

NORTHERN CHEYENNE TRIBAL COUNCIL
NORTHERN CHEYENNE RESERVATION
LAME DEER, MONTANA

ORDINANCE NO. 9 (97)

AN ORDINANCE OF THE NORTHERN CHEYENNE TRIBAL COUNCIL ESTABLISHING
A TRIBAL SAFETY BELT ORDINANCE ON THE NORTHERN CHEYENNE INDIAN
RESERVATION.

WHEREAS, the Northern Cheyenne Tribal Council is aware and
concerned about the number of motor vehicle accidents within the
boundaries of the Northern Cheyenne Reservation, and the deaths,
injuries, and costs associated with such accidents; and,

WHEREAS, the use of safety belts and infant/child passenger
restraints have proven to be an effective method of reducing motor
vehicle deaths, injuries, and costs; now,

THEREFORE, BE IT ORDAINED that the Northern Cheyenne Tribal Council
hereby approves the Northern Cheyenne Tribal Safety Belt Ordinance;
and

BE IT FURTHER ORDAINED that violation of Sections 300 and 400 of
the Northern Cheyenne Safety Belt Ordinance shall be a primary
offense, meaning motor vehicles can be stopped and the operator
cited if any Northern Cheyenne law enforcement official observes
front or rear occupants not wearing safety seat belts or not
utilizing infant/child passenger restraints.

PASSED, ADOPTED AND APPROVED by the Northern Cheyenne Tribal
Council by 6 votes for passage and adoption, 2 votes against
passage and adoption and 1 abstention this 21st day of April, 1997.

Norma Bourneau
William Walks Along, President
Northern Cheyenne Tribal Council

ATTEST:

Sharlene Evans
Sharlene Evans, Secretary
Northern Cheyenne Tribal Council

NOTED

John S. [Signature]
SUPERINTENDENT

NORTHERN CHEYENNE TRIBAL SAFETY BELT ORDINANCE

Section 100: SAFETY BELTS REQUIRED

No driver may operate a motor vehicle upon a public road of the Northern Cheyenne Reservation unless each occupant of a designated seating position for which a seat belt is available is wearing properly adjusted and fastened seat belt or is in compliance with Section 400.

Section 200: SAFETY BELTS - TYPE AND MANNER OF INSTALLATION

Safety belt type and installation specifications shall meet the standards as currently established by the National Highway Traffic Safety Administration.

Section 300: SAFETY BELT REQUIREMENT IN PASSENGER VEHICLES

Violation of Sections 300 and 400 shall be a primary offense, meaning motor vehicles can be stopped and the operator cited by a Law Enforcement official of the Northern Cheyenne Reservation who observes from front or rear occupants not wearing safety belts and/or utilizing infant/child passenger restraints. The use of safety belts in passenger vehicles shall be mandatory as follows:

- a. Front and rear seat occupants of all passenger vehicles shall have a safety belt properly fastened about his/her body at all times when the vehicle is in motion on a public road on the Northern Cheyenne Reservation.
- b. Violators of this section are subject to a civil assessment fee of twenty-five (25) dollars per incident.
- c. Evidence of violation of this section be admissible for a purpose of mitigation of damages, appointment of damages or comparative fault, or other issues as determined by the court, with respect to any person who is involved in an accident and seeks to recover damages for injuries resulting from the accident.

Section 400: INFANT/CHILD PASSENGER RESTRAINTS

Any parent, guardian, or custodian of an infant or child four (4) year of age or younger, when transporting this child in a non-commercial motor vehicle operated on any public road of the Northern Cheyenne Indian Reservation shall properly secure the child in a child restraint system. The restraint system shall meet Federal Motor Vehicle Safety Standard Number 213, which requires

the following information.

1. On a permanent label attached to the restraint, the statement "This child restraint system conforms to all applicable Federal Motor Vehicle Safety Standards; and
2. On a permanent label, attached to the restraint, the manufacturers recommendations of the minimum and maximum weight and height of the child who can safely occupy the system; and
3. Printed installation instruction with step-by-step procedures, including diagrams of installing the system in a motor vehicle, positioning the child in the system, and adjusting the system to fit the child.

Section 400A: CHILD SAFETY

It will be unlawful for any child to be in the bed of a truck without an adult in the bed of the truck with them.

Violators of this section are subject to a civil assessment fee of twenty-five (25) dollars.

Section 500: ENFORCEMENT PERIOD

A twelve (12) month grace period shall begin upon the effective date of this ordinance, said effective date to be the date when the Northern Cheyenne Tribal Council signs the resolution approving this ordinance, during which time the law enforcement agents shall define only warnings to violators of these laws.

Section 600: EDUCATION

Henceforth, all steps shall be taken to educate the public regarding said seat belt law, and the benefits of wearing seat belts and infant/child passenger restraints.

1. Public hearings in all five (5) districts, education of communities, show video.
2. Station clinics at given times and location to have vehicles inspected, seat belt safety. If they pass label with Cheyenne design certifying has passed seat belt safety inspection. If repairs are needed or malfunction, give information where seat belts can be repaired or replaced. Give that year's time to have repairs done. Re-inspect by sanitation or police staff to pass. Sticker put on vehicle certifying.