



March 30, 1999

**ENGROSSED
SENATE BILL No. 158**

DIGEST OF SB 158 (Updated March 24, 1999 1:31 pm - DI 96)

Citations Affected: IC 9-13; IC 9-24; IC 9-29.

Synopsis: Drive tests for driver's license applicants. Defines a "drive test" as a bureau of motor vehicles approved examination given either by a commercial driver training school instructor or a high school driver training instructor for the purpose of determining whether a student has sufficient physical and mental ability to operate a motor vehicle, other than a motorcycle, to qualify for a driver's license.
(Continued next page)

Effective: July 1, 1999.

Wheeler

(HOUSE SPONSORS — GRUBB, DILLON, BUCK)

January 6, 1999, read first time and referred to Committee on Transportation and Interstate Cooperation.

February 8, 1999, amended, reported favorably — Do Pass.

February 11, 1999, read second time, ordered engrossed. Engrossed.

February 15, 1999, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

March 3, 1999, read first time and referred to Committee on Roads and Transportation.

March 29, 1999, amended, reported — Do Pass.

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ES 158—LS 6726/DI 96+



Digest Continued

Defines a "motorcycle skills test" as a bureau of motor vehicles approved examination given by a certified operation examiner to determine if an applicant has sufficient physical and mental ability to operate a motorcycle to qualify for a new or renewal motorcycle license or endorsement. Requires the bureau to waive a drive test for a student who passes both a driver education class and a drive test given by: (1) a commercial driver training school; or (2) an instructor holding a driver and traffic safety endorsement from the Indiana professional standards board. Clarifies that an individual who has held a motorcycle learner's permit for at least 30 days may apply for a motorcycle operator's license or endorsement.

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March 30, 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 SENATE BILL No. 158

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 9-13-2-48.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
3 1, 1999]: **Sec. 48.5. "Drive test" means the examination approved**
4 **by the bureau and given by either of the following:**

5 (1) **A commercial driver training school instructor or a high**
6 **school driver training instructor for the purpose of**
7 **determining whether a student has sufficient physical and**
8 **mental ability to operate a motor vehicle, other than a**
9 **motorcycle, to qualify for a driver's license.**

10 (2) **A state driver examiner for the purpose of determining**
11 **whether an applicant has sufficient physical and mental**
12 **ability to operate a motor vehicle, other than a motorcycle, to**
13 **qualify for a new or renewal driver's license.**

14 SECTION 2. IC 9-13-2-108.5 IS ADDED TO THE INDIANA
15 CODE AS A **NEW SECTION TO READ AS FOLLOWS**

ES 158—LS 6726/DI 96+



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1 [EFFECTIVE JULY 1, 1999]: **Sec. 108.5. "Motorcycle skills test"**
 2 **means the examination approved by the bureau and given by a**
 3 **certified motorcycle operational examiner to determine if an**
 4 **applicant has sufficient physical and mental ability to operate a**
 5 **motorcycle to qualify for a new or renewal motorcycle license or**
 6 **endorsement.**

7 SECTION 3. IC 9-24-8-4 IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) Except as provided in
 9 subsections (c) and (d), the bureau shall:

- 10 (1) issue a motorcycle operator's license; or
 11 (2) validate an operator's, a chauffeur's, or a public passenger
 12 chauffeur's license for motorcycle operation upon a highway by
 13 endorsement;

14 to a person who meets the conditions in subsection (b).

15 (b) A person must meet at least one (1) of the following conditions
 16 to obtain a license or validation under subsection (a):

- 17 (1) Satisfactorily complete an approved motorcycle driver
 18 education and training course and pass the written test required by
 19 this section.
 20 (2) Satisfactorily complete the written test, hold a motorcycle
 21 learner's permit for at least thirty (30) days, and satisfactorily
 22 complete the operational **motorcycle skills** test.
 23 (3) Hold a current motorcycle operator endorsement or license
 24 from any other jurisdiction and successfully complete the written
 25 test.

26 (c) The bureau may not issue a motorcycle operator's license to an
 27 individual less than sixteen (16) years and thirty (30) days of age.

28 (d) If an applicant for a motorcycle license or license endorsement
 29 is less than eighteen (18) years of age, the bureau may not issue a
 30 license or validate a license described in subsection (a)(2) if the
 31 applicant is ineligible under IC 9-24-2-1.

32 (e) The bureau shall develop and implement both a written test and
 33 an operational **motorcycle** skills test that must be designed to
 34 determine whether an applicant for a motorcycle operator's license or
 35 endorsement is competent to operate a motorcycle upon a highway. The
 36 written test must be made available at license branch locations
 37 approved by the bureau. The operational **motorcycle** skills test must be
 38 given at locations designated by the bureau. The operational
 39 **motorcycle** skills test must be given by a certified motorcycle
 40 operational examiner. **An individual applying for a motorcycle**
 41 **operator's license or endorsement must pass the operational skills test**
 42 **before taking the written exam.** If an applicant fails to satisfactorily



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1 complete either the written or operational **motorcycle** skills tests, the
 2 applicant may reapply for and must be offered the examination upon
 3 the same terms and conditions as applicants may reapply for and be
 4 offered examinations for an operator's license. The bureau shall publish
 5 and make available at all locations where an individual may apply for
 6 an operator's license information concerning motorcycle operator
 7 licensing or endorsement.

8 (f) An individual who:

9 (1) has held a motorcycle learner's permit for at least ~~two (2)~~
 10 **thirty (30) days; months;** or

11 (2) holds a temporary motorcycle learner's permit, has
 12 successfully completed an approved motorcycle driver education
 13 and training course, and possesses a valid operator's, chauffeur's,
 14 or public passenger chauffeur's license;

15 may apply for a motorcycle operator's license endorsement not later
 16 than the expiration date of the holder's permit. However, not more than
 17 three (3) examinations may be allowed a holder during the period the
 18 permit is valid. A holder of a learner's permit or a temporary learner's
 19 permit who does not pass the written and ~~operating~~ **operational**
 20 **motorcycle** skills **test** examination during the period for which the
 21 permit is valid must obtain a new learner's permit.

22 SECTION 4. IC 9-24-10-4 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) Except as
 24 provided in subsection (c), an examination for a learner's permit must
 25 consist of a test of the applicant's eyesight. All other examinations must
 26 include the following:

27 (1) A test of the following of the applicant:

28 (A) Eyesight.

29 (B) Ability to read and understand highway signs regulating,
 30 warning, and directing traffic.

31 (C) Knowledge of Indiana traffic laws.

32 (2) ~~An actual demonstration~~ **A drive test** of the applicant's ability
 33 to exercise ordinary and reasonable control in the operation of a
 34 motor vehicle under the type of permit or license applied for.

35 (b) The examination may include further physical and mental
 36 examination that the bureau finds necessary to determine the
 37 applicant's fitness to operate a motor vehicle safely upon Indiana
 38 highways. The applicant must provide the motor vehicle used in the
 39 examination. **The individual administering the drive test may be the**
 40 **same instructor who provided behind the wheel instruction to that**
 41 **student.**

42 (c) The bureau shall waive the ~~actual demonstration~~ **drive test**



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1 required under subsection (a)(2) for a person who has passed a driver's
 2 education class and a ~~road drive~~ test given by a commercial driver
 3 training school or ~~a~~ **given by an instructor holding a driver and**
 4 **traffic safety endorsement from the Indiana professional standards**
 5 **board to a student in an approved** high school driver education
 6 program.

7 (d) The bureau shall adopt rules under IC 4-22-2 specifying
 8 requirements for a ~~road drive~~ test given under subsection (c) by a
 9 commercial driver training school or a high school driver education
 10 program.

11 SECTION 5. IC 9-24-12-8 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. An individual who
 13 is less than seventy-five (75) years of age and is applying for a renewal
 14 of the endorsement or a motorcycle operator's license is not required to
 15 do any of the following:

- 16 (1) Hold a motorcycle learner's permit.
- 17 (2) Take the operational **motorcycle skills** test specified by the
 18 bureau.
- 19 (3) Take the written test specified by the bureau.

20 SECTION 6. IC 9-29-9-12 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 12. (a) The fee for a
 22 ~~motorcycle~~ operational **motorcycle** skills test administered under
 23 IC 9-24-8 is five dollars (\$5).

24 (b) The fees collected for ~~motorcycle~~ operational **motorcycle** skills
 25 tests shall be distributed as follows:

- 26 (1) For tests given by ~~state~~ **bureau of motor vehicles** employees,
 27 to the motor vehicle highway account under IC 8-14-1.
- 28 (2) For tests given by a certified motorcycle operational examiner
 29 who is not a ~~state~~ **bureau of motor vehicles** employee, to the
 30 examiner.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Transportation and Interstate Cooperation, to which was referred Senate Bill No. 158, 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 8, after "vehicle" insert ", **other than a motorcycle,**".

Page 1, line 10, delete "or a certified motorcycle".

Page 1, line 11 delete "operational examiner".

Page 1, line 13, after "vehicle" insert ", **other than a motorcycle,**".

Page 1, between lines 14 and 15, begin a new paragraph and insert:
 "SECTION 2. IC 9-13-2-108.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 108.5. "Motorcycle skills test" means the examination approved by the bureau and given by a certified motorcycle operational examiner to determine if an applicant has sufficient physical and mental ability to operate a motorcycle to qualify for a new or renewal motorcycle license or endorsement.**".

Page 2, line 15, reset in roman "operational".

Page 2, line 15, delete "drive" and insert "**motorcycle skills**".

Page 2, line 26, delete "an operational skills a drive" and insert "an operational **motorcycle** skills".

Page 2, line 30, delete "operational skills drive" and insert "operational **motorcycle** skills".

Page 2, line 31, delete "operational skills drive" and insert "operational **motorcycle** skills".

Page 2, line 34, delete "operational skills drive" and insert "operational **motorcycle** skills".

Page 2, line 36, delete "operational drive" and insert "operational **motorcycle skills**".

Page 3, line 1, strike "two (2)" and insert "**thirty (30) days;**".

Page 3, line 2, strike "months;".

Page 3, line 11, delete "skills drive" and insert "operational **motorcycle** skills".

Page 4, line 7, delete "operational drive" and insert "operational **motorcycle skills**".

Page 4, line 11, strike "motorcycle".

Page 4, line 11, delete "operational skills drive" and insert "operational **motorcycle** skills".

Page 4, line 13, strike "motorcycle".

Page 4, line 13, delete "operational skills drive" and insert

ES 158—LS 6726/DI 96+



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"operational **motorcycle** skills".

Page 4, line 15, strike "state" and insert "**bureau of motor vehicles**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 158 as introduced.)

RIEGSECKER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 158, 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, line 40, strike "An individual applying for a motorcycle".

Page 2, strike line 41.

Page 2, line 42, delete "motorcycle".

Page 2, line 42, strike "skills test before taking the written exam".

Page 3, line 19, delete "operational" and insert "**operational**".

Page 3, line 39, after "examination." insert "**The individual administering the drive test may be the same instructor who provided behind the wheel instruction to that student.**".

Page 4, line 27, strike "state" and insert "**bureau of motor vehicles**".

and when so amended that said bill do pass.

(Reference is to SB 158 as printed February 9, 1999.)

COOK, Chair

Committee Vote: yeas 11, nays 0.

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