

WAKANAKISING ODAWAK STATUTE 2012-005

**AMENDMENT TO WAGANAKISING ODAWAK STATUTE 2010-011
CIVIL TRAFFIC**

SECTION I. REPEAL and REPLACE

REPEAL :

**SECTION XXXII. MOTORCYCLES, MOTOR-DRIVEN CYCLES,
OR MOPEDS EQUIPMENT**

A. Violation

1. It shall be a violation to operate a motorcycle or motor-driven cycle not equipped with mirrors on the left and right sides of the motorcycle which shall be so located as to give the driver a complete view of the highway for a distance of at least two hundred feet to the rear of the motorcycle or motor-driven cycle.
2. It shall be a violation to operate a motorcycle or motor-driven cycle which does not have a windshield unless wearing safety glasses, goggles, or a face shield.
3. It shall be a violation to operate or ride upon a motorcycle, motor-driven cycle, or moped on a public highway, unless wearing upon his or her head a protective helmet of a type conforming to federal rules except when the vehicle is an antique motor-driven cycle or automobile that is licensed as a motorcycle.

B. Requirements

1. Mirrors are not required on any motorcycle or motor-driven cycle over twenty-five years old originally manufactured without mirrors and which has been restored to its original condition and which is being ridden to or from or otherwise in conjunction with an antique or classic motorcycle contest, show, or other such assemblage. No mirror is required on any motorcycle manufactured prior to January 1, 1931.

2. The helmet must be equipped with either a neck or chin strap which shall be fastened securely while the motorcycle or motor-driven cycle is in motion.

REPLACE WITH:

**SECTION XXXII. MOTORCYCLES, MOTOR-DRIVEN CYCLES,
OR MOPEDS EQUIPMENT**

B. Violation

1. It shall be a violation to operate a motorcycle or motor-driven cycle not equipped with mirrors on the left and right sides of the motorcycle which shall be so located as to give the driver a complete view of the highway for a distance of at least two hundred feet to the rear of the motorcycle or motor-driven cycle.
2. It shall be a violation to operate a motorcycle or motor-driven cycle which does not have a windshield unless wearing safety glasses, goggles, or a face shield.
3. It shall be a violation for a person under the age of twenty-one (21) to operate or ride upon a motorcycle, motor-driven cycle, or moped on a public highway, unless wearing upon his or her head a protective helmet of a type conforming to federal rules except when the vehicle is an antique motor-driven cycle or automobile that is licensed as a motorcycle.

B. Requirements

1. Mirrors are not required on any motorcycle or motor-driven cycle over twenty-five years old originally manufactured without mirrors and which has been restored to its original condition and which is being ridden to or from or otherwise in conjunction with an antique or classic motorcycle contest, show, or other such assemblage. No mirror is required on any motorcycle manufactured prior to January 1, 1931.
2. For persons under the age of twenty-one (21), the helmet must be equipped with either a neck or chin strap which shall be fastened securely while the motorcycle or motor-driven cycle is in motion.

SECTION II. EFFECTIVE DATE

Effective upon signature of the Executive or 30 days from Tribal Council approval whichever comes first or if the Executive vetoes the Statute, then upon Tribal Council override of the veto.

CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Statute was duly passed by override by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on June 10, 2012 at which a quorum was present, by a vote of 9 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

| | In Favor | Opposed | Abstained | Absent |
|----------------------|----------|---------|-----------|--------|
| Belinda Bardwell | X | | | |
| Bill A. Denemy | X | | | |
| Kevin Gasco | X | | | |
| John Keshick | X | | | |
| Aaron Otto | X | | | |
| Winnay Wemigwase | X | | | |
| John Bott | X | | | |
| Regina Gasco Bentley | X | | | |
| Melvin L. Kiogima | X | | | |

Date: 6/10/12 _____
 (Melvin L. Kiogima, Legislative Leader)

Date: 6-10-12 _____
 Regina Gasco Bentley, Secretary

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005. The Tribal Council hereby overrides the Executive veto.