



Reprinted
February 2, 1999

HOUSE BILL No. 1639

DIGEST OF HB 1639 (Updated February 1, 1999 4:48 pm - DI 73)

Citations Affected: IC 8-14; IC 9-14; IC 9-15; IC 9-16; IC 9-24; IC 9-29.

Synopsis: Bureau of motor vehicles. Prohibits money collected for the motor vehicle highway account fund from being used to augment the budget of the bureau of motor vehicles commission. Requires the commission to determine annually the cost of operating license branches. Requires the bureau of motor vehicles to extend its normal working hours so that all applicants for a drive test who are otherwise qualified are entitled to a test within 14 days after applying to take the test. Allows the bureau of motor vehicles commission to contract with a qualified person for the administration of a bureau-approved standardized drive test examination. Provides that an individual holding a probationary driver's license may operate a motor vehicle in
(Continued next page)

Effective: May 1, 1999 (retroactive); July 1, 1999.

Bauer, Goeglein

January 21, 1999, read first time and referred to Committee on Ways and Means.
January 28, 1999, reported — Do Pass.
February 1, 1999, read second time, amended, ordered engrossed.

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which there are passengers if the individual is driving to or from school or a school activity and the only passengers in the motor vehicle are siblings of the individual. Requires the commission to fund license branch operations with service charges on license branch services. Provides that after April 30, 1999, a new service charge or an increase in a service charge that is imposed by rule by the bureau of motor vehicles shall be collected as an additional charge to the license branch customer. Requires the bureau to adopt rules to decrease the service charges for services provided entirely outside the license branches. Establishes the bureau of motor vehicles study committee. Requires the bureau of motor vehicles study committee to submit a report to the legislative council each year.

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Reprinted
February 2, 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.

HOUSE BILL No. 1639

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 8-14-1-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 1999]: Sec. 3. **(a) The money collected for the**
3 **motor vehicle highway account fund may not be used to augment**
4 **the budget of the bureau of motor vehicles commission.**
5 **(b)** The money collected for the motor vehicle highway account
6 fund and remaining after refunds and the payment of all expenses
7 incurred in the collection thereof, and after the deduction of the amount
8 appropriated to the department for traffic safety and after the deduction
9 of one-half (1/2) of the amount appropriated for the state police
10 department, shall be allocated to and distributed among the department
11 and subdivisions designated as follows:
12 (1) Of the net amount in the motor vehicle highway account the
13 auditor of state shall set aside for the cities and towns of the state
14 fifteen percent (15%) thereof. This sum shall be allocated to the
15 cities and towns upon the basis that the population of each city
16 and town bears to the total population of all the cities and towns
17 and shall be used for the construction or reconstruction and

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1 maintenance of streets and alleys and shall be annually budgeted
 2 as now provided by law. However, no part of such sum shall be
 3 used for any other purpose than for the purposes defined in this
 4 chapter. If any funds allocated to any city or town shall be used by
 5 any officer or officers of such city or town for any purpose or
 6 purposes other than for the purposes as defined in this chapter,
 7 such officer or officers shall be liable upon their official bonds to
 8 such city or town in such amount so used for other purposes than
 9 for the purposes as defined in this chapter, together with the costs
 10 of said action and reasonable attorney fees, recoverable in an
 11 action or suit instituted in the name of the state of Indiana on the
 12 relation of any taxpayer or taxpayers resident of such city or town.
 13 A monthly distribution thereof of funds accumulated during the
 14 preceding month shall be made by the auditor of state.

15 (2) Of the net amount in the motor vehicle highway account, the
 16 auditor of state shall set aside for the counties of the state
 17 thirty-two percent (32%) thereof. However, as to the allocation to
 18 cities and towns under subdivision (1), and as to the allocation to
 19 counties under this subdivision in the event that the amount in the
 20 motor vehicle highway account fund remaining after refunds and
 21 the payment of all expenses incurred in the collection thereof and
 22 after deduction of any amount appropriated by the general
 23 assembly for public safety and policing shall be less than
 24 twenty-two million six hundred and fifty thousand dollars
 25 (\$22,650,000), in any fiscal year then the amount so set aside in
 26 the next calendar year for distributions to counties shall be
 27 reduced fifty-four percent (54%) of such deficit and the amount
 28 so set aside for distribution in the next calendar year to cities and
 29 towns shall be reduced thirteen percent (13%) of such deficit.
 30 Such reduced distributions shall begin with the distribution
 31 January 1 of each year.

32 (3) The amount set aside for the counties of the state under the
 33 provisions of subdivision (2) shall be allocated monthly upon the
 34 following basis:

35 (A) Five percent (5%) of the amount allocated to the counties
 36 to be divided equally among the ninety-two (92) counties.

37 (B) Sixty-five percent (65%) of the amount allocated to the
 38 counties to be divided on the basis of the ratio of the actual
 39 miles, now traveled and in use, of county roads in each county
 40 to the total mileage of county roads in the state, which shall be
 41 annually determined, accurately, by the department.

42 (C) Thirty percent (30%) of the amount allocated to the

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1 counties to be divided on the basis of the ratio of the motor
2 vehicle registrations of each county to the total motor vehicle
3 registration of the state.

4 All money so distributed to the several counties of the state shall
5 constitute a special road fund for each of the respective counties
6 and shall be under the exclusive supervision and direction of the
7 board of county commissioners in the construction,
8 reconstruction, maintenance, or repair of the county highways or
9 bridges on such county highways within such county.

10 (4) Each month the remainder of the net amount in the motor
11 vehicle highway account shall be credited to the state highway
12 fund for the use of the department.

13 (5) Money in the fund may not be used for any toll road or toll
14 bridge project.

15 (6) Notwithstanding any other provisions of this section, money
16 in the motor vehicle highway account fund may be appropriated
17 to the Indiana department of transportation from the forty-seven
18 percent (47%) distributed to the political subdivisions of the state
19 to pay the costs incurred by the department in providing services
20 to those subdivisions.

21 (7) Notwithstanding any other provisions of this section or of
22 IC 8-14-8, for the purpose of maintaining a sufficient working
23 balance in accounts established primarily to facilitate the
24 matching of federal and local money for highway projects, money
25 may be appropriated to the Indiana department of transportation
26 as follows:

27 (A) One-half (1/2) from the forty-seven percent (47%) set
28 aside under subdivisions (1) and (2) for counties and for those
29 cities and towns with a population greater than five thousand
30 (5,000).

31 (B) One-half (1/2) from the distressed road fund under
32 IC 8-14-8.

33 SECTION 2. IC 9-14-1.5 IS ADDED TO THE INDIANA CODE
34 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 1999]:

36 **Chapter 1.5 Bureau of Motor Vehicles Study Committee**

37 **Sec. 1. (a) As used in this chapter, "committee" refers to the**
38 **bureau of motor vehicles study committee established by**
39 **subsection (b).**

40 **(b) The bureau of motor vehicles study committee is established**
41 **to study the bureau of motor vehicles and the bureau of motor**
42 **vehicles commission.**



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1 **Sec. 2. (a) The bureau of motor vehicles study committee shall**
2 **study:**

- 3 (1) the bureau of motor vehicles;
4 (2) the bureau of motor vehicles commission; and
5 (3) other bureau of motor vehicles issues identified by the
6 committee as requiring study.

7 **(b) The committee may study other topics assigned by the**
8 **legislative council or as directed by the committee chair.**

9 **Sec. 3. The committee consists of six (6) members appointed as**
10 **follows:**

11 (1) Two (2) members of the senate, not more than one (1) of
12 whom may be affiliated with the same political party, to be
13 appointed by the president pro tempore of the senate.

14 (2) Two (2) members of the house of representatives, not more
15 than one (1) of whom may be affiliated with the same political
16 party, to be appointed by the speaker of the house of
17 representatives.

18 (3) Two (2) individuals who are not members of the general
19 assembly, not more than one (1) of whom may be affiliated
20 with the same political party, to be appointed by the
21 governor.

22 **Sec. 4. The governor shall appoint a member of the committee**
23 **to serve as chair of the committee, and a member of the committee**
24 **to serve as vice chair of the committee.**

25 **Sec. 5. (a) If a legislative member of the committee ceases to be**
26 **a member of the chamber from which the member was appointed,**
27 **the member also ceases to be a member of the committee.**

28 **(b) A member of the committee may be removed at any time by**
29 **the appointing authority who appointed the legislative member.**

30 **(c) If a vacancy exists on the committee, the appointing**
31 **authority who appointed the former member whose position is**
32 **vacant shall appoint an individual to fill the vacancy.**

33 **Sec. 6. (a) The committee shall submit an annual report of the**
34 **results of its study to the legislative council before June 30, 2000.**

35 **(b) The legislative services agency shall provide staff support to**
36 **the committee.**

37 **(c) The committee may employ consultants and experts to assist**
38 **with its study.**

39 **Sec. 7. Each member of the committee is entitled to receive the**
40 **same per diem, mileage, and travel allowances paid to individuals**
41 **who serve as legislative and lay members, respectively, of interim**
42 **study committees established by the legislative council.**



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1 **Sec. 8. (a) A quorum of the committee consists of four (4)**
 2 **members.**

3 **(b) The affirmative votes of a majority of the members**
 4 **appointed to the committee are required for the committee to take**
 5 **action on any measure, including final reports.**

6 SECTION 3. IC 9-15-2-1 IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 1999]: Sec. 1. The commission shall do the
 8 following:

9 (1) Develop and continuously update the bureau's policies.

10 (2) Recommend to the governor legislation that is needed to
 11 implement the policies developed by the commission.

12 (3) Recommend to the bureau proposed rules that are needed to
 13 implement the policies developed by the commission and require
 14 those proposed rules to be adopted under IC 4-22-2.

15 (4) Review, revise, adopt, and submit to the budget agency budget
 16 proposals for the commission, the bureau, and the license
 17 branches operated under IC 9-16, including the budget required
 18 by IC 9-16-3-3.

19 (5) Establish the determination criteria and determine the number
 20 and location of license branches to be operated under IC 9-16.
 21 However, there must be at least one (1) full service license branch
 22 in each county.

23 (6) Establish and adopt minimum standards for the operation and
 24 maintenance of each full service license branch operated under
 25 IC 9-16. **The bureau shall extend its normal working hours so**
 26 **that all applicants for a drive test who are otherwise qualified**
 27 **are entitled to a drive test within fourteen (14) days after**
 28 **applying to take the drive test.**

29 (7) Before January 1, 1997, establish and adopt minimum
 30 standards for the operation and maintenance of each partial
 31 service contractor under IC 9-16. The standards must result in
 32 more convenience to the public by providing license branch
 33 services at as many walk-up locations as possible without
 34 increasing the costs of providing these services.

35 (8) Before March 1, 1997, establish and adopt minimum
 36 standards for providing license branch services using telephonic,
 37 facsimile, electronic, or computer means under IC 9-16.

38 (9) Administer the state license branch fund established under
 39 IC 9-29-14.

40 **(10) Determine annually the total cost of operating the license**
 41 **branches under IC 9-16.**

42 **(11) Authorize the bureau to adopt rules under IC 4-22-2 and**

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1 **IC 9-29-3-19 to impose service charges upon license branch**
 2 **services in the amounts necessary to fund license branch**
 3 **operations.**

4 SECTION 4. IC 9-16-1-1 IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter,
 6 "qualified person" means any of the following:

7 (1) A motor club that is any of the following:

8 (A) A domestic corporation.

9 (B) A foreign corporation qualified to transact business in
 10 Indiana under IC 23-1 or IC 23-17.

11 (2) A financial institution (as defined in IC 28-1-1-3).

12 (3) A new motor vehicle dealer licensed under IC 9-23-2.

13 (4) Other persons, including persons licensed under IC 9-23-2
 14 that are not covered by subdivision (3), that the commission
 15 determines can meet the standards adopted by the commission
 16 under IC 9-15-2-1(7) and the requirements for partial service
 17 contractors under section 4.5 of this chapter.

18 **(5) Persons providing driver's license examinations who:**

19 **(A) the commission determines are qualified to give the**
 20 **bureau-approved standardized drive test examination; and**

21 **(B) contract with the commission under section 4 (a) of this**
 22 **chapter.**

23 SECTION 5. IC 9-16-1-4 IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) The commission may contract
 25 with a qualified person for:

26 (1) the operation of a full service license branch under this
 27 section; ~~or~~

28 (2) ~~providing the provision of~~ partial services under section 4.5
 29 of this chapter; ~~or~~

30 **(3) the administration of a bureau-approved standardized**
 31 **drive test examination under section 1 of this chapter.**

32 (b) A contract for the operation of a full service license branch must
 33 include the following provisions:

34 (1) The contractor shall provide a full service license branch,
 35 including the following services:

36 (A) Vehicle titles.

37 (B) Vehicle registration.

38 (C) Driver's licenses.

39 (D) Voter registration as provided in IC 3-7.

40 (2) The contractor shall provide trained personnel to properly
 41 process branch transactions.

42 (3) The contractor shall do the following:

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- 1 (A) Collect and transmit all bureau fees and taxes collected at
2 the license branch.
- 3 (B) Deposit the taxes collected at the license branch with the
4 county treasurer in the manner prescribed by IC 6-3.5 or
5 IC 6-6-5.
- 6 (4) The contractor shall generate a transaction volume sufficient
7 to justify the installation of bureau support systems.
- 8 (5) The contractor shall provide fidelity bond coverage in an
9 amount prescribed by the commission.
- 10 (6) The contractor may operate the license branch within a facility
11 used for other purposes.
- 12 (7) The contractor shall pay the cost of any post audits conducted
13 by the commission or the state board of accounts on an actual cost
14 basis.
- 15 (8) The commission shall provide support systems and driver's
16 license examiners on the same basis as state operated branches.
- 17 (9) The commission shall provide the same equipment to
18 contractors as is provided to state operated branches.
- 19 (10) The commission must approve each location and physical
20 facility based upon criteria developed by the commission.
- 21 (11) The term of the contract must be for a fixed period.
- 22 (12) The contractor shall agree to provide voter registration
23 services and to perform the same duties imposed on the
24 commission under IC 3-7.
- 25 SECTION 6. IC 9-24-11-3 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) A license issued
27 to an individual less than eighteen (18) years of age is a probationary
28 license.
- 29 (b) An individual holds a probationary license subject to the
30 following conditions:
- 31 (1) Except as provided in IC 31-37-3-1, the individual may not
32 operate a motor vehicle during the curfew hours specified in
33 IC 31-37-3-2.
- 34 (2) During the ninety (90) days following the issuance of the
35 probationary license, the individual may not operate a motor
36 vehicle in which there are passengers unless:
- 37 (A) another individual who:
38 ~~(A)~~ (i) is at least twenty-one (21) years of age; and
39 ~~(B)~~ (ii) holds a valid operator's license issued under this
40 article;
41 is present in the front seat of the motor vehicle; **or**
42 (B) **the individual is driving to or from school or a school**

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1 **activity and the only passengers in the motor vehicle are**
 2 **siblings of the individual.**

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

7 (c) An individual who holds a probationary license issued under this
 8 section may receive an operator's license:

9 (1) when the individual is at least eighteen (18) years of age; and
 10 (2) unless in the twelve (12) months that immediately precede the
 11 date upon which the individual applies for an operator's license,
 12 either of the following occurs at least twice or both of the
 13 following have occurred:

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

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

21 SECTION 7. IC 9-29-3-19 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 19. (a) Subject to
 23 subsection (b) and with the approval of the commission, the bureau
 24 may adopt rules under IC 4-22-2 to do the following:

25 (1) Increase or decrease any of the service charges listed in
 26 sections 1 through 18 of this chapter.

27 (2) Impose a service charge on any other license branch service
 28 that is not listed in sections 1 through 18 of this chapter.

29 (3) Increase or decrease a service charge imposed under
 30 subdivision (2).

31 (b) The bureau's authority to adopt rules under subsection (a) is
 32 subject to the condition that a service charge must be uniform
 33 throughout all license branches and at all partial service locations in
 34 Indiana.

35 (c) **A service charge imposed on a license branch service under**
 36 **this section must be used to fund license branch operations under**
 37 **IC 9-16.**

38 SECTION 8. IC 9-29-3-19.5 IS ADDED TO THE INDIANA CODE
 39 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 40 1, 1999] : **Sec. 19.5. (a) Subject to subsection (b), the bureau shall**
 41 **adopt rules under IC 4-22-2 to decrease the service charges listed**
 42 **in sections 1 through 18 of this chapter for a service that uses:**

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1 **(1) mail for the entire transaction;**
 2 **(2) the Internet or other computer network for the entire**
 3 **transaction; or**
 4 **(3) an automated machine for the entire transaction.**
 5 **(b) The bureau's authority to adopt rules under subsection (a)**
 6 **is subject to the condition that a service charge must be uniform**
 7 **throughout all license branches and at all partial service locations**
 8 **in Indiana.**
 9 SECTION 9. IC 9-29-3-22 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE MAY 1, 1999 (RETROACTIVE)]: Sec. 22.
 11 **(a) Before May 1, 1999,** a new service charge or an increase in a
 12 service charge that is imposed by rule under section 19 of this chapter
 13 shall be:
 14 (1) collected as an additional charge **to the license branch**
 15 **customer; or**
 16 (2) **withheld from any statutory fee.**
 17 **(b) After April 30, 1999, a new service charge or an increase in**
 18 **a service charge that is imposed by rule under section 19 of this**
 19 **chapter shall be collected as an additional charge to the license**
 20 **branch customer.**
 21 SECTION 10. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1639, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BAUER, Chair

Committee Vote: yeas 19, nays 3.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1639 be amended to read as follows:

Page 4, line 10, after "IC 9-16." insert "**The bureau shall extend its normal working hours so that all applicants for a drive test who are otherwise qualified are entitled to a drive test within fourteen (14) days after applying to take the drive test.**".

Page 4, between lines 27 and 28, begin a new paragraph and insert:
"SECTION 3. IC 9-16-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "qualified person" means any of the following:

- (1) A motor club that is any of the following:
 - (A) A domestic corporation.
 - (B) A foreign corporation qualified to transact business in Indiana under IC 23-1 or IC 23-17.
- (2) A financial institution (as defined in IC 28-1-1-3).
- (3) A new motor vehicle dealer licensed under IC 9-23-2.
- (4) Other persons, including persons licensed under IC 9-23-2 that are not covered by subdivision (3), that the commission determines can meet the standards adopted by the commission under IC 9-15-2-1(7) and the requirements for partial service contractors under section 4.5 of this chapter.
- (5) **Persons providing driver's license examinations who:**
 - (A) **the commission determines are qualified to give the bureau-approved standardized drive test examination; and**
 - (B) **contract with the commission under section 4 (a) of this chapter.**

SECTION 4. IC 9-16-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) The commission may contract with a qualified person for:

- (1) the operation of a full service license branch under this section; **or**
- (2) **providing the provision of** partial services under section 4.5 of this chapter; **or**
- (3) **the administration of a bureau-approved standardized drive test examination under section 1 of this chapter.**

(b) A contract for the operation of a full service license branch must include the following provisions:

- (1) The contractor shall provide a full service license branch, including the following services:
 - (A) Vehicle titles.
 - (B) Vehicle registration.

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- (C) Driver's licenses.
- (D) Voter registration as provided in IC 3-7.
- (2) The contractor shall provide trained personnel to properly process branch transactions.
- (3) The contractor shall do the following:
 - (A) Collect and transmit all bureau fees and taxes collected at the license branch.
 - (B) Deposit the taxes collected at the license branch with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.
- (4) The contractor shall generate a transaction volume sufficient to justify the installation of bureau support systems.
- (5) The contractor shall provide fidelity bond coverage in an amount prescribed by the commission.
- (6) The contractor may operate the license branch within a facility used for other purposes.
- (7) The contractor shall pay the cost of any post audits conducted by the commission or the state board of accounts on an actual cost basis.
- (8) The commission shall provide support systems and driver's license examiners on the same basis as state operated branches.
- (9) The commission shall provide the same equipment to contractors as is provided to state operated branches.
- (10) The commission must approve each location and physical facility based upon criteria developed by the commission.
- (11) The term of the contract must be for a fixed period.
- (12) The contractor shall agree to provide voter registration services and to perform the same duties imposed on the commission under IC 3-7.

SECTION 5. IC 9-24-11-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) A license issued to an individual less than eighteen (18) years of age is a probationary license.

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

- (1) Except as provided in IC 31-37-3-1, the individual may not operate a motor vehicle during the curfew hours specified in IC 31-37-3-2.
- (2) During the ninety (90) days following the issuance of the probationary license, the individual may not operate a motor vehicle in which there are passengers unless:
 - (A) another individual who:



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~~(A)~~ (i) is at least twenty-one (21) years of age; and
~~(B)~~ (ii) holds a valid operator's license issued under this article;

is present in the front seat of the motor vehicle; or

(B) the individual is driving to or from school or a school activity and the only passengers in the motor vehicle are siblings of the individual.

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

(c) An individual who holds a probationary license issued under this section may receive an operator's license:

(1) when the individual is at least eighteen (18) years of age; and
(2) unless in the twelve (12) months that immediately precede the date upon which the individual applies for an operator's license, either of the following occurs at least twice or both of the following have occurred:

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

(B) 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."

Page 5, after line 15, begin a new paragraph and insert:

"SECTION 8. IC 9-29-3-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 1, 1999 (RETROACTIVE)]: Sec. 22.

(a) Before May 1, 1999, a new service charge or an increase in a service charge that is imposed by rule under section 19 of this chapter shall be:

- (1) collected as an additional charge **to the license branch customer**; or
- (2) withheld from any statutory fee.

(b) After April 30, 1999, a new service charge or an increase in a service charge that is imposed by rule under section 19 of this chapter shall be collected as an additional charge to the license branch customer.

SECTION 9. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1639 as printed January 29, 1999.)

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1639 be amended to read as follows:

Page 3, between lines 32 and 33, begin a new paragraph and insert:
"SECTION 2. IC 9-14-1.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]:

Chapter 1.5 Bureau of Motor Vehicles Study Committee

Sec. 1. (a) As used in this chapter, "committee" refers to the bureau of motor vehicles study committee established by subsection (b).

(b) The bureau of motor vehicles study committee is established to study the bureau of motor vehicles and the bureau of motor vehicles commission.

Sec. 2. (a) The bureau of motor vehicles study committee shall study:

- (1) the bureau of motor vehicles;**
- (2) the bureau of motor vehicles commission; and**
- (3) other bureau of motor vehicles issues identified by the committee as requiring study.**

(b) The committee may study other topics assigned by the legislative council or as directed by the committee chair.

Sec. 3. The committee consists of six (6) members appointed as follows:

- (1) Two (2) members of the senate, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.**
- (2) Two (2) members of the house of representatives, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.**
- (3) Two (2) individuals who are not members of the general assembly, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.**

Sec. 4. The governor shall appoint a member of the committee to serve as chair of the committee, and a member of the committee to serve as vice chair of the committee.

Sec. 5. (a) If a legislative member of the committee ceases to be a member of the chamber from which the member was appointed, the member also ceases to be a member of the committee.

(b) A member of the committee may be removed at any time by



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the appointing authority who appointed the legislative member.

(c) If a vacancy exists on the committee, the appointing authority who appointed the former member whose position is vacant shall appoint an individual to fill the vacancy.

Sec. 6. (a) The committee shall submit an annual report of the results of its study to the legislative council before June 30, 2000.

(b) The legislative services agency shall provide staff support to the committee.

(c) The committee may employ consultants and experts to assist with its study.

Sec. 7. Each member of the committee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, of interim study committees established by the legislative council.

Sec. 8. (a) A quorum of the committee consists of four (4) members.

(b) The affirmative votes of a majority of the members appointed to the committee are required for the committee to take action on any measure, including final reports."

Renumber all SECTIONS consecutively.

(Reference is to HB 1639 as printed January 29, 1999.)

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