



# Lower Sioux Indian Community

P.O. Box 308 • 39527 Res. Hwy. 1  
Morton, Minnesota 56270

*Cansayapi Otunwe*

## LOWER SIOUX COMMUNITY TRAFFIC CODE

### CHAPTER I. USE OF OFF-ROAD MOTORIZED VEHICLES

#### Section 1.1

**Policy.** It is the policy of the Lower Sioux Community to exercise exclusive regulatory jurisdiction over certain conduct using off-road motorized vehicles on roads and lands under the jurisdiction of the Community. It is the intent of the Lower Sioux Community that the provisions of this Chapter supersede the laws of any other jurisdiction, and that any enforcement of this Chapter take place solely in the Lower Sioux Community Court.

#### Section. 1.2

**Definitions.** For the purposes of this chapter, the following definitions shall apply:

- A. "Off-Road Motorized Vehicle" shall mean a vehicle which is self-propelled which is not an automobile or truck or tractor, and which is designed primarily for use off of roads, and shall include without limitation those vehicles commonly referred to as all-terrain vehicles (motorized flotation-tired vehicles of not less than three low pressure tires, but not more than six tires, limited in engine displacement of less than 900 cubic centimeters and total dry weight less than 700 pounds), mountain motorbikes, mountain motorcycles, three wheelers, four wheelers, and similar vehicles.
- B. "Community Minor" shall mean an enrolled member of the Lower Sioux Community who is under the age of eighteen.

- C. "Community Roads" shall mean all roads passing over Community property with the exception of County Road 2 and County Road 24.
- D. "Community Lands" shall mean all lands owned by the United States in trust for the Community, except lands that have been assigned to individuals by the Community.

### Section 1.3

**Regulation of Use of Off-Road Motorized Vehicles.** Off-Road Motorized Vehicles shall be operated only in accordance with applicable community laws and regulations, including the following:

- A. The operator shall obey all traffic signs and traffic laws.
- B. The operator shall never operate the vehicle at speeds greater than 30 miles per hour.
- C. The operator shall not drive the vehicle on any sidewalks.
- D. The operator shall not use the vehicle on lands that are not assigned to individuals by the community. The operator shall not use the vehicle on planted fields or on any person's yard. Adult operators or the parents of minor operators will be responsible for any damages incurred.
- E. The operator shall not use the vehicle after 10:00pm on Sunday through Thursday or after 11:00 pm on Friday and Saturday.
- F. The operator shall not drive in a reckless manner (i.e. smoking tires, spinning doughnuts, jumping driveways, riding wheelies, etc.)
- G. The operator may use the vehicle solely at his/her risk within the gravel pit area on Community Land.
- H. While riding on the vehicle, minors and minor passengers shall wear an appropriate helmet.
- I. The operator shall not carry as passengers any more people than the vehicle is rated or designed for.

## Section 1.4

**Penalties for Violations of this Chapter.** Any person who violates this chapter shall be subject to the following penalties:

- A. For a first offense, suspension of off-road motorized vehicle driving privileges for one week and a civil fine of fifty dollars.
- B. For a second offense within a two-year period, suspension of off-road motorized vehicle driving privileges for two weeks and a civil fine of \$100.
- C. For a third or more offense within a two –year period, suspension of off-road motorized vehicle driving privileges for one month and a civil fine of \$200.
- D. If the Community Court makes a specific finding of extraordinary circumstances, the court may impose penalties of up to triple the above suspensions and fines.
- E. During the suspension period for a second or more offense, the off-road motorized vehicle shall be impounded by the Lower Sioux Police Department. The vehicle will be released after the suspension period and after the fine is paid.
- F. If an operator violates the one-week suspension for a first offense, the vehicle will be impounded by the Lower Sioux Police for a period of two weeks and released after the suspension period and after the fine is paid.