

## Navajo Nation Council approves Navajo DOT plan of operation



The 22nd Navajo Nation Council approved legislation transferring the Department of Highway Safety from the Navajo Division of Public Safety to the Navajo Division of Transportation. NDOT's overall plan of operation was also approved by the Council as the first two legislations brought before the 2013 Spring Session. (Photo by Rick Abasta)

WINDOW ROCK-The Navajo Nation Council unanimously approved two legislations on the plan of operation for the Navajo Division of Transportation.

The second day of the 2013 Spring Session began with Legislation No. 0001-13, the reassignment and transfer of the Department of Highway from the Navajo Division of Public Safety to NDOT.

The legislation amended Title 2 of the Navajo Nation Code, amending the plan of operation for NDPS to reassign Highway Safety to NDOT.

Sponsored by Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) and George Apachito (Alamo, Ramah, Tohajiilee), the legislation was quickly reviewed and approved.

Benally said the transfer of Highway Safety to NDOT would coincide with the division's mission of preserving the roads on

the Navajo Nation, through efforts with maintaining road signs and data collection.

The legislation was passed by a vote of 19-0.

Next was Legislation No. 0015-13, which again amended 2 N.N.C. to amend NDOT's plan of operation to add Highway Safety to the division and approve all NDOT's department plans of operation.

Jonathan Nez (Navajo Mountain, Oljato, Shonto, Tsah Bii Kin) sponsored the legislation and likened the transfer to establishing a Highway Patrol to have Navajo Nation oversight over roads on the reservation.

Nez said it was step toward exercising tribal sovereignty on Navajo Nation roads.

"Essentially, this is the transfer of the Highway Safety program over to the Navajo Division of Transportation," said

Paulson Chaco, director of NDOT.

He said Highway Safety would have added responsibilities under NDOT, to monitor roadway signs, guardrails and conduct safety audits of intersections and highways.

Several of the delegates shared comments and questions.

Leonard Tsosie (Baca-Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake) said when it comes to transportation and safety, the Council needs to figure out a way “to put some teeth in it.”

He said Navajo people are concerned with the number of livestock on the roads, causing accidents and fatalities. He added it’s also possible that regulation of uranium transport on Navajo Nation roads may arise and that the designation of a transportation police should be established.

“We have all these overweight trucks that are running on Navajo Nation highways and these pavements are designed not so much for 18-wheeler traffic,” Tsosie said.

He explained the Bureau of Indian Affairs roadway design standard of three-inch asphalt to accommodate standard vehicle traffic and Arizona Department of Transportation’s four-inch asphalt design to provide for commercial traffic.

Truckers seeking shortcuts through Navajo Nation routes tear up the roads, he noted.

Tsosie said, “I’d encourage you to design a true safety department and a true safety police down the road.”

Jurisdiction was the other big concern, especially with regard to litigations, he added.

“I think it’s very important that we safeguard these jurisdictions of the Navajo Nation and Navajo sovereignty,” Tsosie said. “How can we thwart attempts by states to take over jurisdiction on Navajo highways?”

Kenneth Maryboy (Aneth, Mexican Water, Red Mesa, Teec Nos Pos, To’likan) agreed and said semi trucks cut through reservation roads because there is no monitoring on the roads.

“It doesn’t matter what NDOT or anybody does to maintain the roads, it’s going to be torn up again. If there’s nobody to monitor the roads or semi trucks, we’re going to be back to square one,” Maryboy said.

Leonard Pete (Chinle) said a Tribal Transportation Code needs to be developed.

“I think a lot of the issues that were raised here could be addressed in that code,” Pete said.

Alton Joe Shepherd (Cornfields, Ganado, Jeddito, Kinlichee, Steamboat) emphasized the need to share statistics, particularly on State Road 264.

He said hopefully the transition of Highway Safety to NDOT will result in more statistics shared with state agencies for highway improvements.

“I’d like to advocate that NDOT bring some statistics to ADOT to get improvements, due to the dollars we send down there to the state,” Shepherd said. “Off the Navajo Nation you see a different type of (pavement) surface.”

Although SR 264 is a main thoroughfare of the Navajo Nation, its rough surface and deteriorating condition are important safety considerations that should be investigated, he noted.

The legislation was passed by a vote of 21-0.

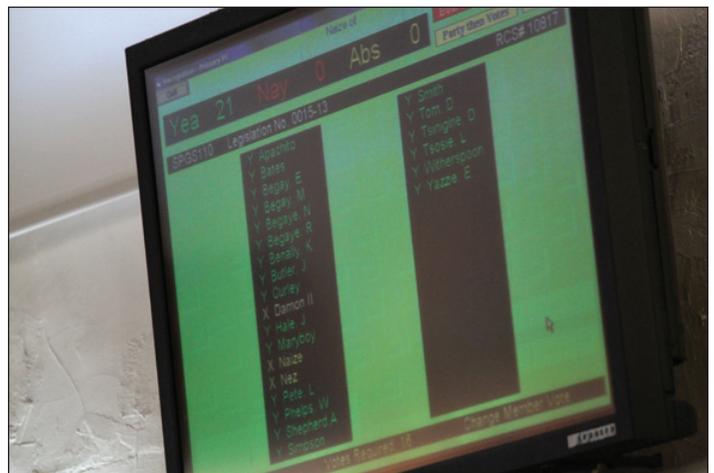
Information: [www.navajodot.org](http://www.navajodot.org)



Navajo DOT Director Paulson Chaco said the division will add to the responsibilities of Highway Safety to monitor roadway signage, guardrails and conduct safety audits for statistics. (Photo by Rick Abasta)



Council delegate Leonard Tsosie shares concerns regarding Navajo Nation jurisdiction on tribal roads. Tsosie said development of a safety department is in order for Navajo DOT to pursue. (Photo by Rick Abasta)



After the presentation regarding the transfer of Highway Safety to Navajo DOT, delegates shared comments and support before unanimously approving the legislation. (Photo by Rick Abasta)