



February 1, 2011

SENATE BILL No. 486

DIGEST OF SB 486 (Updated January 25, 2011 12:15 pm - DI 103)

Citations Affected: IC 9-20; IC 9-29.

Synopsis: Fees for heavy vehicles. Establishes the weight enforcement fund (fund) for funding personnel and equipment necessary for enforcement of laws concerning heavy trucks, to be administered by the state police department. Provides for the collection of a \$10 fee from certain permits and annual registration for heavy trucks to be deposited in the fund.

Effective: July 1, 2011.

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January 13, 2011, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.
January 31, 2011, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

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February 1, 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. 486

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

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

- 1 SECTION 1. IC 9-20-17.5 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]:
4 **Chapter 17.5. Weight Enforcement Fund**
5 **Sec. 1. As used in this chapter, "fund" means the weight**
6 **enforcement fund established by section 2 of this chapter.**
7 **Sec. 2. The weight enforcement fund is established for the**
8 **purpose of funding:**
9 (1) **personnel; and**
10 (2) **equipment purchases;**
11 **necessary for the enforcement of IC 9-20-17 and**
12 **IC 10-11-2-26(a)(29).**
13 **Sec. 3. The fund consists of:**
14 (1) **fees collected under:**
15 (A) **IC 9-29-6-1(b);**
16 (B) **IC 9-29-6-1.5(c); and**
17 (C) **IC 9-29-6-3(c); and**

SB 486—LS 7304/DI 96+



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(2) interest that accumulates from investments as set forth in section 6 of this chapter.

Sec. 4. The fund shall be administered by the state police department.

Sec. 5. The expenses of administering the fund shall be paid from money in the fund.

Sec. 6. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

Sec. 7. The money in the fund at the end of a state fiscal year does not revert to the state general fund but remains in the fund to be used exclusively for purposes of this chapter.

Sec. 8. Money in the fund is continuously appropriated for the purposes of section 2 of this chapter.

SECTION 2. IC 9-29-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. (a) A vehicle or combination of vehicles having a total gross weight greater than eighty thousand (80,000) pounds but less than one hundred thirty-four thousand (134,000) pounds must obtain a special weight permit for each trip on an extra heavy duty highway. The fee for this special weight permit is forty-one dollars and fifty cents (\$41.50). **An additional fee shall be collected under subsection (b).**

(b) **In addition to the fee collected under subsection (a), the department of state revenue shall collect a fee of ten dollars (\$10), to be deposited in the weight enforcement fund established by IC 9-20-17.5-2.**

SECTION 3. IC 9-29-6-1.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1.5. (a) The fee for the annual registration required under IC 9-20-5-7 is twenty-five dollars (\$25). The fee imposed under this section must be deposited in the motor carrier regulation fund established under IC 8-2.1-23. **An additional fee shall be collected under subsection (c).**

(b) The department of state revenue may impose an additional permit fee in an amount that may not exceed one dollar (\$1) on each trip permitted for a vehicle registered under IC 9-20-5-7. This additional fee is for the use and maintenance of an automated vehicle identifier. The fee imposed under this subsection is in addition to the permit fee required under section 1 of this chapter. The fee imposed under this section must be deposited in the motor carrier regulation fund established under IC 8-2.1-23.

(c) **In addition to the fee collected under subsection (a), the**

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1 **department of state revenue shall collect a fee of ten dollars (\$10),**
2 **to be deposited in the weight enforcement fund established by**
3 **IC 9-20-17.5-2.**

4 SECTION 4. IC 9-29-6-3, AS AMENDED BY P.L.134-2007,
5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2011]: Sec. 3. (a) The fees for permits issued under IC 9-20-6
7 to exceed the legal weight limit are as follows:

- 8 (1) A trip permit, twenty dollars (\$20).
- 9 (2) A mileage fee, which is in addition to the trip permit fee in
10 subdivision (1), to be calculated for that part of the gross weight
11 exceeding eighty thousand (80,000) pounds as follows:
12 (A) For loads greater than eighty thousand (80,000) pounds
13 but not more than one hundred eight thousand (108,000)
14 pounds, thirty-five cents (\$0.35) per mile.
15 (B) For loads greater than one hundred eight thousand
16 (108,000) pounds but not more than one hundred fifty
17 thousand (150,000) pounds, sixty cents (\$0.60) per mile.
18 (C) For loads greater than one hundred fifty thousand
19 (150,000) pounds, one dollar (\$1) per mile.
- 20 (3) A ninety (90) day permit, two hundred dollars (\$200).
- 21 (4) An annual permit issued under IC 9-20-6-2(c), eight hundred
22 dollars (\$800).

23 **An additional fee shall be collected under subsection (c).**
24 (b) If an application for a permit involves transporting heavy
25 vehicles or loads, or other objects, that exceed the legal length, width,
26 or height limit and that also exceed the legal weight limit in the same
27 movement, the applicant shall pay only the greater of the two (2) fees
28 established in **this section or** section 2 ~~or 3~~ of this chapter and the
29 issuing officer or body shall issue a single oversize-overweight permit.
30 The fee for a ninety (90) day permit described in ~~IC 9-20-6-2(b)(3)~~
31 **IC 9-20-6-2(c)(3)** is two hundred dollars (\$200). **An additional fee**
32 **shall be collected under subsection (c).**

33 (c) **In addition to the fee collected under subsection (a) or (b),**
34 **the department of state revenue shall collect a fee of ten dollars**
35 **(\$10), to be deposited in the weight enforcement fund established**
36 **by IC 9-20-17.5-2.**

37 SECTION 5. IC 9-29-6-10 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 10. Whenever a permit
39 is issued by the bureau under IC 9-20-6, the bureau shall fix the fee to
40 be paid, and upon payment of the fee, the bureau shall validate the
41 permit. The revenue from the ~~fee~~ **fees collected under sections 1(a),**
42 **2, 3(a), 3(b), 4 through 9, and 11 through 12 of this chapter** shall be

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1 credited to the state highway fund.

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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. 486, 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 2, line 24, after "(a)" insert ",".

Page 2, line 25, delete "bureau" and insert "**department of state revenue**".

Page 2, line 42, delete "bureau" and insert "**department of state revenue**".

Page 3, line 32, delete "bureau" and insert "**department of state revenue**".

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 486 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 7, Nays 2.

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