

Adopted	Rejected
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COMMITTEE REPORT

YES:	13
NO:	0

MR. SPEAKER:

*Your Committee on Roads and Transportation, to which was referred House Bill 1243, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 6-6-4.1-13, AS AMENDED BY P.L.46-1994,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 1998]: Sec. 13. (a) A carrier may, in lieu of paying the tax
6 imposed under this chapter that would otherwise result from the
7 operation of a particular commercial motor vehicle, obtain from the
8 department a trip permit authorizing the carrier to operate the
9 commercial motor vehicle for a period of five (5) consecutive days.
10 The department shall specify the beginning and ending days on the face
11 of the permit. The fee for a trip permit for each commercial motor
12 vehicle is fifty dollars (\$50). The report otherwise required under
13 section 10 of this chapter is not required with respect to a vehicle for
14 which a trip permit has been issued under this subsection.

1 (b) The department may issue a temporary written authorization
 2 if unforeseen or uncertain circumstances require operations by a carrier
 3 of a commercial motor vehicle for which neither a trip permit described
 4 in subsection (a) nor an annual permit described in section 12 of this
 5 chapter has been obtained. A temporary authorization may be issued
 6 only if the department finds that undue hardship would result if
 7 operation under a temporary authorization were prohibited. A carrier
 8 who receives a temporary authorization shall:

9 (1) pay the trip permit fee at the time the temporary authorization
 10 is issued; or

11 (2) subsequently apply for and obtain an annual permit.

12 (c) A carrier may obtain a repair and maintenance permit to:

13 (1) travel from another state into Indiana to repair or maintain
 14 any of the carrier's motor vehicles, semitrailers (as defined in

15 IC 9-13-2-164), or trailers (as defined in IC 9-13-2-184); and

16 (2) return to the same state after the repair or maintenance is
 17 completed.

18 The fee for the permit is forty dollars (\$40). The permit is an annual
 19 permit and applies to all of the motor vehicles operated by the carrier.
 20 The permit is not transferable to another carrier. A carrier may not
 21 carry cargo or passengers under the permit. A carrier may operate a
 22 motor vehicle under the permit in lieu of paying the tax imposed under
 23 this chapter. The report otherwise required under section 10 of this
 24 chapter is not required with respect to a motor vehicle that is operated
 25 under the permit.

26 **(d) A carrier may obtain a repair, maintenance, and relocation**
 27 **permit to:**

28 **(1) move a yard tractor from a terminal or loading or**
 29 **spotting facility to:**

30 **(A) a maintenance or repair facility; or**

31 **(B) another terminal or loading or spotting facility; and**

32 **(2) return the yard tractor to its place of origin.**

33 **The fee for the permit is forty dollars (\$40). The permit is an**
 34 **annual permit and applies to all yard tractors operated by the**
 35 **carrier. The permit is not transferable to another carrier. A**
 36 **carrier may not carry cargo or transport or draw a semitrailer or**
 37 **other vehicle under the permit. A carrier may operate a yard**
 38 **tractor under the permit instead of paying the tax imposed under**

1 **this chapter.**

2 ~~(d)~~ (e) The department shall establish procedures, by rules adopted
3 under IC 4-22-2, for:

- 4 (1) the issuance and use of trip permits, temporary
5 authorizations, and repair and maintenance permits; and
6 (2) the display in commercial motor vehicles of evidence of
7 compliance with this chapter.

8 SECTION 2. IC 9-13-2-196 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 196. (a) "Vehicle"
10 means, except as otherwise provided in this section, a device in, upon,
11 or by which a person or property is, or may be, transported or drawn
12 upon a highway.

13 (b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not
14 include the following:

- 15 (1) A device moved by human power.
16 (2) A vehicle that runs only on rails or tracks.
17 (3) A vehicle propelled by electric power obtained from
18 overhead trolley wires but not operated upon rails or tracks.
19 (4) A firetruck and apparatus owned by a person or municipal
20 division of the state and used for fire protection.
21 (5) A municipally owned ambulance.
22 (6) A police patrol wagon.
23 (7) A vehicle not designed for or employed in general highway
24 transportation of persons or property and occasionally operated
25 or moved over the highway, including the following:
26 (A) Road construction or maintenance machinery.
27 (B) A movable device designed, used, or maintained to alert
28 motorists of hazardous conditions on highways.
29 (C) Construction dust control machinery.
30 (D) Well boring apparatus.
31 (E) Ditchdigging apparatus.
32 (F) An implement of husbandry.
33 (G) An invalid chair.
34 **(H) A yard tractor.**

35 (c) For purposes of IC 9-20 and IC 9-21, the term does not include
36 devices moved by human power or used exclusively upon stationary
37 rails or tracks.

38 (d) For purposes of IC 9-22, the term refers to an automobile, a

1 motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school
2 bus, a recreational vehicle, or a motorized bicycle.

3 (e) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9,
4 the term means a device for transportation by land or air."

5 Page 1, line 4, delete ":".

6 Page 1, run in lines 4 through 5.

7 Page 1, line 5, delete "(1)".

8 Page 1, line 5, before "loading" insert "**terminal or a**".

9 Page 1, line 5, delete ";" and insert "."

10 Page 1, delete lines 6 through 7, begin a new paragraph and insert:

11 "SECTION 4. IC 9-19-1-1 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. (a) Except as
13 provided in subsections (b) through (c) and as otherwise provided in
14 this chapter, this article does not apply to the following with respect to
15 equipment on vehicles:

16 (1) Implements of husbandry.

17 (2) Road machinery.

18 (3) Road rollers.

19 (4) Farm tractors.

20 (5) Vehicle chassis that:

21 (A) are a part of a vehicle manufacturer's work in process;
22 and

23 (B) are driven under this subdivision only for a distance of
24 less than one (1) mile.

25 **(6) Yard tractors**

26 (b) A farm type dry or liquid fertilizer tank trailer or spreader that
27 is drawn or towed on a highway by:

28 (1) a farm tractor; or

29 (2) a motor vehicle at a speed not greater than thirty (30) miles
30 per hour;

31 is considered an implement of husbandry with respect to equipment
32 requirements and all the requirements of this article regarding lamps
33 on combinations, including farm tractors, apply.

34 (c) A farm type dry or liquid fertilizer tank trailer or spreader that
35 is drawn or towed on a highway by a motor vehicle other than a farm
36 tractor at a speed greater than thirty (30) miles per hour is considered
37 a trailer for equipment requirement purposes and all equipment
38 requirements concerning trailers apply."

- 1 Renumber all SECTIONS consecutively.
(Reference is to HB 1243 as introduced.)

and when so amended that said bill do pass.

Representative Cook