
SENATE BILL No. 579

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-6-5.5-7.5; IC 9-13-2-58; IC 9-21-21; IC 9-29-5.

Synopsis: Farm plates on semitrailers and tractors. Provides that a semitrailer and tractor: (1) having a declared gross weight of at least 11,000 pounds; and (2) used by the owner or guest occupant in connection with agricultural pursuits usual and normal to the user's farming operation; may not be registered as a farm semitrailer and tractor after December 31, 2011. Makes conforming amendments.

Effective: July 1, 2011.

Mishler

January 20, 2011, read first time and referred to Committee on Agriculture and Natural Resources.

C
o
p
y



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.

C
o
p
y

SENATE BILL No. 579



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 6-6-5.5-7.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 7.5. **(a) This**
3 **subsection expires January 1, 2012.** Notwithstanding any other
4 provision, the annual excise tax for a motor vehicle, trailer, or
5 semitrailer and tractor operated primarily as a farm truck, farm trailer,
6 or farm semitrailer and tractor as described in ~~IC 9-29-5-13~~
7 **IC 9-29-5-13(b)** is fifty percent (50%) of the amount listed in this
8 chapter for a truck, trailer, or semitrailer and tractor of the same
9 declared gross weight.

10 **(b) This subsection applies after December 31, 2011.**
11 **Notwithstanding any other provision, the annual excise tax for a**
12 **motor vehicle (excluding a semitrailer and tractor) or trailer**
13 **operated primarily as a farm truck or farm trailer as described in**
14 **IC 9-29-5-13(c) is fifty percent (50%) of the amount listed in this**
15 **chapter for a truck or trailer of the same declared gross weight.**

16 SECTION 2. IC 9-13-2-58 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 58. **(a) "Farm truck",**



1 "farm trailer", or "farm semitrailer and tractor" shall be identified in
 2 accordance with a rule adopted by the bureau. **This subsection expires**
 3 **January 1, 2012.**

4 **(b) "Farm truck" and "farm trailer" shall be identified in**
 5 **accordance with a rule adopted by the bureau. This subsection**
 6 **applies after December 31, 2011.**

7 SECTION 3. IC 9-21-21-1, AS ADDED BY P.L.210-2005,
 8 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2011]: Sec. 1. **(a) This subsection expires January 1, 2012.**
 10 A motor vehicle, trailer, or semitrailer and tractor may be operated
 11 primarily as a farm truck, farm trailer, or farm semitrailer and tractor
 12 if the vehicle meets the specifications set forth in IC 9-29-5-13(b).

13 **(b) This subsection applies after December 31, 2011. A motor**
 14 **vehicle (excluding a semitrailer and tractor) or trailer may be**
 15 **operated primarily as a farm truck or farm trailer if the vehicle**
 16 **meets the specifications set forth in IC 9-29-5-13(c).**

17 SECTION 4. IC 9-21-21-3, AS AMENDED BY P.L.191-2007,
 18 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2011]: Sec. 3. **(a) This subsection expires January 1, 2012.**
 20 Except as provided in section 4.3 of this chapter, if the owner of a farm
 21 truck, farm trailer, or farm semitrailer and tractor described in section
 22 1 of this chapter begins to operate the farm truck, farm trailer, or farm
 23 semitrailer and tractor or permits the farm truck, farm trailer, or farm
 24 semitrailer and tractor to be operated:

25 (1) in the conduct of a commercial enterprise; or
 26 (2) for the transportation of farm products after the commodities
 27 have entered the channels of commerce during a registration year
 28 for which the license fee under IC 9-29-5-13 has been paid;
 29 the owner shall pay the amount computed under IC 9-29-5-13.5(b) due
 30 for the remainder of the registration year for the license fee.

31 **(b) This subsection applies after December 31, 2011. Except as**
 32 **provided in section 4.5 of this chapter, if the owner of a farm truck**
 33 **or farm trailer described in section 1 of this chapter begins to**
 34 **operate the farm truck or farm trailer or permits the farm truck**
 35 **or farm trailer to be operated:**

36 (1) in the conduct of a commercial enterprise; or
 37 (2) for the transportation of farm products after the
 38 commodities have entered the channels of commerce during
 39 a registration year for which the license fee under
 40 IC 9-29-5-13 has been paid;
 41 the owner shall pay the amount computed under IC 9-29-5-13.7(c)
 42 due for the remainder of the registration year for the license fee.

C
O
P
Y



1 SECTION 5. IC 9-21-21-4.3, AS ADDED BY P.L.191-2007,
 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2011]: Sec. 4.3. (a) **This section expires January 1, 2012.**
 4 Notwithstanding section ~~3~~ **3(a)** of this chapter, subsection (b), and
 5 IC 9-18-2-4, a farm truck, farm trailer, or farm semitrailer and tractor
 6 described in section 1 of this chapter may be operated intrastate for the
 7 transportation of seasonal, perishable, fruit or vegetables to the first
 8 point of processing for not more than one (1) thirty (30) day period in
 9 a registration year established by IC 9-18-2-7. Before a vehicle may be
 10 operated as provided in this subsection, the owner shall pay to the
 11 bureau:

12 (1) the license fee due under IC 9-29-5-13(b); and

13 (2) eight and one-half percent (8.5%) of the license fee paid under
 14 IC 9-29-5-13(b);

15 for the farm truck, farm trailer, or farm semitrailer and tractor.

16 (b) Notwithstanding section ~~3~~ **3(a)** of this chapter, subsection (a),
 17 and IC 9-18-2-4, a farm truck, farm trailer, or farm semitrailer and
 18 tractor described in section 1 of this chapter may be operated intrastate
 19 for the transportation of tomatoes or silage to the first point of
 20 processing for a period of not more than one (1) seventy-one (71) day
 21 period in a registration year established by IC 9-18-2-7. Before a
 22 vehicle may be operated as provided in this subsection, the owner shall
 23 pay to the bureau:

24 (1) the license fee due under IC 9-29-5-13(b); and

25 (2) seventeen percent (17%) of the license fee paid under
 26 IC 9-29-5-13(b);

27 for the farm truck, farm trailer, or farm semitrailer and tractor.

28 (c) The bureau shall adopt rules under IC 4-22-2 to authorize the
 29 operation of a farm truck, farm trailer, or farm semitrailer and tractor
 30 in the manner provided in this section.

31 SECTION 6. IC 9-21-21-4.5 IS ADDED TO THE INDIANA CODE
 32 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 33 1, 2011]: Sec. 4.5. (a) **This section applies after December 31, 2011.**
 34 **Notwithstanding section 3(b) of this chapter, subsection (b), and**
 35 **IC 9-18-2-4, a farm truck or farm trailer described in section 1 of**
 36 **this chapter may be operated intrastate for the transportation of**
 37 **seasonal, perishable fruit or vegetables to the first point of**
 38 **processing for not more than one (1) thirty (30) day period in a**
 39 **registration year established by IC 9-18-2-7. Before a vehicle may**
 40 **be operated as provided in this subsection, the owner shall pay to**
 41 **the bureau:**

42 (1) the license fee due under IC 9-29-5-13(c); and

C
O
P
Y



1 (2) eight and one-half percent (8.5%) of the license fee paid
2 under IC 9-29-5-13(c);
3 for the farm truck or farm trailer.

4 (b) Notwithstanding section 3(b) of this chapter, subsection (a),
5 and IC 9-18-2-4, a farm truck or farm trailer described in section
6 1 of this chapter may be operated intrastate for the transportation
7 of tomatoes or silage to the first point of processing for a period of
8 not more than one (1) seventy-one (71) day period in a registration
9 year established by IC 9-18-2-7. Before a vehicle may be operated
10 as provided in this subsection, the owner shall pay to the bureau:

- 11 (1) the license fee due under IC 9-29-5-13(c); and
 - 12 (2) seventeen percent (17%) of the license fee paid under
13 IC 9-29-5-13(c);
- 14 for the farm truck, farm trailer, or farm semitrailer and tractor.

15 (c) The bureau shall adopt rules under IC 4-22-2 to authorize
16 the operation of a farm truck or farm trailer in the manner
17 provided in this section.

18 SECTION 7. IC 9-21-21-5, AS AMENDED BY P.L.191-2007,
19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2011]: Sec. 5. (a) **This subsection expires January 1, 2012.**
21 In addition to the penalty provided in section 7 of this chapter, and
22 except as provided in section 4.3 of this chapter, a person that operates
23 a vehicle or allows a vehicle that the person owns to be operated when
24 the vehicle is:

- 25 (1) registered under this chapter as a farm truck, farm trailer, or
26 farm semitrailer and tractor; and
- 27 (2) operated as set forth in section 3(a) of this chapter;
28 commits a Class C infraction. However, the offense is a Class B
29 infraction if, within the three (3) years preceding the commission of the
30 offense, the person had a prior unrelated judgment under this section.

31 (b) **This subsection applies after December 31, 2011. In addition**
32 **to the penalty provided in section 7 of this chapter, and except as**
33 **provided in section 4.5 of this chapter, a person that operates a**
34 **vehicle or allows a vehicle that the person owns to be operated**
35 **when the vehicle is:**

- 36 (1) registered under this chapter as a farm truck or farm
37 trailer; and
- 38 (2) operated as set forth in section 3(b) of this chapter;
39 commits a Class C infraction. However, the offense is a Class B
40 infraction if, within the three (3) years preceding the commission
41 of the offense, the person had a prior unrelated judgment under
42 this section.

C
o
p
y



1 SECTION 8. IC 9-29-5-13, AS AMENDED BY P.L.210-2005,
2 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 13. (a) This section does not apply to a vehicle or
4 person exempt from registration under IC 9-18.

5 (b) **This subsection expires January 1, 2012.** The license fee for
6 a motor vehicle, trailer, or semitrailer and tractor operated primarily as
7 a farm truck, farm trailer, or farm semitrailer and tractor:

8 (1) having a declared gross weight of at least eleven thousand
9 (11,000) pounds; and

10 (2) used by the owner or guest occupant in connection with
11 agricultural pursuits usual and normal to the user's farming
12 operation;

13 is fifty percent (50%) of the amount listed in this chapter for a truck,
14 trailer, or semitrailer and tractor of the same declared gross weight.

15 (c) **This subsection applies after December 31, 2011. The license
16 fee for a motor vehicle or trailer operated primarily as a farm
17 truck or farm trailer:**

18 (1) **having a declared gross weight of at least eleven thousand
19 (11,000) pounds; and**

20 (2) **used by the owner or guest occupant in connection with
21 agricultural pursuits usual and normal to the user's farming
22 operation;**

23 **is fifty percent (50%) of the amount listed in this chapter for a
24 truck or trailer of the same declared gross weight.**

25 SECTION 9. IC 9-29-5-13.5, AS AMENDED BY P.L.191-2007,
26 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2011]: Sec. 13.5. (a) This section applies to a truck, trailer, or
28 semitrailer and tractor for which a license fee provided in section 13(b)
29 of this chapter has been paid.

30 (b) Except as provided in subsections (d) and (e), if the owner of a
31 truck, trailer, or semitrailer and tractor described in subsection (a)
32 begins to operate the truck, trailer, or semitrailer and tractor in the
33 conduct of a commercial enterprise or for the transportation of farm
34 products after the commodities have entered the channels of commerce
35 during a registration year for which the license fee under section 13(b)
36 of this chapter has been paid, the owner shall pay the amount listed in
37 this chapter for a truck, trailer, or semitrailer and tractor of the same
38 declared gross weight reduced by a credit determined under subsection
39 (c) to license the truck, trailer, or semitrailer and tractor.

40 (c) The credit provided in subsection (b) equals:

41 (1) the license fee paid under section 13(b) of this chapter;
42 reduced by

C
o
p
y



1 (2) ten percent (10%) for each full or partial calendar month that
2 has elapsed in the registration year for which the license fee has
3 been paid.

4 The credit may not exceed ninety percent (90%) of the license fee paid
5 under section 13(b) of this chapter.

6 (d) Notwithstanding subsections (b) and (e) and IC 9-18-2-4, a
7 truck, trailer, or semitrailer and tractor described in subsection (a) may
8 be operated intrastate for the transportation of seasonal, perishable fruit
9 or vegetables to the first point of processing for a period that consists
10 of not more than a thirty (30) day period in a registration year as
11 provided by IC 9-21-21-4.3(a). Before a vehicle may be operated as
12 provided in this subsection, the owner shall pay to the bureau:

- 13 (1) any license fee due under section 13(b) of this chapter; and
- 14 (2) eight and one-half percent (8.5%) of the license fee paid under
15 section 13(b) of this chapter.

16 (e) Notwithstanding subsections (b) and (d) and IC 9-18-2-4, a
17 truck, trailer, or semitrailer and tractor described in subsection (a) may
18 be operated intrastate for the transportation of tomatoes or silage to the
19 first point of processing for a period that consists of not more than one
20 (1) seventy-one (71) day period in a registration year as provided by
21 IC 9-21-21-4.3(b). Before a vehicle may be operated as provided in this
22 subsection, the owner shall pay to the bureau:

- 23 (1) any license fee due under section 13(b) of this chapter; and
- 24 (2) seventeen percent (17%) of the license fee paid under section
25 13(b) of this chapter.

26 **(f) This section expires January 1, 2012.**

27 SECTION 10. IC 9-29-5-13.7 IS ADDED TO THE INDIANA
28 CODE AS A NEW SECTION TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2011]: **Sec. 13.7. (a) This section applies after
30 December 31, 2011.**

31 **(b) This section applies to a truck or trailer for which a license
32 fee provided in section 13(c) of this chapter has been paid.**

33 **(c) Except as provided in subsections (e) and (f), if the owner of
34 a truck or trailer described in subsection (b) begins to operate the
35 truck or trailer in conducting a commercial enterprise or for
36 transporting farm products after the commodities have entered the
37 channels of commerce during a registration year for which the
38 license fee under section 13(c) of this chapter has been paid, the
39 owner shall pay the amount listed in this chapter for a truck or
40 trailer of the same declared gross weight reduced by a credit
41 determined under subsection (d) to license the truck or trailer.**

42 **(d) The credit provided in subsection (c) equals:**

C
o
p
y



1 (1) the license fee paid under section 13(c) of this chapter;
 2 reduced by
 3 (2) ten percent (10%) for each full or partial calendar month
 4 that has elapsed in the registration year for which the license
 5 fee has been paid.
 6 **The credit may not exceed ninety percent (90%) of the license fee
 7 paid under section 13(c) of this chapter.**
 8 (e) Notwithstanding subsections (c) and (f) and IC 9-18-2-4, a
 9 truck or trailer described in subsection (b) may be operated
 10 intrastate for the transportation of seasonal, perishable fruit or
 11 vegetables to the first point of processing for a period that consists
 12 of not more than a thirty (30) day period in a registration year as
 13 provided by IC 9-21-21-4.3(a). Before a vehicle may be operated as
 14 provided in this subsection, the owner shall pay to the bureau:
 15 (1) any license fee due under section 13(c) of this chapter; and
 16 (2) eight and one-half percent (8.5%) of the license fee paid
 17 under section 13(b) of this chapter.
 18 (f) Notwithstanding subsections (c) and (e) and IC 9-18-2-4, a
 19 truck or trailer described in subsection (b) may be operated
 20 intrastate for the transportation of tomatoes or silage to the first
 21 point of processing for a period that consists of not more than one
 22 (1) seventy-one (71) day period in a registration year as provided
 23 by IC 9-21-21-4.3(b). Before a vehicle may be operated as provided
 24 in this subsection, the owner shall pay to the bureau:
 25 (1) any license fee due under section 13(c) of this chapter; and
 26 (2) seventeen percent (17%) of the license fee paid under
 27 section 13(b) of this chapter.

**C
o
p
y**

