



February 22, 2010

**ENGROSSED
SENATE BILL No. 407**

DIGEST OF SB 407 (Updated February 18, 2010 9:00 am - DI 96)

Citations Affected: IC 6-6; IC 9-13; IC 9-14; IC 9-18; IC 9-19; IC 9-24; IC 9-28; IC 9-29; IC 14-19; noncode.

Synopsis: Various motor vehicle matters. Removes the requirement that the bureau of motor vehicles (bureau) issue certain license plates biennially. Authorizes the bureau to adopt rules authorizing applicants for renewals and replacements of certain driver's licenses and identification cards to apply for the renewals and replacements by electronic service. Requires certain applicants for replacement driver's licenses or permits or identification cards to provide proof of the change of mailing or residence address or name to the bureau. Repeals language: (1) requiring applications for personalized license plates to be accepted at any time for initial issuance of the plates for the following year; and (2) requiring a person who is the registered owner or lessee of a vehicle who is issued a personalized license plate to register the vehicle before May 1 of each year. Establishes the Gold Star family member license plate and specifies that the Gold Star family member license plate is not a special group recognition license plate. Extends the availability for issuance of the Abraham Lincoln
(Continued next page)

Effective: Upon passage; January 1, 2010 (retroactive); July 1, 2010.

Arnold, Wyss, Lewis, Charbonneau
(HOUSE SPONSORS — AUSTIN, FOLEY)

January 14, 2010, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.
January 19, 2010, amended, reported favorably — Do Pass.
January 28, 2010, read second time, amended, ordered engrossed.
January 29, 2010, engrossed.
February 1, 2010, pursuant to Senate Rule 33(c), Technical Correction.
February 2, 2010, engrossed. Read third time, passed. Yeas 50, nays 0.
HOUSE ACTION
February 9, 2010, read first time and referred to Committee on Roads and Transportation.
February 22, 2010, amended, reported — Do Pass.

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bicentennial license plate and provides that an annual fee of \$25 be collected for issuance of the Abraham Lincoln bicentennial license plate. Revises the amount of excise tax due on a recreational vehicle or a truck camper for a partial year registration. Authorizes the bureau to negotiate and enter into a reciprocal agreement with a foreign country to facilitate the exchange of operator's licenses and requires the bureau to report annually to the general assembly regarding a reciprocal agreement. Specifies that a nonresident of a certain age who holds an operator's or a chauffeur's license from the nonresident's home state or country and has been lawfully admitted to the United States is not required to have an Indiana operator's or chauffeur's license to drive in the state. Deletes language concerning the ability of an individual who does not hold an operator's or a chauffeur's license to operate a motor vehicle when the individual's home state or country does not require the licensing of individuals in order to operate a motor vehicle. Authorizes the bureau to disclose certain personal information concerning an individual to a special group that sponsors a special group recognition license plate for which the individual is applying. Renames the disabled veteran license plate the disabled Hoosier veteran license plate. Sets certain disability requirements for eligibility for a disabled Hoosier veteran license plate. Provides for only one design for disabled Hoosier veteran license plates. Repeals the provision requiring two distinct designs for disabled veteran license plates. Requires the bureau to authorize the display of a restored or refurbished authentic license plate from the model year of an antique motor vehicle on an antique motor vehicle. Provides that motorcycle handlebars may not rise higher than the shoulders of the driver when the driver is seated in the driver's seat. Deletes outdated language. Makes a technical correction.

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February 22, 2010

Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

ENGROSSED SENATE BILL No. 407



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-6-5.1-15, AS ADDED BY P.L.131-2008,
2 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2010]: Sec. 15. (a) This section applies only to recreational
4 vehicles.

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

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1 registration of the recreational vehicle.

2 (c) If a recreational vehicle is acquired, is brought into Indiana, or
3 for any other reason becomes subject to registration after January 1 of
4 any year, the owner may pay the applicable registration fee on the
5 recreational vehicle as provided in the state motor vehicle registration
6 laws and may pay any excise tax due on the recreational vehicle for the
7 remainder of the annual registration year and simultaneously register
8 the recreational vehicle and pay the applicable registration fee and the
9 excise tax due for the next succeeding annual registration year.

10 (d) Except as provided in subsection (h), a reduction in the
11 applicable annual excise tax may not be allowed to an Indiana resident
12 applicant upon registration of a recreational vehicle that was owned by
13 the applicant on or before the first day of the applicant's annual
14 registration period. A recreational vehicle that is owned by an Indiana
15 resident applicant and that was located in and registered for use in
16 another state during the same calendar year is entitled to the same
17 reduction when registered in Indiana.

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

- 21 (1) the tax paid for the recreational vehicle; minus
22 (2) ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~)
23 **(8.33%)** for each full or partial calendar month that has elapsed
24 in the owner's annual registration year before the date of the sale.

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

38 (f) Subject to the requirements of subsection (g), if a recreational
39 vehicle is destroyed in a year in which the owner has paid the tax
40 imposed by this chapter and the recreational vehicle is not replaced by
41 a replacement vehicle for which a credit is issued under this section,
42 the owner is entitled to a refund in an amount equal to ~~ten~~ **eight and**

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1 **thirty-three hundredths percent (~~10%~~) (8.33%)** of the tax paid for
2 each full calendar month remaining in the owner's annual registration
3 year after the date of destruction, but only upon presentation or return
4 to the bureau of the following:

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

10 However, the refund may not exceed ninety percent (90%) of the tax
11 paid on the destroyed recreational vehicle. The amount shall be
12 refunded by a warrant issued by the auditor of the county that received
13 the excise tax revenue and shall be paid out of the special account
14 created under section 21 of this chapter for settlement of the excise tax
15 collections. For purposes of this subsection, a recreational vehicle is
16 considered destroyed if the cost of repair of damages suffered by the
17 recreational vehicle exceeds the recreational vehicle's fair market
18 value.

19 (g) To claim a refund under subsection (f) for a recreational vehicle
20 that is destroyed, the owner of the recreational vehicle must present to
21 the bureau a valid registration for the recreational vehicle within ninety
22 (90) days after the date that the recreational vehicle is destroyed. The
23 bureau shall then fix the amount of the refund that the owner is entitled
24 to receive.

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

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

34 (A) **ten eight and thirty-three hundredths percent (~~10%~~) (8.33%)** of the owner's last preceding annual excise tax
35 liability; multiplied by

36 (B) the number of full calendar months beginning after the
37 owner's new regular annual registration month and ending
38 before the next succeeding regular annual registration month
39 that is based on the owner's former name.

40 (2) If the name change requires the owner to register later than the
41 owner would have been required to register if there had been no
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1 name change, the recreational vehicle is subject to excise tax for
 2 the period beginning after the month in which the owner would
 3 have been required to register if there had been no name change
 4 and ending before the owner's new regular annual registration
 5 month in the amount of the product of:

6 (A) ~~ten eight and thirty-three hundredths~~ percent (~~10%~~)
 7 **(8.33%)** of the owner's excise tax liability computed as of the
 8 time the owner would have been required to register if there
 9 had been no name change; multiplied by

10 (B) the number of full calendar months beginning after the
 11 month in which the owner would have been required to
 12 register if there had been no name change and ending before
 13 the owner's new regular annual registration month.

14 SECTION 2. IC 6-6-5.1-16, AS ADDED BY P.L.131-2008,
 15 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2010]: Sec. 16. (a) This section applies only to truck campers.

17 (b) With respect to a truck camper that has been acquired, has been
 18 brought into Indiana, or for any other reason becomes subject to
 19 taxation after the regular annual registration date in the year on or
 20 before which the owner of the truck camper is required under the state
 21 motor vehicle registration laws to register vehicles, the tax imposed by
 22 this chapter is due and payable at the time the truck camper is acquired,
 23 is brought into Indiana, or otherwise becomes subject to taxation under
 24 this chapter. The amount of tax to be paid by the owner for the
 25 remainder of the year shall be reduced by ~~ten eight and thirty-three~~
 26 **hundredths** percent (~~10%~~) **(8.33%)** for each full calendar month that
 27 has elapsed since the regular annual registration date in the year fixed
 28 by the state motor vehicle registration laws for annual registration by
 29 the owner. The tax shall be paid within thirty (30) days after the date
 30 on which the truck camper is acquired, is brought into Indiana, or
 31 otherwise becomes subject to taxation under this chapter.

32 (c) If a truck camper is acquired, is brought into Indiana, or for any
 33 other reason becomes subject to taxation under this chapter after
 34 January 1 of any year, the owner may pay any excise tax due on the
 35 truck camper for the remainder of the annual registration year and
 36 simultaneously pay the excise tax due for the next succeeding annual
 37 registration year.

38 (d) The owner of a truck camper who sells the truck camper in a
 39 year in which the owner has paid the tax imposed by this chapter shall
 40 receive a credit equal to the remainder of:

41 (1) the tax paid for the truck camper; reduced by

42 (2) ~~ten eight and thirty-three hundredths~~ percent (~~10%~~)

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1 **(8.33%)** for each full or partial calendar month that has elapsed
 2 in the owner's annual registration year before the date of the sale.
 3 The credit shall be applied to the tax due on any other truck camper
 4 acquired by the owner in the owner's annual registration year. If the
 5 credit is not fully used and the amount of the credit remaining is at least
 6 four dollars (\$4), the owner is entitled to a refund in the amount of the
 7 unused credit. The owner must pay a fee of three dollars (\$3) to the
 8 bureau to cover the costs of providing the refund, which may be
 9 deducted from the refund. The bureau shall issue the refund. The
 10 bureau shall transfer three dollars (\$3) of the fee to the bureau of motor
 11 vehicles commission to cover the commission's costs in processing the
 12 refund. To claim the credit and refund provided by this subsection, the
 13 owner of the truck camper must present to the bureau proof of sale of
 14 the truck camper.

15 (e) Subject to the requirements of subsection (f), if a truck camper
 16 is destroyed in a year in which the owner has paid the tax imposed by
 17 this chapter and the truck camper is not replaced by a replacement
 18 truck camper for which a credit is issued under this section, the owner
 19 is entitled to a refund in an amount equal to ~~ten~~ **eight and thirty-three**
 20 **hundredths** percent (~~+10%~~) **(8.33%)** of the tax paid for each full
 21 calendar month remaining in the owner's annual registration year after
 22 the date of destruction, but only upon presentation or return to the
 23 bureau of the following:

- 24 (1) A request for refund on a form furnished by the bureau.
- 25 (2) A statement of proof of destruction on an affidavit furnished
 26 by the bureau.

27 However, the refund may not exceed ninety percent (90%) of the tax
 28 paid on the destroyed truck camper. The amount shall be refunded by
 29 a warrant issued by the auditor of the county that received the excise
 30 tax revenue and shall be paid out of the special account created under
 31 section 21 of this chapter for settlement of the excise tax collections.
 32 For purposes of this subsection, a truck camper is considered destroyed
 33 if the cost of repair of damages suffered by the truck camper exceeds
 34 the truck camper's fair market value.

35 (f) To claim a refund under subsection (e) for a truck camper that is
 36 destroyed, the owner of the truck camper must present to the bureau a
 37 valid receipt for the excise tax paid under this chapter on the truck
 38 camper within ninety (90) days after the date that the truck camper is
 39 destroyed. The bureau shall then fix the amount of the refund that the
 40 owner is entitled to receive.

41 (g) If the name of the owner of a truck camper is legally changed
 42 and the change has caused a change in the owner's annual registration

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1 date, the excise tax liability of the owner for the truck camper shall be
2 adjusted as follows:

3 (1) If the name change requires the owner to register a motor
4 vehicle sooner than the owner would have been required to
5 register if there had been no name change, the owner is, at the
6 time the name change is reported, entitled to a refund from the
7 county treasurer in the amount of the product of:

8 (A) ~~ten eight and thirty-three hundredths~~ percent (~~10%~~)
9 **(8.33%)** of the owner's last preceding annual excise tax
10 liability; multiplied by

11 (B) the number of full calendar months beginning after the
12 owner's new regular annual registration month and ending
13 before the next succeeding regular annual registration month
14 that is based on the owner's former name.

15 (2) If the name change requires the owner to register a motor
16 vehicle later than the owner would have been required to register
17 if there had been no name change, the truck camper is subject to
18 excise tax for the period beginning after the month in which the
19 owner would have been required to register if there had been no
20 name change and ending before the owner's new regular annual
21 registration month in the amount of the product of:

22 (A) ~~ten eight and thirty-three hundredths~~ percent (~~10%~~)
23 **(8.33%)** of the owner's excise tax liability computed as of the
24 time the owner would have been required to register a motor
25 vehicle if there had been no name change; multiplied by

26 (B) the number of full calendar months beginning after the
27 month in which the owner would have been required to
28 register a motor vehicle if there had been no name change and
29 ending before the owner's new regular annual registration
30 month.

31 SECTION 3. IC 6-6-5.1-17, AS ADDED BY P.L.131-2008,
32 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2010]: Sec. 17. (a) This section applies only to recreational
34 vehicles.

35 (b) The owner of a recreational vehicle registered with the bureau
36 is entitled to a refund of taxes paid under this chapter if, after the
37 owner's regular registration date, the owner:

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

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

- 42 (1) the annual license excise tax paid for use of the recreational

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1 vehicle by the owner of the vehicle for the year; minus
 2 (2) ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~)
 3 **(8.33%)** of the annual license excise tax paid for use of the
 4 recreational vehicle for each full or partial calendar month
 5 beginning after the date the annual license excise tax was due and
 6 ending before the date the owner registered the recreational
 7 vehicle for use in another state.

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

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

12 SECTION 4. IC 6-6-5.1-18, AS ADDED BY P.L.131-2008,
 13 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2010]: Sec. 18. (a) This section applies only to truck campers.

15 (b) The owner of a truck camper is entitled to a refund of taxes paid
 16 under this chapter if, after the owner's regular vehicle registration date:

- 17 (1) the owner moves and registers the truck on which the truck
 18 camper is installed for use in another state;
- 19 (2) the owner pays tax for use of the truck camper to another state
 20 for the same period for which the tax was paid under this chapter;
 21 and
- 22 (3) the truck camper is located and used in the other state for the
 23 same period for which the tax was paid under this chapter.

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

- 25 (1) the annual excise tax paid for use of the truck camper by the
 26 owner of the truck camper for the year; minus
- 27 (2) ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~)
 28 **(8.33%)** of the annual excise tax paid for use of the truck camper
 29 for each full or partial calendar month beginning after the date the
 30 annual excise tax was due and ending before the date the owner
 31 registered the truck for use in another state.

32 SECTION 5. IC 9-13-2-69.8 IS ADDED TO THE INDIANA CODE
 33 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
 34 JANUARY 1, 2010 (RETROACTIVE)]: **Sec. 69.8. "Gold Star family
 35 member" for purposes of IC 9-18-54, has the meaning set forth in
 36 IC 9-18-54-1.**

37 SECTION 6. IC 9-14-5-7 IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2010]: Sec. 7. A placard issued under this
 39 chapter must be displayed on the dashboard of a motor vehicle that is
 40 parked in a parking space reserved for persons with physical
 41 disabilities under this chapter unless the motor vehicle bears a license
 42 plate for a person with a disability issued under IC 9-18-22, a disabled

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1 **Hoosier** veteran's license plate issued under IC 9-18-18, or an
2 equivalent parking permit issued under the laws of another state. If a
3 placard is lost, stolen, damaged, or destroyed, the bureau shall provide
4 a duplicate placard upon the application of the person who was issued
5 the placard.

6 SECTION 7. IC 9-18-2-28, AS AMENDED BY P.L.103-2006,
7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2010]: Sec. 28. Notwithstanding any other law, license plates
9 for:

- 10 (1) passenger motor vehicles;
- 11 (2) recreational vehicles;
- 12 (3) motor vehicles registered to disabled veterans under
- 13 IC 9-18-18; or
- 14 (4) motor vehicles registered to former prisoners of war under
- 15 IC 9-18-17;

16 that contain any of the numerals 1 through 100 following the prefix
17 numbers and letter shall be issued ~~biennially~~ by the bureau.

18 SECTION 8. IC 9-18-2-47, AS AMENDED BY P.L.103-2006,
19 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2010]: Sec. 47. (a) The commissioner shall adopt rules under
21 IC 4-22-2 prescribing the cycle for the issuance and replacement of
22 license plates under this article. The rules adopted under this section
23 shall provide that a license plate for a vehicle issued under this article
24 is valid for five (5) years.

- 25 (b) The rules adopted under this section do not apply to:
- 26 ~~(1) low digit license plates issued under section 28 of this chapter;~~
- 27 ~~(2) (1) truck license plates issued under section 4.5 or 18 of this~~
- 28 ~~chapter;~~
- 29 ~~(3) (2) general assembly and other state official license plates~~
- 30 ~~issued under IC 9-18-16; and~~
- 31 ~~(4) (3) personalized license plates issued under IC 9-18-15.~~

32 SECTION 9. IC 9-18-12-2.5, AS ADDED BY P.L.79-2006,
33 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2010]: Sec. 2.5. (a) ~~After December 31, 2007;~~ A person who
35 registers an antique motor vehicle under this chapter may:

- 36 (1) furnish; and
 - 37 (2) display on the antique motor vehicle;
- 38 an Indiana license plate from the model year of the antique motor
39 vehicle.

40 (b) A license plate furnished and displayed under this section must
41 be an authentic license plate from the model year of the antique motor
42 vehicle.

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1 (c) Before a license plate is mounted on an antique motor vehicle
 2 under this section, the license plate must be inspected by the bureau to
 3 determine whether the license plate:

- 4 (1) complies with this section;
 5 (2) is in suitable condition to be displayed; and
 6 (3) bears a unique plate number at the time of the registration of
 7 the antique motor vehicle.

8 The bureau **shall authorize the display of a restored or refurbished**
 9 **authentic license plate, but** may prohibit the display of an authentic
 10 license plate under this section if the authentic license plate is not in
 11 conformance with this subsection.

12 (d) If an Indiana license plate from the model year of the antique
 13 motor vehicle is displayed on a motor vehicle registered as an antique
 14 motor vehicle under this chapter, the current certificate of registration
 15 of the antique motor vehicle shall be:

- 16 (1) kept at all times in the vehicle; and
 17 (2) made available for inspection upon the demand of a law
 18 enforcement officer.

19 Notwithstanding IC 9-18-2-21, this subsection is not satisfied by
 20 keeping a reproduction of the certificate of registration in the vehicle
 21 or making a reproduction of the certificate of registration available for
 22 inspection.

23 (e) The fee to register and display an authentic license plate from
 24 the model year of an antique motor vehicle is as provided in
 25 IC 9-29-5-32.5.

26 SECTION 10. IC 9-18-15-1, AS AMENDED BY P.L.182-2009(ss),
 27 SECTION 286, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2010]: Sec. 1. (a) A person who is the
 29 registered owner or lessee of a:

- 30 (1) passenger motor vehicle;
 31 (2) motorcycle;
 32 (3) recreational vehicle; or
 33 (4) vehicle registered as a truck with a declared gross weight of
 34 not more than
 35 ~~(A) eleven thousand (11,000) pounds;~~
 36 ~~(B) nine thousand (9,000) pounds; or~~
 37 ~~(C) seven thousand (7,000) pounds;~~

38 registered with the bureau or who makes an application for an original
 39 registration or renewal registration of a vehicle may apply to the bureau
 40 for a personalized license plate to be affixed to the vehicle for which
 41 registration is sought instead of the regular license plate.

42 (b) A person who:

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- 1 (1) is the registered owner or lessee of a vehicle described in
 2 subsection (a); and
 3 (2) is eligible to receive a license plate for the vehicle under:
 4 (A) IC 9-18-17 (prisoner of war license plates);
 5 (B) IC 9-18-18 (disabled **Hoosier** veteran license plates);
 6 (C) IC 9-18-19 (Purple Heart license plates);
 7 (D) IC 9-18-20 (Indiana National Guard license plates);
 8 (E) IC 9-18-21 (Indiana Guard Reserve license plates);
 9 (F) IC 9-18-22 (license plates for persons with disabilities);
 10 (G) IC 9-18-23 (amateur radio operator license plates);
 11 (H) IC 9-18-24 (civic event license plates);
 12 (I) IC 9-18-24.5 (In God We Trust license plates);
 13 (J) IC 9-18-25 (special group recognition license plates);
 14 (K) IC 9-18-29 (environmental license plates);
 15 (L) IC 9-18-30 (kids first trust license plates);
 16 (M) IC 9-18-31 (education license plates);
 17 (N) IC 9-18-32.2 (drug free Indiana trust license plates);
 18 (O) IC 9-18-33 (Indiana FFA trust license plates);
 19 (P) IC 9-18-34 (Indiana firefighter license plates);
 20 (Q) IC 9-18-35 (Indiana food bank trust license plates);
 21 (R) IC 9-18-36 (Indiana girl scouts trust license plates);
 22 (S) IC 9-18-37 (Indiana boy scouts trust license plates);
 23 (T) IC 9-18-38 (Indiana retired armed forces member license
 24 plates);
 25 (U) IC 9-18-39 (Indiana antique car museum trust license
 26 plates);
 27 (V) IC 9-18-40 (D.A.R.E. Indiana trust license plates);
 28 (W) IC 9-18-41 (Indiana arts trust license plates);
 29 (X) IC 9-18-42 (Indiana health trust license plates);
 30 (Y) IC 9-18-43 (Indiana mental health trust license plates);
 31 (Z) IC 9-18-44 (Indiana Native American trust license plates);
 32 (AA) IC 9-18-45.8 (Pearl Harbor survivor license plates);
 33 (BB) IC 9-18-46.2 (Indiana state educational institution trust
 34 license plates);
 35 (CC) IC 9-18-47 (Lewis and Clark bicentennial license plates);
 36 (DD) IC 9-18-48 (Riley Children's Foundation license plates);
 37 (EE) IC 9-18-49 (National Football League franchised
 38 professional football team license plates);
 39 (FF) IC 9-18-50 (Hoosier veteran license plates);
 40 (GG) IC 9-18-51 (support our troops license plates);
 41 (HH) IC 9-18-52 (Abraham Lincoln bicentennial license
 42 plates); ♂

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1 (II) IC 9-18-53 (Earlham College ~~Trust~~) Trust license plates);
2 or
3 **(JJ) IC 9-18-54 (Indiana Gold Star family member license**
4 **plates);**

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

8 SECTION 11. IC 9-18-15-6, AS AMENDED BY P.L.233-2005,
9 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2010]: Sec. 6. If a person who has been issued a personalized
11 license plate reserves the same configuration of letters or numbers, or
12 both, for the next plate cycle, ~~as set forth in section 5 of this chapter;~~
13 that configuration of letters or numbers, or both, is not available to
14 another person until the following plate cycle.

15 SECTION 12. IC 9-18-18-1 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. (a) A person may
17 apply for, receive, and display a disabled **Hoosier** veteran license plate
18 on the person's vehicle for private and personal use if the person, as the
19 result of having served in the armed forces of the United States, has:

- 20 (1) lost sight in both eyes or suffered permanent impairment of
- 21 vision in both eyes to the extent of being eligible for
- 22 service-connected compensation for the loss;
- 23 (2) suffered the loss of one (1) or both feet or the permanent loss
- 24 of use of one (1) or both feet;
- 25 (3) suffered the loss of one (1) or both hands or the permanent
- 26 loss of use of one (1) or both hands; ~~or~~
- 27 **(4) a United States Department of Veterans Affairs disability**
- 28 **rating for a physical condition that precludes the person from**
- 29 **walking without pain or difficulty; or**
- 30 **(5) been rated by the United States Department of Veterans**
- 31 **Affairs as being one hundred percent (100%) disabled and is**
- 32 **receiving service related compensation from the United States**
- 33 **Department of Veterans Affairs.**

34 (b) An application for a disabled **Hoosier** veteran license plate must
35 be accompanied by a certificate from the:

- 36 (1) United States Department of Veterans Affairs; or
- 37 (2) appropriate branch of the armed forces of the United States;
- 38 confirming the eligibility of the person submitting the application for
- 39 the disabled **Hoosier** veteran license plate.

40 SECTION 13. IC 9-18-18-2, AS AMENDED BY P.L.6-2009,
41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2010]: Sec. 2. (a) A person qualifying under section 1 of this

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1 chapter may not be:

2 (1) charged a fee for parking in a metered space; or

3 (2) assessed a penalty for parking in a metered space for longer

4 than the time permitted.

5 (b) This section does not authorize parking of a motor vehicle in a

6 parking place during a time when parking in the space is prohibited if

7 the prohibition is:

8 (1) posted; and

9 (2) authorized:

10 (A) by ordinances in cities and towns; or

11 (B) by order of the Indiana department of transportation.

12 (c) A person other than the owner of the motor vehicle displaying

13 a disabled **Hoosier** veteran license plate authorized by this chapter is

14 not entitled to the parking privileges authorized by this section.

15 SECTION 14. IC 9-18-18-3 IS AMENDED TO READ AS

16 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 3. The bureau:

17 (1) may design and issue disabled **Hoosier** veteran license plates

18 to implement this chapter; and

19 (2) shall administer this chapter relating to proper certification for

20 a person applying for a disabled **Hoosier** veteran license plate.

21 SECTION 15. IC 9-18-18-4 IS AMENDED TO READ AS

22 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 4. Not more than two

23 (2) disabled **Hoosier** veteran license plates may be issued to each

24 eligible person.

25 SECTION 16. IC 9-18-18-5 IS AMENDED TO READ AS

26 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 5. The disabled

27 **Hoosier** veteran license plates authorized under this chapter shall be

28 issued by the bureau for any classification of vehicle required to be

29 registered under Indiana law, but the license plate may not be used for

30 commercial vehicles.

31 SECTION 17. IC 9-18-18-7 IS AMENDED TO READ AS

32 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 7. A ~~Class 1~~ **disabled**

33 **Hoosier veteran** license plate must be ~~blue and~~ gold in color **with blue**

34 **lettering** and contain the following:

35 (1) Identification numerals.

36 (2) The words "~~Disabled Am Vet~~: **Hoosier Veteran**".

37 SECTION 18. IC 9-18-25-1, AS AMENDED BY P.L.30-2008,

38 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

39 JANUARY 1, 2010 (RETROACTIVE)]: Sec. 1. This chapter does not

40 apply to the following:

41 (1) Antique motor vehicle license plates (IC 9-18-12).

42 (2) Recovery vehicle license plates (IC 9-18-13).

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- 1 (3) Personalized license plates (IC 9-18-15).
- 2 (4) Prisoner of war license plates (IC 9-18-17).
- 3 (5) Disabled **Hoosier** veteran license plates (IC 9-18-18).
- 4 (6) Purple Heart license plates (IC 9-18-19).
- 5 (7) Indiana National Guard license plates (IC 9-18-20).
- 6 (8) Person with a disability license plates (IC 9-18-22).
- 7 (9) Amateur radio operator license plates (IC 9-18-23).
- 8 (10) In God We Trust license plates (IC 9-18-24.5).
- 9 (11) Pearl Harbor survivor license plates (IC 9-18-45.8).
- 10 (12) Hoosier veteran license plates (IC 9-18-50).
- 11 (13) Support our troops license plates (IC 9-18-51).
- 12 (14) Abraham Lincoln bicentennial license plates (IC 9-18-52).
- 13 **(15) Indiana Gold Star family member license plates**
- 14 **(IC 9-18-54).**

15 SECTION 19. IC 9-18-25-17.7, AS ADDED BY P.L.117-2006,
 16 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2010]: Sec. 17.7. (a) Notwithstanding any other law,
 18 representatives of a special group that participates in the special group
 19 recognition plate program may request that the bureau collect an
 20 annual fee of twenty-five dollars (\$25) on behalf of the special group.

21 (b) If a request is made under subsection (a), the bureau shall collect
 22 the following fees:

- 23 (1) The appropriate fee under IC 9-29-5-38(a).
- 24 (2) An annual fee of twenty-five dollars (\$25).

25 (c) The annual fee referred to in subsection (b)(2) shall be collected
 26 by the bureau and deposited in a trust fund for the special group
 27 established under subsection (d).

28 (d) The treasurer of state shall establish a trust fund for each special
 29 group for which the bureau collects fees under this section.

30 (e) The treasurer of state shall invest the money in the fund not
 31 currently needed to meet the obligations of the fund in the same
 32 manner as other public funds are invested. Interest that accrues from
 33 these investments shall be deposited in the fund. Money in the fund is
 34 continuously appropriated for the purposes of this section. Money in
 35 the fund at the end of a state fiscal year does not revert to the state
 36 general fund.

37 (f) The commissioner shall administer the fund. Expenses of
 38 administering the fund shall be paid from money in the fund.

39 (g) Before June 30 of each year, the commissioner shall distribute
 40 the money from the fund to the special group for which the bureau has
 41 collected fees under this section.

42 (h) **Subject to section 18 of this chapter**, the bureau may not

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1 disclose information that identifies the persons to whom special group
2 license plates have been issued under this section.

- 3 (i) If:
- 4 (1) representatives of a special group have collected an annual fee
- 5 as set forth in subsection (a) from purchasers of the special group
- 6 recognition license plates that was paid directly to the special
- 7 group; and
- 8 (2) the representatives of the special group request the bureau to
- 9 collect the annual fee on behalf of the special group as set forth in
- 10 subsection (a);

11 representatives of the special group may request the bureau to change
12 the method of collection of the annual fee for the following calendar
13 year. The representatives of the special group must make a request
14 under this subsection by July 1 of the year preceding the year for which
15 the change has been requested. The group may request only one (1)
16 change in the method of collection in a plate cycle.

- 17 (j) If:
- 18 (1) the bureau collects an annual fee as set forth in subsection (a)
- 19 on behalf of a special group; and
- 20 (2) representatives of the special group request the bureau to
- 21 cease collection of the annual fee as set forth in subsection (a) on
- 22 behalf of the special group as the annual fee will be paid directly
- 23 to the special group by purchasers of the special group
- 24 recognition license plates;

25 representatives of the special group may request the bureau to change
26 the method of collection of the annual fee for the following calendar
27 year. The representatives of the special group must make a request
28 under this subsection by July 1 of the year preceding the year for which
29 the change has been requested. The group may request only one (1)
30 change in the method of collection in a plate cycle.

31 SECTION 20. IC 9-18-25-18 IS ADDED TO THE INDIANA
32 CODE AS A NEW SECTION TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2010]: **Sec. 18. (a) This section applies to an**
34 **application form for a special group recognition license plate that:**

- 35 (1) is subject to an annual special group fee; and
- 36 (2) does not require an applicant to obtain authorization from
- 37 the special group that sponsors the license plate.

38 (b) The application form must include a box for the applicant to
39 check that states the following:

40 "By checking the above box, I am authorizing the bureau of
41 motor vehicles to disclose my personal information included
42 on this application form to the special group that sponsors the

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license plate for which I am applying. I understand that:

- (1) the special group may contact me with information about its activities but may not use my personal information primarily for fundraising or solicitation purposes;
- (2) the bureau will not disclose my personal information to any other person or group; and
- (3) the special group will not disclose my personal information to any other person or group without my written consent."

(c) If an applicant checks the box described in subsection (b), the bureau may disclose personal information about the applicant included on the application form only to the special group that sponsors the license plate.

(d) If a special group receives personal information disclosed under subsection (c), the special group:

- (1) may contact the applicant with information about the special group's activities;
- (2) may not contact the applicant primarily for fundraising or solicitation purposes; and
- (3) may not disclose the applicant's personal information to any other person or group without the applicant's written consent.

SECTION 21. IC 9-18-52-2, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. An Abraham Lincoln bicentennial license plate shall be available for issuance through December 31, ~~2009~~ 2013.

SECTION 22. IC 9-18-52-3, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The renewal of the registration of an Abraham Lincoln bicentennial license plate must be available through the renewal cycle in ~~2012~~ 2016, subject to ~~IC 9-18-2-8(g)~~ IC 9-18-2-8(a). Notwithstanding section 8 of this chapter, a vehicle may display an Abraham Lincoln bicentennial license plate in ~~2013~~ 2017, subject to ~~IC 9-18-2-8(g)~~ IC 9-18-2-8(a).

SECTION 23. IC 9-18-52-6, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. A person who is a resident of Indiana and who is eligible to register and display a license plate on a vehicle under this title may apply for and receive an Abraham Lincoln bicentennial license plate for one (1) or more vehicles after doing the following:

- (1) Completing an application for an Abraham Lincoln

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bicentennial license plate.

(2) Paying the ~~fee fees~~ under section 7 of this chapter.

SECTION 24. IC 9-18-52-7, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The ~~fee fees~~ for an Abraham Lincoln bicentennial license plate is the appropriate fee under ~~IC 9-29-5-34.5~~. are as follows:

(1) The appropriate fee under IC 9-29-5-34.7.

(2) An annual fee of twenty-five dollars (\$25).

(b) The annual fee described in subsection (a)(2) shall be collected by the bureau.

(c) The annual fee described in subsection (a)(2) shall be deposited in the Indiana State Museum Foundation trust fund established by section 7.5 of this chapter.

SECTION 25. IC 9-18-52-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.5. (a) The Indiana State Museum Foundation trust fund is established.

(b) The treasurer of state shall invest the money in the Indiana State Museum Foundation trust fund not currently needed to meet the obligations of the Indiana State Museum Foundation trust fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the Indiana State Museum Foundation trust fund. Money in the Indiana State Museum Foundation trust fund is continuously appropriated for the purposes of this section.

(c) The commissioner shall administer the Indiana State Museum Foundation trust fund. Expenses of administering the Indiana State Museum Foundation trust fund shall be paid from money in the fund.

(d) On June 30 of each year, the commissioner shall distribute the money from the Indiana State Museum Foundation trust fund to the Indiana State Museum Foundation, Inc. for use concerning the Lincoln collection.

(e) Money in the Indiana State Museum Foundation trust fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 26. IC 9-18-52-8, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. This chapter expires December 31, ~~2013~~. 2017.

SECTION 27. IC 9-18-54 IS ADDED TO THE INDIANA CODE

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1 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
2 JANUARY 1, 2010 (RETROACTIVE)]:

3 **Chapter 54. Indiana Gold Star Family Member License Plate**

4 **Sec. 1. As used in this chapter, "Gold Star family member"**
5 **means:**

- 6 (1) a biological parent;
- 7 (2) an adoptive parent;
- 8 (3) a stepparent;
- 9 (4) a biological child;
- 10 (5) an adopted child;
- 11 (6) a stepchild;
- 12 (7) a sibling by blood;
- 13 (8) a sibling by half blood;
- 14 (9) a sibling by adoption;
- 15 (10) a stepsibling;
- 16 (11) a grandparent;
- 17 (12) a great-grandparent; or
- 18 (13) the spouse;

19 of an individual who has died while serving on active duty, or dies
20 as a result of injuries sustained while serving on active duty, as a
21 member of the armed forces of the United States or the national
22 guard (as defined in IC 10-16-1-13).

23 **Sec. 2. The bureau shall design and issue an Indiana Gold Star**
24 **family member license plate beginning January 1, 2010.**

25 **Sec. 3. An Indiana Gold Star family member license plate must**
26 **include the following:**

- 27 (1) A basic design for the plate, with consecutive numbers or
- 28 letters, or both, to properly identify the vehicle.
- 29 (2) A background design, an emblem, or colors that designate
- 30 the license plate as an Indiana Gold Star family member
- 31 license plate.
- 32 (3) Any other information that the bureau considers
- 33 necessary.

34 **Sec. 4. An Indiana Gold Star family member license plate issued**
35 **under this chapter may be displayed on the following:**

- 36 (1) A passenger motor vehicle.
- 37 (2) A truck registered as a truck with a declared gross weight
- 38 of not more than eleven thousand (11,000) pounds.
- 39 (3) A recreational vehicle.

40 **Sec. 5. A person who is an Indiana Gold Star family member**
41 **and who is eligible to register and display a license plate on a**
42 **vehicle under this title may receive an Indiana Gold Star family**

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1 member license plate for one (1) or more vehicles after doing the
2 following:

3 (1) Completing an application for an Indiana Gold Star family
4 member license plate.

5 (2) Providing the bureau with appropriate documentation as
6 defined by the bureau to establish eligibility as an Indiana
7 Gold Star family member.

8 (3) Paying the fee under section 6 of this chapter.

9 Sec. 6. The fee for an Indiana Gold Star family member license
10 plate is the appropriate fee under IC 9-29-5-38.6.

11 SECTION 28. IC 9-19-7-2 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 2. (a) Except as
13 provided in subsection (b), a motorcycle operated on the streets or
14 highways by a resident of Indiana must meet the following
15 requirements:

16 (1) Be equipped with handlebars that rise not ~~more than fifteen~~
17 ~~(15) inches above the level of~~ **higher than the shoulders of the**
18 **driver when the driver is seated in** the driver's seat or saddle.
19 ~~when occupied.~~

20 (2) Be equipped with brakes in good working order on both front
21 and rear wheels.

22 (3) Be equipped with footrests or pegs for both operator and
23 passenger.

24 (4) Be equipped with lamps and reflectors meeting the standards
25 of the United States Department of Transportation.

26 (b) A motorcycle manufactured before January 1, 1956, is not
27 required to be equipped with lamps and other illuminating devices
28 under subsection (a) if the motorcycle is not operated at the times when
29 lighted head lamps and other illuminating devices are required under
30 IC 9-21-7-2.

31 SECTION 29. IC 9-24-1-7, AS AMENDED BY P.L.150-2009,
32 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2010]: Sec. 7. (a) Sections 1 through 5 of this chapter do not
34 apply to the following individuals:

35 (1) An individual in the service of the armed forces of the United
36 States while operating an official motor vehicle in that service.

37 (2) An individual while operating:

38 (A) a road roller;

39 (B) road construction or maintenance machinery, except where
40 the road roller or machinery is required to be registered under
41 Indiana law;

42 (C) a ditch digging apparatus;

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- 1 (D) a well drilling apparatus;
 2 (E) a concrete mixer; or
 3 (F) a farm tractor, a farm wagon (as defined in
 4 IC 9-13-2-60(a)(2)), or an implement of agriculture designed
 5 to be operated primarily in a farm field or on farm premises;
 6 that is being temporarily drawn, moved, or propelled on a public
 7 highway. However, to operate a farm wagon (as defined in
 8 IC 9-13-2-60(a)(2)) on a highway, an individual must be at least
 9 fifteen (15) years of age.
- 10 (3) A nonresident who:
 11 (A) is at least sixteen (16) years and one (1) month of age; ~~and~~
 12 (B) has in the nonresident's immediate possession a valid
 13 operator's license that was issued to the nonresident in the
 14 nonresident's home state or country; **and**
 15 **(C) is lawfully admitted into the United States;**
 16 while operating a motor vehicle in Indiana only as an operator.
- 17 (4) A nonresident who:
 18 (A) is at least eighteen (18) years of age; ~~and~~
 19 (B) has in the nonresident's immediate possession a valid
 20 chauffeur's license that was issued to the nonresident in the
 21 nonresident's home state or country; **and**
 22 **(C) is lawfully admitted into the United States;**
 23 while operating a motor vehicle upon a public highway, either as
 24 an operator or a chauffeur.
- 25 (5) A nonresident who:
 26 (A) is at least eighteen (18) years of age; and
 27 (B) has in the nonresident's immediate possession a valid
 28 license issued by the nonresident's home state for the operation
 29 of any motor vehicle upon a public highway when in use as a
 30 public passenger carrying vehicle;
 31 while operating a motor vehicle upon a public highway.
- 32 (6) A nonresident whose home state or country does not require
 33 the licensing of operators or chauffeurs and who has not been
 34 licensed as an operator or a chauffeur in the nonresident's home
 35 state or country as an operator if the nonresident is at least sixteen
 36 (16) years and thirty (30) days of age and less than eighteen (18)
 37 years of age or as a chauffeur if the nonresident is at least
 38 eighteen (18) years of age; for not more than sixty (60) days in
 39 any one (1) year if the following conditions exist:
 40 (A) The unlicensed nonresident is the owner of the motor
 41 vehicle or the authorized driver of the vehicle.
 42 (B) The vehicle has been registered for the current year in the

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state or country of which the owner is a resident.

(C) The motor vehicle at all times displays a registration plate issued in the home state or country of the owner.

(D) The nonresident owner or driver has in the owner's or driver's immediate possession a registration card evidencing ownership and registration in the owner's or driver's home state or country or is able at any required time or place to do the following:

(i) Prove lawful possession or the right to operate the motor vehicle.

(ii) Establish the nonresident's proper identity.

(7) (6) An individual who is legally licensed to operate a motor vehicle in the state of the individual's residence and who is employed in Indiana, subject to the restrictions imposed by the state of the individual's residence.

(8) (7) A new resident of Indiana who possesses an unexpired driver's license issued by the resident's former state of residence, for a period of sixty (60) days after becoming a resident of Indiana.

(9) (8) An individual who is an engineer, a conductor, a brakeman, or another member of the crew of a locomotive or a train that is being operated upon rails, including the operation of the locomotive or the train on a crossing over a street or a highway. An individual described in this subdivision is not required to display a license to a law enforcement officer in connection with the operation of a locomotive or a train in Indiana.

(b) An ordinance adopted under IC 9-21-1-3((a)(14) or IC 9-21-1-3.3(a) must require that an individual who operates a golf cart in the city or town hold a driver's license.

SECTION 30. IC 9-24-12-1, AS AMENDED BY P.L.101-2009, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. (a) Except as provided in subsections (b) and (d) and section 10 of this chapter, an operator's license issued under this article 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, 11, and 12 of this chapter, an operator's license issued 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, 11, and 12 of this chapter, an operator's license issued under this article

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1 expires at midnight of the birthday of the holder that occurs six (6)
2 years following the date of issuance.

3 (d) A probationary operator's license issued under IC 9-24-11-3 ~~or~~
4 ~~IC 9-24-11-3.3~~ expires at midnight of the twenty-first birthday of the
5 holder.

6 (e) A probationary license issued under IC 9-24-11-3.3 to an
7 individual who complies with IC 9-24-9-2.5(5) through
8 IC 9-24-9-2.5(9) expires:

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

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

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

17 (B) At midnight of the **date thirty (30) days after the**
18 **twenty-first birthday of the holder.**

19 **(f) Except as provided in subsection (e), a probationary**
20 **operator's license issued under IC 9-24-11-3.3 expires at midnight**
21 **of the date thirty (30) days after the twenty-first birthday of the**
22 **holder.**

23 SECTION 31. IC 9-24-12-5, AS AMENDED BY P.L.76-2009,
24 SECTION 2, AND AS AMENDED BY P.L.162-2009, SECTION 5, IS
25 CORRECTED AND AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as provided in
27 subsection (b), an individual applying for renewal of an operator's, a
28 motorcycle operator's, a chauffeur's, or a public passenger chauffeur's
29 license must apply in person at a license branch and do the following:

30 (1) Pass an eyesight examination.

31 (2) Pass a written examination if:

32 (A) the applicant has at least six (6) active points on the
33 applicant's driving record maintained by the bureau; or

34 (B) the applicant holds a valid operator's license, has not
35 reached the applicant's twenty-first birthday, and has active
36 points on the applicant's driving record maintained by the
37 bureau.

38 (b) The bureau may adopt rules under IC 4-22-2 concerning the
39 ability of a holder of an operator's, a motorcycle operator's, a
40 chauffeur's, or a public passenger chauffeur's license to renew the
41 license by mail or by electronic service. If rules are adopted under this
42 subsection, the rules must provide that an individual's renewal of a

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1 license by mail or by electronic service is subject to the following
2 conditions:

3 (1) A valid computerized image of the individual must exist
4 within the records of the bureau.

5 (2) The previous renewal of the individual's operator's, motorcycle
6 operator's, chauffeur's, or public passenger chauffeur's license
7 must not have been by mail or by electronic service.

8 (3) The application for or previous renewal of the individual's
9 license must have included a test of the individual's eyesight
10 approved by the bureau.

11 (4) If the individual were applying for the license renewal in
12 person at a license branch, the individual would not be required
13 under subsection (a)(2) to submit to a written examination.

14 (5) The individual must be a citizen of the United States, as
15 shown in the records of the bureau.

16 (6) There must not have been any change in the:

17 (A) address; or

18 (B) name;

19 of the individual since the issuance or previous renewal of the
20 individual's operator's, motorcycle operator's, chauffeur's, or
21 public passenger chauffeur's license.

22 (7) The operator's, motorcycle operator's, chauffeur's, or public
23 passenger chauffeur's license of the individual must not be:

24 (A) suspended; or

25 (B) expired;

26 at the time of the application for renewal.

27 (8) The individual must be less than *seventy (70) ~~seventy-five (75)~~*
28 years of age at the time of the application for renewal.

29 (c) An individual applying for the renewal of an operator's, a
30 motorcycle operator's, a chauffeur's, or a public passenger chauffeur's
31 license must apply in person at a license branch under subsection (a)
32 if the individual is not entitled to apply by mail or by electronic service
33 under rules adopted under subsection (b).

34 SECTION 32. IC 9-24-14-1 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. If a permit or license
36 issued under this article, except section 2 of this chapter, is lost or
37 destroyed, **and as provided in section 3.5 of this chapter**, the
38 individual to whom the permit or license was issued may obtain a
39 replacement if the individual does the following:

40 (1) Furnishes proof satisfactory to the bureau that the permit or
41 license was lost or destroyed.

42 (2) Pays the required fee for a replacement permit or license

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under IC 9-29-9.

SECTION 33. IC 9-24-14-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 3.5. (a) The bureau may adopt rules under IC 4-22-2 concerning the ability of an individual to apply for a replacement of an operator's, a motorcycle operator's, a chauffeur's, or a public passenger chauffeur's license or a learner's permit to the holder of the license or learner's permit by electronic service. If rules are adopted under this subsection, the rules must provide that issuance of a replacement license or learner's permit by electronic service is subject to the following conditions:**

- (1) A valid computerized image or digital photograph of the individual must exist within the records of the bureau.**
- (2) The individual must be a citizen of the United States, as shown in the records of the bureau.**

(b) An individual applying for a replacement of an operator's, a motorcycle operator's, a chauffeur's, or a public passenger chauffeur's license or a learner's permit must apply in person at a license branch if the individual is not entitled to apply by mail or by electronic service under rules adopted under subsection (a).

SECTION 34. IC 9-24-16-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 4.5. (a) The bureau may adopt rules under IC 4-22-2 concerning the ability of an individual to renew an identification card under section 5 of this chapter or apply for a duplicate identification card under section 6, 8, or 9 of this chapter by electronic service. If rules are adopted under this subsection, the rules must provide that an individual's renewal or duplication of an identification card by electronic service is subject to the following conditions:**

- (1) A valid computerized image or digital photograph of the individual must exist within the records of the bureau.**
- (2) The individual must be a citizen of the United States, as shown in the records of the bureau.**

(b) An individual applying for:

- (1) the renewal of an identification card; or**
- (2) a duplicate identification card;**

must apply in person at a license branch if the individual is not entitled to apply by mail or by electronic service under rules adopted under subsection (a).

SECTION 35. IC 9-24-16-5, AS AMENDED BY P.L.162-2009,

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1 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2010]: Sec. 5. (a) An application for renewal of an
3 identification card may be made not more than twelve (12) months
4 before the expiration date of the card. However, when the applicant
5 complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter, an
6 application for renewal of an identification card may be filed not more
7 than one (1) month before the expiration date of the identification card
8 held by the applicant. A renewal application received after the date of
9 expiration is considered to be a new application.

10 (b) Except as provided in subsection (e), a renewed card ~~issued:~~

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

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

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

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

20 (e) A renewed identification card issued under this article after
21 December 31, 2007, to an applicant who complies with section
22 3.5(1)(E) through 3.5(1)(J) of this chapter expires:

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

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

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

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

34 SECTION 36. IC 9-28-5.1 IS ADDED TO THE INDIANA CODE
35 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2010]:

37 **Chapter 5.1. International Reciprocity**

38 **Sec. 1. To facilitate the exchange of driver's licenses, the bureau**
39 **shall negotiate and enter into a reciprocal agreement with a foreign**
40 **country. However, the bureau may not negotiate or enter into a**
41 **reciprocal agreement with a country that is listed as a state sponsor**
42 **of terrorism as determined by the Secretary of State of the United**

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States.

Sec. 2. A reciprocal agreement entered into under section 1 of this chapter must authorize the bureau to enter into a written agreement with a foreign country to waive one (1) or more of the examination requirements under IC 9-24 for obtaining an operator's license from this state.

Sec. 3. A written reciprocity agreement entered into under section 2 of this chapter must require an applicant from the foreign country for an operator's license to possess:

- (1) a valid operator's license or the equivalent from the foreign country; or**
- (2) an international driving permit.**

Sec. 4. The bureau shall report annually in an electronic format under IC 5-14-6 regarding reciprocal agreements entered into under this chapter to the general assembly before February 1 of each year.

Sec. 5. The bureau shall adopt rules under IC 4-22-2 to carry out this chapter.

SECTION 37. IC 9-29-5-34.5, AS AMENDED BY P.L.30-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34.5. A vehicle registered under

- ~~(1) IC 9-18-24.5 or~~
- ~~(2) IC 9-18-52;~~

is subject to an annual registration fee and any other fee or tax required of a person registering a vehicle under this title.

SECTION 38. IC 9-29-5-34.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 34.7. In addition to the fee described in IC 9-18-52-7(a)(2), a vehicle registered under IC 9-18-52 is subject to an annual registration fee for a vehicle of the same classification under this chapter and any other fee or tax required of a person registering a vehicle under this title.**

SECTION 39. IC 9-29-5-38.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010 (RETROACTIVE)]: **Sec. 38.6. A vehicle registered under IC 9-18-54 is subject to an annual registration fee and any other fee or tax required of a person registering a vehicle under this title.**

SECTION 40. IC 14-19-3-4, AS AMENDED BY P.L.1-2006, SECTION 211, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 4. (a) Upon application to the department, a resident of Indiana:

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- 1 (1) who:
 2 (A) if born in 1933, 1934, 1935, 1936, or 1937, is at least sixty
 3 (60) years of age; or
 4 (B) if born before 1933 or after 1937, is at least sixty-five (65)
 5 years of age;
 6 (2) who is eligible for Social Security disability payments under
 7 42 U.S.C. 423;
 8 (3) who is eligible for a disabled **Hoosier** veteran license plate
 9 under IC 9-18-18-1; or
 10 (4) who is issued a prisoner of war license plate under
 11 IC 9-18-17-1;
 12 may purchase or is eligible to receive an annual Golden Hoosier
 13 Passport.
 14 (b) A Golden Hoosier Passport entitles:
 15 (1) the resident;
 16 (2) the resident's motor vehicle; and
 17 (3) the resident's passengers;
 18 to unlimited admission for one (1) calendar year to the Indiana state
 19 parks, recreation areas, reservoirs, forests, historic sites, museums,
 20 memorials, and other department properties for which admission is
 21 charged during the year for which the passport was issued.
 22 (c) Except as provided in subsection (d), the fee for an annual
 23 Golden Hoosier Passport issued under this section is fifty percent
 24 (50%) of the fee that the department charges a resident who is not
 25 described in subsection (a)(1), (a)(2), or (a)(3) for unlimited admission
 26 for one (1) calendar year to the Indiana state parks, recreation areas,
 27 reservoirs, forests, historic sites, museums, memorials, and other
 28 department properties for which admission is charged.
 29 (d) A fee may not be charged for an annual Golden Hoosier Passport
 30 issued under this section to a resident described in subsection (a)(4).
 31 SECTION 41. THE FOLLOWING ARE REPEALED [EFFECTIVE
 32 JULY 1, 2010]: IC 9-18-15-5; IC 9-18-15-15; IC 9-18-18-6.
 33 SECTION 42. [EFFECTIVE UPON PASSAGE] (a)
 34 **Notwithstanding IC 9-28-5.1-5, as added by this act, the bureau of**
 35 **motor vehicles shall carry out the duties imposed upon the bureau**
 36 **of motor vehicles under IC 9-28-5.1-5, as added by this act, under**
 37 **interim written guidelines approved by the commissioner of the**
 38 **bureau of motor vehicles.**
 39 (b) This SECTION expires on the earlier of the following:
 40 (1) The date rules are adopted under IC 9-28-5.1-5, as added
 41 by this act.
 42 (2) December 31, 2011.

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1 SECTION 43. [EFFECTIVE JULY 1, 2010] (a) **IC 9-18-18-7, as**
2 **amended by this act, applies to license plates issued or renewed**
3 **after December 31, 2010.**
4 **(b) This SECTION expires June 30, 2015.**
5 SECTION 44. **An emergency is declared for this act.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 407, 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, delete lines 13 through 17, begin a new paragraph and insert:

"SECTION 2. IC 9-18-2-47, AS AMENDED BY P.L.103-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 47. (a) The commissioner shall adopt rules under IC 4-22-2 prescribing the cycle for the issuance and replacement of license plates under this article. The rules adopted under this section shall provide that a license plate for a vehicle issued under this article is valid for five (5) years.

(b) The rules adopted under this section do not apply to:

- ~~(1) low digit license plates issued under section 28 of this chapter;~~
- ~~(2) (1) truck license plates issued under section 4.5 or 18 of this chapter;~~
- ~~(3) (2) general assembly and other state official license plates issued under IC 9-18-16; and~~
- ~~(4) (3) personalized license plates issued under IC 9-18-15.~~

SECTION 3. IC 9-18-15-1, AS AMENDED BY P.L.182-2009(ss), SECTION 286, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. (a) A person who is the registered owner or lessee of a:

- (1) passenger motor vehicle;
- (2) motorcycle;
- (3) recreational vehicle; or
- (4) vehicle registered as a truck with a declared gross weight of not more than
 - ~~(A) eleven thousand (11,000) pounds;~~
 - ~~(B) nine thousand (9,000) pounds; or~~
 - ~~(C) seven thousand (7,000) pounds;~~

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

(b) A person who:

- (1) is the registered owner or lessee of a vehicle described in subsection (a); and
- (2) is eligible to receive a license plate for the vehicle under:

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- (A) IC 9-18-17 (prisoner of war license plates);
 (B) IC 9-18-18 (disabled veteran license plates);
 (C) IC 9-18-19 (Purple Heart license plates);
 (D) IC 9-18-20 (Indiana National Guard license plates);
 (E) IC 9-18-21 (Indiana Guard Reserve license plates);
 (F) IC 9-18-22 (license plates for persons with disabilities);
 (G) IC 9-18-23 (amateur radio operator license plates);
 (H) IC 9-18-24 (civic event license plates);
 (I) IC 9-18-24.5 (In God We Trust license plates);
 (J) IC 9-18-25 (special group recognition license plates);
 (K) IC 9-18-29 (environmental license plates);
 (L) IC 9-18-30 (kids first trust license plates);
 (M) IC 9-18-31 (education license plates);
 (N) IC 9-18-32.2 (drug free Indiana trust license plates);
 (O) IC 9-18-33 (Indiana FFA trust license plates);
 (P) IC 9-18-34 (Indiana firefighter license plates);
 (Q) IC 9-18-35 (Indiana food bank trust license plates);
 (R) IC 9-18-36 (Indiana girl scouts trust license plates);
 (S) IC 9-18-37 (Indiana boy scouts trust license plates);
 (T) IC 9-18-38 (Indiana retired armed forces member license plates);
 (U) IC 9-18-39 (Indiana antique car museum trust license plates);
 (V) IC 9-18-40 (D.A.R.E. Indiana trust license plates);
 (W) IC 9-18-41 (Indiana arts trust license plates);
 (X) IC 9-18-42 (Indiana health trust license plates);
 (Y) IC 9-18-43 (Indiana mental health trust license plates);
 (Z) IC 9-18-44 (Indiana Native American trust license plates);
 (AA) IC 9-18-45.8 (Pearl Harbor survivor license plates);
 (BB) IC 9-18-46.2 (Indiana state educational institution trust license plates);
 (CC) IC 9-18-47 (Lewis and Clark bicentennial license plates);
 (DD) IC 9-18-48 (Riley Children's Foundation license plates);
 (EE) IC 9-18-49 (National Football League franchised professional football team license plates);
 (FF) IC 9-18-50 (Hoosier veteran license plates);
 (GG) IC 9-18-51 (support our troops license plates); **or**
~~(HH) IC 9-18-52 (Abraham Lincoln bicentennial license plates);~~ **or**
~~(HH)~~ **(HH)** IC 9-18-53 Earlham College Trust license plates;
 may apply to the bureau for a personalized license plate to be affixed to the vehicle for which registration is sought instead of the regular

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special recognition license plate.

SECTION 4. IC 9-18-15-6, AS AMENDED BY P.L.233-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 6. If a person who has been issued a personalized license plate reserves the same configuration of letters or numbers, or both, for the next plate cycle, ~~as set forth in section 5 of this chapter,~~ that configuration of letters or numbers, or both, is not available to another person until the following plate cycle.

SECTION 5. IC 9-24-12-1, AS AMENDED BY P.L.101-2009, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. (a) Except as provided in subsections (b) and (d) and section 10 of this chapter, an operator's license issued under this article 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, 11, and 12 of this chapter, an operator's license issued 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, 11, and 12 of this chapter, 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 ~~or IC 9-24-11-3.3~~ expires at midnight of the twenty-first birthday of the holder.

(e) A probationary license issued under IC 9-24-11-3.3 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.
 - (B) At midnight of the **date thirty (30) days after the** twenty-first birthday of the holder.

(f) Except as provided in subsection (e), a probationary operator's license issued under IC 9-24-11-3.3 expires at midnight of the date thirty (30) days after the twenty-first birthday of the holder.

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SECTION 6. IC 9-24-12-5, AS AMENDED BY P.L.76-2009, SECTION 2, AND AS AMENDED BY P.L.162-2009, SECTION 5, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as provided in subsection (b), an individual applying for renewal of an operator's, a motorcycle operator's, a chauffeur's, or a public passenger chauffeur's license must apply in person at a license branch and do the following:

- (1) Pass an eyesight examination.
- (2) Pass a written examination if:
 - (A) the applicant has at least six (6) active points on the applicant's driving record maintained by the bureau; or
 - (B) the applicant holds a valid operator's license, has not reached the applicant's twenty-first birthday, and has active points on the applicant's driving record maintained by the bureau.

(b) The bureau may adopt rules under IC 4-22-2 concerning the ability of a holder of an operator's, a motorcycle operator's, a chauffeur's, or a public passenger chauffeur's license to renew the license by mail or by electronic service. If rules are adopted under this subsection, the rules must provide that an individual's renewal of a license by mail or by electronic service is subject to the following conditions:

- (1) A valid computerized image of the individual must exist within the records of the bureau.
- (2) The previous renewal of the individual's operator's, motorcycle operator's, chauffeur's, or public passenger chauffeur's license must not have been by mail or by electronic service.
- (3) The application for or previous renewal of the individual's license must have included a test of the individual's eyesight approved by the bureau.
- (4) If the individual were applying for the license renewal in person at a license branch, the individual would not be required under subsection (a)(2) to submit to a written examination.
- (5) The individual must be a citizen of the United States, as shown in the records of the bureau.
- (6) There must not have been any change in the:
 - (A) address; or
 - (B) name;
 of the individual since the issuance or previous renewal of the individual's operator's, motorcycle operator's, chauffeur's, or public passenger chauffeur's license.
- (7) The operator's, motorcycle operator's, chauffeur's, or public

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passenger chauffeur's license of the individual must not be:

(A) suspended; or

(B) expired;

at the time of the application for renewal.

(8) The individual must be less than *seventy (70)* ~~*seventy-five (75)*~~ years of age at the time of the application for renewal.

(c) An individual applying for the renewal of an operator's, a motorcycle operator's, a chauffeur's, or a public passenger chauffeur's license must apply in person at a license branch under subsection (a) if the individual is not entitled to apply by mail or by electronic service under rules adopted under subsection (b).

SECTION 7. IC 9-24-14-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. If a permit or license issued under this article, except section 2 of this chapter, is lost or destroyed, **and as provided in section 3.5 of this chapter**, the individual to whom the permit or license was issued may obtain a replacement if the individual does the following:

(1) Furnishes proof satisfactory to the bureau that the permit or license was lost or destroyed.

(2) Pays the required fee for a replacement permit or license under IC 9-29-9.

SECTION 8. IC 9-24-14-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 3.5. (a) The bureau may adopt rules under IC 4-22-2 concerning the ability of an individual to apply for a replacement of an operator's, a motorcycle operator's, a chauffeur's, or a public passenger chauffeur's license or a learner's permit to the holder of the license or learner's permit by electronic service. If rules are adopted under this subsection, the rules must provide that issuance of a replacement license or learner's permit by electronic service is subject to the following conditions:**

(1) A valid computerized image or digital photograph of the individual must exist within the records of the bureau.

(2) The individual must be a citizen of the United States, as shown in the records of the bureau.

(b) An individual applying for a replacement of an operator's, a motorcycle operator's, a chauffeur's, or a public passenger chauffeur's license or a learner's permit must apply in person at a license branch if the individual is not entitled to apply by mail or by electronic service under rules adopted under subsection (a).

SECTION 9. IC 9-24-16-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY

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1, 2010]: **Sec. 4.5. (a) The bureau may adopt rules under IC 4-22-2 concerning the ability of an individual to renew an identification card under section 5 of this chapter or apply for a duplicate identification card under section 6, 8, or 9 of this chapter by electronic service. If rules are adopted under this subsection, the rules must provide that an individual's renewal or duplication of an identification card by electronic service is subject to the following conditions:**

(1) A valid computerized image or digital photograph of the individual must exist within the records of the bureau.

(2) The individual must be a citizen of the United States, as shown in the records of the bureau.

(b) An individual applying for:

(1) the renewal of an identification card; or

(2) a duplicate identification card;

must apply in person at a license branch if the individual is not entitled to apply by mail or by electronic service under rules adopted under subsection (a).

SECTION 10. IC 9-24-16-5, AS AMENDED BY P.L.162-2009, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 5. (a) An application for renewal of an identification card may be made not more than twelve (12) months before the expiration date of the card. However, when the applicant complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter, an application for renewal of an identification card may be filed not more than one (1) month before the expiration date of the identification card held by the applicant. A renewal application received after the date of expiration is considered to be a new application.**

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

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

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

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

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

(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)(J) of this chapter expires:

(1) at midnight one (1) year after issuance, if there is no

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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.

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

SECTION 11. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2010]: IC 9-18-15-5; IC 9-18-15-15.

SECTION 12. **An emergency is declared for this act.**"

Delete pages 2 through 9.

and when so amended that said bill do pass.

(Reference is to SB 407 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 8, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 407 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-13-2-69.8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010 (RETROACTIVE)]: Sec. 69.8. "Gold Star family member" for purposes of IC 9-18-54, has the meaning set forth in IC 9-18-54-1.**"

Page 3, line 24, delete "or".

Page 3, line 27, before "Earlham" insert "(".

Page 3, line 27, after "Trust" insert ")".

Page 3, line 27, after "plates;" insert "**or**

(II) IC 9-18-54 (Indiana Gold Star family member license plates);"

Page 3, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 6. IC 9-18-25-1, AS AMENDED BY P.L.30-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JANUARY 1, 2010 (RETROACTIVE)]: Sec. 1. This chapter does not apply to the following:

- (1) Antique motor vehicle license plates (IC 9-18-12).
- (2) Recovery vehicle license plates (IC 9-18-13).
- (3) Personalized license plates (IC 9-18-15).
- (4) Prisoner of war license plates (IC 9-18-17).
- (5) Disabled veteran license plates (IC 9-18-18).
- (6) Purple Heart license plates (IC 9-18-19).
- (7) Indiana National Guard license plates (IC 9-18-20).
- (8) Person with a disability license plates (IC 9-18-22).
- (9) Amateur radio operator license plates (IC 9-18-23).
- (10) In God We Trust license plates (IC 9-18-24.5).
- (11) Pearl Harbor survivor license plates (IC 9-18-45.8).
- (12) Hoosier veteran license plates (IC 9-18-50).
- (13) Support our troops license plates (IC 9-18-51).
- (14) Abraham Lincoln bicentennial license plates (IC 9-18-52).
- (15) Indiana Gold Star family member license plates (IC 9-18-54).**

SECTION 7. IC 9-18-54 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010 (RETROACTIVE)]:

Chapter 54. Indiana Gold Star Family Member License Plate

Sec. 1. As used in this chapter, "Gold Star family member" means:

- (1) a biological parent;
- (2) an adoptive parent;
- (3) a stepparent;
- (4) a biological child;
- (5) an adopted child;
- (6) a stepchild;
- (7) a sibling by blood;
- (8) a sibling by half blood;
- (9) a sibling by adoption;
- (10) a stepsibling; or
- (11) the spouse;

of an individual who has died while serving on active duty, or dies as a result of injuries sustained while serving on active duty, as a member of the armed forces of the United States or the national guard (as defined in IC 10-16-1-13).

Sec. 2. The bureau shall design and issue an Indiana Gold Star family member license plate beginning January 1, 2010.

Sec. 3. An Indiana Gold Star family member license plate must

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include the following:

- (1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle.
- (2) A background design, an emblem, or colors that designate the license plate as an Indiana Gold Star family member license plate.
- (3) Any other information that the bureau considers necessary.

Sec. 4. An Indiana Gold Star family member license plate issued under this chapter may be displayed on the following:

- (1) A passenger motor vehicle.
- (2) A truck registered as a truck with a declared gross weight of not more than eleven thousand (11,000) pounds.
- (3) A recreational vehicle.

Sec. 5. A person who is an Indiana Gold Star family member and who is eligible to register and display a license plate on a vehicle under this title may receive an Indiana Gold Star family member license plate for one (1) or more vehicles after doing the following:

- (1) Completing an application for an Indiana Gold Star family member license plate.
- (2) Providing the bureau with appropriate documentation as defined by the bureau to establish eligibility as an Indiana Gold Star family member.
- (3) Paying the fee under section 6 of this chapter.

Sec. 6. The fee for an Indiana Gold Star family member license plate is the appropriate fee under IC 9-29-5-38.6."

Page 7, between lines 39 and 40, begin a new paragraph and insert:
"SECTION 14. IC 9-29-5-38.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010 (RETROACTIVE)]: **Sec. 38.6. A vehicle registered under IC 9-18-54 is subject to an annual registration fee and any other fee or tax required of a person registering a vehicle under this title.**"

Renumber all SECTIONS consecutively.

(Reference is to SB 407 as printed January 20, 2010.)

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SENATE MOTION

Madam President: I move that Senate Bill 407 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

Page 3, line 24, delete "or".

Page 3, line 25, reset in roman "(HH) IC 9-18-52 (Abraham Lincoln bicentennial license".

Page 3, line 26, reset in roman "plates); or".

Page 3, line 27, reset in roman "(II)".

Page 3, line 27, delete "(HH)".

Page 3, between lines 37 and 38, begin a new paragraph and insert:
"SECTION 5. IC 9-18-52-2, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. An Abraham Lincoln bicentennial license plate shall be available for issuance through December 31, ~~2009~~ **2013**.

SECTION 6. IC 9-18-52-3, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The renewal of the registration of an Abraham Lincoln bicentennial license plate must be available through the renewal cycle in ~~2012~~ **2016**, subject to ~~IC 9-18-2-8(g)~~ **IC 9-18-2-8(a)**. Notwithstanding section 8 of this chapter, a vehicle may display an Abraham Lincoln bicentennial license plate in ~~2013~~ **2017**, subject to ~~IC 9-18-2-8(g)~~ **IC 9-18-2-8(a)**.

SECTION 7. IC 9-18-52-6, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. A person who is a resident of Indiana and who is eligible to register and display a license plate on a vehicle under this title may apply for and receive an Abraham Lincoln bicentennial license plate for one (1) or more vehicles after doing the following:

- (1) Completing an application for an Abraham Lincoln bicentennial license plate.
- (2) Paying the ~~fee~~ **fees** under section 7 of this chapter.

SECTION 8. IC 9-18-52-7, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. **(a)** The ~~fee~~ **fees** for an Abraham Lincoln bicentennial license plate is ~~the appropriate fee under IC 9-29-5-34.5~~ **are as follows:**

- (1) The appropriate fee under IC 9-29-5-34.7.**
 - (2) An annual fee of twenty-five dollars (\$25).**
- (b) The annual fee described in subsection (a)(2) shall be**

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collected by the bureau.

(c) The annual fee described in subsection (a)(2) shall be deposited in the Indiana State Museum Foundation trust fund established by section 7.5 of this chapter.

SECTION 9. IC 9-18-52-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.5. (a) The Indiana State Museum Foundation trust fund is established.

(b) The treasurer of state shall invest the money in the Indiana State Museum Foundation trust fund not currently needed to meet the obligations of the Indiana State Museum Foundation trust fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the Indiana State Museum Foundation trust fund. Money in the Indiana State Museum Foundation trust fund is continuously appropriated for the purposes of this section.

(c) The commissioner shall administer the Indiana State Museum Foundation trust fund. Expenses of administering the Indiana State Museum Foundation trust fund shall be paid from money in the fund.

(d) On June 30 of each year, the commissioner shall distribute the money from the Indiana State Museum Foundation trust fund to the Indiana State Museum Foundation, Inc. for use concerning the Lincoln collection.

(e) Money in the Indiana State Museum Foundation trust fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 10. IC 9-18-52-8, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. This chapter expires December 31, ~~2013~~ 2017."

Page 7, between lines 39 and 40, begin a new paragraph and insert: "SECTION 17. IC 9-29-5-34.5, AS AMENDED BY P.L.30-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34.5. A vehicle registered under

- (1) IC 9-18-24.5 or
- (2) ~~IC 9-18-52;~~

is subject to an annual registration fee and any other fee or tax required of a person registering a vehicle under this title.

SECTION 18. IC 9-29-5-34.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34.7. In addition to the fee

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described in IC 9-18-52-7(a)(2), a vehicle registered under IC 9-18-52 is subject to an annual registration fee for a vehicle of the same classification under this chapter and any other fee or tax required of a person registering a vehicle under this title."

Renumber all SECTIONS consecutively.

(Reference is to SB 407 as printed January 20, 2010.)

MERRITT

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that pursuant to Senate Rule 33(c), the following technical corrections are to be made to Engrossed Senate Bill 407.

Page 3, line 32, strike "Trust)" and reset in roman "Trust".

Page 3, line 32, after "plates" insert ")".

Page 3, line 33, delete "(II)" and insert "(JJ)".

LONG, Chairperson

(Reference is to ESB 407 as reprinted January 29, 2010.)

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 407, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-6-5.1-15, AS ADDED BY P.L.131-2008, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 15. (a) This section applies only to recreational vehicles.

(b) With respect to a recreational vehicle that has been acquired, has been brought into Indiana, 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 recreational vehicle is required under the state motor vehicle registration laws to register vehicles, the tax imposed by this chapter is due and payable at the time the recreational

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vehicle is acquired, is brought into Indiana, or otherwise becomes subject to registration. The amount of tax to be paid by the owner for the remainder of the year shall be reduced by ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~) (**8.33%**) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the state motor vehicle registration laws for annual registration by the owner. The tax shall be paid at the time of the registration of the recreational vehicle.

(c) If a recreational vehicle is acquired, is brought into Indiana, or for any other reason becomes subject to registration after January 1 of any year, the owner may pay the applicable registration fee on the recreational vehicle as provided in the state motor vehicle registration laws and may pay any excise tax due on the recreational vehicle for the remainder of the annual registration year and simultaneously register the recreational 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 (h), a reduction in the applicable annual excise tax may not be allowed to an Indiana resident applicant upon registration of a recreational vehicle that was owned by the applicant on or before the first day of the applicant's annual registration period. A recreational vehicle that is owned by an Indiana resident applicant and that was located in and registered for use in another state during the same calendar year is entitled to the same reduction when registered in Indiana.

(e) The owner of a recreational vehicle who sells the recreational 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 recreational vehicle; minus
- (2) ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~) (**8.33%**) for each full or partial calendar month that has elapsed in the owner's annual registration year before the date of the sale.

The credit shall be applied to the tax due on any other recreational vehicle purchased or subsequently registered by the owner in the owner'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 three dollars (\$3) of the fee to the bureau of motor vehicles commission to cover the commission's costs in processing the refund. To claim the credit and refund provided by this subsection, the owner of the recreational

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vehicle must present to the bureau proof of sale of the recreational vehicle.

(f) Subject to the requirements of subsection (g), if a recreational vehicle is destroyed in a year in which the owner has paid the tax imposed by this chapter and the recreational vehicle is not replaced by a replacement vehicle for which a credit is issued under this section, the owner is entitled to a refund in an amount equal to ~~ten eight and thirty-three hundredths~~ percent (~~10%~~) **(8.33%)** of the tax paid for each full calendar month remaining in the owner'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 recreational vehicle.
- (4) The registration from the recreational vehicle.

However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed recreational 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 under section 21 of this chapter for settlement of the excise tax collections. For purposes of this subsection, a recreational vehicle is considered destroyed if the cost of repair of damages suffered by the recreational vehicle exceeds the recreational vehicle's fair market value.

(g) To claim a refund under subsection (f) for a recreational vehicle that is destroyed, the owner of the recreational vehicle must present to the bureau a valid registration for the recreational vehicle within ninety (90) days after the date that the recreational vehicle is destroyed. The bureau shall then fix the amount of the refund that the owner is entitled to receive.

(h) If the name of the owner of a recreational 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 for the recreational vehicle 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 is, at the time the name change is reported, entitled to a refund from the county treasurer in the amount of the product of:

- (A) ~~ten eight and thirty-three hundredths~~ percent (~~10%~~) **(8.33%)** of the owner's last preceding annual excise tax

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liability; multiplied by

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

(2) If the name change requires the owner to register later than the owner would have been required to register if there had been no name change, the recreational vehicle is subject to excise tax for the period beginning after the month in which the owner would have been required to register if there had been no name change and ending before the owner's new regular annual registration month in the amount of the product of:

(A) ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~) (**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; multiplied by

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

SECTION 2. IC 6-6-5.1-16, AS ADDED BY P.L.131-2008, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 16. (a) This section applies only to truck campers.

(b) With respect to a truck camper that has been acquired, has been brought into Indiana, or for any other reason becomes subject to taxation after the regular annual registration date in the year on or before which the owner of the truck camper is required under the state motor vehicle registration laws to register vehicles, the tax imposed by this chapter is due and payable at the time the truck camper is acquired, is brought into Indiana, or otherwise becomes subject to taxation under this chapter. The amount of tax to be paid by the owner for the remainder of the year shall be reduced by ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~) (**8.33%**) for each full calendar month that has elapsed since the regular annual registration date in the year fixed by the state motor vehicle registration laws for annual registration by the owner. The tax shall be paid within thirty (30) days after the date on which the truck camper is acquired, is brought into Indiana, or otherwise becomes subject to taxation under this chapter.

(c) If a truck camper is acquired, is brought into Indiana, or for any other reason becomes subject to taxation under this chapter after January 1 of any year, the owner may pay any excise tax due on the truck camper for the remainder of the annual registration year and

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simultaneously pay the excise tax due for the next succeeding annual registration year.

(d) The owner of a truck camper who sells the truck camper 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 truck camper; reduced by
- (2) ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~ **8.33%**) for each full or partial calendar month that has elapsed in the owner's annual registration year before the date of the sale.

The credit shall be applied to the tax due on any other truck camper acquired by the owner in the owner'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 the costs of providing the refund, which may be deducted from the refund. The bureau shall issue the refund. The bureau shall transfer three dollars (\$3) of the fee to the bureau of motor vehicles commission to cover the commission's costs in processing the refund. To claim the credit and refund provided by this subsection, the owner of the truck camper must present to the bureau proof of sale of the truck camper.

(e) Subject to the requirements of subsection (f), if a truck camper is destroyed in a year in which the owner has paid the tax imposed by this chapter and the truck camper is not replaced by a replacement truck camper for which a credit is issued under this section, the owner is entitled to a refund in an amount equal to ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~ **8.33%**) of the tax paid for each full calendar month remaining in the owner'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.

However, the refund may not exceed ninety percent (90%) of the tax paid on the destroyed truck camper. 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 under section 21 of this chapter for settlement of the excise tax collections. For purposes of this subsection, a truck camper is considered destroyed if the cost of repair of damages suffered by the truck camper exceeds the truck camper's fair market value.

(f) To claim a refund under subsection (e) for a truck camper that is

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destroyed, the owner of the truck camper must present to the bureau a valid receipt for the excise tax paid under this chapter on the truck camper within ninety (90) days after the date that the truck camper is destroyed. The bureau shall then fix the amount of the refund that the owner is entitled to receive.

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

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

(A) ~~ten eight and thirty-three hundredths~~ percent (~~10%~~) **(8.33%)** of the owner's last preceding annual excise tax liability; multiplied by

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

(2) If the name change requires the owner to register a motor vehicle later than the owner would have been required to register if there had been no name change, the truck camper is subject to excise tax for the period beginning after the month in which the owner would have been required to register if there had been no name change and ending before the owner's new regular annual registration month in the amount of the product of:

(A) ~~ten eight and thirty-three hundredths~~ percent (~~10%~~) **(8.33%)** of the owner's excise tax liability computed as of the time the owner would have been required to register a motor vehicle if there had been no name change; multiplied by

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

SECTION 3. IC 6-6-5.1-17, AS ADDED BY P.L.131-2008, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 17. (a) This section applies only to recreational vehicles.

(b) The owner of a recreational vehicle registered with the bureau

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is entitled to a refund of taxes paid under this chapter if, after the owner's regular registration date, the owner:

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

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

- (1) the annual license excise tax paid for use of the recreational vehicle by the owner of the vehicle for the year; minus
- (2) ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~ **8.33%**) of the annual license excise tax paid for use of the recreational vehicle for each full or partial calendar month beginning after the date the annual license excise tax was due and ending before the date the owner registered the recreational vehicle for use in another state.

(d) To claim the refund provided by this section, the owner of the recreational 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 (b)(2) was paid.

SECTION 4. IC 6-6-5.1-18, AS ADDED BY P.L.131-2008, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 18. (a) This section applies only to truck campers.

(b) The owner of a truck camper is entitled to a refund of taxes paid under this chapter if, after the owner's regular vehicle registration date:

- (1) the owner moves and registers the truck on which the truck camper is installed for use in another state;
- (2) the owner pays tax for use of the truck camper to another state for the same period for which the tax was paid under this chapter; and
- (3) the truck camper is located and used in the other state for the same period for which the tax was paid under this chapter.

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

- (1) the annual excise tax paid for use of the truck camper by the owner of the truck camper for the year; minus
- (2) ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~ **8.33%**) of the annual excise tax paid for use of the truck camper for each full or partial calendar month beginning after the date the annual excise tax was due and ending before the date the owner registered the truck for use in another state."

Page 1, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 6. IC 9-14-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 7. A placard issued under this chapter must be displayed on the dashboard of a motor

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vehicle that is parked in a parking space reserved for persons with physical disabilities under this chapter unless the motor vehicle bears a license plate for a person with a disability issued under IC 9-18-22, a disabled **Hoosier** veteran's license plate issued under IC 9-18-18, or an equivalent parking permit issued under the laws of another state. If a placard is lost, stolen, damaged, or destroyed, the bureau shall provide a duplicate placard upon the application of the person who was issued the placard."

Page 2, between lines 14 and 15, begin a new paragraph and insert:
 "SECTION 9. IC 9-18-12-2.5, AS ADDED BY P.L.79-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 2.5. (a) ~~After December 31, 2007~~; A person who registers an antique motor vehicle under this chapter may:

- (1) furnish; and
- (2) display on the antique motor vehicle;

an Indiana license plate from the model year of the antique motor vehicle.

(b) A license plate furnished and displayed under this section must be an authentic license plate from the model year of the antique motor vehicle.

(c) Before a license plate is mounted on an antique motor vehicle under this section, the license plate must be inspected by the bureau to determine whether the license plate:

- (1) complies with this section;
- (2) is in suitable condition to be displayed; and
- (3) bears a unique plate number at the time of the registration of the antique motor vehicle.

The bureau **shall authorize the display of a restored or refurbished authentic license plate, but** may prohibit the display of an authentic license plate under this section if the authentic license plate is not in conformance with this subsection.

(d) If an Indiana license plate from the model year of the antique motor vehicle is displayed on a motor vehicle registered as an antique motor vehicle under this chapter, the current certificate of registration of the antique motor vehicle shall be:

- (1) kept at all times in the vehicle; and
- (2) made available for inspection upon the demand of a law enforcement officer.

Notwithstanding IC 9-18-2-21, this subsection is not satisfied by keeping a reproduction of the certificate of registration in the vehicle or making a reproduction of the certificate of registration available for inspection.

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(e) The fee to register and display an authentic license plate from the model year of an antique motor vehicle is as provided in IC 9-29-5-32.5."

Page 2, line 36, after "(disabled" insert "**Hoosier**".

Page 3, line 29, delete "or".

Page 3, line 31, strike "or".

Page 3, line 32, strike "Trust)" and insert "Trust".

Page 3, line 32, delete "plates;" and insert "plates);".

Page 3, line 33, delete "(II)" and insert "**(JJ)**".

Page 4, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 12. IC 9-18-18-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. (a) A person may apply for, receive, and display a disabled **Hoosier** veteran license plate on the person's vehicle for private and personal use if the person, as the result of having served in the armed forces of the United States, has:

- (1) lost sight in both eyes or suffered permanent impairment of vision in both eyes to the extent of being eligible for service-connected compensation for the loss;
- (2) suffered the loss of one (1) or both feet or the permanent loss of use of one (1) or both feet;
- (3) suffered the loss of one (1) or both hands or the permanent loss of use of one (1) or both hands; **or**
- (4) a **United States Department of Veterans Affairs disability rating for a** physical condition that precludes the person from walking without pain or difficulty; **or**
- (5) **been rated by the United States Department of Veterans Affairs as being one hundred percent (100%) disabled and is receiving service related compensation from the United States Department of Veterans Affairs.**

(b) An application for a disabled **Hoosier** veteran license plate must be accompanied by a certificate from the:

- (1) United States Department of Veterans Affairs; or
 - (2) appropriate branch of the armed forces of the United States;
- confirming the eligibility of the person submitting the application for the disabled **Hoosier** veteran license plate.

SECTION 13. IC 9-18-18-2, AS AMENDED BY P.L.6-2009, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 2. (a) A person qualifying under section 1 of this chapter may not be:

- (1) charged a fee for parking in a metered space; or
- (2) assessed a penalty for parking in a metered space for longer than the time permitted.

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(b) This section does not authorize parking of a motor vehicle in a parking place during a time when parking in the space is prohibited if the prohibition is:

- (1) posted; and
- (2) authorized:
 - (A) by ordinances in cities and towns; or
 - (B) by order of the Indiana department of transportation.

(c) A person other than the owner of the motor vehicle displaying a disabled **Hoosier** veteran license plate authorized by this chapter is not entitled to the parking privileges authorized by this section.

SECTION 14. IC 9-18-18-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 3. The bureau:

- (1) may design and issue disabled **Hoosier** veteran license plates to implement this chapter; and
- (2) shall administer this chapter relating to proper certification for a person applying for a disabled **Hoosier** veteran license plate.

SECTION 15. IC 9-18-18-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 4. Not more than two (2) disabled **Hoosier** veteran license plates may be issued to each eligible person.

SECTION 16. IC 9-18-18-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 5. The disabled **Hoosier** veteran license plates authorized under this chapter shall be issued by the bureau for any classification of vehicle required to be registered under Indiana law, but the license plate may not be used for commercial vehicles.

SECTION 17. IC 9-18-18-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 7. A ~~Class I disabled~~ **Hoosier veteran** license plate must be ~~blue and gold~~ in color with **blue lettering** and contain the following:

- (1) Identification numerals.
- (2) The words "Disabled ~~Am Vet~~ **Hoosier Veteran**".

Page 4, line 11, after "Disabled" insert "**Hoosier**".

Page 4, between lines 22 and 23, begin a new paragraph and insert: "SECTION 20. IC 9-18-25-17.7, AS ADDED BY P.L.117-2006, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 17.7. (a) Notwithstanding any other law, representatives of a special group that participates in the special group recognition plate program may request that the bureau collect an annual fee of twenty-five dollars (\$25) on behalf of the special group.

(b) If a request is made under subsection (a), the bureau shall collect the following fees:

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(1) The appropriate fee under IC 9-29-5-38(a).

(2) An annual fee of twenty-five dollars (\$25).

(c) The annual fee referred to in subsection (b)(2) shall be collected by the bureau and deposited in a trust fund for the special group established under subsection (d).

(d) The treasurer of state shall establish a trust fund for each special group for which the bureau collects fees under this section.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund is continuously appropriated for the purposes of this section. Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) The commissioner shall administer the fund. Expenses of administering the fund shall be paid from money in the fund.

(g) Before June 30 of each year, the commissioner shall distribute the money from the fund to the special group for which the bureau has collected fees under this section.

(h) **Subject to section 18 of this chapter**, the bureau may not disclose information that identifies the persons to whom special group license plates have been issued under this section.

(i) If:

(1) representatives of a special group have collected an annual fee as set forth in subsection (a) from purchasers of the special group recognition license plates that was paid directly to the special group; and

(2) the representatives of the special group request the bureau to collect the annual fee on behalf of the special group as set forth in subsection (a);

representatives of the special group may request the bureau to change the method of collection of the annual fee for the following calendar year. The representatives of the special group must make a request under this subsection by July 1 of the year preceding the year for which the change has been requested. The group may request only one (1) change in the method of collection in a plate cycle.

(j) If:

(1) the bureau collects an annual fee as set forth in subsection (a) on behalf of a special group; and

(2) representatives of the special group request the bureau to cease collection of the annual fee as set forth in subsection (a) on behalf of the special group as the annual fee will be paid directly

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to the special group by purchasers of the special group recognition license plates; representatives of the special group may request the bureau to change the method of collection of the annual fee for the following calendar year. The representatives of the special group must make a request under this subsection by July 1 of the year preceding the year for which the change has been requested. The group may request only one (1) change in the method of collection in a plate cycle.

SECTION 21. IC 9-18-25-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 18. (a) This section applies to an application form for a special group recognition license plate that:**

- (1) is subject to an annual special group fee; and**
- (2) does not require an applicant to obtain authorization from the special group that sponsors the license plate.**

(b) The application form must include a box for the applicant to check that states the following:

"By checking the above box, I am authorizing the bureau of motor vehicles to disclose my personal information included on this application form to the special group that sponsors the license plate for which I am applying. I understand that:

- (1) the special group may contact me with information about its activities but may not use my personal information primarily for fundraising or solicitation purposes;**
- (2) the bureau will not disclose my personal information to any other person or group; and**
- (3) the special group will not disclose my personal information to any other person or group without my written consent."**

(c) If an applicant checks the box described in subsection (b), the bureau may disclose personal information about the applicant included on the application form only to the special group that sponsors the license plate.

(d) If a special group receives personal information disclosed under subsection (c), the special group:

- (1) may contact the applicant with information about the special group's activities;**
- (2) may not contact the applicant primarily for fundraising or solicitation purposes; and**
- (3) may not disclose the applicant's personal information to any other person or group without the applicant's written**

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consent."

Page 6, line 14, delete "or".

Page 6, line 15, delete "the spouse;" and insert "**a grandparent;
(12) a great-grandparent; or
(13) the spouse;**".

Page 7, between lines 7 and 8, begin a new paragraph and insert:

SECTION 29. IC 9-19-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 2. (a) Except as provided in subsection (b), a motorcycle operated on the streets or highways by a resident of Indiana must meet the following requirements:

- (1) Be equipped with handlebars that rise not ~~more than fifteen (15) inches above the level of~~ **higher than the shoulders of the driver when the driver is seated in** the driver's seat or saddle. ~~when occupied.~~
- (2) Be equipped with brakes in good working order on both front and rear wheels.
- (3) Be equipped with footrests or pegs for both operator and passenger.
- (4) Be equipped with lamps and reflectors meeting the standards of the United States Department of Transportation.

(b) A motorcycle manufactured before January 1, 1956, is not required to be equipped with lamps and other illuminating devices under subsection (a) if the motorcycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

SECTION 30. IC 9-24-1-7, AS AMENDED BY P.L.150-2009, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 7. (a) Sections 1 through 5 of this chapter do not apply to the following individuals:

- (1) An individual in the service of the armed forces of the United States while operating an official motor vehicle in that service.
- (2) An individual while operating:
 - (A) a road roller;
 - (B) road construction or maintenance machinery, except where the road roller or machinery is required to be registered under Indiana law;
 - (C) a ditch digging apparatus;
 - (D) a well drilling apparatus;
 - (E) a concrete mixer; or
 - (F) a farm tractor, a farm wagon (as defined in IC 9-13-2-60(a)(2)), or an implement of agriculture designed

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to be operated primarily in a farm field or on farm premises; that is being temporarily drawn, moved, or propelled on a public highway. However, to operate a farm wagon (as defined in IC 9-13-2-60(a)(2)) on a highway, an individual must be at least fifteen (15) years of age.

(3) A nonresident who:

- (A) is at least sixteen (16) years and one (1) month of age; ~~and~~
- (B) has in the nonresident's immediate possession a valid operator's license that was issued to the nonresident in the nonresident's home state or country; **and**

(C) is lawfully admitted into the United States;

while operating a motor vehicle in Indiana only as an operator.

(4) A nonresident who:

- (A) is at least eighteen (18) years of age; ~~and~~
- (B) has in the nonresident's immediate possession a valid chauffeur's license that was issued to the nonresident in the nonresident's home state or country; **and**

(C) is lawfully admitted into the United States;

while operating a motor vehicle upon a public highway, either as an operator or a chauffeur.

(5) A nonresident who:

- (A) is at least eighteen (18) years of age; and
- (B) has in the nonresident's immediate possession a valid license issued by the nonresident's home state for the operation of any motor vehicle upon a public highway when in use as a public passenger carrying vehicle;

while operating a motor vehicle upon a public highway.

(6) A nonresident whose home state or country does not require the licensing of operators or chauffeurs and who has not been licensed as an operator or a chauffeur in the nonresident's home state or country as an operator if the nonresident is at least sixteen (16) years and thirty (30) days of age and less than eighteen (18) years of age or as a chauffeur if the nonresident is at least eighteen (18) years of age; for not more than sixty (60) days in any one (1) year if the following conditions exist:

- (A) The unlicensed nonresident is the owner of the motor vehicle or the authorized driver of the vehicle.
- (B) The vehicle has been registered for the current year in the state or country of which the owner is a resident.
- (C) The motor vehicle at all times displays a registration plate issued in the home state or country of the owner.
- (D) The nonresident owner or driver has in the owner's or

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driver's immediate possession a registration card evidencing ownership and registration in the owner's or driver's home state or country or is able at any required time or place to do the following:

(i) Prove lawful possession or the right to operate the motor vehicle.

(ii) Establish the nonresident's proper identity.

(7) (6) An individual who is legally licensed to operate a motor vehicle in the state of the individual's residence and who is employed in Indiana, subject to the restrictions imposed by the state of the individual's residence.

(8) (7) A new resident of Indiana who possesses an unexpired driver's license issued by the resident's former state of residence, for a period of sixty (60) days after becoming a resident of Indiana.

(9) (8) An individual who is an engineer, a conductor, a brakeman, or another member of the crew of a locomotive or a train that is being operated upon rails, including the operation of the locomotive or the train on a crossing over a street or a highway. An individual described in this subdivision is not required to display a license to a law enforcement officer in connection with the operation of a locomotive or a train in Indiana.

(b) An ordinance adopted under IC 9-21-1-3((a)(14) or IC 9-21-1-3.3(a) must require that an individual who operates a golf cart in the city or town hold a driver's license."

Page 11, between lines 10 and 11, begin a new paragraph and insert: "SECTION 36. IC 9-28-5.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]:

Chapter 5.1. International Reciprocity

Sec. 1. To facilitate the exchange of driver's licenses, the bureau shall negotiate and enter into a reciprocal agreement with a foreign country. However, the bureau may not negotiate or enter into a reciprocal agreement with a country that is listed as a state sponsor of terrorism as determined by the Secretary of State of the United States.

Sec. 2. A reciprocal agreement entered into under section 1 of this chapter must authorize the bureau to enter into a written agreement with a foreign country to waive one (1) or more of the examination requirements under IC 9-24 for obtaining an operator's license from this state.



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Sec. 3. A written reciprocity agreement entered into under section 2 of this chapter must require an applicant from the foreign country for an operator's license to possess:

- (1) a valid operator's license or the equivalent from the foreign country; or
- (2) an international driving permit.

Sec. 4. The bureau shall report annually in an electronic format under IC 5-14-6 regarding reciprocal agreements entered into under this chapter to the general assembly before February 1 of each year.

Sec. 5. The bureau shall adopt rules under IC 4-22-2 to carry out this chapter."

Page 11, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 40. IC 14-19-3-4, AS AMENDED BY P.L.1-2006, SECTION 211, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 4. (a) Upon application to the department, a resident of Indiana:

- (1) who:
 - (A) if born in 1933, 1934, 1935, 1936, or 1937, is at least sixty (60) years of age; or
 - (B) if born before 1933 or after 1937, is at least sixty-five (65) years of age;
- (2) who is eligible for Social Security disability payments under 42 U.S.C. 423;
- (3) who is eligible for a disabled **Hoosier** veteran license plate under IC 9-18-18-1; or
- (4) who is issued a prisoner of war license plate under IC 9-18-17-1;

may purchase or is eligible to receive an annual Golden Hoosier Passport.

(b) A Golden Hoosier Passport entitles:

- (1) the resident;
- (2) the resident's motor vehicle; and
- (3) the resident's passengers;

to unlimited admission for one (1) calendar year to the Indiana state parks, recreation areas, reservoirs, forests, historic sites, museums, memorials, and other department properties for which admission is charged during the year for which the passport was issued.

(c) Except as provided in subsection (d), the fee for an annual Golden Hoosier Passport issued under this section is fifty percent (50%) of the fee that the department charges a resident who is not described in subsection (a)(1), (a)(2), or (a)(3) for unlimited admission

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for one (1) calendar year to the Indiana state parks, recreation areas, reservoirs, forests, historic sites, museums, memorials, and other department properties for which admission is charged.

(d) A fee may not be charged for an annual Golden Hoosier Passport issued under this section to a resident described in subsection (a)(4).".

Page 11, line 32, delete "." and insert "; IC 9-18-18-6."

Page 11, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 42. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding IC 9-28-5.1-5, as added by this act, the bureau of motor vehicles shall carry out the duties imposed upon the bureau of motor vehicles under IC 9-28-5.1-5, as added by this act, under interim written guidelines approved by the 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 9-28-5.1-5, as added by this act.

(2) December 31, 2011.

SECTION 43. [EFFECTIVE JULY 1, 2010] (a) IC 9-18-18-7, as amended by this act, applies to license plates issued or renewed after December 31, 2010.

(b) This SECTION expires June 30, 2015."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 407 as reprinted January 29, 2010.)

AUSTIN, Chair

Committee Vote: yeas 9, nays 0.

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