

## Notice of Revised Traffic Code Adopted

On July 31, 2018, the Tribal Council adopted Resolution No. 2018-130, approving a revised Traffic Code. Tribal Council will now submit the Traffic Code to the Bureau of Indian Affairs (BIA) for review and approval. Once BIA approves it, the Traffic Code will become effective six months later. This will allow the Tribe extra time to educate the membership and the public of the new Code.

Among all of the revisions, the revised Traffic Code includes the following substantive eleven revisions:

1. Separates civil traffic infractions (e.g., speeding and parking) and criminal traffic offenses (e.g., DUI and careless driving);
2. Allows the Tribe to cite non-Indians for civil traffic infractions where the Tribe has jurisdiction;
3. Adds a third offense (Aggravated DUI) related to driving under the influence for drivers with a blood alcohol content of 0.15 or more or that injure another person while under the influence;
4. Makes the driver's license revocation periods the same as Colorado's periods (i.e., nine months for first excessive blood alcohol level; one year for a second; and two years for a third or subsequent);
5. Makes revocation periods for refusing to take a chemical test the same as Colorado's (i.e., one year for first refusal; two years for second; three years for third or subsequent);
6. Revocation periods will automatically be amended if the State amends its periods and tribally revoked drivers may apply for a restricted driver's license (i.e., ignition interlock) from the State;
7. Allows law enforcement to stop drivers for not wearing seatbelts;
8. Requires vehicles to comply with tint visibility requirements where registered (in CO, 27% of light in windows, 70% of light in windshield);
9. Requires mandatory insurance for the minimum coverage amounts where the vehicle is registered;
10. Authorizes minors to be prosecuted for alcohol related traffic offenses where minor had a prior, accident resulted in serious bodily injury, or accident resulted in excessive property damage; and
11. Designates roads and trails where off-highway vehicles can be used (see map).

For your information, the Tribe's Department of Tribal Information Services has posted a copy of the Code on the *Southern Ute Drum's* website, the tribal member website, and the Tribe's social media site. Upon request, the Tribal Information Services Department will mail a hard copy of the revised Code to tribal members. To request a hard copy, contact Director, Edna Frost, at 563-2250.

If you have questions, contact the Director of the Legal Department, David Smith at 563-2140, or [dasmith@southernute-nsn.gov](mailto:dasmith@southernute-nsn.gov).