#### **CHAPTER 6-11 SUPPLEMENTAL FUEL**

# 6-11-1 <u>Title—Purpose</u>

- (a) This Chapter shall be known as the Supplemental Fuel Chapter of the Colville Law and Order Code.
- (b) To provide a discount on the price per gallon of motor vehicle and special fuel sold by filling stations to tribal members, the Tribes, Colville businesses or tribal businesses; to provide a rebate to filling stations to offset costs in providing such discount in addition to compensation for the maintenance of filling station licenses; and to provide some benefit to tribal members to alleviate the financial hardships associated with the need to travel great distances on the Colville Reservation to obtain services.

## 6-11-2 **Definitions**

- (a) "Filling station" means a licensed business operated within the Colville Reservation for the purpose of delivering to the general public motor vehicle fuel or special fuel into the fuel tanks of motor vehicles and into portable containers.
- (b) "Tribal member" means an enrolled member of the Colville Confederated Tribes.
- (c) "Council" means the Colville Business Council.
- (d) "Tribes" means the Confederated Tribes of the Colville Reservation.
- (e) "Colville business" means a business that is:
  - (1) wholly-owned and operated by an enrolled member or members of the Tribes; and
  - (2) possesses a federal Indian trader's license allowing the business to operate on the Colville Reservation.

(Amended 3/21/96, Resolution of 1996-127)

- (f) "Tribal business" means a business that is wholly-owned and operated by the Tribes.
- (g) "Motor vehicle fuel" means gasoline or any inflammable gas, or liquid, by whatsoever name such as gasoline, gas or liquid may be sold, the chief use of which is a fuel for the propulsion of motor vehicles or motorboats.
- (h) "Special fuel" means all combustible gases and liquids suitable for the generation of power for propulsion of motor vehicles, except that it does not include motor vehicle fuel as defined in section 6-11-2(g).
- (i) "Filling station license" has the meaning pursuant to section 6-12-5 of the Fuel Delivery Chapter under this Code.
- (j) "Operator" shall mean that person who holds a filling station license.
- (k) "Executive director" shall mean the executive director of the Tribes.
- $(l) \ ``Tribal\ Court" \ shall\ mean\ the\ Tribal\ Court\ of\ the\ Confederated\ Tribes\ of\ the\ Colville\ Reservation.$

#### 6-11-3 Fuel Sales by Filling Stations

A filling station shall provide a discount to tribal members, the Tribes, Colville businesses and tribal businesses represented by a reduction from the normal purchase price per gallon at which motor vehicle fuel or special fuel is sold to non-members.

### 6-11-4 Rebates to Filling Stations

A filling station in compliance with section 6-11-3 shall receive a rebate on each gallon of motor vehicle fuel or special fuel sold at the discounted price to tribal members, the Tribes, Colville Businesses or tribal

businesses. The rebate amount shall be an amount equal to the discount pursuant in section 6-11-3 in addition to an amount to offset the costs of maintaining the filling station license.

## 6-11-5 Discount/Rebate Amount

The executive director shall establish by rule the amount of discount and rebate compensation pursuant to sections 6-11-3 and 6-11-4 to be received by filling stations. The Tribe's Administrative Procedure Act shall not apply to rulemaking under this section.

#### 6-11-6 Violations/Remedies

The Tribal Court is empowered to revoke the filling station license of any operator who shall be found in violation of this Chapter. In addition, the Tribal Court may impose a fine of not more than \$5000 per violation or jail for a period of not more than six (6) months, or both.

(Chapter 6-11 Adopted 10/12/95, Resolution 1995-684)