



Reprinted
February 8, 2011

SENATE BILL No. 101

DIGEST OF SB 101 (Updated February 7, 2011 5:23 pm - DI 96)

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

Synopsis: Learner's permit issues. Authorizes the bureau of motor vehicles (bureau) to issue a learner's permit to a person at least 15 years of age under certain conditions. (Current law authorizes the bureau to issue a learner's permit to a person at least 15 years and 180 days of age.) Provides that an individual who held a learner's permit prior to July 1, 2010, may receive an operator's license if the individual: (1) is at least sixteen (16) years and thirty (30) days of age; (2) has obtained an instructor's certification that the individual has satisfactorily completed an approved driver education course; and (3) has passed the required examination.

Effective: Upon passage.

**Holdman, Charbonneau, Wyss,
Arnold**

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

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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. 101

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

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

- 1 SECTION 1. IC 9-24-3-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The bureau may waive up
3 to six (6) months of the age and experience requirements for an
4 individual making an application for the individual's initial operator's
5 license due to hardship conditions.
6 ~~(b)~~ The bureau shall adopt rules under IC 4-22-2 to state the
7 conditions under which the age requirement may be waived. ~~under~~
8 ~~subsection (a)~~.
9 **(b) An individual who held a learner's permit prior to July 1,**
10 **2010, may receive an operator's license after meeting the following**
11 **conditions:**
12 **(1) Is at least sixteen (16) years and thirty (30) days of age.**
13 **(2) Has obtained an instructor's certification that the**
14 **applicant has satisfactorily completed an approved driver**
15 **education course.**
16 **(3) Passes the required examination.**
17 SECTION 2. IC 9-24-7-1.1 IS ADDED TO THE INDIANA CODE

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1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
2 UPON PASSAGE]: **Sec. 1.1. The bureau shall issue a learner's
3 permit to an individual who meets the following conditions:**

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

8 SECTION 3. IC 9-24-7-2 IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE UPON PASSAGE]: Sec. 2. The bureau shall validate a
10 learner's permit issued under section ~~1.1~~ of this chapter **(or section**
11 **1 of this chapter before its repeal)** upon certification by the instructor
12 of an approved driver education course that the holder has satisfactorily
13 completed the course.

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

- 17 (1) the driver of a vehicle is physically incapable of determining
18 the need for or rendering assistance to any injured or entrapped
19 person as required under section 1(2)(C) of this chapter;
- 20 (2) there is another occupant in the vehicle at the time of the
21 accident who is:

- 22 (A) at least:
 - 23 (i) fifteen (15) years of age and holds a learner's permit
24 issued under IC 9-24-7-1 **before its repeal or IC 9-24-7-1.1**
25 or a driver's license issued under IC 9-24-11; or
 - 26 (ii) eighteen (18) years of age; and
- 27 (B) capable of determining the need for and rendering
28 reasonable assistance to injured or entrapped persons as
29 provided in section 1(2)(C) of this chapter; and

30 (3) the other occupant in the vehicle knows that the driver of the
31 vehicle is physically incapable of determining the need for or
32 rendering assistance to any injured or entrapped person;
33 the vehicle occupant referred to in subdivisions (2) and (3) shall
34 immediately determine the need for and render reasonable assistance
35 to each person injured or entrapped in the accident as provided in
36 section 1(2)(C) of this chapter.

- 37 (b) If:
 - 38 (1) the driver of a vehicle is physically incapable of giving
39 immediate notice of an accident as required under section 1(3) of
40 this chapter;
 - 41 (2) there is another occupant in the vehicle at the time of the
42 accident who is:

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

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 101, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

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

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 1.

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SENATE MOTION

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

HOLDMAN

SENATE MOTION

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

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 9.

Re-number all SECTIONS consecutively.

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

HOLDMAN

SENATE MOTION

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

Page 3, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 2. IC 9-24-3-3 IS AMENDED TO READ AS

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

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

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

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

Renumber all SECTIONS consecutively.

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

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