

**Act 62-24**

A Bill for an act amending Title 19 to modify fees assessed by the Deputy Registrar. The bill also amends Title 19 to add a new section clarifying the process of changing a license plate without registration.

The District II Representative introduced the following Bill on the 13th day of November, 2024.

**BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:**

**Section 1. Amending Title 19, chapter 1.**

**§ 2. Definitions.**

- (h) **Recreational Trailer** – means a cabin trailer, collapsible cabin trailer, tent trailer, camping trailer; a trailer used to transport recreational equipment such as a snowmobile, watercraft, fishing and hunting equipment, off-road motorcycle or a bicycle, designed or intended to be drawn on the highway by an automobile or light truck that has a gross towing vehicle weight of less than 10,000 pounds.

**§ 9. Deputy Registrar of Motor Vehicles.**

- (b) The Deputy Registrar of Motor Vehicles shall collect fees of \$10.00 per vehicle registration and \$10.00 per issuance of certificate of title. These fees shall be in addition to the fees imposed by 19 MLBS § 109.

**Section 2. Amending Title 19, chapter 2, subchapter 1.**

**§ 104. Penalties.**

Any person violating 19 MLBS § 101(a) may be fined not more than \$100.00. In addition to imposing the penalty, the Court shall order the offender to make application for registration or reregistration and to pay the fee thereof.

**§ 106. Application for Registration.**

**§ 108. Contents, Issuance and Display of Certificates of Registration; Issuance of Duplicate Certificate.**

- (b) The Deputy Registrar shall issue a duplicate certificate of registration upon application thereof by any person in whose name the vehicle is registered and upon payment of a fee of \$10.00.

**§ 109. Annual Registration Fees.**

- (a) A registration fee as herein set forth shall be paid for all motor vehicles, not exempted by 10 MLBS § 102, using the public streets or roads of the Mille Lacs Reservation for each calendar year on the following basis:
- (1) During the first three years of vehicle life \$115.00 per calendar year.
  - (2) During the fourth through seventh years of vehicle life \$67.00 per calendar year.
  - (3) During the eighth and succeeding years of vehicle life \$46.00 per calendar year.
  - (4) A registration fee of \$25.00 shall be paid for all motorcycles using the public streets and roads of the Mille Lacs Reservation for each calendar year.
  - (5) A two-wheeled utility trailer shall be registered annually for \$25.00 or for a one-time registration fee of \$50.00.
  - (6) Any recreational trailer with a gross weight of 3,000 pounds or less shall be registered annually for \$25.00 or for a one-time fee of \$50.00. Any recreational trailer with a gross weight of more than 3,000 pounds shall be registered annually for \$25.00 or for a one-time fee of \$100.00.

**§ 111. When Registration to be Suspended.**

- (c) Whenever the registration of a vehicle is suspended under this section, the owner or person in possession of the registration plates shall forthwith return them to the Mille Lacs Band. Any person who fails to return the plates as required by this section shall pay a fine of \$100.00.

**Section 3. Amending Title 19, chapter 2, subchapter 2.**

**§ 143. Display of Registration Plates.**

- (c) If anyone is found to violate the following, he or she shall pay a fine of \$100.00:

**§ 144. Issuance of Duplicate Plates.**

- (a) Whenever a current registration plate is lost, stolen, or destroyed, the owner of the vehicle to which the plate was attached shall immediately apply to the Deputy Registrar for replacement. The Deputy Registrar shall document the loss or theft of any plate and shall not issue a plate with that number again. The Deputy Registrar shall issue a replacement plate once the owner of the vehicle provides satisfactory proof of the loss, theft, or destruction of the plate; pays a fee of \$10.00; pays the cost

of replacement; and completes a form documenting the loss, theft, or destruction of the plate.

- (b) Whenever a current registration plate becomes illegible, the owner of the vehicle to which the plate is attached shall apply to the Deputy Registrar for a replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of all costs and a fee of \$10.00, the Deputy Registrar shall issue a replacement. Upon receipt of his replacement plate, the applicant shall forthwith surrender to the Deputy Registrar his illegible plate.
- (d) Any person issued replacement plates who fails to surrender his or her illegible plates as required by subsection (c) within 30 calendar days of issuance of the replacement plates, shall pay a fine of \$50.00.

**Section 4. Amending Title 19, chapter 2, subchapter 2 to add a new section.**

**§ 146. Change of License Plate Without Registration.**

A person may request a change of license plate outside their required annual registration. The first time a person requests a change of license plate outside their registration date, they shall pay \$10.00. If a person requests a change of license plate outside their registration date more than once, they shall pay \$10.00 each time they request a change to their license plate.

**Section 5. Amending Title 19, chapter 3, subchapter 1.**

**§ 209. Fees.**

The Secretary shall be paid the following fees:

- (a) For filing an application for the first certificate of title, \$10.00 by the owner of the vehicle.
- (b) For the original notation and subsequent release of each security interest noted upon a certificate of title, a single fee of \$10.00 by the owner of the vehicle.
- (c) For a duplicate certificate of title, \$10.00 by the owner of the vehicle.

**Section 6. Amending Title 19, chapter 3, subchapter 2.**

**§ 244. Penalties.**

- (a) An owner of a vehicle for which a certificate of title has been issued, who upon transfer of the vehicle fails to execute and deliver the assignment and warranty of title required by 19 MLBS § 241(a) shall pay a fine of \$50.00.

- (b) Any transferee of a vehicle who fails to make an application for a new certificate of title within 14 calendar days of the transfer to her or him of a vehicle shall pay a fine of \$100.00. A certificate is considered to have been applied for when the application accompanied by the required fee has been delivered to the Deputy Registrar or deposited in the mail properly addressed with postage required.

**Section 7. Amending Title 19, chapter 2, subchapter 3.**

**§ 274. Release of Security Interest.**

- (a) Whenever there is no outstanding obligation and no commitment to make advances, incur obligations or otherwise give value, secured by the security interest in a vehicle under any security agreement between the owner and the secured party, the secured party shall execute and deliver to the Deputy Registrar a release of the security interest in the form and manner prescribed by the Secretary. If the secured party fails to execute and deliver such a release within ten (10) calendar days after receipt of the owner's written demand therefore he or she shall be liable to the owner for \$50.00 and for any loss caused to the owner by such failure.

**§ 276. Owner's Duties.**

**Section 8. Amending Title 19, chapter 4.**

**§ 304. Improper Use of Evidence of Registration.**

Any person who does any of the following shall pay a fine of \$50.00:

**§ 305. False Evidence of Registration.**

Whoever operates or has in his possession a motor vehicle, mobile home, trailer or semitrailer or other vehicle subject to registration which has attached thereto any plate or similar device fashioned in imitation of or altered so as to resemble the current registration plate issued by the Mille Lacs Band shall pay a fine of \$50.00.

**Section 9. Amending Title 19, chapter 5.**

**§ 401. Driver's License.**

- (a) Any person who shall drive or operate any motor vehicle which is self-propelled and any vehicle propelled or drawn by a self-propelled vehicle, and not deriving its power from overhead wires with the exception of snowmobiles, shall do so under a valid license issued by any domestic or foreign Department of Public Safety. Any privilege to operate a motor vehicle which is suspended by the Commissioner of Public Safety shall also suspend said right on roads under the jurisdiction of the Band. Any person who shall operate any motor vehicle without a license, shall be deemed guilty of an offense and upon conviction thereof, shall pay a fine of \$500.00.

- (b) Any person who is licensed in good standing to operate a motor vehicle shall have his/her license in her or his immediate possession at all times when operating a motor vehicle and shall display the same upon demand of an officer authorized by law to enforce provisions of this title. However, no person shall be found guilty of a lack of possession offense if he shall produce a valid driver's license to the Law Enforcement Administration within five (5) calendar days of the date of a citation. Any person who fails to produce a valid driver's license shall be deemed guilty of an offense, and upon conviction thereof, shall pay a fine of \$200.00, and be required to post an assurance bond in an amount deemed appropriate by the Court.
- (c) Any person whose driver's license or driving privilege has been suspended shall not operate a motor vehicle under any loan, lease or rental conditions from any licensed owner of a motor vehicle, except under conditions of emergency medical care for another person. Any person who shall so act, shall be deemed guilty of an offense, and upon conviction thereof, shall pay a fine of \$500.00.

**§ 402. Insurance.**

- (a) Any person who shall own a motor vehicle of a type which is required to be registered under the laws of the Non-Removable Mille Lacs Band of Chippewa Indians or licensed or is principally garaged on lands under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians shall maintain during the period in which operation or use is contemplated a plan of reparation insuring against loss resulting from liability imposed by law for injury and property damage sustained by any person arising out of the ownership, maintenance, operation or use of the motor vehicle. The non-resident owner of a motor vehicle which is not required to be registered or licensed, or which is not principally garaged on lands under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians, shall maintain such security in effect continuous throughout the period of operation, maintenance or use of such motor vehicle on the roads under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians with respect to accidents that occur on lands under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians. Any person who shall operate a motor vehicle on lands under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians without motor vehicle insurance coverage, shall be deemed guilty of operating a motor vehicle without insurance, and upon conviction thereof, shall pay a fine of \$500.00.

**§ 403. Careful and Prudent Driving; Speed.**

- (b) No person shall drive a vehicle on any road under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so restricted as may be necessary to avoid colliding with any person, vehicle or other conveyance on or

entering the roads in compliance with the legal requirement and the duty of all persons to use due care.

- (c) Where no special hazard exists, a speed limit of 30 miles per hour shall be lawful, but any speeds in excess of such limit shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful. Whosoever violates the provisions of this subsection shall be deemed guilty of a speeding offense, and upon conviction thereof, shall pay a fine of \$200.00 for the first offense, and an additional \$200.00 for each conviction thereafter. Any person whom the Court deems to be a habitual speeder after two convictions within a six-month period of time shall be required to forfeit driving privileges and to post an assurance bond in the amount of \$500.00.

#### **§ 404. Reckless Driving.**

Any person who drives or operates any motor vehicle, or any other vehicle, including a snowmobile and three-wheel vehicle, in a manner dangerous to the public safety, shall be deemed guilty of an offense of reckless driving, and upon conviction thereof, shall pay a fine of \$500.00. Additionally, at the discretion of the Court, the privilege to operate a motor vehicle on any road under the jurisdiction of the Band may be suspended for a period not to exceed 180 days.

#### **§ 405. Driving Under Influence of Alcohol or Controlled Substance.**

Any person who shall operate, drive or be in physical control of any motor vehicle on the roads under the jurisdiction of the Non-Removable Mille Lacs Band of Chippewa Indians, when such person is under the influence of alcohol, or when such person is under the influence of a controlled substance, or when such person is under the influence of any combination of the above two conditions, or when any such person's alcohol concentration is 0.10 or more, shall be deemed guilty of driving under the influence, and upon conviction thereof, shall pay a fine of \$500.00, and may be required to post an assurance bond in an amount at the discretion of the Court.

#### **§ 406. Open Bottle Law.**

Any person who shall have in his/her possession on his person while in a private motor vehicle upon the roads under the jurisdiction of the Band, any bottle or receptacle containing intoxicating liquor or non-intoxicating malt liquor which has been opened, or the seal broken, or the contents of which have been partially removed. Additionally, no person shall drink or consume intoxicating liquors or non-intoxicating malt liquor in any motor vehicle when such vehicle is upon the roads under the jurisdiction of the Band. A utility compartment or glove compartment shall be deemed to be the same as "on his or her person." A person who violates the provisions of this section shall be deemed guilty of an open bottle offense, and upon conviction thereof, shall pay a fine of \$500.00.

#### **§ 407. Parking in Restricted Area.**

Any employee who shall park her or his vehicle in a restricted area in violation of any order lawfully issued by the Commissioner of Administration, shall be liable upon conviction for a fine of \$50.00. The Commissioner of Administration is hereby authorized to promulgate regulations governing all parking areas of employees' vehicles during employment hours. All regulations of the Commissioner of Administration shall be effective ten (10) calendar days after public posting in officially designated areas or five (5) calendar days after an electronic notification has been sent to employees. The Commissioner of Administration shall by order, designate an area of each band-owned building for such notices no later than Friday, October 3, 1986.

#### **§ 437. Fine.**

The Court of Central Jurisdiction, shall impose a fine of \$50.00 for each violation of the provisions of Minnesota Statutes Chapter 169 relating to highway traffic regulations that have been incorporated by reference as traffic regulations of the Mille Lacs Band of Chippewa Indians upon conviction of violating any said regulation. This section applies only to violations found in 19 MLBS §§ 402(b), 408-436, and 504(b).

#### **§ 438. Guilty Plea.**

Any person cited by a law enforcement officer of the Mille Lacs Band for violation of traffic regulations found in 19 MLBS §§ 402(b), 408-436, and 504(b) who desires to plead guilty and forego judicial process may pay a fine of \$50.00 for each such violation. Payment of the fine constitutes an admission of guilt.

#### **Section 10. Amending Title 19, chapter 7.**

#### **§ 603. License Plates for Handicapped Persons.**

- (d) A certificate must be made of plastic or similar durable material, must be distinct from certificates issued before January 1, 1988, and must bear its expiration date prominently on its face. A certificate issued to a temporarily disabled person must display the date of expiration of the duration of the disability, as determined under subsection (a). Each certificate must have printed on the back a summary of the parking privileges and restrictions that apply to each vehicle in which it is used. The Deputy Registrar may charge a fee of \$10.00 for a duplicate to replace a lost, stolen, or damaged certificate.
- (e) If a peace officer finds that the certificate is being improperly used, the officer shall report the violation to the law enforcement officers of the Non-Removable Mile Lacs Band of Chippewa Indians and the Deputy Registrar may revoke the certificate. A person who uses the certificate in violation of this section, is guilty of an offense and is subject to a fine of \$500.00.

#### **§ 606. Signs; Parking Spaces to Be Free of Obstructions.**

- (b) The owner or manager of the property on which the designated parking space is located shall ensure that the space is kept free of obstruction. If the owner or manager allows the space to be blocked by snow, merchandise or similar obstruction for 24 hours after receiving a warning from a peace officer, the owner or manager is guilty of an offense and subject to a fine up to \$1000.00.

**§ 607. Penalty.**

A person who violates 19 MLBS § 605 is guilty of an offense and shall pay a fine of \$200.00. This chapter shall be enforced in the same manner as violations of other Band Statutes. Law Enforcement Officers have the authority to tag vehicles parked on reservation property in violation of 19 MLBS § 605. A physically handicapped person, or a person parking a vehicle for a handicapped person, who is charged with violating 19 MLBS § 605 because the person parked in a handicapped parking space without the required certificate or license plates, shall not be convicted if the person produces in court or before the court appearance the required certificate or evidence that the person has been issued license plates under this chapter, and demonstrate entitlement to the certificate or plates at the time of arrest or tagging.

**EFFECTIVE DATE.** This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.



**Act 62-24**  
**(Band Assembly Bill 21-02-62-24)**

Introduced to the Band Assembly on this  
Thirteenth day of November in the year  
Two thousand twenty-four.

Passed by the Band Assembly on this  
Thirteenth day of November in the year  
Two thousand twenty-four.

  
Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 11-21-24

  
Virgil Wind, Chief Executive

**OFFICIAL SEAL OF THE BAND**

