE TRIBAL COUNCIL FOR APPROVAL, SUCH ADDITIONAL REGULATIONS AS MAY BE NEEDED TO REGULATE THE OPERATION OF MOTOR VEHICLES WITHIN THE RESERVATION TO PROTECT THE PUBLIC, INCLUDING SPEED LIMITS, PARKING REGULATIONS, AND OTHER TRAFFIC REGULATIONS FOR ALL PUBLIC ROADS, ACCESS ROADS AND PARKING AREAS WITHIN THE JURISDICTION OF THE TRIBE. NO PERSON MAY OPERATE A MOTOR VEHICLE WITHIN THE TRIBE'S RESERVATION IN VIOLATION OF ANY SUCH REGULATION.
- D. THE POLICE DEPARTMENT IS HEREBY AUTHORIZED TO ENTER EMERGENCY ORDERS PROHIBITING TRAFFIC OR PARKING ON ANY STREET OR ROAD OR PORTION THEREOF WITHIN THE TRIBE'S RESERVATION WHEN CONDITIONS SO REQUIRE. THE POLICE DEPARTMENT SHALL GIVE SUCH NOTICE OF ANY EMERGENCY ORDER AS IS REASONABLE UNDER THE CIRCUMSTANCE. A VIOLATION OF ANY EMERGENCY ORDER ENTERED PURSUANT TO THIS SUBSECTION SHALL BE A CIVIL INFRACTION PUNISHABLE BY A CIVIL FINE.
- E. IF NECESSARY FOR THE REMOVAL OF SNOW OR THE SAFETY OF THE PUBLIC, THE POLICE DEPARTMENT MAY ORDER A MOTOR VEHICLE PARKED IN VIOLATION OF ANY TRAFFIC OR PARKING REGULATION PRESCRIBED BY THIS CODE, OR AN EMERGENCY ORDER ENTERED PURSUANT TO SUB. (5), TO BE REMOVED AND STORED AT THE OWNER'S EXPENSE.

SEC. 402. EQUIPMENT OF VEHICLES.

- A. NO PERSON MAY OPERATE A MOTOR VEHICLE WITHIN THE RESERVATION IN VIOLATION OF THE VEHICLE EQUIPMENT PROVISIONS OF THE MICHIGAN MOTOR VEHICLE CODE, M.C.L. 257.1 ET SEQ.
- B. ALL PROVISIONS OF THE MICHIGAN MOTOR VEHICLE CODE

RELATED TO THE EQUIPMENT OF VEHICLES, INCLUDING WITHOUT LIMITATION M.C.L. 257.683 THROUGH .715A, ARE HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.

- C. NO PERSON MAY OPERATE A MOTOR VEHICLE WITHIN THE RESERVATION IN VIOLATION OF ANY SUCH REGULATION. A VIOLATION OF SUCH A REGULATION SHALL CONSTITUTE A CIVIL INFRACTION.

SEC. 403. SIZE, WEIGHT AND LOAD.

- A. NO PERSON MAY OPERATE A MOTOR VEHICLE WITHIN THE RESERVATION IN VIOLATION OF THE VEHICLE SIZE, WEIGHT AND LOAD PROVISIONS CONTAINED IN THE MICHIGAN MOTOR VEHICLE CODE, M.C.L. 257.1 ET SEQ..
- B. ALL PROVISIONS OF THE MICHIGAN MOTOR VEHICLE CODE RELATED TO SIZE, WEIGHT AND LOAD RESTRICTIONS ON MOTOR VEHICLES, INCLUDING WITHOUT LIMITATION M.C.L. 257.716 THROUGH .750, ARE HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.
- C. THE POLICE DEPARTMENT IS HEREBY AUTHORIZED TO SET AND POST SIZE, WEIGHT AND LOAD RESTRICTIONS ON TRIBALLY MAINTAINED ROADS WITHIN THE RESERVATION. REGULATIONS ESTABLISHING SUCH RESTRICTIONS SHALL BE PRESENTED TO THE TRIBAL COUNCIL FOR APPROVAL.
- D. NO PERSON MAY OPERATE A MOTOR VEHICLE WITHIN THE RESERVATION IN VIOLATION OF ANY SUCH REGULATION. A VIOLATION OF SUCH A REGULATION SHALL CONSTITUTE A CIVIL INFRACTION.

SEC. 404. PARKING REGULATIONS.

- A. *OFFENSES.* NO PERSON SHALL PARK A VEHICLE, EXCEPT IF NECESSARY TO AVOID CONFLICT WITH OTHER TRAFFIC OR IN COMPLIANCE WITH THE LAW OR THE DIRECTIONS OF AN OFFICER OR TRAFFIC-CONTROL DEVICE, IN ANY OF THE FOLLOWING PLACES:

1. ON A SIDEWALK.
2. IN FRONT OF A PUBLIC OR PRIVATE DRIVEWAY BLOCKING ENTRY OR EXIT FROM SAID DRIVEWAY.
3. WITHIN AN INTERSECTION.
4. WITHIN FIFTEEN (15) FEET OF A FIRE HYDRANT.
5. ON A CROSSWALK.
6. WITHIN TWENTY (20) FEET OF A CROSSWALK, OR IF THERE IS NOT A CROSSWALK, THEN WITHIN FIFTEEN (15) FEET OF THE INTERSECTION OF PROPERTY LINES AT AN INTERSECTION OF HIGHWAYS.
7. IN A PARKING SPACE CLEARLY IDENTIFIED BY AN OFFICIAL SIGN AS BEING RESERVED FOR USE BY HANDICAPPERS WHICH IS ON PUBLIC PROPERTY OR PRIVATE PROPERTY AVAILABLE FOR PUBLIC USE, UNLESS THE PERSON IS A HANDICAPPER AS DEFINED IN CHAPTER 2 OR UNLESS THE PERSON IS PARKING THE VEHICLE FOR THE BENEFIT OF A HANDICAPPER. IN ORDER FOR THE VEHICLE TO BE PARKED IN THE PARKING SPACE, THE VEHICLE SHALL DISPLAY ONE (1) OF THE FOLLOWING:
 - (a) A CERTIFICATE OF IDENTIFICATION OR WINDSHIELD PLACARD ISSUED UNDER MCLA 257.675 TO A HANDICAPPER.
 - (b) A SPECIAL REGISTRATION PLATE ISSUED PURSUANT TO MCLA 257.803D TO A HANDICAPPER.
 - (c) A SIMILAR SPECIAL CERTIFICATE OF IDENTIFICATION OR WINDSHIELD PLACARD ISSUED BY THE TRIBE TO A HANDICAPPER.
 - (d) A SIMILAR REGISTRATION PLATE ISSUED BY THE TRIBE TO A HANDICAPPER.
 - (e) A SPECIAL REGISTRATION PLATE TO WHICH A HANDICAPPER TAB IS ATTACHED ISSUED UNDER THE MICHIGAN MOTOR VEHICLE CODE.
8. IN A FIRE LANE OR AREA MARKED FOR INGRESS AND EGRESS BY EMERGENCY VEHICLES.
9. WITHIN TWENTY (20) FEET OF THE DRIVEWAY ENTRANCE TO A FIRE STATION AND ON THE SIDE OF A STREET OPPOSITE THE ENTRANCE TO A FIRE STATION WITHIN SEVENTY-FIVE (75) FEET OF THE ENTRANCE IF PROPERTY MARKED BY AN OFFICIAL SIGN.

10. ALONGSIDE OR OPPOSITE A STREET EXCAVATION OR OBSTRUCTION, IF THE STOPPING, STANDING OR PARKING WOULD OBSTRUCT TRAFFIC.
 11. ON THE ROADWAY SIDE OF A VEHICLE STOPPED OR PARKED AT THE EDGE OR CURB OF A ROADWAY.
 12. AT A PLACE WHERE AN OFFICIAL SIGN PROHIBITS STOPPING OR PARKING.
 13. IN A PLACE OR IN A MANNER WHICH BLOCKS OR HAMPERS THE IMMEDIATE USE OF AN IMMEDIATE EGRESS FROM AN EMERGENCY EXIT OR FIRE ESCAPE CONSPICUOUSLY MARKED AS AN EMERGENCY EXIT OR FIRE ESCAPE FROM A BUILDING.
 14. WITHIN FIVE-HUNDRED (500) FEET OF A FIRE WHEN EMERGENCY SERVICE VEHICLES OR PERSONNEL ARE PRESENT. HOWEVER, VOLUNTEER FIRE FIGHTERS RESPONDING TO THE FIRE MAY PARK WITHIN FIVE-HUNDRED (500) FEET OF THE FIRE IN A MANNER NOT TO INTERFERE WITH EMERGENCY SERVICES PERSONNEL AT THE SCENE. A VEHICLE PARKED LEGALLY PREVIOUS TO THE FIRE IS EXEMPTED FROM THIS SUBSECTION.
 15. IN VIOLATION OF AN OFFICIAL SIGN RESTRICTING THE PERIOD OF TIME FOR, OR MANNER OF, PARKING.
 16. ON A STREET OR HIGHWAY IN SUCH A WAY AS TO OBSTRUCT THE DELIVERY OF MAIL TO A RURAL MAILBOX BY A CARRIER OF THE UNITED STATES POSTAL SERVICE.
 17. OUTSIDE THE BOUNDARIES OF LINES SO DESIGNATED FOR PARKING WITHIN PARKING LOTS OR OTHERWISE.
- B. REMOVAL OF ILLEGALLY PARKED VEHICLE. WHENEVER AN OFFICER FINDS A VEHICLE IN VIOLATION OF THIS SECTION, SUCH OFFICER IS AUTHORIZED TO REMOVE SUCH VEHICLE, OR REQUIRE THE DRIVER OR OTHER PERSON IN CHARGE OF THE VEHICLE TO MOVE THE SAME TO A POSITION DEEMED TO BE LEGAL PARKING. ANY COSTS ASSOCIATED WITH REMOVAL OF SUCH A VEHICLE SHALL BE THE RESPONSIBILITY OF THE DRIVER, OWNER OR LESSEE OF THE VEHICLE AS MAY BE DETERMINED TO BE APPLICABLE BY THE TRIBAL COURT.*

- C. *PENALTY.* A VIOLATION OF ANY PROVISION OF THIS SECTION SHALL CONSTITUTE A CIVIL INFRACTION PUNISHABLE BY A CIVIL FINE IN ACCORDANCE WITH THE FINE SCHEDULE ADOPTED BY THE TRIBAL COUNCIL.

SEC. 405. OFF ROAD RECREATION VEHICLES.

- A. NO PERSON SHALL OPERATE AN OFF ROAD RECREATION VEHICLE WITHIN THE RESERVATION IN VIOLATION OF ANY PROVISION OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, M.C. L. 324.81101 ET SEQ.
- B. ALL PROVISIONS OF THE NATURAL RESOURCES ENVIRONMENTAL PROTECTION ACT, M.C. L. 324.81101 THROUGH .81150 ARE HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.
- C. THE POLICE DEPARTMENT IS HEREBY AUTHORIZED TO ESTABLISH AND POST REGULATIONS GOVERNING THE OPERATION OF OFF ROAD RECREATION VEHICLES WITHIN THE RESERVATION. REGULATIONS ESTABLISHED BY THE POLICE DEPARTMENT SHALL BE PRESENTED TO THE TRIBAL COUNCIL FOR APPROVAL.
- D. NO PERSON MAY OPERATE AN OFF ROAD RECREATION VEHICLE WITHIN THE RESERVATION IN VIOLATION OF ANY SUCH REGULATION. SUCH VIOLATIONS CONSTITUTE CIVIL INFRACTIONS PUNISHABLE BY A CIVIL FINE.

SEC. 406. SNOWMOBILES.

- A. NO PERSON SHALL OPERATE A SNOWMOBILE WITHIN THE RESERVATION IN VIOLATION OF ANY PROVISIONS OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, M.C.L. 324.82101 ET SEQ..
- B. ALL PROVISIONS OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, RELATING TO THE OWNERSHIP AND OPERATION OF SNOWMOBILES, INCLUDING WITHOUT LIMITATION M.C.L. 324.821011 THROUGH .82159, ARE HEREBY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.

- C. THE POLICE DEPARTMENT IS HEREBY AUTHORIZED TO ESTABLISH AND POST REGULATIONS GOVERNING THE OPERATION OF SNOWMOBILES WITHIN THE RESERVATION. REGULATIONS ESTABLISHED BY THE POLICE DEPARTMENT SHALL BE PRESENTED TO THE TRIBAL COUNCIL FOR APPROVAL.
- D. NO PERSON MAY OPERATE A SNOWMOBILE WITHIN THE RESERVATION IN VIOLATION OF ANY SUCH REGULATION.

SUCH VIOLATIONS SHALL CONSTITUTE CIVIL INFRACTIONS PUNISHABLE BY A CIVIL FINE.

- E. NO PERSON SHALL OPERATE A SNOWMOBILE WITHIN THE RESERVATION UNLESS EACH PERSON ABOARD THE SNOWMOBILE IS WEARING A PROTECTIVE HELMET. A VIOLATION OF THIS SUBSECTION SHALL BE A CIVIL INFRACTION PUNISHABLE BY A CIVIL FINE OF NOT TO EXCEED \$150.00.

SEC. 407. EFFECT OF INCORPORATION BY REFERENCE. WHENEVER ANY PROVISION OF STATE LAW IS INCORPORATED HEREIN BY REFERENCE, SUCH INCORPORATION IS NOT INTENDED TO BE LIMITED TO THE LAW INCORPORATED IN EFFECT UPON THE EFFECTIVE DATE OF THIS CHAPTER, BUT SHALL INCLUDE ALL FUTURE AMENDMENTS AND ADDITIONS TO SUCH LAW AS MAY FROM TIME TO TIME THEREAFTER BE MADE.

SEC. 408. JURISDICTION AND PROCEDURE.

- A. JURISDICTION IS HEREBY CONFERRED UPON THE TRIBAL COURT OVER PROSECUTIONS FOR CRIMINAL VIOLATIONS AND CIVIL INFRACTIONS OF THIS CODE.
- B. VIOLATIONS OF THIS CODE WHICH CONSTITUTE A CRIME UNDER THE MICHIGAN MOTOR VEHICLE CODE, M.C.L. '257.1 ET SEQ., SHALL BE TREATED IN THE FOLLOWING MANNER FOR PURPOSES OF THIS CODE:
 - 1. SUCH VIOLATIONS SHALL CONSTITUTE CRIMINAL VIOLATIONS OF THIS CODE IF COMMITTED BY A MEMBER, ANY OTHER INDIAN, OR ANY OTHER PERSON TO THE EXTENT THAT SUCH JURISDICTION IS PERMITTED BY FEDERAL LAW.
 - 2. SUCH VIOLATIONS SHALL CONSTITUTE CIVIL INFRACTIONS

OF THIS CODE IF COMMITTED BY ANY PERSON OVER WHOM THE TRIBE IS NOT PERMITTED BY FEDERAL LAW TO EXERCISE CRIMINAL JURISDICTION. SUCH VIOLATIONS SHALL BE PUNISHABLE BY A CIVIL FINE AS PROVIDED IN SUB. (C). NO IMPRISONMENT OR OTHER PENAL DISCIPLINE SHALL BE IMPOSED BY SUCH CIVIL INFRACTIONS.

C. VIOLATIONS OF THIS CODE WHICH CONSTITUTE CIVIL INFRACTIONS UNDER THE MICHIGAN MOTOR VEHICLE CODE, M.C.L.257.1 ET SEQ., OR WHICH ARE TREATED AS CIVIL INFRACTIONS UNDER SUB. (B)(2), OR WHICH ARE DENOMINATED AS CIVIL INFRACTIONS BY THIS CODE, SHALL CONSTITUTE CIVIL INFRACTIONS OF THIS CODE PUNISHABLE BY A CIVIL FINE WHICH IS THE LESSER OF:

1. THE AMOUNT SPECIFICALLY PROVIDED FOR THE OFFENSE IN THIS CODE; OR
2. THE AMOUNT SPECIFICALLY PROVIDED FOR THE OFFENSE IN A CIVIL PENALTY SCHEDULE APPROVED BY THE TRIBAL COUNCIL; OR
3. THE MAXIMUM FINE OR OTHER PENALTY WHICH MAY BE IMPOSED FOR VIOLATION OF THE COGNATE PROVISION OF THE MICHIGAN MOTOR VEHICLE CODE.

D. NOTICE OF ANY CONVICTION UNDER THIS CODE SHALL BE SENT BY THE ADMINISTRATOR OF THE TRIBAL COURT TO THE MICHIGAN SECRETARY OF STATE WHEN APPLICABLE PURSUANT TO THE LAWS OF THE STATE OF MICHIGAN OR ANY AGREEMENT BETWEEN THE TRIBE AND THE STATE OF MICHIGAN OR THE MICHIGAN SECRETARY OF STATE.

E. PROCEEDINGS FOR CRIMINAL VIOLATIONS OF THIS CODE SHALL BE GOVERNED BY THE LAW AND ORDER CODE, CHAPTER III – CRIMINAL PROCEDURES CODE.

F. PROCEEDINGS INVOLVING CIVIL INFRACTIONS OF THIS CODE MAY BE INSTITUTED BY THE ISSUANCE OF A TRIBAL UNIFORM TRAFFIC CITATION ISSUED BY A DULY AUTHORIZED PEACE OFFICER CITING A PROVISION OF TRIBAL LAW OR STATE LAW INCORPORATED BY REFERENCE INTO THIS CODE.

SEC. 409. ENFORCEMENT AND PENALTIES.

- A. THE PROVISIONS OF THIS CODE SHALL BE ENFORCED BY ALL TRIBAL LAW ENFORCEMENT OFFICERS. IN ADDITIONS, EVERY OFFICER EMPOWERED BY THE STATE OF MICHIGAN TO ISSUE UNIFORM TRAFFIC CITATIONS FOR VIOLATION OF MICHIGAN TRAFFIC LAWS IS HEREBY AUTHORIZED TO ENFORCE THE PROVISIONS OF THIS CODE AND ISSUE CITATIONS TO TRIBAL COURT.

- B. IN ADDITION TO THE CIVIL OR CRIMINAL PENALTIES AUTHORIZED BY THIS CODE, THE TRIBAL COURT MAY ALSO SUSPEND OR REVOKE DRIVING PRIVILEGES WITHIN THE RESERVATION IN ACCORDANCE WITH THE MICHIGAN MOTOR VEHICLE CODE, M.C.L. 257.1 ET SEQ.

- C. IN ADDITION TO ANY PENALTY IMPOSED BY THE TRIBAL COURT, THE COURT UPON CONVICTION SHALL ORDER PAYMENT OF COURT FEES AND COSTS IN THE AMOUNT OF DETERMINED BY THE TRIBAL COURT.

ADDENDUM 1
NOTTAWASEPPI HURON BAND OF THE POTAWATOMI
MOTOR VEHICLE CODE - SCHEDULE OF FINES AND FEES

- ALL FINES AND COSTS ARE DIVIDED AS FOLLOWS: 2/3 IS THE FINE, 1/3 TO COURT COSTS AND \$5 TO A VICTIM'S FUND.

SPEED 1 TO 5 OVER	\$ 95
SPEED 6 TO 15 OVER	\$125
SPEED 16-19 OVER	\$155
SPEED 20+ OVER	\$245
VIOLATION OF BASIC SPEED LAW	\$ 95
NO VALID OPERATOR'S LICENSE ON PERSON	\$ 95
CARELESS DRIVING	\$245
DISOBEY A STOP SIGN	\$125
DISOBEY A TRAFFIC CONTROL DEVICE	\$125
DRIVE LEFT OF CENTER	\$125
FAIL TO SIGNAL FOR TURN	\$125
FAIL TO YIELD	\$125
IMPROPER LANE USE	\$125
IMPROPER TURN	\$125
IMPROPER PASSING	\$125
DRIVE WRONG WAY ON A ONE WAY STREET	\$125
IMPROPER USE OF LIGHTS	\$125
PARKING IN A HANDICAP ZONE	\$155
OTHER PARKING VIOLATIONS	\$ 25
SEAT BELT VIOLATION	\$ 65
CHILD RESTRAINT VIOLATION	\$100
VEHICLE EQUIPMENT VIOLATIONS	*\$100

(*WAIVED IF REPAIRED WITHIN 14 DAYS CALENDAR DAYS)