



CHEROKEE NATION TAX COMMISSION
MOTOR VEHICLE DIVISION
RULES AND REGULATIONS

CHAPTER	3	MOTOR VEHICLE TITLES	SUBSECTION	D	TRANSFER OF TITLE
REGULATION #	MV:01-3-315		ODOMETER DISCLOSURE		
APPROVED BY:			DATE:	10-15-2020	
EFFECTIVE DATE:	OCTOBER 15, 2020 TBD		SUPERCEDES MATERIAL DATED:	FEBRUARY 26, 2018 OCTOBER 15, 2020	
AUTHORITY:	Title 68 Revenue & Taxation; Motor Vehicle Licensing and Tax § 1302, 1351, 1352, 1355				

A. Federal Truth in Mileage Act. Effective on all transfers of ownership of motor vehicles (see exceptions below) dated on or after April 29, 1989, specific odometer disclosure information is required.

The Truth in Mileage Act (TIMA) is a federal law that requires the seller of a motor vehicle to provide an odometer disclosure to the buyer at the time of sale or transfer of ownership.

Beginning January 1, 2021, Federal Odometer Disclosure Rules provide that odometer statements must be provided on the certificate of title for 2011 model year vehicles. The Federal Rules provide that beginning with the 2011 model year, vehicles will not be exempt from odometer statement requirements for twenty years. 2011 model year vehicles therefore will require odometer statements until 2031.

Cherokee Nation Tax Commission, as of December 16, 2022 updated their computer system to accept odometer statements for 2011 vehicles.

~~A. All transfers must contain the following.~~

The buyer must sign in acknowledgment of the mileage disclosed. At least one owner shown on the title must make their disclosure on the actual title. The buyer must sign acknowledging that disclosure on the same title.

Under federal law, the Motor Vehicle Division is required to refuse the transfer of ownership unless the odometer disclosure is completed.

It is not optional for a dealer to claim a 2011 vehicle is exempt from an odometer statement. Federal law prevails over conflicting state law, so all dealers (and individuals) must comply with the new odometer requirements.

All transfers must contain the following:

1. Odometer reading at time of transfer (no tenths of mile).
2. The date of transfer.
3. The seller's printed name (must be individual - no company name), signature and address.



CHEROKEE NATION TAX COMMISSION
MOTOR VEHICLE DIVISION
RULES AND REGULATIONS

4. The buyer's printed name (must be individual - no company name), signature and address.
5. Vehicle information including make, model year, body type and VIN.
6. The seller shall also certify to the best of his knowledge the odometer reading.
 - a. Reflects the actual.
 - b. Does not reflect the actual mileage.
 - c. Seller shows the odometer is in excess of the mechanical limits.

An odometer disclosure is required on all passenger vehicles, pickup trucks, motorcycles, motor homes, and trucks with a Gross Vehicle weight Rating (GVWR) of less than 16,000 pounds.

Odometer Disclosure

Year	Year Model
2020-2030	2011 & newer
2031	2012 & newer
2032	2013 & newer
2033	2014 & newer
2034	2015 & newer

e. —

B. Exemptions. Vehicles which are exempt from the odometer disclosure requirements are;

1. Vehicles which are not self-propelled, such as trailers.
2. Transfers of new vehicles from dealer to dealer on the MSO.
- ~~3.~~ Vehicles which are ten (10) years old or older. ~~To make this determination, subtract ten (10) from the current calendar year. For example, 1998 - 10 = 1988. Vehicles which are 1988 models or older are exempt during 1998.~~
- ~~4.~~3. Vehicles with a gross vehicle weight rating over 16,000 lbs. Any truck over 2 tons would be exempt.
- ~~5.~~4. Vehicles purchased in another country.
- ~~6.~~5. Transfers resulting from involuntary divestitures, such as court orders and repossessions.
- ~~7.~~6. Transfers to record a name change (same individual), only.
- ~~8.~~7. Transfers between a revocable trust and a trustee of that trust.
- ~~9.~~8. All-terrain vehicles and off-road motorcycles.
- ~~10.~~9. Low-speed electrical vehicles.
10. Medium speed electric vehicles.
11. Duplicate titles only
- ~~11.~~12. Lien change only