
HOUSE BILL No. 1620

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-6; IC 8-14-2; IC 9-13-2.

Synopsis: Trucks, safety belts, and road and street account. Provides that money in the local road and street account must be distributed among counties according to the ratio of each county's passenger car and pickup truck registrations to the total passenger car and pickup truck registrations in Indiana. (Under current law, pickup truck registrations are disregarded in the distribution formula.) Phases in the change in distribution. Requires a front seat passenger of a pickup truck to wear a safety belt. Defines a pickup truck as a motor vehicle of not more than 11,000 pounds that is registered as a truck. Makes conforming amendments.

Effective: July 1, 2007.

Oxley, Stilwell, Saunders

January 23, 2007, read first time and referred to Committee on Ways and Means.

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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.

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HOUSE BILL No. 1620



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 6-6-5-6.7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6.7. (a) As used in this
3 section, "passenger motor vehicle" and "truck" have the meanings set
4 forth for those terms in ~~IC 9-13-2-123(a)~~ IC 9-13-2-123 and
5 IC 9-13-2-188(a).

6 (b) Every owner of a passenger motor vehicle or passenger motor
7 vehicles or of a truck or trucks who during a registration year regularly
8 rents those vehicles or trucks for periods of under thirty (30) days to
9 others in the regular course of the owner's business is entitled to a
10 credit against the motor vehicle excise tax liability owed for those
11 passenger motor vehicles or trucks for that registration year. The
12 maximum credit an owner is entitled to claim against the tax owed for
13 all those passenger motor vehicles and trucks for a registration year
14 under this section equals the lesser of:

15 (1) the total motor vehicle excise taxes due for those passenger
16 motor vehicles and trucks for that registration year, before the
17 application of the credit allowed by this section; or



1 (2) the total auto rental excise taxes collected by the owner during
 2 the immediately preceding registration year.

3 (c) A passenger motor vehicle or truck is regularly rented by a
 4 person in the regular course of the person's business during a
 5 registration year if the passenger motor vehicle or truck is rented by the
 6 person to another person an average of ten (10) days each month of the
 7 registration year that the person owned the passenger motor vehicle or
 8 truck.

9 SECTION 2. IC 6-6-9-3 IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2007]: Sec. 3. As used in this chapter,
 11 "passenger motor vehicle" has the meaning set forth in
 12 ~~IC 9-13-2-123(a)~~. **IC 9-13-2-123.**

13 SECTION 3. IC 6-6-9.7-3 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. As used in this
 15 chapter, "passenger motor vehicle" has the meaning set forth in
 16 ~~IC 9-13-2-123(a)~~. **IC 9-13-2-123.**

17 SECTION 4. IC 8-14-2-1 IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2007]: Sec. 1. As used in this chapter:

19 (1) Primary highway system special account means the account of
 20 the state known as the "primary highway system special account"
 21 to which is credited monthly fifty-five percent (55%) of the
 22 money deposited in the highway, road and street fund.

23 (2) Local road and street account means the account of the state
 24 known as the "local road and street account" to which is credited
 25 monthly forty-five percent (45%) of the money deposited in the
 26 highway, road and street fund.

27 (3) The term "department" refers to the Indiana department of
 28 transportation created under IC 8-23-2.

29 (4) The term "primary highways" shall mean that portion of the
 30 federal-aid highway system designated by the department and
 31 approved by the United States Department of Transportation as
 32 being the state "primary highway system".

33 (5) The term "construction" shall mean both construction and
 34 reconstruction to a degree that new, supplementary, or
 35 substantially improved traffic service is provided, and significant
 36 geometric or structural improvements are effected.

37 (6) "Arterial road system" shall mean the system of roads
 38 including bridges in each county of Indiana, under the jurisdiction
 39 of the board of county commissioners, or successor body,
 40 including a department of transportation of a consolidated city,
 41 designated as such by the board under IC 8-23-4-3, but not
 42 including local county roads.

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1 (7) "Local county roads" shall mean all county roads and bridges
 2 which are not designated as being in the arterial road system.
 3 (8) "Arterial street system" means the system of streets, including
 4 bridges in each city or town in Indiana, under the jurisdiction of
 5 municipal street authorities or successor bodies, including a
 6 department of transportation of a consolidated city, designated as
 7 such by the board under IC 8-23-4-4, but not including local
 8 streets.
 9 (9) "Local streets" shall mean all city and town streets and bridges
 10 which are not designated as being in the arterial street system in
 11 each city or town.
 12 (10) "Resurfacing" means the placement of additional pavement
 13 layers (including protective systems for bridge decks) over the
 14 existing (or restored or rehabilitated) roadway or bridge deck
 15 surface to provide additional strength or to improve serviceability
 16 for a substantial time period.
 17 (11) "Restoration and rehabilitation" means work required to
 18 return the existing structure (roadway pavement or bridge deck)
 19 to a suitable condition for an additional stage of construction
 20 (bridge deck protective system or resurfacing) or to a suitable
 21 condition to perform satisfactorily for a substantial time period.
 22 **(12) "Pickup truck" means a motor vehicle with a declared**
 23 **gross weight of not more than eleven thousand (11,000)**
 24 **pounds that is registered as a truck under IC 9-18-2.**
 25 SECTION 5. IC 8-14-2-4 IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The auditor of state shall
 27 establish a special account to be called the "local road and street
 28 account" and credit this account monthly with forty-five percent (45%)
 29 of the money deposited in the highway, road and street fund.
 30 (b) The auditor **of state** shall distribute to units of local government
 31 money from this account each month.
 32 (c) The auditor of state shall allocate to each county the money in
 33 this account on the basis of the ratio of each county's passenger car **and**
 34 **pickup truck** registrations to the total passenger car **and pickup truck**
 35 registrations of the state. The auditor **of state** shall further determine
 36 the suballocation between the county and the cities within the county
 37 as follows:
 38 (1) In counties having a population of more than fifty thousand
 39 (50,000), sixty percent (60%) of the money shall be distributed on
 40 the basis of the population of the city or town as a percentage of
 41 the total population of the county and forty percent (40%)
 42 distributed on the basis of the ratio of city and town street mileage

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to county road mileage.
(2) In counties having a population of fifty thousand (50,000) or less, twenty percent (20%) of the money shall be distributed on the basis of the population of the city or town as a percentage of the total population of the county and eighty percent (80%) distributed on the basis of the ratio of city and town street mileage to county road mileage.

(3) For the purposes of allocating funds as provided in this section, towns which become incorporated as a town between the effective dates of decennial censuses shall be eligible for allocations upon the effectiveness of a corrected population count for the town under IC 1-1-3.5.

(4) Money allocated under the provisions of this section to counties containing a consolidated city shall be credited or allocated to the department of transportation of the consolidated city.

(d) Each month the auditor of state shall inform the department of the amounts allocated to each unit of local government from the local road and street account.

SECTION 6. IC 9-13-2-123, AS AMENDED BY P.L.219-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 123. (a) **This subsection applies before January 1, 2008.** "Passenger motor vehicle" means, except as provided in subsection (b); for purposes of IC 9-19-10, a motor vehicle designed for carrying passengers. The term includes a low speed vehicle but does not include a motorcycle, a bus, a school bus, or an off-road vehicle.

~~(b)~~ For purposes of IC 9-19-10, the term includes buses, school buses, and private buses, and excludes trucks, tractors, and recreational vehicles.

(b) This subsection applies after December 31, 2007. "Passenger motor vehicle" means a motor vehicle designed for carrying passengers. The term includes a low speed vehicle but excludes a motorcycle, bus, or school bus. In addition, for purposes of IC 9-19-10, the term:

- (1) includes a:**
 - (A) pickup truck;**
 - (B) bus;**
 - (C) school bus; and**
 - (D) private bus; and**
- (2) excludes a:**
 - (A) truck;**

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- (B) tractor; and**
- (C) recreational vehicle.**

SECTION 7. IC 9-13-2-125.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 125.5. "Pickup truck", for purposes of section 123 of this chapter, means a motor vehicle with a declared gross weight of not more than eleven thousand (11,000) pounds that is registered as a truck under IC 9-18-2.**

SECTION 8. [EFFECTIVE JULY 1, 2007] **(a) For purposes of allocating money under IC 8-14-2-4, as amended by this act, the auditor of state shall use the number of pickup truck registrations in calculating a county's share as follows:**

- (1) For the period beginning July 1, 2007, and ending June 30, 2008, twenty-five percent (25%) of the total pickup truck registrations in Indiana and for a county must be used.**
- (2) For the period beginning July 1, 2008, and ending June 30, 2009, fifty percent (50%) of the total pickup truck registrations in Indiana and for a county must be used.**
- (3) For the period beginning July 1, 2009, and ending June 30, 2010, seventy-five percent (75%) of the total pickup truck registrations in Indiana and for a county must be used.**
- (4) After June 30, 2010, one hundred percent (100%) of the total pickup truck registrations in the state and for a county must be used.**
- (b) The bureau of motor vehicles shall determine the number of pickup truck registrations for purposes of this SECTION.**
- (c) This SECTION expires December 31, 2010.**

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