



February 11, 2011

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## HOUSE BILL No. 1099

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DIGEST OF HB 1099 (Updated February 9, 2011 4:41 pm - DI 96)

**Citations Affected:** IC 9-21.

**Synopsis:** Compression release engine brakes. Provides that a person who drives a motor vehicle (vehicle) equipped with a compression release engine brake (brake) may not use the vehicle's brake unless the vehicle is equipped with a factory installed muffler or an equivalent after market muffler, except in Porter County where brake operation is prohibited unless there is a failure of the service brake system.

**Effective:** July 1, 2011.

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### Dodge, Dvorak

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January 6, 2011, read first time and referred to Committee on Roads and Transportation.  
February 10, 2011, amended, reported — Do Pass.

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HB 1099—LS 6625/DI 96+



February 11, 2011

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.

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## HOUSE BILL No. 1099



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 9-21-8-44.5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 44.5. (a) As used in this  
3 section, "compression release engine brake" means a hydraulically  
4 operated device that converts a power producing diesel engine into a  
5 power absorbing retarding mechanism.

6 (b) A person who drives a motor vehicle equipped with compression  
7 release engine brakes on the Indiana toll road in a county having a  
8 population of more than one hundred forty-five thousand (145,000) but  
9 less than one hundred forty-eight thousand (148,000) may not use the  
10 motor vehicle's compression release engine brakes instead of the  
11 service brake system, except in the case of failure of the service brake  
12 system.

13 (c) **Except as provided in subsection (b), a person who drives a**  
14 **motor vehicle equipped with compression release engine brakes**  
15 **may not use the motor vehicle's compression release engine brakes**  
16 **instead of the service brake system unless the motor vehicle is**  
17 **equipped with a factory installed muffler or an equivalent after**

HB 1099—LS 6625/DI 96+



1 **market muffler.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1099, 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 6, after "with" delete "a".

Page 1, line 7, reset in roman "brakes on the Indiana toll road in a county".

Page 1, reset in roman lines 8 through 9.

Page 1, line 10 delete "brake".

Page 1, line 11, reset in roman "brakes instead of the service ".

Page 1, line 11, reset in roman "system, except in the case of failure".

Page 1, line 12, reset in roman "of the service brake system."

Page 1, line 12, delete "unless the motor vehicle is equipped".

Page 1, delete lines 13 through 14, begin a new paragraph and insert:

**"(c) Except as provided in subsection (b), a person who drives a motor vehicle equipped with compression release engine brakes may not use the motor vehicle's compression release engine brakes instead of the service brake system unless the motor vehicle is equipped with a factory installed muffler or an equivalent after market muffler."**

and when so amended that said bill do pass.

(Reference is to HB 1099 as introduced.)

SOLIDAY, Chair

Committee Vote: yeas 11, nays 1.

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