



January 22, 2010

HOUSE BILL No. 1175

DIGEST OF HB 1175 (Updated January 20, 2010 2:37 pm - DI 96)

Citations Affected: IC 9-13; IC 9-17; IC 9-18; IC 9-21; noncode.

Synopsis: Use of mini-trucks. Authorizes the use of mini-trucks on Indiana roads. Requires a mini-truck that is operated on an Indiana road to be titled and registered. Prohibits the operation of a mini-truck on an interstate highway. Requires a dealer of mini-trucks to register as a dealer. Makes conforming amendments.

Effective: Upon passage; July 1, 2010.

Wolkins, Grubb

January 7, 2010, read first time and referred to Committee on Roads and Transportation.
January 21, 2010, amended, reported — Do Pass.

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HB 1175—LS 6476/DI 96+



January 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.

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HOUSE BILL No. 1175

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

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

1 SECTION 1. IC 9-13-2-42, AS AMENDED BY P.L.147-2009,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2010]: Sec. 42. (a) "Dealer" means, except as otherwise
4 provided in this section, a person who sells to the general public,
5 including a person who sells directly by the Internet or other computer
6 network, at least twelve (12) vehicles each year for delivery in Indiana.
7 The term includes a person who sells off-road vehicles **or mini-trucks**.
8 A dealer must have an established place of business that meets the
9 minimum standards prescribed by the bureau under rules adopted
10 under IC 4-22-2.

11 (b) The term does not include the following:
12 (1) A receiver, trustee, or other person appointed by or acting
13 under the judgment or order of a court.
14 (2) A public officer while performing official duties.
15 (3) A person who is a dealer solely because of activities as a
16 transfer dealer.
17 (4) An automotive mobility dealer.

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1 (c) "Dealer", for purposes of IC 9-31, means a person that sells to
2 the general public for delivery in Indiana at least six (6):

3 (1) boats; or

4 (2) trailers:

5 (A) designed and used exclusively for the transportation of
6 watercraft; and

7 (B) sold in general association with the sale of watercraft;
8 per year.

9 SECTION 2. IC 9-13-2-103.1 IS ADDED TO THE INDIANA
10 CODE AS A NEW SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2010]: **Sec. 103.1. "Mini-truck" means a**
12 **truck that:**

13 **(1) is powered by an internal combustion engine with a piston**
14 **or rotary displacement of not less than six hundred sixty (660)**
15 **cubic centimeters;**

16 **(2) is sixty (60) inches or less in width;**

17 **(3) has an unladen dry weight of one thousand six hundred**
18 **(1,600) pounds or less;**

19 **(4) can achieve a top speed of not more than sixty (60) miles**
20 **per hour;**

21 **(5) is manufactured with a locking enclosed cab and a heated**
22 **interior; and**

23 **(6) is operated on a highway.**

24 SECTION 3. IC 9-17-1-1, AS AMENDED BY P.L.182-2009(ss),
25 SECTION 284, IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2010]: Sec. 1. **(a)** This article does not apply to
27 farm wagons, a golf cart when operated in accordance with an
28 ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a), or a
29 motor vehicle that was designed to have a maximum design speed of
30 not more than twenty-five (25) miles per hour and that was built,
31 constructed, modified, or assembled by a person other than the
32 manufacturer.

33 **(b) IC 9-17-2, IC 9-17-3, IC 9-17-4, IC 9-17-5, and IC 9-17-8**
34 **apply to a mini-truck.**

35 SECTION 4. IC 9-18-1-2 IS ADDED TO THE INDIANA CODE
36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
37 1, 2010]: **Sec. 2. This article applies to a mini-truck with the**
38 **exception of the following:**

39 **(1) IC 9-18-7.**

40 **(2) IC 9-18-9 through IC 9-18-11.**

41 **(3) IC 9-18-13.**

42 **(4) IC 9-18-27.**

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1 SECTION 5. IC 9-21-8-46, AS AMENDED BY P.L.210-2005,
 2 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2010]: Sec. 46. A person may not drive or operate:
 4 (1) an implement of agriculture designed to be operated primarily
 5 in a farm field or on farm premises; **or**
 6 (2) a piece of special machinery; **or**
 7 (3) **a mini-truck;**
 8 upon any part of an interstate highway.
 9 SECTION 6. [EFFECTIVE UPON PASSAGE] **(a) As used in this**
 10 **SECTION, "bureau" refers to the bureau of motor vehicles**
 11 **created by IC 9-14-1-1.**
 12 **(b) As used in this SECTION, "mini-truck" has the meaning set**
 13 **forth in IC 9-13-2-103.1, as added by this act.**
 14 **(c) Before July 1, 2010, in accordance with IC 6-6-5-3(b), the**
 15 **bureau shall determine the true tax value for each make and model**
 16 **of mini-truck, subject to review and adjustment by the department**
 17 **of local government finance.**
 18 **(d) This SECTION expires December 31, 2011.**
 19 SECTION 7. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1175, 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 3, line 3, delete "(a)".

Page 3, delete lines 9 through 11.

and when so amended that said bill do pass.

(Reference is to HB 1175 as introduced.)

AUSTIN, Chair

Committee Vote: yeas 10, nays 1.

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