



## MANDAN, HIDATSA, & ARIKARA NATION

*Three Affiliated Tribes • Fort Berthold Indian Reservation*  
404 Frontage Road • New Town, North Dakota 58763-9402

OFFICE OF THE CHAIRMAN  
TEX "RED TIPPED ARROW" HALL  
(701) 627-8122  
FAX (701) 627-3503

## NEWS RELEASE FOR IMMEDIATE RELEASE

September 20, 2011  
Contact: Glenda Embry  
Public Information Officer  
[gembry@mhanation.com](mailto:gembry@mhanation.com)  
(701) 627-8242  
Cell (701) 421-7166

### **Tribes Pass Special Resolution Enforcing Civil Motor Vehicle Code on Reservation Roads after Family of Four Dies on Highway**

#### **Sobriety & Vehicle Safety Checkpoints Established with Rigorous Enforcement**

New Town, ND – The Special Resolution passed by the Tribal Business Council on Wednesday, September 14 and named in honor of the family of four killed in the latest oil truck, vehicle collision is meant to fully enforce and to bolster the Tribes new Civil Motor Vehicle Code. The Civil Code is applicable to non-tribal motor vehicle operators on the Reservation; the Tribes General Motor Vehicle Code applies to tribal members as well as individuals, who are members of other Indian Tribes.

The Resolution, entitled "Gracie May Fox, Layla April Little Owl, Sarah Johnson and Ross Little Owl Special Resolution for the Enforcement of Tribal Motor Vehicle Laws" will enhance enforcement against all motor vehicle operators on the Reservation.

The rapid development of the oil industry on the Reservation and ensuing increased commercial traffic has resulted in a high incidence of traffic accidents and increased motor vehicle fatalities among tribal members, and damage to vehicles and roadways.

A majority of the commercial vehicle operators are non-Indians for whom the Tribe lacks criminal jurisdiction. Many of these operators are aware of the jurisdictional gap and blatantly display a wanton disregard for motor vehicle laws on the Reservation.

In order to combat these violations, the Tribal Business Council during their August 11 council meeting unanimously adopted a Civil Motor Vehicle Code, which is applicable to those individuals for whom the Tribes do not have criminal jurisdiction.

With the death of the four family members last week, the Tribal Council voted unanimously to vigorously enforce the Civil Motor Vehicle Code.

Tribal Attorney, Jennifer Fyten said, a key point the Tribal Council wants to make to clear is "the belief, by some non-Indians, that the Tribe does not have jurisdiction over them to enforce traffic laws - is false". She said, although the Tribe does not have criminal jurisdiction, it does have civil jurisdiction and that the Tribe does intend to fully enforce the

-- More --

new Code and law enforcement will stop, cite, investigate and possibly detain all individuals violating the State and Tribal rules of the road. Fyten also said U.S Attorney Timothy Purdon is aware of the Tribes' new civil traffic code and expressed his support of the Tribes' efforts during the annual United Tribes Summit. According to the Special Resolution, all Tribal and Bureau of Indian Affairs law enforcement and all tribal agencies with jurisdiction will fully enforce the new Civil Motor Vehicle Code as well as the Tribes General Motor Vehicle Code. The Special Resolution provides for off-road inspections and sobriety checkpoints on roadways within the boundaries of the Reservation. Provisions in the new Civil Code are the same as the North Dakota Century Code and penalties for violations are consistent with North Dakota penalties. Additionally, any individual cited while driving a commercial vehicle, may have their citation reported to the company they work for, and law enforcement may impound a vehicle if they believe the vehicle poses a threat to public safety or the environment. Failure to pay any fine may result in further legal proceedings including reporting the person to the company who employs them and further, reporting that company to the Tribal Employment Rights Commission (TERO) for consideration of suspension of that companies TERO license. The intent of those provisions is that companies working on the reservation will encourage their employees and sub contractors to obey all traffic laws.

On Friday September 16, Chairman Tex Hall met with the Legal Department, Law Enforcement and other tribal agencies with jurisdiction on tribal roads to discuss enforcement of the Code. Hall spoke about the need to take all the necessary steps to protect the public and to encourage a safe driving environment through aggressive law enforcement.

#####