

Adopted Rejected

COMMITTEE REPORT

YES: 11
NO: 1

MR. SPEAKER:

Your Committee on Roads and Transportation, to which was referred House Bill 1313, 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:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 9-24-1-7, AS AMENDED BY P.L.150-2009,
- 4 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2010]: Sec. 7. (a) Sections 1 through 5 of this chapter do not
- 6 apply to the following individuals:
- 7 (1) An individual in the service of the armed forces of the United
- 8 States while operating an official motor vehicle in that service.
- 9 (2) An individual while operating:
- 10 (A) a road roller;
- 11 (B) road construction or maintenance machinery, except where
- 12 the road roller or machinery is required to be registered under
- 13 Indiana law;
- 14 (C) a ditch digging apparatus;
- 15 (D) a well drilling apparatus;
- 16 (E) a concrete mixer; or

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

8 (3) A nonresident who:

9 (A) is at least sixteen (16) years and one (1) month of age; ~~and~~

10 (B) has in the nonresident's immediate possession a valid
 11 operator's license that was issued to the nonresident in the
 12 nonresident's home state or country; **and**

13 **(C) is lawfully admitted into the United States;**

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

15 (4) A nonresident who:

16 (A) is at least eighteen (18) years of age; ~~and~~

17 (B) has in the nonresident's immediate possession a valid
 18 chauffeur's license that was issued to the nonresident in the
 19 nonresident's home state or country; **and**

20 **(C) is lawfully admitted into the United States;**

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

23 (5) A nonresident who:

24 (A) is at least eighteen (18) years of age; and

25 (B) has in the nonresident's immediate possession a valid
 26 license issued by the nonresident's home state for the operation
 27 of any motor vehicle upon a public highway when in use as a
 28 public passenger carrying vehicle;

29 while operating a motor vehicle upon a public highway.

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

38 ~~(A) The unlicensed nonresident is the owner of the motor~~

- 1 vehicle or the authorized driver of the vehicle.
- 2 ~~(B)~~ The vehicle has been registered for the current year in the
- 3 state or country of which the owner is a resident.
- 4 ~~(C)~~ The motor vehicle at all times displays a registration plate
- 5 issued in the home state or country of the owner.
- 6 ~~(D)~~ The nonresident owner or driver has in the owner's or
- 7 driver's immediate possession a registration card evidencing
- 8 ownership and registration in the owner's or driver's home
- 9 state or country or is able at any required time or place to do
- 10 the following:
- 11 (i) Prove lawful possession or the right to operate the motor
- 12 vehicle.
- 13 (ii) Establish the nonresident's proper identity.
- 14 ~~(7)~~ **(6)** An individual who is legally licensed to operate a motor
- 15 vehicle in the state of the individual's residence and who is
- 16 employed in Indiana, subject to the restrictions imposed by the
- 17 state of the individual's residence.
- 18 ~~(8)~~ **(7)** A new resident of Indiana who possesses an unexpired
- 19 driver's license issued by the resident's former state of residence,
- 20 for a period of sixty (60) days after becoming a resident of
- 21 Indiana.
- 22 ~~(9)~~ **(8)** An individual who is an engineer, a conductor, a
- 23 brakeman, or another member of the crew of a locomotive or a
- 24 train that is being operated upon rails, including the operation of
- 25 the locomotive or the train on a crossing over a street or a
- 26 highway. An individual described in this subdivision is not
- 27 required to display a license to a law enforcement officer in
- 28 connection with the operation of a locomotive or a train in
- 29 Indiana.
- 30 (b) An ordinance adopted under IC 9-21-1-3((a)(14) or
- 31 IC 9-21-1-3.3(a) must require that an individual who operates a golf
- 32 cart in the city or town hold a driver's license."
- 33 Page 1, line 5, after "licenses" insert ",".
- 34 Page 1, line 5, delete "or permits,".
- 35 Page 1, line 6, delete "may" and insert "**shall**".
- 36 Page 1, line 6, after "into" insert "**a**".
- 37 Page 1, line 6, delete "agreements or" and insert "**agreement**".
- 38 Page 1, line 7, delete "arrangements".

1 Page 1, line 7, delete "county if:" and insert "**country**".

2 Page 1, delete lines 8 through 15.

3 Page 1, line 17, delete "allow an individual who" and insert "**enter**
4 **into a written agreement with a foreign country to waive one (1) or**
5 **more of the examination requirements under IC 9-24 for obtaining**
6 **an operator's license from this state.**

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

10 (1) **a valid operator's license or the equivalent from the**
11 **foreign country; or**

12 (2) **an International Driving Permit.**"

13 Page 2, delete lines 1 through 9.

14 Page 2, line 14, delete "may" and insert "**shall**".

15 Page 2, after line 15, begin a new paragraph and insert:

16 "SECTION 3. [EFFECTIVE UPON PASSAGE] (a)
17 **Notwithstanding IC 9-28-5.1-5, as added by this act, the bureau of**
18 **motor vehicles shall carry out the duties imposed upon the bureau**
19 **of motor vehicles under IC 9-28-5.1-5, as added by this act, under**
20 **interim written guidelines approved by the commissioner of motor**
21 **vehicles.**

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

23 (1) **The date rules are adopted under IC 9-28-5.1-5, as added**
24 **by this act.**

25 (2) **December 31, 2011.**

26 SECTION 4. **An emergency is declared for this act.**"

27 Renumber all SECTIONS consecutively.

(Reference is to HB 1313 as introduced.)

and when so amended that said bill do pass.

Representative Austin