January 21, 2011

SENATE BILL No. 154

DIGEST OF SB 154 (Updated January 18, 2011 10:43 am - DI 106)

Citations Affected: IC 14-16.

Synopsis: Firearms on off-road vehicles or snowmobiles. Allows a person to carry a loaded and operational firearm while operating an off-road vehicle or snowmobile if: (1) the firearm is a handgun and the person has been issued an unlimited handgun license; (2) the firearm is a handgun and the person is not required to possess a license to carry a handgun; or (3) the person is operating the vehicle on property that the person owns, has a contractual interest in, legally possesses, or has permission from the owner to possess a firearm on.

Effective: July 1, 2011.

Steele

January 5, 2011, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.
January 20, 2011, amended, reported favorably — Do Pass.

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January 21, 2011

First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

C o p y

SENATE BILL No. 154

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

SECTION 1. IC 14-16-1-23, AS AMENDED BY P.L.219-2005, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 23. (a) An individual shall not operate a vehicle under any of the following conditions:

(1) At a rate of speed greater than is reasonable and proper having due regard for existing conditions or in a manner that unnecessarily endangers the person or property of another.

(2) While:

(A) under the influence of an alcoholic beverage; or

(B) unlawfully under the influence of a narcotic or other habit forming or dangerous depressant or stimulant drug.

(3) During the hours from thirty (30) minutes after sunset to thirty (30) minutes before sunrise without displaying a lighted headlight and a lighted taillight.

(4) In a forest nursery, a planting area, or public land posted or reasonably identified as an area of forest or plant reproduction and when growing stock may be damaged.

(5) On the frozen surface of public waters within:
(A) one hundred (100) feet of an individual not in or upon a vehicle; or
(B) one hundred (100) feet of a fishing shanty or shelter;
except at a speed of not more than five (5) miles per hour.
(6) Unless the vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.
(7) Within one hundred (100) feet of a dwelling between midnight and 6:00 a.m., except on the individual's own property or property under the individual's control or as an invited guest.
(8) On any property without the consent of the landowner or tenant.
(9) While transporting on or in the vehicle a firearm, unless the firearm is:
(A) unloaded; and
(B) securely encased or equipped with and made inoperative by a manufactured keylocked trigger housing mechanism.
(10) On or across a cemetery or burial ground.
(11) Within one hundred (100) feet of a slide, ski, or skating area, except for the purpose of servicing the area.
(12) On a railroad track or railroad right-of-way, except railroad personnel in the performance of duties.
(13) In or upon a flowing river, stream, or creek, except for the purpose of crossing by the shortest possible route, unless the river, stream, or creek is of sufficient water depth to permit movement by flotation of the vehicle at all times.
(14) An individual shall not operate a vehicle while a bow is present in or on the vehicle if the nock of an arrow is in position on the string of the bow.

(b) Subsection (a)(9) does not apply to a person who is carrying a ~~handgun~~ **firearm:**
(1) if: ~~the person: (1)~~
(A) the firearm is a handgun; and
(B) the person has been issued an unlimited handgun license to carry a handgun under IC 35-47-2; ~~or~~
(2) **if:**
(A) the firearm is a handgun; and
(B) the person is not required to possess a license to carry a handgun under IC 35-47-2-2; **or**
(3) if the person carrying the firearm is operating the vehicle on property that the person:

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(A) owns;
(B) has a contractual interest in;
(C) otherwise legally possesses; or
(D) has permission from a person described in clauses (A) through (C) to possess a firearm on.

C o p y

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 154, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, line 1, delete "or".

Page 3, line 2, delete "otherwise legally possesses." and insert "**has a contractual interest in;**

(C) otherwise legally possesses; or

(D) has permission from a person described in clauses (A) through (C) to possess a firearm on.".

and when so amended that said bill do pass.

(Reference is to SB 154 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 8, Nays 0.

C o p y