

**CONFERENCE COMMITTEE REPORT  
DIGEST FOR HB 1789**

**Citations Affected:** IC 6-2.5-7-1; IC 6-2.5-7-3; IC 6-6-4.1-4; IC 6-6-4.1-4.5; IC 6-6-4.1-4.7; IC 6-6-4.1-4.8; IC 6-8.1-4-4; IC 9-14-3.5-11; IC 9-18.

**Synopsis:** Motor carrier fuel tax and Pearl Harbor survivor and state educational institution trust license plates. Provides that a motor carrier is entitled to a credit against the motor carrier fuel tax for motor fuel used to propel equipment mounted on a motor vehicle that has a common reservoir for locomotion and for the operation of the equipment. Provides that the credit applies to motor fuel used to propel the equipment within Indiana and outside Indiana. Requires a motor carrier to obtain certification from the department of state revenue before the motor carrier may claim the credit. Requires a motor carrier to file a claim for the credit with the motor carrier's quarterly return. Provides that the department of state revenue may approve only \$3,500,000 of credits in a state fiscal year. Provides that state sales tax is applied to the price of kerosene sold from a metered pump before the addition of state and federal taxes. Establishes a procedure for the bureau of motor vehicles to disclose the name and address of a purchaser of a state educational institution trust license plate to a designated representative of a state educational institution. Establishes the Pearl Harbor survivor license plate, and excepts the plate from minimum sales requirements. Requires the bureau of motor vehicles to design and issue a state educational institution license plate upon the request of a state educational institution. Establishes a procedure for collection and distribution of annual fees from the state educational trust fund by the treasurer of state from the sale of at least 10,000 state educational institution license plates a year. (This conference committee report does the following: (1) Establishes a procedure for the bureau of motor vehicles to disclose the name and address of a purchaser of a state educational institution trust license plate to a designated representative of a state educational institution. (2) Requires the bureau of motor vehicles to design and issue a state educational institution license plate upon the request of a state educational institution. (3) Establishes a procedure for collection and distribution of annual fees from the state educational trust fund by the treasurer of state from the sale of at least 10,000 state educational institution license plates a year. (4) Establishes the Pearl Harbor survivor license plate, and excepts the plate from minimum sales requirements. (5) Reconciles conflicts between HEA 2022 and EHB 1789. (5) Provides that state sales tax is applied to the price of kerosene sold from a metered pump before the addition of state and federal taxes, effective July 1, 1998.)

**Effective:** July 1, 1998 (retroactive); July 1, 1999; January 1, 2000.

# CONFERENCE COMMITTEE REPORT

**MR. PRESIDENT:**

*Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1789 respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Page 3, line 7, after "FOLLOWS" insert "[EFFECTIVE JULY 1,
- 2 1998 (RETROACTIVE)]".
- 3 Page 7, line 16, before "IS" insert ", AS AMENDED BY HEA
- 4 2022-1999,".
- 5 Page 7, line 17, delete the effective date "[EFFECTIVE JULY 1,
- 6 1999]" and insert the effective date "[EFFECTIVE JANUARY 1,
- 7 2000]".
- 8 Page 7, between lines 29 and 30, begin a new line block indented
- 9 and insert:
- 10 "~~(6)~~ (7) Payment of the commercial vehicle excise tax imposed
- 11 under IC 6-6-5.5.".
- 12 Page 7, between lines 34 and 35, begin a new paragraph and insert:
- 13 "SECTION 8. IC 9-14-3.5-11 IS AMENDED TO READ AS
- 14 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 11. (a) Personal
- 15 information that is contained in an individual record may be disclosed
- 16 to a person, without regard to intended use, if the bureau has provided
- 17 in a clear and conspicuous manner on forms for issuance or renewal of
- 18 operator's licenses, registrations, titles, or identification documents:
- 19 (1) notice that personal information collected by the bureau may
- 20 be disclosed to any person making a request for an individual
- 21 record; and
- 22 (2) an opportunity for each person who is the subject of a record
- 23 to prohibit the disclosure.
- 24 (b) **The bureau shall disclose the name and address of a**
- 25 **purchaser of a special group recognition license plate issued under**
- 26 **IC 9-18-25-2(3) supporting a state educational institution (as**
- 27 **defined in IC 20-12-0.5-1) to a representative designated and**

1 authorized to receive the personal information by the state  
 2 educational institution, if the purchaser purchased the plate in a  
 3 year:

- 4 (1) beginning after December 31, 1998; and  
 5 (2) in which at least ten thousand (10,000) of the special  
 6 group's recognition license plates issued under  
 7 IC 9-18-25-2(3) are sold or renewed.

8 SECTION 9. IC 9-18-15-1 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 1. (a) A person  
 10 who is the registered owner or lessee of a:

- 11 (1) passenger motor vehicle;  
 12 (2) motorcycle;  
 13 (3) recreational vehicle; or  
 14 (4) vehicle registered as a truck with a declared gross weight of  
 15 not more than:

- 16 (A) eleven thousand (11,000) pounds;  
 17 (B) nine thousand (9,000) pounds; or  
 18 (C) seven thousand (7,000) pounds;

19 registered with the bureau or who makes an application for an original  
 20 registration or renewal registration of a vehicle may apply to the bureau  
 21 for a personalized license plate to be affixed to the vehicle for which  
 22 registration is sought instead of the regular license plate.

23 (b) A person who:

- 24 (1) is the registered owner or lessee of a vehicle described in  
 25 subsection (a); and  
 26 (2) is eligible to receive a license plate for the vehicle under:  
 27 (A) IC 9-18-17 (prisoner of war license plates);  
 28 (B) IC 9-18-18 (disabled veteran license plates);  
 29 (C) IC 9-18-19 (purple heart license plates);  
 30 (D) IC 9-18-20 (Indiana national guard license plates);  
 31 (E) IC 9-18-21 (Indiana guard reserve license plates);  
 32 (F) IC 9-18-22 (license plates for persons with disabilities);  
 33 (G) IC 9-18-23 (amateur radio operator license plates);  
 34 (H) IC 9-18-24 (civic event license plates);  
 35 (I) IC 9-18-25 (special group recognition license plates);  
 36 (J) IC 9-18-29 (environmental license plates);  
 37 (K) IC 9-18-30 (children's trust license plates);  
 38 (L) IC 9-18-31 (education license plates);  
 39 (M) IC 9-18-32.2 (drug free Indiana trust license plates);  
 40 (N) IC 9-18-33 (Indiana FFA trust license plates);  
 41 (O) IC 9-18-34 (Indiana firefighter license plates);  
 42 (P) IC 9-18-35 (Indiana food bank trust license plates);  
 43 (Q) IC 9-18-36 (Indiana girl scouts trust license plates);  
 44 (R) IC 9-18-37 (Indiana boy scouts trust license plates);  
 45 (S) IC 9-18-38 (Indiana retired armed forces member license  
 46 plates);  
 47 (T) IC 9-18-39 (Indiana antique car museum trust license  
 48 plates);  
 49 (U) IC 9-18-40 (D.A.R.E. Indiana trust license plates);  
 50 (V) IC 9-18-41 (Indiana arts trust license plates);  
 51 (W) IC 9-18-42 (Indiana health trust license plates);

- 1 (X) IC 9-18-43 (Indiana mental health trust license plates); or  
 2 (Y) IC 9-18-44 (Indiana Native American Trust license  
 3 plates);  
 4 **(Z) IC 9-18-45.8 (Pearl Harbor survivor license plates); or**  
 5 **(AA) IC 9-18-46.2 (Indiana state educational institution**  
 6 **trust license plates);**

7 may apply to the bureau for a personalized license plate to be affixed  
 8 to the vehicle for which registration is sought instead of the regular  
 9 special recognition license plate.

10 SECTION 10. IC 9-18-25-1 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 1. This chapter  
 12 does not apply to the following:

- 13 (1) Antique motor vehicle license plates (IC 9-18-12).  
 14 (2) Recovery vehicle license plates (IC 9-18-13).  
 15 (3) Personalized license plates (IC 9-18-15).  
 16 (4) Prisoner of war license plates (IC 9-18-17).  
 17 (5) Disabled veteran license plates (IC 9-18-18).  
 18 (6) Purple Heart license plates (IC 9-18-19).  
 19 (7) Indiana National Guard license plates (IC 9-18-20).  
 20 (8) Person with a disability license plates (IC 9-18-22).  
 21 (9) Amateur radio operator license plates (IC 9-18-23).

22 **(10) Pearl Harbor survivor license plates (IC 9-18-45.8).**

23 SECTION 11. IC 9-18-25-1.6 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 1999]: **Sec. 1.6. Section 14 of this chapter**  
 26 **does not apply to a Pearl Harbor survivor license plate issued**  
 27 **under IC 9-18-25-2(3).**

28 SECTION 12. IC 9-18-45.8 IS ADDED TO THE INDIANA CODE  
 29 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 30 JANUARY 1, 2000]:

31 **Chapter 45.8. Pearl Harbor Survivor License Plates**

32 **Sec. 1. As used in this chapter, "Pearl Harbor survivor" means**  
 33 **a person who was an active member of the armed forces of the**  
 34 **United States serving at Pearl Harbor at the time of the Pearl**  
 35 **Harbor attack.**

36 **Sec. 2. The bureau shall design and issue license plates for a**  
 37 **vehicle that designates the vehicle as being registered to a Pearl**  
 38 **Harbor survivor.**

39 **Sec. 3. (a) A resident of Indiana who is a Pearl Harbor survivor**  
 40 **may apply for and receive one (1) or more Pearl Harbor survivor**  
 41 **license plates.**

42 **(b) The bureau may issue one (1) or more Pearl Harbor**  
 43 **survivor license plates to the surviving spouse of a Pearl Harbor**  
 44 **survivor.**

45 **Sec. 4. A Pearl Harbor survivor license plate may be:**

- 46 **(1) assigned only to a vehicle subject to registration under this**  
 47 **article; and**  
 48 **(2) displayed only on a legally registered vehicle.**

49 **Sec. 5. The bureau shall terminate the Pearl Harbor survivors'**  
 50 **qualification for the special group license plate program under**  
 51 **IC 9-18-25-2, and no further special group recognition plates shall**

1 be issued under IC 9-18-25-2 for Pearl Harbor survivors as of  
2 January 1, 2000.

3 SECTION 13. IC 9-18-46.2 IS ADDED TO THE INDIANA CODE  
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
5 JANUARY 1, 2000]:

6 **Chapter 46.2. Indiana State Educational Institution Trust**  
7 **License Plates**

8 **Sec. 1.** As used in this chapter, "state educational institution"  
9 has the meaning set forth in IC 20-12-0.5-1.

10 **Sec. 2.** The bureau shall design and issue a state educational  
11 institution trust license plate upon the request of a state  
12 educational institution. The state educational institution trust  
13 license plate shall be designed and issued as a special group  
14 recognition license plate under IC 9-18-25.

15 **Sec. 3.** A state educational institution trust license plate designed  
16 under IC 9-18-25 must include the following:

- 17 (1) A basic design for the plate, with consecutive numbers or
- 18 letters, or both, to properly identify the vehicle.
- 19 (2) A background design, an emblem, or colors that designate
- 20 the license plate as an education license plate.
- 21 (3) Any other information the bureau considers necessary.

22 **Sec. 4.** A person who is eligible to register a vehicle under this  
23 title is eligible to receive a state educational institution trust license  
24 plate upon doing the following:

- 25 (1) Completing an application for a state educational
- 26 institution trust license plate.
- 27 (2) Designating the state educational institution trust special
- 28 group license plate desired.
- 29 (3) Paying the fees under section 5 of this chapter.

30 **Sec. 5.** The fee for a state educational institution trust license  
31 plate is as follows:

- 32 (1) The appropriate fee under IC 9-29-5-38.
- 33 (2) An annual fee of twenty-five dollars (\$25) collected by the
- 34 bureau.

35 **Sec. 6. (a)** This section applies with regard to a state educational  
36 institution trust license plate supporting a state educational  
37 institution in a year following a year:

- 38 (1) in which at least ten thousand (10,000) of the state
- 39 educational institution trust license plates are sold or
- 40 renewed; and
- 41 (2) beginning after December 31, 1998.

42 **(b)** The treasurer of state shall establish a special account within  
43 a trust fund for each state educational institution described in  
44 subsection (a)(1).

45 **(c)** The bureau shall require a person who purchases a state  
46 educational institution trust license plate under this section to  
47 designate the state educational institution the person chooses to  
48 receive the annual fee that the person pays under section 5(2) of  
49 this chapter as the corresponding state educational institution  
50 designated in section 4 of this chapter.

51 **(d)** The treasurer of state shall deposit the annual fee collected

1 under section 5(2) of this chapter into a special account within a  
 2 trust fund for the state educational institution designated by the  
 3 purchaser in subsection (c).

4 (e) The treasurer of state shall invest the money in the special  
 5 account not distributed in the same manner as other public trust  
 6 funds are invested. Interest that accrues from these investments  
 7 shall be deposited in the special account.

8 (f) The auditor of state monthly shall distribute the money from  
 9 the special account to the state educational institution's authorized  
 10 alumni association.

11 (g) Money in the special account at the end of a state fiscal year  
 12 does not revert to the state general fund.

13 (h) The bureau shall maintain a sufficient supply of the state  
 14 educational institution trust license plates in each branch and  
 15 partial service walk-up location to provide a plate to a purchaser  
 16 at the time of sale.

17 (i) A person who purchases a state educational institution trust  
 18 license plate shall at the time of purchase or renewal of the state  
 19 educational institution trust license plate give written consent for  
 20 the release of the name and address of the purchaser solely for the  
 21 purpose of acknowledgment of purchase of the state educational  
 22 institution trust license plate to a representative designated and  
 23 authorized to receive the personal information by the state  
 24 educational institution."

25 Page 8, after line 22, begin a new paragraph and insert:

26 "SECTION 14. [EFFECTIVE JULY 1, 1999] (a) **Notwithstanding**  
 27 **IC 6-8.1-4-4, an owner or operator of a commercial motor vehicle**  
 28 **may apply to the registration center established under**  
 29 **IC 6-8.1-4-4(a) for a proportional use credit certificate (IC**  
 30 **6-6-4.1-4.7).**

31 (b) **This SECTION expires January 1, 2000.**

32 SECTION 15. **An emergency is declared for this act."**

33 Renumber all SECTIONS consecutively.

(Reference is to EHB 1789 as reprinted March 26, 1999.)

**Conference Committee Report**  
**on**  
**House Bill 1789**

**S**igned by:

---

Senator Wheeler

---

Representative Kruzan

---

Senator Rogers

---

Representative Buell

**Senate Conferees**

**House Conferees**