



January 20, 2010

SENATE BILL No. 407

DIGEST OF SB 407 (Updated January 19, 2010 12:37 pm - DI 71)

Citations Affected: IC 9-18; IC 9-24.

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. Makes conforming changes. Deletes outdated references. 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. Makes a technical correction.

Effective: Upon passage; July 1, 2010.

Arnold, Lewis, Charbonneau

January 14, 2010, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.
January 19, 2010, amended, reported favorably — Do Pass.

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SB 407—LS 6847/DI 96+



January 20, 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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SENATE BILL No. 407



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

- 5 (1) passenger motor vehicles;
- 6 (2) recreational vehicles;
- 7 (3) motor vehicles registered to disabled veterans under
- 8 IC 9-18-18; or
- 9 (4) motor vehicles registered to former prisoners of war under
- 10 IC 9-18-17;

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

13 SECTION 2. IC 9-18-2-47, AS AMENDED BY P.L.103-2006,
14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2010]: Sec. 47. (a) The commissioner shall adopt rules under
16 IC 4-22-2 prescribing the cycle for the issuance and replacement of
17 license plates under this article. The rules adopted under this section

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1 shall provide that a license plate for a vehicle issued under this article
2 is valid for five (5) years.

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

- 4 ~~(1) low digit license plates issued under section 28 of this chapter;~~
5 ~~(2) (1) truck license plates issued under section 4.5 or 18 of this~~
6 ~~chapter;~~
7 ~~(3) (2) general assembly and other state official license plates~~
8 ~~issued under IC 9-18-16; and~~
9 ~~(4) (3) personalized license plates issued under IC 9-18-15.~~

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

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

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

26 (b) A person who:

- 27 (1) is the registered owner or lessee of a vehicle described in
28 subsection (a); and
29 (2) is eligible to receive a license plate for the vehicle under:
30 (A) IC 9-18-17 (prisoner of war license plates);
31 (B) IC 9-18-18 (disabled veteran license plates);
32 (C) IC 9-18-19 (Purple Heart license plates);
33 (D) IC 9-18-20 (Indiana National Guard license plates);
34 (E) IC 9-18-21 (Indiana Guard Reserve license plates);
35 (F) IC 9-18-22 (license plates for persons with disabilities);
36 (G) IC 9-18-23 (amateur radio operator license plates);
37 (H) IC 9-18-24 (civic event license plates);
38 (I) IC 9-18-24.5 (In God We Trust license plates);
39 (J) IC 9-18-25 (special group recognition license plates);
40 (K) IC 9-18-29 (environmental license plates);
41 (L) IC 9-18-30 (kids first trust license plates);
42 (M) IC 9-18-31 (education license plates);

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1 (N) IC 9-18-32.2 (drug free Indiana trust license plates);
 2 (O) IC 9-18-33 (Indiana FFA trust license plates);
 3 (P) IC 9-18-34 (Indiana firefighter license plates);
 4 (Q) IC 9-18-35 (Indiana food bank trust license plates);
 5 (R) IC 9-18-36 (Indiana girl scouts trust license plates);
 6 (S) IC 9-18-37 (Indiana boy scouts trust license plates);
 7 (T) IC 9-18-38 (Indiana retired armed forces member license
 8 plates);
 9 (U) IC 9-18-39 (Indiana antique car museum trust license
 10 plates);
 11 (V) IC 9-18-40 (D.A.R.E. Indiana trust license plates);
 12 (W) IC 9-18-41 (Indiana arts trust license plates);
 13 (X) IC 9-18-42 (Indiana health trust license plates);
 14 (Y) IC 9-18-43 (Indiana mental health trust license plates);
 15 (Z) IC 9-18-44 (Indiana Native American trust license plates);
 16 (AA) IC 9-18-45.8 (Pearl Harbor survivor license plates);
 17 (BB) IC 9-18-46.2 (Indiana state educational institution trust
 18 license plates);
 19 (CC) IC 9-18-47 (Lewis and Clark bicentennial license plates);
 20 (DD) IC 9-18-48 (Riley Children's Foundation license plates);
 21 (EE) IC 9-18-49 (National Football League franchised
 22 professional football team license plates);
 23 (FF) IC 9-18-50 (Hoosier veteran license plates);
 24 (GG) IC 9-18-51 (support our troops license plates); **or**
 25 ~~(HH) IC 9-18-52 (Abraham Lincoln bicentennial license~~
 26 ~~plates); or~~
 27 ~~(H)~~ **(HH)** IC 9-18-53 Earlham College Trust license plates;
 28 may apply to the bureau for a personalized license plate to be affixed
 29 to the vehicle for which registration is sought instead of the regular
 30 special recognition license plate.

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

38 SECTION 5. IC 9-24-12-1, AS AMENDED BY P.L.101-2009,
 39 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2010]: Sec. 1. (a) Except as provided in subsections (b) and
 41 (d) and section 10 of this chapter, an operator's license issued under
 42 this article before January 1, 2006, expires at midnight of the birthday

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1 of the holder that occurs four (4) years following the date of issuance.
 2 (b) Except as provided in sections 10, 11, and 12 of this chapter, an
 3 operator's license issued to an applicant who is at least seventy-five
 4 (75) years of age expires at midnight of the birthday of the holder that
 5 occurs three (3) years following the date of issuance.
 6 (c) Except as provided in subsections (b) and (d) and sections 10,
 7 11, and 12 of this chapter, an operator's license issued under this article
 8 expires at midnight of the birthday of the holder that occurs six (6)
 9 years following the date of issuance.
 10 (d) A probationary operator's license issued under IC 9-24-11-3 ~~or~~
 11 ~~IC 9-24-11-3.3~~ expires at midnight of the twenty-first birthday of the
 12 holder.
 13 (e) A probationary license issued under IC 9-24-11-3.3 to an
 14 individual who complies with IC 9-24-9-2.5(5) through
 15 IC 9-24-9-2.5(9) expires:
 16 (1) at midnight one (1) year after issuance if there is no expiration
 17 date on the authorization granted to the individual to remain in the
 18 United States; or
 19 (2) if there is an expiration date on the authorization granted to
 20 the individual to remain in the United States, the earlier of the
 21 following:
 22 (A) At midnight of the date the authorization to remain in the
 23 United States expires.
 24 (B) At midnight of the **date thirty (30) days after the**
 25 **twenty-first birthday of the holder.**
 26 **(f) Except as provided in subsection (e), a probationary**
 27 **operator's license issued under IC 9-24-11-3.3 expires at midnight**
 28 **of the date thirty (30) days after the twenty-first birthday of the**
 29 **holder.**
 30 SECTION 6. IC 9-24-12-5, AS AMENDED BY P.L.76-2009,
 31 SECTION 2, AND AS AMENDED BY P.L.162-2009, SECTION 5, IS
 32 CORRECTED AND AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as provided in
 34 subsection (b), an individual applying for renewal of an operator's, a
 35 motorcycle operator's, a chauffeur's, or a public passenger chauffeur's
 36 license must apply in person at a license branch and do the following:
 37 (1) Pass an eyesight examination.
 38 (2) Pass a written examination if:
 39 (A) the applicant has at least six (6) active points on the
 40 applicant's driving record maintained by the bureau; or
 41 (B) the applicant holds a valid operator's license, has not
 42 reached the applicant's twenty-first birthday, and has active

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1 points on the applicant's driving record maintained by the
2 bureau.

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

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

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

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

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

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

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

24 (A) address; or

25 (B) name;

26 of the individual since the issuance or previous renewal of the
27 individual's operator's, motorcycle operator's, chauffeur's, or
28 public passenger chauffeur's license.

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

31 (A) suspended; or

32 (B) expired;

33 at the time of the application for renewal.

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

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

41 SECTION 7. IC 9-24-14-1 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 1. If a permit or license

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1 issued under this article, except section 2 of this chapter, is lost or
2 destroyed, **and as provided in section 3.5 of this chapter**, the
3 individual to whom the permit or license was issued may obtain a
4 replacement if the individual does the following:

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

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

9 SECTION 8. IC 9-24-14-3.5 IS ADDED TO THE INDIANA CODE
10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2010]: **Sec. 3.5. (a) The bureau may adopt rules under IC 4-22-2**
12 **concerning the ability of an individual to apply for a replacement**
13 **of an operator's, a motorcycle operator's, a chauffeur's, or a public**
14 **passenger chauffeur's license or a learner's permit to the holder of**
15 **the license or learner's permit by electronic service. If rules are**
16 **adopted under this subsection, the rules must provide that issuance**
17 **of a replacement license or learner's permit by electronic service**
18 **is subject to the following conditions:**

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

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

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

28 SECTION 9. IC 9-24-16-4.5 IS ADDED TO THE INDIANA CODE
29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
30 1, 2010]: **Sec. 4.5. (a) The bureau may adopt rules under IC 4-22-2**
31 **concerning the ability of an individual to renew an identification**
32 **card under section 5 of this chapter or apply for a duplicate**
33 **identification card under section 6, 8, or 9 of this chapter by**
34 **electronic service. If rules are adopted under this subsection, the**
35 **rules must provide that an individual's renewal or duplication of**
36 **an identification card by electronic service is subject to the**
37 **following conditions:**

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

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

42 (b) An individual applying for:

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1 **(1) the renewal of an identification card; or**
 2 **(2) a duplicate identification card;**
 3 **must apply in person at a license branch if the individual is not**
 4 **entitled to apply by mail or by electronic service under rules**
 5 **adopted under subsection (a).**

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

16 (b) Except as provided in subsection (e), a renewed card ~~issued:~~
 17 ~~(1) before January 1, 2006, becomes valid on the birth date of the~~
 18 ~~holder and remains valid for four (4) years; and~~
 19 ~~(2) after December 31, 2005, is valid on the birth date of the~~
 20 holder and remains valid for six (6) years.

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

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

26 (e) A renewed identification card issued under this article after
 27 December 31, 2007, to an applicant who complies with section
 28 3.5(1)(E) through 3.5(1)(J) of this chapter expires:

29 (1) at midnight one (1) year after issuance, if there is no
 30 expiration date on the authorization granted to the individual to
 31 remain in the United States; or
 32 (2) if there is an expiration date on the authorization granted to
 33 the individual to remain in the United States, the earlier of the
 34 following:

35 (A) At midnight of the date the authorization of the holder to
 36 be a legal permanent resident or conditional resident alien of
 37 the United States expires.

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

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

42 SECTION 12. **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.

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