



April 6, 1999

**ENGROSSED
HOUSE BILL No. 1920**

DIGEST OF HB 1920 (Updated March 30, 1999 5:26 pm - DI 92)

Citations Affected: IC 9-14; IC 9-24; IC 9-30.

Synopsis: Probationary driver's license. Provides that an individual who holds a probationary license may receive an operator's, chauffeur's, public passenger chauffeur's, or a commercial driver's license when the individual is at least 18 years of age. Provides that a probationary license is valid for not more than 4 years and may not be renewed. Provides that the bureau of motor vehicles may not disclose the Social Security number, federal identification number, driver's license number, or digital image of the driver's license applicant of any (Continued next page)

Effective: July 1, 1999.

Bailey, Frizzell, Steele, Hasler

(SENATE SPONSORS — SKILLMAN, LEWIS)

January 26, 1999, read first time and referred to Committee on Roads and Transportation.
February 11, 1999, amended, reported — Do Pass.
February 15, 1999, read second time, amended, ordered engrossed.
February 16, 1999, engrossed. Read third time, passed. Yeas 94, nays 1.

SENATE ACTION

February 22, 1999, read first time and referred to Committee on Transportation and Interstate Cooperation.
April 5, 1999, amended, reported favorably — Do Pass.

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person except to a law enforcement officer or an agent or a designee of the department of state revenue. Requires an individual holding a probationary license to attend and complete a defensive driving school program if the either of the following occurs at least twice or both of the following have occurred: (1) The individual is convicted of certain moving offenses; (2) The individual is the operator of a vehicle involved in an accident for which a report is required to be filed.

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April 6, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

ENGROSSED HOUSE BILL No. 1920

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-14-3-5 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 1999]: Sec. 5. (a) Except as provided in
3 subsection (b), (c), or (d), the bureau shall prepare and deliver
4 information on titles, registrations, and licenses and permits upon the
5 request of any person. All requests must be submitted in writing to the
6 bureau and, unless exempted under IC 9-29, must be accompanied by
7 the payment of the fee prescribed in IC 9-29-2-2.
8 (b) The bureau may not disclose the:
9 (1) Social Security number;
10 (2) federal identification number; ~~or~~
11 (3) driver's license number; ~~or~~
12 (4) **digital image of the driver's license applicant;**
13 of any person except to a law enforcement officer or an agent or a
14 designee of the department of state revenue.
15 (c) As provided under 42 U.S.C. 1973gg-3(b), the commission may
16 not disclose any information concerning the failure of an applicant for
17 a motor vehicle driver's license to sign a voter registration application,

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1 except as authorized under IC 3-7-14.

2 (d) The commission may not disclose any information concerning
3 the failure of an applicant for a title, registration, license, or permit
4 (other than a motor vehicle license described under subsection (c)) to
5 sign a voter registration application, except as authorized under
6 IC 3-7-14.

7 SECTION 2. IC 9-24-11-3 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) A license issued
9 to an individual less than eighteen (18) years of age is a probationary
10 license.

11 (b) An individual holds a probationary license subject to the
12 following conditions:

13 (1) Except as provided in IC 31-37-3-1, the individual may not
14 operate a motor vehicle during the curfew hours specified in
15 IC 31-37-3-2.

16 (2) During the ninety (90) days following the issuance of the
17 probationary license, the individual may not operate a motor
18 vehicle in which there are passengers unless another individual
19 who:

20 (A) is at least twenty-one (21) years of age; and

21 (B) holds a valid operator's license issued under this article;
22 is present in the front seat of the motor vehicle.

23 (3) The individual may operate a motor vehicle only if the
24 individual and each occupant of the motor vehicle has a safety
25 belt properly fastened about the occupant's body at all times when
26 the motor vehicle is in motion.

27 (c) An individual who holds a probationary license issued under this
28 section may receive an operator's license, **a chauffeur's license, a**
29 **public passenger chauffeur's license, or a commercial driver's**
30 **license:**

31 (†) when the individual is at least eighteen (18) years of age. and
32 (‡) unless in the twelve (12) months that immediately precede the
33 date upon which the individual applies for an operator's license
34 either of the following occurs at least twice or both of the
35 following have occurred:

36 (A) the individual has been convicted of a moving traffic
37 offense (as defined in IC 9-30-3-14(a)). As used in this
38 subsection, the term "moving traffic offense" does not refer to
39 offenses that solely involve motor vehicle equipment.

40 (B) The individual has been the operator of a motor vehicle
41 involved in an accident for which a report is required to be
42 filed under IC 9-26-2

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1 **(d) A probationary license issued under this section:**

2 **(1) is valid for not more than four (4) years from the date the**
 3 **license is issued; and**

4 **(2) may not be renewed.**

5 SECTION 3. IC 9-30-3-12 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 12. (a) If during any
 7 twelve (12) month period a person has committed moving traffic
 8 violations for which the person has:

9 (1) been convicted of at least two (2) traffic misdemeanors;

10 (2) had at least two (2) traffic judgments entered against the
 11 person; or

12 (3) been convicted of at least one (1) traffic misdemeanor and has
 13 had at least one (1) traffic judgment entered against the person;

14 the bureau may require the person to attend and satisfactorily complete
 15 a defensive driving school program. The person shall pay all applicable
 16 fees required by the bureau.

17 **(b) This subsection applies to an individual who holds a**
 18 **probationary license under IC 9-24-11-3 or is less than eighteen**
 19 **(18) years of age. An individual is required to attend and**
 20 **satisfactorily complete a defensive driving school program if either**
 21 **of the following occurs at least twice or if both of the following**
 22 **have occurred:**

23 **(1) The individual has been convicted of a moving traffic**
 24 **offense (as defined in section 14(a) of this chapter), other than**
 25 **an offense that solely involves motor vehicle equipment.**

26 **(2) The individual has been the operator of a motor vehicle**
 27 **involved in an accident for which a report is required to be**
 28 **filed under IC 9-26-2.**

29 **The individual shall pay all applicable fees required by the bureau.**

30 ~~(b)~~ (c) The bureau may suspend the driving license of any person
 31 who:

32 (1) fails to attend a defensive driving school program; or

33 (2) fails to satisfactorily complete a defensive driving school
 34 program;

35 as required by this section.

36 ~~(c)~~ (d) Notwithstanding IC 33-19-5-2, any court may suspend
 37 one-half (1/2) of each applicable court cost for which a person is liable
 38 due to a traffic violation if the person enrolls in and completes a
 39 defensive driving school or a similar school conducted by an agency of
 40 the state or local government.



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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1920, 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:

Page 2, reset in roman line 9.

Page 2, line 10, reset in roman "following have occurred:".

Page 2, line 10, reset in roman "(A)" and begin a new line double block indented.

Page 2, line 11, reset in roman "a".

Page 2, line 11, delete "at least two".

Page 2, line 11, rest in roman "offense".

Page 2, line 11, delete "offenses".

Page 2, reset in roman lines 15 through 17.

Page 2, line 17, delete "." and insert "**and has been determined by a court or jury in a civil proceeding under IC 34-51-2 to be greater than fifty percent (50%) at fault for the accident.**".

Page 2, after line 17, begin a new paragraph and insert:

"(d) A probationary license issued under this section:

(1) is valid for not more than four (4) years from the date the license is issued; and

(2) may not be renewed."

and when so amended that said bill do pass.

(Reference is to HB 1920 as introduced.)

COOK, Chair

Committee Vote: yeas 12, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1920 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-14-3-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]:Sec. 5. (a) Except as provided in subsection (b), (c), or (d), the bureau shall prepare and deliver information on titles, registrations, and licenses and permits upon the request of any person. All requests must be submitted in writing to the bureau and, unless exempted under IC 9-29, must be accompanied by the payment of the fee prescribed in IC 9-29-2-2.

(b) The bureau may not disclose the:

- (1) Social Security number;
- (2) federal identification number; **or**
- (3) driver's license number; **or**

(4) digital image of the driver's license applicant:

of any person except to a law enforcement officer or an agent or a designee of the department of state revenue.

(c) As provided under 42 U.S.C. 1973gg-3(b), the commission may not disclose any information concerning the failure of an applicant for a motor vehicle driver's license to sign a voter registration application, except as authorized under IC 3-7-14.

(d) The commission may not disclose any information concerning the failure of an applicant for a title, registration, license, or permit (other than a motor vehicle license described under subsection (c)) to sign a voter registration application, except as authorized under IC 3-7-14."

Page 2, line 5, delete "license:" and insert "license, **a chauffeur's license, a public passenger chauffeur's license, or a commercial driver's license**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1920 as printed February 12, 1999.)

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COMMITTEE REPORT

Mr. President: The Senate Committee on Transportation and Interstate Cooperation, to which was referred House Bill No. 1920, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 2, delete ":Sec." and insert ": Sec."

Page 1, line 12, delete ":" and insert ";"

Page 2, line 8, after "Sec." insert "3."

Page 2, line 30, after "license" insert ":"

Page 2, line 31, strike "(1)".

Page 2, line 31, delete "; and" and insert ". and".

Page 2, strike lines 32 through 41.

Page 2, line 42, strike "filed under IC 9-26-2".

Page 2, line 42, delete "and has been determined by a court or".

Page 3, delete lines 1 through 2.

Page 3, after line 6, begin a new paragraph and insert:

"SECTION 3. IC 9-30-3-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 12. (a) If during any twelve (12) month period a person has committed moving traffic violations for which the person has:

(1) been convicted of at least two (2) traffic misdemeanors;

(2) had at least two (2) traffic judgments entered against the person; or

(3) been convicted of at least one (1) traffic misdemeanor and has had at least one (1) traffic judgment entered against the person;

the bureau may require the person to attend and satisfactorily complete a defensive driving school program. The person shall pay all applicable fees required by the bureau.

(b) This subsection applies to an individual who holds a probationary license under IC 9-24-11-3 or is less than eighteen (18) years of age. An individual is required to attend and satisfactorily complete a defensive driving school program if either of the following occurs at least twice or if both of the following have occurred:

(1) The individual has been convicted of a moving traffic offense (as defined in section 14(a) of this chapter), other than an offense that solely involves motor vehicle equipment.

(2) The individual has been the operator of a motor vehicle involved in an accident for which a report is required to be filed under IC 9-26-2.

The individual shall pay all applicable fees required by the bureau.

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~~(b)~~ (c) The bureau may suspend the driving license of any person who:

- (1) fails to attend a defensive driving school program; or
- (2) fails to satisfactorily complete a defensive driving school program;

as required by this section.

~~(c)~~ (d) Notwithstanding IC 33-19-5-2, any court may suspend one-half (1/2) of each applicable court cost for which a person is liable due to a traffic violation if the person enrolls in and completes a defensive driving school or a similar school conducted by an agency of the state or local government."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1920 as reprinted February 16, 1999.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 7, Nays 0.

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