



**RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution Entitled: *“Adoption of Policy Requiring Seat Belt Use and prohibiting texting while driving in Motor Vehicles Driven by Three Affiliated Tribes Employees while on Duty”*

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, The Three Affiliated Tribes has developed and implemented the Tribal Traffic Safety Program for the purpose of developing and maintaining traffic safety programs of the Fort Berthold Indian Reservation and said Program has been in operation since 1996; and

WHEREAS, The Three Affiliated Tribes Traffic Safety Program is recommending that the Tribal Business Council adopt a policy requiring the use of seat belts in motor vehicles driven by employees of the Three Affiliated Tribes while such employees are on official duty for the Tribe and banning text messaging while driving; and

WHEREAS, in accordance with Executive Order 13513, state and local governments are encouraged to adopt and enforce workplace safety policies to decrease motor vehicle crashes caused by distracted driving including policies to ban text messaging while driving in company or government owned vehicles and in privately owned vehicles when on official government business or when performing any work on behalf of the government; and

WHEREAS, The Tribal Business Council believes that it is in the best interests of the Tribes and its employees in order to protect such employees and limit potential liability to the Tribe that such policies be adopted.



NOW THEREFORE BE IT RESOLVED, The Tribal Business Council of the Three Affiliated Tribes hereby adopts the following policy regarding seat belt and passenger safety restraints by tribal employees while on duty for the Tribe:

No employee or Tribal Council member of the Three Affiliated Tribes shall operate any motor vehicle owned by the Three Affiliated Tribes or any motor vehicle owned by the Government Services Administration under lease with the Tribe without using a seat belt or other passenger safety restraint system. Employees transporting individuals in motor vehicles owned by the Tribe or in any GSA vehicle shall ensure that any passengers in such vehicle also utilize appropriate passenger safety restraints. This policy shall also apply to any individual using a private vehicle while on duty for the Tribe and acting within the scope of their employment.

BE IT FURTHER RESOLVED that the Tribal Business Council further adopts the following policy governing text messaging while driving by tribal employees and tribal Council members:

Text messaging while operating any motor vehicle owned by the Three Affiliated Tribes or any motor vehicle owned by the Government Services Administration under lease with the Tribe or while operating a privately owned vehicle while on official business for the Three Affiliated Tribes is hereby prohibited.

BE IT FURTHER RESOLVED, that violation of these policies may result in disciplinary action in accordance with the Personnel policies and procedures of the Three Affiliated Tribes; and

BE IT FINALLY RESOLVED, that the Policy adopted according to the terms of this Resolution shall be incorporated into and made a part of any existing policies governing motor vehicle use by tribal employees.



CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 16 day of April 2013; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman voting. not voting.

Dated this 16 day of April 2013.

V. Judy Brugh, Secretary
Tribal Business Council

ATTEST:

Tex G. Hall Chairman
Tribal Business Council