

PRAIRIE ISLAND INDIAN COMMUNITY TRAFFIC ORDINANCE

CHAPTER I

POLICY; ENFORCEMENT AND GENERAL PROVISIONS

Section 1.1. Purpose; Policy. It is the policy of the Prairie Island Indian Community Tribal Council to protect the safety and welfare of persons within the Reservation and to ensure the maintenance of law and order on the Reservation by regulating motor vehicle traffic and safety standards.

Sec. 1.2. Scope. The provisions of this Ordinance apply to any enrolled member of the Prairie Island Community in Minnesota or any non-member Indian who drives, operates, or is in control of any motor vehicle or animal or animal drawn vehicle on the Reservation.

Sec. 1.3. Definitions.

Unless otherwise clearly indicated herein, the terms used in this Ordinance shall have the meanings given them in Minn. Stat., Section 169.01 (1998), as that Section may be amended from time to time. If a definition for a term is not provided by the text of this Ordinance, or by Minn. Stat., Section 169.01 (1998), then the term is to be given its ordinary and plain meaning.

A. Law Enforcement Officer. "Law Enforcement Officer" means any full or part-time law enforcement officer employed by the Prairie Island Community Council, including the Chief of Police, unless the context clearly indicates otherwise. It also includes "Peace Officers" as defined by Minnesota Statutes, Section 626.84, subd. 1(c)(1998), as that Section may be amended from time to time. It does not include security officers employed at Treasure Island or other business enterprises operated by the Prairie Island Community Council.

B. Substantive Provisions. "Substantive provisions" or "provisions" refers to the rights or prohibitions of a particular statutory section, but not to the penalties imposed.

C. Road Authority. For purposes of interpreting any Minnesota Statute incorporated by this Ordinance, the Prairie Island Community Tribal Council shall be considered a "road authority" with appropriate jurisdiction over the roads within the Reservation.

D. The Tribal Council. "Tribal Council" means the Prairie Island Community Tribal Council.

E. The Tribal Court. "Tribal Court" means the Prairie Island Community Tribal Court.

F. The Reservation. "Reservation" means all lands owned by the United States in trust for the Prairie Island Indian Community in Minnesota.

Sec. 1.4. Penalties.

A. Fine Categories. For the purposes of this Ordinance the following penalties are associated with the following fine categories:

<u>Violation</u>	<u>Fine</u>
Level 1 Offense	a civil fine not greater than \$500
Level 2 Offense	a civil fine not greater than \$1000

B. Fine Schedule. The Tribal Council has developed a fine schedule for specific sections of this Ordinance. The fine schedule, found at Chapter 4 of this Ordinance, specifies fixed monetary fines to be paid by persons who wish to plead guilty to a violation of this Ordinance and to pay a fine without a Court trial. The fine schedule may be amended once a

year and a complete fine schedule will be separately posted and made available for public inspection by any person subject to this Ordinance.

All fines collected under this Ordinance shall be payable directly to the clerk of the Tribal Court. No Law Enforcement Officer may accept payment of a fine under this Ordinance.

C. Repeat Offenders. Unless otherwise provided in this Ordinance, any person subject to this Ordinance who is convicted of a third offense under this Ordinance within any 12 month period may, in the discretion of the Court, have the dollar amount of their civil fine doubled.

Sec. 1.5. Enforcement Authority.

A. Authorized Law Enforcement Officers. The following Law Enforcement Officers are empowered and authorized to enforce this Ordinance:

- (1) The Chief of Police and Officers of the Prairie Island Community Police Department;
- (2) Peace Officers employed by a jurisdiction that meets the requirements of Paragraph B of this Section.

B. Limitations as to Peace Officers. In the event that the Prairie Island Indian Community establishes a Tribal Police Department, the authority granted to Peace Officers by Paragraph A, clause 2 of this Section will be effective only if and when a mutual aid and assistance agreement or similar cooperative agreement is in effect between the Prairie Island Community and the relevant state or local law enforcement agency, which agreement specifies the terms and conditions under which the authority may be exercised.

Sec. 1.6. Citations.

A. Authority; Form. Citations may be issued by Law Enforcement Officers for violations of this Ordinance. Such citations will be in the form and have the effect of a summons and complaint. The Prairie Island Community Chief of Police shall develop a ticket form for citations issued under this Ordinance. Each tribal citation issued shall provide the following information:

- (1) the time, date, and nature of the violation;
- (2) the name of the person cited;
- (3) the name or identification of the complainant; and
- (4) information on how to respond to the citation.

Citations issued to persons subject to this Ordinance using the ticket form regularly used by state, county, or municipal law enforcement officials for enforcement of the Minnesota State Traffic Code will be treated the same as citations issued using the tribal ticket form. Such foreign ticket forms must include the following information:

- (1) the time, date, and nature of the violation;
- (2) the name of the person cited;
- (3) the name or identification of the complainant; and
- (4) an indication that the ticket is issued under this Ordinance.

In addition, supplementary information on how to respond to the citation must accompany the ticket.

B. Process. A copy of each citation issued pursuant to this Ordinance shall be promptly submitted to the Clerk of the Tribal Court of the Prairie Island Community. The recipient of the citation then has twenty days from the filing of the citation with the Court to

respond. Where a specific fine is established for a violation of this Ordinance, the defendant may mark the citation with a plea of guilty and pay the associated fine or may mark the citation with a plea of not guilty and return it to the Tribal Court within the specified time, in which case a date for trial will be set. All trials will be before the judge without a jury. The failure of a defendant to respond to the citation within the specified time shall constitute a plea of guilty and a waiver of the right to trial, unless the defendant can show that the failure to respond is due to circumstances beyond her or his control.

C. Records.

- (1) The Tribal Court shall keep a full record of every case in which a person is convicted of a violation of any part of this Ordinance and shall make that record, or an abstract thereof, available to the Department of Public Safety of the State of Minnesota upon request; and
- (2) No record of the conviction of any person under this Ordinance shall be admissible as evidence in any court in any civil action, nor shall such record impair the credibility of such persons as a witness in any legal proceeding.

D. Prohibition of Traffic Quotas. Neither the Prairie Island Community Chief of Police nor any cooperating law enforcement agency may order, mandate, require, or suggest to a peace officer a quota for the issuance of citations for violations of this Ordinance on a daily, weekly, monthly, quarterly, yearly or any other periodic basis.

Sec. 1.7. Jurisdiction. The Tribal Court of the Prairie Island Community shall have jurisdiction to enforce the provisions of this Ordinance and impose the penalties provided for therein upon the presentation of a complaint by the Community Council or a Law Enforcement Officer. The prosecution of a complaint may be carried out by the Complainant, including a Law

Enforcement Officer, notwithstanding whether such person is an attorney and notwithstanding whether such person has been admitted to appear before the Tribal Court, or by a prosecutor assigned by the Tribal Council. If a fine levied by the Tribal Court under this Ordinance against an enrolled member of the Community is not paid within 30 days, the Tribal Court shall have the authority to order garnishment of the member's per capita distributions for the amount of the fine. If the fine levied by the Tribal Court under this Ordinance against an enrolled member who is a minor is not paid within 30 days, the Tribal Court shall have the authority to order the garnishment of the per capita distributions of the minor's parent or legal guardian for the amount of the fine, if such parent or legal guardian is an enrolled member of the Community.

Sec. 1.8. Severability. If any part of this Ordinance is found to be invalid by any court of competent jurisdiction or by the Department of the Interior, it shall be severed and the remaining parts shall remain in effect.

CHAPTER 2

TRAFFIC REGULATIONS

Section 2.1. Cooperation with Officials. It is a Level 2 Offense for any person to willfully fail or refuse to comply with any lawful order or direction of any Law Enforcement Officer invested by law with authority to direct, control, or regulate traffic under this Ordinance.

Sec. 2.2. Emergency Vehicles. The provisions of this Ordinance apply to the driver of an authorized emergency vehicle, subject to the exceptions enumerated in Minn. Stat., Section 169.03, subdivisions 2 through 6 (1998), as those sections may be amended from time to time.

Sec. 2.3. Towing Authority. The Prairie Island Community Tribal Council is a "towing authority" as that term is used in Minn. Stat., Section 169.041 (1998), as that Section may be amended from time to time. The Community Council, or its authorized agent, has the authority to tow any vehicle owned by a person subject to this Ordinance within the Reservation boundaries in the manner provided by Minn. Stat., Section 169.041, subdivisions 2 through 9, 11 through 13, 15 and 17, and Section 169.042 (1998), as those Sections may be amended from time to time.

Sec. 2.4 Traffic Control Devices. All pedestrians and any driver of a motor vehicle subject to this Ordinance must obey traffic control devices within the Reservation as set forth in Minn. Stat., Section 169.06, subdivisions 4 through 8 (1998), as those sections may be amended from time to time. Any failure to do so is a Level 1 Offense.

Sec. 2.5. Signs.

A. The substantive provisions of Minn. Stat., Sections 169.07 (Unauthorized Signs) and 169.08 (Unlawful to Possess, Deface, or Remove Signs) (1998), as those Sections may be amended from time to time, are hereby incorporated into this Ordinance. A failure to adhere to these provisions is a Level 1 Offense.

B. The substantive provisions of Minn. Stat., 169.072 (1998), (Unauthorized Mailbox Installations), as that Section may be amended from time to time, are hereby incorporated into this Ordinance. A failure to adhere to this provision is a Level 1 Offense.

C. No person subject to this Ordinance shall place, maintain or display any red light or red sign, signal, or lighting device or maintain it in view of any roadway or any line of railroad in such a way as to interfere with the effectiveness or efficiency of any traffic control device or signal. A failure to adhere to this provision is a Level 1 Offense.

Sec. 2.6. Accidents. The substantive provisions of Minn. Stat., Section 169.09, subdivisions 1 through 8, and subdivisions 10 through 12 (Accidents)(1998), as that Section may be amended from time to time, shall apply to all persons subject to this Ordinance, except that notification of Law Enforcement Officers in the circumstances specified in subdivision 6 shall satisfy the requirements of that provision. Failure to comply with these provisions is a Level 2 Offense.

Sec. 2.7. Underage Drinking & Driving. The Substantive provisions of Minn.Stat., 169.1218 (1998)(Underage Drinking & Driving), as that Section may be amended from time to time, shall apply to all persons subject to this Ordinance. Failure to comply with the provisions of this Section constitutes a Level 2 Offense.

Sec. 2.8. Open Bottle. The Substantive provisions of Minn. Stat., Section 169.22 (1998), as that Section may be amended from time to time, shall apply to all persons subject to this Ordinance. The failure to comply with any of the provisions of this Section constitutes a Level 2 Offense.

Sec. 2.9. Careless Driving. The Substantive provisions of Minn.Stat., 169.13, subd. 2 (1998), as that Section may be amended from time to time, shall apply to all persons subject to this Ordinance. Failure to comply with any of the provisions of this Section constitutes a Level 2 Offense

Sec. 2.10. Speed Restrictions. All drivers covered by this Ordinance are subject to the speed restrictions enumerated in Minn. Stat., Section 169.14, subdivisions 1 through 3 and subdivisions 7 through 12 (1998), as those sections may be amended from time to time, except that for the purposes of subdivision 12, the phrase "Prairie Island Community" shall be

substituted for the word "state." The failure to comply with any of the provisions of this subdivision is a Level 1 Offense.

Sec. 2.11. Traffic Rules. The substantive provisions of the following 1998 Minnesota Statutes, as those statutes maybe amended from time to time, are hereby incorporated into this Ordinance. Failure to comply with any of these listed provisions shall be a Level 1 Offense, except for failure to comply with the provisions of Minn. Stat., Section 169.42, subdivisions 1 through 4 (Littering), which is a Level 2 Offense:

- Minn. Stat. §169.145 (Implements of Husbandry; Speed; Brakes)
- Minn. Stat. §169.15 (Impeding Traffic)
- Minn. Stat. §169.16 (Speed on Bridges)
- Minn. Stat. §168.17 (Emergency Vehicles)
- Minn. Stat. §169.18 (Driving Rules)
- Minn. Stat. §169.19 (Turning and Starting)
- Minn. Stat. §169.20 (Right-of-Way) (except subd. 5a, and except that in subd. 5b the words "Level 1 Offense" are substituted for the words "petty misdemeanor")
- Minn. Stat. §169.201 (Yield Sign)
- Minn. Stat. §169.22 (Hitchhiking; Solicitation of Business)
- Minn. Stat. §169.30 (Designation of Through Highways)
- Minn. Stat. §169.305 subd. 1 and subd. 2 (Controlled Access Rules and Penalties)
- Minn. Stat. §169.31 (Stop at Sidewalks)
- Minn. Stat. §169.315 (Opening and Closing Vehicle Doors)
- Minn. Stat. §169.32 (Stopping, Standing, and Parking)
- Minn. Stat. §169.34 (Prohibitions; Stopping, Parking)
- Minn. Stat. §169.342 (Good Samaritan; Exception to Stopping and Parking)
- Minn. Stat. §169.35 (Parking)
- Minn. Stat. §169.36 (Brakes to be Set)
- Minn. Stat. §169.37 (Obstructing View of Driver)
- Minn. Stat. §169.39 (Coasting)
- Minn. Stat. § 169.40 (Fire Apparatus; Fire Stations)
- Minn. Stat. §169.41 (Crossing Fire Hose)
- Minn. Stat. §169.42 subds. 1 through 4 (Littering)
- Minn. Stat. §169.43 (Swinging Gates)

This Ordinance is also governed by the substantive provisions of Minn. Stat., Section 169.025 (Application of Motor Carrier Rules), Section 169.03, subdivision 8 (Application of rules to animals or animal drawn vehicles), Section 169.05 (Private Roadways), Section 169.33 (Police May Move Cars) (1998), as those sections may be amended from time to time.

Sec. 2.12. Pedestrians. The substantive provisions of Minn. Stat., Section 169.21 (Pedestrians) (1998) (except subdivision 2(d)), as that section may be amended from time to time, is hereby incorporated into this Ordinance. A failure to comply with the provisions of subdivisions 1, 3, 4, or 5 of Minn. Stat., Section 169.21 is a Level 1 Offense. A failure to comply with the provisions of Minn. Stat., Section 169.21, subd. 2(a), (b), or (c) is a Level 2 Offense. A second violation of Minn. Stat., Section 169.21, subd. 2(a), (b), or (c) within one year of a previous conviction for violating Minn. Stat. section 169.21, subdivision 2(a), (b), or (c) is a Level 2 Offense and is chargeable as a Repeat Offense, pursuant to Section 1.4 (C) of this Ordinance.

Sec. 2.13. Physically Disabled Parking. Persons subject to this Ordinance must conform with the substantive provisions, prohibitions, and procedures described in Minn. Stat., Section 169.345, subdivision 1, 2, and 3 (1998), and Minn. Stat., Section 169.346, subdivision 1 and 2 (1998), related to parking privileges and prohibitions for physically disabled people as such provisions may be amended from time to time. Use of a certificate or temporary permit in violation of Minn. Stat., Section 169.345, subdivisions 1, 2, or 3 (1998) is a Level 1 Offense. Failure to comply with the provisions of Minn. Stat., Section 169.346, subdivision 1 (1998) is a Level 1 Offense, except a person parked in a parking space for physically disabled persons without the required certificate, license plate, or temporary permit shall not be convicted if that

person produces in court or before the court appearance the required certificate, license plate, or temporary permit, or evidence that the required certificate, license plate or temporary permit has been issued. Failure to comply with the provisions of section 169.346, subdivision 2(b) (1998) is a Level 1 Offense.

Sec. 2.14. School Buses. The operation of school buses, and other buses (to the extent they are mentioned), by any person subject to this Ordinance, must conform with the substantive provisions of Minn. Stat., Sections 169.435 through 169.4582 (1998), as those Sections may be amended from time to time. A failure to comply with these provisions is a Level 2 Offense.

Sec. 2.15. Unsafe Equipment; Spot Checks. It is unlawful and punishable as herein provided for any person subject to this Ordinance to drive or for the owner to cause or knowingly permit to be driven on any road within the Reservation any vehicle or combination of vehicles in such unsafe condition as to endanger any person. All drivers, owners, and vehicles subject to this Ordinance must conform to the substantive provisions of the following Sections of the 1998 Minnesota Statutes, as those Statutes may be amended from time to time:

- Minn. Stat. §169.46 (Hitching Behind Vehicles)
- Minn. Stat. §169.47 through 169.64 (Unsafe Vehicles, Televisions and Headphones, Vehicle Lighting)
- Minn. Stat. §167.67 (Brakes)
- Minn. Stat. §169.68 (Horns)
- Minn. Stat. §169.69 (Mufflers)
- Minn. Stat. §169.693 (Motor Vehicle Noise Limits)
- Minn. Stat. §169.70 (Rear View Mirrors)
- Minn. Stat. §169.71 (Windshields)
- Minn. Stat. §169.72 (Surface of Tires)
- Minn. Stat. §169.721, 169.723 (Unsafe Tires)
- Minn. Stat. §169.724 (Prohibition)
- Minn. Stat. §169.73 (Bumpers, Safeguards)
- Minn. Stat. §169.733 (Wheel Flaps on Trucks and Trailers)
- Minn. Stat. §169.734 (Wheel Devices on Automobiles)

Minn. Stat. §169.74 (Safety Glass)
Minn. Stat. §169.743 (Bug Deflectors)
Minn. Stat. §169.75 (Flares, Flags and Reflectors)
Minn. Stat. §169.762 subs. 1 and 2 (Pressurized Gas)
Minn. Stat. §169.77 (Spot Checks for Motor Vehicles)

A failure to comply with any of these provisions is a Level 1 Offense, except that a violation of Minn. Stat., Section 169.762, subdivisions 1 and 2 (Pressurized Gas) (1998) is a Level 2 Offense.

Sec. 2.16. Seat Belts & Child Restraint Systems. The Substantive provisions of Minn.Stat., Section 169.685 (Passenger Restraint System for Children)(1998) and Section 169.686, subs. 1 and 2 (Seat Belt Use)(1998), as those Sections may be amended from time to time, shall apply to any person subject to this Ordinance. The failure to comply with any of the provisions of these Sections shall constitute a Level 1 Offense.

Sec. 2.17. Insurance. No vehicle may be operated within the Prairie Island Community by a person subject to this Ordinance unless its maintenance and operation conforms with the insurance requirements of the State of Minnesota described in Minn. Stat., Sections 169.791 through 169.796 (1998), as those Sections may be amended from time to time. A failure to adhere to the substantive provisions of these statutes is a Level 2 Offense.

Sec. 2.18. Motorscooters, Motor Bikes, and Motorized Bicycles. The use of a motorcycle, motor scooter, motor bike, or motorized bicycle by any person subject to this Ordinance must conform with the substantive provisions of Minn. Stat., Section 169.223 (Motorized Bicycles)(1998) and Section 169.974 (Motorcycles, Motorscooters, Motor Bikes)(1998), as those Sections may be amended from time to time. A failure to comply with these provisions is a Level 1 Offense.

Sec. 2.19. Law Enforcement Vehicles. Any Officer of the Prairie Island Community Police Department and any Peace Officer vehicle must conform with the substantive provisions of Minn. Stat., Section 169.98, subdivision 1 (1998), as that Section may be amended from time to time, and will be treated as a motor vehicle of a municipal police department for the purposes of that section. Any security officer vehicle operated by anyone subject to this Ordinance must comply with the substantive provisions of Minn. Stat., Section 169.98, subdivision 3 (1998), as that Section may be amended from time to time.

CHAPTER 3

DRIVERS' LICENSES

Section 3.1. Licenses Required; Possession. Except as provided in section 3.3, no person subject to this Ordinance shall drive any motor vehicle upon any street or highway on the Reservation unless such person has a license recognized by section 3.2 for the type or class of vehicle being driven. Every licensee shall have the license in immediate possession at all times while operating a motor vehicle and shall display it upon demand of a Law Enforcement Officer; provided that no person shall be convicted for a violation of this requirement if the person

produces in court or in the office of the arresting officer a driver's license previously issued to that person for the class of vehicle being driven, which was valid at the time of arrest, or satisfactory proof that, at the time of arrest, the person was validly licensed for the class of vehicle being driven. The licensee shall also, upon request of any Law Enforcement Officer, write the licensee's name in the presence of the officer to determine the identity of the license.

Sec. 3.2. Recognized Licenses. Driver's licenses issued by the State of Minnesota or by any other Indian tribe, state, or foreign country that has been issued and is valid under the laws of the issuing jurisdiction for the class of vehicle being driven shall satisfy the requirements of section 3.1.

Sec. 3.3. Exemptions. The following persons are exempt from the license requirements of section 3.1:

- A. a person in the employ of the United States federal government while driving or operating a motor vehicle owned by or leased to the United States federal government; and
- B. any person while driving or operating any farm tractor or implement of husbandry temporarily operated or moved on a highway; provided that for purposes of this exemption an all-terrain vehicle, an off-highway motorcycle and an off-road vehicle, as defined by Minnesota Statutes, shall not be considered implements of husbandry.

Sec. 3.4. Prohibited Acts. With regard to any driver's license no person shall:

- A. display or cause to be displayed or have in possession, any fictitious or fraudulently altered driver's license;
- B. display or represent as one's own any driver's license not issued to that person;
- C. use a fictitious name or date of birth to any peace officer;
- D. alter any driver's license;
- E. make a counterfeit driver's license;
- F. use the name and date of birth of another person to any peace officer for the purpose of falsely identifying oneself to the peace officer; or
- G. display as a valid driver's license any canceled, revoked or suspended driver's license; provided a person may display such a license for identification purposes.

Sec. 3.5. Renting Vehicle to Unlicensed Driver. No person shall rent or lease a motor vehicle to any other person unless the latter person is licensed as provided by this Ordinance.

Sec. 3.6. Penalties. Failure to comply with any provision of this Ordinance other than Section 3.4, clauses (F) and (G), is a Level 1 Offense. Failure to comply with section 3.4, clause (F) or clause (G) is a Level 2 Offense.

CHAPTER 4

PENALTIES

Section 4.1. Violations & Authority to Impose Penalties

Violations of the prohibitions set forth under Chapter 2 of this Ordinance shall be considered misdemeanor traffic offenses and shall be subject to the imposition of fines as identified in Section 5.2, below. In addition, the Tribal Court may impose additional penalties as authorized by Sections 1.4.C. and 5.3 of this Ordinance.

Section 4.2. Fine Schedule

The following fines shall apply to violations under Chapter 2 of this Ordinance:

VIOLATION DESCRIPTION	ORDINANCE SECTION	FINE
Failure to comply with lawful order of direction of peace officer	2.1	\$50
Obstruction of peace officer	2.1	\$200
Defacement or removal of signs	2.5(A)	\$75
Failure to remain at scene of accident resulting in injury	2.6	\$100
Failure to remain at scene of accident not resulting in injury	2.6	\$50
Failure to provide information or assistance at scene of accident	2.6	\$50
Leaving the scene of collision with unattended vehicle	2.6	\$50
Failure to report accident involving substantial property damage or human injury to law enforcement	2.6	\$300
Open bottle violation	2.8	\$100
Careless driving	2.9	\$50
Failure to reduce speed as appropriate for existing conditions	2.10	\$50
Speeding – Up to 10 miles per hour over speed limit	2.10	\$50
Speeding – In excess of 10 miles per hour over speed limit	2.10	\$75
Speeding – In excess of 20 miles per hour over speed limit	2.10	\$100
Speeding – In excess of 30 miles per hour over speed limit	2.10	\$200
Impeding traffic	2.11	\$50
Illegal U-turn	2.11	\$50
Failure to yield	2.11	\$50
Depositing refuse on public roadways or adjacent land	2.11	\$100
Violation of headlight requirements	2.15	\$25
Violation of rear lamp requirements	2.15	\$25

Illegal muffler	2.15	\$25
Failure to have wheel flaps on truck or trailer	2.15	\$25
Failure to provide proof of insurance	2.17	\$25
Failure to carry required liability insurance coverage	2.17	\$200
Driving without valid driver's license	3.4	\$100
Driving after suspension, revocation or cancellation of driver's license	3.4	\$100
Failure to use seat belts or child restraint devices	2.16	\$25
Unreasonable acceleration	2.11	\$50
Violation of school bus stop arm signal requirements	2.4	\$100

Section 4.3. Unscheduled Violations

Any Level 1 violation identified in Chapters 2 or 3 of this Ordinance that is not specifically addressed in Section 5.2 of this Chapter shall be subject to a \$25.00 fine. Any Level 2 violation identified in Chapters 2 or 3 of this Ordinance that is not specifically addressed in Section 5.2 of this Chapter shall be subject to a \$50.00 fine.

Section 4.4. Recurrent Violations

A. Any person subject to this Ordinance who is charged with a second offense under this Ordinance within any 12-month period shall be subject to double the fine identified in Section 5.2 above.

B. Pursuant to Section 1.4.C. of this Ordinance, any person subject to this Ordinance who is charged with a third offense under this Ordinance within any 12-month period will be subject to fine assessment by the Prairie Island Community Tribal Court, subject to the limits imposed by Section 1.4.A of the Ordinance. Once the Court has assessed the fine, it may, pursuant to Section 1.4.C of this Ordinance, double the assessed fine.

C. In the administration of this Section, the Tribal Court may recognize and give effect to recurrent violations of comparable provisions of the laws of another jurisdiction.

Section 4.5. Vehicle Towing

Pursuant to Section 2.3 of this Ordinance, Law Enforcement Officers of the Prairie Island Community have the authority to tow a vehicle, at the owner's expense, when the position of the vehicle on a public roadway constitutes a public safety hazard, or where the driver of the vehicle has been convicted of driving without a valid driver's license or driving without liability insurance or driving without valid vehicle registration under this Ordinance twice within the preceding 12 months.

CHAPTER 5

EFFECTIVE DATE

Sec. 5.1. Effective Date. This Ordinance shall become effective the day following adoption by the Tribal Council.