



February 10, 2012

**ENGROSSED  
SENATE BILL No. 257**

DIGEST OF SB 257 (Updated February 8, 2012 3:59 pm - DI 96)

**Citations Affected:** IC 7.1-5; IC 9-13; IC 9-14; IC 9-15; IC 9-16; IC 9-17; IC 9-18; IC 9-22; IC 9-24; IC 9-25; IC 9-26; IC 9-27; IC 9-28; IC 9-29; IC 9-30; IC 9-31; IC 10-11; IC 11-12; IC 14-15; IC 20-33; IC 27-7; IC 31-37; IC 31-40; IC 32-17; IC 32-33; IC 33-39; IC 34-24; IC 34-28; IC 34-30; IC 35-43; IC 35-44; IC 35-48; IC 35-50; IC 35-51.

**Synopsis:** Motor vehicle law. Makes various changes to motor vehicle law, including changes to: (1) definitions; (2) the bureau of motor vehicles; (3) the bureau of motor vehicles commission; (4) license branches; (5) certificates of title; (6) registration and license plates; (7) abandoned, salvaged, and scrap vehicles; (8) drivers licenses; (9) financial responsibility; (10) accidents and accident reports; (11) the driver education advisory board; (12) interstate compacts and agreements; (13) fees; (14) general penalty provisions; and (15) watercraft titling and registration. Makes conforming changes and technical corrections. Removes outdated language.

**Effective:** Upon passage; July 1, 2012.

**Arnold, Wyss**

(HOUSE SPONSORS — SOLIDAY, DELANEY)

January 4, 2012, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.  
January 10, 2012, amended, reported favorably — Do Pass.  
January 19, 2012, read second time, amended, ordered engrossed.  
January 20, 2012, engrossed.  
January 23, 2012, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

January 31, 2012, read first time and referred to Committee on Roads and Transportation.  
February 9, 2012, amended, reported — Do Pass.

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ES 257—LS 6814/DI 96+



February 10, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 257

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 7.1-5-7-1, AS AMENDED BY P.L.94-2008,  
2 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2012]: Sec. 1. (a) It is a Class C misdemeanor for a minor to  
4 knowingly or intentionally make a false statement of the minor's age or  
5 to present or offer false or fraudulent evidence of majority or identity  
6 to a permittee for the purpose of ordering, purchasing, attempting to  
7 purchase, or otherwise procuring or attempting to procure an alcoholic  
8 beverage.  
9 (b) In addition to the penalty under subsection (a), a minor who:  
10 (1) uses a false or altered driver's license or the driver's license of  
11 another person as evidence of majority under this section; or  
12 (2) is convicted of purchasing or procuring an alcoholic beverage  
13 with or without using a false or altered driver's license;  
14 shall have the minor's driver's license, **permit, or driving privileges**  
15 suspended for up to one (1) year in accordance with IC 9-24-18-8 and  
16 IC 9-30-4-9.  
17 (c) Upon entering a judgment of conviction for the misdemeanor

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1 under this section, the court shall forward a copy of the judgment to the  
 2 bureau of motor vehicles for the purpose of complying with subsection  
 3 (b).

4 SECTION 2. IC 7.1-5-7-7 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) It is a Class C  
 6 misdemeanor for a minor to knowingly:

- 7 (1) possess an alcoholic beverage;  
 8 (2) consume ~~it~~; **an alcoholic beverage**; or  
 9 (3) transport ~~it~~ **an alcoholic beverage** on a public highway when  
 10 not accompanied by at least one (1) of ~~his~~ **the minor's** parents or  
 11 guardians.

12 (b) If a minor is found to have violated subsection (a) while  
 13 operating a ~~motor~~ vehicle, the court may order the minor's ~~driver's~~  
 14 **license driving privileges** suspended for up to one (1) year. However,  
 15 if the minor is less than eighteen (18) years of age, the court shall order  
 16 the minor's ~~driver's license driving privileges~~ suspended for at least  
 17 sixty (60) days.

18 (c) The court shall deliver any order suspending ~~the~~ **a** minor's  
 19 ~~driver's license driving privileges~~ under this section to the bureau of  
 20 motor vehicles, which shall suspend the minor's ~~driver's license driving~~  
 21 **privileges** under IC 9-24-18-12 for the period ordered by the court.

22 SECTION 3. IC 7.1-5-7-10 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) It is a Class C  
 24 misdemeanor for a minor to recklessly be in a tavern, bar, or other  
 25 public place where alcoholic beverages are sold, bartered, exchanged,  
 26 given away, provided, or furnished. In addition to other penalties under  
 27 this subsection, the minor's driver's license, **permit, or driving**  
 28 **privileges** shall be suspended for up to one (1) year in accordance with  
 29 IC 9-24-18-8 and IC 9-30-4-9.

30 (b) It is a Class C misdemeanor for a permittee to recklessly permit  
 31 a minor to be in the prohibited place beyond a reasonable time in which  
 32 an ordinary prudent person can check identification to confirm the age  
 33 of a patron.

34 SECTION 4. IC 9-13-2-3, AS AMENDED BY P.L.146-2009,  
 35 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2012]: Sec. 3. (a) Except as provided in subsection (b),  
 37 "antique motor vehicle" means a motor vehicle ~~or motor scooter~~ that is  
 38 at least twenty-five (25) years old.

39 (b) "Antique motor vehicle", for purposes of IC 9-19-11-1(6), means  
 40 a passenger motor vehicle or truck that was manufactured without a  
 41 safety belt as a part of the standard equipment installed by the  
 42 manufacturer at each designated seating position, before the



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1 requirement of the installation of safety belts in the motor vehicle  
 2 according to the standards stated in the Federal Motor Vehicle Safety  
 3 Standard Number 208 (49 CFR 571.208).

4 SECTION 5. IC 9-13-2-19 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19. "Certificate of  
 6 compliance" means a ~~written statement issued by~~ **proof of financial**  
 7 **responsibility presented to** the bureau, ~~to a registered owner or~~  
 8 ~~operator of a motor vehicle involved in an accident showing~~  
 9 ~~compliance with IC 9-25 or with the requirements of a manner~~  
 10 **prescribed by the bureau, in compliance with IC 9-25 or IC 9-26.**

11 SECTION 6. IC 9-13-2-21 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 21. (a) "Chauffeur",  
 13 except as provided in subsection (b), means a person:

14 (1) ~~employed by another person for the principal purpose of~~  
 15 ~~operating a motor vehicle registered as having a gross weight of~~  
 16 ~~sixteen thousand (16,000) pounds or more for the purpose of~~  
 17 ~~transporting property;~~

18 (2) ~~(1) operating a motor vehicle registered as having a gross~~  
 19 ~~weight of sixteen thousand (16,000) pounds or more for the~~  
 20 ~~purpose of transporting property for hire; or~~

21 (3) ~~(2) operating a private bus.~~

22 (b) "Chauffeur", for purposes of IC 9-25, means a person:

23 (1) who is employed for hire for the principal purpose of  
 24 operating a motor vehicle upon the highways;

25 (2) who operates a motor vehicle while in use as a carrier of  
 26 passengers or property for hire; or

27 (3) who drives or operates a motor vehicle while in use as a  
 28 school bus for the transportation of pupils to or from school.

29 SECTION 7. IC 9-13-2-28 IS REPEALED [EFFECTIVE JULY 1,  
 30 2012]. Sec. 28: (a) ~~"Commercial driver training school"; for purposes~~  
 31 ~~of IC 9-24-10-4, has the meaning set forth in IC 5-2-6.5-5.~~

32 (b) ~~This section expires December 31, 2011.~~

33 SECTION 8. IC 9-13-2-31 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 31. (a) "Commercial  
 35 motor vehicle" means, except as provided in subsection (b), a motor  
 36 vehicle or combination of motor vehicles used in commerce to  
 37 transport passengers or property if the motor vehicle:

38 (1) has a gross combination weight rating of at least twenty-six  
 39 thousand one (26,001) pounds, including a towed unit with a  
 40 gross vehicle weight rating of more than ten thousand (10,000)  
 41 pounds;

42 (2) has a gross vehicle weight rating of at least twenty-six

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1 thousand one (26,001) pounds;

2 (3) is designed to transport ~~at least~~ sixteen (16) **or more**  
3 passengers, including the driver; or

4 (4) is:

5 (A) of any size;

6 (B) used in the transportation of materials found to be  
7 hazardous for the purposes of the Hazardous Materials  
8 Transportation Act; and

9 (C) required to be placarded under the Hazardous Materials  
10 Regulations (49 CFR Part 172, Subpart F).

11 (b) The bureau of motor vehicles may, by rule, broaden the  
12 definition of "commercial motor vehicle" under subsection (a) to  
13 include vehicles with a gross declared weight greater than eleven  
14 thousand (11,000) pounds but less than twenty-six thousand one  
15 (26,001) pounds.

16 SECTION 9. IC 9-13-2-32.5 IS ADDED TO THE INDIANA CODE  
17 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY  
18 1, 2012]: **Sec. 32.5. "Commission board" refers to the commission**  
19 **board of the bureau of motor vehicles.**

20 SECTION 10. IC 9-13-2-44 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 44. (a) "Disposal  
22 facility" means a person, firm, limited liability company, corporation,  
23 or other legal entity that, in the course of business, engages in the  
24 acquisition and dismantling or demolition of ~~motor~~ vehicles,  
25 motorcycles, semitrailers, or recreational vehicles or their remains for  
26 the benefit of reusable components and parts or recyclable materials.

27 (b) The term includes the following enterprises:

28 (1) An automotive salvage recycler.

29 (2) A hulk crusher.

30 (c) The term does not include a scrap metal processor.

31 SECTION 11. IC 9-13-2-48, AS AMENDED BY P.L.184-2007,  
32 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 JULY 1, 2012]: Sec. 48. (a) **Except as provided in subsection (b),**  
34 "driver's license" means any type of license issued by the state  
35 authorizing an individual to operate a motor vehicle on public streets,  
36 roads, or highways.

37 (b) **"Driver's license", for purposes of IC 9-28-2, has the**  
38 **meaning set forth in IC 9-28-2-4.**

39 SECTION 12. IC 9-13-2-48.3 IS ADDED TO THE INDIANA  
40 CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2012]: **Sec. 48.3. "Driving privileges" means**  
41 **the authority granted to an individual that allows the individual to**  
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1 operate a vehicle of the type and in the manner for which the  
2 authority was granted.

3 SECTION 13. IC 9-13-2-48.5 IS ADDED TO THE INDIANA  
4 CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2012]: **Sec. 48.5. "Driving record" means a**  
6 **record:**

7 (1) maintained by the bureau as required under IC 9-14-3-7;  
8 and

9 (2) established by the bureau under IC 9-24-18-9.

10 SECTION 14. IC 9-13-2-72.7 IS ADDED TO THE INDIANA  
11 CODE AS A NEW SECTION TO READ AS FOLLOWS  
12 [EFFECTIVE JULY 1, 2012]: **Sec. 72.7. "Highly restricted personal**  
13 **information", for purposes of IC 9-14-3.5, has the meaning set**  
14 **forth in IC 9-14-3.5-2.5.**

15 SECTION 15. IC 9-13-2-75 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 75. (a) "Identification**  
17 **number", for purposes of IC 9-18-8-15, has the meaning set forth in**  
18 **IC 9-18-8-15(b).**

19 (b) "Identification number"; for purposes of ~~IC 9-17-4~~; has the  
20 meaning set forth in ~~IC 9-17-4-0.5~~.

21 SECTION 16. IC 9-13-2-94.4 IS REPEALED [EFFECTIVE JULY  
22 1, 2012]. **Sec. 94.4. "Low numbered motor vehicle registration plate";**  
23 **for purposes of ~~IC 9-29-3-19~~; has the meaning set forth in**  
24 **~~IC 9-29-3-19~~.**

25 SECTION 17. IC 9-13-2-117.5 IS AMENDED TO READ AS  
26 FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 117.5. (a) "Operate",**  
27 **except as provided in subsection (b), for purposes of ~~IC 9-31~~, means**  
28 **to navigate or otherwise use a motorboat: vehicle.**

29 (b) "Operate", for purposes of IC 9-31, means to navigate or  
30 otherwise use a motorboat.

31 SECTION 18. IC 9-13-2-118 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 118. (a) Except as**  
33 **provided in subsection (b), "operator", means, except as provided in**  
34 **subsection (b); when used in reference to a motor vehicle, means a**  
35 **person, other than a chauffeur or a public passenger chauffeur, who:**

36 (1) drives or is in actual physical control of a motor vehicle upon  
37 a highway; or

38 (2) is exercising control over or steering a motor vehicle being  
39 towed by a motor another vehicle.

40 (b) "Operator", for purposes of IC 9-25, means a person other than  
41 a chauffeur who is in actual physical control of a motor vehicle. ~~upon~~  
42 ~~a highway of Indiana.~~



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1 SECTION 19. IC 9-13-2-121 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 121. (a) **Except as**  
 3 **otherwise provided in this section, "owner", means, except as**  
 4 **otherwise provided in this section,** when used in reference to a motor  
 5 vehicle, **means:**

- 6 (1) a person who holds the legal title of a motor vehicle;  
 7 ~~(2) a person renting or leasing a motor vehicle and having~~  
 8 ~~exclusive use of the motor vehicle for more than thirty (30) days;~~  
 9 or  
 10 ~~(3)~~ **(2)** if a motor vehicle is the subject of an agreement for the  
 11 conditional sale or lease vested in the conditional vendee or  
 12 lessee, or in the event the mortgagor, with the right of purchase  
 13 upon the performance of the conditions stated in the agreement  
 14 and with an immediate right of possession of a vehicle is entitled  
 15 to possession, the conditional vendee or lessee or mortgagor.

16 (b) "Owner", for purposes of IC 9-21 and IC 9-25, means, when  
 17 used in reference to a motor vehicle, a person who holds the legal title  
 18 of a motor vehicle, or if a:

- 19 (1) motor vehicle is the subject of an agreement for the  
 20 conditional sale or lease of the motor vehicle with the right of  
 21 purchase upon performance of the conditions stated in the  
 22 agreement and with an immediate right of possession vested in  
 23 the conditional vendee or lessee; or  
 24 (2) mortgagor of a motor vehicle is entitled to possession;

25 the conditional vendee or lessee or mortgagor is considered to be the  
 26 owner for the purpose of IC 9-21 and IC 9-25.

27 (c) "Owner", for purposes of IC 9-22-1, means the last known record  
 28 titleholder of a vehicle according to the records of the bureau under  
 29 IC 9-17.

30 (d) "Owner", for purposes of IC 9-31, means a person, other than a  
 31 lienholder, having the property in or title to a motorboat. The term  
 32 includes a person entitled to the use or possession of a motorboat  
 33 subject to an interest in another person reserved or created by  
 34 agreement and securing payment or performance of an obligation. The  
 35 term excludes a lessee under a lease not intended as security.

36 SECTION 20. IC 9-13-2-123.5, AS ADDED BY P.L.184-2007,  
 37 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2012]: Sec. 123.5. "Permit" means ~~any kind of a~~ permit issued  
 39 by the state authorizing an individual to operate ~~a motor~~ **the type of**  
 40 **vehicle for which the permit was issued** on public streets, roads, or  
 41 highways **with certain restrictions.**

42 SECTION 21. IC 9-13-2-125 IS AMENDED TO READ AS



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1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 125. "Personalized  
 2 license plate" means a license plate that displays the registration  
 3 number assigned to the vehicle and issued in a combination of letters  
 4 or numbers, or both, requested by the owner or the lessee of the vehicle  
 5 **and approved by the bureau.**

6 SECTION 22. IC 9-13-2-143 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 143. "Public passenger  
 8 chauffeur" means ~~any of the following:~~

9 ~~(1) A person who operates a motor vehicle while in use as a~~  
 10 ~~school bus for the transportation of pupils to or from school; or to~~  
 11 ~~or from school athletic games or contests;~~

12 ~~(2) a person who operates a motor vehicle other than a medical~~  
 13 ~~services vehicle designed to transport fifteen (15) individuals~~  
 14 ~~or more, including the driver, while in use as a public passenger~~  
 15 ~~carrying vehicle for hire. The term does not include a person~~  
 16 ~~who operates a medical services vehicle.~~

17 SECTION 23. IC 9-13-2-148 IS REPEALED [EFFECTIVE JULY  
 18 1, 2012]. Sec. 148. "Raw milk", for purposes of IC 9-20-4-2, has the  
 19 meaning set forth in IC 9-20-4-2(d).

20 SECTION 24. IC 9-13-2-170.1 IS ADDED TO THE INDIANA  
 21 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 22 [EFFECTIVE JULY 1, 2012]: Sec. 170.1. "Special identification  
 23 number", for purposes of IC 9-17-4, has the meaning set forth in  
 24 IC 9-17-4-0.5.

25 SECTION 25. IC 9-13-2-170.3, AS ADDED BY P.L.210-2005,  
 26 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2012]: Sec. 170.3. "Special machinery" ~~means a~~ **includes but**  
 28 **is not limited to any of the following:**

- 29 (1) A portable saw mill. ~~or~~  
 30 (2) Well drilling machinery.  
 31 (3) A utility service cable trailer.  
 32 (4) Any other vehicle that is:

- 33 (A) designed to perform a specific function; and  
 34 (B) drawn by a motor vehicle.

35 **The term does not include a vehicle that is designed to carry**  
 36 **persons.**

37 SECTION 26. IC 9-13-2-184 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 184. (a) "Trailer"  
 39 means, except as otherwise provided in this section, a vehicle:

- 40 (1) without motive power;  
 41 (2) designed for carrying persons or property;  
 42 (3) designed for being drawn by a motor vehicle; and

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- 1 (4) so constructed that no part of the weight of the trailer rests
- 2 upon the towing vehicle.
- 3 The term includes pole trailers and two (2) wheeled homemade trailers.
- 4 (b) "Trailer", for purposes of IC 9-21, means a vehicle:
- 5 (1) with or without motive power;
- 6 (2) designed for carrying persons or property;
- 7 (3) designed for being drawn by a motor vehicle; and
- 8 (4) so constructed that no part of the weight of the trailer rests
- 9 upon the towing vehicle.

10 The term does not include pole trailers **or special machinery.**

11 (c) "Trailer", for purposes of IC 9-21-8-12 through IC 9-21-8-13,

12 means the combination of any motor vehicle towing another vehicle or

13 trailer.

14 SECTION 27. IC 9-13-2-187 IS AMENDED TO READ AS

15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 187. "Transport

16 operator" means any of the following:

- 17 (1) A person engaged in the business of furnishing drivers and
- 18 operators for the purpose of transporting vehicles in transit from
- 19 one (1) place to another by the drive away or tow away methods.
- 20 (2) A nonresident dealer **or** manufacturer engaged in the
- 21 operation or business described in subdivision (1).
- 22 (3) A business that prepares newly purchased vehicles of the
- 23 business and delivers the vehicles to the locations where the
- 24 vehicles will be based, titled, and registered.

25 SECTION 28. IC 9-13-2-188.5, AS AMENDED BY P.L.145-2011,

26 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

27 JULY 1, 2012]: Sec. 188.5. ~~(a) This subsection expires December 31,~~

28 ~~2011. "Truck driver training school" means a postsecondary proprietary~~

29 ~~educational institution (as defined in IC 21-17-1-13) located in Indiana~~

30 ~~and accredited by the Indiana commission on proprietary education or~~

31 ~~a state educational institution subject to rules adopted by the bureau~~

32 ~~under IC 9-24-6-5.5 that:~~

- 33 ~~(1) educates or trains a person; or~~
- 34 ~~(2) prepares a person for an examination or a validation given by~~
- 35 ~~the bureau;~~

36 ~~to operate a truck as a vocation.~~

37 ~~(b) This subsection applies after December 31, 2011. "Truck driver~~

38 ~~training school" means a postsecondary proprietary educational~~

39 ~~institution (as defined in IC 21-17-1-13) **or a state educational**~~

40 ~~**institution** that:~~

- 41 ~~(1) is located in Indiana; **or is a state educational institution;**~~
- 42 ~~(2) is subject to rules adopted by the bureau under IC 9-24-6-5.5;~~

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1 and  
 2 (3) either:  
 3 (A) educates or trains a person; or  
 4 (B) prepares a person for an examination or a validation given  
 5 by the bureau;  
 6 to operate a truck as a vocation.

7 SECTION 29. IC 9-14-1-6 IS REPEALED [EFFECTIVE JULY 1,  
 8 2012]. ~~Sec. 6: A person who violates this chapter commits a Class C~~  
 9 ~~infraction.~~

10 SECTION 30. IC 9-14-2-4 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau shall  
 12 prescribe and provide all forms necessary to carry out any laws **or**  
 13 **rules** administered and enforced by the bureau.

14 SECTION 31. IC 9-14-2-5 IS REPEALED [EFFECTIVE JULY 1,  
 15 2012]. ~~Sec. 5: The bureau shall provide notary public service for the~~  
 16 ~~convenience of members of the public when applying for a certificate~~  
 17 ~~of title, registration, or license.~~

18 SECTION 32. IC 9-14-2-6 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. The bureau shall ~~do~~  
 20 ~~the following:~~

- 21 ~~(1) File and index by name maintain suitable records of:~~  
 22 ~~(1) each application for a license or permit issued by the bureau;~~  
 23 ~~under this title:~~  
 24 ~~(2) Maintain suitable records of and~~  
 25 ~~(2) all licenses and permits issued by the commissioner;~~  
 26 under this title.

27 SECTION 33. IC 9-14-2-7 IS REPEALED [EFFECTIVE JULY 1,  
 28 2012]. ~~Sec. 7: A person who violates this chapter commits a Class C~~  
 29 ~~infraction.~~

30 SECTION 34. IC 9-14-3-0.3 IS REPEALED [EFFECTIVE JULY  
 31 1, 2012]. ~~Sec. 0-3: As used in this chapter, "digital signature" has the~~  
 32 ~~meaning set forth in IC 5-24-2-1.~~

33 SECTION 35. IC 9-14-3-4 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The bureau shall  
 35 prepare and deliver, upon request and payment of the fees prescribed  
 36 in IC 9-29-2-1, a certified copy of any record of the bureau that is not  
 37 otherwise declared by law to be confidential.

38 (b) A certified copy of a record obtained under subsection (a) is  
 39 admissible in a court proceeding as if the copy were the original.

40 (c) An electronic record of the bureau obtained from the bureau **by**  
 41 ~~digital signature~~ that bears an electronic signature is admissible in a  
 42 court proceeding as if the copy were the original.

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1 SECTION 36. IC 9-14-3-5, AS AMENDED BY P.L.198-2007,  
 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2012]: Sec. 5. (a) Except as provided in subsection (b), (d), or  
 4 (e), the bureau shall prepare and deliver information on titles,  
 5 registrations, and licenses and permits upon the request of any person.  
 6 All requests must be:

- 7 (1) submitted in writing; or  
 8 (2) made electronically through the computer gateway  
 9 administered under IC 4-13.1-2-2(a)(5) by the office of  
 10 technology;

11 to the bureau and, unless exempted under IC 9-29, must be  
 12 accompanied by the payment of the fee prescribed in IC 9-29-2-2.

13 (b) The bureau shall not disclose:

- 14 (1) the Social Security number;  
 15 (2) the federal identification number;  
 16 (3) the driver's license number;  
 17 (4) the digital image of the driver's license applicant;  
 18 (5) a reproduction of the signature secured under IC 9-24-9-1 or  
 19 IC 9-24-16-3; or  
 20 (6) medical or disability information;

21 of any person except as provided in subsection (c).

22 (c) The bureau may disclose any information listed in subsection  
 23 (b):

- 24 (1) to a law enforcement officer;  
 25 (2) to an agent or a designee of the department of state revenue;  
 26 (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4),  
 27 IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or  
 28 (4) for voter registration and election purposes required under  
 29 IC 3-7 or IC 9-24-2.5.

30 (d) As provided under 42 U.S.C. 1973gg-3(b), the ~~commission~~  
 31 **bureau** may not disclose any information concerning the failure of an  
 32 applicant for a motor vehicle driver's license to sign a voter registration  
 33 application, except as authorized under IC 3-7-14.

34 (e) The ~~commission~~ **bureau** may not disclose any information  
 35 concerning the failure of an applicant for a title, registration, license,  
 36 or permit (other than a motor vehicle license described under  
 37 subsection (d)) to sign a voter registration application, except as  
 38 authorized under IC 3-7-14.

39 SECTION 37. IC 9-14-3-6, AS AMENDED BY P.L.80-2010,  
 40 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2012]: Sec. 6. (a) Upon the submission to the bureau of a  
 42 specific written request from an individual or organization for a

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1 compilation of specific information requested for the purposes  
2 described in subsection (c), the bureau may contract with the individual  
3 or organization to compile the requested information from the records  
4 of the bureau.

5 (b) The bureau may charge an amount agreeable to the parties, as  
6 described in IC 9-29-2-3.

7 (c) An individual or organization making a request under this  
8 section must certify one (1) of the following:

9 (1) That the information is required for the purposes of notifying  
10 vehicle owners of vehicle defects and recall for modifications,  
11 and that the individual or organization will use the information  
12 provided only for that purpose.

13 (2) That the information will be used only for research or  
14 statistical reporting purposes and that individual identities will be  
15 properly protected in the preparation of the research or reports  
16 and not ascertainable from the published reports or research  
17 results.

18 (3) That the information will be used for the purpose of  
19 documenting the sale of motor vehicles in Indiana.

20 (4) That the information will be used for purposes of the federal  
21 Selective Service System.

22 (5) That the information will be used solely for law enforcement  
23 purposes by police officers.

24 (6) That the information will be used to locate a parent described  
25 in IC 31-25-3-2(c) as provided under IC 31-25-3-2.

26 (d) The ~~commission~~ **bureau** may not compile or release information  
27 concerning voter registration under this section.

28 (e) The bureau shall provide the requested information under this  
29 section in a format that is agreeable to the parties. ~~including the~~  
30 ~~following formats:~~

31 ~~(1) Printed records.~~

32 ~~(2) Microfiche.~~

33 ~~(3) Computer disk.~~

34 SECTION 38. IC 9-14-3-7 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) The bureau shall  
36 maintain ~~an operating a driving~~ **an operating a driving** record for each person licensed by the  
37 bureau to drive a motor vehicle.

38 (b) ~~An operating A driving~~ **An operating A driving** record must contain the following:

39 (1) A person's convictions for any of the following:

40 (A) A moving traffic violation.

41 (B) Operating a vehicle without financial responsibility in  
42 violation of IC 9-25.

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- 1 (2) Any administrative penalty imposed by the bureau.
- 2 (3) If the driving privileges of a person have been suspended or
- 3 revoked by the bureau, an entry in the record stating that a notice
- 4 of suspension or revocation was mailed by the bureau and the date
- 5 of the mailing of the notice.
- 6 (4) Any suspensions, revocations, or reinstatements of a person's
- 7 driving privileges, license, or permit.
- 8 (5) Any requirement that the person may operate only a motor
- 9 vehicle equipped with ~~an a~~ certified ignition interlock device.
- 10 (c) An entry in the ~~operating driving~~ record of a defendant stating
- 11 that notice of suspension or revocation was mailed by the bureau to the
- 12 defendant constitutes prima facie evidence that the notice was mailed
- 13 to the defendant's address as shown in the ~~official driving record~~
- 14 **records of the bureau.**
- 15 (d) ~~An operating A driving~~ record maintained under this section:
- 16 (1) is not admissible as evidence in any action for damages arising
- 17 out of a motor vehicle accident; and
- 18 (2) may not include voter registration information.
- 19 SECTION 39. IC 9-14-3-9 IS AMENDED TO READ AS
- 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) If the governor,
- 21 the superintendent of the state police department, or the highest officer
- 22 located in Indiana of the Federal Bureau of Investigation, the United
- 23 States Secret Service, or the United States Treasury Department
- 24 certifies to the bureau that:
- 25 (1) an individual named in the ~~certificate~~ **certification** is an
- 26 officer or employee of a state, county, or city department or
- 27 bureau with police power;
- 28 (2) the nature of the individual's work or duties is of a secret or
- 29 confidential nature; and
- 30 (3) in the course of the individual's work the individual uses the
- 31 motor vehicle described in the ~~certificate~~; **certification**;
- 32 the bureau shall regard all of the bureau's records concerning the
- 33 certificate of title or certificate of registration of the motor vehicle and
- 34 the operating license of the individual described in the ~~certificate~~
- 35 **certification** as confidential.
- 36 (b) The bureau may disclose the records described in subsection (a)
- 37 only upon one (1) of the following:
- 38 (1) An order of a court of competent jurisdiction made in a cause
- 39 or matter pending before the court.
- 40 (2) The written request of the officer, employee, or a successor of
- 41 the officer or employee making the ~~certificate~~; **certification**.
- 42 (3) A request of the governor.

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1 SECTION 40. IC 9-14-3.5-2.5 IS ADDED TO THE INDIANA  
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2012]: **Sec. 2.5. As used in this chapter,**  
 4 **"highly restricted personal information" means the following**  
 5 **information that identifies an individual:**

- 6 (1) **Digital photograph or image.**
- 7 (2) **Social Security number.**
- 8 (3) **Medical or disability information.**

9 SECTION 41. IC 9-14-3.5-4 IS AMENDED TO READ AS  
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. As used in this  
 11 chapter, "motor vehicle record" means a record that pertains to:

- 12 (1) a driver's license;
- 13 (2) a permit;
- 14 (3) a ~~motor~~ vehicle **or watercraft** registration;
- 15 (4) a ~~motor~~ vehicle **or watercraft** title; or
- 16 (5) an identification document issued by the bureau.

17 SECTION 42. IC 9-14-3.5-5, AS AMENDED BY P.L.184-2007,  
 18 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2012]: Sec. 5. As used in this chapter, "personal information"  
 20 means information that identifies a person, including an individual's:

- 21 (1) digital photograph **or image**;
- 22 (2) Social Security number;
- 23 (3) driver's license or identification document number;
- 24 (4) name;
- 25 (5) address (but not the 5-digit zip code);
- 26 (6) telephone number; or
- 27 (7) medical or disability information.

28 The term does not include information about vehicular accidents,  
 29 driving or equipment related violations, and ~~operator's~~ **driver's** license  
 30 or registration status.

31 SECTION 43. IC 9-14-3.5-7, AS AMENDED BY P.L.1-2006,  
 32 SECTION 158, IS AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) Except as provided in  
 34 sections 8, ~~and~~ 10, ~~and~~ **10.5** of this chapter:

- 35 (1) an officer or employee of the bureau;
- 36 (2) an officer or employee of the bureau of motor vehicles  
 37 commission; or
- 38 (3) a contractor of the bureau or the bureau of motor vehicles  
 39 commission (or an officer or employee of the contractor);

40 may not knowingly disclose **or otherwise make available** personal  
 41 information, ~~about a person~~ **including highly restricted personal**  
 42 **information** obtained by the bureau in connection with a motor vehicle



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record.

(b) A person's Social Security number shall not be in any way disclosed on a motor vehicle registration.

SECTION 44. IC 9-14-3.5-10, AS AMENDED BY P.L.97-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. ~~Except as provided in section 10.5 of this chapter,~~ The bureau may disclose **certain** personal information ~~to a person that is not highly restricted information~~ if the person requesting the information provides proof of identity and represents that the use of the personal information will be strictly limited to at least one (1) of the following:

- (1) For use by a government agency, including a court or law enforcement agency, in carrying out its functions, or a person acting on behalf of a government agency in carrying out its functions.
- (2) For use in connection with matters concerning:
  - (A) motor vehicle or driver safety and theft;
  - (B) motor vehicle emissions;
  - (C) motor vehicle product alterations, recalls, or advisories;
  - (D) performance monitoring of motor vehicles, motor vehicle parts, and dealers;
  - (E) motor vehicle market research activities, including survey research;
  - (F) the removal of nonowner records from the original owner records of motor vehicle manufacturers; and
  - (G) motor fuel theft under IC 24-4.6-5.
- (3) For use in the normal course of business by a business or its agents, employees, or contractors, but only:
  - (A) to verify the accuracy of personal information submitted by an individual to the business or its agents, employees, or contractors; and
  - (B) if information submitted to a business is not correct or is no longer correct, to obtain the correct information only for purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual.
- (4) For use in connection with a civil, a criminal, an administrative, or an arbitration proceeding in a court or government agency or before a self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or under an order of a court.

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- 1 (5) For use in research activities, and for use in producing
- 2 statistical reports, as long as the personal information is not
- 3 published, re-disclosed, or used to contact the individuals who are
- 4 the subject of the personal information.
- 5 (6) For use by an insurer, an insurance support organization, or a
- 6 self-insured entity, or the agents, employees, or contractors of an
- 7 insurer, an insurance support organization, or a self-insured entity
- 8 in connection with claims investigation activities, anti-fraud
- 9 activities, rating, or underwriting.
- 10 (7) For use in providing notice to the owners of towed or
- 11 impounded vehicles.
- 12 (8) For use by a licensed private investigative agency or licensed
- 13 security service for a purpose allowed under this section.
- 14 (9) For use by an employer or its agent or insurer to obtain or
- 15 verify information relating to a holder of a commercial driver's
- 16 license that is required under the Commercial Motor Vehicle
- 17 Safety Act of 1986 (49 U.S.C. 2710 et seq.).
- 18 (10) For use in connection with the operation of private toll
- 19 transportation facilities.
- 20 (11) For any use in response to requests for individual motor
- 21 vehicle records when the bureau has obtained the written consent
- 22 of the person to whom the personal information pertains.
- 23 (12) For bulk distribution for surveys, marketing, or solicitations
- 24 when the bureau has obtained the written consent of the person to
- 25 whom the personal information pertains.
- 26 (13) For use by any person, when the person demonstrates, in a
- 27 form and manner prescribed by the bureau, that written consent
- 28 has been obtained from the individual who is the subject of the
- 29 information.
- 30 (14) For any other use specifically authorized by law that is
- 31 related to the operation of a motor vehicle or public safety.

32 However, this section does not affect the use of anatomical gift  
 33 information on a person's driver's license or identification document  
 34 issued by the bureau, nor does ~~it~~ **this section** affect the administration  
 35 of anatomical gift initiatives in the state.

36 SECTION 45. IC 9-14-3.5-10.5, AS AMENDED BY P.L.184-2007,  
 37 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2012]: Sec. 10.5. (a) Except as provided in subsections (b)  
 39 and (c), the bureau may not disclose the following **Highly restricted**  
 40 personal information from a person's motor vehicle record:

- 41 (1) Driver's license or digital photograph.
- 42 (2) Social Security number.

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1 (3) Medical or disability information:

2 (b) The bureau may disclose the personal information described in  
3 subsection (a) **be disclosed only as follows:** if the bureau has

4 (1) **With** the express written consent of the person to whom the  
5 **highly restricted** personal information pertains. ~~to release the~~  
6 ~~information described in subsection (a):~~

7 (c) The bureau may disclose the personal information described in  
8 subsection (a) without

9 (2) **In the absence of** the express written consent of the person to  
10 whom the **highly restricted** personal information pertains, if the  
11 person requesting the information:

12 (†) (A) provides proof of identity; and

13 (‡) (B) represents that the use of the **highly restricted**  
14 personal information will be strictly limited to at least one (1)  
15 of the uses set forth in section 10(1), 10(4), 10(6), and 10(9)  
16 of this chapter.

17 SECTION 46. IC 9-14-3.5-15 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. A person requesting  
19 the disclosure of personal information **or highly restricted personal**  
20 **information** from bureau records who knowingly or intentionally  
21 misrepresents the person's identity or makes a false statement to the  
22 bureau on an application required to be submitted under this chapter  
23 commits a Class C misdemeanor.

24 SECTION 47. IC 9-14-5-1, AS AMENDED BY P.L.184-2007,  
25 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2012]: Sec. 1. The bureau shall issue a placard to the  
27 following:

28 (1) An individual of any age who:

29 (A) has a temporary or permanent physical disability that  
30 requires the use of a wheelchair, a walker, braces, or crutches  
31 **as certified by a health care provider listed in clause (C);**

32 (B) has temporarily or permanently lost the use of one (1) or  
33 both legs;

34 (C) is certified to be severely restricted in mobility, either  
35 temporarily or permanently, due to a pulmonary or  
36 cardiovascular disability, arthritic condition, or orthopedic or  
37 neurological impairment, by:

38 (i) a physician having ~~an unlimited a valid and~~  
39 **unrestricted** license to practice medicine;

40 (ii) a physician who is a commissioned medical officer of  
41 the armed forces of the United States or of the United States  
42 Public Health Service;

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1 (iii) a physician who is a medical officer of the United States  
2 Department of Veterans Affairs;

3 (iv) a chiropractor ~~licensed with a valid and unrestricted~~  
4 **license** under IC 25-10-1;

5 (v) a podiatrist ~~licensed with a valid and unrestricted~~  
6 **license** under IC 25-29-1; or

7 (vi) an advanced practice nurse ~~licensed with a valid and~~  
8 **unrestricted license** under IC 25-23; or

9 (D) is certified ~~to be blind or visually impaired~~ by an  
10 optometrist or ophthalmologist ~~licensed with a valid and~~  
11 **unrestricted license** to practice in Indiana. ~~to be blind or~~  
12 ~~visually impaired.~~

13 (2) Any corporation, limited liability company, partnership,  
14 unincorporated association, and any legal successor of the  
15 corporation, limited liability company, partnership, or association,  
16 empowered by the state or a political subdivision to operate  
17 programs, including the provision of transportation, or facilities  
18 for persons with physical disabilities.

19 SECTION 48. IC 9-14-5-2 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The certification  
21 made by a physician, an optometrist, or an ophthalmologist under  
22 section 1(1)(C) or 1(1)(D) of this chapter must:

23 (1) be on a form prescribed by the ~~state board of accounts~~  
24 **bureau; and must**

25 (2) state the expected duration of the condition that severely  
26 restricts the individual's mobility.

27 SECTION 49. IC 9-14-5-4 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A placard issued  
29 under section 1(1) of this chapter expires ~~on the recipient's fourth~~  
30 ~~birthday that follows the date of the placard's issuance if only upon a~~  
31 **physician's certification that the recipient's disability is no longer**  
32 **considered to be permanent. If the disability is permanent, a new**  
33 **physician certification is not required upon expiration of the placard;**  
34 ~~only reapplication.~~

35 (b) If the recipient's disability is not permanent, a placard issued  
36 under section 1(1) of this chapter expires:

37 (1) six (6) months after the date of the placard's issuance; or

38 (2) on the date certified by a physician under section 1(1)(C) or  
39 1(1)(D) of this chapter;

40 whichever occurs first.

41 SECTION 50. IC 9-14-5-6 IS REPEALED [EFFECTIVE JULY 1,  
42 2012]. Sec. 6: ~~When issuing a placard under this chapter, the bureau~~

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1 shall provide the individual to whom a placard is issued instructions  
2 explaining the law governing parking for a person with a physical  
3 disability and explaining proper use of the placard:

4 SECTION 51. IC 9-14-5-7, AS AMENDED BY P.L.87-2010,  
5 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2012]: Sec. 7. A placard issued under this chapter must be  
7 displayed on the dashboard **or rearview mirror** of a motor vehicle that  
8 is parked in a parking space reserved for persons with physical  
9 disabilities under this chapter unless the motor vehicle bears:

- 10 (1) a license plate for a person with a disability issued under
- 11 IC 9-18-22;
- 12 (2) a disabled Hoosier veteran's license plate issued under
- 13 IC 9-18-18; or
- 14 (3) an equivalent parking permit issued under the laws of another
- 15 state.

16 If a placard is lost, stolen, damaged, or destroyed, the bureau shall  
17 provide a duplicate placard upon the application of the person who was  
18 issued the placard.

19 SECTION 52. IC 9-14-5-8 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau may  
21 establish by rule and charge a fee of not more than five dollars (\$5) to  
22 cover the cost of issuing a placard **or duplicate placard** under this  
23 chapter to ~~a~~ **an** individual having a temporary disability. However, the  
24 bureau may not establish or charge a fee for issuing a placard **or**  
25 **duplicate placard** under this chapter to an individual having a  
26 permanent disability.

27 SECTION 53. IC 9-15-1-2 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. **(a)** The commission  
29 **board** consists of the following five (5) individuals:

- 30 (1) Four (4) individuals, not more than two (2) of whom may be
- 31 members of the same political party, who:
  - 32 (A) shall be appointed by the governor;
  - 33 (B) serve for terms of four (4) years;
  - 34 (C) may not hold any other public office or serve as a state or
  - 35 local employee while serving as a commission **board** member;
  - 36 and
  - 37 (D) shall devote as much time as is needed to carry out their
  - 38 duties, but are not required to devote full time to their duties.
- 39 (2) The commissioner, who:
  - 40 (A) shall serve as chairman of the commission **board**; and
  - 41 (B) is responsible for calling commission **board** meetings.

42 **(b) The commission consists of all:**

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- 1           **(1) officers and employees of the license branches under**
- 2           **IC 9-16; and**
- 3           **(2) other officers and employees designated as commission**
- 4           **employees.**

5           SECTION 54. IC 9-15-1-3 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Three (3)  
 7 commission **board** members constitute a quorum. The consent of three  
 8 (3) commission **board** members is required before any action may be  
 9 taken.

10           SECTION 55. IC 9-15-1-4 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) Each member of  
 12 the commission **board** who is not a state employee is entitled to the  
 13 minimum salary per diem provided by IC 4-10-11-2.1(b). ~~That A~~  
 14 **board** member is also entitled to reimbursement for traveling expenses  
 15 and other expenses actually incurred in connection with the member's  
 16 duties, as provided in the state travel policies and procedures  
 17 established by the Indiana department of administration and approved  
 18 by the budget agency.

19           (b) Each member of the commission **board** who is a state employee  
 20 is entitled to reimbursement for traveling expenses and other expenses  
 21 actually incurred in connection with the member's duties, as provided  
 22 in the state travel policies and procedures established by the Indiana  
 23 department of administration and approved by the budget agency.

24           SECTION 56. IC 9-15-2-1 IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The commission  
 26 **board** shall do the following:

- 27           ~~(1) Develop and continuously update the bureau's policies.~~
- 28           ~~(2) (1) Recommend to the governor legislation that is needed to~~  
 29           ~~implement the policies developed by the commission. **operate the**~~  
 30           ~~**license branches.**~~
- 31           ~~(3) (2) Recommend to the bureau proposed rules that are needed~~  
 32           ~~to implement the policies developed by the commission and~~  
 33           ~~require those proposed rules to be adopted under IC 4-22-2.~~  
 34           ~~**operate the license branches.**~~
- 35           ~~(4) (3) Review revise, adopt, and submit to the budget agency~~  
 36           ~~budget proposals for the commission the bureau, and the license~~  
 37           ~~branches operated under IC 9-16, including the budget required~~  
 38           ~~by IC 9-16-3-3.~~
- 39           ~~(5) (4) Establish the determination criteria and determine the~~  
 40           ~~number and location of license branches to be operated under~~  
 41           ~~IC 9-16. However, there must be at least one (1) full service~~  
 42           ~~license branch in each county.~~

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- 1           ~~(6)~~ **(5)** Establish and adopt minimum standards for the operation
- 2           and maintenance of each full **or partial** service license branch
- 3           operated under IC 9-16.
- 4           ~~(7)~~ Before January 1, 1997, establish and adopt minimum
- 5           standards for the operation and maintenance of each partial
- 6           service contractor under IC 9-16. The standards must result in
- 7           more convenience to the public by providing license branch
- 8           services at as many walk-up locations as possible without
- 9           increasing the costs of providing these services.
- 10          ~~(8)~~ Before March 1, 1997, establish and adopt minimum
- 11          standards for providing license branch services using telephonic,
- 12          facsimile, electronic, or computer means under IC 9-16.
- 13          ~~(9)~~ **(6)** Administer the state license branch fund established under
- 14          IC 9-29-14.

15           SECTION 57. IC 9-15-2-2 IS AMENDED TO READ AS  
 16           FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The commission  
 17           **board** may do the following:

- 18           (1) Procure insurance against any loss in connection with the
- 19           commission's operations in the amount the commission **board**
- 20           considers necessary or desirable.
- 21           (2) Contract for the operation of full service license branches
- 22           under IC 9-16-1-4 and partial services under IC 9-16-1-4.5.
- 23           (3) Take any other action necessary to achieve the commission's
- 24           purpose.

25           SECTION 58. IC 9-15-4-1 IS AMENDED TO READ AS  
 26           FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. IC 34-13-3 applies  
 27           to a claim or suit in tort against any of the following:

- 28           (1) A member of the commission **or commission board**.
- 29           (2) An employee of the commission, **who is employed at a license**
- 30           **branch under IC 9-16**, except for an employee employed at a
- 31           license branch operated under a contract with the commission
- 32           under IC 9-16-1-4.

33           SECTION 59. IC 9-16-1-1 IS AMENDED TO READ AS  
 34           FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. As used in this  
 35           chapter, "qualified person" means any of the following:

- 36           (1) A motor club that is any of the following:
  - 37           (A) A domestic corporation.
  - 38           (B) A foreign corporation qualified to transact business in
  - 39           Indiana under IC 23-1 or IC 23-17.
- 40           (2) A financial institution (as defined in IC 28-1-1-3).
- 41           (3) A new motor vehicle dealer licensed under IC 9-23-2.
- 42           (4) Other persons, including persons licensed under IC 9-23-2

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1 that are not covered by subdivision (3), that the commission  
 2 determines can meet the ~~standards adopted by the commission~~  
 3 ~~under IC 9-15-2-1(7)~~ and the requirements for partial service  
 4 contractors under section 4.5 of this chapter.

5 SECTION 60. IC 9-16-1-2 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The ~~commission~~  
 7 **commissioner** shall operate or be responsible for the administration of  
 8 all license branches in Indiana under this article.

9 SECTION 61. IC 9-16-1-2.5 IS AMENDED TO READ AS  
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2.5. The number of  
 11 license branches may not be reduced in a county below the number in  
 12 existence on January 1, 2001, unless the ~~bureau~~ **commission:**

- 13 (1) holds a public hearing in the county; and  
 14 (2) receives unlimited public testimony before the commissioner  
 15 on the merits of closing the branch that the ~~bureau~~ **commission**  
 16 proposes to close in the county.

17 SECTION 62. IC 9-16-1-4 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The commission  
 19 may contract with a qualified person for:

- 20 (1) the operation of a full service license branch under this  
 21 section; ~~or~~  
 22 (2) ~~providing~~ **the provision of** partial services under section 4.5  
 23 of this chapter; ~~or~~  
 24 (3) **other services to process specific transactions as outlined**  
 25 **by the commission.**

26 (b) A contract for the operation of a full service license branch must  
 27 include the following provisions:

- 28 (1) The contractor shall provide a full service license branch,  
 29 including the following services:  
 30 (A) Vehicle titles.  
 31 (B) Vehicle registration.  
 32 (C) Driver's licenses.  
 33 (D) Voter registration as provided in IC 3-7.  
 34 (2) The contractor shall provide trained personnel to properly  
 35 process branch transactions.  
 36 (3) The contractor shall do the following:  
 37 (A) Collect and transmit all bureau fees and taxes collected at  
 38 the license branch.  
 39 (B) Deposit the taxes collected at the license branch with the  
 40 **commission to be deposited with the** county treasurer in the  
 41 manner prescribed by IC 6-3.5 or IC 6-6-5.  
 42 (4) The contractor shall generate a transaction volume sufficient

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- 1 to justify the installation of bureau support systems.
- 2 (5) The contractor shall provide fidelity bond coverage in an
- 3 amount prescribed by the commission.
- 4 (6) The contractor may operate the license branch within a facility
- 5 used for other purposes.
- 6 (7) The contractor shall pay the cost of any post audits conducted
- 7 by the commission or the state board of accounts on an actual cost
- 8 basis.
- 9 (8) The commission shall provide support systems ~~and driver's~~
- 10 ~~license examiners~~ on the same basis as state operated branches.
- 11 ~~(9) The commission shall provide the same equipment to~~
- 12 ~~contractors as is provided to state operated branches.~~
- 13 ~~(+0) (9)~~ The commission must approve each location and physical
- 14 facility based upon criteria developed by the commission **board.**
- 15 ~~(+1) (10)~~ The term of the contract must be for a fixed period.
- 16 ~~(+2) (11)~~ The contractor shall agree to provide voter registration
- 17 services and to perform the same duties imposed on the
- 18 commission under IC 3-7.

19 SECTION 63. IC 9-16-1-4.5, AS AMENDED BY P.L.41-2011,  
 20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2012]: Sec. 4.5. (a) The commission may contract with a  
 22 qualified person to provide partial services at a qualified person's  
 23 location, including locations within a facility used for other purposes,  
 24 such as electronic titling and title application services and self-serve  
 25 terminal access.

26 (b) A contract for providing motor vehicle **title or** registration and  
 27 renewal services, **or both**, at a location must include the following  
 28 provisions:

- 29 (1) The contractor must provide trained personnel to properly
- 30 process motor vehicle registration and renewal transactions.
- 31 (2) The contractor shall do the following:
- 32 (A) Collect and transmit all bureau fees and taxes collected at
- 33 the contract location.
- 34 (B) Deposit the taxes collected at the contract location with the
- 35 **commission to be deposited with the** county treasurer in the
- 36 manner prescribed by IC 6-3.5 or IC 6-6-5.
- 37 (3) The contractor shall provide fidelity bond coverage in an
- 38 amount prescribed by the commission.
- 39 (4) The contractor shall provide:
- 40 (A) liability insurance coverage in an amount not to exceed
- 41 two million dollars (\$2,000,000) per occurrence, as prescribed
- 42 by the commission; and

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- 1 (B) indemnification of the commission for any liability in  
 2 excess of the amount of coverage provided under clause (A),  
 3 not to exceed five million dollars (\$5,000,000) per occurrence.  
 4 (5) The contractor shall pay the cost of any post audits conducted  
 5 by the commission or the state board of accounts on an actual cost  
 6 basis.  
 7 (6) The commission must approve each location and physical  
 8 facility used by a contractor.  
 9 (7) The term of the contract must be for a fixed period.  
 10 SECTION 64. IC 9-16-2-5 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Notwithstanding  
 12 IC 5-16, IC 5-17-1, and IC 5-22, the commission may develop a system  
 13 of procurement that applies only to procurement of equipment,  
 14 materials, **services**, and goods required for the operation of license  
 15 branches.  
 16 (b) A system of procurement adopted under this section must  
 17 provide that whenever:  
 18 (1) a contract is awarded by acceptance of bids, proposals, or  
 19 quotations; and  
 20 (2) a trust (as defined in IC 30-4-1-1(a)) submits a bid, proposal,  
 21 or quotation;  
 22 the bid, proposal, or quotation must identify each beneficiary of the  
 23 trust and each settlor empowered to revoke or modify the trust.  
 24 (c) This section does not apply to the purchasing, leasing, or  
 25 disposal of real property.  
 26 SECTION 65. IC 9-16-3-1 IS REPEALED [EFFECTIVE JULY 1,  
 27 2012]. ~~Sec. 4. The manager of each license branch that is staffed by~~  
 28 ~~commission employees shall prepare and submit a proposed operating~~  
 29 ~~budget for that license branch to the commissioner before August 1 of~~  
 30 ~~each year.~~  
 31 SECTION 66. IC 9-16-3-2 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~Based on the~~  
 33 ~~proposed budgets from each of the license branches;~~ The commission  
 34 shall develop a statewide license branch budget. If the commission  
 35 **board** determines that the total of:  
 36 (1) revenues from license branch operations; and  
 37 (2) appropriations received by the commission;  
 38 are insufficient to support license branch operations, the commission  
 39 shall increase the branch service charges under IC 9-29-3.  
 40 SECTION 67. IC 9-16-3-3 IS AMENDED TO READ AS  
 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. ~~On or before~~  
 42 ~~September 1 a date specified by the budget agency~~ of each



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1 even-numbered year, the commission shall submit to the budget agency  
2 a proposed budget. The commission shall include, at a minimum, the  
3 following information on a county by county basis:

- 4 (1) Total estimated revenue. ~~by source.~~
- 5 (2) Total estimated expenditures for salaries and fringe benefits.
- 6 (3) Total estimated expenditures for other personal services.
- 7 (4) Total estimated expenditures for nonpersonal services.
- 8 (5) Total estimated expenditures for contractual services.
- 9 (6) Total estimated expenditures for supplies and materials.
- 10 (7) All other estimated expenditures.
- 11 (8) The number of full-time and part-time employees.
- 12 (9) Other information the budget agency requires.

13 SECTION 68. IC 9-16-3-4 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. ~~Before October 1 of~~  
15 ~~each even-numbered year~~; The budget agency shall provide the  
16 information received under section 3 of this chapter to the budget  
17 committee for the committee's review.

18 SECTION 69. IC 9-16-4-1, AS AMENDED BY P.L.221-2005,  
19 SECTION 143, IS AMENDED TO READ AS FOLLOWS  
20 [EFFECTIVE JULY 1, 2012]: Sec. 1. The commission **board** may  
21 develop a separate personnel system for employees of the commission  
22 who are assigned to be managers and employees of commission license  
23 branches. The system may establish the rights, privileges, powers, and  
24 duties of these employees, including a license branch pay scale and  
25 benefit package. If the commission **board** does not develop and adopt  
26 a license branch personnel system, those employees are subject to the  
27 state personnel system under ~~IC 4-15-1.8~~, **IC 4-15-2.2**, except as  
28 provided in IC 9-16-1-7.

29 SECTION 70. IC 9-16-4-2 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The commission  
31 **board** may:

- 32 (1) develop a retirement program for managers and employees of  
33 commission license branches; or
- 34 (2) cause managers and employees of commission license  
35 branches to be members of the public employees' retirement fund  
36 (IC 5-10.3-7).

37 SECTION 71. IC 9-16-7-1 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter applies  
39 to a license branch ~~that furnishes any services other than the issuance~~  
40 ~~of a driver's license or identification card under IC 9-24~~. **operated by**  
41 **the commission.**

42 SECTION 72. IC 9-16-7-2 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~The commission~~  
 2 **License branches** shall offer voter registration services under this  
 3 chapter, in addition to providing a voter registration application as a  
 4 part of an application for a motor vehicle driver's license, permit, or  
 5 identification card under IC 9-24-2.5 and 42 U.S.C. 1973gg-3.

6 SECTION 73. IC 9-17-1-1, AS AMENDED BY P.L.182-2009(ss),  
 7 SECTION 284, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not apply to:

9 **(1) special machinery;**

10 **(2) farm wagons;**

11 **(3) a golf cart when operated in accordance with an ordinance**  
 12 **adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a); or**

13 **(4) a motor vehicle that was designed to have a maximum design**  
 14 **speed of not more than twenty-five (25) miles per hour and that**  
 15 **was built, constructed, modified, or assembled by a person other**  
 16 **than the manufacturer;**

17 **or any other vehicle that is not registered in accordance with**  
 18 **IC 9-18-2.**

19 SECTION 74. IC 9-17-2-1, AS AMENDED BY P.L.131-2008,  
 20 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2012]: Sec. 1. (a) This section does not apply to an off-road  
 22 vehicle that is at least five (5) model years old.

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

26 (1) are subject to the motor vehicle excise tax under IC 6-6-5; or

27 (2) are off-road vehicles;

28 and that will be operated in Indiana.

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

32 (1) are subject to the commercial vehicle excise tax under  
 33 IC 6-6-5.5;

34 (2) are not subject to proportional registration under the  
 35 International Registration Plan; and

36 (3) will be operated in Indiana.

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

40 (1) are subject to the excise tax imposed under IC 6-6-5.1; and

41 (2) will be operated in Indiana.

42 (e) **A person must obtain a certificate of title for all vehicles**



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1 **owned by the person not later than sixty (60) days after becoming**  
2 **an Indiana resident.** A person must produce evidence concerning the  
3 date on which the person became an Indiana resident.

4 SECTION 75. IC 9-17-2-2, AS AMENDED BY P.L.83-2008,  
5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2012]: Sec. 2. (a) A person applying for a certificate of title  
7 for a vehicle must submit an application on a form furnished by the  
8 bureau ~~that contains and provide~~ the following information:

- 9 (1) A full description of the vehicle, **including the make, model,**
- 10 **and year of manufacture of the vehicle.**
- 11 (2) A statement of ~~the person's title and~~ of any lien or
- 12 encumbrance on the vehicle.
- 13 **(3) The vehicle identification number or special identification**
- 14 **number of the vehicle.**
- 15 **(4) The former title number, if applicable.**
- 16 **(5) The purchase or acquisition date.**
- 17 **(6) The name, residence address and, if different from the**
- 18 **residence address, mailing address, and Social Security**
- 19 **number or federal identification number of the person.**
- 20 ~~(3)~~ **(7) Other information that** the bureau requires.

21 (b) This subsection applies only to an individual who receives an  
22 interest in a vehicle under IC 9-17-3-9. To obtain a certificate of title  
23 for the vehicle, the individual must do the following:

- 24 (1) Surrender the certificate of title designating the individual as
- 25 a transfer on death beneficiary.
- 26 (2) Submit proof of the transferor's death.
- 27 (3) Submit an application for a certificate of title on a form
- 28 furnished by the bureau that meets the requirements of subsection
- 29 (a).

30 SECTION 76. IC 9-17-2-3, AS AMENDED BY P.L.131-2008,  
31 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2012]: Sec. 3. (a) The ~~form~~ **application** described under  
33 section 2 of this chapter must include the following printed statement:

34 "I swear or affirm that the information I have entered on this form  
35 is correct. I understand that making a false statement on this form  
36 may constitute the crime of perjury."

37 (b) The person applying for the certificate of title must sign the form  
38 directly below the printed statement.

39 ~~(c) The form described under section 2 of this chapter must include~~  
40 ~~the statement required by IC 9-17-3-3.2.~~

41 SECTION 77. IC 9-17-2-4 IS AMENDED TO READ AS  
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. If a certificate of

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1 title:

- 2 (1) has been previously issued for a vehicle in Indiana, an  
 3 application for a certificate of title must be accompanied by the  
 4 previously issued certificate of title, unless otherwise provided; or  
 5 (2) has not previously been issued for a vehicle in Indiana, an  
 6 application for a certificate of title must be accompanied by a  
 7 manufacturer's certificate of origin as provided in IC 9-17-8,  
 8 unless otherwise provided **in this chapter**.

9 SECTION 78. IC 9-17-2-7 IS AMENDED TO READ AS  
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. The bureau shall  
 11 retain the evidence of title presented by a person upon which the  
 12 Indiana certificate of title is issued **in accordance with applicable**  
 13 **document and record retention requirements**.

14 SECTION 79. IC 9-17-2-9, AS AMENDED BY P.L.1-2007,  
 15 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2012]: Sec. 9. (a) This section does not apply to a ~~motor an~~  
 17 **off-road** vehicle requiring a certificate of title under ~~section 1(b)(2) or~~  
 18 ~~1.5~~ of this chapter.

19 (b) A person applying for a certificate of title must:

- 20 (1) apply for registration of the vehicle described in the  
 21 application for the certificate of title; or  
 22 (2) transfer the current registration of the vehicle owned or  
 23 previously owned by the person.

24 SECTION 80. IC 9-17-2-10 IS AMENDED TO READ AS  
 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. If the bureau is  
 26 satisfied that the person applying for a certificate of title is the owner  
 27 of the vehicle, ~~or is otherwise entitled to have the vehicle registered in~~  
 28 ~~the person's name~~, the bureau may issue a certificate of title for the  
 29 vehicle.

30 SECTION 81. IC 9-17-2-11 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) The bureau shall  
 32 deliver a certificate of title to the person who owns the vehicle if no  
 33 lien or encumbrance appears on the certificate of title.

34 (b) If a lien or an encumbrance appears on the vehicle, the bureau  
 35 shall deliver the certificate of title to the person ~~named to receive the~~  
 36 ~~certificate of title~~ **who holds the lien or encumbrance set forth** in the  
 37 application for the certificate of title.

38 SECTION 82. IC 9-17-3-2 IS AMENDED TO READ AS  
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) If a certificate of  
 40 title:

- 41 (1) is lost **or stolen**;  
 42 (2) is mutilated;

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1 (3) is destroyed; or  
2 (4) becomes illegible;  
3 the person who owns the vehicle or the legal representative or legal  
4 successor in interest of the person who owns the vehicle for which the  
5 certificate of title was issued, as shown by the records of the bureau,  
6 shall immediately apply for and may obtain a duplicate certificate of  
7 title.

8 (b) To obtain a duplicate certificate of title under subsection (a), a  
9 person must:

10 (1) furnish information satisfactory to the bureau concerning the  
11 loss, **theft**, mutilation, destruction, or illegibility of the certificate  
12 of title; and

13 (2) pay the fee provided under IC 9-29.

14 (c) The word "duplicate" shall be printed or stamped in ink on the  
15 face of a certificate of title issued under this section.

16 (d) When a duplicate certificate of title is issued, the previous  
17 certificate of title becomes void.

18 SECTION 83. IC 9-17-3-3.2, AS ADDED BY P.L.131-2008,  
19 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2012]: Sec. 3.2. ~~The form furnished by the bureau under~~  
21 ~~IC 9-17-2-2 must contain the following language immediately below~~  
22 ~~the signature of the seller:~~

23 ~~"If this (a) When a certificate of title is available and a vehicle~~  
24 ~~is sold or transferred to a person other than a dealer licensed in~~  
25 ~~Indiana, the seller or transferor is required to shall fill in all~~  
26 ~~blanks on the certificate of title relating to buyer information,~~  
27 ~~including the sale price.~~

28 (b) The knowing or intentional failure of the seller or transferor to  
29 fill in all buyer information is a Class A misdemeanor ~~or for the first~~  
30 ~~offense and~~ a Class D felony for the second or subsequent offense  
31 under IC 9-17-3-7(c)(2).

32 SECTION 84. IC 9-17-3-4 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A certificate of  
34 title for a vehicle held by an Indiana resident who is serving in the  
35 armed forces of the United States may be transferred by the **Indiana**  
36 resident to another person if the resident authorizes the transfer by a  
37 **valid power of attorney or a letter signed by the Indiana resident.**  
38 **The valid power of attorney or the letter must be accompanied by**  
39 **proof that the Indiana resident is actively serving in the armed**  
40 **forces of the United States and is out of the state.**

41 (b) When the bureau receives the **power of attorney or letter and**  
42 **proof** described in subsection (a), the bureau may make the transfer to

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1 the person named in the **power of attorney or** letter.

2 (c) Whenever a transfer described in subsection (a) is made, the  
3 **power of attorney or** letter:

4 (1) must be attached to the certificate of title being transferred;  
5 and

6 (2) becomes a permanent record of the bureau.

7 (d) The bureau shall use reasonable diligence in determining if the  
8 signature of the person who signed the letter described in subsection (a)  
9 authorizing the transfer is the signature of the person.

10 (e) If the bureau is satisfied that the signature is the signature of the  
11 person who owns the vehicle described in the certificate of title, the  
12 bureau shall issue an appropriate certificate of title over the signature  
13 of the bureau and sealed with the seal of the bureau to the person  
14 named in the letter.

15 SECTION 85. IC 9-17-3-5 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Whenever a  
17 vehicle for which a certificate of title is required by this article is sold  
18 under:

19 (1) an order or a process of an Indiana court; or

20 (2) any provision of an Indiana statute;

21 the person who purchases the vehicle may obtain a certificate of title  
22 for the vehicle by filing an application for the certificate of title with  
23 the bureau and attaching to the application written evidence showing  
24 the order, process, or statute under which the person obtained  
25 ownership of the vehicle.

26 (b) The bureau shall use due diligence to ascertain that the sale was  
27 in conformity with the order, process, or statute under which the sale  
28 occurred and, if the bureau is satisfied, the bureau shall issue a  
29 certificate of title to the person who **obtained or** purchased the vehicle.

30 (c) **An order or a process of an Indiana court described in**  
31 **subsection (a) must include the:**

32 (1) **year of manufacture of;**

33 (2) **make and model of;**

34 (3) **vehicle identification number of; and**

35 (4) **name and address of the person who is entitled to;**

36 **the vehicle.**

37 SECTION 86. IC 9-17-3-6 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Except as  
39 provided in subsection (b), if the bureau receives notification from  
40 another state or a foreign country that a certificate of title for a vehicle  
41 that was issued by the bureau has been surrendered by the person who  
42 owns the vehicle in conformity with the laws of the other state or

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1 country, the bureau may cancel the record of certificate of title in  
2 Indiana.

3 (b) The bureau must retain information necessary to comply with  
4 ~~rules adopted under~~ section 8 of this chapter.

5 SECTION 87. IC 9-17-3-8 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau shall:  
7 ~~adopt rules under IC 4-22-2 that:~~

8 (1) enable the owner of a motor vehicle titled in Indiana to  
9 determine:

10 (A) whether that motor vehicle has previously been titled in  
11 Indiana; and

12 (B) if the motor vehicle has previously been titled in Indiana,  
13 whether the title was issued **as a salvage title** under IC 9-22-3;  
14 and

15 (2) impose a service charge under IC 9-29-3-19 for services  
16 performed by the bureau under this section.

17 SECTION 88. IC 9-17-4-0.3 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 0.3. As used in this  
19 chapter, "assembled vehicle" means:

20 (1) a motor vehicle, excluding a motorcycle, that has had the:

21 (A) frame;

22 (B) chassis;

23 (C) cab; or

24 (D) body;

25 replaced **or constructed**; or

26 (2) a motorcycle that has had the:

27 (A) frame; or

28 (B) engine;

29 replaced **or constructed**.

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

33 SECTION 89. IC 9-17-4-0.5 IS AMENDED TO READ AS  
34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 0.5. As used in this  
35 chapter, "**special** identification number" means a distinguishing  
36 number assigned by the bureau to a privately assembled motor vehicle,  
37 semitrailer, or recreational vehicle.

38 SECTION 90. IC 9-17-4-1 IS AMENDED TO READ AS  
39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. If a motor vehicle,  
40 semitrailer, or recreational vehicle has been built, constructed, or  
41 assembled by the person who owns the motor vehicle, semitrailer, or  
42 recreational vehicle, the person shall:

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1 (1) indicate on a form provided by the bureau the major  
2 component parts that have been used to assemble the motor  
3 vehicle, semitrailer, or recreational vehicle;

4 (2) make application through the bureau for ~~an~~ a **special**  
5 identification number for the motor vehicle, semitrailer, or  
6 recreational vehicle;

7 (3) after receipt of the **special** identification number described in  
8 subdivision (2), stamp or attach the **special** identification number  
9 received from the bureau in the manner provided in section ~~2(2)~~  
10 **2(3)** of this chapter; and

11 (4) apply for a certificate of title for the motor vehicle, semitrailer,  
12 or recreational vehicle from the bureau.

13 SECTION 91. IC 9-17-4-2 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A certificate of title  
15 may not be issued for a **manufactured or** privately assembled motor  
16 vehicle, semitrailer, or recreational vehicle that does not have a  
17 **distinctive special** identification number stamped on the motor vehicle,  
18 semitrailer, or recreational vehicle or permanently attached to the  
19 motor vehicle, semitrailer, or recreational vehicle until the person who  
20 owns the motor vehicle, semitrailer, or recreational vehicle has:

21 **(1) an inspection performed under IC 9-17-2-12;**

22 ~~(+)~~ **(2)** obtained from the bureau ~~an~~ a **special** identification  
23 number designated by the bureau; and

24 ~~(2)~~ **(3)** stamped or permanently attached the **special** identification  
25 number in a conspicuous place on the frame of the motor vehicle,  
26 semitrailer, or recreational vehicle.

27 SECTION 92. IC 9-17-4-3 IS REPEALED [EFFECTIVE JULY 1,  
28 2012]. ~~Sec. 3: In obtaining an identification number, substantially the~~  
29 ~~same procedure shall be followed as is provided in this article for~~  
30 ~~obtaining a certificate of title from the bureau.~~

31 SECTION 93. IC 9-17-4-4 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A certificate of title  
33 issued under this chapter must contain the following:

34 (1) A description and other evidence of identification of the motor  
35 vehicle, semitrailer, or recreational vehicle as required by the  
36 bureau.

37 (2) A statement of any liens or encumbrances that the application  
38 shows to be on the certificate of title.

39 (3) The appropriate notation prominently recorded on the front of  
40 the title as follows:

41 (A) For a vehicle assembled using all new vehicle parts,  
42 excluding the vehicle frame, "ASSEMBLED

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- 1           **"RECONSTRUCTED VEHICLE".**  
 2           (B) For a vehicle assembled using used parts, **"REBUILT**  
 3           **VEHICLE".**  
 4           (C) For a vehicle assembled using a salvage vehicle or parts,  
 5           **"REBUILT SALVAGE".**  
 6           SECTION 94. IC 9-17-4-4.5 IS ADDED TO THE INDIANA CODE  
 7           AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**  
 8           **1, 2012]: Sec. 4.5. (a) A person must obtain a body change title**  
 9           **whenever a vehicle is altered so that the alteration changes the type**  
 10           **of the vehicle, as noted on the:**  
 11               (1) **current title; or**  
 12               (2) **certificate of origin;**  
 13           **of the vehicle.**  
 14           (b) **To receive a body change title, an applicant must provide:**  
 15               (1) **the former title or certificate of origin;**  
 16               (2) **a properly completed body change affidavit using a bureau**  
 17               **designated form; and**  
 18               (3) **proof of a vehicle inspection.**  
 19           (c) **An assembled vehicle and a vehicle that is altered such that**  
 20           **the vehicle type is changed must meet all applicable federal and**  
 21           **state highway safety requirements before the vehicle may be titled**  
 22           **and registered for operation on highways.**  
 23           SECTION 95. IC 9-17-5-5 IS ADDED TO THE INDIANA CODE  
 24           AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**  
 25           **1, 2012]: Sec. 5. (a) A security agreement covering a security**  
 26           **interest in a vehicle that is not inventory held for sale can be**  
 27           **perfected only if the bureau indicates the security interest on the**  
 28           **certificate of title or duplicate. Except as otherwise provided in**  
 29           **subsections (b) and (c), IC 26-1-9.1 applies to security interests in**  
 30           **vehicles.**  
 31           (b) **The secured party, upon presentation to the bureau of a**  
 32           **properly completed application for certificate of title together with**  
 33           **the fee prescribed, may have a notation of the lien made on the face**  
 34           **of the certificate of title to be issued by the bureau. The bureau**  
 35           **shall:**  
 36               (1) **enter the notation and the date of the notation; and**  
 37               (2) **note the lien and date of lien in the bureau's files.**  
 38           (c) **Whenever a lien is discharged, the holder shall note the**  
 39           **discharge on the certificate of title over the signature of the holder.**  
 40           SECTION 96. IC 9-17-6-12 IS AMENDED TO READ AS  
 41           FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. If the bureau is  
 42           satisfied that the person applying for the certificate of title is the owner

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1 of the manufactured home or is otherwise entitled to have the  
 2 manufactured home titled in the person's name, the bureau shall issue  
 3 an appropriate certificate of title. ~~over the signature of the bureau and~~  
 4 ~~sealed with the seal of the bureau.~~

5 SECTION 97. IC 9-17-7-2.5 IS ADDED TO THE INDIANA CODE  
 6 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 7 1, 2012]: **Sec. 2.5. (a) A security agreement covering a security**  
 8 **interest in a trailer that is not inventory held for sale can be**  
 9 **perfected only if the bureau indicates the security interest on the**  
 10 **certificate of title or duplicate. Except as otherwise provided in**  
 11 **subsections (b) and (c), IC 26-1-9.1 applies to security interests in**  
 12 **trailers.**

13 **(b) The secured party, upon presentation to the bureau of a**  
 14 **properly completed application for certificate of title together with**  
 15 **the fee prescribed in IC 9-29-4, may have a notation of the lien**  
 16 **made on the face of the certificate of title to be issued by the**  
 17 **bureau. The bureau shall:**

- 18 **(1) enter the notation and the date of the notation; and**  
 19 **(2) note the lien and date of lien in the bureau's files.**

20 **(c) Whenever a lien is discharged, the holder shall note the**  
 21 **discharge on the certificate of title over the signature of the holder.**

22 SECTION 98. IC 9-18-1-1, AS AMENDED BY P.L.182-2009(ss),  
 23 SECTION 285, IS AMENDED TO READ AS FOLLOWS  
 24 [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not apply to the  
 25 following:

- 26 (1) Farm wagons.  
 27 (2) Farm tractors.  
 28 (3) A new motor vehicle if the new motor vehicle is being  
 29 operated in Indiana solely to remove it from an accident site to a  
 30 storage location because:  
 31 (A) the new motor vehicle was being transported on a railroad  
 32 car or semitrailer; and  
 33 (B) the railroad car or semitrailer was involved in an accident  
 34 that required the unloading of the new motor vehicle to  
 35 preserve or prevent further damage to it.  
 36 (4) An implement of agriculture designed to be operated primarily  
 37 in a farm field or on farm premises.  
 38 (5) Off-road vehicles.  
 39 (6) Golf carts when operated in accordance with an ordinance  
 40 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).  
 41 **(7) Vehicles that are not issued a certificate of title under**  
 42 **IC 9-17, unless otherwise provided in this article.**

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1 SECTION 99. IC 9-18-2-1, AS AMENDED BY P.L.1-2009,  
 2 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2012]: Sec. 1. (a) ~~Within sixty (60) days after becoming an~~  
 4 ~~Indiana resident~~, A person must register all motor vehicles owned by  
 5 the person that:

- 6 (1) are subject to the motor vehicle excise tax under IC 6-6-5; and  
 7 (2) will be operated in Indiana.

8 (b) ~~Within sixty (60) days after becoming an Indiana resident~~, A  
 9 person must register all commercial vehicles owned by the person that:

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

15 (c) ~~Within sixty (60) days after becoming an Indiana resident~~, A  
 16 person must register all recreational vehicles owned by the person that:

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

19 (d) A person must ~~produce evidence concerning the date on which~~  
 20 **register all vehicles owned by the person became not later than sixty**  
 21 **(60) days after becoming** an Indiana resident.

22 (e) Except as provided in subsection (f), an Indiana resident must  
 23 register all motor vehicles operated in Indiana.

24 (f) An Indiana resident who has a legal residence in a state that is  
 25 not contiguous to Indiana may operate a motor vehicle in Indiana for  
 26 not more than sixty (60) days without registering the motor vehicle in  
 27 Indiana.

28 (g) An Indiana resident who has registered a motor vehicle in  
 29 Indiana in any previous registration year is not required to register the  
 30 motor vehicle, is not required to pay motor vehicle excise tax under  
 31 IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5 on the  
 32 motor vehicle, and is exempt from property tax on the motor vehicle for  
 33 any registration year in which:

- 34 (1) the Indiana resident is:  
 35 (A) an active member of the armed forces of the United States;  
 36 and  
 37 (B) assigned to a duty station outside Indiana; and  
 38 (2) the motor vehicle is not operated inside or outside Indiana.

39 This subsection may not be construed as granting the bureau authority  
 40 to require the registration of any vehicle that is not operated in Indiana.

41 (h) When an Indiana resident registers a motor vehicle in Indiana  
 42 after the period of exemption described in subsection (g), the Indiana

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- 1 resident may submit an affidavit that:
- 2 (1) states facts demonstrating that the motor vehicle is a motor
- 3 vehicle described in subsection (g); and
- 4 (2) is signed by the owner of the motor vehicle under penalties of
- 5 perjury;
- 6 as sufficient proof that the owner of the motor vehicle is not required
- 7 to register the motor vehicle during a registration year described in
- 8 subsection (g). The commission or bureau may not require the Indiana
- 9 resident to pay any civil penalty or any reinstatement or other fee that
- 10 is not also charged to other motor vehicles being registered in the same
- 11 registration year.
- 12 SECTION 100. IC 9-18-2-4.5 IS AMENDED TO READ AS
- 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4.5. (a) Upon payment
- 14 of the annual registration fee under IC 9-29-5, and any applicable
- 15 commercial vehicle excise tax under IC 6-6-5.5, the bureau may issue
- 16 a license plate for each commercial vehicle registered to the registered
- 17 owner of at least twenty-five (25) commercial vehicles. The license
- 18 plate issued under this section for a commercial vehicle is valid for five
- 19 (5) years.
- 20 (b) If the registered owner of at least twenty-five (25) commercial
- 21 vehicles submits the application of registration for the commercial
- 22 vehicles on an aggregate basis by electronic means, the bureau shall
- 23 issue a certificate of registration that shall be carried at all times in the
- 24 vehicle for which it is issued.
- 25 (c) The registration for a commercial vehicle is void when the
- 26 registered owner:
- 27 (1) sells;
- 28 (2) disposes of; or
- 29 (3) does not renew the registration of;
- 30 the commercial vehicle. Neither the certificate of registration nor the
- 31 plate may be transferred to another vehicle.
- 32 (d) This section does not relieve the owner of the vehicle from
- 33 payment of any applicable commercial vehicle excise tax under
- 34 IC 6-6-5.5 on a yearly basis.
- 35 ~~(e) The bureau shall adopt rules under IC 4-22-2 necessary to~~
- 36 ~~administer this section.~~
- 37 SECTION 101. IC 9-18-2-7, AS AMENDED BY P.L.26-2011,
- 38 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 39 JULY 1, 2012]: Sec. 7. (a) A person who owns a vehicle **that is**
- 40 **operated on Indiana roadways and is** subject to registration shall
- 41 register ~~each the~~ vehicle ~~owned by the person~~ as follows:
- 42 (1) A vehicle subject to section 8 of this chapter shall be

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- 1 registered under section 8 of this chapter.
- 2 (2) Subject to subsection (g) or (h), a vehicle not subject to
- 3 section 8 or 8.5 of this chapter or to the International Registration
- 4 Plan shall be registered before:
- 5 (A) March 1 of each year; or
- 6 (B) an earlier date subsequent to January 1 of each year as set
- 7 by the bureau.
- 8 (3) School buses owned by a school corporation are exempt from
- 9 annual registration but are subject to registration under
- 10 IC 20-27-7.
- 11 (4) Subject to subsection (f), a vehicle subject to the International
- 12 Registration Plan shall be registered before April 1 of each year.
- 13 (5) A school bus not owned by a school corporation shall be
- 14 registered subject to section 8.5 of this chapter.
- 15 (b) Registrations and reregistrations under this section are for the
- 16 calendar year. Registration and reregistration for school buses owned
- 17 by a school corporation may be for more than a calendar year.
- 18 (c) License plates for a vehicle subject to this section may be
- 19 displayed during:
- 20 (1) the calendar year for which the vehicle is registered; and
- 21 (2) the period of time:
- 22 (A) subsequent to the calendar year; and
- 23 (B) before the date that the vehicle must be reregistered.
- 24 (d) Except as provided in IC 9-18-12-2.5, a person who owns or
- 25 operates a vehicle may not operate or permit the operation of a vehicle
- 26 that:
- 27 (1) is required to be registered under this chapter; and
- 28 (2) has expired license plates.
- 29 (e) If a vehicle that is required to be registered under this chapter
- 30 has:
- 31 (1) been operated on the highways; and
- 32 (2) not been properly registered under this chapter;
- 33 the bureau shall, before the vehicle is reregistered, collect the
- 34 registration fee that the owner of the vehicle would have paid if the
- 35 vehicle had been properly registered.
- 36 (f) The department of state revenue may adopt rules under IC 4-22-2
- 37 to issue staggered registration to motor vehicles subject to the
- 38 International Registration Plan.
- 39 (g) Except as provided in section 8.5 of this chapter, the bureau may
- 40 adopt rules under IC 4-22-2 to issue staggered registration to motor
- 41 vehicles described in subsection (a)(2).
- 42 (h) After June 30, 2011, the registration of a vehicle under

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1 ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or ~~IC 9-18-16-1(2)~~  
 2 **IC 9-18-16-1(a)(2)** expires on December 14 of each year. However, if  
 3 a vehicle is registered under ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or  
 4 ~~IC 9-18-16-1(2)~~ **IC 9-18-16-1(a)(2)** and the registration of the vehicle  
 5 is in effect on June 30, 2011, the registration of the vehicle remains  
 6 valid:

- 7 (1) throughout calendar year 2011; and  
 8 (2) during the period that:  
 9 (A) begins January 1, 2012; and  
 10 (B) ends on the date on which the vehicle was due for  
 11 reregistration under the law in effect before this subsection  
 12 took effect.

13 SECTION 102. IC 9-18-2-8, AS AMENDED BY P.L.26-2011,  
 14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2012]: Sec. 8. (a) Except as provided in section 7(h) of this  
 16 chapter and subsection (f), the bureau shall determine the schedule for  
 17 registration for the following categories of vehicles:

- 18 (1) Passenger motor vehicles.  
 19 (2) Recreational vehicles.  
 20 (3) Motorcycles.  
 21 (4) Trucks. ~~that:~~  
 22 (A) are regularly rented to others for not more than  
 23 twenty-nine (29) days in the regular course of the corporation's  
 24 business; and  
 25 (B) have a declared gross weight of not more than eleven  
 26 thousand (11,000) pounds.

27 (b) Except as provided in IC 9-18-12-2.5, a person that owns a  
 28 vehicle shall receive a license plate, renewal tag, or other indicia upon  
 29 registration of the vehicle. The bureau may determine the ~~device~~  
 30 **indicia** required to be displayed.

31 (c) A corporation that owns a ~~truck that has a declared gross weight~~  
 32 ~~of not more than eleven thousand (11,000) pounds~~ **vehicle** that is  
 33 regularly rented to others for periods of not more than twenty-nine (29)  
 34 days in the regular course of the corporation's business must register  
 35 ~~the truck before March 1 of each year.~~ **vehicle on a date as prescribed**  
 36 **by the bureau.**

37 (d) A person that owns a vehicle in a category required to be  
 38 registered under this section and desires to register the vehicle for the  
 39 first time must apply to the bureau. ~~for a registration application form.~~  
 40 The bureau shall do the following:

- 41 (1) Administer the registration ~~application form.~~ **of the vehicle.**  
 42 (2) Issue the license plate **in accordance with the central**



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1 **fulfillment processes of the bureau.**

2 (3) Collect the proper registration and service fees in accordance  
3 with the procedure established by the bureau.

4 (e) Except as provided in IC 9-18-12-2.5, the bureau shall issue a  
5 semipermanent plate under section 30 of this chapter, or:

6 (1) an annual renewal tag; or

7 (2) other indicia;

8 to be affixed on the semipermanent plate.

9 (f) After June 30, 2011, the registration of a vehicle under  
10 ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or ~~IC 9-18-16-1(2)~~  
11 **IC 9-18-16-1(a)(2)** expires on December 14 of each year. However, if  
12 a vehicle is registered under ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or  
13 ~~IC 9-18-16-1(2)~~ **IC 9-18-16-1(a)(2)** and the registration of the vehicle  
14 is in effect on June 30, 2011, the registration of the vehicle remains  
15 valid:

16 (1) throughout calendar year 2011; and

17 (2) during the period that:

18 (A) begins January 1, 2012; and

19 (B) ends on the date on which the vehicle was due for  
20 reregistration under the law in effect before this subsection  
21 took effect.

22 SECTION 103. IC 9-18-2-9 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) The bureau shall  
24 use due diligence in examining and determining the genuineness,  
25 regularity, and legality of the following:

26 (1) ~~An application~~ **Information provided from a person as part**  
27 **of a request** for the registration of a vehicle.

28 (2) ~~An application~~ **A request** for any type of license **plate**  
29 required under this title for the operation of a vehicle upon the  
30 highways.

31 (3) Any other application **or request** made to the bureau **under**  
32 **this article.**

33 (b) The bureau may:

34 (1) make investigations or require additional information; and

35 (2) reject an application **or request;**

36 if the bureau is not satisfied of the genuineness, regularity, or legality  
37 of an application or the truth of a statement contained in an application  
38 or **request, and** for any other reason.

39 SECTION 104. IC 9-18-2-10 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) Except as  
41 provided in ~~section~~ **sections 18, 23, and 29.5** of this chapter, a  
42 certificate of registration of a motor vehicle, semitrailer, or recreational

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1 vehicle and a license plate for a motor vehicle, semitrailer, or  
 2 recreational vehicle, whether original issues or duplicates, may not be  
 3 issued or furnished by the bureau unless the person applying for the  
 4 certificate of registration:

5 (1) applies at the same time for and is granted a certificate of title  
 6 for the motor vehicle, semitrailer, or recreational vehicle; or

7 (2) presents satisfactory evidence that a certificate of title has  
 8 been previously issued to the person that covers the motor  
 9 vehicle, semitrailer, or recreational vehicle.

10 **(b) If at any time the bureau determines that the certificate of**  
 11 **title of a vehicle cannot be issued or is invalid:**

12 **(1) a certificate of registration may not be issued or furnished**  
 13 **for the vehicle by the bureau; or**

14 **(2) the bureau may invalidate the certificate of registration of**  
 15 **the vehicle.**

16 SECTION 105. IC 9-18-2-11 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. A **person**  
 18 **registering a motor vehicle may be registered in Indiana only if must**  
 19 **have proof of financial responsibility that is in effect in the amounts**  
 20 **specified in IC 9-25 is produced available for inspection at the time an**  
 21 **the person's application for registration is made. in a form required by**  
 22 **the bureau.**

23 SECTION 106. IC 9-18-2-16 IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) **A person who**  
 25 **owns a vehicle must sign an application in ink to register the vehicle.**

26 **(b) An application (a) A person who desires to register a vehicle**  
 27 **with the bureau must contain provide the following:**

28 (1) The:

29 (A) name, bona fide residence, and mailing address, including  
 30 the name of the county, of the person who owns the vehicle; or

31 (B) business address, including the name of the county, of the  
 32 person that owns the vehicle if the person is a firm, a  
 33 partnership, an association, a corporation, a limited liability  
 34 company, or a unit of government.

35 If the vehicle that is being registered has been leased and is  
 36 subject to the motor vehicle excise tax under IC 6-6-5 or the  
 37 commercial vehicle excise tax under IC 6-6-5.5, **the application**  
 38 **must contain** the address of the person who is leasing the vehicle  
 39 **must be provided.** If the vehicle that is being registered has been  
 40 leased and is not subject to the motor vehicle excise tax under  
 41 IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5,  
 42 **the application must contain** the address of the person who owns

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1 the vehicle, the person who is the lessor of the vehicle, or the  
2 person who is the lessee of the vehicle **must be provided**. If a  
3 leased vehicle is to be registered under the International  
4 Registration Plan, the registration procedures are governed by the  
5 terms of the plan.

6 (2) A brief description of the vehicle to be registered, including  
7 the following information if available:

- 8 (A) The name of the manufacturer of the vehicle.
- 9 (B) The vehicle identification number.
- 10 (C) The manufacturer's rated capacity if the vehicle is a truck,  
11 tractor, trailer, or semitrailer.
- 12 (D) The type of body of the vehicle.
- 13 (E) The model year of the vehicle.
- 14 **(F) The color of the vehicle.**
- 15 ~~(F)~~ **(G)** Any other information reasonably required by the  
16 bureau to enable the bureau to determine if the vehicle may be  
17 registered. The bureau may request the person applying for  
18 registration to provide the vehicle's odometer reading.

19 ~~(3) A space on the application in which~~ The person registering the  
20 vehicle may indicate the person's desire to donate money to  
21 organizations that promote the procurement of organs for  
22 anatomical gifts. The ~~space on the application~~ **bureau** must:

- 23 (A) allow the person registering the vehicle to indicate the  
24 amount the person desires to donate; and
- 25 (B) provide that the minimum amount a person may donate is  
26 one dollar (\$1).

27 Funds collected under this subdivision shall be deposited with the  
28 treasurer of state in a special account. The auditor of state shall  
29 monthly distribute the money in the special account to the  
30 anatomical gift promotion fund established by IC 16-19-3-26. The  
31 bureau may deduct from the funds collected under this  
32 subdivision the costs incurred by the bureau in implementing and  
33 administering this subdivision.

34 ~~(e)~~ **(b)** The department of state revenue may audit records of  
35 persons who register trucks, trailers, semitrailers, buses, and rental cars  
36 under the International Registration Plan to verify the accuracy of the  
37 application and collect or refund fees due.

38 SECTION 107. IC 9-18-2-17, AS AMENDED BY P.L.163-2011,  
39 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2012]: Sec. 17. (a) Upon receiving ~~an application~~ **the**  
41 **information** under section 16 of this chapter, the bureau shall:

- 42 (1) determine:

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- 1 (A) the genuineness and regularity of the ~~application;~~  
 2 **information;** and  
 3 (B) that the person applying for registration is entitled to  
 4 register the vehicle;  
 5 ~~(2) file the application;~~  
 6 ~~(3) (2)~~ subject to subsection (b), register the vehicle described in  
 7 the application; and  
 8 ~~(4) (3)~~ keep a record of the ~~application on suitable index cards~~  
 9 **registration of the vehicle** under a distinctive registration  
 10 number assigned to the vehicle ~~and in any other a~~ manner the  
 11 bureau considers desirable for the convenience of the bureau.
- 12 (b) Upon receiving notice, as described in IC 9-21-3.5-10(c), of the  
 13 failure of an owner of a vehicle to pay a fine, charge, or other  
 14 assessment for a toll violation documented under IC 9-21-3.5-12, the  
 15 bureau shall withhold the annual registration of the vehicle that was  
 16 used in the commission of the toll violation until the owner pays the  
 17 fine, charge, or other assessment, plus any applicable fees, to:  
 18 (1) the bureau; or  
 19 (2) the appropriate authority under IC 9-21-3.5 that is responsible  
 20 for the collection of fines, charges, or other assessments for toll  
 21 violations under IC 9-21-3.5.
- 22 If the owner pays the fine, charge, or assessment, plus any applicable  
 23 fees, to the bureau as described in subdivision (1), the bureau shall  
 24 remit the appropriate amount to the appropriate authority under  
 25 IC 9-21-3.5 that is responsible for the collection of fines, charges,  
 26 assessments, or fees for toll violations under IC 9-21-3.5.
- 27 SECTION 108. IC 9-18-2-21 IS AMENDED TO READ AS  
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 21. (a) ~~A~~ **The person**  
 29 ~~who registers a vehicle, whose name appears on the certificate of~~  
 30 **registration**, except a person who registers a vehicle under the  
 31 International Registration Plan, shall sign the person's copy of the  
 32 certificate of registration in ink in the space provided.
- 33 (b) A certificate of registration or a legible reproduction of the  
 34 certificate of registration must be carried:  
 35 (1) in the vehicle to which the registration refers; or  
 36 (2) by the person driving or in control of the vehicle, who shall  
 37 display the registration upon the demand of a police officer.
- 38 (c) A legible reproduction of the certificate of registration may be  
 39 made by any photostatic or similar process. ~~The valid stamp must be~~  
 40 ~~legible on the reproduced copy.~~
- 41 SECTION 109. IC 9-18-2-23 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 23. (a) This section

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1 does not apply to a vehicle registered as a recovery vehicle under  
2 IC 9-18-13.

3 (b) A transport operator may, instead of registering each motor  
4 vehicle transported, make a verified application upon a form prescribed  
5 by the bureau and furnished by the bureau for a general distinctive  
6 registration number for all motor vehicles transported by the transport  
7 operator and used and operated for the purposes provided. The  
8 application must contain the following:

9 (1) A brief description of each style or type of motor vehicle  
10 transported.

11 (2) The name and address, including the county of residence, of  
12 the transport operator.

13 (3) Any other information the bureau requires.

14 (c) The bureau, upon receiving:

15 (1) an application for a transport operator license plate; and

16 (2) the proper fee;

17 shall issue to the person who submitted the application and fee two (2)  
18 certificates of registration and the license plates with numbers  
19 corresponding to the numbers of the certificates of registration. A  
20 transport operator may obtain as many additional pairs of license plates  
21 as desired upon application and the payment to the bureau of the fee  
22 prescribed under IC 9-29 for each pair of additional license plates.

23 (d) A license plate or sign other than those furnished and approved  
24 by the bureau may not be used.

25 (e) A transport operator license plate may not be used on a vehicle  
26 used or operated on a highway, except for the purpose of transporting  
27 vehicles in transit. A person may haul other vehicles or parts of  
28 vehicles in transit in the same combination.

29 (f) A transport operator may not operate a vehicle or any  
30 combination of vehicles in excess of the size and weight limits  
31 specified by law.

32 (g) A license plate shall be displayed on the front and rear of each  
33 combination, and if only one (1) motor vehicle is transported, a license  
34 plate shall be displayed on both the front and rear of the motor vehicle.

35 (h) ~~The bureau may adopt rules to prescribe the conditions under~~  
36 ~~which~~ Transport operator license plates may **not** be issued to a  
37 transport operator who has ~~been convicted of violating~~ **violated** this  
38 section until the bureau ~~issues is satisfied that~~ the transport operator  
39 ~~a new license plate:~~ **can comply with the requirements of this**  
40 **section.**

41 SECTION 110. IC 9-18-2-24 IS REPEALED [EFFECTIVE JULY  
42 1, 2012]. ~~Sec. 24. The bureau may destroy applications for registration~~

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1 of motor vehicles that have been on file in the bureau for a period of at  
2 least three (3) years:

3 SECTION 111. IC 9-18-2-26, AS AMENDED BY P.L.184-2011,  
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2012]: Sec. 26. (a) License plates, **including temporary**  
6 **license plates**, shall be displayed as follows:

- 7 (1) For a motorcycle, trailer, semitrailer, or recreational vehicle,  
8 upon the rear of the vehicle, except as provided in subdivision (4).
- 9 (2) For a tractor or dump truck, upon the front of the vehicle.
- 10 (3) For every other vehicle, upon the rear of the vehicle, except as  
11 provided in subdivision (4).
- 12 (4) For a truck with a rear mounted forklift or a mechanism to  
13 carry a rear mounted forklift or implement, upon the front of the  
14 vehicle.

15 (b) A license plate shall be securely fastened, in a horizontal  
16 position, to the vehicle for which the plate is issued:

- 17 (1) to prevent the license plate from swinging;
- 18 (2) at a height of at least twelve (12) inches from the ground,  
19 measuring from the bottom of the license plate;
- 20 (3) in a place and position that are clearly visible;
- 21 (4) maintained free from foreign materials and in a condition to  
22 be clearly legible; and
- 23 (5) not obstructed or obscured by tires, bumpers, accessories, or  
24 other opaque objects.

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

28 SECTION 112. IC 9-18-2-28 IS REPEALED [EFFECTIVE JULY  
29 1, 2012]. ~~Sec. 28. Notwithstanding any other law, license plates for:~~

- 30 ~~(1) passenger motor vehicles;~~
- 31 ~~(2) recreational vehicles;~~
- 32 ~~(3) motor vehicles registered to disabled veterans under~~  
33 ~~IC 9-18-18; or~~
- 34 ~~(4) motor vehicles registered to former prisoners of war under~~  
35 ~~IC 9-18-17;~~

36 that contain any of the numerals 1 through 100 following the prefix  
37 numbers and letter shall be issued by the bureau:

38 SECTION 113. IC 9-18-2-29.5, AS ADDED BY P.L.210-2005,  
39 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2012]: Sec. 29.5. Before a piece of special machinery is  
41 operated off a highway or in a farm field, the person who owns the  
42 piece of special machinery must:

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- 1 (1) register the piece of special machinery with the bureau; and  
 2 (2) pay the applicable **special machinery** registration fee.
- 3 SECTION 114. IC 9-18-2-30 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 30. **Unless otherwise**  
 5 **provided in this chapter**, the bureau shall issue to the owner of each  
 6 vehicle subject to registration one (1) license plate upon the registration  
 7 of the vehicle.
- 8 SECTION 115. IC 9-18-2-32 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 32. (a) Except as  
 10 provided in subsection (b), a license plate issued under section 30 of  
 11 this chapter:  
 12 (1) must be six (6) inches wide and twelve (12) inches long;  
 13 (2) must display  
 14 ~~(A)~~ the registration number assigned to the vehicle for which  
 15 the plate is issued;  
 16 ~~(B)~~ the letters "IN"; and  
 17 ~~(C)~~ the year for which the plate is issued;  
 18 (3) may have a prefix of at least one (1) letter of the alphabet to  
 19 designate the type of vehicle registered; and  
 20 (4) shall be treated with special reflective material designed to  
 21 increase the visibility and legibility of the license plate.
- 22 (b) The bureau may issue license plates in a different size or  
 23 character if the bureau determines that the change is appropriate to  
 24 effect the proper display of the license plates.
- 25 SECTION 116. IC 9-18-2-35 IS REPEALED [EFFECTIVE JULY  
 26 1, 2012]. ~~Sec. 35. The bureau, with the approval of the governor, may~~  
 27 ~~revise the vehicle identification name designated to be embossed on a~~  
 28 ~~given classification of license plates to reflect contemporary language~~  
 29 ~~that is used to describe vehicles that must be registered under this~~  
 30 ~~article.~~
- 31 SECTION 117. IC 9-18-2-38 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 38. A license plate  
 33 issued under this chapter remains valid if the person who registered the  
 34 passenger motor vehicle or recreational vehicle changes the person's  
 35 county of residence during the term of the license plate. A person who  
 36 registers a passenger motor vehicle or recreational vehicle and who  
 37 changes the person's county of residence may, at the time of  
 38 reregistration:  
 39 (1) retain the license plate originally issued; or  
 40 (2) request a new license plate ~~at no additional cost to the person,~~  
 41 indicating the person's new county of residence.
- 42 SECTION 118. IC 9-18-2-47, AS AMENDED BY P.L.87-2010,

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1 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2012]: Sec. 47. (a) The commissioner shall adopt rules under  
3 IC 4-22-2 prescribing the cycle for the issuance and replacement of  
4 license plates under this article. The rules adopted under this section  
5 shall provide that a license plate for a vehicle issued under this article  
6 is valid for five (5) years.

7 (b) The rules adopted under this section do not apply to:

8 (1) truck license plates issued under section 4.5 or 18 of this  
9 chapter; **or**

10 (2) general assembly and other state official license plates issued  
11 under IC 9-18-16. **and**

12 ~~(3) personalized license plates issued under IC 9-18-15.~~

13 SECTION 119. IC 9-18-2-49 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 49. (a) Notwithstanding  
15 ~~IC 9-18-2-32~~, **section 32 of this chapter**, if a person is **initially**  
16 **registering a vehicle or** renewing the registration for a motor vehicle  
17 that needs a new license plate, the bureau may issue a temporary paper  
18 or cardboard license plate to the person for use on the motor vehicle.

19 (b) A temporary license plate issued under subsection (a) is valid for  
20 thirty (30) days after the date of its issuance.

21 SECTION 120. IC 9-18-4-1 IS AMENDED TO READ AS  
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. ~~The bureau~~ **A**  
23 **person** may accept an application by mail for register a vehicle and  
24 request license plate for a:

25 ~~(1) motor vehicle;~~

26 ~~(2) semitrailer; or~~

27 ~~(3) recreational vehicle;~~

28 **plates by mail** if the person applying for the license plate has been  
29 issued a certificate of title for the motor vehicle, semitrailer, or  
30 recreational vehicle, unless excepted under IC 9-17-2-13 or  
31 IC 9-18-2-18.

32 SECTION 121. IC 9-18-4-2 IS REPEALED [EFFECTIVE JULY 1,  
33 2012]. ~~Sec. 2: An application made by mail under section 1 of this~~  
34 ~~chapter must be for a license plate previously issued directly from the~~  
35 ~~bureau to the applicant.~~

36 SECTION 122. IC 9-18-4-7 IS AMENDED TO READ AS  
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) The bureau may:

38 (1) prescribe forms; and

39 (2) adopt rules;

40 to implement this chapter.

41 (b) A form prescribed under this section must include the  
42 information described in ~~IC 9-18-2-16(b)(3)~~; **IC 9-18-2-16(a)(3)**.

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1 SECTION 123. IC 9-18-5-2 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~An application~~ **A**  
 3 **request** for registration under this chapter must be:

- 4 (1) made under the laws governing applications; and  
 5 (2) signed for, on behalf of the holder, by the person named in the  
 6 letter.

7 SECTION 124. IC 9-18-5-3 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Upon receiving ~~an~~  
 9 ~~application and~~ a letter of authorization, the bureau shall determine if  
 10 the signature on the letter is that of the person who holds the certificate  
 11 of title for the motor vehicle by comparing the signature on the letter  
 12 with the signature on the certificate of title.

13 SECTION 125. IC 9-18-6-2, AS AMENDED BY P.L.109-2011,  
 14 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2012]: Sec. 2. (a) Except as provided in subsections (b) and  
 16 (e), if a license plate is:

- 17 (1) **lost or stolen;**  
 18 (2) ~~mutilated;~~ **damaged so as not to be legible;** or  
 19 (3) destroyed;

20 the person in whose name the license plate was issued may obtain from  
 21 the bureau a ~~duplicate or~~ a replacement license plate by filing with the  
 22 bureau an application on a form provided by the bureau duly sworn to  
 23 as provided in IC 9-18-2.

24 (b) If a license plate is lost **or stolen**, the bureau may not issue a  
 25 ~~duplicate or~~ replacement license plate until the person in whose name  
 26 the plate was issued has first notified:

- 27 (1) the Indiana law enforcement agency that has jurisdiction  
 28 where the loss **or theft** occurred; or  
 29 (2) the law enforcement agency that has jurisdiction over the  
 30 address listed on the registration;

31 that the original license plate has been lost **or stolen**.

32 (c) A law enforcement agency to whom a loss **or theft** is reported  
 33 shall complete and present to the person reporting the loss **or theft** a  
 34 form provided by the bureau indicating that the loss **or theft** has been  
 35 reported.

36 (d) The person must present the form described under subsection (c)  
 37 to the bureau before a replacement license plate may be obtained.

38 (e) If a license plate for a commercial vehicle is lost, ~~mutilated;~~  
 39 **stolen, damaged,** or destroyed, the person in whose name the plate was  
 40 issued shall notify:

- 41 (1) the Indiana law enforcement agency that has jurisdiction  
 42 where the loss, **theft, damage, or destruction** occurred; and



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1 (2) the bureau;  
 2 that the original license plate has been lost, ~~mutilated~~, **stolen**,  
 3 **damaged**, or destroyed. In order to receive a ~~duplicate or a~~ replacement  
 4 license plate, the person in whose name the license plate was issued  
 5 must complete and submit to the bureau an application and affidavit  
 6 ~~designed~~ **prescribed** by the bureau.

7 (f) The bureau shall charge a fee for a ~~duplicate or~~ replacement  
 8 license plate under subsections (b) and (e) as set forth in IC 9-29-5-17.

9 (g) A ~~duplicate or~~ replacement license plate must be displayed in  
 10 the same manner as the original license plate was displayed.

11 SECTION 126. IC 9-18-6-5 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Upon the  
 13 disposition by sale or other means of a motor vehicle, trailer,  
 14 semitrailer, recreational vehicle, or motor home currently registered in  
 15 Indiana, the license plate from the disposed motor vehicle, trailer,  
 16 semitrailer, recreational vehicle, or motor home may be:

- 17 (1) transferred by the person who is the current registrant to any  
 18 other vehicle of the same type acquired by the person; and  
 19 (2) operated in Indiana for not more than thirty-one (31) days after  
 20 the date the person acquires ownership of the vehicle.

21 (b) The person who is the registrant must have in the person's  
 22 possession a:

- 23 (1) manufacturer's certificate of origin;  
 24 (2) duly assigned certificate of title; or  
 25 (3) ~~notarized~~ bill of sale;

26 indicating that the person is the owner of the vehicle to which the  
 27 unexpired license plates are affixed.

28 SECTION 127. IC 9-18-7-1 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) A person may  
 30 apply for and receive a temporary registration permit for a motor  
 31 vehicle, semitrailer, trailer designed to be used with a semitrailer, or  
 32 recreational vehicle.

33 (b) ~~Except as provided in section 1-5 of this chapter~~; A temporary  
 34 registration permit is valid for a period of thirty (30) days from the date  
 35 of issuance and authorizes the use of the motor vehicle, semitrailer,  
 36 trailer designed to be used with a semitrailer, or recreational vehicle on  
 37 the highways if any of the following conditions exist:

- 38 (1) The person has purchased or otherwise obtained the vehicle  
 39 in Indiana and will be titling or registering the vehicle in another  
 40 state **or foreign country**.  
 41 (2) The person is a resident of Indiana and is intending to move  
 42 to another state and the current vehicle registration or temporary

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1 permit will expire before the person moves.

2 (3) The person is a resident of Indiana and the vehicle registration  
3 in another state has expired and the person has applied for an  
4 Indiana title for the vehicle.

5 (4) The person is a manufacturer of semitrailers or trailers  
6 designed to be used with a semitrailer that may be leased by the  
7 manufacturer to any person, including a motor carrier, for not  
8 more than the term of the special registration permit. This  
9 subdivision does not prohibit the transportation of property on a  
10 semitrailer or trailer operating under a temporary registration  
11 permit. A copy of the lease must accompany the semitrailer or  
12 trailer.

13 (5) The person owns and operates the vehicle and the person:

14 (A) does not operate the vehicle as a lessor; and

15 (B) moves the empty vehicle from one (1) lessee-carrier to  
16 another.

17 **(6) The person owns a vehicle for which emissions testing is**  
18 **required and the vehicle will require further mechanical**  
19 **repairs in order to comply with the emissions testing**  
20 **requirements.**

21 (c) The bureau shall prescribe the form of a temporary registration  
22 permit.

23 (d) A temporary registration permit shall be displayed on a vehicle  
24 in a manner determined by the bureau.

25 (e) The bureau may provide for the bulk issuance of temporary  
26 registration permits to manufacturers for the purpose of subsection  
27 (b)(4).

28 (f) Subject to IC 9-25-1-2, a temporary registration permit may be  
29 obtained under this section if the owner of the vehicle provides proof  
30 of financial responsibility in the amounts specified under IC 9-25 in a  
31 form required by the bureau.

32 SECTION 128. IC 9-18-7-1.5 IS REPEALED [EFFECTIVE JULY  
33 1, 2012]. Sec. 1.5: (a) This section applies to a temporary registration  
34 permit obtained:

35 (1) for a vehicle that is manufactured in Indiana; and

36 (2) by an individual who:

37 (A) is a citizen of a foreign country; and

38 (B) purchases a vehicle described in subdivision (1) with the  
39 intention of registering the vehicle in the foreign country of  
40 which the individual is a citizen.

41 (b) A temporary registration permit issued under this section is valid  
42 for ninety (90) days from the date of issuance and authorizes the use of

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1 the vehicle on the highways:

2 (c) A temporary registration permit issued under this section shall  
3 be manufactured from the same material as a license plate issued under  
4 IC 9-18-2. The bureau shall prescribe the form of a temporary  
5 registration permit:

6 (d) A temporary registration permit shall be displayed on a vehicle  
7 in a manner determined by the bureau:

8 (e) Subject to IC 9-25-1-2, a temporary registration permit may be  
9 obtained under this section if the owner of the vehicle provides proof  
10 of financial responsibility in the amounts specified under IC 9-25 in a  
11 form required by the bureau:

12 SECTION 129. IC 9-18-11-3 IS REPEALED [EFFECTIVE JULY  
13 1, 2012]. Sec. 3: A person engaged in operating at least one (1) fleet of  
14 intercity buses may, instead of registering the buses under any other  
15 law, register each fleet for operation in Indiana by filing an application  
16 with the bureau that contains the following information:

17 (1) The total number of miles operated in all states during the  
18 preceding year by the intercity buses in the fleet:

19 (2) The total number of miles operated in Indiana during the  
20 preceding year by the intercity buses in the fleet:

21 (3) A description and identification of each intercity bus in the  
22 fleet that is to be operated in Indiana during the registration year  
23 for which proportional fleet registration is requested:

24 (4) Any other information requested by the bureau:

25 SECTION 130. IC 9-18-12-2, AS AMENDED BY P.L.79-2006,  
26 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2012]: Sec. 2. (a) Except as provided in section 2.5 of this  
28 chapter, the bureau shall issue one (1) license plate to the person who  
29 owns an antique motor vehicle that is registered under this chapter.

30 (b) Subject to subsection (c), a license plate for an antique motor  
31 vehicle shall be manufactured according to the bureau's specifications.

32 (c) A license plate issued under this chapter shall:

33 (1) contain:

34 (A) the registration number assigned to the registration  
35 certificate by the bureau; and

36 (B) **a designation that the words "Historic Motor vehicle  
37 State of Indiana"; is a historic vehicle;** and

38 (2) indicate the year for which the antique motor vehicle has been  
39 registered.

40 (d) Instead of issuing a new license plate each time that an antique  
41 motor vehicle is registered, the bureau may issue to the person who  
42 owns the antique motor vehicle a tag or sticker that indicates the year

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1 for which the motor vehicle has been registered.

2 (e) A license plate issued under this chapter shall be securely  
3 attached to the rear of an antique motor vehicle.

4 SECTION 131. IC 9-18-12-3 IS REPEALED [EFFECTIVE JULY  
5 1, 2012]. ~~Sec. 3: (a) An application for the registration of an antique  
6 motor vehicle under this chapter must be accompanied by a certificate  
7 that indicates that the antique motor vehicle has:~~

8 ~~(1) been inspected for general safety; and~~

9 ~~(2) been found to be in a mechanical condition that the vehicle  
10 can be operated safely on the highways:~~

11 ~~(b) The state police department shall make the inspection and issue  
12 the certificate under this section:~~

13 SECTION 132. IC 9-18-14-2 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. If a person who owns  
15 a military vehicle registers the military vehicle under this chapter, the  
16 registration of the military vehicle is for the life of the military vehicle.  
17 **A person who owns a military vehicle shall also pay any applicable  
18 excise taxes under IC 6-6-5 and IC 6-6-5.5.**

19 SECTION 133. IC 9-18-14-3 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. If a person who owns  
21 a military vehicle registers the military vehicle under this chapter the

22 ~~(1) bureau shall not issue a license plate for the military vehicle;  
23 and~~

24 (2) bureau shall authorize as a registration number the military  
25 vehicle identification number stenciled on the military vehicle in  
26 white or yellow letters and numbers in accordance with all  
27 pertinent military regulations.

28 SECTION 134. IC 9-18-14-5 IS REPEALED [EFFECTIVE JULY  
29 1, 2012]. ~~Sec. 5: The bureau shall adopt rules under IC 4-22-2 to  
30 implement this chapter.~~

31 SECTION 135. IC 9-18-15-1, AS AMENDED BY P.L.87-2010,  
32 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 JULY 1, 2012]: Sec. 1. (a) A person who is the registered owner or  
34 lessee of a:

35 (1) passenger motor vehicle;

36 (2) motorcycle;

37 (3) recreational vehicle; or

38 (4) vehicle registered as a truck with a declared gross weight of  
39 not more than eleven thousand (11,000) pounds;

40 registered with the bureau or who makes an application for an original  
41 registration or renewal registration of a vehicle may apply to the bureau  
42 for a personalized license plate to be affixed to the vehicle for which

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1 registration is sought instead of the regular license plate.

2 (b) A person who:

3 (1) is the registered owner or lessee of a vehicle described in  
4 subsection (a); and

5 (2) is eligible to receive a license plate for the vehicle under:

6 (A) IC 9-18-17 (prisoner of war license plates);

7 (B) IC 9-18-18 (disabled Hoosier veteran license plates);

8 (C) IC 9-18-19 (Purple Heart license plates);

9 (D) IC 9-18-20 (Indiana National Guard license plates);

10 ~~(E) IC 9-18-21 (Indiana Guard Reserve license plates);~~

11 ~~(F) (E) IC 9-18-22 (license plates for persons with~~  
12 ~~disabilities);~~

13 ~~(G) IC 9-18-23 (amateur radio operator license plates);~~

14 ~~(H) IC 9-18-24 (civic event license plates);~~

15 ~~(I) (F) IC 9-18-24.5 (In God We Trust license plates);~~

16 ~~(J) (G) IC 9-18-25 (special group recognition license plates);~~

17 ~~(K) (H) IC 9-18-29 (environmental license plates);~~

18 ~~(L) (I) IC 9-18-30 (kids first trust license plates);~~

19 ~~(M) (J) IC 9-18-31 (education license plates);~~

20 ~~(N) IC 9-18-32.2 (drug free Indiana trust license plates);~~

21 ~~(O) (K) IC 9-18-33 (Indiana FFA trust license plates);~~

22 ~~(P) (L) IC 9-18-34 (Indiana firefighter license plates);~~

23 ~~(Q) IC 9-18-35 (Indiana food bank trust license plates);~~

24 ~~(R) IC 9-18-36 (Indiana girl scouts trust license plates);~~

25 ~~(S) (M) IC 9-18-37 (Indiana boy scouts trust license plates);~~

26 ~~(T) IC 9-18-38 (Indiana retired armed forces member license~~  
27 ~~plates);~~

28 ~~(U) IC 9-18-39 (Indiana antique car museum trust license~~  
29 ~~plates);~~

30 ~~(V) (N) IC 9-18-40 (D.A.R.E. Indiana trust license plates);~~

31 ~~(W) (O) IC 9-18-41 (Indiana arts trust license plates);~~

32 ~~(X) (P) IC 9-18-42 (Indiana health trust license plates);~~

33 ~~(Y) IC 9-18-43 (Indiana mental health trust license plates);~~

34 ~~(Z) (Q) IC 9-18-44 (Indiana Native American trust license~~  
35 ~~plates);~~

36 ~~(AA) (R) IC 9-18-45.8 (Pearl Harbor survivor license plates);~~

37 ~~(BB) (S) IC 9-18-46.2 (Indiana state educational institution~~  
38 ~~trust license plates);~~

39 ~~(CC) (T) IC 9-18-47 (Lewis and Clark bicentennial license~~  
40 ~~plates);~~

41 ~~(DD) (U) IC 9-18-48 (Riley Children's Foundation license~~  
42 ~~plates);~~



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1           ~~(EE)~~ IC 9-18-49 ~~(National Football League franchised~~  
 2           ~~professional football team license plates);~~  
 3           ~~(FF)~~ (V) IC 9-18-50 (Hoosier veteran license plates);  
 4           ~~(GG)~~ (W) IC 9-18-51 (support our troops license plates);  
 5           ~~(HH)~~ (X) IC 9-18-52 (Abraham Lincoln bicentennial license  
 6           plates);  
 7           ~~(II)~~ (Y) IC 9-18-53 (Earlham College Trust license plates); or  
 8           ~~(JJ)~~ (Z) IC 9-18-54 (Indiana Gold Star family member license  
 9           plates);  
 10          may apply to the bureau for a personalized license plate to be affixed  
 11          to the vehicle for which registration is sought instead of the regular  
 12          special recognition license plate.

13          SECTION 136. IC 9-18-15-2 IS AMENDED TO READ AS  
 14          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) A personalized  
 15          license plate may be the same color and size and contain similar  
 16          required information as regular license plates issued for the respective  
 17          class of vehicle.

18          (b) A personalized license plate is limited to the:

- 19               (1) numerals 0 through 9; or  
 20               (2) letters A through Z;

21          in a continuous combination of numbers and letters with at least two  
 22          (2) positions.

23          (c) A personalized license plate may not ~~be issued to~~ duplicate a  
 24          regularly issued plate.

25          (d) Only one (1) personalized plate, without regard to classification  
 26          of registration, may be issued by the bureau with the same  
 27          configuration of numbers and letters.

28          SECTION 137. IC 9-18-15-4 IS AMENDED TO READ AS  
 29          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A person who  
 30          applies for:

- 31               (1) a personalized license plate; or  
 32               (2) the renewal of a personalized license plate in the subsequent  
 33               period;

34          must file an application in the manner the bureau requires, indicating  
 35          the combination of letters or numerals, or both, requested. ~~as a~~  
 36          ~~registration number.~~

37          (b) The bureau may refuse to issue a combination of letters or  
 38          numerals, or both, that:

- 39               (1) carries a connotation offensive to good taste and decency; ~~or~~  
 40               (2) would be misleading; ~~or~~  
 41               **(3) the bureau otherwise considers improper for issuance.**

42          SECTION 138. IC 9-18-15-5.5, AS ADDED BY P.L.103-2006,

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1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2012]: Sec. 5.5. ~~After December 31, 2006,~~ The bureau shall  
3 issue personalized license plates annually **on the same cycle**  
4 **prescribed for license plates issued under IC 9-18-2-47.**

5 SECTION 139. IC 9-18-15-8, AS AMENDED BY P.L.2-2005,  
6 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2012]: Sec. 8. (a) If a person has registered a vehicle and has  
8 been issued a personalized license plate for use on a leased vehicle,  
9 and:

10 (1) the person cancels the lease; or

11 (2) the lease expires during the registration year;

12 the person may transfer the registration to another vehicle eligible to be  
13 registered under this chapter.

14 ~~(b) A transfer of a license plate under subsection (a) must take place~~  
15 ~~not more than thirty-one (31) days after the expiration of the lease.~~

16 ~~(c)~~ (b) The bureau may reissue the license plate with the  
17 combination of numerals and letters returned under subsection (a) upon  
18 receiving an application for registration under this chapter.

19 SECTION 140. IC 9-18-15-9 IS REPEALED [EFFECTIVE JULY  
20 1, 2012]. Sec. 9: ~~A person who has registered a vehicle with the current~~  
21 ~~year's license plate and applies for a personalized license plate for the~~  
22 ~~same vehicle shall surrender the regular license plate and registration~~  
23 ~~to the bureau when the personalized license plate is delivered to the~~  
24 ~~person.~~

25 SECTION 141. IC 9-18-15-10, AS AMENDED BY P.L.233-2005,  
26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2012]: Sec. 10. (a) In addition to the applicable excise tax  
28 imposed under IC 6-6-5, the regular registration fees, and any  
29 additional fee required to receive a special recognition license plate  
30 described in section 1(b) of this chapter, a person applying for or  
31 renewing the registration of a personalized license plate shall pay the  
32 personalized license plate fee under IC 9-29-5-32.5 upon an original  
33 application or registration renewal, as provided in this chapter.

34 ~~(b) Each license branch~~ **The bureau** shall collect the personalized  
35 license plate fee at the time of application or registration renewal for  
36 the personalized license plate.

37 (c) Upon the payment of the required fee and service charges for an  
38 original application or renewal of a personalized license plate, the  
39 bureau shall issue a receipt. ~~designating and acknowledging a state fee~~  
40 ~~and the service charge under IC 9-29.~~

41 ~~(d) The payment of regular registration fees and excise tax, if~~  
42 ~~applicable, may be deferred until the time that the personalized license~~

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1 plate is delivered to the person who applied for the plate.

2 (e) ~~A license branch~~ **(d) The bureau** shall collect the service charge  
3 prescribed under IC 9-29 for each initial or renewal application for a  
4 personalized license plate as a reservation and special processing fee.

5 SECTION 142. IC 9-18-15-11 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. If a person who  
7 applies for a personalized license plate with a given configuration of  
8 letters or numbers is not able to obtain the license plate requested or a  
9 satisfactory alternative configuration, ~~a license branch~~ **the bureau** shall  
10 refund the entire **personalized license plate** fee to the person.  
11 However, a refund of a personalized license plate fee may not be made  
12 when the person who applies for the personalized license plate cancels  
13 the request.

14 SECTION 143. IC 9-18-16-1 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. **(a)** License plates  
16 shall be issued to the following:

- 17 (1) Members of the general assembly.
- 18 (2) Spouses of members of the general assembly.
- 19 (3) Other state officials who receive special license plates on an  
20 annual basis.

21 **(b) A license plate issued under this chapter may also be issued**  
22 **to the company or business owned by the persons described in**  
23 **subsection (a).**

24 SECTION 144. IC 9-18-18-4 IS REPEALED [EFFECTIVE JULY  
25 1, 2012]. Sec. 4. ~~Not more than two (2) disabled Hoosier veteran~~  
26 ~~license plates may be issued to each eligible person.~~

27 SECTION 145. IC 9-18-19-4 IS ADDED TO THE INDIANA  
28 CODE AS A NEW SECTION TO READ AS FOLLOWS  
29 [EFFECTIVE JULY 1, 2012]: Sec. 4. **(a) A person qualifying under**  
30 **section 2 of this chapter may not be:**

- 31 **(1) charged a fee for parking in a metered space; or**
- 32 **(2) assessed a penalty for parking in a metered space for**  
33 **longer than the time permitted.**

34 **(b) This section does not authorize parking of a motor vehicle in**  
35 **a parking place during a time when parking in the space is**  
36 **prohibited if the prohibition is:**

- 37 **(1) posted; and**
- 38 **(2) authorized:**
  - 39 **(A) by city or town ordinance; or**
  - 40 **(B) by order of the Indiana department of transportation.**

41 **(c) A person other than the owner of the motor vehicle**  
42 **displaying a disabled Hoosier veteran license plate authorized by**

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1 **this chapter is not entitled to the parking privileges authorized by**  
 2 **this section.**

3 SECTION 146. IC 9-18-20-1 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall  
 5 design and issue a vehicle license plate under IC 9-18-25 that will  
 6 designate a vehicle as being registered by an active member of the  
 7 ~~Indiana~~ National Guard.

8 SECTION 147. IC 9-18-20-2 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~An Indiana A~~  
 10 National Guard license plate must display the following:

11 (1) An identification number.

12 (2) Any other information and design selected by the bureau.

13 SECTION 148. IC 9-18-20-3 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A resident of  
 15 Indiana who is an active member of the ~~Indiana~~ Army or Air National  
 16 Guard may apply for and receive one (1) or more license plates under  
 17 this chapter.

18 (b) A person applying for a National Guard license plate under this  
 19 chapter must demonstrate the person's status as an active member of  
 20 the ~~Indiana~~ Army or Air National Guard by presenting the following  
 21 with the person's application:

22 (1) A current armed forces identification card.

23 (2) A letter signed by the person's commanding officer identifying  
 24 the person as a current active member.

25 SECTION 149. IC 9-18-20-4 IS AMENDED TO READ AS  
 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. ~~An Indiana A~~  
 27 National Guard license plate must be displayed on a vehicle legally  
 28 registered by the person described in section 3 of this chapter.

29 SECTION 150. IC 9-18-21 IS REPEALED [EFFECTIVE JULY 1,  
 30 2012]. (Indiana Guard Reserve License Plates).

31 SECTION 151. IC 9-18-22-1 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall  
 33 issue a license plate ~~or decal~~ for a person with a disability that  
 34 designates a vehicle as a vehicle that is regularly used to transport a  
 35 person who:

36 (1) has been issued a permanent parking placard under IC 9-14-5;

37 (2) has a permanent physical disability that requires the  
 38 **permanent** use of a wheelchair, walker, braces, or crutches **as**  
 39 **certified by a health care provider listed in subsection (4);**

40 (3) has permanently lost the use of one (1) or both legs;

41 (4) is certified **to be permanently or severely restricted in**  
 42 **mobility due to a pulmonary or cardiovascular disability,**

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**arthritic condition, or orthopedic or neurological impairment,**  
by:

(A) a physician having an unlimited license to practice medicine; ~~in Indiana to be severely and permanently restricted;~~

~~(A) in mobility;~~

(B) by a ~~pulmonary or cardiovascular disability;~~ **a physician who is a commissioned medical officer of the armed forces of the United States or of the United States Public Health Service;**

(C) ~~by an arthritic condition;~~ **or a physician who is a medical officer of the United States Department of Veteran's Affairs;**

(D) ~~by an orthopedic or a neurological impairment;~~ **or chiropractor with a valid, unrestricted license under IC 25-10-1;**

(E) **a podiatrist with a valid, unrestricted license under IC 25-29; or**

(F) **an advanced practice nurse with a valid, unrestricted license under IC 25-23; or**

(5) is certified by an optometrist or ophthalmologist ~~licensed with~~ **a valid, unrestricted license** to practice in Indiana to be:

(A) blind (as defined in IC 12-7-2-21(2)); or

(B) visually impaired (as defined in IC 12-7-2-198).

SECTION 152. IC 9-18-22-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The license plate ~~or decal~~ for a person with a disability must bear:

(1) the official international wheelchair symbol;

(2) a reasonable facsimile of the international wheelchair symbol;

or

(3) another symbol selected by the bureau;

to designate the vehicle as being used to transport a person with a disability.

SECTION 153. IC 9-18-22-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The license plate ~~or decal~~ for a person with a disability may only be issued to the following:

(1) A person with a disability.

(2) A person who owns a vehicle that is:

(A) frequently operated by a person with a disability; or

(B) used to transport a person with a disability.

SECTION 154. IC 9-18-22-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The license plate ~~or decal~~ for a person with a disability:

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1 (1) shall be assigned to a vehicle subject to registration under  
2 Indiana law; and

3 (2) may be displayed only on a legally registered vehicle.

4 SECTION 155. IC 9-18-22-5 IS AMENDED TO READ AS  
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The motor vehicle  
6 bearing the license plate ~~or decal~~ for a person with a disability may  
7 only be used by the person who has registered the motor vehicle for  
8 private and personal purposes.

9 SECTION 156. IC 9-18-22-6 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who  
11 knowingly and falsely professes to have the qualifications to obtain a  
12 license plate ~~or decal~~ for a person with a disability under this chapter  
13 commits a Class C misdemeanor.

14 (b) A person who owns a vehicle bearing a license plate ~~or decal~~ for  
15 a person with a disability when the person knows the person is not  
16 entitled to the license plate ~~or decal~~ for a person with a disability under  
17 this chapter commits a Class C misdemeanor.

18 SECTION 157. IC 9-18-23-6 IS ADDED TO THE INDIANA  
19 CODE AS A NEW SECTION TO READ AS FOLLOWS  
20 [EFFECTIVE JULY 1, 2012]: **Sec. 6. After December 31, 2012, the**  
21 **bureau shall issue amateur radio operator license plates on a**  
22 **semi-permanent basis.**

23 SECTION 158. IC 9-18-26-8, AS AMENDED BY P.L.93-2010,  
24 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2012]: Sec. 8. Dealer-new, dealer-used, and manufacturer  
26 license plates may be used without restriction by a designee of a dealer  
27 or a designee of a manufacturer under rules adopted by the secretary of  
28 state. The rules must provide the following:

29 (1) The dealer or manufacturer is to be assessed and pay the  
30 motor vehicle excise tax under IC 6-6-5 attributable to that part of  
31 the total year that the designee operates the motor vehicle.

32 (2) The dealer or manufacturer shall report to the ~~secretary of~~  
33 **state bureau** the date of assignment to a designee, the designee's  
34 name and address, and the date of termination of the assignment  
35 within ten (10) days of the assignment or termination.

36 (3) The tax calculated in subdivision (1) shall be paid within  
37 thirty (30) days of the termination of the assignment to the  
38 designee or at the time the dealer or manufacturer purchases  
39 license plates under this chapter.

40 SECTION 159. IC 9-18-29-4 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The fee for an  
42 environmental license plate is as follows:

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1 (1) The appropriate fee under IC 9-29-5-38.  
 2 (2) An annual fee of twenty-five dollars (\$25).  
 3 (b) The annual fee referred to in subsection (a)(2) shall be collected  
 4 by the ~~bureau of motor vehicles~~ commission.  
 5 SECTION 160. IC 9-18-32.2 IS REPEALED [EFFECTIVE JULY  
 6 1, 2012]. (Drug Free Indiana Trust License Plates).  
 7 SECTION 161. IC 9-18-35 IS REPEALED [EFFECTIVE JULY 1,  
 8 2012]. (Indiana Food Bank Trust License Plates).  
 9 SECTION 162. IC 9-18-36 IS REPEALED [EFFECTIVE JULY 1,  
 10 2012]. (Indiana Girl Scouts Trust License Plates).  
 11 SECTION 163. IC 9-18-38 IS REPEALED [EFFECTIVE JULY 1,  
 12 2012]. (Indiana Retired Armed Forces Member License Plates).  
 13 SECTION 164. IC 9-18-39 IS REPEALED [EFFECTIVE JULY 1,  
 14 2012]. (Indiana Antique Car Museum Trust License Plates).  
 15 SECTION 165. IC 9-18-43 IS REPEALED [EFFECTIVE JULY 1,  
 16 2012]. (Indiana Mental Health Trust License Plates).  
 17 SECTION 166. IC 9-18-46.2-6 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) This section  
 19 applies with regard to a state educational institution trust license plate  
 20 supporting a state educational institution in a year following a year:  
 21 (1) in which at least ten thousand (10,000) of the state educational  
 22 institution trust license plates are sold or renewed; and  
 23 (2) beginning after December 31, 1998.  
 24 (b) The treasurer of state shall establish a special account within a  
 25 trust fund for each state educational institution described in subsection  
 26 (a)(1).  
 27 (c) The bureau shall require a person who purchases a state  
 28 educational institution trust license plate under this section to designate  
 29 the state educational institution the person chooses to receive the  
 30 annual fee that the person pays under section 5(2) of this chapter as the  
 31 corresponding state educational institution designated in section 4 of  
 32 this chapter.  
 33 (d) The treasurer of state shall deposit the annual fee collected under  
 34 section 5(2) of this chapter into a special account within a trust fund for  
 35 the state educational institution designated by the purchaser in  
 36 subsection (c).  
 37 (e) The treasurer of state shall invest the money in the special  
 38 account not distributed in the same manner as other public trust funds  
 39 are invested. Interest that accrues from these investments shall be  
 40 deposited in the special account.  
 41 (f) The auditor of state monthly shall distribute the money from the  
 42 special account to the state educational institution's authorized alumni

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1 association.

2 (g) Money in the special account at the end of a state fiscal year  
3 does not revert to the state general fund.

4 ~~(h) The bureau shall maintain a sufficient supply of the state  
5 educational institution trust license plates in each branch and partial  
6 service walk-up location to provide a plate to a purchaser at the time of  
7 sale.~~

8 SECTION 167. IC 9-18-50-5, AS ADDED BY P.L.58-2006,  
9 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2012]: Sec. 5. A Hoosier veteran license plate issued under  
11 this chapter may be displayed on the following:

- 12 (1) A passenger motor vehicle.  
13 (2) A truck registered as a truck with a declared gross weight of  
14 not more than eleven thousand (11,000) pounds.  
15 (3) A recreational vehicle.

16 **(4) A motorcycle.**

17 SECTION 168. IC 9-18-50-6, AS ADDED BY P.L.58-2006,  
18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2012]: Sec. 6. A veteran who is a resident of Indiana and is  
20 eligible to register a motor vehicle under this title may apply for and  
21 receive a Hoosier veteran license plate for one (1) or more motor  
22 vehicles upon doing the following:

- 23 (1) Completing an application for a Hoosier veteran license plate.  
24 (2) Presenting:  
25 (A) a United States Uniformed Services Retiree Identification  
26 Card;  
27 (B) a DD 214 **or DD 215** record;  
28 (C) United States military discharge papers; or  
29 (D) a current armed forces identification card;

30 to the bureau.

31 (3) Paying the fee under section 7 of this chapter.

32 SECTION 169. IC 9-18-51-3, AS ADDED BY P.L.58-2006,  
33 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2012]: Sec. 3. A support our troops license plate issued under  
35 this chapter may be displayed on the following:

- 36 (1) A passenger motor vehicle.  
37 (2) A truck registered as a truck with a declared gross weight of  
38 not more than eleven thousand (11,000) pounds.  
39 (3) A recreational vehicle.

40 **(4) A motorcycle.**

41 SECTION 170. IC 9-18-52-5, AS ADDED BY P.L.30-2008,  
42 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2012]: Sec. 5. A license plate issued under this chapter may  
2 be displayed on the following:

- 3 (1) A passenger motor vehicle.
- 4 (2) A truck registered as a truck with a declared gross weight of
- 5 not more than eleven thousand (11,000) pounds.
- 6 (3) A recreational vehicle.
- 7 **(4) A motorcycle.**

8 SECTION 171. IC 9-18-54-4, AS ADDED BY P.L.87-2010,  
9 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2012]: Sec. 4. An Indiana Gold Star family member license  
11 plate issued under this chapter may be displayed on the following:

- 12 (1) A passenger motor vehicle.
- 13 (2) A truck registered as a truck with a declared gross weight of
- 14 not more than eleven thousand (11,000) pounds.
- 15 (3) A recreational vehicle.
- 16 **(4) A motorcycle.**

17 SECTION 172. IC 9-22-1-4, AS AMENDED BY P.L.191-2007,  
18 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (c), the  
20 ~~person who owns~~ **owner of** an abandoned vehicle or parts is:

- 21 (1) responsible for the abandonment; and
- 22 (2) liable for all of the costs incidental to the removal, storage,
- 23 and disposal;

24 of the vehicle or the parts under this chapter.  
25 (b) The costs for storage of an abandoned vehicle may not exceed  
26 one thousand five hundred dollars (\$1,500).

27 (c) If an abandoned vehicle is sold by a person who removed, towed,  
28 or stored the vehicle, the person who previously owned the vehicle is  
29 not responsible for storage fees.

30 (d) If an abandoned vehicle is sold by a person who removed,  
31 towed, or stored the vehicle, and proceeds from the sale of the vehicle  
32 covered the removal, towing, and storage expenses, any remaining  
33 proceeds from the sale of the vehicle shall be returned to the previous  
34 owner of the vehicle if the previous owner is known.

35 SECTION 173. IC 9-22-1-5 IS AMENDED TO READ AS  
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. When an officer  
37 discovers a vehicle in the possession of a person other than the ~~person~~  
38 ~~who owns~~ **owner of** the vehicle and the person cannot establish the  
39 right to possession of the vehicle, the vehicle shall be taken to and  
40 stored in a suitable place.

41 SECTION 174. IC 9-22-1-6 IS REPEALED [EFFECTIVE JULY 1,  
42 2012]. Sec. 6. ~~The bureau shall be notified within seventy-two (72)~~

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1 hours of the location and description of a vehicle described in section  
2 5 of this chapter:

3 SECTION 175. IC 9-22-1-7, AS AMENDED BY P.L.191-2007,  
4 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2012]: Sec. 7. If:

- 6 (1) the ~~person who owns~~ **owner** or ~~holds a lien~~ **lienholder** under
- 7 section ~~8 8.5~~ of this chapter does not appear and pay all costs; or
- 8 (2) the ~~person who owns~~ **owner** of a vehicle cannot be
- 9 determined by a search conducted under section 19 of this
- 10 chapter;

11 the vehicle is considered abandoned and must be disposed of under this  
12 chapter.

13 SECTION 176. IC 9-22-1-8 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. If the properly  
15 identified person who owns or holds a lien on a vehicle appears at the  
16 site of storage before disposal of the vehicle or parts and pays all costs  
17 incurred against the vehicle or parts at that time, the vehicle or parts  
18 shall be released. **A towing service shall notify the appropriate**  
19 **public agency of all releases under this section. The notification**  
20 **must include the name, signature, and address of the person that**  
21 **owns or holds a lien on the vehicle, a description of the vehicle or**  
22 **parts, costs, and the date of release.**

23 SECTION 177. IC 9-22-1-9 IS REPEALED [EFFECTIVE JULY 1,  
24 2012]. ~~Sec. 9: The release must state the name, signature, and address~~  
25 ~~of the person who owns or holds a lien on the vehicle, a description of~~  
26 ~~the vehicle or parts, costs, and date of release. A towing service shall~~  
27 ~~notify the appropriate public agency of all releases under section 8 of~~  
28 ~~this chapter.~~

29 SECTION 178. IC 9-22-1-12, AS AMENDED BY P.L.131-2008,  
30 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2012]: Sec. 12. If a vehicle or a part tagged under section 11  
32 of this chapter is not removed within the applicable period, the officer  
33 shall prepare a written abandoned vehicle report of the vehicle or parts,  
34 including information on the condition **and** missing parts. ~~and other~~  
35 ~~facts that might substantiate the estimated market value of the vehicle~~  
36 ~~or parts. Photographs shall may~~ be taken to describe the condition of  
37 the vehicle or parts.

38 SECTION 179. IC 9-22-1-13, AS AMENDED BY P.L.191-2007,  
39 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2012]: Sec. 13. (a) If ~~in the opinion of the officer~~ **vehicle is a**  
41 **junk vehicle and** the market value of an abandoned vehicle or parts  
42 ~~determined in accordance with section 12 of this chapter~~ is less than:

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1 (1) ~~five hundred dollars (\$500);~~ **one thousand dollars (\$1,000);**  
 2 or  
 3 (2) in a municipality that has adopted an ordinance under  
 4 subsection (b), the amount established by the ordinance;  
 5 the **officer towing service** shall immediately ~~dispose of transfer~~ the  
 6 vehicle to a storage yard. A copy of the abandoned vehicle report and  
 7 photographs, **if applicable**, relating to the abandoned vehicle shall be  
 8 ~~forwarded~~ **provided** to the ~~bureau~~. **storage yard**. A towing service **or**  
 9 **storage yard** may dispose of an abandoned vehicle not less than thirty  
 10 (30) days after the date on which the towing service removed the  
 11 abandoned vehicle. A city, county, or town that operates a storage yard  
 12 under IC 36-9-30-3 may dispose of an abandoned vehicle to an  
 13 automobile scrapyard or an automotive salvage recycler upon removal  
 14 of the abandoned vehicle. The public agency **or storage yard**  
 15 disposing of the vehicle shall retain the original records and  
 16 photographs for at least two (2) years. **If the vehicle is demolished, a**  
 17 **copy of the abandoned vehicle report shall be forwarded to the**  
 18 **bureau by the automobile scrap yard after the vehicle has been**  
 19 **demolished.**

20 (b) The legislative body of a municipality (as defined in  
 21 IC 36-1-2-11) may adopt an ordinance that establishes the market value  
 22 below which an officer may dispose of a vehicle or parts under  
 23 subsection (a). However, the market value established by the ordinance  
 24 may not be more than seven hundred fifty dollars (\$750).

25 **(c) When the bureau receives the report described in subsection**  
 26 **(a), the bureau shall note the status of the vehicle in the records of**  
 27 **the bureau.**

28 SECTION 180. IC 9-22-1-14, AS AMENDED BY P.L.104-2005,  
 29 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2012]: Sec. 14. (a) If in the opinion of the officer the market  
 31 value of the abandoned vehicle or parts ~~determined in accordance with~~  
 32 ~~section 12 of this chapter~~ is at least:

33 (1) five hundred dollars (\$500); or  
 34 (2) in a municipality that has adopted an ordinance under section  
 35 13(b) of this chapter, the amount established by the ordinance;  
 36 the officer, before placing a notice tag on the vehicle or parts, shall  
 37 make a reasonable effort to ascertain the person who owns the vehicle  
 38 or parts or who may be in control of the vehicle or parts.

39 (b) After seventy-two (72) hours, the officer shall require the vehicle  
 40 or parts to be towed to a storage yard or towing service.

41 SECTION 181. IC 9-22-1-17, AS AMENDED BY P.L.191-2007,  
 42 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2012]: Sec. 17. A towing service that tows a vehicle under  
 2 section ~~5~~ or 16 of this chapter shall give notice to the public agency  
 3 that the abandoned vehicle is in the possession of the towing service.

4 SECTION 182. IC 9-22-1-19, AS AMENDED BY P.L.191-2007,  
 5 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2012]: Sec. 19. (a) Within seventy-two (72) hours after  
 7 removal of a vehicle to a storage yard or towing service under section  
 8 ~~5~~, 13, 14, or 16 of this chapter, the public agency or towing service  
 9 shall ~~do the following~~:

10 (1) ~~Prepare and forward to the bureau a report containing a~~  
 11 ~~description of the vehicle, including the following information~~  
 12 ~~concerning the vehicle:~~

13 (A) ~~The make.~~

14 (B) ~~The model.~~

15 (C) ~~The identification number.~~

16 (D) ~~The number of the license plate.~~

17 (2) ~~conduct a search of national data bases, including a data base~~  
 18 ~~of vehicle identification numbers, to attempt to obtain the last~~  
 19 ~~state of record of the vehicle in order to attempt to ascertain~~  
 20 ~~the name and address of the person who owns or holds a lien on~~  
 21 ~~the vehicle.~~

22 (b) ~~Notwithstanding section 4 of this chapter, if the public agency~~  
 23 ~~or towing service fails to notify the bureau of the removal of an~~  
 24 ~~abandoned vehicle within seventy-two (72) hours after the vehicle is~~  
 25 ~~removed as required by subsection (a), the public agency or towing~~  
 26 ~~service:~~

27 (1) ~~may not initially collect more in reimbursement for the costs~~  
 28 ~~of storing the vehicle than the cost incurred for storage for~~  
 29 ~~seventy-two (72) hours; and~~

30 (2) ~~subject to subsection (c), may collect further reimbursement~~  
 31 ~~under this chapter only for additional storage costs incurred after~~  
 32 ~~notifying the bureau of the removal of the abandoned vehicle.~~

33 (c) ~~If the (b) A public agency or towing service that obtains the~~  
 34 ~~name and address of the person who owns owner of or holds a lien~~  
 35 ~~lienholder on a vehicle under subsection (a)(2), within shall, not later~~  
 36 ~~than seventy-two (72) hours after obtaining the name and address, the~~  
 37 ~~public agency or towing service shall, by certified mail notify the~~  
 38 ~~person who owns or holds a lien on the vehicle of the:~~

39 (1) ~~name;~~

40 (2) ~~address; and~~

41 (3) ~~telephone number;~~

42 ~~of the public agency or towing service. The notice must be made by~~

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1 **certified mail or by means of an electronic service approved by the**  
 2 **bureau.** Notwithstanding section 4 of this chapter, ~~and subsection~~  
 3 ~~(b)(2)~~, a public agency or towing service that fails to notify a ~~person~~  
 4 ~~who owns the owner of~~ or holds a ~~lien~~ **lienholder** on the vehicle as set  
 5 forth in this subsection may not collect additional storage costs  
 6 incurred after the date of receipt of the name and address obtained.  
 7 ~~under subsection (a)(2).~~

8 (d) A towing service may not collect reimbursement under both  
 9 subsections (b) and (c) for storage costs incurred during a particular  
 10 period for one (1) vehicle.

11 SECTION 183. IC 9-22-1-21.5 IS ADDED TO THE INDIANA  
 12 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 13 [EFFECTIVE JULY 1, 2012]: **Sec. 21.5. (a) An individual, a firm, a**  
 14 **limited liability company, or a corporation that performs labor,**  
 15 **furnishes materials or storage, or does repair work on a motor**  
 16 **vehicle, trailer, semitrailer, or recreational vehicle at the request**  
 17 **of the person that owns the vehicle has a lien on the vehicle for the**  
 18 **reasonable value of the charges for the labor, materials, storage, or**  
 19 **repairs.**

20 (b) An individual, a firm, a partnership, a limited liability  
 21 company, or a corporation that provides towing services for a  
 22 motor vehicle, trailer, semitrailer, or recreational vehicle:

23 (1) at the request of the person that owns the motor vehicle,  
 24 trailer, semitrailer, or recreational vehicle;

25 (2) at the request of an individual, a firm, a partnership, a  
 26 limited liability company, or a corporation on whose property  
 27 an abandoned motor vehicle, trailer, semitrailer, or  
 28 recreational vehicle is located; or

29 (3) in accordance with this chapter;

30 has a lien on the vehicle for the reasonable value of the charges for  
 31 the towing services and other related costs. An individual, a firm,  
 32 a partnership, a limited liability company, or a corporation that  
 33 obtains a lien for an abandoned vehicle under subdivision (2) must  
 34 comply with sections 16, 17, and 19 of this chapter.

35 (c) If:

36 (1) the charges made under subsection (a) or (b) are not paid;  
 37 and

38 (2) the motor vehicle, trailer, semitrailer, or recreational  
 39 vehicle is not claimed;

40 not later than thirty (30) days after the date on which the vehicle  
 41 is left in or comes into the possession of the individual, firm, limited  
 42 liability company, or corporation for repairs, storage, towing, or

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1 the furnishing of materials, the individual, firm, limited liability  
 2 company, or corporation may advertise the vehicle for sale. The  
 3 vehicle may not be sold earlier than fifteen (15) days after the date  
 4 the advertisement required by subsection (d) has been placed or  
 5 fifteen (15) days after notice required by subsection (e) has been  
 6 sent, whichever is later.

7 (d) Before a vehicle may be sold under subsection (c), an  
 8 advertisement must be placed in a newspaper that is printed in  
 9 English and of general circulation in the city or town in which the  
 10 place of business of the lienholder is located. If the lienholder is  
 11 located outside the corporate limits of a city or a town, the  
 12 advertisement must be placed in a newspaper of general circulation  
 13 in the county in which the place of business of the lienholder is  
 14 located. The advertisement must contain at least the following  
 15 information:

- 16 (1) A description of the vehicle, including make, type, and  
 17 manufacturer's identification number.
- 18 (2) The amount of the unpaid charges.
- 19 (3) The time, place, and date of the sale.

20 (e) In addition to the advertisement required under subsection  
 21 (d), the person that holds the lien must:

- 22 (1) notify the owner of the vehicle and any other person that  
 23 holds a lien of record at the owner's or other lienholder's last  
 24 known address by certified mail, return receipt requested; or
- 25 (2) if the vehicle is an abandoned vehicle, provide notice as  
 26 required under subdivision (1) if the location of the owner of  
 27 the vehicle or a lienholder of record is determined by the  
 28 bureau in a search under section 19 of this chapter;

29 that the vehicle will be sold at public auction on a specified date to  
 30 satisfy the lien imposed by this section.

31 (f) A person that holds a lien of record on a vehicle subject to  
 32 sale under this section may pay the storage, repair, towing, or  
 33 service charges due. If the person that holds the lien of record  
 34 elects to pay the charges due, the person is entitled to possession of  
 35 the vehicle and becomes the holder of the lien imposed by this  
 36 section.

37 (g) If the owner of a vehicle subject to sale under this section  
 38 does not claim the vehicle and satisfy the lien on the vehicle, the  
 39 vehicle may be sold at public auction to the highest and best bidder.  
 40 A person that holds a lien under this section may purchase a  
 41 vehicle subject to sale under this section.

42 (h) A person that holds a lien under this section may deduct and

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1 retain the amount of the lien and the cost of the advertisement  
 2 required under subsection (d) from the purchase price received for  
 3 a vehicle sold under this section. After deducting from the  
 4 purchase price the amount of the lien and the cost of the  
 5 advertisement, the person shall pay the surplus of the purchase  
 6 price to the owner of the vehicle if the owner's address or  
 7 whereabouts are known. If the address or whereabouts of the  
 8 owner of the vehicle are not known, the surplus of the purchase  
 9 price shall be paid over to the clerk of the circuit court of the  
 10 county in which the person that holds the lien has a place of  
 11 business for the use and benefit of the owner of the vehicle.

12 (i) A person that holds a lien under this section shall execute and  
 13 deliver to the purchaser of a vehicle under this section a sales  
 14 certificate in the form designated by the bureau, setting forth the  
 15 following information:

16 (1) The facts of the sale.

17 (2) The vehicle identification number.

18 (3) The certificate of title if available.

19 (4) A certificate from the newspaper showing that the  
 20 advertisement was made as required under subsection (d).

21 Whenever the bureau receives an application for certificate of title  
 22 accompanied by these items from the purchaser, the bureau shall  
 23 issue a certificate of title for the vehicle under IC 9-17.

24 (j) A person that knowingly, intentionally, or recklessly violates  
 25 this section commits a Class A misdemeanor.

26 SECTION 184. IC 9-22-1-23, AS AMENDED BY P.L.191-2007,  
 27 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2012]: Sec. 23. (a) This section applies to a city, town, or  
 29 county.

30 (b) Except as provided in subsection (c), if the person who owns or  
 31 holds a lien upon a vehicle does not appear within twenty (20) days  
 32 after the mailing of a notice **or the notification made by electronic**  
 33 **service** under section 19 of this chapter, the unit may sell the vehicle  
 34 or parts by either of the following methods:

35 (1) The unit may sell the vehicle or parts to the highest bidder at  
 36 a public sale. Notice of the sale shall be given under IC 5-3-1,  
 37 except that only one (1) newspaper insertion one (1) week before  
 38 the public sale is required.

39 (2) The unit may sell the vehicle or part as unclaimed property  
 40 under IC 36-1-11. The twenty (20) day period for the property to  
 41 remain unclaimed is sufficient for a sale under this subdivision.

42 (c) This subsection applies to a consolidated city or county

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1 containing a consolidated city. If the person who owns or holds a lien  
2 upon a vehicle does not appear within fifteen (15) days after the  
3 mailing of a notice **or the notification made by electronic service**  
4 under section 19 of this chapter, the unit may sell the vehicle or parts  
5 by either of the following methods:

6 (1) The unit may sell the vehicle or parts to the highest bidder at  
7 a public sale. Notice of the sale shall be given under IC 5-3-1,  
8 except that only one (1) newspaper insertion one (1) week before  
9 the public sale is required.

10 (2) The unit may sell the vehicle or part as unclaimed property  
11 under IC 36-1-11. The fifteen (15) day period for the property to  
12 remain unclaimed is sufficient for a sale under this subdivision.

13 SECTION 185. IC 9-22-1.5-4 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The property owner  
15 shall:

16 (1) request that a search be performed in the records of the bureau  
17 for the name and address of the owner of the mobile home and the  
18 name and address of any person holding a lien or security interest  
19 on the mobile home;

20 (2) after receiving the results of the search required by  
21 subdivision (1), give notice by certified mail, return receipt  
22 requested, or in person, to the last known address of the owner of  
23 the mobile home, to any lien holder with a perfected security  
24 interest in the mobile home and to all other persons known to  
25 claim an interest in the mobile home. The notice must include a  
26 description of the mobile home, a demand that the mobile home  
27 be removed within a specified time not less than ten (10) days  
28 after receipt of the notice, and a conspicuous statement that unless  
29 the mobile home is removed within that time, the mobile home  
30 will be advertised for sale and offered for sale by auction at a  
31 specified time and place;

32 (3) advertise that the mobile home will be offered for sale at  
33 public auction in conformity with IC 26-1-7-210 and  
34 IC 26-1-2-328. The advertisement of sale must be published once  
35 a week for two (2) consecutive weeks in a newspaper of general  
36 circulation in the county where the mobile home has been left  
37 without permission. The advertisement must include a description  
38 of the mobile home, the name of the owner of the mobile home,  
39 if ascertainable, and the time and place of the sale. The sale must  
40 take place at least fifteen (15) days after the first publication. If  
41 there is no newspaper of general circulation where the sale is to  
42 be held, the advertisement must be posted at least ten (10) days

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- 1 before the sale in not less than six (6) conspicuous places in the
- 2 neighborhood of the proposed sale;
- 3 (4) conduct an auction, not less than thirty (30) days after the
- 4 return receipt is received by the property owner, on the property
- 5 where the mobile home was left without permission;
- 6 (5) provide a reasonable time before the sale for prospective
- 7 purchasers to examine the mobile home;
- 8 (6) sell the mobile home to the highest bidder, if any; and
- 9 (7) immediately after the auction, execute an affidavit of sale or
- 10 disposal ~~in triplicate~~ on a form prescribed by the bureau stating:
- 11 (A) that the requirements of this section have been met;
- 12 (B) the length of time that the mobile home was left on the
- 13 property without permission;
- 14 (C) any expenses incurred by the property owner, including
- 15 the expenses of the sale;
- 16 (D) the name and address of the purchaser of the mobile home
- 17 at the auction, if any; and
- 18 (E) the amount of the winning bid, if any.

19 If the auction produces no purchaser, the property owner shall  
 20 note that fact on the affidavit. The property owner shall list the  
 21 property owner, or any donee, as the purchaser on the affidavit of  
 22 sale or disposal.

23 SECTION 186. IC 9-22-3-1 IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) Except as  
 25 provided in subsection (b), ~~and section 14 of this chapter~~, this chapter  
 26 applies each year to a motor vehicle, semitrailer, or recreational vehicle  
 27 manufactured within the last seven (7) model years, including the  
 28 current model year. The bureau shall establish guidelines for  
 29 determining the applicability of the model year effective dates for each  
 30 year.

- 31 (b) The bureau may extend the model years to be covered each year
- 32 by this chapter up to a maximum of fifteen (15) model years, which
- 33 includes the current model year. ~~after doing the following:~~
- 34 ~~(1) Conducting a public hearing;~~
- 35 ~~(2) Giving reasonable notice to known businesses affected by this~~
- 36 ~~chapter.~~

37 SECTION 187. IC 9-22-3-4 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau shall  
 39 issue a certificate of salvage title as proof of ownership for a salvage  
 40 motor vehicle when the acquiring insurance company, disposal facility,  
 41 or person does the following:

- 42 (1) Applies for the certificate of salvage title.

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- 1 (2) Pays the appropriate fee under IC 9-29-7.
- 2 (3) Surrenders the motor vehicle's original certificate of title ~~The~~
- 3 ~~certificate of title must be properly notarized or include the~~
- 4 ~~affidavit of the last person who owned the vehicle, the person's~~
- 5 ~~legal representative, or legal successor in interest of the vehicle,~~
- 6 ~~or other acceptable proof of ownership as determined by the~~
- 7 ~~bureau.~~

8 SECTION 188. IC 9-22-3-5 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. A certificate of  
 10 salvage title issued under section 4 of this chapter must contain the  
 11 following information:

- 12 (1) The same vehicle information as a certificate of title issued by
- 13 ~~the department:~~ **bureau.**
- 14 (2) The notation "SALVAGE TITLE" prominently recorded on
- 15 the front and back of the title.
- 16 (3) If the motor vehicle is a flood damaged vehicle, the notation
- 17 "FLOOD DAMAGED" prominently recorded on the front and
- 18 back of the title.

19 SECTION 189. IC 9-22-3-9 IS REPEALED [EFFECTIVE JULY 1,  
 20 2012]. ~~Sec. 9. If a dealer purchases a salvage motor vehicle subject to~~  
 21 ~~section 8 of this chapter and applies for a certificate of dealer title, the~~  
 22 ~~affidavit attached to the certificate of salvage title must also be attached~~  
 23 ~~to the certificate of dealer title. The bureau must retain the affidavit or~~  
 24 ~~a microfilm copy of the form for ten (10) years.~~

25 SECTION 190. IC 9-22-3-10 IS AMENDED TO READ AS  
 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) If a certificate  
 27 of salvage title is lost, mutilated, or destroyed or becomes illegible, the  
 28 person who owns the vehicle or the legal representative or legal  
 29 successor in interest of the person who owns the motor vehicle,  
 30 semitrailer, or recreational vehicle for which the certificate of salvage  
 31 title was issued, as shown by the records of the bureau, ~~of motor~~  
 32 ~~vehicles,~~ shall immediately apply for a duplicate certificate of salvage  
 33 title.

34 (b) A person described in subsection (a) may obtain a duplicate  
 35 certificate of salvage title when the person furnishes information  
 36 concerning the loss, mutilation, destruction, or illegibility satisfactory  
 37 to the ~~department~~ **bureau** and pays the fee set forth in IC 9-29-7. Upon  
 38 the issuance of a duplicate certificate of salvage title, the most recent  
 39 certificate of salvage title issued is considered void by the ~~department:~~  
 40 **bureau.**

41 (c) A certificate of salvage title issued under this section must have  
 42 recorded upon the title's face and back the words "DUPLICATE

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1 SALVAGE TITLE".

2 (d) If the lost, mutilated, destroyed, or illegible certificate of salvage  
3 title contained the notation "FLOOD DAMAGED", the duplicate  
4 certificate of salvage title must have recorded upon the title's face and  
5 back the words "FLOOD DAMAGED".

6 SECTION 191. IC 9-22-3-11, AS AMENDED BY P.L.110-2006,  
7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2012]: Sec. 11. (a) This section applies to the following  
9 persons:

10 (1) An insurance company that declares a wrecked or damaged  
11 motor vehicle, motorcycle, semitrailer, or recreational vehicle that  
12 meets at least one (1) of the criteria set forth in section 3 of this  
13 chapter and the ownership of which is not evidenced by a  
14 certificate of salvage title.

15 (2) An insurance company that has made and paid an agreed  
16 settlement for the loss of a stolen motor vehicle, motorcycle,  
17 semitrailer, or recreational vehicle that:

18 (A) has been recovered by the titled owner; and

19 (B) meets at least one (1) of the criteria set forth in section 3  
20 of this chapter.

21 (b) A person who owns or holds a lien upon a vehicle described in  
22 subsection (a) shall assign the certificate of title to the insurance  
23 company described in subsection (a). The insurance company shall  
24 apply to the bureau within thirty-one (31) days after receipt of the  
25 certificate of title for a certificate of salvage title for each salvage or  
26 stolen vehicle subject to this chapter. The insurance company shall  
27 surrender the certificate of title to the ~~department~~ **bureau** and pay the  
28 fee prescribed under IC 9-29-7 for a certificate of salvage title.

29 (c) When the owner of a vehicle described in subsection (a) retains  
30 possession of the vehicle:

31 (1) the person who possesses the certificate of title shall surrender  
32 the certificate of title to the insurance company described in  
33 subdivision (2);

34 (2) the insurance company that completes an agreed settlement  
35 for the vehicle shall:

36 (A) obtain the certificate of title; and

37 (B) submit to the bureau:

38 (i) the certificate of title;

39 (ii) the appropriate fee; and

40 (iii) a request for a certificate of salvage title on a form  
41 prescribed by the bureau; and

42 (3) after the bureau has received the items set forth in subdivision

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1 (2)(B), the bureau shall issue a certificate of salvage title to the  
2 owner.

3 (d) When a self-insured entity is the owner of a salvage motor  
4 vehicle, motorcycle, semitrailer, or recreational vehicle that meets at  
5 least one (1) of the criteria set forth in section 3 of this chapter, the  
6 self-insured entity shall apply to the bureau within thirty-one (31) days  
7 after the date of loss for a certificate of salvage title in the name of the  
8 self-insured entity's name.

9 (e) Any other person acquiring a wrecked or damaged motor  
10 vehicle, motorcycle, semitrailer, or recreational vehicle that meets at  
11 least one (1) of the criteria set forth in section 3 of this chapter, which  
12 acquisition is not evidenced by a certificate of salvage title, shall apply  
13 to the bureau within thirty-one (31) days after receipt of the certificate  
14 of title for a certificate of salvage title.

15 (f) A person that violates this section commits a Class D infraction.  
16 SECTION 192. IC 9-22-3-12 IS REPEALED [EFFECTIVE JULY  
17 1, 2012]. ~~Sec. 12: The owner of a salvage motor vehicle not covered by~~  
18 ~~this chapter, either because a salvage transaction had taken place~~  
19 ~~before September 1, 1975; or because the vehicle is too old; is not~~  
20 ~~required to obtain a certificate of salvage title for the vehicle.~~

21 SECTION 193. IC 9-22-3-13 IS AMENDED TO READ AS  
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. A scrap metal  
23 processor or other appropriate facility that purchases or acquires a  
24 salvage motor vehicle that has been totally demolished or destroyed as  
25 a result of normal processing performed by a disposal facility is not  
26 required to apply for and receive a certificate of salvage title for the  
27 vehicle. **The facility or processor that performed the processing**  
28 **that resulted in the vehicle being demolished or destroyed shall**  
29 **surrender the certificate of title, the certificate of authority, or the**  
30 **certificate of salvage title to the bureau.** The disposal facility shall  
31 maintain the records prescribed by the bureau for a totally demolished  
32 or destroyed vehicle.

33 SECTION 194. IC 9-22-3-14 IS REPEALED [EFFECTIVE JULY  
34 1, 2012]. ~~Sec. 14: (a) This section applies to all salvage motor vehicles.~~

35 (b) ~~Whenever a salvage motor vehicle is totally demolished or~~  
36 ~~destroyed by a disposal facility, scrap metal processor, or other~~  
37 ~~appropriate facility, the facility or processor shall surrender the~~  
38 ~~certificate of title and certificate of salvage title to the bureau.~~

39 SECTION 195. IC 9-22-3-16 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) Except as  
41 provided in subsection (b), a certificate of title issued under section 8  
42 9; or 15 of this chapter and a certificate of title subsequently issued

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- 1 must conspicuously bear the designation:  
 2 (1) "REBUILT VEHICLE--MILEAGE ~~UNKNOWN~~" **NOT**  
 3 **ACTUAL**" if the motor vehicle is not a flood damaged vehicle;  
 4 or  
 5 (2) "REBUILT FLOOD DAMAGED VEHICLE" if the motor  
 6 vehicle is a flood damaged vehicle.
- 7 (b) An insurance company authorized to do business in Indiana may  
 8 obtain a certificate of title that does not bear the designation if the  
 9 company submits to the bureau, in the form and manner the bureau  
 10 requires, satisfactory evidence that the damage to a recovered stolen  
 11 motor vehicle did not meet the criteria set forth in section 3 of this  
 12 chapter.
- 13 (c) An affidavit submitted under section 8 ~~or 9~~ of this chapter must  
 14 conspicuously bear the designation:  
 15 (1) "REBUILT VEHICLE"--~~MILEAGE UNKNOWN~~" if the  
 16 motor vehicle is not a flood damaged vehicle; or  
 17 (2) "REBUILT FLOOD DAMAGED VEHICLE" if the motor  
 18 vehicle is a flood damaged vehicle.
- 19 **(d) A certificate of title for a salvage motor vehicle issued under**  
 20 **subsection (a) may not designate the mileage of the vehicle.**
- 21 SECTION 196. IC 9-22-3-17 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17. (a) Except as  
 23 provided in subsection (b), whenever a certificate of title is issued for  
 24 a ~~motor~~ vehicle that was previously titled in another state or  
 25 jurisdiction and the certificate of title from the other state or  
 26 jurisdiction contains a "REBUILT", "RECONSTRUCTED",  
 27 "RECONDITIONED", "DISTRESSED VEHICLE", or similar  
 28 designation, a new and subsequent certificate of title must  
 29 conspicuously bear the designation "REBUILT VEHICLE".
- 30 (b) Whenever a certificate of title is issued for a ~~motor~~ vehicle  
 31 described in subsection (a) that was previously titled in another state  
 32 or jurisdiction and the certificate of title from the other state or  
 33 jurisdiction contains a designation that indicates that the ~~motor~~ vehicle  
 34 is a flood damaged vehicle, a new and subsequent certificate of title  
 35 must conspicuously bear the designation "REBUILT FLOOD  
 36 DAMAGED VEHICLE".
- 37 SECTION 197. IC 9-22-3-18 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. A vehicle that has  
 39 been designated "JUNK", "DISMANTLED", "SCRAP",  
 40 "DESTROYED", or any similar designation in another state or  
 41 jurisdiction ~~may~~ **shall** not be titled in Indiana.
- 42 SECTION 198. IC 9-22-3-18.5 IS ADDED TO THE INDIANA



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1 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2012]: **Sec. 18.5. (a) This section does not**  
 3 **apply to a person who sells, exchanges, or transfers golf carts.**

4 **(b) A seller that is:**

5 **(1) a dealer; or**

6 **(2) another person who sells, exchanges, or transfers at least**  
 7 **five (5) vehicles each year;**

8 **may not sell, exchange, or transfer a rebuilt vehicle without**  
 9 **disclosing in writing to the purchaser, customer, or transferee**  
 10 **before consummating the sale, exchange, or transfer, the fact that**  
 11 **the vehicle is a rebuilt vehicle if the dealer or other person knows**  
 12 **or should reasonably know the vehicle is a rebuilt vehicle.**

13 SECTION 199. IC 9-22-3-33 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 33. A person who  
 15 violates section 4, 5, 6, 7, or 8 of this chapter (or section 9 of this  
 16 chapter **before its repeal**) commits a Class D felony.

17 SECTION 200. IC 9-22-5-1 IS REPEALED [EFFECTIVE JULY 1,  
 18 2012]. ~~Sec. 1. The following officers may act for their respective units~~  
 19 ~~of government under this chapter:~~

20 ~~(1) The sheriff, for a county;~~

21 ~~(2) The chief of police, for a city;~~

22 ~~(3) A town marshal, for a town;~~

23 ~~(4) A township trustee, for a township;~~

24 ~~(5) A state police officer, for the state;~~

25 SECTION 201. IC 9-22-5-2 IS AMENDED TO READ AS  
 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A:

27 (1) person, firm, corporation, limited liability company, or unit of  
 28 government upon whose property or in whose possession is found  
 29 an abandoned ~~motor~~ vehicle; or

30 (2) person who owns a ~~motor~~ vehicle that has a title that is faulty,  
 31 lost, or destroyed;

32 may apply to the ~~sheriff~~ of the county in which the ~~motor~~ vehicle is  
 33 ~~located in accordance with this chapter~~ for authority to sell, give  
 34 away, or dispose of the ~~motor~~ vehicle for scrap metal.

35 SECTION 202. IC 9-22-5-3 IS AMENDED TO READ AS  
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The application  
 37 required under section 2 of this chapter shall be made in ~~duplicate upon~~  
 38 ~~forms a manner~~ prescribed and furnished by the bureau. ~~One (1) copy~~  
 39 ~~of~~ The application shall be filed with the bureau. ~~and one (1) copy of~~  
 40 ~~the application shall be retained by the sheriff.~~

41 SECTION 203. IC 9-22-5-4 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The application

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1 required under section 2 of this chapter must include the following  
2 information:

- 3 (1) The name and address of the applicant.  
4 (2) The year, make, model, and **engine number vehicle**  
5 **identification number** of the **motor** vehicle, if ascertainable,  
6 together with any other identifying features.  
7 (3) A concise statement of the facts surrounding the abandonment  
8 of the **motor** vehicle, that the title of the **motor** vehicle is lost or  
9 destroyed, or the reasons for the defect of title in the owner of the  
10 **motor** vehicle.

11 (b) The person making the application required under section 2 of  
12 this chapter shall execute an affidavit stating that the facts alleged in  
13 the application are true and that no material fact has been withheld.

14 SECTION 204. IC 9-22-5-5 IS REPEALED [EFFECTIVE JULY 1,  
15 2012]. Sec. 5: (a) ~~The sheriff shall examine each application made~~  
16 ~~under section 2 of this chapter. If the sheriff finds that the application:~~

- 17 ~~(1) is executed in proper form; and~~  
18 ~~(2) shows that the motor vehicle described in the application has~~  
19 ~~been abandoned upon the property of the person making the~~  
20 ~~application or that the person making the application is the person~~  
21 ~~who owns the motor vehicle;~~

22 ~~the sheriff shall prepare a written notice.~~

23 ~~(b) The notice required under subsection (a) must include the~~  
24 ~~following information:~~

- 25 ~~(1) The name and address of the applicant.~~  
26 ~~(2) The year, make, model, and engine number of the motor~~  
27 ~~vehicle, if ascertainable, together with any other identifying~~  
28 ~~features of the motor vehicle.~~  
29 ~~(3) That the motor vehicle has been abandoned; that the title to~~  
30 ~~the motor vehicle is lost or destroyed; or that there is a defect of~~  
31 ~~the title in the person who owns the motor vehicle.~~  
32 ~~(4) That the motor vehicle will be sold for scrap metal unless a~~  
33 ~~claim or protest is made.~~

34 ~~(c) The sheriff shall, within five (5) days after receiving an~~  
35 ~~application required under section 2 of this chapter, cause the notice~~  
36 ~~required under subsection (a) to be distributed as follows:~~

- 37 ~~(1) Posted at the door of the courthouse for a period of thirty (30)~~  
38 ~~days before sale.~~  
39 ~~(2) Published once in a newspaper of general circulation of the~~  
40 ~~county in which the motor vehicle is located at least thirty (30)~~  
41 ~~days before sale.~~  
42 ~~(3) Sent to the last person who owned the motor vehicle; if~~



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1 known:

2 SECTION 205. IC 9-22-5-6 IS REPEALED [EFFECTIVE JULY 1,  
3 2012]. Sec. 6. If an abandoned motor vehicle for which an application  
4 for sale under this chapter has been filed is claimed by the person who  
5 owns the motor vehicle before the sale occurs and the person provides  
6 satisfactory evidence of ownership to the sheriff, the motor vehicle  
7 shall be returned to the person upon payment by the person of the costs  
8 of preserving the motor vehicle during the period of abandonment,  
9 together with the costs of publication of notice.

10 SECTION 206. IC 9-22-5-7 IS REPEALED [EFFECTIVE JULY 1,  
11 2012]. Sec. 7. If a claim or protest is not made before sale, the person  
12 who filed the application required under section 2 of this chapter shall,  
13 upon payment of the costs of publication of notice, be given a  
14 certificate of authority to sell the motor vehicle to a licensed junk  
15 dealer or an established automobile wrecker for scrap metal. The  
16 licensed junk dealer or established automobile wrecker shall accept the  
17 sheriff's certificate of authority instead of the certificate of title to the  
18 motor vehicle.

19 SECTION 207. IC 9-22-5-8 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The certificate of  
21 authority **to scrap or dismantle the vehicle** required under ~~section 7~~  
22 ~~of this chapter shall be made in triplicate~~ on forms prescribed and  
23 furnished by the bureau. The certificate of authority must contain the  
24 following information:

25 (1) The name and address of the person who filed the application  
26 required under section 2 of this chapter.

27 (2) The year, make, model, and ~~engine number, vehicle~~  
28 **identification number**, if ascertainable, together with any other  
29 identifying features of the ~~motor~~ vehicle that has been authorized  
30 to be sold for scrap metal.

31 SECTION 208. IC 9-22-5-9 IS REPEALED [EFFECTIVE JULY 1,  
32 2012]. Sec. 9. ~~The sheriff shall retain one (1) copy of the certificate of~~  
33 ~~authority required under section 7 of this chapter. The sheriff shall send~~  
34 ~~one (1) copy of the certificate of authority to the bureau.~~

35 SECTION 209. IC 9-22-5-10 IS AMENDED TO READ AS  
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. After a certificate  
37 of authority required under ~~section 7~~ of this chapter has been delivered  
38 to the bureau ~~under section 9 of this chapter~~, **by the automobile**  
39 **scrapyard**, a certificate of title may not be issued for the ~~motor~~ vehicle  
40 **that is described in the certificate of authority and is noted in the**  
41 **records of the bureau as "junk".**

42 SECTION 210. IC 9-22-5-11 IS REPEALED [EFFECTIVE JULY

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1 1, 2012]. Sec. 11: A fee may not be charged for the filing of an  
 2 application under section 2 of this chapter or for the issuance of a  
 3 certificate of authority under section 7 of this chapter:

4 SECTION 211. IC 9-22-5-12 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. The person who:

6 (1) owns a ~~motor~~ vehicle that has a title that is faulty, lost, or  
 7 destroyed; and

8 (2) sells the ~~motor~~ vehicle under this chapter may retain the  
 9 proceeds of the sale for the person's use and benefit.

10 SECTION 212. IC 9-22-5-13, AS AMENDED BY P.L.246-2005,  
 11 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2012]: Sec. 13. (a) A person not described in section 12 of this  
 13 chapter who sells an ~~abandoned motor a~~ vehicle under this chapter may  
 14 retain from the proceeds of sale the cost of publication of notice and the  
 15 cost of preserving the motor vehicle during the period of the vehicle's  
 16 abandonment. The person shall pay the remaining balance of the  
 17 proceeds of the sale to the circuit court clerk of the county in which the  
 18 ~~abandoned~~ motor vehicle is located.

19 (b) At any time within ten (10) years after the money is paid to the  
 20 clerk, the person who owns the ~~abandoned motor~~ vehicle sold under  
 21 this chapter may make a claim with the clerk for the sale proceeds  
 22 deposited with the clerk. If ownership of the proceeds is established to  
 23 the satisfaction of the clerk, the clerk shall pay the proceeds to the  
 24 person who owns the ~~abandoned motor~~ vehicle.

25 (c) If a claim for the proceeds of the sale of an ~~abandoned motor a~~  
 26 vehicle under subsection (b) is not made within ten (10) years, claims  
 27 for the proceeds are barred. The clerk shall notify the attorney general  
 28 and upon demand pay the proceeds to the attorney general. The  
 29 attorney general shall turn the proceeds over to the treasurer of state.  
 30 The proceeds vest in and escheat to the state general fund.

31 SECTION 213. IC 9-22-5-14 IS REPEALED [EFFECTIVE JULY  
 32 1, 2012]. Sec. 14: (a) An individual, a firm, a limited liability company,  
 33 or a corporation engaged in the business of storing, furnishing supplies  
 34 for, or repairing motor vehicles, trailers, semitrailers, or recreational  
 35 vehicles shall obtain the name and address of the person who owns a  
 36 motor vehicle, trailer, semitrailer, or recreational vehicle that is left in  
 37 the custody of the individual, firm, limited liability company, or  
 38 corporation for storage, furnishing of supplies, or repairs at the time the  
 39 motor vehicle is left.

40 (b) The individual, firm, limited liability company, or corporation  
 41 shall record in a book the following information concerning the motor  
 42 vehicle:

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- 1 (1) The name and address of the person who owns the motor  
 2 vehicle.  
 3 (2) The license number of the motor vehicle.  
 4 (3) The date on which the motor vehicle was left.  
 5 (c) The book shall be provided and kept by the individual; firm;  
 6 limited liability company; or corporation and shall be open for  
 7 inspection by an authorized police officer of the state or of a city or  
 8 town or by the county sheriff.  
 9 (d) If a motor vehicle, trailer, semitrailer, or recreational vehicle is  
 10 stored by the week or by the month, only one (1) entry on the book is  
 11 required for the period of time during which the motor vehicle is  
 12 stored.  
 13 SECTION 214. IC 9-22-5-15 IS REPEALED [EFFECTIVE JULY  
 14 1, 2012]. Sec. 15: (a) An individual, a firm, a limited liability company,  
 15 or a corporation that performs labor, furnishes materials or storage, or  
 16 does repair work on a motor vehicle, trailer, semitrailer, or recreational  
 17 vehicle at the request of the person who owns the vehicle has a lien on  
 18 the vehicle to the reasonable value of the charges for the labor,  
 19 materials, storage, or repairs.  
 20 (b) An individual, a firm, a partnership, a limited liability company,  
 21 or a corporation that provides towing services for a motor vehicle,  
 22 trailer, semitrailer, or recreational vehicle:  
 23 (1) at the request of the person who owns the motor vehicle,  
 24 trailer, semitrailer, or recreational vehicle;  
 25 (2) at the request of an individual, a firm, a partnership, a limited  
 26 liability company, or a corporation on whose property an  
 27 abandoned motor vehicle, trailer, semitrailer, or recreational  
 28 vehicle is located; or  
 29 (3) in accordance with IC 9-22-1;  
 30 has a lien on the vehicle for the reasonable value of the charges for the  
 31 towing services and other related costs. An individual, a firm, a  
 32 partnership, a limited liability company, or a corporation that obtains  
 33 a lien for an abandoned vehicle under subdivision (2) must comply  
 34 with IC 9-22-1-4, IC 9-22-1-16, IC 9-22-1-17, and IC 9-22-1-19.  
 35 (c) If:  
 36 (1) the charges made under subsection (a) or (b) are not paid; and  
 37 (2) the motor vehicle, trailer, semitrailer, or recreational vehicle  
 38 is not claimed;  
 39 within thirty (30) days from the date on which the vehicle was left in  
 40 or came into the possession of the individual, firm, limited liability  
 41 company, or corporation for repairs, storage, towing, or the furnishing  
 42 of materials, the individual, firm, limited liability company, or

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1 corporation may advertise the vehicle for sale. The vehicle may not be  
 2 sold before fifteen (15) days after the date the advertisement required  
 3 by subsection (d) has been placed or after notice required by subsection  
 4 (e) has been sent, whichever is later.

5 (d) Before a vehicle may be sold under subsection (c); an  
 6 advertisement must be placed in a newspaper of general circulation  
 7 printed in the English language in the city or town in which the  
 8 lienholder's place of business is located. The advertisement must  
 9 contain at least the following information:

10 (1) A description of the vehicle, including make, type, and  
 11 manufacturer's identification number:

12 (2) The amount of the unpaid charges:

13 (3) The time, place, and date of the sale:

14 (e) In addition to the advertisement required under subsection (d);  
 15 the person who holds the mechanic's lien must:

16 (1) notify the person who owns the vehicle and any other person  
 17 who holds a lien of record at the person's last known address by  
 18 certified mail, return receipt requested; or

19 (2) if the vehicle is an abandoned motor vehicle, provide notice  
 20 as required under subdivision (1) if the location of the owner of  
 21 the motor vehicle or a lienholder of record is determined by the  
 22 bureau in a search under IC 9-22-1-19;

23 that the vehicle will be sold at public auction on a specified date to  
 24 satisfy the lien imposed by this section:

25 (f) A person who holds a lien of record on a vehicle subject to sale  
 26 under this section may pay the storage, repair, towing, or service  
 27 charges due. If the person who holds the lien of record elects to pay the  
 28 charges due, the person is entitled to possession of the vehicle and  
 29 becomes the holder of the mechanic's lien imposed by this section:

30 (g) If the person who owns a vehicle subject to sale under this  
 31 section does not claim the vehicle and satisfy the lien on the vehicle,  
 32 the vehicle may be sold at public auction to the highest and best bidder  
 33 for cash. A person who holds a mechanic's lien under this section may  
 34 purchase a vehicle subject to sale under this section:

35 (h) A person who holds a mechanic's lien under this section may  
 36 deduct and retain the amount of the lien and the cost of the  
 37 advertisement required under subsection (d) from the purchase price  
 38 received for a vehicle sold under this section. After deducting from the  
 39 purchase price the amount of the lien and the cost of the advertisement,  
 40 the person shall pay the surplus of the purchase price to the person who  
 41 owns the vehicle if the person's address or whereabouts is known. If the  
 42 address or whereabouts of the person who owns the vehicle is not

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1 known; the surplus of the purchase price shall be paid over to the clerk  
2 of the circuit court of the county in which the person who holds the  
3 mechanic's lien has a place of business for the use and benefit of the  
4 person who owns the vehicle:

5 (i) A person who holds a mechanic's lien under this section shall  
6 execute and deliver to the purchaser of a vehicle under this section a  
7 sales certificate in the form designated by the bureau; setting forth the  
8 following information:

9 (1) The facts of the sale:

10 (2) The vehicle identification number:

11 (3) The certificate of title if available:

12 (4) A certificate from the newspaper showing that the  
13 advertisement was made as required under subsection (d):

14 Whenever the bureau receives from the purchaser an application for  
15 certificate of title accompanied by these items; the bureau shall issue  
16 a certificate of title for the vehicle under IC 9-17:

17 SECTION 215. IC 9-22-5-16 IS REPEALED [EFFECTIVE JULY  
18 1, 2012]. Sec. 16: (a) This section does not apply to a person who sells,  
19 exchanges, or transfers golf carts:

20 (b) A seller that is:

21 (1) a dealer; or

22 (2) another person who sells, exchanges, or transfers at least five

23 (5) vehicles each year;

24 may not sell, exchange, or transfer a rebuilt vehicle without disclosing  
25 in writing to the purchaser, customer, or transferee; before  
26 consummating the sale, exchange, or transfer, the fact that the vehicle  
27 is a rebuilt vehicle if the dealer or other person knows or should  
28 reasonably know the vehicle is a rebuilt vehicle:

29 SECTION 216. IC 9-22-5-17 IS REPEALED [EFFECTIVE JULY  
30 1, 2012]. Sec. 17: A person who recklessly violates section 14 or 15 of  
31 this chapter commits a Class A misdemeanor:

32 SECTION 217. IC 9-22-6 IS ADDED TO THE INDIANA CODE  
33 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2012]:

35 **Chapter 6. Mechanic's Liens for Vehicles**

36 **Sec. 1. (a) An individual, a firm, a limited liability company, or**  
37 **a corporation engaged in the business of storing, furnishing**  
38 **supplies for, or repairing motor vehicles, trailers, semitrailers, or**  
39 **recreational vehicles shall obtain the name and address of the**  
40 **person that owns a motor vehicle, trailer, semitrailer, or**  
41 **recreational vehicle that is left in the custody of the individual,**  
42 **firm, limited liability company, or corporation for storage,**



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1 furnishing of supplies, or repairs at the time the vehicle is left.

2 (b) The individual, firm, limited liability company, or  
3 corporation shall record in a book the following information  
4 concerning the vehicle described in subsection (a):

- 5 (1) The name and address of the person that owns the vehicle.  
6 (2) The license number of the vehicle.  
7 (3) The date on which the vehicle was left.

8 (c) The book shall be provided and kept by the individual, firm,  
9 limited liability company, or corporation and must be open for  
10 inspection by an authorized police officer of the state, a city, or a  
11 town or by the county sheriff.

12 (d) If a motor vehicle, trailer, semitrailer, or recreational  
13 vehicle is stored by the week or by the month, only one (1) entry on  
14 the book is required for the time during which the vehicle is stored.

15 Sec. 2. (a) An individual, a firm, a limited liability company, or  
16 a corporation that performs labor, furnishes materials or storage,  
17 or does repair work on a motor vehicle, trailer, semitrailer, or  
18 recreational vehicle at the request of the person that owns the  
19 vehicle has a mechanic's lien on the vehicle for the reasonable  
20 value of the charges for the labor, materials, storage, or repairs.

21 (b) An individual, a firm, a partnership, a limited liability  
22 company, or a corporation that provides towing services for a  
23 motor vehicle, trailer, semitrailer, or recreational vehicle at the  
24 request of the person that owns the motor vehicle, trailer,  
25 semitrailer, or recreational vehicle has a mechanic's lien on the  
26 vehicle for the reasonable value of the charges for the towing  
27 services and other related costs.

28 (c) If:

- 29 (1) the charges made under subsection (a) or (b) are not paid;  
30 and  
31 (2) the motor vehicle, trailer, semitrailer, or recreational  
32 vehicle is not claimed;

33 not later than thirty (30) days after the date on which the vehicle  
34 is left in or comes into the possession of the individual, firm, limited  
35 liability company, or corporation for repairs, storage, towing, or  
36 the furnishing of materials, the individual, firm, limited liability  
37 company, or corporation may advertise the vehicle for sale. The  
38 vehicle may not be sold earlier than fifteen (15) days after the date  
39 the advertisement required by subsection (d) has been placed or  
40 fifteen (15) days after notice required by subsection (e) has been  
41 sent, whichever is later.

42 (d) Before a vehicle may be sold under subsection (c), an

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1 advertisement must be placed in a newspaper that is printed in  
2 English and of general circulation in the city or town in which the  
3 lienholder's place of business is located. If the lienholder is located  
4 outside the corporate limits of a city or a town, the advertisement  
5 must be placed in a newspaper of general circulation in the county  
6 in which the place of business of the lienholder is located. The  
7 advertisement must contain at least the following information:

8 (1) A description of the vehicle, including make, type, and  
9 manufacturer's identification number.

10 (2) The amount of the unpaid charges.

11 (3) The time, place, and date of the sale.

12 (e) In addition to the advertisement required under subsection  
13 (d), the person that holds the mechanic's lien must notify the  
14 person that owns the vehicle and any other person that holds a lien  
15 of record at the person's last known address by certified mail,  
16 return receipt requested, that the vehicle will be sold at public  
17 auction on a specified date to satisfy the mechanic's lien imposed  
18 by this section.

19 (f) A person that holds a mechanic's lien of record on a vehicle  
20 subject to sale under this section may pay the storage, repair,  
21 towing, or service charges due. If the person that holds the  
22 mechanic's lien of record elects to pay the charges due, the person  
23 is entitled to possession of the vehicle and becomes the holder of the  
24 mechanic's lien imposed by this section.

25 (g) If the person that owns a vehicle subject to sale under this  
26 section does not claim the vehicle and satisfy the mechanic's lien on  
27 the vehicle, the vehicle may be sold at public auction to the highest  
28 and best bidder. A person that holds a mechanic's lien under this  
29 section may purchase a vehicle subject to sale under this section.

30 (h) A person that holds a mechanic's lien under this section may  
31 deduct and retain the amount of the mechanic's lien and the cost of  
32 the advertisement required under subsection (d) from the purchase  
33 price received for a vehicle sold under this section. After deducting  
34 from the purchase price the amount of the mechanic's lien and the  
35 cost of the advertisement, the person shall pay the surplus of the  
36 purchase price to the person that owns the vehicle if the person's  
37 address or whereabouts are known. If the address or whereabouts  
38 of the person that owns the vehicle are not known, the surplus of  
39 the purchase price shall be paid over to the clerk of the circuit  
40 court of the county in which the person that holds the mechanic's  
41 lien has a place of business for the use and benefit of the person  
42 that owns the vehicle.

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1 (i) A person that holds a mechanic's lien under this section shall  
 2 execute and deliver to the purchaser of a vehicle under this section  
 3 a sales certificate in the form designated by the bureau, setting  
 4 forth the following information:

5 (1) The facts of the sale.

6 (2) The vehicle identification number.

7 (3) The certificate of title if available.

8 (4) A certification from the newspaper showing that the  
 9 advertisement was made as required under subsection (d).

10 (5) Any other information that the bureau requires.

11 Whenever the bureau receives from the purchaser an application  
 12 for certificate of title accompanied by these items, the bureau shall  
 13 issue a certificate of title for the vehicle under IC 9-17.

14 Sec. 3. A person that knowingly, intentionally, or recklessly  
 15 violates section 1 or 2 of this chapter commits a Class A  
 16 misdemeanor.

17 SECTION 218. IC 9-24-1-1, AS AMENDED BY P.L.109-2011,  
 18 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2012]: Sec. 1. Except as **otherwise** provided in ~~section 6 or~~  
 20 ~~7~~ of this chapter, an individual must have a valid Indiana:

21 (1) operator's license;

22 (2) chauffeur's license;

23 (3) public passenger chauffeur's license;

24 (4) commercial driver's license;

25 (5) driver's license listed in subdivision (1), (2), (3), or (4) with a  
 26 motorcycle endorsement; ~~or~~

27 (6) learner's permit; **or**

28 (7) **motorcycle learner's permit;**

29 issued to the individual by the bureau under this article to drive upon  
 30 an Indiana highway the type of motor vehicle for which the license or  
 31 permit was issued.

32 SECTION 219. IC 9-24-1-1.5 IS AMENDED TO READ AS  
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1.5. ~~(a) This section~~  
 34 ~~applies after December 31, 2005.~~

35 ~~(b)~~ (a) The standards set forth in IC 3-5-5 to determine the residence  
 36 of an individual applying to become a voter apply to the determination  
 37 of the residence of an individual applying for a license under this  
 38 article.

39 ~~(c)~~ (b) This section does not prevent the ~~commission~~ bureau from  
 40 issuing a license under this article to an individual who is:

41 (1) not required by this article to reside in Indiana to receive the  
 42 license; and

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1 (2) otherwise qualified to receive the license.  
 2 SECTION 220. IC 9-24-1-2 IS REPEALED [EFFECTIVE JULY 1,  
 3 2012]. ~~Sec. 2. Except as provided in section 7 of this chapter, an~~  
 4 ~~individual must have a valid Indiana chauffeur's license to operate a~~  
 5 ~~motor vehicle as a chauffeur upon an Indiana highway.~~

6 SECTION 221. IC 9-24-1-4 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Except as **otherwise**  
 8 provided in ~~section 7~~ of this chapter, an individual must:

9 (1) have a valid Indiana ~~operator's, chauffeur's, or public~~  
 10 ~~passenger chauffeur's driver's~~ license; and

11 (2) be at least eighteen (18) years of age;  
 12 to drive a medical services vehicle upon an Indiana highway.

13 SECTION 222. IC 9-24-1-5, AS AMENDED BY P.L.109-2011,  
 14 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2012]: Sec. 5. (a) An individual must have a valid driver's  
 16 license that may be any of the following to operate a motorcycle upon  
 17 a public highway:

18 (1) An operator's, a chauffeur's, a public passenger chauffeur's, or  
 19 a commercial driver's license with a motorcycle endorsement.

20 (2) A motorcycle learner's permit subject to the limitations  
 21 imposed under IC 9-24-8.

22 (3) A driver's license from any other jurisdiction that is valid for  
 23 the operation of a motorcycle in that jurisdiction.

24 (b) An individual who held a motorcycle operator's license on ~~June~~  
 25 ~~30, December 31, 2011~~, must hold ~~an a~~ **valid** operator's, a chauffeur's,  
 26 a public passenger chauffeur's, or a commercial driver's license with a  
 27 motorcycle endorsement in order to operate the motorcycle after ~~June~~  
 28 ~~30, December 31, 2011~~, **without restrictions**.

29 SECTION 223. IC 9-24-1-6 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Except as  
 31 provided in subsection (b) **or as otherwise provided in this article**, an  
 32 individual must hold a valid ~~Indiana~~ commercial driver's license ~~issued~~  
 33 ~~by the bureau under this article~~ to drive a commercial motor vehicle  
 34 ~~after March 31, 1992~~; upon an Indiana highway.

35 (b) Subsection (a) does not apply ~~to an individual~~ if the individual:

36 (1) holds a valid driver's license of any type;

37 (2) is enrolled in a commercial motor vehicle training course  
 38 approved by the bureau; and

39 (3) is operating a commercial motor vehicle under the direct  
 40 supervision of a licensed commercial motor vehicle driver.

41 SECTION 224. IC 9-24-1-7, AS AMENDED BY P.L.87-2010,  
 42 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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- 1 JULY 1, 2012]: Sec. 7. (a) Sections 1 through 5 of this chapter do not  
 2 apply to the following individuals:
- 3 (1) An individual in the service of the armed forces of the United  
 4 States while operating an official motor vehicle in that service.
- 5 (2) An individual while operating:
- 6 (A) a road roller;  
 7 (B) road construction or maintenance machinery, except where  
 8 the road roller or machinery is required to be registered under  
 9 Indiana law;  
 10 (C) a ditch digging apparatus;  
 11 (D) a well drilling apparatus;  
 12 (E) a concrete mixer; or  
 13 (F) a farm tractor, a farm wagon (as defined in  
 14 IC 9-13-2-60(a)(2)), or an implement of agriculture designed  
 15 to be operated primarily in a farm field or on farm premises;  
 16 that is being temporarily drawn, moved, or propelled on a public  
 17 highway. However, to operate a farm wagon (as defined in  
 18 IC 9-13-2-60(a)(2)) on a highway, an individual must be at least  
 19 fifteen (15) years of age.
- 20 (3) A nonresident who:
- 21 (A) is at least sixteen (16) years and one (1) month of age;  
 22 (B) has in the nonresident's immediate possession a valid  
 23 ~~operator's driver's~~ license that was issued to the nonresident  
 24 in the nonresident's home state or country; and  
 25 (C) is lawfully admitted into the United States;  
 26 while operating a motor vehicle ~~in Indiana~~ **upon a public**  
 27 **highway** only as an operator.
- 28 (4) A nonresident who:
- 29 (A) is at least eighteen (18) years of age;  
 30 (B) has in the nonresident's immediate possession a valid  
 31 chauffeur's license that was issued to the nonresident in the  
 32 nonresident's home state or country; and  
 33 (C) is lawfully admitted into the United States;  
 34 while operating a motor vehicle upon a public highway, either as  
 35 an operator or a chauffeur.
- 36 (5) A nonresident who:
- 37 (A) is at least eighteen (18) years of age; and  
 38 (B) has in the nonresident's immediate possession a valid  
 39 license issued by the nonresident's home state for the operation  
 40 of any motor vehicle upon a public highway when in use as a  
 41 public passenger carrying vehicle;  
 42 while operating a motor vehicle upon a public highway, **either as**

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1           **an operator or a public passenger chauffeur.**  
2           (6) An individual who is legally licensed to operate a motor  
3           vehicle in the state of the individual's residence and who is  
4           employed in Indiana, subject to the restrictions imposed by the  
5           state of the individual's residence.  
6           (7) A new resident of Indiana who possesses ~~an unexpired a~~  
7           **valid, unrestricted** driver's license issued by the resident's former  
8           state of residence, for a period of sixty (60) days after becoming  
9           a resident of Indiana.  
10          (8) An individual who is an engineer, a conductor, a brakeman, or  
11          another member of the crew of a locomotive or a train that is  
12          being operated upon rails, including the operation of the  
13          locomotive or the train on a crossing over a street or a highway.  
14          An individual described in this subdivision is not required to  
15          display a license to a law enforcement officer in connection with  
16          the operation of a locomotive or a train in Indiana.  
17          (b) An ordinance adopted under IC 9-21-1-3((a)(14) or  
18          IC 9-21-1-3.3(a) must require that an individual who operates a golf  
19          cart in the city or town hold a driver's license.  
20          SECTION 225. IC 9-24-2-1, AS AMENDED BY P.L.1-2006,  
21          SECTION 165, IS AMENDED TO READ AS FOLLOWS  
22          [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) ~~A driver's license or a The~~  
23          **bureau shall suspend the driving privileges or invalidate the**  
24          **learner's permit may not be issued to of** an individual less than eighteen  
25          (18) years of age who meets any of the following conditions:  
26                  (1) Is a habitual truant under IC 20-33-2-11.  
27                  (2) Is under at least a second suspension from school for the  
28                  school year under IC 20-33-8-14 or IC 20-33-8-15.  
29                  (3) Is under an expulsion from school under IC 20-33-8-14,  
30                  IC 20-33-8-15, or IC 20-33-8-16.  
31                  (4) Is considered a dropout under IC 20-33-2-28.5.  
32          (b) At least five (5) days before holding an exit interview under  
33          IC 20-33-2-28.5, the school corporation shall give notice by certified  
34          mail or personal delivery to the student, the student's parent, or the  
35          student's guardian that the student's failure to attend an exit interview  
36          under IC 20-33-2-28.5 or return to school if the student does not meet  
37          the requirements to withdraw from school under IC 20-33-2-28.5 will  
38          result in the revocation or denial of the student's:  
39                  (1) driver's license or learner's permit; and  
40                  (2) employment certificate.  
41          SECTION 226. IC 9-24-2-2 IS AMENDED TO READ AS  
42          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~A driver's license or~~

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1 a **The bureau shall suspend the driving privileges or invalidate the**  
2 learner's permit ~~may not be issued to of~~ an individual less than eighteen  
3 (18) years of age who is under an order entered by a juvenile court  
4 under IC 31-37-19-13 through IC 31-37-19-17 (or IC 31-6-4-15.9(d),  
5 IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before their repeal).

6 SECTION 227. IC 9-24-2-2.5, AS AMENDED BY P.L.3-2008,  
7 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2012]: Sec. 2.5. (a) ~~An operator's license or a~~ **The bureau**  
9 **shall suspend the driving privileges or invalidate the** learner's permit  
10 ~~may not be issued to of~~ an individual who is under an order entered by  
11 a court under IC 35-43-1-2(c).

12 (b) The bureau shall suspend the ~~operator's license~~ **driving**  
13 **privileges** or invalidate the learner's permit of a person who is the  
14 subject of an order issued under IC 31-37-19-17 (or IC 31-6-4-15.9(f)  
15 before its repeal) or IC 35-43-1-2(c).

16 SECTION 228. IC 9-24-2-3, AS AMENDED BY P.L.184-2007,  
17 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 JULY 1, 2012]: Sec. 3. (a) The bureau may not issue a **driver's** license  
19 or **learner's** permit **or grant driving privileges** to the following  
20 individuals:

21 (1) An individual whose license issued under Indiana law to  
22 operate a motor vehicle as an operator, a chauffeur, or a public  
23 passenger chauffeur has been suspended, during the period for  
24 which the license was suspended, or to an individual whose  
25 license has been revoked, until the time the bureau is authorized  
26 under Indiana law to issue the individual a new license.

27 (2) An individual whose learner's permit has been suspended or  
28 revoked until the time the bureau is authorized under Indiana law  
29 to issue the individual a new permit.

30 (3) An individual who, in the opinion of the bureau, is afflicted  
31 with or suffering from a physical or mental disability or disease  
32 that prevents the individual from exercising reasonable and  
33 ordinary control over a motor vehicle while operating the vehicle  
34 upon the public highways.

35 (4) An individual who is unable to understand highway warnings  
36 or direction signs written in the English language.

37 (5) An individual who is required under this ~~chapter~~ **article** to  
38 take an examination unless the person successfully passes the  
39 examination.

40 (6) An individual who is required under IC 9-25 **or any other**  
41 **statute** to deposit **or provide** proof of financial responsibility and  
42 who has not deposited **or provided** that proof.

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- 1 (7) An individual when the bureau has good cause to believe that
- 2 the operation of a motor vehicle on a public highway of Indiana
- 3 by the individual would be inimical to public safety or welfare.
- 4 (8) An individual who is the subject of an order issued by:
- 5 (A) a court under IC 31-14-12-4 or IC 31-16-12-7 (or
- 6 IC 31-1-11.5-13 or IC 31-6-6.1-16 before their repeal); or
- 7 (B) the Title IV-D agency;
- 8 ordering that a ~~driving driver's~~ license or permit not be issued to
- 9 the individual.
- 10 (9) An individual who has not presented valid documentary
- 11 evidence to the bureau of the person's legal status in the United
- 12 States, as required by IC 9-24-9-2.5.

13 (b) An individual subject to epileptic seizures may not be denied a

14 **driver's license or permit** under this section if the individual presents

15 a statement from a licensed physician, **on a form prescribed by the**

16 **bureau**, that the individual is under medication and is free from

17 seizures while under medication.

18 SECTION 229. IC 9-24-2-3.1 IS AMENDED TO READ AS

19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3.1. (a) If a petitioner

20 named in an order issued under section 3(a)(8) of this chapter has a

21 valid commercial ~~driving driver's~~ license, the bureau shall not

22 immediately suspend the **person's commercial driving license**

23 **privileges** but **shall** indicate on the ~~driver's person's~~ record that the

24 person has a conditional ~~license driving privileges~~ to operate a motor

25 vehicle to and from the person's place of employment and in the course

26 of the person's employment.

27 (b) ~~A~~ Conditional ~~license driving privileges~~ described in

28 subsection (a) ~~is are~~ valid for thirty (30) days from the date of the

29 notice sent by the bureau. If the person obtains an amended ~~license~~

30 **order** within the thirty (30) days, the person may continue to operate

31 a motor vehicle ~~on~~ **with** the conditional ~~license driving privileges~~

32 beyond the thirty (30) day period.

33 (c) If the person does not obtain an amended ~~license order~~ within

34 the thirty (30) day period, the bureau shall suspend the person's ~~license-~~

35 **driving privileges.**

36 SECTION 230. IC 9-24-2-4, AS AMENDED BY P.L.1-2005,

37 SECTION 107, IS AMENDED TO READ AS FOLLOWS

38 [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) If a person is less than

39 eighteen (18) years of age and is a habitual truant, is under a

40 suspension or an expulsion or has withdrawn from school as described

41 in section 1 of this chapter, the bureau shall, upon notification by the

42 person's principal, ~~invalidate suspend~~ the person's ~~license or permit~~

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- 1 **driving privileges** until the earliest of the following:
- 2 (1) The person becomes eighteen (18) years of age.
- 3 (2) One hundred twenty (120) days after the person is suspended,
- 4 or the end of a semester during which the person returns to
- 5 school, whichever is longer.
- 6 (3) The suspension, expulsion, or exclusion is reversed after the
- 7 person has had a hearing under IC 20-33-8.
- 8 (b) The bureau shall promptly mail a notice to the person's last
- 9 known address that states the following:
- 10 (1) That the person's driving privileges will be invalidated for a
- 11 specified period commencing five (5) days after the date of the
- 12 notice.
- 13 (2) That the person has the right to appeal the ~~invalidation~~
- 14 **suspension of a license or permit: the driving privileges.**
- 15 (c) If an aggrieved person believes that:
- 16 (1) the information provided was technically incorrect; or
- 17 (2) the bureau committed a technical or procedural error;
- 18 the aggrieved person may appeal the invalidation of a license under
- 19 ~~IC 9-25:~~ **section 5 of this chapter.**
- 20 (d) If a person satisfies the conditions for reinstatement of a license
- 21 under this section, the person may submit to the bureau the necessary
- 22 information certifying that at least one (1) of the events described in
- 23 subsection (a) has occurred.
- 24 (e) Upon certifying the information received under subsection (d),
- 25 the bureau shall ~~revalidate~~ **reinstate** the person's ~~license or permit:~~
- 26 **driving privileges.**
- 27 (f) A person may not operate a motor vehicle in violation of this
- 28 section.
- 29 (g) A person whose ~~license or permit is~~ **driving privileges are**
- 30 ~~invalidated~~ **suspended** under this section may apply for a restricted
- 31 driving ~~permit~~ **privileges** under IC 9-24-15.
- 32 (h) The bureau shall ~~revalidate~~ **reinstate** the ~~license or permit~~
- 33 **driving privileges** of a person whose ~~license or permit was~~ **driving**
- 34 **privileges were** ~~invalidated~~ **suspended** under this section ~~who if the~~
- 35 **person** does the following:
- 36 (1) Establishes to the ~~satisfaction~~ **satisfaction** of the principal of
- 37 the school where the action occurred that caused the ~~invalidation~~
- 38 **suspension** of the ~~person's license or permit~~ **driving privileges**
- 39 that the person has:
- 40 (A) enrolled in a full-time or part-time program of education;
- 41 and
- 42 (B) participated for thirty (30) or more days in the program of



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- 1 education.
- 2 (2) Submits to the bureau a form developed by the bureau that
- 3 contains:
- 4 (A) the verified signature of the principal or the president of
- 5 the governing body of the school described in subdivision (1);
- 6 and
- 7 (B) notification to the bureau that the person has complied
- 8 with subdivision (1).
- 9 A person may appeal the decision of a principal under subdivision (1)
- 10 to the governing body of the school corporation where the principal's
- 11 school is located.
- 12 SECTION 231. IC 9-24-2-5, AS AMENDED BY P.L.1-2005,
- 13 SECTION 108, IS AMENDED TO READ AS FOLLOWS
- 14 [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A person whose driving
- 15 privileges have been ~~invalidated~~ **suspended** under section 4 of this
- 16 chapter is entitled to a prompt judicial hearing. The person may file a
- 17 petition that requests a hearing in a circuit, superior, county, or
- 18 municipal court in the county where:
- 19 (1) the person resides; or
- 20 (2) the school attended by the person is located.
- 21 (b) The petition for review must:
- 22 (1) be in writing; and
- 23 (2) be verified by the person seeking review and:
- 24 (A) allege specific facts that indicate the suspension or
- 25 expulsion was improper; or
- 26 (B) allege that due to the person's emancipation or dependents
- 27 that an undue hardship exists that requires the granting of a
- 28 restricted driving permit.
- 29 (c) The hearing conducted by the court under this section shall be
- 30 limited to the following issues:
- 31 (1) Whether the school followed proper procedures when
- 32 suspending or expelling the person from school, including
- 33 affording the person due process under IC 20-33-8.
- 34 (2) Whether the bureau followed proper procedures in
- 35 ~~invalidating~~ **suspending** the person's ~~license or permit.~~ **driving**
- 36 **privileges.**
- 37 (3) Whether an undue hardship exists that requires the granting of
- 38 a restricted driving ~~permit.~~ **privileges under IC 9-24-15.**
- 39 (d) If the court finds:
- 40 (1) that the school failed to follow proper procedures when
- 41 suspending or expelling the person from school; or
- 42 (2) that the bureau failed to follow proper procedures in

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1            ~~invalidating~~ **suspending** the person's ~~license or permit~~; **driving**  
2            **privileges;**  
3            the court may order the bureau to reinstate the person's driving  
4            privileges.  
5            (e) If the court finds that an undue hardship exists, **and the person**  
6            **otherwise qualifies under IC 9-24-15**, the court may order a restricted  
7            driving **permit privileges** limiting the petitioner to essential driving for  
8            work and driving between home, work, and school only. The restricted  
9            driving **permit privileges** must state the restrictions related to time,  
10           territory, and route. If a court orders a restricted driving **permit**  
11           **privileges** for the petitioner, the court shall do the following:  
12           (1) Include in the order a finding of facts that states the  
13           petitioner's driving restrictions.  
14           (2) Enter the findings of fact and order in the order book of the  
15           court.  
16           (3) Send the bureau a signed copy of the order.  
17           (f) The prosecuting attorney of the county in which a petition has  
18           been filed under this section shall represent the state on behalf of the  
19           bureau with respect to the petition. A school that is made a party to an  
20           action filed under this section is responsible for the school's own  
21           representation.  
22           (g) In an action under this section the petitioner has the burden of  
23           proof by a preponderance of the evidence.  
24           (h) The court's order is a final judgment appealable in the manner  
25           of civil actions by either party. The attorney general shall represent the  
26           state on behalf of the bureau with respect to the appeal.  
27           SECTION 232. IC 9-24-3-1, AS AMENDED BY P.L.145-2011,  
28           SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29           JULY 1, 2012]: Sec. 1. Except as otherwise provided in this article, the  
30           bureau shall issue an operator's license to an individual who meets the  
31           following conditions:  
32           (1) Satisfies the age requirements set forth in section ~~2~~ **or 2.5** of  
33           this chapter.  
34           (2) Makes proper application to the bureau under IC 9-24-9 upon  
35           a form prescribed by the bureau. The form must include an  
36           attestation concerning the number of hours of supervised driving  
37           practice that the individual has completed if the individual is  
38           required under section 2.5 of this chapter to complete a certain  
39           number of hours of supervised driving practice in order to receive  
40           an operator's license. The:  
41           (A) parent or guardian of an applicant less than eighteen (18)  
42           years of age; or

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- 1 (B) applicant, if the applicant is at least eighteen (18) years of
- 2 age;
- 3 shall attest in writing under penalty of perjury to the time logged
- 4 in practice driving.
- 5 (3) Satisfactorily passes the examination and tests required for
- 6 issuance of an operator's license under IC 9-24-10.
- 7 (4) Pays the fee prescribed by IC 9-29-9.
- 8 SECTION 233. IC 9-24-3-2.5, AS AMENDED BY P.L.145-2011,
- 9 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 JULY 1, 2012]: Sec. 2.5. (a) Except as provided in section 3 of this
- 11 chapter, an individual must satisfy the requirements set forth in one (1)
- 12 of the following subdivisions to receive an operator's license:
- 13 (1) The individual meets the following conditions:
- 14 (A) Is at least sixteen (16) years and one hundred eighty (180)
- 15 days of age.
- 16 (B) Has held a valid learner's permit for at least one hundred
- 17 eighty (180) days.
- 18 (C) Obtains an instructor's certification that the individual has
- 19 satisfactorily completed an approved driver education course.
- 20 (D) Passes the required examination.
- 21 (E) Completes at least fifty (50) hours of supervised driving
- 22 practice, of which at least ten (10) hours are nighttime driving,
- 23 with:
- 24 (i) a licensed instructor or a licensed driver who is at least
- 25 twenty-five (25) years of age; or
- 26 (ii) the spouse of the individual who is at least twenty-one
- 27 (21) years of age.
- 28 (2) The individual meets the following conditions:
- 29 (A) Is at least sixteen (16) years and two hundred seventy
- 30 (270) days of age.
- 31 (B) Has held a valid learner's permit for at least one hundred
- 32 eighty (180) days.
- 33 (C) Passes the required examination.
- 34 (D) Completes at least fifty (50) hours of supervised driving
- 35 practice, of which at least ten (10) hours are nighttime driving,
- 36 with:
- 37 (i) a licensed instructor or a licensed driver who is at least
- 38 twenty-five (25) years of age; or
- 39 (ii) the spouse of the individual who is at least twenty-one
- 40 (21) years of age.
- 41 (3) The individual meets the following conditions:
- 42 (A) Is at least sixteen (16) years and one hundred eighty (180)

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- 1 days of age but less than eighteen (18) years of age.
- 2 (B) Has previously been a nonresident of Indiana, but, at the
- 3 time of application, qualifies as an Indiana resident.
- 4 (C) ~~Holds an unrevoked~~ **Has held a valid** driver's license,
- 5 excluding a learner's permit or the equivalent, in the state or a
- 6 combination of states in which the individual formerly resided
- 7 for at least one hundred eighty (180) days.
- 8 (D) Passes the required examination.
- 9 (4) The individual meets the following conditions:
- 10 (A) Is at least eighteen (18) years of age.
- 11 (B) Has previously been a nonresident of Indiana but, at the
- 12 time of application, qualifies as an Indiana resident.
- 13 (C) ~~Has Held an unrevoked operator's, chauffeur's, commercial~~
- 14 **a valid driver's or public passenger chauffeur's license,**
- 15 **excluding a learner's permit or the equivalent,** from the
- 16 state of prior residence.
- 17 (D) Passes the required examination.
- 18 (b) An applicant who is required to complete at least fifty (50) hours
- 19 of supervised practice driving under subsection (a)(1)(E) or (a)(2)(D)
- 20 must submit to the commission under ~~IC 9-24-9-2(d)~~ **IC 9-24-9-2(c)**
- 21 evidence of the time logged in practice driving.
- 22 SECTION 234. IC 9-24-3-4 IS AMENDED TO READ AS
- 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. To receive an
- 24 operator's license, an individual must surrender to the bureau **any and**
- 25 **all valid operator's, chauffeur's, or other current driver's** licenses for
- 26 **the operation of a motor vehicle in the individual's possession or**
- 27 **identification cards** issued to the individual by Indiana or any other
- 28 jurisdiction. ~~The bureau shall return all surrendered licenses to the~~
- 29 ~~issuing department together with information that the licensee is~~
- 30 ~~licensed in a new jurisdiction.~~
- 31 SECTION 235. IC 9-24-4-1 IS AMENDED TO READ AS
- 32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. Except as otherwise
- 33 provided in this article, the bureau shall issue a chauffeur's license to
- 34 an individual who meets the following conditions:
- 35 (1) Satisfies the age requirements described in section 2 of this
- 36 chapter.
- 37 (2) Has operated a motor vehicle, **excluding operation under a**
- 38 **learner's permit,** for more than one (1) year.
- 39 (3) Makes proper application to the bureau under IC 9-24-9 upon
- 40 a form prescribed by the bureau.
- 41 (4) Satisfactorily passes the examination and tests required for
- 42 issuance of a chauffeur's license under IC 9-24-10.

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1 (5) Pays the fee prescribed in IC 9-29-9.

2 SECTION 236. IC 9-24-4-3 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. ~~(a) An individual~~  
4 ~~holding a valid chauffeur's license is not required to obtain an~~  
5 ~~operator's license.~~

6 ~~(b) To receive a chauffeur's license, an individual must surrender to~~  
7 ~~the bureau any operator's license all driver's licenses~~ issued to the  
8 individual **by Indiana or any other jurisdiction.**

9 SECTION 237. IC 9-24-4-4 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A chauffeur's license  
11 entitles the licensee to operate a motor vehicle, except a motorcycle **or**  
12 **commercial motor vehicle without a proper permit or**  
13 **endorsement**, upon a public highway. A chauffeur's license does not  
14 entitle the licensee to operate a motor vehicle as a public passenger  
15 chauffeur.

16 SECTION 238. IC 9-24-4-5.5 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. Notwithstanding  
18 any other law, a person holding a chauffeur's license that is renewed or  
19 issued after June 30, 1991, is not entitled by that license to operate a  
20 commercial motor vehicle. ~~for more than thirty (30) days following the~~  
21 ~~renewal or issuance.~~

22 SECTION 239. IC 9-24-5-1, AS AMENDED BY P.L.156-2006,  
23 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2012]: Sec. 1. Except as otherwise provided in this article, the  
25 bureau shall issue a public passenger chauffeur's license to an  
26 individual who meets the following conditions:

27 (1) ~~Satisfies the~~ **Is at least eighteen (18) years of age.**  
28 ~~requirements described in section 2 of this chapter.~~

29 (2) Makes proper application to the bureau under IC 9-24-9, upon  
30 a form prescribed by the bureau.

31 (3) Successfully passes the physical examination given by a  
32 practicing physician licensed to practice medicine in Indiana.

33 (4) Has operated a motor vehicle, **excluding operation under a**  
34 **learner's permit**, for at least two (2) years.

35 (5) Satisfactorily passes the examination and tests for a public  
36 passenger chauffeur's license.

37 (6) Pays the fee prescribed in IC 9-29-9.

38 (7) ~~Is at least eighteen (18) years of age.~~

39 SECTION 240. IC 9-24-5-2 IS REPEALED [EFFECTIVE JULY 1,  
40 2012]. Sec. 2: ~~An individual must be at least eighteen (18) years of age~~  
41 ~~to receive a public passenger chauffeur's license.~~

42 SECTION 241. 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, 2012]: Sec. 3. A public passenger chauffeur's license entitles  
3 the licensee to operate ~~any a~~ motor vehicle, except a commercial  
4 **motor** vehicle or a motorcycle **without proper permit or**  
5 **endorsement**, upon a **public** highway.

6 SECTION 242. IC 9-24-5-4 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. To receive a public  
8 passenger chauffeur's license, an individual must surrender ~~to the~~  
9 ~~bureau any operator's license~~ **all driver's licenses** issued to the  
10 individual **by Indiana or any other jurisdiction**.

11 SECTION 243. IC 9-24-5-5.5 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. Notwithstanding  
13 any other law, a person holding a public passenger chauffeur's license  
14 that is renewed or issued after June 30, 1991, is not entitled by that  
15 license to operate a commercial motor vehicle. ~~for more than thirty (30)~~  
16 ~~days following the renewal or issuance~~.

17 SECTION 244. IC 9-24-6-0.5, AS ADDED BY P.L.188-2006,  
18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2012]: Sec. 0.5. As used in this chapter, "commercial driver's  
20 license learner's permit" means a ~~driver's~~ **learner's** permit that allows  
21 an individual, unless otherwise disqualified, to operate a commercial  
22 motor vehicle only when accompanied by a person:

- 23 (1) who holds a valid commercial driver's license for the type of  
24 commercial motor vehicle being driven; and  
25 (2) who occupies a seat beside the individual in order to give  
26 instruction to the individual in driving the commercial motor  
27 vehicle.

28 SECTION 245. IC 9-24-6-0.8, AS ADDED BY P.L.45-2011,  
29 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2012]: Sec. 0.8. As used in this chapter, "downgrade" has the  
31 meaning specified in ~~paragraph (4)~~ of the definition of CDL downgrade  
32 as set forth in 49 CFR 383.5 as in effect on July 1, 2010.

33 SECTION 246. IC 9-24-6-1 IS AMENDED TO READ AS  
34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. ~~(a) Except as~~  
35 ~~provided in subsection (c);~~ This chapter does not apply to a motor  
36 vehicle **or the operator of a motor vehicle that meets the following**  
37 **conditions:**

- 38 (1) is used in the transportation of hazardous materials;  
39 (2) is not defined as a commercial motor vehicle **or is otherwise**  
40 **excepted in 49 CFR 383.3, 49 CFR 390, or 49 CFR 391.**

41 (b) Except as provided in subsection (c); this chapter does not apply  
42 to a motor vehicle that meets any of the following conditions:

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- 1 (1) Is registered as a recreational vehicle.  
 2 (2) Is used primarily to transport the owner's family members or  
 3 guests and their possessions for nonbusiness purposes.  
 4 (3) Is registered under IC 9-18 as a farm vehicle or is a farm  
 5 vehicle that is exempt under 49 U.S.C. 521, 49 U.S.C. 31104, and  
 6 49 U.S.C. 31301 through 31306.  
 7 (4) Is utilized as a:  
 8 (A) church bus; or  
 9 (B) bus operated by a nonprofit benevolent or charitable  
 10 agency;  
 11 that is designed to carry more than fifteen (15) passengers;  
 12 including the driver; if the vehicle is exempt under 49 U.S.C. 521,  
 13 49 U.S.C. 31104, and 49 U.S.C. 31301 through 31306, or  
 14 applicable federal regulations.

15 (e) The bureau may remove the exemptions granted under  
 16 subsections (a) and (b) if the bureau, upon notice and public hearing,  
 17 determines that the waiver is in the interest of safety or of keeping  
 18 Indiana in compliance with federal law, subject to section 3 of this  
 19 chapter.

20 SECTION 247. IC 9-24-6-2.3, AS ADDED BY P.L.45-2011,  
 21 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2012]: Sec. 2.3. (a) In addition to the requirements of 49 CFR  
 23 383.71, an applicant for a new commercial driver's license or a holder  
 24 of a commercial driver's license must ~~provide the bureau with~~ **have a**  
 25 copy of a current medical examination report and medical examiner's  
 26 certificate prepared by a medical examiner **on file with the motor**  
 27 **carrier services division of the department of state revenue. If a**  
 28 **copy is not on file with the motor carrier services division of the**  
 29 **department of state revenue, a copy must be presented to the**  
 30 **bureau.**

31 (b) A commercial driver's license holder must ~~provide the bureau~~  
 32 ~~with~~ **have** a copy of a current medical examination report and medical  
 33 examiner's certificate **on file with the motor carrier services division**  
 34 **of the department of state revenue** each time a medical examination  
 35 report and medical examiner's certificate are obtained by the  
 36 commercial driver's license holder, regardless of whether the medical  
 37 examiner certifies the driver as qualified. **If a copy is not on file with**  
 38 **the motor carrier services division of the department of state**  
 39 **revenue, a copy must be presented to the bureau.**

40 (c) If a medical examination report does not certify that a  
 41 commercial driver's license holder meets the physical standards in 49  
 42 CFR 391.41 or if the driver is otherwise unqualified, the commercial

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1 driver's license or permit holder is disqualified **from operating a**  
 2 **commercial motor vehicle.**

3 (d) The bureau shall make the final determination of whether a  
 4 commercial driver's license applicant or holder meets the qualifications  
 5 of 49 CFR 391.41. If the bureau determines that the applicant or holder  
 6 does not meet the qualifications of 49 CFR 391.41, the applicant or  
 7 holder is disqualified **from operating a commercial motor vehicle.**

8 (e) If a commercial driver's license applicant or holder who is  
 9 disqualified **from operating a commercial motor vehicle** under  
 10 subsection (c) or (d) attempts to transfer the commercial driver's  
 11 license to another state, the commercial driver's license applicant or  
 12 holder remains disqualified **from operating a commercial motor**  
 13 **vehicle** until the applicant or holder is able to establish to the bureau's  
 14 satisfaction that the applicant or holder meets the qualifications of 49  
 15 CFR 391.41.

16 (f) With respect to the self-certification requirements of 49 CFR  
 17 383.71(a)(1), a commercial driver's license applicant must certify that  
 18 the applicant expects to operate only in interstate ~~commerce~~ or ~~only in~~  
 19 intrastate commerce, **and whether the applicant is medically**  
 20 **excepted. In either case, Regardless of the applicant's certification**  
 21 **under this subsection,** the applicant remains subject to the  
 22 requirements of 49 CFR 391.41 **and 49 CFR 383.71,** except as  
 23 provided for by rule.

24 (g) This section applies to every commercial driver's license  
 25 applicant and every commercial driver's license holder regardless of  
 26 whether the applicant or holder will be operating in excepted  
 27 commerce, as described in 49 CFR 383.71(a)(1)(ii)(B) and (D).

28 SECTION 248. IC 9-24-6-5.3, AS AMENDED BY P.L.145-2011,  
 29 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2012]: Sec. 5.3. (a) The owner of a truck driver training  
 31 school or a state educational institution that operates a truck driver  
 32 training school as a course of study must notify the bureau:

33 (1) of a student's completion of a course of the truck driver  
 34 training school immediately after the student completes the  
 35 course; or

36 (2) of the termination of a student's instruction in the truck driver  
 37 training school immediately after the student's instruction  
 38 terminates.

39 (b) ~~This subsection expires December 31, 2011. In addition to~~  
 40 ~~satisfying the requirements of IC 21-17-3-12(a), the owner of a truck~~  
 41 ~~driver training school must retain records relating to each student of the~~  
 42 ~~truck driver training school for not less than six (6) years:~~

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1           ~~(c) This subsection applies after December 31, 2011.~~ (b) The owner  
2 of a truck driver training school shall retain records relating to each  
3 student of the truck driver training school for at least six (6) years.

4           SECTION 249. IC 9-24-6-5.5, AS AMENDED BY P.L.145-2011,  
5 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2012]: Sec. 5.5. ~~(a) This subsection expires December 31,~~  
7 ~~2011. A truck driver training school accredited by the Indiana~~  
8 ~~commission on proprietary education is subject to rules adopted by the~~  
9 ~~Indiana commission on proprietary education.~~

10           ~~(b) A:~~

11           ~~(1) student of a truck driver training school; and~~

12           ~~(2) truck driver training school;~~

13           are subject to applicable rules adopted by the department of state  
14 revenue.

15           ~~(c) This subsection applies after December 31, 2011. A:~~

16           ~~(1) student of a truck driver training school; and~~

17           ~~(2) truck driver training school;~~

18           is subject to applicable rules adopted by the bureau.

19           SECTION 250. IC 9-24-6-6, AS AMENDED BY P.L.9-2010,  
20 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2012]: Sec. 6. (a) The following, if committed while driving  
22 a commercial motor vehicle or while holding any class of commercial  
23 driver's license **or permit**, are serious traffic violations:

24           (1) Operating a vehicle at least fifteen (15) miles per hour above  
25 the posted speed limit in violation of IC 9-21-5, IC 9-21-6, or  
26 IC 9-21-5-14.

27           (2) Operating a vehicle recklessly as provided in IC 9-21-8-50 and  
28 IC 9-21-8-52.

29           (3) Improper or erratic traffic lane changes in violation of  
30 IC 9-21-8-2 through IC 9-21-8-13 and IC 9-21-8-17 through  
31 IC 9-21-8-18.

32           (4) Following a vehicle too closely in violation of IC 9-21-8-14  
33 through IC 9-21-8-16.

34           (5) In connection with a fatal accident, violating any statute,  
35 ordinance, or rule concerning motor vehicle traffic control other  
36 than parking statutes, ordinances, or rules.

37           (6) Operating a vehicle while disqualified under this chapter.

38           (7) For drivers who are not required to always stop at a railroad  
39 crossing, failing to do any of the following:

40           (A) Slow down and determine that the railroad tracks are clear  
41 of an approaching train or other on-track equipment, in  
42 violation of IC 9-21-5-4, IC 9-21-8-39, IC 35-42-2-4, or any

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- 1 similar statute.
- 2 (B) Stop before reaching the railroad crossing, if the railroad
- 3 tracks are not clear of an approaching train or other on-track
- 4 equipment, in violation of IC 9-21-4-16, IC 9-21-8-39, or any
- 5 similar statute.
- 6 (8) For all drivers, whether or not they are required to always stop
- 7 at a railroad crossing, to do any of the following:
- 8 (A) Stopping in a railroad crossing, in violation of
- 9 IC 9-21-8-50 or any similar statute.
- 10 (B) Failing to obey a traffic control device or failing to obey
- 11 the directions of a law enforcement officer at a railroad
- 12 crossing, in violation of IC 9-21-8-1 or any similar statute.
- 13 (C) Stopping in a railroad crossing because of insufficient
- 14 undercarriage clearance, in violation of IC 35-42-2-4,
- 15 IC 9-21-8-50, or any similar statute.
- 16 (9) Operating a commercial motor vehicle without having ever
- 17 obtained a commercial driver's license **or permit**.
- 18 (10) Operating a commercial motor vehicle without a commercial
- 19 driver's license **or permit** in the possession of the individual.
- 20 (11) Operating a commercial motor vehicle without holding the
- 21 proper class or endorsement of a commercial driver's license **or**
- 22 **permit** for the operation of the class of the commercial motor
- 23 vehicle.
- 24 **(12) Driving a commercial motor vehicle while using a**
- 25 **hand-held mobile device as set forth in 49 CFR 383 through**
- 26 **384 and 49 CFR 390 through 392.**
- 27 (b) Subsection (a)(1) through (a)(11) are intended to comply with
- 28 the provisions of 49 U.S.C. 31311(a)(10) and regulations adopted
- 29 under that statute.
- 30 SECTION 251. IC 9-24-6-8, AS AMENDED BY P.L.9-2010,
- 31 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2012]: Sec. 8. The following, if committed while driving a
- 33 commercial motor vehicle or while holding any class of commercial
- 34 driver's license **or permit**, are disqualifying offenses:
- 35 (1) Operating a vehicle while under the influence of alcohol in
- 36 violation of IC 9-30-5-1(a), IC 9-30-5-1(b), or section 15 of this
- 37 chapter.
- 38 (2) Operating a vehicle while under the influence of a controlled
- 39 substance in violation of IC 9-30-5-1(c).
- 40 (3) Leaving the scene of an accident involving the driver's
- 41 commercial motor vehicle in violation of IC 9-26-1.
- 42 (4) Conviction of a felony involving the use of a commercial

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1 motor vehicle other than a felony described in subdivision (5).

2 (5) Use of a commercial motor vehicle in the commission of a  
3 felony under IC 35-48 involving manufacturing, distributing, or  
4 dispensing of a controlled substance.

5 (6) Violation of IC 9-30-5-2 through IC 9-30-5-8 involving  
6 operating a vehicle while intoxicated.

7 (7) Refusing to undergo testing for the enforcement of  
8 IC 9-30-5-1 or section 15 of this chapter.

9 SECTION 252. IC 9-24-6-10.5 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10.5. (a) Except as  
11 provided in subsection (b), and in addition to any other penalty  
12 imposed for a violation of this chapter, the court that imposes a  
13 judgment for violation of an out-of-service order shall order the person  
14 receiving the judgment to be disqualified from driving a commercial  
15 vehicle as follows:

16 (1) For at least ~~ninety (90)~~ **one hundred and eighty (180)** days  
17 but not more than one (1) year, if the judgment is the person's first  
18 judgment for violation of an out-of-service order.

19 (2) For at least ~~one (1) year~~ **two (2) years** but not more than five  
20 (5) years, if the judgment is the person's second judgment for  
21 violation of an out-of-service order during any ten (10) year  
22 period.

23 (3) For at least three (3) years but not more than five (5) years, if  
24 the person has at least two (2) previous judgments for violation of  
25 an out-of-service order during any ten (10) year period.

26 (b) In addition to any other penalty imposed for a violation of this  
27 chapter, the court that imposes a judgment upon a person because the  
28 person violated an out-of-service order while the person was  
29 transporting a hazardous material or while operating a commercial  
30 motor vehicle designed or used to transport more than fifteen (15)  
31 passengers, including the driver, shall order the person to be  
32 disqualified from driving a commercial vehicle as follows:

33 (1) For at least one hundred eighty (180) days but not more than  
34 two (2) years, if the judgment is the person's first judgment for  
35 violation of an out-of-service order.

36 (2) For at least three (3) years but not more than five (5) years, if  
37 the person has at least one (1) previous judgment for violation of  
38 an out-of-service order that arose out of a separate incident during  
39 any ten (10) consecutive years.

40 **(3) For at least three (3) years but not more than five (5)**  
41 **years, if the person has at least two (2) previous judgments for**  
42 **violation of an out-of-service order that arose out of a**

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1           **separate incident during any ten (10) consecutive years.**  
2           SECTION 253. IC 9-24-6-20, AS ADDED BY P.L.45-2011,  
3           SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2012]: Sec. 20. (a) The bureau shall downgrade the  
5           commercial driver's license of a driver under the following  
6           circumstances:  
7                (1) The driver's medical certification or federally granted medical  
8                variance expires.  
9                (2) The bureau receives notification that the driver's federally  
10              granted medical variance was removed or rescinded.  
11           Not later than sixty (60) days after the occurrence of a circumstance  
12           described in subdivision (1) or (2), the bureau shall initiate a  
13           downgrade of the driver's commercial driver's license.  
14           (b) To prevent the driver's commercial driver's license from being  
15           downgraded:  
16                (1) a driver whose medical certification has expired must submit  
17                a current and qualifying medical examination report and medical  
18                examiner's certificate not later than sixty (60) days after the  
19                bureau has initiated a downgrade; or  
20                (2) a driver whose federally granted medical variance was  
21                removed or rescinded must submit a new federally granted  
22                medical variance not later than sixty (60) days after the bureau  
23                has initiated a downgrade.  
24           (c) The bureau shall provide written notice to a driver at least ten  
25           (10) days before initiating a downgrade of the driver's commercial  
26           driver's license informing the driver:  
27                (1) that the driver is not medically certified due to the expiration  
28                of the driver's medical certificate or because the driver's federally  
29                granted medical variance was removed or rescinded; and  
30                (2) how the driver can prevent the driver's commercial driver's  
31                license from being downgraded.  
32           (d) The bureau shall not issue a commercial driver's license to an  
33           applicant who does not certify that the applicant:  
34                (1) expects to operate only in interstate ~~commerce~~ or ~~only in~~  
35                intrastate commerce; **and**  
36                (2) **whether or not the applicant is medically excepted.**  
37           SECTION 254. IC 9-24-6.5-6 IS AMENDED TO READ AS  
38           FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The hazardous  
39           materials endorsement of a driver who applies for renewal of the  
40           endorsement may remain valid after the date on which the endorsement  
41           would otherwise expire if both of the following conditions are met:  
42                (1) The application for renewal was received by the bureau at

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1 least ninety (90) days before the date on which the endorsement  
 2 expires.  
 3 (2) On the date on which the endorsement expires, the bureau has  
 4 not yet received the results of a background check conducted by  
 5 the administration or another agency designated to conduct the  
 6 background check.  
 7 (b) Except as provided in subsection (c), an extension under  
 8 subsection (a) is valid for ninety (90) days after the date on which the  
 9 endorsement would otherwise expire **if the driver has applied with**  
 10 **the Transportation Security Administration for renewal of the**  
 11 **hazardous materials endorsement approval.**  
 12 (c) Notwithstanding subsection (b), if the bureau receives  
 13 information from the administration or another agency designated to  
 14 conduct a background check that requires the bureau to revoke the  
 15 hazardous materials endorsement of a driver, the bureau shall revoke  
 16 the endorsement immediately upon receipt of the information.  
 17 (d) An extension under subsection (a) may be renewed until:  
 18 (1) the bureau receives the results of a background check  
 19 conducted by the administration or another agency designated to  
 20 conduct the background check; or  
 21 (2) further extensions are barred under regulations adopted to  
 22 implement the act.  
 23 SECTION 255. IC 9-24-7-1, AS AMENDED BY P.L.145-2011,  
 24 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2012]: Sec. 1. ~~(a) This subsection expires June 30, 2010. The~~  
 26 ~~bureau shall issue a learner's permit to an individual who meets the~~  
 27 ~~following conditions:~~  
 28 ~~(1) Is at least fifteen (15) years of age:~~  
 29 ~~(2) If less than eighteen (18) years of age, is not ineligible under~~  
 30 ~~IC 9-24-2-1.~~  
 31 ~~(3) Is enrolled in an approved driver education course:~~  
 32 ~~(b) This subsection applies beginning July 1, 2010, and expires~~  
 33 ~~September 1, 2011. The bureau shall issue a learner's permit to an~~  
 34 ~~individual who meets the following conditions:~~  
 35 ~~(1) Is at least fifteen (15) years and one hundred eighty (180) days~~  
 36 ~~of age:~~  
 37 ~~(2) If less than eighteen (18) years of age, is not ineligible under~~  
 38 ~~IC 9-24-2-1.~~  
 39 ~~(3) Is enrolled in an approved driver education course:~~  
 40 ~~(c) This subsection applies beginning September 1, 2011. (a) The~~  
 41 ~~bureau shall issue a learner's permit to an individual who: meets the~~  
 42 ~~following conditions:~~

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- 1 (1) is at least fifteen (15) years of age;
- 2 (2) if less than eighteen (18) years of age, is not ineligible under
- 3 IC 9-24-2-1;
- 4 (3) is enrolled in an approved driver education course; **and**
- 5 **(4) has passed a written examination as required under**
- 6 **IC 9-24-10.**

7 **(b) The bureau shall issue a learner's permit to an individual**  
 8 **who:**

- 9 **(1) is at least sixteen (16) years of age;**
- 10 **(2) if less than eighteen (18) years of age, is not ineligible**
- 11 **under IC 9-24-2; and**
- 12 **(3) has passed a written examination as required under**
- 13 **IC 9-24-10.**

14 SECTION 256. IC 9-24-7-2 IS AMENDED TO READ AS  
 15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The ~~bureau~~  
 16 **instructor of an approved driver education course** shall validate or  
 17 **certify** a learner's permit issued under section 1 of this chapter upon  
 18 certification by the instructor of an approved driver education course  
 19 that when the holder has satisfactorily completed the course. **If the**  
 20 **instructor is unable to certify the actual learner's permit, the**  
 21 **instructor may certify that the holder has satisfactorily completed**  
 22 **the course in a manner the bureau prescribes.**

23 SECTION 257. IC 9-24-7-3 IS REPEALED [EFFECTIVE JULY 1,  
 24 2012]. Sec. 3: The ~~bureau~~ shall issue a validated learner's permit to an  
 25 individual who is at least sixteen (16) years of age upon passing the  
 26 required examination.

27 SECTION 258. IC 9-24-7-4, AS AMENDED BY P.L.156-2006,  
 28 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2012]: Sec. 4. A learner's permit authorizes the permit holder  
 30 to operate a motor vehicle, except a motorcycle **or commercial motor**  
 31 **vehicle**, upon a public highway under the following conditions:

- 32 (1) While the holder is participating in practice driving in an
- 33 approved driver education course and is accompanied by a
- 34 certified driver education instructor **or student teacher** in the
- 35 front seat of an ~~automobile~~ **a motor vehicle** equipped with dual
- 36 controls.
- 37 (2) **While the holder is participating in practice driving after**
- 38 **having commenced an approved driver education course and**
- 39 **the seat beside the holder is occupied by a parent, stepparent,**
- 40 **or guardian of the holder who holds a valid driver's license.**
- 41 ~~(2)~~ (3) ~~If the learner's permit has been validated and the holder is~~
- 42 **not participating in an approved driver education course, and**

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1 is less than eighteen (18) years of age, the holder may participate  
 2 in practice driving if the seat beside the holder is occupied by a  
 3 guardian, stepparent, or relative of the holder who is at least  
 4 twenty-one (21) years of age and holds a valid operator's;  
 5 chauffeur's; or public passenger chauffeur's driver's license.  
 6 ~~(3)~~ **(4)** If the learner's permit has been validated and the holder is  
 7 **not participating in an approved driver education course, and**  
 8 **is** at least eighteen (18) years of age, the holder may participate in  
 9 practice driving if accompanied in the vehicle by an individual  
 10 who holds a valid operator's; chauffeur's; or public passenger  
 11 chauffeur's driver's license.

12 ~~(4)~~ While:  
 13 (A) the holder is enrolled in an approved driver education  
 14 course;  
 15 (B) the holder is participating in practice driving after having  
 16 commenced an approved driver education course; and  
 17 (C) the seat beside the holder is occupied by a parent,  
 18 stepparent, or guardian of the holder who holds a valid  
 19 operator's; chauffeur's; or public passenger chauffeur's license.

20 SECTION 259. IC 9-24-7-5 IS AMENDED TO READ AS  
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. A holder of a  
 22 learner's permit may take ~~an~~ **the skills** examination for an operator's  
 23 license not later than the expiration date of the learner's permit. ~~Not~~  
 24 ~~more than three (3) examinations may be allowed any holder during the~~  
 25 ~~period the learner's permit is issued.~~ A holder who does not pass the  
 26 **skills** examination during the period for which the learner's permit is  
 27 issued must obtain a new learner's permit and **after a third attempt** is  
 28 not eligible to take the examination until two (2) months after the  
 29 issuance of the new permit. **date of the last failed examination.**

30 SECTION 260. IC 9-24-8-3 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: 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, **or commercial driver's** license issued  
 36 under this article.
- 37 (2) The individual passes a written examination developed by the  
 38 bureau concerning the safe operation of a motorcycle.

39 (b) A motorcycle learner's permit authorizes the permit's holder to  
 40 operate a motorcycle upon a highway during a period of one (1) year  
 41 under the following conditions:

- 42 (1) The holder wears a helmet that meets the standards

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- 1 established by the United States Department of Transportation
- 2 under 49 CFR 571.218 as in effect January 1, 1979.
- 3 (2) The motorcycle is operated only during daylight hours.
- 4 (3) The motorcycle does not carry passengers other than the
- 5 operator.

6 **(c) A motorcycle learner's permit may be renewed one (1) time**  
 7 **for a period of one (1) year. An individual who does not obtain a**  
 8 **motorcycle operator endorsement before the expiration of the**  
 9 **renewed learner's permit must wait one (1) year to reapply for a**  
 10 **new motorcycle learner's permit.**

11 SECTION 261. IC 9-24-8-4, AS AMENDED BY P.L.109-2011,  
 12 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsections **(b) and**  
 14 **(c), and ~~(d)~~**; the bureau shall validate an operator's, a chauffeur's, **or** a  
 15 public passenger chauffeur's, **or a commercial driver's** license for  
 16 motorcycle operation upon a highway by endorsement to a person who:  
 17 **meets the conditions in subsection (b) or (g):**

18 **(b) Except as provided in subsection (g), a person must meet at least**  
 19 **one (1) of the following conditions to obtain an endorsement under**  
 20 **subsection (a):**

- 21 (1) satisfactorily ~~complete~~ **completes** the written test ~~and:~~
- 22 ~~(A) satisfactorily complete an and~~ approved operational skills
- 23 ~~test; or tests;~~
- 24 ~~(B) (2)~~ satisfactorily ~~complete~~ **completes** a motorcycle operator
- 25 safety education course approved by the department of education
- 26 as set forth in IC 20-30-13-9; **or**
- 27 ~~(2) Hold~~ **(3) holds** a current motorcycle operator endorsement or
- 28 motorcycle operator's license from any other jurisdiction and
- 29 successfully ~~complete~~ **completes** the written test.

30 **The bureau may waive the testing requirements for an individual**  
 31 **who has completed a course described in subdivision (2).**

32 ~~(e) (b)~~ **(b)** The bureau may not issue a motorcycle endorsement to an  
 33 individual less than sixteen (16) years and one hundred eighty (180)  
 34 days of age.

35 ~~(d) (c)~~ **(c)** If an applicant for a motorcycle license endorsement is less  
 36 than eighteen (18) years of age, the bureau may not issue a license  
 37 endorsement described in subsection (a) if the applicant is ineligible  
 38 under IC 9-24-2-1.

39 ~~(e) (d)~~ **(d)** The bureau shall develop and implement both a written test  
 40 and an operational skills test ~~that must be designed~~ to determine  
 41 whether an applicant for a motorcycle endorsement ~~is competent~~  
 42 **demonstrates the necessary knowledge and skills** to operate a

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

15 (f) (e) An individual may apply for a motorcycle endorsement not  
 16 later than the expiration date of the permit. However, ~~not more than~~  
 17 ~~three (3) examinations may be allowed during the period the permit is~~  
 18 ~~valid;~~ an individual who holds a learner's permit and does not pass the  
 19 ~~written and operating skills examination during the period for which~~  
 20 ~~the permit is valid must obtain a new learner's permit. after a third~~  
 21 **attempt is not eligible to take the examination until two (2) months**  
 22 **after the date of the last failed examination.**

23 (g) (f) A person who held a valid Indiana motorcycle operator's  
 24 license on ~~June 30;~~ **December 31, 2011**, may be issued a motorcycle  
 25 operator's endorsement after ~~June 30;~~ **December 31, 2011**, on a valid  
 26 Indiana operator's, chauffeur's, public passenger chauffeur's, or  
 27 commercial driver's license after:

- 28 (1) making the appropriate application for endorsement; ~~and~~  
 29 **(2) passing the appropriate examinations; and**  
 30 ~~(2) (3) paying the appropriate fee set forth in IC 9-29-9-7 or~~  
 31 ~~IC 9-29-9-8.~~

32 SECTION 262. IC 9-24-9-2, AS AMENDED BY P.L.145-2011,  
 33 SECTION 17, AND AS AMENDED BY P.L.118-2011, SECTION 3,  
 34 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 35 [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) ~~Before January 1, 2008, each~~  
 36 ~~application for a license or permit under this chapter must require the~~  
 37 ~~following information:~~

- 38 (1) The name, date of birth, sex, Social Security number, and  
 39 mailing address; and, if different from the mailing address, the  
 40 residence address of the applicant. The applicant shall indicate to  
 41 the bureau:

- 42 (A) which address the license or permit shall contain; and



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- 1 (B) whether the Social Security number or another
- 2 distinguishing number shall be the distinctive identification
- 3 number used on the license or permit.
- 4 (2) Whether the applicant has been licensed as an operator, a
- 5 chauffeur, or a public passenger chauffeur or has been the holder
- 6 of a learner's permit, and if so, when and by what state.
- 7 (3) Whether the applicant's license or permit has ever been
- 8 suspended or revoked, and if so, the date of and the reason for the
- 9 suspension or revocation.
- 10 (4) Whether the applicant has been convicted of a crime
- 11 punishable as a felony under Indiana motor vehicle law or any
- 12 other felony in the commission of which a motor vehicle was
- 13 used.
- 14 (5) Whether the applicant has a physical or mental disability, and
- 15 if so, the nature of the disability and other information the bureau
- 16 directs.
- 17 The bureau shall maintain records of the information provided under
- 18 subdivisions (1) through (5).
- 19 (b) (a) Except as provided in subsection (c), after December 31,
- 20 2007, (b), each application for a license or permit under this chapter
- 21 must require the following information:
- 22 (1) The full legal name of the applicant.
- 23 (2) The applicant's date of birth.
- 24 (3) The gender of the applicant.
- 25 (4) The applicant's height, weight, hair color, and eye color.
- 26 (5) The principal address and mailing address of the applicant.
- 27 (6) A:
- 28 (A) valid Social Security number; or
- 29 (B) verification of an applicant's:
- 30 (i) ineligibility to be issued a Social Security number; and
- 31 (ii) identity and lawful status.
- 32 (7) Whether the applicant has been subject to fainting spells or
- 33 seizures.
- 34 (8) Whether the applicant has been licensed as an operator, a
- 35 chauffeur, or a public passenger chauffeur or has been the holder
- 36 of a learner's permit, and if so, when and by what state.
- 37 (9) Whether the applicant's license or permit has ever been
- 38 suspended or revoked, and if so, the date of and the reason for the
- 39 suspension or revocation.
- 40 (10) Whether the applicant has been convicted of a crime
- 41 punishable as a felony under Indiana motor vehicle law or any
- 42 other felony in the commission of which a motor vehicle was

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1 used.  
 2 (11) Whether the applicant has a physical or mental disability,  
 3 and if so, the nature of the disability and other information the  
 4 bureau directs.  
 5 (12) The signature of the applicant.  
 6 The bureau shall maintain records of the information provided under  
 7 subdivisions (1) through (12).

8 ~~(c)~~ **(b)** For purposes of subsection ~~(b)~~; **(a)**, an individual certified as  
 9 a program participant in the address confidentiality program under  
 10 IC 5-26.5 is not required to provide the individual's principal address  
 11 and mailing address, but may provide an address designated by the  
 12 office of the attorney general under IC 5-26.5 as the individual's  
 13 principal address and mailing address.

14 ~~(d)~~ **(c)** *In addition to the information required by subsection ~~(b)~~; **(a)**,*  
 15 *an applicant who is required to complete at least fifty (50) hours of*  
 16 *supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or*  
 17 *IC 9-24-3-2.5(a)(2)(D) must submit to the commission evidence of the*  
 18 *time logged in practice driving. The bureau shall maintain a record of*  
 19 *the time log provided.*

20 *(d) In addition to the information required under subsection ~~(b)~~; **(a)**,*  
 21 *an application for a license or permit to be issued under this chapter*  
 22 *must enable the applicant to indicate that the applicant is a veteran of*  
 23 *the armed forces of the United States and wishes to have an indication*  
 24 *of the applicant's veteran status appear on the license or permit. An*  
 25 *applicant who wishes to have an indication of the applicant's veteran*  
 26 *status appear on a license or permit must:*

- 27 *(1) indicate on the application that the applicant:*  
 28 *(A) is a veteran of the armed forces of the United States; and*  
 29 *(B) wishes to have an indication of the applicant's veteran*  
 30 *status appear on the license or permit; and*  
 31 *(2) verify the applicant's veteran status by providing proof of*  
 32 *discharge.*

33 *The bureau shall maintain records of the information provided under*  
 34 *this subsection.*

35 SECTION 263. IC 9-24-10-3, AS AMENDED BY P.L.145-2011,  
 36 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2012]: Sec. 3. ~~(a) Except as provided by subsection (b);~~  
 38 ~~examinations shall be held in the county where the license branch~~  
 39 ~~office in which the application was made is located; within a~~  
 40 ~~reasonable length of time following the date of the application.~~

41 ~~(b) After June 30, 2011;~~ An applicant may take any or all of the tests  
 42 required by section 4(a)(1)(B), 4(a)(1)(C), and 4(a)(2) of this chapter

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1 at any **license branch** location in Indiana.

2 SECTION 264. IC 9-24-10-4, AS AMENDED BY P.L.145-2011,  
3 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (c), an  
5 examination for a learner's permit **or driver's license** must ~~consist of~~  
6 ~~a test of the applicant's eyesight and knowledge of IC 9-26-1-1.5. All~~  
7 ~~other examinations must~~ include the following:

8 (1) A test of the following of the applicant:

9 (A) Eyesight.

10 (B) Ability to read and understand highway signs regulating,  
11 warning, and directing traffic.

12 (C) Knowledge of Indiana traffic laws, including  
13 IC 9-26-1-1.5.

14 (2) An actual demonstration of the applicant's skill in exercising  
15 ordinary and reasonable control in the operation of a motor  
16 vehicle under the type of permit or license applied for.

17 (b) The examination may include further physical and mental  
18 examination that the bureau finds necessary to determine the  
19 applicant's fitness to operate a motor vehicle safely upon Indiana  
20 highways. The applicant must provide the motor vehicle used in the  
21 examination.

22 (c) The bureau:

23 (1) ~~shall~~ **may** waive the actual demonstration required under  
24 subsection (a)(2) for a person who has passed a driver's education  
25 class and a skills test given by a commercial driver training school  
26 or driver education program given by an entity licensed under  
27 IC 9-27-6-7; and

28 (2) may waive the testing, other than testing under subsection  
29 (a)(1)(A), of an applicant who has passed:

30 (A) an examination concerning:

31 (i) subsection (a)(1)(B); and  
32 (ii) subsection (a)(1)(C); and

33 (B) a skills test;  
34 given by a commercial driver training school or an entity licensed  
35 under IC 9-27-6-7.

36 (d) The bureau shall adopt rules under IC 4-22-2 specifying  
37 requirements for a skills test given under subsection (c) and the testing  
38 required under subsection (a)(1)(B) and (a)(1)(C).

39 (e) An instructor having an endorsement under IC 9-27-6-8 who did  
40 not instruct the applicant for the license or permit in driver education  
41 is not civilly or criminally liable for a report made in good faith to the:  
42 (1) bureau;

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- 1 (2) commission; or
- 2 (3) driver licensing medical advisory board;
- 3 concerning the fitness of the applicant to operate a motor vehicle in a
- 4 manner that does not jeopardize the safety of individuals or property.

5 SECTION 265. IC 9-24-10-5 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The bureau shall  
 7 ~~print~~; **make available**, for the mandatory use of individuals conducting  
 8 the examinations, the rules and requirements that must be uniformly  
 9 and impartially followed in making the examinations.

10 SECTION 266. IC 9-24-11-1 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall  
 12 issue a permit or license to every applicant who meets the following  
 13 conditions:

- 14 (1) Qualifies as required.
- 15 (2) Makes the proper application.
- 16 (3) Pays the required fee.
- 17 **(4) Passes the required examinations.**

18 SECTION 267. IC 9-24-11-9 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) This section  
 20 applies to an individual who has an existing medical condition that  
 21 causes the individual to appear intoxicated.

22 (b) An operator's permit or license issued to an individual under this  
 23 section must bear a ~~distinctive color coding~~ **restriction** on the ~~face of~~  
 24 ~~the~~ operator's permit or license.

25 (c) An individual who wishes to have an operator's permit or license  
 26 issued under this section must provide a verified certificate from a  
 27 physician licensed to practice in Indiana attesting to the individual's  
 28 medical condition. The physician's certificate must be:

- 29 (1) provided to the bureau at the time the individual applies for an  
 30 operator's permit or license under this section;
- 31 (2) carried in any vehicle that the individual operates; and
- 32 (3) renewed each time the individual's operator's license is  
 33 renewed.

34 (d) The bureau shall adopt rules under IC 4-22-2 to carry out this  
 35 section.

36 SECTION 268. IC 9-24-11-10 IS AMENDED TO READ AS  
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) In addition to  
 38 any other penalty imposed for a conviction under section 8(c) of this  
 39 chapter, the court shall recommend that the person's driving privileges  
 40 be suspended for a fixed period of at least ninety (90) days and not  
 41 more than two (2) years.

42 (b) The court shall specify:

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1 (1) the length of the fixed period of suspension; and  
 2 (2) the date the fixed period of suspension begins;  
 3 whenever the court makes a recommendation under subsection (a). **If**  
 4 **the court fails to recommend a fixed term of suspension, the bureau**  
 5 **shall impose the minimum period of suspension required under this**  
 6 **chapter.**

7 SECTION 269. IC 9-24-11-11 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. The bureau shall,  
 9 upon receiving a record of conviction of a person under section 8(c) of  
 10 this chapter, set a period of suspension for a fixed period of at least  
 11 ninety (90) days and not more than two (2) years. The bureau shall fix  
 12 this period in accordance with the recommendation of the court that  
 13 entered the conviction, as provided in section 10 of this chapter. **If the**  
 14 **court fails to recommend a fixed term of suspension, the bureau**  
 15 **shall impose the minimum period of suspension required under this**  
 16 **chapter.**

17 SECTION 270. IC 9-24-12-1, AS AMENDED BY P.L.87-2010,  
 18 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 UPON PASSAGE]: Sec. 1. (a) **Notwithstanding subsection (c) and**  
 20 **except as provided in subsections subsection (b) and (d) and section**  
 21 **sections 10, 11, and 12** of this chapter, **the expiration date for an**  
 22 **operator's license issued under this article before January 1, 2006,**  
 23 **expires at midnight of the birthday of the holder that occurs four (4)**  
 24 **years following the date of issuance. that contains a 2012 expiration**  
 25 **date is as follows:**

26 (1) **If the license was previously issued or renewed after May**  
 27 **14, 2007, and before January 1, 2008, the license expires at**  
 28 **midnight on the birthday of the holder that occurs five (5)**  
 29 **years following the date of issuance.**

30 (2) **If the license was previously issued or renewed after**  
 31 **December 31, 2007, and before January 1, 2009, the license**  
 32 **expires at midnight on the birthday of the holder that occurs**  
 33 **six (6) years following the date of issuance.**

34 (3) **If the license was previously issued or renewed after**  
 35 **December 31, 2005, and before January 1, 2007, the license**  
 36 **expires at midnight on the birthday of the holder that occurs**  
 37 **four (4) years following the date of issuance.**

38 **This subsection does not apply to the issuance or renewal of an**  
 39 **operator's license that contains an expiration date after 2012.**

40 (b) Except as provided in sections 10, 11, and 12 of this chapter, an  
 41 operator's license issued to an applicant who is at least seventy-five  
 42 (75) years of age expires at midnight of the birthday of the holder that

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1 occurs three (3) years following the date of issuance.  
 2 (c) Except as provided in subsections **(a)**, **(b)**, ~~and~~ **(d)**, and **(f)** and  
 3 sections 10, 11, and 12 of this chapter, an operator's license issued  
 4 under this article expires at midnight of the birthday of the holder that  
 5 occurs six (6) years following the date of issuance.  
 6 (d) A probationary operator's license issued under IC 9-24-11-3  
 7 expires at ~~midnight of the twenty-first birthday of the holder.~~ **in**  
 8 **accordance with IC 9-24-11-3(e).**  
 9 (e) A probationary **operator's** license issued under IC 9-24-11-3.3  
 10 to an individual who complies with IC 9-24-9-2.5(5) through  
 11 IC 9-24-9-2.5(9) expires:  
 12 (1) at midnight one (1) year after issuance if there is no expiration  
 13 date on the authorization granted to the individual to remain in the  
 14 United States; or  
 15 (2) if there is an expiration date on the authorization granted to  
 16 the individual to remain in the United States, the earlier of the  
 17 following:  
 18 (A) At midnight of the date the authorization to remain in the  
 19 United States expires.  
 20 (B) At midnight of the date thirty (30) days after the  
 21 twenty-first birthday of the holder.  
 22 (f) Except as provided in subsection (e), a probationary operator's  
 23 license issued under IC 9-24-11-3.3 expires at midnight of the date  
 24 thirty (30) days after the twenty-first birthday of the holder.  
 25 SECTION 271. IC 9-24-12-2, AS AMENDED BY P.L.184-2007,  
 26 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2012]: Sec. 2. ~~(a) Except as provided in section 10 of this~~  
 28 ~~chapter, a chauffeur's license issued under this article after December~~  
 29 ~~31, 1996, and before January 1, 2006, expires at midnight of the~~  
 30 ~~birthday of the holder that occurs four (4) years following the date of~~  
 31 ~~issuance.~~  
 32 ~~(b) (a) After December 31, 2005, and~~ Except as provided in  
 33 subsection ~~(c)~~ **(b)** and sections 10, 11, and 12 of this chapter, a  
 34 chauffeur's license issued under this article expires at midnight of the  
 35 birthday of the holder that occurs six (6) years following the date of  
 36 issuance.  
 37 ~~(c) (b)~~ Except as provided in ~~subsection (b) and~~ sections 10, 11, and  
 38 12 of this chapter, a chauffeur's license issued to an applicant who is at  
 39 least seventy-five (75) years of age expires at midnight of the birthday  
 40 of the holder that occurs three (3) years following the date of issuance.  
 41 SECTION 272. IC 9-24-12-5, AS AMENDED BY P.L.109-2011,  
 42 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2012]: Sec. 5. (a) Except as provided in subsection (b), an  
 2 individual applying for renewal of an operator's, a chauffeur's, or a  
 3 public passenger chauffeur's license must apply in person at a license  
 4 branch and do the following:

5 (1) Pass an eyesight examination.

6 (2) Pass a written examination if:

7 (A) the applicant has at least six (6) active points on the  
 8 applicant's driving record maintained by the bureau; or

9 (B) the applicant holds a valid operator's license, has not  
 10 reached the applicant's twenty-first birthday, and has active  
 11 points on the applicant's driving record maintained by the  
 12 bureau.

13 (b) The bureau may adopt rules under IC 4-22-2 concerning the  
 14 ability of a holder of an operator's, a chauffeur's, or a public passenger  
 15 chauffeur's license to renew the license by mail or by electronic service.  
 16 If rules are adopted under this subsection, the rules must provide that  
 17 an individual's renewal of a license by mail or by electronic service is  
 18 subject to the following conditions:

19 (1) A valid computerized image of the individual must exist  
 20 within the records of the bureau.

21 (2) The previous renewal of the individual's operator's,  
 22 chauffeur's, or public passenger chauffeur's license must not have  
 23 been by mail or by electronic service.

24 (3) The application for or previous renewal of the individual's  
 25 license must have included a test of the individual's eyesight  
 26 approved by the bureau.

27 (4) If the individual were applying for the license renewal in  
 28 person at a license branch, the individual would not be required  
 29 under subsection (a)(2) to submit to a written examination.

30 (5) The individual must be a citizen of the United States, as  
 31 shown in the records of the bureau.

32 (6) There must not have been any change in the:

33 (A) address; or

34 (B) name;

35 of the individual since the issuance or previous renewal of the  
 36 individual's operator's, chauffeur's, or public passenger chauffeur's  
 37 license.

38 (7) The operator's, chauffeur's, or public passenger chauffeur's  
 39 license of the individual must not be:

40 (A) suspended; or

41 (B) expired more than one hundred eighty (180) days;

42 at the time of the application for renewal.

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1 (8) The individual must be less than ~~seventy (70)~~ **seventy-five**  
2 **(75)** years of age at the time of the application for renewal.

3 (c) An individual applying for the renewal of an operator's, a  
4 chauffeur's, or a public passenger chauffeur's license must apply in  
5 person at a license branch under subsection (a) if the individual is not  
6 entitled to apply by mail or by electronic service under rules adopted  
7 under subsection (b).

8 SECTION 273. IC 9-24-14-1, AS AMENDED BY P.L.87-2010,  
9 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2012]: Sec. 1. If a permit or license issued under this article  
11 ~~except section 2 of this chapter~~, is lost or destroyed, and as provided in  
12 section 3.5 of this chapter, the individual to whom the permit or license  
13 was issued may obtain a replacement if the individual ~~does the~~  
14 ~~following~~:

15 (1) ~~Furnishes proof satisfactory to the bureau that the permit or~~  
16 ~~license was lost or destroyed.~~

17 (2) ~~pays the required fee for a replacement permit or license under~~  
18 ~~IC 9-29-9.~~

19 SECTION 274. IC 9-24-14-2 IS REPEALED [EFFECTIVE JULY  
20 1, 2012]. Sec. 2: (a) ~~This section applies to replacement licenses issued~~  
21 ~~under the following~~:

22 (1) ~~IC 9-30-4-6.~~

23 (2) ~~IC 9-24-15.~~

24 (3) ~~IC 9-30-5.~~

25 (4) ~~IC 9-30-6.~~

26 (5) ~~IC 9-30-10-9.~~

27 (6) ~~IC 9-30-10-13.~~

28 (b) ~~The bureau may issue a replacement license that is restrictive or~~  
29 ~~conditional if an applicant does the following~~:

30 (1) ~~Applies for a valid replacement license.~~

31 (2) ~~Surrenders all licenses in the applicant's possession.~~

32 (3) ~~Pays the license fee under IC 9-29-9.~~

33 SECTION 275. IC 9-24-15-1 IS AMENDED TO READ AS  
34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) Except as  
35 provided in subsection (b), this chapter does not apply to the following:

36 (1) A suspension of a driving license upon the failure of an  
37 individual to file security or proof of financial responsibility  
38 following an accident as required by or upon the failure of any  
39 individual to satisfy a judgment for damages arising out of the use  
40 of a motor vehicle on a public highway as provided for in IC 9-25.

41 (2) When suspension is by reason of:

42 (A) physical, mental, or emotional instability;

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- 1 (B) having caused serious bodily injury to or the death of
- 2 another person when operating a motor vehicle after
- 3 knowingly or intentionally failing to take prescribed
- 4 medication, the taking of which was a condition of the
- 5 issuance of the operator's restricted driver's license; or
- 6 (C) the applicant has been convicted of involuntary
- 7 manslaughter or reckless homicide as a result of an automobile
- 8 accident.
- 9 (3) A suspension of the license of an applicant whose license has
- 10 been previously suspended.
- 11 (4) A suspension of the license of an applicant who has failed to
- 12 use timely appeal procedures provided by the bureau.
- 13 (5) After June 30, 2005, a suspension of the license of an
- 14 applicant whose commercial driver's license has been disqualified
- 15 under 49 CFR 383.51 or other applicable federal or state law,
- 16 including an alcohol or a controlled substance conviction under
- 17 IC 9-30-5-4 or 49 CFR 391.15.

18 (b) A court may grant a petition for a restricted driving ~~permit~~  
 19 **privileges** from an individual who:

- 20 (1) received a request for evidence of financial responsibility
- 21 after:
- 22 (A) an accident under IC 9-25-5-2; or
- 23 (B) a conviction of a motor vehicle violation under
- 24 IC 9-25-9-1; and
- 25 (2) failed to provide proof of financial responsibility under
- 26 IC 9-25-6;

27 if the individual shows by a preponderance of the evidence that the  
 28 failure to maintain financial responsibility was inadvertent.

29 SECTION 276. IC 9-24-15-2 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. If:

- 31 (1) an individual's driving license has been suspended under
- 32 Indiana motor vehicle law; ~~and~~
- 33 (2) because of the nature of the individual's employment the
- 34 suspension would work an undue hardship and burden upon the
- 35 individual's family or dependents; **and**
- 36 **(3) the individual is eligible for restricted driving privileges**
- 37 **under section 1 of this chapter;**

38 the individual may file a verified petition for a restricted driving ~~permit~~  
 39 **privileges** for the sole purpose of driving to and from work and in the  
 40 course of employment during the period of the driving license  
 41 suspension.

42 SECTION 277. IC 9-24-15-3, AS AMENDED BY P.L.28-2010,



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1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2012]: Sec. 3. The following information must be included in  
3 a petition filed under section 2 of this chapter:

- 4 (1) The petitioner's age, place of residence, and occupation.
- 5 (2) That the petitioner has never been convicted of a similar  
6 offense or been **previously** suspended. ~~for a similar reason.~~
- 7 (3) The reason and nature of the hardship or burden upon the  
8 petitioner's family or dependents.
- 9 (4) The nature of and the necessity of the use of a motor vehicle  
10 in the petitioner's employment.
- 11 (5) The petitioner's place of employment, hours worked, and route  
12 to be traveled for employment purposes.
- 13 (6) ~~After June 30, 2005,~~ A certified copy of the petitioner's  
14 driving record in Indiana and other states in which the petitioner  
15 has held driving privileges, including all states in which the  
16 petitioner has held a commercial driver's license.
- 17 (7) ~~After June 30, 2005,~~ A verified statement that the petitioner  
18 meets eligibility requirements for a restricted license as set forth  
19 in section 6.5 of this chapter.
- 20 (8) ~~Whether the person is a habitual violator of traffic laws under  
21 IC 9-30-10.~~

22 SECTION 278. IC 9-24-15-5, AS AMENDED BY P.L.106-2010,  
23 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2012]: Sec. 5. (a) The issues before the court in a proceeding  
25 under this chapter must be considered closed by denial of all matters  
26 at issue without the necessity of filing any further pleadings.

27 (b) Changes of venue from the judge or from the county must be  
28 granted a party under the law governing changes of venue in civil  
29 causes.

30 (c) A suspension or revocation under this title remains in full force  
31 and effect during the pendency of a cause under this chapter and until  
32 the issuance of the restricted driving **permit privileges** by the bureau  
33 in accordance with the recommendation of the court.

34 (d) Records accumulated in the regular course of business and  
35 routinely on file in the offices of the prosecuting attorney of the county,  
36 sheriff of the county, and bureau may be admitted at the hearing on the  
37 petition. The records constitute prima facie evidence of the matters  
38 contained on the face of the petition in relation to the petitioner.

39 (e) Court costs (including fees) for the action on the petition must  
40 be charged against the petitioner. The prosecuting attorney of the  
41 county is not liable or taxable for any costs (including fees) in any  
42 action under this chapter.

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1 SECTION 279. IC 9-24-15-6, AS AMENDED BY P.L.109-2011,  
2 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2012]: Sec. 6. (a) The court shall, after hearing the evidence  
4 upon a petition filed under this chapter and without any requests, make,  
5 sign, and file special finding of facts in writing. Except as provided in  
6 section 6.5 of this chapter, the court may do either of the following:

- 7 (1) Refuse to grant the petition.
- 8 (2) Make a final determination in the nature of a recommendation  
9 to the bureau that the petitioner be granted a restricted driving  
10 permit. **privileges.**

11 The judge of the court shall sign the recommendation and have the  
12 recommendation entered in the order book by the clerk of the court,  
13 with a copy sent to the bureau.

14 **(b) If the bureau receives an order granting restricted driving  
15 privileges to a person who, according to the records of the bureau,  
16 is ineligible to receive restricted driving privileges under this  
17 chapter, the bureau shall:**

- 18 **(1) grant the person restricted driving privileges and notify  
19 the prosecuting attorney of the county from which the order  
20 was received that the person is not eligible for restricted  
21 driving privileges; and**
- 22 **(2) send a certified copy of the person's driving record to the  
23 prosecuting attorney. The prosecuting attorney shall, in  
24 accordance with IC 35-38-1-15, petition the court to correct  
25 the order of the court. If the bureau does not receive a  
26 corrected order within sixty (60) days, the bureau shall notify  
27 the attorney general, who shall, in accordance with  
28 IC 35-38-1-15, petition the court to correct the order of the  
29 court.**

30 SECTION 280. IC 9-24-15-6.5, AS AMENDED BY P.L.109-2011,  
31 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2012]: Sec. 6.5. (a) The court shall grant a petition for a  
33 restricted driving ~~permit~~ **privileges** filed under this chapter if all of the  
34 following conditions exist:

- 35 (1) The person was not convicted of one (1) or more of the  
36 following:
  - 37 (A) A Class D felony under IC 9-30-5-4 before July 1, 1996,  
38 or a Class D felony or a Class C felony under IC 9-30-5-4 after  
39 June 30, 1996.
  - 40 (B) A Class C felony under IC 9-30-5-5 before July 1, 1996, or  
41 a Class C felony or a Class B felony under IC 9-30-5-5 after  
42 June 30, 1996.

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- 1 (2) The person's driving privileges were suspended under
- 2 IC 9-30-6-9(c) or IC 35-48-4-15.
- 3 (3) The driving that was the basis of the suspension was not in
- 4 connection with the person's work.
- 5 (4) The person does not have a previous conviction for operating
- 6 while intoxicated.
- 7 (5) The person is participating in a rehabilitation program
- 8 certified by either the division of mental health and addiction or
- 9 the Indiana judicial center. ~~as a condition of the person's~~
- 10 ~~probation:~~

11 (b) The person filing the petition for a restricted driving ~~permit~~  
 12 **privileges** shall include in the petition the information specified in  
 13 subsection (a) in addition to the information required by sections 3  
 14 through 4 of this chapter.

15 (c) Whenever the court grants a person restricted driving privileges  
 16 under this chapter, that part of the court's order granting probationary  
 17 driving privileges shall not take effect until the person's driving  
 18 privileges have been suspended for at least thirty (30) days under  
 19 IC 9-30-6-9. In a county that provides for the installation of an ignition  
 20 interlock device under IC 9-30-8, installation of an ignition interlock  
 21 device is required as a condition of probationary driving privileges for  
 22 the entire duration of the probationary driving privileges.

23 (d) If a court requires installation of a certified ignition interlock  
 24 device under subsection (c), the court shall order the bureau to record  
 25 this requirement in the person's ~~operating driving~~ record in accordance  
 26 with IC 9-14-3-7. When the person is no longer required to operate  
 27 only a motor vehicle equipped with an ignition interlock device, the  
 28 court shall notify the bureau that the ignition interlock use requirement  
 29 has expired and order the bureau to update its records accordingly.

30 SECTION 281. IC 9-24-15-6.7, AS AMENDED BY P.L.109-2011,  
 31 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2012]: Sec. 6.7. (a) If a petitioner whose driving license or  
 33 permit is suspended under ~~IC 9-25-6-19, IC 9-25-6-20, or IC 9-25-6-21~~  
 34 **IC 9-30-13-6, IC 9-30-13-7, or IC 9-30-13-8** proves to the satisfaction  
 35 of the court that public transportation is unavailable for travel by the  
 36 petitioner:

- 37 (1) to and from the petitioner's regular place of employment;
- 38 (2) in the course of the petitioner's regular employment;
- 39 (3) to and from the petitioner's place of worship; or
- 40 (4) to participate in parenting time with the petitioner's children
- 41 consistent with a court order granting parenting time;
- 42 the court may grant a petition for a restricted driving ~~permit~~ **privileges**

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1 filed under this chapter.  
 2 (b) ~~▲~~ Restricted driving ~~permit~~ **privileges** issued by the bureau  
 3 under this section must specify that the restricted driving ~~permit is~~  
 4 **privileges are** valid only for purposes of driving under the conditions  
 5 described in subsection (a).  
 6 (c) ~~▲~~ Restricted driving ~~permit~~ **privileges** issued by the bureau  
 7 under this section shall be:  
 8 (1) issued in the same manner; and  
 9 (2) subject to all requirements;  
 10 as other permits under this chapter.  
 11 SECTION 282. IC 9-24-15-7 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. ~~The bureau shall~~  
 13 ~~comply with the court's recommendation.~~ The bureau in issuing a  
 14 restricted driving ~~permit~~ **privileges** shall be guided by the court's  
 15 special finding of facts in setting out the petitioner's driving  
 16 restrictions. The ~~restricted driving permit recommendation of the~~  
 17 **court** must set out restrictions as to the time, territory, and route to be  
 18 included and shall be restricted to the essential requirements of the  
 19 petitioner in the performance of the petitioner's employment duties.  
 20 SECTION 283. IC 9-24-15-8 IS AMENDED TO READ AS  
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The petitioner must  
 22 have **proof of the petitioner's** restricted driving ~~permit~~ **privileges** on  
 23 the petitioner's person while driving a motor vehicle. ~~▲~~ Restricted  
 24 driving ~~permit is~~ **privileges are** valid and in force only after the person  
 25 gives and maintains in effect proof of financial responsibility in the  
 26 manner required in IC 9-25.  
 27 SECTION 284. IC 9-24-15-9, AS AMENDED BY P.L.109-2011,  
 28 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2012]: Sec. 9. Except as provided in section 6.5 of this  
 30 chapter, an individual may not ~~receive a~~ **be granted** restricted driving  
 31 ~~permit~~ **privileges** if the individual's driving privileges are suspended  
 32 under IC 9-30-5 through IC 9-30-9 or IC 9-30-13-3.  
 33 SECTION 285. IC 9-24-15-11 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) A person who:  
 35 (1) has been ~~issued a~~ **granted** restricted driving ~~permit;~~  
 36 **privileges;** and  
 37 (2) operates a motor vehicle:  
 38 (A) in violation of the terms, limitations, or restrictions set out  
 39 **in by the restricted driving permit; court;** and  
 40 (B) during the period of suspension of the person's current  
 41 driving license;  
 42 commits a Class B misdemeanor.

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1 (b) The bureau shall, upon receipt of notice of a conviction for a  
2 violation of this section, do the following:

- 3 (1) Revoke the **person's** restricted driving ~~permit.~~ **privileges.**
- 4 (2) Suspend the person's current driving license for two (2) years  
5 in addition to the original existing period of suspension.

6 In addition, the bureau may not issue ~~another~~ restricted driving **permit**  
7 **privileges** to the person during the original existing or additional  
8 period of suspension.

9 SECTION 286. IC 9-24-16-2, AS AMENDED BY P.L.118-2011,  
10 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2012]: Sec. 2. ~~(a) Before January 1, 2008, an application for~~  
12 ~~an identification card issued under this chapter must meet the following~~  
13 ~~conditions:~~

- 14 ~~(1) Be made upon an approved form provided by the bureau;~~  
15 ~~which shall include the mailing address; and if different from the~~  
16 ~~mailing address; the residence address of the applicant.~~
- 17 ~~(2) Be verified by the applicant before a person authorized to~~  
18 ~~administer oaths and affirmations:~~

19 ~~(b) Except as provided in subsection (c), after December 31, 2007;~~  
20 **(a)** An application for an identification card issued under this chapter  
21 must require the following information concerning an applicant:

- 22 (1) The full legal name of the applicant.
- 23 (2) The applicant's date of birth.
- 24 (3) The gender of the applicant.
- 25 (4) The applicant's height, weight, hair color, and eye color.
- 26 (5) The principal address and mailing address of the applicant.
- 27 (6) A:
  - 28 (A) valid Social Security number; or
  - 29 (B) verification of an applicant's:
    - 30 (i) ineligibility to be issued a Social Security number; and
    - 31 (ii) identity and lawful status.

- 32 **(7) A digital photograph of the applicant.**
- 33 **(8) The signature of the applicant.**

34 The bureau shall maintain records of the information provided under  
35 subdivisions (1) through ~~(6):~~ **(8).**

36 ~~(c)~~ **(b)** The bureau may temporarily invalidate an identification card  
37 that the bureau believes to have been issued as a result of fraudulent  
38 documentation.

- 39 ~~(d)~~ **(c)** The bureau:
  - 40 (1) shall adopt rules under IC 4-22-2 to establish a procedure to  
41 verify an applicant's identity and lawful status; and
  - 42 (2) may adopt rules to establish a procedure to temporarily

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1           invalidate an identification card that it believes to have been  
 2           issued based on fraudulent documentation.  
 3           ~~(e)~~ **(d)** For purposes of subsection ~~(b)~~; **(a)**, an individual certified as  
 4 a program participant in the address confidentiality program under  
 5 IC 5-26.5 is not required to provide the individual's principal address  
 6 and mailing address, but may provide an address designated by the  
 7 office of the attorney general under IC 5-26.5 as the individual's  
 8 principal address and mailing address.  
 9           ~~(f)~~ **(e)** In addition to the information required under subsection ~~(b)~~;  
 10 **(a)**, an application for an identification card to be issued under this  
 11 chapter must enable the applicant to indicate that the applicant is a  
 12 veteran of the armed forces of the United States and wishes to have an  
 13 indication of the applicant's veteran status appear on the identification  
 14 card. An applicant who wishes to have an indication of the applicant's  
 15 veteran status appear on the identification card must:  
 16           (1) indicate on the application that the applicant:  
 17               (A) is a veteran of the armed forces of the United States; and  
 18               (B) wishes to have an indication of the applicant's veteran  
 19               status appear on the identification card; and  
 20           (2) verify the applicant's veteran status by providing proof of  
 21           discharge.  
 22           The bureau shall maintain records of the information provided under  
 23           this subsection.  
 24           SECTION 287. IC 9-24-16-3, AS AMENDED BY P.L.118-2011,  
 25 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2012]: Sec. 3. (a) An identification card must have the same  
 27 dimensions and shape as a driver's license, but the card must have  
 28 markings sufficient to distinguish the card from a driver's license.  
 29           (b) Except as provided in subsection ~~(h)~~; **(g)**, the front side of an  
 30 identification card must contain the expiration date of the identification  
 31 card and the following information about the individual to whom the  
 32 card is being issued:  
 33           (1) Full legal name.  
 34           (2) The address of the principal residence.  
 35           (3) Date of birth.  
 36           (4) Date of issue and date of expiration.  
 37           (5) Unique identification number.  
 38           (6) Gender.  
 39           (7) Weight.  
 40           (8) Height.  
 41           (9) Color of eyes and hair.  
 42           (10) Reproduction of the signature of the individual identified.

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- 1 (11) Whether the individual is blind (as defined in
- 2 IC 12-7-2-21(1)).
- 3 (12) If the individual is less than eighteen (18) years of age at the
- 4 time of issuance, the dates on which the individual will become:
- 5 (A) eighteen (18) years of age; and
- 6 (B) twenty-one (21) years of age.
- 7 (13) If the individual is at least eighteen (18) years of age but less
- 8 than twenty-one (21) years of age at the time of issuance, the date
- 9 on which the individual will become twenty-one (21) years of age.
- 10 (14) Digital photograph of the individual.
- 11 (c) The information contained on the identification card as required
- 12 by subsection (b)(12) or (b)(13) for an individual who is less than
- 13 twenty-one (21) years of age at the time of issuance shall be printed
- 14 prominently on the permit or license.
- 15 (d) If the individual:
- 16 (1) has indicated on the application that the individual is a veteran
- 17 of the armed forces of the United States and wishes to have an
- 18 indication of the applicant's veteran status appear on the
- 19 identification card; and
- 20 (2) has provided proof of discharge;
- 21 an indication of the individual's veteran status shall be shown on the
- 22 identification card.
- 23 (e) If the applicant for an identification card submits information to
- 24 the bureau concerning the applicant's medical condition, the bureau
- 25 shall place an identifying symbol on the face of the identification card
- 26 to indicate that the applicant has a medical condition of note. The
- 27 bureau shall include information on the identification card that briefly
- 28 describes the medical condition of the holder of the card. The
- 29 information must be printed in a manner that alerts a person reading the
- 30 card to the existence of the medical condition. The applicant for an
- 31 identification card is responsible for the accuracy of the information
- 32 concerning the medical condition submitted under this subsection. The
- 33 bureau shall inform an applicant that submission of information under
- 34 this subsection is voluntary.
- 35 (f) An identification card issued by the state that does not require a
- 36 digital photograph must include a statement that the identification card
- 37 may not be accepted by any federal agency for federal identification or
- 38 any other federal purpose.
- 39 (g) (f) An identification card issued by the state to an individual
- 40 who:
- 41 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
- 42 visa status for entry in the United States;

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- 1 (2) has a pending application for asylum in the United States;
- 2 (3) has a pending or approved application for temporary protected
- 3 status in the United States;
- 4 (4) has approved deferred action status; or
- 5 (5) has a pending application for adjustment of status to that of an
- 6 alien lawfully admitted for permanent residence in the United
- 7 States or conditional permanent residence status in the United
- 8 States;

9 must be clearly identified as a temporary identification card. A  
 10 temporary identification card issued under this subsection may not be  
 11 renewed without the presentation of valid documentary evidence  
 12 proving that the holder of the identification card's temporary status has  
 13 been extended.

14 ~~(h)~~ (g) For purposes of subsection (b), an individual certified as a  
 15 program participant in the address confidentiality program under  
 16 IC 5-26.5 is not required to provide the address of the individual's  
 17 principal residence, but may provide an address designated by the  
 18 office of the attorney general under IC 5-26.5 as the address of the  
 19 individual's principal residence.

20 SECTION 288. IC 9-24-16-4, AS AMENDED BY P.L.162-2009,  
 21 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (b), an  
 23 identification card ~~issued:~~

- 24 ~~(1) before January 1, 2006, expires on the fourth birthday of the~~
- 25 ~~applicant following the date of issue; and~~
- 26 ~~(2) after December 31, 2005, expires at midnight of the birthday~~
- 27 ~~of the holder that occurs six (6) years following the date of~~
- 28 ~~issuance.~~

29 (b) An identification card issued under this article ~~after December~~  
 30 ~~31, 2007,~~ to an applicant who complies with section 3.5(1)(E) through  
 31 3.5(1)(J) of this chapter expires:

- 32 (1) at midnight one (1) year after issuance, if there is no
- 33 expiration date on the authorization granted to the individual to
- 34 remain in the United States; or
- 35 (2) if there is an expiration date on the authorization granted to
- 36 the individual to remain in the United States, the earlier of the
- 37 following:
- 38 (A) At midnight of the date the authorization of the holder to
- 39 be a legal permanent resident or conditional resident alien of
- 40 the United States expires.
- 41 (B) At midnight of the birthday of the holder that occurs six
- 42 (6) years after the date of issuance.

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1 SECTION 289. IC 9-24-16-4.5, AS AMENDED BY P.L.109-2011,  
 2 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2012]: Sec. 4.5. (a) The bureau may adopt rules under  
 4 IC 4-22-2 concerning the ability of an individual to renew an  
 5 identification card under section 5 of this chapter, apply for a  
 6 replacement identification card under section 9 of this chapter, or apply  
 7 for a replacement identification card under section 6 of this chapter by  
 8 electronic service. If rules are adopted under this subsection, the rules  
 9 must provide that an individual's renewal, amendment, or replacement  
 10 of an identification card by electronic service is subject to the following  
 11 conditions:

12 (1) A valid computerized image or digital photograph of the  
 13 individual must exist within the records of the bureau.

14 (2) The individual must be a citizen of the United States, as  
 15 shown in the records of the bureau.

16 (3) There must not have been any change in the:

17 (A) **legal** address; or

18 (B) name;

19 of the individual since the issuance or previous renewal of the  
 20 identification card of the individual.

21 (4) The identification card of the individual must not be expired  
 22 more than one hundred eighty (180) days at the time of the  
 23 application for renewal.

24 (b) An individual applying for:

25 (1) the renewal of an identification card; or

26 (2) a replacement identification card;

27 must apply in person at a license branch if the individual is not entitled  
 28 to apply by mail or by electronic service under rules adopted under  
 29 subsection (a).

30 SECTION 290. IC 9-24-16-5, AS AMENDED BY P.L.87-2010,  
 31 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2012]: Sec. 5. (a) An application for renewal of an  
 33 identification card may be made not more than twelve (12) months  
 34 before the expiration date of the card. However, when the applicant  
 35 complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter, an  
 36 application for renewal of an identification card may be filed not more  
 37 than one (1) month before the expiration date of the identification card  
 38 held by the applicant. ~~A renewal application received after the date of~~  
 39 ~~expiration is considered to be a new application.~~

40 (b) Except as provided in subsection ~~(e)~~; **(d)**, a renewed card is valid  
 41 on the birth date of the holder and remains valid for six (6) years.

42 ~~(e) If renewal has not been made within six (6) months after~~

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1 expiration, the bureau shall destroy all records pertaining to the former  
2 cardholder.

3 (d) (c) Renewal may not be granted if the cardholder was issued a  
4 driver's license subsequent to the last issuance of an identification card.

5 (e) (d) A renewed identification card issued under this article after  
6 December 31, 2007, to an applicant who complies with section  
7 3.5(1)(E) through 3.5(1)(J) of this chapter expires:

8 (1) at midnight one (1) year after issuance, if there is no  
9 expiration date on the authorization granted to the individual to  
10 remain in the United States; or

11 (2) if there is an expiration date on the authorization granted to  
12 the individual to remain in the United States, the earlier of the  
13 following:

14 (A) At midnight of the date the authorization of the holder to  
15 be a legal permanent resident or conditional resident alien of  
16 the United States expires.

17 (B) At midnight of the birthday of the holder that occurs six  
18 (6) years after the date of issuance.

19 SECTION 291. IC 9-24-16-10, AS AMENDED BY P.L.109-2011,  
20 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2012]: Sec. 10. (a) The bureau may adopt rules under  
22 IC 4-22-2 and prescribe all forms necessary to implement this chapter.  
23 However, the bureau may not impose a fee for the issuance of:

- 24 (1) an original;
- 25 (2) a renewal of an; or
- 26 (3) a replacement;

27 identification card to an individual described in subsection (b).

28 (b) An identification card must be issued without the payment of a  
29 fee or charge to an individual who:

- 30 (1) does not have a valid Indiana driver's license; and
- 31 (2) will be at least eighteen (18) years of age **at and eligible to**  
32 **vote in** the next general, municipal, or special election.

33 SECTION 292. IC 9-24-17-2 IS AMENDED TO READ AS  
34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) The bureau shall  
35 verbally ask every individual who applies for a driver's license or an  
36 identification card issued under IC 9-24-16 whether the individual  
37 desires to make an anatomical gift.

38 (b) If the individual does desire to make an anatomical gift, the  
39 bureau shall **assist provide** the individual **in completing** the form by  
40 which the individual makes the gift.

41 SECTION 293. IC 9-24-17-3 IS AMENDED TO READ AS  
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The bureau shall

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1 make available and publicize the anatomical gift program in a separate  
2 brochure and by other means the bureau considers necessary.

3 SECTION 294. IC 9-24-17-8 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Each anatomical  
5 gift made under this chapter must be made by the donor by  
6 acknowledging the making of the anatomical gift by signing the  
7 application form for the driver's license or identification card under  
8 section 1 of this chapter. If the donor cannot sign, the application form  
9 may be signed for the donor:

10 (1) at the donor's direction and in the donor's presence; and

11 (2) in the presence of two (2) witnesses who must sign the  
12 document in the donor's and each other's presence.

13 ~~(b) The card must state that the document was signed in accordance~~  
14 ~~with this section.~~

15 ~~(c)~~ (b) The bureau shall place an identifying symbol on the face of  
16 the license or identification card to indicate that the person to whom  
17 the license or identification card is issued has acknowledged the  
18 making of an anatomical gift on the application form for the license or  
19 identification card as set forth in subsection (a).

20 ~~(d)~~ (c) Revocation, suspension, or cancellation of the license or  
21 expiration of the license or identification card does not invalidate the  
22 anatomical gift.

23 ~~(e)~~ (d) An anatomical gift is valid if the person acknowledges the  
24 making of the anatomical gift by signing the application form for a  
25 driver's license or identification card under subsection (a). No other  
26 acknowledgment is required to make an anatomical gift.

27 SECTION 295. IC 9-24-18-1, AS AMENDED BY P.L.100-2010,  
28 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2012]: Sec. 1. (a) A person, except a person exempted under  
30 IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle  
31 upon a highway and has never received a valid driving license commits  
32 a Class C misdemeanor. However, the offense is a Class A  
33 misdemeanor if the person has a prior unrelated conviction under this  
34 section.

35 (b) In addition to any other penalty imposed for a conviction under  
36 this section, the court shall recommend that the person be prohibited  
37 from receiving a valid driving license for a fixed period of at least  
38 ninety (90) days and not more than two (2) years.

39 (c) The court shall specify:

40 (1) the length of the fixed period of the prohibition; and

41 (2) the date the fixed period of the prohibition begins;

42 whenever the court makes a recommendation under subsection (b).

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1 (d) The bureau shall, upon receiving a record of conviction of a  
 2 person upon a charge of operating a motor vehicle while never having  
 3 received a valid driving license, prohibit the person from receiving a  
 4 driving license for a fixed period of at least ninety (90) days and not  
 5 more than two (2) years. The bureau shall fix this period in accordance  
 6 with the recommendation of the court that entered the conviction, as  
 7 provided in subsection (c). **If the court fails to recommend a fixed**  
 8 **term of suspension, the bureau shall impose the minimum period**  
 9 **of suspension required under this chapter.**

10 (e) In a prosecution under this section, the burden is on the  
 11 defendant to prove by a preponderance of the evidence that the  
 12 defendant had been issued a driving license or permit that was valid at  
 13 the time of the alleged offense.

14 SECTION 296. IC 9-24-18-3 IS AMENDED TO READ AS  
 15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A person that has  
 16 a motor vehicle in the person's custody may not cause or knowingly  
 17 permit a person to drive the vehicle upon a highway unless the person  
 18 ~~obtains~~ **holds a valid** license or permit under this article.

19 (b) A person who violates this section commits a Class C infraction.

20 SECTION 297. IC 9-24-18-7 IS AMENDED TO READ AS  
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. A person who  
 22 counterfeits or falsely reproduces a ~~driving driver's~~ license with intent  
 23 to use the license or to permit another person to use the license  
 24 commits a Class B misdemeanor.

25 SECTION 298. IC 9-24-18-9 IS AMENDED TO READ AS  
 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) The bureau may  
 27 establish a driving record for an Indiana resident who does not hold any  
 28 type of valid driving license. The driving record shall be established for  
 29 an unlicensed driver when an abstract of court conviction has been  
 30 received by the bureau. ~~The record shall be maintained for not less than~~  
 31 ~~three (3) years for each unlicensed driver.~~

32 (b) If an unlicensed driver applies for and receives any type of  
 33 driving license in Indiana, the person's driving record as an unlicensed  
 34 driver shall be recorded on the permanent record file. An unlicensed  
 35 driver who has had at least two (2) traffic violation convictions in  
 36 Indiana within twenty-four (24) months before applying for any type of  
 37 driving license may not be issued a license within one (1) year after the  
 38 date of the second traffic conviction as indicated on the abstract of  
 39 court conviction record. If the bureau issues a license without  
 40 knowledge of the second conviction, the bureau shall suspend the  
 41 license upon learning of the second conviction and notify the person of  
 42 the reason for the suspension and the term of the suspension.



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1 (c) The bureau shall also certify traffic violation convictions on the  
2 driving record of an unlicensed driver who subsequently receives an  
3 Indiana driving license.

4 SECTION 299. IC 9-24-18-12 IS AMENDED TO READ AS  
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. Upon receipt of a  
6 court order under IC 7.1-5-7-7 (minor possessing, consuming, or  
7 transporting alcohol or having alcohol present in a bodily substance),  
8 the bureau shall suspend the minor's ~~driver's license~~ **driving privileges**  
9 for the period ordered by the court.

10 SECTION 300. IC 9-24-19-5 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) In addition to any  
12 other penalty imposed for a conviction under this chapter, the court  
13 shall recommend that the person's driving privileges be suspended for  
14 a fixed period of not less than ninety (90) days and not more than two  
15 (2) years.

16 (b) The court shall specify:  
17 (1) the length of the fixed period of suspension; and  
18 (2) the date the fixed period of suspension begins;  
19 whenever the court makes a recommendation under subsection (a).

20 (c) **The bureau shall, upon receiving a record of conviction of a**  
21 **person upon a charge of driving a motor vehicle while the driving**  
22 **privileges, permit, or license of the person is suspended, fix the**  
23 **period of suspension in accordance with the recommendation of the**  
24 **court. If the court fails to recommend a fixed term of suspension,**  
25 **the bureau shall impose the minimum period of suspension**  
26 **required under this chapter.**

27 SECTION 301. IC 9-24-19-6 IS REPEALED [EFFECTIVE JULY  
28 1, 2012]. ~~Sec. 6. The bureau shall, upon receiving a record of~~  
29 ~~conviction of a person upon a charge of driving a vehicle while the~~  
30 ~~person's driving privilege, permit, or license was suspended, extend the~~  
31 ~~period of suspension for a fixed period of not less than ninety (90) days~~  
32 ~~and not more than two (2) years. The bureau shall fix this period in~~  
33 ~~accordance with the recommendation of the court that entered the~~  
34 ~~conviction, as provided in section 5 of this chapter.~~

35 SECTION 302. IC 9-25-1-1 IS AMENDED TO READ AS  
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not  
37 apply to a judgment in a civil action. ~~or cause of action arising out of~~  
38 ~~an accident occurring before July 1, 1943.~~

39 SECTION 303. IC 9-25-3-2 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) Whenever under  
41 ~~Indiana law this article~~ the bureau may suspend or revoke a license if  
42 the operator of a motor vehicle is ~~a~~ **the driving privileges of an**

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1 **Indiana** resident, ~~of Indiana~~; the bureau may suspend or revoke the  
2 **license driving privileges** of or forbid the operation of a motor vehicle  
3 in Indiana owned by an ~~operator who is~~ a nonresident.

4 (b) Whenever under ~~Indiana law~~ **this article** the bureau may  
5 suspend or revoke the registration certificate and registration plates of  
6 a motor vehicle if ~~the owner of the motor vehicle is a~~ **of an Indiana**  
7 resident, ~~of Indiana~~; the bureau may forbid the operation within Indiana  
8 of a motor vehicle if the owner of the motor vehicle is a nonresident.

9 (c) The bureau shall transmit to the motor vehicle bureau or state  
10 officer performing the functions of a bureau in the state in which a  
11 nonresident resides a ~~certified~~ copy of the following:

12 (1) A conviction of the nonresident that has resulted in, **or would**  
13 **result in**, the suspension of the nonresident's driving privilege in  
14 Indiana.

15 (2) An unsatisfied judgment rendered against a nonresident that  
16 has resulted in, **or would result in**, the suspension of the  
17 nonresident's driving privilege in Indiana.

18 (3) **Notice of suspension for the nonresident due to**  
19 **noncompliance with this article.**

20 SECTION 304. IC 9-25-3-4 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Whenever the proof  
22 of financial responsibility filed by a person under this article no longer  
23 fulfills the purpose for which the proof was required, the bureau shall  
24 require other proof of financial responsibility under this article and  
25 shall suspend the ~~operator's or chauffeur's~~ **license driving privileges**  
26 and **motor** vehicle registration of the person for whom other proof of  
27 financial responsibility is required.

28 SECTION 305. IC 9-25-4-1 IS AMENDED TO READ AS  
29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) This section does  
30 not apply to an electric personal assistive mobility device.

31 (b) A person may not:  
32 (1) register a **motor** vehicle; or  
33 (2) operate a **motor** vehicle on a public highway;  
34 in Indiana if financial responsibility is not in effect with respect to the  
35 motor vehicle under section 4 of this chapter, **or the person is not**  
36 **otherwise insured in order to operate the motor vehicle.**

37 (c) A person who violates this section is subject to the suspension  
38 of the person's current driving **license privileges** or **motor** vehicle  
39 registration, or both, under this article.

40 SECTION 306. IC 9-25-4-3 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Financial  
42 responsibility in one (1) of the forms required under this chapter must

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1 be continuously maintained as long as a motor vehicle is operated on  
2 a ~~road, street, or~~ public highway in Indiana.

3 SECTION 307. IC 9-25-4-4 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) For the purposes  
5 of this article, financial responsibility is in effect with respect to a  
6 motor vehicle if:

7 (1) a motor vehicle liability insurance policy issued with respect  
8 to the **motor** vehicle **or operator under IC 9-25-5-7;**

9 (2) a bond executed with respect to the **motor** vehicle under  
10 section 7 of this chapter; or

11 (3) the status of the owner or operator of the **motor** vehicle as a  
12 self-insurer, as recognized by the bureau through the issuance of  
13 a certificate of self-insurance under section 11 of this chapter;

14 provides the ability to respond in damages for liability arising out of the  
15 ownership, maintenance, or use of the motor vehicle in amounts at least  
16 equal to those set forth in section 5 or 6 of this chapter.

17 (b) A motor vehicle liability policy under this article must contain  
18 the terms, conditions, and provisions required by statute and must be  
19 approved by the state insurance commissioner.

20 SECTION 308. IC 9-25-4-8 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. Proof of financial  
22 responsibility **meeting the requirements set forth in this article** may  
23 be **made filed in a manner prescribed by the bureau** by filing with  
24 the bureau the written certificate of an insurance carrier authorized to  
25 do business in Indiana certifying that the carrier has issued to or for the  
26 benefit of the person furnishing the **for whom** proof and named as the  
27 insured a motor vehicle liability policy meeting the requirements of this  
28 chapter and having the terms, conditions, and specifications that the  
29 bureau requires: **is required.**

30 SECTION 309. IC 9-25-5-1 IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) If a person is  
32 convicted of a traffic offense that requires a court appearance, the court  
33 shall require the person to show proof that financial responsibility was  
34 in force on the date of the violation in one (1) of the forms described in  
35 IC 9-25-4-4 or in the form of a certificate of self-insurance issued under  
36 IC 9-25-4-11.

37 (b) If a person fails to provide proof of financial responsibility as  
38 required by this section, the court shall ~~do the following:~~

39 (1) suspend the person's current driving license **privileges** or  
40 **motor** vehicle registration, or both.

41 (2) ~~Order the person to immediately surrender the person's current~~  
42 ~~driving license or vehicle registration to the court.~~

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1 (c) A suspension under this section is subject to the same provisions  
2 concerning procedure for suspension, duration of suspension, and  
3 reinstatement applicable to other suspensions under this ~~chapter~~.  
4 **article.**

5 SECTION 310. IC 9-25-5-2 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. Not more than  
7 forty-five (45) days after the bureau receives a copy of an accident  
8 report under IC 9-26, the bureau shall send to each person identified in  
9 the report as an operator of a **motor** vehicle involved in the accident a  
10 request for evidence of financial responsibility under section 3 of this  
11 chapter, unless the evidence has already been filed with the bureau.  
12 The request for evidence of financial responsibility shall be sent to  
13 each person identified in the report as an operator of a **motor** vehicle  
14 involved in the accident regardless of fault.

15 SECTION 311. IC 9-25-5-3 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A request for  
17 evidence of financial responsibility must do the following:

- 18 (1) Direct a person identified under section 2 of this chapter to  
19 provide the bureau with evidence that financial responsibility was  
20 in effect with respect to the **motor** vehicle operated by the person  
21 on the date of the accident described in the accident report.
- 22 (2) Instruct the person on how to furnish the bureau with evidence  
23 of financial responsibility in compliance with this ~~chapter~~. **article.**
- 24 (3) Warn the person that failure to furnish evidence of financial  
25 responsibility to the bureau will result in suspension of the  
26 person's current driving ~~license~~ **privileges** or **motor** vehicle  
27 registration, or both, under this article.

28 (b) The bureau shall mail a request for evidence of financial  
29 responsibility to a person identified under section 2 of this chapter by  
30 first class mail at the address appearing in the records of the bureau.

31 SECTION 312. IC 9-25-5-4 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) To avoid a  
33 ~~current driving license~~ suspension of **driving privileges** or **motor**  
34 vehicle registration suspension, **or both**, under this article, a person  
35 identified under section 2 of this chapter who receives a request for  
36 evidence of financial responsibility must ~~provide~~ **ensure that the**  
37 **insurance company of the person provides** the bureau with a  
38 certificate of compliance indicating that financial responsibility  
39 required by IC 9-25-4-1 was in effect with respect to the motor vehicle,  
40 **or the operation of the motor vehicle**, on the date of the accident  
41 described in the accident report. **It is the responsibility of the person**  
42 **who receives a request for evidence of financial responsibility to**

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1 **ensure that the insurance company of the person has provided a**  
2 **certificate of compliance.**

3 (b) Proof that the bureau:

4 (1) did not receive a certificate of compliance ~~from~~ **for** a person  
5 presented with a request for evidence of financial responsibility  
6 under section 2 of this chapter within ~~forty-five (45)~~ **forty (40)**  
7 days after the date on which the person was presented with the  
8 request;

9 (2) received a certificate of compliance that did not indicate that  
10 financial responsibility was in effect with respect to the motor  
11 vehicle that the person was operating on the date of the accident  
12 described in the accident report; or

13 (3) suspended a ~~current~~ **the driving license or privileges or**  
14 **motor** vehicle registration, **or both**, under IC 9-25-6-3 after  
15 presenting a person with a request for evidence of financial  
16 responsibility under section 2 of this chapter;

17 is prima facie evidence in a civil action that the person presented with  
18 the request for evidence of financial responsibility did not have **an**  
19 **operator's or** a motor vehicle liability policy in effect with respect to  
20 the motor vehicle that the person was operating on the date of the  
21 accident described in the accident report.

22 SECTION 313. IC 9-25-5-5 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A person who  
24 receives a request for evidence of financial responsibility under section  
25 3 of this chapter shall **ensure that the insurance company of the**  
26 **person** set forth in the certificate of compliance **provides to the**  
27 **bureau** the following information concerning the form of financial  
28 responsibility that was in effect with respect to the motor vehicle on the  
29 date in question:

30 (1) If **an operator's or** a motor vehicle liability policy was in  
31 effect, the following:

- 32 (A) The name and address of the insurer.
- 33 (B) The limits of coverage of the policy.
- 34 (C) The identification number applying to the policy.
- 35 **(D) Dates of coverage of the policy.**
- 36 **(E) Other information requested by the bureau.**

37 (2) If a bond was in effect, the following:

- 38 (A) The name and address of the bond company or surety.
- 39 (B) The face amount of the bond.
- 40 **(C) Dates the bond was in effect.**
- 41 **(D) Other information requested by the bureau.**

42 (3) If self-insurance was in effect under IC 9-25-4-11, the

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following:

(A) The date on which the certificate of self-insurance was issued by the bureau.

(B) The name of the person to whom the certificate of self-insurance was issued.

**(C) Other information requested by the bureau.**

(b) A person who requests information or verification of coverage to complete a certificate of compliance under subsection (a) from:

- (1) an insurance company; or
- (2) an insurance producer;

is not required to give the company or the producer a reason for requesting the information unless the person has been involved in an accident.

SECTION 314. IC 9-25-5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. A certificate of compliance that reports the existence of an insurance policy must be ~~signed~~ **executed** by an officer or agent of the insurer. A certificate of compliance that reports the existence of a bond must be ~~signed~~ **executed** by an officer of the bond company or surety.

SECTION 315. IC 9-25-5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) An insurance carrier that has issued a motor vehicle liability policy or policies meeting the requirements of this article shall, upon request of the named insured,

- ~~(1) deliver to the insured for filing; or~~
- ~~(2) file with the bureau~~

an appropriate certificate that meets the requirements of this ~~chapter~~ **article** and shows that a policy or policies have been issued.

(b) The issuance of a certificate to serve as proof of financial responsibility under this ~~chapter~~ **article** is conclusive evidence that a motor vehicle liability policy in the certificate cited conforms to all the requirements of this article.

SECTION 316. IC 9-25-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. Whenever an insurance carrier has certified a motor vehicle liability policy under this chapter for the purpose of furnishing evidence of future financial responsibility, the insurance carrier shall give ten (10) days written notice to the bureau before cancellation of the policy. The policy continues in full force and effect until the date of cancellation specified in the notice or until the policy's expiration. A policy subsequently procured and certified, on the effective date of the policy's certification, terminates the insurance previously certified with respect to a **motor**

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1 vehicle designated in both certificates.

2 SECTION 317. IC 9-25-5-10 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) A nonresident  
4 may give proof of financial responsibility in one (1) of the following  
5 ways:

6 (1) The nonresident owner of a foreign **motor** vehicle may give  
7 proof of financial responsibility by ~~filing with the bureau a written~~  
8 **certificate of having** an insurance carrier authorized to transact  
9 business in the state in which the motor vehicle described in the  
10 certificate is registered **file a certificate of compliance with the**  
11 **bureau.**

12 (2) A nonresident who does not own a motor vehicle may give  
13 proof of financial responsibility by ~~filing with the bureau a written~~  
14 **certificate of having** an insurance carrier authorized to transact  
15 business in the state in which the nonresident resides **file a**  
16 **certificate of compliance with the bureau.**

17 (b) A certificate **of compliance** filed under subsection (a) must  
18 conform to this chapter.

19 (c) The bureau shall accept a certificate filed under subsection (a)  
20 if the insurance carrier complies with the following:

21 (1) Executes a power of attorney authorizing the bureau to accept  
22 service on the insurance carrier's behalf of notice of process in an  
23 action arising out of a motor vehicle accident in Indiana.

24 (2) Adopts a binding resolution declaring that the insurance  
25 carrier's policies are considered to comply with Indiana law  
26 relating to the terms of motor vehicle liability policies issued in  
27 Indiana.

28 (3) Agrees to accept as final and binding a judgment of a court of  
29 competent jurisdiction in Indiana rendered in an action arising out  
30 of a motor vehicle accident.

31 (d) If a foreign insurance carrier that has qualified to furnish proof  
32 of financial responsibility under subsection (c) defaults in an  
33 undertaking or agreement, the bureau may not accept a certificate of  
34 the defaulting foreign carrier as long as the default continues, whether  
35 the certificate was filed before or after the default.

36 SECTION 318. IC 9-25-6-1 IS AMENDED TO READ AS  
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) If:

38 (1) the bureau receives a certificate of compliance ~~from~~ **for** a  
39 person identified under IC 9-25-5-2 within forty (40) days after  
40 the date on which the bureau mailed the request for evidence of  
41 financial responsibility to the person; and

42 (2) the certificate of compliance indicates that financial

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1 responsibility was in effect with respect to the **motor vehicle or**  
2 **the operation of the motor vehicle** at the time of the accident  
3 described in the accident report;  
4 the bureau may not suspend the person's ~~current driving license~~  
5 **privileges.**

6 (b) If:

7 (1) the bureau receives a certificate of compliance from a person  
8 presented with a request for evidence of financial responsibility  
9 under IC 9-25-9-1 within forty (40) days after the date on which  
10 the person was presented with the request; and

11 (2) the certificate of compliance indicates that financial  
12 responsibility was in effect with respect to the motor vehicle **or**  
13 **the operation of the motor vehicle** that the person was operating  
14 when the person committed the violation described in the  
15 judgment or abstract received by the bureau under IC 9-25-9-1;  
16 the bureau may not suspend the person's ~~current driving license~~  
17 **privileges.**

18 (c) If:

19 (1) **the bureau receives a certificate of compliance for a**  
20 **person identified under IC 9-25-10 within forty (40) days after**  
21 **the date on which the bureau mailed the request for evidence**  
22 **of financial responsibility to the person; and**

23 (2) **the certificate of compliance indicates that financial**  
24 **responsibility was in effect with respect to the motor vehicle**  
25 **or the operation of the motor vehicle for the date requested**  
26 **under IC 9-25-10;**

27 **the bureau may not suspend the driving privileges of the person.**

28 SECTION 319. IC 9-25-6-2 IS AMENDED TO READ AS  
29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) If the bureau  
30 finds that a statement as to the existence of financial responsibility in  
31 a certificate of compliance received ~~from:~~ **for**

32 ~~(1) a person identified under IC 9-25-5-2; or~~

33 ~~(2) a person presented with a request for evidence of financial~~  
34 ~~responsibility under IC 9-25-9-1; IC 9-25~~

35 is materially false, the bureau shall take action under subsection (b).

36 (b) Upon finding that the statement referred to in subsection (a) is  
37 false, the bureau shall ~~do the following:~~

38 ~~(1) immediately suspend the person's current driving license or~~  
39 ~~privileges or motor vehicle registration, or both,~~

40 ~~(2) Demand that the person immediately surrender the person's~~  
41 ~~current driving license or vehicle registration, or both, to the~~  
42 ~~bureau: for at least ninety (90) days and not more than one (1)~~

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1 **year.**

2 SECTION 320. IC 9-25-6-3 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) If the bureau:

4 (1) does not receive a certificate of compliance ~~from for~~ for a person  
5 identified under IC 9-25-5-2 within forty (40) days after the date  
6 on which the bureau mailed the request for evidence of financial  
7 responsibility to the person; or

8 (2) receives a certificate that does not indicate that financial  
9 responsibility was in effect with respect to the motor vehicle  
10 operated by the person on the date of the accident referred to in  
11 IC 9-25-5-2;

12 the bureau shall take action under subsection ~~(c)~~: **(d)**.

13 (b) If the bureau:

14 (1) does not receive a certificate of compliance ~~from for~~ for a person  
15 presented with a request for evidence of financial responsibility  
16 under IC 9-25-9-1 within forty (40) days after the date on which  
17 the person was presented with the request; or

18 (2) receives a certificate that does not indicate that financial  
19 responsibility was in effect with respect to the motor vehicle that  
20 the person was operating when the person committed the violation  
21 described in the judgment or abstract received by the bureau  
22 under IC 9-25-9-1;

23 the bureau shall take action under subsection ~~(c)~~: **(d)**.

24 **(c) If the bureau:**

25 **(1) does not receive a certificate of compliance for a person**  
26 **presented with a request under IC 9-25-10 not later than forty**  
27 **(40) days after the date on which the person was presented**  
28 **with the request; or**

29 **(2) receives a certificate that does not indicate that financial**  
30 **responsibility was in effect;**

31 **the bureau shall take action under subsection (d).**

32 ~~(c)~~ **(d)** Under the conditions set forth in subsection (a), ~~or~~ (b), **or** (c),  
33 the bureau shall ~~do the following~~:

34 ~~(1)~~ **(1)** immediately suspend the person's ~~current driving license~~  
35 **privileges or motor or** vehicle registration, or both, **for at least**  
36 **ninety (90) days and not more than one (1) year.**

37 ~~(2)~~ **(2)** Demand that the person immediately surrender the person's  
38 ~~current driving license or vehicle registration; or both; to the~~  
39 ~~bureau.~~

40 ~~(d)~~ **(e)** Except as provided in subsection ~~(c)~~; **(f)**, if subsection (a), ~~or~~  
41 (b), **or** (c) applies to a person, the bureau shall suspend the ~~current~~  
42 ~~driving license privileges~~ of the person irrespective of the following:

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- 1 (1) The sale or other disposition of the motor vehicle by the
- 2 owner.
- 3 (2) The cancellation or expiration of the registration of the motor
- 4 vehicle.
- 5 (3) An assertion by the person that the person did not own the
- 6 motor vehicle and therefore had no control over whether financial
- 7 responsibility was in effect with respect to the motor vehicle.

8 ~~(e)~~ **(f)** The bureau shall not suspend the ~~current~~ driving ~~license~~  
 9 **privileges** of a person to which subsection (a), ~~or subsection (b), or (c)~~  
 10 applies if the person, through a certificate of compliance or another  
 11 communication with the bureau, establishes to the satisfaction of the  
 12 bureau that the motor vehicle that the person was operating when the  
 13 accident referred to in subsection (a) took place or when the violation  
 14 referred to in subsection (b) was committed was:

- 15 (1) rented from a rental company; or
- 16 (2) owned by the person's employer and operated by the person in
- 17 the normal course of the person's employment.

18 SECTION 321. IC 9-25-6-3.5 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3.5. If a person  
 20 violates:

- 21 (1) IC 9-25-4;
- 22 (2) IC 9-25-5; ~~or~~
- 23 (3) section 2 or 3 of this chapter; ~~or~~
- 24 **(4) IC 9-25-10;**

25 more than one (1) time within a three (3) year period, the person's  
 26 driving ~~license~~ **privileges** or **motor** vehicle registration may be  
 27 suspended for not more than one (1) year.

28 SECTION 322. IC 9-25-6-4 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) This section does  
 30 not apply to judgments entered at least seven (7) years after the date of  
 31 the accident.

32 (b) "Judgment", as used in this section, means a judgment in excess  
 33 of two hundred dollars (\$200) for bodily injury, death, or property  
 34 damages arising out of the use of a motor vehicle upon a public  
 35 highway.

36 (c) The bureau shall suspend for a period of not more than seven (7)  
 37 years from the date of ~~written notification~~ **judgment** the ~~current~~ driving  
 38 ~~license issued to~~ **privileges** of a person upon receiving a verified report  
 39 that the person has failed for a period of ~~up to~~ ninety (90) days to  
 40 satisfy a judgment.

41 SECTION 323. IC 9-25-6-6 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The bureau may

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1 not suspend a ~~license~~ **the driving privileges of a person** and shall  
2 reinstate a ~~license suspended the driving privileges of a person~~  
3 following nonpayment of a judgment whenever a judgment debtor does  
4 the following:

5 (1) Gives proof ~~of that~~ the judgment ~~debtor's debtor will~~  
6 **maintain** financial responsibility in the future **for at least three**  
7 **(3) years following reinstatement.**

8 (2) Obtains an order from the trial court in which the judgment  
9 was rendered permitting the payment of the judgment in  
10 installments, unless the payment of an installment is in default.

11 (b) A judgment debtor, upon five (5) days notice to the judgment  
12 creditor, may apply to the trial court in which the judgment was  
13 obtained for the privilege of paying the judgment in installments. The  
14 court, in the court's discretion and without prejudice to other legal  
15 remedies the judgment creditor may have, may order the payment of  
16 the judgment in installments, fixing the amounts and times of payment  
17 of the installments.

18 (c) Except as provided in subsection (d), if the judgment debtor fails  
19 to pay an installment as permitted by the order of the court, upon notice  
20 of the default the bureau shall suspend the ~~license~~ **driving privileges**  
21 of the judgment debtor. The bureau may not take action for failure to  
22 make installment payments for judgments entered at least seven (7)  
23 years after the date of the accident. ~~A~~ **Suspended license driving**  
24 **privileges** may not be reinstated until evidence of proof of **future**  
25 financial responsibility is presented.

26 (d) Notwithstanding a default by the judgment debtor in the  
27 payment of a judgment or the payment of an installment under  
28 subsection (b), whenever the judgment creditor consents in writing, in  
29 the form the bureau prescribes, that the judgment debtor be allowed  
30 ~~license~~ **driving privileges** and registration, the ~~license~~ **driving**  
31 **privileges** and registration may be allowed by the bureau at the  
32 bureau's discretion. The ~~license~~ **driving privileges** and registration  
33 may be ~~allowed for six (6) months from the date of a consent under this~~  
34 ~~subsection and may be~~ renewed until the consent is revoked in writing  
35 if the judgment debtor furnishes proof under this article ~~of that~~ the  
36 judgment ~~debtor's debtor will maintain~~ financial responsibility in the  
37 future **for at least three (3) years following reinstatement.**

38 SECTION 324. IC 9-25-6-7 IS AMENDED TO READ AS  
39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. ~~(a)~~ Except as  
40 provided in sections 5 and 6 of this chapter, a suspension required in  
41 sections 4 and 6 of this chapter remains in effect and no other motor  
42 vehicle may be registered in the name of the judgment debtor or a new

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1 license issued to the judgment debtor, until the following occur:

2 (1) The judgment is satisfied or stayed.

3 (2) The judgment debtor gives proof of **future** financial  
4 responsibility **in the future for three (3) years**, as provided in this  
5 article.

6 (b) A discharge in bankruptcy following the rendering of a judgment  
7 does not relieve the judgment debtor from the requirements of this  
8 chapter.

9 SECTION 325. IC 9-25-6-8 IS REPEALED [EFFECTIVE JULY 1,  
10 2012]. Sec. 8: (a) A court shall forward to the bureau a certified  
11 abstract of the record of the conviction of a person in the court for a  
12 violation of a law relating to motor vehicles:

13 (b) If in the opinion of the court a defendant should be deprived of  
14 the privilege to operate a motor vehicle upon a public highway; the  
15 court shall recommend the suspension of the convicted person's current  
16 driving license for a fixed period established by the court not exceeding  
17 one (1) year:

18 (c) The bureau shall comply with the court's recommendation.

19 (d) At the time of a conviction referred to in subsection (a) or  
20 IC 9-30-5-7, the court may obtain the defendant's current driving  
21 license and return the license to the department.

22 (e) An abstract provided for by this section must be in the form  
23 prescribed by the bureau and, when certified, shall be accepted by an  
24 administrative agency or a court as prima facie evidence of the  
25 conviction and all other action stated in the abstract.

26 SECTION 326. IC 9-25-6-9 IS AMENDED TO READ AS  
27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. The clerk of a court,  
28 or the judge of a court that has no clerk, shall forward to the bureau a  
29 certified abstract of the record of a judgment for damages if the  
30 rendering and nonpayment of the judgment requires the bureau to  
31 suspend or revoke the **current driving license in the name** **privileges** of  
32 the judgment debtor under this article. The abstract shall be forwarded  
33 to the bureau immediately upon the expiration of thirty (30) days after  
34 the judgment becomes final and has not been stayed or satisfied, as  
35 shown by the records of the court.

36 SECTION 327. IC 9-25-6-10 IS REPEALED [EFFECTIVE JULY  
37 1, 2012]. Sec. 10: (a) If:

38 (1) a criminal proceeding for driving while intoxicated under  
39 IC 9-30-5 is deferred under IC 12-23-5-1 through IC 12-23-5-9;  
40 or

41 (2) a child alleged to be a delinquent child based upon the child's  
42 violation of IC 9-30-5 voluntarily attends or is ordered by the

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1 court under IC 31-37 (or IC 31-6-4 before its repeal) to attend an  
 2 alcohol and drug services program;  
 3 the court, within ten (10) days after the defendant or child begins the  
 4 program, shall forward to the bureau a certified abstract of program  
 5 enrollment.

6 (b) The abstract must state the following:

7 (1) The defendant's or child's name, address, date of birth, and  
 8 driver's license number.

9 (2) The name and location of the alcohol and drug services  
 10 program that the defendant or child is attending.

11 SECTION 328. IC 9-25-6-11 IS REPEALED [EFFECTIVE JULY  
 12 1, 2012]. Sec. 11: If a license is revoked because of a conviction, the  
 13 bureau may not accept a certificate of insurance unless the certificate  
 14 covers each motor vehicle registered in the name of the person  
 15 furnishing proof as the owner. An additional certificate is required  
 16 before the subsequent registration of a motor vehicle in the name of the  
 17 person giving proof as the owner.

18 SECTION 329. IC 9-25-6-12 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) Whenever a  
 20 **certificate proof of financial responsibility** is filed showing that a  
 21 policy has been issued covering all motor vehicles owned by an insured  
 22 but not insuring the person when operating a motor vehicle not owned  
 23 by the person, it is unlawful for the person to operate a motor vehicle  
 24 not owned by the person or not covered by the certificate. ~~The bureau~~  
 25 ~~shall designate the restriction under this subsection upon the operator's~~  
 26 ~~or chauffeur's license of the person.~~

27 (b) ~~If a person who owns a motor vehicle desires to be relieved of~~  
 28 ~~the restriction under subsection (a) and be permitted to drive another~~  
 29 ~~motor vehicle, the person who owns the motor vehicle may have the~~  
 30 ~~restriction removed upon filing a certificate showing that an operator's~~  
 31 ~~policy of liability insurance has been issued to the person.~~

32 SECTION 330. IC 9-25-6-13 IS AMENDED TO READ AS  
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. A:

34 (1) nonresident may not operate a motor vehicle in Indiana; and

35 (2) motor vehicle owned by the nonresident may not be operated  
 36 in Indiana;

37 until the nonresident or the owner of the motor vehicle has complied  
 38 with the requirements of this article with respect to proof of financial  
 39 responsibility. ~~covering the motor vehicle.~~

40 SECTION 331. IC 9-25-6-14, AS AMENDED BY P.L.210-2005,  
 41 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2012]: Sec. 14. (a) The bureau shall reinstate the ~~current~~

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1 driving **license privileges** or **motor** vehicle registration, or both:  
2 (1) subject to section 15 of this chapter, after ninety (90) days of  
3 suspension  
4 (A) ~~except as provided in sections 19, 20, and 21(b) of this~~  
5 ~~chapter;~~ if the person has furnished the bureau with a  
6 certificate of compliance showing that financial responsibility  
7 is in effect with respect to the vehicle; or  
8 (B) if the person is no longer an owner of the vehicle or the  
9 registration of the vehicle has been canceled or has expired;  
10 (2) if the person is subject to section 21(b) of this chapter and to  
11 ~~IC 9-29-10-1;~~ after thirty (30) days of suspension;  
12 (3) subject to section 15 of this chapter, when the person  
13 furnishes the bureau with a certificate of compliance showing that  
14 financial responsibility is in effect with respect to the vehicle if:  
15 (A) subdivision (1)(B) does not apply; and  
16 (B) the person fails to furnish the bureau with a certificate of  
17 compliance as described in subdivision (1)(A) within ninety  
18 (90) days after the current driving license of the person is  
19 suspended; or  
20 (4) (2) if financial responsibility was in effect with respect to a  
21 **motor** vehicle on the date of the accident **requested** but the  
22 **person does not provide the bureau with does not receive** a  
23 certificate of compliance indicating this fact until after the  
24 person's ~~current driving license is~~ **privileges are** suspended under  
25 this ~~chapter;~~ **article,** the person's ~~current driving license~~  
26 **privileges** shall be reinstated when the ~~person provides bureau~~  
27 **receives** the certificate of compliance. ~~to the bureau and complies~~  
28 ~~with section 15 of this chapter.~~  
29 (b) Upon receipt of a certificate of compliance under this section,  
30 the bureau shall expunge from the bureau's data base the administrative  
31 suspension caused by the failure to notify the bureau that the person  
32 had financial responsibility in effect on the date of the violation.  
33 SECTION 332. IC 9-25-6-15, AS AMENDED BY P.L.80-2010,  
34 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 JULY 1, 2012]: Sec. 15. (a) ~~Except as provided in subsection (b);~~ A  
36 person:  
37 (1) whose ~~current driving license is~~ **privileges are** suspended  
38 under this ~~chapter;~~ **article;** and  
39 (2) who seeks the reinstatement of the driving ~~license;~~ **privileges;**  
40 must pay a reinstatement fee to the bureau as provided in IC 9-29-10-1.  
41 (b) ~~A person whose driver's license is suspended under section 19~~  
42 ~~or 20 of this chapter is not required to pay a reinstatement fee to have~~

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1 the person's driving license reinstated:  
2 SECTION 333. IC 9-25-6-16 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. A person whose  
4 current driving license is **privileges are** suspended under this chapter  
5 article may seek a review of the suspension under IC 4-21.5-3-7.  
6 SECTION 334. IC 9-25-6-17 IS REPEALED [EFFECTIVE JULY  
7 1, 2012]. Sec. 17. If the bureau determines that a person who is  
8 required to give proof of financial responsibility in the future under this  
9 article because of a conviction, non-satisfaction of a judgment, or for  
10 any other reason is or becomes:  
11 (1) a chauffeur or motor vehicle operator, however designated, in  
12 the employ of a person who owns a motor vehicle; or  
13 (2) a member of the immediate family or household of a person  
14 who owns a motor vehicle; and  
15 the period for which the person's suspension or revocation has elapsed;  
16 the bureau may accept proof of future financial responsibility given by  
17 the person who owns the motor vehicle instead of requiring proof from  
18 the person under a suspension or revocation if it appears that the proof  
19 offered will be sufficient to cover any number of persons coming  
20 within this classification. The bureau may designate the restrictions  
21 imposed by this section on the face of the operator's or chauffeur's  
22 license of the person who has been under suspension or revocation.  
23 SECTION 335. IC 9-25-6-18 IS AMENDED TO READ AS  
24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. A person who:  
25 (1) forges or without authority signs **or approves** any certificate  
26 to serve as proof of financial responsibility as required by the  
27 bureau; or  
28 (2) knowingly files or offers for filing a certificate described in  
29 subdivision (1);  
30 commits a Class B misdemeanor.  
31 SECTION 336. IC 9-25-6-19 IS REPEALED [EFFECTIVE JULY  
32 1, 2012]. Sec. 19: (a) The bureau shall, upon receiving an order of a  
33 court issued under IC 31-14-12-4 or IC 31-16-12-7 (or  
34 IC 31-1-11.5-13(j) or IC 31-6-6.1-16(j) before their repeal), suspend  
35 the driving license or permit of the person who is the subject of the  
36 order.  
37 (b) The bureau may not reinstate a driving license or permit  
38 suspended under this section until the bureau receives an order  
39 allowing reinstatement from the court that issued the order for  
40 suspension.  
41 (c) Upon receiving an order for suspension under subsection (a), the  
42 bureau shall promptly mail a notice to the last known address of the

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1 person who is the subject of the order, stating the following:  
 2 (1) That the person's driving privileges are suspended, beginning  
 3 five (5) business days after the date the notice is mailed; and that  
 4 the suspension will terminate ten (10) business days after the  
 5 bureau receives an order allowing reinstatement from the court  
 6 that issued the suspension order.  
 7 (2) That the person has the right to petition for reinstatement of  
 8 driving privileges to the court that issued the order for suspension.  
 9 (3) That the person may be granted a restricted driving permit  
 10 under IC 9-24-15-6.7 if the person can prove that public  
 11 transportation is unavailable for travel by the person:  
 12 (A) to and from the person's regular place of employment;  
 13 (B) in the course of the person's regular employment;  
 14 (C) to and from the person's place of worship; or  
 15 (D) to participate in parenting time with the petitioner's  
 16 children consistent with a court order granting parenting time.  
 17 (d) Unless a person whose driving license or permit is suspended  
 18 under this section has been issued a restricted driving permit under  
 19 IC 9-24-15 as a result of a suspension under this section, a person who  
 20 operates a motor vehicle in violation of the section commits a Class A  
 21 infraction.  
 22 SECTION 337. IC 9-25-6-19.2 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19.2. The bureau may  
 24 suspend the registration of a **motor** vehicle owned by a registrant who  
 25 provides the bureau with false evidence of financial responsibility  
 26 under this article.  
 27 SECTION 338. IC 9-25-6-20 IS REPEALED [EFFECTIVE JULY  
 28 1, 2012]. Sec. 20: (a) If the bureau is advised by the Title IV-D agency  
 29 that the obligor (as defined in IC 31-25-4-4) either requested a hearing  
 30 under IC 31-25-4-33 and failed to appear or appeared and was found  
 31 to be delinquent, the bureau shall promptly mail a notice to the obligor  
 32 stating the following:  
 33 (1) That the obligor's driving privileges are suspended, beginning  
 34 twenty (20) business days after the date the notice is mailed; and  
 35 that the suspension will terminate after the bureau receives a  
 36 notice from the Title IV-D agency that the obligor has:  
 37 (A) paid the obligor's child support arrearage in full; or  
 38 (B) established a payment plan with the Title IV-D agency to  
 39 pay the arrearage, which includes an income withholding order  
 40 under IC 31-16-15-2 or IC 31-16-15-2.5.  
 41 (2) That the obligor may be granted a restricted driving permit  
 42 under IC 9-24-15-6.7 if the obligor can prove that public

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1 transportation is unavailable for travel by the obligor:

- 2 (A) to and from the obligor's regular place of employment;
- 3 (B) in the course of the obligor's regular employment;
- 4 (C) to and from the obligor's place of worship; or
- 5 (D) to participate in parenting time with the petitioner's
- 6 children consistent with a court order granting parenting time.

7 (b) The bureau may not reinstate a driving license or permit  
8 suspended under this section until the bureau receives a notice from the  
9 Title IV-D agency that the obligor has:

- 10 (1) paid the obligor's child support arrearage in full; or
- 11 (2) established a payment plan with the Title IV-D agency to pay
- 12 the arrearage, which includes an income withholding order under
- 13 IC 31-16-15-2 or IC 31-16-15-2.5.

14 (c) Unless an obligor whose driving license or permit is suspended  
15 under this section has been issued a restricted driving permit under  
16 IC 9-24-15 as a result of a suspension under this section, an obligor  
17 who operates a motor vehicle in violation of the section commits a  
18 Class A infraction.

19 SECTION 339. IC 9-25-6-21 IS REPEALED [EFFECTIVE JULY  
20 1, 2012]. Sec. 21. (a) Upon receiving an order issued by a court under  
21 IC 35-43-4-8(b) concerning a person convicted of fuel theft, the bureau  
22 shall do the following:

23 (1) Suspend under subsection (b) the driving privileges of the  
24 person who is the subject of the order, whether or not the person's  
25 current driving license accompanies the order.

26 (2) Mail to the last known address of the person who is the subject  
27 of the order a notice:

- 28 (A) stating that the person's driving license is being suspended
- 29 for fuel theft;
- 30 (B) setting forth the date on which the suspension takes effect
- 31 and the date on which the suspension terminates; and
- 32 (C) stating that the person may be granted a restricted driving
- 33 permit under IC 9-24-15-6.7 if the person meets the conditions
- 34 for obtaining a restricted driving permit.

35 (b) The suspension of the driving privileges of a person who is the  
36 subject of an order issued under IC 35-43-4-8(b):

- 37 (1) begins five (5) business days after the date on which the
- 38 bureau mails the notice to the person under subsection (a)(2); and
- 39 (2) terminates thirty (30) days after the suspension begins.

40 (c) A person who operates a motor vehicle during a suspension of  
41 the person's driving privileges under this section commits a Class A  
42 infraction unless the person's operation of the motor vehicle is

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1 authorized by a restricted driving permit issued to the person under  
2 ~~IC 9-24-15-6.7.~~

3 SECTION 340. IC 9-25-7-1 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau may not  
5 revoke the driving ~~license~~ **privileges** or registration plates of the owner  
6 or operator of a motor vehicle who has been involved in a motor  
7 vehicle accident resulting in bodily injury or death or in damage to  
8 property in excess of one thousand dollars (\$1,000) solely because of  
9 failure to provide evidence of financial responsibility whenever the:

10 (1) owner or operator was insured by an insurance company for  
11 public liability and property damage at the time of the accident;  
12 and

13 (2) insurance company becomes insolvent after the accident or  
14 within fifteen (15) days before the accident;

15 if the insurance company was authorized and qualified to do business  
16 in Indiana on the effective date of the policy.

17 SECTION 341. IC 9-25-7-3 IS REPEALED [EFFECTIVE JULY 1,  
18 2012]. Sec. 3: (a) ~~The bureau shall, upon request, cancel a bond or~~  
19 ~~return a certificate of insurance; direct the treasurer of state to return to~~  
20 ~~the person entitled any money or securities deposited under this article~~  
21 ~~as proof of financial responsibility; or waive the requirement of filing~~  
22 ~~proof of financial responsibility in any of the following circumstances:~~

23 (1) At any time after three (3) years from the date the proof was  
24 required; if during the three (3) year period preceding the request  
25 the person furnishing the proof has not been convicted of an  
26 offense referred to in IC 9-30-4-6.

27 (2) If the person on whose behalf the proof was filed dies or the  
28 person becomes permanently incapable of operating a motor  
29 vehicle:

30 (3) If the person who has given proof of financial responsibility  
31 surrenders the person's operator's or chauffeur's license,  
32 registration certificates, and registration plates to the bureau. The  
33 bureau may not release the proof if an action for damages upon a  
34 liability referred to in this article is pending; a judgment upon a  
35 liability is outstanding and unsatisfied; or the bureau has received  
36 notice that the person has, within the period of three (3) months  
37 immediately preceding; been involved as a driver in a motor  
38 vehicle accident. An affidavit of the applicant of the nonexistence  
39 of the facts referred to in this subdivision is sufficient evidence of  
40 the nonexistence of the facts in the absence of evidence to the  
41 contrary in the records of the department.

42 (b) Whenever a person to whom proof has been surrendered under

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1 subsection (a)(3) applies for an operator's or chauffeur's license or the  
2 registration of a motor vehicle within a period of three (3) years from  
3 the date the proof of financial responsibility was originally required;  
4 the bureau shall reject the application unless the applicant reestablishes  
5 the proof for the remainder of the period:

6 SECTION 342. IC 9-25-7-6 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) This section does  
8 not apply to a person who is a resident of Indiana or who operates a  
9 **motor** vehicle in Indiana.

10 (b) A person:

11 (1) whose ~~operator's~~ **driver's** license or registration was  
12 suspended and who is required to prove financial responsibility  
13 extending into the future in order to have the person's driving  
14 privileges reinstated; and

15 (2) who no longer operates a **motor** vehicle in Indiana and has  
16 become a resident of another state or foreign jurisdiction;  
17 is not required to prove financial responsibility into the future in order  
18 to have the person's **license driving privileges** or registration  
19 temporarily reinstated to allow licensing or registration in the other  
20 state or foreign jurisdiction.

21 SECTION 343. IC 9-25-8-1 IS AMENDED TO READ AS  
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter does not  
23 apply to the following:

24 (1) Persons who have obtained a certificate of self-insurance  
25 under IC 9-25-4-11.

26 (2) Operators of government owned vehicles.

27 (3) Persons who are exempt under IC 9-25-1-2.

28 (4) ~~A resident of another state who is operating a vehicle that is~~  
29 ~~registered in that person's state of residence.~~

30 SECTION 344. IC 9-25-8-2 IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) A person who  
32 knowingly:

33 (1) operates; or

34 (2) permits the operation of;

35 a motor vehicle on a public highway in Indiana **without financial**  
36 **responsibility in effect as set forth in IC 9-25-4-4** commits a Class  
37 A infraction. ~~unless financial responsibility is in effect with respect to~~  
38 ~~the motor vehicle under IC 9-25-4-4.~~ However, the offense is a Class  
39 C misdemeanor if the person knowingly or intentionally violates this  
40 section and has a prior unrelated conviction or judgment under this  
41 section.

42 (b) Subsection (a)(2) applies to:

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- 1 (1) the owner of a rental company ~~that is referred to in~~
- 2 ~~IC 9-25-6-3(e)(1); under IC 9-25-6-3(f)(1); and~~
- 3 (2) an employer ~~that is referred to in IC 9-25-6-3(e)(2); under~~
- 4 ~~IC 9-25-6-2(f)(2).~~

5 (c) In addition to any other penalty imposed on a person for  
 6 violating this section, the court may recommend the suspension of the  
 7 person's driving privileges for **at least ninety (90) days but not more**  
 8 **than** one (1) year. However, if, within the five (5) years preceding the  
 9 conviction under this section, the person had a prior unrelated  
 10 conviction under this section, the court shall recommend the  
 11 suspension of the person's driving privileges for one (1) year.

12 (d) Upon receiving the recommendation of the court under  
 13 subsection (c), the bureau shall suspend the person's driving privileges  
 14 for the period recommended by the court. **If no suspension is**  
 15 **recommended by the court, the bureau shall impose the minimum**  
 16 **period of suspension required under this article.**

17 SECTION 345. IC 9-25-8-4 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The commissioner  
 19 is not required to notify the prosecuting attorney of a driver who has  
 20 had a driving license **privileges** suspended for failure to prove financial  
 21 responsibility under this article.

22 SECTION 346. IC 9-25-9-1 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) After the bureau  
 24 receives:

- 25 (1) a certified abstract under ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** of the
- 26 record of conviction of a person for a violation of a law relating
- 27 to motor vehicles; or
- 28 (2) a judgment or an abstract under IC 9-30-3-11 of a case
- 29 resulting in a conviction, judgment, or forfeiture of security
- 30 deposit;

31 the bureau shall determine whether the bureau is required under  
 32 subsection (b) to send to the person named in the judgment or abstract  
 33 a request for evidence of financial responsibility.

34 (b) The bureau shall send a request for evidence of financial  
 35 responsibility to a person referred to in subsection (a) if at least one (1)  
 36 of the following applies to the person:

- 37 (1) The judgment or abstract referred to in subsection (a) reports
- 38 that the person committed a moving traffic violation for which
- 39 points are assessed by the bureau under the point system, and, not
- 40 more than one (1) year before the date of the violation referred to
- 41 in the judgment or abstract, the person committed at least two (2)
- 42 previous moving traffic violations for which points are assessed

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1 by the bureau under the point system.  
 2 (2) The judgment or abstract referred to in subsection (a) reports  
 3 that the person was convicted of:  
 4 (A) a misdemeanor; or  
 5 (B) a felony;  
 6 involving a motor vehicle.  
 7 (3) The judgment or abstract referred to in subsection (a) reports  
 8 that the person committed a moving traffic violation for which  
 9 points are assessed by the bureau under the point system and the  
 10 driver's license of the person was previously suspended for  
 11 violation of the financial responsibility requirements of IC 9-25.  
 12 SECTION 347. IC 9-25-9-2 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The request for  
 14 evidence of financial responsibility presented to a person under section  
 15 1 of this chapter must do the following:  
 16 (1) Direct the person to **ensure that the insurance company of**  
 17 **the person** provide the bureau with evidence that financial  
 18 responsibility was in effect with respect to the motor vehicle that  
 19 the person was operating when the person committed the violation  
 20 described in the judgment or abstract.  
 21 (2) Instruct the person on how to furnish the bureau with evidence  
 22 of financial responsibility as specified in this ~~chapter~~ **article**.  
 23 (3) Warn the person that failure **of the insurance company of the**  
 24 **person to furnish provide** evidence of financial responsibility to  
 25 the bureau will result in suspension of the person's current driving  
 26 **license privileges or motor** vehicle registration, or both, under  
 27 this article.  
 28 SECTION 348. IC 9-25-9-3 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. To avoid a ~~current~~  
 30 **driving license suspension of driving privileges or motor** vehicle  
 31 registration suspension under this article, a person presented with a  
 32 request for evidence of financial responsibility under section 1 of this  
 33 chapter must ~~provide~~ **ensure that the insurance company of the**  
 34 **person provides** the bureau with a certificate of compliance indicating  
 35 that financial responsibility as required by IC 9-25-4-1 was in effect  
 36 ~~with respect to the motor vehicle that the person was operating~~  
 37 when the person committed the violation described in the judgment or  
 38 abstract.  
 39 SECTION 349. IC 9-25-9-4 IS AMENDED TO READ AS  
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A person who is  
 41 presented with a request for evidence of financial responsibility under  
 42 section 1 of this chapter shall **direct the insurance company of the**

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1 **person to** set forth in the certificate of compliance the following  
2 information concerning the form of financial responsibility that was in  
3 effect with respect to the motor vehicle:

- 4 (1) If a motor vehicle liability policy was in effect, the following:
  - 5 (A) The name and address of the insurer.
  - 6 (B) The limits of coverage of the policy.
  - 7 (C) The identification number applying to the policy.
  - 8 **(D) A statement confirming that financial responsibility**
  - 9 **covering the motor vehicle and operator was in effect on**
  - 10 **the date applicable to section 1(b) of this chapter.**
- 11 (2) If a bond was in effect, the following:
  - 12 (A) The name and address of the bond company or surety.
  - 13 (B) The face amount of the bond.
- 14 (3) If self-insurance was in effect under IC 9-25-4-11, the  
15 following:
  - 16 (A) The date on which the certificate of self-insurance was  
17 issued by the bureau.
  - 18 (B) The name of the person to whom the certificate of  
19 self-insurance was issued.

20 SECTION 350. IC 9-25-9-5 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A certificate of  
22 compliance that is provided to the bureau under this ~~chapter~~ **article** and  
23 that reports the existence of an insurance policy must be signed by an  
24 officer or agent of the insurer.

25 (b) The portion of a request for evidence of financial responsibility  
26 that is presented to an officer or agent of an insurer to obtain a  
27 certificate of compliance under subsection (a) may not contain  
28 information concerning the violation that resulted in the request for  
29 evidence of financial responsibility.

30 (c) An officer or agent of an insurer may not request information  
31 concerning a violation that results in a request for evidence of financial  
32 responsibility under this ~~chapter~~ **article**.

33 (d) A certificate of compliance that is provided to the bureau under  
34 this ~~chapter~~ **article** and that reports the existence of a bond must be  
35 signed by an officer of the bond company or surety.

36 SECTION 351. IC 9-25-10-4, AS AMENDED BY P.L.1-2009,  
37 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2012]: Sec. 4. The bureau shall ~~not later than January 1, 2010~~;  
39 establish an electronic registry of previously uninsured motorists to  
40 facilitate the random and periodic verification by the bureau of  
41 compliance with this article.

42 SECTION 352. IC 9-25-10-6, AS AMENDED BY P.L.1-2009,

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1 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2012]: Sec. 6. The failure by a previously uninsured motorist  
3 to respond **with proof of financial responsibility** to the bureau's  
4 request for verification of financial responsibility under this chapter  
5 constitutes prima facie evidence of operating a motor vehicle without  
6 financial responsibility in violation of this article.

7 SECTION 353. IC 9-25-10-7, AS AMENDED BY P.L.65-2011,  
8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2012]: Sec. 7. (a) The bureau shall remove the name of a  
10 previously uninsured motorist from the registry not more than five (5)  
11 years after the date on which the:

- 12 (1) judgment;
- 13 (2) conviction; or
- 14 (3) administrative action by the bureau;

15 for which the **previously uninsured** motorist's name is maintained on  
16 the registry was entered against the **previously uninsured** motorist.

17 (b) If a previously uninsured motorist is convicted of a second or  
18 subsequent offense under this article or is subject to a second or  
19 subsequent administrative action by the bureau under this article, the  
20 bureau shall remove the **previously uninsured** motorist's name from  
21 the registry not more than five (5) years after the date on which the  
22 second or subsequent conviction or the second or subsequent  
23 administrative action by the bureau is entered.

24 SECTION 354. IC 9-26-1-0.1, AS ADDED BY P.L.220-2011,  
25 SECTION 225, IS AMENDED TO READ AS FOLLOWS  
26 [EFFECTIVE JULY 1, 2012]: Sec. 0.1. The following amendments to  
27 this chapter apply as follows:

- 28 (1) The amendments made to sections 1, 2, 6, 8, and 9 of this  
29 chapter by P.L.126-2008 apply only to crimes committed after  
30 June 30, 2008.
- 31 (2) The addition of section 1.5 of this chapter by P.L.126-2008  
32 applies only to crimes committed after June 30, 2008.

33 SECTION 355. IC 9-26-1-0.5, AS ADDED BY P.L.94-2006,  
34 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 JULY 1, 2012]: Sec. 0.5. For purposes of this chapter, an accident does  
36 not require proof of a collision between a driver's **motor** vehicle and  
37 another vehicle or another person if the accident involves serious  
38 bodily injury to or the death of a person.

39 SECTION 356. IC 9-26-1-1, AS AMENDED BY P.L.1-2009,  
40 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2012]: Sec. 1. **Except as provided in section 1.5 of this**  
42 **chapter**, the driver of a **motor** vehicle involved in an accident that

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- 1 results in the injury or death of a person or the entrapment of a person
- 2 in a vehicle shall do the following:
- 3 (1) Immediately stop the driver's **motor** vehicle at the scene of the
- 4 accident or as close to the accident as possible in a manner that
- 5 does not obstruct traffic more than is necessary.
- 6 (2) Immediately return to and remain at the scene of the accident
- 7 until the driver does the following:
- 8 (A) Gives the driver's name and address and the registration
- 9 number of the **motor** vehicle the driver was driving.
- 10 (B) Upon request, exhibits the driver's license of the driver to
- 11 the following:
- 12 (i) The person struck.
- 13 (ii) The driver or occupant of or person attending each
- 14 vehicle involved in the accident.
- 15 (C) Subject to section 1.5(a) of this chapter, determines the
- 16 need for and renders reasonable assistance to each person
- 17 injured or entrapped in the accident, including the removal of,
- 18 or the making of arrangements for the removal of:
- 19 (i) each injured person from the scene of the accident to a
- 20 physician or hospital for medical treatment; and
- 21 (ii) each entrapped person from the vehicle in which the
- 22 person is entrapped.
- 23 (3) Subject to section 1.5(b) of this chapter, immediately give
- 24 notice of the accident by the quickest means of communication to
- 25 one (1) of the following:
- 26 (A) The local police department, if the accident occurs within
- 27 a municipality.
- 28 (B) The office of the county sheriff or the nearest state police
- 29 post, if the accident occurs outside a municipality.
- 30 ~~(4) Within ten (10) days after the accident, forward a written~~
- 31 ~~report of the accident to the:~~
- 32 ~~(A) state police department, if the accident occurs before~~
- 33 ~~January 1, 2006; or~~
- 34 ~~(B) bureau, if the accident occurs after December 31, 2005.~~
- 35 SECTION 357. IC 9-26-1-1.5, AS ADDED BY P.L.126-2008,
- 36 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 37 JULY 1, 2012]: Sec. 1.5. (a) If:
- 38 (1) the driver of a **motor** vehicle is physically incapable of
- 39 determining the need for or rendering assistance to any injured or
- 40 entrapped person as required under section 1(2)(C) of this
- 41 chapter;
- 42 (2) there is another occupant in the **motor** vehicle at the time of

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1 the accident who is:  
2 (A) at least:  
3 (i) fifteen (15) years of age and holds a learner's permit  
4 issued under IC 9-24-7-1 or a driver's license issued under  
5 IC 9-24-11; or  
6 (ii) eighteen (18) years of age; and  
7 (B) capable of determining the need for and rendering  
8 reasonable assistance to injured or entrapped persons as  
9 provided in section 1(2)(C) of this chapter; and  
10 (3) the other occupant in the **motor** vehicle knows that the driver  
11 of the **motor** vehicle is physically incapable of determining the  
12 need for or rendering assistance to any injured or entrapped  
13 person;  
14 the **motor** vehicle occupant referred to in subdivisions (2) and (3) shall  
15 immediately determine the need for and render reasonable assistance  
16 to each person injured or entrapped in the accident as provided in  
17 section 1(2)(C) of this chapter.  
18 (b) If:  
19 (1) the driver of a **motor** vehicle is physically incapable of giving  
20 immediate notice of an accident as required under section 1(3) of  
21 this chapter;  
22 (2) there is another occupant in the **motor** vehicle at the time of  
23 the accident who is:  
24 (A) at least:  
25 (i) fifteen (15) years of age and holds a learner's permit  
26 issued under IC 9-24-7-1 or a driver's license issued under  
27 IC 9-24-11; or  
28 (ii) eighteen (18) years of age; and  
29 (B) capable of giving notice as provided in section 1(3) of this  
30 chapter; and  
31 (3) the other occupant in the **motor** vehicle knows that the driver  
32 of the **motor** vehicle is physically incapable of giving immediate  
33 notice of an accident;  
34 the **motor** vehicle occupant referred to in subdivisions (2) and (3) shall  
35 immediately give notice of the accident by the quickest means of  
36 communication as provided in section 1(3) of this chapter.  
37 (c) If there is more than one (1) **motor** vehicle occupant to whom  
38 subsection (a) applies, it is a defense to a prosecution of one (1) **motor**  
39 vehicle occupant under subsection (a) that the defendant reasonably  
40 believed that another occupant of the **motor** vehicle determined the  
41 need for and rendered reasonable assistance as required under  
42 subsection (a).

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1 (d) If there is more than one (1) **motor** vehicle occupant to whom  
2 subsection (b) applies, it is a defense to a prosecution of one (1) **motor**  
3 vehicle occupant under subsection (b) that the defendant reasonably  
4 believed that another occupant of the **motor** vehicle gave the notice  
5 required under subsection (b).

6 SECTION 358. IC 9-26-1-2, AS AMENDED BY P.L.54-2009,  
7 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2012]: Sec. 2. The driver of a **motor** vehicle involved in an  
9 accident that does not result in injury or death of a person or the  
10 entrapment of a person in a **motor** vehicle and that does not involve the  
11 transportation of hazardous materials but that does result in damage to  
12 a vehicle that is driven or attended by a person shall do the following:

13 (1) Immediately stop the **motor** vehicle at the scene of the  
14 accident or as close to the accident as possible in a manner that  
15 does not obstruct traffic more than is necessary. If the accident  
16 occurs on a federal interstate highway, or on a ramp providing  
17 access to or from a federal interstate highway, the driver shall, as  
18 soon as safely possible, move the **motor** vehicle off the highway  
19 or ramp to a location as close to the accident as possible in a  
20 manner that does not obstruct traffic more than is necessary.

21 (2) Immediately return to and remain at the scene of the accident  
22 until the driver does the following upon request:

23 (A) Gives the driver's name and address and the registration  
24 number of the **motor** vehicle the driver was driving.

25 (B) Gives the names and addresses of the owner and any  
26 occupants of the **motor** vehicle the driver was driving, if the  
27 names or addresses are different from the name and address  
28 provided under clause (A).

29 (C) Provides proof of financial responsibility (as defined in  
30 IC 9-25-2-3) for the motor vehicle.

31 (D) Exhibits the driver's license of the driver to the driver or  
32 occupant of or person attending each vehicle involved in the  
33 accident.

34 (3) If the accident results in total property damage to an apparent  
35 extent of at least one thousand dollars (\$1,000), forward a written  
36 report of the accident to the:

37 (A) state police department, if the accident occurs before  
38 January 1, 2006; or

39 (B) bureau, if the accident occurs after December 31, 2005;  
40 within ten (10) days after the accident.

41 SECTION 359. IC 9-26-1-2.5 IS REPEALED [EFFECTIVE JULY  
42 1, 2012]. Sec. 2.5: Only the following must be included in the written

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1 report prepared under sections 1(4) and 2(3) of this chapter by the  
2 driver of a motor vehicle involved in an accident:

- 3 (1) The name and address of the driver preparing the report.
- 4 (2) The date of the accident.
- 5 (3) The names and addresses of the drivers of the other vehicles
- 6 involved in the accident.
- 7 (4) If, on the date of the accident, a motor vehicle liability policy
- 8 was in effect with respect to the motor vehicle driven by the
- 9 driver preparing the report, the following:
  - 10 (A) The policy number.
  - 11 (B) The name of the insurance company that issued the policy.
  - 12 (C) The name and signature of an agent of the insurance
  - 13 company, who by signing the report verifies that the policy
  - 14 was in effect with respect to the motor vehicle on the date of
  - 15 the accident.

16 SECTION 360. IC 9-26-1-3 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The driver of a  
18 **motor** vehicle that collides with an unattended vehicle shall  
19 immediately stop and do one (1) of the following:

- 20 (1) Locate and notify the operator or owner of the vehicle of the
- 21 name and address of the driver and owner of the **motor** vehicle
- 22 striking the unattended vehicle.
- 23 (2) Leave in a conspicuous place **in on** the vehicle struck a written
- 24 notice giving the name and address of the driver and the owner of
- 25 the **motor** vehicle doing the striking and a statement of the
- 26 circumstances of the accident.

27 SECTION 361. IC 9-26-1-4 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The driver of a  
29 **motor** vehicle that causes damage to the property of another person,  
30 other than damage to a vehicle, shall do the following:

- 31 (1) Immediately stop the **motor** vehicle at the scene of the
- 32 accident or as close to the accident as possible in a manner that
- 33 does not obstruct traffic more than is necessary.
- 34 (2) Immediately return to and remain at the scene of the accident
- 35 until the driver does the following:
  - 36 (A) Takes reasonable steps to locate and notify the owner or
  - 37 person in charge of the property of the damage.
  - 38 (B) Gives the person the driver's name and address and the
  - 39 registration number of the **motor** vehicle.
  - 40 (C) Upon request, exhibits the driver's license of the driver. if
  - 41 the driver is required to have a driving license to operate the
  - 42 vehicle.

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1 (b) If after reasonable inquiry the driver of the **motor** vehicle cannot  
2 find the owner or person in charge of the damaged property, the driver  
3 of the **motor** vehicle shall do the following:

4 (1) Notify either the ~~sheriff~~ **sheriff's department** of the county in  
5 which the damaged property is located or a member of the state  
6 police department.

7 (2) Give the ~~sheriff~~ **sheriff's department** or state police  
8 department the information required by this section.

9 SECTION 362. IC 9-26-1-6 IS REPEALED [EFFECTIVE JULY 1,  
10 2012]. Sec. 6: (a) If:

11 ~~(1) the driver of a vehicle is physically incapable of making a~~  
12 ~~written report of an accident as required by this chapter; and~~

13 ~~(2) there was another occupant in the vehicle at the time of the~~  
14 ~~accident capable of making a written report;~~

15 the occupant shall make or cause to be made the report not made by the  
16 driver:

17 (b) If:

18 ~~(1) the driver of a vehicle is physically incapable of making an~~  
19 ~~immediate or a written report of an accident as required by this~~  
20 ~~chapter;~~

21 ~~(2) there was no other occupant; and~~

22 ~~(3) the driver is not the owner of the vehicle;~~

23 the owner of the vehicle involved in the accident shall, within five (5)  
24 days after the accident, make the report not made by the driver:

25 SECTION 363. IC 9-26-1-7, AS AMENDED BY P.L.210-2005,  
26 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2012]: Sec. 7. (a) A city or town may by ordinance require  
28 that the driver of a **motor** vehicle involved in an accident file with a  
29 designated city or town department

30 ~~(1) a report of the accident. or~~

31 ~~(2) a copy of a report required in this article to be filed with the:~~

32 ~~(A) state police department; or~~

33 ~~(B) bureau.~~

34 (b) An accident report required to be filed under subsection (a) is for  
35 the confidential use of the designated city or town department and  
36 subject to IC 9-26-3-4.

37 SECTION 364. IC 9-26-1-10 IS REPEALED [EFFECTIVE JULY  
38 1, 2012]. Sec. 10: The bureau shall, after proper notice is given and a  
39 hearing held, revoke or suspend the driver's license of a person who  
40 fails to make a report required under section 1(4), 2(3), or 5 of this  
41 chapter:

42 SECTION 365. IC 9-26-5-1 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The person in charge  
2 of a garage or repair shop to which a motor vehicle that shows evidence  
3 of having been struck by a bullet is brought shall report to the state  
4 police department, within twenty-four (24) hours after the motor  
5 vehicle is received, the following information:

- 6 (1) The engine number of the **motor** vehicle.
- 7 (2) The registration number of the **motor** vehicle.
- 8 (3) The name and address of the owner or operator of the **motor**  
9 vehicle.

10 SECTION 366. IC 9-26-6-1 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. A person removing  
12 a wrecked or damaged **motor** vehicle from a street or highway must  
13 remove any glass or other foreign material dropped upon the street or  
14 highway from the **motor** vehicle.

15 SECTION 367. IC 9-26-6-2 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) This section does  
17 not apply to the removal of a **motor** vehicle that constitutes a traffic  
18 hazard.

19 (b) The driver of a **motor** vehicle that is used to remove a **motor**  
20 vehicle that caused damage to real or personal property, except a  
21 **motor** vehicle of another person as described in IC 9-26-1-4, shall give  
22 the notification required by IC 9-26-1-4 before removing the **motor**  
23 vehicle that caused the damage.

24 SECTION 368. IC 9-27-6-5, AS ADDED BY P.L.145-2011,  
25 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2012]: Sec. 5. (a) As used in this section, "**advisory** board"  
27 refers to the driver education advisory board established by subsection  
28 (b).

29 (b) The driver education advisory board is established to advise the  
30 commissioner in the administration of the policies of the commission  
31 and the bureau regarding driver education.

32 (c) The **advisory** board is composed of seven (7) individuals  
33 appointed by the commissioner as follows:

- 34 (1) Three (3) members must be driver education professionals  
35 endorsed by the bureau under section 8 of this chapter. In the  
36 selection of individuals for membership under this subdivision,  
37 consideration must be given to driver education instruction  
38 performed in urban and rural areas.
- 39 (2) One (1) member must be a traffic safety advocate.
- 40 (3) One (1) member must be a representative of the bureau.
- 41 (4) One (1) member must be a representative of higher education.
- 42 (5) One (1) member must be a representative of the insurance

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- 1 industry.
- 2 (d) A member of the **advisory** board serves a ~~three (3)~~ **two (2)** year
- 3 term. A member may not serve more than two (2) consecutive full
- 4 terms. Each member serves until the member's successor is appointed
- 5 and qualified.
- 6 (e) A member of the **advisory** board may be removed for good
- 7 cause.
- 8 (f) A vacancy on the **advisory** board shall be filled by the
- 9 appointment by the commissioner of an individual to fill the position
- 10 to which the vacating member was appointed under subsection (c) for
- 11 the vacating member's unexpired term.
- 12 (g) ~~At the first meeting of the board each year, the members shall~~
- 13 ~~elect:~~
- 14 (1) ~~one (1) member to be the board's chairperson;~~
- 15 (2) ~~one (1) member to be the board's vice chairperson; and~~
- 16 (3) ~~one (1) member to be the board's secretary.~~
- 17 ~~The chairperson, vice chairperson, and secretary serve until their~~
- 18 ~~successors are elected and qualified.~~
- 19 (h) ~~A vacancy in the office of chairperson, vice chairperson, or~~
- 20 ~~secretary shall be filled by vote of the members. The term of office of~~
- 21 ~~a board member chosen to fill a vacancy under this subsection expires~~
- 22 ~~at the first meeting of the board the following year.~~
- 23 (i) ~~The driver education board shall meet at least two (2) times per~~
- 24 ~~year. Additional meetings may be convened at the call of the~~
- 25 ~~chairperson of the board or the written request of any three (3)~~
- 26 ~~members.~~
- 27 (j) ~~Four (4) members of the board constitute a quorum for doing~~
- 28 ~~business. The majority vote of the members who constitute the quorum~~
- 29 ~~and are present and voting is required for the passage of a matter put~~
- 30 ~~to a vote of the board.~~
- 31 (k) ~~The bureau shall provide staff and administrative support to the~~
- 32 ~~board.~~
- 33 (l) ~~(g) The **advisory** board has the following powers: shall:~~
- 34 (1) ~~To~~ consult with and advise the commissioner in the
- 35 administration of the policies of the commission and the bureau
- 36 regarding driver education; **and**
- 37 (2) ~~To~~ suggest rules regarding the education and training of
- 38 persons to operate or drive motor vehicles or to prepare a person
- 39 for an examination or validation for a driver's license.
- 40 (m) ~~(h) A member of the **advisory** board is not subject to liability~~
- 41 ~~in a civil action for bodily injury or property damage arising from or~~
- 42 ~~thought to have arisen from an action taken in good faith as a member~~



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1 of the **advisory** board.

2 SECTION 369. IC 9-28-2-8 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau may  
4 suspend a ~~driver's license issued to the~~ **driving privileges** of a driver  
5 licensed under IC 9-24 for failure to meet the conditions of a traffic  
6 citation of a jurisdiction in which the traffic offense occurred. This  
7 section does not apply if the jurisdiction has not entered into an  
8 agreement with Indiana as provided under section 7 of this chapter.

9 SECTION 370. IC 9-28-2-9 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Upon written  
11 notification from a jurisdiction that is a party to an agreement entered  
12 into under this chapter, the bureau shall take appropriate action against  
13 a licensed driver for failure to meet the conditions set out in the citation  
14 of the jurisdiction in which the traffic offense occurred.

15 (b) The bureau shall notify the driver by first class mail of the  
16 request by the respective jurisdiction to have the driver's ~~license~~  
17 **driving privileges** suspended. For the purposes of this chapter, a  
18 written notice sent to the driver's last registered address with the bureau  
19 meets the conditions of due notice.

20 (c) The driver has fifteen (15) days from the date of notice to satisfy  
21 the conditions of the citation issued by the jurisdiction or to request a  
22 hearing before a bureau hearing officer to show evidence or present  
23 information why the bureau should not suspend the ~~license driver's~~  
24 **driving privileges** for failure to meet the terms of the citation.

25 (d) Upon holding the hearing, the bureau may suspend the driver's  
26 ~~license~~ **driving privileges** until the conditions of the citation are met  
27 or a release from the citing jurisdiction is obtained.

28 (e) If the bureau does not receive information from the driver  
29 concerning the notification, the bureau shall suspend the driver's  
30 ~~license~~ **driving privileges** until the conditions of the citation are met  
31 or a release is obtained.

32 (f) A driver ~~that has~~ **whose driving privileges have** been suspended  
33 for failure to meet the conditions of a citation is not eligible for a  
34 hardship license under IC 9-24-15.

35 (g) The bureau may not suspend a ~~driver's license~~ **driving**  
36 **privileges** under this section for a nonmoving traffic offense occurring  
37 in another jurisdiction.

38 SECTION 371. IC 9-28-5.1-1, AS ADDED BY P.L.93-2010,  
39 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2012]: Sec. 1. To facilitate the exchange of driver's licenses,  
41 the bureau ~~shall~~ **may** negotiate and enter into a reciprocal agreement  
42 with a foreign country. However, the bureau may not negotiate or enter

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1 into a reciprocal agreement with a country that is listed as a state  
2 sponsor of terrorism as determined by the Secretary of State of the  
3 United States.

4 SECTION 372. IC 9-28-5.1-3, AS ADDED BY P.L.93-2010,  
5 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2012]: Sec. 3. A written reciprocity agreement entered into  
7 under section 2 of this chapter must require an applicant from the  
8 foreign country for an operator's license to possess:

- 9 (1) a valid ~~operator's~~ **driver's** license **for the type of vehicle**
- 10 **being operated** or the equivalent from the foreign country; or
- 11 (2) an international driving permit.

12 SECTION 373. IC 9-28-5.1-4 IS REPEALED [EFFECTIVE JULY  
13 1, 2012]. ~~Sec. 4. The bureau shall report annually in an electronic~~  
14 ~~format under IC 5-14-6 regarding reciprocal agreements entered into~~  
15 ~~under this chapter to the general assembly before February 1 of each~~  
16 ~~year.~~

17 SECTION 374. IC 9-28-5.1-5, AS ADDED BY P.L.93-2010,  
18 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2012]: Sec. 5. The bureau ~~shall~~ **may** adopt rules under  
20 IC 4-22-2 to carry out this chapter.

21 SECTION 375. IC 9-29-1-2, AS AMENDED BY P.L.109-2011,  
22 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2012]: Sec. 2. (a) Money from the increases in fees levied by  
24 the 1969 regular session of the general assembly in IC 9-18-2,  
25 IC 9-18-5, IC 9-18-6, IC 9-18-7, IC 9-18-9, IC 9-18-10, IC 9-18-16,  
26 IC 9-24-3, IC 9-24-4, IC 9-24-5, IC 9-24-7, IC 9-24-8, IC 9-24-10,  
27 IC 9-24-11, IC 9-24-12, IC 9-24-13, IC 9-24-14, and IC 9-29-9-15  
28 (IC 9-1-4 before its repeal on July 1, 1991) shall be deposited daily  
29 with the treasurer of state and credited to the highway, road, and street  
30 fund established under IC 8-14-2-2.1.

31 (b) For the purpose of providing adequate and sufficient funds for  
32 the crossroads 2000 fund established under IC 8-14-10-9, and subject  
33 to subsection (c) ~~after June 30, 1997, with and~~ the approval of the  
34 ~~bureau of motor vehicles~~ commission, the ~~bureau of motor vehicles~~  
35 may adopt rules under IC 4-22-2 to increase, by an amount that is in  
36 addition to the fees specified by statute, the fees under the following:

- 37 IC 9-29-4-3
- 38 IC 9-29-5
- 39 IC 9-29-9-1
- 40 IC 9-29-9-2
- 41 IC 9-29-9-3
- 42 IC 9-29-9-4

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1 IC 9-29-9-5  
 2 IC 9-29-9-7  
 3 IC 9-29-9-8  
 4 IC 9-29-9-9  
 5 IC 9-29-9-11  
 6 IC 9-29-9-13  
 7 IC 9-29-9-14  
 8 IC 9-29-15-1  
 9 IC 9-29-15-2  
 10 IC 9-29-15-3  
 11 IC 9-29-15-4

12 The amount of fees increased under this section shall first be deposited  
 13 into the crossroads 2000 fund established under IC 8-14-10-9.

14 (c) The bureau's authority to adopt rules under subsection (b) is  
 15 subject to the condition that a fee increase must be uniform throughout  
 16 all license branches and at all partial service locations in Indiana.

17 (d) If a fee imposed by a statute listed in subsection (b) is  
 18 eliminated, the amount of the fee increase set forth in a rule adopted  
 19 under this section ~~before July 1, 2007~~; with respect to the fee must be:

- 20 (1) collected by the bureau notwithstanding the elimination of the  
 21 underlying fee;  
 22 (2) collected in addition to all other fees collected at the time of  
 23 the underlying transaction; and  
 24 (3) deposited in the crossroads 2000 fund established under  
 25 IC 8-14-10-9.

26 SECTION 376. IC 9-29-3-0.3 IS REPEALED [EFFECTIVE JULY  
 27 1, 2012]. ~~Sec. 0.3. If P.L.291-2001 imposes an additional service fee~~  
 28 ~~under section 4, 6, 7, 8, 9, 10, 11, 12, 14, or 18 of this chapter that is~~  
 29 ~~payable into a fund other than the state motor vehicle technology fund~~  
 30 ~~established by IC 9-29-16, the general assembly intends that both the~~  
 31 ~~service fees imposed under P.L.291-2001 and P.L.176-2001 shall be~~  
 32 ~~collected.~~

33 SECTION 377. IC 9-29-3-4, AS AMENDED BY P.L.63-2007,  
 34 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2012]: Sec. 4. (a) ~~The service charge for each of the first~~  
 36 ~~twelve thousand (12,000) original and renewed vehicle registrations at~~  
 37 ~~a license branch each year is one dollar and seventy-five cents (\$1.75).~~

38 (b) ~~The service charge for each of the next thirty-eight thousand~~  
 39 ~~(38,000) original and renewed vehicle registrations at that license~~  
 40 ~~branch each year is one dollar and fifty cents (\$1.50).~~

41 (c) (a) ~~The annual service charge for each additional original or~~  
 42 ~~renewed vehicle registration at that license branch each year is one~~

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1 dollar and twenty-five cents (\$1.25).  
 2 ~~(d)~~ **(b)** Fifty cents (\$0.50) of each service charge collected under  
 3 this section shall be deposited in the state motor vehicle technology  
 4 fund established by IC 9-29-16-1.  
 5 ~~(e)~~ **(c)** A service charge that is:  
 6 (1) originally imposed under this section; and  
 7 (2) increased by a rule adopted by the department;  
 8 applies to any original or renewed vehicle registration issued at a  
 9 license branch.  
 10 SECTION 378. IC 9-29-3-5 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The service charge  
 12 for each title, including duplicate **or corrected** titles, is one dollar (\$1).  
 13 SECTION 379. IC 9-29-3-19, AS AMENDED BY P.L.68-2006,  
 14 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2012]: Sec. 19. ~~(a)~~ **As used in this section, "low numbered**  
 16 **motor vehicle registration plate" means any motor vehicle registration**  
 17 **plate numbered from one (1) to one hundred (100) before or after the**  
 18 **county designation number or letter series designation, or both.**  
 19 ~~(b)~~ **(a)** As used in this section, "pull service charge" refers to the  
 20 charge that the commission may require for a requested ~~low numbered~~  
 21 **motor vehicle registration plate or a special numbered motor vehicle**  
 22 **registration plate.**  
 23 ~~(c)~~ **(b)** As used in this section, "special numbered motor vehicle  
 24 registration plate" means any plate, other than a low numbered motor  
 25 vehicle registration plate, requested for issuance out of its established  
 26 numerical sequence.  
 27 ~~(d)~~ **(c)** Subject to ~~subsections (e) and (f)~~ **subsection (d)** and with the  
 28 approval of the commission, the bureau may adopt rules under  
 29 IC 4-22-2 to do the following:  
 30 (1) Increase or decrease any of the service charges listed in  
 31 sections 1 through 18 of this chapter.  
 32 (2) Impose a service charge on any other license branch service  
 33 that is not listed in sections 1 through 18 of this chapter.  
 34 (3) Increase or decrease a service charge imposed under  
 35 subdivision (2).  
 36 ~~(e)~~ **(d)** The bureau's authority to adopt rules under subsection ~~(d)~~ **(c)**  
 37 is subject to the condition that a service charge must be uniform  
 38 throughout all license branches and at all partial service locations in  
 39 Indiana.  
 40 ~~(f)~~ **The bureau may not impose a pull service charge for a requested**  
 41 **passenger motor vehicle registration plate containing the numbers set**  
 42 **forth in IC 9-18-2-28 for a motor vehicle:**

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1 (1) issued a license plate under IC 9-18-17 that designates the  
 2 motor vehicle as being owned by a former prisoner of war or by  
 3 the surviving spouse of a former prisoner of war; or  
 4 (2) after December 31, 2006, issued a license plate under  
 5 IC 9-18-19 that designates the motor vehicle as being owned by  
 6 a person who has received a Purple Heart decoration.

7 ~~(g)~~ (e) The bureau may not impose a pull service charge of more  
 8 than fifteen dollars (\$15) for a requested motor vehicle registration  
 9 plate issued under IC 9-18-25 for a special group recognition license  
 10 plate that commemorates the bicentennial of the Lewis and Clark  
 11 expedition.

12 SECTION 380. IC 9-29-5-11, AS AMENDED BY P.L.210-2005,  
 13 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2012]: Sec. 11. (a) This section does not apply to a vehicle or  
 15 person exempted from registration under IC 9-18.

16 (b) The **license registration** fee for a piece of special machinery is  
 17 five dollars (\$5). The motor vehicle is exempt from other fees provided  
 18 under IC 9-18 or this article.

19 (c) The owner of a vehicle listed in this section is not entitled to a  
 20 reduction in the five dollar (\$5) **license registration** fee because the  
 21 license is granted at a time that the license period is less than a year.

22 SECTION 381. IC 9-29-5-12, AS AMENDED BY P.L.210-2005,  
 23 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2012]: Sec. 12. A farm wagon or farm type dry or liquid  
 25 fertilizer tank trailer or spreader used to transport bulk fertilizer  
 26 between distribution point and farm and return is exempt from all  
 27 **license registration** fees when the wagon, trailer, or spreader is drawn  
 28 or towed on a highway by a:

- 29 (1) farm tractor; or
- 30 (2) properly registered motor vehicle.

31 SECTION 382. IC 9-29-5-13, AS AMENDED BY P.L.210-2005,  
 32 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2012]: Sec. 13. (a) This section does not apply to a vehicle or  
 34 person exempt from registration under IC 9-18.

35 (b) The **license registration** fee for a motor vehicle, trailer, or  
 36 semitrailer and tractor operated primarily as a farm truck, farm trailer,  
 37 or farm semitrailer and tractor:

- 38 (1) having a declared gross weight of at least eleven thousand
- 39 (11,000) pounds; and
- 40 (2) used by the owner or guest occupant in connection with
- 41 agricultural pursuits usual and normal to the user's farming
- 42 operation;

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1 is fifty percent (50%) of the amount listed in this chapter for a truck,  
 2 trailer, or semitrailer and tractor of the same declared gross weight.

3 SECTION 383. IC 9-29-5-13.5, AS AMENDED BY P.L.191-2007,  
 4 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2012]: Sec. 13.5. (a) This section applies to a truck, trailer, or  
 6 semitrailer and tractor for which a **license registration** fee provided in  
 7 section 13(b) of this chapter has been paid.

8 (b) Except as provided in subsections (d) and (e), if the owner of a  
 9 truck, trailer, or semitrailer and tractor described in subsection (a)  
 10 begins to operate the truck, trailer, or semitrailer and tractor in the  
 11 conduct of a commercial enterprise or for the transportation of farm  
 12 products after the commodities have entered the channels of commerce  
 13 during a registration year for which the **license registration** fee under  
 14 section 13(b) of this chapter has been paid, the owner shall pay the  
 15 amount listed in this chapter for a truck, trailer, or semitrailer and  
 16 tractor of the same declared gross weight reduced by a credit  
 17 determined under subsection (c) to license the truck, trailer, or  
 18 semitrailer and tractor.

19 (c) The credit provided in subsection (b) equals:

- 20 (1) the **license registration** fee paid under section 13(b) of this
- 21 chapter; reduced by
- 22 (2) ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~)
- 23 **(8.33%)** for each full or partial calendar month that has elapsed
- 24 in the registration year for which the **license registration** fee has
- 25 been paid.

26 The credit may not exceed ninety percent (90%) of the **license**  
 27 **registration** fee paid under section 13(b) of this chapter.

28 (d) Notwithstanding subsections (b) and (e) and IC 9-18-2-4, a  
 29 truck, trailer, or semitrailer and tractor described in subsection (a) may  
 30 be operated intrastate for the transportation of seasonal, perishable fruit  
 31 or vegetables to the first point of processing for a period that consists  
 32 of not more than a thirty (30) day period in a registration year as  
 33 provided by IC 9-21-21-4.3(a). Before a vehicle may be operated as  
 34 provided in this subsection, the owner shall pay to the bureau:

- 35 (1) any **license registration** fee due under section 13(b) of this
- 36 chapter; and
- 37 (2) eight and one-half percent (8.5%) of the **license registration**
- 38 fee paid under section 13(b) of this chapter.

39 (e) Notwithstanding subsections (b) and (d) and IC 9-18-2-4, a  
 40 truck, trailer, or semitrailer and tractor described in subsection (a) may  
 41 be operated intrastate for the transportation of tomatoes or silage to the  
 42 first point of processing for a period that consists of not more than one

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1 (1) seventy-one (71) day period in a registration year as provided by  
2 IC 9-21-21-4.3(b). Before a vehicle may be operated as provided in this  
3 subsection, the owner shall pay to the bureau:

- 4 (1) any **license registration** fee due under section 13(b) of this
- 5 chapter; and
- 6 (2) seventeen percent (17%) of the **license registration** fee paid
- 7 under section 13(b) of this chapter.

8 SECTION 384. IC 9-29-5-17 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17. The fee for each  
10 duplicate **or replacement** license plate is three dollars (\$3).

11 SECTION 385. IC 9-29-5-18 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. The fee for a  
13 recreational vehicle, **which does not include truck campers (as**  
14 **defined in IC 6-6-5.1-8)**, is twenty dollars (\$20).

15 SECTION 386. IC 9-29-5-26.5 IS REPEALED [EFFECTIVE JULY  
16 1, 2012]. ~~Sec. 26.5: The bureau may adopt rules under IC 4-22-2 to~~  
17 ~~establish the fee for a temporary registration permit issued under~~  
18 ~~IC 9-18-7-1.5. However, the amount of the fee may not exceed~~  
19 ~~seventy-five dollars (\$75).~~

20 SECTION 387. IC 9-29-5-34 IS REPEALED [EFFECTIVE JULY  
21 1, 2012]. ~~Sec. 34: A vehicle registered under IC 9-18-21 is subject to~~  
22 ~~an annual registration fee and any other fee or tax required of a person~~  
23 ~~registering a vehicle under this title.~~

24 SECTION 388. IC 9-29-6-10 IS AMENDED TO READ AS  
25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. Whenever a permit  
26 is issued by the ~~bureau~~ **Indiana department of transportation** under  
27 IC 9-20-6, the ~~bureau~~ **Indiana department of transportation** shall fix  
28 the fee to be paid. ~~and~~ Upon payment of the fee, the ~~bureau~~ **Indiana**  
29 **department of transportation** shall validate the permit. The revenue  
30 from the fee shall be credited to the state highway fund.

31 SECTION 389. IC 9-29-7-2.5, AS ADDED BY P.L.110-2006,  
32 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 JULY 1, 2012]: Sec. 2.5. The fee for a duplicate **or corrected**  
34 certificate of salvage title is four dollars (\$4).

35 SECTION 390. IC 9-29-9-2, AS AMENDED BY P.L.101-2009,  
36 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 UPON PASSAGE]: Sec. 2. (a) **Except as provided in subsection (c)**,  
38 the fee for an operator's license issued under IC 9-24-3 or renewed  
39 under IC 9-24-12 to an individual who is:

- 40 (1) less than seventy-five (75) years of age is nine dollars (\$9);
- 41 and
- 42 (2) at least seventy-five (75) years of age is six dollars (\$6).

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1 (b) The fee for a probationary license issued under IC 9-24-11-3 or  
2 IC 9-24-11-3.3 is six dollars (\$6).

3 (c) **Notwithstanding subsection (a), the fee for the renewal of an**  
4 **operator's license issued under IC 9-24 that contains a 2012**  
5 **expiration date is as follows:**

6 (1) **If the license was previously issued or renewed after May**  
7 **14, 2007, and before January 1, 2008, the fee is seven dollars**  
8 **and fifty cents (\$7.50).**

9 (2) **If the license was previously issued or renewed after**  
10 **December 31, 2007, and before January 1, 2009, the fee is nine**  
11 **dollars (\$9).**

12 (3) **If the license was previously issued or renewed after**  
13 **December 31, 2005, and before January 1, 2007, the fee is six**  
14 **dollars (\$6).**

15 **This subsection does not apply to the renewal of an operator's**  
16 **license that contains an expiration date after 2012.**

17 SECTION 391. IC 9-30-2-0.1 IS REPEALED [EFFECTIVE JULY  
18 1, 2012]. Sec. 0.1: The amendments made to sections 4 and 5 of this  
19 chapter by P.L.99-1996 apply to arrests made after June 30, 1996.

20 SECTION 392. IC 9-30-2-7 IS REPEALED [EFFECTIVE JULY 1,  
21 2012]. Sec. 7: (a) The:

- 22 (1) superintendent of the state police department;
- 23 (2) police chief of each city or the police chief's designee;
- 24 (3) sheriff of each county; and
- 25 (4) town marshal or police chief of each town;

26 shall report to the bureau immediately the arrest of a person for a  
27 violation of an Indiana law or a city ordinance relating to the operation  
28 of motor vehicles upon the highways.

29 (b) The report must state the following:

- 30 (1) The offense with which the operator or driver is charged;
- 31 (2) The court in which pending;
- 32 (3) The names of all available witnesses to the violation;
- 33 (4) The name and address of the operator;
- 34 (5) If the operator is the holder of a license, the following:
  - 35 (A) The kind of license and license number;
  - 36 (B) The license plate number of the vehicle operated by the  
37 operator.

38 (c) The bureau shall cause the report:

- 39 (1) to be filed in the bureau; and
- 40 (2) retained for at least two (2) years.

41 (d) The bureau shall prescribe and the bureau shall furnish the form  
42 of the report required by this section.

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1 SECTION 393. IC 9-30-3-8, AS AMENDED BY P.L.206-2007,  
 2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2012]: Sec. 8. (a) The court may issue a warrant for the arrest  
 4 of a defendant who is an Indiana resident and who fails to appear or  
 5 answer a traffic information and summons or a complaint and summons  
 6 served upon the defendant. If the warrant is not executed within thirty  
 7 (30) days after issue, the court shall promptly forward the court copy  
 8 of the traffic information and summons or complaint and summons to  
 9 the bureau indicating that the defendant failed to appear in court as  
 10 ordered. The court shall then mark the case as failure to appear on the  
 11 court's records.

12 (b) If a defendant who is not an Indiana resident fails to appear or  
 13 answer a traffic summons served upon the defendant and upon which  
 14 the information or complaint has been filed thirty (30) days after the  
 15 return date of the information and summons or complaint and  
 16 summons, the court shall promptly forward the court copy of the traffic  
 17 information and summons or complaint and summons to the bureau.  
 18 The bureau shall notify the motor vehicle commission of the state of  
 19 the nonresident defendant of the defendant's failure to appear and also  
 20 of any action taken by the bureau relative to the Indiana driving  
 21 privileges of the defendant. If the defendant fails to appear or otherwise  
 22 answer within thirty (30) days, the court shall mark the case as failure  
 23 to appear on the court's records.

24 **(c) The court may suspend the driving privileges of a defendant**  
 25 **who fails to satisfy a judgment entered against the defendant for:**

26 **(1) violation of a traffic ordinance; or**

27 **(2) commission of a traffic infraction;**

28 **by a date set by the court under IC 34-28-5-6. The court shall**  
 29 **forward notice to the bureau indicating that the defendant failed**  
 30 **to pay as ordered.**

31 **(~~e~~) (d)** If the bureau receives a copy of the traffic information and  
 32 summons or complaint and summons for failure to appear in court **or**  
 33 **a notice of failure to pay under subsection (c)**, either on a form  
 34 prescribed by the bureau or in an electronic format prescribed by the  
 35 division of state court administration, the bureau shall suspend the  
 36 driving privileges of the defendant until the defendant appears in court  
 37 and the case has been disposed of, **or until the date payment is**  
 38 **received by the court.** The order of suspension may be served upon  
 39 the defendant by mailing the order by first class mail to the defendant  
 40 at the last address shown for the defendant in the records of the bureau.  
 41 The order takes effect on the date the order is mailed.

42 **(~~d~~) (e)** For nonresidents of Indiana, the order of suspension shall be

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1 mailed to the defendant at the address given to the arresting officer **or**  
 2 **the clerk of court** by the defendant as shown by the traffic information  
 3 or complaint. The order takes effect on the date of mailing. A copy of  
 4 the order shall also be sent to the motor vehicle bureau of the state of  
 5 the nonresident defendant. If:

6 (1) the defendant's failure to appear in court has been certified to  
 7 the bureau under this chapter; and

8 (2) the defendant subsequently appears in court to answer the  
 9 charges against the defendant;

10 the court shall proceed to hear and determine the case in the same  
 11 manner as other cases pending in the court. Upon final determination  
 12 of the case, the court shall notify the bureau of the determination either  
 13 in an electronic format or upon forms prescribed by the bureau. The  
 14 notification shall be made by the court within ten (10) days after the  
 15 final determination of the case, and information from the original copy  
 16 of the traffic information and summons or complaint and summons  
 17 must accompany the notification.

18 SECTION 394. IC 9-30-3-11, AS AMENDED BY P.L.206-2007,  
 19 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2012]: Sec. 11. (a) Before accepting a plea of guilty to a  
 21 misdemeanor traffic offense, the court shall inform the defendant of the  
 22 defendant's rights, including the right to:

23 (1) engage counsel;

24 (2) a reasonable continuance to engage counsel to subpoena  
 25 witnesses;

26 (3) have process issued by the court, without expense to the  
 27 defendant, to compel the attendance of witnesses in the  
 28 defendant's behalf;

29 (4) testify or not to testify in the defendant's own behalf;

30 (5) a trial by jury; and

31 (6) appeal.

32 (b) The court shall inform each defendant charged with a traffic  
 33 offense other than a nonmoving traffic offense, if the defendant is  
 34 convicted or judgment is entered against the defendant, that a record of  
 35 the conviction or judgment will be sent to the bureau or the motor  
 36 vehicle bureau of the state where the defendant received a license to  
 37 drive to become a part of the defendant's driving record.

38 (c) The court shall keep a full record of every case in which a person  
 39 is charged with a traffic offense other than a nonmoving traffic offense.  
 40 Within ten (10) days after the conviction, judgment, or forfeiture of  
 41 security deposit of a person, the court shall forward a copy of the  
 42 judgment in an electronic format or an abstract as prescribed by

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1 ~~IC 9-25-6-8~~; **IC 9-30-13-0.5**. The abstract comprises the original copy  
 2 of the traffic information and summons or complaint and summons if  
 3 the conviction, judgment, or forfeiture of security deposit has been  
 4 entered on that copy. However, instead of the original copy, the court  
 5 may, subject to the approval of the bureau, send the information in an  
 6 electronic format or in the form of a chemical based, magnetic, or  
 7 machine readable media. Records of nonmoving traffic offenses are not  
 8 required to be forwarded to the bureau.

9 (d) One (1) year after the abstract has been forwarded, the court may  
 10 destroy the remaining court copies of the information and summons or  
 11 complaint and summons and related pleadings if an order book entry  
 12 of the copy has been made and the original copy has been sent to the  
 13 bureau. ~~of motor vehicles~~.

14 (e) Upon the failure of a court officer to comply with subsection (c),  
 15 the officer is liable on the officer's official bond for a civil penalty of  
 16 one hundred dollars (\$100) accruing to the state, which may be  
 17 recovered, together with the costs of the suit, in a civil action brought  
 18 by the attorney general in the name of the state on relation of the  
 19 attorney general. Each failure by an officer constitutes a separate cause  
 20 of action.

21 SECTION 395. IC 9-30-3-12, AS AMENDED BY P.L.106-2010,  
 22 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2012]: Sec. 12. (a) If during any twelve (12) month period a  
 24 person has committed moving traffic violations for which the person  
 25 has:

- 26 (1) been convicted of at least two (2) traffic misdemeanors;
- 27 (2) had at least two (2) traffic judgments entered against the  
 28 person; or

29 (3) been convicted of at least one (1) traffic misdemeanor and has  
 30 had at least one (1) traffic judgment entered against the person;  
 31 the bureau may require the person to attend and satisfactorily complete  
 32 a defensive driving school program **approved by the bureau**. The  
 33 person shall pay all applicable fees required by the bureau.

34 (b) This subsection applies to an individual who holds a  
 35 probationary license under ~~IC 9-24-11-3~~ or IC 9-24-11-3.3 or is less  
 36 than eighteen (18) years of age. An individual is required to attend and  
 37 satisfactorily complete a defensive driving school program **approved**  
 38 **by the bureau** if either of the following occurs at least twice or if both  
 39 of the following have occurred when the individual was less than  
 40 eighteen (18) years of age:

- 41 (1) The individual has been convicted of a moving traffic offense  
 42 (as defined in section 14(a) of this chapter), other than an offense

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1 that solely involves motor vehicle equipment.  
 2 (2) The individual has been the operator of a motor vehicle  
 3 involved in an accident for which a report is required to be filed  
 4 under IC 9-26-2.  
 5 The individual shall pay all applicable fees required by the bureau.  
 6 (c) The bureau may suspend the driving ~~license~~ **privileges** of any  
 7 person who:  
 8 (1) fails to attend a defensive driving school program; or  
 9 (2) fails to satisfactorily complete a defensive driving school  
 10 program;  
 11 as required by this section.  
 12 (d) Notwithstanding IC 33-37-4-2, any court may suspend one-half  
 13 (1/2) of each applicable court cost (including fees) for which a person  
 14 is liable due to a traffic violation if the person enrolls in and completes  
 15 a defensive driving school or a similar school conducted by an agency  
 16 of the state or local government.  
 17 SECTION 396. IC 9-30-3-14 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. (a) As used in this  
 19 section, "moving traffic offense" means a violation of a statute, an  
 20 ordinance, or a rule relating to the operation or use of motor vehicles  
 21 while the motor vehicle is in motion.  
 22 (b) If a court convicts a person for a moving traffic offense and the  
 23 person is known or believed by the court not to be the owner of the  
 24 motor vehicle, the court shall, within seven (7) days after entering the  
 25 conviction, deposit with the United States Postal Service, first class  
 26 postage prepaid, notice addressed to the owner of the motor vehicle  
 27 giving the owner the following information:  
 28 (1) The name and address of the person convicted.  
 29 (2) The name and address of the owner of the motor vehicle.  
 30 (3) The offense upon which the conviction was made.  
 31 (4) The date of arrest of the person convicted and the location of  
 32 the place of the offense.  
 33 (5) The license plate number of the motor vehicle.  
 34 (6) The ~~operator's or chauffeur's~~ **driver's** license number of the  
 35 person convicted.  
 36 (7) The date of the conviction and the name of the court making  
 37 the conviction.  
 38 SECTION 397. IC 9-30-3-15 IS AMENDED TO READ AS  
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. In a proceeding,  
 40 prosecution, or hearing where the prosecuting attorney must prove that  
 41 the defendant had a prior conviction for an offense under this title, the  
 42 relevant portions of a certified computer printout or electronic copy as

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1 set forth in IC 9-14-3-4 made from the records of the bureau are  
2 admissible as prima facie evidence of the prior conviction. However,  
3 the prosecuting attorney must establish that the document identifies the  
4 defendant by the defendant's ~~driving~~ **driver's** license number or by any  
5 other identification method utilized by the bureau.

6 SECTION 398. IC 9-30-3-16 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) If a person has  
8 been found to have committed a traffic offense, the court may do the  
9 following:

10 (1) Require the person to attend and satisfactorily complete a  
11 driver improvement course that has been approved by the court  
12 and the bureau or by the bureau.

13 (2) Place the person on probation for up to one (1) year.

14 (3) Suspend the person's ~~driver's license~~ **driving privileges** for up  
15 to thirty (30) days.

16 (b) A driver improvement course required under subsection (a) may  
17 be financed by assessing a reasonable charge as determined by the  
18 course provider and approved by the bureau.

19 SECTION 399. IC 9-30-4-1 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. Upon any reasonable  
21 ground appearing on the records of the bureau, the bureau may do the  
22 following:

23 (1) Suspend, ~~or~~ **revoke, or invalidate** the current ~~driving permit,~~  
24 **driver's license, identification card, or driving privileges** of  
25 any person.

26 (2) Suspend, ~~or~~ **revoke, or invalidate** the certificate of  
27 registration ~~and or~~ license plate for any motor vehicle **or**  
28 **watercraft.**

29 SECTION 400. IC 9-30-4-3 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A person  
31 aggrieved by an order or act of the bureau under section 1 or 2 of this  
32 chapter may, within fifteen (15) days after notice is given, file a  
33 petition in the circuit or superior court of the county in which the  
34 person resides. If the person is a nonresident, the person may file a  
35 petition for review in the Marion **County** circuit court.

36 (b) The petitioner must state facts showing how the order or act of  
37 the bureau is wrongful or unlawful, but the filing of a petition does not  
38 suspend the order or act unless a stay is allowed by a judge of the court  
39 pending final determination of the review on a showing of reasonable  
40 probability that the order or act is wrongful or unlawful.

41 (c) The court shall, within six (6) months of the date of the filing of  
42 the petition, hear the petition, take testimony, and examine the facts of

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1 the case. The court may, in disposing of the issues, modify, affirm, or  
2 reverse the order or act of the bureau in whole or in part and shall make  
3 an appropriate order. If the petition has not been heard within six (6)  
4 months from the date of the filing, the original order or act of the  
5 bureau shall be reinstated in full force and effect.

6 SECTION 401. IC 9-30-4-6, AS AMENDED BY P.L.100-2010,  
7 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2012]: Sec. 6. (a) Whenever the bureau suspends or revokes  
9 ~~the current a person's~~ driver's license, **driving privileges, or permit**  
10 upon receiving a record of the conviction of ~~a the~~ person for any  
11 offense under the motor vehicle laws not enumerated under subsection  
12 (b), the bureau may also suspend any of the certificates of registration  
13 and license plates issued for any motor vehicle **or watercraft**  
14 registered in the name of the person so convicted. However, the bureau  
15 may not suspend the evidence of registration, unless otherwise required  
16 by law, if the person has given or gives and maintains during the three  
17 (3) years following the date of suspension or revocation proof of  
18 financial responsibility in the future. ~~in the manner specified in this~~  
19 ~~section.~~

20 (b) The bureau shall suspend or revoke without notice or hearing the  
21 ~~current~~ driver's license, **permit, or driving privileges** and all  
22 certificates of registration and license plates issued or registered in the  
23 name of a person who is convicted of any of the following:

- 24 (1) Manslaughter or reckless homicide resulting from the  
25 operation of a motor vehicle.
- 26 (2) Perjury or knowingly making a false affidavit to the  
27 department under this chapter or any other law requiring the  
28 registration of motor vehicles or regulating motor vehicle  
29 operation upon the highways.
- 30 (3) A felony under Indiana motor vehicle laws or felony in the  
31 commission of which a motor vehicle is used.
- 32 (4) Three (3) charges of criminal recklessness involving the use  
33 of a motor vehicle within the preceding twelve (12) months.
- 34 (5) Failure to stop and give information or assistance or failure to  
35 stop and disclose the person's identity at the scene of an accident  
36 that has resulted in death, personal injury, or property damage in  
37 excess of two hundred dollars (\$200).
- 38 (6) Possession, distribution, manufacture, cultivation, transfer,  
39 use, or sale of a controlled substance or counterfeit substance, or  
40 attempting or conspiring to possess, distribute, manufacture,  
41 cultivate, transfer, use, or sell a controlled substance or  
42 counterfeit substance.

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1 (c) The ~~license driving privileges~~ of a person shall also be  
 2 suspended upon conviction in another jurisdiction for any offense  
 3 described in subsections (b)(1), (b)(2), (b)(3), (b)(4), and (b)(5), except  
 4 if property damage is less than two hundred dollars (\$200), the bureau  
 5 may determine whether the driver's license, **permit, driving privileges,**  
 6 **and** certificates of registration, and license plates shall be suspended or  
 7 revoked. The ~~license driving privileges~~ of a person shall also be  
 8 suspended upon conviction in another jurisdiction for any offense  
 9 described in subsection (b)(6).

10 (d) A suspension or revocation remains in effect and a new or  
 11 renewal license **or permit** may not be issued to the person and a motor  
 12 vehicle may not be registered in the name of the person as follows:

13 (1) Except as provided in subdivisions (2), (3), (4), and (5), and  
 14 subject to section 6.5 of this chapter, for six (6) months from the  
 15 date of conviction or on the date on which the person is otherwise  
 16 eligible for a license, whichever is later. Except as provided in  
 17 IC 35-48-4-15, this includes a person convicted of a crime for  
 18 which the person's license is suspended or revoked under  
 19 subsection (b)(6).

20 (2) Subject to section 6.5 of this chapter, upon conviction of an  
 21 offense described in subsection (b)(1), for a fixed period of not  
 22 less than two (2) years and not more than five (5) years, to be  
 23 fixed by the bureau based upon recommendation of the court  
 24 entering a conviction. A new or reinstated license **or permit** may  
 25 not be issued to the person, **and driving privileges may not be**  
 26 **granted to or reinstated for the person**, unless ~~that the~~ person,  
 27 **within during** the three (3) years following the expiration of the  
 28 suspension or revocation, gives and maintains in force at all times  
 29 **during the effective period of a new or reinstated license** proof of  
 30 financial responsibility in the future. ~~in the manner specified in~~  
 31 ~~this chapter~~. However, the liability of the insurance carrier under  
 32 a motor vehicle liability policy that is furnished for proof of  
 33 financial responsibility in the future as set out in this chapter  
 34 becomes absolute whenever loss or damage covered by the policy  
 35 occurs, and the satisfaction by the insured of a final judgment for  
 36 loss or damage is not a condition precedent to the right or  
 37 obligation of the carrier to make payment on account of loss or  
 38 damage, but the insurance carrier has the right to settle a claim  
 39 covered by the policy. If the settlement is made in good faith, the  
 40 amount shall be deductive from the limits of liability specified in  
 41 the policy. A policy may not be canceled or annulled with respect  
 42 to a loss or damage by an agreement between the carrier and the

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1 insured after the insured has become responsible for the loss or  
 2 damage, and a cancellation or annulment is void. The policy may  
 3 provide that the insured or any other person covered by the policy  
 4 shall reimburse the insurance carrier for payment made on  
 5 account of any loss or damage claim or suit involving a breach of  
 6 the terms, provisions, or conditions of the policy. If the policy  
 7 provides for limits in excess of the limits specified in this chapter,  
 8 the insurance carrier may plead against any plaintiff, with respect  
 9 to the amount of the excess limits of liability, any defenses that  
 10 the carrier may be entitled to plead against the insured. The policy  
 11 may further provide for prorating of the insurance with other  
 12 applicable valid and collectible insurance. An action does not lie  
 13 against the insurance carrier by or on behalf of any claimant under  
 14 the policy until a final judgment has been obtained after actual  
 15 trial by or on behalf of any claimant under the policy.

16 (3) Subject to section 6.5 of this chapter, for the period ordered by  
 17 a court under IC 35-48-4-15.

18 (4) Subject to section 6.5 of this chapter, if the person is convicted  
 19 of a felony involving the use of a motor vehicle under  
 20 IC 35-44-3-3(b) and the person:

21 (A) exceeded the speed limit by at least twenty (20) miles per  
 22 hour;

23 (B) committed criminal recklessness with a vehicle  
 24 (IC 35-42-2-2)); or

25 (C) engaged in aggressive driving (as defined in  
 26 IC 9-21-8-55(b));

27 while committing the felony, for one (1) year after the date the  
 28 person was convicted. ~~The convicted person has the burden of  
 29 applying for a new or renewal license and establishing that the  
 30 one (1) year period described in this subdivision and subject to  
 31 section 6.5 of this chapter has elapsed.~~

32 (5) Subject to section 6.5 of this chapter, if the person is convicted  
 33 of a felony involving the use of a motor vehicle under  
 34 IC 35-44-3-3(b), the person:

35 (A) exceeded the speed limit by at least twenty (20) miles per  
 36 hour;

37 (B) committed criminal recklessness with a vehicle  
 38 (IC 35-42-2-2)); or

39 (C) engaged in aggressive driving (as defined in  
 40 IC 9-21-8-55(b));

41 while committing the felony, and the person has a prior unrelated  
 42 conviction for a felony under IC 35-44-3-3(b), for two (2) years

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1 after the date the person was convicted. ~~The convicted person has~~  
2 ~~the burden of applying for a new or renewal license and~~  
3 ~~establishing that the two (2) year period described in this~~  
4 ~~subdivision and subject to section 6.5 of this chapter has elapsed.~~

5 (e) The bureau may take action as required in this section upon  
6 receiving satisfactory evidence of a conviction of a person in another  
7 state.

8 (f) For the purpose of this chapter, "conviction" includes any of the  
9 following:

- 10 (1) A conviction upon a plea of guilty.
- 11 (2) A determination of guilt by a jury or court, even if:
  - 12 (A) no sentence is imposed; or
  - 13 (B) a sentence is suspended.
- 14 (3) A forfeiture of bail, bond, or collateral deposited to secure the  
15 defendant's appearance for trial, unless the forfeiture is vacated.
- 16 (4) A payment of money as a penalty or as costs in accordance  
17 with an agreement between a moving traffic violator and a traffic  
18 violations bureau.

19 (g) A suspension or revocation under this section or under  
20 ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** stands pending appeal of the conviction to  
21 a higher court and may be set aside or modified only upon the receipt  
22 by the bureau of the certificate of the court reversing or modifying the  
23 judgment that the cause has been reversed or modified. However, if the  
24 suspension or revocation follows a conviction in a court of no record  
25 in Indiana, the suspension or revocation is stayed pending appeal of the  
26 conviction to a court of record.

27 (h) A person aggrieved by an order or act of the bureau under this  
28 section or ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** may file a petition for a court  
29 review.

30 SECTION 402. IC 9-30-4-6.5, AS ADDED BY P.L.100-2010,  
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2012]: Sec. 6.5. If a person receives a sentence that includes:

- 33 (1) a term of incarceration; and
- 34 (2) ~~a license suspension~~ **of the person's driving privileges** under  
35 this chapter;

36 ~~the license suspension~~ **of driving privileges** begins on the date the  
37 person is released from incarceration and not on the date the person is  
38 convicted.

39 SECTION 403. IC 9-30-4-7 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) A person whose:

- 41 (1) ~~operator's or chauffeur's driver's~~ **license, permit, or driving**  
42 **privileges; or**

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1 (2) certificate of registration or license plate;  
 2 has been ~~suspended~~ **revoked or invalidated** and has not been  
 3 reinstated shall immediately return the license, **permit**, certificate of  
 4 registration, ~~and or~~ license plate to the bureau. A person who  
 5 knowingly fails to comply with this requirement commits a Class C  
 6 misdemeanor.

7 (b) The bureau may:

8 (1) take possession of a license, **permit**, certificate of registration,  
 9 or license plate upon the ~~suspension~~; **revocation or invalidation**;  
 10 or

11 (2) direct a law enforcement officer to take possession and return  
 12 the license, **permit**, certificate, or license plate to the office of the  
 13 bureau.

14 (c) All law enforcement officers are authorized as agents of the  
 15 bureau to seize the license **or permit**, certificate of registration, ~~and or~~  
 16 license plate of a person who fails to surrender the license, **permit**,  
 17 certificate, or license plate. A law enforcement officer shall ~~notify the~~  
 18 ~~bureau of the seizure:~~ **destroy each license, permit, certificate of**  
 19 **registration, or license plate that the law enforcement officer seizes.**

20 SECTION 404. IC 9-30-4-8 IS AMENDED TO READ AS  
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A person whose  
 22 certificate of registration has been suspended or revoked, with  
 23 restoration or the issuance of a new certificate being contingent upon  
 24 the furnishing of proof of financial responsibility, and who, during the  
 25 suspension or revocation or in the absence of full authorization from  
 26 the bureau, operates the motor vehicle upon a highway or knowingly  
 27 permits the motor vehicle to be operated by another person upon a  
 28 highway except as permitted under this chapter commits a Class C  
 29 misdemeanor.

30 (b) A person with a restricted license ~~issued by the bureau~~ **driving**  
 31 **privileges** who operates a motor vehicle upon a highway in violation  
 32 of the terms and conditions specified ~~on for~~ the restricted ~~license~~  
 33 **driving privileges** commits a Class C misdemeanor.

34 SECTION 405. IC 9-30-4-9 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Upon the filing  
 36 of a complaint in writing with the bureau against a person holding a  
 37 current driver's license or **permit or** applying for a ~~current~~ driver's  
 38 license, **permit**, or a renewal, the bureau may cite the person for a  
 39 hearing to consider the suspension or revocation of the **person's**  
 40 license, **permit, or driving privileges** upon any of the following  
 41 charges:

42 (1) That the person has committed an offense for the conviction

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1 of which mandatory revocation of license is provided.

2 (2) That the person has, by reckless or unlawful operation of a  
3 motor vehicle, caused or contributed to an accident resulting in  
4 death or injury to any other person or property damage.

5 (3) That the person is incompetent to drive a motor vehicle or is  
6 afflicted with mental or physical infirmities or disabilities  
7 rendering it unsafe for the person to drive a motor vehicle.

8 (4) That the person is a reckless or negligent driver of a motor  
9 vehicle or has committed a violation of a motor vehicle law.

10 (b) Whenever the bureau issues a citation upon a complaint in  
11 writing for any of the reasons set out in this section, the bureau shall  
12 immediately notify the licensee or permit holder ~~of the time and place~~  
13 ~~of the hearing. and afford the person an opportunity of a hearing in the~~  
14 ~~county in which the person so cited and against whom the complaint is~~  
15 ~~filed resides before the bureau or a deputy or an agent of the bureau~~  
16 ~~designated for the purpose of the hearing.~~ The citation must state the  
17 time, date, and place where the hearing will be held and that the  
18 licensee or permit holder has the right to appear and to be heard. At the  
19 hearing the bureau or the deputy or agent may issue an order of  
20 suspension or revocation ~~of~~, or decline to suspend ~~or~~ revoke, ~~or issue~~  
21 the license, ~~or~~ permit, **or driving privileges of the person.**

22 (c) The bureau or the deputy or agent may suspend or revoke the  
23 ~~current~~ driver's license, **permit, or driving privileges** of a person and  
24 any of the certificates of registration and license plates for a motor  
25 vehicle or require the person cited to operate for a period of one (1)  
26 year under a restricted license **driving privileges** and make the reports  
27 the bureau requires.

28 (d) The bureau or the deputy or agent may subpoena witnesses,  
29 administer oaths, and take testimony. The failure of the defendant to  
30 appear at the time and place of the hearing after notice as provided in  
31 this section does not prevent the hearing, the taking of testimony, and  
32 the determination of the matter.

33 (e) Testimony or a record of suspension or revocation of a ~~current~~  
34 driver's license, **a permit, or driving privileges** in the custody of the  
35 bureau following a hearing is not admissible as evidence:

36 (1) in any court in any action at law for negligence; or

37 (2) in any civil action brought against a person so cited by the  
38 bureau under this chapter.

39 (f) The bureau may suspend or revoke the license, **permit, or**  
40 **driving privileges** of an Indiana resident for a period of not more than  
41 one (1) year upon receiving notice of the conviction of the person in  
42 another state of an offense that, if committed in Indiana, would be

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1 grounds for the suspension or revocation of the license, **permit, or**  
 2 **driving privileges**. The bureau may, upon receiving a record of the  
 3 conviction in Indiana of a nonresident driver of a motor vehicle of an  
 4 offense under Indiana motor vehicle laws, forward a certified copy of  
 5 the record to the motor vehicle administrator in the state where the  
 6 person convicted is a resident.

7 (g) The bureau may not suspend a ~~current~~ driver's license, **a permit,**  
 8 **or driving privileges** for more than one (1) year and upon ~~suspending~~  
 9 ~~or~~ revoking any license **or permit** shall require that the license **or**  
 10 **permit** be surrendered to the bureau.

11 (h) A suspension or revocation under this section stands pending  
 12 any proceeding for review of an action of the bureau taken under this  
 13 section.

14 (i) In addition to any other power, the bureau may modify, amend,  
 15 or cancel any order or determination during the time within which a  
 16 judicial review could be had. A person aggrieved by the order or act  
 17 may have a judicial review under sections 10 and 11 of this chapter.

18 SECTION 406. IC 9-30-4-10 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) A person whose  
 20 ~~current~~ driver's license, ~~or~~ permit, **or driving privileges**, certificate of  
 21 registration, **or license plate** has been suspended or revoked by the  
 22 bureau under section 9 of this chapter may file a petition within thirty  
 23 (30) days for a hearing in the matter in a circuit or superior court in the  
 24 county in which the person resides. The court has jurisdiction and shall  
 25 set the matter for hearing after fifteen (15) days written notice to the  
 26 bureau. The court shall conduct a hearing on the petition, take  
 27 testimony, and examine into the facts of the case de novo and  
 28 determine whether the action of the bureau complained of was  
 29 erroneous and make an appropriate order or decree as provided in this  
 30 chapter.

31 (b) Every action for a court review or appeal under this chapter shall  
 32 be tried by the court and not by a jury. The court shall, without any  
 33 requests, make, sign, and file a special finding of facts in writing and  
 34 shall state in writing its conclusions of law. The court shall  
 35 immediately, after ruling on any motion for a new trial duly filed,  
 36 render judgment in accordance with the conclusions of law stated in the  
 37 special findings of facts. Exceptions to conclusions of law may be  
 38 taken by an entry of the exceptions at any time before judgment.

39 SECTION 407. IC 9-30-4-13 IS AMENDED TO READ AS  
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) Whenever the  
 41 bureau is authorized or required to give notice under this chapter or any  
 42 other law regulating the operation of vehicles, unless a different

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1 method of giving notice is otherwise expressly prescribed, the notice  
2 may be given either by personal delivery to the person to be notified or  
3 by deposit with the United States Postal Service of the notice by first  
4 class mail.

5 (b) A person who, after notification, fails to return or surrender to  
6 the bureau upon demand a suspended, revoked, or ~~canceled current~~  
7 **invalidated** driver's license, ~~or permit~~, certificate of registration, **or**  
8 **license plate** commits a Class C misdemeanor. The bureau may file ~~an~~  
9 **affidavit** with the prosecuting attorney of the county in which the  
10 person resides **an affidavit** charging the person with the offense.

11 SECTION 408. IC 9-30-5-0.1 IS REPEALED [EFFECTIVE JULY  
12 1, 2012]. ~~Sec. 0.1. The following amendments to this chapter apply as~~  
13 ~~follows:~~

14 (1) ~~The amendments made to section 5 of this chapter by~~  
15 ~~P.L.82-2004 apply only to offenses committed after June 30,~~  
16 ~~2004.~~

17 (2) ~~The amendments made to sections 3 and 10 of this chapter by~~  
18 ~~P.L.126-2008 apply only to crimes committed after June 30, 2008.~~

19 SECTION 409. IC 9-30-5-4 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A person who  
21 causes serious bodily injury to another person when operating a **motor**  
22 **vehicle**:

23 (1) with an alcohol concentration equivalent to at least  
24 eight-hundredths (0.08) gram of alcohol per:

- 25 (A) one hundred (100) milliliters of the person's blood; or
- 26 (B) two hundred ten (210) liters of the person's breath;

27 (2) with a controlled substance listed in schedule I or II of  
28 IC 35-48-2 or its metabolite in the person's body; or

29 (3) while intoxicated;

30 commits a Class D felony. However, the offense is a Class C felony if  
31 the person has a previous conviction of operating while intoxicated  
32 within the five (5) years preceding the commission of the offense.

33 (b) A person who violates subsection (a) commits a separate offense  
34 for each person whose serious bodily injury is caused by the violation  
35 of subsection (a).

36 (c) It is a defense under subsection (a)(2) that the accused person  
37 consumed the controlled substance under a valid prescription or order  
38 of a practitioner (as defined in IC 35-48-1) who acted in the course of  
39 the practitioner's professional practice.

40 SECTION 410. IC 9-30-5-5, AS AMENDED BY P.L.102-2010,  
41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2012]: Sec. 5. (a) A person who causes the death of another

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1 person when operating a ~~motor~~ vehicle:  
2 (1) with an alcohol concentration equivalent to at least  
3 eight-hundredths (0.08) gram of alcohol per:  
4 (A) one hundred (100) milliliters of the person's blood; or  
5 (B) two hundred ten (210) liters of the person's breath;  
6 (2) with a controlled substance listed in schedule I or II of  
7 IC 35-48-2 or its metabolite in the person's blood; or  
8 (3) while intoxicated;  
9 commits a Class C felony. However, the offense is a Class B felony if  
10 the person has a previous conviction of operating while intoxicated  
11 within the five (5) years preceding the commission of the offense, or if  
12 the person operated the ~~motor~~ vehicle when the person knew that the  
13 person's driver's license, driving privilege, or permit is suspended or  
14 revoked for a previous conviction for operating a vehicle while  
15 intoxicated.  
16 (b) A person at least twenty-one (21) years of age who causes the  
17 death of another person when operating a ~~motor~~ vehicle:  
18 (1) with an alcohol concentration equivalent to at least  
19 fifteen-hundredths (0.15) gram of alcohol per:  
20 (A) one hundred (100) milliliters of the person's blood; or  
21 (B) two hundred ten (210) liters of the person's breath; or  
22 (2) with a controlled substance listed in schedule I or II of  
23 IC 35-48-2 or its metabolite in the person's blood;  
24 commits a Class B felony.  
25 (c) A person who causes the death of a law enforcement animal (as  
26 defined in IC 35-46-3-4.5) when operating a ~~motor~~ vehicle:  
27 (1) with an alcohol concentration equivalent to at least  
28 eight-hundredths (0.08) gram of alcohol per:  
29 (A) one hundred (100) milliliters of the person's blood; or  
30 (B) two hundred ten (210) liters of the person's breath; or  
31 (2) with a controlled substance listed in schedule I or II of  
32 IC 35-48-2 or its metabolite in the person's blood;  
33 commits a Class D felony.  
34 (d) A person who violates subsection (a), (b), or (c) commits a  
35 separate offense for each person or law enforcement animal whose  
36 death is caused by the violation of subsection (a), (b), or (c).  
37 (e) It is a defense under subsection (a)(2), (b)(2), or (c)(2) that the  
38 accused person consumed the controlled substance under a valid  
39 prescription or order of a practitioner (as defined in IC 35-48-1) who  
40 acted in the course of the practitioner's professional practice.  
41 SECTION 411. IC 9-30-5-6 IS AMENDED TO READ AS  
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who

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1 operates a vehicle in violation of any term of a probationary license  
2 issued under this chapter, IC 9-30-6, or IC 9-30-9 commits a Class C  
3 infraction.

4 (b) In addition to any other penalty imposed under this section, the  
5 court may suspend the person's driving privileges for a period of not  
6 more than one (1) year.

7 (c) ~~The bureau shall send notice of a judgment entered under this~~  
8 ~~section to the court that granted the defendant probationary driving~~  
9 ~~privileges.~~

10 SECTION 412. IC 9-30-5-9.5 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9.5. ~~After June 30,~~  
12 ~~2005,~~ Probationary driving privileges under this chapter do not apply  
13 to a ~~person who holds~~ a commercial driver's license in accordance with  
14 the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA)  
15 (Public Law 106-159.113 Stat. 1748).

16 SECTION 413. IC 9-30-5-10, AS AMENDED BY P.L.126-2008,  
17 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 JULY 1, 2012]: Sec. 10. (a) In addition to a criminal penalty imposed  
19 for an offense under this chapter or IC 14-15-8, the court shall, after  
20 reviewing the person's bureau driving record and other relevant  
21 evidence, recommend the suspension of the person's driving privileges  
22 for the fixed period of time specified under this section. The court may  
23 require that a period of suspension recommended under this section be  
24 imposed, if applicable, before a period of incarceration or after a period  
25 of incarceration, or both before and after a period of incarceration, as  
26 long as the suspension otherwise complies with the periods established  
27 in this section.

28 (b) If the court finds that the person:

29 (1) does not have a previous conviction of operating a vehicle or  
30 a motorboat while intoxicated; or

31 (2) has a previous conviction of operating a vehicle or a  
32 motorboat while intoxicated that occurred at least ten (10) years  
33 before the conviction under consideration by the court;

34 the court shall recommend the suspension of the person's driving  
35 privileges for at least ninety (90) days but not more than two (2) years.

36 (c) If the court finds that the person has a previous conviction of  
37 operating a vehicle or a motorboat while intoxicated and the previous  
38 conviction occurred more than five (5) years but less than ten (10)  
39 years before the conviction under consideration by the court, the court  
40 shall recommend the suspension of the person's driving privileges for  
41 at least one hundred eighty (180) days but not more than two (2) years.

42 The court may stay the execution of that part of the suspension that

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1 exceeds the minimum period of suspension and grant the person  
 2 probationary driving privileges for a period of time equal to the length  
 3 of the stay.

4 (d) If the court finds that the person has a previous conviction of  
 5 operating a vehicle or a motorboat while intoxicated and the previous  
 6 conviction occurred less than five (5) years before the conviction under  
 7 consideration by the court, the court shall recommend the suspension  
 8 of the person's driving privileges for at least one (1) year but not more  
 9 than two (2) years. The court may stay the execution of that part of the  
 10 suspension that exceeds the minimum period of suspension and grant  
 11 the person probationary driving privileges for a period of time equal to  
 12 the length of the stay. If the court grants probationary driving privileges  
 13 under this subsection, the court shall order that the probationary driving  
 14 privileges include the requirement that the person may not operate a  
 15 motor vehicle unless the motor vehicle is equipped with a functioning  
 16 certified ignition interlock device under IC 9-30-8. However, the court  
 17 may grant probationary driving privileges under this subsection without  
 18 requiring the installation of an ignition interlock device if the person is  
 19 successfully participating in a court supervised alcohol treatment  
 20 program in which the person is taking disulfiram or a similar substance  
 21 that the court determines is effective in treating alcohol abuse. The  
 22 person granted probationary driving privileges under this subsection  
 23 shall pay all costs associated with the installation of an ignition  
 24 interlock device unless the sentencing court determines that the person  
 25 is indigent.

26 (e) If the conviction under consideration by the court is for an  
 27 offense under:

- 28 (1) section 4 of this chapter;
- 29 (2) section 5 of this chapter;
- 30 (3) IC 14-15-8-8(b); or
- 31 (4) IC 14-15-8-8(c);

32 the court shall recommend the suspension of the person's driving  
 33 privileges for at least two (2) years but not more than five (5) years.

34 (f) If the conviction under consideration by the court is for an  
 35 offense involving the use of a controlled substance listed in schedule  
 36 I, II, III, IV, or V of IC 35-48-2, in which a vehicle was used in the  
 37 offense, the court shall recommend the suspension or revocation of the  
 38 person's driving privileges for at least six (6) months.

39 **(g) The bureau shall fix the period of suspension in accordance**  
 40 **with the recommendation of the court under this section and in**  
 41 **accordance with IC 9-30-6-9. If the court fails to recommend a**  
 42 **fixed period of suspension, the bureau shall impose the minimum**

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1 **period of suspension required under this section.**  
2 SECTION 414. IC 9-30-5-11, AS AMENDED BY P.L.153-2005,  
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2012]: Sec. 11. (a) If a court grants a person probationary  
5 driving privileges under section 12 of this chapter, the person may  
6 operate a vehicle only as follows:  
7 (1) To and from the person's place of employment.  
8 (2) For specific purposes in exceptional circumstances.  
9 (3) To and from a court-ordered treatment program.  
10 (b) If the court grants the person probationary driving privileges  
11 under section 12(a) of this chapter, that part of the court's order  
12 granting probationary driving privileges does not take effect until the  
13 person's driving privileges have been suspended for at least thirty (30)  
14 days under IC 9-30-6-9.  
15 (c) The court shall notify a person who is granted probationary  
16 driving privileges of the following:  
17 (1) That the probationary driving period commences when the  
18 bureau issues the probationary ~~license~~ **driving privileges**.  
19 (2) That the bureau may not issue a probationary ~~license~~ **driving**  
20 **privileges** until the bureau receives a reinstatement fee from the  
21 person, if applicable, and the person otherwise qualifies for a  
22 ~~license~~ **valid driving privileges**.  
23 SECTION 415. IC 9-30-5-13 IS AMENDED TO READ AS  
24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) An order for  
25 probationary driving privileges granted under this chapter must include  
26 the following:  
27 (1) A requirement that the person may not violate a traffic law.  
28 (2) A restriction of a person's driving privileges providing for  
29 automatic execution of the suspension of driving privileges if an  
30 order is issued under subsection (b).  
31 (3) A written finding by the court that the court has reviewed the  
32 person's driving record and other relevant evidence and found that  
33 the person qualifies for a probationary ~~license~~ **driving privileges**  
34 under this chapter.  
35 (4) Other reasonable terms of probation.  
36 (b) If the court finds that the person has violated the terms of the  
37 order granting probationary driving privileges, the court shall order  
38 execution of that part of the sentence concerning the suspension of the  
39 person's driving privileges.  
40 SECTION 416. IC 9-30-5-18 IS ADDED TO THE INDIANA  
41 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
42 [EFFECTIVE JULY 1, 2012]: **Sec. 18. (a) If:**

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1           **(1) a criminal proceeding for driving while intoxicated under**  
 2           **IC 9-30-5 is deferred under IC 12-23-5-1 through**  
 3           **IC 12-23-5-9; or**  
 4           **(2) a child alleged to be a delinquent child based upon the**  
 5           **child's violation of IC 9-30-5 voluntarily attends or is ordered**  
 6           **by the court under IC 31-37 to attend an alcohol and drug**  
 7           **services program;**  
 8           **the court, within ten (10) days after the defendant or child begins**  
 9           **the program, shall forward to the bureau a certified abstract of**  
 10           **program enrollment.**

11           **(b) The abstract must state the following:**  
 12           **(1) The defendant's or child's name, address, date of birth,**  
 13           **and driver's license number.**  
 14           **(2) The name and location of the alcohol and drug services**  
 15           **program that the defendant or child is attending.**

16           SECTION 417. IC 9-30-6-4.3, AS AMENDED BY P.L.1-2007,  
 17           SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18           JULY 1, 2012]: Sec. 4.3. (a) This section applies only to a person  
 19           whose motor vehicle has been seized under IC 34-24-1-1(15).

20           (b) If the bureau receives an order from a court recommending that  
 21           the bureau not register a motor vehicle in the name of a person whose  
 22           motor vehicle has been seized under IC 34-24-1-1(15), the bureau may  
 23           not register a motor vehicle in the name of the person whose motor  
 24           vehicle has been seized until the person proves that the person  
 25           possesses a ~~current driving~~ **driver's license with valid driving**  
 26           **privileges.**

27           SECTION 418. IC 9-30-6-8 IS AMENDED TO READ AS  
 28           FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Whenever a  
 29           judicial officer has determined that there was probable cause to believe  
 30           that a person has violated IC 9-30-5 or IC 14-15-8, the clerk of the  
 31           court shall forward:

32           (1) a copy of the affidavit; and  
 33           (2) a bureau certificate as described in section 16 of this chapter;  
 34           to the bureau.

35           (b) The probable cause affidavit required under section 7(b)(2) of  
 36           this chapter must do the following:

37           (1) Set forth the grounds for the arresting officer's belief that there  
 38           was probable cause that the arrested person was operating a  
 39           vehicle in violation of IC 9-30-5 or a motorboat in violation of  
 40           IC 14-15-8.

41           (2) State that the person was arrested for a violation of IC 9-30-5  
 42           or operating a motorboat in violation of IC 14-15-8.

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- 1 (3) State whether the person:
- 2 (A) refused to submit to a chemical test when offered; or
- 3 (B) submitted to a chemical test that resulted in prima facie
- 4 evidence that the person was intoxicated.
- 5 (4) Be sworn to by the arresting officer.
- 6 (c) Except as provided in subsection (d), if it is determined under
- 7 subsection (a) that there was probable cause to believe that a person
- 8 has violated IC 9-30-5 or IC 14-15-8, at the initial hearing of the matter
- 9 held under IC 35-33-7-1,
- 10 (†) the court shall recommend immediate suspension of the
- 11 person's driving privileges to take effect on the date the order is
- 12 entered,
- 13 ~~(2) the court shall order the person to surrender all driver's~~
- 14 ~~licenses, permits, and receipts; and~~
- 15 ~~(3) the clerk shall forward the following to the bureau~~
- 16 ~~(A) The person's license or permit surrendered under this~~
- 17 ~~section or section 3 or 7 of this chapter.~~
- 18 ~~(B) a copy of the order recommending immediate suspension~~
- 19 ~~of driving privileges.~~
- 20 (d) If it is determined under subsection (a) that there is probable
- 21 cause to believe that a person violated IC 9-30-5, the court may, as an
- 22 alternative to a license suspension **of the person's driving privileges**
- 23 under subsection ~~(c)†~~; **(c)**, issue an order recommending that the
- 24 person be prohibited from operating a motor vehicle unless the motor
- 25 vehicle is equipped with a functioning certified ignition interlock
- 26 device under IC 9-30-8 until the bureau is notified by a court that the
- 27 criminal charges against the person have been resolved.
- 28 SECTION 419. IC 9-30-6-9, AS AMENDED BY P.L.94-2006,
- 29 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2012]: Sec. 9. (a) This section does not apply if an ignition
- 31 interlock device order is issued under section 8(d) of this chapter.
- 32 (b) If the affidavit under section 8(b) of this chapter states that a
- 33 person refused to submit to a chemical test, the bureau shall suspend
- 34 the driving privileges of the person:
- 35 (1) for:
- 36 (A) one (1) year; or
- 37 (B) if the person has at least one (1) previous conviction for
- 38 operating while intoxicated, two (2) years; or
- 39 (2) until the suspension is ordered terminated under IC 9-30-5.
- 40 (c) If the affidavit under section 8(b) of this chapter states that a
- 41 chemical test resulted in prima facie evidence that a person was
- 42 intoxicated, the bureau shall suspend the driving privileges of the

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1 person:  
2 (1) for one hundred eighty (180) days; or  
3 (2) until the bureau is notified by a court that the charges have  
4 been disposed of;  
5 whichever occurs first.  
6 (d) Whenever the bureau is required to suspend a person's driving  
7 privileges under this section, the bureau shall immediately do the  
8 following:  
9 (1) Mail a notice to the person's last known address that must state  
10 that the person's driving privileges will be suspended for a  
11 specified period, commencing:  
12 (A) five (5) days after the date of the notice; or  
13 (B) on the date the court enters an order recommending  
14 suspension of the person's driving privileges under section 8(c)  
15 of this chapter;  
16 whichever occurs first.  
17 (2) Notify the person of the right to a judicial review under  
18 section 10 of this chapter.  
19 (e) Notwithstanding IC 4-21.5, an action that the bureau is required  
20 to take under this article is not subject to any administrative  
21 adjudication under IC 4-21.5.  
22 (f) If a person is granted probationary driving privileges under  
23 IC 9-30-5 and the bureau has not received the probable cause affidavit  
24 described in section 8(b) of this chapter, the bureau shall suspend the  
25 person's driving privileges for a period of thirty (30) days. After the  
26 thirty (30) day period has elapsed, the bureau shall, upon receiving a  
27 reinstatement fee, if applicable, from the person who was granted  
28 probationary driving privileges, issue the **person** probationary **license**  
29 **driving privileges** if the person otherwise qualifies. ~~for a license.~~  
30 (g) If the bureau receives an order granting probationary driving  
31 privileges to a person who, **according to the records of the bureau,**  
32 has a prior conviction for operating while intoxicated, the bureau shall  
33 do the following:  
34 (1) Issue the person ~~a probationary license~~ **driving privileges** and  
35 notify the prosecuting attorney of the county from which the order  
36 was received that the person is not eligible for a probationary  
37 ~~license.~~ **driving privileges.**  
38 (2) Send a certified copy of the person's driving record to the  
39 prosecuting attorney.  
40 The prosecuting attorney shall, in accordance with IC 35-38-1-15,  
41 petition the court to correct the court's order. If the bureau does not  
42 receive a corrected order within sixty (60) days, the bureau shall notify

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1 the attorney general, who shall, in accordance with IC 35-38-1-15,  
2 petition the court to correct the court's order.

3 SECTION 420. IC 9-30-6-12, AS AMENDED BY P.L.109-2011,  
4 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2012]: Sec. 12. (a) If a court recommends suspension of ~~the~~  
6 driving privileges under this chapter, IC 9-30-5, or IC 9-30-9,

7 ~~(1) the bureau shall comply~~ **fix the period of suspension in**  
8 **accordance** with the recommendation of suspension; ~~and the~~  
9 ~~driving privileges of the person remain suspended for the period~~  
10 ~~set by the court. and~~

11 ~~(2) the person shall surrender to~~ **If** the court all licenses, permits,  
12 ~~or receipts issued to the person; and the court shall immediately~~  
13 ~~forward the licenses, permits, or receipts to~~ **fails to recommend**  
14 **a fixed period of suspension,** the bureau ~~with~~ **shall impose** the  
15 ~~abstract minimum period of conviction or judgment. suspension~~  
16 **required by statute.**

17 (b) Except as provided in subsection (c), during the three (3) years  
18 following the termination of the suspension the person's driving  
19 privileges remain suspended until the person provides proof of future  
20 financial responsibility in force under IC 9-25.

21 (c) If a court recommends suspension of a person's driving  
22 privileges for a conviction under IC 9-30-5, during the three (3) years  
23 following the termination of the suspension the person's driving  
24 privileges remain suspended until the person provides proof of future  
25 financial responsibility in force under IC 9-25. However, if a court  
26 recommends suspension of the driving privileges of a person who is  
27 arrested for or charged with an offense committed under IC 9-30-5, the  
28 person is not required to provide proof of future financial responsibility  
29 under IC 9-25 unless the person is convicted under IC 9-30-5.

30 (d) If at any time during the three (3) years following the  
31 termination of the suspension imposed under subsection (a) a person  
32 who has provided proof of future financial responsibility under IC 9-25  
33 fails to maintain the proof, the bureau shall suspend the person's  
34 driving privileges until the person again provides proof of future  
35 financial responsibility under IC 9-25.

36 (e) An agency action under this section is not subject to IC 4-21.5.

37 SECTION 421. IC 9-30-6-13, AS AMENDED BY P.L.42-2011,  
38 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 2012]: Sec. 13. If a court orders the bureau to rescind an  
40 ignition interlock device requirement or reinstate a person's driving  
41 privileges under this article, the bureau shall comply with the order.  
42 Unless the order for reinstatement is issued under section 11(a)(2) of

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1 this chapter, the bureau shall also do the following:

2 (1) Remove any record of the ignition interlock device  
3 requirement or suspension from the ~~bureau's recordkeeping~~  
4 ~~system~~. **official driving record of the person.**

5 (2) Reinstate the privileges without cost to the person.

6 SECTION 422. IC 9-30-10-2 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. As used in this  
8 chapter, "license" includes any type of license or permit to ~~operate a~~  
9 ~~motor vehicle~~ issued by the bureau **to operate the type of vehicle**  
10 **being driven.**

11 SECTION 423. IC 9-30-10-4, AS AMENDED BY P.L.28-2010,  
12 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2012]: Sec. 4. (a) A person who has accumulated at least two  
14 (2) judgments within a ten (10) year period for any of the following  
15 violations, singularly or in combination, **and** not arising out of the same  
16 incident, ~~and with at least one (1) violation occurring after March 31,~~  
17 ~~1984~~, is a habitual violator:

18 (1) Reckless homicide resulting from the operation of a motor  
19 vehicle.

20 (2) Voluntary or involuntary manslaughter resulting from the  
21 operation of a motor vehicle.

22 (3) Failure of the driver of a motor vehicle involved in an accident  
23 resulting in death or injury to any person to stop at the scene of  
24 the accident and give the required information and assistance.

25 (4) Operation of a vehicle while intoxicated resulting in death.

26 (5) Before July 1, 1997, operation of a vehicle with at least  
27 ten-hundredths percent (0.10%) alcohol in the blood resulting in  
28 death.

29 (6) After June 30, 1997, and before July 1, 2001, operation of a  
30 vehicle with an alcohol concentration equivalent to at least  
31 ten-hundredths (0.10) gram of alcohol per:

32 (A) one hundred (100) milliliters of the blood; or

33 (B) two hundred ten (210) liters of the breath;

34 resulting in death.

35 (7) After June 30, 2001, operation of a vehicle with an alcohol  
36 concentration equivalent to at least eight-hundredths (0.08) gram  
37 of alcohol per:

38 (A) one hundred (100) milliliters of the blood; or

39 (B) two hundred ten (210) liters of the breath;

40 resulting in death.

41 (b) A person who has accumulated at least three (3) judgments  
42 within a ten (10) year period for any of the following violations,

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1 singularly or in combination, **and** not arising out of the same incident,  
2 ~~and with at least one (1) violation occurring after March 31, 1984~~, is a  
3 habitual violator:

- 4 (1) Operation of a vehicle while intoxicated.
- 5 (2) Before July 1, 1997, operation of a vehicle with at least
- 6 ten-hundredths percent (0.10%) alcohol in the blood.
- 7 (3) After June 30, 1997, and before July 1, 2001, operation of a
- 8 vehicle with an alcohol concentration equivalent to at least
- 9 ten-hundredths (0.10) gram of alcohol per:
  - 10 (A) one hundred (100) milliliters of the blood; or
  - 11 (B) two hundred ten (210) liters of the breath.
- 12 (4) After June 30, 2001, operation of a vehicle with an alcohol
- 13 concentration equivalent to at least eight-hundredths (0.08) gram
- 14 of alcohol per:
  - 15 (A) one hundred (100) milliliters of the blood; or
  - 16 (B) two hundred ten (210) liters of the breath.
- 17 (5) Operating a motor vehicle while the person's license to do so
- 18 has been suspended or revoked as a result of the person's
- 19 conviction of an offense under IC 9-1-4-52 (repealed July 1,
- 20 1991), IC 9-24-18-5(b) (repealed July 1, 2000), **IC 9-24-19-2, or**
- 21 ~~IC 9-24-19-3. or IC 9-24-19-5.~~
- 22 (6) Operating a motor vehicle without ever having obtained a
- 23 license to do so.
- 24 (7) Reckless driving.
- 25 (8) Criminal recklessness involving the operation of a motor
- 26 vehicle.
- 27 (9) Drag racing or engaging in a speed contest in violation of law.
- 28 (10) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46
- 29 (repealed July 1, 1991), IC 9-26-1-1(1), IC 9-26-1-1(2),
- 30 ~~IC 9-26-1-1(4)~~, IC 9-26-1-2(1), IC 9-26-1-2(2), IC 9-26-1-3, or
- 31 IC 9-26-1-4.
- 32 (11) Any felony under an Indiana motor vehicle statute or any
- 33 felony in the commission of which a motor vehicle is used.

34 A judgment for a violation enumerated in subsection (a) shall be added  
35 to the violations described in this subsection for the purposes of this  
36 subsection.

37 (c) A person who has accumulated at least ten (10) judgments  
38 within a ten (10) year period for any traffic violation, except a parking  
39 or an equipment violation, of the type required to be reported to the  
40 bureau, singularly or in combination, **and** not arising out of the same  
41 incident, ~~and with at least one (1) violation occurring after March 31,~~  
42 ~~1984~~, is a habitual violator. However, at least one (1) of the judgments

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1 must be for a violation enumerated in subsection (a) or (b). A judgment  
2 for a violation enumerated in subsection (a) or (b) shall be added to the  
3 judgments described in this subsection for the purposes of this  
4 subsection.

5 (d) For purposes of this section, a judgment includes a judgment in  
6 any other jurisdiction in which the elements of the offense for which  
7 the conviction was entered are substantially similar to the elements of  
8 the offenses described in subsections (a) and (b).

9 (e) **For purposes of this section, the offense date is used when**  
10 **determining the number of judgments accumulated within a ten**  
11 **(10) year period.**

12 SECTION 424. IC 9-30-10-6 IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who has  
14 received a notice under section 5 of this chapter may notify the bureau,  
15 in writing, ~~on forms provided by the bureau;~~ that the bureau's records  
16 contain a material error with respect to the person's driving record. If  
17 a person so notifies the bureau, the bureau shall, within thirty (30) days  
18 after the date the notice was received by the bureau, determine whether  
19 a material error was made with respect to the person's driving record.

20 (b) If the bureau determines that a material error was made with  
21 respect to the person's driving record, the bureau shall:

- 22 (1) prevent the suspension of; or
- 23 (2) reinstate;

24 the person's driving privileges.

25 (c) The bureau shall notify the prosecuting attorney of the county  
26 where the record originated that the bureau has determined that a  
27 material error exists. The prosecuting attorney is entitled to respond to  
28 the bureau's determination.

29 (d) An action taken or a determination made by the bureau under  
30 this chapter is not subject to IC 4-21.5. However, the person may file  
31 a petition for judicial review under this chapter.

32 SECTION 425. IC 9-30-10-8 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) If a person files  
34 a petition for judicial review under section 6 of this chapter, the court  
35 shall promptly hold a hearing. The petition must be filed and the  
36 hearing must be held in accordance with section 7 of this chapter.

37 (b) If the court finds that the petitioner is not a habitual violator, the  
38 court shall order the bureau to reinstate the driving privileges of the  
39 person.

40 (c) If the court finds that the petitioner is a habitual violator, the  
41 person's driving privileges remain suspended, unless the court places  
42 the person on probation under section 9 of this chapter.

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1           **(d) The findings of the court under this section constitute a final**  
2 **judgment from which either party may appeal. An appeal does not**  
3 **act as a stay of the findings and orders of the court.**

4           SECTION 426. IC 9-30-10-9, AS AMENDED BY P.L.109-2011,  
5 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2012]: Sec. 9. (a) ~~After June 30, 2005~~; This section does not  
7 apply to a person who:

- 8           (1) holds a commercial driver's license; and
- 9           (2) has been charged with an offense involving the operation of  
10 a motor vehicle in accordance with the federal Motor Carrier  
11 Safety Improvement Act of 1999 (MCSIA) (Public Law  
12 106-159.113 Stat. 1748).

13           (b) If a court finds that a person:

- 14           (1) is a habitual violator under section 4(c) of this chapter;
- 15           (2) has not been previously placed on probation under this section  
16 by a court;
- 17           (3) operates a vehicle for commercial or business purposes, and  
18 the person's mileage for commercial or business purposes:  
19           (A) is substantially in excess of the mileage of an average  
20 driver; and  
21           (B) may have been a factor that contributed to the person's  
22 poor driving record; and
- 23           (4) does not have:  
24           (A) a judgment for a violation enumerated in section 4(a) of  
25 this chapter; or  
26           (B) at least three (3) judgments (singularly or in combination  
27 and not arising out of the same incident) of the violations  
28 enumerated in section 4(b) of this chapter;

29 the court may place the person on probation in accordance with  
30 subsection (d).

31           (c) If a court finds that a person:

- 32           (1) is a habitual violator under section 4(b) of this chapter;
- 33           (2) has not been previously placed on probation under this section  
34 by a court;
- 35           (3) does not have a judgment for any violation listed in section  
36 4(a) of this chapter;
- 37           (4) has had the person's driving privileges suspended under this  
38 chapter for at least five (5) consecutive years; and
- 39           (5) has not violated the terms of the person's suspension by  
40 operating a vehicle;

41 the court may place the person on probation in accordance with  
42 subsection (d). However, if the person has any judgments for operation

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1 of a vehicle before July 1, 2001, while intoxicated or with an alcohol  
 2 concentration equivalent to at least ten-hundredths (0.10) gram of  
 3 alcohol per one hundred (100) milliliters of the blood or two hundred  
 4 ten (210) liters of the breath, or for the operation of a vehicle after June  
 5 30, 2001, while intoxicated or with an alcohol concentration equivalent  
 6 to at least eight-hundredths (0.08) gram of alcohol per one hundred  
 7 (100) milliliters of the blood or two hundred ten (210) liters of the  
 8 breath, the court, before the court places a person on probation under  
 9 subsection (d), must find that the person has successfully fulfilled the  
 10 requirements of a rehabilitation program certified by ~~one (1) or both of~~  
 11 ~~the following:~~

- 12 ~~(A)~~ the division of mental health and addiction ~~or~~  
 13 ~~(B)~~ the Indiana judicial center.

14 (d) Whenever a court places a habitual violator on probation, the  
 15 court:

- 16 (1) shall record each of the court's findings under this section in  
 17 writing;  
 18 ~~(2)~~ shall obtain the person's driver's license or permit and send the  
 19 license or permit to the bureau;  
 20 ~~(3)~~ shall direct the person to apply to the bureau for a restricted  
 21 driver's license;  
 22 ~~(4)~~ shall order the bureau to issue the person an appropriate  
 23 license;  
 24 ~~(5)~~ **(2)** shall place order the bureau to issue the person on  
 25 probation **probationary driving privileges** for a fixed period of  
 26 not less than three (3) years and not more than ten (10) years;  
 27 ~~(6)~~ **(3)** shall attach restrictions to the person's driving privileges,  
 28 including restrictions limiting the person's driving to:  
 29 (A) commercial or business purposes or other employment  
 30 related driving;  
 31 (B) specific purposes in exceptional circumstances;  
 32 (C) rehabilitation programs; and  
 33 (D) specified hours during which the person may drive;  
 34 ~~(7)~~ **(4)** shall require the person to submit to reasonable monitoring  
 35 requirements;  
 36 ~~(8)~~ **(5)** shall order the person to file proof of **future** financial  
 37 responsibility for three (3) years following the date of being  
 38 placed on probation; and  
 39 ~~(9)~~ **(6)** shall impose other appropriate conditions of probation,  
 40 which must include one (1) or more of the following conditions  
 41 if the person was determined to be a habitual violator under  
 42 IC 9-30-10-4(b)(1) through IC 9-30-10-4(b)(4): ~~and at least one~~

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(1) of the offenses occurred within five (5) years prior to the granting of the probationary or restricted license:

(A) An order prohibiting the person from operating a motor vehicle or motorized bicycle with an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:

- (i) one hundred (100) milliliters of the person's blood; or
- (ii) two hundred ten (210) liters of the person's breath;

or while under the influence of any other intoxicating substance.

(B) An order that the person submit to a method to monitor the person's compliance with the prohibition against operating a motor vehicle or motorized bicycle with an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:

- (i) one hundred (100) milliliters of the person's blood; or
- (ii) two hundred ten (210) liters of the person's breath;

or while intoxicated (as defined under IC 9-13-2-86).

(C) The court shall determine the appropriate monitoring method, which may include one (1) or more of the following:

- (i) The person may operate only a motor vehicle equipped with an ignition interlock device.
- (ii) The person must submit to a chemical test if a law enforcement officer lawfully stops the person while operating a motor vehicle or motorized bicycle and the law enforcement officer requests that the person submit to a chemical test.
- (iii) The person must wear a device that detects and records the person's use of alcohol.
- (iv) The person must submit to any other reasonable monitoring requirement as determined by the court.

(e) If a court finds that a person:

- (1) is a habitual violator under section 4(b) or 4(c) of this chapter;
- (2) does not have any judgments for violations under section 4(a) of this chapter;
- (3) does not have any judgments or convictions for violations under section 4(b) of this chapter, except for judgments or convictions under section 4(b)(5) of this chapter that resulted from driving on a suspended license that was suspended for:
  - (A) the commission of infractions only; or
  - (B) previously driving on a suspended license;
- (4) has not been previously placed on probation under this section

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1 by a court; and  
2 (5) has had the person's driving privileges suspended under this  
3 chapter for at least three (3) consecutive years and has not  
4 violated the terms of the person's suspension by operating a  
5 vehicle for at least three (3) consecutive years;

6 the court may place the person on probation under **the conditions**  
7 **described in subsection ~~(d)~~ (d)(1) through (d)(5).**

8 **(f) If the bureau receives an order granting probationary**  
9 **driving privileges to a person who, according to the records of the**  
10 **bureau, does not qualify under this chapter, the bureau shall do the**  
11 **following:**

12 **(1) Issue the person probationary driving privileges and notify**  
13 **the prosecuting attorney of the county from which the order**  
14 **was received that the person is not eligible for the rescission**  
15 **and reinstatement.**

16 **(2) Send a certified copy of the person's driving record to the**  
17 **prosecuting attorney.**

18 **The prosecuting attorney shall, in accordance with IC 35-38-1-15,**  
19 **petition the court to correct the court's order. If the bureau does**  
20 **not receive a corrected order within sixty (60) days, the bureau**  
21 **shall notify the attorney general, who shall, in accordance with**  
22 **IC 35-38-1-15, petition the court to correct the court's order.**

23 SECTION 427. IC 9-30-10-10 IS REPEALED [EFFECTIVE JULY  
24 1, 2012]. ~~Sec. 40. The court's findings under sections 8 and 9 of this~~  
25 ~~chapter constitute a final judgment from which either party may appeal.~~  
26 ~~An appeal does not act as a stay of the court's findings and orders.~~

27 SECTION 428. IC 9-30-10-12 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) Upon the filing  
29 of a petition for revocation of probation, the court shall do the  
30 following:

31 (1) Set a date for a hearing upon the petition that is not earlier  
32 than twenty (20) days nor later than forty-five (45) days from the  
33 date of the filing of the petition for review.

34 (2) Hold a hearing on the date set, unless the proceeding is  
35 continued by order of the court.

36 (3) Cause notice of the hearing date to be sent to all parties.

37 (b) At the hearing, the prosecuting attorney must bear the burden of  
38 proof by a preponderance of the evidence to prevail.

39 (c) If the court finds that the person has violated any terms of the  
40 probation, the court shall do the following:

41 (1) Record each of its findings in writing.

42 (2) Obtain the person's **driver's** license.

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- 1 (3) Order the bureau to suspend the person's driving privileges for
- 2 a period equal to the period of suspension originally imposed
- 3 under section 5 of this chapter.
- 4 (4) Not place the person on probation under section 9 of this
- 5 chapter.
- 6 (d) If the court finds that the person has not violated any of the
- 7 terms of the person's probation, the court shall do the following:
- 8 (1) Record each of the court's findings in writing.
- 9 (2) Continue the person on probation for the remainder of the
- 10 probationary period.
- 11 (e) The court's findings under subsection (c) or (d) constitute a final
- 12 judgment from which either party may appeal. An appeal does not act
- 13 as a stay of the court's findings and orders.
- 14 SECTION 429. IC 9-30-10-13, AS AMENDED BY P.L.109-2011,
- 15 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 JULY 1, 2012]: Sec. 13. (a) The bureau may ~~issue a license to operate~~
- 17 ~~a motor vehicle~~ **issue driving privileges** to a habitual violator whose
- 18 driving privileges were suspended under section 5(b) of this chapter if
- 19 the following conditions exist:
- 20 (1) The time specified for the person's probation or the restriction
- 21 or suspension of the person's license has elapsed.
- 22 (2) The person has met all the requirements of all applicable
- 23 statutes and rules relating to the licensing of motor vehicle
- 24 operators.
- 25 (3) The person files with the bureau and maintains, for three (3)
- 26 years after ~~filing termination of suspension~~, proof of **future**
- 27 financial responsibility in accordance with IC 9-25.
- 28 (4) **If the person has a prior conviction for operating while**
- 29 **intoxicated**, the bureau places a restriction on the person's
- 30 driver's license and driving record that indicates the person is
- 31 prohibited from operating a motor vehicle or motorized bicycle
- 32 with an alcohol concentration equivalent to at least
- 33 two-hundredths (0.02) gram of alcohol per:
- 34 (A) one hundred (100) milliliters of the person's blood; or
- 35 (B) two hundred ten (210) liters of the person's breath;
- 36 ~~or while intoxicated (as defined under IC 9-13-2-86)~~ for three (3)
- 37 years after the bureau issues the driver's license to the person.
- 38 (5) The person signs a bureau form by which the person agrees
- 39 that as a condition to obtaining the driver's license the person will
- 40 submit to a chemical test at any time during the period three (3)
- 41 years after the bureau issues the driver's license to the person if a
- 42 law enforcement officer lawfully stops the person while operating

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1 a motor vehicle or motorized bicycle and the law enforcement  
2 officer requests that the person submit to a chemical test.

3 (b) The bureau may issue a license to operate a motor vehicle to a  
4 habitual violator whose driving privileges have been suspended for life  
5 if the following conditions exist:

6 (1) The bureau has received an order for rescission of suspension  
7 and reinstatement issued under section 15 of this chapter.

8 (2) The person to whom the license is to be issued has never been  
9 convicted of a violation described in section 4(a) or 17 of this  
10 chapter.

11 (3) The person has not been convicted of an offense under section  
12 16 of this chapter more than one (1) time.

13 (4) The person has met all the requirements of all applicable  
14 statutes and rules relating to the licensing of motor vehicle  
15 operators.

16 (5) The person:

17 (A) files with the bureau; and

18 (B) maintains for three (3) years after ~~filing~~; **rescission of the**  
19 **suspension;**

20 proof of **future** financial responsibility in accordance with  
21 IC 9-25.

22 (6) **If the person has a prior conviction for operating while**  
23 **intoxicated**, the bureau places a restriction on the person's  
24 driver's license and driving record that indicates the person is  
25 prohibited from operating a motor vehicle or motorized bicycle  
26 with an alcohol concentration equivalent to at least  
27 two-hundredths (0.02) gram of alcohol per:

28 (A) one hundred (100) milliliters of the person's blood; or

29 (B) two hundred ten (210) liters of the person's breath;

30 or while intoxicated (as defined under IC 9-13-2-86) for three (3)  
31 years after the bureau issues the driver's license to the person.

32 (7) The person signs a bureau form by which the person agrees  
33 that as a condition to obtaining the driver's license the person will  
34 submit to a chemical test at any time during the period three (3)  
35 years after the bureau issues the driver's license to the person if a  
36 law enforcement officer lawfully stops the person while operating  
37 a motor vehicle or motorized bicycle and the law enforcement  
38 officer requests that the person submit to a chemical test.

39 (c) A habitual violator is not eligible for relief under the hardship  
40 provisions of IC 9-24-15.

41 (d) **The bureau shall not issue driving privileges to a person who**  
42 **does not satisfy all of the requirements set forth in subsections (a)**

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1 **and (b).**

2 SECTION 430. IC 9-30-10-14 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. (a) Except as  
4 provided in subsection (e), a person whose driving privileges have been  
5 suspended for life may petition a court in a civil action for a rescission  
6 of the suspension order and reinstatement of driving privileges if the  
7 following conditions exist:

8 (1) Ten (10) years have elapsed since the date on which an order  
9 for the lifetime suspension of the person's driving privileges was  
10 issued.

11 (2) The person has never been convicted of a violation described  
12 in section 4(a) of this chapter.

13 (3) The person has never been convicted of an offense under  
14 section 17 of this chapter.

15 (4) The person has not been convicted of an offense under section  
16 16 of this chapter more than one (1) time.

17 (b) A petition for rescission and reinstatement under this section  
18 must meet the following conditions:

19 (1) Be verified by the petitioner.

20 (2) State the petitioner's age, date of birth, and place of residence.

21 (3) Describe the circumstances leading up to the lifetime  
22 suspension of the petitioner's driving privileges.

23 (4) Aver a substantial change in the petitioner's circumstances of  
24 the following:

25 (A) That indicates the petitioner would no longer pose a risk  
26 to the safety of others if the petitioner's driving privileges are  
27 reinstated.

28 (B) That makes the lifetime suspension of the petitioner's  
29 driving privileges unreasonable.

30 (C) Indicates it is in the best interests of society for the  
31 petitioner's driving privileges to be reinstated.

32 **(5) Aver that the requisite amount of time has elapsed since**  
33 **the date on which the order for the lifetime suspension of the**  
34 **person's driving privileges was issued as required under**  
35 **subsections (a) and (e).**

36 ~~(5)~~ (6) Aver that the petitioner has never been convicted of an  
37 offense under section 17 of this chapter.

38 ~~(6)~~ (7) Aver that the petitioner has not been convicted of an  
39 offense under section 16 of this chapter more than one (1) time.

40 ~~(7)~~ (8) Aver that the petitioner has never been convicted of a  
41 violation described in section 4(a) of this chapter.

42 ~~(8)~~ (9) Be filed in a circuit or superior court having jurisdiction in

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1 the county where the petitioner resides.  
 2 ~~(9)~~ (10) If the petition is being filed under subsection (e), aver the  
 3 existence of the conditions listed in subsection (e)(1) through  
 4 (e)(3).  
 5 (c) The petitioner shall serve the prosecuting attorney of the county  
 6 where the petitioner resides and the bureau with a copy of the petition  
 7 described in subsection (b). A responsive pleading is not required.  
 8 (d) The prosecuting attorney of the county where the petitioner  
 9 resides shall represent the state in the matter.  
 10 (e) A person whose driving privileges have been suspended for life  
 11 may petition a court in a civil action for a rescission of the suspension  
 12 order and reinstatement of driving privileges if all of the following  
 13 conditions exist:  
 14 (1) Three (3) years have elapsed since the date on which the order  
 15 for lifetime suspension of the petitioner's driving privileges was  
 16 issued.  
 17 (2) The petitioner's lifetime suspension was the result of driving  
 18 on a suspended license that was suspended for commission of  
 19 infractions only or for driving on a suspended license.  
 20 (3) The petitioner has never been convicted of a violation  
 21 described in section 4(a) or 4(b) of this chapter, with the  
 22 exception of a ~~judgement~~ **judgment** or conviction under section  
 23 4(b)(3) of this chapter.  
 24 (4) The petitioner has never been convicted of an offense under  
 25 section 17 of this chapter.  
 26 (5) The petitioner has not been convicted of an offense under  
 27 section 16 of this chapter more than one (1) time.  
 28 SECTION 431. IC 9-30-10-15, AS AMENDED BY P.L.28-2010,  
 29 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2012]: Sec. 15. (a) Upon receiving a petition filed under  
 31 section 14 of this chapter, a court shall set a date for hearing the matter  
 32 and direct the clerk of the court to provide notice of the hearing date to  
 33 the following:  
 34 (1) The petitioner.  
 35 (2) The prosecuting attorney of the county where the petitioner  
 36 resides.  
 37 (3) The bureau.  
 38 (b) A court may order the rescission of the order that required the  
 39 suspension of the petitioner's driving privileges for life and may order  
 40 the bureau to reinstate the driving privileges of a petitioner whose  
 41 driving privileges have been suspended for life if, after the hearing of  
 42 the matter, the court makes the following written findings and

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- 1 conclusions, based on clear and convincing evidence:
- 2 (1) That the petitioner has never been convicted of a violation
- 3 described in section 4(a) of this chapter.
- 4 (2) That the petitioner has never been convicted of an offense
- 5 under section 17 of this chapter.
- 6 (3) That the petitioner has not been convicted of an offense under
- 7 section 16 of this chapter more than one (1) time.
- 8 (4) If the person is petitioning the court under section 14(a) of this
- 9 chapter that ten (10) years have elapsed since the date on which
- 10 an order was issued that required the suspension of the petitioner's
- 11 driving privileges for life.
- 12 (5) That there has been a substantial change in the petitioner's
- 13 circumstances indicating the petitioner would no longer pose a
- 14 risk to the safety of others if the petitioner's driving privileges
- 15 were reinstated.
- 16 (6) That there has been a substantial change in the petitioner's
- 17 circumstances indicating that the suspension of the petitioner's
- 18 driving privileges for life has become unreasonable.
- 19 (7) That it is in the best interests of society for the petitioner's
- 20 driving privileges to be reinstated.
- 21 (8) If the person is petitioning the court under section 14(e) of this
- 22 chapter:
- 23 (A) that three (3) years have elapsed since the date the order
- 24 was issued that required the suspension of the petitioner's
- 25 driving privileges for life; and
- 26 (B) that the conditions listed under section 14(e) of this
- 27 chapter are satisfied.
- 28 (c) The petitioner has the burden of proof under this section and an
- 29 order issued under subsection (b) is a final order, appealable by any
- 30 party to the action.
- 31 (d) In an order for reinstatement of driving privileges issued under
- 32 this section, the court may require the bureau to issue to the prevailing
- 33 petitioner:
- 34 (1) ~~a license to operate a motor vehicle driving privileges~~ under
- 35 section 13(b) of this chapter; or
- 36 (2) ~~a restricted driving license privileges~~ for a time and subject to
- 37 conditions specified by the court, which must include one (1) or
- 38 more of the following conditions if the person was determined to
- 39 be a habitual violator under IC 9-30-10-4(a)(4) through
- 40 IC 9-30-10-4(a)(7) or IC 9-30-10-4(b)(1) through
- 41 IC 9-30-10-4(b)(4): ~~and at least one (1) of the offenses occurred~~
- 42 ~~within five (5) years prior to the granting of the probationary or~~

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**restricted license:**

- (A) Specified hours during which the person may drive.
- (B) An order prohibiting the person from operating a motor vehicle or motorized bicycle with an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:
  - (i) one hundred (100) milliliters of the person's blood; or
  - (ii) two hundred ten (210) liters of the person's breath;
 or while intoxicated (as defined under IC 9-13-2-86).
- (C) An order that the person submit to a method to monitor the person's compliance with the prohibition against operating a motor vehicle or motorized bicycle with an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:
  - (i) one hundred (100) milliliters of the person's blood; or
  - (ii) two hundred ten (210) liters of the person's breath;
 or while intoxicated (as defined under IC 9-13-2-86).
- (D) The court shall determine the appropriate monitoring method, which may include one (1) or more of the following:
  - (i) The person may operate only a motor vehicle equipped with an ignition interlock device.
  - (ii) The person must submit to a chemical test if a law enforcement officer lawfully stops the person while operating a motor vehicle or motorized bicycle and the law enforcement officer requests that the person submit to a chemical test.
  - (iii) The person must wear a device that detects and records the person's use of alcohol.
  - (iv) The person must submit to any other reasonable monitoring requirement as determined by the court.
- (e) If a court orders the bureau to issue a restricted **or probationary driving license privileges** to a petitioner under subsection (d), the court shall specify the conditions under which the petitioner may be issued a **license driving privileges** to operate a motor vehicle under section 13(b) of this chapter. After the expiration date of the restricted **license or probationary driving privileges** and upon:
  - (1) fulfillment by the petitioner of the conditions specified by the court; and
  - (2) the expiration of the restricted **license issued driving privileges** under subsection (d)(2);
 the bureau shall issue to the petitioner a **license driving privileges** to operate a motor vehicle under section 13(b) of this chapter.

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1 (f) If the bureau receives an order granting a rescission of the  
 2 suspension order and reinstatement of driving privileges to a  
 3 person who, according to the records of the bureau, does not  
 4 qualify under this chapter, the bureau shall do the following:

5 (1) Issue the person probationary driving privileges and notify  
 6 the prosecuting attorney of the county from which the order  
 7 was received that the person is not eligible for the rescission  
 8 and reinstatement.

9 (2) Send a certified copy of the person's driving record to the  
 10 prosecuting attorney.

11 The prosecuting attorney shall, in accordance with IC 35-38-1-15,  
 12 petition the court to correct the court's order. If the bureau does  
 13 not receive a corrected order within sixty (60) days, the bureau  
 14 shall notify the attorney general, who shall, in accordance with  
 15 IC 35-38-1-15, petition the court to correct the court's order.

16 SECTION 432. IC 9-30-10-17.5, AS ADDED BY P.L.28-2010,  
 17 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2012]: Sec. 17.5. A person who operates a vehicle or  
 19 motorized bicycle in violation of conditions of a restricted license  
 20 driving privileges ordered by a court under ~~IC 9-30-10-9(d)(9)~~ section  
 21 **9(d)(6)** or ~~IC 9-30-10-15(d)(2)~~ **15(d)(2)** of this chapter commits a  
 22 Class A misdemeanor.

23 SECTION 433. IC 9-30-11-5 IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. If the bureau  
 25 receives a referral under section 4 of this chapter, the bureau shall  
 26 suspend the registration of the motor vehicle and mail a notice to the  
 27 person in whose name the vehicle is registered that does the following:

28 (1) Informs the person that the motor vehicle's registration has  
 29 been suspended and the reason for the suspension.

30 (2) Informs the person that if the judgments are not paid within  
 31 fifteen (15) days, the motor vehicle's license plates will be  
 32 removed by a law enforcement officer.

33 (3) (2) Explains what the person is required to do to have the  
 34 registration reinstated.

35 SECTION 434. IC 9-30-11-6, AS AMENDED BY P.L.153-2005,  
 36 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2012]: Sec. 6. The bureau shall reinstate motor vehicle  
 38 registration that is suspended under this chapter if the following occur:

39 (1) ~~Any person~~ **The court** presents the bureau ~~or a bureau license~~  
 40 ~~branch~~ with adequate proof that all unpaid judgments with respect  
 41 to the motor vehicle have been paid.

42 (2) A reinstatement fee under IC 9-29 is paid to the bureau, if

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1 applicable.

2 SECTION 435. IC 9-30-11-7 IS REPEALED [EFFECTIVE JULY  
3 1, 2012]. Sec. 7: If the bureau suspends a motor vehicle registration  
4 under section 5 of this chapter, the bureau shall send a notice of the  
5 suspension to the clerk who sent the referral. Upon receipt of a notice,  
6 a clerk shall inform each of the law enforcement agencies that are listed  
7 on the referral of the following:

8 (1) That the motor vehicle's registration has been suspended:

9 (2) That any law enforcement agency may remove the license  
10 plate of the motor vehicle fifteen (15) days after the motor  
11 vehicle's registration was suspended unless the judgments have  
12 been paid:

13 SECTION 436. IC 9-30-12-1 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) The bureau may  
15 suspend or revoke the driver's license or permit driving privileges of  
16 an individual who pays the fee required for makes payment to the  
17 driver's license or permit bureau with a check funds that:

18 (1) is are not honored. by the financial institution on which the  
19 check is drawn; or

20 (2) has had payment stopped by the maker of the check:

21 (b) In addition to the penalties in subsection (a), the bureau may  
22 do the following:

23 (1) Revoke the driver's license or permit of an individual who  
24 makes payment to the bureau for a driver's license or permit  
25 with funds that are not honored.

26 (2) Invalidate the title or registration of an individual who  
27 makes payment to the bureau for a driver's license or permit  
28 with funds that are not honored.

29 SECTION 437. IC 9-30-12-2, AS AMENDED BY P.L.153-2005,  
30 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2012]: Sec. 2. The bureau may:

32 (1) reinstate a license, or a permit, or driving privileges revoked  
33 or suspended under section 1 of this chapter; or

34 (2) revalidate a title or registration that has been invalidated under  
35 section 3 1 of this chapter;

36 if the obligation has been satisfied, including the payment of service,  
37 collection, and reinstatement fees, if applicable.

38 SECTION 438. IC 9-30-12-3 IS REPEALED [EFFECTIVE JULY  
39 1, 2012]. Sec. 3: The bureau may invalidate a title or registration that  
40 has been issued by the bureau and the applicable fees have been paid  
41 with a check that:

42 (1) is not honored by the financial institution on which the check

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1 is drawn; or

2 (2) has had payment stopped by the maker of the check.

3 SECTION 439. IC 9-30-12-4 IS REPEALED [EFFECTIVE JULY  
4 1, 2012]. Sec. 4. The bureau may suspend or revoke the driver's license  
5 or permit of an individual who pays the fee required for a vehicle title  
6 or registration with a check that:

7 (1) is not honored by the financial institution on which the check  
8 is drawn; or

9 (2) has had payment stopped by the maker of the check.

10 SECTION 440. IC 9-30-13-0.5 IS ADDED TO THE INDIANA  
11 CODE AS A NEW SECTION TO READ AS FOLLOWS  
12 [EFFECTIVE JULY 1, 2012]: Sec. 0.5. (a) A court shall forward to  
13 the bureau a certified abstract of the record of the conviction of a  
14 person in the court for a violation of a law relating to motor  
15 vehicles.

16 (b) If in the opinion of the court a defendant should be deprived  
17 of the privilege to operate a motor vehicle upon a public highway,  
18 the court shall recommend the suspension of the convicted person's  
19 driving privileges for a fixed period established by the court not  
20 exceeding one (1) year.

21 (c) The bureau shall comply with the court's recommendation.

22 (d) At the time of a conviction referred to in subsection (a) or  
23 under IC 9-30-5-7, the court may obtain and destroy the  
24 defendant's current driver's license.

25 (e) An abstract required by this section must be in the form  
26 prescribed by the bureau and, when certified, shall be accepted by  
27 an administrative agency or a court as prima facie evidence of the  
28 conviction and all other action stated in the abstract.

29 SECTION 441. IC 9-30-13-1 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. For a person who  
31 uses a motor vehicle to commit recklessness under IC 35-42-2-2, the  
32 judge of the court in which the person is convicted shall recommend  
33 that the ~~current driver's license~~ **driving privileges** of the person be  
34 suspended for not less than sixty (60) days and not more than two (2)  
35 years. **If the court fails to recommend a fixed term of suspension,**  
36 **the bureau shall impose the minimum period of suspension**  
37 **required under this section.**

38 SECTION 442. IC 9-30-13-2 IS AMENDED TO READ AS  
39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. For a person who  
40 uses a motor vehicle to commit obstruction of traffic under  
41 IC 35-42-2-4, the judge of the court in which the person is convicted  
42 may recommend that the ~~current driver's license~~ **driving privileges** of

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1 the person be suspended for not less than sixty (60) days and not more  
2 than two (2) years.

3 SECTION 443. IC 9-30-13-3 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. For a person who  
5 uses a motor vehicle to commit criminal mischief under IC 35-43-1-2,  
6 the judge of the court in which the person is convicted may recommend  
7 that the ~~current driver's license~~ **driving privileges** of the person be  
8 suspended for not less than sixty (60) days and not more than two (2)  
9 years.

10 SECTION 444. IC 9-30-13-4 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. **(a)** If a person  
12 commits any of the following offenses, the court that convicted the  
13 person shall recommend the suspension of the person's driving  
14 privileges for a fixed period of at least two (2) years and not more than  
15 five (5) years:

16 (1) Involuntary manslaughter resulting from the operation of a  
17 motor vehicle (IC 35-42-1-4).

18 (2) Reckless homicide resulting from the operation of a motor  
19 vehicle (IC 35-42-1-5).

20 **(b) If the court fails to recommend a fixed term of suspension,**  
21 **the bureau shall impose the minimum period of suspension**  
22 **required under this section.**

23 SECTION 445. IC 9-30-13-5 IS REPEALED [EFFECTIVE JULY  
24 1, 2012]. Sec. 5: ~~If a court fails to recommend a fixed term of~~  
25 ~~suspension for an offense described under section 4 of this chapter, the~~  
26 ~~bureau shall suspend the driver's license of the convicted person under~~  
27 ~~IC 9-30-4-6 for two (2) years.~~

28 SECTION 446. IC 9-30-13-6 IS ADDED TO THE INDIANA  
29 CODE AS A NEW SECTION TO READ AS FOLLOWS  
30 [EFFECTIVE JULY 1, 2012]: Sec. 6. **(a) The bureau shall, upon**  
31 **receiving an order of a court issued under IC 31-14-12-4 or**  
32 **IC 31-16-12-7, suspend the driving privileges of the person who is**  
33 **the subject of the order.**

34 **(b) The bureau may not reinstate driving privileges suspended**  
35 **under this section until the bureau receives an order allowing**  
36 **reinstatement from the court that issued the order for suspension.**

37 **(c) Upon receiving an order for suspension under subsection (a),**  
38 **the bureau shall promptly mail a notice to the last known address**  
39 **of the person who is the subject of the order, stating the following:**

40 **(1) That the person's driving privileges are suspended,**  
41 **beginning five (5) business days after the date the notice is**  
42 **mailed, and that the suspension will terminate ten (10)**

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- 1           **business days after the bureau receives an order allowing**
- 2           **reinstatement from the court that issued the suspension order.**
- 3           **(2) That the person has the right to petition for reinstatement**
- 4           **of driving privileges to the court that issued the order for**
- 5           **suspension.**
- 6           **(3) That the person may be granted restricted driving**
- 7           **privileges under IC 9-24-15-6.7 if the person otherwise**
- 8           **qualifies and can prove that public transportation is**
- 9           **unavailable for travel by the person:**
- 10           **(A) to and from the person's regular place of employment;**
- 11           **(B) in the course of the person's regular employment;**
- 12           **(C) to and from the person's place of worship; or**
- 13           **(D) to participate in parenting time with the petitioner's**
- 14           **children consistent with a court order granting parenting**
- 15           **time.**
- 16           **(d) A person who operates a motor vehicle in violation of this**
- 17           **section commits a Class A infraction, unless:**
- 18           **(1) the person's driving privileges are suspended under this**
- 19           **section; and**
- 20           **(2) the person has been granted restricted driving privileges**
- 21           **under IC 9-24-15 as a result of the suspension under this**
- 22           **section.**
- 23           **SECTION 447. IC 9-30-13-7 IS ADDED TO THE INDIANA**
- 24           **CODE AS A NEW SECTION TO READ AS FOLLOWS**
- 25           **[EFFECTIVE JULY 1, 2012]: Sec. 7. (a) If the bureau is advised by**
- 26           **the Title IV-D agency that the obligor (as defined in IC 31-25-4-4)**
- 27           **either requested a hearing under IC 31-25-4-33 and failed to**
- 28           **appear or appeared and was found to be delinquent, the bureau**
- 29           **shall promptly mail a notice to the obligor stating the following:**
- 30           **(1) That the obligor's driving privileges are suspended,**
- 31           **beginning eighteen (18) business days after the date the notice**
- 32           **is mailed, and that the suspension will terminate after the**
- 33           **bureau receives a notice from the Title IV-D agency that the**
- 34           **obligor has:**
- 35           **(A) paid the obligor's child support arrearage in full; or**
- 36           **(B) established a payment plan with the Title IV-D agency**
- 37           **to pay the arrearage, which includes an income**
- 38           **withholding order under IC 31-16-15-0.5 or**
- 39           **IC 31-16-15-2.5.**
- 40           **(2) That the obligor may be granted restricted driving**
- 41           **privileges under IC 9-24-15-6.7 if the obligor can prove that**
- 42           **public transportation is unavailable for travel by the obligor:**

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- 1 (A) to and from the obligor's regular place of employment;  
 2 (B) in the course of the obligor's regular employment;  
 3 (C) to and from the obligor's place of worship; or  
 4 (D) to participate in parenting time with the petitioner's  
 5 children consistent with a court order granting parenting  
 6 time.
- 7 (b) The bureau may not reinstate driving privileges suspended  
 8 under this section until the bureau receives a notice from the Title  
 9 IV-D agency that the obligor has:
- 10 (1) paid the obligor's child support arrearage in full; or  
 11 (2) established a payment plan with the Title IV-D agency to  
 12 pay the arrearage, which includes an income withholding  
 13 order under IC 31-16-15-0.5 or IC 31-16-15-2.5.
- 14 (c) An obligor who operates a motor vehicle in violation of this  
 15 section commits a Class A infraction, unless:
- 16 (1) the obligor's driving privileges are suspended under this  
 17 section; and  
 18 (2) the obligor has been granted restricted driving privileges  
 19 under IC 9-24-15 as a result of the suspension under this  
 20 section.
- 21 SECTION 448. IC 9-30-13-8 IS ADDED TO THE INDIANA  
 22 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 23 [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Upon receiving an order  
 24 issued by a court under IC 35-43-4-8(b) concerning a person  
 25 convicted of fuel theft, the bureau shall do the following:
- 26 (1) Suspend under subsection (b) the driving privileges of the  
 27 person who is the subject of the order, whether or not the  
 28 person's current driving license accompanies the order.  
 29 (2) Mail to the last known address of the person who is the  
 30 subject of the order a notice:
- 31 (A) stating that the person's driving privileges are being  
 32 suspended for fuel theft;  
 33 (B) setting forth the date on which the suspension takes  
 34 effect and the date on which the suspension terminates;  
 35 and  
 36 (C) stating that the person may be granted restricted  
 37 driving privileges under IC 9-24-15-6.7 if the person meets  
 38 the conditions for obtaining restricted driving privileges.
- 39 (b) The suspension of the driving privileges of a person who is  
 40 the subject of an order issued under IC 35-43-4-8(b):
- 41 (1) begins five (5) business days after the date on which the  
 42 bureau mails the notice to the person under subsection (a)(2);

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1           **and**

2           **(2) terminates thirty (30) days after the suspension begins.**

3           **(c) A person who operates a motor vehicle during a suspension**  
 4 **of the person's driving privileges under this section commits a**  
 5 **Class A infraction unless the person's operation of the motor**  
 6 **vehicle is authorized by restricted driving privileges granted to the**  
 7 **person under IC 9-24-15-6.7.**

8           SECTION 449. IC 9-30-14-1 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. As used in this  
 10 chapter, "covered offense" means the following:

11           (1) An offense:

12           (A) for which the offender's ~~current~~ driving license **privileges**  
 13 may be suspended under IC 9-30-13; and

14           (B) that involved the obstruction of traffic with or the  
 15 operation of a motor vehicle with alcohol or a controlled  
 16 substance listed in schedule I or II under IC 35-48-2 in the  
 17 person's blood.

18           (2) An offense described under IC 9-30-5 that involved operation  
 19 of a ~~motor~~ vehicle with alcohol or a controlled substance listed  
 20 under schedule I or II under IC 35-48-2.

21           SECTION 450. IC 9-31-1-3 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The bureau shall  
 23 receive payments of:

24           (1) the ~~use tax~~ **taxes** on watercraft that ~~is~~ **are** required by  
 25 ~~IC 6-2.5-3-2~~ **IC 6-2.5-3** and **IC 6-6-11**; and ~~IC 6-2.5-3-6~~.

26           (2) **any other taxes applicable to watercraft as imposed by**  
 27 **Indiana law.**

28           SECTION 451. IC 9-31-1-4 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau may  
 30 utilize the services and facilities of license branches to carry out the  
 31 bureau's responsibilities under this article. However, an additional  
 32 charge may not be imposed for the services of license branches under  
 33 ~~this article.~~ **chapter.**

34           SECTION 452. IC 9-31-1-7 IS REPEALED [EFFECTIVE JULY 1,  
 35 2012]. Sec. 7: (a) ~~On January 1, 1992, the employees of the department~~  
 36 ~~of natural resources who administer the watercraft registration and title~~  
 37 ~~programs are transferred to the bureau of motor vehicles.~~

38           (b) ~~The employees who are transferred under subsection (a) are~~  
 39 ~~entitled to have the employees' service with the department of natural~~  
 40 ~~resources included for the purpose of computing all applicable~~  
 41 ~~employment benefits and will not be adversely affected by the transfer.~~

42           SECTION 453. IC 9-31-2-1 IS AMENDED TO READ AS



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1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter does not  
2 apply to the following:

3 (1) A watercraft from a jurisdiction other than Indiana temporarily  
4 using the waters of Indiana **for less than sixty (60) consecutive**  
5 **days.**

6 (2) A ship's lifeboat.

7 (3) Watercraft other than motorboats unless the owner voluntarily  
8 desires to become subject to this chapter.

9 (4) A watercraft that is a Class 5 or lower motorboat or sailboat  
10 under ~~IC 6-6-11-11~~ **IC 6-6-11-10** (the boat excise tax), unless the  
11 owner voluntarily desires to become subject to this chapter.

12 (5) A watercraft that is propelled by an internal combustion,  
13 steam, or electrical inboard or outboard motor or engine or by any  
14 mechanical means, including sailboats that are equipped with  
15 such a motor or engine when the sailboat is in operation whether  
16 or not the sails are hoisted, if:

17 (A) the watercraft was made by an individual for the use of the  
18 individual and not for resale; and

19 (B) the owner does not voluntarily desire to become subject to  
20 this chapter.

21 SECTION 454. IC 9-31-2-5 IS AMENDED TO READ AS  
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A manufacturer,  
23 importer, dealer, or other person may not sell or otherwise dispose of  
24 a new watercraft to a dealer, to be used by the dealer for purposes of  
25 display and resale, without delivering to the dealer a manufacturer's or  
26 importer's certificate executed under this section and with those  
27 assignments on the certificate as are necessary to show title in the  
28 purchaser of the watercraft. A dealer may not purchase or acquire a  
29 new watercraft without obtaining from the seller of the watercraft the  
30 manufacturer's or importer's certificate.

31 (b) A manufacturer's or importer's certificate of the origin of a  
32 watercraft must contain the following information along with ~~the~~ **any**  
33 additional information the bureau requires:

34 (1) A description of the watercraft, including, if applicable, the  
35 make, year, length, dry weight, series or model, horsepower  
36 rating, hull type, and hull identification number.

37 (2) Certification of the date of transfer of the watercraft to a  
38 distributor, dealer, or other transferee and the name and address  
39 of the transferee.

40 (3) Certification that this is the first transfer of the new watercraft  
41 in ordinary trade and commerce.

42 (4) The signature and address of a representative of the transferor.

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1 (c) An assignment of a manufacturer's or importer's certificate shall  
 2 be printed on the reverse side of the manufacturer's or importer's  
 3 certificate. The assignment form must include the following:

- 4 (1) The name and address of the transferee.  
 5 (2) A certification that the watercraft is new.  
 6 (3) A warranty that the title at the time of delivery is subject only  
 7 to the liens and encumbrances that are set forth and described in  
 8 full in the assignment.

9 SECTION 455. IC 9-31-2-6, AS AMENDED BY P.L.83-2008,  
 10 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2012]: Sec. 6. (a) Except as provided in subsection (b), an  
 12 application for a certificate of title shall be filed with the bureau within  
 13 thirty-one (31) days after the date of purchase or transfer. The  
 14 application must be accompanied by the fee prescribed in IC 9-29-15-1.

15 (b) This subsection applies only to a watercraft acquired by a  
 16 conveyance subject to section 30 of this chapter. An application for a  
 17 certificate of title shall be filed with the bureau within sixty (60) days  
 18 after the date of the transfer under section 30 of this chapter. The  
 19 application must be accompanied by the fee prescribed in IC 9-29-15-1  
 20 **and any other applicable fees and service charges.**

21 SECTION 456. IC 9-31-2-7 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. An application for  
 23 a certificate of title must be certified by the owner or purchaser of the  
 24 watercraft and must contain the following information, along with the  
 25 additional information the bureau requires:

- 26 (1) The name and address of the applicant.  
 27 ~~(2) A statement of how the watercraft was acquired.~~  
 28 ~~(3) (2)~~ (2) The name and address of the previous owner.  
 29 ~~(4) (3)~~ (3) A statement of liens, mortgages, or other encumbrances on  
 30 the watercraft and the name and address of the holder of the liens,  
 31 mortgages, or other encumbrances.  
 32 ~~(5) (4)~~ (4) If a lien, mortgage, or other encumbrance is not  
 33 outstanding, a statement of that fact.  
 34 ~~(6) (5)~~ (5) A description of the watercraft, including, if applicable,  
 35 the make, year, length, dry weight, series or model, horsepower  
 36 rating, hull type, and hull identification number.

37 **(6) Any other information that the bureau requires.**

38 SECTION 457. IC 9-31-2-8 IS AMENDED TO READ AS  
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. If a watercraft  
 40 contains a permanent hull identification number placed on the  
 41 watercraft by the manufacturer of the watercraft, the number shall be  
 42 used as the hull identification number. If there is no manufacturer's hull

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1 identification number or if the manufacturer's hull identification  
 2 number has been removed or obliterated, the bureau shall, upon a  
 3 prescribed application that includes information indicating proof of  
 4 ownership, assign a hull identification number to the watercraft. The  
 5 assigned hull identification number shall be permanently affixed to or  
 6 imprinted by the applicant at the place and in the manner designated by  
 7 the bureau upon the watercraft to which the hull identification number  
 8 is assigned. The fee prescribed under IC 9-29-15-2 **and any other**  
 9 **applicable fees and service charges** shall be paid to the bureau for  
 10 assigning a hull identification number.

11 SECTION 458. IC 9-31-2-9 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. If a certificate of title  
 13 was not previously issued in Indiana for the watercraft, the application  
 14 must be accompanied by one (1) of the following:

- 15 (1) A manufacturer's or importer's certificate.  
 16 ~~(2) A sworn statement of ownership as prescribed by the bureau.~~  
 17 ~~(3) (2)~~ (2) A certificate of registration issued under IC 9-31-3, if  
 18 purchased by the applicant before January 1, 1986.  
 19 ~~(4) (3)~~ (3) A certificate of title or bill of sale.  
 20 ~~(5) (4)~~ (4) Other evidence of ownership required by the law of  
 21 another state from which the watercraft is brought into Indiana.

22 SECTION 459. IC 9-31-2-11 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) The bureau  
 24 shall:

- 25 (1) retain the evidence of title presented by ~~an applicant on a~~  
 26 ~~person upon~~ which ~~a the Indiana~~ certificate of title is issued ~~in~~  
 27 ~~accordance with applicable document and record retention~~  
 28 ~~requirements; and shall~~  
 29 (2) use reasonable diligence in ascertaining whether the facts in  
 30 the application are true by checking the application and  
 31 documents accompanying the application with the records of  
 32 watercraft in the bureau.

33 (b) **An authorized employee of the bureau may inspect a**  
 34 **watercraft to determine whether a certificate of title should be**  
 35 **issued.**

36 (c) **The bureau may reject an application if the bureau is not**  
 37 **satisfied:**

- 38 (1) **of the genuineness, regularity, or legality of the application**  
 39 **or the truth of a statement made on the application; or**  
 40 (2) **for any other reason authorized by law.**

41 SECTION 460. IC 9-31-2-12 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) ~~The bureau shall~~

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1 ~~file each application received.~~ If the bureau is satisfied:

2 (1) of the genuineness and regularity of an application;

3 (2) that no tax imposed by ~~IC 6-2-5~~ **Indiana law** is owed as  
4 evidenced by the receipt for payment or determination of  
5 exemption from the department of state revenue; and

6 (3) that the applicant is entitled to the issuance of a certificate of  
7 title;

8 the bureau shall issue a certificate of title containing the information  
9 required in the application for a certificate of title, as prescribed by  
10 section 7 of this chapter, as well as space for the notation and  
11 cancellation of a lien, a mortgage, or an encumbrance.

12 (b) A form for the assignment of the certificate of title must appear  
13 on the reverse side of the certificate of title. The assignment form must  
14 include a warranty that the signer is the owner of the watercraft and  
15 that a mortgage, a lien, or an encumbrance is not on the watercraft  
16 except as noted on the face of the certificate of title.

17 SECTION 461. IC 9-31-2-13 IS REPEALED [EFFECTIVE JULY  
18 1, 2012]. ~~Sec. 13. The bureau shall do the following:~~

19 ~~(1) Prescribe a uniform method of numbering certificates of title.~~

20 ~~(2) Maintain in the office of the bureau indexes for the certificates  
21 of title.~~

22 SECTION 462. IC 9-31-2-14 IS REPEALED [EFFECTIVE JULY  
23 1, 2012]. ~~Sec. 14. The bureau may destroy a certificate of title or  
24 supporting evidence of a certificate of title covering a watercraft that  
25 was on file for ten (10) years after the date of filing.~~

26 SECTION 463. IC 9-31-2-16, AS AMENDED BY P.L.83-2008,  
27 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
28 JULY 1, 2012]: Sec. 16. (a) If the transfer of ownership of a watercraft  
29 is by operation of law (such as upon inheritance, devise, bequest,  
30 transfer on death designation in accordance with section 30 of this  
31 chapter, order in bankruptcy, insolvency, replevin, ~~or~~ execution of sale,  
32 **or under an order of court**), if a watercraft is sold to satisfy a storage  
33 or repair charge, or if repossession is had upon default in performance  
34 of the terms of a security agreement, the bureau shall issue to the  
35 applicant a certificate of title to the watercraft upon: ~~the following:~~

36 ~~(1) Compliance with any of the following:~~

37 ~~(A) The surrender of the prior certificate of title.~~

38 ~~(B) The surrender of the manufacturer's or importer's  
39 certificate.~~

40 ~~(C) Both of the following:~~

41 ~~(i) The surrender of a certificate of title designating a  
42 transfer on death beneficiary.~~

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- 1           (ii) ~~The submission of proof of the death of the transferor:~~  
 2           ~~(D) the~~ presentation of satisfactory proof to the bureau of  
 3           ownership and a right of possession ~~to of~~ the watercraft;  
 4           (2) payment of the fee prescribed under IC 9-29-15-1 **and any**  
 5           **other applicable fees and service charges; and**  
 6           (3) presentation of an application for certificate of title.
- 7           (b) ~~A certification by the person or agent of the person to whom~~  
 8           possession of the watercraft passed setting forth the facts entitling the  
 9           person to possession and ownership, together with a copy of the journal  
 10          entry, court order, or instrument upon which the claim of possession  
 11          and ownership is founded, is satisfactory proof of ownership and right  
 12          of possession.
- 13          (c) ~~(b)~~ If an applicant cannot produce proof of ownership, the  
 14          applicant may apply to the bureau and submit evidence of ownership.  
 15          If the bureau finds the evidence sufficient, the bureau may issue a  
 16          certificate of title. If, from the records of the ~~department, bureau,~~ a lien  
 17          appears to be on the watercraft, the certificate of title must contain a  
 18          statement of the lien, unless the application is accompanied by proper  
 19          evidence of the ~~extinction satisfaction~~ of the lien.
- 20          SECTION 464. IC 9-31-2-19 IS AMENDED TO READ AS  
 21          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19. (a) If a watercraft  
 22          is dismantled, destroyed, or changed in a manner that the watercraft  
 23          loses the character of a watercraft or changed in a manner that the  
 24          watercraft is not the watercraft described in the certificate of title, an  
 25          owner of the watercraft ~~and a person mentioned as owner in the last~~  
 26          certificate of title shall surrender the certificate of title to the bureau.  
 27          The bureau shall, **with upon notification to** the ~~consent~~ of a holder of  
 28          a lien noted on the certificate of title, enter a cancellation upon the  
 29          lienholder's records.
- 30          (b) Upon the cancellation of a certificate of title in the manner  
 31          prescribed by subsection (a), the bureau may cancel and destroy the  
 32          certificates **of title.**
- 33          SECTION 465. IC 9-31-2-20 IS AMENDED TO READ AS  
 34          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 20. (a) If a certificate  
 35          of title is lost or mutilated or becomes illegible, the owner of the  
 36          watercraft shall apply to the bureau for a duplicate certificate of title  
 37          upon a form prescribed by the bureau and accompanied by the fee  
 38          prescribed by IC 9-29-15-1 **and any other applicable fees and service**  
 39          **charges.** The person making the application shall certify the  
 40          application **for the duplicate certificate of title.** Upon receipt of the  
 41          application, the bureau shall issue a duplicate certificate of title to the  
 42          person entitled to receive the certificate of title under this chapter.

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1 Upon the issuance of a duplicate certificate of title, the previously  
2 issued certificate of title becomes void.

3 (b) Each duplicate certificate of title ~~must contain~~ **shall have** the  
4 legend "~~This is a duplicate certificate.~~". **word "duplicate" printed or**  
5 **stamped on the certificate of title.** The duplicate certificate of title  
6 shall be delivered to the person entitled to possession **of the certificate**  
7 **of title.**

8 (c) If an original certificate of title is recovered by the owner, the  
9 owner shall immediately surrender the original certificate of title to the  
10 bureau for cancellation.

11 SECTION 466. IC 9-31-2-21 IS REPEALED [EFFECTIVE JULY  
12 1, 2012]. ~~Sec. 21: (a) The bureau may provide a commercial lookup~~  
13 ~~service of watercraft title records on a fee basis per transaction and use~~  
14 ~~fee revenues received from the service for necessary expenses.~~

15 (b) ~~The bureau shall furnish information on a title without charge to~~  
16 ~~law enforcement and conservation officers when engaged in official~~  
17 ~~duties.~~

18 SECTION 467. IC 9-31-2-22 IS REPEALED [EFFECTIVE JULY  
19 1, 2012]. ~~Sec. 22: Manufacturers and importers shall appoint and~~  
20 ~~authorize agents to sign manufacturer's or importer's certificates. The~~  
21 ~~bureau may require that a certified copy of a list containing the names~~  
22 ~~and the facsimile signatures of authorized agents be furnished to the~~  
23 ~~bureau.~~

24 SECTION 468. IC 9-31-2-23 IS AMENDED TO READ AS  
25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 23. (a) Upon receiving  
26 knowledge of a stolen watercraft, a law enforcement agency shall  
27 immediately furnish the sheriff's department of the county from which  
28 the watercraft was stolen, the department of natural resources, law  
29 enforcement division, and the bureau with full information concerning  
30 the theft.

31 (b) ~~The bureau shall file the record in the numerical order of the~~  
32 ~~manufacturer's hull identification number or assigned hull~~  
33 ~~identification number with the index records of the watercraft. The~~  
34 ~~bureau shall prepare a list of watercraft stolen and recovered as~~  
35 ~~disclosed by the reports submitted to the bureau. The bureau shall~~  
36 ~~distribute the lists as the bureau considers advisable.~~

37 (c) ~~(b)~~ If a stolen or converted watercraft is recovered, the owner or  
38 recovering agency shall immediately notify the law enforcement  
39 agency that received the initial theft report. The law enforcement  
40 agency shall immediately notify the bureau, the department of natural  
41 resources, the sheriff of the county from which the watercraft was  
42 stolen, and other law enforcement agencies in the county. The bureau



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1 shall remove the record of the theft or conversion from the file in which  
2 the report is recorded.

3 SECTION 469. IC 9-31-2-25 IS REPEALED [EFFECTIVE JULY  
4 1, 2012]. Sec. 25: The bureau shall use due diligence in examining and  
5 determining the genuineness, regularity, and legality of every  
6 application for a certificate of title for a watercraft and may do the  
7 following:

8 (1) Make the investigations that are determined necessary or  
9 require additional information. An authorized employee of the  
10 bureau may inspect a watercraft to determine whether a certificate  
11 of title should be issued.

12 (2) Reject an application:

13 (A) if not satisfied of:

14 (i) the application's genuineness, regularity, or legality; or

15 (ii) the truth of a statement contained on the application; or

16 (B) for any other reason authorized by law.

17 SECTION 470. IC 9-31-3-3 IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Except as provided  
19 in sections 5 and 7 of this chapter, **and in addition to section 4 of this**  
20 **chapter**, a person may not operate or give permission for the operation  
21 of a motorboat on the waters of Indiana unless the motorboat is:

22 (1) registered and numbered under this chapter;

23 (2) in accordance with applicable federal law; **or**

24 (3) legally registered in another state; **or**

25 **(4) a boat for which any applicable taxes have been paid**  
26 **under IC 6-6-11.**

27 SECTION 471. IC 9-31-3-4 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Except as provided  
29 in sections 5 and 7 of this chapter, **and in addition to section 3 of this**  
30 **chapter**, a motorboat may only be operated on the waters of Indiana if  
31 the following conditions are met:

32 (1) The registration number awarded to the motorboat is in full  
33 force and effect.

34 (2) The identifying number set forth in the certificate of  
35 registration is displayed on each side of the bow of the motorboat.  
36 However, a motorboat that has a valid marine document issued by  
37 the United States Bureau of Customs is not required to display the  
38 registration number.

39 (3) The decals indicating the year and month of expiration of  
40 registration and class of boat are attached to the motorboat as  
41 provided under IC 6-6-11.

42 SECTION 472. IC 9-31-3-15 IS REPEALED [EFFECTIVE JULY

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1 1, 2012]. Sec. 15: All records of the bureau made or kept under this  
 2 chapter are public records and open to inspection by the public and any  
 3 authorized law enforcement agency of the state:

4 SECTION 473. IC 9-31-3-17 IS REPEALED [EFFECTIVE JULY  
 5 1, 2012]. Sec. 17: (a) The owner of a motorboat, within fifteen (15)  
 6 days, shall furnish the bureau notice of any of the following:

7 (1) The transfer of all or any part of the owner's interest, other  
 8 than the creation of a security interest in a motorboat registered in  
 9 Indiana under section 5 or 7 of this chapter.

10 (2) The destruction or abandonment of a motorboat.

11 (b) Except as provided in subsection (c), a transfer, destruction, or  
 12 abandonment terminates the certificate of registration for the  
 13 motorboat.

14 (c) If a transfer of a part interest does not affect the owner's right to  
 15 operate the motorboat, the transfer does not terminate the certificate of  
 16 registration.

17 SECTION 474. IC 10-11-2-26, AS AMENDED BY P.L.26-2010,  
 18 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2012]: Sec. 26. (a) The superintendent may assign qualified  
 20 persons who are not state police officers to supervise or operate  
 21 permanent or portable weigh stations. A person assigned under this  
 22 section may stop, inspect, and issue citations to operators of trucks and  
 23 trailers having a declared gross weight of at least ten thousand one  
 24 (10,001) pounds and buses at a permanent or portable weigh station or  
 25 while operating a clearly marked Indiana state police vehicle for  
 26 violations of the following:

27 (1) IC 6-1.1-7-10.

28 (2) IC 6-6-1.1-1202.

29 (3) IC 6-6-2.5.

30 (4) IC 6-6-4.1-12.

31 (5) IC 8-2.1.

32 (6) IC 9-18.

33 (7) IC 9-19.

34 (8) IC 9-20.

35 (9) IC 9-21-7-2 through IC 9-21-7-11.

36 (10) IC 9-21-8-41 pertaining to the duty to obey an official traffic  
 37 control device for a weigh station.

38 (11) IC 9-21-8-45 through IC 9-21-8-48.

39 (12) IC 9-21-9.

40 (13) IC 9-21-15.

41 (14) IC 9-21-21.

42 (15) IC 9-24-1-1. through IC 9-24-1-2.

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- 1 (16) IC 9-24-1-7.
- 2 (17) Except as provided in subsection (c), IC 9-24-1-6,
- 3 IC 9-24-6-16, IC 9-24-6-17, and IC 9-24-6-18, commercial
- 4 driver's license.
- 5 (18) IC 9-24-4.
- 6 (19) IC 9-24-5.
- 7 (20) IC 9-24-11-4.
- 8 (21) IC 9-24-13-3.
- 9 (22) IC 9-24-18-1 through IC 9-24-18-2.
- 10 (23) IC 9-25-4-3.
- 11 (24) IC 9-28-4.
- 12 (25) IC 9-28-5.
- 13 (26) IC 9-28-6.
- 14 (27) IC 9-29-5-11 through IC 9-29-5-13.
- 15 (28) IC 9-29-5-42.
- 16 (29) IC 9-29-6-1.
- 17 (30) IC 10-14-8.
- 18 (31) IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or IC 13-17-5-4.
- 19 (32) IC 13-30-2-1.
- 20 (b) For the purpose of enforcing this section, a person assigned
- 21 under this section may detain a person in the same manner as a law
- 22 enforcement officer under IC 34-28-5-3.
- 23 (c) A person assigned under this section may not enforce
- 24 IC 9-24-6-14 or IC 9-24-6-15.
- 25 SECTION 475. IC 11-12-3.7-6 IS AMENDED TO READ AS
- 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. As used in this
- 27 chapter, "violent offense" means one (1) or more of the following
- 28 offenses:
- 29 (1) Murder (IC 35-42-1-1).
- 30 (2) Attempted murder (IC 35-41-5-1).
- 31 (3) Voluntary manslaughter (IC 35-42-1-3).
- 32 (4) Involuntary manslaughter (IC 35-42-1-4).
- 33 (5) Reckless homicide (IC 35-42-1-5).
- 34 (6) Aggravated battery (IC 35-42-2-1.5).
- 35 (7) Battery (IC 35-42-2-1) as a Class A felony, Class B felony, or
- 36 Class C felony.
- 37 (8) Kidnapping (IC 35-42-3-2).
- 38 (9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8 that
- 39 is a Class A felony, Class B felony, or Class C felony.
- 40 (10) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A
- 41 felony or Class B felony.
- 42 (11) Incest (IC 35-46-1-3).

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- 1 (12) Robbery as a Class A felony or a Class B felony
- 2 (IC 35-42-5-1).
- 3 (13) Burglary as a Class A felony or a Class B felony
- 4 (IC 35-43-2-1).
- 5 (14) Carjacking (IC 35-42-5-2).
- 6 (15) Assisting a criminal as a Class C felony (IC 35-44-3-2).
- 7 (16) Escape (IC 35-44-3-5) as a Class B felony or Class C felony.
- 8 (17) Trafficking with an inmate as a Class C felony
- 9 (IC 35-44-3-9).
- 10 (18) Causing death when operating a ~~motor~~ vehicle (IC 9-30-5-5).
- 11 (19) Criminal confinement (IC 35-42-3-3) as a Class B felony.
- 12 (20) Arson (IC 35-43-1-1) as a Class A or Class B felony.
- 13 (21) Possession, use, or manufacture of a weapon of mass
- 14 destruction (IC 35-47-12-1).
- 15 (22) Terroristic mischief (IC 35-47-12-3) as a Class B felony.
- 16 (23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
- 17 (24) A violation of IC 35-47.5 (Controlled explosives) as a Class
- 18 A or Class B felony.
- 19 (25) A crime under the laws of another jurisdiction, including a
- 20 military court, that is substantially similar to any of the offenses
- 21 listed in this subdivision.
- 22 (26) Any other crimes evidencing a propensity or history of
- 23 violence.
- 24 SECTION 476. IC 14-15-11-4 IS AMENDED TO READ AS
- 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. As used in this
- 26 chapter, "Indiana driver's license" means:
- 27 (1) an operator's license;
- 28 (2) a chauffeur's license; or
- 29 (3) a public passenger chauffeur's license;
- 30 that is issued to an individual by the bureau of motor vehicles under
- 31 ~~IC 9-24-3. IC 9-24.~~
- 32 SECTION 477. IC 20-33-8-33, AS ADDED BY P.L.231-2005,
- 33 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34 JULY 1, 2012]: Sec. 33. Before February 1 and before October 1 of
- 35 each year, except when a hearing has been requested to determine
- 36 financial hardship under IC 9-24-2-1(a)(4), a principal shall submit to
- 37 the bureau of motor vehicles the pertinent information concerning an
- 38 individual's ineligibility under IC 9-24-2-1 to be issued a driver's
- 39 license or learner's permit, or concerning the ~~invalidation~~ **suspension**
- 40 **of a license or permit driving privileges** under IC 9-24-2-4.
- 41 SECTION 478. IC 27-7-5-2, AS AMENDED BY P.L.116-2011,
- 42 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2012]: Sec. 2. (a) Except as provided in subsections (d) and  
2 (f), the insurer shall make available, in each automobile liability or  
3 motor vehicle liability policy of insurance which is delivered or issued  
4 for delivery in this state with respect to any motor vehicle registered or  
5 principally garaged in this state, insuring against loss resulting from  
6 liability imposed by law for bodily injury or death suffered by any  
7 person and for injury to or destruction of property to others arising from  
8 the ownership, maintenance, or use of a motor vehicle, or in a  
9 supplement to such a policy, the following types of coverage:

10 (1) in limits for bodily injury or death and for injury to or  
11 destruction of property not less than those set forth in IC 9-25-4-5  
12 under policy provisions approved by the commissioner of  
13 insurance, for the protection of persons insured under the policy  
14 who are legally entitled to recover damages from owners or  
15 operators of uninsured or underinsured motor vehicles because of  
16 bodily injury, sickness or disease, including death, and for the  
17 protection of persons insured under the policy who are legally  
18 entitled to recover damages from owners or operators of  
19 uninsured motor vehicles for injury to or destruction of property  
20 resulting therefrom; or

21 (2) in limits for bodily injury or death not less than those set forth  
22 in IC 9-25-4-5 under policy provisions approved by the  
23 commissioner of insurance, for the protection of persons insured  
24 under the policy provisions who are legally entitled to recover  
25 damages from owners or operators of uninsured or underinsured  
26 motor vehicles because of bodily injury, sickness or disease,  
27 including death resulting therefrom.

28 The uninsured and underinsured motorist coverages must be provided  
29 by insurers for either a single premium or for separate premiums, in  
30 limits at least equal to the limits of liability specified in the bodily  
31 injury liability provisions of an insured's policy, unless such coverages  
32 have been rejected in writing by the insured. However, underinsured  
33 motorist coverage must be made available in limits of not less than fifty  
34 thousand dollars (\$50,000). At the insurer's option, the bodily injury  
35 liability provisions of the insured's policy may be required to be equal  
36 to the insured's underinsured motorist coverage. Insurers may not sell  
37 or provide underinsured motorist coverage in an amount less than fifty  
38 thousand dollars (\$50,000). Insurers must make underinsured motorist  
39 coverage available to all existing policyholders on the date of the first  
40 renewal of existing policies that occurs on or after January 1, 1995, and  
41 on any policies newly issued or delivered on or after January 1, 1995.  
42 Uninsured motorist coverage or underinsured motorist coverage may

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1 be offered by an insurer in an amount exceeding the limits of liability  
 2 specified in the bodily injury and property damage liability provisions  
 3 of the insured's policy.

4 (b) A named insured of an automobile or motor vehicle liability  
 5 policy has the right, in writing, to:

6 (1) reject both the uninsured motorist coverage and the  
 7 underinsured motorist coverage provided for in this section; or

8 (2) reject either the uninsured motorist coverage alone or the  
 9 underinsured motorist coverage alone, if the insurer provides the  
 10 coverage not rejected separately from the coverage rejected.

11 A rejection of coverage under this subsection by a named insured is a  
 12 rejection on behalf of all other named insureds, all other insureds, and  
 13 all other persons entitled to coverage under the policy. No insured may  
 14 have uninsured motorist property damage liability insurance coverage  
 15 under this section unless the insured also has uninsured motorist bodily  
 16 injury liability insurance coverage under this section. Following  
 17 rejection of either or both uninsured motorist coverage or underinsured  
 18 motorist coverage, unless later requested in writing, the insurer need  
 19 not offer uninsured motorist coverage or underinsured motorist  
 20 coverage in or supplemental to a renewal or replacement policy issued  
 21 to the same insured by the same insurer or a subsidiary or an affiliate  
 22 of the originally issuing insurer. Renewals of policies issued or  
 23 delivered in this state which have undergone interim policy  
 24 endorsement or amendment do not constitute newly issued or delivered  
 25 policies for which the insurer is required to provide the coverages  
 26 described in this section.

27 (c) A rejection under subsection (b) must specify:

28 (1) that the named insured is rejecting:

29 (A) the uninsured motorist coverage;

30 (B) the underinsured motorist coverage; or

31 (C) both the uninsured motorist coverage and the underinsured  
 32 motorist coverage;

33 that would otherwise be provided under the policy; and

34 (2) the date on which the rejection is effective.

35 (d) An insurer is not required to make available the coverage  
 36 described in subsection (a) in a commercial umbrella or excess liability  
 37 policy, including a commercial umbrella or excess liability policy that  
 38 is issued or delivered to a motor carrier (as defined in IC 8-2.1-17-10)  
 39 that is in compliance with the minimum levels of financial  
 40 responsibility set forth in 49 CFR Part 387.

41 (e) A rejection under subsection (b) of uninsured motorist coverage  
 42 or underinsured motorist coverage in an underlying commercial policy

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1 of insurance is also a rejection of uninsured motorist coverage or  
2 underinsured motorist coverage in a commercial umbrella or excess  
3 liability policy.

4 (f) An insurer is not required to make available the coverage  
5 described in subsection (a) in connection with coverage that:

6 (1) is related to or included in a commercial policy of property  
7 and casualty insurance described in Class 2 or Class 3 of  
8 IC 27-1-5-1; and

9 (2) covers a loss related to a motor vehicle:

10 (A) of which the insured is not the owner; ~~(as defined in~~  
11 ~~IC 9-13-2-121(a))~~; and

12 (B) that is used:

13 (i) by the insured or an agent of the insured; and

14 (ii) for purposes authorized by the insured.

15 **(g) For purposes of subsection (f), "owner" means:**

16 **(1) a person who holds the legal title to a motor vehicle;**

17 **(2) a person who rents or leases a motor vehicle and has**  
18 **exclusive use of the motor vehicle for more than thirty (30)**  
19 **days;**

20 **(3) the conditional vendee or lessee under an agreement for**  
21 **the conditional sale or lease of a motor vehicle; or**

22 **(4) the mortgagor under an agreement for the conditional sale**  
23 **or lease of a motor vehicle under which the mortgagor has:**

24 **(A) the right to purchase; and**

25 **(B) an immediate right of possession of;**

26 **the motor vehicle upon the performance of the conditions**  
27 **stated in the agreement.**

28 SECTION 479. IC 31-37-4-3, AS AMENDED BY P.L.3-2008,  
29 SECTION 240, IS AMENDED TO READ AS FOLLOWS  
30 [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) This section applies if a child  
31 is arrested or taken into custody for allegedly committing an act that  
32 would be any of the following crimes if committed by an adult:

33 (1) Murder (IC 35-42-1-1).

34 (2) Attempted murder (IC 35-41-5-1).

35 (3) Voluntary manslaughter (IC 35-42-1-3).

36 (4) Involuntary manslaughter (IC 35-42-1-4).

37 (5) Reckless homicide (IC 35-42-1-5).

38 (6) Aggravated battery (IC 35-42-2-1.5).

39 (7) Battery (IC 35-42-2-1).

40 (8) Kidnapping (IC 35-42-3-2).

41 (9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8.

42 (10) Sexual misconduct with a minor (IC 35-42-4-9).

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- 1 (11) Incest (IC 35-46-1-3).  
 2 (12) Robbery as a Class A felony or a Class B felony  
 3 (IC 35-42-5-1).  
 4 (13) Burglary as a Class A felony or a Class B felony  
 5 (IC 35-43-2-1).  
 6 (14) Carjacking (IC 35-42-5-2).  
 7 (15) Assisting a criminal as a Class C felony (IC 35-44-3-2).  
 8 (16) Escape (IC 35-44-3-5) as a Class B felony or Class C felony.  
 9 (17) Trafficking with an inmate as a Class C felony  
 10 (IC 35-44-3-9).  
 11 (18) Causing death when operating a motor vehicle (IC 9-30-5-5).  
 12 (19) Criminal confinement (IC 35-42-3-3) as a Class B felony.  
 13 (20) Arson (IC 35-43-1-1) as a Class A or Class B felony.  
 14 (21) Possession, use, or manufacture of a weapon of mass  
 15 destruction (IC 35-47-12-1).  
 16 (22) Terroristic mischief (IC 35-47-12-3) as a Class B felony.  
 17 (23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).  
 18 (24) A violation of IC 35-47.5 (controlled explosives) as a Class  
 19 A or Class B felony.  
 20 (25) A controlled substances offense under IC 35-48.  
 21 (26) A criminal gang offense under IC 35-45-9.  
 22 (b) If a child is taken into custody under this chapter for a crime or  
 23 act listed in subsection (a), the law enforcement agency that employs  
 24 the law enforcement officer who takes the child into custody shall  
 25 notify the chief administrative officer of the primary or secondary  
 26 school, including a public or nonpublic school, in which the child is  
 27 enrolled or, if the child is enrolled in a public school, the  
 28 superintendent of the school district in which the child is enrolled:  
 29 (1) that the child was taken into custody; and  
 30 (2) of the reason why the child was taken into custody.  
 31 (c) The notification under subsection (b) must occur within  
 32 forty-eight (48) hours after the child is taken into custody.  
 33 (d) A law enforcement agency may not disclose information that is  
 34 confidential under state or federal law to a school or school district  
 35 under this section.  
 36 SECTION 480. IC 31-37-19-17.2 IS AMENDED TO READ AS  
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17.2. (a) This section  
 38 applies if a child is a delinquent child under IC 31-37-1 due to the  
 39 commission of a delinquent act that, if committed by an adult, would  
 40 be a theft or criminal conversion described in IC 35-43-4-8 (fuel theft).  
 41 (b) The juvenile court shall, in addition to any other order or decree  
 42 the court makes under this chapter, order the bureau of motor vehicles

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1 to:

2 (1) suspend the child's ~~operator's license;~~ **driving privileges;** or  
 3 (2) invalidate the child's ~~learner's permit;~~ **driving privileges;**  
 4 under ~~IC 9-25-6-21~~ **IC 9-30-13-8** in the same manner as the bureau of  
 5 motor vehicles is required to suspend the driving privileges of a person  
 6 convicted of fuel theft.

7 SECTION 481. IC 31-37-19-18, AS AMENDED BY P.L.109-2011,  
 8 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2012]: Sec. 18. If the court orders invalidation or denial of  
 10 issuance of a ~~driver's license or permit~~ **driving privileges** as described  
 11 in IC 31-37-5-7 or section 4, 13, 14, 15, 16, 17, or 17.3 of this chapter  
 12 (or IC 31-6-4-15.9(c), IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or  
 13 IC 31-6-4-15.9(f) before the repeal of IC 31-6-4-15.9):

14 (1) the bureau of motor vehicles shall comply with the order for  
 15 invalidation or denial of issuance; and

16 (2) the child shall surrender to the court all driver's licenses or  
 17 permits of the child and the court shall immediately forward the  
 18 licenses or permits to the bureau of motor vehicles.

19 If a juvenile court recommends suspension of driving privileges under  
 20 section 17.3 of this chapter, IC 9-30-6-12(b), IC 9-30-6-12(c),  
 21 IC 9-30-6-12(d), and IC 9-30-6-12(e) apply to the child's driving  
 22 privileges.

23 SECTION 482. IC 31-40-2-1.7, AS ADDED BY P.L.2-2005,  
 24 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2012]: Sec. 1.7. (a) A person may pay a monthly probation  
 26 user's fee under section 1 or 1.5 of this chapter before the date the  
 27 payment is required to be made without obtaining the prior approval of  
 28 a court or a probation department. However, if a delinquent child is  
 29 discharged from probation before the date the delinquent child was  
 30 scheduled to be released from probation, any monthly probation user's  
 31 fee paid in advance for the delinquent child may not be refunded.

32 (b) A probation department may petition a court to:

33 (1) impose a probation user's fee on a person; or

34 (2) increase a person's probation user's fee;

35 under section 1 or 1.5 of this chapter if the financial ability of the  
 36 person to pay a probation user's fee changes while the person is on  
 37 probation.

38 (c) An order to pay a probation user's fee under section 1 or 1.5 of  
 39 this chapter:

40 (1) is a judgment lien that:

41 (A) attaches to the property of the person subject to the order;

42 (B) may be perfected;

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- 1 (C) may be enforced to satisfy any payment that is delinquent  
 2 under section 1 or 1.5 of this chapter; and  
 3 (D) expires;  
 4 in the same manner as a judgment lien created in a civil  
 5 proceeding;  
 6 (2) is not discharged by the completion of the person's  
 7 probationary period or other sentence imposed on the person; and  
 8 (3) is not discharged by the liquidation of a person's estate by a  
 9 receiver under IC 32-30-5.
- 10 (d) A delinquent child placed on probation for more than one (1)  
 11 delinquent act:  
 12 (1) may be required to pay more than one (1) initial probation  
 13 user's fee; and  
 14 (2) may not be required to pay more than one (1) monthly  
 15 probation user's fee per month;  
 16 to either the probation department or the clerk of the court.
- 17 (e) If a court orders a person to pay a probation user's fee under  
 18 section 1 or 1.5 of this chapter, the court may garnish the wages, salary,  
 19 and other income earned by the person to enforce the order.
- 20 (f) If:  
 21 (1) a person is delinquent in paying the person's probation user's  
 22 fees required under section 1 or 1.5 of this chapter; and  
 23 (2) the person's **driving privileges or** driver's license or permit  
 24 **has have** been suspended or revoked or the person has never been  
 25 issued a driver's license or permit;  
 26 the court may order the bureau of motor vehicles to not issue a driver's  
 27 license or permit to the person until the person has paid the person's  
 28 delinquent probation user's fees.
- 29 SECTION 483. IC 32-17-13-1, AS AMENDED BY P.L.36-2011,  
 30 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2012]: Sec. 1. (a) As used in this chapter, "nonprobate  
 32 transfer" means a valid transfer, effective at death, by a transferor:  
 33 (1) whose last domicile was in Indiana; and  
 34 (2) who immediately before death had the power, acting alone, to  
 35 prevent transfer of the property by revocation or withdrawal and:  
 36 (A) use the property for the benefit of the transferor; or  
 37 (B) apply the property to discharge claims against the  
 38 transferor's probate estate.
- 39 (b) The term does not include a transfer at death (other than a  
 40 transfer to or from the decedent's probate estate) of:  
 41 (1) a survivorship interest in a tenancy by the entireties real  
 42 estate;

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- 1 (2) a life insurance policy or annuity;  
 2 (3) the death proceeds of a life insurance policy or annuity;  
 3 (4) an individual retirement account or a similar account or plan;  
 4 or  
 5 (5) benefits under an employee benefit plan.
- 6 (c) With respect to a nonprobate transfer involving a multiple party  
 7 account, a nonprobate transfer occurs if the last domicile of the  
 8 depositor whose interest is transferred under IC 32-17-11 was in  
 9 Indiana.
- 10 (d) With respect to a motor vehicle or a watercraft, a nonprobate  
 11 transfer occurs if the transferee obtains a certificate of title in Indiana  
 12 for:  
 13 (1) the motor vehicle under IC 9-17-2-2(b); or  
 14 (2) the watercraft as required by ~~IC 9-31-2-16(a)(1)(C)~~.  
 15 **IC 9-31-2-16(a).**
- 16 (e) A transfer on death transfer completed under IC 32-17-14 is a  
 17 nonprobate transfer.
- 18 SECTION 484. IC 32-33-10-10 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. This chapter may  
 20 not be construed to repeal, modify, or amend ~~IC 9-22-5-14~~ **IC 9-22-6-1**  
 21 or ~~IC 9-22-5-15~~ **IC 9-22-6-2.**
- 22 SECTION 485. IC 33-39-1-8, AS AMENDED BY P.L.101-2009,  
 23 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2012]: Sec. 8. (a) After June 30, 2005, this section does not  
 25 apply to a person who:  
 26 (1) holds a commercial driver's license; and  
 27 (2) has been charged with an offense involving the operation of  
 28 a motor vehicle in accordance with the federal Motor Carrier  
 29 Safety Improvement Act of 1999 (MCSIA) (Public Law  
 30 106-159.113 Stat. 1748).
- 31 (b) This section does not apply to a person arrested for or charged  
 32 with:  
 33 (1) an offense under IC 9-30-5-1 through IC 9-30-5-5; or  
 34 (2) if a person was arrested or charged with an offense under  
 35 IC 9-30-5-1 through IC 9-30-5-5, an offense involving:  
 36 (A) intoxication; or  
 37 (B) the operation of a **motor** vehicle;  
 38 if the offense involving intoxication or the operation of a **motor** vehicle  
 39 was part of the same episode of criminal conduct as the offense under  
 40 IC 9-30-5-1 through IC 9-30-5-5.
- 41 (c) This section does not apply to a person:  
 42 (1) who is arrested for or charged with an offense under:

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- 1 (A) IC 7.1-5-7-7(a), if the alleged offense occurred while the  
 2 person was operating a motor vehicle;  
 3 (B) IC 9-30-4-8(a), if the alleged offense occurred while the  
 4 person was operating a motor vehicle;  
 5 (C) IC 35-42-2-2(c)(1);  
 6 (D) IC 35-42-2-4(b)(1); or  
 7 (E) IC 35-43-1-2(a), if the alleged offense occurred while the  
 8 person was operating a motor vehicle; and  
 9 (2) who held a probationary license (as defined in ~~IC 9-24-11-3(b)~~  
 10 ~~or~~ IC 9-24-11-3.3(b)) and was less than eighteen (18) years of age  
 11 at the time of the alleged offense.
- 12 (d) A prosecuting attorney may withhold prosecution against an  
 13 accused person if:  
 14 (1) the person is charged with a misdemeanor;  
 15 (2) the person agrees to conditions of a pretrial diversion program  
 16 offered by the prosecuting attorney;  
 17 (3) the terms of the agreement are recorded in an instrument  
 18 signed by the person and the prosecuting attorney and filed in the  
 19 court in which the charge is pending; and  
 20 (4) the prosecuting attorney electronically transmits information  
 21 required by the prosecuting attorneys council concerning the  
 22 withheld prosecution to the prosecuting attorneys council, in a  
 23 manner and format designated by the prosecuting attorneys  
 24 council.
- 25 (e) An agreement under subsection (d) may include conditions that  
 26 the person:  
 27 (1) pay to the clerk of the court an initial user's fee and monthly  
 28 user's fees in the amounts specified in IC 33-37-4-1;  
 29 (2) work faithfully at a suitable employment or faithfully pursue  
 30 a course of study or career and technical education that will equip  
 31 the person for suitable employment;  
 32 (3) undergo available medical treatment or counseling and remain  
 33 in a specified facility required for that purpose;  
 34 (4) support the person's dependents and meet other family  
 35 responsibilities;  
 36 (5) make restitution or reparation to the victim of the crime for the  
 37 damage or injury that was sustained;  
 38 (6) refrain from harassing, intimidating, threatening, or having  
 39 any direct or indirect contact with the victim or a witness;  
 40 (7) report to the prosecuting attorney at reasonable times;  
 41 (8) answer all reasonable inquiries by the prosecuting attorney  
 42 and promptly notify the prosecuting attorney of any change in

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1 address or employment; and

2 (9) participate in dispute resolution either under IC 34-57-3 or a  
3 program established by the prosecuting attorney.

4 (f) An agreement under subsection (d)(2) may include other  
5 provisions reasonably related to the defendant's rehabilitation, if  
6 approved by the court.

7 (g) The prosecuting attorney shall notify the victim when  
8 prosecution is withheld under this section.

9 (h) All money collected by the clerk as user's fees under this section  
10 shall be deposited in the appropriate user fee fund under IC 33-37-8.

11 (i) If a court withholds prosecution under this section and the terms  
12 of the agreement contain conditions described in subsection (e)(6):

13 (1) the clerk of the court shall comply with IC 5-2-9; and

14 (2) the prosecuting attorney shall file a confidential form  
15 prescribed or approved by the division of state court  
16 administration with the clerk.

17 SECTION 486. IC 34-24-1-1, AS AMENDED BY P.L.182-2011,  
18 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2012]: Sec. 1. (a) The following may be seized:

20 (1) All vehicles (as defined by IC 35-41-1), if they are used or are  
21 intended for use by the person or persons in possession of them to  
22 transport or in any manner to facilitate the transportation of the  
23 following:

24 (A) A controlled substance for the purpose of committing,  
25 attempting to commit, or conspiring to commit any of the  
26 following:

27 (i) Dealing in or manufacturing cocaine or a narcotic drug  
28 (IC 35-48-4-1).

29 (ii) Dealing in methamphetamine (IC 35-48-4-1.1).

30 (iii) Dealing in a schedule I, II, or III controlled substance  
31 (IC 35-48-4-2).

32 (iv) Dealing in a schedule IV controlled substance  
33 (IC 35-48-4-3).

34 (v) Dealing in a schedule V controlled substance  
35 (IC 35-48-4-4).

36 (vi) Dealing in a counterfeit substance (IC 35-48-4-5).

37 (vii) Possession of cocaine or a narcotic drug (IC 35-48-4-6).

38 (viii) Possession of methamphetamine (IC 35-48-4-6.1).

39 (ix) Dealing in paraphernalia (IC 35-48-4-8.5).

40 (x) Dealing in marijuana, hash oil, hashish, salvia, or a  
41 synthetic cannabinoid (IC 35-48-4-10).

42 (B) Any stolen (IC 35-43-4-2) or converted property

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- 1 (IC 35-43-4-3) if the retail or repurchase value of that property  
 2 is one hundred dollars (\$100) or more.
- 3 (C) Any hazardous waste in violation of IC 13-30-10-1.5.
- 4 (D) A bomb (as defined in IC 35-41-1-4.3) or weapon of mass  
 5 destruction (as defined in IC 35-41-1-29.4) used to commit,  
 6 used in an attempt to commit, or used in a conspiracy to  
 7 commit an offense under IC 35-47 as part of or in furtherance  
 8 of an act of terrorism (as defined by IC 35-41-1-26.5).
- 9 (2) All money, negotiable instruments, securities, weapons,  
 10 communications devices, or any property used to commit, used in  
 11 an attempt to commit, or used in a conspiracy to commit an  
 12 offense under IC 35-47 as part of or in furtherance of an act of  
 13 terrorism or commonly used as consideration for a violation of  
 14 IC 35-48-4 (other than items subject to forfeiture under  
 15 IC 16-42-20-5 or IC 16-6-8.5-5.1 before its repeal):
- 16 (A) furnished or intended to be furnished by any person in  
 17 exchange for an act that is in violation of a criminal statute;  
 18 (B) used to facilitate any violation of a criminal statute; or  
 19 (C) traceable as proceeds of the violation of a criminal statute.
- 20 (3) Any portion of real or personal property purchased with  
 21 money that is traceable as a proceed of a violation of a criminal  
 22 statute.
- 23 (4) A vehicle that is used by a person to:
- 24 (A) commit, attempt to commit, or conspire to commit;  
 25 (B) facilitate the commission of; or  
 26 (C) escape from the commission of;  
 27 murder (IC 35-42-1-1), kidnapping (IC 35-42-3-2), criminal  
 28 confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting  
 29 (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense  
 30 under IC 35-47 as part of or in furtherance of an act of terrorism.
- 31 (5) Real property owned by a person who uses it to commit any of  
 32 the following as a Class A felony, a Class B felony, or a Class C  
 33 felony:
- 34 (A) Dealing in or manufacturing cocaine or a narcotic drug  
 35 (IC 35-48-4-1).
- 36 (B) Dealing in methamphetamine (IC 35-48-4-1.1).
- 37 (C) Dealing in a schedule I, II, or III controlled substance  
 38 (IC 35-48-4-2).
- 39 (D) Dealing in a schedule IV controlled substance  
 40 (IC 35-48-4-3).
- 41 (E) Dealing in marijuana, hash oil, hashish, salvia, or a  
 42 synthetic cannabinoid (IC 35-48-4-10).

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- 1 (6) Equipment and recordings used by a person to commit fraud  
 2 under IC 35-43-5-4(10).  
 3 (7) Recordings sold, rented, transported, or possessed by a person  
 4 in violation of IC 24-4-10.  
 5 (8) Property (as defined by IC 35-41-1-23) or an enterprise (as  
 6 defined by IC 35-45-6-1) that is the object of a corrupt business  
 7 influence violation (IC 35-45-6-2).  
 8 (9) Unlawful telecommunications devices (as defined in  
 9 IC 35-45-13-6) and plans, instructions, or publications used to  
 10 commit an offense under IC 35-45-13.  
 11 (10) Any equipment, including computer equipment and cellular  
 12 telephones, used for or intended for use in preparing,  
 13 photographing, recording, videotaping, digitizing, printing,  
 14 copying, or disseminating matter in violation of IC 35-42-4.  
 15 (11) Destructive devices used, possessed, transported, or sold in  
 16 violation of IC 35-47.5.  
 17 (12) Tobacco products that are sold in violation of IC 24-3-5,  
 18 tobacco products that a person attempts to sell in violation of  
 19 IC 24-3-5, and other personal property owned and used by a  
 20 person to facilitate a violation of IC 24-3-5.  
 21 (13) Property used by a person to commit counterfeiting or  
 22 forgery in violation of IC 35-43-5-2.  
 23 (14) After December 31, 2005, if a person is convicted of an  
 24 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the  
 25 following real or personal property:  
 26 (A) Property used or intended to be used to commit, facilitate,  
 27 or promote the commission of the offense.  
 28 (B) Property constituting, derived from, or traceable to the  
 29 gross proceeds that the person obtained directly or indirectly  
 30 as a result of the offense.  
 31 (15) Except as provided in subsection (e), a ~~motor~~ vehicle used by  
 32 a person who operates the ~~motor~~ vehicle:  
 33 (A) while intoxicated, in violation of IC 9-30-5-1 through  
 34 IC 9-30-5-5, if in the previous five (5) years the person has two  
 35 (2) or more prior unrelated convictions:  
 36 (i) for operating a ~~motor~~ vehicle while intoxicated in  
 37 violation of IC 9-30-5-1 through IC 9-30-5-5; or  
 38 (ii) for an offense that is substantially similar to IC 9-30-5-1  
 39 through IC 9-30-5-5 in another jurisdiction; or  
 40 (B) on a highway while the person's ~~driver's license is driving~~  
 41 **privileges are** suspended in violation of IC 9-24-19-2 through  
 42 IC 9-24-19-4, if in the previous five (5) years the person has

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1 two (2) or more prior unrelated convictions:

2 (i) for operating a ~~motor~~ vehicle while intoxicated in  
3 violation of IC 9-30-5-1 through IC 9-30-5-5; or

4 (ii) for an offense that is substantially similar to IC 9-30-5-1  
5 through IC 9-30-5-5 in another jurisdiction.

6 If a court orders the seizure of a ~~motor~~ vehicle under this  
7 subdivision, the court shall transmit an order to the bureau of  
8 motor vehicles recommending that the bureau not permit a ~~motor~~  
9 vehicle to be registered in the name of the person whose ~~motor~~  
10 vehicle was seized until the person possesses a current driving  
11 license (as defined in IC 9-13-2-41).

12 (16) The following real or personal property:

13 (A) Property used or intended to be used to commit, facilitate,  
14 or promote the commission of an offense specified in  
15 IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or  
16 IC 30-2-13-38(f).

17 (B) Property constituting, derived from, or traceable to the  
18 gross proceeds that a person obtains directly or indirectly as a  
19 result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b),  
20 IC 30-2-10-9(b), or IC 30-2-13-38(f).

21 (b) A vehicle used by any person as a common or contract carrier in  
22 the transaction of business as a common or contract carrier is not  
23 subject to seizure under this section, unless it can be proven by a  
24 preponderance of the evidence that the owner of the vehicle knowingly  
25 permitted the vehicle to be used to engage in conduct that subjects it to  
26 seizure under subsection (a).

27 (c) Equipment under subsection (a)(10) may not be seized unless it  
28 can be proven by a preponderance of the evidence that the owner of the  
29 equipment knowingly permitted the equipment to be used to engage in  
30 conduct that subjects it to seizure under subsection (a)(10).

31 (d) Money, negotiable instruments, securities, weapons,  
32 communications devices, or any property commonly used as  
33 consideration for a violation of IC 35-48-4 found near or on a person  
34 who is committing, attempting to commit, or conspiring to commit any  
35 of the following offenses shall be admitted into evidence in an action  
36 under this chapter as prima facie evidence that the money, negotiable  
37 instrument, security, or other thing of value is property that has been  
38 used or was to have been used to facilitate the violation of a criminal  
39 statute or is the proceeds of the violation of a criminal statute:

40 (1) IC 35-48-4-1 (dealing in or manufacturing cocaine or a  
41 narcotic drug).

42 (2) IC 35-48-4-1.1 (dealing in methamphetamine).

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- 1 (3) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled  
2 substance).
- 3 (4) IC 35-48-4-3 (dealing in a schedule IV controlled substance).
- 4 (5) IC 35-48-4-4 (dealing in a schedule V controlled substance)  
5 as a Class B felony.
- 6 (6) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a  
7 Class A felony, Class B felony, or Class C felony.
- 8 (7) IC 35-48-4-6.1 (possession of methamphetamine) as a Class  
9 A felony, Class B felony, or Class C felony.
- 10 (8) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, salvia,  
11 or a synthetic cannabinoid) as a Class C felony.
- 12 (e) A ~~motor~~ vehicle operated by a person who is not:  
13 (1) an owner of the ~~motor~~ vehicle; or  
14 (2) the spouse of the person who owns the ~~motor~~ vehicle;  
15 is not subject to seizure under subsection (a)(15) unless it can be  
16 proven by a preponderance of the evidence that the owner of the  
17 vehicle knowingly permitted the vehicle to be used to engage in  
18 conduct that subjects it to seizure under subsection (a)(15).
- 19 SECTION 487. IC 34-28-5-1, AS AMENDED BY P.L.101-2009,  
20 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2012]: Sec. 1. (a) As used in this section, "probationary  
22 license" refers to a license described in ~~IC 9-24-11-3(b)~~ or  
23 IC 9-24-11-3.3(b).
- 24 (b) An action to enforce a statute defining an infraction shall be  
25 brought in the name of the state of Indiana by the prosecuting attorney  
26 for the judicial circuit in which the infraction allegedly took place.  
27 However, if the infraction allegedly took place on a public highway (as  
28 defined in IC 9-25-2-4) that runs on and along a common boundary  
29 shared by two (2) or more judicial circuits, a prosecuting attorney for  
30 any judicial circuit sharing the common boundary may bring the action.
- 31 (c) An action to enforce an ordinance shall be brought in the name  
32 of the municipal corporation. The municipal corporation need not  
33 prove that it or the ordinance is valid unless validity is controverted by  
34 affidavit.
- 35 (d) Actions under this chapter (or IC 34-4-32 before its repeal):  
36 (1) shall be conducted in accordance with the Indiana Rules of  
37 Trial Procedure; and  
38 (2) must be brought within two (2) years after the alleged conduct  
39 or violation occurred.
- 40 (e) The plaintiff in an action under this chapter must prove the  
41 commission of an infraction or ordinance violation by a preponderance  
42 of the evidence.



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1 (f) The complaint and summons described in IC 9-30-3-6 may be  
2 used for any infraction or ordinance violation.

3 (g) Subsection (h) does not apply to an individual holding a  
4 probationary license who is alleged to have committed an infraction  
5 under any of the following when the individual was less than eighteen  
6 (18) years of age at the time of the alleged offense:

- 7 IC 9-19
- 8 IC 9-21
- 9 IC 9-24
- 10 IC 9-25
- 11 IC 9-26
- 12 IC 9-30-5
- 13 IC 9-30-10
- 14 IC 9-30-15.

15 (h) This subsection does not apply to an offense or violation under  
16 IC 9-24-6 involving the operation of a commercial motor vehicle. The  
17 prosecuting attorney or the attorney for a municipal corporation may  
18 establish a deferral program for deferring actions brought under this  
19 section. Actions may be deferred under this section if:

- 20 (1) the defendant in the action agrees to conditions of a deferral  
21 program offered by the prosecuting attorney or the attorney for a  
22 municipal corporation;
- 23 (2) the defendant in the action agrees to pay to the clerk of the  
24 court an initial user's fee and monthly user's fee set by the  
25 prosecuting attorney or the attorney for the municipal corporation  
26 in accordance with IC 33-37-4-2(e);
- 27 (3) the terms of the agreement are recorded in an instrument  
28 signed by the defendant and the prosecuting attorney or the  
29 attorney for the municipal corporation;
- 30 (4) the defendant in the action agrees to pay a fee of seventy  
31 dollars (\$70) to the clerk of court if the action involves a moving  
32 traffic offense (as defined in IC 9-13-2-110);
- 33 (5) the agreement is filed in the court in which the action is  
34 brought; and
- 35 (6) if the deferral program is offered by the prosecuting attorney,  
36 the prosecuting attorney electronically transmits information  
37 required by the prosecuting attorneys council concerning the  
38 withheld prosecution to the prosecuting attorneys council, in a  
39 manner and format designated by the prosecuting attorneys  
40 council.

41 When a defendant complies with the terms of an agreement filed under  
42 this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting

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1 attorney or the attorney for the municipal corporation shall request the  
 2 court to dismiss the action. Upon receipt of a request to dismiss an  
 3 action under this subsection, the court shall dismiss the action. An  
 4 action dismissed under this subsection (or IC 34-4-32-1(f) before its  
 5 repeal) may not be refiled.

6 (i) If a judgment is entered against a defendant in an action to  
 7 enforce an ordinance, the defendant may perform community  
 8 restitution or service (as defined in IC 35-41-1-4.6) instead of paying  
 9 a monetary judgment for the ordinance violation as described in section  
 10 4(e) of this chapter if:

11 (1) the:

12 (A) defendant; and

13 (B) attorney for the municipal corporation;

14 agree to the defendant's performance of community restitution or  
 15 service instead of the payment of a monetary judgment;

16 (2) the terms of the agreement described in subdivision (1):

17 (A) include the amount of the judgment the municipal  
 18 corporation requests that the defendant pay under section 4(e)  
 19 of this chapter for the ordinance violation if the defendant fails  
 20 to perform the community restitution or service provided for  
 21 in the agreement as approved by the court; and

22 (B) are recorded in a written instrument signed by the  
 23 defendant and the attorney for the municipal corporation;

24 (3) the agreement is filed in the court where the judgment was  
 25 entered; and

26 (4) the court approves the agreement.

27 If a defendant fails to comply with an agreement approved by a court  
 28 under this subsection, the court shall require the defendant to pay up to  
 29 the amount of the judgment requested in the action under section 4(e)  
 30 of this chapter as if the defendant had not entered into an agreement  
 31 under this subsection.

32 SECTION 488. IC 34-30-2-32.5, AS ADDED BY P.L.145-2011,  
 33 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2012]: Sec. 32.5. (a) This section applies after December 31,  
 35 2011.

36 (b) ~~IC 9-27-6-5(m)~~ **IC 9-27-6-5(h)** (Concerning members of the  
 37 driver education advisory board).

38 SECTION 489. IC 35-43-4-8 IS AMENDED TO READ AS  
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A conviction for  
 40 an offense under section 2 of this chapter or section 3 of this chapter  
 41 that involves exerting unauthorized control over gasoline or motor  
 42 vehicle fuel:

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- 1 (1) by operation of a motor vehicle to leave the premises of an
- 2 establishment at which gasoline or motor vehicle fuel is offered
- 3 for sale after the gasoline or motor vehicle fuel has been
- 4 dispensed into the fuel tank of the motor vehicle; and
- 5 (2) without payment or authorization of payment by a credit card,
- 6 debit card, charge card, or similar method of payment;
- 7 shall result in the suspension of the driving privileges of the person.
- 8 (b) The court imposing a sentence for a violation under subsection
- 9 (a) shall issue an order to the bureau of motor vehicles:
- 10 (1) stating that the person has been convicted of an offense under
- 11 section 2 of this chapter or section 3 of this chapter involving the
- 12 unauthorized taking of gasoline or motor vehicle fuel; and
- 13 (2) ordering the suspension of the person's driving privileges
- 14 under ~~IC 9-25-6-21~~ **IC 9-30-13-8**.
- 15 The suspension of a person's driving privileges under this section is in
- 16 addition to other penalties prescribed by IC 35-50-3-2 for a Class A
- 17 misdemeanor or by IC 35-50-2-7 for a Class D felony.
- 18 SECTION 490. IC 35-44-3-3, AS AMENDED BY P.L.42-2011,
- 19 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2012]: Sec. 3. (a) A person who knowingly or intentionally:
- 21 (1) forcibly resists, obstructs, or interferes with a law enforcement
- 22 officer or a person assisting the officer while the officer is
- 23 lawfully engaged in the execution of the officer's duties;
- 24 (2) forcibly resists, obstructs, or interferes with the authorized
- 25 service or execution of a civil or criminal process or order of a
- 26 court; or
- 27 (3) flees from a law enforcement officer after the officer has, by
- 28 visible or audible means, including operation of the law
- 29 enforcement officer's siren or emergency lights, identified himself
- 30 or herself and ordered the person to stop;
- 31 commits resisting law enforcement, a Class A misdemeanor, except as
- 32 provided in subsection (b).
- 33 (b) The offense under subsection (a) is a:
- 34 (1) Class D felony if:
- 35 (A) the offense is described in subsection (a)(3) and the person
- 36 uses a vehicle to commit the offense; or
- 37 (B) while committing any offense described in subsection (a),
- 38 the person draws or uses a deadly weapon, inflicts bodily
- 39 injury on or otherwise causes bodily injury to another person,
- 40 or operates a vehicle in a manner that creates a substantial risk
- 41 of bodily injury to another person;
- 42 (2) Class C felony if, while committing any offense described in

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1 subsection (a), the person operates a vehicle in a manner that  
2 causes serious bodily injury to another person;

3 (3) Class B felony if, while committing any offense described in  
4 subsection (a), the person operates a vehicle in a manner that  
5 causes the death of another person; and

6 (4) Class A felony if, while committing any offense described in  
7 subsection (a), the person operates a vehicle in a manner that  
8 causes the death of a law enforcement officer while the law  
9 enforcement officer is engaged in the officer's official duties.

10 (c) For purposes of this section, a law enforcement officer includes  
11 an enforcement officer of the alcohol and tobacco commission and a  
12 conservation officer of the department of natural resources.

13 (d) If a person uses a vehicle to commit a felony offense under  
14 subsection (b)(1)(B), (b)(2), (b)(3), or (b)(4), as part of the criminal  
15 penalty imposed for the offense, the court shall impose a minimum  
16 executed sentence of at least:

17 (1) thirty (30) days, if the person does not have a prior unrelated  
18 conviction under this section;

19 (2) one hundred eighty (180) days, if the person has one (1) prior  
20 unrelated conviction under this section; or

21 (3) one (1) year, if the person has two (2) or more prior unrelated  
22 convictions under this section.

23 (e) Notwithstanding IC 35-50-2-2 and IC 35-50-3-1, the mandatory  
24 minimum sentence imposed under subsection (d) may not be  
25 suspended.

26 (f) If a person is convicted of an offense involving the use of a motor  
27 vehicle under:

28 (1) subsection (b)(1)(A), if the person exceeded the speed limit by  
29 at least twenty (20) miles per hour while committing the offense;

30 (2) subsection (b)(2); or

31 (3) subsection (b)(3);

32 the court may notify the bureau of motor vehicles to suspend or revoke  
33 the person's driver's license and all certificates of registration and  
34 license plates issued or registered in the person's name in accordance  
35 with IC 9-30-4-6(b)(3) for the period described in IC 9-30-4-6(d)(4) or  
36 IC 9-30-4-6(d)(5). The court shall inform the bureau whether the  
37 person has been sentenced to a term of incarceration. At the time of  
38 conviction, the court may obtain **and destroy** the person's current  
39 driver's license. ~~and return the license to the bureau of motor vehicles.~~

40 SECTION 491. IC 35-48-4-15 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. (a) If a person is  
42 convicted of an offense under section 1, 2, 3, 4, 5, 6, 7, 10, or 11 of this

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1 chapter, or conspiracy to commit an offense under section 1, 2, 3, 4, 5,  
 2 6, 7, 10, or 11 of this chapter, and the court finds that a motor vehicle  
 3 was used in the commission of the offense, the court shall, in addition  
 4 to any other order the court enters, order that the person's:

- 5 (1) ~~operator's~~ **driver's** license be suspended;
- 6 (2) existing motor vehicle registrations be suspended; and
- 7 (3) ability to register motor vehicles be suspended;

8 by the bureau of motor vehicles for a period specified by the court of  
 9 at least six (6) months but not more than two (2) years.

10 (b) If a person is convicted of an offense described in subsection (a)  
 11 and the person does not hold ~~an operator's~~ **a driver's** license or a  
 12 learner's permit, the court shall order that the person may not receive  
 13 ~~an operator's~~ **a driver's** license or a learner's permit from the bureau of  
 14 motor vehicles for a period of not less than six (6) months.

15 SECTION 492. IC 35-50-1-2, AS AMENDED BY P.L.126-2008,  
 16 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2012]: Sec. 2. (a) As used in this section, "crime of violence"  
 18 means the following:

- 19 (1) Murder (IC 35-42-1-1).
- 20 (2) Attempted murder (IC 35-41-5-1).
- 21 (3) Voluntary manslaughter (IC 35-42-1-3).
- 22 (4) Involuntary manslaughter (IC 35-42-1-4).
- 23 (5) Reckless homicide (IC 35-42-1-5).
- 24 (6) Aggravated battery (IC 35-42-2-1.5).
- 25 (7) Kidnapping (IC 35-42-3-2).
- 26 (8) Rape (IC 35-42-4-1).
- 27 (9) Criminal deviate conduct (IC 35-42-4-2).
- 28 (10) Child molesting (IC 35-42-4-3).
- 29 (11) Sexual misconduct with a minor as a Class A felony under  
 30 IC 35-42-4-9(a)(2) or a Class B felony under IC 35-42-4-9(b)(2).
- 31 (12) Robbery as a Class A felony or a Class B felony  
 32 (IC 35-42-5-1).
- 33 (13) Burglary as a Class A felony or a Class B felony  
 34 (IC 35-43-2-1).
- 35 (14) Operating a ~~motor~~ vehicle while intoxicated causing death  
 36 (IC 9-30-5-5).
- 37 (15) Operating a ~~motor~~ vehicle while intoxicated causing serious  
 38 bodily injury to another person (IC 9-30-5-4).
- 39 (16) Resisting law enforcement as a felony (IC 35-44-3-3).

40 (b) As used in this section, "episode of criminal conduct" means  
 41 offenses or a connected series of offenses that are closely related in  
 42 time, place, and circumstance.



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1 (c) Except as provided in subsection (d) or (e), the court shall  
 2 determine whether terms of imprisonment shall be served concurrently  
 3 or consecutively. The court may consider the:

4 (1) aggravating circumstances in IC 35-38-1-7.1(a); and

5 (2) mitigating circumstances in IC 35-38-1-7.1(b);

6 in making a determination under this subsection. The court may order  
 7 terms of imprisonment to be served consecutively even if the sentences  
 8 are not imposed at the same time. However, except for crimes of  
 9 violence, the total of the consecutive terms of imprisonment, exclusive  
 10 of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10, to  
 11 which the defendant is sentenced for felony convictions arising out of  
 12 an episode of criminal conduct shall not exceed the advisory sentence  
 13 for a felony which is one (1) class of felony higher than the most  
 14 serious of the felonies for which the person has been convicted.

15 (d) If, after being arrested for one (1) crime, a person commits  
 16 another crime:

17 (1) before the date the person is discharged from probation,  
 18 parole, or a term of imprisonment imposed for the first crime; or

19 (2) while the person is released:

20 (A) upon the person's own recognizance; or

21 (B) on bond;

22 the terms of imprisonment for the crimes shall be served consecutively,  
 23 regardless of the order in which the crimes are tried and sentences are  
 24 imposed.

25 (e) If the factfinder determines under IC 35-50-2-11 that a person  
 26 used a firearm in the commission of the offense for which the person  
 27 was convicted, the term of imprisonment for the underlying offense and  
 28 the additional term of imprisonment imposed under IC 35-50-2-11  
 29 must be served consecutively.

30 SECTION 493. IC 35-51-9-1, AS ADDED BY P.L.70-2011,  
 31 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2012]: Sec. 1. The following statutes define crimes in IC 9:

33 IC 9-14-3.5-15 (Concerning bureau of motor vehicles).

34 IC 9-14-5-9 (Concerning parking placards for persons with  
 35 physical disabilities).

36 IC 9-17-2-15 (Concerning certificates of title).

37 IC 9-17-2-16 (Concerning certificates of title).

38 IC 9-17-3-3.2 (Concerning certificates of title).

39 IC 9-17-3-7 (Concerning certificates of title).

40 IC 9-17-4-6 (Concerning certificates of title).

41 IC 9-18-2-42 (Concerning motor vehicle registration and license  
 42 plates).



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- 1 IC 9-18-2-44 (Concerning motor vehicle registration and license  
2 plates).  
3 IC 9-18-2-45 (Concerning motor vehicle registration and license  
4 plates).  
5 IC 9-18-4-8 (Concerning motor vehicle registration and license  
6 plates).  
7 IC 9-18-8-11 (Concerning motor vehicle registration and license  
8 plates).  
9 IC 9-18-8-12 (Concerning motor vehicle registration and license  
10 plates).  
11 IC 9-18-8-13 (Concerning motor vehicle registration and license  
12 plates).  
13 IC 9-18-8-14 (Concerning motor vehicle registration and license  
14 plates).  
15 IC 9-18-8-15 (Concerning motor vehicle registration and license  
16 plates).  
17 IC 9-18-13-9 (Concerning motor vehicle registration and license  
18 plates).  
19 IC 9-18-22-6 (Concerning motor vehicle registration and license  
20 plates).  
21 IC 9-18-26-11 (Concerning motor vehicle registration and license  
22 plates).  
23 IC 9-18-26-13 (Concerning motor vehicle registration and license  
24 plates).  
25 IC 9-18-27-9 (Concerning motor vehicle registration and license  
26 plates).  
27 IC 9-19-9-5 (Concerning motor vehicle equipment).  
28 IC 9-19-10.5-4 (Concerning motor vehicle equipment).  
29 IC 9-19-10.5-5 (Concerning motor vehicle equipment).  
30 IC 9-20-18-4 (Concerning motor vehicle size and weight  
31 regulation).  
32 IC 9-21-5-13 (Concerning traffic regulation).  
33 IC 9-21-6-3 (Concerning traffic regulation).  
34 IC 9-21-8-50 (Concerning traffic regulation).  
35 IC 9-21-8-52 (Concerning traffic regulation).  
36 IC 9-21-8-55 (Concerning traffic regulation).  
37 IC 9-21-8-56 (Concerning traffic regulation).  
38 IC 9-21-8-58 (Concerning traffic regulation).  
39 IC 9-21-12-9 (Concerning traffic regulation).  
40 IC 9-21-12-11 (Concerning traffic regulation).  
41 **IC 9-22-1-21.5 (Concerning liens on vehicles).**  
42 IC 9-22-3-31 (Concerning abandoned, salvaged, and scrap

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- 1 vehicles).
- 2 IC 9-22-3-32 (Concerning abandoned, salvaged, and scrap
- 3 vehicles).
- 4 IC 9-22-3-33 (Concerning abandoned, salvaged, and scrap
- 5 vehicles).
- 6 ~~IC 9-22-5-17 (Concerning abandoned, salvaged, and scrap~~
- 7 ~~vehicles).~~
- 8 **IC 9-22-6-3 (Concerning mechanic's liens for vehicles).**
- 9 IC 9-23-6-1 (Concerning vehicle manufacturers, distributors, and
- 10 dealers).
- 11 IC 9-24-1-8 (Concerning driver's licenses).
- 12 IC 9-24-6-16 (Concerning driver's licenses).
- 13 IC 9-24-6-17 (Concerning driver's licenses).
- 14 IC 9-24-11-8 (Concerning driver's licenses).
- 15 IC 9-24-15-11 (Concerning driver's licenses).
- 16 IC 9-24-16-12 (Concerning driver's licenses).
- 17 IC 9-24-16-13 (Concerning driver's licenses).
- 18 IC 9-24-18-1 (Concerning driver's licenses).
- 19 IC 9-24-18-2 (Concerning driver's licenses).
- 20 IC 9-24-18-7 (Concerning driver's licenses).
- 21 IC 9-24-19-2 (Concerning driver's licenses).
- 22 IC 9-24-19-3 (Concerning driver's licenses).
- 23 IC 9-24-19-4 (Concerning driver's licenses).
- 24 IC 9-25-6-18 (Concerning financial responsibility).
- 25 IC 9-25-8-2 (Concerning financial responsibility).
- 26 IC 9-26-1-8 (Concerning accidents and accident reports).
- 27 IC 9-26-1-9 (Concerning accidents and accident reports).
- 28 IC 9-26-6-4 (Concerning accidents and accident reports).
- 29 IC 9-30-4-7 (Concerning licenses, **permits, driving privileges,**
- 30 and registrations).
- 31 IC 9-30-4-8 (Concerning ~~licenses~~ **driving privileges** and
- 32 registrations).
- 33 IC 9-30-4-13 (Concerning licenses, **permits, license plates,** and
- 34 registrations).
- 35 IC 9-30-5-1 (Concerning operating a vehicle while intoxicated).
- 36 IC 9-30-5-2 (Concerning operating a vehicle while intoxicated).
- 37 IC 9-30-5-3 (Concerning operating a vehicle while intoxicated).
- 38 IC 9-30-5-4 (Concerning operating a vehicle while intoxicated).
- 39 IC 9-30-5-5 (Concerning operating a vehicle while intoxicated).
- 40 IC 9-30-5-7 (Concerning operating a vehicle while intoxicated).
- 41 IC 9-30-5-8 (Concerning operating a vehicle while intoxicated).
- 42 IC 9-30-6-8.7 (Concerning implied consent).

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- 1 IC 9-30-9-7.5 (Concerning alcohol abuse deterrent programs).
- 2 IC 9-30-10-16 (Concerning habitual violator of traffic laws).
- 3 IC 9-30-10-17 (Concerning habitual violator of traffic laws).
- 4 IC 9-30-10-17.5 (Concerning habitual violator of traffic laws).
- 5 IC 9-31-2-26 (Concerning watercraft titling and registration).
- 6 IC 9-31-2-27 (Concerning watercraft titling and registration).
- 7 IC 9-31-2-28 (Concerning watercraft titling and registration).
- 8 SECTION 494. **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. 257, 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 4, between lines 34 and 35, begin a new paragraph and insert the following:

"SECTION 12. IC 9-13-2-48, AS AMENDED BY P.L.184-2007, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 48. **(a) Except as provided in subsection (b), "driver's license" means any type of license issued by the state authorizing an individual to operate a motor vehicle on public streets, roads, or highways.**

**(b) "Driver's license", for purposes of IC 9-28-2, has the meaning set forth in IC 9-28-2-4.**

SECTION 13. IC 9-13-2-48.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 48.3. "Driving privileges" means the authority granted to an individual that allows the individual to operate a vehicle of the type and in the manner for which the authority was granted.**

SECTION 14. IC 9-13-2-48.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 48.5. "Driving record" means a record:**

- (1) maintained by the bureau as required under IC 9-14-3-7; and**
- (2) established by the bureau under IC 9-24-18-9."**

Page 6, line 42, delete "sixteen (16)" and insert **"fifteen (15) individuals"**.

Page 6, line 42, delete "more" and insert **"more,"**.

Page 7, line 1, delete "passengers,".

Page 13, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 45. IC 9-14-3.5-5, AS AMENDED BY P.L.184-2007, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. As used in this chapter, "personal information" means information that identifies a person, including an individual's:

- (1) digital photograph or image;**
- (2) Social Security number;**
- (3) driver's license or identification document number;**



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- (4) name;
- (5) address (but not the 5-digit zip code);
- (6) telephone number; or
- (7) medical or disability information.

The term does not include information about vehicular accidents, driving or equipment related violations, and ~~operator's~~ **driver's** license or registration status."

Page 29, line 25, after "who" insert "**obtained or**".

Page 31, line 17, delete "**IC 9-17-2-12(c);**" and insert "**IC 9-17-2-12;**".

Page 32, line 29, delete "prescribed in IC 9-29-4," and insert "**prescribed,**".

Page 33, line 8, delete "vehicles." and insert "**trailers.**".

Page 38, line 24, after "license" insert "**plate**".

Page 47, line 35, delete "." and insert "**or foreign country.**".

Page 57, line 11, strike "or decal".

Page 67, line 13, delete "If the properly identified" and insert "**The release under section 9.5 of this chapter must state the name, signature, and address of the person that owns or holds a lien on the vehicle, a description of the vehicle or parts, costs, and date of release. A towing service shall notify the appropriate public agency of all releases under section 9.5 of this chapter.**".

Page 67, delete lines 14 through 17.

Page 67, line 26, delete "The release under section 8.5" and insert "**If the properly identified person that owns or holds a lien on a vehicle appears at the site of storage before disposal of the vehicle or parts and pays all costs incurred against the vehicle or parts at that time, the vehicle or parts shall be released.**".

Page 67, delete lines 27 through 31.

Page 70, line 19, delete "who" and insert "**that**".

Page 70, line 19, delete "mechanic's".

Page 70, line 25, delete "who" and insert "**that**".

Page 70, line 32, delete "mechanic's".

Page 70, line 35, delete "mechanic's".

Page 70, line 36, after "4," insert "**16,**".

Page 71, line 24, delete "who" and insert "**that**".

Page 71, line 24, delete "mechanic's".

Page 71, line 25, delete "who" and insert "**that**".

Page 71, line 31, delete "IC 9-22-1-9;" and insert "**section 19 of this chapter;**".

Page 71, line 34, delete "who" and insert "**that**".

Page 71, line 34, delete "mechanic's".

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- Page 71, line 36, delete "who" and insert **"that"**.
- Page 71, line 37, delete "mechanic's".
- Page 71, line 39, delete "mechanic's".
- Page 71, line 41, delete "mechanic's".
- Page 72, line 1, delete "who" and insert **"that"**.
- Page 72, line 1, delete "mechanic's".
- Page 72, line 3, delete "who" and insert **"that"**.
- Page 72, line 3, delete "mechanic's".
- Page 72, line 4, delete "mechanic's".
- Page 72, line 7, delete "mechanic's".
- Page 72, line 13, delete "who" and insert **"that"**.
- Page 72, line 13, delete "mechanic's".
- Page 72, line 15, delete "who" and insert **"that"**.
- Page 72, line 15, delete "mechanic's".
- Page 72, between lines 26 and 27, begin a new paragraph and insert:  
**"(j) A person that knowingly, intentionally, or recklessly violates this section commits a Class A misdemeanor."**
- Page 75, line 29, delete "salvage motor".
- Page 75, line 30, delete "salvage".
- Page 76, line 22, delete "salvage motor".
- Page 76, line 31, delete "salvage motor".
- Page 76, line 32, delete "salvage motor".
- Page 76, line 37, delete "salvage motor".
- Page 78, line 38, delete "salvage motor".
- Page 79, line 29, strike "motor".
- Page 79, between lines 40 and 41, begin a new paragraph and insert:  
**"SECTION 221. IC 9-22-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The application required under section 2 of this chapter must include the following information:**
- (1) The name and address of the applicant.
  - (2) The year, make, model, and engine number of the **motor** vehicle, if ascertainable, together with any other identifying features.
  - (3) A concise statement of the facts surrounding the abandonment of the **motor** vehicle, that the title of the **motor** vehicle is lost or destroyed, or the reasons for the defect of title in the owner of the **motor** vehicle.
- (b) The person making the application required under section 2 of this chapter shall execute an affidavit stating that the facts alleged in the application are true and that no material fact has been withheld."
- Page 81, line 13, delete "abandoned".

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Page 81, line 14, strike "motor".  
 Page 81, line 23, delete "abandoned".  
 Page 81, line 24, strike "motor".  
 Page 81, line 31, after "who" insert ":".  
 Page 81, line 32, reset in roman "(1) owns a".  
 Page 81, line 32, reset in roman "vehicle that has a title that is  
 faulty, lost, or".  
 Page 81, reset in roman line 33.  
 Page 81, line 34, reset in roman "(2)".  
 Page 81, line 34, reset in roman "the".  
 Page 81, line 34, delete "an abandoned".  
 Page 81, line 34, strike "motor".  
 Page 81, line 38, reset in roman "not described in section 12 of this".  
 Page 81, line 39, reset in roman "chapter".  
 Page 81, line 39, strike "an abandoned motor" and insert "a".  
 Page 82, line 4, strike "abandoned motor".  
 Page 82, line 8, strike "abandoned motor".  
 Page 82, line 9, strike "an abandoned motor" and insert "a".  
 Page 85, line 24, delete "who" and insert "that".  
 Page 85, line 27, delete "motor".  
 Page 85, line 31, delete "motor".  
 Page 85, line 32, delete "who" and insert "that".  
 Page 86, line 3, delete "who" and insert "that".  
 Page 86, line 9, delete "who" and insert "that".  
 Page 86, line 40, delete "who" and insert "that".  
 Page 86, line 40, delete "must:" and insert "must".  
 Page 86, line 41, delete "(1)".  
 Page 86, line 41, delete "who" and insert "that".  
 Page 86, line 42, delete "who" and insert "that".  
 Page 86, run in lines 40 through 41.  
 Page 87, line 1, delete "requested; or" and insert "requested".  
 Page 87, delete lines 2 through 5.  
 Page 87, run in lines 1 through 6.  
 Page 87, line 8, delete "who" and insert "that".  
 Page 87, line 10, delete "who" and insert "that".  
 Page 87, line 14, delete "who" and insert "that".  
 Page 87, line 17, delete "who" and insert "that".  
 Page 87, line 19, delete "who" and insert "that".  
 Page 87, line 25, delete "who" and insert "that".  
 Page 87, line 27, delete "who" and insert "that".  
 Page 87, line 29, delete "who" and insert "that".  
 Page 87, line 31, delete "who" and insert "that".

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Page 87, line 32, delete "who" and insert **"that"**.

Page 87, between lines 40 and 41, begin a new line block indented and insert:

**"(5) Any other information that the bureau requires."**

Page 88, line 2, delete "who" and insert **"that"**.

Page 99, line 33, after "commercial" insert **"motor"**.

Page 115, delete lines 5 through 42.

Page 116, delete lines 1 through 7.

Page 117, line 11, delete "a".

Page 117, line 12, delete "license and for the renewal of".

Page 117, delete lines 16 through 29, begin a new line block indented and insert:

**"(1) If the license was previously issued or renewed after May 14, 2007, and before January 1, 2008, the license expires at midnight on the birthday of the holder that occurs five (5) years following the date of issuance.**

**(2) If the license was previously issued or renewed after December 31, 2007, and before January 1, 2009, the license expires at midnight on the birthday of the holder that occurs six (6) years following the date of issuance.**

**(3) If the license was previously issued or renewed after December 31, 2005, and before January 1, 2007, the license expires at midnight on the birthday of the holder that occurs four (4) years following the date of issuance.**

**This subsection does not apply to the issuance or renewal of an operator's license that contains an expiration date after 2012."**

Page 117, line 39, delete "(before its repeal)".

Page 117, line 39, strike "at midnight of the twenty-first birthday of".

Page 117, line 40, strike "the holder." and insert **"in accordance with IC 9-24-11-3(e)"**.

Page 124, line 34, after "permit" insert **"privileges"**.

Page 124, line 34, reset in roman "issued".

Page 124, line 34, delete "privileges granted".

Page 124, line 38, after "permit" insert **"privileges"**.

Page 124, line 38 reset in roman "issued".

Page 124, line 38, delete "privileges granted".

Page 125, line 3, reset in roman "issuing".

Page 125, line 4, delete "granting".

Page 125, line 38, reset in roman "issue".

Page 125, line 38, delete "grant".

Page 142, line 41, after "(a)" insert ",."

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Page 142, line 41, strike "or subsection".  
 Page 142, line 41, after "(b)" insert ", or (c)".  
 Page 143, line 38, reset in roman "in the future."  
 Page 143, line 38, after "future" delete ".".  
 Page 144, line 14, before "financial" insert "**future**".  
 Page 144, line 26, reset in roman "in the".  
 Page 144, line 27, reset in roman "future."  
 Page 144, line 27, after "future" delete ".".  
 Page 160, line 11, before "vehicle" insert "**motor**".  
 Page 160, line 13, after "place" strike "in" and insert "**on**".  
 Page 170, line 33, reset in roman "IC 9-24-11-3 or".  
 Page 170, delete lines 35 through 42, begin a new paragraph and insert the following:

**"(c) Notwithstanding subsection (a), the fee for the renewal of an operator's license issued under IC 9-24 that contains a 2012 expiration date is as follows:**

- (1) If the license was previously issued or renewed after May 14, 2007, and before January 1, 2008, the fee is seven dollars and fifty cents (\$7.50).**
- (2) If the license was previously issued or renewed after December 31, 2007, and before January 1, 2009, the fee is nine dollars (\$9).**
- (3) If the license was previously issued or renewed after December 31, 2005, and before January 1, 2007, the fee is six dollars (\$6).**

**This subsection does not apply to the renewal of an operator's license that contains an expiration date after 2012."**

Page 171, delete lines 1 through 3.  
 Page 174, line 35, reset in roman "driving".  
 Page 174, line 35, delete "driver's".  
 Page 174, line 35, strike "license" and insert "**privileges**".  
 Page 178, line 17, delete ".".  
 Page 178, line 17, reset in roman "in the future".  
 Page 178, line 17, after "future" insert ".".  
 Page 182, line 6, delete ":".  
 Page 182, line 7, delete "(1)".  
 Page 182, run in lines 6 through 7.  
 Page 182, line 9, delete "person; or" and insert "**person**".  
 Page 182, delete lines 10 through 11.  
 Page 188, line 8, reset in roman "issues".  
 Page 188, line 8, delete "grants".  
 Page 188, line 9, reset in roman "issue".



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- Page 188, line 9, delete "grant".
- Page 191, line 18, reset in roman "issue".
- Page 191, line 18, delete "grant".
- Page 191, line 25, reset in roman "Issue".
- Page 191, line 25, delete "Grant".
- Page 197, line 15, delete "grant" and insert "**issue**".
- Page 199, line 3, delete "Grant" and insert "**Issue**".
- Page 200, line 8, delete "grant" and insert "**issue**".
- Page 201, line 32, delete "grant" and insert "**issue**".
- Page 204, line 23, reset in roman "issue".
- Page 204, line 23, delete "grant".
- Page 205, line 22, reset in roman "issue".
- Page 205, line 22, delete "grant".
- Page 205, line 25, reset in roman "issued".
- Page 205, line 25, delete "granted".
- Page 205, line 31, reset in roman "issued".
- Page 205, line 32, delete "granted".
- Page 205, line 33, reset in roman "issue".
- Page 205, line 33, delete "grant".
- Page 205, line 40, delete "Grant" and insert "**Issue**".
- Page 210, line 29, delete "agency:" and insert "**agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.**".
- Page 210, delete lines 30 through 32.
- Page 211, line 4, delete "agency:" and insert "**agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.**".
- Page 211, delete lines 5 through 7.
- Page 216, line 25, strike "or".
- Page 216, line 25, after "sale" insert ",".
- Page 217, line 32, after "IC 9-29-15-1" delete "and" and insert "**and**".
- Page 222, between lines 17 and 18, begin a new paragraph and insert:  
 "SECTION 493. IC 14-15-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. As used in this chapter, "Indiana driver's license" means:  
 (1) an operator's license;  
 (2) a chauffeur's license; or  
 (3) a public passenger chauffeur's license;  
 that is issued to an individual by the bureau of motor vehicles under ~~IC 9-24-3~~. **IC 9-24.**".



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Page 226, line 30, strike "operator's license;" and insert "**driving privileges;**".

Page 226, line 31, strike "learner's permit;" and insert "**driving privileges;**".

Page 226, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 499. IC 31-37-19-18, AS AMENDED BY P.L.109-2011, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. If the court orders invalidation or denial of issuance of a ~~driver's license or permit~~ **driving privileges** as described in IC 31-37-5-7 or section 4, 13, 14, 15, 16, 17, or 17.3 of this chapter (or IC 31-6-4-15.9(c), IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before the repeal of IC 31-6-4-15.9):

- (1) the bureau of motor vehicles shall comply with the order for invalidation or denial of issuance; and
- (2) the child shall surrender to the court all driver's licenses or permits of the child and the court shall immediately forward the licenses or permits to the bureau of motor vehicles.

If a juvenile court recommends suspension of driving privileges under section 17.3 of this chapter, IC 9-30-6-12(b), IC 9-30-6-12(c), IC 9-30-6-12(d), and IC 9-30-6-12(e) apply to the child's driving privileges.

SECTION 500. IC 31-40-2-1.7, AS ADDED BY P.L.2-2005, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1.7. (a) A person may pay a monthly probation user's fee under section 1 or 1.5 of this chapter before the date the payment is required to be made without obtaining the prior approval of a court or a probation department. However, if a delinquent child is discharged from probation before the date the delinquent child was scheduled to be released from probation, any monthly probation user's fee paid in advance for the delinquent child may not be refunded.

(b) A probation department may petition a court to:

- (1) impose a probation user's fee on a person; or
- (2) increase a person's probation user's fee;

under section 1 or 1.5 of this chapter if the financial ability of the person to pay a probation user's fee changes while the person is on probation.

(c) An order to pay a probation user's fee under section 1 or 1.5 of this chapter:

- (1) is a judgment lien that:
  - (A) attaches to the property of the person subject to the order;



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- (B) may be perfected;
- (C) may be enforced to satisfy any payment that is delinquent under section 1 or 1.5 of this chapter; and
- (D) expires;

in the same manner as a judgment lien created in a civil proceeding;

- (2) is not discharged by the completion of the person's probationary period or other sentence imposed on the person; and
- (3) is not discharged by the liquidation of a person's estate by a receiver under IC 32-30-5.

(d) A delinquent child placed on probation for more than one (1) delinquent act:

- (1) may be required to pay more than one (1) initial probation user's fee; and
- (2) may not be required to pay more than one (1) monthly probation user's fee per month;

to either the probation department or the clerk of the court.

(e) If a court orders a person to pay a probation user's fee under section 1 or 1.5 of this chapter, the court may garnish the wages, salary, and other income earned by the person to enforce the order.

(f) If:

- (1) a person is delinquent in paying the person's probation user's fees required under section 1 or 1.5 of this chapter; and
- (2) the person's **driving privileges or** driver's license or permit **has have** been suspended or revoked or the person has never been issued a driver's license or permit;

the court may order the bureau of motor vehicles to not issue a driver's license or permit to the person until the person has paid the person's delinquent probation user's fees."

Page 232, line 4, strike "drivers' license is" and insert "**driving privileges are**".

Page 241, between lines 4 and 5, begin a new line block indented and insert:

**"IC 9-22-1-21.5 (Concerning liens on vehicles)."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 257 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

ES 257—LS 6814/DI 96+



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## SENATE MOTION

Madam President: I move that Senate Bill 257 be amended to read as follows:

Page 59, line 9, delete "is".

Page 67, line 42, delete "REPEALED" and insert "AMENDED TO READ AS FOLLOWS".

Page 68, line 1, delete "]" and insert "]:".

Page 68, line 1, reset in roman "Sec. 8. If the properly identified person who owns or holds a lien".

Page 68, reset in roman lines 2 through 4.

Page 68, line 4, after "released." insert "**A towing service shall notify the appropriate public agency of all releases under this section. The notification must include the name, signature, and address of the person that owns or holds a lien on the vehicle, a description of the vehicle or parts, costs, and the date of release.**".

Page 68, delete lines 5 through 12.

Page 68, delete lines 19 through 25.

Page 83, line 11, strike "abandoned".

Page 95, line 23, strike "invalidated" and insert "**suspended**".

Page 95, line 27, strike "invalidated" and insert "**suspended**".

Page 100, line 39, after "permit" insert "**or**".

Page 105, line 10, delete "." and insert "**or permit**".

Page 105, line 12, after "license" insert "**or permit**".

Page 105, line 14, after "license" insert "**or permit**".

Page 210, line 30, delete "IC 31-16-15-2" and insert "**IC 31-16-15-0.5**".

Page 211, line 4, delete "IC 31-16-15-2" and insert "**IC 31-16-15-0.5**".

Page 217, line 29, delete "IC 9-29-15-1and" and insert "**IC 9-29-15-1 and**".

Renumber all SECTIONS consecutively.

(Reference is to SB 257 as printed January 11, 2012.)

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 257, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 4 through 7.

Page 5, delete lines 14 through 17.

Page 7, delete lines 28 through 42.

Page 8, delete lines 1 through 8.

Page 58, delete lines 12 through 42.

Delete pages 59 through 63.

Page 64, delete lines 1 through 9.

Page 68, line 30, strike "five hundred dollars (\$500);" and insert **"one thousand dollars (\$1,000);"**.

Page 78, line 13, after "processor" insert **"that performed the processing that resulted in the vehicle being demolished or destroyed"**.

Page 78, line 14, before "or" insert **", the certificate of authority,"**.

Page 80, line 30, strike "engine number" and insert **"vehicle identification number"**.

Page 82, line 5, after "scrap" insert **"or dismantle"**.

Page 82, line 11, strike "engine number," and insert **"vehicle identification number,"**.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 257 as reprinted January 20, 2012.)

SOLIDAY, Chair

Committee Vote: yeas 13, nays 0.

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