

St. Croix Chippewa Indians of Wisconsin

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ST. CROIX TRIBAL COUNCIL RESOLUTION NO. 06.06.2022.02

ADOPTION OF REVISIONS TO THE ST CROIX CHIPPEWA INDIANS OF WISCONSIN TITLE 10, CHAPTER 6 "REGISTRATION OF VEHICLES ORDINANCE"

WHEREAS, the St. Croix Chippewa Indians of Wisconsin (the "Tribe") is federally recognized Indian Tribe duly organized under Section 16 of the Indian Reorganization Act of 1934, 25 U.S.C. § 476, as amended, and established pursuant to the Constitution and By-Laws adopted by the Tribe on August 29th, 1942 and approved by the Secretary of the Interior on November 12, 1942; and

WHEREAS, pursuant to Article IV of the Tribal Constitution, the governing body of the Tribe shall be the St. Croix Tribal Council (the "Tribal Council"); and

WHEREAS, Article V, Section 1(a) of the Tribal Constitution grants the Tribal Council the authority to negotiate on all matters affecting the welfare of the members of the Tribe; and

WHEREAS, Article V, Section 1(f) of the Tribal Constitution grants the Tribal Council the authority to regulate its own procedure, to appoint boards or committees, and to delegate to such subordinate agencies such powers as may be necessary in the performance of the duties assigned to them, reserving the right to review any action taken by virtue of such delegated power; and

WHEREAS, in 2018 the Tribe and the State of Wisconsin executed the Reciprocal Motor Vehicle Registration Exemptions Agreement (the "Agreement") which allowed the Tribe exemption from registration with the State of Wisconsin and the display of a license plate showing valid registration issued by the Tribe; and

WHEREAS, the Tribal Council adopted the St. Croix Chippewa Indians of Wisconsin Title 10, Chapter 6 "Registration of Vehicles Ordinance" (the "Ordinance") via Tribal Council Resolution No. 2021.06.10.01; and

WHEREAS, the St. Croix Tribal Police Department had been designated as the Department to oversee and implement the Ordinance and have requested the Tribal Council update the Ordinance to better reflect the cost associated with registering vehicles;

NOW THEREFORE BE IT RESOLVED, that the Tribal Council hereby adopts the attached revisions to the St. Croix Chippewa Indians of Wisconsin Title 10, Chapter 6 "Registration of Vehicles Ordinance" in its entirety.

CERTIFICATION

I, the undersigned as Secretary/Treasurer of the St. Croix Tribal Council hereby certify that the Tribal Council is composed of five (5) members of whom 5 were present, constituting a quorum at a meeting duly called, convened and held this 6th day of JUNE, 2022 and that the foregoing resolution was adopted at said meeting by an affirmative vote of 5 members for 0 against and 0 member abstaining from the vote, and that said resolution has not been rescinded or amended in any way.



Richard Benjamin, Secretary/Treasurer
St. Croix Tribal Council
St. Croix Chippewa Indians of Wisconsin

William Reynolds
Chairman
Sand Lake

Thomas Fowler
Vice-Chairman
Maple Plain

Richard Benjamin
Secretary/Treasurer
Danbury

Georgia Cobenais
Representative
Round Lake

Conrad St. John
Representative
Sand Lake

**ST. CROIX CHIPPEWA INDIANS OF WISCONSIN
TITLE 10
CHAPTER 6
REGISTRATION OF VEHICLES ORDINANCE**

Resolution No. 06.06.2022.02

Legislative History:

Established on June 10, 2021 via Resolution No. 2021.06.10.01

Amended on June 6, 2022 via Resolution No. 06.06.2022.02

**St. Croix Registration of Vehicles Ordinance
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ARTICLE I – INTRODUCTION

10 S.C.T.C. § 06.01(1) Title

This Ordinance shall be known as the St. Croix Chippewa Indians of Wisconsin Registration of Vehicles Ordinance (the “St. Croix Vehicle Registration Ordinance”).

10 S.C.T.C. § 06.01(2) Authority

This Ordinance is enacted pursuant to the Constitution and By-Laws of the St. Croix Chippewa Indians of Wisconsin (the “Tribe”) and the Agreement between the State of Wisconsin and the St. Croix Chippewa Indians of Wisconsin concerning Reciprocal Motor Vehicle Registration. Article IV of the Constitution and By-Laws provides that the St. Croix Tribal Council (the “Tribal Council”) is the governing body of the Tribe and Article V, Section 1(a) to negotiate with federal, state, and local governments on all matters affecting the welfare of the Tribe and Section 1(f) grants the Tribal Council to regulate its own procedure.

10 S.C.T.C. § 06.01(3) Interpretation

This Ordinance shall be deemed a reasonable and proper exercise of police power of the Tribe for the protection of the public health, welfare, and safety of the people living on lands under the jurisdiction of the Tribe and all those who enter said lands for lawful purposes. The provisions of this Ordinance shall be liberally construed for accomplishment of this purpose. If this Ordinance is inconclusive on any matter, St. Croix tribal law should be used as precedent. If this Ordinance and St. Croix tribal law are inconclusive on any matter, federal law, tribal law from other Tribes, and the State of Wisconsin may be used as persuasive evidence and enforced.

10 S.C.T.C. § 06.01(4) Purpose

It is the purpose of this Ordinance to provide St. Croix Chippewa Indians of Wisconsin residents a system to register their motor vehicles exclusively with the Tribe; to issue St. Croix license plates to qualified applicants; and create regulations associated with this purpose.

10 S.C.T.C. § 06.01(5) Effective Date

This Ordinance shall be effective on the date of the accompanying resolution adopted by the Tribal Council of the Tribe and when accepted by the duly authorized officials of each jurisdiction in accordance with the Agreement between the State of Wisconsin and the St. Croix Chippewa Indians of Wisconsin concerning Reciprocal Motor Vehicle Registration.

10 S.C.T.C. § 06.01(6) Severability and Non-Liability

If any section, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The Tribe further asserts immunity on its part and that of its employees and / or agents from any action or damages that may occur as a result of enforcement of this Ordinance.

10 S.C.T.C. § 06.01(7) Repeal of Inconsistent Ordinances

All resolutions, policies, and portions of other ordinances inconsistent with this Ordinances are hereby repealed. To the extent that the Ordinance imposes greater restriction than those contained in any other Tribal ordinance, the provision of this Ordinance shall govern.

ARTICLE II – DEFINITIONS

10 S.C.T.C. § 06.02(1) Definitions

In this Ordinance, except where otherwise specifically provided, or where the context otherwise requires, the following terms and expressions shall have the following meanings:

- (a) “*Application*” means the application completed by a registrant with the Department for the purpose of registering a vehicle or vehicles pursuant to this Ordinance;
- (b) “*Chief of Police*” means the top position with the St. Croix Tribal Police Department and who is appointed by the Tribal Council;
- (c) “*Department*” means the Tribal Department tasked to carry out the purpose, implementation, administration, and enforcement of this Ordinance;
- (d) “*Government Vehicle*” means vehicles registered for the use of the St. Croix Chippewa Indians of Wisconsin government employees, St. Croix Tribal Police Department, and Tribal enterprises when approved by the Tribal Council and used in the performance of their job or duties;
- (e) “*Gross weight*” means the weight of the vehicle equipped for service plus the weight which the vehicle is carrying as load;
- (f) “*Operator*” means any person who drives or is in actual control of a vehicle. In the event the vehicle is the subject of a lease, the lessee who is operating the vehicle and not the holder of legal title shall be considered the operator;
- (g) “*Owner*” means the person or persons who holds legal title of a vehicle, except if legal title is held by a secured party with the immediate right of possession of the vehicle vested in the debtor, the debtor is the owner for the purpose of this Ordinance;
- (h) “*Personal Identifier*” means a name, street address, post office box number, 9-digit extended zip code, or other identifiers typically used to determine a person’s identity;
- (i) “*Personalized Registration Plates*” means a registration plate of the same color and design registered under this Ordinance which displays a registration composed of letters, numbers, or both which was applied for by the registrant;

- (j) “*Reciprocity*” means exemption from registration, the display of license plates or reciprocity authorizations issued by the signing jurisdiction and from payment of taxes or fees levied against an owner or operator by reason of the operation of the vehicles provided, however, that nothing in this Ordinance exempts the owner of any vehicle transporting persons or property “for hire” from compliance with any existing laws and regulations of either the Tribe’s jurisdiction or a State’s jurisdiction with respect to the necessity of procuring authority to operate, the filing of insurance coverage, or the payment of vehicle “permit” fees;
- (k) “*Registrant*” means any Tribal Resident who completed the required forms and paid the accompanying fee to register their vehicle with the Department;
- (l) “*Registration Plates*” means a plate of a certain color and design registered under this Ordinance which displays a registration composed of letters, numbers, or both which was applied for by the registrant;
- (m) “*St. Croix Tribal Court or Tribal Court*” means the St. Croix Chippewa Indians of Wisconsin Tribal Court established pursuant to Tribal Council Resolution No. 84.03.19.01, as amended, and having jurisdiction over this Ordinance;
- (n) “*St. Croix Reservation*” means any tract in which any interest in the surface estate is owned by the Tribe in trust or restricted status;
- (o) “*Tribal Council*” means the elected governing body of the St. Croix Chippewa Indians of Wisconsin in accordance with the Constitution and By-Laws of the Tribe;
- (p) “*Tribal Member*” means an enrolled tribal member of the St. Croix Chippewa Indians of Wisconsin;
- (q) “*Tribal Resident*” means an enrolled member of the St. Croix Chippewa Indians of Wisconsin who resides within the St. Croix Reservation boundaries;
- (r) “*Tribal Police*” means all St. Croix Tribal law enforcement officers of the St. Croix Tribal Police Department;
- (s) “*Tribe*” means the St. Croix Chippewa Indians of Wisconsin;
- (t) “*Tribal Identification Number (TIN)*” means the numbers, letters, or combination of both assigned by the Tribe and stamped or affixed upon a vehicle or vehicle part for the purpose of identification;
- (u) “*Trust or Restricted Land Status*” means any tract that:
 - 1. The United States holds title to the tract in trust for the benefit of the Tribe; or

2. The Tribe holds title to the tract, but **cannot** alienate or encumber it only with the approval of the United States because of limitations in the conveyance instrument under Federal law or limitation in Federal law; and
 3. Under this Ordinance this land shall be construed consistently with the meanings given in 25 CFR 162.101;
- (v) “*Vehicle*” means any automobile, bus, motorcycle, motor-truck, truck-tractor, road-tractor, trailer, semi-trailer, moped (above 50 ccs), motor home, or any combination thereof;
- (w) “*Vehicle Identification Number (VIN)*” means the numbers, letters, or combination of both assigned by the manufacturer of a vehicle or vehicle part and stamped or affixed upon a vehicle or vehicle part for the purpose of identification;
- (x) “*Veteran*” means any individual who served in military services and who if no longer serving was discharged or released under conditions other than dishonorable; and
- (y) “*Wisconsin Resident*” means an individual who resides within the State of Wisconsin but is not a Tribal Resident.

ARTICLE III – RECIPROCITY

10 S.C.T.C. § 06.03(1) Reciprocity

Vehicles owned or operated by the St. Croix Chippewa Indians of Wisconsin Tribal Members, or by an individual with permission of that St. Croix Chippewa Indians of Wisconsin Tribal Member, or by the St. Croix Chippewa Indians of Wisconsin Tribe, and that carry a registration plate showing valid registration by the Tribe or owned by a Wisconsin Resident bearing a registration plate issued by the state of Wisconsin, shall be entitled to reciprocity in the other signing jurisdiction except hereinafter provided. Nothing contained in this Ordinance shall be construed to exempt the owner or operator from registering the vehicle within one (1) of the respective jurisdiction or another appropriate jurisdiction.

10 S.C.T.C. § 06.03(2) Reciprocity Exclusions

The following vehicles shall not be entitled to reciprocity:

- (a) Any vehicle having a gross weight greater than that for which the vehicle is registered; and
- (b) Any vehicle owned by a Tribal Resident or Wisconsin Resident who has moved to the other jurisdiction and has failed to apply for registration in the other jurisdiction or to display upon the vehicle plates issued by that other jurisdiction within the period required by that jurisdiction.

10 S.C.T.C. § 06.03(3) Reciprocity Exemption

An exemption to the provisions of this Ordinance shall apply only to registrants of the Tribe who may register their vehicles under the International Registration Plan through the State of Wisconsin if they elect to do so in order to take advantage of Wisconsin’s Interstate reciprocity agreements.

10 S.C.T.C. § 06.03(4) Reciprocal Agreements

The Tribe may enter into a reciprocal exemption agreement with the State of Wisconsin. The reciprocal agreement may exempt designated classes of vehicles registered by the Department from the registration requirements of the State of Wisconsin.

ARTICLE IV – REGISTRATION

10 S.C.T.C. § 06.04(1) Vehicle Registration

All vehicles operating within the jurisdiction of the St. Croix Chippewa Indians of Wisconsin must be properly registered either in accordance with this Ordinance, in accordance with other Tribal Registrations, with Wisconsin State Registration, or registration requirements of other States or jurisdictions.

10 S.C.T.C. § 06.04(2) Vehicle Registration Limitation

The Tribal Council reserves the right to limit the type of vehicles the Tribe registers as defined by 10 S.C.T.C. § 06.02(1)(v) and instruct those registrants to register that type of vehicle with the State of Wisconsin or other appropriate jurisdiction.

10 S.C.T.C. § 06.04(3) Secure Storage

All unused or unissued license plates, and all registration documents shall be stored by the Department in a secure location. The location should be unavailable to the public and all items should be stored in a reasonable manner to prevent damage or destruction.

10 S.C.T.C. § 06.04(4) Registration Application

Applications for the registration of a vehicle shall contain the following information:

(a) The name of the owner(s);

1. Two individuals that have equal ownership of a vehicle may register the vehicle jointly.

(b) The birthdate of the owner;

- (c) The address of the owner;
- (d) The driver license number of the owner or their social security number;
- (e) A valid Tribal Identification Card of the owner;
- (f) A description of the vehicle, including: make, model, color, VIN number, and any other information which the Department may reasonably require for proper identification of the vehicle;
- (g) A valid Certificate of Title registered with the State of Wisconsin or other appropriate jurisdiction;
- (h) Whether the registrant is applying for personalized registration plates;
- (i) Whether the registrant is applying for disability or veteran registration plates; and
- (j) Such further information as the Department may reasonably require to enable it to determine whether the vehicle is by law entitled to registration or to enable it to determine the proper registration fee for the vehicle.

10 S.C.T.C. § 06.04(5) Joint Registration

Two individuals may jointly apply to register one vehicle in which they have equal ownership over. At least one of the individuals must be a Tribal Member when applying for joint registration. Both names listed on the application for registration are required to notify the Department if there is no longer equal ownership over the vehicle; if there are any changes in the application for registration; or any other requirement as outlined in this Ordinance. Both names listed on the application for registration will be held liable for failure to comply with any provision of this Ordinance.

10 S.C.T.C. § 06.04(6) Trust or Restricted Land Verification

The Department should contact the St. Croix Environmental, Natural Resources and Utilities for updated Tribal trust land maps. These maps may be utilized by the Department to verify whether an applicant resides on trust or restricted land or not.

10 S.C.T.C. § 06.04(7) Incomplete Registration Application

The Department may deny any application for registration fees which has not been completed filled out, which does not include the required accompanying fees, or which does not include any additional documentation required by the Department.

- (a) Upon determination that an application is not complete, the Department will allow the registrant a reasonable opportunity to finish their application, supply any fee, and/or supply any additional documentation required by the Department.
- (b) If the registrant fails to complete their application after the Department has given them a reasonable opportunity to complete, the Department will deny their application for registration and send notice of denial to the registrant. Denial of a registration application will not hinder an individual from reapplying.
- (c) Any fees paid for an incomplete registration application may be kept to cover the administrative costs associated with the Department reviewing, notifying of any incomplete application, and final notice of denial.

10 S.C.T.C. § 06.04(8) Grounds for Refusal of Registration Applications

The Department may deny any application for registration if any of the following circumstances occur:

- (a) The registrant applying for registration is not a Tribal member;
- (b) The registrant applying for registration does not live on trust or restricted lands owned by the Tribe;
- (c) The registrant applying for registration has an incomplete application and the Department has complied with 10 S.C.T.C. § 06.04(7);
- (d) The registrant applying for registration has failed to pay any registration fee prescribed by this Ordinance, nor has any other individual paid the registrant's required registration fee;
- (e) The registrant applying for registration has failed to pay any previous registration fee prescribed by this Ordinance and continues to refuse to pay any owed previous fees with appropriate late fees assessed;
- (f) The registrant does not hold a valid certificate of title and is not entitled to the issuance of a certificate of title;
- (g) The registrant's registration has been suspended or revoked and such suspension or revocation is still in effect; and/or
- (h) The vehicle is exempt from registration in accordance with 10 S.C.T.C. § 06.04(9) and voluntary registration of the vehicle is not expressly authorized.

10 S.C.T.C. § 06.04(9) Vehicles Exempt from Registration

The following vehicles are exempt from registration:

- (a) A vehicle registered with another more appropriate jurisdiction;
- (b) A farm tractor used exclusively in agricultural operations, including threshing, or used exclusively to provide power to drive other machinery, or to transport from job to job machinery driven by such tractor;
- (c) A trailer or semi-trailer used exclusively for the transportation of farm machinery, implements, produce or supplies on a farm or between farms;
- (d) A fork-lift truck, a specially constructed road or truck-tractor used for shunting trailers or semi-trailer used exclusively for the transportation of farm machinery, implements, produce or supplies on a farm or between farms;
- (e) A trailer or camping trailer having a gross weight of 3,000 pounds or less and not used for hire or rental;
- (f) A trailer not operated in conjunction with a vehicle;
- (g) A new vehicle being operated only across a highway from point of manufacture or assembly; or
- (h) A piece of road machinery.

10 S.C.T.C. § 06.04(10) Registrants Under Age Eighteen

If an applicant is under the age of eighteen (18), the application shall be accompanied by a statement made and signed by either parent or custodian of the registrant, stating the registrant has consent to register the vehicle in the registrant's name. The signature on the statement shall not impute any liability for the negligence or misconduct of the registrant while operating such vehicle on the highways.

- (a) Any individual who violates this section may be subject to a forfeiture of not more than two-hundred dollars (\$200.00).

10 S.C.T.C. § 06.04(11) Original Registration

A Tribal Resident may register with the Tribe by completing an application for original registration and paying the required registration fee to the Department.

10 S.C.T.C. § 06.04(12) Renewal Registration

An original registrant may renew their application for registration with the Department prior to the expiration of their registration, by completing a renewal application and paying the required renewal fee to the Department. A registrant shall have a grace period of five (5) days after expiration to renew their registration.

10 S.C.T.C. § 06.04(13) Registration Periods

The Department shall register vehicles according to a twelve (12) month system. Each of the twelve (12) registration periods shall be designated by the corresponding calendar month and start on the first day of each month and end on the last day of the twelfth (12th) month from the date of commencement. Moped and motorcycle registrants may register vehicles biennially.

10 S.C.T.C. § 06.04(14) Registration Period Notice

The Department shall notify registrants prior to the end of a registration expiration. Notice of vehicle registration expiration should be made at least thirty (30) days prior to the date of expiration.

10 S.C.T.C. § 06.04(15) Registration Hours of Operation

The Department shall establish hours of operation for the purpose of registering vehicles. The Department shall make their hours of operation available and easily accessible to the public.

10 S.C.T.C. § 06.04(16) Registration Expiration

Unless renewed, vehicle registration shall remain registered for a period of twelve (12) consecutive calendar months and expire on the last day of the twelfth (12th) month. For example, if a registrant registers on July 1, 2021, their registration would expire July 31, 2022. And unless renewed, moped and motorcycle registration shall remain registered for a period of twenty-four (24) consecutive calendar months and expire on the last day of the twenty-fourth (24th) month. For example, if a registrant registers on July 1, 2021, their registration would expire July 31, 2023.

10 S.C.T.C. § 06.04(17) Operating Unregistered or Improperly Registered Vehicle

It is unlawful for any individual to operate or for an owner to consent to being operated on any road of the Tribe's jurisdiction any vehicle unless at the time of the operation the vehicle has a pending application for registration with the Department and the individual has proof of this, is registered with the State of Wisconsin, or is registered with another appropriate jurisdiction.

- (a) Any individual who violates this section may be subject to a forfeiture of not more than two-hundred dollars (\$200.00).

10 S.C.T.C. § 06.04(18) Notice of Change

All registrants are required to notify the Department of the following changes:

- (a) The registrant moves from the address named in the application for the registration plates;

- (b) The registrant's name on the driver license or social security number in the application for the registration plates is changed through marriage or otherwise; and
- (c) The color of the vehicle registered is changed.

10 S.C.T.C. § 06.04(19) Notice of Change Deadline

All registrants are required to notify the Department by the following deadlines:

- (a) The registrant shall notify the Department in writing of changes in name or address within ten (10) days of the change. This notice must include the both the new and old address, and/or the new and former name;
- (b) The registrant shall notify the Department of any vehicle color change. This notice must occur on the renewal application indicating that the vehicle's color has changed; and
- (c) Any person who fails to comply with any of these requirements may be required to forfeit not more than fifty dollars (\$50.00).

ARTICLE V – REGISTRATION LISTS

10 S.C.T.C. § 06.05(1) Registration Lists

The Department shall regularly compile lists of registrants as follows:

- (a) The Registration Lists shall comprise of each registrant, their name, address, registration number, and other identifying information the Department deems necessary;
- (b) The Registration List shall be updated at monthly intervals as deemed necessary by the Department; and
- (c) The Department shall complete a monthly final Registration List which shall be compiled on the last day of each month.

10 S.C.T.C. § 06.05(2) Access to Registration Lists

Upon request, the Department shall regularly distribute the compiled Registration List, free of charge, to the following departments or individuals:

- (a) The St. Croix Legal Department;
- (b) The St. Croix Tribal Police Department; and
- (c) To any other public officer or agency that provides in writing a reasonable request for the Registration List.

10 S.C.T.C. § 06.05(3) Limitation to Disclosure

The Department may not disclose any personal identifiers of those registrants who have made a request to keep that information confidential. This limit does not apply to the following:

- (a) An individual receiving the Registration List under 10 S.C.T.C. § 06.05(2) to perform a legally authorized function;
- (b) Any law enforcement agency;
- (c) An insurer authorized to write property and casualty insurance in the State of Wisconsin or an agent of the insurer; or
- (d) An individual obtaining registration information for use in the conduct of a vehicle recall by the manufacturer of the vehicle or an agent of the manufacturer.

ARTICLE VI – REGISTRATION PLATES

10 S.C.T.C. § 06.06(1) Issuance of Registration Plates

Upon registering a vehicle pursuant to this Ordinance, the Department shall issue to the registrant the following:

- (a) Two (2) registration plates for each automobile, truck, or motor home; and
- (b) One (1) registration plate for all other vehicles registered, unless two (2) plates would better serve the interest of law enforcement.

10 S.C.T.C. § 06.06(2) Registration Plate Display

All registration plates shall be displayed as follows:

- (a) Whenever two (2) registration plates are issued, one (1) registration plate shall be attached to the front and one (1) to the rear of the vehicle;
- (b) Whenever one (1) registration plate is issued, the plate shall be attached to the front of the vehicle. If the vehicle is a truck-tractor or road-tractor then the plate shall be attached the rear of the vehicle;
- (c) Any registration decal or tag issued by the Department shall be placed on the rear registration plate of the vehicle in a manner directed by the Department; and

- (d) Registration plates shall be attached firmly in a horizontal position and in a conspicuous place. The registration plates shall be maintained in a legible condition and shall be so displayed that they can readily and distinctly be seen and read.

10 S.C.T.C. § 06.06(3) St. Croix Government Vehicles Registration

The Department shall issue registration plates to St. Croix Government Vehicles upon receipt of an approved application and fee.

- (a) An application for the original issuance of a registration plate for any vehicle owned by the Tribe and operated exclusively in service of the Tribal government or Tribally owned enterprises must be signed and approved by a quorum of the Tribal Council.
- (b) An application for the original issuance of a registration plate for vehicles used by the St. Croix Police Department must be signed and approved by the St. Croix Chief of Police.

10 S.C.T.C. § 06.06(4) Personalized Registration Plates

The Department shall issue personalized registration plates upon request only when:

- (a) The request and alternative are received by the Department in writing by the fifteenth (15th) day of the month which the vehicle is to be registered;
- (b) The request is accompanied by an application for original or renewal vehicle registration, and the proper registration fee;
- (c) The requested combination of numbers or letters has not already been issued;
- (d) The requested combination is not subject to denial pursuant to 10 S.C.T.C. § 06.06(6); and
- (e) The requested combination of numbers or letters does not exceed five (5) positions and is not less than one (1) position for motorcycles; or does not exceed seven (7) positions and is not less than one (1) position for all other registration plates.

10 S.C.T.C. § 06.06(5) Personalized Registration Reservation

Each personalized registration plate issued shall be reserved for the recipient in succeeding registration periods and shall not be duplicated for issuance to any other person if the recipient maintains the registration plate. If the recipient does not maintain the registration plate for two (2) consecutive years, not registration issuance years; or if the recipient does not specifically request reissuance of the personalized registration plate by the date which the registration plate expires in a plate issuance year, the Department may issue the personalized registration plate to another registrant.

10 S.C.T.C. § 06.06(6) Personalized Registration Denial

The Department may deny personalized registration plates as follows:

- (a) The requested personalized registration plate is deemed to carry connotations offensive to good taste or decency;
- (b) The requested personalized registration plate is deemed to be misleading; or
- (c) The requested personalized registration plate is deemed to be in conflict with the issuance of another registration plate.

10 S.C.T.C. § 06.06(7) Cancelled Personalized Registration

The Department may cancel or order the return of any personalized registration plates issued which would have been denied pursuant to 10 S.C.T.C. § 06.06(6).

- (a) Any registrant ordered to return such personalized registration plates shall either be reimbursed for the additional fees associated with personalized registration, or be given at no additional costs, replacement personalized registration plates.
- (b) All decisions by the Department with respect to personalized registration plate applications are final and not subject to judicial review.
- (c) Any person who violates this section or 10 S.C.T.C. § 06.06(6) may be required to forfeit not more than two hundred dollars (\$200.00) (Same for WI & Tribes).

10 S.C.T.C. § 06.06(8) Disability Registration Plates

Any registrant certified by an authorized health care specialist as having a disability is eligible for disabled registration plates. A registrant must submit a letter from a physician explaining the medical condition(s) and which qualification as outlined below the registrant qualifies under. A registrant with a certified disability means any individual with a disability as defined by the Federal American with Disabilities Act of 1990, 42 U.S.C. 12101 et. Seq., so far as applicable, or any individual who meets any of the following conditions:

- (a) Cannot walk two-hundred (200) feet or more without stopping to rest;
- (b) Cannot walk without the use of, or assistance from, another person or brace, cane, crutch, prosthetic device, wheelchair, or other assistance device;
- (c) Is restricted by lung disease to the extent that forced expiratory volume for one second when measured by spirometry is less than one liter or the arterial oxygen tension is less than 60 mm/hg on room air at rest;
- (d) Uses portable oxygen;

- (e) Has a cardiac condition to the extent that functional limitations are classified in severity as class III or IV, according to standards accepted by the American Heart Association; and/or
- (f) Is severely limited in the ability to walk due to an arthritic, neurological or orthopedic condition.

10 S.C.T.C. § 06.06(9) Disability Registration Issuance

The Department may request any additional information or documentation to verify a registrant qualifies for disability registration plates. The Department may issue disability registration plates to an individual who qualifies under 10 S.C.T.C. § 06.06(8) and who is one of the following:

- (a) Is the owner of the vehicle being registered;
- (b) Is the lessee of the vehicle being registered;
- (c) Is regularly transported by the owner or lessee of the vehicle; or
- (d) Is provided a vehicle owned by their employer and can supply proof of that.

10 S.C.T.C. § 06.06(10) Veteran Registration Plates

Any registrant certified as a veteran is eligible for veteran registration plates. The Department may request additional information or documentation to verify a registrant qualifies for veteran registration plates. The Department shall accept one of the following documents to verify the registrant qualifies for veteran registration plates:

- (a) Driver's license or State ID with Veteran included on the ID;
- (b) DD214 Discharge Papers;
- (c) Veterans Organization Card (VFW, AMVETS, American Legion);
- (d) Veteran ID Card ("VIC") issued by the U.S. Department of Veterans Affairs;
- (e) Tribal Veterans Office – Verification Letter; or
- (f) Tribal ID with Veteran included on the ID.

10 S.C.T.C. § 06.06(11) Veteran Registration Issuance

The Department may issue veteran registration plates to an individual who qualifies under 10 S.C.T.C. § 06.06(10) and who is one of the following:

- (a) Is the owner of the vehicle being registered;

- (b) Is the lessee of the vehicle being registered; or
- (c) Is provided a vehicle owned by their employer and can supply proof of that.

10 S.C.T.C. § 06.06(12) Issuance of Replacement Plates

The Department may issue replacement registration plates upon request by a registrant under the following circumstances:

- (a) Lost or Destroyed Plates. Whenever a current registration plates is lost or destroyed, the owner of the vehicle shall immediately apply to the Department for a replacement. Upon satisfactory proof of the loss or destruction of each registration plate, and payment of any replacement fee, the Department shall issue a replacement.
- (b) Illegible Plates. Whenever a current registration plate becomes illegible, the owner of the vehicle to which the registration plate is attached shall apply to the Department for a replacement. Upon satisfactory proof of illegibility of each plate, and payment of any replacement fee, the Department shall issue a replacement. Upon receipt of a replacement registration plate, the applicant shall return the illegible plate to the Department for recycling.
- (c) When issuing a replacement registration plate, the Department may assign a new number and new plate rather than duplicate the original if in the Department’s judgment a new registration plate number is in the best interest of economy or to prevent of fraud.
- (d) Any person issued a replacement registration plate who fails to return the original plates to the Department may be required to forfeit not more than two-hundred dollars (\$200.00).

ARTICLE VII – REGISTRATION FEES

10 S.C.T.C. § 06.07(1) Annual Fee Review

The Tribal Council will review the registration fee schedules attached as EXHIBITS A and B of this Ordinance as needed to determine appropriate registration fees. Adjusted registration fee schedules will be adopted via Tribal Council resolution and distributed to the Department, the Legal Department, and posted in a public location to give notice to the Tribal Membership.

10 S.C.T.C. § 06.07(2) Annual Fee Payment

The registration fee for each type of vehicle shall match the cost associated with registering the same type of vehicle with the State of Wisconsin and any assigned administration fee to be paid to the Department. Unless a different fee is prescribed for a particular vehicle, renewal fees set forth shall be paid to the Department for registration of each vehicle registration as follows:

- (a) For each autocycle, a renewal fee of thirty-five dollars (\$35.00);
- (b) For each automobile, a renewal fee of forty dollars (\$40.00);
- (c) For each motorcycle or moped and for each low-speed vehicle, a biennial renewal fee of twenty-three dollars (\$23.00);
- (d) For each trailer above 3,000lbs and below 4,500lbs, a renewal fee of forty dollars (\$40.00); and
- (e) For each motor-truck or motor home, a fee determined on the basis of the maximum gross weight of the vehicle in accordance with 10 S.C.T.C. § 06.07(7).

10 S.C.T.C. § 06.07(3) Administration Fee

Each registrant shall pay an additional administration fee of ten dollars (\$10.00) paid to the Department for each vehicle original registration, renewal application, and replacement plates. This administration fee is designed to cover most administration costs associated with vehicle registration.

10 S.C.T.C. § 06.07(4) St. Croix Government Vehicles Registration Plate Fee

The following fees shall be paid along with the appropriate application to register government vehicles:

- (a) A registration fee and administration fee shall be paid to the Department for the original issuance of a registration plate for any vehicle owned by the Tribe and operated exclusively in service of the Tribal government or Tribally owned enterprises when approved by a quorum of the Tribal Council.
- (b) A registration fee and administrative fee shall be paid for the original issuance of a registration plate for vehicles used by the St. Croix Police Department exclusively in the performance of their duties.
- (c) The administrative fee for both government vehicles and Tribal Police vehicles shall be determined by the Tribal Council, but at a minimum shall cover the cost associated with ordering and creating the registration plate.
- (d) Properly registered Government vehicles will not be charged any renewal fee.

10 S.C.T.C. § 06.07(5) Personalized Registration Plate Fee

In addition to the regular registration or renewal fee and the administration fee, the registrant for a personalized registration plate issued on an annual basis shall pay a personalized plate fee of

fifteen dollars (\$15.00) for the issuance of the plate and fifteen dollars (\$15.00) in each succeeding year to maintain the personalized registration plate.

10 S.C.T.C. § 06.07(6) Replacement Registration Plate Fee

Upon request of a replacement registration plate(s) in accordance with 10 S.C.T.C. § 06.06(12), a registrant shall pay a replacement fee of five dollars (\$5.00) and the administrative fee to the Department for the issuance of the replacement plate(s). Upon request of a replacement registration plate(s), a registrant shall pay a replacement fee of ten dollars (\$10.00) for each vehicle personalized registration plate(s).

10 S.C.T.C. § 06.07(7) Calculating Registration Fees by Gross Weight

A yearly registration and renewal fees, attached as EXHIBIT B to this Ordinance, is to be determined on the basis of the maximum gross weight of a motor truck and gross weight of a motor home.

- (a) Maximum gross weight shall be determined by adding together the weight in pounds of the vehicle when equipped to carry a load as a motor-truck and the maximum load pounds the registrant proposes to carry on the vehicle when used as a motor-truck.
- (b) For each motor home, including any vehicle which is converted to be used as a motor home, a specified registration and renewal fee based on gross weight shall be applied.
- (c) A schedule shall be used in determining fees based on gross weight in an amount set by the Tribal Council, provided that the administrative fee shall be added to and collected with the registration and renewal fees.

10 S.C.T.C. § 06.07(8) Reinstate Suspended or Revoked Registration Fee

The Department will charge a reinstate fee of twenty-five dollars (\$25.00) to reinstate a registration previously suspended or revoked. This reinstate fee is in addition to any other fee required to complete the registration of the vehicle.

- (a) Any registrant who fails to pay the reinstate fee may be subject to a forfeiture of twenty-five dollars (\$25.00).

10 S.C.T.C. § 06.07(9) Late Registration Fee

The Department may charge a late fee of ten dollars (\$10.00) for any renewal registration that is completed past the expiration date. Any vehicle renewal registration which is more than thirty (30) days late shall be denied and the registrant must reapply on an original application for vehicle registration. This late fee is in addition to any other fee required to complete the registration of the vehicle.

10 S.C.T.C. § 06.07(10) Refundable Fees

The Department shall not refund a fee paid to it except when expressly authorized or directed by this section to do so.

- (a) The Department shall refund the unused portion of a registration fee paid for a registration of a vehicle owned by a person who is entering active services in a naval military force of the United States or who is a member of the U.S. foreign services appointed under 22 U.S.C. 3942 (a)(1) or 3943 and entering active service. The registrant shall complete the refund application, provide any proof that the Department requires indicating the vehicle will not be operated during the remainder of the registration period, and return the registration and registration plates to the Department.
- (b) The refund shall be computed on the basis of one-twelfth (1/12) of the annual registration fee or one twenty-fourth (1/24) of the biennial registration fee paid for the vehicle, multiplied by the number of full months remaining in the period for which the vehicle is registered when the vehicle ceases to be operated.
- (c) Upon request, the Department shall refund fifty percent (50%) of a registration fee paid for a vehicle registered on a biennial basis if the registrant furnishes such proof as the Department requires that the registrant has transferred their interest in the vehicle before the beginning of the second year of the period for which the vehicle is registered or that the vehicle will not be operated within the St. Croix Reservation boundaries after the beginning of the second year of the period for which the vehicle is registered. The Department may require the registrant to return the certificate of registration and any registration plates for the vehicle to the Department.

ARTICLE VIII – PENALTIES

10 S.C.T.C. § 06.08(1) Fraudulent Applications

Any individual who gives false or fictitious name, address, or location where the vehicle is customarily kept in an application; or applies in the name of an individual other than the true owner, or true owner and lessee; may be subject to a forfeiture of not more than two-hundred dollars (\$200.00).

10 S.C.T.C. § 06.08(2) Improper Use of Registration

An individual who does any of the following may be subject to a forfeiture of not more than five-hundred dollars (\$500.00).

- (a) Lends to another a registration plate for display upon a vehicle for which the registration plate has not been issued.
- (b) Displays upon a vehicle a registration plate not issued for that vehicle or not otherwise authorized by law to be used thereon.

- (c) Willfully twists; paints; alters or adds to; cuts off any portion of a registration plate or sticker; and/or places or deposits, or causes to be placed or deposited on such registration plate or sticker any substance; to hinder the normal reading of such plate.
- (d) Defaces, disfigures, covers, obstructs, changes or attempts to change any letter or figure thereon; or who causes such registration plate or sticker to appear to be a different color.
- (e) Possesses a fraudulently or unlawfully obtained registration plate, insert tag, decal, or other evidence of registration.
- (f) Possesses a counterfeit registration plate, insert tag, decal, or other evidence of registration.

10 S.C.T.C. § 06.08(3) Improper Display of Registration

An individual who does any of the following may be subject to a forfeiture of not more than two-hundred dollars (\$200.00).

- (a) Operates a vehicle for which a current registration plate or insert tag has been issued without such plate or tag being attached to the vehicle.
- (b) Operates a vehicle with a registration plate attached in a non-rigid or non-horizontal manner or in an inconspicuous place so as to make it difficult to see and read the plate.
- (c) Operates a vehicle with the registration plate in an illegible condition due to the accumulation of dirt or other foreign matter.

10 S.C.T.C. § 06.08(4) Suspension of Registration

The Department shall suspend the registration of a vehicle when:

- (a) The registration was completed through fraud or error and the vehicle cannot be properly registered;
- (b) The registration or renewal fee has not been paid in full and not paid upon reasonable notice and demand;
- (c) The registration was for a vehicle having a greater gross weight than that which the vehicle was registered for; and/or
- (d) The vehicle owner has moved out of the Tribe's jurisdiction to register vehicles.

10 S.C.T.C. § 06.08(5) Suspended of Registration

Any registrant suspended under 10 S.C.T.C. § 06.08(4) may be required to return the suspended registration plates to the Department. Any registrant suspended under 10 S.C.T.C. § 06.08(4) continues to be suspended until reinstated by the Department. The Department shall reinstate when the reason for suspension has been removed.

- (a) Failure to return the suspended registration plates may result in a forfeiture of not more than two-hundred dollars (\$200.00).

10 S.C.T.C. § 06.08(6) Tribal Police Enforcement

Any provision, unless otherwise specified, may be enforced by the St. Croix Tribal Police Department. In the course of their duties, the Tribal Police may conduct any of the following:

- (a) Request a vehicle operator’s driver’s license;
- (b) Request a vehicle operator’s vehicle registration;
- (c) Request proof of insurance;
- (d) Run the plate of a vehicle;
- (e) Issue appropriate citations as attached as EXHIBIT C; and
- (f) Other police powers reasonably needed to enforce this Ordinance.

10 S.C.T.C. § 06.08(7) Tribal Court Enforcement

Any provision, unless otherwise specified, may be heard and enforced by the St. Croix Tribal Court. The Tribal Court may order any of the following penalties:

- (a) Any forfeiture prescribed in this Ordinance and as attached as EXHIBIT C;
- (b) Tribal Court fees; and
- (c) Other penalties the Tribal Court deems appropriate in accordance with the purpose of this Ordinance.
- (d) Failure to comply with the Tribal Court order may result in the immediate suspension of registration or the individual being found in contempt of court and additional forfeitures being assessed against them.

10 S.C.T.C. § 06.08(8) Collection of Penalties

Collection for any forfeiture or penalty imposed by this Ordinance may be obtained by the following methods:

- (a) Receipt of money paid to the Department or Clerk of Courts respectively;
- (b) Garnishment of funds held on behalf of individual by the Tribe;
- (c) Debt collection methods of the courts of other jurisdictions; or
- (d) Any other method authorized by tribal ordinances, tribal law, or by the Tribal Court.

**ST. CROIX CHIPPEWA INDIANS OF WISCONSIN
TITLE 10
CHAPTER 6
REGISTRATION OF VEHICLES ORDINANCE
EXHIBIT A**

The Department shall adhere to the following fee scheduled for vehicles which is derived from the Ordinance and may be amended from time-to-time by Tribal Council Resolution. The registration fee for each vehicle type shall match the State of Wisconsin registration fee of the same type of vehicle and the administration fee.

Vehicle Fee Schedule

*A surcharge of \$10.00 shall be added for each late registration

Vehicle Type	Renewal Fee	Administration Fee
Autocycle	\$35	\$10
Automobile	\$40	\$10
*Moped (Biennial)	\$23	\$10
*Motorcycle (Biennial)	\$23	\$10
Trailer (3,000-4,500 lbs)	\$40	\$10

*No additional costs for disability or veteran plates.

Special Plate Fee Schedule

* A surcharge of \$10.00 shall be added for each late registration

Plate Type	Renewal Fee	Administration Fee
Personalized Plates	+\$15	-
Government Plates	-	\$10
Disability Plates	\$5	\$10
Veteran Plates	\$5	\$10
Replacement Plates	\$5	\$10
Replacement Personalized Plates	\$10	\$10
Reinstate Suspended or Revoked Registration	\$25	\$10

**ST. CROIX CHIPPEWA INDIANS OF WISCONSIN
TITLE 10
CHAPTER 6
REGISTRATION OF VEHICLES ORDINANCE
EXHIBIT B**

A yearly registration fee is to be determined on the basis of the maximum gross weight of a vehicle. The Department shall adhere to the following fee scheduled which may be amended from time-to-time by Tribal Council Resolution. The registration fee for each vehicle type shall match the State of Wisconsin registration fee of the same type of vehicle and the administration fee.

Bus, Motor-Truck, Truck-Tractor, Road-Tractor, Semi-Trailer Fee Schedule

*A surcharge of \$10.00 shall be added for each late registration

Gross Weight in Pounds:	Renewal Fee	Administrative Fee
Not more than 4,500	\$50	\$10
Not more than 6,000	\$50	\$10
Not more than 8,000	\$50	\$10
Not more than 10,000	\$90	\$10
In excess of 10,000	\$90	\$10

Motor Home Fee Schedule

*A surcharge of \$10.00 shall be added for each late registration

Gross Weight in Pounds:	Renewal Fee	Administrative Fee
Not more than 5,000	\$50	\$10
Not more than 8,000	\$50	\$10
Not more than 12,000	\$50	\$10
Not more than 16,000	\$90	\$10
In excess of 20,000	\$90	\$10
Not more than 26,000	\$90	\$10
More than 26,000	\$90	\$10

**ST. CROIX CHIPPEWA INDIANS OF WISCONSIN
TITLE 10
CHAPTER 6
REGISTRATION OF VEHICLES ORDINANCE
EXHIBIT C**

The Tribal Court and Tribal Police Department shall adhere to the following violation forfeitures scheduled as outlined by the Ordinance and which may be amended from time-to-time by Tribal Council Resolution.

Citation	Violation	Maximum Forfeiture	Court Costs	Total
10 S.C.T.C. § 06.04(10)	Registrants Under 18 w/o Parental Consent	\$200	\$30	\$230
10 S.C.T.C. § 06.04(17)	Operating Unregistered or Improperly Registered	\$200	\$30	\$230
10 S.C.T.C. § 06.04(19)	Failure to Provide Notice	\$50	\$30	\$80
10 S.C.T.C. § 06.06(7)	Failure to Return Cancelled Personal Plates	\$200	\$30	\$230
10 S.C.T.C. § 06.06(12)	Failure to Return Damaged/Illegible Plates	\$200	\$30	\$230
10 S.C.T.C. § 06.08(1)	Fraudulent Application	\$200	\$30	\$230
10 S.C.T.C. § 06.08(2)	Improper Use of Registration	\$500	\$30	\$530
10 S.C.T.C. § 06.08(3)	Improper Display of Registration	\$200	\$30	\$230
10 S.C.T.C. § 06.08(5)	Suspended Registration	\$200	\$30	\$230