

SENATE BILL No. 539

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-29-5-0.5; IC 9-25-11.

Synopsis: Financial responsibility verification system. Requires the bureau of motor vehicles to establish and implement a financial responsibility verification system. Specifies requirements and reporting related to the financial responsibility verification system. Allows the bureau to charge a registration fee to pay for the financial responsibility verification system. Makes an appropriation.

Effective: July 1, 2011.

Waterman

January 18, 2011, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.

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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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SENATE BILL No. 539



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

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

1 SECTION 1. IC 9-29-5-0.5, AS ADDED BY P.L.97-2008,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 0.5. (a) This section applies after December 31,
4 2008.

5 (b) In addition to the fees to be collected for the registration of a
6 vehicle as set forth in:

- 7 (1) IC 9-29-5-1; and
- 8 (2) IC 9-29-5-2;

9 the bureau shall collect an additional fee of thirty cents (\$0.30) at the
10 time of the registration. The fee collected under this subsection shall be
11 deposited into the spinal cord and brain injury fund under
12 IC 16-41-42.2-3.

13 (c) In addition to the fees to be collected for the registration of a
14 truck greater than zero (0) pounds declared gross weight but equal to
15 or less than ten thousand (10,000) pounds declared gross weight, as set
16 forth in section 3 of this chapter, the bureau shall collect an additional
17 fee of thirty cents (\$0.30) at the time of the registration. The fee



1 collected under this subsection shall be deposited into the spinal cord
2 and brain injury fund under IC 16-41-42.2-3.

3 **(d) In addition to the fees to be collected for the registration of**
4 **a vehicle as set forth in this chapter, the bureau may collect an**
5 **additional fee of seventy-five cents (\$0.75) at the time of the**
6 **registration. A fee collected under this subsection must be**
7 **deposited into the financial responsibility verification system fund**
8 **established by IC 9-25-11-5.**

9 SECTION 2. IC 9-25-11 IS ADDED TO THE INDIANA CODE AS
10 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2011]:

12 **Chapter 11. Financial Responsibility Verification System**

13 **Sec. 1. (a) The bureau shall, not later than January 1, 2012,**
14 **establish and implement a financial responsibility verification**
15 **system that:**

16 **(1) provides reliable information; and**

17 **(2) is:**

18 **(A) continuously accessible to; and**

19 **(B) the method used by;**

20 **law enforcement officers and other persons authorized by the**
21 **bureau;**

22 **to determine whether financial responsibility is in effect for a**
23 **motor vehicle as required by this article.**

24 **(b) The bureau may contract with a private organization to**
25 **establish, implement, and maintain the financial responsibility**
26 **verification system required by subsection (a).**

27 **Sec. 2. The financial responsibility verification system must be**
28 **designed in a manner that allows for timely verification as follows:**

29 **(1) By the bureau:**

30 **(A) at the time of registration, and registration renewal, of**
31 **a motor vehicle;**

32 **(B) upon receiving notice under section 4 of this chapter;**
33 **and**

34 **(C) at least every two (2) months.**

35 **(2) Upon request of a law enforcement officer in the course of**
36 **the officer's immediate duties.**

37 **Sec. 3. The following persons shall comply with rules adopted by**
38 **the bureau under section 9 of this chapter:**

39 **(1) An insurer that issues a motor vehicle liability insurance**
40 **policy described in IC 9-25-4-4(a)(1).**

41 **(2) A surety company that executes a bond described in**
42 **IC 9-25-4-4(a)(2).**

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(3) The bureau for the issuance of a certificate of self-insurance described in IC 9-25-4-4(a)(3).

Sec. 4. The owner of a motor vehicle registered in Indiana shall, within a period determined by the bureau, notify the bureau of any change to the method or effectiveness of financial responsibility for the motor vehicle for the financial responsibility verification system.

Sec. 5. (a) The financial responsibility verification system fund is established solely for the purpose of funding the establishment, implementation, and maintenance of the financial responsibility verification system required by section 1 of this chapter. The fund shall be administered by the bureau.

(b) The fund consists of fees collected under IC 9-29-5-0.5(d).

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) Money in the fund is annually appropriated to the bureau for the uses described in subsection (a).

Sec. 6. A person described in section 3 of this chapter is immune from civil and administrative liability for good faith efforts to comply with this chapter.

Sec. 7. Information contained in the financial responsibility verification system that would allow identification of a specific person is confidential and is accessible only to individuals described in section 1 of this chapter.

Sec. 8. (a) The bureau shall, not later than January 1, 2014, report to the general assembly in an electronic format under IC 5-14-6 concerning the:

(1) cost incurred in relation to the financial responsibility verification system by:

- (A) the bureau;
- (B) persons described in section 3 of this chapter; and
- (C) the public; and

(2) effectiveness of the financial responsibility verification system in reducing the number of uninsured motor vehicles in Indiana.

(b) This section expires July 1, 2014.

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1 **Sec. 9. (a) The bureau shall adopt rules under IC 4-22-2 to**
2 **implement this chapter.**

3 **(b) Rules adopted under subsection (a) must include the method**
4 **and required periods for verifications required by this chapter.**

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