



TRIBAL COUNCIL RESOLUTION No. 2014 - 11

**RESOLUTION TO INCREASE TRAFFIC ENFORCEMENT
PENALTY ASSESSMENTS TO BE CONSISTENT WITH STATE ASSESSMENTS**

At a duly called meeting of the Tribal Council of the Pueblo of Jemez held on the 28th day of March, 2014, the following resolution was adopted:

WHEREAS, the Pueblo of Jemez is a duly recognized sovereign tribal government with a Governor and Tribal Council empowered to exercise all governmental powers, fiscal authority and tribal sovereignty; and

WHEREAS, the Governors and Tribal Council have been appointed by the traditional leadership to represent and act on behalf of the Pueblo of Jemez in all matters affecting the Pueblo and in exercise of this traditional governance function, are the voice of the Pueblo of Jemez; and

WHEREAS, The Pueblo of Jemez has a Civil Traffic Code and is currently being used citing all traffic related offenses as civil violations per the Jemez Pueblo Traffic Civil Code; and

WHEREAS, The amount of these citations is extremely low and therefore doesn't provide for a change in poor driving behaviors; and

WHEREAS, It is respectfully requested that said penalty assessments for speeding violations which have been statistically proven to cause death and or great bodily injury be increased to be consistent with the State of New Mexico assessments but still one dollar less than those assessments be approved. (See proposed assessment chart attached.); and

NOW THEREFORE BE IT RESOLVED THAT said penalty assessments for speeding violations which have been statistically proven to cause death and or great bodily injury be increased to be consistent with the State of New Mexico assessments but still one dollar less than those assessments be approved. (See proposed assessment chart attached).

Office of the Governor

4471 Highway 4, Box 100 • Jemez Pueblo • New Mexico • 87024
(575) 834-7359 • Fax (575) 834-7331

CERTIFICATION

I, THE UNDERSIGNED, as Governor of Pueblo of Jemez do hereby certify that the Jemez Tribal Council at a duly called meeting was convened and held on the 28th day of March 2014, at Pueblo of Jemez, New Mexico, approved the foregoing resolution that a quorum was present and that 8 voted for and 0 opposed and 0 abstained.


Governor Joshua Madalena

ATTEST: 55-3 PL/0
1st Lieutenant Governor

TRIBAL COUNCIL:


Joe Cajero


Jose E. Magdalena


Paul S. Chinana


Jose L. Pecos

Raymond Gachupin

David M. Toledo


Frank Loretto


Jose Toledo

J. Leonard Loretto


Michael Toledo, Jr.

Raymond Loretto

Vincent A. Toya, Sr.


James Roger Madalena

Paul Tosa

Office of the Governor



TRIBAL COUNCIL RESOLUTION No. 2009- 27

Approving Revisions to the Pueblo of Jemez Traffic Code

At a duly called meeting of the Tribal Council of the Pueblo of Jemez, the following resolution was passed:

WHEREAS, the Pueblo of Jemez is a federally recognized Indian Tribe with inherent powers of self-government and pursuant to its tribal sovereignty has the powers to legislate, enact and amend tribal laws to control the conduct and activities within its tribal lands; and

WHEREAS, the Pueblo of Jemez Tribal Council adopted by Resolution 1995-17, the Jemez Pueblo Tribal Code and inclusive in that code was the Traffic Code; and

WHEREAS, the Jemez Pueblo Law Enforcement Services, Tribal Courts and the Pueblo's legal counsel over time have had the opportunity to review the practical application of the Traffic Code and now recommend revisions to the Traffic Code.

NOW THEREFORE BE IT RESOLVED that the revisions to the Pueblo of Jemez Traffic Code, Title VII, Sections 7-1-1 to Section 7-13-7 are hereby approved and adopted as laws of the Pueblo and **shall become effective September 1, 2009**, and

BE IT FURTHER RESOLVED that the newly adopted Traffic Code supersedes all prior traffic code provisions and it shall be incorporated and made a part of the Pueblo of Jemez Tribal Code.

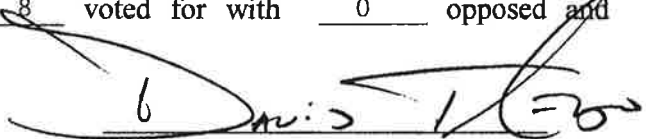
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TRIBAL COUNCIL RESOLUTION No. 2009- 27
Approving Revisions to the Pueblo of Jemez Traffic Code
Page Two

CERTIFICATION

I, the undersigned, as the Governor of the Pueblo of Jemez hereby certify that at a duly called meeting of the Tribal Council held on the 17th day of August 2009, the foregoing resolution was passed, a quorum being present and that 8 voted for with 0 opposed and 0 abstained.


Governor David M. Toledo

Attest: 
1st Lt. Governor

TRIBAL COUNCIL:

Candido Armijo

Roger Madalena

Joe Cajero

Jose L. Pecos

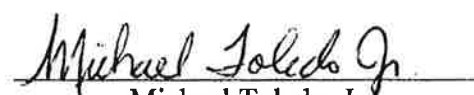

Paul S. Chinana


Arthur Sandia

Raymond Gachupin

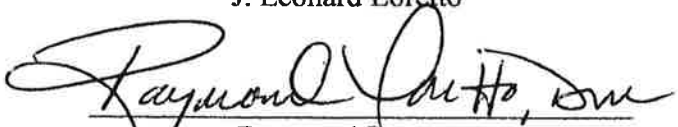
Jose Toledo

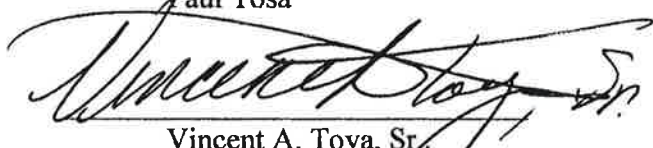

Frank Loretto

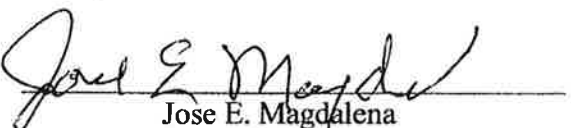

Michael Toledo, Jr.

J. Leonard Loretto


Paul Tosa


Raymond Loretto


Vincent A. Toya, Sr.


Jose E. Magdalena

Augustine Waquie



RESOLUTION NO. 2002-33
AMENDING TITLE VII TRAFFIC CODE

WHEREAS, Pursuant to Tribal Council Resolution 95-13, the Pueblo of Jemez Tribal Council adopted the Jemez Pueblo Tribal Law and Order Code subject to future amendments as provided for in the Code; and

WHEREAS, included in the Tribal Law and Order Code is Title VII – Traffic Code which was adopted as a Civil Code; and

WHEREAS, the Tribal Council has determined that certain amendments to the Traffic Code are necessary to address inadequacies in the Traffic Code.

NOW THEREFORE BE IT RESOLVED that the Pueblo of Jemez Tribal Council hereby enacts the following amendments to Title VII – Traffic Code:

Title VII – Jemez Pueblo Traffic Code

Chapter 1 – General Provisions

Section 7-1-2 INTENT is hereby amended to read as follows:

The intent of this code is to provide a means to regulate the operation of vehicles within the exterior boundaries of the Pueblo of Jemez Reservation for the protection of its residents and other persons who enter the reservation. For purposes of enforcement, all civil traffic violations committed under this code within the exterior boundaries of the Jemez Pueblo Reservation by a non-Indian shall be a civil violation and all traffic violations committed under this Code by an Indian person shall be classified as a criminal misdemeanor offense punishable pursuant to Section 7-1-5 (3) of this code.

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Section 7-1-5 – PENALTIES is hereby amended to read as follows:

1. Any person who admits to a violation of a provision of this code or who is found to have violated a provision of this code by the tribal court may be subject to assessment of a civil fine.

2. Unless the provision violated requires the assessment of a different amount, persons may be fined in an amount not in excess of \$500.00 (Five Hundred Dollars) for each and every cited violation.

3. An Indian person upon conviction of a violation under this traffic code may be incarcerated for an offense not to exceed one year or assessed a fine not to exceed \$5,000.00. The jail term or fine assessed against the Defendant shall be in the discretion of the Tribal Court based upon the facts and seriousness of each violation.


BE IT FURTHERMORE RESOLVED that these amendments are effective as of July 16, 2002.


CERTIFICATION

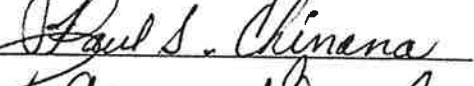
The foregoing resolution was duly adopted by the Jemez Pueblo Tribal Council with a quorum being present with 8 voting for and 0 against and 1 abstained, dated this 16th day of July, 2002.





Governor

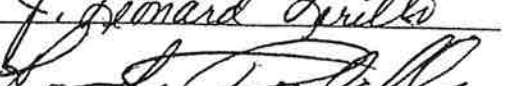
ATTEST: 

























RESOLUTION NO. 95-13

WHEREAS, The Pueblo of Jemez, a federally recognized Indian Tribe, has the powers of self-government by reason of its original tribal sovereignty, and

WHEREAS, by virtue of the Pueblo's original tribal sovereignty, the Pueblo of Jemez Tribal Council possesses the power to exercise legislative powers over the activities of all persons, Indian and Non-Indian alike, to protect tribal interests within the lands of Jemez Pueblo, and

WHEREAS, the Pueblo of Jemez Tribal Council is exercising the power to legislate and enact civil and criminal tribal laws to control the conduct and activities of tribal members and non-tribal members, and

WHEREAS, the Pueblo of Jemez Tribal Council has considered the benefits, impacts, disadvantages, and advantages to enacting the Pueblo of Jemez Tribal Law & Order Code which also includes "Exclusion & Removal of Persons", "Wildlife Conservation Code and Hunting, Fishing, & Trapping Regulations", "Repossession of Property", "Traffic Code", and "Real Estate",

WHEREAS, the Tribal Council proclaims that adopting the Pueblo of Jemez Tribal Law & Order Code along with its specific titles as our tribal laws further strengthens our Tribal Sovereignty, protects our land and resources of our Pueblo for ourselves and our children, contributes to the judicial needs of the Pueblo and provides for the orderly administration of tribal justice, and assures the maintenance of law and order on the Pueblo of Jemez, and

WHEREAS, adopting the Pueblo of Jemez Tribal Law & Order Code with its Titles does not alter, affect, or change the traditional procedures and sanctions used in our Tribal Court and neither is the Code intended to limit the powers of the Governors.

NOW THEREFORE BE IT RESOLVED that the Pueblo of Jemez Law & Order Code with comprised sections from Title I through Title VIII is hereby adopted as the tribal laws of the Pueblo of Jemez, subject to future amendments as provided in the Code, and

BE IT FURTHER RESOLVED that the Pueblo of Jemez Law & Order Code with its Titles will become effective on August 23, 1995.

Office Of The Governors

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C E R T I F I C A T I O N

I, the undersigned as Governor of the Pueblo of Jemez do hereby certify that the foregoing resolution was passed at a duly called meeting of the Tribal Council on the 23rd day of February, 1995, in which 6 voted for and 0 voted against.

Paul S. Chinana
Paul S. Chinana, Governor
Pueblo of Jemez

ATTEST: Vincent A. Toye

Joe Talado
Councilman
Rosendo Pacheco
Councilman
Joe V. Coyle
Councilman
Councilman

Paul [unclear]
Councilman
[unclear]
Councilman
Jose L. Pecos
Councilman
Councilman

TITLE VII
JEMEZ PUEBLO TRAFFIC CODE

CHAPTER 1. GENERAL PROVISIONS

Section 7-1-1 Authority	1
Section 7-1-2 Jurisdiction	1
Section 7-1-3 Severability.....	1
Section 7-1-4 Penalties	1

CHAPTER 2. DEFINITIONS AND TERMS

Section 7-2-1 Authorized Emergency Vehicle	2
Section 7-2-2 Bicycle.....	2
Section 7-2-3 Conviction/Convicted.....	2
Section 7-2-4 Driver/Operator	2
Section 7-2-5 Farm Tractor.....	2
Section 7-2-6 Governor.....	2
Section 7-2-7 Indian.....	2
Section 7-2-8 Motor Vehicle	2
Section 7-2-9 Motorcycle/Motorbike	2
Section 7-2-10 Non-Indian	3
Section 7-2-11 Nonresident	3
Section 7-2-12 Owner	3
Section 7-2-13 Person.....	3
Section 7-2-14 Police Officer	3
Section 7-2-15 Reservation.....	3
Section 7-2-16 School Bus.....	3
Section 7-2-17 State Highway	4
Section 7-2-18 Traffic Control Devices.....	4
Section 7-2-19 Trailer.....	4
Section 7-2-20 Tribal Council	4
Section 7-2-21 Unpaved Public Roadway.....	4

CHAPTER 3. OPERATOR LICENSES/REGISTRATION

Section 7-3-1 Operators Must Be Licensed.....	5
Section 7-3-2 Revocation Or Suspension Of Driving Privileges.....	5
Section 7-3-3 Violation Of License Provisions	5
Section 7-3-4 Unlawful To Permit Unlicensed Person To Drive Motor Vehicle.....	5
Section 7-3-5 Unlawful To Drive While License Suspended Or Revoked	6
Section 7-3-6 Registration Of Vehicles	6
Section 7-3-7 Display Of Registration Plates And Temporary Registration Permits; Displays Prohibited And Allowed.....	6
Section 7-3-8 Improper Use Of Evidence/Registration.....	7

CHAPTER 4. TRIBAL ROAD SIGNS, SIGNALS AND MARKINGS

Section 7-4-1 Obedience To Traffic-Control Devices.....	8
Section 7-4-2 Flashing Signals	8
Section 7-4-3 Interference With Official Traffic-Control Devices.....	8

CHAPTER 5. ACCIDENTS

Section 7-5-1 Leaving The Scene Of An Accident Involving Death, Personal Injury Or Damage To Vehicles	9
Section 7-5-2 Duty To Give Information And Render Aid	9
Section 7-5-3 Duty Upon Striking Fixtures Of Other Property Upon A Highway/Roadway.....	9

CHAPTER 6. TRAFFIC REGULATIONS

Section 7-6-1 Speed Limits.....	10
Section 7-6-2 Drive On Right Side Of Roadway; Exceptions.....	10
Section 7-6-3 Passing Vehicles Proceeding In Opposite Directions	10
Section 7-6-4 No Passing Zones	11
Section 7-6-5 When Overtaking On The Right Is Permitted.....	11
Section 7-6-6 Limitations On Overtaking On The Left.....	11
Section 7-6-7 Driving On Highways Laned For Traffic.....	12
Section 7-6-8 Following Too Closely.....	12
Section 7-6-9 Driving On Divided Highways	12
Section 7-6-10 Turning On Curve Or Crest Of Grade Prohibited	13
Section 7-6-11 Turning Movements And Required Signals.....	13
Section 7-6-12 Signals By Hand And Arm Or Signal Device.....	13
Section 7-6-13 Method Of Giving Hand And Arm Signals	13
Section 7-6-14 Vehicle Approaching Or Entering Intersection.....	14
Section 7-6-15 Vehicle Turning Left At Intersection	14
Section 7-6-16 Vehicle Entering Highway From Roadway Or Private Driveway.....	14
Section 7-6-17 All Vehicles Must Stop At Stop Signs	14
Section 7-6-18 School Buses: Stopping For And Passing School Bus.....	14
Section 7-6-19 Officers Authorized To Remove Illegally Stopped Vehicles.....	15
Section 7-6-20 Stopping, Standing Or Parking Prohibited In Specified Places	16
Section 7-6-21 Riding On Motorcycles	16
Section 7-6-22 Obstruction To Driver's View Or Driving Mechanism.....	16
Section 7-6-23 Animals On Highway	17
Section 7-6-24 Handicapped Parking	17
Section 7-6-25 Seat Belt	17
Section 7-6-26 Child Passenger Restraint; Enforcement.....	17

CHAPTER 7. OFF-HIGHWAY MOTORVEHICLES

Section 7-7-1 Definitions.....	19
Section 7-7-2 Off-Highway Motor Vehicles; Registration.....	19
Section 7-7-3 Licenses; Off-Highway Motor Vehicle Safety Permits	19
Section 7-7-4 Operation of Off-Highway Motor Vehicle.....	20
Section 7-7-5 Speed	20
Section 7-7-6 Night Time Driving.....	20
Section 7-7-7 Equipment and Safety Requirements	20
Section 7-7-8 Riding on ATV's.....	21
Section 7-7-9 Operation On Streets Or Highways; Prohibited Areas.....	21
Section 7-7-10 Driving Of Off-Highway Motor Vehicles Adjacent To Highway.....	21
Section 7-7-11 Accidents And Accident Reports	22

CHAPTER 8. DRIVING BEHAVIOR.

Section 7-8-1 Purpose.....	23
Section 7-8-2 Persons Driving Under The Influence Of Intoxicating Liquor Or Drugs	23
Section 7-8-3 Reckless Driving	26
Section 7-8-4 Careless Driving.....	26
Section 7-8-5 Open Container	26
Section 7-8-6 Endangering the Welfare of a Child.....	26

CHAPTER 9. IMPLIED CONSENT LAW

Section 7-9-1 Implied Consent To Submit To Chemical Test.....	27
Section 7-9-2 Administration Of Blood Or Breath Test; Payment Of Costs; Additional Tests.....	27
Section 7-9-3 Use Of Chemical Tests In Criminal Actions; Presumptions Of Intoxication	28
Section 7-9-4 Refusal To Submit To Chemical Test; Penalties	29

CHAPTER 10. FINANCIAL RESPONSIBILITY

Section 7-10-1 Intent.....	30
Section 7-10-2 Financial Responsibility.....	30
Section 7-10-3 Requirement Of Insurance	30
Section 7-10-4 Exemptions.....	30
Section 7-10-5 Evidence Of Financial Responsibility.....	30
Section 7-10-6 Penalties	31

CHAPTER 11. OPERATION OF MOTORCYCLES

Section 7-11-1 Applicability.....	32
Section 7-11-2 Operator's License	32
Section 7-11-3 Equipment	32

CHAPTER 12. EQUIPMENT

Section 7-12-1 Scope And Effect Of Regulations	33
Section 7-12-2 When Lighted Lamps Are Required	33
Section 7-12-3 Head Lamps On Motor Vehicles.....	33
Section 7-12-4 Tail Lamps.....	33
Section 7-12-5 Brake Lights. Signal Lamps And Signal Devices	34
Section 7-12-6 Failure To Dim Lights.....	34
Section 7-12-7 Horns And Warning Devices	35
Section 7-12-8 Mirrors.....	35
Section 7-12-9 Windshield; Windshield Wipers	35

CHAPTER 13. ENFORCEMENT

Section 7-13-1 Police Officer To Be In Uniform	36
Section 7-13-2 Conduct Of Police Officer.....	36
Section 7-13-3 Penalty Assessment.....	37
Section 7-13-4 Violator Taken Into Custody.....	38
Section 7-13-5 Failure To Obey Notice To Appear Or Agreement To Pay Penalty Assessment; Penalty	38

**TITLE VII
JEMEZ PUEBLO TRAFFIC CODE**

CHAPTER 1. GENERAL PROVISIONS

SECTION 7-1-1 AUTHORITY

The Traffic Code is enacted pursuant to the inherent sovereign powers of the Pueblo of Jemez to enact laws and regulations for the protection of its residents and to regulate the operation of vehicles within the exterior boundaries of the Pueblo of Jemez. This Code is civil in nature and is intended to be applicable to all persons within the exterior boundaries of the Jemez Pueblo Reservation. See Resolution 2002-33. The Tribal Council amended this Code by Tribal Council Resolution at a duly called Tribal Council meeting on August 17, 2009.

SECTION 7-1-2 JURISDICTION

The Tribal Court of the Pueblo of Jemez has jurisdiction over all violations committed by persons within the exterior boundaries of the Reservation, notwithstanding the fact that said violations may also fall under the jurisdiction of the federal and state courts.

SECTION 7-1-3 SEVERABILITY

If any provision of this Code, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect any other provisions or applications of this Code that can be given effect without the invalid provision or application thereof, and to this end the provisions of this Code are severable.

SECTION 7-1-4 PENALTIES

Any person who admits to a violation of a provision of this Code or who is found to have violated a provision of this Code by the Tribal Court may be subject to assessment of a civil fine as provided under this Code.

CHAPTER 2. DEFINITIONS AND TERMS

SECTION 7-2-1 AUTHORIZED EMERGENCY VEHICLE:

Vehicles of the fire department, police vehicles, ambulances and emergency vehicles of the Pueblo or Bureau of Indian Affairs as are designated or authorized by the Governor or the Superintendent of the Bureau of Indian Affairs, Southern Pueblos Agency.

SECTION 7-2-2 BICYCLE:

Every device propelled by human power upon which any person may ride, having either two (2) wheels in tandem or three wheels, except scooters and similar devices.

SECTION 7-2-3 CONVICTION/CONVICTED:

The result of having admitted to a violation of this Code or having been found to have violated a provision of this Code by the Tribal Court.

SECTION 7-2-4 DRIVER/OPERATOR:

Every person who drives or is in actual physical control of a motor vehicle upon a highway, dirt roads or who is exercising control over or steering a vehicle being towed.

SECTION 7-2-5 FARM TRACTOR:

Every motor vehicle designed and used primarily as a farm implement for drawing plows and mowing equipment and other implements related to the businesses of farming and ranching.

SECTION 7-2-6 GOVERNOR:

The Governor of the Pueblo of Jemez.

SECTION 7-2-7 INDIAN:

Any person who is an enrolled member of any federally recognized Indian Tribe, Band, Pueblo or Indian Nation or shall include any person of Indian descent who is defined as an Indian for purposes of federal criminal jurisdiction under the Major Crimes Act, 18 U.S.C., §1153.

SECTION 7-2-8 MOTOR VEHICLE:

Automobiles, recreational vehicles, recreational travel trailers, motorcycles, ATV's, trucks, semi-trucks, truck tractors and buses designed and used primarily to transport persons or property on a public highway, farm machinery and all vehicles which are self-propelled by internal combustion engine or an electric motor.

SECTION 7-2-9 MOTORCYCLE/MOTORBIKE:

A motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than two wheels in contact with the ground, and that has handlebar-type steering control.

SECTION 7-2-10 NON-INDIAN:

Any person found within the exterior boundary of the Jemez Reservation who is not an enrolled member of any federally recognized Indian Tribe, Band, Pueblo or Indian Nation or who does not meet the definition of Section 7-2-7.

SECTION 7-2-11 NONRESIDENT:

Every person who is not a resident of the Jemez Pueblo Reservation.

SECTION 7-2-12 OWNER:

A person in whose name the legal title to a motor vehicle is held or in whose name said vehicle is registered.

SECTION 7-2-13 PERSON:

Every person, firm, partnership, association, corporation or like entity.

SECTION 7-2-14 POLICE OFFICER:

Every officer authorized by the governing body of the Pueblo of Jemez to direct or regulate traffic and to issue citations for violations of the Traffic Code which occur within the exterior boundaries of the Pueblo of Jemez Reservation which include:

1. Those persons duly commissioned as law enforcement officers of the Pueblo of Jemez.
2. Officers duly commissioned by the Branch of Law Enforcement Services of the Bureau of Indian Affairs.
3. Any uniformed officer of the New Mexico State Police while functioning on those sections of the highways for which the Tribe has granted an easement to the United States or to the State of New Mexico.
4. Any duly elected or qualified sheriff or salaried deputy sheriff of any county, the territory of which coincides with any portion of the Reservation, provided such officer's jurisdiction shall be limited to those sections of the highways for which the Tribe has granted an easement to the United States or to the State of New Mexico.

SECTION 7-2-15 RESERVATION:

Jemez Pueblo Reservation, Jemez Pueblo, New Mexico.

SECTION 7-2-16 SCHOOL BUS:

Every motor vehicle generally operated for the transport of children to or from school.

SECTION 7-2-17 STATE HIGHWAY:

State Highway means a public highway that has been designated as a state highway by the legislature, the State Transportation Commission or the Secretary of Transportation.

SECTION 7-2-18 TRAFFIC CONTROL DEVICES:

All signs, signals, markings, and devices placed or erected by tribal authority or other authority having jurisdiction over the roads and highways, for the purpose of regulating, warning or guiding traffic.

SECTION 7-2-19 TRAILER:

Every vehicle without an engine designed for carrying persons or property in tow by a motor vehicle.

SECTION 7-2-20 TRIBAL COUNCIL:

The governing body of the Pueblo of Jemez.

SECTION 7-2-21 UNPAVED PUBLIC ROADWAY:

Unpaved Public Roadway means a dirt graveled street or road that is constructed, signed or maintained for regular passenger car use by the general public.

CHAPTER 3. OPERATOR LICENSES/REGISTRATION

SECTION 7-3-1 OPERATORS MUST BE LICENSED

No person shall drive any motor vehicle upon a state highway or unpaved public roadway within the exterior boundaries of the Jemez Pueblo Reservation unless such person has a valid state driver's license or a valid Learner's Permit. Any person violating this section shall be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-3-2 REVOCATION OR SUSPENSION OF DRIVING PRIVILEGES

1. Any person holding a driver's license or learner's permit may have his or her driving privileges within the Jemez Pueblo Reservation revoked or suspended upon conviction of the following offense:

- A. manslaughter resulting from the operation of a motor vehicle,
- B. driving a motor vehicle while under the influence of an intoxicating liquor or narcotic drug,
- C. failing to stop and disclose his/her identity in an accident resulting in the death or injury of any person or damage to any property,

SECTION 7-3-3 VIOLATION OF LICENSE PROVISIONS

It shall be unlawful for any person to commit any of the following acts:

1. To display, cause or permit to be displayed or to have in his/her possession, any driver's license or driving permit knowing the same to be fictitious or altered.
2. To lend to another or knowingly permit another to use his/her driver's license or permit issued to the person so lending.
3. To use or give a false or fictitious name in any application for a driver's permit, or any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise knowingly to commit a fraud or misrepresentation in any such application. Any person violating this section shall be subject to a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-3-4 UNLAWFUL TO PERMIT UNLICENSED PERSON TO DRIVE MOTOR VEHICLE

It shall be unlawful for any person to knowingly permit his/her motor vehicle or one under his/her control to be driven within the Jemez Pueblo Reservation by anyone who does not have a

drivers license or permit or whose license or privilege to drive is suspended or revoked. Any person violating this section shall be subject to a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-3-5 UNLAWFUL TO DRIVE WHILE LICENSE SUSPENDED OR REVOKED

Any person whose driver's license or driver's permit has been suspended or revoked under state law or as provided in this Code shall not drive any motor vehicle upon the state highways or unpaved public roadways of this Reservation while such license is suspended or revoked. Any person violating this section shall be subject to a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-3-6 REGISTRATION OF VEHICLES

Every motor vehicle, trailer, semitrailer and pole trailer when driven or moved upon a state highway and unpaved roadway is subject to the registration and certificate of title provisions of the State Motor Vehicle Code. Any person driving an unregistered motor vehicle within this jurisdiction shall be subject to a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-3-7 DISPLAY OF REGISTRATION PLATES AND TEMPORARY REGISTRATION PERMITS; DISPLAYS PROHIBITED AND ALLOWED

1. The registration plate shall be attached to the rear of the vehicle for which it is issued; however, the registration plate shall be attached to the front of a road tractor or truck tractor. The plate shall be securely fastened at all times in a fixed horizontal position at a height of not less than twelve (12) inches from the ground, measuring from the bottom of the plate. It shall be in a place and position so as to be clearly visible, and it shall be maintained free from foreign material and in a condition to be clearly legible.

2. A demonstration or temporary registration permit shall be firmly affixed to the inside left rear window of the vehicle to which it is issued, unless such display presents a safety hazard or the demonstration or temporary registration permit is not visible or readable from that position, in which case, the demonstration or temporary registration permit shall be displayed in such a manner that it is clearly visible from the rear or left side of the vehicle.

3. No vehicle while being operated on the highway of this state shall have displayed either on the front or the rear of the vehicle any registration plate, including validating sticker, other than one issued or validated for the current registration period by the department or any other licensing authority having jurisdiction over the vehicle. No expired registration plate or validating sticker

shall be displayed on the vehicle other than an expired special registration plate, which may be exhibited on the front of the vehicle.

4. Any person violating this provision shall be subject to a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-3-8 IMPROPER USE OF EVIDENCE/REGISTRATION

No person shall lend to another any certificate of title, registration evidence, registration plate, special plate, validating sticker or permit issued to him if the person desiring to borrow the same would not be entitled to the use thereof, nor shall any person knowingly permit the use of any of the same by one not entitled thereto, nor shall any person display upon a vehicle any registration evidence, registration plate, validating sticker or permit not issued for such vehicle or not otherwise lawfully used thereon.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

CHAPTER 4. TRIBAL ROAD SIGNS, SIGNALS AND MARKINGS

SECTION 7-4-1 OBEDIENCE TO TRAFFIC-CONTROL DEVICES

The driver of any vehicle shall obey the instruction of any official traffic-control device placed in accordance with the provisions of this Code, unless otherwise directed by a tribal official or police officer. Any person who violates this provision shall be deemed guilty and upon conviction thereof shall be subject to a fine of not more than One Hundred Dollars (\$100.00).

SECTION 7-4-2 FLASHING SIGNALS

1. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

A. Flashing red (stop signal). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop. The right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

B. Flashing yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles shall proceed through the intersection or past such signal with caution.

Any person who violates this provision shall be deemed guilty and upon conviction thereof shall be subject to a fine of not more than One Hundred Dollars (\$100.00).

SECTION 7-4-3 INTERFERENCE WITH OFFICIAL TRAFFIC-CONTROL DEVICES

No person shall in a negligent, willful or wanton manner, without lawful authority, alter, deface, or remove any official traffic-control device or signal. No person shall display any unauthorized sign or like device which is intended to direct traffic movements or hide from view an official traffic control device nor shall any person place any commercial or political advertising on any traffic sign. Any person who violates this provision shall be deemed guilty and upon conviction thereof shall be subject to a fine of not more than One Hundred Dollars (\$100.00).

CHAPTER 5. ACCIDENTS

SECTION 7-5-1 LEAVING THE SCENE OF AN ACCIDENT INVOLVING DEATH, PERSONAL INJURY OR DAMAGE TO VEHICLES

The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle shall immediately stop such vehicle at the scene of such accident or as close thereto as possible and in every event shall remain at the scene of the accident until he has fulfilled the requirements of SECTION 7-5-2 and 7-5-3 of this Chapter. Every such stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with this section shall be subject to a fine not to exceed Five Hundred Dollars (\$500.00).

SECTION 7-5-2 DUTY TO GIVE INFORMATION AND RENDER AID

1. Any person who shall be the driver of any motor vehicle involved in an accident resulting in the injury to or the death of any person or damage to any vehicle or to the personal property of another shall:

- A. Give his name, address, registration number of the vehicle and liability insurance.
- B. Upon request show his driver's license or similar driving permit
- C. Render to any person injured reasonable assistance by making arrangements for medical treatment.
- D. If an unattended vehicle is involved, locate and notify the owner or leave a written notice in a conspicuous place in or on the vehicle struck, providing the name and address of the driver inflicting the damage
- E. Immediately notify the Tribal officials, or authorized law enforcement agency.

2. Any person who fails to comply with the above section shall be subject to a fine not to exceed Five Hundred Dollars (\$500.00).

SECTION 7-5-3 DUTY UPON STRIKING FIXTURES OF OTHER PROPERTY UPON A HIGHWAY/ROADWAY

The driver of any vehicle involved in an accident resulting only in damage to fixtures or other property legally upon or adjacent to a state highway or unpaved public roadway shall take reasonable steps to locate and notify the owners or person in charge of such property. Any person failing to comply with this provision shall be subject to a fine not to exceed Five Hundred Dollars (\$500.00).

CHAPTER 6. TRAFFIC REGULATIONS

SECTION 7-6-1 SPEED LIMITS

1. No person shall drive a motor vehicle at a speed greater than is reasonable and prudent under the conditions, having regard to the actual and potential hazards then existing. Consistent with the foregoing, every person shall drive at a safe and appropriate speed when approaching and crossing an intersection, or winding roadway, and when special hazards exist with respect to pedestrians or to other traffic or by reason of weather or roadway conditions.

2. No person shall drive a vehicle at a speed greater than:

A. Fifteen (15) miles per hour on all unpaved public roadways within the reservation except as otherwise posted.

B. Ten (10) miles per hour in any school area within the reservation while children are going to or leaving school and within the main village proper.

C. Fifty (50) miles per hour on State Highway right of ways or as otherwise posted.

D. Seventy (70) miles per hour on U.S. 550 or as otherwise posted.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-2 DRIVE ON RIGHT SIDE OF ROADWAY; EXCEPTIONS

Upon all highways of sufficient width, a vehicle shall be driven upon the right half of the roadway, and where practicable, entirely to the right of the center thereof, except when overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-3 PASSING VEHICLES PROCEEDING IN OPPOSITE DIRECTIONS

Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and, upon roadways having width for not more than one (1) lane of traffic in each direction, each driver shall give to the other at least one-half (1/2) of the main-traveled portion of the unpaved public roadway.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-4 NO PASSING ZONES

No person shall overtake, pass or drive on the left side of the highway within a no passing zone or drive on the left side of any pavement striping designed to mark the no-passing zone throughout its length.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-5 WHEN OVERTAKING ON THE RIGHT IS PERMITTED

1. The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

A. When the vehicle overtaken is making or about to make a left turn.

B. Upon a highway with unobstructed pavement of sufficient width, exclusive of parked vehicles, for two (2) or more lanes of moving vehicles in each direction.

C. Upon any highway on which traffic is restricted to one (1) direction of movement, where the highway is free from obstruction and of sufficient width for two (2) or more lanes of moving vehicles.

2. The driver of the vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the highway.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-6 LIMITATIONS ON OVERTAKING ON THE LEFT

1. No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be made completely without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the highway before coming within one hundred fifty (150) feet of any vehicle approaching from the opposite direction or until it is safely clear of the passed vehicle.

2. No vehicle shall at any time be driven to the left side of the highway whether passing another vehicle or otherwise, under any of the following conditions:

A. When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.

B. When approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing.

C. When the view is obstructed or upon approaching within one hundred (100) feet of any bridge, viaduct, or tunnel.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-7 DRIVING ON HIGHWAYS LANED FOR TRAFFIC

Whenever any highway has been divided into two (2) or more clearly marked lanes for traffic, the following rules, in addition to others consistent herewith, shall apply.

1. A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until such movement can be made in safety.

2. Upon a highway which is divided into three (3) lanes, a vehicle shall not be driven in the center lane except in preparation for a left turn or when overtaking and passing another vehicle where the highway is clearly visible and such center lane is clear of traffic within a safe distance. Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-8 FOLLOWING TOO CLOSELY

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle, and the traffic upon and the condition of the highway.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-9 DRIVING ON DIVIDED HIGHWAYS

Whenever any highway has been divided into two (2) roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand side of the highway and no vehicle shall be driven over, across, or within any such dividing space, barrier, or section, except

through an opening in such physical barrier or dividing section or space or at a crossover or intersection.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-10 TURNING ON CURVE OR CREST OF GRADE PROHIBITED

No U-turns shall be made by a vehicle upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within one thousand (1,000) feet.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-11 TURNING MOVEMENTS AND REQUIRED SIGNALS

No person shall turn a vehicle to enter a private road or driveway or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. A signal of intention to turn right or left is required and shall be given continuously not less than the last one hundred (100) feet traveled by the vehicle before turning.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-12 SIGNALS BY HAND AND ARM OR SIGNAL DEVICE

Any stop or turn signal when required herein shall be given either by means of the hand and arm or by a signal lamp or lamps or mechanical signal device.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-13 METHOD OF GIVING HAND AND ARM SIGNALS

All signals herein required to be given by hand and arm shall be given from the left side of the vehicle in the following manner and such signal shall indicate as follows:

1. Left Turn. Hand and arm extended horizontally.
2. Right Turn. Hand and arm extended upward.
3. Stop or Decrease Speed. Hand and arm extended downward.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-14 VEHICLE APPROACHING OR ENTERING INTERSECTION

1. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway.

2. When two (2) vehicles enter an intersection from different highways at approximately the same time the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-15 VEHICLE TURNING LEFT AT INTERSECTION

The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-16 VEHICLE ENTERING HIGHWAY FROM ROADWAY OR PRIVATE DRIVEWAY

The driver of a vehicle about to enter or cross a state highway from an unpaved public roadway or private driveway shall stop and yield the right-of-way to all vehicles approaching on such highway.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-17 ALL VEHICLES MUST STOP AT STOP SIGNS

The driver of a motor vehicle shall come to a complete stop at all intersections marked by a stop sign before entering an intersection, unless otherwise directed by an officer directing traffic.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-18 SCHOOL BUSES: STOPPING FOR AND PASSING SCHOOL BUS

Every driver of a motor vehicle, when meeting or overtaking from either direction any school bus which has stopped with special school bus signals in operation, for the purpose of receiving or discharging passengers, shall stop immediately at least ten (10) feet before reaching the school bus

and shall not again proceed by the school bus until all passengers are received or discharged and until the special school bus signals are turned off.

The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled access highway and the school bus is stopped in a loading zone which is part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

Any person found guilty of violating this section, may be assessed a fine not to exceed Five Hundred Dollars (\$500.00).

SECTION 7-6-19 OFFICERS AUTHORIZED TO REMOVE ILLEGALLY STOPPED VEHICLES

1. Whenever any law enforcement officer or tribal official finds a vehicle standing upon a highway in violation of any of the foregoing provisions of this Code, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the main-traveled part of such highway or roadway.

2. No driver of any vehicle shall permit such vehicle to remain unattended on or adjacent to any public road, highway, or highway right-of-way of the Reservation for a period exceeding twenty-four (24) hours without notifying the Tribal police where such vehicle is parked or such vehicle shall be deemed abandoned. The Tribal police officer may cause such abandoned vehicle to be removed and the owner of the vehicle shall be required to pay all costs incident to the removal of such vehicle, provided that wrecked vehicles may be removed at any time and without regard for the twenty-four (24) hour period hereinabove provided.

3. Whenever an officer shall order a wrecker to remove from a highway, or territory adjacent thereto, any damaged or abandoned vehicle, the officer shall, at the time, issue signed and dated instructions in writing to the wrecker service specifically stating whether the vehicle is to be "held for investigation" or if it may be released to the owner.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-20 STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES

1. No person shall stop, or park a vehicle, except when necessary to avoid conflict with other traffic or at the direction of a law enforcement officer or tribal official or traffic-control device, in any of the following places:

- A. In front of a public or private driveway;
- B. Within fifteen (15) feet of a fire hydrant;
- C. Within an intersection;
- D. Upon any bridge or other elevated structure upon a highway;
- E. At a bus stop;
- F. At any place where official signs prohibit stopping.

G. In front of Emergency Ambulance Station so as to prevent ambulance from providing service.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-21 RIDING ON MOTORCYCLES

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the motorcycle.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-22 OBSTRUCTION TO DRIVER'S VIEW OR DRIVING MECHANISM

No person shall drive a motor vehicle when it is so loaded or when there are in the front seat such number of persons, exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-23 ANIMALS ON HIGHWAY

1. It shall be unlawful for any owner of livestock to permit livestock to wander or graze upon any fenced highway at any time, or herd livestock along or upon any highway.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-24 HANDICAPPED PARKING

Unauthorized Use; Penalties

1. It is unlawful for any person to park a motor vehicle not displaying a special registration plate or a parking placard issued pursuant to Section 66-3-16 NMSA 1978 in a designated disabled parking space.

2. It is unlawful for any person to park a motor vehicle in such a manner so as to block access to any part of a curb designed for access by persons with severe mobility impairment.

3. Failure to properly display a parking placard or special registration plate issued pursuant to Section 66-3-16 NMSA 1978 is not a defense against a charge of violation of Subsection 1 or 2 of this section.

4. A vehicle parked in violation of Subsection 1 or 2 of this section is subject to being towed at the expense of the vehicle owner upon authorization by law enforcement personnel or by the property owner or manager of a parking lot.

SECTION 7-6-25 SEAT BELT

All occupants of a motor vehicle shall have a safety belt properly fastened about his body at all times when the vehicle is in motion on any roadway or highway.

This section shall not apply to an occupant of a motor vehicle who possesses a written statement from a licensed physician that he is unable for medical reasons to wear a safety belt or to a rural letter carrier of the United States postal service while performing the duties of a rural letter carrier.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-6-26 CHILD PASSENGER RESTRAINT; ENFORCEMENT

1. A person shall not operate a passenger car, van or pickup truck, except for an authorized emergency vehicle, public transportation or a school bus, unless all passengers less than eighteen (18) years of age are properly restrained.

2. Each person less than eighteen (18) years of age shall be properly secured in a child passenger restraint device or by a safety belt, unless all seating positions equipped with safety belts are occupied, as follows:

A. Children less than one (1) year of age shall be properly secured in a rear-facing child passenger restraint device that meets federal standards, in the rear seat of a vehicle that is equipped with a rear seat. If the vehicle is not equipped with a rear seat, the child may ride in the front seat of the vehicle if the passenger-side air bag is deactivated or if the vehicle is not equipped with a deactivation switch for the passenger-side air bag;

B. Children one year of age through four (4) years of age shall be properly secured in a child passenger restraint device that meets federal standards;

C. Children five (5) years of age through six (6) years of age shall be properly secured in either a child booster seat or an appropriate child passenger restraint device that meets federal standards; and

D. Children seven (7) years of age through twelve (12) years of age shall be properly secured in a child passenger restraint device or by a seat belt.

E. Children age thirteen (13) through eighteen (18) are required to wear a seat belt.

3. A child is properly secured in an adult seat belt when the lap belt properly fits across the children's thighs and hips and not the abdomen. The shoulder strap shall cross the center of the child's chest and not the neck, allowing the child to sit all the way back against the vehicle seat with knees bent over the seat edge.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

CHAPTER 7. OFF-HIGHWAY MOTOR VEHICLES

SECTION 7-7-1 DEFINITIONS:

1. "Off-highway motor vehicle" means a motor vehicle designed by the manufacturer for operation exclusively off the highway or road and includes:

A. "all-terrain vehicle" which means a motor vehicle fifty (50) inches or less in width, having an unladen dry weight of one thousand (1,000) pounds or less, traveling on three or more low-pressure tires and having a seat designed to be straddled by the operator and handle-bar type steering control;

B. "off-highway motorcycle" which means a motor vehicle traveling on not more than two tires and having a seat designed to be straddled by the operator and that has handlebar-type steering control; or

C. "snowmobile" which means a motor vehicle designed for travel on snow or ice and steered and supported in whole or in part by skis, belts, cleats, runners or low-pressure tires;

D. A farm tractor or other off-highway motor vehicles used for agricultural purposes are exempted from these provisions.

SECTION 7-7-2 OFF-HIGHWAY MOTOR VEHICLES; REGISTRATION

A person shall not operate an off-highway motor vehicle within the boundaries of Jemez Pueblo lands unless the off-highway motor vehicle has been registered with the Jemez Pueblo Law Enforcement Department.

Any person found guilty of violating this section may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-7-3 LICENSES; OFF-HIGHWAY MOTOR VEHICLE SAFETY PERMITS

1. No person shall drive an off-highway motor vehicle without a valid driver's license or learner's permit in his or her possession.

2. A person thirteen (13) years or older can operate an off-highway motor vehicle if the person has in his or her possession a safety permit issued by an off-highway motor vehicle safety training organization.

Any person found guilty of violating this section may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-7-4 OPERATION OF OFF-HIGHWAY MOTOR VEHICLE

1. A person shall not operate an off-highway motor vehicle:

A. in a careless, reckless or negligent manner so as to endanger the person or property of another;

B. while under the influence of intoxicating liquor or drugs as prohibited in Section 7-8-2;

Any person found guilty of violating paragraph A of this section may be assessed a fine not to exceed One Hundred Dollars (\$100.00). Any person violating paragraph B of this section shall be subject to the penalties as provided in Section 7-8-2.

SECTION 7-7-5 SPEED

A person shall not operate an off-highway motor vehicle in excess of fifteen (15) miles per hour within the village of Jemez Pueblo and two hundred (200) feet of a horseback rider, bicyclist, pedestrian or occupied dwelling;

Any person found guilty of violating this section may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-7-6 NIGHT TIME DRIVING

A person shall not operate an off-highway motor vehicle when conditions such as darkness limit visibility to five hundred (500) feet or less, unless the vehicle is equipped with:

1. one or more headlights of sufficient candlepower to light objects at a distance of one hundred fifty (150) feet; and

2. at least one taillight of sufficient intensity to exhibit a red or amber light at a distance of two hundred (200) feet under normal atmospheric conditions.

Any person found guilty of violating this section may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-7-7 EQUIPMENT AND SAFETY REQUIREMENTS

1. A person under the age of eighteen (18) shall not operate an off-highway motor vehicle:

A. or ride upon an off-highway, motor vehicle without wearing a safety helmet that is securely fastened in a normal manner as headgear.

B. while carrying a passenger unless the off-highway motor vehicle is designed to carry more than one person and the passenger is wearing a safety helmet.

Any person found guilty of violating this section may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-7-8 RIDING ON ATV'S

A person operating an ATV shall ride only upon the permanent and regular seat attached thereto and such operator shall not carry any other passengers on an ATV, unless the ATV is designed to carry more than one person.

Any person found guilty of violating this section, may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

**SECTION 7-7-9 OPERATION ON STREETS OR HIGHWAYS;
PROHIBITED AREAS**

1. A person shall not operate an off-highway motor vehicle on any:
 - A. limited access highway at any time; or
 - B. any paved street or highway except as provided in Subsection 2 of this section.
2. Off-highway motor vehicles may cross streets or highways, if the crossings are made after coming to a complete stop prior to entering the roadway. Off-highway motor vehicles shall yield the right of way to oncoming traffic and shall begin a crossing only when it can be executed safely and then cross in the most direct manner as close to a perpendicular angle as possible.
3. An off-highway motor vehicle shall not be operated within any area restricted for cultural or religious use, designated or commonly known within the pueblo as a historic or sacred site, or within the boundaries of any lands that are posted or designated closed to off-highway motor vehicles. An off-highway motor vehicle shall not be operated on Jemez Pueblo lands in a manner that causes erosion or rutting, damages or destroys trees, vegetation or growing crops.

Any person found guilty of violating this section may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

**SECTION 7-7-10 DRIVING OF OFF-HIGHWAY MOTOR VEHICLES
ADJACENT TO HIGHWAY.**

Off-highway motor vehicles may be driven adjacent to a highway, yielding to all vehicles entering or exiting the highway, in a manner so as not to interfere with traffic upon the highway, only for the purpose of gaining access to or returning from areas designed for the operation of off-highway motor vehicles by the shortest possible route and when no other route is available or when the area adjacent to a highway is being used as a staging area.

Any person found guilty of violating this section may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-7-11 ACCIDENTS AND ACCIDENT REPORTS

The driver of an off-highway motor vehicle involved in an accident resulting in injuries to or the death of a person or resulting in damage to public or private property shall immediately notify a law enforcement agency of the accident and the facts relating to the accident in accordance with Section 7-5-2.

Any person found guilty of violating this section may be assessed a fine not to exceed One Hundred Dollars (\$100.00).

CHAPTER 8. DRIVING BEHAVIOR.

SECTION 7-8-1 PURPOSE

The Jemez Pueblo Tribal Council adopts the Traffic Code as a Civil Code with the exception of this Chapter. It is the view of the Tribal Council that the offenses in this Chapter are serious offenses that require imposition of criminal penalties to protect persons within the Pueblo's boundaries; therefore the Tribal Court is authorized to impose criminal penalties as provided in this Chapter.

SECTION 7-8-2 PERSONS DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS.

1. It is unlawful for any person who is under the influence of intoxicating liquor to drive any vehicle within the exterior boundaries of the Jemez Reservation.

2. It is unlawful for any person who is under the influence of any drug to a degree that renders him incapable of safely driving a vehicle to drive any vehicle within the exterior boundaries of the Jemez Reservation.

3. It is unlawful for any person who is less than twenty-one (21) years of age who has an alcohol concentration of two one hundredths (.02) or more in his or her blood or breath to drive any motor vehicle within the exterior boundaries of the Jemez Reservation.

4. It is unlawful for any person over the age of twenty-one (21) who has an alcohol concentration of eight one-hundredths (.08) or more in his/her blood or breath to drive any vehicle within the exterior boundaries of the Jemez Reservation.

5. Aggravated driving while under the influence of intoxicating liquor or drugs consists of a person who:

A. has an alcohol concentration of sixteen one-hundredths (.16) or more in his/her blood or breath while driving any vehicle within the exterior boundaries of the Jemez Reservation;

B. has caused bodily injury to a human being as a result of the unlawful operation of a motor vehicle while driving under the influence of intoxicating liquor or drugs; or

C. refused to submit to a chemical test, as requested by a law enforcement officer .

6. Every person under first conviction under this section shall be punished by imprisonment for not more than ninety days or by a fine of not more than Five Hundred Dollars (\$500.00), or both; provided that if the sentence is suspended in whole or in part or deferred, the period of probation may extend beyond ninety days but shall not exceed one year. Upon a first conviction under this

section, an offender may be sentenced to not less than forty-eight (48) hours of community service or a fine of Three Hundred Dollars (\$300.00). The offender shall be ordered by the court to attend a driver rehabilitation program for alcohol or drugs, also known as a "DWI school", approved by the traffic safety bureau of the state highway and transportation department and also may be required to participate in other rehabilitative services as the court shall determine to be necessary. In addition to those penalties, when an offender commits AGGRAVATED DRIVING while under the influence of intoxicating liquor or drugs, the offender shall be sentenced to not less than forty-eight (48) consecutive hours in jail. If an offender fails to complete, within a time specified by the court, any community service, screening program, treatment program or DWI school ordered by the court, the offender shall be sentenced to not less than an additional forty-eight (48) consecutive hours in jail. Any jail sentence imposed under this subsection for failure to complete, within a time specified by the court, any community service, screening program, treatment program or DWI school ordered by the court or for aggravated driving while under the influence of intoxicating liquor or drugs shall not be suspended, deferred or taken under advisement. On a first conviction under this section, any time spent in jail for the offense prior to the conviction for that offense shall be credited to any term of imprisonment fixed by the court. A deferred sentence under this subsection shall be considered a first conviction for the purpose of determining subsequent convictions.

7. A second or third conviction under this section shall be punished by imprisonment of not more than three hundred sixty-four (364) days or by a fine of not more than One Thousand Dollars (\$1,000.00), or both; provided that if the sentence is suspended in whole or in part, the period of probation may extend beyond one year but shall not exceed five years. Notwithstanding any provision of law to the contrary for suspension or deferment of execution of a sentence:

A. upon a second conviction, each offender shall be sentenced to a jail term of not less than seventy-two (72) consecutive hours, forty-eight (48) hours of community service and a fine of Five Hundred Dollars (\$500.00). In addition to those penalties, when an offender commits aggravated driving while under the influence of intoxicating liquor or drugs, the offender shall be sentenced to a jail term of not less than ninety-six (96) consecutive hours. If an offender fails to complete, within a time specified by the court, any community service, screening program or treatment program ordered by the court, the offender shall be sentenced to not less than an additional seven (7) consecutive days in jail. A penalty imposed pursuant to this paragraph shall not be suspended or deferred or taken under advisement; and

B. upon a third conviction, an offender shall be sentenced to a jail term of not less than thirty (30) consecutive days and a fine of Seven Hundred Fifty Dollars (\$750.00). In addition to those penalties, when an offender commits aggravated driving while under the influence of intoxicating liquor or drugs, the offender shall be sentenced to a jail term of not less than sixty (60) consecutive days. If an offender fails to complete, within a time specified by the court, any screening program or treatment program ordered by the court, the offender shall be sentenced to not less than an additional sixty (60) consecutive days in jail. A penalty imposed pursuant to this paragraph shall not be suspended or deferred or taken under advisement.

8. Upon a fourth or subsequent conviction under this section, the offender shall be sentenced to a jail term of not less than six (6) months which shall not be suspended or deferred or taken under advisement.

9. Upon any conviction under this section, an offender shall be required to participate in and complete, within a time specified by the court, an alcohol or drug abuse screening program and if necessary, a treatment program approved by the court.

10. In addition to any other fine or fee which may be imposed pursuant to the conviction or other disposition of the offense under this section, the court may order the offender to pay the costs of any court-ordered screening and treatment programs.

11. As used in this section:

A. "bodily injury" means an injury to a person that is not likely to cause death or great bodily harm to the person, but does cause painful temporary disfigurement or temporary loss or impairment of the functions of any member or organ of the person's body; and

B. "conviction" means an adjudication of guilt and does not include imposition of a sentence.

12. Guilty pleas; limitations.

Where the complaint or information alleges a violation of Section 7-8-12 any plea of guilty thereafter entered in satisfaction of the charges shall include at least a plea of guilty to the violation of one of the subsections of Section 7-8-2, and no other disposition by plea of guilty to any other charge in satisfaction of the charge shall be authorized if the results of a breath of blood test disclose that the blood or breath of the person charged contains an alcohol concentration of eight one-hundredths (.08) or more.

SECTION 7-8-3 RECKLESS DRIVING.

Any person who drives any motor vehicle carelessly and in willful or wanton disregard of the rights or safety of others so as to endanger any person or property, shall be deemed to have violated this provision. Every person convicted of reckless driving maybe punished by jail not to exceed ninety (90) days or be fined not less than One Hundred Dollars (\$100.00), and not more than Five Hundred Dollars (\$500.00).

SECTION 7-8-4 CARELESS DRIVING.

Any person who operates a motor vehicle on the highway shall give his/her full time and attention to the operation of the vehicle. Any person who operates a vehicle in a careless, inattentive or imprudent manner, without due regard for the width, grade, curves, corners, traffic, weather and road conditions and all other attendant circumstances shall be deemed to have violated this provision and upon conviction may be punished by a fine not to exceed Two Hundred Dollars (\$200.00).

SECTION 7-8-5 OPEN CONTAINER

1. No person shall knowingly drink any alcoholic beverage while in a motor vehicle upon any state highway or unpaved public roadway within the Jemez reservation.

2. No person shall knowingly have in his/her possession within reach of his person, while in a motor vehicle upon any state highway or unpaved public roadway within this reservation, any bottle, can or other receptacle containing any alcoholic beverage that has been opened or had its seal broken or the contents of which have been partially removed.

Any person found guilty of violating this section shall be assessed a fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-8-6 ENDANGERING THE WELFARE OF A CHILD

1. A person is guilty of endangering the welfare of a child if the person is driving a motor vehicle while under the influence of a drug or liquor and is accompanied by or is supervising the welfare of a child under eighteen (18) years old and he knowingly endangers the child's welfare.

2. Any person who is found guilty of violating this Section shall be fined not to exceed Five Hundred Dollars (\$500.00).

CHAPTER 9. IMPLIED CONSENT LAW.

SECTION 7-9-1 IMPLIED CONSENT TO SUBMIT TO CHEMICAL TEST.

1. Any person who operates a motor vehicle within this Reservation shall be deemed to have given consent to a chemical test or tests of his/her breath or blood for the purpose of determining the alcoholic content of his/her blood, whenever arrested for any offense under this Traffic Code where the arresting officer has reasonable grounds to believe that the person arrested was driving or in actual physical control of a motor vehicle while under the influence of an intoxicating liquor.

2. Any person who is dead, unconscious or otherwise in a condition rendering him/her incapable of refusal, shall be deemed not to have withdrawn the consent provided by Section 7-9-1 (1).

SECTION 7-9-2 ADMINISTRATION OF BLOOD OR BREATH TEST; PAYMENT OF COSTS; ADDITIONAL TESTS.

1. A breath test shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle within this Reservation, while under the influence of intoxicating liquor. The law enforcement officer shall advise such person that failure to submit to chemical test or tests of his breath or blood could result in fines and penalties as provided herein.

2. Only a physician, registered or licensed practical nurse or laboratory technician or technologist shall withdraw blood from any person in the performance of a blood-alcohol test. No such physician, nurse, technician or technologist who withdraws blood from any person in the performance of a blood-alcohol test that has been directed by any police officer, or by any judicial officer, shall be held liable in any civil or criminal action for assault, battery, false imprisonment, or any conduct, of any police officer, except for negligence, nor shall any person assisting in the performance of such a test, or any hospital wherein blood is withdrawn in the performance of such a test, be subject to civil or criminal liability for assault, battery, false imprisonment, or any conduct of any police officer, except for negligence.

3. Nothing in this Section is intended to authorize any police officer or judicial officer to make any arrest or to direct the performance of a blood-alcohol test, except in the performance of his/her official duties and as otherwise authorized by law.

4. Only the persons authorized by paragraph (B) shall withdraw blood from any person for the purpose of determining its alcohol content. This limitation does not apply to the taking of samples of breath.

5. The person tested shall be given an opportunity to arrange for a physician, registered or licensed practical nurse, or laboratory technician or technologist who is employed by a hospital or physician, of his/her own choosing to perform a chemical test in addition to any test performed at the direction of a law enforcement officer.

6. Upon the request of the person tested, full information concerning the test or tests and the results thereof performed at the direction of the law enforcement officer shall be made available to him/her as soon as it is available from the person performing the test.

7. The law enforcement agency represented by the law enforcement officer at whose direction the chemical test is performed shall pay for the chemical test.

8. If a person exercises his/her right under paragraph (5) to have a chemical test performed upon him/her by a person of his/her own choosing, then the cost of that test shall be paid by him/her.

**SECTION 7-9-3 USE OF CHEMICAL TESTS IN CRIMINAL ACTIONS;
PRESUMPTIONS OF INTOXICATION.**

1. The results of a chemical test performed pursuant to this Section may be introduced into evidence in a civil action or criminal action arising out of the acts alleged to have been committed by the person tested while driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor.

2. If the blood of the person tested contains:

A. Two one hundredths (.02) of one percent or less by weight of alcohol and the person is under the age of twenty-one (21) years old, no presumption shall be made that the person is or is not under the influence of intoxicating liquor. However, the amount of alcohol in the person's blood may be considered with other competent evidence in determining whether or not the person was under the influence of intoxicating liquor.

B. Five one-hundredths of one percent (.05%) or less by weight of alcohol, it shall be presumed that the person was not under the influence of intoxicating liquor;

C. More than five one-hundredths of one percent (.05%) but less than eight one-hundredths of one percent (.08%) by weight of alcohol, no presumption shall be made that the person either was or was not under the influence of intoxicating liquor. However, the amount of

alcohol in the person's blood may be considered with other competent evidence in determining whether or not the person was under the influence of intoxicating liquor; or

D. Eight one-hundredths of one percent (.08%) or more by weight of alcohol, it shall be presumed that the person was under the influence of intoxicating liquor.

E. The percent by weight of alcohol shall be based on the grams of alcohol in one hundred (100) cubic centimeters of blood.

3. The presumptions in paragraphs (C) do not limit the introduction of other competent evidence concerning whether or not a person was under the influence of intoxicating liquor.

SECTION 7-9-4 REFUSAL TO SUBMIT TO CHEMICAL TEST; PENALTIES.

1. If a person under arrest refuses upon request of a law enforcement officer to submit to chemical tests designated by the law enforcement agency none shall be administered unless a search warrant issued by the Tribal Court upon a finding of probable cause that such chemical tests will provide material evidence in felony prosecution.

2. If a person under arrest refuses to submit to a chemical test requested by the Tribal Police the Tribal Judge may impound the person's motor vehicle driven at the time of the offense for thirty (30) days.

CHAPTER 10. FINANCIAL RESPONSIBILITY.

SECTION 7-10-1 INTENT.

The privilege of driving a motor vehicle upon Reservation roads and highways carries with it the obligation that a person be financially responsible for any accidents which that person may cause.

SECTION 7-10-2 FINANCIAL RESPONSIBILITY.

Financial responsibility means the ability to pay damages for liability on account of accidents arising out of the ownership, maintenance or use of a motor vehicle.

SECTION 7-10-3 REQUIREMENT OF INSURANCE.

The vehicle must be insured or the owner must have evidence of financial responsibility in the motor vehicle. Owner/operator of motor vehicle shall provide proof of insurance upon demand by a law enforcement officer. Pursuant to the financial responsibility requirements of this Chapter, no owner shall permit the operation of an uninsured motor vehicle upon the roads or highways of the Jemez Pueblo Reservation unless the vehicle is specifically exempted from the provision of this Chapter.

SECTION 7-10-4 EXEMPTIONS.

The following motor vehicles are exempt from having insurance:

1. A motor vehicle owned by the United States Government, any state or political subdivision of a state, or the Jemez Pueblo Tribe.
2. Agricultural machinery which is only incidentally operated on a highway.
3. A commercial vehicle approved as self-insured by the New Mexico State Corporation Commission.
4. Off-road vehicle as defined under Chapter 7 of this Traffic Code.

SECTION 7-10-5 EVIDENCE OF FINANCIAL RESPONSIBILITY.

Evidence of financial responsibility means evidence of the ability to respond for liability on account of accidents arising out of the ownership, maintenance or use of a vehicle within the boundaries of the Jemez Pueblo Reservation in the following amounts:

1. Twenty-five Thousand Dollars (\$25,000.00) because of bodily injury to or death of one (1) person in any one (1) accident;
2. Fifty Thousand Dollars (\$50,000.00) because of bodily injury to or death of two (2) persons in any one (1) accident;

3. Ten Thousand Dollars (\$10,000.00) because of injury to or destruction of property of others in any one (1) accident; and

These are the minimum amounts of insurance coverage required by this code.

SECTION 7-10-6 PENALTIES.

Any person found guilty of violating this Chapter may, upon conviction, be punished by a fine not to exceed One Hundred Fifty Dollars (\$150.00).

CHAPTER 11. OPERATION OF MOTORCYCLES.

SECTION 7-11-1 APPLICABILITY.

The provisions contained in this Chapter shall be in addition to other provisions of this Traffic Code which relate to the ownership or operation of motorcycles.

SECTION 7-11-2 OPERATOR'S LICENSE.

No person shall operate a motorcycle upon the Jemez Pueblo Reservation without having first successfully passed a written examination and a motorcycle driving test or as otherwise required under the New Mexico Motor Vehicle regulations. Such license requirement applies to all operators without regard to age of the operator or to horsepower of the motorcycle.

Any person found guilty of violation of this Section shall be punished by fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-11-3 EQUIPMENT.

All motorcycles and operators on the Jemez Pueblo Reservation shall, in addition to the equipment required in Chapter 12, herein, be equipped as follows:

1. Helmets. No person under the age of eighteen (18) years shall operate or ride on a motorcycle without wearing a helmet.
2. Mufflers. No person shall operate a motorcycle which has no muffler or which has a defective muffler.
3. Seats. No person shall carry more than one (1) passenger aboard a motorcycle and then only if there is a permanent seat attached to the motorcycle for such passenger.

CHAPTER 12. EQUIPMENT.

SECTION 7-12-1 SCOPE AND EFFECT OF REGULATIONS.

No person shall cause or permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this Chapter or which is equipped in any manner in violation of this Chapter.

The provisions of this Chapter with respect to equipment on vehicles shall not apply to farm tractors or other farming, road machinery or road rollers except as herein made applicable.

SECTION 7-12-2 WHEN LIGHTED LAMPS ARE REQUIRED.

Every vehicle upon a highway within this Reservation at any time from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles as hereinafter stated.

Any person found guilty of violation of this Section shall be punished by fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-12-3 HEAD LAMPS ON MOTOR VEHICLES.

1. Every motor vehicle other than a motorcycle or motor-driven cycle shall be equipped with at least two (2) head lamps with at least one (1) on each side of the front of the motor vehicle.

2. Every motorcycle shall be equipped with at least one (1) and not more than two (2) head lamps.

Any person found guilty of violation of this Section shall be punished by fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-12-4 TAIL LAMPS.

1. Every motor vehicle, trailer, semi-trailer, and pole trailer, and any other vehicle which is being drawn at the end of a train of vehicles, shall be equipped with at least two (2) tail lamp mounted on the rear, which, when lighted, shall emit a red light plainly visible from a distance of five hundred (500) feet to the rear.

Any person found guilty of violation of this Section shall be punished by fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-12-5 BRAKE LIGHTS. SIGNAL LAMPS AND SIGNAL DEVICES.

1. No vehicle shall be operated on any highway that is not equipped with the following signal lamps and devices;

A. Any stop lamp or stop lamps on the rear which shall emit a red light and which shall be actuated upon application of the brakes. Every stop lamp shall be plainly visible from a distance of one hundred (100) feet to the rear both during normal sunlight and at night.

B. Signal lamps indicating any intention to turn either to the right or to the left and which shall be visible both from the front and the rear. A signal lamp or lamps indicating intention to turn shall be visible and understandable during daytime and night time from a distance of (100) feet in normal daylight and at night time.

Any person found guilty of violation of this Section shall be punished by fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-12-6 FAILURE TO DIM LIGHTS

1. Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times of darkness, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

A. Whenever the driver of a vehicle approaches an oncoming vehicle within five hundred feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver;

B. the lowermost distribution of light shall be deemed to avoid glare at all times, regardless of road contour and loading; and

C. whenever the driver of a vehicle overtakes another vehicle proceeding in the same direction and within two hundred feet, such driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected through the rear window of the overtaken vehicle.

Any person found guilty of violation of this Section shall be punished by fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-12-7 HORNS AND WARNING DEVICES.

Every motor vehicle when operated upon highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of at least two hundred (200) feet.

Any person found guilty of violation of this Section shall be punished by fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-12-8 MIRRORS.

Every motor vehicle shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred (200) feet to the rear of the vehicle.

Any person found guilty of violation of this Section shall be punished by fine not to exceed One Hundred Dollars (\$100.00).

SECTION 7-12-9 WINDSHIELD; WINDSHIELD WIPERS.

1. The windshield, on every motor vehicle except a motorcycle, shall be equipped with a device for clearing rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

2. Every windshield wiper upon a motor vehicle shall be maintained in good working order.

3. No person shall drive any motor vehicle with a cracked windshield such that it distracts the front view of the driver.

Any person found guilty of violation of this Section shall be punished by fine not to exceed One Hundred Dollars (\$100.00).

CHAPTER 13. ENFORCEMENT.

SECTION 7-13-1 POLICE OFFICER TO BE IN UNIFORM.

No person may be arrested for any violation of any provision of this Code except by a uniformed officer of the Tribal Police, or another uniformed law enforcement officer properly authorized by the Pueblo of Jemez. A tribal law enforcement official may detain a person for violating any provision of this Code.

SECTION 7-13-2 CONDUCT OF POLICE OFFICER.

1. A law enforcement officer or tribal official who witnesses events or based on his investigation has reasonable grounds to believe that a person has violated any provision of this Title may stop and arrest such person, in accordance with the procedures of this Chapter.

2. Upon making a valid stop of such person, the officer or tribal official may demand that the driver produce his/her license, a certificate of registration for the vehicle, evidence of financial responsibility, and other routine information required by this Code.

3. If the officer or tribal official determines that the alleged violation was not serious, and that other circumstances, in light of current policies of the Pueblo, justify leniency toward the alleged violator, he/she may issue a warning notice on the uniform traffic citation form, after requiring the alleged violator's signature on the form as evidence of receipt of the notice. No warning notice shall be admissible as evidence in any civil or criminal proceeding.

4. If the alleged violation is one that may be disposed of by penalty assessment pursuant to the Section 7-13-3 of this Code, the officer or tribal official shall offer the alleged violator the option of accepting the penalty assessment. If the alleged violator accepts that option, the officer shall follow the procedures set forth in Section 7-13-3.

5. If the alleged violator declines to accept a penalty assessment for the violation or the violation is not subject to a penalty assessment, and the offense is not one specified in Section 7-13-4 of this Chapter, the officer shall:

- A. Issue a Notice to Appear on the uniform traffic citation form, specifying the time and place to appear;
- B. Have the person sign the agreement to appear as specified;
- C. Give a copy of the citation to the person;

SECTION 7-13-3 PENALTY ASSESSMENT.

1. Whenever a person is cited for violation of a provision subject to a penalty assessment as provided in this Section, and such person agrees to accept the penalty assessment, the officer shall;

A. Complete the information section of the uniform traffic citation and prepare the penalty assessment notice, indicating the violation, the amount of the penalty assessment, and the date by which it must be paid;

B. Have the violator sign the agreement to pay the penalty assessment;

C. Release him/her from detainment.

2. No officer or tribal official shall accept custody of or payment of any penalty assessment.

3. If the violator declines to accept a penalty assessment, or refuses to sign the agreement to pay the penalty assessment, the officer shall issue a Notice to Appear in Court. If the violator refuses to sign the Notice to Appear in Court, the officer may arrest the violator.

4. Unless a different penalty assessment is specified below or the traffic violation requires a mandatory court appearance, any motorist choosing to pay a penalty assessment for a traffic violation under this Code shall pay a fifty (\$50.00) dollar penalty.

<u>VIOLATION</u>	<u>SECTION VIOLATED</u>	<u>PENALTY ASSESSMENT</u>
Speeding – up to and including ten (10) miles per hour over the speed limit		\$30.00
Speeding – from eleven (11) up to and including fifteen (15) miles per hour over the speed limit	7-6-1	\$50.00
Speeding from sixteen (16) up to and including over twenty (20) miles per hour over the speed limit		\$70.00
Speeding -- more than twenty-one (21) miles per hour over the speed limit		\$100.00 minimum But not to exceed \$200.00

5. A violator's signature on a penalty assessment notice constitutes an admission of guilt as to the offense charged.

6. Payment of any penalty assessment must be made within thirty (30) days of the date of incident, provided that such payment shall be deemed timely if the envelope containing payment in full is postmarked within thirty (30) day period or payment is made in person within thirty (30) days.

7. Penalty assessment payments shall be deposited into the registry of the Tribal Court and handled the same as payments for fines assessed by the Tribal Court.

SECTION 7-13-4 VIOLATOR TAKEN INTO CUSTODY

1. A person arrested for violating any of the following Sections of this Code shall not be issued a Notice to Appear, but shall be taken into custody and shall be brought before the Tribal Court at the earliest possible time for arraignment;

A. Driving While Under the Influence of Alcohol/Drugs.

B. Leaving the Scene of an Accident Involving Death, Personal Injury or Damage to Vehicles.

C. Driving on Revoked License resulting from DWI.

SECTION 7-13-5 FAILURE TO OBEY NOTICE TO APPEAR OR AGREEMENT TO PAY PENALTY ASSESSMENT; PENALTY

1. No person, having signed a properly completed Notice to Appear, indicating his/her agreement to appear in Tribal Court to answer a charge of a violation of a provision of this Code, shall fail to appear at the time and place specified, unless the Court permits a continuance of such appearance.

2. No person, having signed a properly completed penalty assessment notice indicating his/her acceptance of the penalty assessment and agreement to pay the amount specified, shall fail to pay the assessment within the time allowed, unless such time is extended by the Tribal Court and payment is made within the extension period.

3. Any person found guilty of violating paragraph (1) or (2) of this Section may be punished for such violation by a fine of not more than One Hundred Dollars (\$100.00).

4. Any person who fails or refuses to sign a traffic citation agreeing to appear in court or agreeing to pay a penalty assessment shall be arrested by the police officer.

SECTION 7-13-6 IMPOUNDMENT OF VEHICLES GENERALLY

1. Any tribal police officer who is authorized to enforce the motor vehicle laws of the Pueblo or the state, or a Tribal official when the vehicle is owned or operated by a Native American, may order the impoundment of any vehicle within the exterior boundaries of the Pueblo of Jemez without prior notice to the owner or operator thereof, under the following circumstances:

A. When any vehicle is parked or left standing upon a street, alley, public way or private property in such a position as to obstruct the normal movement of traffic or in such a condition as to create a hazard to other traffic;

B. When the person or persons in charge of a vehicle are by reason of physical injuries, intoxication, illness or other cause incapacitated to such an extent as to be unable to provide for its custody or removal;

C. When the driver or person in control of a vehicle is lawfully taken into custody by a police officer, and said person is unable to immediately provide for the custody or removal of the vehicle.

D. When the vehicle has been used in a drug related offense pending forfeiture proceedings or when the vehicle is required for investigative purposes or as evidence.

2. Any vehicle impounded pursuant to this section shall be towed to an authorized storage facility or with the consent of the owner, driven to an area designated or maintained by the police department or by the Pueblo. If the owner does not give consent to have the vehicle driven, the vehicle shall be towed. The Tribal Police or Tribal Official authorizing impoundment shall issue signed and dated instructions in writing to the storage facility specifically stating whether the vehicle is to be held for investigation or as evidence, or whether it may be released to the owner after all attendant charges have been satisfied pursuant to this section.

3. Each time a vehicle is lawfully towed pursuant to this section the owner shall pay an impoundment fee of Two-Hundred fifty dollars(\$250.00). Each day a vehicle is stored in an area designated or maintained by the police department or by the Pueblo after it has been ordered release to the owner by the Police Department or the court pursuant to Section 7-13-7, the owner may be assessed a storage fee of Ten dollars (\$10.00) a day.

SECTION 7-13-7 RELEASE OF VEHICLES

1. An impounded vehicle shall be released to the owner only upon proof of ownership and only after payment of all accumulated penalties by the owner or his designee.

2. This section does not authorize the release of any vehicle held for investigation or as evidence of a crime or seized pursuant to tribal, state or federal law. Such vehicle shall be released only upon the written order of the police officer responsible for its impoundment or upon a written statement by the Chief of Police, that such vehicle is no longer needed for the investigation or for evidentiary purposes.

3. The Tribal Court Judge may order the release of the impounded vehicle if a hearing has been requested on the legality of the impoundment.

JEMEZ PUEBLO TRAFFIC CODE

Mandatory Court Appearance		Penalty Assessment	
Section 7-3-1	Operators Must be Licensed	Section 7-3-4	Unlawful to Permit Unlicensed Person to Drive Motor Vehicle
Section 7-3-3	Violation of License Provisions	Section 7-3-6	Registration of vehicles
Section 7-3-5	Unlawful to drive while license suspended or revoked	Section 7-3-7	Display of registration plates and temporary registration permits; displays prohibited and allowed
Section 7-5-1	Leaving the scene of an accident involving death, personal injury or damage to vehicles	Section 7-3-8	Improper use of evidence/registration
Section 7-5-2	Duty to give information and render aid	Section 7-4-1	Obedience to traffic-control devices
Section 7-5-3	Duty upon striking fixtures of other property upon a highway/roadway	Section 7-4-2	Flashing Signals
Section 7-6-18	School buses: Stopping for and passing school bus	Section 7-4-3	Interference with official traffic-control devices
Section 7-7-3	Licenses; Off-Highway Motor Vehicle Safety Permits	Section 7-6-1	Speed limits
Section 7-7-4	Operation of Off-Highway Motor Vehicle	Section 7-6-2	Drive on right side of roadway; exceptions
Section 7-7-7	Equipment and Safety Requirements	Section 7-6-3	Passing vehicles proceeding in opposite directions
Section 7-7-9	Operation on Streets Or Highways; Prohibited Areas	Section 7-6-4	No passing zones
Section 7-7-11	Accidents and Accident Reports	Section 7-6-5	When overtaking on the right is permitted
Section 7-8-2	Persons Driving Under the Influence of Intoxicating Liquor or Drugs	Section 7-6-6	Limitations on overtaking on the left
Section 7-8-3	Reckless Driving	Section 7-6-7	Driving on highways laned for traffic
Section 7-8-4	Careless Driving	Section 7-6-8	Following too closely
Section 7-8-5	Open Container	Section 7-6-9	Driving on divided highways
Section 7-8-6	Endangering the Welfare of a Child	Section 7-6-10	Turning on curve or crest of grade prohibited
Section 7-11-2	Operator's license	Section 7-6-11	Turning movements and required signals
		Section 7-6-12	Signals by hand and arm or signal device
		Section 7-6-13	Method of giving hand and arm signals
		Section 7-6-14	Vehicle approaching or entering intersection
		Section 7-6-15	Vehicle turning left at intersection
		Section 7-6-16	Vehicle entering highway from roadway or private driveway
		Section 7-6-17	All vehicles must stop at stop signs
		Section 7-6-19	Officers authorized to remove illegally stopped vehicles
		Section 7-6-20	Stopping, standing or parking prohibited in specified places
		Section 7-6-21	Riding on motorcycles
		Section 7-6-22	Obstruction to driver's view or driving mechanism
		Section 7-6-23	Animals on highway