



April 6, 2007

**ENGROSSED  
SENATE BILL No. 463**

DIGEST OF SB 463 (Updated April 4, 2007 5:43 pm - DI 96)

**Citations Affected:** IC 6-6; IC 9-13; IC 9-14; IC 9-24; IC 9-29; IC 9-30; noncode.

**Synopsis:** Bureau of motor vehicles matters. Provides that the bureau of motor vehicles (bureau) may no longer collect a transaction fee on credit card transactions. Changes the pro rata reductions in registration fees and excise taxes for automobiles registered after the owners' regular registration dates from a 10 month schedule to a 12 month schedule. Makes certain changes concerning the contents of and application procedure for a driver's license, learner's permit, or identification card (card) to comply with federal law. Provides for varying expiration dates for a driver's license, learner's permit, and card based on the holder's lawful status in the United States. Requires that an application for a driver's license, permit, or card by a person who does not have a Social Security number must include a verification of the applicant's: (1) ineligibility for a Social Security number; and (2) identity and lawful status in the United States. Authorizes the bureau to adopt rules regarding temporary invalidation of a card if the bureau believes that the card was issued based on fraudulent documentation.  
(Continued next page)

**Effective:** Upon passage; July 1, 2007.

**Heinold, Wyss, Paul**  
(HOUSE SPONSORS — TINCHER, RUPPEL)

January 11, 2007, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.  
February 15, 2007, amended, reported favorably — Do Pass.  
February 19, 2007, read second time, ordered engrossed. Engrossed.  
February 22, 2007, read third time, passed. Yeas 47, nays 2.

**HOUSE ACTION**

February 27, 2007, read first time and referred to Committee on Roads and Transportation.  
April 5, 2007, amended, reported — Do Pass.

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ES 463—LS 7579/DI 96+



Digest Continued

Authorizes: (1) a law enforcement officer to issue an electronic traffic ticket in lieu of a paper ticket; and (2) the transmission of an electronic traffic ticket to a court under certain conditions. Allows an electronic traffic ticket to be admissible in a court proceeding under certain circumstances. Adds advance practice nurses to the list of professionals who may certify an individual as being severely restricted in mobility for purposes of issuance of a parking placard for a person with physical disabilities. Provides that an individual participating in the address confidentiality program may provide to the bureau an address designated by the attorney general as the principal residence address. Authorizes the bureau to adopt a written exceptions process to create exceptions for the issuance of driver's licenses, permits, and cards when certain documentary evidence is lacking. Provides that an individual may not hold a driver's license and a card at the same time. Makes other changes and conforming amendments. Makes technical corrections.

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April 6, 2007

First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 463

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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 6-6-5-7 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) In respect to a vehicle that has  
3 been acquired, or brought into the state, or for any other reason  
4 becomes subject to registration after the regular annual registration  
5 date in the year on or before which the owner of the vehicle is required,  
6 under the motor vehicle registration laws of Indiana, to register  
7 vehicles, the tax imposed by this chapter shall become due and payable  
8 at the time the vehicle is acquired, brought into the state, or otherwise  
9 becomes subject to registration and the amount of tax to be paid by the  
10 owner for the remainder of the year shall be reduced by ten percent  
11 (10%) for each full calendar month that has elapsed since the regular  
12 annual registration date in the year fixed by the motor vehicle  
13 registration laws for annual registration by the owner. The tax shall be  
14 paid at the time of the registration of the vehicle.  
15 (b) In the case of a vehicle that is acquired, or brought into the state,  
16 or for any other reason becomes subject to registration after January 1  
17 of any year, then the owner may pay the applicable registration fee on

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1 the vehicle as provided in the motor vehicle registration laws and any  
 2 excise tax due on the vehicle for the remainder of the annual  
 3 registration year and simultaneously register the vehicle and pay the  
 4 applicable registration fee and the excise tax due for the next  
 5 succeeding annual registration year.

6 (c) Except as provided in subsection (f), no reduction in the  
 7 applicable annual excise tax will be allowed to an Indiana resident  
 8 applicant upon registration of any vehicle that was owned by the  
 9 applicant on or prior to the registrant's annual registration period. A  
 10 vehicle owned by an Indiana resident applicant that was located in and  
 11 registered for use in another state during the same calendar year shall  
 12 be entitled to the same reduction when registered in Indiana.

13 (d) The owner of a vehicle who sells the vehicle in a year in which  
 14 the owner has paid the tax imposed by this chapter, shall receive a  
 15 credit equal to the remainder of:

- 16 (1) the tax paid for the vehicle; reduced by
- 17 (2) ten percent (10%) for each full or partial calendar month that
- 18 has elapsed in the registrant's annual registration year before the
- 19 date of the sale.

20 The credit shall be applied to the tax due on any other vehicle  
 21 purchased or subsequently registered by the owner in the same  
 22 registrant's annual registration year. If the credit is not fully used and  
 23 the amount of the credit remaining is at least four dollars (\$4), the  
 24 owner is entitled to a refund in the amount of the unused credit. The  
 25 owner must pay a fee of three dollars (\$3) to the bureau to cover costs  
 26 of providing the refund, which may be deducted from the refund. The  
 27 bureau shall issue the refund. The bureau shall transfer to the bureau  
 28 of motor vehicles commission three dollars (\$3) of the fee to cover the  
 29 commission's costs in processing the refund. To claim the credit and  
 30 refund provided by this subsection, the owner of the vehicle must  
 31 present to the bureau proof of sale of the vehicle.

32 (e) Subject to the requirements of subsection (g), the owner of a  
 33 vehicle that is destroyed in a year in which the owner has paid the tax  
 34 imposed by this chapter, which vehicle is not replaced by a  
 35 replacement vehicle for which a credit is issued under this section,  
 36 shall receive a refund in an amount equal to ten percent (10%) of the  
 37 tax paid for each full calendar month remaining in the registrant's  
 38 annual registration year after the date of destruction, but only upon  
 39 presentation or return to the bureau of the following:

- 40 (1) A request for refund on a form furnished by the bureau.
- 41 (2) A statement of proof of destruction on an affidavit furnished
- 42 by the bureau.

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(3) The license plate from the vehicle.

(4) The registration from the vehicle.

However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed vehicle. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be paid out of the special account created for settlement of the excise tax collections under IC 6-6-5-10. For purposes of this subsection, a vehicle is considered destroyed if the cost of repair of damages suffered by the vehicle exceeds the vehicle's fair market value.

(f) If the name of the owner of a vehicle is legally changed and the change has caused a change in the owner's annual registration date, the excise tax liability of the owner shall be adjusted as follows:

(1) If the name change requires the owner to register sooner than the owner would have been required to register if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:

(A) ten percent (10%) of the owner's last preceding annual excise tax liability; and

(B) the number of full calendar months between the owner's new regular annual registration month and the next succeeding regular annual registration month that is based on the owner's former name.

(2) If the name change required the owner to register later than the owner would have been required to register if there had been no name change, the vehicle shall be subject to excise tax for the period between the month in which the owner would have been required to register if there had been no name change and the new regular annual registration month in the amount of the product of:

(A) ten percent (10%) of the owner's excise tax liability computed as of the time the owner would have been required to register if there had been no name change; and

(B) the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new regular annual registration month.

(g) In order to claim a credit under subsection (e) for a vehicle that is destroyed, the owner of the vehicle must present to the bureau of motor vehicles a valid registration for the vehicle within ninety (90) days of the date that it was destroyed. The bureau shall then fix the amount of the credit that the owner is entitled to receive.

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1           **(h) This section expires December 31, 2007.**

2           SECTION 2. IC 6-6-5-7.2 IS ADDED TO THE INDIANA CODE  
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
4 1, 2007]: **Sec. 7.2. (a) This section applies after December 31, 2007.**

5           **(b) In respect to a vehicle that has been acquired, or brought**  
6 **into the state, or for any other reason becomes subject to**  
7 **registration after the regular annual registration date in the year**  
8 **on or before which the owner of the vehicle is required, under the**  
9 **motor vehicle registration laws of Indiana, to register vehicles, the**  
10 **tax imposed by this chapter shall become due and payable at the**  
11 **time the vehicle is acquired, brought into the state, or otherwise**  
12 **becomes subject to registration, and the amount of tax to be paid**  
13 **by the owner for the remainder of the year shall be reduced by**  
14 **eight and thirty-three hundredths percent (8.33%) for each full**  
15 **calendar month that has elapsed since the regular annual**  
16 **registration date in the year fixed by the motor vehicle registration**  
17 **laws for annual registration by the owner. The tax shall be paid at**  
18 **the time of the registration of the vehicle.**

19           **(c) In the case of a vehicle that is acquired, or brought into the**  
20 **state, or for any other reason becomes subject to registration after**  
21 **January 1 of any year, then the owner may pay the applicable**  
22 **registration fee on the vehicle as provided in the motor vehicle**  
23 **registration laws and any excise tax due on the vehicle for the**  
24 **remainder of the annual registration year and simultaneously**  
25 **register the vehicle and pay the applicable registration fee and the**  
26 **excise tax due for the next succeeding annual registration year.**

27           **(d) Except as provided in subsection (f), no reduction in the**  
28 **applicable annual excise tax will be allowed to an Indiana resident**  
29 **applicant upon registration of any vehicle that was owned by the**  
30 **applicant on or prior to the registrant's annual registration period.**  
31 **A vehicle owned by an Indiana resident applicant that was located**  
32 **in and registered for use in another state during the same calendar**  
33 **year shall be entitled to the same reduction when registered in**  
34 **Indiana.**

35           **(e) The owner of a vehicle who sells the vehicle in a year in**  
36 **which the owner has paid the tax imposed by this chapter shall**  
37 **receive a credit equal to the remainder of:**

- 38           **(1) the tax paid for the vehicle; reduced by**  
39           **(2) eight and thirty-three hundredths percent (8.33%) for**  
40           **each full or partial calendar month that has elapsed in the**  
41           **registrant's annual registration year before the date of the**  
42           **sale.**

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1     **The credit shall be applied to the tax due on any other vehicle**  
 2     **purchased or subsequently registered by the owner in the same**  
 3     **registrant's annual registration year. If the credit is not fully used**  
 4     **and the amount of the credit remaining is at least four dollars (\$4),**  
 5     **the owner is entitled to a refund in the amount of the unused credit.**  
 6     **The owner must pay a fee of three dollars (\$3) to the bureau to**  
 7     **cover costs of providing the refund, which may be deducted from**  
 8     **the refund. The bureau shall issue the refund. The bureau shall**  
 9     **transfer to the bureau of motor vehicles commission three dollars**  
 10    **(\$3) of the fee to cover the commission's costs in processing the**  
 11    **refund. To claim the credit and refund provided by this subsection,**  
 12    **the owner of the vehicle must present to the bureau proof of sale of**  
 13    **the vehicle.**

14    **(f) Subject to the requirements of subsection (g), the owner of a**  
 15    **vehicle that is destroyed in a year in which the owner has paid the**  
 16    **tax imposed by this chapter, which vehicle is not replaced by a**  
 17    **replacement vehicle for which a credit is issued under this section,**  
 18    **shall receive a refund in an amount equal to eight and thirty-three**  
 19    **hundredths percent (8.33%) of the tax paid for each full calendar**  
 20    **month remaining in the registrant's annual registration year after**  
 21    **the date of destruction, but only upon presentation or return to the**  
 22    **bureau of the following:**

- 23       **(1) A request for refund on a form furnished by the bureau.**
- 24       **(2) A statement of proof of destruction on an affidavit**
- 25       **furnished by the bureau.**
- 26       **(3) The license plate from the vehicle.**
- 27       **(4) The registration from the vehicle.**

28    **However, the refund may not exceed ninety percent (90%) of the**  
 29    **tax paid on the destroyed vehicle. The amount shall be refunded by**  
 30    **a warrant issued by the auditor of the county that received the**  
 31    **excise tax revenue and shall be paid out of the special account**  
 32    **created for settlement of the excise tax collections under**  
 33    **IC 6-6-5-10. For purposes of this subsection, a vehicle is considered**  
 34    **destroyed if the cost of repair of damages suffered by the vehicle**  
 35    **exceeds the vehicle's fair market value.**

36    **(g) If the name of the owner of a vehicle is legally changed and**  
 37    **the change has caused a change in the owner's annual registration**  
 38    **date, the excise tax liability of the owner shall be adjusted as**  
 39    **follows:**

- 40       **(1) If the name change requires the owner to register sooner**
- 41       **than the owner would have been required to register if there**
- 42       **had been no name change, the owner shall, at the time the**

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name change is reported, be authorized a refund from the county treasurer in the amount of the product of:

- (A) eight and thirty-three hundredths percent (8.33%) of the owner's last preceding annual excise tax liability; and
- (B) the number of full calendar months between the owner's new regular annual registration month and the next succeeding regular annual registration month that is based on the owner's former name.

(2) If the name change required the owner to register later than the owner would have been required to register if there had been no name change, the vehicle shall be subject to excise tax for the period between the month in which the owner would have been required to register if there had been no name change and the new regular annual registration month in the amount of the product of:

- (A) eight and thirty-three hundredths percent (8.33%) of the owner's excise tax liability computed as of the time the owner would have been required to register if there had been no name change; and
- (B) the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new regular annual registration month.

(h) In order to claim a credit under subsection (e) for a vehicle that is destroyed, the owner of the vehicle must present to the bureau of motor vehicles a valid registration for the vehicle within ninety (90) days of the date that it was destroyed. The bureau shall then fix the amount of the credit that the owner is entitled to receive.

SECTION 3. IC 6-6-5-7.4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7.4. (a) The owner of a vehicle registered with the bureau is entitled to a refund of taxes paid under this chapter if, after the owner's regular registration date:

- (1) the owner registers the vehicle for use in another state; and
- (2) the owner pays tax for use of the vehicle to another state for the same time period which the tax was paid under this chapter.

(b) The refund provided under subsection (a) is equal to:

- (1) the annual license excise tax paid for use of the vehicle by the owner of the vehicle for the year; minus
- (2) ten percent (10%) of the annual license excise tax paid for use of the vehicle for each full or partial calendar month between the date the annual license excise tax was due and the date the owner

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registered the vehicle for use in another state.

**This subsection expires December 31, 2007.**

**(c) This subsection applies after December 31, 2007. The refund provided under subsection (a) is equal to:**

- (1) the annual license excise tax paid for use of the vehicle by the owner of the vehicle for the year; minus**
- (2) eight and thirty-three hundredths percent (8.33%) of the annual license excise tax paid for use of the vehicle for each full or partial calendar month between the date the annual license excise tax was due and the date the owner registered the vehicle for use in another state.**

**(d) To claim the refund provided by this section, the owner of the vehicle must provide the bureau with:**

- (1) a request for a refund on a form furnished by the bureau; and
- (2) proof that a tax described in subsection (a)(2) was paid.

**SECTION 4. IC 6-6-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]:** Sec. 9. (a) The bureau, in the administration and collection of the annual license excise tax imposed by this chapter, may utilize the services and facilities of license branches operated under IC 9-16 in its administration of the motor vehicle registration laws of the state of Indiana. The license branches may be so utilized in accordance with such procedures, in such manner, and to such extent as the bureau shall deem necessary and proper to implement and effectuate the administration and collection of the excise tax imposed by this chapter. However, in the event the bureau shall utilize such license branches in the collection of excise tax, the following apply:

- (1) The excise taxes so collected by each license branch, less any refunds made by the license branch, shall be deposited daily by the license branch in a separate account in a depository duly designated by the state board of finance. The county treasurer of the county for which the collections are due may withdraw funds from the account at least two (2) times each week. The county treasurer is responsible for the safekeeping and investment of money withdrawn by the county treasurer under this subsection. Before the eleventh day of the month following the month in which the collections are made, the bureau of motor vehicles shall report the excise taxes collected and refunds made outside the county to the county treasurer of the county to which the collections are due and the refunds apply. The bureau shall forward a copy of this excise tax report to the county auditor of the county.

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1 (2) A license branch shall each week forward a report to the  
 2 county auditor of the county to whom the collections are due,  
 3 showing the excise tax collected on each vehicle, each refund on  
 4 a vehicle, and a copy of each registration certificate for all  
 5 collections and refunds within the county.  
 6 (3) Each license branch shall also report to the bureau all excise  
 7 taxes collected and refunds made under this chapter in the same  
 8 manner and at the same time as registration fees are reported.  
 9 (4) Premiums for insurance to protect the funds collected by  
 10 license branches against theft shall be paid by the bureau, except  
 11 that the bureau may issue blanket coverage for all branches at its  
 12 discretion. At the discretion of the bureau, the bureau may:  
 13 (A) self-insure to cover the activities of the license branches;  
 14 or  
 15 (B) rather than purchase a bond or crime policy for each  
 16 branch, purchase a single blanket bond or crime insurance  
 17 policy endorsed to include faithful performance to cover all  
 18 branches.  
 19 (5) If the services of a license branch are used by the bureau in the  
 20 collection of the excise tax imposed by this chapter, the license  
 21 branch shall collect the service charge prescribed under IC 9-29  
 22 for each vehicle registered upon which an excise tax is collected  
 23 by that branch.  
 24 (6) If the excise tax imposed by this chapter is collected by the  
 25 department of state revenue, the money collected shall be  
 26 deposited in the state general fund to the credit of the appropriate  
 27 county and reported to the bureau of motor vehicles on the first  
 28 working day following the week of collection. Except as provided  
 29 in subdivision (7), any amount collected by the department which  
 30 represents interest or a penalty shall be retained by the department  
 31 and used to pay its costs of enforcing this chapter.  
 32 (7) This subdivision applies only to interest or a penalty collected  
 33 by the department of state revenue from a person who:  
 34 (A) fails to properly register a vehicle as required by IC 9-18  
 35 and pay the tax due under this chapter; and  
 36 (B) during any time after the date by which the vehicle was  
 37 required to be registered under IC 9-18 displays on the vehicle  
 38 a license plate issued by another state.  
 39 The total amount collected by the department that represents  
 40 interest or a penalty, minus a reasonable amount determined by  
 41 the department to represent its administrative expenses, shall be  
 42 deposited in the state general fund for the credit of the county in

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1 which the person resides. The amount shall be reported to the  
2 bureau of motor vehicles on the first working day following the  
3 week of collection.

4 The bureau may contract with a bank card or credit card vendor for  
5 acceptance of bank or credit cards. ~~However, if there is a vendor~~  
6 ~~transaction charge or discount fee, whether billed to the bureau or~~  
7 ~~charged directly to the bureau's account, the bureau shall collect from~~  
8 ~~the person using the card an official fee that may not exceed the highest~~  
9 ~~transaction charge or discount fee charged to the bureau by bank or~~  
10 ~~credit card vendors during the most recent collection period. This fee~~  
11 ~~may be collected regardless of retail merchant agreements between the~~  
12 ~~bank and credit card vendors that may prohibit such a fee. The fee is a~~  
13 ~~permitted additional charge under IC 24-4.5-3-202.~~

14 (b) On or before April 1 of each year the bureau shall provide to the  
15 auditor of state the amount of motor vehicle excise taxes collected for  
16 each county for the preceding year.

17 (c) On or before May 10 and November 10 of each year the auditor  
18 of state shall distribute to each county one-half (1/2) of:

- 19 (1) the amount of delinquent taxes; and
  - 20 (2) any penalty or interest described in subsection (a)(7);
- 21 that have been credited to the county under subsection (a). There is  
22 appropriated from the state general fund the amount necessary to make  
23 the distributions required by this subsection. The county auditor shall  
24 apportion and distribute the delinquent tax distributions to the taxing  
25 units in the county at the same time and in the same manner as excise  
26 taxes are apportioned and distributed under section 10 of this chapter.

27 (d) The commissioner of insurance shall prescribe the form of the  
28 bonds or crime policies required by this section.

29 SECTION 5. IC 9-13-2-48 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 48. "Driver's license"  
31 means any type of license ~~or privilege to operate a motor vehicle issued~~  
32 ~~under the laws of a jurisdiction. issued by the state authorizing an~~  
33 **individual to operate a motor vehicle on public streets, roads, or**  
34 **highways.**

35 SECTION 6. IC 9-13-2-49.5 IS ADDED TO THE INDIANA CODE  
36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
37 1, 2007]: **Sec. 49.5. "Electronic traffic ticket", for purposes of**  
38 **IC 9-30-3, has the meaning set forth in IC 9-30-3-2.5.**

39 SECTION 7. IC 9-13-2-74.5 IS ADDED TO THE INDIANA CODE  
40 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
41 1, 2007]: **Sec. 74.5. "Identification card" means an identification**  
42 **document issued by a state government for purposes of**

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**identification.**

SECTION 8. IC 9-13-2-123.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 123.5. "Permit" means any kind of permit issued by the state authorizing an individual to operate a motor vehicle on public streets, roads, or highways.**

SECTION 9. IC 9-14-3.5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. As used in this chapter, "personal information" means information that identifies a person, including an individual's:

- (1) **digital** photograph; ~~or computerized image;~~
- (2) Social Security number;
- (3) driver's license or identification document number;
- (4) name;
- (5) address (but not the 5-digit zip code);
- (6) telephone number; or
- (7) medical or disability information.

The term does not include information about vehicular accidents, driving or equipment related violations, and operator's license or registration status.

SECTION 10. IC 9-14-3.5-10.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10.5. (a) Except as provided in subsections (b) and (c), the bureau may not disclose the following personal information from a person's motor vehicle record:

- (1) Driver's license **or digital** photograph. ~~or computerized image;~~
- (2) Social Security number.
- (3) Medical or disability information.

(b) The bureau may disclose the personal information described in subsection (a) if the bureau has the express written consent of the person to whom the personal information pertains to release the information described in subsection (a).

(c) The bureau may disclose the personal information described in subsection (a) without the express written consent of the person to whom the personal information pertains if the person requesting the information:

- (1) provides proof of identity; and
- (2) represents that the use of the personal information will be strictly limited to at least one (1) of the uses set forth in section 10(1), 10(4), 10(6), and 10(9) of this chapter.

SECTION 11. IC 9-14-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The bureau shall issue a placard to the following:

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- 1 (1) An individual of any age who:
- 2 (A) has a temporary or permanent physical disability that
- 3 requires the use of a wheelchair, a walker, braces, or crutches;
- 4 (B) has temporarily or permanently lost the use of one (1) or
- 5 both legs;
- 6 (C) is certified to be severely restricted in mobility, either
- 7 temporarily or permanently, due to a pulmonary or
- 8 cardiovascular disability, arthritic condition, or orthopedic or
- 9 neurological impairment, by:
- 10 (i) a physician having an unlimited license to practice
- 11 medicine;
- 12 (ii) a physician who is a commissioned medical officer of
- 13 the armed forces of the United States or of the United States
- 14 Public Health Service;
- 15 (iii) a physician who is a medical officer of the United States
- 16 Department of Veterans Affairs;
- 17 (iv) a chiropractor licensed under IC 25-10-1; or
- 18 (v) a podiatrist licensed under IC 25-29-1; or
- 19 **(vi) an advanced practice nurse licensed under IC 25-23;**
- 20 **or**
- 21 (D) is certified by an optometrist or ophthalmologist licensed
- 22 to practice in Indiana to be blind or visually impaired.
- 23 (2) Any corporation, limited liability company, partnership,
- 24 unincorporated association, and any legal successor of the
- 25 corporation, limited liability company, partnership, or association,
- 26 empowered by the state or a political subdivision to operate
- 27 programs, including the provision of transportation, or facilities
- 28 for persons with physical disabilities.
- 29 SECTION 12. IC 9-24-2-3 IS AMENDED TO READ AS
- 30 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) The bureau may
- 31 not issue a license or permit to the following individuals:
- 32 (1) An individual whose license issued under Indiana law to
- 33 operate a motor vehicle as an operator, a chauffeur, or a public
- 34 passenger chauffeur has been suspended, during the period for
- 35 which the license was suspended, or to an individual whose
- 36 license has been revoked, until the time the bureau is authorized
- 37 under Indiana law to issue the individual a new license.
- 38 (2) An individual whose learner's permit has been suspended or
- 39 revoked until the time the bureau is authorized under Indiana law
- 40 to issue the individual a new permit.
- 41 (3) An individual who, in the opinion of the bureau, is afflicted
- 42 with or suffering from a physical or mental disability or disease

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- 1 that prevents the individual from exercising reasonable and
- 2 ordinary control over a motor vehicle while operating the vehicle
- 3 upon the public highways.
- 4 (4) An individual who is unable to understand highway warnings
- 5 or direction signs written in the English language.
- 6 (5) An individual who is required under this chapter to take an
- 7 examination unless the person successfully passes the
- 8 examination.
- 9 (6) An individual who is required under IC 9-25 to deposit proof
- 10 of financial responsibility and who has not deposited that proof.
- 11 (7) An individual when the bureau has good cause to believe that
- 12 the operation of a motor vehicle on a public highway of Indiana
- 13 by the individual would be inimical to public safety or welfare.
- 14 (8) An individual who is the subject of an order issued by:
- 15 (A) a court under IC 31-14-12-4 or IC 31-16-12-7 (or
- 16 IC 31-1-11.5-13 or IC 31-6-6.1-16 before their repeal); or
- 17 (B) the Title IV-D agency;
- 18 ordering that a driving license or permit not be issued to the
- 19 individual.
- 20 **(9) An individual who has not presented valid documentary**
- 21 **evidence to the bureau of the person's legal status in the**
- 22 **United States, as required by IC 9-24-9-2.5.**
- 23 (b) An individual subject to epileptic seizures may not be denied a
- 24 license under this section if the individual presents a statement from a
- 25 licensed physician that the individual is under medication and is free
- 26 from seizures while under medication.
- 27 SECTION 13. IC 9-24-9-2, AS AMENDED BY P.L.123-2005,
- 28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2007]: Sec. 2. **(a) Before January 1, 2008**, each application
- 30 for a license or permit under this chapter must require the following
- 31 information:
- 32 (1) The name, date of birth, sex, Social Security number, and
- 33 mailing address, and, if different from the mailing address, the
- 34 residence address of the applicant. The applicant shall indicate to
- 35 the bureau:
- 36 (A) which address the license or permit shall contain; and
- 37 (B) whether the Social Security number or another
- 38 distinguishing number shall be the distinctive identification
- 39 number used on the license or permit.
- 40 (2) Whether the applicant has been licensed as an operator, a
- 41 chauffeur, or a public passenger chauffeur or has been the holder
- 42 of a learner's permit, and if so, when and by what state.

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- 1 (3) Whether the applicant's license or permit has ever been
- 2 suspended or revoked, and if so, the date of and the reason for the
- 3 suspension or revocation.
- 4 (4) Whether the applicant has been convicted of a crime
- 5 punishable as a felony under Indiana motor vehicle law or any
- 6 other felony in the commission of which a motor vehicle was
- 7 used.
- 8 (5) Whether the applicant has a physical or mental disability, and
- 9 if so, the nature of the disability and other information the bureau
- 10 directs.
- 11 The bureau shall maintain records of the information provided under
- 12 subdivisions (1) through (5).
- 13 **(b) Except as provided in subsection (c), after December 31,**
- 14 **2007, each application for a license or permit under this chapter**
- 15 **must require the following information:**
- 16 (1) The full legal name of the applicant.
- 17 (2) The applicant's date of birth.
- 18 (3) The gender of the applicant.
- 19 (4) The applicant's height, weight, hair color, and eye color.
- 20 (5) The principal address and mailing address of the
- 21 applicant.
- 22 (6) A:
- 23 (A) valid Social Security number; or
- 24 (B) verification of an applicant's:
- 25 (i) ineligibility to be issued a Social Security number; and
- 26 (ii) identity and lawful status.
- 27 (7) Whether the applicant has been subject to fainting spells
- 28 or seizures.
- 29 (8) Whether the applicant has been licensed as an operator, a
- 30 chauffeur, or a public passenger chauffeur or has been the
- 31 holder of a learner's permit, and if so, when and by what
- 32 state.
- 33 (9) Whether the applicant's license or permit has ever been
- 34 suspended or revoked, and if so, the date of and the reason for
- 35 the suspension or revocation.
- 36 (10) Whether the applicant has been convicted of a crime
- 37 punishable as a felony under Indiana motor vehicle law or any
- 38 other felony in the commission of which a motor vehicle was
- 39 used.
- 40 (11) Whether the applicant has a physical or mental disability,
- 41 and if so, the nature of the disability and other information
- 42 the bureau directs.

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(12) The signature of the applicant.  
The bureau shall maintain records of the information provided under subdivisions (1) through (12).

(c) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address.

SECTION 14. IC 9-24-9-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2.5. In addition to the information required from the applicant for a license or permit under sections 1 and 2 of this chapter, the bureau shall require an applicant to present to the bureau valid documentary evidence that the applicant:

- (1) is a citizen or national of the United States;
- (2) is an alien lawfully admitted for permanent or temporary residence in the United States;
- (3) has conditional permanent resident status in the United States;
- (4) has an approved application for asylum in the United States or has entered into the United States in refugee status;
- (5) has a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;
- (6) has a pending application for asylum in the United States;
- (7) has a pending or approved application for temporary protected status in the United States;
- (8) has approved deferred action status; or
- (9) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States.

SECTION 15. IC 9-24-11-3, AS AMENDED BY P.L.156-2006, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: 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, 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

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1 probationary license, the individual may not operate a motor  
2 vehicle in which there are passengers unless another individual  
3 who:

- 4 (A) is at least twenty-one (21) years of age; and
- 5 (B) holds a valid operator's license issued under this article;
- 6 is present in the front seat of the motor vehicle.
- 7 (3) The individual may operate a motor vehicle only if the
- 8 individual and each occupant of the motor vehicle has a safety
- 9 belt properly fastened about the occupant's body at all times when
- 10 the motor vehicle is in motion.

11 (c) An individual who holds a probationary license issued under this  
12 section may receive an operator's license, a chauffeur's license, a public  
13 passenger chauffeur's license, or a commercial driver's license when the  
14 individual is at least eighteen (18) years of age.

15 (d) **Except as provided in subsection (e),** a probationary license  
16 issued under this section:

- 17 (1) expires at midnight of the twenty-first birthday of the holder;
- 18 and
- 19 (2) may not be renewed.

20 (e) **A probationary license issued under this section to an**  
21 **individual who complies with IC 9-24-9-2.5(5) through**  
22 **IC 9-24-9-2.5(9) expires:**

- 23 (1) **at midnight one (1) year after issuance if there is no**
- 24 **expiration date on the authorization granted to the individual**
- 25 **to remain in the United States; or**
- 26 (2) **if there is an expiration date on the authorization granted**
- 27 **to the individual to remain in the United States, the earlier of**
- 28 **the following:**

29 (A) **At midnight of the date the authorization to remain in**  
30 **the United States expires.**

31 (B) **At midnight of the twenty-first birthday of the holder.**

32 SECTION 16. IC 9-24-11-4 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) An individual  
34 may not have more than one (1) valid driver's license at a time.

35 (b) **An individual may not hold a driver's license and an**  
36 **identification card issued under IC 9-24-16 at the same time.**

37 SECTION 17. IC 9-24-11-5, AS AMENDED BY P.L.37-2006,  
38 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 2007]: Sec. 5. (a) **Except as provided in subsection (i),** a  
40 permit or license issued under this chapter must ~~bear the distinguishing~~  
41 ~~number assigned to the permittee or licensee,~~ and must contain **the**  
42 **following information:**

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- 1 (1) The **full legal** name of the permittee or licensee.
- 2 (2) The date of birth of the permittee or licensee.
- 3 (3) The ~~mailing~~ address ~~or of the principal~~ residence address of
- 4 the permittee or licensee.
- 5 (4) ~~a brief description~~ **The hair color and eye color** of the
- 6 permittee or licensee.
- 7 **(5) The date of issue and expiration date of the permit or**
- 8 **license.**
- 9 **(6) The gender of the permittee or licensee.**
- 10 **(7) The unique identifying number of the permit or license.**
- 11 **(8) The weight of the permittee or licensee.**
- 12 **(9) The height of the permittee or licensee.**
- 13 **(10) A reproduction of the signature of the permittee or**
- 14 **licensee.**
- 15 ~~(5)~~ **(11)** If the permittee or licensee is less than eighteen (18)
- 16 years of age at the time of issuance, the dates on which the
- 17 permittee or licensee will become:
- 18 (A) eighteen (18) years of age; and
- 19 (B) twenty-one (21) years of age.
- 20 ~~(6)~~ **(12)** If the permittee or licensee is at least eighteen (18) years
- 21 of age but less than twenty-one (21) years of age at the time of
- 22 issuance, the date on which the permittee or licensee will become
- 23 twenty-one (21) years of age. ~~and~~
- 24 ~~(7)~~ **(13)** Except as provided in subsection ~~(c)~~ **(b) or (c)**, for the
- 25 purpose of identification, a:
- 26 (A) photograph; or
- 27 ~~(B)~~ **computerized image; a digital photograph** of the
- 28 permittee or licensee.
- 29 and additional information that the bureau considers necessary;
- 30 including a space for reproduction of the signature of the permittee or
- 31 licensee. If the permittee or licensee has not indicated to the bureau
- 32 under ~~IC 9-24-9-2~~ that the Social Security number shall be the
- 33 distinguishing number to be used; the Social Security number may not
- 34 be shown on the permit or license:
- 35 (b) In carrying out this section, the bureau shall obtain the
- 36 equipment necessary to provide the photographs and computerized
- 37 images for permits and licenses as provided in subsection (a):
- 38 ~~(c)~~ **(b)** The following permits or licenses do not require a **digital**
- 39 **photograph; or computerized image:**
- 40 (1) Temporary motorcycle learner's permit issued under
- 41 IC 9-24-8.
- 42 (2) Motorcycle learner's permit issued under IC 9-24-8.

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~~(3)~~ Operator's license reissued under IC 9-24-12-6.

~~(d)~~ (c) The bureau may provide for the omission of a photograph or computerized image from any other license or permit if there is good cause for the omission. **However, a license issued without a digital photograph must include the language described in subsection (f).**

~~(e)~~ (d) The information contained on the permit or license as required by subsection ~~(a)(5)~~ (a)(11) or ~~(a)(6)~~ (a)(12) for a permittee or licensee who is less than twenty-one (21) years of age at the time of issuance shall be printed ~~perpendicular to the bottom edge of~~ **prominently on** the permit or license.

~~(f)~~ (e) This subsection applies to a permit or license issued after January 1, 2007. If the applicant for a permit or license submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the permit or license to indicate that the applicant has a medical condition of note. The bureau shall include information on the permit or license that briefly describes the medical condition of the holder of the permit or license. The information must be printed in a manner that alerts a person reading the permit or license to the existence of the medical condition. The permittee or licensee is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.

(f) **Any license or permit issued by the state that does not require a digital photograph must include the statement "May not be accepted by any federal agency for federal identification or any other federal purpose.**

(g) **A license or permit issued by the state to an individual who:**

- (1) **has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;**
- (2) **has a pending application for asylum in the United States;**
- (3) **has a pending or approved application for temporary protected status in the United States;**
- (4) **has approved deferred action status; or**
- (5) **has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;**

**must be clearly identified as a temporary license or permit. A temporary license or permit issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the licensee's or permittee's temporary status**

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**has been extended.**

~~(g)~~ **(h)** The bureau may adopt rules under IC 4-22-2 to carry out this section.

**(i) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.**

SECTION 18. IC 9-24-12-1, AS AMENDED BY P.L.156-2006, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) Except as provided in subsection (b) **and (d)** and section 10 of this chapter, an operator's license issued under this article ~~after December 31, 1996,~~ and before January 1, 2006, expires at midnight of the birthday of the holder that occurs four (4) years following the date of issuance.

(b) Except as provided in sections 10, ~~and 11,~~ **and 12** of this chapter, an operator's license issued ~~after December 31, 1996,~~ to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(c) Except as provided in subsections (b) and (d) and sections 10, ~~and 11,~~ **and 12** of this chapter, after December 31, 2005, an operator's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(d) A probationary operator's license issued under IC 9-24-11-3 expires at midnight of the twenty-first birthday of the holder.

SECTION 19. IC 9-24-12-2, AS AMENDED BY P.L.156-2006, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) Except as provided in section 10 of this chapter, a chauffeur's license issued under this article after December 31, 1996, and before January 1, 2006, expires at midnight of the birthday of the holder that occurs four (4) years following the date of issuance.

(b) After December 31, 2005, and except as provided in subsection (c) and sections 10, ~~and 11,~~ **and 12** of this chapter, a chauffeur's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(c) Except as provided in subsection (b) and ~~section sections~~ **sections 10, 11, and 12** of this chapter, a chauffeur's license issued ~~after June 30, 2006,~~ to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years

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1 following the date of issuance.

2 SECTION 20. IC 9-24-12-3, AS AMENDED BY P.L.41-2006,  
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2007]: Sec. 3. Except as provided in ~~section~~ **sections 11 and**  
5 **12** of this chapter, a public passenger chauffeur's license issued under  
6 this article ~~after December 31, 1996~~, expires at midnight of the  
7 birthday of the holder that occurs two (2) years following the date of  
8 issuance.

9 SECTION 21. IC 9-24-12-4 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. **(a) Except as**  
11 **provided in subsections (b) and (c)**, the application for renewal of:

- 12 (1) an operator's license;
- 13 (2) a motorcycle operator's license;
- 14 (3) a chauffeur's license;
- 15 (4) a public passenger chauffeur's license; or
- 16 (5) an identification card;

17 under this article may be filed not more than ~~six (6)~~ **twelve (12)** months  
18 before the expiration date of the license or identification card held by  
19 the applicant.

20 **(b) When the applicant complies with IC 9-24-9-2.5(5) through**  
21 **IC 9-24-9-2.5(9), an application for renewal of a driver's license in**  
22 **subsection (a)(1), (a)(2), (a)(3), or (a)(4) may be filed not more than**  
23 **one (1) month before the expiration date of the license held by the**  
24 **applicant.**

25 **(c) When the applicant complies with IC 9-24-16-3.5(1)(E)**  
26 **through IC 9-24-16-3.5(1)(I), an application for renewal of an**  
27 **identification card in subsection (a)(5) may be filed not more than**  
28 **one (1) month before the expiration date of the identification card**  
29 **held by the applicant.**

30 SECTION 22. IC 9-24-12-6 IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) As used in this  
32 section, "good cause" includes the following:

- 33 (1) Temporarily residing at least fifty (50) miles outside the  
34 boundaries of Indiana.
- 35 (2) Serving in the armed forces of the United States.

36 (b) The bureau may renew a valid Indiana operator's license held by  
37 an individual temporarily residing outside Indiana if the applicant does  
38 the following:

- 39 (1) Shows good cause why the license cannot be renewed within  
40 Indiana.
- 41 (2) Submits a completed application provided by the bureau and  
42 payment of the fee required in IC 9-29-9.

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1           **(3) Submits a written affidavit that affirms that no source**  
2           **document upon which the operator's license was issued has**  
3           **changed or been altered since the prior issuance of the**  
4           **operator's license.**

5           (c) The Indiana operator's license of an individual who is  
6 temporarily residing outside Indiana remains valid for thirty (30) days  
7 beyond the expiration date of that license if the individual meets the  
8 following conditions:

- 9           (1) Has applied for a renewal of the license.
- 10           (2) Has not been denied a renewal of the license by the bureau.

11           (d) Upon receiving an application for the renewal of an Indiana  
12 operator's license from an individual temporarily residing outside  
13 Indiana, the bureau shall do the following:

- 14           (1) Either renew or deny the renewal of the license within ten (10)  
15           days.
- 16           (2) Notify the individual of the decision.

17           (e) When the Indiana operator's license of an individual who is  
18 temporarily residing outside Indiana because of service in the armed  
19 forces of the United States has expired, the license remains valid for  
20 ninety (90) days following the person's discharge from service in the  
21 armed forces. To obtain a renewed license, the individual must do the  
22 following:

- 23           (1) Apply for a renewal of the operator's license during the ninety  
24           (90) day period following the individual's discharge.
- 25           (2) Show proof of the individual's discharge from service in the  
26           armed forces when applying for the renewal.

27           SECTION 23. IC 9-24-12-7, AS AMENDED BY P.L.156-2006,  
28 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2007]: Sec. 7. (a) Except as provided in subsection (b) and  
30 section 10 of this chapter, a motorcycle operator's license issued ~~after~~  
31 ~~December 31, 1996, and~~ before January 1, 2006, expires at midnight  
32 of the birthday of the holder that occurs four (4) years following the  
33 date of issuance.

34           (b) Except as provided in sections 10, ~~and~~ 11, **and 12** of this  
35 chapter, a motorcycle operator's license issued after December 31,  
36 1996, to an applicant who is at least seventy-five (75) years of age  
37 expires at midnight of the birthday of the holder that occurs three (3)  
38 years following the date of issuance.

39           (c) After December 31, 2005, except as provided in subsection (b)  
40 and ~~section~~ **sections 10, 11, and 12** of this chapter, a motorcycle  
41 operator's license issued under this article expires at midnight of the  
42 birthday of the holder that occurs six (6) years following the date of

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1 issuance.

2 (d) A motorcycle operator endorsement remains in effect for the  
3 same term as the license being endorsed and is subject to renewal at  
4 and after the expiration of the license in accordance with this chapter.

5 SECTION 24. IC 9-24-12-12 IS ADDED TO THE INDIANA  
6 CODE AS A NEW SECTION TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2007]: **Sec. 12. (a) This section applies to a  
8 driver's license issued under:**

- 9 (1) IC 9-24-3;
- 10 (2) IC 9-24-4;
- 11 (3) IC 9-24-5; and
- 12 (4) IC 9-24-8.

13 (b) A driver's license listed in subsection (a) that is issued after  
14 December 31, 2007, to an applicant who complies with  
15 IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9) expires:

16 (1) at midnight one (1) year after issuance if there is no  
17 expiration date on the authorization granted to the individual  
18 to remain in the United States; or

19 (2) if there is an expiration date on the authorization granted  
20 to the individual to remain in the United States, the earlier of  
21 the following:

22 (A) At midnight of the date the authorization of the holder  
23 to be a legal permanent resident or conditional resident  
24 alien of the United States expires.

25 (B) At midnight of the birthday of the holder that occurs  
26 six (6) years after the date of issuance.

27 SECTION 25. IC 9-24-13-4 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. If:

29 (1) an individual holding a license or permit issued under this  
30 article changes the address shown on the license or permit  
31 application; or

32 (2) the name of a licensee or permittee is changed by marriage or  
33 otherwise;

34 the licensee or permittee shall immediately notify the bureau in writing  
35 of the licensee's or permittee's old and new address or of the former  
36 name and new name and the number of the license or permit held by  
37 the licensee or permittee: **make application for a duplicate driver's  
38 license or permit under IC 9-24-9 containing the correct  
39 information within thirty (30) days of the change.**

40 SECTION 26. IC 9-24-16-1 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The bureau shall  
42 issue an identification card to an individual who meets the following

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1 conditions:

- 2 (1) Makes an application.  
 3 (2) Is a resident of Indiana.  
 4 **(3) Has presented valid documentary evidence to the bureau**  
 5 **of the individual's legal status in the United States, as**  
 6 **required by section 3.5 of this chapter.**

7 SECTION 27. IC 9-24-16-2 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. **(a) Before January**  
 9 **1, 2008**, an application for an identification card issued under this  
 10 chapter must meet the following conditions:

- 11 (1) Made upon an approved form provided by the bureau, which  
 12 shall include the mailing address, and if different from the  
 13 mailing address, the residence address of the applicant.  
 14 (2) Verified by the applicant before a person authorized to  
 15 administer oaths and affirmations.

16 **(b) Except as provided in subsection (e), after December 31,**  
 17 **2007, an application for an identification card issued under this**  
 18 **chapter must require the following information concerning an**  
 19 **applicant:**

- 20 (1) The full legal name of the applicant.  
 21 (2) The applicant's date of birth.  
 22 (3) The gender of the applicant.  
 23 (4) The applicant's height, weight, hair color, and eye color.  
 24 (5) The principal address and mailing address of the  
 25 applicant.  
 26 (6) A:  
 27 (A) valid Social Security number; or  
 28 (B) verification of an applicant's:  
 29 (i) ineligibility to be issued a Social Security number; and  
 30 (ii) identity and lawful status.

31 The bureau shall maintain records of the information provided  
 32 under subdivisions (1) through (6).

33 (c) The bureau may temporarily invalidate an identification  
 34 card that it believes to have been issued as a result of fraudulent  
 35 documentation.

36 (d) The bureau:  
 37 (1) shall adopt rules under IC 4-22-2 to establish a procedure  
 38 to verify an applicant's identity and lawful status; and  
 39 (2) may adopt rules to establish a procedure to temporarily  
 40 invalidate an identification card that it believes to have been  
 41 issued based on fraudulent documentation.

42 (e) For purposes of subsection (b), an individual certified as a

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1 **program participant in the address confidentiality program under**  
 2 **IC 5-26.5 is not required to provide the individual's principal**  
 3 **address and mailing address, but may provide an address**  
 4 **designated by the office of the attorney general under IC 5-26.5 as**  
 5 **the individual's principal address and mailing address.**

6 SECTION 28. IC 9-24-16-3, AS AMENDED BY P.L.37-2006,  
 7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2007]: Sec. 3. (a) An identification card must have the same  
 9 dimensions and shape as a driver's license, but the card must have  
 10 markings sufficient to distinguish the card from a driver's license.

11 (b) **Except as provided in subsection (g),** the front side of an  
 12 identification card must contain the **expiration date of the**  
 13 **identification card and the** following information about the individual  
 14 to whom the card is being issued:

- 15 (1) Full legal name.
- 16 (2) ~~Mailing address and, if different from the mailing address,~~  
 17 ~~The address of the principal residence. address.~~
- 18 (3) Date of birth.
- 19 (4) Date of issue and date of expiration.
- 20 (5) ~~Distinctive Unique~~ identification number. ~~or Social Security~~  
 21 ~~number, whichever is requested by the individual. If the~~  
 22 ~~individual has not requested that the Social Security number be~~  
 23 ~~the distinctive identification number to be used, the Social~~  
 24 ~~Security number may not be shown on the identification card.~~
- 25 (6) ~~Sex.~~ **Gender.**
- 26 (7) Weight.
- 27 (8) Height.
- 28 (9) Color of eyes and hair.
- 29 (10) Reproduction of the signature of the individual identified.
- 30 (11) Whether the individual is blind (as defined in  
 31 IC 12-7-2-21(1)).
- 32 (12) If the individual is less than eighteen (18) years of age at the  
 33 time of issuance, the dates on which the individual will become:  
 34 (A) eighteen (18) years of age; and  
 35 (B) twenty-one (21) years of age.
- 36 (13) If the individual is at least eighteen (18) years of age but less  
 37 than twenty-one (21) years of age at the time of issuance, the date  
 38 on which the individual will become twenty-one (21) years of age.
- 39 (14) **Digital** photograph ~~or computerized image.~~ **of the**  
 40 **individual.**

41 (c) The information contained on the identification card as required  
 42 by subsection (b)(12) or (b)(13) for an individual who is less than

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1 twenty-one (21) years of age at the time of issuance shall be printed  
 2 perpendicular to the bottom edge of **prominently on** the permit or  
 3 license.

4 (d) This subsection applies to an identification card issued after  
 5 ~~January 1, 2007~~. If the applicant for an identification card submits  
 6 information to the bureau concerning the applicant's medical condition,  
 7 the bureau shall place an identifying symbol on the face of the  
 8 identification card to indicate that the applicant has a medical condition  
 9 of note. The bureau shall include information on the identification card  
 10 that briefly describes the medical condition of the holder of the card.  
 11 The information must be printed in a manner that alerts a person  
 12 reading the card to the existence of the medical condition. The  
 13 applicant for an identification card is responsible for the accuracy of  
 14 the information concerning the medical condition submitted under this  
 15 subsection. The bureau shall inform an applicant that submission of  
 16 information under this subsection is voluntary.

17 (e) **An identification card issued by the state that does not**  
 18 **require a digital photograph must include the statement "May not**  
 19 **be accepted by any federal agency for federal identification or any**  
 20 **other federal purpose."**

21 (f) **An identification card issued by the state to an individual**  
 22 **who:**

- 23 (1) **has a valid, unexpired nonimmigrant visa or has**
- 24 **nonimmigrant visa status for entry in the United States;**
- 25 (2) **has a pending application for asylum in the United States;**
- 26 (3) **has a pending or approved application for temporary**
- 27 **protected status in the United States;**
- 28 (4) **has approved deferred action status; or**
- 29 (5) **has a pending application for adjustment of status to that**
- 30 **of an alien lawfully admitted for permanent residence in the**
- 31 **United States or conditional permanent residence status in the**
- 32 **United States;**

33 **must be clearly identified as a temporary identification card. A**  
 34 **temporary identification card issued under this subsection may not**  
 35 **be renewed without the presentation of valid documentary**  
 36 **evidence proving that the holder of the identification card's**  
 37 **temporary status has been extended.**

38 (g) **For purposes of subsection (b), an individual certified as a**  
 39 **program participant in the address confidentiality program under**  
 40 **IC 5-26.5 is not required to provide the address of the individual's**  
 41 **principal residence, but may provide an address designated by the**  
 42 **office of the attorney general under IC 5-26.5 as the address of the**

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**individual's principal residence.**

SECTION 29. IC 9-24-16-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 3.5. In addition to the information required for the applicant for an identification card under section 3 of this chapter, the bureau shall require an applicant to present to the bureau:**

- (1) valid documentary evidence that the applicant:**
  - (A) is a citizen or national of the United States;**
  - (B) is an alien lawfully admitted for permanent or temporary residence in the United States;**
  - (C) has conditional permanent resident status in the United States;**
  - (D) has an approved application for asylum in the United States or has entered into the United States in refugee status;**
  - (E) has a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;**
  - (F) has a pending application for asylum in the United States;**
  - (G) has a pending or approved application for temporary protected status in the United States;**
  - (H) has approved deferred action status; or**
  - (I) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States; and**

**(2) evidence of the Social Security number of the applicant. If federal law prohibits the issuance of a Social Security number to the applicant, the applicant must provide verification of the applicant's ineligibility to be issued a Social Security number.**

SECTION 30. IC 9-24-16-4, AS AMENDED BY P.L.210-2005, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 4. (a) Except as provided in subsection (b), an identification card issued:**

- (1) before January 1, 2006, expires on the fourth birthday of the applicant following the date of issue; and**
- (2) after December 31, 2005, expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.**

**(b) An identification card issued under this article after December 31, 2007, to an applicant who complies with section**

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1 **3.5(1)(E) through 3.5(1)(I) of this chapter expires:**

2 (1) at midnight one (1) year after issuance, if there is no  
3 expiration date on the authorization granted to the individual  
4 to remain in the United States; or

5 (2) if there is an expiration date on the authorization granted  
6 to the individual to remain in the United States, the earlier of  
7 the following:

8 (A) At midnight of the date the authorization of the holder  
9 to be a legal permanent resident or conditional resident  
10 alien of the United States expires.

11 (B) At midnight of the birthday of the holder that occurs  
12 six (6) years after the date of issuance.

13 SECTION 31. IC 9-24-16-5, AS AMENDED BY P.L.210-2005,  
14 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2007]: Sec. 5. (a) An application for renewal of an  
16 identification card may be made not more than ~~six (6)~~ twelve (12)  
17 months before the expiration date of the card. **However, when the**  
18 **applicant complies with section 3.5(1)(E) through 3.5(1)(I) of this**  
19 **chapter, an application for renewal of an identification card may**  
20 **be filed not more than one (1) month before the expiration date of**  
21 **the identification card held by the applicant.** A renewal application  
22 received after the date of expiration is considered to be a new  
23 application.

24 (b) **Except as provided in subsection (e),** a renewed card issued:

25 (1) before January 1, 2006, becomes valid on the birth date of the  
26 holder and remains valid for four (4) years; and

27 (2) after December 31, 2005, is valid on the birth date of the  
28 holder and remains valid for six (6) years.

29 (c) If renewal has not been made within six (6) months after  
30 expiration, the bureau shall destroy all records pertaining to the former  
31 cardholder.

32 (d) Renewal may not be granted if the cardholder was issued a  
33 driver's license subsequent to the last issuance of an identification card.

34 (e) **A renewed identification card issued under this article after**  
35 **December 31, 2007, to an applicant who complies with section**  
36 **3.5(1)(E) through 3.5(1)(I) of this chapter expires:**

37 (1) at midnight one (1) year after issuance, if there is no  
38 expiration date on the authorization granted to the individual  
39 to remain in the United States; or

40 (2) if there is an expiration date on the authorization granted  
41 to the individual to remain in the United States, the earlier of  
42 the following:

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1 (A) At midnight of the date the authorization of the holder  
2 to be a legal permanent resident or conditional resident  
3 alien of the United States expires.

4 (B) At midnight of the birthday of the holder that occurs  
5 six (6) years after the date of issuance.

6 SECTION 32. IC 9-29-3-13 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 13. The service charge  
8 for each license that is required to bear a **digital** photograph ~~or~~  
9 ~~computerized image~~ is fifty cents (\$0.50).

10 SECTION 33. IC 9-29-9-2.5 IS ADDED TO THE INDIANA CODE  
11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
12 1, 2007]: **Sec. 2.5. The bureau may adopt rules under IC 4-22-2 to**  
13 **impose a service charge for the issuance of a duplicate operator's**  
14 **license or permit issued under IC 9-24-13-4.**

15 SECTION 34. IC 9-30-3-2.5 IS ADDED TO THE INDIANA CODE  
16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
17 1, 2007]: **Sec. 2.5. (a) As used in this chapter, "electronic traffic**  
18 **ticket" means:**

- 19 (1) a traffic information and summons; or  
20 (2) a complaint and summons;

21 for traffic cases that is in an electronic format prescribed by the  
22 division of state court administration.

23 (b) An electronic traffic ticket may be referred to as an  
24 "e-citation".

25 SECTION 35. IC 9-30-3-5.3 IS ADDED TO THE INDIANA CODE  
26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
27 1, 2007]: **Sec. 5.3. In prescribing the contents of an electronic**  
28 **traffic ticket, the division of state court administration shall**  
29 **require the inclusion in an electronic traffic ticket of the contents**  
30 **required in an information and summons under section 6 of this**  
31 **chapter. The division of state court administration may modify the**  
32 **prescribed contents of an electronic traffic ticket as necessary for**  
33 **the ticket to be in an electronic format.**

34 SECTION 36. IC 9-30-3-5.7 IS ADDED TO THE INDIANA CODE  
35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
36 1, 2007]: **Sec. 5.7. (a) When a law enforcement officer issues an**  
37 **electronic traffic ticket, the law enforcement officer:**

- 38 (1) may print the electronic traffic ticket at the site of the  
39 traffic violation; and  
40 (2) shall inform the individual to whom the electronic traffic  
41 ticket has been issued and note on the electronic traffic ticket  
42 whether the individual must appear in court on a specific date

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at a specific time.

(b) An electronic traffic ticket issued under this chapter that bears a printed or digital signature of:

- (1) the law enforcement officer who issued the electronic traffic ticket; and
- (2) the prosecuting attorney, or a representative of the office of the prosecuting attorney, of the county in which the electronic traffic ticket was issued;

is admissible in a court proceeding as if the signatures referred to in subdivisions (1) and (2) were original signatures.

(c) A law enforcement officer who issues an electronic traffic ticket may transmit the electronic traffic ticket to the court electronically if the court and the electronic traffic ticket are in compliance with the administrative rules adopted by the supreme court.

(d) A law enforcement officer who issues an electronic traffic ticket shall indicate on the electronic traffic ticket whether the law enforcement officer served the person receiving the electronic traffic ticket.

(e) The electronic transmission of an electronic traffic ticket shall be considered by the court as an original certified copy of the traffic information and summons or complaint and summons. An electronic traffic ticket may be used:

- (1) to notify the bureau of an Indiana resident who fails to:
  - (A) appear; or
  - (B) answer a traffic information and summons or complaint and summons;
- (2) to notify the bureau of a defendant who is not an Indiana resident and who fails to:
  - (A) appear; or
  - (B) answer a traffic information and summons;
- (3) to notify the bureau upon a final determination of a defendant's failure to appear; or
- (4) as a record of a traffic case that an individual has been charged with a traffic offense when:
  - (A) the individual has been convicted;
  - (B) a judgment has been entered; or
  - (C) a finding has been made by a court.

SECTION 37. IC 9-30-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) **This section does not apply to electronic traffic tickets.**

(b) In traffic cases, the information and summons shall be in

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1 substantially the following form:  
 2 In the \_\_\_\_\_ Court of \_\_\_\_\_ County  
 3 Cause No. \_\_\_\_\_ Docket No. \_\_\_\_\_  
 4 Page No. \_\_\_\_\_  
 5 State of Indiana  
 6 SS: \_\_\_\_\_ No. \_\_\_\_\_  
 7 County of \_\_\_\_\_

8 INFORMATION AND SUMMONS

9 The undersigned having probable cause to believe and being duly  
10 sworn upon his oath says that:

11 On the \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_ at \_\_\_\_ M  
 12 Name \_\_\_\_\_  
 13 Last First Middle

14 Street \_\_\_\_\_  
 15 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 16 Race \_\_\_ Sex \_\_\_ Age \_\_\_ D.O.B. \_\_\_\_\_ HT \_\_\_ WT \_\_\_\_\_  
 17 Oper. Lic. # \_\_\_\_\_ St. \_\_\_\_\_ Did Unlawfully  
 18 Operate Veh. Color \_\_\_\_\_ Veh. Yr. \_\_\_ Veh. Make \_\_\_\_\_  
 19 Veh. Lic. Yr. \_\_\_\_\_ Veh. Lic. St. \_\_\_\_\_ Veh. Lic. # \_\_\_\_\_  
 20 Upon, (Location) \_\_\_\_\_  
 21 \_\_\_\_\_

22 A PUBLIC STREET OR HIGHWAY IN \_\_\_\_\_  
 23 COUNTY, INDIANA, AND COMMIT, THE OFFENSE OF:  
 24 \_\_\_\_\_  
 25 \_\_\_\_\_

26 CONTRARY TO THE FORM OF THE ( ) STATE STATUTE  
 27 ( ) LOCAL ORDINANCE IN SUCH CASE MADE AND PROVIDED.  
 28 OFFICER'S SIGNATURE \_\_\_\_\_

29 I.D. No. \_\_\_\_\_ Div. Dist. \_\_\_\_\_  
 30 POLICE AGENCY \_\_\_\_\_

31 Subscribed And Sworn to Before Me  
 32 (Deputy Clerk) \_\_\_\_\_  
 33 This \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_

34 COURT APPEARANCE  
 35 I PROMISE TO APPEAR IN COURTROOM  
 36 \_\_\_\_\_

37 ADDRESS: \_\_\_\_\_  
 38 ON \_\_\_\_\_ THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_ AT  
 39 \_\_\_\_ M. OR BE SUBJECT TO ARREST.

40 SIGNATURE \_\_\_\_\_  
 41 "YOUR SIGNATURE IS NOT AN ADMISSION OF GUILT"

42 The information and summons shall consist of four (4) parts:

COPY



- 1 (1) the original copy, printed on white paper, which shall be the
- 2 abstract of court record for the Indiana bureau of motor vehicles;
- 3 (2) the court copy, printed on white paper;
- 4 (3) the police record, which shall be a copy of the information,
- 5 printed on pink paper; and
- 6 (4) the summons copy, printed on white stock.

7 The reverse sides of the information and abstract of court record  
 8 shall be substantially as follows, with such additions or deletions as are  
 9 necessary to adapt the form to the court involved:

10 RECEIPT # \_\_\_\_\_

11 DATE \_\_\_\_\_

12 COURT ACTION AND OTHER ORDERS

13 BAIL \$ \_\_\_\_\_

14 REARREST BOND \$ \_\_\_\_\_ DATE \_\_\_\_\_

- 15 1. CONTINUANCE TO \_\_\_\_ 4. CONTINUANCE TO \_\_\_\_
- 16 2. CONTINUANCE TO \_\_\_\_ 5. CONTINUANCE TO \_\_\_\_
- 17 3. CONTINUANCE TO \_\_\_\_ 6. CONTINUANCE TO \_\_\_\_

|    | Motions | Date | Ruling | Date |
|----|---------|------|--------|------|
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| 19 | 1.      | ___  | ___    | ___  |
| 20 | 2.      | ___  | ___    | ___  |
| 21 | 3.      | ___  | ___    | ___  |
| 22 | 4.      | ___  | ___    | ___  |

23 PLEA  GUILTY  
 24  NOT GUILTY

25 FINDING  GUILTY  
 26  NOT GUILTY

27 THE COURT THEREFORE, ENTERS  
 28 THE FOLLOWING ORDER

29 FINE \$ \_\_\_\_\_ AMOUNT SUSP. \$ \_\_\_\_\_  
 30 (STATE) \$ \_\_\_\_\_

31 COSTS  
 32 (CITY) \$ \_\_\_\_\_  
 33 \_\_\_\_\_ DAYS IN \_\_\_\_\_ DAYS SUSP.

34  
 35  RECOMMENDED LICENSE SUSPENDED FOR \_\_\_\_\_  
 36  PROBATIONARY LICENSE AUTHORIZED FOR ONE YEAR  
 37 PROBATION

38 \_\_\_\_\_  
 39 \_\_\_\_\_  
 40 \_\_\_\_\_  
 41 \_\_\_\_\_

42 JUDGE: \_\_\_\_\_

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1 DATE: \_\_\_\_\_  
2 ATTORNEY FOR DEFENDANT \_\_\_\_\_  
3 ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_  
4 WITNESSES

5 \_\_\_\_\_  
6 \_\_\_\_\_  
7 The notice, the appearance, the plea of either guilty or not guilty,  
8 and the waiver shall be printed on the summons. The trimmed size of  
9 the paper and stock on which the form is printed shall be nominally  
10 four and one quarter (4 1/4) inches by eight and one quarter (8 1/4)  
11 inches.

12 (b) (c) In civil traffic cases, the complaint and summons shall be  
13 in substantially the following form:  
14 In the \_\_\_\_\_ Court of \_\_\_\_\_ County  
15 Cause No. \_\_\_\_\_ Docket No. \_\_\_\_\_  
16 Page No. \_\_\_\_\_  
17 State of Indiana  
18 SS: No. \_\_\_\_\_  
19 County of \_\_\_\_\_

20 COMPLAINT AND SUMMONS

21 The undersigned having probable cause to believe and being duly  
22 sworn upon his oath says that:  
23 On the \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_ at \_\_ M  
24 Name \_\_\_\_\_  
25 Last First Middle  
26 Street \_\_\_\_\_  
27 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
28 Race \_\_\_ Sex \_\_\_ Age \_\_\_ D.O.B. \_\_\_\_\_ HT \_\_\_ WT \_\_\_  
29 Oper. Lic. # \_\_\_\_\_ St. \_\_\_\_\_ Did Unlawfully  
30 Operate Veh. Color \_\_\_\_\_ Veh. Yr. \_\_\_ Veh. Make \_\_\_\_\_  
31 Veh. Lic. Yr. \_\_\_ Veh. Lic. St. \_\_\_ Veh. Lic. # \_\_\_\_\_  
32 Upon, (Location) \_\_\_\_\_

33 \_\_\_\_\_  
34 A PUBLIC STREET OR HIGHWAY IN \_\_\_\_\_  
35 COUNTY, INDIANA, AND COMMIT, THE OFFENSE OF:

36 \_\_\_\_\_  
37 \_\_\_\_\_  
38 \_\_\_\_\_

39 CONTRARY TO THE FORM OF THE ( ) STATE STATUTE  
40 ( ) LOCAL ORDINANCE IN SUCH CASE MADE AND PROVIDED.  
41 OFFICER'S SIGNATURE \_\_\_\_\_  
42 I.D. No. \_\_\_\_\_ Div. Dist. \_\_\_\_\_

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1 POLICE AGENCY \_\_\_\_\_  
 2 Subscribed And Sworn to Before Me  
 3 (Deputy Clerk) \_\_\_\_\_  
 4 This \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_  
 5 COURT APPEARANCE  
 6 I PROMISE TO APPEAR IN \_\_\_\_\_  
 7 COURTROOM \_\_\_\_\_  
 8 ADDRESS: \_\_\_\_\_  
 9 ON \_\_\_\_\_ THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 10 AT \_\_ M. OR BE SUBJECT TO ARREST.  
 11 SIGNATURE \_\_\_\_\_  
 12 "YOUR SIGNATURE IS NOT AN ADMISSION OF A VIOLATION"  
 13 The complaint and summons shall consist of four (4) parts:  
 14 (1) the original copy, printed on white paper, which shall be the  
 15 abstract of court record for the Indiana bureau of motor vehicles;  
 16 (2) the court copy, printed on white paper;  
 17 (3) the police record, which shall be a copy of the complaint,  
 18 printed on pink paper; and  
 19 (4) the summons copy, printed on white stock.  
 20 The reverse sides of the complaint and abstract of court record  
 21 shall be substantially as follows, with such additions or deletions as are  
 22 necessary to adapt the form to the court involved:  
 23 RECEIPT # \_\_\_\_\_  
 24 DATE \_\_\_\_\_  
 25 COURT ACTION AND OTHER ORDERS  
 26 BAIL \$ \_\_\_\_\_  
 27 REARREST BOND \$ \_\_\_\_\_ DATE \_\_\_\_\_  
 28 1. CONTINUANCE TO \_\_\_\_\_ 4. CONTINUANCE TO \_\_\_\_\_  
 29 2. CONTINUANCE TO \_\_\_\_\_ 5. CONTINUANCE TO \_\_\_\_\_  
 30 3. CONTINUANCE TO \_\_\_\_\_ 6. CONTINUANCE TO \_\_\_\_\_  
 31 Motions Date Ruling Date  
 32 1. \_\_\_ \_\_\_ \_\_\_ \_\_\_  
 33 2. \_\_\_ \_\_\_ \_\_\_ \_\_\_  
 34 3. \_\_\_ \_\_\_ \_\_\_ \_\_\_  
 35 4. \_\_\_ \_\_\_ \_\_\_ \_\_\_  
 36 PLEA ( ) ADMIT  
 37 ( ) DENY  
 38 ( ) NOLO CONTENDERE  
 39 FINDING ( ) JUDGMENT FOR PLAINTIFF  
 40 ( ) JUDGMENT FOR DEFENDANT  
 41 THE COURT THEREFORE, ENTERS  
 42 THE FOLLOWING ORDER

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1 FINE \$ \_\_\_\_\_ AMOUNT SUSP. \$ \_\_\_\_\_  
 2 (STATE) \$ \_\_\_\_\_  
 3 COSTS  
 4 (CITY) \$ \_\_\_\_\_  
 5 ( ) RECOMMENDED LICENSE SUSPENDED FOR \_\_\_\_\_  
 6 ( ) PROBATIONARY LICENSE AUTHORIZED FOR ONE YEAR  
 7 PROBATION  
 8 \_\_\_\_\_  
 9 \_\_\_\_\_  
 10 \_\_\_\_\_  
 11 \_\_\_\_\_  
 12 \_\_\_\_\_  
 13 JUDGE: \_\_\_\_\_  
 14 DATE: \_\_\_\_\_  
 15 ATTORNEY FOR DEFENDANT \_\_\_\_\_  
 16 ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_  
 17 WITNESSES  
 18 \_\_\_\_\_  
 19 \_\_\_\_\_

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The notice, appearance, plea of either admission, denial, or nolo contendere shall be printed on the summons. The trimmed size of the paper and stock on which the form is printed shall be nominally four and one quarter (4 1/4) inches by eight and one quarter (8 1/4) inches.

(c) (d) The complaint form shall be used in traffic cases, whether the charge is made by a law enforcement officer or by any other person.

(d) (e) Each judicial officer or police authority issuing traffic complaints and summons:

(1) is responsible for the disposition of all the traffic complaints and summons issued under the authority of the officer or authority; and

(2) shall prepare and submit the records and reports relating to the traffic complaints in the manner and at the time prescribed by both the state examiner of the state board of accounts and the bureau.

SECTION 38. IC 9-30-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. (a) The court may issue a warrant for the arrest of a defendant who is an Indiana resident and who fails to appear or answer a traffic information and summons or a complaint and summons served upon the defendant. If the warrant is not executed within thirty (30) days after issue, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau indicating that the



1 defendant failed to appear in court as ordered. The court shall then  
2 mark the case as failure to appear on the court's records.

3 (b) If a defendant who is not an Indiana resident fails to appear or  
4 answer a traffic summons served upon the defendant and upon which  
5 the information or complaint has been filed thirty (30) days after the  
6 return date of the information and summons or complaint and  
7 summons, the court shall promptly forward the court copy of the traffic  
8 information and summons or complaint and summons to the bureau.  
9 The bureau shall notify the motor vehicle commission of the state of  
10 the nonresident defendant of the defendant's failure to appear and also  
11 of any action taken by the bureau relative to the Indiana driving  
12 privileges of the defendant. If the defendant fails to appear or otherwise  
13 answer within thirty (30) days, the court shall mark the case as failure  
14 to appear on the court's records.

15 (c) If the bureau receives a copy of the traffic information and  
16 summons or complaint and summons for failure to appear in court  
17 **either on a form prescribed by the bureau or in an electronic**  
18 **format prescribed by the division of state court administration**, the  
19 bureau shall suspend the driving privileges of the defendant until the  
20 defendant appears in court and the case has been disposed of. The  
21 order of suspension may be served upon the defendant by mailing the  
22 order by first class mail to the defendant at the last address shown for  
23 the defendant in the records of the bureau. The order takes effect on the  
24 date the order is mailed.

25 (d) For nonresidents of Indiana, the order of suspension shall be  
26 mailed to the defendant at the address given to the arresting officer by  
27 the defendant as shown by the traffic information or complaint. The  
28 order takes effect on the date of mailing. A copy of the order shall also  
29 be sent to the motor vehicle bureau of the state of the nonresident  
30 defendant. If:

- 31 (1) the defendant's failure to appear in court has been certified to  
32 the bureau under this chapter; and
- 33 (2) the defendant subsequently appears in court to answer the  
34 charges against the defendant;

35 the court shall proceed to hear and determine the case in the same  
36 manner as other cases pending in the court. Upon final determination  
37 of the case, the court shall notify the bureau of the determination **either**  
38 **in an electronic format or** upon forms prescribed by the bureau. The  
39 notification shall be made by the court within ten (10) days after the  
40 final determination of the case, and **information from** the original  
41 copy of the traffic information and summons or complaint and  
42 summons must accompany the notification.

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1 SECTION 39. IC 9-30-3-11 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. (a) Before  
3 accepting a plea of guilty to a misdemeanor traffic offense, the court  
4 shall inform the defendant of the defendant's rights, including the right  
5 to:

- 6 (1) engage counsel;
- 7 (2) a reasonable continuance to engage counsel to subpoena  
8 witnesses;
- 9 (3) have process issued by the court, without expense to the  
10 defendant, to compel the attendance of witnesses in the  
11 defendant's behalf;
- 12 (4) testify or not to testify in the defendant's own behalf;
- 13 (5) a trial by jury; and
- 14 (6) appeal.

15 (b) The court shall inform each defendant charged with a traffic  
16 offense other than a nonmoving traffic offense, if the defendant is  
17 convicted or judgment is entered against the defendant, that a record of  
18 the conviction or judgment will be sent to the bureau or the motor  
19 vehicle bureau of the state where the defendant received a license to  
20 drive to become a part of the defendant's driving record.

21 (c) The court shall keep a full record of every case in which a person  
22 is charged with a traffic offense other than a nonmoving traffic offense.  
23 Within ten (10) days after the conviction, judgment, or forfeiture of  
24 security deposit of a person, the court shall forward a copy of the  
25 judgment **in an electronic format** or an abstract as prescribed by  
26 IC 9-25-6-8. The abstract comprises the original copy of the traffic  
27 information and summons or complaint and summons if the conviction,  
28 judgment, or forfeiture of security deposit has been entered on that  
29 copy. However, instead of the original copy, the court may, subject to  
30 the approval of the bureau, send the information **in an electronic  
31 format or** in the form of a chemical based, magnetic, or machine  
32 readable media. Records of nonmoving traffic offenses are not required  
33 to be forwarded to the bureau.

34 (d) One (1) year after the abstract has been forwarded, the court may  
35 destroy the remaining court copies of the information and summons or  
36 complaint and summons and related pleadings if an order book entry  
37 of the copy has been made and the original copy has been sent to the  
38 bureau of motor vehicles.

39 (e) Upon the failure of a court officer to comply with subsection (c),  
40 the officer is liable on the officer's official bond for a civil penalty of  
41 one hundred dollars (\$100) accruing to the state, which may be  
42 recovered, together with the costs of the suit, in a civil action brought

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1 by the attorney general in the name of the state on relation of the  
2 attorney general. Each failure by an officer constitutes a separate cause  
3 of action.

4 SECTION 40. [EFFECTIVE UPON PASSAGE] (a)  
5 Notwithstanding IC 9-24-9-2(d)(1), as added by this act, the bureau  
6 of motor vehicles shall carry out the duties imposed upon the  
7 bureau of motor vehicles under IC 9-24-9-2(d)(1), as added by this  
8 act, under interim written guidelines approved by the  
9 commissioner of the bureau of motor vehicles.

- (b) This SECTION expires on the earlier of the following:
  - (1) The date rules are adopted under IC 9-24-9-2(d)(1), as added by this act.
  - (2) December 31, 2008.

14 SECTION 41. [EFFECTIVE JULY 1, 2007] (a) The bureau of  
15 motor vehicles shall adopt a written exceptions process to create  
16 exceptions under which licenses, permits, and identification cards  
17 may be issued pursuant to federal law under IC 9-24-9-2,  
18 IC 9-24-11-5, IC 9-24-16-2, and IC 9-24-16-3, all as amended by  
19 this act, to:

- (1) individuals whose addresses have been suppressed under state or federal court orders;
- (2) individuals whose addresses are protected under section 384 of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101f); and
- (3) individuals who have no fixed addresses;

26 without requiring the individuals to provide all of the information  
27 that would otherwise be required under IC 9-24-9-2, IC 9-24-11-5,  
28 IC 9-24-16-2, and IC 9-24-16-3, all as amended by this act.

- (b) This SECTION expires on the earlier of the following:
  - (1) The date a written exceptions process is adopted under subsection (a).
  - (2) December 31, 2008.

33 SECTION 42. [EFFECTIVE UPON PASSAGE] (a) As used in this  
34 SECTION, "bureau" means the bureau of motor vehicles  
35 established by IC 9-14-1-1.

36 (b) Notwithstanding IC 9-24-12-1(c), as amended by this act, an  
37 operator's license issued:

- (1) after May 14, 2007, and before January 1, 2008, expires at midnight on the birthday of the holder that occurs five (5) years following the date of issuance;
- (2) after December 31, 2007, and before January 1, 2009, expires at midnight on the birthday of the holder that occurs

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1           four (4) years following the date of issuance; and  
2           (3) after December 31, 2008, expires at midnight on the  
3           birthday of the holder that occurs six (6) years following the  
4           date of issuance.  
5           (c) Notwithstanding IC 9-29-9-2, the fee for an operator's license  
6           issued under IC 9-24 is:  
7           (1) seven dollars and fifty cents (\$7.50) for an operator's  
8           license issued after May 14, 2007, and before January 1, 2008;  
9           (2) six dollars (\$6) for an operator's license issued after  
10          December 31, 2007, and before January 1, 2009; and  
11          (3) nine dollars (\$9) for an operator's license issued after  
12          December 31, 2008.  
13          (d) An additional fee, other than a fee set forth in subsection (c),  
14          that is assessed or collected by the bureau under IC 9-16 or  
15          IC 9-29-3-19 for the issuance of an operator's license after May 14,  
16          2007, and before January 1, 2009, shall be at the rate set forth in:  
17          (1) a statute; or  
18          (2) a rule adopted under IC 4-22-2;  
19          as of May 14, 2007.  
20          (e) This SECTION expires December 31, 2009.  
21          SECTION 43. An emergency is declared for this act.

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SENATE MOTION

Madam President: I move that Senator Paul be added as third author of Senate Bill 463.

HEINOLD

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 463, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-6-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. (a) The bureau, in the administration and collection of the annual license excise tax imposed by this chapter, may utilize the services and facilities of license branches operated under IC 9-16 in its administration of the motor vehicle registration laws of the state of Indiana. The license branches may be so utilized in accordance with such procedures, in such manner, and to such extent as the bureau shall deem necessary and proper to implement and effectuate the administration and collection of the excise tax imposed by this chapter. However, in the event the bureau shall utilize such license branches in the collection of excise tax, the following apply:

- (1) The excise taxes so collected by each license branch, less any refunds made by the license branch, shall be deposited daily by the license branch in a separate account in a depository duly designated by the state board of finance. The county treasurer of the county for which the collections are due may withdraw funds from the account at least two (2) times each week. The county treasurer is responsible for the safekeeping and investment of money withdrawn by the county treasurer under this subsection. Before the eleventh day of the month following the month in which the collections are made, the bureau of motor vehicles shall report the excise taxes collected and refunds made outside the county to the county treasurer of the county to which the collections are due and the refunds apply. The bureau shall forward a copy of this excise tax report to the county auditor of

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the county.

(2) A license branch shall each week forward a report to the county auditor of the county to whom the collections are due, showing the excise tax collected on each vehicle, each refund on a vehicle, and a copy of each registration certificate for all collections and refunds within the county.

(3) Each license branch shall also report to the bureau all excise taxes collected and refunds made under this chapter in the same manner and at the same time as registration fees are reported.

(4) Premiums for insurance to protect the funds collected by license branches against theft shall be paid by the bureau, except that the bureau may issue blanket coverage for all branches at its discretion. At the discretion of the bureau, the bureau may:

(A) self-insure to cover the activities of the license branches; or

(B) rather than purchase a bond or crime policy for each branch, purchase a single blanket bond or crime insurance policy endorsed to include faithful performance to cover all branches.

(5) If the services of a license branch are used by the bureau in the collection of the excise tax imposed by this chapter, the license branch shall collect the service charge prescribed under IC 9-29 for each vehicle registered upon which an excise tax is collected by that branch.

(6) If the excise tax imposed by this chapter is collected by the department of state revenue, the money collected shall be deposited in the state general fund to the credit of the appropriate county and reported to the bureau of motor vehicles on the first working day following the week of collection. Except as provided in subdivision (7), any amount collected by the department which represents interest or a penalty shall be retained by the department and used to pay its costs of enforcing this chapter.

(7) This subdivision applies only to interest or a penalty collected by the department of state revenue from a person who:

(A) fails to properly register a vehicle as required by IC 9-18 and pay the tax due under this chapter; and

(B) during any time after the date by which the vehicle was required to be registered under IC 9-18 displays on the vehicle a license plate issued by another state.

The total amount collected by the department that represents interest or a penalty, minus a reasonable amount determined by the department to represent its administrative expenses, shall be

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deposited in the state general fund for the credit of the county in which the person resides. The amount shall be reported to the bureau of motor vehicles on the first working day following the week of collection.

The bureau may contract with a bank card or credit card vendor for acceptance of bank or credit cards. ~~However, if there is a vendor transaction charge or discount fee, whether billed to the bureau or charged directly to the bureau's account, the bureau shall collect from the person using the card an official fee that may not exceed the highest transaction charge or discount fee charged to the bureau by bank or credit card vendors during the most recent collection period. This fee may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such a fee. The fee is a permitted additional charge under IC 24-4.5-3-202.~~

(b) On or before April 1 of each year the bureau shall provide to the auditor of state the amount of motor vehicle excise taxes collected for each county for the preceding year.

(c) On or before May 10 and November 10 of each year the auditor of state shall distribute to each county one-half (1/2) of:

- (1) the amount of delinquent taxes; and
- (2) any penalty or interest described in subsection (a)(7);

that have been credited to the county under subsection (a). There is appropriated from the state general fund the amount necessary to make the distributions required by this subsection. The county auditor shall apportion and distribute the delinquent tax distributions to the taxing units in the county at the same time and in the same manner as excise taxes are apportioned and distributed under section 10 of this chapter.

(d) The commissioner of insurance shall prescribe the form of the bonds or crime policies required by this section.

SECTION 2. IC 6-6-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) In respect to a vehicle that has been acquired, or brought into the state, or for any other reason becomes subject to registration after the regular annual registration date in the year on or before which the owner of the vehicle is required, under the motor vehicle registration laws of Indiana, to register vehicles, the tax imposed by this chapter shall become due and payable at the time the vehicle is acquired, brought into the state, or otherwise becomes subject to registration and the amount of tax to be paid by the owner for the remainder of the year shall be reduced by ten percent (10%) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the motor vehicle registration laws for annual registration by the owner. The tax shall be

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paid at the time of the registration of the vehicle.

(b) In the case of a vehicle that is acquired, or brought into the state, or for any other reason becomes subject to registration after January 1 of any year, then the owner may pay the applicable registration fee on the vehicle as provided in the motor vehicle registration laws and any excise tax due on the vehicle for the remainder of the annual registration year and simultaneously register the vehicle and pay the applicable registration fee and the excise tax due for the next succeeding annual registration year.

(c) Except as provided in subsection (f), no reduction in the applicable annual excise tax will be allowed to an Indiana resident applicant upon registration of any vehicle that was owned by the applicant on or prior to the registrant's annual registration period. A vehicle owned by an Indiana resident applicant that was located in and registered for use in another state during the same calendar year shall be entitled to the same reduction when registered in Indiana.

(d) The owner of a vehicle who sells the vehicle in a year in which the owner has paid the tax imposed by this chapter, shall receive a credit equal to the remainder of:

- (1) the tax paid for the vehicle; reduced by
- (2) ten percent (10%) for each full or partial calendar month that has elapsed in the registrant's annual registration year before the date of the sale.

The credit shall be applied to the tax due on any other vehicle purchased or subsequently registered by the owner in the same registrant's annual registration year. If the credit is not fully used and the amount of the credit remaining is at least four dollars (\$4), the owner is entitled to a refund in the amount of the unused credit. The owner must pay a fee of three dollars (\$3) to the bureau to cover costs of providing the refund, which may be deducted from the refund. The bureau shall issue the refund. The bureau shall transfer to the bureau of motor vehicles commission three dollars (\$3) of the fee to cover the commission's costs in processing the refund. To claim the credit and refund provided by this subsection, the owner of the vehicle must present to the bureau proof of sale of the vehicle.

(e) Subject to the requirements of subsection (g), the owner of a vehicle that is destroyed in a year in which the owner has paid the tax imposed by this chapter, which vehicle is not replaced by a replacement vehicle for which a credit is issued under this section, shall receive a refund in an amount equal to ten percent (10%) of the tax paid for each full calendar month remaining in the registrant's annual registration year after the date of destruction, but only upon

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presentation or return to the bureau of the following:

- (1) A request for refund on a form furnished by the bureau.
- (2) A statement of proof of destruction on an affidavit furnished by the bureau.
- (3) The license plate from the vehicle.
- (4) The registration from the vehicle.

However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed vehicle. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be paid out of the special account created for settlement of the excise tax collections under IC 6-6-5-10. For purposes of this subsection, a vehicle is considered destroyed if the cost of repair of damages suffered by the vehicle exceeds the vehicle's fair market value.

(f) If the name of the owner of a vehicle is legally changed and the change has caused a change in the owner's annual registration date, the excise tax liability of the owner shall be adjusted as follows:

- (1) If the name change requires the owner to register sooner than the owner would have been required to register if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:

(A) ten percent (10%) of the owner's last preceding annual excise tax liability; and

(B) the number of full calendar months between the owner's new regular annual registration month and the next succeeding regular annual registration month that is based on the owner's former name.

- (2) If the name change required the owner to register later than the owner would have been required to register if there had been no name change, the vehicle shall be subject to excise tax for the period between the month in which the owner would have been required to register if there had been no name change and the new regular annual registration month in the amount of the product of:

(A) ten percent (10%) of the owner's excise tax liability computed as of the time the owner would have been required to register if there had been no name change; and

(B) the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new regular annual registration month.

- (g) In order to claim a credit under subsection (e) for a vehicle that

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is destroyed, the owner of the vehicle must present to the bureau of motor vehicles a valid registration for the vehicle within ninety (90) days of the date that it was destroyed. The bureau shall then fix the amount of the credit that the owner is entitled to receive.

**(h) This section expires December 31, 2007.**

SECTION 3. IC 6-6-5-7.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 7.2. (a) This section applies after December 31, 2007.**

**(b) In respect to a vehicle that has been acquired, or brought into the state, or for any other reason becomes subject to registration after the regular annual registration date in the year on or before which the owner of the vehicle is required, under the motor vehicle registration laws of Indiana, to register vehicles, the tax imposed by this chapter shall become due and payable at the time the vehicle is acquired, brought into the state, or otherwise becomes subject to registration, and the amount of tax to be paid by the owner for the remainder of the year shall be reduced by eight and thirty-three hundredths percent (8.33%) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the motor vehicle registration laws for annual registration by the owner. The tax shall be paid at the time of the registration of the vehicle.**

**(c) In the case of a vehicle that is acquired, or brought into the state, or for any other reason becomes subject to registration after January 1 of any year, then the owner may pay the applicable registration fee on the vehicle as provided in the motor vehicle registration laws and any excise tax due on the vehicle for the remainder of the annual registration year and simultaneously register the vehicle and pay the applicable registration fee and the excise tax due for the next succeeding annual registration year.**

**(d) Except as provided in subsection (f), no reduction in the applicable annual excise tax will be allowed to an Indiana resident applicant upon registration of any vehicle that was owned by the applicant on or prior to the registrant's annual registration period. A vehicle owned by an Indiana resident applicant that was located in and registered for use in another state during the same calendar year shall be entitled to the same reduction when registered in Indiana.**

**(e) The owner of a vehicle who sells the vehicle in a year in which the owner has paid the tax imposed by this chapter shall receive a credit equal to the remainder of:**

**(1) the tax paid for the vehicle; reduced by**

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- (2) eight and thirty-three hundredths percent (8.33%) for each full or partial calendar month that has elapsed in the registrant's annual registration year before the date of the sale.

The credit shall be applied to the tax due on any other vehicle purchased or subsequently registered by the owner in the same registrant's annual registration year. If the credit is not fully used and the amount of the credit remaining is at least four dollars (\$4), the owner is entitled to a refund in the amount of the unused credit. The owner must pay a fee of three dollars (\$3) to the bureau to cover costs of providing the refund, which may be deducted from the refund. The bureau shall issue the refund. The bureau shall transfer to the bureau of motor vehicles commission three dollars (\$3) of the fee to cover the commission's costs in processing the refund. To claim the credit and refund provided by this subsection, the owner of the vehicle must present to the bureau proof of sale of the vehicle.

(f) Subject to the requirements of subsection (g), the owner of a vehicle that is destroyed in a year in which the owner has paid the tax imposed by this chapter, which vehicle is not replaced by a replacement vehicle for which a credit is issued under this section, shall receive a refund in an amount equal to eight and thirty-three hundredths percent (8.33%) of the tax paid for each full calendar month remaining in the registrant's annual registration year after the date of destruction, but only upon presentation or return to the bureau of the following:

- (1) A request for refund on a form furnished by the bureau.
- (2) A statement of proof of destruction on an affidavit furnished by the bureau.
- (3) The license plate from the vehicle.
- (4) The registration from the vehicle.

However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed vehicle. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be paid out of the special account created for settlement of the excise tax collections under IC 6-6-5-10. For purposes of this subsection, a vehicle is considered destroyed if the cost of repair of damages suffered by the vehicle exceeds the vehicle's fair market value.

(g) If the name of the owner of a vehicle is legally changed and the change has caused a change in the owner's annual registration date, the excise tax liability of the owner shall be adjusted as

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follows:

(1) If the name change requires the owner to register sooner than the owner would have been required to register if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:

(A) eight and thirty-three hundredths percent (8.33%) of the owner's last preceding annual excise tax liability; and

(B) the number of full calendar months between the owner's new regular annual registration month and the next succeeding regular annual registration month that is based on the owner's former name.

(2) If the name change required the owner to register later than the owner would have been required to register if there had been no name change, the vehicle shall be subject to excise tax for the period between the month in which the owner would have been required to register if there had been no name change and the new regular annual registration month in the amount of the product of:

(A) eight and thirty-three hundredths percent (8.33%) of the owner's excise tax liability computed as of the time the owner would have been required to register if there had been no name change; and

(B) the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new regular annual registration month.

(h) In order to claim a credit under subsection (e) for a vehicle that is destroyed, the owner of the vehicle must present to the bureau of motor vehicles a valid registration for the vehicle within ninety (90) days of the date that it was destroyed. The bureau shall then fix the amount of the credit that the owner is entitled to receive.

SECTION 4. IC 6-6-5-7.4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7.4. (a) The owner of a vehicle registered with the bureau is entitled to a refund of taxes paid under this chapter if, after the owner's regular registration date:

- (1) the owner registers the vehicle for use in another state; and
- (2) the owner pays tax for use of the vehicle to another state for the same time period which the tax was paid under this chapter.

(b) The refund provided under subsection (a) is equal to:

- (1) the annual license excise tax paid for use of the vehicle by the

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owner of the vehicle for the year; minus  
 (2) ten percent (10%) of the annual license excise tax paid for use of the vehicle for each full or partial calendar month between the date the annual license excise tax was due and the date the owner registered the vehicle for use in another state.

**This subsection expires December 31, 2007.**

**(c) This section applies after December 31, 2007. The refund provided under subsection (a) is equal to:**

- (1) the annual license excise tax paid for use of the vehicle by the owner of the vehicle for the year; minus**
- (2) eight and thirty-three hundredths percent (8.33%) of the annual license excise tax paid for use of the vehicle for each full or partial calendar month between the date the annual license excise tax was due and the date the owner registered the vehicle for use in another state.**

**(d) To claim the refund provided by this section, the owner of the vehicle must provide the bureau with:**

- (1) a request for a refund on a form furnished by the bureau; and**
- (2) proof that a tax described in subsection (a)(2) was paid."**

Page 6, line 33, after "applicant" insert ":",

Page 6, line 33, delete "is a:".

Page 6, delete lines 34 through 37, begin a new line block indented and insert:

- "(1) is a citizen or national of the United States;**
- (2) is an alien lawfully admitted for permanent or temporary residence in the United States;**
- (3) has conditional permanent resident status in the United States;**
- (4) has an approved application for asylum in the United States or has entered into the United States in refugee status;**
- (5) has a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;**
- (6) has a pending application for asylum in the United States;**
- (7) has a pending or approved application for temporary protected status in the United States;**
- (8) has approved deferred action status; or**
- (9) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States."**

Page 7, delete lines 25 through 37, begin a new paragraph and insert:

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**"(e) A probationary license issued under this section to an individual who complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9) expires:**

**(1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or**

**(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:**

**(A) At midnight of the date the authorization to remain in the United States expires."**

Page 9, delete lines 30 through 31.

Page 9, line 32, delete "(2)" and insert "(1)".

Page 9, line 34, delete "(3)" and insert "(2)".

Page 9, line 35, delete "(4)" and insert "(3)".

Page 9, line 37, delete "(5)" and insert "(4)".

Page 9, line 38, delete "(6)" and insert "(5)".

Page 11, delete lines 17 through 18, begin a new paragraph and insert:

**"(b) When the applicant complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9), an application for renewal of a driver's license in subsection (a)(1),"**

Page 11, delete lines 21 through 22, begin a new paragraph and insert:

**"(c) When the applicant complies with IC 9-24-16-3.5 (1)(E) though IC 9-24-16-3.5(1)(I), an application for renewal of an identification card in subsection"**

Page 12, delete lines 11 through 24, begin a new paragraph and insert:

**"(b) A driver's license listed in subsection (a) that is issued after December 31, 2007, to an applicant who complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9) expires:**

**(1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or**

**(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:**

**(A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires."**

Page 15, delete lines 2 through 3.

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Page 15, line 4, delete "(2)" and insert "(1)".

Page 15, line 6, delete "(3)" and insert "(2)".

Page 15, line 7, delete "(4)" and insert "(3)".

Page 15, line 9, delete "(5)" and insert "(4)".

Page 15, line 10, delete "(6)" and insert "(5)".

Page 15, line 25, after "applicant" insert ":".

Page 15, line 25, delete "is a:".

Page 15, delete lines 26 through 29, begin a new line double block indented and insert:

**"(A) is a citizen or national of the United States;**

**(B) is an alien lawfully admitted for permanent or temporary residence in the United States;**

**(C) has conditional permanent resident status in the United States;**

**(D) has an approved application for asylum in the United States or has entered into the United States in refugee status;**

**(E) has a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;**

**(F) has a pending application for asylum in the United States;**

**(G) has a pending or approved application for temporary protected status in the United States;**

**(H) has approved deferred action status; or**

**(I) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States; and".**

Page 16, delete lines 1 through 13, begin a new paragraph and insert:

**"(b) An identification card issued under this article after December 31, 2007, to an applicant who complies with section 3.5(1)(E) through 3.5(1)(I) of this chapter expires:**

**(1) at midnight one (1) year after issuance, if there is no expiration date on the authorization granted to the individual to remain in the United States; or**

**(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:**

**(A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires."**

Page 16, line 21, delete "3.5(1)(C)" and insert "3.5(1)(E) through 3.5(1)(I)".

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Page 16, delete lines 37 through 42, begin a new paragraph and insert:

**"(e) A renewed identification card issued under this article after December 31, 2007, to an applicant who complies with section 3.5(1)(E) through 3.5(1)(I) of this chapter expires:**

**(1) at midnight one (1) year after issuance, if there is no expiration date on the authorization granted to the individual to remain in the United States; or**

**(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:**

**(A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires."**

Page 17, delete lines 1 through 7.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 0463 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 8, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 463, 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 1, delete lines 1 through 17.

Delete page 2,

Page 3, delete lines 1 through 1 through 38.

Page 9, line 16, delete "section" and insert "**subsection**".

Page 9, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 4. IC 6-6-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. (a) The bureau, in the administration and collection of the annual license excise tax imposed by this chapter, may utilize the services and facilities of license branches operated under IC 9-16 in its administration of the motor vehicle registration laws of the state of Indiana. The license branches may be so utilized in accordance with such procedures, in such manner,

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and to such extent as the bureau shall deem necessary and proper to implement and effectuate the administration and collection of the excise tax imposed by this chapter. However, in the event the bureau shall utilize such license branches in the collection of excise tax, the following apply:

(1) The excise taxes so collected by each license branch, less any refunds made by the license branch, shall be deposited daily by the license branch in a separate account in a depository duly designated by the state board of finance. The county treasurer of the county for which the collections are due may withdraw funds from the account at least two (2) times each week. The county treasurer is responsible for the safekeeping and investment of money withdrawn by the county treasurer under this subsection. Before the eleventh day of the month following the month in which the collections are made, the bureau of motor vehicles shall report the excise taxes collected and refunds made outside the county to the county treasurer of the county to which the collections are due and the refunds apply. The bureau shall forward a copy of this excise tax report to the county auditor of the county.

(2) A license branch shall each week forward a report to the county auditor of the county to whom the collections are due, showing the excise tax collected on each vehicle, each refund on a vehicle, and a copy of each registration certificate for all collections and refunds within the county.

(3) Each license branch shall also report to the bureau all excise taxes collected and refunds made under this chapter in the same manner and at the same time as registration fees are reported.

(4) Premiums for insurance to protect the funds collected by license branches against theft shall be paid by the bureau, except that the bureau may issue blanket coverage for all branches at its discretion. At the discretion of the bureau, the bureau may:

(A) self-insure to cover the activities of the license branches;  
or

(B) rather than purchase a bond or crime policy for each branch, purchase a single blanket bond or crime insurance policy endorsed to include faithful performance to cover all branches.

(5) If the services of a license branch are used by the bureau in the collection of the excise tax imposed by this chapter, the license branch shall collect the service charge prescribed under IC 9-29 for each vehicle registered upon which an excise tax is collected

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by that branch.

(6) If the excise tax imposed by this chapter is collected by the department of state revenue, the money collected shall be deposited in the state general fund to the credit of the appropriate county and reported to the bureau of motor vehicles on the first working day following the week of collection. Except as provided in subdivision (7), any amount collected by the department which represents interest or a penalty shall be retained by the department and used to pay its costs of enforcing this chapter.

(7) This subdivision applies only to interest or a penalty collected by the department of state revenue from a person who:

(A) fails to properly register a vehicle as required by IC 9-18 and pay the tax due under this chapter; and

(B) during any time after the date by which the vehicle was required to be registered under IC 9-18 displays on the vehicle a license plate issued by another state.

The total amount collected by the department that represents interest or a penalty, minus a reasonable amount determined by the department to represent its administrative expenses, shall be deposited in the state general fund for the credit of the county in which the person resides. The amount shall be reported to the bureau of motor vehicles on the first working day following the week of collection.

The bureau may contract with a bank card or credit card vendor for acceptance of bank or credit cards. ~~However, if there is a vendor transaction charge or discount fee, whether billed to the bureau or charged directly to the bureau's account, the bureau shall collect from the person using the card an official fee that may not exceed the highest transaction charge or discount fee charged to the bureau by bank or credit card vendors during the most recent collection period. This fee may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such a fee. The fee is a permitted additional charge under IC 24-4.5-3-202.~~

(b) On or before April 1 of each year the bureau shall provide to the auditor of state the amount of motor vehicle excise taxes collected for each county for the preceding year.

(c) On or before May 10 and November 10 of each year the auditor of state shall distribute to each county one-half (1/2) of:

(1) the amount of delinquent taxes; and

(2) any penalty or interest described in subsection (a)(7);

that have been credited to the county under subsection (a). There is appropriated from the state general fund the amount necessary to make

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the distributions required by this subsection. The county auditor shall apportion and distribute the delinquent tax distributions to the taxing units in the county at the same time and in the same manner as excise taxes are apportioned and distributed under section 10 of this chapter.

(d) The commissioner of insurance shall prescribe the form of the bonds or crime policies required by this section."

Page 9, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 6. IC 9-13-2-49.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 49.5. "Electronic traffic ticket", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-2.5."**

Page 10, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 11. IC 9-14-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The bureau shall issue a placard to the following:

(1) An individual of any age who:

(A) has a temporary or permanent physical disability that requires the use of a wheelchair, a walker, braces, or crutches;

(B) has temporarily or permanently lost the use of one (1) or both legs;

(C) is certified to be severely restricted in mobility, either temporarily or permanently, due to a pulmonary or cardiovascular disability, arthritic condition, or orthopedic or neurological impairment, by:

(i) a physician having an unlimited license to practice medicine;

(ii) a physician who is a commissioned medical officer of the armed forces of the United States or of the United States Public Health Service;

(iii) a physician who is a medical officer of the United States Department of Veterans Affairs;

(iv) a chiropractor licensed under IC 25-10-1; **or**

(v) a podiatrist licensed under IC 25-29-1; **or**

**(vi) an advanced practice nurse licensed under IC 25-23;**  
**or**

(D) is certified by an optometrist or ophthalmologist licensed to practice in Indiana to be blind or visually impaired.

(2) Any corporation, limited liability company, partnership, unincorporated association, and any legal successor of the corporation, limited liability company, partnership, or association, empowered by the state or a political subdivision to operate

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programs, including the provision of transportation, or facilities for persons with physical disabilities."

Page 10, delete lines 36 through 42.

Delete page 11.

Page 12, delete lines 1 through 4.

Page 13, line 31, delete "After" and insert "**Except as provided in subsection (c), after**".

Page 14, delete lines 21 through 29, begin a new paragraph and insert:

**"(c) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address."**

Page 16, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 16. IC 9-24-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) An individual may not have more than one (1) valid driver's license at a time.

**(b) An individual may not hold a driver's license and an identification card issued under IC 9-24-16 at the same time."**

Page 16, line 12, delete "A" and insert "**Except as provided in subsection (i), a**".

Page 17, line 41, after "purpose." insert "'".

Page 18, between lines 17 and 18, begin a new paragraph and insert:

**"(i) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence."**

Page 19, line 33, delete "IC 9-24-16-3.5 (1)(E)" and insert "**IC 9-24-16-3.5(1)(E)**".

Page 19, line 34, delete "though" and insert "**through**".

Page 19, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 22. IC 9-24-12-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) As used in this section, "good cause" includes the following:

(1) Temporarily residing at least fifty (50) miles outside the boundaries of Indiana.

(2) Serving in the armed forces of the United States.

(b) The bureau may renew a valid Indiana operator's license held by

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an individual temporarily residing outside Indiana if the applicant does the following:

- (1) Shows good cause why the license cannot be renewed within Indiana.
- (2) Submits a completed application provided by the bureau and payment of the fee required in IC 9-29-9.
- (3) Submits a written affidavit that affirms that no source document upon which the operator's license was issued has changed or been altered since the prior issuance of the operator's license.**

(c) The Indiana operator's license of an individual who is temporarily residing outside Indiana remains valid for thirty (30) days beyond the expiration date of that license if the individual meets the following conditions:

- (1) Has applied for a renewal of the license.
- (2) Has not been denied a renewal of the license by the bureau.

(d) Upon receiving an application for the renewal of an Indiana operator's license from an individual temporarily residing outside Indiana, the bureau shall do the following:

- (1) Either renew or deny the renewal of the license within ten (10) days.
- (2) Notify the individual of the decision.

(e) When the Indiana operator's license of an individual who is temporarily residing outside Indiana because of service in the armed forces of the United States has expired, the license remains valid for ninety (90) days following the person's discharge from service in the armed forces. To obtain a renewed license, the individual must do the following:

- (1) Apply for a renewal of the operator's license during the ninety (90) day period following the individual's discharge.
- (2) Show proof of the individual's discharge from service in the armed forces when applying for the renewal."

Page 20, between lines 37 and 38, begin a new paragraph and insert: "SECTION 24. IC 9-24-13-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. If:

- (1) an individual holding a license or permit issued under this article changes the address shown on the license or permit application; or
- (2) the name of a licensee or permittee is changed by marriage or otherwise;

the licensee or permittee shall immediately notify the bureau in writing of the licensee's or permittee's old and new address or of the former

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name and new name and the number of the license or permit held by the licensee or permittee: **make application for a duplicate driver's license or permit under IC 9-24-9 containing the correct information within thirty (30) days of the change.**"

Page 21, line 14, delete "After" and insert **"Except as provided in subsection (e), after"**.

Page 21, between lines 38 and 39, begin a new paragraph and insert:

**"(e) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address."**

Page 22, line 2, after "(b)" delete "The" and insert **"Except as provided in subsection (g), the"**.

Page 23, between lines 27 and 28, begin a new paragraph and insert:

**"(g) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence."**

Page 25, between lines 35 and 36, begin a new paragraph and insert:

**"SECTION 32. IC 9-29-9-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2.5. The bureau may adopt rules under IC 4-22-2 to impose a service charge for the issuance of a duplicate operator's license or permit issued under IC 9-24-13-4.**

**SECTION 33. IC 9-30-3-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2.5. (a) As used in this chapter, "electronic traffic ticket" means:**

- (1) a traffic information and summons; or**
- (2) a complaint and summons;**

**for traffic cases that is in an electronic format prescribed by the division of state court administration.**

**(b) An electronic traffic ticket may be referred to as an "e-citation".**

**SECTION 34. IC 9-30-3-5.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5.3. In prescribing the contents of an electronic traffic ticket, the division of state court administration shall**

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require the inclusion in an electronic traffic ticket of the contents required in an information and summons under section 6 of this chapter. The division of state court administration may modify the prescribed contents of an electronic traffic ticket as necessary for the ticket to be in an electronic format.

SECTION 35. IC 9-30-3-5.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5.7. (a) When a law enforcement officer issues an electronic traffic ticket, the law enforcement officer:

- (1) may print the electronic traffic ticket at the site of the traffic violation; and
- (2) shall inform the individual to whom the electronic traffic ticket has been issued and note on the electronic traffic ticket whether the individual must appear in court on a specific date at a specific time.

(b) An electronic traffic ticket issued under this chapter that bears a printed or digital signature of:

- (1) the law enforcement officer who issued the electronic traffic ticket; and
- (2) the prosecuting attorney, or a representative of the office of the prosecuting attorney, of the county in which the electronic traffic ticket was issued;

is admissible in a court proceeding as if the signatures referred to in subdivisions (1) and (2) were original signatures.

(c) A law enforcement officer who issues an electronic traffic ticket may transmit the electronic traffic ticket to the court electronically if the court and the electronic traffic ticket are in compliance with the administrative rules adopted by the supreme court.

(d) A law enforcement officer who issues an electronic traffic ticket shall indicate on the electronic traffic ticket whether the law enforcement officer served the person receiving the electronic traffic ticket.

(e) The electronic transmission of an electronic traffic ticket shall be considered by the court as an original certified copy of the traffic information and summons or complaint and summons. An electronic traffic ticket may be used:

- (1) to notify the bureau of an Indiana resident who fails to:
  - (A) appear; or
  - (B) answer a traffic information and summons or complaint and summons;
- (2) to notify the bureau of a defendant who is not an Indiana

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resident and who fails to:

- (A) appear; or
- (B) answer a traffic information and summons;
- (3) to notify the bureau upon a final determination of a defendant's failure to appear; or
- (4) as a record of a traffic case that an individual has been charged with a traffic offense when:
  - (A) the individual has been convicted;
  - (B) a judgment has been entered; or
  - (C) a finding has been made by a court.

SECTION 36. IC 9-30-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) **This section does not apply to electronic traffic tickets.**

(b) In traffic cases, the information and summons shall be in substantially the following form:

In the \_\_\_\_\_ Court of \_\_\_\_\_ County  
 Cause No. \_\_\_\_\_ Docket No. \_\_\_\_\_  
 Page No. \_\_\_\_\_  
 State of Indiana

SS: \_\_\_\_\_ No. \_\_\_\_\_  
 County of \_\_\_\_\_

INFORMATION AND SUMMONS

The undersigned having probable cause to believe and being duly sworn upon his oath says that:

On the \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_ at \_\_\_\_ M  
 Name \_\_\_\_\_  
           Last                  First                  Middle  
 Street \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Race \_\_\_\_ Sex \_\_\_\_ Age \_\_\_\_ D.O.B. \_\_\_\_\_ HT \_\_\_\_ WT \_\_\_\_  
 Oper. Lic. # \_\_\_\_\_ St. \_\_\_\_\_ Did Unlawfully  
 Operate Veh. Color \_\_\_\_\_ Veh. Yr. \_\_\_\_ Veh. Make \_\_\_\_\_  
 Veh. Lic. Yr. \_\_\_\_ Veh. Lic. St. \_\_\_\_ Veh. Lic. # \_\_\_\_\_  
 Upon, (Location) \_\_\_\_\_

A PUBLIC STREET OR HIGHWAY IN \_\_\_\_\_ COUNTY, INDIANA, AND COMMIT, THE OFFENSE OF:

\_\_\_\_\_

CONTRARY TO THE FORM OF THE ( ) STATE STATUTE  
 ( ) LOCAL ORDINANCE IN SUCH CASE MADE AND PROVIDED.  
 OFFICER'S SIGNATURE \_\_\_\_\_

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I.D. No. \_\_\_\_\_ Div. Dist. \_\_\_\_\_

POLICE AGENCY \_\_\_\_\_

Subscribed And Sworn to Before Me

(Deputy Clerk) \_\_\_\_\_

This \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_

COURT APPEARANCE

I PROMISE TO APPEAR IN COURTROOM

ADDRESS: \_\_\_\_\_

ON \_\_\_\_\_ THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_ AT

\_\_\_\_ M. OR BE SUBJECT TO ARREST.

SIGNATURE \_\_\_\_\_

"YOUR SIGNATURE IS NOT AN ADMISSION OF GUILT"

The information and summons shall consist of four (4) parts:

- (1) the original copy, printed on white paper, which shall be the abstract of court record for the Indiana bureau of motor vehicles;
- (2) the court copy, printed on white paper;
- (3) the police record, which shall be a copy of the information, printed on pink paper; and
- (4) the summons copy, printed on white stock.

The reverse sides of the information and abstract of court record shall be substantially as follows, with such additions or deletions as are necessary to adapt the form to the court involved:

RECEIPT # \_\_\_\_\_

DATE \_\_\_\_\_

COURT ACTION AND OTHER ORDERS

BAIL \$ \_\_\_\_\_

REARREST BOND \$ \_\_\_\_\_ DATE \_\_\_\_\_

1. CONTINUANCE TO \_\_\_\_ 4. CONTINUANCE TO \_\_\_\_

2. CONTINUANCE TO \_\_\_\_ 5. CONTINUANCE TO \_\_\_\_

3. CONTINUANCE TO \_\_\_\_ 6. CONTINUANCE TO \_\_\_\_

|    | Motions | Date | Ruling | Date |
|----|---------|------|--------|------|
| 1. | ___     | ___  | ___    | ___  |
| 2. | ___     | ___  | ___    | ___  |
| 3. | ___     | ___  | ___    | ___  |
| 4. | ___     | ___  | ___    | ___  |

PLEA      ( ) GUILTY  
            ( ) NOT GUILTY

FINDING   ( ) GUILTY  
            ( ) NOT GUILTY

THE COURT THEREFORE, ENTERS  
THE FOLLOWING ORDER



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FINE \$ \_\_\_\_\_ AMOUNT SUSP. \$ \_\_\_\_\_  
(STATE) \$ \_\_\_\_\_  
COSTS \_\_\_\_\_  
(CITY) \$ \_\_\_\_\_  
\_\_\_\_\_ DAYS IN \_\_\_\_\_ DAYS SUSP.

( ) RECOMMENDED LICENSE SUSPENDED FOR \_\_\_\_\_  
( ) PROBATIONARY LICENSE AUTHORIZED FOR ONE YEAR  
PROBATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

JUDGE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
ATTORNEY FOR DEFENDANT \_\_\_\_\_  
ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_

WITNESSES

\_\_\_\_\_  
\_\_\_\_\_

The notice, the appearance, the plea of either guilty or not guilty, and the waiver shall be printed on the summons. The trimmed size of the paper and stock on which the form is printed shall be nominally four and one quarter (4 1/4) inches by eight and one quarter (8 1/4) inches.

(b) (c) In civil traffic cases, the complaint and summons shall be in substantially the following form:

In the \_\_\_\_\_ Court of \_\_\_\_\_ County  
Cause No. \_\_\_\_\_ Docket No. \_\_\_\_\_  
Page No. \_\_\_\_\_  
State of Indiana

SS: No. \_\_\_\_\_

County of \_\_\_\_\_

COMPLAINT AND SUMMONS

The undersigned having probable cause to believe and being duly sworn upon his oath says that:

On the \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_ at \_\_\_\_ M

Name \_\_\_\_\_

Last First Middle

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Race \_\_\_ Sex \_\_\_ Age \_\_\_ D.O.B. \_\_\_\_\_ HT \_\_\_ WT \_\_\_



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Oper. Lic. # \_\_\_\_\_ St. \_\_\_\_\_ Did Unlawfully  
Operate Veh. Color \_\_\_\_\_ Veh. Yr. \_\_\_\_ Veh. Make \_\_\_\_\_  
Veh. Lic. Yr. \_\_\_\_ Veh. Lic. St. \_\_\_\_ Veh. Lic. # \_\_\_\_\_  
Upon, (Location) \_\_\_\_\_

\_\_\_\_\_

A PUBLIC STREET OR HIGHWAY IN \_\_\_\_\_  
COUNTY, INDIANA, AND COMMIT, THE OFFENSE OF:

\_\_\_\_\_  
\_\_\_\_\_

CONTRARY TO THE FORM OF THE ( ) STATE STATUTE  
( ) LOCAL ORDINANCE IN SUCH CASE MADE AND PROVIDED.

OFFICER'S SIGNATURE \_\_\_\_\_  
I.D. No. \_\_\_\_\_ Div. Dist. \_\_\_\_\_  
POLICE AGENCY \_\_\_\_\_

Subscribed And Sworn to Before Me  
(Deputy Clerk) \_\_\_\_\_

This \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_  
COURT APPEARANCE

I PROMISE TO APPEAR IN \_\_\_\_\_  
COURTROOM \_\_\_\_\_

ADDRESS: \_\_\_\_\_

ON \_\_\_\_\_ THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

AT \_\_ M. OR BE SUBJECT TO ARREST.

SIGNATURE \_\_\_\_\_

"YOUR SIGNATURE IS NOT AN ADMISSION OF A VIOLATION"

- The complaint and summons shall consist of four (4) parts:
- (1) the original copy, printed on white paper, which shall be the abstract of court record for the Indiana bureau of motor vehicles;
  - (2) the court copy, printed on white paper;
  - (3) the police record, which shall be a copy of the complaint, printed on pink paper; and
  - (4) the summons copy, printed on white stock.

The reverse sides of the complaint and abstract of court record shall be substantially as follows, with such additions or deletions as are necessary to adapt the form to the court involved:

RECEIPT # \_\_\_\_\_

DATE \_\_\_\_\_

COURT ACTION AND OTHER ORDERS

BAIL \$ \_\_\_\_\_

REARREST BOND \$ \_\_\_\_\_ DATE \_\_\_\_\_

1. CONTINUANCE TO \_\_\_\_\_ 4. CONTINUANCE TO \_\_\_\_\_



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|                         |                         |
|-------------------------|-------------------------|
| 2. CONTINUANCE TO _____ | 5. CONTINUANCE TO _____ |
| 3. CONTINUANCE TO _____ | 6. CONTINUANCE TO _____ |
| Motions Date            | Ruling Date             |

|          |       |       |       |
|----------|-------|-------|-------|
| 1. _____ | _____ | _____ | _____ |
| 2. _____ | _____ | _____ | _____ |
| 3. _____ | _____ | _____ | _____ |
| 4. _____ | _____ | _____ | _____ |

PLEA             ADMIT  
 DENY  
 NOLO CONTENDERE

FINDING     JUDGMENT FOR PLAINTIFF  
 JUDGMENT FOR DEFENDANT

THE COURT THEREFORE, ENTERS  
THE FOLLOWING ORDER

FINE \$ \_\_\_\_\_ AMOUNT SUSP. \$ \_\_\_\_\_  
(STATE) \$ \_\_\_\_\_

COSTS  
(CITY) \$ \_\_\_\_\_

RECOMMENDED LICENSE SUSPENDED FOR \_\_\_\_\_  
 PROBATIONARY LICENSE AUTHORIZED FOR ONE YEAR  
PROBATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

JUDGE: \_\_\_\_\_

DATE: \_\_\_\_\_

ATTORNEY FOR DEFENDANT \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_

WITNESSES

\_\_\_\_\_  
\_\_\_\_\_

The notice, appearance, plea of either admission, denial, or nolo contendere shall be printed on the summons. The trimmed size of the paper and stock on which the form is printed shall be nominally four and one quarter (4 1/4) inches by eight and one quarter (8 1/4) inches.

~~(c)~~ (d) The complaint form shall be used in traffic cases, whether the charge is made by a law enforcement officer or by any other person.

~~(d)~~ (e) Each judicial officer or police authority issuing traffic complaints and summons:

(1) is responsible for the disposition of all the traffic complaints



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and summons issued under the authority of the officer or authority; and

(2) shall prepare and submit the records and reports relating to the traffic complaints in the manner and at the time prescribed by both the state examiner of the state board of accounts and the bureau.

SECTION 37. IC 9-30-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. (a) The court may issue a warrant for the arrest of a defendant who is an Indiana resident and who fails to appear or answer a traffic information and summons or a complaint and summons served upon the defendant. If the warrant is not executed within thirty (30) days after issue, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau indicating that the defendant failed to appear in court as ordered. The court shall then mark the case as failure to appear on the court's records.

(b) If a defendant who is not an Indiana resident fails to appear or answer a traffic summons served upon the defendant and upon which the information or complaint has been filed thirty (30) days after the return date of the information and summons or complaint and summons, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau. The bureau shall notify the motor vehicle commission of the state of the nonresident defendant of the defendant's failure to appear and also of any action taken by the bureau relative to the Indiana driving privileges of the defendant. If the defendant fails to appear or otherwise answer within thirty (30) days, the court shall mark the case as failure to appear on the court's records.

(c) If the bureau receives a copy of the traffic information and summons or complaint and summons for failure to appear in court **either on a form prescribed by the bureau or in an electronic format prescribed by the division of state court administration**, the bureau shall suspend the driving privileges of the defendant until the defendant appears in court and the case has been disposed of. The order of suspension may be served upon the defendant by mailing the order by first class mail to the defendant at the last address shown for the defendant in the records of the bureau. The order takes effect on the date the order is mailed.

(d) For nonresidents of Indiana, the order of suspension shall be mailed to the defendant at the address given to the arresting officer by the defendant as shown by the traffic information or complaint. The order takes effect on the date of mailing. A copy of the order shall also

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be sent to the motor vehicle bureau of the state of the nonresident defendant. If:

- (1) the defendant's failure to appear in court has been certified to the bureau under this chapter; and
- (2) the defendant subsequently appears in court to answer the charges against the defendant;

the court shall proceed to hear and determine the case in the same manner as other cases pending in the court. Upon final determination of the case, the court shall notify the bureau of the determination **either in an electronic format or** upon forms prescribed by the bureau. The notification shall be made by the court within ten (10) days after the final determination of the case, and **information from** the original copy of the traffic information and summons or complaint and summons must accompany the notification.

SECTION 38. IC 9-30-3-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. (a) Before accepting a plea of guilty to a misdemeanor traffic offense, the court shall inform the defendant of the defendant's rights, including the right to:

- (1) engage counsel;
- (2) a reasonable continuance to engage counsel to subpoena witnesses;
- (3) have process issued by the court, without expense to the defendant, to compel the attendance of witnesses in the defendant's behalf;
- (4) testify or not to testify in the defendant's own behalf;
- (5) a trial by jury; and
- (6) appeal.

(b) The court shall inform each defendant charged with a traffic offense other than a nonmoving traffic offense, if the defendant is convicted or judgment is entered against the defendant, that a record of the conviction or judgment will be sent to the bureau or the motor vehicle bureau of the state where the defendant received a license to drive to become a part of the defendant's driving record.

(c) The court shall keep a full record of every case in which a person is charged with a traffic offense other than a nonmoving traffic offense. Within ten (10) days after the conviction, judgment, or forfeiture of security deposit of a person, the court shall forward a copy of the judgment **in an electronic format** or an abstract as prescribed by IC 9-25-6-8. The abstract comprises the original copy of the traffic information and summons or complaint and summons if the conviction, judgment, or forfeiture of security deposit has been entered on that

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copy. However, instead of the original copy, the court may, subject to the approval of the bureau, send the information **in an electronic format or** in the form of a chemical based, magnetic, or machine readable media. Records of nonmoving traffic offenses are not required to be forwarded to the bureau.

(d) One (1) year after the abstract has been forwarded, the court may destroy the remaining court copies of the information and summons or complaint and summons and related pleadings if an order book entry of the copy has been made and the original copy has been sent to the bureau of motor vehicles.

(e) Upon the failure of a court officer to comply with subsection (c), the officer is liable on the officer's official bond for a civil penalty of one hundred dollars (\$100) accruing to the state, which may be recovered, together with the costs of the suit, in a civil action brought by the attorney general in the name of the state on relation of the attorney general. Each failure by an officer constitutes a separate cause of action."

Page 26, between lines 3 and 4, begin a new paragraph and insert:

**"SECTION 40. [EFFECTIVE JULY 1, 2007] (a) The bureau of motor vehicles shall adopt a written exceptions process to create exceptions under which licenses, permits, and identification cards may be issued pursuant to federal law under IC 9-24-9-2, IC 9-24-11-5, IC 9-24-16-2, and IC 9-24-16-3, all as amended by this act, to:**

- (1) individuals whose addresses have been suppressed under state or federal court orders;**
- (2) individuals whose addresses are protected under section 384 of the federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1101f); and**
- (3) individuals who have no fixed addresses;**

**without requiring the individuals to provide all of the information that would otherwise be required under IC 9-24-9-2, IC 9-24-11-5, IC 9-24-16-2, and IC 9-24-16-3, all as amended by this act.**

**(b) This SECTION expires on the earlier of the following:**

- (1) The date a written exceptions process is adopted under subsection (a).**
- (2) December 31, 2008.**

**SECTION 41. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "bureau" means the bureau of motor vehicles established by IC 9-14-1-1.**

**(b) Notwithstanding IC 9-24-12-1(c), as amended by this act, an operator's license issued:**

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- (1) after May 14, 2007, and before January 1, 2008, expires at midnight on the birthday of the holder that occurs five (5) years following the date of issuance;
- (2) after December 31, 2007, and before January 1, 2009, expires at midnight on the birthday of the holder that occurs four (4) years following the date of issuance; and
- (3) after December 31, 2008, expires at midnight on the birthday of the holder that occurs six (6) years following the date of issuance.

(c) Notwithstanding IC 9-29-9-2, the fee for an operator's license issued under IC 9-24 is:

- (1) seven dollars and fifty cents (\$7.50) for an operator's license issued after May 14, 2007, and before January 1, 2008;
- (2) six dollars (\$6) for an operator's license issued after December 31, 2007, and before January 1, 2009; and
- (3) nine dollars (\$9) for an operator's license issued after December 31, 2008.

(d) An additional fee, other than a fee set forth in subsection (c), that is assessed or collected by the bureau under IC 9-16 or IC 9-29-3-19 for the issuance of an operator's license after May 14, 2007, and before January 1, 2009, shall be at the rate set forth in:

- (1) a statute; or
- (2) a rule adopted under IC 4-22-2;

as of May 14, 2007.

(e) This SECTION expires December 31, 2009."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 463 as printed February 16, 2007.)

AUSTIN, Chair

Committee Vote: yeas 9, nays 0.

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