
HOUSE BILL No. 1495

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3.5-4-2; IC 6-6-5; IC 7.1-1-3-26.3; IC 9-13-2; IC 9-17; IC 9-18; IC 9-19; IC 9-21; IC 9-22-3; IC 9-24; IC 9-25-1-7; IC 9-26-1-0.3; IC 9-29-5-15; IC 14-19-1-0.5; IC 20-30-13-11; IC 24-5-13-5.

Synopsis: Motorized bicycle operation. Amends the definition of motorized bicycle to exclude a device used for the transportation of a person with a disability for the purpose of mobility. Requires that a motorized bicycle operated on a highway after December 31, 2011, must be titled and registered with the bureau of motor vehicles, with a registration fee equal to that of a motorcycle. Provides that a motorized bicycle subject to registration is subject to the annual license excise surtax and the motor vehicle excise tax. Requires that certain funds received from the registration of a motorized bicycle be deposited in the motorcycle operator safety education fund. Requires the operator of a motorized bicycle on a highway to hold a driver's license, with a certain exception. Requires a dealer who sells at least 12 motorized bicycles a year to register as a dealer with the secretary of state. Prohibits the operation of a motorized bicycle without financial responsibility in effect on the motorized bicycle. Requires certain individuals to file accident reports after an accident involving a motorized bicycle. Provides that a minor who knowingly: (1) possesses an alcoholic beverage (beverage); (2) consumes the beverage; or (3) transports the beverage on a public highway when not accompanied by at least one of the minor's parents or guardians commits a Class C misdemeanor, and if the minor is found to have violated the above while operating a motorized bicycle, the court may order the minor's driver's license suspended for up to one year, with certain enhancements. Repeals the term "motor scooter". Makes conforming changes. Makes technical corrections. Deletes outdated language.

Effective: July 1, 2011.

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January 20, 2011, read first time and referred to Committee on Roads and Transportation.

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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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HOUSE BILL No. 1495



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 6-3.5-4-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. (a) The county
3 council of any county may, subject to the limitation imposed by
4 subsection (c), adopt an ordinance to impose an annual license excise
5 surtax at the same rate or amount on each motor vehicle listed in
6 subsection (b) that is registered in the county. The county council may
7 impose the surtax either:

- 8 (1) at a rate of not less than two percent (2%) nor more than ten
9 percent (10%); or
- 10 (2) at a specific amount of at least seven dollars and fifty cents
11 (\$7.50) and not more than twenty-five dollars (\$25).

12 However, the surtax on a vehicle may not be less than seven dollars and
13 fifty cents (\$7.50). The county council shall state the surtax rate or
14 amount in the ordinance which imposes the tax.

- 15 (b) The license excise surtax applies to the following vehicles:
 - 16 (1) Passenger vehicles.
 - 17 (2) Motorcycles, **and after December 31, 2011, motorized**



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bicycles.

(3) Trucks with a declared gross weight that does not exceed eleven thousand (11,000) pounds.

(c) The county council may not adopt an ordinance to impose the surtax unless it concurrently adopts an ordinance under IC 6-3.5-5 to impose the wheel tax.

(d) Notwithstanding any other provision of this chapter or IC 6-3.5-5, ordinances adopted by a county council before June 1, 1983, to impose or change the annual license excise surtax and the annual wheel tax in the county remain in effect until the ordinances are amended or repealed under this chapter or IC 6-3.5-5.

SECTION 2. IC 6-6-5-1, AS AMENDED BY P.L.2-2007, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) As used in this chapter, "vehicle" means a vehicle subject to annual registration as a condition of its operation on the public highways pursuant to the motor vehicle registration laws of the state. **After December 31, 2011, this chapter also applies to a motorized bicycle.**

(b) As used in this chapter, "mobile home" means a nonself-propelled vehicle designed for occupancy as a dwelling or sleeping place.

(c) As used in this chapter, "bureau" means the bureau of motor vehicles.

(d) As used in this chapter, "license branch" means a branch office of the bureau authorized to register motor vehicles pursuant to the laws of the state.

(e) As used in this chapter, "owner" means the person in whose name the vehicle or trailer is registered (as defined in IC 9-13-2).

(f) As used in this chapter, "motor home" means a self-propelled vehicle having been designed and built as an integral part thereof having living and sleeping quarters, including that which is commonly referred to as a recreational vehicle.

(g) As used in this chapter, "last preceding annual excise tax liability" means either:

- (1) the amount of excise tax liability to which the vehicle was subject on the owner's last preceding regular annual registration date; or
- (2) the amount of excise tax liability to which a vehicle that was registered after the owner's last preceding annual registration date would have been subject if it had been registered on that date.

(h) As used in this chapter, "trailer" means a device having a gross vehicle weight equal to or less than three thousand (3,000) pounds that

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1 is pulled behind a vehicle and that is subject to annual registration as
2 a condition of its operation on the public highways pursuant to the
3 motor vehicle registration laws of the state. The term includes any
4 utility, boat, or other two (2) wheeled trailer.

5 (i) This chapter does not apply to the following:

6 (1) Vehicles owned, or leased and operated, by the United States,
7 the state, or political subdivisions of the state.

8 (2) Mobile homes and motor homes.

9 (3) Vehicles assessed under IC 6-1.1-8.

10 (4) Vehicles subject to registration as trucks under the motor
11 vehicle registration laws of the state, except trucks having a
12 declared gross weight not exceeding eleven thousand (11,000)
13 pounds, trailers, semitrailers, tractors, and buses.

14 (5) Vehicles owned, or leased and operated, by a postsecondary
15 educational institution described in IC 6-3-3-5(d).

16 (6) Vehicles owned, or leased and operated, by a volunteer fire
17 department (as defined in IC 36-8-12-2).

18 (7) Vehicles owned, or leased and operated, by a volunteer
19 emergency ambulance service that:

20 (A) meets the requirements of IC 16-31; and

21 (B) has only members that serve for no compensation or a
22 nominal annual compensation of not more than three thousand
23 five hundred dollars (\$3,500).

24 (8) Vehicles that are exempt from the payment of registration fees
25 under IC 9-18-3-1.

26 (9) Farm wagons.

27 SECTION 3. IC 6-6-5-4 IS AMENDED TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2011]: Sec. 4. After determining the value of a
29 vehicle, as prescribed in section 3 of this chapter, the bureau shall
30 classify every vehicle in its proper class according to the following
31 classification plan:

32	Class 0.V	Effective January 2, 2012, 33 for a motorized bicycle 34 at least \$200, but less than \$1,500
35	Class I	less than \$ 1,500
36	Class II	at least \$ 1,500 but less than \$ 2,250
37	Class III	at least \$ 2,250 but less than \$ 3,000
38	Class IV	at least \$ 3,000 but less than \$ 4,000
39	Class V	at least \$ 4,000 but less than \$ 5,500
40	Class VI	at least \$ 5,500 but less than \$ 7,000
41	Class VII	at least \$ 7,000 but less than \$ 8,500
42	Class VIII	at least \$ 8,500 but less than \$10,000

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1	Class IX	at least \$10,000 but less than \$12,500
2	Class X	at least \$12,500 but less than \$15,000
3	Class XI	at least \$15,000 but less than \$18,000
4	Class XII	at least \$18,000 but less than \$22,000
5	Class XIII	at least \$22,000 but less than \$25,000
6	Class XIV	at least \$25,000 but less than \$30,000
7	Class XV	at least \$30,000 but less than \$35,000
8	Class XVI	at least \$35,000 but less than \$42,500
9	Class XVII	\$42,500 and over

10 SECTION 4. IC 7.1-1-3-26.3 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 26.3. (a) "Motor
 12 vehicle" means a vehicle that is self-propelled.

13 (b) **After December 31, 2011**, the term ~~does not include~~ **includes**
 14 a motorized bicycle (as defined in IC 9-13-2-109).

15 SECTION 5. IC 9-13-2-3, AS AMENDED BY P.L.146-2009,
 16 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2011]: Sec. 3. (a) Except as provided in subsection (b),
 18 "antique motor vehicle" means a motor vehicle ~~or motor scooter~~ that is
 19 at least twenty-five (25) years old.

20 (b) "Antique motor vehicle", for purposes of IC 9-19-11-1(6), means
 21 a passenger motor vehicle or truck that was manufactured without a
 22 safety belt as a part of the standard equipment installed by the
 23 manufacturer at each designated seating position, before the
 24 requirement of the installation of safety belts in the motor vehicle
 25 according to the standards stated in the Federal Motor Vehicle Safety
 26 Standard Number 208 (49 CFR 571.208).

27 SECTION 6. IC 9-13-2-5 IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2011]: Sec. 5. "Approved motorcycle driver
 29 education and training course" means:

30 (1) a course offered by a public or private secondary school, a
 31 new motorcycle dealer, or other driver education school offering
 32 motorcycle driver training **and motorized bicycle training** as
 33 developed and approved by the superintendent of public
 34 instruction and the bureau; or

35 (2) a course that is offered by a commercial driving school or new
 36 motorcycle dealer and that is approved by the bureau.

37 SECTION 7. IC 9-13-2-42, AS AMENDED BY P.L.93-2010,
 38 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2011]: Sec. 42. (a) "Dealer" means, except as otherwise
 40 provided in this section, a person who sells to the general public,
 41 including a person who sells directly by the Internet or other computer
 42 network, at least twelve (12) vehicles each year for delivery in Indiana.

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1 The term includes a person who sells off-road vehicles **or motorized**
 2 **bicycles**. A dealer must have an established place of business that
 3 meets the minimum standards prescribed by the secretary of state under
 4 rules adopted under IC 4-22-2.

5 (b) The term does not include the following:

6 (1) A receiver, trustee, or other person appointed by or acting
 7 under the judgment or order of a court.

8 (2) A public officer while performing official duties.

9 (3) A person who is a dealer solely because of activities as a
 10 transfer dealer.

11 (4) An automotive mobility dealer.

12 (c) "Dealer", for purposes of IC 9-31, means a person that sells to
 13 the general public for delivery in Indiana at least six (6):

14 (1) boats; or

15 (2) trailers:

16 (A) designed and used exclusively for the transportation of
 17 watercraft; and

18 (B) sold in general association with the sale of watercraft;
 19 per year.

20 SECTION 8. IC 9-13-2-103 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 103. "Military vehicle"
 22 means a vehicle that:

23 (1) was originally manufactured for military use;

24 (2) is motorized or nonmotorized, including a motorcycle ~~motor~~
 25 ~~scooter~~; and trailer;

26 (3) is at least twenty-five (25) years old; and

27 (4) is privately owned.

28 SECTION 9. IC 9-13-2-105, AS AMENDED BY P.L.9-2010,
 29 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2011]: Sec. 105. (a) "Motor vehicle" means, except as
 31 otherwise provided in this section, a vehicle that is self-propelled. The
 32 term does not include a farm tractor, an implement of agriculture
 33 designed to be operated primarily in a farm field or on farm premises,
 34 or an electric personal assistive mobility device.

35 (b) "Motor vehicle", for purposes of IC 9-21, means

36 (1) a vehicle except a motorized bicycle that is self-propelled; ~~or~~

37 **(2) after December 31, 2011, a vehicle, including a motorized**
 38 **bicycle, that is self-propelled; or**

39 ~~(2)~~ **(3)** a vehicle that is propelled by electric power obtained from
 40 overhead trolley wires, but not operated upon rails.

41 (c) "Motor vehicle", for purposes of IC 9-19-10.5 and IC 9-25,
 42 means a vehicle that is self-propelled upon a highway in Indiana. The

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1 term does not include a farm tractor.

2 (d) "Motor vehicle", for purposes of IC 9-30-10, does not include a
3 motorized bicycle.

4 (e) "Motor vehicle", for purposes of IC 9-23-2 and IC 9-23-3,
5 includes a semitrailer.

6 (f) "Motor vehicle", for purposes of IC 9-24-6, has the meaning set
7 forth in 49 CFR 383.5 as in effect July 1, 2010.

8 SECTION 10. IC 9-13-2-108 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 108. **(a) Except as
10 provided in subsection (b), "motorcycle" means a motor vehicle with
11 motive power having a seat or saddle for the use of the rider and
12 designed to travel on not more than three (3) wheels in contact with the
13 ground. The term does not include a farm tractor or a motorized
14 bicycle.**

15 **(b) For purposes of IC 9-24-8, after December 31, 2011, the term
16 includes a motorized bicycle.**

17 SECTION 11. IC 9-13-2-109 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 109. "Motorized
19 bicycle" means a two (2) or three (3) wheeled vehicle that is propelled
20 by an internal combustion engine or a battery powered motor, and if
21 powered by an internal combustion engine, has the following:

- 22 (1) An engine rating of not more than two (2) horsepower and a
23 cylinder capacity not exceeding fifty (50) cubic centimeters.
- 24 (2) An automatic transmission.
- 25 (3) A maximum design speed of not more than twenty-five (25)
26 miles per hour on a flat surface.

27 The term does not include an electric personal assistive mobility device
28 **or an assistive device (as defined in IC 24-50-20-2(1)) used for the
29 transportation of a person with a disability for the purpose of
30 mobility.**

31 SECTION 12. IC 9-13-2-123, AS AMENDED BY P.L.214-2007,
32 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2011]: Sec. 123. "Passenger motor vehicle" means a motor
34 vehicle designed for carrying passengers. The term includes a low
35 speed vehicle but does not include a motorcycle, **after December 31,
36 2011, a motorized bicycle**, a bus, a school bus, or an off-road vehicle.

37 SECTION 13. IC 9-13-2-160 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 160. "Salvage motor
39 vehicle" means any of the following:

- 40 (1) A motor vehicle, motorcycle, **motorized bicycle**, semitrailer,
41 or recreational vehicle that meets at least one (1) of the criteria set
42 forth in IC 9-22-3-3.

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1 (2) A vehicle, ownership of which is evidenced by a salvage title
2 or by another ownership document of similar qualification and
3 limitation issued by a state or jurisdiction other than the state of
4 Indiana, and recognized by and acceptable to the bureau of motor
5 vehicles.

6 SECTION 14. IC 9-13-2-196, AS AMENDED BY P.L.9-2010,
7 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2011]: Sec. 196. (a) "Vehicle" means, except as otherwise
9 provided in this section, a device in, upon, or by which a person or
10 property is, or may be, transported or drawn upon a highway.

11 (b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not
12 include the following:

- 13 (1) A device moved by human power.
- 14 (2) A vehicle that runs only on rails or tracks.
- 15 (3) A vehicle propelled by electric power obtained from overhead
16 trolley wires but not operated upon rails or tracks.
- 17 (4) A firetruck and apparatus owned by a person or municipal
18 division of the state and used for fire protection.
- 19 (5) A municipally owned ambulance.
- 20 (6) A police patrol wagon.
- 21 (7) A vehicle not designed for or employed in general highway
22 transportation of persons or property and occasionally operated or
23 moved over the highway, including the following:
 - 24 (A) Road construction or maintenance machinery.
 - 25 (B) A movable device designed, used, or maintained to alert
26 motorists of hazardous conditions on highways.
 - 27 (C) Construction dust control machinery.
 - 28 (D) Well boring apparatus.
 - 29 (E) Ditch digging apparatus.
 - 30 (F) An implement of agriculture designed to be operated
31 primarily in a farm field or on farm premises.
 - 32 (G) An invalid chair.
 - 33 (H) A yard tractor.
- 34 (8) An electric personal assistive mobility device.

35 (c) For purposes of IC 9-20 and IC 9-21, the term does not include
36 devices moved by human power or used exclusively upon stationary
37 rails or tracks.

38 (d) For purposes of IC 9-22, the term refers to an automobile, a
39 motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school
40 bus, a recreational vehicle, a trailer or semitrailer used in the
41 transportation of watercraft, or a motorized bicycle.

42 (e) For purposes of IC 9-24-6, the term has the meaning set forth in

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49 CFR 383.5 as in effect July 1, 2010.
(f) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device.

SECTION 15. IC 9-17-1-1, AS AMENDED BY P.L.182-2009(ss), SECTION 284, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) This article does not apply to farm wagons, a golf cart when operated in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a), or a motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer.

(b) After December 31, 2011, this article also applies to a motorized bicycle.

SECTION 16. IC 9-17-2-1, AS AMENDED BY P.L.131-2008, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) This section does not apply to an off-road vehicle that is at least five (5) model years old.

(b) Within sixty (60) days after becoming an Indiana resident, a person must obtain a certificate of title for all vehicles owned by the person that:

- (1) are subject to the motor vehicle excise tax under IC 6-6-5; **or**
- (2) are off-road vehicles; **or**

(3) after December 31, 2011, are motorized bicycles;
and that will be operated in Indiana.

(c) Within sixty (60) days after becoming an Indiana resident, a person shall obtain a certificate of title for all commercial vehicles owned by the person that:

- (1) are subject to the commercial vehicle excise tax under IC 6-6-5.5;
- (2) are not subject to proportional registration under the International Registration Plan; and
- (3) will be operated in Indiana.

(d) Within sixty (60) days after becoming an Indiana resident, a person must obtain a certificate of title for all recreational vehicles owned by the person that:

- (1) are subject to the excise tax imposed under IC 6-6-5.1; and
- (2) will be operated in Indiana.

(e) A person must produce evidence concerning the date on which the person became an Indiana resident.

SECTION 17. IC 9-17-2-6, AS AMENDED BY P.L.219-2005,

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1 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2011]: Sec. 6. (a) This section does not apply to a:

3 (1) motor vehicle requiring a certificate of title under section
4 1(b)(2) or 1.5 of this chapter; or

5 (2) **after December 31, 2011, motorized bicycle.**

6 (b) A certificate of title issued for a vehicle that is required to be
7 registered under this title at a declared gross weight of sixteen thousand
8 (16,000) pounds or less must contain the odometer reading of the
9 vehicle in miles or kilometers as of the date of sale or transfer of the
10 vehicle.

11 (c) A person may not knowingly furnish to the bureau odometer
12 information that does not accurately indicate the total recorded miles
13 or kilometers on the vehicle.

14 (d) The bureau and its license branches are not subject to a criminal
15 or civil action by a person for an invalid odometer reading on a
16 certificate of title.

17 SECTION 18. IC 9-17-4-0.3 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 0.3. As used in this
19 chapter, "assembled vehicle" means:

20 (1) a motor vehicle, excluding a motorcycle **or after December**
21 **31, 2011, a motorized bicycle**, that has had the:

- 22 (A) frame;
- 23 (B) chassis;
- 24 (C) cab; or
- 25 (D) body;

26 replaced; or

27 (2) a motorcycle **or after December 31, 2011, a motorized**
28 **bicycle** that has had the:

- 29 (A) frame; or
- 30 (B) engine;

31 replaced.

32 The term includes but is not limited to glider kits, fiberglass body kits,
33 and vehicle reproductions or replicas and includes motor vehicles that
34 have visible and original vehicle identification numbers.

35 SECTION 19. IC 9-18-1-1, AS AMENDED BY P.L.182-2009(ss),
36 SECTION 285, IS AMENDED TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) This article does not apply to
38 the following:

- 39 (1) Farm wagons.
- 40 (2) Farm tractors.
- 41 (3) A new motor vehicle if the new motor vehicle is being
42 operated in Indiana solely to remove it from an accident site to a

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- 1 storage location because:
- 2 (A) the new motor vehicle was being transported on a railroad
- 3 car or semitrailer; and
- 4 (B) the railroad car or semitrailer was involved in an accident
- 5 that required the unloading of the new motor vehicle to
- 6 preserve or prevent further damage to it.
- 7 (4) An implement of agriculture designed to be operated primarily
- 8 in a farm field or on farm premises.
- 9 (5) Off-road vehicles.
- 10 (6) Golf carts when operated in accordance with an ordinance
- 11 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).

12 **(b) After December 31, 2011, this article also applies to a**
 13 **motorized bicycle.**

14 SECTION 20. IC 9-18-2-26, AS AMENDED BY P.L.42-2007,
 15 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2011]: Sec. 26. (a) License plates shall be displayed as
 17 follows:

- 18 (1) For a motorcycle, trailer, semitrailer, or recreational vehicle,
- 19 upon the rear of the vehicle.
- 20 (2) For a tractor or dump truck, upon the front of the vehicle.
- 21 (3) For every other vehicle, upon the rear of the vehicle.

22 **(b) Except as provided in subsection (d),** a license plate shall be
 23 securely fastened, in a horizontal position, to the vehicle for which the
 24 plate is issued:

- 25 (1) to prevent the license plate from swinging;
- 26 (2) at a height of at least twelve (12) inches from the ground,
- 27 measuring from the bottom of the license plate;
- 28 (3) in a place and position that are clearly visible;
- 29 (4) maintained free from foreign materials and in a condition to
- 30 be clearly legible; and
- 31 (5) not obstructed or obscured by tires, bumpers, accessories, or
- 32 other opaque objects.

33 (c) The bureau may adopt rules the bureau considers advisable to
 34 enforce the proper mounting and securing of license plates on vehicles
 35 consistent with this chapter.

36 **(d) The bureau shall adopt rules, effective January 1, 2012,**
 37 **concerning the proper manner of mounting and display of license**
 38 **plates on motorized bicycles.**

39 SECTION 21. IC 9-18-2-29, AS AMENDED BY P.L.210-2005,
 40 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2011]: Sec. 29. Except as otherwise provided, before:

- 42 (1) a motor vehicle;

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- 1 (2) a motorcycle **and after December 31, 2011, a motorized**
- 2 **bicycle;**
- 3 (3) a truck;
- 4 (4) a trailer;
- 5 (5) a semitrailer;
- 6 (6) a tractor;
- 7 (7) a bus;
- 8 (8) a school bus;
- 9 (9) a recreational vehicle; or
- 10 (10) special machinery;

11 is operated or driven on a highway, the person who owns the vehicle
 12 must register the vehicle with the bureau and pay the applicable
 13 registration fee.

14 SECTION 22. IC 9-18-8-1 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. As used in this
 16 chapter, "motor vehicle part" means:

- 17 (1) for a motorcycle **and after December 31, 2011, a motorized**
- 18 **bicycle;**
- 19 (A) a frame; or
- 20 (B) an engine;
- 21 (2) for a passenger motor vehicle, a:
- 22 (A) frame;
- 23 (B) chassis; or
- 24 (C) body;
- 25 (3) for a truck or a tractor, a:
- 26 (A) frame;
- 27 (B) chassis;
- 28 (C) cab; or
- 29 (D) body; or
- 30 (4) for a trailer, semitrailer, or recreational vehicle, a:
- 31 (A) chassis; or
- 32 (B) body;

33 of the motor vehicle.

34 SECTION 23. IC 9-18-12-4 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. (a) If a person who
 36 registers an antique motor vehicle under this chapter makes substantial
 37 alterations or changes to the vehicle after the date of the antique motor
 38 vehicle's registration, the registrant shall have the vehicle reinspected
 39 by the state police department.

40 (b) If the antique motor vehicle is not found to be in a mechanical
 41 condition that guarantees the vehicle's safe operation upon the
 42 highways, the mechanical condition shall be reported to the bureau.

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- 1 The bureau shall do the following:
- 2 (1) Immediately cancel the registration of the antique motor
- 3 vehicle.
- 4 (2) Notify the person who registered the antique motor vehicle of
- 5 the cancellation.

6 ~~(c) A motor scooter registered under this chapter is not required to~~
 7 ~~have equipment that was not original on the motor scooter.~~

8 SECTION 24. IC 9-18-15-1, AS AMENDED BY P.L.87-2010,
 9 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2011]: Sec. 1. (a) A person who is the registered owner or
 11 lessee of a:

- 12 (1) passenger motor vehicle;
- 13 (2) motorcycle **and, after December 31, 2011, a motorized**
- 14 **bicycle;**
- 15 (3) recreational vehicle; or
- 16 (4) vehicle registered as a truck with a declared gross weight of
- 17 not more than eleven thousand (11,000) pounds;
- 18 registered with the bureau or who makes an application for an original
- 19 registration or renewal registration of a vehicle may apply to the bureau
- 20 for a personalized license plate to be affixed to the vehicle for which
- 21 registration is sought instead of the regular license plate.

22 (b) A person who:

- 23 (1) is the registered owner or lessee of a vehicle described in
- 24 subsection (a); and
- 25 (2) is eligible to receive a license plate for the vehicle under:
 - 26 (A) IC 9-18-17 (prisoner of war license plates);
 - 27 (B) IC 9-18-18 (disabled Hoosier veteran license plates);
 - 28 (C) IC 9-18-19 (Purple Heart license plates);
 - 29 (D) IC 9-18-20 (Indiana National Guard license plates);
 - 30 (E) IC 9-18-21 (Indiana Guard Reserve license plates);
 - 31 (F) IC 9-18-22 (license plates for persons with disabilities);
 - 32 (G) IC 9-18-23 (amateur radio operator license plates);
 - 33 (H) IC 9-18-24 (civic event license plates);
 - 34 (I) IC 9-18-24.5 (In God We Trust license plates);
 - 35 (J) IC 9-18-25 (special group recognition license plates);
 - 36 (K) IC 9-18-29 (environmental license plates);
 - 37 (L) IC 9-18-30 (kids first trust license plates);
 - 38 (M) IC 9-18-31 (education license plates);
 - 39 (N) IC 9-18-32.2 (drug free Indiana trust license plates);
 - 40 (O) IC 9-18-33 (Indiana FFA trust license plates);
 - 41 (P) IC 9-18-34 (Indiana firefighter license plates);
 - 42 (Q) IC 9-18-35 (Indiana food bank trust license plates);

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- 1 (R) IC 9-18-36 (Indiana girl scouts trust license plates);
- 2 (S) IC 9-18-37 (Indiana boy scouts trust license plates);
- 3 (T) IC 9-18-38 (Indiana retired armed forces member license
- 4 plates);
- 5 (U) IC 9-18-39 (Indiana antique car museum trust license
- 6 plates);
- 7 (V) IC 9-18-40 (D.A.R.E. Indiana trust license plates);
- 8 (W) IC 9-18-41 (Indiana arts trust license plates);
- 9 (X) IC 9-18-42 (Indiana health trust license plates);
- 10 (Y) IC 9-18-43 (Indiana mental health trust license plates);
- 11 (Z) IC 9-18-44 (Indiana Native American trust license plates);
- 12 (AA) IC 9-18-45.8 (Pearl Harbor survivor license plates);
- 13 (BB) IC 9-18-46.2 (Indiana state educational institution trust
- 14 license plates);
- 15 (CC) IC 9-18-47 (Lewis and Clark bicentennial license plates);
- 16 (DD) IC 9-18-48 (Riley Children's Foundation license plates);
- 17 (EE) IC 9-18-49 (National Football League franchised
- 18 professional football team license plates);
- 19 (FF) IC 9-18-50 (Hoosier veteran license plates);
- 20 (GG) IC 9-18-51 (support our troops license plates);
- 21 (HH) IC 9-18-52 (Abraham Lincoln bicentennial license
- 22 plates);
- 23 (II) IC 9-18-53 (Earlham College Trust license plates); or
- 24 (JJ) IC 9-18-54 (Indiana Gold Star family member license
- 25 plates);

26 may apply to the bureau for a personalized license plate to be affixed
 27 to the vehicle for which registration is sought instead of the regular
 28 special recognition license plate.

29 SECTION 25. IC 9-18-16-2 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. A license plate
 31 issued to a member of the general assembly, a spouse of a member of
 32 the general assembly, and a state elected official may be displayed on
 33 the following:

- 34 (1) A passenger motor vehicle.
- 35 (2) A recreational vehicle.
- 36 (3) A motorcycle **and after December 31, 2011, a motorized**
- 37 **bicycle.**
- 38 (4) A truck that has a gross weight of not more than eleven
- 39 thousand (11,000) pounds.

40 SECTION 26. IC 9-18-25-7, AS AMENDED BY P.L.117-2006,
 41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2011]: Sec. 7. A special group recognition license plate issued

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- 1 under this chapter may be displayed on the following:
- 2 (1) A passenger motor vehicle.
- 3 (2) A truck registered as a truck with a declared gross weight of
- 4 not more than eleven thousand (11,000) pounds.
- 5 (3) A recreational vehicle.
- 6 (4) A motorcycle **and after December 31, 2011, a motorized**
- 7 **bicycle.**

8 SECTION 27. IC 9-19-11-1, AS AMENDED BY P.L.24-2006,
 9 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2011]: Sec. 1. **(a)** This chapter does not apply to a person who
 11 operates any of the following vehicles:

- 12 (1) A school bus.
- 13 (2) A taxicab.
- 14 (3) An ambulance.
- 15 (4) A public passenger bus.
- 16 (5) A motor vehicle having a seating capacity greater than nine
- 17 (9) individuals that is owned or leased and operated by a religious
 18 or not-for-profit youth organization.
- 19 (6) An antique motor vehicle.
- 20 (7) A motorcycle **and after December 31, 2011, a motorized**
- 21 **bicycle.**
- 22 (8) A motor vehicle that is owned or leased by a governmental
- 23 unit and is being used in the performance of official law
- 24 enforcement duties.
- 25 (9) A motor vehicle that is being used in an emergency.
- 26 (10) A motor vehicle that is funeral equipment used in the
- 27 operation of funeral services when used in:
 - 28 (A) a funeral procession;
 - 29 (B) the return trip to a funeral home (as defined in
 - 30 IC 25-15-2-15); or
 - 31 (C) both the funeral procession and return trip.

32 **(b) After December 31, 2011, a person operating a motorized**
 33 **bicycle is subject to IC 9-21-8-59.**

34 SECTION 28. IC 9-21-8-59 IS ADDED TO THE INDIANA CODE
 35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 36 1, 2011]: **Sec. 59. After December 31, 2011, a person operating a**
 37 **motorized bicycle may not carry a passenger on the motorized**
 38 **bicycle.**

39 SECTION 29. IC 9-21-10-7 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 7. All traffic
 41 regulations and all rights and duties inured from the traffic regulations
 42 that apply to a person who drives or operates a motor vehicle apply to

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1 a person who operates a motorcycle **and after December 31, 2011, a**
2 **motorized bicycle**, except the following:

3 (1) Regulations that expressly do not apply to motorcycles **or**
4 **motorized bicycles**.

5 (2) Regulations that by their nature have no application.

6 SECTION 30. IC 9-21-10-7.5 IS ADDED TO THE INDIANA
7 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
8 [EFFECTIVE JULY 1, 2011]: **Sec. 7.5. A motorized bicycle may not**
9 **be operated under any of the following conditions:**

10 (1) **On an interstate highway or a sidewalk.**

11 (2) **At a speed greater than twenty-five (25) miles per hour.**

12 SECTION 31. IC 9-21-10-9 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 9. (a) If a person who
14 is less than eighteen (18) years of age is operating or riding on a
15 motorcycle on the streets or highways, the person shall wear the
16 following:

17 (1) Protective headgear meeting the minimum standards set by the
18 bureau.

19 (2) Protective glasses, goggles, or a transparent face shield.

20 (b) **A person less than eighteen (18) years of age who operates**
21 **or rides a motorized bicycle on a street or highway shall wear the**
22 **following:**

23 (1) **Protective headgear meeting the minimum standards set**
24 **by the bureau or a helmet that meets the standards**
25 **established by the United States Department of**
26 **Transportation under 49 CFR 571.218, as effective January**
27 **1, 1979.**

28 (2) **Protective glasses, goggles, or a transparent face shield.**

29 SECTION 32. IC 9-21-10-10 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 10. A person may not
31 rent, lease, or furnish a motorcycle **and after December 31, 2011, a**
32 **motorized bicycle except as provided in IC 9-24-1-7(a)(9)**, to
33 another person for use on the streets and highways who is not regularly
34 licensed to operate a motor vehicle by the state in which the other
35 person is a resident.

36 SECTION 33. IC 9-21-10-11 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 11. A person to whom
38 a motorcycle **or after December 31, 2011, a motorized bicycle** is
39 rented, leased, or furnished may not rent, sublease, or otherwise
40 authorize the use of the motorcycle on the streets and highways to a
41 person who is not licensed to operate a vehicle in Indiana **except as**
42 **provided in IC 9-24-1-7(a)(9).**

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1 SECTION 34. IC 9-21-10-12 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 12. A person may not
3 rent, lease, or furnish a motorcycle **or after December 31, 2011, a**
4 **motorized bicycle**, that is not in safe operating condition.

5 SECTION 35. IC 9-21-16-7 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 7. (a) Except as
7 provided in subsection (b) and except where angle parking is permitted
8 by local ordinance for streets under local control and by order of the
9 Indiana department of transportation on streets and highways in the
10 state highway system, including routes through cities and towns, a
11 vehicle stopped or parked upon a roadway where there is an adjacent
12 curb must be stopped or parked with the right-hand wheels of the
13 vehicle parallel with and within twelve (12) inches of the right-hand
14 curb.

15 (b) A motorcycle **or after December 31, 2011, a motorized bicycle**
16 stopped or parked upon a roadway where there is an adjacent curb may
17 be stopped or parked with the rear wheel of the motorcycle **or the**
18 **motorized bicycle** to the curb and with the front tire facing the flow of
19 traffic.

20 SECTION 36. IC 9-22-3-3, AS AMENDED BY P.L.110-2006,
21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2011]: Sec. 3. (a) A certificate of salvage title is required for
23 a motor vehicle, motorcycle, semitrailer, or recreational vehicle, **or**
24 **after December 31, 2011, motorized bicycle** that meets any of the
25 following criteria:

26 (1) An insurance company has determined that it is economically
27 impractical to repair the wrecked or damaged motor vehicle,
28 motorcycle, semitrailer, ~~or~~ recreational vehicle, **or after**
29 **December 31, 2011, motorized bicycle** and has made an agreed
30 settlement with the insured or claimant.

31 (2) If the owner of the vehicle is a business that insures its own
32 vehicles, the cost of repairing the wrecked or damaged motor
33 vehicle, motorcycle, semitrailer, ~~or~~ recreational vehicle, **or after**
34 **December 31, 2011, motorized bicycle** exceeds seventy percent
35 (70%) of the fair market value immediately before the motor
36 vehicle, motorcycle, semitrailer, ~~or~~ recreational vehicle, **or after**
37 **December 31, 2011, motorized bicycle** was wrecked or
38 damaged.

39 (3) The motor vehicle is a flood damaged vehicle.

40 (b) For the purposes of this section, the bureau shall, upon request,
41 determine the fair market value of a wrecked or damaged motor
42 vehicle, motorcycle, semitrailer, ~~or~~ recreational vehicle, **or after**

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1 **December 31, 2011, motorized bicycle** if the fair market value cannot
2 be determined from the source referred to in section 2(1) of this
3 chapter.

4 (c) Except as described in section 11(c) of this chapter, an insurance
5 company shall apply for a salvage title for a vehicle that the insurance
6 company has determined is economically impractical to repair.

7 (d) An owner described in subsection (a)(2) shall apply for a salvage
8 title for any vehicle that has sustained damages of seventy percent
9 (70%) or more of the fair market value immediately before the motor
10 vehicle, motorcycle, semitrailer, ~~or~~ recreational vehicle, **or after**
11 **December 31, 2011, motorized bicycle** was wrecked or damaged if
12 the vehicle meets the criteria specified in subsection (a)(2).

13 SECTION 37. IC 9-22-3-11, AS AMENDED BY P.L.110-2006,
14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2011]: Sec. 11. (a) This section applies to the following
16 persons:

17 (1) An insurance company that declares a wrecked or damaged
18 motor vehicle, motorcycle, semitrailer, ~~or~~ recreational vehicle, **or**
19 **after December 31, 2011, motorized bicycle** that meets at least
20 one (1) of the criteria set forth in section 3 of this chapter and the
21 ownership of which is not evidenced by a certificate of salvage
22 title.

23 (2) An insurance company that has made and paid an agreed
24 settlement for the loss of a stolen motor vehicle, motorcycle,
25 semitrailer, ~~or~~ recreational vehicle, **or after December 31, 2011,**
26 **motorized bicycle** that:

- 27 (A) has been recovered by the titled owner; and
- 28 (B) meets at least one (1) of the criteria set forth in section 3
29 of this chapter.

30 (b) A person who owns or holds a lien upon a vehicle described in
31 subsection (a) shall assign the certificate of title to the insurance
32 company described in subsection (a). The insurance company shall
33 apply to the bureau within thirty-one (31) days after receipt of the
34 certificate of title for a certificate of salvage title for each salvage or
35 stolen vehicle subject to this chapter. The insurance company shall
36 surrender the certificate of title to the department and pay the fee
37 prescribed under IC 9-29-7 for a certificate of salvage title.

38 (c) When the owner of a vehicle described in subsection (a) retains
39 possession of the vehicle:

- 40 (1) the person who possesses the certificate of title shall surrender
41 the certificate of title to the insurance company described in
42 subdivision (2);

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1 (2) the insurance company that completes an agreed settlement
 2 for the vehicle shall:
 3 (A) obtain the certificate of title; and
 4 (B) submit to the bureau:
 5 (i) the certificate of title;
 6 (ii) the appropriate fee; and
 7 (iii) a request for a certificate of salvage title on a form
 8 prescribed by the bureau; and
 9 (3) after the bureau has received the items set forth in subdivision
 10 (2)(B), the bureau shall issue a certificate of salvage title to the
 11 owner.
 12 (d) When a self-insured entity is the owner of a salvage motor
 13 vehicle, motorcycle, semitrailer, ~~or~~ recreational vehicle, **or after**
 14 **December 31, 2011, motorized bicycle** that meets at least one (1) of
 15 the criteria set forth in section 3 of this chapter, the self-insured entity
 16 shall apply to the bureau within thirty-one (31) days after the date of
 17 loss for a certificate of salvage title in the name of the self-insured
 18 entity's name.
 19 (e) Any other person acquiring a wrecked or damaged motor
 20 vehicle, motorcycle, semitrailer, ~~or~~ recreational vehicle, **or after**
 21 **December 31, 2011, motorized bicycle** that meets at least one (1) of
 22 the criteria set forth in section 3 of this chapter, which acquisition is
 23 not evidenced by a certificate of salvage title, shall apply to the bureau
 24 within thirty-one (31) days after receipt of the certificate of title for a
 25 certificate of salvage title.
 26 (f) A person that violates this section commits a Class D infraction.
 27 SECTION 38. IC 9-23-2-8.5 IS ADDED TO THE INDIANA CODE
 28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 29 1, 2011]: **Sec. 8.5 (a) Notwithstanding IC 9-13-2-42, a person who**
 30 **engages in the business of selling at least twelve (12) motorized**
 31 **bicycles to the general public each year for delivery in Indiana and**
 32 **whose business name begins with the letters A through L, inclusive,**
 33 **is not required to apply for a dealer's license under IC 9-23-2 with**
 34 **the bureau of motor vehicles until the month in 2012 required by**
 35 **IC 9-23-2-8.**
 36 **(b) This section expires December 31, 2013.**
 37 SECTION 39. IC 9-24-1-5 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 5. Except as provided**
 39 **in section 7(a)(9) of this chapter, an individual must have a valid**
 40 **driver's license that may be any of the following to operate a**
 41 **motorcycle or (after December 31, 2011) a motorized bicycle upon**
 42 **a public highway:**

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- 1 (1) An operator's, a chauffeur's, or a public passenger chauffeur's
- 2 license with a motorcycle endorsement.
- 3 (2) A temporary motorcycle learner's permit subject to the
- 4 limitations imposed under IC 9-24-8.
- 5 (3) A motorcycle learner's permit subject to the limitations
- 6 imposed under IC 9-24-8.
- 7 (4) A driver's license from any other jurisdiction that is valid for
- 8 the operation of a motorcycle **or a motorized bicycle** in that
- 9 jurisdiction.
- 10 SECTION 40. IC 9-24-1-7, AS AMENDED BY P.L.87-2010,
- 11 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 12 JULY 1, 2011]: Sec. 7. (a) Sections 1 through 5 of this chapter do not
- 13 apply to the following individuals:
- 14 (1) An individual in the service of the armed forces of the United
- 15 States while operating an official motor vehicle in that service.
- 16 (2) An individual while operating:
- 17 (A) a road roller;
- 18 (B) road construction or maintenance machinery, except where
- 19 the road roller or machinery is required to be registered under
- 20 Indiana law;
- 21 (C) a ditch digging apparatus;
- 22 (D) a well drilling apparatus;
- 23 (E) a concrete mixer; or
- 24 (F) a farm tractor, a farm wagon (as defined in
- 25 IC 9-13-2-60(a)(2)), or an implement of agriculture designed
- 26 to be operated primarily in a farm field or on farm premises;
- 27 that is being temporarily drawn, moved, or propelled on a public
- 28 highway. However, to operate a farm wagon (as defined in
- 29 IC 9-13-2-60(a)(2)) on a highway, an individual must be at least
- 30 fifteen (15) years of age.
- 31 (3) A nonresident who:
- 32 (A) is at least sixteen (16) years and one (1) month of age;
- 33 (B) has in the nonresident's immediate possession a valid
- 34 operator's license that was issued to the nonresident in the
- 35 nonresident's home state or country; and
- 36 (C) is lawfully admitted into the United States;
- 37 while operating a motor vehicle in Indiana only as an operator.
- 38 (4) A nonresident who:
- 39 (A) is at least eighteen (18) years of age;
- 40 (B) has in the nonresident's immediate possession a valid
- 41 chauffeur's license that was issued to the nonresident in the
- 42 nonresident's home state or country; and

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1 (C) is lawfully admitted into the United States;
 2 while operating a motor vehicle upon a public highway, either as
 3 an operator or a chauffeur.

4 (5) A nonresident who:

5 (A) is at least eighteen (18) years of age; and

6 (B) has in the nonresident's immediate possession a valid
 7 license issued by the nonresident's home state for the operation
 8 of any motor vehicle upon a public highway when in use as a
 9 public passenger carrying vehicle;

10 while operating a motor vehicle upon a public highway.

11 (6) An individual who is legally licensed to operate a motor
 12 vehicle in the state of the individual's residence and who is
 13 employed in Indiana, subject to the restrictions imposed by the
 14 state of the individual's residence.

15 (7) A new resident of Indiana who possesses an unexpired driver's
 16 license issued by the resident's former state of residence, for a
 17 period of sixty (60) days after becoming a resident of Indiana.

18 (8) An individual who is an engineer, a conductor, a brakeman, or
 19 another member of the crew of a locomotive or a train that is
 20 being operated upon rails, including the operation of the
 21 locomotive or the train on a crossing over a street or a highway.
 22 An individual described in this subdivision is not required to
 23 display a license to a law enforcement officer in connection with
 24 the operation of a locomotive or a train in Indiana.

25 **(9) After December 31, 2011, a person who does not hold a**
 26 **driver's license under this article may operate a motorized**
 27 **bicycle only with a certification from the physician of the**
 28 **person that the person is not capable for medical reasons of**
 29 **operating a passenger motor vehicle, motorcycle, or a truck.**
 30 **The certification must be carried with the person when**
 31 **operating the motorized bicycle. The person must hold an**
 32 **identification card issued under IC 9-24-16.**

33 (b) An ordinance adopted under IC 9-21-1-3((a)(14) or
 34 IC 9-21-1-3.3(a) must require that an individual who operates a golf
 35 cart in the city or town hold a driver's license.

36 SECTION 41. IC 9-24-4-4 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. A chauffeur's license
 38 entitles the licensee to operate a motor vehicle, except a motorcycle **or**
 39 **after December 31, 2011, a motorized bicycle** upon a public
 40 highway. A chauffeur's license does not entitle the licensee to operate
 41 a motor vehicle as a public passenger chauffeur.

42 SECTION 42. IC 9-24-5-3, AS AMENDED BY P.L.156-2006,

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1 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2011]: Sec. 3. A public passenger chauffeur's license entitles
3 the licensee to operate any motor vehicle, except a commercial vehicle,
4 **or a motorcycle, or after December 31, 2011, a motorized bicycle**
5 upon a highway.

6 SECTION 43. IC 9-24-7-4, AS AMENDED BY P.L.156-2006,
7 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2011]: Sec. 4. A learner's permit authorizes the permit holder
9 to operate a motor vehicle, except a motorcycle **or after December 31,**
10 **2011, a motorized bicycle,** upon a public highway under the following
11 conditions:

12 (1) While the holder is participating in practice driving in an
13 approved driver education course and is accompanied by a
14 certified driver education instructor in the front seat of an
15 automobile equipped with dual controls.

16 (2) If the learner's permit has been validated and the holder is less
17 than eighteen (18) years of age, the holder may participate in
18 practice driving if the seat beside the holder is occupied by a
19 guardian, stepparent, or relative of the holder who is at least
20 twenty-one (21) years of age and holds a valid operator's,
21 chauffeur's, or public passenger chauffeur's license.

22 (3) If the learner's permit has been validated and the holder is at
23 least eighteen (18) years of age, the holder may participate in
24 practice driving if accompanied in the vehicle by an individual
25 who holds a valid operator's, chauffeur's, or public passenger
26 chauffeur's license.

27 (4) While:

28 (A) the holder is enrolled in an approved driver education
29 course;

30 (B) the holder is participating in practice driving after having
31 commenced an approved driver education course; and

32 (C) the seat beside the holder is occupied by a parent,
33 stepparent, or guardian of the holder who holds a valid
34 operator's, chauffeur's, or public passenger chauffeur's license.

35 SECTION 44. IC 9-24-8-2 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 2. (a) The bureau shall
37 issue a temporary motorcycle learner's permit to an individual who
38 meets the following conditions:

39 (1) Is at least fifteen (15) years of age.

40 (2) Is enrolled in an approved motorcycle driver education and
41 training course.

42 (3) Presents a certificate of enrollment to the bureau.

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- 1 (4) Is not ineligible under IC 9-24-2-1.
- 2 (b) The bureau shall validate a temporary motorcycle learner's
- 3 permit upon certification by the instructor of an approved motorcycle
- 4 driver education and training course that the holder has satisfactorily
- 5 completed the course and passed the written test described in section
- 6 4 of this chapter.
- 7 (c) The holder of a validated temporary motorcycle learner's permit
- 8 may only operate a motorcycle **or after December 31, 2011, a**
- 9 **motorized bicycle** under the following conditions:
- 10 (1) The holder must wear a helmet that meets the standards
- 11 established by the United States Department of Transportation
- 12 under 49 CFR 571.218 as in effect January 1, 1979.
- 13 (2) The motorcycle **or after December 31, 2011, a motorized**
- 14 **bicycle** may be operated only during daylight hours.
- 15 (3) The motorcycle **or after December 31, 2011, a motorized**
- 16 **bicycle** may not carry passengers other than the operator.
- 17 (4) The holder must be under the supervision of a licensed
- 18 motorcycle operator who must be at least eighteen (18) years of
- 19 age.
- 20 (d) A temporary motorcycle learner's permit authorizes the permit
- 21 holder to operate a motorcycle **or after December 31, 2011, a**
- 22 **motorized bicycle** upon a highway while enrolled in an approved
- 23 motorcycle driver education and training course and only when the
- 24 holder is under the direct supervision of an instructor who has received
- 25 training in the use and operation of motorcycles and who has been:
- 26 (1) certified to teach motorcycle driver education by the state
- 27 board of education; or
- 28 (2) approved as a motorcycle instructor by the bureau of motor
- 29 vehicles.
- 30 SECTION 45. IC 9-24-8-3 IS AMENDED TO READ AS
- 31 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) The bureau shall
- 32 issue a motorcycle learner's permit to an individual who meets the
- 33 following conditions:
- 34 (1) The individual holds a valid operator's, chauffeur's, or public
- 35 passenger chauffeur's license issued under this article.
- 36 (2) The individual passes a written examination developed by the
- 37 bureau concerning the safe operation of a motorcycle **or**
- 38 **motorized bicycle**.
- 39 (b) A motorcycle learner's permit authorizes the permit's holder to
- 40 operate a motorcycle **or after December 31, 2011, a motorized**
- 41 **bicycle** upon a highway during a period of one (1) year under the
- 42 following conditions:

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1 (1) The holder wears a helmet that meets the standards
 2 established by the United States Department of Transportation
 3 under 49 CFR 571.218 as in effect January 1, 1979.

4 (2) The motorcycle **or after December 31, 2011, the motorized**
 5 **bicycle** is operated only during daylight hours.

6 (3) The motorcycle **or after December 31, 2011, the motorized**
 7 **bicycle** does not carry passengers other than the operator.

8 SECTION 46. IC 9-24-8-4, AS AMENDED BY P.L.156-2006,
 9 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2011]: Sec. 4. (a) Except as provided in subsections (c) and
 11 (d), the bureau shall:

12 (1) issue a motorcycle operator's license; or

13 (2) validate an operator's, a chauffeur's, or a public passenger
 14 chauffeur's license for motorcycle **or after December 31, 2011,**
 15 **motorized bicycle** operation upon a highway by endorsement;

16 to a person who meets the conditions in subsection (b).

17 (b) A person must meet at least one (1) of the following conditions
 18 to obtain a license or validation under subsection (a):

19 (1) Satisfactorily complete the written test, hold a motorcycle
 20 learner's permit for at least thirty (30) days, and:

21 (A) satisfactorily complete an approved operational skills test;
 22 or

23 (B) satisfactorily complete a motorcycle operator safety
 24 education course approved by the department of education as
 25 set forth in IC 20-30-13-9.

26 (2) Hold a current motorcycle operator endorsement or
 27 motorcycle operator's license from any other jurisdiction and
 28 successfully complete the written test.

29 (c) The bureau may not issue a motorcycle operator's license or
 30 endorsement to an individual less than sixteen (16) years and thirty
 31 (30) days of age.

32 (d) If an applicant for a motorcycle license or license endorsement
 33 is less than eighteen (18) years of age, the bureau may not issue a
 34 license or validate a license described in subsection (a) if the applicant
 35 is ineligible under IC 9-24-2-1.

36 (e) The bureau shall develop and implement both a written test and
 37 an operational skills test that must be designed to determine whether
 38 an applicant for a motorcycle operator's license or endorsement is
 39 competent to operate a motorcycle **or motorized bicycle** upon a
 40 highway. The written test must be made available at license branch
 41 locations approved by the bureau. The operational skills test must be
 42 given at locations designated by the bureau. The bureau shall adopt

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1 rules ~~by July 1, 2007~~, under IC 4-22-2 to establish standards for
 2 persons administering operational skills tests and the provisions of the
 3 operational skills test. An individual applying for a motorcycle
 4 operator's license or endorsement must pass the written exam before
 5 taking the operational skills test. If an applicant fails to satisfactorily
 6 complete either the written or operational tests, the applicant may
 7 reapply for and must be offered the examination upon the same terms
 8 and conditions as applicants may reapply for and be offered
 9 examinations for an operator's license. The bureau shall publish and
 10 make available at all locations where an individual may apply for an
 11 operator's license information concerning motorcycle operator
 12 licensing or endorsement.

13 (f) An individual who:

- 14 (1) has held a motorcycle learner's permit for at least thirty (30)
 15 days; or
 16 (2) holds a temporary motorcycle learner's permit, has
 17 successfully completed an approved motorcycle driver education
 18 and training course, and possesses a valid operator's, chauffeur's,
 19 or public passenger chauffeur's license;

20 may apply for a motorcycle operator's license or endorsement not later
 21 than the expiration date of the holder's permit. However, not more than
 22 three (3) examinations may be allowed a holder during the period the
 23 permit is valid. A holder of a learner's permit or a temporary learner's
 24 permit who does not pass the written and operating skills examination
 25 during the period for which the permit is valid must obtain a new
 26 learner's permit.

27 SECTION 47. IC 9-24-8-6 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 6. In addition to any
 29 other penalty, the bureau shall revoke the motorcycle learner's permit
 30 of a person holding a motorcycle learner's permit who is convicted of
 31 operating a motorcycle **or after December 31, 2011, a motorized**
 32 **bicycle** under the influence of alcohol for at least **one** (1) year from the
 33 date of the conviction.

34 SECTION 48. IC 9-24-11-5, AS AMENDED BY P.L.1-2010,
 35 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2011]: Sec. 5. (a) Except as provided in subsection (i), a
 37 permit or license issued under this chapter must contain the following
 38 information:

- 39 (1) The full legal name of the permittee or licensee.
 40 (2) The date of birth of the permittee or licensee.
 41 (3) The address of the principal residence of the permittee or
 42 licensee.

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- 1 (4) The hair color and eye color of the permittee or licensee.
 2 (5) The date of issue and expiration date of the permit or license.
 3 (6) The gender of the permittee or licensee.
 4 (7) The unique identifying number of the permit or license.
 5 (8) The weight of the permittee or licensee.
 6 (9) The height of the permittee or licensee.
 7 (10) A reproduction of the signature of the permittee or licensee.
 8 (11) If the permittee or licensee is less than eighteen (18) years of
 9 age at the time of issuance, the dates on which the permittee or
 10 licensee will become:
 11 (A) eighteen (18) years of age; and
 12 (B) twenty-one (21) years of age.
 13 (12) If the permittee or licensee is at least eighteen (18) years of
 14 age but less than twenty-one (21) years of age at the time of
 15 issuance, the date on which the permittee or licensee will become
 16 twenty-one (21) years of age.
 17 (13) Except as provided in subsection (b) or (c), a digital
 18 photograph of the permittee or licensee.
 19 (b) The following permits or licenses do not require a digital
 20 photograph:
 21 (1) Temporary motorcycle learner's permit issued under
 22 IC 9-24-8.
 23 (2) Motorcycle learner's permit issued under IC 9-24-8.
 24 (c) The bureau may provide for the omission of a photograph or
 25 computerized image from any other license or permit if there is good
 26 cause for the omission. However, a license issued without a digital
 27 photograph must include the language described in subsection (f).
 28 (d) The information contained on the permit or license as required
 29 by subsection (a)(11) or (a)(12) for a permittee or licensee who is less
 30 than twenty-one (21) years of age at the time of issuance shall be
 31 printed prominently on the permit or license.
 32 (e) This subsection applies to a permit or license issued after
 33 January 1, 2007. If the applicant for a permit or license submits
 34 information to the bureau concerning the applicant's medical condition,
 35 the bureau shall place an identifying symbol on the face of the permit
 36 or license to indicate that the applicant has a medical condition of note.
 37 The bureau shall include information on the permit or license that
 38 briefly describes the medical condition of the holder of the permit or
 39 license. The information must be printed in a manner that alerts a
 40 person reading the permit or license to the existence of the medical
 41 condition. The permittee or licensee is responsible for the accuracy of
 42 the information concerning the medical condition submitted under this

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1 subsection. The bureau shall inform an applicant that submission of
2 information under this subsection is voluntary.

3 (f) Any license or permit issued by the state that does not require a
4 digital photograph must include a statement that indicates that the
5 license or permit may not be accepted by any federal agency for federal
6 identification or any other federal purpose.

7 (g) A license or permit issued by the state to an individual who:

8 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
9 visa status for entry in the United States;

10 (2) has a pending application for asylum in the United States;

11 (3) has a pending or approved application for temporary protected
12 status in the United States;

13 (4) has approved deferred action status; or

14 (5) has a pending application for adjustment of status to that of an
15 alien lawfully admitted for permanent residence in the United
16 States or conditional permanent residence status in the United
17 States;

18 must be clearly identified as a temporary license or permit. A
19 temporary license or permit issued under this subsection may not be
20 renewed without the presentation of valid documentary evidence
21 proving that the licensee's or permittee's temporary status has been
22 extended.

23 (h) The bureau may adopt rules under IC 4-22-2 to carry out this
24 section.

25 (i) For purposes of subsection (a), an individual certified as a
26 program participant in the address confidentiality program under
27 IC 5-26.5 is not required to provide the address of the individual's
28 principal residence, but may provide an address designated by the
29 office of the attorney general under IC 5-26.5 as the address of the
30 individual's principal residence.

31 SECTION 49. IC 9-24-13-3 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) An individual
33 holding a permit or license issued under this article must have the
34 permit or license in the individual's immediate possession when driving
35 or operating a motor vehicle. The permittee or licensee shall display the
36 license or permit upon demand of a court or a police officer authorized
37 by law to enforce motor vehicle rules.

38 (b) **After December 31, 2011, a person who does not hold a**
39 **driver's license under this article may operate a motorized bicycle**
40 **only with a certification from the physician of the person that the**
41 **person is not capable for medical reasons of operating a passenger**
42 **motor vehicle, motorcycle, or a truck. The certification must be**

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1 **carried with the person when operating the motorized bicycle. The**
 2 **person must hold an identification card issued under IC 9-24-16.**

3 SECTION 50. IC 9-24-13-6 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 6. (a) Subject to
 5 subsection (b), in a proceeding to enforce section **3(a)** of this chapter,
 6 the burden is on the defendant to prove by a preponderance of the
 7 evidence that the defendant had been issued a driving license or permit
 8 that was valid at the time of the alleged violation.

9 (b) A person may not be convicted of violating section **3(a)** of this
 10 chapter if the person, within five (5) days from the time of
 11 apprehension, produces to the apprehending officer or headquarters of
 12 the apprehending officer satisfactory evidence of a permit or license
 13 issued to the person that was valid at the time of the person's
 14 apprehension.

15 SECTION 51. IC 9-25-1-7 IS ADDED TO THE INDIANA CODE
 16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 17 1, 2011]: **Sec. 7. After December 31, 2011, this article also applies**
 18 **to the operator of a motorized bicycle.**

19 SECTION 52. IC 9-26-1-0.3 IS ADDED TO THE INDIANA CODE
 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 21 1, 2011]: **Sec. 0.3. After December 31, 2011, this article also applies**
 22 **to the operator of a motorized bicycle.**

23 SECTION 53. IC 9-29-5-15 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 15. (a) The fee for the
 25 first two (2) sets of license plates for a manufacturer or dealer of
 26 motorcycles **or after December 31, 2011, motorized bicycles** is
 27 fifteen dollars (\$15).

28 (b) The fee for each additional set of license plates for a motorcycle
 29 **or after December 31, 2011, a motorized bicycle** manufacturer or
 30 dealer is seven dollars and fifty cents (\$7.50).

31 SECTION 54. IC 14-19-1-0.5, AS ADDED BY P.L.225-2005,
 32 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2011]: Sec. 0.5. (a) "Motorized cart" means a conveyance that
 34 is:

- 35 (1) motor driven, either by gas or electricity;
- 36 (2) used to carry passengers or equipment; and
- 37 (3) smaller than the types of motor vehicles required to be
 38 registered by the bureau of motor vehicles such as a:
 - 39 (A) passenger motor vehicle (as defined in IC 9-13-2-123);
 - 40 (B) recreational vehicle (as defined in IC 9-13-2-150); or
 - 41 (C) truck (as defined in IC 9-13-2-188).

42 A motorized cart may be characterized as a golf cart, utility cart, or

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1 similar form of motor vehicle.

2 (b) The term does not include:

- 3 (1) an electric personal assistive mobility device (as defined in
4 IC 9-13-2-49.3);
5 (2) a motorcycle (as defined in IC 9-13-2-108);
6 ~~(3) a motor scooter (as defined in IC 9-13-2-104);~~
7 ~~(4) (3) a motorized bicycle (as defined in IC 9-13-2-109); or~~
8 ~~(5) (4) an off-road vehicle.~~

9 SECTION 55. IC 24-5-13-5 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. As used in this
11 chapter, "motor vehicle" or "vehicle" means any self-propelled vehicle
12 that:

- 13 (1) has a declared gross vehicle weight of less than ten thousand
14 (10,000) pounds;
15 (2) is sold to:
16 (A) a buyer in Indiana and registered in Indiana; or
17 (B) a buyer in Indiana who is not an Indiana resident (as
18 defined in IC 9-13-2-78);
19 (3) is intended primarily for use and operation on public
20 highways; and
21 (4) is required to be registered or licensed before use or operation.

22 The term does not include conversion vans, motor homes, farm
23 tractors, and other machines used in the actual production, harvesting,
24 and care of farm products, road building equipment, truck tractors, road
25 tractors, motorcycles, ~~mopeds~~, **motorized bicycles (as defined in**
26 **IC 9-13-2-109)**, snowmobiles, or vehicles designed primarily for
27 offroad use.

28 SECTION 56. IC 20-30-13-11, AS ADDED BY P.L.1-2005,
29 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2011]: Sec. 11. The motorcycle operator safety education fund
31 is established. The fund consists of money received from motorcycle
32 **and motorized bicycle** registrations as provided under IC 9-29. The
33 money in the fund is appropriated to the department for the
34 administration of the program and expenses related to the program,
35 including:

- 36 (1) reimbursement for course sites;
37 (2) instructor training;
38 (3) purchase of equipment and course materials; and
39 (4) technical assistance.

40 SECTION 57. THE FOLLOWING ARE REPEALED [EFFECTIVE
41 JULY 1, 2011]: IC 9-13-2-104; IC 9-19-7-1; IC 9-21-11-12;
42 IC 9-21-11-13.

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