

**CIVIL TRAFFIC ORDINANCE
CERTIFICATES OF OWNERSHIP AND REGISTRATION**

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8.12.010 Certificates Required to Operate Vehicles

It is unlawful for any person to operate any vehicle on the Skokomish Reservation without having in effect a certificate of ownership that contains the name of the current registered owner. It is also unlawful for any person to sell or transfer any vehicle without complying with all the provisions of Chapter relating to certificates of ownership. Nothing in this title prevents any person from securing a certificate of ownership without obtaining a certificate of license registration and vehicle license plates, if the vehicle is not operated on a public road.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.12.190 Legal Owner Not Liable for Acts of Registered Owner

The person, firm, copartnership, association or corporation to whom a certificate of ownership has been issued shall not incur liability or be responsible for damage resulting from any act or contract made by the registered owner or by any person acting for, by or under the authority of the registered owner.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.12.220 Alteration or Forgery - Penalty

Any person who alters, forges, or causes to be altered or forged any certificate of title or registration, or any assignment thereof, or any release or notice of release of any encumbrance, or who holds or uses any certificate or assignment, or release or notice of release, knowing it to be altered or forged, is guilty of a Class B Criminal Offense.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.12.310 Serial Numbers - Seizure and Impoundment of Vehicles, etc. - Notice to Interested Persons - Release to Owner, etc.

- (a) Any vehicle, watercraft, camper, or any component part, from which the manufacturer's serial number or any other distinguishing number or identification mark has been removed, defaced, covered, altered, obliterated, or destroyed, may be impounded and held by the Skokomish Department of Public Safety for the purpose of conducting an investigation to determine the identity of the article or articles, and to determine whether it has been reported stolen.
- (b) Within five days of the impounding of any vehicle, watercraft, camper, or component part thereof, the Department of Public Safety shall send written notice of the impoundment by certified mail to all persons known to the agency as claiming an interest in the article or articles. The notice shall advise the person of the seizure, the possible disposition of the article or articles, the requirement of filing a written claim requesting notification of potential disposition, and the right of the person to request a hearing to establish a claim of ownership. Within five days of receiving notice of other persons claiming an interest in the article or articles, the Department shall send a like notice to each.
- (c) If reported as stolen, the Department shall promptly release the vehicle, watercraft, camper, or parts, to the person who is the lawful owner or the lawful successor in interest, upon receiving proof that the person presently owns or has a lawful right to the possession of the article or articles.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.12.320 Serial Numbers - Disposition of Vehicles, etc., Authorized, When

Unless a claim of ownership to the article or articles is established according to 8.12.330, the Skokomish Department of Public Safety may dispose of the vehicle, watercraft, camper, or component part by destruction, by selling at public auction to the highest bidder, or by holding the article or articles for the official use of the Department, when:

- (a) The true identity of the article or articles cannot be established by restoring the original manufacturer's serial number or other distinguishing numbers or identification marks or by any other means;
- (b) After the true identity of the article or articles has been established, the Department cannot locate the person who is the lawful owner or if the lawful owner or his successor in interest fails to claim the article or articles within thirty (30) days after receiving notice from the Department that the article or articles is in its possession.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.12.330 Serial Numbers - Hearing - Appeal - Removal to Court - Release

- (a) Any person may submit a written request for a hearing to establish a claim of ownership or right to lawful possession of the vehicle, watercraft, camper, or component part seized pursuant to this section.
- (b) Upon receipt of a request for hearing, one shall be held before the Tribal Court.
- (c) The hearing shall be held within a reasonable time after receipt of a request. Reasonable investigative activities, including efforts to establish the identity of the article or articles and the identity of the person entitled to the lawful possession or custody of the article or articles, shall be considered in determining the reasonableness of the time within which a hearing must be held.
- (d) The burden of producing evidence is on the person claiming to be the lawful owner or to have the lawful right of possession to the article or articles.
- (e) The Department shall promptly release the article or articles to the claimant upon a determination by the Tribal Court that the claimant is the present lawful owner or is lawfully entitled to possession.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.12.340 Serial Numbers-Release of Vehicle, etc.

The Department of Public Safety may release the article or articles impounded under this section without a hearing to the person claiming ownership when the Department is satisfied, after an appropriate investigation, about the claimant's right to lawful possession. Reasonable investigative activity, including efforts to establish the identity of the article or articles and the identity of the person entitled to lawful possession or custody of the article or articles shall be considered in determining the reasonableness of the time in which release must be made.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

8.12.350 Assignment of New Serial Number

An identification number shall be assigned to any article impounded under 8.12.310 prior to:

- (a) The release of the article; or
- (b) The use of the article by the Department of Public Safety.

Legislative History prior to July 5, 2017

+Adopted by Resolution No. 95-80 (August 16, 1995)
+Amended by Resolution No. 04-111 (September 8, 2004)
Reaffirmed by Resolution No. 17-100 (July 5, 2017)

+Ordinance and/or amendments not attached to the resolution in the Skokomish Tribal Archives