



February 9, 2011

SENATE BILL No. 267

DIGEST OF SB 267 (Updated February 8, 2011 11:59 am - DI 71)

Citations Affected: IC 10-14.

Synopsis: Local travel advisories. Establishes the following categories for local travel advisories: (1) "Advisory". (2) "Watch". (3) "Warning". Provides that the "warning" travel advisory may be used only if a local disaster emergency is declared.

Effective: July 1, 2011.

Wyss

January 6, 2011, read first time and referred to Committee on Rules and Legislative Procedure.

February 3, 2011, amended; reassigned to Committee on Homeland Security, Transportation, and Veterans Affairs.

February 8, 2011, amended, reported favorably — Do Pass.

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SB 267—LS 6041/DI 13+



February 9, 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.

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SENATE BILL No. 267

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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

1 SECTION 1. IC 10-14-3-5.5 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2011]: **Sec. 5.5. As used in this chapter, "local travel advisory"**
4 **means the level of emergency declared under section 29 of this**
5 **chapter by the principal executive officer of a political subdivision**
6 **to alert the traveling public of emergency conditions that may**
7 **require the imposition of travel restrictions.**

8 SECTION 2. IC 10-14-3-29.5 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2011]: **Sec. 29.5. (a) If the principal executive**
11 **officer of a political subdivision issues a local travel advisory as**
12 **part of an emergency declaration under section 29 of this chapter,**
13 **the principal executive officer shall designate the travel advisory**
14 **as falling into one (1) of the following categories:**

15 (1) "Advisory", the lowest level of local travel advisory,
16 means that routine travel or activities may be restricted in
17 areas because of a hazardous situation, and individuals should

SB 267—LS 6041/DI 13+



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use caution or avoid those areas.

(2) "Watch" means that conditions are threatening to the safety of the public. During a "watch" local travel advisory, only essential travel, such as to and from work or in emergency situations, is recommended, and emergency action plans should be implemented by businesses, schools, government agencies, and other organizations.

(3) "Warning", the highest level of local travel advisory, means that travel may be restricted to emergency management workers only. During a "warning" local travel advisory, individuals are directed to:

- (A) refrain from all travel;
- (B) comply with necessary emergency measures;
- (C) cooperate with public officials and disaster services forces in executing emergency operations plans; and
- (D) obey and comply with the lawful directions of properly identified officers.

Further and more specific restrictions, including parking restrictions, may be included in a "warning" local travel advisory.

(b) If the emergency management agency director or the principal executive officer of a political subdivision determines that conditions within the political subdivision have created the need for travel advisory restrictions without a local disaster emergency declaration under section 29 of this chapter, the emergency management agency director or the principal executive officer may issue an "advisory" or a "watch" level travel advisory.

(c) A "warning" level travel advisory may be issued only after a local disaster emergency is declared under section 29 of this chapter.

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 267, 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:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Homeland Security, Transportation, and Veterans Affairs.

(Reference is to SB 267 as introduced.)

LONG, Chairperson

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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. 267, 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 1, line 10, after "29.5." insert "(a)".

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 2.

Page 2, line 3, delete "(2) "Advisory"" and insert "(1) "Advisory", the lowest level of local travel advisory,".

Page 2, line 6, delete "(3)" and insert "(2)".

Page 2, line 12, delete "(4)" and insert "(3)".

Page 2, line 13, delete "personnel" and insert "management workers".

Page 2, after line 24, begin a new paragraph and insert:

"(b) If the emergency management agency director or the principal executive officer of a political subdivision determines that conditions within the political subdivision have created the need for



travel advisory restrictions without a local disaster emergency declaration under section 29 of this chapter, the emergency management agency director or the principal executive officer may issue an "advisory" or a "watch" level travel advisory.

(c) A "warning" level travel advisory may be issued only after a local disaster emergency is declared under section 29 of this chapter."

and when so amended that said bill do pass.

(Reference is to SB 267 as printed February 4, 2011.)

WYSS, Chairperson

Committee Vote: Yeas 7, Nays 1.

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