

SENATE BILL No. 158

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-48.5; IC 9-24; IC 9-29-9-12.

Synopsis: Drive tests for driver's license applicants. Defines a "drive test" as a bureau of motor vehicles, approved examination given either by: (1) 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 to qualify for a driver's license; or (2) a state driver examiner or a certified motorcycle operational examiner for the purpose of determining whether an applicant has sufficient physical and mental ability to operate a motor vehicle to qualify for a new or renewal driver's license. Changes the references to "operational" and "operating skills" tests for a motorcycle operator's license to "drive tests". Requires the bureau to waive a drive test for a student who passes both a driver
(Continued next page)

Effective: July 1, 1999.

Wheeler

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

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Digest Continued

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.

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Introduced

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.

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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 to qualify for a
 9 driver's license.**
 10 (2) **A state driver examiner or a certified motorcycle
 11 operational examiner for the purpose of determining whether
 12 an applicant has sufficient physical and mental ability to
 13 operate a motor vehicle to qualify for a new or renewal
 14 driver's license.**
 15 SECTION 2. IC 9-24-8-4 IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) Except as provided in
2 subsections (c) and (d), the bureau shall:

- 3 (1) issue a motorcycle operator's license; or
4 (2) validate an operator's, a chauffeur's, or a public passenger
5 chauffeur's license for motorcycle operation upon a highway by
6 endorsement;

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

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

10 (1) Satisfactorily complete an approved motorcycle driver
11 education and training course and pass the written test required by
12 this section.

13 (2) Satisfactorily complete the written test, hold a motorcycle
14 learner's permit for at least thirty (30) days, and satisfactorily
15 complete the ~~operational~~ **drive** test.

16 (3) Hold a current motorcycle operator endorsement or license
17 from any other jurisdiction and successfully complete the written
18 test.

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

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

25 (e) The bureau shall develop and implement both a written test and
26 ~~an operational skills a drive~~ test that must be designed to determine
27 whether an applicant for a motorcycle operator's license or
28 endorsement is competent to operate a motorcycle upon a highway. The
29 written test must be made available at license branch locations
30 approved by the bureau. The ~~operational skills drive~~ test must be given
31 at locations designated by the bureau. The ~~operational skills drive~~ test
32 must be given by a certified motorcycle operational examiner. An
33 individual applying for a motorcycle operator's license or endorsement
34 must pass the ~~operational skills drive~~ test before taking the written
35 exam. If an applicant fails to satisfactorily complete either the written
36 or ~~operational drive~~ tests, the applicant may reapply for and must be
37 offered the examination upon the same terms and conditions as
38 applicants may reapply for and be offered examinations for an
39 operator's license. The bureau shall publish and make available at all
40 locations where an individual may apply for an operator's license
41 information concerning motorcycle operator licensing or endorsement.

42 (f) An individual who:

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- 1 (1) has held a motorcycle learner's permit for at least two (2)
 2 months; or
 3 (2) holds a temporary motorcycle learner's permit, has
 4 successfully completed an approved motorcycle driver education
 5 and training course, and possesses a valid operator's, chauffeur's,
 6 or public passenger chauffeur's license;
 7 may apply for a motorcycle operator's license endorsement not later
 8 than the expiration date of the holder's permit. However, not more than
 9 three (3) examinations may be allowed a holder during the period the
 10 permit is valid. A holder of a learner's permit or a temporary learner's
 11 permit who does not pass the written and ~~operating skills~~ **drive test**
 12 examination during the period for which the permit is valid must obtain
 13 a new learner's permit.

14 SECTION 3. IC 9-24-10-4 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. (a) Except as
 16 provided in subsection (c), an examination for a learner's permit must
 17 consist of a test of the applicant's eyesight. All other examinations must
 18 include the following:

- 19 (1) A test of the following of the applicant:
 20 (A) Eyesight.
 21 (B) Ability to read and understand highway signs regulating,
 22 warning, and directing traffic.
 23 (C) Knowledge of Indiana traffic laws.
 24 (2) ~~An actual demonstration~~ **A drive test** of the applicant's ability
 25 to exercise ordinary and reasonable control in the operation of a
 26 motor vehicle under the type of permit or license applied for.
 27 (b) The examination may include further physical and mental
 28 examination that the bureau finds necessary to determine the
 29 applicant's fitness to operate a motor vehicle safely upon Indiana
 30 highways. The applicant must provide the motor vehicle used in the
 31 examination.

32 (c) The bureau shall waive the ~~actual demonstration~~ **drive test**
 33 required under subsection (a)(2) for a person who has passed a driver's
 34 education class and a ~~road~~ **drive** test given by a commercial driver
 35 training school or a ~~given by an instructor holding a driver and~~
 36 **traffic safety endorsement from the Indiana professional standards**
 37 **board to a student in an approved** high school driver education
 38 program.

39 (d) The bureau shall adopt rules under IC 4-22-2 specifying
 40 requirements for a ~~road~~ **drive** test given under subsection (c) by a
 41 commercial driver training school or a high school driver education
 42 program.



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1 SECTION 4. IC 9-24-12-8 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. An individual who
3 is less than seventy-five (75) years of age and is applying for a renewal
4 of the endorsement or a motorcycle operator's license is not required to
5 do any of the following:

- 6 (1) Hold a motorcycle learner's permit.
- 7 (2) Take the ~~operational~~ **drive** test specified by the bureau.
- 8 (3) Take the written test specified by the bureau.

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

13 (b) The fees collected for motorcycle ~~operational skills~~ **drive** tests
14 shall be distributed as follows:

- 15 (1) For tests given by state employees, to the motor vehicle
16 highway account under IC 8-14-1.
- 17 (2) For tests given by a certified motorcycle operational examiner
18 who is not a state employee, to the examiner.

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