

**CONFERENCE COMMITTEE REPORT  
DIGEST FOR EHB 1021**

**Citations Affected:** IC 9-13-2-24; IC 9-19-13-4.5; IC 9-21-8-52; IC 20-27-9-16.

**Synopsis:** School and church bus matters. Conference committee report for EHB 1021. Provides that a school bus that is used as a church bus may be equipped with red lamps or flashing lights, or both, and a stop arm, but prohibits the operator from using the red lamps, flashing lights, and stop arm. Increases the penalty for recklessly passing a stopped school bus displaying an extended arm signal device from a Class B to a Class A misdemeanor if the offense causes bodily injury to a person. Requires a court to recommend the driving license suspension of a person who recklessly commits certain offenses resulting in bodily injury. (The introduced version of this bill was prepared by the sentencing policy study committee.) **(This conference committee report: Permits a person who acquires a vehicle for use as a church bus to retain red lamps, flasher lights, or the stop arm if the person renders the equipment inoperable.)**

**Effective:** July 1, 2009.

## CONFERENCE COMMITTEE REPORT

**MR. SPEAKER:**

*Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1021 respectfully reports that said two committees have conferred and agreed as follows to wit:*

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

- 1 Delete the title and insert the following:  
 2 A BILL FOR AN ACT to amend the Indiana Code concerning  
 3 motor vehicles.  
 4 Delete everything after the enacting clause and insert the following:  
 5 SECTION 1. IC 9-13-2-24 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 24. "Church bus" ~~for~~  
 7 ~~purposes of IC 9-29-5-9~~; has the meaning set forth in IC 9-29-5-9(a).  
 8 SECTION 2. IC 9-19-13-4.5 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4.5. (a) Except for a  
 10 vehicle utilized in a funeral procession, a vehicle that is not described  
 11 by section 4 of this chapter may not display a red lamp.  
 12 (b) **Except as provided in subsection (c)**, a person who:  
 13 (1) purchases or otherwise acquires a vehicle with equipment  
 14 described by section 4 of this chapter; and  
 15 (2) is not authorized to display a red lamp upon the vehicle;  
 16 shall immediately remove the red lamp from the vehicle.  
 17 (c) **A person who:**  
 18 (1) **purchases or otherwise acquires a vehicle with equipment**  
 19 **described by section 4 of this chapter; and**  
 20 (2) **uses the vehicle as a church bus;**  
 21 **is not required to remove the red lamp from the vehicle if the**

1 **person renders the red lamp inoperable.**

2 SECTION 4. IC 9-21-8-52, AS AMENDED BY P.L.1-2005,  
3 SECTION 103, IS AMENDED TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2009]: Sec. 52. (a) A person who operates a  
5 vehicle and who recklessly:

6 (1) drives at such an unreasonably high rate of speed or at such an  
7 unreasonably low rate of speed under the circumstances as to:

8 (A) endanger the safety or the property of others; or

9 (B) block the proper flow of traffic;

10 (2) passes another vehicle from the rear while on a slope or on a  
11 curve where vision is obstructed for a distance of less than five  
12 hundred (500) feet ahead;

13 (3) drives in and out of a line of traffic, except as otherwise  
14 permitted; **or**

15 (4) speeds up or refuses to give one-half (1/2) of the roadway to  
16 a driver overtaking and desiring to pass; ~~or~~

17 (5) passes a school bus stopped on a roadway when the arm signal  
18 device specified in ~~IC 9-21-12-13~~ is in the device's extended  
19 position;

20 commits a Class B misdemeanor.

21 **(b) A person who operates a vehicle and who recklessly passes**  
22 **a school bus stopped on a roadway when the arm signal device**  
23 **specified in IC 9-21-12-13 is in the device's extended position**  
24 **commits a Class B misdemeanor. However, the offense is a Class**  
25 **A misdemeanor if it causes bodily injury to a person.**

26 ~~(b)~~ (c) If an offense under subsection (a) **or (b)** results in damage to  
27 the property of another person **or bodily injury to another person**, the  
28 court shall recommend the suspension of the current driving license of  
29 the person for a fixed period of:

30 (1) not less than thirty (30) days; and

31 (2) not more than one (1) year.

32 SECTION 5. IC 20-27-9-16, AS ADDED BY P.L.1-2005,  
33 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2009]: Sec. 16. **(a) Except as provided in subsection (b),**  
35 whenever a school bus is purchased for and is being used for any  
36 purpose except to transport students, the purchaser shall:

37 (1) remove the flasher lights;

38 (2) remove the stop arm; and

39 (3) paint the bus any color except the national standard school bus  
40 chrome yellow.

41 **(b) Whenever a school bus is purchased for use, and is being**  
42 **used, as a church bus (as defined in IC 9-29-5-9(a)), the purchaser:**

43 **(1) may retain the flasher lights if the purchaser renders the**  
44 **flasher lights inoperable;**

45 **(2) may retain the stop arm if the purchaser renders the stop**  
46 **arm inoperable; and**

47 **(3) shall paint the bus any color except the national standard**  
48 **school bus chrome yellow.**

49 SECTION 6. [EFFECTIVE JULY 1, 2009] **IC 9-21-8-52, as**  
50 **amended by this act, applies only to crimes committed after June**  
51 **30, 2009.**

(Reference is to EHB 1021 as reprinted March 17, 2009.)

**Conference Committee Report**  
**on**  
**Engrossed House Bill 1021**

**S**igned by:

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Representative Lawson L  
Chairperson

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Senator Becker

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Representative Crouch

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Senator Deig

**House Conferees**

**Senate Conferees**