



Reprinted  
April 12, 2011

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**ENGROSSED**  
**SENATE BILL No. 101**

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DIGEST OF SB 101 (Updated April 11, 2011 4:37 pm - DI 96)

**Citations Affected:** IC 9-24; IC 9-26.

**Synopsis:** Operator's license and learner's permit issues. Authorizes the bureau of motor vehicles (bureau) to issue a learner's permit to a person at least 15 years and 90 days of age under certain conditions. (Current law authorizes the bureau to issue a learner's permit to a person at least 15 years and 180 days of age.) Provides that beginning September 1, 2011, an individual may receive an operator's license at 16 years and 90 days of age, if the individual has obtained an instructor's certification that the individual has satisfactorily completed an approved driver education course and has fulfilled certain other requirements. Makes technical corrections and removes outdated language.

**Effective:** Upon passage.

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**Holdman, Charbonneau, Wyss,**  
**Arnold, Leising**  
(HOUSE SPONSORS — HINKLE, SOLIDAY)

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January 5, 2011, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.  
January 18, 2011, reported favorably — Do Pass.  
January 20, 2011, ordered engrossed.  
January 21, 2011, engrossed.  
February 3, 2011, returned to second reading.  
February 7, 2011, re-read second time, amended, ordered engrossed.  
February 8, 2011, engrossed. Read third time, passed. Yeas 41, nays 8.

HOUSE ACTION  
March 28, 2011, read first time and referred to Committee on Roads and Transportation.  
April 4, 2011, amended, reported — Do Pass.  
April 11, 2011, read second time, amended, ordered engrossed.

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ES 101—LS 6484/DI 96+



First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 101

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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 9-24-3-1, AS AMENDED BY P.L.101-2009,  
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 1. Except as otherwise provided in this article,  
4 the bureau shall issue an operator's license to an individual who meets  
5 the following conditions:  
6 (1) Satisfies the age requirements set forth in section ~~2~~ or 2.5 or  
7 2.7 of this chapter.  
8 (2) Makes proper application to the bureau under IC 9-24-9 upon  
9 a form prescribed by the bureau. ~~Effective July 1, 2010~~; The form  
10 must include a verification concerning the number of hours of  
11 supervised driving practice that the individual has completed if  
12 the individual is required under section 2.5 or 2.7 of this chapter  
13 to complete a certain number of hours of supervised driving  
14 practice in order to receive an operator's license.  
15 (3) Satisfactorily passes the examination and tests required for  
16 issuance of an operator's license under IC 9-24-10.  
17 (4) Pays the fee prescribed by IC 9-29-9.

ES 101—LS 6484/DI 96+



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1 SECTION 2. IC 9-24-3-2.5, AS ADDED BY P.L.101-2009,  
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 2.5. (a) This section applies beginning July 1,  
4 2010, **and expires August 31, 2011.**

5 (b) Except as provided in section 3 of this chapter, an individual  
6 must satisfy the requirements set forth in one (1) of the following  
7 subdivisions to receive an operator's license:

8 (1) The individual meets the following conditions:

9 (A) Is at least sixteen (16) years and one hundred eighty (180)  
10 days of age.

11 (B) Has held a valid learner's permit for at least one hundred  
12 eighty (180) days.

13 (C) Obtains an instructor's certification that the individual has  
14 satisfactorily completed an approved driver education course.

15 (D) Passes the required examination.

16 (E) Completes at least fifty (50) hours of supervised driving  
17 practice, of which at least ten (10) hours are nighttime driving,  
18 with:

19 (i) a licensed instructor or a licensed driver who is at least  
20 twenty-five (25) years of age; or

21 (ii) the spouse of the individual who is at least twenty-one  
22 (21) years of age.

23 (2) The individual meets the following conditions:

24 (A) Is at least sixteen (16) years and two hundred seventy  
25 (270) days of age.

26 (B) Has held a valid learner's permit for at least one hundred  
27 eighty (180) days.

28 (C) Passes the required examination.

29 (D) Completes at least fifty (50) hours of supervised driving  
30 practice, of which at least ten (10) hours are nighttime driving,  
31 with:

32 (i) a licensed instructor or a licensed driver who is at least  
33 twenty-five (25) years of age; or

34 (ii) the spouse of the individual who is at least twenty-one  
35 (21) years of age.

36 (3) The individual meets the following conditions:

37 (A) Is at least sixteen (16) years and one hundred eighty (180)  
38 days of age but less than eighteen (18) years of age.

39 (B) Has previously been a nonresident of Indiana, but, at the  
40 time of application, qualifies as an Indiana resident.

41 (C) Holds an unrevoked driver's license, excluding a learner's  
42 permit or the equivalent, in the state or a combination of states

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- 1 in which the individual formerly resided for at least one  
 2 hundred eighty (180) days.  
 3 (D) Passes the required examination.  
 4 (4) The individual meets the following conditions:  
 5 (A) Is at least eighteen (18) years of age.  
 6 (B) Has previously been a nonresident of Indiana but, at the  
 7 time of application, qualifies as an Indiana resident.  
 8 (C) Has held an unrevoked operator's, chauffeur's, commercial  
 9 driver's, or public passenger chauffeur's license from the state  
 10 of prior residence.  
 11 (D) Passes the required examination.

12 SECTION 3. IC 9-24-3-2.7 IS ADDED TO THE INDIANA CODE  
 13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
 14 UPON PASSAGE]: **Sec. 2.7. (a) This section applies beginning  
 15 September 1, 2011.**

16 **(b) Except as provided in section 3 of this chapter, an individual  
 17 must satisfy the requirements set forth in one (1) of the following  
 18 subdivisions to receive an operator's license:**

- 19 **(1) The individual meets the following conditions:**  
 20 **(A) Is at least sixteen (16) years and ninety (90) days of age.**  
 21 **(B) Has held a valid learner's permit for at least one  
 22 hundred eighty (180) days.**  
 23 **(C) Obtains an instructor's certification that the individual  
 24 has satisfactorily completed an approved driver education  
 25 course.**  
 26 **(D) Passes the required examination.**  
 27 **(E) Completes at least fifty (50) hours of supervised driving  
 28 practice, of which at least ten (10) hours are nighttime  
 29 driving, with:**  
 30 **(i) a licensed instructor or a licensed driver who is at  
 31 least twenty-five (25) years of age; or**  
 32 **(ii) the spouse of the individual who is at least twenty-one  
 33 (21) years of age.**  
 34 **(2) The individual meets the following conditions:**  
 35 **(A) Is at least sixteen (16) years and two hundred seventy  
 36 (270) days of age.**  
 37 **(B) Has held a valid learner's permit for at least one  
 38 hundred eighty (180) days.**  
 39 **(C) Passes the required examination.**  
 40 **(D) Completes at least fifty (50) hours of supervised  
 41 driving practice, of which at least ten (10) hours are  
 42 nighttime driving, with:**

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- 1 (i) a licensed instructor or a licensed driver who is at
- 2 least twenty-five (25) years of age; or
- 3 (ii) the spouse of the individual who is at least twenty-one
- 4 (21) years of age.
- 5 (3) The individual meets the following conditions:
- 6 (A) Is at least sixteen (16) years and one hundred eighty
- 7 (180) days of age but less than eighteen (18) years of age.
- 8 (B) Has previously been a nonresident of Indiana, but, at
- 9 the time of application, qualifies as an Indiana resident.
- 10 (C) Holds an unrevoked driver's license, excluding a
- 11 learner's permit or the equivalent, in the state or a
- 12 combination of states in which the individual formerly
- 13 resided for at least one hundred eighty (180) days.
- 14 (D) Passes the required examination.
- 15 (4) The individual meets the following conditions:
- 16 (A) Is at least eighteen (18) years of age.
- 17 (B) Has previously been a nonresident of Indiana but, at
- 18 the time of application, qualifies as an Indiana resident.
- 19 (C) Has held an unrevoked operator's, chauffeur's,
- 20 commercial driver's, or public passenger chauffeur's
- 21 license from the state of prior residence.
- 22 (D) Passes the required examination.

23 SECTION 4. IC 9-24-7-1, AS AMENDED BY P.L.101-2009,  
 24 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 UPON PASSAGE]: Sec. 1. (a) This subsection expires June 30, 2010.  
 26 The bureau shall issue a learner's permit to an individual who meets the  
 27 following conditions:

- 28 (1) Is at least fifteen (15) years of age.
- 29 (2) If less than eighteen (18) years of age, is not ineligible under
- 30 IC 9-24-2-1.
- 31 (3) Is enrolled in an approved driver education course.

32 (b) This subsection applies beginning July 1, 2010, **and expires**  
 33 **August 31, 2011**. The bureau shall issue a learner's permit to an  
 34 individual who meets the following conditions:

- 35 (1) Is at least fifteen (15) years and one hundred eighty (180) days
- 36 of age.
- 37 (2) If less than eighteen (18) years of age, is not ineligible under
- 38 IC 9-24-2-1.
- 39 (3) Is enrolled in an approved driver education course.

40 SECTION 5. IC 9-24-7-1.1 IS ADDED TO THE INDIANA CODE  
 41 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE  
 42 UPON PASSAGE]: **Sec. 1.1. (a) This section applies after August 31,**

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(b) The bureau shall issue a learner's permit to an individual who meets the following conditions:

- (1) Is at least fifteen (15) years and ninety (90) days of age.
- (2) If less than eighteen (18) years of age, is not ineligible under IC 9-24-2-1.
- (3) Is enrolled in an approved driver education course.

SECTION 6. IC 9-24-7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. The bureau shall validate a learner's permit issued under section ~~1~~ **1.1** of this chapter **(or section 1 of this chapter before its expiration)** upon certification by the instructor of an approved driver education course that the holder has satisfactorily completed the course.

SECTION 7. IC 9-26-1-1.5, AS ADDED BY P.L.126-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. (a) If:

- (1) the driver of a vehicle is physically incapable of determining the need for or rendering assistance to any injured or entrapped person as required under section 1(2)(C) of this chapter;
- (2) there is another occupant in the vehicle at the time of the accident who is:
  - (A) at least:
    - (i) fifteen (15) years of age and holds a learner's permit issued under IC 9-24-7-1 **before its expiration or IC 9-24-7-1.1** or a driver's license issued under IC 9-24-11; or
    - (ii) eighteen (18) years of age; and
  - (B) capable of determining the need for and rendering reasonable assistance to injured or entrapped persons as provided in section 1(2)(C) of this chapter; and
- (3) the other occupant in the vehicle knows that the driver of the vehicle is physically incapable of determining the need for or rendering assistance to any injured or entrapped person;

the vehicle occupant referred to in subdivisions (2) and (3) shall immediately determine the need for and render reasonable assistance to each person injured or entrapped in the accident as provided in section 1(2)(C) of this chapter.

(b) If:

- (1) the driver of a vehicle is physically incapable of giving immediate notice of an accident as required under section 1(3) of this chapter;
- (2) there is another occupant in the vehicle at the time of the

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1 accident who is:  
 2 (A) at least:  
 3 (i) fifteen (15) years of age and holds a learner's permit  
 4 issued under IC 9-24-7-1 **before its expiration or**  
 5 **IC 9-24-7-1.1** or a driver's license issued under IC 9-24-11;  
 6 or  
 7 (ii) eighteen (18) years of age; and  
 8 (B) capable of giving notice as provided in section 1(3) of this  
 9 chapter; and  
 10 (3) the other occupant in the vehicle knows that the driver of the  
 11 vehicle is physically incapable of giving immediate notice of an  
 12 accident;  
 13 the vehicle occupant referred to in subdivisions (2) and (3) shall  
 14 immediately give notice of the accident by the quickest means of  
 15 communication as provided in section 1(3) of this chapter.  
 16 (c) If there is more than one (1) vehicle occupant to whom  
 17 subsection (a) applies, it is a defense to a prosecution of one (1) vehicle  
 18 occupant under subsection (a) that the defendant reasonably believed  
 19 that another occupant of the vehicle determined the need for and  
 20 rendered reasonable assistance as required under subsection (a).  
 21 (d) If there is more than one (1) vehicle occupant to whom  
 22 subsection (b) applies, it is a defense to a prosecution of one (1) vehicle  
 23 occupant under subsection (b) that the defendant reasonably believed  
 24 that another occupant of the vehicle gave the notice required under  
 25 subsection (b).

26 SECTION 8. **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. 101, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 101 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 1.

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SENATE MOTION

Madam President: I move that Engrossed Senate Bill 101, which is eligible for third reading, be returned to second reading for purposes of amendment.

HOLDMAN

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SENATE MOTION

Madam President: I move that Senate Bill 101 be amended to read as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 9.

Renumber all SECTIONS consecutively.

(Reference is to SB 101 as printed January 19, 2011.)

HOLDMAN

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SENATE MOTION

Madam President: I move that Senate Bill 101 be amended to read as follows:

Page 3, between lines 9 and 10, begin a new paragraph and insert:  
"SECTION 2. IC 9-24-3-3 IS AMENDED TO READ AS



FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The bureau may waive up to six (6) months of the age and experience requirements for an individual making an application for the individual's initial operator's license due to hardship conditions.

~~(b)~~ The bureau shall adopt rules under IC 4-22-2 to state the conditions under which the age requirement may be waived. ~~under subsection (a):~~

**(b) An individual who held a learner's permit prior to July 1, 2010, may receive an operator's license after meeting the following conditions:**

- (1) Is at least sixteen (16) years and thirty (30) days of age.**
- (2) Has obtained an instructor's certification that the applicant has satisfactorily completed an approved driver education course.**
- (3) Passes the required examination."**

Renumber all SECTIONS consecutively.

(Reference is to SB 101 as printed January 19, 2011.)

ZAKAS

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 101, 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, line 1, delete "SECTION 1. IC 9-24-3-3 IS AMENDED TO READ AS FOLLOWS" and insert the following:

"SECTION 1. IC 9-24-3-1, AS AMENDED BY P.L.101-2009, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. Except as otherwise provided in this article, the bureau shall issue an operator's license to an individual who meets the following conditions:

- (1) Satisfies the age requirements set forth in section ~~2~~ **or 2.5 or 2.7** of this chapter.
- (2) Makes proper application to the bureau under IC 9-24-9 upon a form prescribed by the bureau. ~~Effective July 1, 2010;~~ The form must include a verification concerning the number of hours of supervised driving practice that the individual has completed if the individual is required under section 2.5 **or 2.7** of this chapter to complete a certain number of hours of supervised driving



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practice in order to receive an operator's license.

(3) Satisfactorily passes the examination and tests required for issuance of an operator's license under IC 9-24-10.

(4) Pays the fee prescribed by IC 9-29-9.

SECTION 2. IC 9-24-3-2.5, AS ADDED BY P.L.101-2009, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.5. (a) This section applies beginning July 1, 2010, **and expires June 30, 2011.**

(b) Except as provided in section 3 of this chapter, an individual must satisfy the requirements set forth in one (1) of the following subdivisions to receive an operator's license:

(1) The individual meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty (180) days of age.

(B) Has held a valid learner's permit for at least one hundred eighty (180) days.

(C) Obtains an instructor's certification that the individual has satisfactorily completed an approved driver education course.

(D) Passes the required examination.

(E) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, with:

(i) a licensed instructor or a licensed driver who is at least twenty-five (25) years of age; or

(ii) the spouse of the individual who is at least twenty-one (21) years of age.

(2) The individual meets the following conditions:

(A) Is at least sixteen (16) years and two hundred seventy (270) days of age.

(B) Has held a valid learner's permit for at least one hundred eighty (180) days.

(C) Passes the required examination.

(D) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, with:

(i) a licensed instructor or a licensed driver who is at least twenty-five (25) years of age; or

(ii) the spouse of the individual who is at least twenty-one (21) years of age.

(3) The individual meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty (180) days of age but less than eighteen (18) years of age.

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(B) Has previously been a nonresident of Indiana, but, at the time of application, qualifies as an Indiana resident.

(C) Holds an unrevoked driver's license, excluding a learner's permit or the equivalent, in the state or a combination of states in which the individual formerly resided for at least one hundred eighty (180) days.

(D) Passes the required examination.

(4) The individual meets the following conditions:

(A) Is at least eighteen (18) years of age.

(B) Has previously been a nonresident of Indiana but, at the time of application, qualifies as an Indiana resident.

(C) Has held an unrevoked operator's, chauffeur's, commercial driver's, or public passenger chauffeur's license from the state of prior residence.

(D) Passes the required examination.

SECTION 3. IC 9-24-3-2.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2.7. (a) This section applies beginning July 1, 2011.**

**(b) Except as provided in section 3 of this chapter, an individual must satisfy the requirements set forth in one (1) of the following subdivisions to receive an operator's license:**

**(1) The individual meets the following conditions:**

**(A) Is at least sixteen (16) years and ninety (90) days of age.**

**(B) Has held a valid learner's permit for at least one hundred eighty (180) days.**

**(C) Obtains an instructor's certification that the individual has satisfactorily completed an approved driver education course.**

**(D) Passes the required examination.**

**(E) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, with:**

**(i) a licensed instructor or a licensed driver who is at least twenty-five (25) years of age; or**

**(ii) the spouse of the individual who is at least twenty-one (21) years of age.**

**(2) The individual meets the following conditions:**

**(A) Is at least sixteen (16) years and two hundred seventy (270) days of age.**

**(B) Has held a valid learner's permit for at least one hundred eighty (180) days.**

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- (C) Passes the required examination.
- (D) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, with:
  - (i) a licensed instructor or a licensed driver who is at least twenty-five (25) years of age; or
  - (ii) the spouse of the individual who is at least twenty-one (21) years of age.
- (3) The individual meets the following conditions:
  - (A) Is at least sixteen (16) years and one hundred eighty (180) days of age but less than eighteen (18) years of age.
  - (B) Has previously been a nonresident of Indiana, but, at the time of application, qualifies as an Indiana resident.
  - (C) Holds an unrevoked driver's license, excluding a learner's permit or the equivalent, in the state or a combination of states in which the individual formerly resided for at least one hundred eighty (180) days.
  - (D) Passes the required examination.
- (4) The individual meets the following conditions:
  - (A) Is at least eighteen (18) years of age.
  - (B) Has previously been a nonresident of Indiana but, at the time of application, qualifies as an Indiana resident.
  - (C) Has held an unrevoked operator's, chauffeur's, commercial driver's, or public passenger chauffeur's license from the state of prior residence.
  - (D) Passes the required examination."

Page 1, delete lines 2 through 16.

Page 2, line 4, after "years" insert "**and ninety (90) days**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 101 as reprinted February 8, 2011.)

SOLIDAY, Chair

Committee Vote: yeas 10, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 101 be amended to read as follows:

Page 2, line 4, delete "June 30," and insert "**August 31**,".

Page 3, line 14, delete "July" and insert "**September**".

Page 4, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 4. IC 9-24-7-1, AS AMENDED BY P.L.101-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) This subsection expires June 30, 2010. The bureau shall issue a learner's permit to an individual who meets the following conditions:

- (1) Is at least fifteen (15) years of age.
- (2) If less than eighteen (18) years of age, is not ineligible under IC 9-24-2-1.
- (3) Is enrolled in an approved driver education course.

(b) This subsection applies beginning July 1, 2010, **and expires August 31, 2011**. The bureau shall issue a learner's permit to an individual who meets the following conditions:

- (1) Is at least fifteen (15) years and one hundred eighty (180) days of age.
- (2) If less than eighteen (18) years of age, is not ineligible under IC 9-24-2-1.
- (3) Is enrolled in an approved driver education course."

Page 4, line 25, after "1.1" insert "**(a) This section applies after August 31, 2011.**

**(b)**".

Page 4, line 34, delete "repeal)" and insert "**expiration)**".

Page 5, line 5, delete "repeal" and insert "**expiration**".

Page 5, line 26, delete "repeal" and insert "**expiration**".

Page 6, delete lines 5 through 6.

Renumber all SECTIONS consecutively.

(Reference is to ESB 101 as printed April 5, 2011.)

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