

# PUEBLO OF SANTA ANA

## PUEBLO OF SANTA ANA TRIBAL COUNCIL

### RESOLUTION NO. 2024-R-06

#### **FURTHER DELAYING EFFECTIVE DATE OF TITLE IX (MOTOR VEHICLE CODE, 2022 COMPILATION) AND ADOPTING CERTAIN SECTIONS OF THE NEW MEXICO MOTOR VEHICLES CODE IN THE INTERIM**

**WHEREAS**, the Pueblo of Santa Ana is a federally recognized Indian tribe governed under a traditional form of government, and possessing all the inherent sovereign powers of self-government; and

**WHEREAS**, the Tribal Council of the Pueblo is the duly recognized decision and policy making body for the Pueblo; and

**WHEREAS**, by Resolution No. 2022-R-39, adopted on December 17, 2022, the Tribal Council formally adopted the 2022 Compilation of the Santa Ana Tribal Code, which embodies all of the laws adopted by the Tribal Council over the past 40 years, as well as some new codes; and

**WHEREAS**, by Resolution No. 2023-R-04, adopted on February 14, 2023, the Tribal Council delayed the effective date of a number of provisions of the 2022 Compilation, including Title IX (Motor Vehicle Code), until July 1, 2023, and resolved that matters arising under the Motor Vehicle Code pending or filed prior to July 1, 2023, were to be governed by the laws that existed prior to the adoption of the 2022 Compilation; and

**WHEREAS**, by Resolution No. 2023-R-05, adopted on February 14, 2023, the Tribal Council authorized uniform citations, when issued as a notice to appear, to constitute criminal complaints in the Tribal Court, pending the effective date of Title IX of the 2022 Compilation; and

**WHEREAS**, by Resolution No. 2023-R-34, adopted on June 27, 2023, the Tribal Council delayed the effective date of Title IX (Motor Vehicle Code) again, until October 1, 2023, and provided that until the effective date of Title IX, any person who commits any offense covered under Chapter 66 of the New Mexico Motor Vehicles Code, Articles 1, 3, 5, 6, 7, 8, 10, 11, and 13, is guilty of a criminal offense under Pueblo law, and upon conviction, would be sentenced in accordance with Title VIII, Article 43 – Sentencing, of the 2022 Compilation; and

**WHEREAS**, the Tribal Council has determined that the effective date of the Title IX should again be delayed until such time as the Tribal Council has had the opportunity to review and adopt the updated draft of Title IX, and that until such time, any person who commits any offense covered under Chapter 66 of the New Mexico Motor Vehicles Code, Articles 1, 3, 5, 6, 7, 8, 10, 11, and 13, is guilty of a criminal offense under Pueblo law, and upon conviction shall be sentenced in accordance with the penalties set forth in Chapter 66 of the New Mexico Motor



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Vehicles Code, Articles 1, 3, 5, 6, 7, 8, 10, 11, and 13, provided that no sentence imposed by the Contemporary Court under Chapter 66 shall exceed the maximum penalties that can be imposed by the Contemporary Court under federal law and Pueblo law;

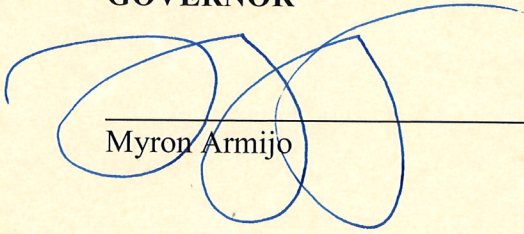
**NOW THEREFORE BE IT RESOLVED** by the Tribal Council of the Pueblo of Santa Ana, as follows:

1. Title IX (Motor Vehicle Code) of Santa Ana Tribal Code (2022 Compilation), shall not become effective until it is adopted by the Tribal Council by resolution.
2. Until the effective date of Title IX, any person who commits any offense covered under Chapter 66 of the New Mexico Motor Vehicles Code, Articles 1, 3, 5, 6, 7, 8, 10, 11, and 13, is guilty of a criminal offense under Pueblo law, and upon conviction, shall be sentenced in accordance with the penalties set forth in Chapter 66 of the New Mexico Motor Vehicles Code, Articles 1, 3, 5, 6, 7, 8, 10, 11, and 13, provided that no sentence imposed by the Contemporary Court under Chapter 66 shall exceed the maximum penalties that can be imposed by the Contemporary Court under federal law and Pueblo law.
3. Matters pending in the Contemporary Court arising under Title IX filed prior to the date that Title IX is adopted shall continue to be governed by the laws in existence at the time of filing, but any actions initiated in the Contemporary Court on or the date that Title IX is adopted shall be governed by Title IX.
4. Resolution 2023-R-05 shall remain in effect until the effective date of Title IX.
5. The Governor of the Pueblo, or his designee, is further authorized to do any and all things necessary to carry out the intent of this resolution.

**CERTIFICATION**

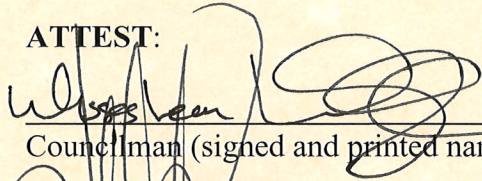
I, the undersigned, as Governor of the Pueblo of Santa Ana, hereby certify that the Pueblo of Santa Ana Tribal Council, at a duly called meeting convened on the 14<sup>th</sup> day of March, 2024, at the Pueblo of Santa Ana, at which a quorum was present, approved the foregoing Resolution, and that 15 voted for and 0 were opposed.

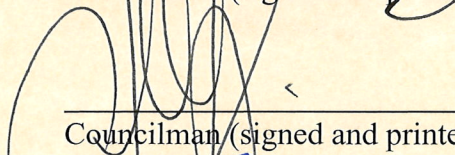
**GOVERNOR**

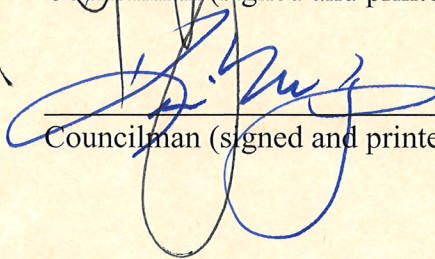
  
\_\_\_\_\_  
Myron Armijo



ATTEST:

  
\_\_\_\_\_  
Councilman (signed and printed name)

  
\_\_\_\_\_  
Councilman (signed and printed name)

  
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Councilman (signed and printed name)