



Reprinted  
February 22, 2012

---

---

## ENGROSSED SENATE BILL No. 257

---

DIGEST OF SB 257 (Updated February 21, 2012 3:33 pm - DI 51)

**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 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 35-48; IC 35-50.

**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 of vehicles; (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.

**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.  
February 16, 2012, read second time, amended, ordered engrossed.  
February 17, 2012, engrossed.  
February 21, 2012, read third time, recommitted to Committee of One, amended; passed. Yeas 84, nays 11.

---

---

ES 257—LS 6814/DI 96+



C  
o  
p  
y

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

ES 257—LS 6814/DI 96+



C  
O  
P  
Y

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

C  
o  
p  
y



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

C  
o  
p  
y



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**  
42

C  
O  
P  
Y



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

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

27 SECTION 17. IC 9-13-2-118 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 118. (a) **Except as**  
29 **provided in subsection (b), "operator", means, except as provided in**  
30 **subsection (b), when used in reference to a motor vehicle, means a**  
31 person, other than a chauffeur or a public passenger chauffeur, who:

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

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

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

39 SECTION 18. IC 9-13-2-121 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 121. (a) **Except as**  
41 **otherwise provided in this section, "owner", means, except as**  
42 ~~otherwise provided in this section,~~ when used in reference to a motor



C  
o  
p  
y

- 1 vehicle, **means:**
- 2 (1) a person who holds the legal title of a motor vehicle;
- 3 ~~(2) a person renting or leasing a motor vehicle and having~~
- 4 ~~exclusive use of the motor vehicle for more than thirty (30) days;~~
- 5 or
- 6 ~~(3) (2) if a motor vehicle is the subject of an agreement for the~~
- 7 ~~conditional sale or lease vested in the conditional vendee or~~
- 8 ~~lessee, or in the event the mortgagor, with the right of purchase~~
- 9 ~~upon the performance of the conditions stated in the agreement~~
- 10 ~~and with an immediate right of possession of a vehicle is entitled~~
- 11 ~~to possession, the conditional vendee or lessee or mortgagor.~~
- 12 (b) "Owner", for purposes of IC 9-21 and IC 9-25, means, when
- 13 used in reference to a motor vehicle, a person who holds the legal title
- 14 of a motor vehicle, or if a:
- 15 (1) motor vehicle is the subject of an agreement for the
- 16 conditional sale or lease of the motor vehicle with the right of
- 17 purchase upon performance of the conditions stated in the
- 18 agreement and with an immediate right of possession vested in
- 19 the conditional vendee or lessee; or
- 20 (2) mortgagor of a motor vehicle is entitled to possession;
- 21 the conditional vendee or lessee or mortgagor is considered to be the
- 22 owner for the purpose of IC 9-21 and IC 9-25.
- 23 (c) "Owner", for purposes of IC 9-22-1, means the last known record
- 24 titleholder of a vehicle according to the records of the bureau under
- 25 IC 9-17.
- 26 (d) "Owner", for purposes of IC 9-31, means a person, other than a
- 27 lienholder, having the property in or title to a motorboat. The term
- 28 includes a person entitled to the use or possession of a motorboat
- 29 subject to an interest in another person reserved or created by
- 30 agreement and securing payment or performance of an obligation. The
- 31 term excludes a lessee under a lease not intended as security.
- 32 SECTION 19. IC 9-13-2-123.5, AS ADDED BY P.L.184-2007,
- 33 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34 JULY 1, 2012]: Sec. 123.5. "Permit" means ~~any kind of a~~ permit issued
- 35 by the state authorizing an individual to operate ~~a motor~~ **the type of**
- 36 **vehicle for which the permit was issued** on public streets, roads, or
- 37 highways **with certain restrictions.**
- 38 SECTION 20. IC 9-13-2-143 IS AMENDED TO READ AS
- 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 143. "Public passenger
- 40 chauffeur" means ~~any of the following:~~
- 41 ~~(+) A person who operates a motor vehicle while in use as a~~
- 42 ~~school bus for the transportation of pupils to or from school; or to~~

C  
O  
P  
Y

1 or from school athletic games or contests.

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

7 SECTION 21. IC 9-13-2-148 IS REPEALED [EFFECTIVE JULY  
8 1, 2012]. Sec. 148. "Raw milk", for purposes of IC 9-20-4-2, has the  
9 meaning set forth in IC 9-20-4-2(d).

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

15 SECTION 23. IC 9-13-2-170.3, AS ADDED BY P.L.210-2005,  
16 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2012]: Sec. 170.3. "Special machinery" **means a includes but**  
18 **is not limited to any of the following:**

- 19 (1) A portable saw mill. ~~or~~  
20 (2) Well drilling machinery.  
21 (3) A utility service cable trailer.  
22 (4) Any other vehicle that is:  
23 (A) designed to perform a specific function; and  
24 (B) drawn by a motor vehicle.

25 **The term does not include a vehicle that is designed to carry**  
26 **persons.**

27 SECTION 24. IC 9-13-2-184 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 184. (a) "Trailer"  
29 means, except as otherwise provided in this section, a vehicle:

- 30 (1) without motive power;  
31 (2) designed for carrying persons or property;  
32 (3) designed for being drawn by a motor vehicle; and  
33 (4) so constructed that no part of the weight of the trailer rests  
34 upon the towing vehicle.

35 The term includes pole trailers and two (2) wheeled homemade trailers.

36 (b) "Trailer", for purposes of IC 9-21, means a vehicle:

- 37 (1) with or without motive power;  
38 (2) designed for carrying persons or property;  
39 (3) designed for being drawn by a motor vehicle; and  
40 (4) so constructed that no part of the weight of the trailer rests  
41 upon the towing vehicle.

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

ES 257—LS 6814/DI 96+



C  
o  
p  
y

1 (c) "Trailer", for purposes of IC 9-21-8-12 through IC 9-21-8-13,  
2 means the combination of any motor vehicle towing another vehicle or  
3 trailer.

4 SECTION 25. IC 9-13-2-187 IS AMENDED TO READ AS  
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 187. "Transport  
6 operator" means any of the following:

7 (1) A person engaged in the business of furnishing drivers and  
8 operators for the purpose of transporting vehicles in transit from  
9 one (1) place to another by the drive away or tow away methods.

10 (2) A nonresident dealer **or** manufacturer engaged in the  
11 operation or business described in subdivision (1).

12 (3) A business that prepares newly purchased vehicles of the  
13 business and delivers the vehicles to the locations where the  
14 vehicles will be based, titled, and registered.

15 SECTION 26. IC 9-13-2-188.5, AS AMENDED BY P.L.145-2011,  
16 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2012]: Sec. 188.5. ~~(a) This subsection expires December 31,  
18 2011. "Truck driver training school" means a postsecondary proprietary  
19 educational institution (as defined in IC 21-17-1-13) located in Indiana  
20 and accredited by the Indiana commission on proprietary education or  
21 a state educational institution subject to rules adopted by the bureau  
22 under IC 9-24-6-5.5 that:~~

23 ~~(1) educates or trains a person; or~~

24 ~~(2) prepares a person for an examination or a validation given by  
25 the bureau;~~

26 ~~to operate a truck as a vocation:~~

27 ~~(b) This subsection applies after December 31, 2011. "Truck driver  
28 training school" means a postsecondary proprietary educational  
29 institution (as defined in IC 21-17-1-13) **or a state educational  
30 institution** that:~~

31 ~~(1) is located in Indiana; **or is a state educational institution;**~~

32 ~~(2) is subject to rules adopted by the bureau under IC 9-24-6-5.5;  
33 and~~

34 ~~(3) either:~~

35 ~~(A) educates or trains a person; or~~

36 ~~(B) prepares a person for an examination or a validation given  
37 by the bureau;~~

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

39 SECTION 27. IC 9-14-1-6 IS REPEALED [EFFECTIVE JULY 1,  
40 2012]. Sec. 6: ~~A person who violates this chapter commits a Class C  
41 infraction.~~

42 SECTION 28. IC 9-14-2-4 IS AMENDED TO READ AS

C  
o  
p  
y



1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau shall  
 2 prescribe and provide all forms necessary to carry out any laws **or**  
 3 **rules** administered and enforced by the bureau.

4 SECTION 29. IC 9-14-2-5 IS REPEALED [EFFECTIVE JULY 1,  
 5 2012]. Sec. 5: The bureau shall provide notary public service for the  
 6 convenience of members of the public when applying for a certificate  
 7 of title, registration, or license.

8 SECTION 30. IC 9-14-2-6 IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. The bureau shall ~~do~~  
 10 the following:

11 ~~(1) File and index by name maintain suitable records of:~~

12 ~~(1) each application for a license or permit issued by the bureau;~~  
 13 ~~under this title.~~

14 ~~(2) Maintain suitable records of and~~

15 ~~(2) all licenses and permits issued by the commissioner;~~  
 16 under this title.

17 SECTION 31. IC 9-14-2-7 IS REPEALED [EFFECTIVE JULY 1,  
 18 2012]. Sec. 7: A person who violates this chapter commits a Class E  
 19 infraction.

20 SECTION 32. IC 9-14-3-0.3 IS REPEALED [EFFECTIVE JULY  
 21 1, 2012]. Sec. 0.3: As used in this chapter, "digital signature" has the  
 22 meaning set forth in IC 5-24-2-1.

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

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

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

33 SECTION 34. IC 9-14-3-5, AS AMENDED BY P.L.198-2007,  
 34 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2012]: Sec. 5. (a) Except as provided in subsection (b), (d), or  
 36 (e), the bureau shall prepare and deliver information on titles,  
 37 registrations, and licenses and permits upon the request of any person.  
 38 All requests must be:

39 (1) submitted in writing; or

40 (2) made electronically through the computer gateway  
 41 administered under IC 4-13.1-2-2(a)(5) by the office of  
 42 technology;

ES 257—LS 6814/DI 96+



C  
o  
p  
y

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

3 (b) The bureau shall not disclose:

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

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

12 (c) The bureau may disclose any information listed in subsection

13 (b):

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

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

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

29 SECTION 35. IC 9-14-3-6, AS AMENDED BY P.L.80-2010,  
30 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2012]: Sec. 6. (a) Upon the submission to the bureau of a  
32 specific written request from an individual or organization for a  
33 compilation of specific information requested for the purposes  
34 described in subsection (c), the bureau may contract with the individual  
35 or organization to compile the requested information from the records  
36 of the bureau.

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

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

- 41 (1) That the information is required for the purposes of notifying  
42 vehicle owners of vehicle defects and recall for modifications,

C  
o  
p  
y



- 1 and that the individual or organization will use the information
- 2 provided only for that purpose.
- 3 (2) That the information will be used only for research or
- 4 statistical reporting purposes and that individual identities will be
- 5 properly protected in the preparation of the research or reports
- 6 and not ascertainable from the published reports or research
- 7 results.
- 8 (3) That the information will be used for the purpose of
- 9 documenting the sale of motor vehicles in Indiana.
- 10 (4) That the information will be used for purposes of the federal
- 11 Selective Service System.
- 12 (5) That the information will be used solely for law enforcement
- 13 purposes by police officers.
- 14 (6) That the information will be used to locate a parent described
- 15 in IC 31-25-3-2(c) as provided under IC 31-25-3-2.
- 16 (d) The ~~commission~~ **bureau** may not compile or release information
- 17 concerning voter registration under this section.
- 18 (e) The bureau shall provide the requested information under this
- 19 section in a format that is agreeable to the parties. ~~including the~~
- 20 ~~following formats:~~
- 21 (1) ~~Printed records:~~
- 22 (2) ~~Microfiche:~~
- 23 (3) ~~Computer disk:~~
- 24 SECTION 36. IC 9-14-3-7 IS AMENDED TO READ AS
- 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) The bureau shall
- 26 maintain ~~an operating a driving~~ record for each person licensed by the
- 27 bureau to drive a motor vehicle.
- 28 (b) ~~An operating A driving~~ record must contain the following:
- 29 (1) A person's convictions for any of the following:
- 30 (A) A moving traffic violation.
- 31 (B) Operating a vehicle without financial responsibility in
- 32 violation of IC 9-25.
- 33 (2) Any administrative penalty imposed by the bureau.
- 34 (3) If the driving privileges of a person have been suspended or
- 35 revoked by the bureau, an entry in the record stating that a notice
- 36 of suspension or revocation was mailed by the bureau and the date
- 37 of the mailing of the notice.
- 38 (4) Any suspensions, revocations, or reinstatements of a person's
- 39 driving privileges, license, or permit.
- 40 (5) Any requirement that the person may operate only a motor
- 41 vehicle equipped with ~~an a~~ certified ignition interlock device.
- 42 (c) An entry in the ~~operating driving~~ record of a defendant stating

COPY



1 that notice of suspension or revocation was mailed by the bureau to the  
2 defendant constitutes prima facie evidence that the notice was mailed  
3 to the defendant's address as shown in the ~~official driving record~~  
4 **records of the bureau.**

- 5 (d) ~~An operating~~ **A driving** record maintained under this section:  
6 (1) is not admissible as evidence in any action for damages arising  
7 out of a motor vehicle accident; and  
8 (2) may not include voter registration information.

9 SECTION 37. IC 9-14-3-9 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) If the governor,  
11 the superintendent of the state police department, or the highest officer  
12 located in Indiana of the Federal Bureau of Investigation, the United  
13 States Secret Service, or the United States Treasury Department  
14 certifies to the bureau that:

- 15 (1) an individual named in the ~~certificate~~ **certification** is an  
16 officer or employee of a state, county, or city department or  
17 bureau with police power;  
18 (2) the nature of the individual's work or duties is of a secret or  
19 confidential nature; and  
20 (3) in the course of the individual's work the individual uses the  
21 motor vehicle described in the ~~certificate~~; **certification**;  
22 the bureau shall regard all of the bureau's records concerning the  
23 certificate of title or certificate of registration of the motor vehicle and  
24 the operating license of the individual described in the ~~certificate~~  
25 **certification** as confidential.

- 26 (b) The bureau may disclose the records described in subsection (a)  
27 only upon one (1) of the following:  
28 (1) An order of a court of competent jurisdiction made in a cause  
29 or matter pending before the court.  
30 (2) The written request of the officer, employee, or a successor of  
31 the officer or employee making the ~~certificate~~; **certification**.  
32 (3) A request of the governor.

33 SECTION 38. IC 9-14-3.5-2.5 IS ADDED TO THE INDIANA  
34 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
35 [EFFECTIVE JULY 1, 2012]: **Sec. 2.5. As used in this chapter,**  
36 **"highly restricted personal information" means the following**  
37 **information that identifies an individual:**

- 38 (1) **Digital photograph or image.**  
39 (2) **Social Security number.**  
40 (3) **Medical or disability information.**

41 SECTION 39. IC 9-14-3.5-4 IS AMENDED TO READ AS  
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. As used in this

C  
o  
p  
y



1 chapter, "motor vehicle record" means a record that pertains to:

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

7 SECTION 40. IC 9-14-3.5-5, AS AMENDED BY P.L.184-2007,  
8 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2012]: Sec. 5. As used in this chapter, "personal information"  
10 means information that identifies a person, including an individual's:

- 11 (1) digital photograph **or image**;
- 12 (2) Social Security number;
- 13 (3) driver's license or identification document number;
- 14 (4) name;
- 15 (5) address (but not the 5-digit zip code);
- 16 (6) telephone number; or
- 17 (7) medical or disability information.

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

21 SECTION 41. IC 9-14-3.5-7, AS AMENDED BY P.L.1-2006,  
22 SECTION 158, IS AMENDED TO READ AS FOLLOWS  
23 [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) Except as provided in  
24 sections 8, ~~and 10,~~ **and 10.5** of this chapter:

- 25 (1) an officer or employee of the bureau;
- 26 (2) an officer or employee of the bureau of motor vehicles  
27 commission; or
- 28 (3) a contractor of the bureau or the bureau of motor vehicles  
29 commission (or an officer or employee of the contractor);

30 may not knowingly disclose **or otherwise make available** personal  
31 information, ~~about a person~~ **including highly restricted personal**  
32 **information** obtained by the bureau in connection with a motor vehicle  
33 record.

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

36 SECTION 42. IC 9-14-3.5-10, AS AMENDED BY P.L.97-2011,  
37 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2012]: Sec. 10. ~~Except as provided in section 10.5 of this~~  
39 ~~chapter,~~ The bureau may disclose **certain** personal information ~~to a~~  
40 ~~person that is not highly restricted information~~ if the person  
41 requesting the information provides proof of identity and represents  
42 that the use of the personal information will be strictly limited to at

C  
o  
p  
y



- 1 least one (1) of the following:
- 2 (1) For use by a government agency, including a court or law
- 3 enforcement agency, in carrying out its functions, or a person
- 4 acting on behalf of a government agency in carrying out its
- 5 functions.
- 6 (2) For use in connection with matters concerning:
- 7 (A) motor vehicle or driver safety and theft;
- 8 (B) motor vehicle emissions;
- 9 (C) motor vehicle product alterations, recalls, or advisories;
- 10 (D) performance monitoring of motor vehicles, motor vehicle
- 11 parts, and dealers;
- 12 (E) motor vehicle market research activities, including survey
- 13 research;
- 14 (F) the removal of nonowner records from the original owner
- 15 records of motor vehicle manufacturers; and
- 16 (G) motor fuel theft under IC 24-4.6-5.
- 17 (3) For use in the normal course of business by a business or its
- 18 agents, employees, or contractors, but only:
- 19 (A) to verify the accuracy of personal information submitted
- 20 by an individual to the business or its agents, employees, or
- 21 contractors; and
- 22 (B) if information submitted to a business is not correct or is
- 23 no longer correct, to obtain the correct information only for
- 24 purposes of preventing fraud by, pursuing legal remedies
- 25 against, or recovering on a debt or security interest against, the
- 26 individual.
- 27 (4) For use in connection with a civil, a criminal, an
- 28 administrative, or an arbitration proceeding in a court or
- 29 government agency or before a self-regulatory body, including the
- 30 service of process, investigation in anticipation of litigation, and
- 31 the execution or enforcement of judgments and orders, or under
- 32 an order of a court.
- 33 (5) For use in research activities, and for use in producing
- 34 statistical reports, as long as the personal information is not
- 35 published, re-disclosed, or used to contact the individuals who are
- 36 the subject of the personal information.
- 37 (6) For use by an insurer, an insurance support organization, or a
- 38 self-insured entity, or the agents, employees, or contractors of an
- 39 insurer, an insurance support organization, or a self-insured entity
- 40 in connection with claims investigation activities, anti-fraud
- 41 activities, rating, or underwriting.
- 42 (7) For use in providing notice to the owners of towed or

COPY



- 1           impounded vehicles.
- 2           (8) For use by a licensed private investigative agency or licensed
- 3           security service for a purpose allowed under this section.
- 4           (9) For use by an employer or its agent or insurer to obtain or
- 5           verify information relating to a holder of a commercial driver's
- 6           license that is required under the Commercial Motor Vehicle
- 7           Safety Act of 1986 (49 U.S.C. 2710 et seq.).
- 8           (10) For use in connection with the operation of private toll
- 9           transportation facilities.
- 10          (11) For any use in response to requests for individual motor
- 11          vehicle records when the bureau has obtained the written consent
- 12          of the person to whom the personal information pertains.
- 13          (12) For bulk distribution for surveys, marketing, or solicitations
- 14          when the bureau has obtained the written consent of the person to
- 15          whom the personal information pertains.
- 16          (13) For use by any person, when the person demonstrates, in a
- 17          form and manner prescribed by the bureau, that written consent
- 18          has been obtained from the individual who is the subject of the
- 19          information.
- 20          (14) For any other use specifically authorized by law that is
- 21          related to the operation of a motor vehicle or public safety.
- 22          However, this section does not affect the use of anatomical gift
- 23          information on a person's driver's license or identification document
- 24          issued by the bureau, nor does it **this section** affect the administration
- 25          of anatomical gift initiatives in the state.
- 26          SECTION 43. IC 9-14-3.5-10.5, AS AMENDED BY P.L.184-2007,
- 27          SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 28          JULY 1, 2012]: Sec. 10.5. (a) Except as provided in subsections (b)
- 29          and (c), the bureau may not disclose the following **Highly restricted**
- 30          personal information from a person's motor vehicle record:
- 31                (1) ~~Driver's license or digital photograph.~~
- 32                (2) ~~Social Security number.~~
- 33                (3) ~~Medical or disability information.~~
- 34          (b) The bureau may disclose the personal information described in
- 35          subsection (a) **be disclosed only as follows:** if the bureau has
- 36                (1) **With** the express written consent of the person to whom the
- 37                **highly restricted** personal information pertains. ~~to release the~~
- 38                **information described in subsection (a).**
- 39          (c) The bureau may disclose the personal information described in
- 40          subsection (a) ~~without~~
- 41                (2) **In the absence of** the express written consent of the person to
- 42                whom the **highly restricted** personal information pertains, if the

COPY



1 person requesting the information:

2 (1) (A) provides proof of identity; and

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

7 SECTION 44. IC 9-14-3.5-15 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. A person requesting  
 9 the disclosure of personal information **or highly restricted personal**  
 10 **information** from bureau records who knowingly or intentionally  
 11 misrepresents the person's identity or makes a false statement to the  
 12 bureau on an application required to be submitted under this chapter  
 13 commits a Class C misdemeanor.

14 SECTION 45. IC 9-14-5-1, AS AMENDED BY P.L.184-2007,  
 15 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2012]: Sec. 1. The bureau shall issue a placard to the  
 17 following:

18 (1) An individual of any age who:

19 (A) has a temporary or permanent physical disability that  
 20 requires the use of a wheelchair, a walker, braces, or crutches

21 **as certified by a health care provider listed in clause (C);**

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

24 (C) is certified to be severely restricted in mobility, either  
 25 temporarily or permanently, due to a pulmonary or  
 26 cardiovascular disability, arthritic condition, or orthopedic or  
 27 neurological impairment, by:

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

30 (ii) a physician who is a commissioned medical officer of  
 31 the armed forces of the United States or of the United States  
 32 Public Health Service;

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

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

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

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

41 (D) is certified **to be blind or visually impaired** by an  
 42 optometrist or ophthalmologist ~~licensed with a valid and~~

C  
o  
p  
y



1           **unrestricted license** to practice in Indiana. ~~to be blind or~~  
2           ~~visually impaired.~~  
3           (2) Any corporation, limited liability company, partnership,  
4           unincorporated association, and any legal successor of the  
5           corporation, limited liability company, partnership, or association,  
6           empowered by the state or a political subdivision to operate  
7           programs, including the provision of transportation, or facilities  
8           for persons with physical disabilities.  
9           SECTION 46. IC 9-14-5-2 IS AMENDED TO READ AS  
10          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The certification  
11          made by a physician, an optometrist, or an ophthalmologist under  
12          section 1(1)(C) or 1(1)(D) of this chapter must:  
13                (1) be on a form prescribed by the ~~state board of accounts~~  
14                **bureau; and must**  
15                (2) state the expected duration of the condition that severely  
16                restricts the individual's mobility.  
17          SECTION 47. IC 9-14-5-4 IS AMENDED TO READ AS  
18          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A placard issued  
19          under section 1(1) of this chapter expires ~~on the recipient's fourth~~  
20          ~~birthday that follows the date of the placard's issuance if only upon a~~  
21          **physician's certification that the recipient's disability is no longer**  
22          **considered to be permanent. If the disability is permanent, a new**  
23          ~~physician certification is not required upon expiration of the placard;~~  
24          ~~only reapplication.~~  
25          (b) If the recipient's disability is not permanent, a placard issued  
26          under section 1(1) of this chapter expires:  
27                (1) six (6) months after the date of the placard's issuance; or  
28                (2) on the date certified by a physician under section 1(1)(C) or  
29                1(1)(D) of this chapter;  
30          whichever occurs first.  
31          SECTION 48. IC 9-14-5-6 IS REPEALED [EFFECTIVE JULY 1,  
32          2012]. ~~Sec. 6. When issuing a placard under this chapter, the bureau~~  
33          ~~shall provide the individual to whom a placard is issued instructions~~  
34          ~~explaining the law governing parking for a person with a physical~~  
35          ~~disability and explaining proper use of the placard.~~  
36          SECTION 49. IC 9-14-5-8 IS AMENDED TO READ AS  
37          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau may  
38          establish by rule and charge a fee of not more than five dollars (\$5) to  
39          cover the cost of issuing a placard **or duplicate placard** under this  
40          chapter to **a** ~~an~~ individual having a temporary disability. However, the  
41          bureau may not establish or charge a fee for issuing a placard **or**  
42          **duplicate placard** under this chapter to an individual having a

C  
O  
P  
Y



1 permanent disability.  
2 SECTION 50. IC 9-15-1-2 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. **(a)** The commission  
4 **board** consists of the following five (5) individuals:  
5 (1) Four (4) individuals, not more than two (2) of whom may be  
6 members of the same political party, who:  
7 (A) shall be appointed by the governor;  
8 (B) serve for terms of four (4) years;  
9 (C) may not hold any other public office or serve as a state or  
10 local employee while serving as a commission **board** member;  
11 and  
12 (D) shall devote as much time as is needed to carry out their  
13 duties, but are not required to devote full time to their duties.  
14 (2) The commissioner, who:  
15 (A) shall serve as chairman of the commission **board**; and  
16 (B) is responsible for calling commission **board** meetings.  
17 **(b) The commission consists of all:**  
18 **(1) officers and employees of the license branches under**  
19 **IC 9-16; and**  
20 **(2) other officers and employees designated as commission**  
21 **employees.**  
22 SECTION 51. IC 9-15-1-3 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Three (3)  
24 commission **board** members constitute a quorum. The consent of three  
25 (3) commission **board** members is required before any action may be  
26 taken.  
27 SECTION 52. IC 9-15-1-4 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) Each member of  
29 the commission **board** who is not a state employee is entitled to the  
30 minimum salary per diem provided by IC 4-10-11-2.1(b). ~~That A~~  
31 **board** member is also entitled to reimbursement for traveling expenses  
32 and other expenses actually incurred in connection with the member's  
33 duties, as provided in the state travel policies and procedures  
34 established by the Indiana department of administration and approved  
35 by the budget agency.  
36 (b) Each member of the commission **board** who is a state employee  
37 is entitled to reimbursement for traveling expenses and other expenses  
38 actually incurred in connection with the member's duties, as provided  
39 in the state travel policies and procedures established by the Indiana  
40 department of administration and approved by the budget agency.  
41 SECTION 53. IC 9-15-2-1 IS AMENDED TO READ AS  
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The commission

COPY



- 1 **board** shall do the following:
- 2 ~~(1) Develop and continuously update the bureau's policies.~~
- 3 ~~(2) (1) Recommend to the governor legislation that is needed to~~
- 4 ~~implement the policies developed by the commission. **operate the**~~
- 5 ~~**license branches.**~~
- 6 ~~(3) (2) Recommend to the bureau proposed rules that are needed~~
- 7 ~~to implement the policies developed by the commission and~~
- 8 ~~require those proposed rules to be adopted under IC 4-22-2.~~
- 9 ~~**operate the license branches.**~~
- 10 ~~(4) (3) Review revise, adopt, and submit to the budget agency~~
- 11 ~~budget proposals for the commission the bureau, and the license~~
- 12 ~~branches operated under IC 9-16, including the budget required~~
- 13 ~~by IC 9-16-3-3.~~
- 14 ~~(5) (4) Establish the determination criteria and determine the~~
- 15 ~~number and location of license branches to be operated under~~
- 16 ~~IC 9-16. However, there must be at least one (1) full service~~
- 17 ~~license branch in each county.~~
- 18 ~~(6) (5) Establish and adopt minimum standards for the operation~~
- 19 ~~and maintenance of each full **or partial** service license branch~~
- 20 ~~operated under IC 9-16.~~
- 21 ~~(7) Before January 1, 1997, establish and adopt minimum~~
- 22 ~~standards for the operation and maintenance of each partial~~
- 23 ~~service contractor under IC 9-16. The standards must result in~~
- 24 ~~more convenience to the public by providing license branch~~
- 25 ~~services at as many walk-up locations as possible without~~
- 26 ~~increasing the costs of providing these services.~~
- 27 ~~(8) Before March 1, 1997, establish and adopt minimum~~
- 28 ~~standards for providing license branch services using telephonic,~~
- 29 ~~facsimile, electronic, or computer means under IC 9-16.~~
- 30 ~~(9) (6) Administer the state license branch fund established under~~
- 31 ~~IC 9-29-14.~~

32 SECTION 54. IC 9-15-2-2 IS AMENDED TO READ AS  
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The commission  
 34 **board** may do the following:

- 35 (1) Procure insurance against any loss in connection with the
- 36 commission's operations in the amount the commission **board**
- 37 considers necessary or desirable.
- 38 (2) Contract for the operation of full service license branches
- 39 under IC 9-16-1-4 and partial services under IC 9-16-1-4.5.
- 40 (3) Take any other action necessary to achieve the commission's
- 41 purpose.

42 SECTION 55. IC 9-15-4-1 IS AMENDED TO READ AS



C  
o  
p  
y

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. IC 34-13-3 applies  
2 to a claim or suit in tort against any of the following:

3 (1) A member of the commission **or commission board.**

4 (2) An employee of the commission, ~~who is employed at a license~~  
5 ~~branch under IC 9-16~~; except for an employee employed at a  
6 license branch operated under a contract with the commission  
7 under IC 9-16-1-4.

8 SECTION 56. IC 9-16-1-1 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. As used in this  
10 chapter, "qualified person" means any of the following:

11 (1) A motor club that is any of the following:

12 (A) A domestic corporation.

13 (B) A foreign corporation qualified to transact business in  
14 Indiana under IC 23-1 or IC 23-17.

15 (2) A financial institution (as defined in IC 28-1-1-3).

16 (3) A new motor vehicle dealer licensed under IC 9-23-2.

17 (4) Other persons, including persons licensed under IC 9-23-2  
18 that are not covered by subdivision (3), that the commission  
19 determines can meet the ~~standards adopted by the commission~~  
20 ~~under IC 9-15-2-1(7)~~ and the requirements for partial service  
21 contractors under section 4.5 of this chapter.

22 SECTION 57. IC 9-16-1-2 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The ~~commission~~  
24 **commissioner** shall operate or be responsible for the administration of  
25 all license branches in Indiana under this article.

26 SECTION 58. IC 9-16-1-2.5 IS AMENDED TO READ AS  
27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2.5. The number of  
28 license branches may not be reduced in a county below the number in  
29 existence on January 1, 2001, unless the ~~bureau~~ **commission:**

30 (1) holds a public hearing in the county; and

31 (2) receives unlimited public testimony before the commissioner  
32 on the merits of closing the branch that the ~~bureau~~ **commission**  
33 proposes to close in the county.

34 SECTION 59. IC 9-16-1-4 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The commission  
36 may contract with a qualified person for:

37 (1) the operation of a full service license branch under this  
38 section; ~~or~~

39 (2) ~~providing the provision of~~ partial services under section 4.5  
40 of this chapter; ~~or~~

41 (3) **other services to process specific transactions as outlined**  
42 **by the commission.**



C  
o  
p  
y

- 1 (b) A contract for the operation of a full service license branch must
- 2 include the following provisions:
- 3 (1) The contractor shall provide a full service license branch,
- 4 including the following services:
- 5 (A) Vehicle titles.
- 6 (B) Vehicle registration.
- 7 (C) Driver's licenses.
- 8 (D) Voter registration as provided in IC 3-7.
- 9 (2) The contractor shall provide trained personnel to properly
- 10 process branch transactions.
- 11 (3) The contractor shall do the following:
- 12 (A) Collect and transmit all bureau fees and taxes collected at
- 13 the license branch.
- 14 (B) Deposit the taxes collected at the license branch with the
- 15 **commission to be deposited with the** county treasurer in the
- 16 manner prescribed by IC 6-3.5 or IC 6-6-5.
- 17 (4) The contractor shall generate a transaction volume sufficient
- 18 to justify the installation of bureau support systems.
- 19 (5) The contractor shall provide fidelity bond coverage in an
- 20 amount prescribed by the commission.
- 21 (6) The contractor may operate the license branch within a facility
- 22 used for other purposes.
- 23 (7) The contractor shall pay the cost of any post audits conducted
- 24 by the commission or the state board of accounts on an actual cost
- 25 basis.
- 26 (8) The commission shall provide support systems ~~and driver's~~
- 27 ~~license examiners~~ on the same basis as state operated branches.
- 28 ~~(9) The commission shall provide the same equipment to~~
- 29 ~~contractors as is provided to state operated branches.~~
- 30 ~~(+0)~~ **(9)** The commission must approve each location and physical
- 31 facility based upon criteria developed by the commission **board.**
- 32 ~~(+1)~~ **(10)** The term of the contract must be for a fixed period.
- 33 ~~(+2)~~ **(11)** The contractor shall agree to provide voter registration
- 34 services and to perform the same duties imposed on the
- 35 commission under IC 3-7.
- 36 SECTION 60. IC 9-16-1-4.5, AS AMENDED BY P.L.41-2011,
- 37 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 2012]: Sec. 4.5. (a) The commission may contract with a
- 39 qualified person to provide partial services at a qualified person's
- 40 location, including locations within a facility used for other purposes,
- 41 such as electronic titling and title application services and self-serve
- 42 terminal access.

COPY



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

4 (1) The contractor must provide trained personnel to properly  
 5 process motor vehicle registration and renewal transactions.

6 (2) The contractor shall do the following:

7 (A) Collect and transmit all bureau fees and taxes collected at  
 8 the contract location.

9 (B) Deposit the taxes collected at the contract location with the  
 10 **commission to be deposited with the** county treasurer in the  
 11 manner prescribed by IC 6-3.5 or IC 6-6-5.

12 (3) The contractor shall provide fidelity bond coverage in an  
 13 amount prescribed by the commission.

14 (4) The contractor shall provide:

15 (A) liability insurance coverage in an amount not to exceed  
 16 two million dollars (\$2,000,000) per occurrence, as prescribed  
 17 by the commission; and

18 (B) indemnification of the commission for any liability in  
 19 excess of the amount of coverage provided under clause (A),  
 20 not to exceed five million dollars (\$5,000,000) per occurrence.

21 (5) The contractor shall pay the cost of any post audits conducted  
 22 by the commission or the state board of accounts on an actual cost  
 23 basis.

24 (6) The commission must approve each location and physical  
 25 facility used by a contractor.

26 (7) The term of the contract must be for a fixed period.

27 SECTION 61. IC 9-16-2-5 IS AMENDED TO READ AS  
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Notwithstanding  
 29 IC 5-16, IC 5-17-1, and IC 5-22, the commission may develop a system  
 30 of procurement that applies only to procurement of equipment,  
 31 materials, **services**, and goods required for the operation of license  
 32 branches.

33 (b) A system of procurement adopted under this section must  
 34 provide that whenever:

35 (1) a contract is awarded by acceptance of bids, proposals, or  
 36 quotations; and

37 (2) a trust (as defined in IC 30-4-1-1(a)) submits a bid, proposal,  
 38 or quotation;

39 the bid, proposal, or quotation must identify each beneficiary of the  
 40 trust and each settlor empowered to revoke or modify the trust.

41 (c) This section does not apply to the purchasing, leasing, or  
 42 disposal of real property.

C  
o  
p  
y



1 SECTION 62. IC 9-16-3-1 IS REPEALED [EFFECTIVE JULY 1,  
2 2012]. ~~Sec. 1. The manager of each license branch that is staffed by~~  
3 ~~commission employees shall prepare and submit a proposed operating~~  
4 ~~budget for that license branch to the commissioner before August 1 of~~  
5 ~~each year.~~

6 SECTION 63. IC 9-16-3-2 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~Based on the~~  
8 ~~proposed budgets from each of the license branches,~~ The commission  
9 shall develop a statewide license branch budget. If the commission  
10 **board** determines that the total of:

- 11 (1) revenues from license branch operations; and  
12 (2) appropriations received by the commission;

13 are insufficient to support license branch operations, the commission  
14 shall increase the branch service charges under IC 9-29-3.

15 SECTION 64. IC 9-16-3-3 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. ~~On or before~~  
17 ~~September 1 a date specified by the budget agency~~ of each  
18 even-numbered year, the commission shall submit to the budget agency  
19 a proposed budget. The commission shall include, at a minimum, the  
20 following information on a county by county basis:

- 21 (1) Total estimated revenue. ~~by source.~~  
22 (2) Total estimated expenditures for salaries and fringe benefits.  
23 (3) Total estimated expenditures for other personal services.  
24 (4) Total estimated expenditures for nonpersonal services.  
25 (5) Total estimated expenditures for contractual services.  
26 (6) Total estimated expenditures for supplies and materials.  
27 (7) All other estimated expenditures.  
28 (8) The number of full-time and part-time employees.  
29 (9) Other information the budget agency requires.

30 SECTION 65. IC 9-16-3-4 IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. ~~Before October 1 of~~  
32 ~~each even-numbered year,~~ The budget agency shall provide the  
33 information received under section 3 of this chapter to the budget  
34 committee for the committee's review.

35 SECTION 66. IC 9-16-4-1, AS AMENDED BY P.L.221-2005,  
36 SECTION 143, IS AMENDED TO READ AS FOLLOWS  
37 [EFFECTIVE JULY 1, 2012]: Sec. 1. The commission **board** may  
38 develop a separate personnel system for employees of the commission  
39 who are assigned to be managers and employees of commission license  
40 branches. The system may establish the rights, privileges, powers, and  
41 duties of these employees, including a license branch pay scale and  
42 benefit package. If the commission **board** does not develop and adopt

C  
o  
p  
y



1 a license branch personnel system, those employees are subject to the  
 2 state personnel system under ~~IC 4-15-1.8~~, **IC 4-15-2.2**, except as  
 3 provided in IC 9-16-1-7.

4 SECTION 67. IC 9-16-4-2 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The commission  
 6 **board** may:

- 7 (1) develop a retirement program for managers and employees of  
 8 commission license branches; or  
 9 (2) cause managers and employees of commission license  
 10 branches to be members of the public employees' retirement fund  
 11 (IC 5-10.3-7).

12 SECTION 68. IC 9-16-7-1 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter applies  
 14 to a license branch ~~that furnishes any services other than the issuance~~  
 15 ~~of a driver's license or identification card under IC 9-24~~. **operated by**  
 16 **the commission.**

17 SECTION 69. IC 9-16-7-2 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~The commission~~  
 19 **License branches** shall offer voter registration services under this  
 20 chapter, in addition to providing a voter registration application as a  
 21 part of an application for a motor vehicle driver's license, permit, or  
 22 identification card under IC 9-24-2.5 and 42 U.S.C. 1973gg-3.

23 SECTION 70. IC 9-17-1-1, AS AMENDED BY P.L.182-2009(ss),  
 24 SECTION 284, IS AMENDED TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not apply to:

- 26 **(1) special machinery;**  
 27 **(2) farm wagons;**  
 28 **(3) a golf cart when operated in accordance with an ordinance**  
 29 **adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a); or**  
 30 **(4) a motor vehicle that was designed to have a maximum design**  
 31 **speed of not more than twenty-five (25) miles per hour and that**  
 32 **was built, constructed, modified, or assembled by a person other**  
 33 **than the manufacturer;**

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

36 SECTION 71. IC 9-17-2-1, AS AMENDED BY P.L.131-2008,  
 37 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2012]: Sec. 1. (a) This section does not apply to an off-road  
 39 vehicle that is at least five (5) model years old.

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

ES 257—LS 6814/DI 96+



C  
o  
p  
y

- 1 (1) are subject to the motor vehicle excise tax under IC 6-6-5; or  
 2 (2) are off-road vehicles;  
 3 and that will be operated in Indiana.  
 4 (c) ~~Within sixty (60) days after becoming an Indiana resident,~~ A  
 5 person ~~shall~~ **must** obtain a certificate of title for all commercial  
 6 vehicles owned by the person that:  
 7 (1) are subject to the commercial vehicle excise tax under  
 8 IC 6-6-5.5;  
 9 (2) are not subject to proportional registration under the  
 10 International Registration Plan; and  
 11 (3) will be operated in Indiana.  
 12 (d) ~~Within sixty (60) days after becoming an Indiana resident,~~ A  
 13 person must obtain a certificate of title for all recreational vehicles  
 14 owned by the person that:  
 15 (1) are subject to the excise tax imposed under IC 6-6-5.1; and  
 16 (2) will be operated in Indiana.  
 17 (e) **A person must obtain a certificate of title for all vehicles**  
 18 **owned by the person not later than sixty (60) days after becoming**  
 19 **an Indiana resident.** A person must produce evidence concerning the  
 20 date on which the person became an Indiana resident.  
 21 SECTION 72. IC 9-17-2-2, AS AMENDED BY P.L.83-2008,  
 22 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2012]: Sec. 2. (a) A person applying for a certificate of title  
 24 for a vehicle must submit an application on a form furnished by the  
 25 bureau ~~that contains~~ **and provide** the following information:  
 26 (1) A full description of the vehicle, **including the make, model,**  
 27 **and year of manufacture of the vehicle.**  
 28 (2) A statement of ~~the person's title and~~ of any lien or  
 29 encumbrance on the vehicle.  
 30 **(3) The vehicle identification number or special identification**  
 31 **number of the vehicle.**  
 32 **(4) The former title number, if applicable.**  
 33 **(5) The purchase or acquisition date.**  
 34 **(6) The name, residence address and, if different from the**  
 35 **residence address, mailing address, and Social Security**  
 36 **number or federal identification number of the person.**  
 37 ~~(7)~~ **(7)** Other information **that** the bureau requires.  
 38 (b) This subsection applies only to an individual who receives an  
 39 interest in a vehicle under IC 9-17-3-9. To obtain a certificate of title  
 40 for the vehicle, the individual must do the following:  
 41 (1) Surrender the certificate of title designating the individual as  
 42 a transfer on death beneficiary.



C  
o  
p  
y

- 1 (2) Submit proof of the transferor's death.
- 2 (3) Submit an application for a certificate of title on a form
- 3 furnished by the bureau that meets the requirements of subsection
- 4 (a).

5 SECTION 73. IC 9-17-2-3, AS AMENDED BY P.L.131-2008,  
 6 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2012]: Sec. 3. (a) The ~~form~~ **application** described under  
 8 section 2 of this chapter must include the following printed statement:

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

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

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

16 SECTION 74. IC 9-17-2-4 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. If a certificate of  
 18 title:

- 19 (1) has been previously issued for a vehicle in Indiana, an
- 20 application for a certificate of title must be accompanied by the
- 21 previously issued certificate of title, unless otherwise provided; or
- 22 (2) has not previously been issued for a vehicle in Indiana, an
- 23 application for a certificate of title must be accompanied by a
- 24 manufacturer's certificate of origin as provided in IC 9-17-8,
- 25 unless otherwise provided **in this chapter.**

26 SECTION 75. IC 9-17-2-7 IS AMENDED TO READ AS  
 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. The bureau shall  
 28 retain the evidence of title presented by a person upon which the  
 29 Indiana certificate of title is issued **in accordance with applicable**  
 30 **document and record retention requirements.**

31 SECTION 76. IC 9-17-2-9, AS AMENDED BY P.L.1-2007,  
 32 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2012]: Sec. 9. (a) This section does not apply to a ~~motor an~~  
 34 ~~off-road~~ **vehicle** requiring a certificate of title under ~~section 1(b)(2) or~~  
 35 ~~1.5~~ of this chapter.

- 36 (b) A person applying for a certificate of title must:
- 37 (1) apply for registration of the vehicle described in the
- 38 application for the certificate of title; or
- 39 (2) transfer the current registration of the vehicle owned or
- 40 previously owned by the person.

41 SECTION 77. IC 9-17-2-10 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. If the bureau is

C  
O  
P  
Y



1 satisfied that the person applying for a certificate of title is the owner  
 2 of the vehicle, ~~or is otherwise entitled to have the vehicle registered in~~  
 3 ~~the person's name~~; the bureau may issue a certificate of title for the  
 4 vehicle.

5 SECTION 78. IC 9-17-2-11 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) The bureau shall  
 7 deliver a certificate of title to the person who owns the vehicle if no  
 8 lien or encumbrance appears on the certificate of title.

9 (b) If a lien or an encumbrance appears on the vehicle, the bureau  
 10 shall deliver the certificate of title to the person ~~named to receive the~~  
 11 ~~certificate of title who holds the lien or encumbrance set forth~~ in the  
 12 application for the certificate of title.

13 SECTION 79. IC 9-17-3-2 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) If a certificate of  
 15 title:

- 16 (1) is lost **or stolen**;
- 17 (2) is mutilated;
- 18 (3) is destroyed; or
- 19 (4) becomes illegible;

20 the person who owns the vehicle or the legal representative or legal  
 21 successor in interest of the person who owns the vehicle for which the  
 22 certificate of title was issued, as shown by the records of the bureau,  
 23 shall immediately apply for and may obtain a duplicate certificate of  
 24 title.

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

- 27 (1) furnish information satisfactory to the bureau concerning the  
 28 loss, **theft**, mutilation, destruction, or illegibility of the certificate  
 29 of title; and
- 30 (2) pay the fee provided under IC 9-29.

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

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

35 SECTION 80. IC 9-17-3-3.2, AS ADDED BY P.L.131-2008,  
 36 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2012]: Sec. 3.2. ~~The form furnished by the bureau under~~  
 38 ~~IC 9-17-2-2 must contain the following language immediately below~~  
 39 ~~the signature of the seller:~~

40 ~~"If this (a) When a certificate of title is available and a~~ vehicle  
 41 is sold or transferred to a person other than a dealer licensed in  
 42 Indiana, the seller or transferor ~~is required to~~ **shall** fill in all

C  
O  
P  
Y



1 blanks on the certificate of title relating to buyer information,  
2 including the sale price.

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

7 SECTION 81. IC 9-17-3-4 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A certificate of  
9 title for a vehicle held by an Indiana resident who is serving in the  
10 armed forces of the United States may be transferred by the **Indiana**  
11 resident to another person if the resident authorizes the transfer by a  
12 **valid power of attorney or a** letter signed by the **Indiana** resident.  
13 **The valid power of attorney or the letter must be accompanied by**  
14 **proof that the Indiana resident is actively serving in the armed**  
15 **forces of the United States and is out of the state.**

16 (b) When the bureau receives the **power of attorney or letter and**  
17 **proof** described in subsection (a), the bureau may make the transfer to  
18 the person named in the **power of attorney or** letter.

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

21 (1) must be attached to the certificate of title being transferred;  
22 and

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

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

27 (e) If the bureau is satisfied that the signature is the signature of the  
28 person who owns the vehicle described in the certificate of title, the  
29 bureau shall issue an appropriate certificate of title over the signature  
30 of the bureau and sealed with the seal of the bureau to the person  
31 named in the letter.

32 SECTION 82. IC 9-17-3-5 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Whenever a  
34 vehicle for which a certificate of title is required by this article is sold  
35 under:

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

37 (2) any provision of an Indiana statute;

38 the person who purchases the vehicle may obtain a certificate of title  
39 for the vehicle by filing an application for the certificate of title with  
40 the bureau and attaching to the application written evidence showing  
41 the order, process, or statute under which the person obtained  
42 ownership of the vehicle.

C  
O  
P  
Y



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

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

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

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

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

10 (4) **name and address of the person who is entitled to;**  
 11 **the vehicle.**

12 SECTION 83. IC 9-17-3-6 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Except as  
 14 provided in subsection (b), if the bureau receives notification from  
 15 another state or a foreign country that a certificate of title for a vehicle  
 16 that was issued by the bureau has been surrendered by the person who  
 17 owns the vehicle in conformity with the laws of the other state or  
 18 country, the bureau may cancel the record of certificate of title in  
 19 Indiana.

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

22 SECTION 84. IC 9-17-3-8 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau shall:  
 24 ~~adopt rules under IC 4-22-2 that:~~

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

27 (A) whether that motor vehicle has previously been titled in  
 28 Indiana; and

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

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

34 SECTION 85. IC 9-17-4-0.3 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 0.3. As used in this  
 36 chapter, "assembled vehicle" means:

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

38 (A) frame;

39 (B) chassis;

40 (C) cab; or

41 (D) body;

42 replaced **or constructed;** or

C  
O  
P  
Y



1 (2) a motorcycle that has had the:

2 (A) frame; or

3 (B) engine;

4 replaced **or constructed**.

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

8 SECTION 86. IC 9-17-4-0.5 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 0.5. As used in this  
10 chapter, "**special** identification number" means a distinguishing  
11 number assigned by the bureau to a privately assembled motor vehicle,  
12 semitrailer, or recreational vehicle.

13 SECTION 87. IC 9-17-4-1 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. If a motor vehicle,  
15 semitrailer, or recreational vehicle has been built, constructed, or  
16 assembled by the person who owns the motor vehicle, semitrailer, or  
17 recreational vehicle, the person shall:

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

21 (2) make application through the bureau for ~~an~~ **a special**  
22 identification number for the motor vehicle, semitrailer, or  
23 recreational vehicle;

24 (3) after receipt of the **special** identification number described in  
25 subdivision (2), stamp or attach the **special** identification number  
26 received from the bureau in the manner provided in section ~~2(2)~~  
27 **2(3)** of this chapter; and

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

30 SECTION 88. IC 9-17-4-2 IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A certificate of title  
32 may not be issued for a **manufactured or** privately assembled motor  
33 vehicle, semitrailer, or recreational vehicle that does not have a  
34 **distinctive special** identification number stamped on the motor vehicle,  
35 semitrailer, or recreational vehicle or permanently attached to the  
36 motor vehicle, semitrailer, or recreational vehicle until the person who  
37 owns the motor vehicle, semitrailer, or recreational vehicle has:

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

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

41 ~~(2)~~ **(3)** stamped or permanently attached the **special** identification  
42 number in a conspicuous place on the frame of the motor vehicle,

C  
o  
p  
y



1 semitrailer, or recreational vehicle.

2 SECTION 89. IC 9-17-4-3 IS REPEALED [EFFECTIVE JULY 1,  
3 2012]. ~~Sec. 3. In obtaining an identification number, substantially the~~  
4 ~~same procedure shall be followed as is provided in this article for~~  
5 ~~obtaining a certificate of title from the bureau.~~

6 SECTION 90. IC 9-17-4-4 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A certificate of title  
8 issued under this chapter must contain the following:

9 (1) A description and other evidence of identification of the motor  
10 vehicle, semitrailer, or recreational vehicle as required by the  
11 bureau.

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

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

16 (A) For a vehicle assembled using all new vehicle parts,  
17 excluding the vehicle frame, "~~ASSEMBLED~~  
18 "**RECONSTRUCTED VEHICLE**".

19 (B) For a vehicle assembled using used parts, "REBUILT  
20 VEHICLE".

21 (C) For a vehicle assembled using a salvage vehicle or parts,  
22 "REBUILT SALVAGE".

23 SECTION 91. IC 9-17-4-4.5 IS ADDED TO THE INDIANA CODE  
24 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
25 1, 2012]: **Sec. 4.5. (a) A person must obtain a body change title**  
26 **whenever a vehicle is altered so that the alteration changes the type**  
27 **of the vehicle, as noted on the:**

28 (1) **current title; or**

29 (2) **certificate of origin;**

30 **of the vehicle.**

31 **(b) To receive a body change title, an applicant must provide:**

32 (1) **the former title or certificate of origin;**

33 (2) **a properly completed body change affidavit using a bureau**  
34 **designated form; and**

35 (3) **proof of a vehicle inspection.**

36 **(c) An assembled vehicle and a vehicle that is altered such that**  
37 **the vehicle type is changed must meet all applicable federal and**  
38 **state highway safety requirements before the vehicle may be titled**  
39 **and registered for operation on highways.**

40 SECTION 92. IC 9-17-5-5 IS ADDED TO THE INDIANA CODE  
41 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
42 1, 2012]: **Sec. 5. (a) A security agreement covering a security**

C  
O  
P  
Y



1 interest in a vehicle that is not inventory held for sale can be  
 2 perfected only if the bureau indicates the security interest on the  
 3 certificate of title or duplicate. Except as otherwise provided in  
 4 subsections (b) and (c), IC 26-1-9.1 applies to security interests in  
 5 vehicles.

6 (b) The secured party, upon presentation to the bureau of a  
 7 properly completed application for certificate of title together with  
 8 the fee prescribed, may have a notation of the lien made on the face  
 9 of the certificate of title to be issued by the bureau. The bureau  
 10 shall:

11 (1) enter the notation and the date of the notation; and

12 (2) note the lien and date of lien in the bureau's files.

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

15 SECTION 93. IC 9-17-6-12 IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. If the bureau is  
 17 satisfied that the person applying for the certificate of title is the owner  
 18 of the manufactured home or is otherwise entitled to have the  
 19 manufactured home titled in the person's name, the bureau shall issue  
 20 an appropriate certificate of title. ~~over the signature of the bureau and~~  
 21 ~~sealed with the seal of the bureau.~~

22 SECTION 94. IC 9-17-7-2.5 IS ADDED TO THE INDIANA CODE  
 23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 24 1, 2012]: Sec. 2.5. (a) A security agreement covering a security  
 25 interest in a trailer that is not inventory held for sale can be  
 26 perfected only if the bureau indicates the security interest on the  
 27 certificate of title or duplicate. Except as otherwise provided in  
 28 subsections (b) and (c), IC 26-1-9.1 applies to security interests in  
 29 trailers.

30 (b) The secured party, upon presentation to the bureau of a  
 31 properly completed application for certificate of title together with  
 32 the fee prescribed in IC 9-29-4, may have a notation of the lien  
 33 made on the face of the certificate of title to be issued by the  
 34 bureau. The bureau shall:

35 (1) enter the notation and the date of the notation; and

36 (2) note the lien and date of lien in the bureau's files.

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

39 SECTION 95. IC 9-18-1-1, AS AMENDED BY P.L.182-2009(ss),  
 40 SECTION 285, IS AMENDED TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not apply to the  
 42 following:



C  
o  
p  
y

- 1 (1) Farm wagons.  
 2 (2) Farm tractors.  
 3 (3) A new motor vehicle if the new motor vehicle is being  
 4 operated in Indiana solely to remove it from an accident site to a  
 5 storage location because:  
 6 (A) the new motor vehicle was being transported on a railroad  
 7 car or semitrailer; and  
 8 (B) the railroad car or semitrailer was involved in an accident  
 9 that required the unloading of the new motor vehicle to  
 10 preserve or prevent further damage to it.  
 11 (4) An implement of agriculture designed to be operated primarily  
 12 in a farm field or on farm premises.  
 13 (5) Off-road vehicles.  
 14 (6) Golf carts when operated in accordance with an ordinance  
 15 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).  
 16 **(7) Vehicles that are not issued a certificate of title under**  
 17 **IC 9-17, unless otherwise provided in this article.**  
 18 SECTION 96. IC 9-18-2-1, AS AMENDED BY P.L.1-2009,  
 19 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2012]: Sec. 1. (a) ~~Within sixty (60) days after becoming an~~  
 21 ~~Indiana resident~~; A person must register all motor vehicles owned by  
 22 the person that:  
 23 (1) are subject to the motor vehicle excise tax under IC 6-6-5; and  
 24 (2) will be operated in Indiana.  
 25 (b) ~~Within sixty (60) days after becoming an Indiana resident~~; A  
 26 person must register all commercial vehicles owned by the person that:  
 27 (1) are subject to the commercial vehicle excise tax under  
 28 IC 6-6-5.5;  
 29 (2) are not subject to proportional registration under the  
 30 International Registration Plan; and  
 31 (3) will be operated in Indiana.  
 32 (c) ~~Within sixty (60) days after becoming an Indiana resident~~; A  
 33 person must register all recreational vehicles owned by the person that:  
 34 (1) are subject to the excise tax imposed under IC 6-6-5.1; and  
 35 (2) will be operated in Indiana.  
 36 (d) A person must ~~produce evidence concerning the date on which~~  
 37 **register all vehicles owned by the person became not later than sixty**  
 38 **(60) days after becoming** an Indiana resident.  
 39 (e) Except as provided in subsection (f), an Indiana resident must  
 40 register all motor vehicles operated in Indiana.  
 41 (f) An Indiana resident who has a legal residence in a state that is  
 42 not contiguous to Indiana may operate a motor vehicle in Indiana for



C  
 O  
 P  
 Y

1 not more than sixty (60) days without registering the motor vehicle in  
2 Indiana.

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

9 (1) the Indiana resident is:

10 (A) an active member of the armed forces of the United States;

11 and

12 (B) assigned to a duty station outside Indiana; and

13 (2) the motor vehicle is not operated inside or outside Indiana.

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

16 (h) When an Indiana resident registers a motor vehicle in Indiana  
17 after the period of exemption described in subsection (g), the Indiana  
18 resident may submit an affidavit that:

19 (1) states facts demonstrating that the motor vehicle is a motor  
20 vehicle described in subsection (g); and

21 (2) is signed by the owner of the motor vehicle under penalties of  
22 perjury;

23 as sufficient proof that the owner of the motor vehicle is not required  
24 to register the motor vehicle during a registration year described in  
25 subsection (g). The commission or bureau may not require the Indiana  
26 resident to pay any civil penalty or any reinstatement or other fee that  
27 is not also charged to other motor vehicles being registered in the same  
28 registration year.

29 SECTION 97. IC 9-18-2-11 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. A **person**  
31 **registering a motor vehicle may be registered** in Indiana **only if must**  
32 **have** proof of financial responsibility **that is in effect** in the amounts  
33 specified in IC 9-25 **is produced available** for inspection at the time **an**  
34 **the person's** application for registration is made. **in a form required by**  
35 **the bureau.**

36 SECTION 98. IC 9-18-2-16 IS AMENDED TO READ AS  
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. ~~(a) A person who~~  
38 ~~owns a vehicle must sign an application in ink to register the vehicle.~~

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

41 (1) The:

42 (A) name, bona fide residence, and mailing address, including

C  
O  
P  
Y



- 1 the name of the county, of the person who owns the vehicle; or  
 2 (B) business address, including the name of the county, of the  
 3 person that owns the vehicle if the person is a firm, a  
 4 partnership, an association, a corporation, a limited liability  
 5 company, or a unit of government.  
 6 If the vehicle that is being registered has been leased and is  
 7 subject to the motor vehicle excise tax under IC 6-6-5 or the  
 8 commercial vehicle excise tax under IC 6-6-5.5, ~~the application~~  
 9 ~~must contain~~ the address of the person who is leasing the vehicle  
 10 **must be provided.** If the vehicle that is being registered has been  
 11 leased and is not subject to the motor vehicle excise tax under  
 12 IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5,  
 13 ~~the application must contain~~ the address of the person who owns  
 14 the vehicle, the person who is the lessor of the vehicle, or the  
 15 person who is the lessee of the vehicle **must be provided.** If a  
 16 leased vehicle is to be registered under the International  
 17 Registration Plan, the registration procedures are governed by the  
 18 terms of the plan.  
 19 (2) A brief description of the vehicle to be registered, including  
 20 the following information if available:  
 21 (A) The name of the manufacturer of the vehicle.  
 22 (B) The vehicle identification number.  
 23 (C) The manufacturer's rated capacity if the vehicle is a truck,  
 24 tractor, trailer, or semitrailer.  
 25 (D) The type of body of the vehicle.  
 26 (E) The model year of the vehicle.  
 27 **(F) The color of the vehicle.**  
 28 ~~(F)~~ **(G)** Any other information reasonably required by the  
 29 bureau to enable the bureau to determine if the vehicle may be  
 30 registered. The bureau may request the person applying for  
 31 registration to provide the vehicle's odometer reading.  
 32 (3) ~~A space on the application in which~~ The person registering the  
 33 vehicle may indicate the person's desire to donate money to  
 34 organizations that promote the procurement of organs for  
 35 anatomical gifts. The ~~space on the application~~ **bureau** must:  
 36 (A) allow the person registering the vehicle to indicate the  
 37 amount the person desires to donate; and  
 38 (B) provide that the minimum amount a person may donate is  
 39 one dollar (\$1).  
 40 Funds collected under this subdivision shall be deposited with the  
 41 treasurer of state in a special account. The auditor of state shall  
 42 monthly distribute the money in the special account to the

C  
O  
P  
Y

1 anatomical gift promotion fund established by IC 16-19-3-26. The  
 2 bureau may deduct from the funds collected under this  
 3 subdivision the costs incurred by the bureau in implementing and  
 4 administering this subdivision.

5 ~~(c)~~ (b) The department of state revenue may audit records of  
 6 persons who register trucks, trailers, semitrailers, buses, and rental cars  
 7 under the International Registration Plan to verify the accuracy of the  
 8 application and collect or refund fees due.

9 SECTION 99. IC 9-18-2-17, AS AMENDED BY P.L.163-2011,  
 10 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2012]: Sec. 17. (a) Upon receiving ~~an application the~~  
 12 **information** under section 16 of this chapter, the bureau shall:

- 13 (1) determine:  
 14 (A) the genuineness and regularity of the ~~application;~~  
 15 **information;** and  
 16 (B) that the person applying for registration is entitled to  
 17 register the vehicle;  
 18 ~~(2) file the application;~~  
 19 ~~(3)~~ (2) subject to subsection (b), register the vehicle described in  
 20 the application; and  
 21 ~~(4)~~ (3) keep a record of the ~~application on suitable index cards~~  
 22 **registration of the vehicle** under a distinctive registration  
 23 number assigned to the vehicle ~~and in any other a manner the~~  
 24 bureau considers desirable for the convenience of the bureau.

25 (b) Upon receiving notice, as described in IC 9-21-3.5-10(c), of the  
 26 failure of an owner of a vehicle to pay a fine, charge, or other  
 27 assessment for a toll violation documented under IC 9-21-3.5-12, the  
 28 bureau shall withhold the annual registration of the vehicle that was  
 29 used in the commission of the toll violation until the owner pays the  
 30 fine, charge, or other assessment, plus any applicable fees, to:

- 31 (1) the bureau; or  
 32 (2) the appropriate authority under IC 9-21-3.5 that is responsible  
 33 for the collection of fines, charges, or other assessments for toll  
 34 violations under IC 9-21-3.5.

35 If the owner pays the fine, charge, or assessment, plus any applicable  
 36 fees, to the bureau as described in subdivision (1), the bureau shall  
 37 remit the appropriate amount to the appropriate authority under  
 38 IC 9-21-3.5 that is responsible for the collection of fines, charges,  
 39 assessments, or fees for toll violations under IC 9-21-3.5.

40 SECTION 100. IC 9-18-2-21 IS AMENDED TO READ AS  
 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 21. (a) ~~A~~ **The person**  
 42 ~~who registers a vehicle, whose name appears on the certificate of~~

C  
 O  
 P  
 Y



1 **registration**, except a person who registers a vehicle under the  
 2 International Registration Plan, shall sign the person's copy of the  
 3 certificate of registration in ink in the space provided.

4 (b) A certificate of registration or a legible reproduction of the  
 5 certificate of registration must be carried:

- 6 (1) in the vehicle to which the registration refers; or  
 7 (2) by the person driving or in control of the vehicle, who shall  
 8 display the registration upon the demand of a police officer.

9 (c) A legible reproduction of the certificate of registration may be  
 10 made by any photostatic or similar process. ~~The valid stamp must be~~  
 11 ~~legible on the reproduced copy:~~

12 SECTION 101. IC 9-18-2-24 IS REPEALED [EFFECTIVE JULY  
 13 1, 2012]. ~~Sec. 24. The bureau may destroy applications for registration~~  
 14 ~~of motor vehicles that have been on file in the bureau for a period of at~~  
 15 ~~least three (3) years:~~

16 SECTION 102. IC 9-18-2-29.5, AS ADDED BY P.L.210-2005,  
 17 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2012]: Sec. 29.5. Before a piece of special machinery is  
 19 operated off a highway or in a farm field, the person who owns the  
 20 piece of special machinery must:

- 21 (1) register the piece of special machinery with the bureau; and  
 22 (2) pay the applicable **special machinery** registration fee.

23 SECTION 103. IC 9-18-4-7 IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) The bureau may:

- 25 (1) prescribe forms; and  
 26 (2) adopt rules;

27 to implement this chapter.

28 (b) A form prescribed under this section must include the  
 29 information described in ~~IC 9-18-2-16(b)(3): IC 9-18-2-16(a)(3).~~

30 SECTION 104. IC 9-18-5-2 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~An application A~~  
 32 **request** for registration under this chapter must be:

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

36 SECTION 105. IC 9-18-5-3 IS AMENDED TO READ AS  
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Upon receiving ~~an~~  
 38 ~~application and~~ a letter of authorization, the bureau shall determine if  
 39 the signature on the letter is that of the person who holds the certificate  
 40 of title for the motor vehicle by comparing the signature on the letter  
 41 with the signature on the certificate of title.

42 SECTION 106. IC 9-18-7-1 IS AMENDED TO READ AS



C  
O  
P  
Y

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) A person may  
 2 apply for and receive a temporary registration permit for a motor  
 3 vehicle, semitrailer, trailer designed to be used with a semitrailer, or  
 4 recreational vehicle.

5 (b) ~~Except as provided in section 1.5 of this chapter,~~ A temporary  
 6 registration permit is valid for a period of thirty (30) days from the date  
 7 of issuance and authorizes the use of the motor vehicle, semitrailer,  
 8 trailer designed to be used with a semitrailer, or recreational vehicle on  
 9 the highways if any of the following conditions exist:

10 (1) The person has purchased or otherwise obtained the vehicle  
 11 in Indiana and will be titling or registering the vehicle in another  
 12 state **or foreign country.**

13 (2) The person is a resident of Indiana and is intending to move  
 14 to another state and the current vehicle registration or temporary  
 15 permit will expire before the person moves.

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

19 (4) The person is a manufacturer of semitrailers or trailers  
 20 designed to be used with a semitrailer that may be leased by the  
 21 manufacturer to any person, including a motor carrier, for not  
 22 more than the term of the special registration permit. This  
 23 subdivision does not prohibit the transportation of property on a  
 24 semitrailer or trailer operating under a temporary registration  
 25 permit. A copy of the lease must accompany the semitrailer or  
 26 trailer.

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

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

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

31 **(6) The person owns a vehicle for which emissions testing is**  
 32 **required and the vehicle will require further mechanical**  
 33 **repairs in order to comply with the emissions testing**  
 34 **requirements.**

35 (c) The bureau shall prescribe the form of a temporary registration  
 36 permit.

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

39 (e) The bureau may provide for the bulk issuance of temporary  
 40 registration permits to manufacturers for the purpose of subsection  
 41 (b)(4).

42 (f) Subject to IC 9-25-1-2, a temporary registration permit may be

C  
O  
P  
Y



1 obtained under this section if the owner of the vehicle provides proof  
 2 of financial responsibility in the amounts specified under IC 9-25 in a  
 3 form required by the bureau.

4 SECTION 107. IC 9-18-7-1.5 IS REPEALED [EFFECTIVE JULY  
 5 1, 2012]. Sec. 1.5: (a) This section applies to a temporary registration  
 6 permit obtained:

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

8 (2) by an individual who:

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

10 (B) purchases a vehicle described in subdivision (1) with the  
 11 intention of registering the vehicle in the foreign country of  
 12 which the individual is a citizen:

13 (b) A temporary registration permit issued under this section is valid  
 14 for ninety (90) days from the date of issuance and authorizes the use of  
 15 the vehicle on the highways:

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

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

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

26 SECTION 108. IC 9-18-11-3 IS REPEALED [EFFECTIVE JULY  
 27 1, 2012]. Sec. 3: A person engaged in operating at least one (1) fleet of  
 28 intercity buses may, instead of registering the buses under any other  
 29 law, register each fleet for operation in Indiana by filing an application  
 30 with the bureau that contains the following information:

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

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

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

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

39 SECTION 109. IC 9-18-12-3 IS REPEALED [EFFECTIVE JULY  
 40 1, 2012]. Sec. 3: (a) An application for the registration of an antique  
 41 motor vehicle under this chapter must be accompanied by a certificate  
 42 that indicates that the antique motor vehicle has:

C  
O  
P  
Y



1           (1) been inspected for general safety; and  
 2           (2) been found to be in a mechanical condition that the vehicle  
 3           can be operated safely on the highways:  
 4           (b) The state police department shall make the inspection and issue  
 5           the certificate under this section:  
 6           SECTION 110. IC 9-18-14-2 IS AMENDED TO READ AS  
 7           FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. If a person who owns  
 8           a military vehicle registers the military vehicle under this chapter, the  
 9           registration of the military vehicle is for the life of the military vehicle.  
 10          **A person who owns a military vehicle shall also pay any applicable**  
 11          **excise taxes under IC 6-6-5 and IC 6-6-5.5.**  
 12          SECTION 111. IC 9-18-14-5 IS REPEALED [EFFECTIVE JULY  
 13          1, 2012]. ~~Sec. 5. The bureau shall adopt rules under IC 4-22-2 to~~  
 14          ~~implement this chapter.~~  
 15          SECTION 112. IC 9-22-1-4, AS AMENDED BY P.L.191-2007,  
 16          SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17          JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (c), the  
 18          **person who owns owner of** an abandoned vehicle or parts is:  
 19                  (1) responsible for the abandonment; and  
 20                  (2) liable for all of the costs incidental to the removal, storage,  
 21                  and disposal;  
 22          of the vehicle or the parts under this chapter.  
 23          (b) The costs for storage of an abandoned vehicle may not exceed  
 24          one thousand five hundred dollars (\$1,500).  
 25          (c) If an abandoned vehicle is sold by a person who removed, towed,  
 26          or stored the vehicle, the person who previously owned the vehicle is  
 27          not responsible for storage fees.  
 28          (d) If an abandoned vehicle is sold by a person who removed,  
 29          towed, or stored the vehicle, and proceeds from the sale of the vehicle  
 30          covered the removal, towing, and storage expenses, any remaining  
 31          proceeds from the sale of the vehicle shall be returned to the previous  
 32          owner of the vehicle if the previous owner is known.  
 33          SECTION 113. IC 9-22-1-5 IS AMENDED TO READ AS  
 34          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. When an officer  
 35          discovers a vehicle in the possession of a person other than the ~~person~~  
 36          **who owns owner of** the vehicle and the person cannot establish the  
 37          right to possession of the vehicle, the vehicle shall be taken to and  
 38          stored in a suitable place.  
 39          SECTION 114. IC 9-22-1-6 IS REPEALED [EFFECTIVE JULY 1,  
 40          2012]. ~~Sec. 6. The bureau shall be notified within seventy-two (72)~~  
 41          ~~hours of the location and description of a vehicle described in section~~  
 42          ~~5 of this chapter.~~

COPY



1 SECTION 115. IC 9-22-1-7, AS AMENDED BY P.L.191-2007,  
 2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2012]: Sec. 7. If:

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

9 the vehicle is considered abandoned and must be disposed of under this  
 10 chapter.

11 SECTION 116. IC 9-22-1-8 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. If the properly  
 13 identified person who owns or holds a lien on a vehicle appears at the  
 14 site of storage before disposal of the vehicle or parts and pays all costs  
 15 incurred against the vehicle or parts at that time, the vehicle or parts  
 16 shall be released. **A towing service shall notify the appropriate  
 17 public agency of all releases under this section. The notification  
 18 must include the name, signature, and address of the person that  
 19 owns or holds a lien on the vehicle, a description of the vehicle or  
 20 parts, costs, and the date of release.**

21 SECTION 117. IC 9-22-1-9 IS REPEALED [EFFECTIVE JULY 1,  
 22 2012]. ~~Sec. 9: The release must state the name, signature, and address  
 23 of the person who owns or holds a lien on the vehicle, a description of  
 24 the vehicle or parts, costs, and date of release. A towing service shall  
 25 notify the appropriate public agency of all releases under section 8 of  
 26 this chapter.~~

27 SECTION 118. IC 9-22-1-12, AS AMENDED BY P.L.131-2008,  
 28 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2012]: Sec. 12. If a vehicle or a part tagged under section 11  
 30 of this chapter is not removed within the applicable period, the officer  
 31 shall prepare a written abandoned vehicle report of the vehicle or parts,  
 32 including information on the condition **and** missing parts. ~~and other  
 33 facts that might substantiate the estimated market value of the vehicle  
 34 or parts.~~ Photographs ~~shall~~ **may** be taken to describe the condition of  
 35 the vehicle or parts.

36 SECTION 119. IC 9-22-1-13, AS AMENDED BY P.L.191-2007,  
 37 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2012]: Sec. 13. (a) ~~If in the opinion of the officer~~ **vehicle is a  
 39 junk vehicle and** the market value of an abandoned vehicle or parts  
 40 ~~determined in accordance with section 12~~ of this chapter is less than:

- 41 (1) ~~five hundred dollars (\$500);~~ **one thousand dollars (\$1,000);**  
 42 or

C  
o  
p  
y



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

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

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

26 SECTION 120. IC 9-22-1-14, AS AMENDED BY P.L.104-2005,  
 27 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2012]: Sec. 14. (a) If in the opinion of the officer the market  
 29 value of the abandoned vehicle or parts ~~determined in accordance with~~  
 30 ~~section 12 of this chapter~~ is at least:

31 (1) five hundred dollars (\$500); or

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

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

39 SECTION 121. IC 9-22-1-17, AS AMENDED BY P.L.191-2007,  
 40 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2012]: Sec. 17. A towing service that tows a vehicle under  
 42 section 5 ~~or~~ 16 of this chapter shall give notice to the public agency

ES 257—LS 6814/DI 96+



C  
o  
p  
y

1 that the abandoned vehicle is in the possession of the towing service.

2 SECTION 122. IC 9-22-1-19, AS AMENDED BY P.L.191-2007,  
3 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2012]: Sec. 19. (a) Within seventy-two (72) hours after  
5 removal of a vehicle to a storage yard or towing service under section  
6 5, 13, 14, or 16 of this chapter, the public agency or towing service  
7 shall do the following:

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

11 (A) The make:

12 (B) The model:

13 (C) The identification number:

14 (D) The number of the license plate:

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

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

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

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

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

37 (1) name;

38 (2) address; and

39 (3) telephone number;

40 of the public agency or towing service. **The notice must be made by**  
41 **certified mail or by means of an electronic service approved by the**  
42 **bureau.** Notwithstanding section 4 of this chapter, **and subsection**

C  
O  
P  
Y



1 ~~(b)(2)~~; a public agency or towing service that fails to notify a person  
 2 ~~who owns the owner of or holds a lien~~ **lienholder** on the vehicle as set  
 3 forth in this subsection may not collect additional storage costs  
 4 incurred after the date of receipt of the name and address obtained.  
 5 under subsection (a)(2):

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

9 SECTION 123. IC 9-22-1-21.5 IS ADDED TO THE INDIANA  
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 11 [EFFECTIVE JULY 1, 2012]: **Sec. 21.5. (a) An individual, a firm, a**  
 12 **limited liability company, or a corporation that performs labor,**  
 13 **furnishes materials or storage, or does repair work on a motor**  
 14 **vehicle, trailer, semitrailer, or recreational vehicle at the request**  
 15 **of the person that owns the vehicle has a lien on the vehicle for the**  
 16 **reasonable value of the charges for the labor, materials, storage, or**  
 17 **repairs.**

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

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

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

27 (3) in accordance with this chapter;

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

33 (c) If:

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

36 (2) the motor vehicle, trailer, semitrailer, or recreational  
 37 vehicle is not claimed;

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

C  
o  
p  
y



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

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

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

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

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

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

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

40 (h) A person that holds a lien under this section may deduct and  
 41 retain the amount of the lien and the cost of the advertisement  
 42 required under subsection (d) from the purchase price received for

C  
O  
P  
Y



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

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

14 (1) The facts of the sale.

15 (2) The vehicle identification number.

16 (3) The certificate of title if available.

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

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

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

24 SECTION 124. IC 9-22-1-23, AS AMENDED BY P.L.191-2007,  
 25 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2012]: Sec. 23. (a) This section applies to a city, town, or  
 27 county.

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

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

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

40 (c) This subsection applies to a consolidated city or county  
 41 containing a consolidated city. If the person who owns or holds a lien  
 42 upon a vehicle does not appear within fifteen (15) days after the

C  
O  
P  
Y



1 mailing of a notice **or the notification made by electronic service**  
2 under section 19 of this chapter, the unit may sell the vehicle or parts  
3 by either of the following methods:

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

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

11 SECTION 125. IC 9-22-1.5-4 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The property owner  
13 shall:

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

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

30 (3) advertise that the mobile home will be offered for sale at  
31 public auction in conformity with IC 26-1-7-210 and  
32 IC 26-1-2-328. The advertisement of sale must be published once  
33 a week for two (2) consecutive weeks in a newspaper of general  
34 circulation in the county where the mobile home has been left  
35 without permission. The advertisement must include a description  
36 of the mobile home, the name of the owner of the mobile home,  
37 if ascertainable, and the time and place of the sale. The sale must  
38 take place at least fifteen (15) days after the first publication. If  
39 there is no newspaper of general circulation where the sale is to  
40 be held, the advertisement must be posted at least ten (10) days  
41 before the sale in not less than six (6) conspicuous places in the  
42 neighborhood of the proposed sale;

C  
o  
p  
y



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

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

21 SECTION 126. IC 9-22-3-1 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) Except as  
 23 provided in subsection (b), ~~and section 14 of this chapter~~, this chapter  
 24 applies each year to a motor vehicle, semitrailer, or recreational vehicle  
 25 manufactured within the last seven (7) model years, including the  
 26 current model year. The bureau shall establish guidelines for  
 27 determining the applicability of the model year effective dates for each  
 28 year.

29 (b) The bureau may extend the model years to be covered each year  
 30 by this chapter up to a maximum of fifteen (15) model years, which  
 31 includes the current model year. ~~after doing the following:~~

- 32 ~~(1) Conducting a public hearing.~~
- 33 ~~(2) Giving reasonable notice to known businesses affected by this~~
- 34 ~~chapter.~~

35 SECTION 127. IC 9-22-3-4 IS AMENDED TO READ AS  
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau shall  
 37 issue a certificate of salvage title as proof of ownership for a salvage  
 38 motor vehicle when the acquiring insurance company, disposal facility,  
 39 or person does the following:

- 40 (1) Applies for the certificate of salvage title.
- 41 (2) Pays the appropriate fee under IC 9-29-7.
- 42 (3) Surrenders the motor vehicle's original certificate of title ~~The~~

C  
o  
p  
y



1 certificate of title must be properly notarized or include the  
 2 affidavit of the last person who owned the vehicle; the person's  
 3 legal representative; or legal successor in interest of the vehicle;  
 4 or other acceptable proof of ownership as determined by the  
 5 bureau.

6 SECTION 128. IC 9-22-3-5 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. A certificate of  
 8 salvage title issued under section 4 of this chapter must contain the  
 9 following information:

10 (1) The same vehicle information as a certificate of title issued by  
 11 the ~~department~~ **bureau**.

12 (2) The notation "SALVAGE TITLE" prominently recorded on  
 13 the front and back of the title.

14 (3) If the motor vehicle is a flood damaged vehicle, the notation  
 15 "FLOOD DAMAGED" prominently recorded on the front and  
 16 back of the title.

17 SECTION 129. IC 9-22-3-9 IS REPEALED [EFFECTIVE JULY 1,  
 18 2012]. ~~Sec. 9: If a dealer purchases a salvage motor vehicle subject to~~  
 19 ~~section 8 of this chapter and applies for a certificate of dealer title, the~~  
 20 ~~affidavit attached to the certificate of salvage title must also be attached~~  
 21 ~~to the certificate of dealer title. The bureau must retain the affidavit or~~  
 22 ~~a microfilm copy of the form for ten (10) years.~~

23 SECTION 130. IC 9-22-3-10 IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) If a certificate  
 25 of salvage title is lost, mutilated, or destroyed or becomes illegible, the  
 26 person who owns the vehicle or the legal representative or legal  
 27 successor in interest of the person who owns the motor vehicle,  
 28 semitrailer, or recreational vehicle for which the certificate of salvage  
 29 title was issued, as shown by the records of the bureau, ~~of motor~~  
 30 ~~vehicles~~, shall immediately apply for a duplicate certificate of salvage  
 31 title.

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

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

42 (d) If the lost, mutilated, destroyed, or illegible certificate of salvage

C  
o  
p  
y



1 title contained the notation "FLOOD DAMAGED", the duplicate  
 2 certificate of salvage title must have recorded upon the title's face and  
 3 back the words "FLOOD DAMAGED".

4 SECTION 131. IC 9-22-3-11, AS AMENDED BY P.L.110-2006,  
 5 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2012]: Sec. 11. (a) This section applies to the following  
 7 persons:

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

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

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

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

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

27 (c) When the owner of a vehicle described in subsection (a) retains  
 28 possession of the vehicle:

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

32 (2) the insurance company that completes an agreed settlement  
 33 for the vehicle shall:

34 (A) obtain the certificate of title; and

35 (B) submit to the bureau:

36 (i) the certificate of title;

37 (ii) the appropriate fee; and

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

40 (3) after the bureau has received the items set forth in subdivision  
 41 (2)(B), the bureau shall issue a certificate of salvage title to the  
 42 owner.

C  
O  
P  
Y



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

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

13 (f) A person that violates this section commits a Class D infraction.

14 SECTION 132. IC 9-22-3-12 IS REPEALED [EFFECTIVE JULY  
 15 1, 2012]. ~~Sec. 12: The owner of a salvage motor vehicle not covered by  
 16 this chapter, either because a salvage transaction had taken place  
 17 before September 1, 1975, or because the vehicle is too old, is not  
 18 required to obtain a certificate of salvage title for the vehicle.~~

19 SECTION 133. IC 9-22-3-13 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. A scrap metal  
 21 processor or other appropriate facility that purchases or acquires a  
 22 salvage motor vehicle that has been totally demolished or destroyed as  
 23 a result of normal processing performed by a disposal facility is not  
 24 required to apply for and receive a certificate of salvage title for the  
 25 vehicle. **The facility or processor that performed the processing  
 26 that resulted in the vehicle being demolished or destroyed shall  
 27 surrender the certificate of title, the certificate of authority, or the  
 28 certificate of salvage title to the bureau.** The disposal facility shall  
 29 maintain the records prescribed by the bureau for a totally demolished  
 30 or destroyed vehicle.

31 SECTION 134. IC 9-22-3-14 IS REPEALED [EFFECTIVE JULY  
 32 1, 2012]. ~~Sec. 14: (a) This section applies to all salvage motor vehicles.~~

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

37 SECTION 135. IC 9-22-3-16 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) Except as  
 39 provided in subsection (b), a certificate of title issued under section 8  
 40 9, or 15 of this chapter and a certificate of title subsequently issued  
 41 must conspicuously bear the designation:

42 (1) "REBUILT VEHICLE--MILEAGE UNKNOWN" NOT



C  
o  
p  
y

- 1           **ACTUAL**" if the motor vehicle is not a flood damaged vehicle;  
 2           or  
 3           (2) "REBUILT FLOOD DAMAGED VEHICLE" if the motor  
 4           vehicle is a flood damaged vehicle.
- 5           (b) An insurance company authorized to do business in Indiana may  
 6           obtain a certificate of title that does not bear the designation if the  
 7           company submits to the bureau, in the form and manner the bureau  
 8           requires, satisfactory evidence that the damage to a recovered stolen  
 9           motor vehicle did not meet the criteria set forth in section 3 of this  
 10          chapter.
- 11          (c) An affidavit submitted under section 8 ~~or 9~~ of this chapter must  
 12          conspicuously bear the designation:
- 13           (1) "REBUILT VEHICLE"~~—MILEAGE UNKNOWN~~" if the  
 14           motor vehicle is not a flood damaged vehicle; or  
 15           (2) "REBUILT FLOOD DAMAGED VEHICLE" if the motor  
 16           vehicle is a flood damaged vehicle.
- 17          **(d) A certificate of title for a salvaged motor vehicle issued under**  
 18          **subsection (a) may not designate the mileage of the vehicle.**
- 19          SECTION 136. IC 9-22-3-17 IS AMENDED TO READ AS  
 20          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17. (a) Except as  
 21          provided in subsection (b), whenever a certificate of title is issued for  
 22          a ~~motor~~ vehicle that was previously titled in another state or  
 23          jurisdiction and the certificate of title from the other state or  
 24          jurisdiction contains a "REBUILT", "~~RECONSTRUCTED~~",  
 25          "RECONDITIONED", "DISTRESSED VEHICLE", or similar  
 26          designation, a new and subsequent certificate of title must  
 27          conspicuously bear the designation "REBUILT VEHICLE".
- 28          (b) Whenever a certificate of title is issued for a ~~motor~~ vehicle  
 29          described in subsection (a) that was previously titled in another state  
 30          or jurisdiction and the certificate of title from the other state or  
 31          jurisdiction contains a designation that indicates that the ~~motor~~ vehicle  
 32          is a flood damaged vehicle, a new and subsequent certificate of title  
 33          must conspicuously bear the designation "REBUILT FLOOD  
 34          DAMAGED VEHICLE".
- 35          SECTION 137. IC 9-22-3-18 IS AMENDED TO READ AS  
 36          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. A vehicle that has  
 37          been designated "JUNK", "~~DISMANTLED~~", "SCRAP",  
 38          "~~DESTROYED~~", or **any similar designation** in another state or  
 39          jurisdiction ~~may shall~~ not be titled in Indiana.
- 40          SECTION 138. IC 9-22-3-18.5 IS ADDED TO THE INDIANA  
 41          CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
 42          [EFFECTIVE JULY 1, 2012]: **Sec. 18.5. (a) This section does not**

C  
o  
p  
y

1 apply to a person who sells, exchanges, or transfers golf carts.

2 (b) A seller that is:

3 (1) a dealer; or

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

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

11 SECTION 139. IC 9-22-3-33 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 33. A person who  
13 violates section 4, 5, 6, 7, or 8 of this chapter (or section 9 of this  
14 chapter **before its repeal**) commits a Class D felony.

15 SECTION 140. IC 9-22-5-1 IS REPEALED [EFFECTIVE JULY 1,  
16 2012]. Sec. 1. The following officers may act for their respective units  
17 of government under this chapter:

18 (1) The sheriff, for a county.

19 (2) The chief of police, for a city.

20 (3) A town marshal, for a town.

21 (4) A township trustee, for a township.

22 (5) A state police officer, for the state.

23 SECTION 141. IC 9-22-5-2 IS AMENDED TO READ AS  
24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A:

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

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

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

33 SECTION 142. IC 9-22-5-3 IS AMENDED TO READ AS  
34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The application  
35 required under section 2 of this chapter shall be made in ~~duplicate upon~~  
36 **forms a manner** prescribed and furnished by the bureau. ~~One (1) copy~~  
37 ~~of~~ The application shall be filed with the bureau. ~~and one (1) copy of~~  
38 ~~the application shall be retained by the sheriff.~~

39 SECTION 143. IC 9-22-5-4 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The application  
41 required under section 2 of this chapter must include the following  
42 information:

ES 257—LS 6814/DI 96+



C  
o  
p  
y

- 1 (1) The name and address of the applicant.
- 2 (2) The year, make, model, and ~~engine number~~ **vehicle**
- 3 **identification number** of the ~~motor~~ vehicle, if ascertainable,
- 4 together with any other identifying features.
- 5 (3) A concise statement of the facts surrounding the abandonment
- 6 of the ~~motor~~ vehicle, that the title of the ~~motor~~ vehicle is lost or
- 7 destroyed, or the reasons for the defect of title in the owner of the
- 8 ~~motor~~ vehicle.
- 9 (b) The person making the application required under section 2 of
- 10 this chapter shall execute an affidavit stating that the facts alleged in
- 11 the application are true and that no material fact has been withheld.
- 12 SECTION 144. IC 9-22-5-5 IS REPEALED [EFFECTIVE JULY 1,
- 13 2012]. Sec. 5. (a) The sheriff shall ~~examine each application made~~
- 14 ~~under section 2 of this chapter. If the sheriff finds that the application:~~
- 15 (1) is executed in proper form; and
- 16 (2) shows that the ~~motor vehicle~~ described in the application has
- 17 been abandoned upon the property of the person making the
- 18 application or that the person making the application is the person
- 19 who owns the ~~motor vehicle~~;
- 20 the sheriff shall prepare a written notice:
- 21 (b) The notice required under subsection (a) must include the
- 22 following information:
- 23 (1) The name and address of the applicant.
- 24 (2) The year, make, model, and engine number of the ~~motor~~
- 25 ~~vehicle~~, if ascertainable, together with any other identifying
- 26 features of the ~~motor vehicle~~.
- 27 (3) That the ~~motor vehicle~~ has been abandoned; that the title to
- 28 the ~~motor vehicle~~ is lost or destroyed; or that there is a defect of
- 29 the title in the person who owns the ~~motor vehicle~~.
- 30 (4) That the ~~motor vehicle~~ will be sold for scrap metal unless a
- 31 claim or protest is made.
- 32 (c) The sheriff shall, within five (5) days after receiving an
- 33 application required under section 2 of this chapter, cause the notice
- 34 required under subsection (a) to be distributed as follows:
- 35 (1) Posted at the door of the courthouse for a period of thirty (30)
- 36 days before sale.
- 37 (2) Published once in a newspaper of general circulation of the
- 38 county in which the ~~motor vehicle~~ is located at least thirty (30)
- 39 days before sale.
- 40 (3) Sent to the last person who owned the ~~motor vehicle~~, if
- 41 known.
- 42 SECTION 145. IC 9-22-5-6 IS REPEALED [EFFECTIVE JULY 1,

C  
O  
P  
Y



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

8 SECTION 146. IC 9-22-5-7 IS REPEALED [EFFECTIVE JULY 1,  
 9 2012]. Sec. 7: If a claim or protest is not made before sale, the person  
 10 who filed the application required under section 2 of this chapter shall,  
 11 upon payment of the costs of publication of notice, be given a  
 12 certificate of authority to sell the motor vehicle to a licensed junk  
 13 dealer or an established automobile wrecker for scrap metal. The  
 14 licensed junk dealer or established automobile wrecker shall accept the  
 15 sheriff's certificate of authority instead of the certificate of title to the  
 16 motor vehicle.

17 SECTION 147. IC 9-22-5-8 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The certificate of  
 19 authority **to scrap or dismantle the vehicle** required under section 7  
 20 of this chapter shall be made ~~in triplicate~~ on forms prescribed and  
 21 furnished by the bureau. The certificate of authority must contain the  
 22 following information:

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

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

29 SECTION 148. IC 9-22-5-9 IS REPEALED [EFFECTIVE JULY 1,  
 30 2012]. Sec. 9: ~~The sheriff shall retain one (1) copy of the certificate of~~  
 31 ~~authority required under section 7 of this chapter. The sheriff shall send~~  
 32 ~~one (1) copy of the certificate of authority to the bureau.~~

33 SECTION 149. IC 9-22-5-10 IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. After a certificate  
 35 of authority required under section 7 of this chapter has been delivered  
 36 to the bureau ~~under section 9 of this chapter, by the automobile~~  
 37 **scrapyard**, a certificate of title may not be issued for the motor vehicle  
 38 **that is** described in the certificate of authority **and is noted in the**  
 39 **records of the bureau as "junk".**

40 SECTION 150. IC 9-22-5-11 IS REPEALED [EFFECTIVE JULY  
 41 1, 2012]. Sec. ~~11~~: ~~A fee may not be charged for the filing of an~~  
 42 ~~application under section 2 of this chapter or for the issuance of a~~

C  
o  
p  
y



1 certificate of authority under section 7 of this chapter.

2 SECTION 151. IC 9-22-5-12 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. The person who:

- 4 (1) owns a ~~motor~~ vehicle that has a title that is faulty, lost, or  
5 destroyed; and  
6 (2) sells the ~~motor~~ vehicle under this chapter may retain the  
7 proceeds of the sale for the person's use and benefit.

8 SECTION 152. IC 9-22-5-13, AS AMENDED BY P.L.246-2005,  
9 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2012]: Sec. 13. (a) A person not described in section 12 of this  
11 chapter who sells an ~~abandoned motor a~~ vehicle under this chapter may  
12 retain from the proceeds of sale the cost of publication of notice and the  
13 cost of preserving the motor vehicle during the period of the vehicle's  
14 abandonment. The person shall pay the remaining balance of the  
15 proceeds of the sale to the circuit court clerk of the county in which the  
16 ~~abandoned~~ motor vehicle is located.

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

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

29 SECTION 153. IC 9-22-5-14 IS REPEALED [EFFECTIVE JULY  
30 1, 2012]. ~~Sec. 14: (a) An individual; a firm; a limited liability company;  
31 or a corporation engaged in the business of storing; furnishing supplies  
32 for; or repairing motor vehicles; trailers; semitrailers; or recreational  
33 vehicles shall obtain the name and address of the person who owns a  
34 motor vehicle; trailer, semitrailer, or recreational vehicle that is left in  
35 the custody of the individual; firm; limited liability company; or  
36 corporation for storage; furnishing of supplies; or repairs at the time the  
37 motor vehicle is left.~~

38 (b) ~~The individual; firm; limited liability company; or corporation  
39 shall record in a book the following information concerning the motor  
40 vehicle:~~

- 41 (1) ~~The name and address of the person who owns the motor  
42 vehicle.~~

C  
o  
p  
y



1 (2) The license number of the motor vehicle.

2 (3) The date on which the motor vehicle was left.

3 (c) The book shall be provided and kept by the individual, firm,  
4 limited liability company, or corporation and shall be open for  
5 inspection by an authorized police officer of the state or of a city or  
6 town or by the county sheriff.

7 (d) If a motor vehicle, trailer, semitrailer, or recreational vehicle is  
8 stored by the week or by the month, only one (1) entry on the book is  
9 required for the period of time during which the motor vehicle is  
10 stored.

11 SECTION 154. IC 9-22-5-15 IS REPEALED [EFFECTIVE JULY  
12 1, 2012]. See: 15: (a) An individual, a firm, a limited liability company,  
13 or a corporation that performs labor, furnishes materials or storage, or  
14 does repair work on a motor vehicle, trailer, semitrailer, or recreational  
15 vehicle at the request of the person who owns the vehicle has a lien on  
16 the vehicle to the reasonable value of the charges for the labor,  
17 materials, storage, or repairs.

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

21 (1) at the request of the person who owns the motor vehicle,  
22 trailer, semitrailer, or recreational vehicle;

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

27 (3) in accordance with IC 9-22-1;

28 has a lien on the vehicle for the reasonable value of the charges for the  
29 towing services and other related costs. An individual, a firm, a  
30 partnership, a limited liability company, or a corporation that obtains  
31 a lien for an abandoned vehicle under subdivision (2) must comply  
32 with IC 9-22-1-4, IC 9-22-1-16, IC 9-22-1-17, and IC 9-22-1-19.

33 (c) If:

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

35 (2) the motor vehicle, trailer, semitrailer, or recreational vehicle  
36 is not claimed;

37 within thirty (30) days from the date on which the vehicle was left in  
38 or came into the possession of the individual, firm, limited liability  
39 company, or corporation for repairs, storage, towing, or the furnishing  
40 of materials; the individual, firm, limited liability company, or  
41 corporation may advertise the vehicle for sale. The vehicle may not be  
42 sold before fifteen (15) days after the date the advertisement required

C  
O  
P  
Y



1 by subsection (d) has been placed or after notice required by subsection  
2 (e) has been sent, whichever is later:

3 (d) Before a vehicle may be sold under subsection (c), an  
4 advertisement must be placed in a newspaper of general circulation  
5 printed in the English language in the city or town in which the  
6 lienholder's place of business is located. The advertisement must  
7 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 (d),  
13 the person who holds the mechanic's lien must:

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

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

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

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

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

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

C  
O  
P  
Y



1 mechanic's lien has a place of business for the use and benefit of the  
2 person who owns the vehicle:

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

7 (1) The facts of the sale;

8 (2) The vehicle identification number;

9 (3) The certificate of title if available;

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

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

15 SECTION 155. IC 9-22-5-16 IS REPEALED [EFFECTIVE JULY  
16 1, 2012]. Sec. 16: (a) This section does not apply to a person who sells;  
17 exchanges; or transfers golf carts:

18 (b) A seller that is:

19 (1) a dealer; or

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

21 (5) vehicles each year;

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

27 SECTION 156. IC 9-22-5-17 IS REPEALED [EFFECTIVE JULY  
28 1, 2012]. Sec. 17: A person who recklessly violates section 14 or 15 of  
29 this chapter commits a Class A misdemeanor.

30 SECTION 157. IC 9-22-6 IS ADDED TO THE INDIANA CODE  
31 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2012]:

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

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

42 (b) The individual, firm, limited liability company, or

C  
o  
p  
y



1 corporation shall record in a book the following information  
2 concerning the vehicle described in subsection (a):

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

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

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

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

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

26 (c) If:

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

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

40 (d) Before a vehicle may be sold under subsection (c), an  
41 advertisement must be placed in a newspaper that is printed in  
42 English and of general circulation in the city or town in which the

C  
o  
p  
y



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

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

8 (2) The amount of the unpaid charges.

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

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

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

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

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

41 (i) A person that holds a mechanic's lien under this section shall  
42 execute and deliver to the purchaser of a vehicle under this section

C  
O  
P  
Y



1 a sales certificate in the form designated by the bureau, setting  
2 forth the following information:

- 3 (1) The facts of the sale.  
4 (2) The vehicle identification number.  
5 (3) The certificate of title if available.  
6 (4) A certification from the newspaper showing that the  
7 advertisement was made as required under subsection (d).  
8 (5) Any other information that the bureau requires.

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

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

15 SECTION 158. IC 9-24-1-1, AS AMENDED BY P.L.109-2011,  
16 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2012]: Sec. 1. Except as otherwise provided in section 6 or  
18 7 of this chapter, an individual must have a valid Indiana:

- 19 (1) operator's license;  
20 (2) chauffeur's license;  
21 (3) public passenger chauffeur's license;  
22 (4) commercial driver's license;  
23 (5) driver's license listed in subdivision (1), (2), (3), or (4) with a  
24 motorcycle endorsement; or  
25 (6) learner's permit; or  
26 (7) motorcycle learner's permit;

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

30 SECTION 159. IC 9-24-1-1.5 IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1.5. (a) This section  
32 applies after December 31, 2005.

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

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

- 39 (1) not required by this article to reside in Indiana to receive the  
40 license; and  
41 (2) otherwise qualified to receive the license.

42 SECTION 160. IC 9-24-1-2 IS REPEALED [EFFECTIVE JULY 1,

C  
O  
P  
Y



2012]. Sec. 2. Except as provided in section 7 of this chapter, an individual must have a valid Indiana chauffeur's license to operate a motor vehicle as a chauffeur upon an Indiana highway.

SECTION 161. IC 9-24-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Except as otherwise provided in section 7 of this chapter, an individual must:

(1) have a valid Indiana ~~operator's, chauffeur's, or public passenger chauffeur's~~ driver's license; and

(2) be at least eighteen (18) years of age;

to drive a medical services vehicle upon an Indiana highway.

SECTION 162. IC 9-24-1-5, AS AMENDED BY P.L.109-2011, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) An individual must have a valid driver's license that may be any of the following to operate a motorcycle upon a public highway:

(1) An operator's, a chauffeur's, a public passenger chauffeur's, or a commercial driver's license with a motorcycle endorsement.

(2) A motorcycle learner's permit subject to the limitations imposed under IC 9-24-8.

(3) A driver's license from any other jurisdiction that is valid for the operation of a motorcycle in that jurisdiction.

(b) An individual who held a motorcycle operator's license on ~~June 30, December 31, 2011,~~ must hold ~~an a~~ valid operator's, a chauffeur's, a public passenger chauffeur's, or a commercial driver's license with a motorcycle endorsement in order to operate the motorcycle after ~~June 30, December 31, 2011,~~ **without restrictions.**

SECTION 163. IC 9-24-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Except as provided in subsection (b) **or as otherwise provided in this article,** an individual must hold a valid ~~Indiana~~ commercial driver's license ~~issued by the bureau under this article~~ to drive a commercial motor vehicle ~~after March 31, 1992,~~ upon an Indiana highway.

(b) Subsection (a) does not apply to ~~an individual~~ if the individual:

(1) holds a valid driver's license of any type;

(2) is enrolled in a commercial motor vehicle training course approved by the bureau; and

(3) is operating a commercial motor vehicle under the direct supervision of a licensed commercial motor vehicle driver.

SECTION 164. IC 9-24-1-7, AS AMENDED BY P.L.87-2010, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) Sections 1 through 5 of this chapter do not apply to the following individuals:

C  
o  
p  
y



- 1 (1) An individual in the service of the armed forces of the United  
 2 States while operating an official motor vehicle in that service.
- 3 (2) An individual while operating:  
 4 (A) a road roller;  
 5 (B) road construction or maintenance machinery, except where  
 6 the road roller or machinery is required to be registered under  
 7 Indiana law;  
 8 (C) a ditch digging apparatus;  
 9 (D) a well drilling apparatus;  
 10 (E) a concrete mixer; or  
 11 (F) a farm tractor, a farm wagon (as defined in  
 12 IC 9-13-2-60(a)(2)), or an implement of agriculture designed  
 13 to be operated primarily in a farm field or on farm premises;  
 14 that is being temporarily drawn, moved, or propelled on a public  
 15 highway. However, to operate a farm wagon (as defined in  
 16 IC 9-13-2-60(a)(2)) on a highway, an individual must be at least  
 17 fifteen (15) years of age.
- 18 (3) A nonresident who:  
 19 (A) is at least sixteen (16) years and one (1) month of age;  
 20 (B) has in the nonresident's immediate possession a valid  
 21 ~~operator's~~ **driver's** license that was issued to the nonresident  
 22 in the nonresident's home state or country; and  
 23 (C) is lawfully admitted into the United States;  
 24 while operating a motor vehicle ~~in Indiana~~ **upon a public**  
 25 **highway** only as an operator.
- 26 (4) A nonresident who:  
 27 (A) is at least eighteen (18) years of age;  
 28 (B) has in the nonresident's immediate possession a valid  
 29 chauffeur's license that was issued to the nonresident in the  
 30 nonresident's home state or country; and  
 31 (C) is lawfully admitted into the United States;  
 32 while operating a motor vehicle upon a public highway, either as  
 33 an operator or a chauffeur.
- 34 (5) A nonresident who:  
 35 (A) is at least eighteen (18) years of age; and  
 36 (B) has in the nonresident's immediate possession a valid  
 37 license issued by the nonresident's home state for the operation  
 38 of any motor vehicle upon a public highway when in use as a  
 39 public passenger carrying vehicle;  
 40 while operating a motor vehicle upon a public highway, **either as**  
 41 **an operator or a public passenger chauffeur.**
- 42 (6) An individual who is legally licensed to operate a motor

C  
O  
P  
Y

1 vehicle in the state of the individual's residence and who is  
 2 employed in Indiana, subject to the restrictions imposed by the  
 3 state of the individual's residence.

4 (7) A new resident of Indiana who possesses ~~an unexpired a~~  
 5 **valid, unrestricted** driver's license issued by the resident's former  
 6 state of residence, for a period of sixty (60) days after becoming  
 7 a resident of Indiana.

8 (8) An individual who is an engineer, a conductor, a brakeman, or  
 9 another member of the crew of a locomotive or a train that is  
 10 being operated upon rails, including the operation of the  
 11 locomotive or the train on a crossing over a street or a highway.  
 12 An individual described in this subdivision is not required to  
 13 display a license to a law enforcement officer in connection with  
 14 the operation of a locomotive or a train in Indiana.

15 (b) An ordinance adopted under IC 9-21-1-3((a)(14) or  
 16 IC 9-21-1-3.3(a) must require that an individual who operates a golf  
 17 cart in the city or town hold a driver's license.

18 SECTION 165. IC 9-24-2-1, AS AMENDED BY P.L.1-2006,  
 19 SECTION 165, IS AMENDED TO READ AS FOLLOWS  
 20 [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) ~~A driver's license or a~~ **The**  
 21 **bureau shall suspend the driving privileges or invalidate the**  
 22 **learner's permit may not be issued to of** an individual less than eighteen  
 23 (18) years of age who meets any of the following conditions:

- 24 (1) Is a habitual truant under IC 20-33-2-11.  
 25 (2) Is under at least a second suspension from school for the  
 26 school year under IC 20-33-8-14 or IC 20-33-8-15.  
 27 (3) Is under an expulsion from school under IC 20-33-8-14,  
 28 IC 20-33-8-15, or IC 20-33-8-16.  
 29 (4) Is considered a dropout under IC 20-33-2-28.5.

30 (b) At least five (5) days before holding an exit interview under  
 31 IC 20-33-2-28.5, the school corporation shall give notice by certified  
 32 mail or personal delivery to the student, the student's parent, or the  
 33 student's guardian that the student's failure to attend an exit interview  
 34 under IC 20-33-2-28.5 or return to school if the student does not meet  
 35 the requirements to withdraw from school under IC 20-33-2-28.5 will  
 36 result in the revocation or denial of the student's:

- 37 (1) driver's license or learner's permit; and  
 38 (2) employment certificate.

39 SECTION 166. IC 9-24-2-2 IS AMENDED TO READ AS  
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~A driver's license or~~  
 41 **a The bureau shall suspend the driving privileges or invalidate the**  
 42 **learner's permit may not be issued to of** an individual less than eighteen

C  
o  
p  
y



(18) years of age who is under an order entered by a juvenile court under IC 31-37-19-13 through IC 31-37-19-17 (or IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before their repeal).

SECTION 167. IC 9-24-2-2.5, AS AMENDED BY P.L.3-2008, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2.5. (a) ~~An operator's license or a~~ **The bureau shall suspend the driving privileges or invalidate the learner's permit may not be issued to of** an individual who is under an order entered by a court under IC 35-43-1-2(c).

(b) The bureau shall suspend the ~~operator's license driving privileges~~ or invalidate the learner's permit of a person who is the subject of an order issued under IC 31-37-19-17 (or IC 31-6-4-15.9(f) before its repeal) or IC 35-43-1-2(c).

SECTION 168. IC 9-24-2-3, AS AMENDED BY P.L.184-2007, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) The bureau may not issue a **driver's license or learner's permit or grant driving privileges** to the following individuals:

(1) An individual whose license issued under Indiana law to operate a motor vehicle as an operator, a chauffeur, or a public passenger chauffeur has been suspended, during the period for which the license was suspended, or to an individual whose license has been revoked, until the time the bureau is authorized under Indiana law to issue the individual a new license.

(2) An individual whose learner's permit has been suspended or revoked until the time the bureau is authorized under Indiana law to issue the individual a new permit.

(3) An individual who, in the opinion of the bureau, is afflicted with or suffering from a physical or mental disability or disease that prevents the individual from exercising reasonable and ordinary control over a motor vehicle while operating the vehicle upon the public highways.

(4) An individual who is unable to understand highway warnings or direction signs written in the English language.

(5) An individual who is required under this ~~chapter~~ **article** to take an examination unless the person successfully passes the examination.

(6) An individual who is required under IC 9-25 **or any other statute** to deposit **or provide** proof of financial responsibility and who has not deposited **or provided** that proof.

(7) An individual when the bureau has good cause to believe that the operation of a motor vehicle on a public highway of Indiana

C  
o  
p  
y



1 by the individual would be inimical to public safety or welfare.  
 2 (8) An individual who is the subject of an order issued by:  
 3 (A) a court under IC 31-14-12-4 or IC 31-16-12-7 (or  
 4 IC 31-1-11.5-13 or IC 31-6-6.1-16 before their repeal); or  
 5 (B) the Title IV-D agency;  
 6 ordering that a ~~driving driver's~~ license or permit not be issued to  
 7 the individual.  
 8 (9) An individual who has not presented valid documentary  
 9 evidence to the bureau of the person's legal status in the United  
 10 States, as required by IC 9-24-9-2.5.  
 11 (b) An individual subject to epileptic seizures may not be denied a  
 12 **driver's license or permit** under this section if the individual presents  
 13 a statement from a licensed physician, **on a form prescribed by the**  
 14 **bureau**, that the individual is under medication and is free from  
 15 seizures while under medication.  
 16 SECTION 169. IC 9-24-2-3.1 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3.1. (a) If a petitioner  
 18 named in an order issued under section 3(a)(8) of this chapter has a  
 19 valid commercial ~~driving driver's~~ license, the bureau shall not  
 20 immediately suspend the **person's commercial** driving ~~license~~  
 21 **privileges** but **shall** indicate on the ~~driver's person's~~ record that the  
 22 person has a conditional ~~license~~ **driving privileges** to operate a motor  
 23 vehicle to and from the person's place of employment and in the course  
 24 of the person's employment.  
 25 (b) ~~A~~ Conditional ~~license~~ **driving privileges** described in  
 26 subsection (a) ~~is are~~ valid for thirty (30) days from the date of the  
 27 notice sent by the bureau. If the person obtains an amended ~~license~~  
 28 **order** within the thirty (30) days, the person may continue to operate  
 29 a motor vehicle ~~on with~~ the conditional ~~license~~ **driving privileges**  
 30 beyond the thirty (30) day period.  
 31 (c) If the person does not obtain an amended ~~license order~~ within  
 32 the thirty (30) day period, the bureau shall suspend the person's ~~license~~  
 33 **driving privileges**.  
 34 SECTION 170. IC 9-24-2-4, AS AMENDED BY P.L.1-2005,  
 35 SECTION 107, IS AMENDED TO READ AS FOLLOWS  
 36 [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) If a person is less than  
 37 eighteen (18) years of age and is a habitual truant, is under a  
 38 suspension or an expulsion or has withdrawn from school as described  
 39 in section 1 of this chapter, the bureau shall, upon notification by the  
 40 person's principal, ~~invalidate~~ **suspend** the person's ~~license or permit~~  
 41 **driving privileges** until the earliest of the following:  
 42 (1) The person becomes eighteen (18) years of age.

COPY



- 1 (2) One hundred twenty (120) days after the person is suspended,
- 2 or the end of a semester during which the person returns to
- 3 school, whichever is longer.
- 4 (3) The suspension, expulsion, or exclusion is reversed after the
- 5 person has had a hearing under IC 20-33-8.
- 6 (b) The bureau shall promptly mail a notice to the person's last
- 7 known address that states the following:
- 8 (1) That the person's driving privileges will be invalidated for a
- 9 specified period commencing five (5) days after the date of the
- 10 notice.
- 11 (2) That the person has the right to appeal the ~~invalidation~~
- 12 **suspension of a license or permit: the driving privileges.**
- 13 (c) If an aggrieved person believes that:
- 14 (1) the information provided was technically incorrect; or
- 15 (2) the bureau committed a technical or procedural error;
- 16 the aggrieved person may appeal the invalidation of a license under
- 17 ~~IC 9-25:~~ **section 5 of this chapter.**
- 18 (d) If a person satisfies the conditions for reinstatement of a license
- 19 under this section, the person may submit to the bureau the necessary
- 20 information certifying that at least one (1) of the events described in
- 21 subsection (a) has occurred.
- 22 (e) Upon certifying the information received under subsection (d),
- 23 the bureau shall ~~revalidate~~ **reinstate** the person's ~~license or permit:~~
- 24 **driving privileges.**
- 25 (f) A person may not operate a motor vehicle in violation of this
- 26 section.
- 27 (g) A person whose ~~license or permit is~~ **driving privileges are**
- 28 **invalidated suspended** under this section may apply for a restricted
- 29 driving ~~permit~~ **privileges** under IC 9-24-15.
- 30 (h) The bureau shall ~~revalidate~~ **reinstate** the ~~license or permit~~
- 31 **driving privileges** of a person whose ~~license or permit was~~ **driving**
- 32 **privileges were invalidated suspended** under this section ~~who if the~~
- 33 **person** does the following:
- 34 (1) Establishes to the ~~satisfaction~~ **satisfaction** of the principal of
- 35 the school where the action occurred that caused the ~~invalidation~~
- 36 **suspension of the person's license or permit driving privileges**
- 37 that the person has:
- 38 (A) enrolled in a full-time or part-time program of education;
- 39 and
- 40 (B) participated for thirty (30) or more days in the program of
- 41 education.
- 42 (2) Submits to the bureau a form developed by the bureau that

COPY



- 1 contains:
- 2 (A) the verified signature of the principal or the president of
- 3 the governing body of the school described in subdivision (1);
- 4 and
- 5 (B) notification to the bureau that the person has complied
- 6 with subdivision (1).

7 A person may appeal the decision of a principal under subdivision (1)

8 to the governing body of the school corporation where the principal's

9 school is located.

10 SECTION 171. IC 9-24-2-5, AS AMENDED BY P.L.1-2005,

11 SECTION 108, IS AMENDED TO READ AS FOLLOWS

12 [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A person whose driving

13 privileges have been ~~invalidated~~ **suspended** under section 4 of this

14 chapter is entitled to a prompt judicial hearing. The person may file a

15 petition that requests a hearing in a circuit, superior, county, or

16 municipal court in the county where:

- 17 (1) the person resides; or
- 18 (2) the school attended by the person is located.
- 19 (b) The petition for review must:
- 20 (1) be in writing; and
- 21 (2) be verified by the person seeking review and:
- 22 (A) allege specific facts that indicate the suspension or
- 23 expulsion was improper; or
- 24 (B) allege that due to the person's emancipation or dependents
- 25 that an undue hardship exists that requires the granting of a
- 26 restricted driving permit.

27 (c) The hearing conducted by the court under this section shall be

28 limited to the following issues:

- 29 (1) Whether the school followed proper procedures when
- 30 suspending or expelling the person from school, including
- 31 affording the person due process under IC 20-33-8.
- 32 (2) Whether the bureau followed proper procedures in
- 33 ~~invalidating~~ **suspending** the person's ~~license or permit~~; **driving**
- 34 **privileges.**
- 35 (3) Whether an undue hardship exists that requires the granting of
- 36 a restricted driving ~~permit~~; **privileges under IC 9-24-15.**

- 37 (d) If the court finds:
- 38 (1) that the school failed to follow proper procedures when
- 39 suspending or expelling the person from school; or
- 40 (2) that the bureau failed to follow proper procedures in
- 41 ~~invalidating~~ **suspending** the person's ~~license or permit~~; **driving**
- 42 **privileges;**



C  
o  
p  
y

1 the court may order the bureau to reinstate the person's driving  
2 privileges.

3 (e) If the court finds that an undue hardship exists, **and the person**  
4 **otherwise qualifies under IC 9-24-15**, the court may order a restricted  
5 driving **permit privileges** limiting the petitioner to essential driving for  
6 work and driving between home, work, and school only. The restricted  
7 driving **permit privileges** must state the restrictions related to time,  
8 territory, and route. If a court orders a restricted driving **permit**  
9 **privileges** for the petitioner, the court shall do the following:

10 (1) Include in the order a finding of facts that states the  
11 petitioner's driving restrictions.

12 (2) Enter the findings of fact and order in the order book of the  
13 court.

14 (3) Send the bureau a signed copy of the order.

15 (f) The prosecuting attorney of the county in which a petition has  
16 been filed under this section shall represent the state on behalf of the  
17 bureau with respect to the petition. A school that is made a party to an  
18 action filed under this section is responsible for the school's own  
19 representation.

20 (g) In an action under this section the petitioner has the burden of  
21 proof by a preponderance of the evidence.

22 (h) The court's order is a final judgment appealable in the manner  
23 of civil actions by either party. The attorney general shall represent the  
24 state on behalf of the bureau with respect to the appeal.

25 SECTION 172. IC 9-24-3-1, AS AMENDED BY P.L.145-2011,  
26 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2012]: Sec. 1. Except as otherwise provided in this article, the  
28 bureau shall issue an operator's license to an individual who meets the  
29 following conditions:

30 (1) Satisfies the age requirements set forth in section 2 or 2.5 of  
31 this chapter.

32 (2) Makes proper application to the bureau under IC 9-24-9 upon  
33 a form prescribed by the bureau. The form must include an  
34 attestation concerning the number of hours of supervised driving  
35 practice that the individual has completed if the individual is  
36 required under section 2.5 of this chapter to complete a certain  
37 number of hours of supervised driving practice in order to receive  
38 an operator's license. The:

39 (A) parent or guardian of an applicant less than eighteen (18)  
40 years of age; or

41 (B) applicant, if the applicant is at least eighteen (18) years of  
42 age;

C  
o  
p  
y



1 shall attest in writing under penalty of perjury to the time logged  
2 in practice driving.

3 (3) Satisfactorily passes the examination and tests required for  
4 issuance of an operator's license under IC 9-24-10.

5 (4) Pays the fee prescribed by IC 9-29-9.

6 SECTION 173. IC 9-24-3-2.5, AS AMENDED BY P.L.145-2011,  
7 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2012]: Sec. 2.5. (a) Except as provided in section 3 of this  
9 chapter, an individual must satisfy the requirements set forth in one (1)  
10 of the following subdivisions to receive an operator's license:

11 (1) The individual meets the following conditions:

12 (A) Is at least sixteen (16) years and one hundred eighty (180)  
13 days of age.

14 (B) Has held a valid learner's permit for at least one hundred  
15 eighty (180) days.

16 (C) Obtains an instructor's certification that the individual has  
17 satisfactorily completed an approved driver education course.

18 (D) Passes the required examination.

19 (E) Completes at least fifty (50) hours of supervised driving  
20 practice, of which at least ten (10) hours are nighttime driving,  
21 with:

22 (i) a licensed instructor or a licensed driver who is at least  
23 twenty-five (25) years of age; or

24 (ii) the spouse of the individual who is at least twenty-one  
25 (21) years of age.

26 (2) The individual meets the following conditions:

27 (A) Is at least sixteen (16) years and two hundred seventy  
28 (270) days of age.

29 (B) Has held a valid learner's permit for at least one hundred  
30 eighty (180) days.

31 (C) Passes the required examination.

32 (D) Completes at least fifty (50) hours of supervised driving  
33 practice, of which at least ten (10) hours are nighttime driving,  
34 with:

35 (i) a licensed instructor or a licensed driver who is at least  
36 twenty-five (25) years of age; or

37 (ii) the spouse of the individual who is at least twenty-one  
38 (21) years of age.

39 (3) The individual meets the following conditions:

40 (A) Is at least sixteen (16) years and one hundred eighty (180)  
41 days of age but less than eighteen (18) years of age.

42 (B) Has previously been a nonresident of Indiana, but, at the

C  
O  
P  
Y



- 1 time of application, qualifies as an Indiana resident.
- 2 (C) ~~Holds an unrevoked~~ **Has held a valid** driver's license,
- 3 excluding a learner's permit or the equivalent, in the state or a
- 4 combination of states in which the individual formerly resided
- 5 for at least one hundred eighty (180) days.
- 6 (D) Passes the required examination.
- 7 (4) The individual meets the following conditions:
- 8 (A) Is at least eighteen (18) years of age.
- 9 (B) Has previously been a nonresident of Indiana but, at the
- 10 time of application, qualifies as an Indiana resident.
- 11 (C) ~~Has Held an unrevoked operator's, chauffeur's, commercial~~
- 12 **a valid driver's or public passenger chauffeur's license,**
- 13 **excluding a learner's permit or the equivalent,** from the
- 14 state of prior residence.
- 15 (D) Passes the required examination.
- 16 (b) An applicant who is required to complete at least fifty (50) hours
- 17 of supervised practice driving under subsection (a)(1)(E) or (a)(2)(D)
- 18 must submit to the commission under ~~IC 9-24-9-2(d)~~ **IC 9-24-9-2(c)**
- 19 evidence of the time logged in practice driving.
- 20 SECTION 174. IC 9-24-3-4 IS AMENDED TO READ AS
- 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. To receive an
- 22 operator's license, an individual must surrender to the bureau **any and**
- 23 **all valid operator's, chauffeur's, or other current driver's licenses for**
- 24 **the operation of a motor vehicle in the individual's possession or**
- 25 **identification cards** issued to the individual by Indiana or any other
- 26 jurisdiction. ~~The bureau shall return all surrendered licenses to the~~
- 27 ~~issuing department together with information that the licensee is~~
- 28 ~~licensed in a new jurisdiction:~~
- 29 SECTION 175. IC 9-24-4-1 IS AMENDED TO READ AS
- 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. Except as otherwise
- 31 provided in this article, the bureau shall issue a chauffeur's license to
- 32 an individual who meets the following conditions:
- 33 (1) Satisfies the age requirements described in section 2 of this
- 34 chapter.
- 35 (2) Has operated a motor vehicle, **excluding operation under a**
- 36 **learner's permit,** for more than one (1) year.
- 37 (3) Makes proper application to the bureau under IC 9-24-9 upon
- 38 a form prescribed by the bureau.
- 39 (4) Satisfactorily passes the examination and tests required for
- 40 issuance of a chauffeur's license under IC 9-24-10.
- 41 (5) Pays the fee prescribed in IC 9-29-9.
- 42 SECTION 176. IC 9-24-4-3 IS AMENDED TO READ AS

C  
O  
P  
Y

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) **An individual**  
 2 **holding a valid chauffeur's license is not required to obtain an**  
 3 **operator's license.**

4 (b) To receive a chauffeur's license, an individual must surrender to  
 5 the bureau **any operator's license all driver's licenses** issued to the  
 6 individual **by Indiana or any other jurisdiction.**

7 SECTION 177. IC 9-24-4-4 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A chauffeur's license  
 9 entitles the licensee to operate a motor vehicle, except a motorcycle **or**  
 10 **commercial motor vehicle without a proper permit or**  
 11 **endorsement**, upon a public highway. A chauffeur's license does not  
 12 entitle the licensee to operate a motor vehicle as a public passenger  
 13 chauffeur.

14 SECTION 178. IC 9-24-4-5.5 IS AMENDED TO READ AS  
 15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. Notwithstanding  
 16 any other law, a person holding a chauffeur's license that is renewed or  
 17 issued after June 30, 1991, is not entitled by that license to operate a  
 18 commercial motor vehicle. **for more than thirty (30) days following the**  
 19 **renewal or issuance.**

20 SECTION 179. IC 9-24-5-1, AS AMENDED BY P.L.156-2006,  
 21 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2012]: Sec. 1. Except as otherwise provided in this article, the  
 23 bureau shall issue a public passenger chauffeur's license to an  
 24 individual who meets the following conditions:

- 25 (1) **Satisfies the Is at least eighteen (18) years of age.**  
 26 **requirements described in section 2 of this chapter.**
- 27 (2) Makes proper application to the bureau under IC 9-24-9, upon  
 28 a form prescribed by the bureau.
- 29 (3) Successfully passes the physical examination given by a  
 30 practicing physician licensed to practice medicine in Indiana.
- 31 (4) Has operated a motor vehicle, **excluding operation under a**  
 32 **learner's permit**, for at least two (2) years.
- 33 (5) Satisfactorily passes the examination and tests for a public  
 34 passenger chauffeur's license.
- 35 (6) Pays the fee prescribed in IC 9-29-9.
- 36 (7) **Is at least eighteen (18) years of age.**

37 SECTION 180. IC 9-24-5-2 IS REPEALED [EFFECTIVE JULY 1,  
 38 2012]. Sec. 2: **An individual must be at least eighteen (18) years of age**  
 39 **to receive a public passenger chauffeur's license.**

40 SECTION 181. IC 9-24-5-3, AS AMENDED BY P.L.156-2006,  
 41 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2012]: Sec. 3. A public passenger chauffeur's license entitles



C  
o  
p  
y

1 the licensee to operate ~~any~~ a motor vehicle, except a commercial  
 2 **motor** vehicle or a motorcycle **without proper permit or**  
 3 **endorsement**, upon a **public** highway.

4 SECTION 182. IC 9-24-5-4 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. To receive a public  
 6 passenger chauffeur's license, an individual must surrender ~~to the~~  
 7 ~~bureau any operator's license~~ **all driver's licenses** issued to the  
 8 individual **by Indiana or any other jurisdiction.**

9 SECTION 183. IC 9-24-5-5.5 IS AMENDED TO READ AS  
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. Notwithstanding  
 11 any other law, a person holding a public passenger chauffeur's license  
 12 that is renewed or issued after June 30, 1991, is not entitled by that  
 13 license to operate a commercial motor vehicle. ~~for more than thirty (30)~~  
 14 ~~days following the renewal or issuance.~~

15 SECTION 184. IC 9-24-6-0.5, AS ADDED BY P.L.188-2006,  
 16 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2012]: Sec. 0.5. As used in this chapter, "commercial driver's  
 18 license learner's permit" means a ~~driver's~~ **learner's** permit that allows  
 19 an individual, unless otherwise disqualified, to operate a commercial  
 20 motor vehicle only when accompanied by a person:

- 21 (1) who holds a valid commercial driver's license for the type of
- 22 commercial motor vehicle being driven; and
- 23 (2) who occupies a seat beside the individual in order to give
- 24 instruction to the individual in driving the commercial motor
- 25 vehicle.

26 SECTION 185. IC 9-24-6-0.8, AS ADDED BY P.L.45-2011,  
 27 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2012]: Sec. 0.8. As used in this chapter, "downgrade" has the  
 29 meaning specified in ~~paragraph (4)~~ of the definition of CDL downgrade  
 30 as set forth in 49 CFR 383.5 as in effect on July 1, 2010.

31 SECTION 186. IC 9-24-6-1 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) ~~Except as~~  
 33 ~~provided in subsection (c);~~ This chapter does not apply to a motor  
 34 vehicle **or the operator of a motor vehicle that meets the following**  
 35 **conditions:**

- 36 (1) ~~is used in the transportation of hazardous materials;~~
- 37 (2) ~~is not defined as a commercial motor vehicle or is otherwise~~  
 38 **excepted in 49 CFR 383.3, 49 CFR 390, or 49 CFR 391.**

39 (b) ~~Except as provided in subsection (c);~~ this chapter does not apply  
 40 to a motor vehicle that meets any of the following conditions:

- 41 (1) ~~is registered as a recreational vehicle;~~
- 42 (2) ~~is used primarily to transport the owner's family members or~~



C  
o  
p  
y

1 guests and their possessions for nonbusiness purposes.

2 (3) Is registered under IC 9-18 as a farm vehicle or is a farm  
3 vehicle that is exempt under 49 U.S.C. 521, 49 U.S.C. 31104, and  
4 49 U.S.C. 31301 through 31306.

5 (4) Is utilized as a:

6 (A) church bus; or

7 (B) bus operated by a nonprofit benevolent or charitable  
8 agency;

9 that is designed to carry more than fifteen (15) passengers;  
10 including the driver; if the vehicle is exempt under 49 U.S.C. 521,  
11 49 U.S.C. 31104, and 49 U.S.C. 31301 through 31306; or  
12 applicable federal regulations.

13 (c) The bureau may remove the exemptions granted under  
14 subsections (a) and (b) if the bureau, upon notice and public hearing,  
15 determines that the waiver is in the interest of safety or of keeping  
16 Indiana in compliance with federal law, subject to section 3 of this  
17 chapter.

18 SECTION 187. IC 9-24-6-2.3, AS ADDED BY P.L.45-2011,  
19 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2012]: Sec. 2.3. (a) In addition to the requirements of 49 CFR  
21 383.71, an applicant for a new commercial driver's license or a holder  
22 of a commercial driver's license must ~~provide the bureau with~~ **have a**  
23 copy of a current medical examination report and medical examiner's  
24 certificate prepared by a medical examiner **on file with the motor**  
25 **carrier services division of the department of state revenue. If a**  
26 **copy is not on file with the motor carrier services division of the**  
27 **department of state revenue, a copy must be presented to the**  
28 **bureau.**

29 (b) A commercial driver's license holder must ~~provide the bureau~~  
30 ~~with~~ **have** a copy of a current medical examination report and medical  
31 examiner's certificate **on file with the motor carrier services division**  
32 **of the department of state revenue** each time a medical examination  
33 report and medical examiner's certificate are obtained by the  
34 commercial driver's license holder, regardless of whether the medical  
35 examiner certifies the driver as qualified. **If a copy is not on file with**  
36 **the motor carrier services division of the department of state**  
37 **revenue, a copy must be presented to the bureau.**

38 (c) If a medical examination report does not certify that a  
39 commercial driver's license holder meets the physical standards in 49  
40 CFR 391.41 or if the driver is otherwise unqualified, the commercial  
41 driver's license or permit holder is disqualified **from operating a**  
42 **commercial motor vehicle.**

ES 257—LS 6814/DI 96+



C  
o  
p  
y

1 (d) The bureau shall make the final determination of whether a  
 2 commercial driver's license applicant or holder meets the qualifications  
 3 of 49 CFR 391.41. If the bureau determines that the applicant or holder  
 4 does not meet the qualifications of 49 CFR 391.41, the applicant or  
 5 holder is disqualified **from operating a commercial motor vehicle**.

6 (e) If a commercial driver's license applicant or holder who is  
 7 disqualified **from operating a commercial motor vehicle** under  
 8 subsection (c) or (d) attempts to transfer the commercial driver's  
 9 license to another state, the commercial driver's license applicant or  
 10 holder remains disqualified **from operating a commercial motor**  
 11 **vehicle** until the applicant or holder is able to establish to the bureau's  
 12 satisfaction that the applicant or holder meets the qualifications of 49  
 13 CFR 391.41.

14 (f) With respect to the self-certification requirements of 49 CFR  
 15 383.71(a)(1), a commercial driver's license applicant must certify that  
 16 the applicant expects to operate only in interstate ~~commerce~~ or ~~only in~~  
 17 intrastate commerce, **and whether the applicant is medically**  
 18 **excepted. In either case, Regardless of the applicant's certification**  
 19 **under this subsection**, the applicant remains subject to the  
 20 requirements of 49 CFR 391.41 **and 49 CFR 383.71**, except as  
 21 provided for by rule.

22 (g) This section applies to every commercial driver's license  
 23 applicant and every commercial driver's license holder regardless of  
 24 whether the applicant or holder will be operating in excepted  
 25 commerce, as described in 49 CFR 383.71(a)(1)(ii)(B) and (D).

26 SECTION 188. IC 9-24-6-5.3, AS AMENDED BY P.L.145-2011,  
 27 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2012]: Sec. 5.3. (a) The owner of a truck driver training  
 29 school or a state educational institution that operates a truck driver  
 30 training school as a course of study must notify the bureau:

31 (1) of a student's completion of a course of the truck driver  
 32 training school immediately after the student completes the  
 33 course; or

34 (2) of the termination of a student's instruction in the truck driver  
 35 training school immediately after the student's instruction  
 36 terminates.

37 ~~(b) This subsection expires December 31, 2011. In addition to~~  
 38 ~~satisfying the requirements of IC 21-17-3-12(a), the owner of a truck~~  
 39 ~~driver training school must retain records relating to each student of the~~  
 40 ~~truck driver training school for not less than six (6) years.~~

41 (c) ~~This subsection applies after December 31, 2011.~~ (b) The owner  
 42 of a truck driver training school shall retain records relating to each

C  
o  
p  
y



- 1 student of the truck driver training school for at least six (6) years.
- 2 SECTION 189. IC 9-24-6-5.5, AS AMENDED BY P.L.145-2011,  
3 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2012]: Sec. 5.5. ~~(a) This subsection expires December 31,~~  
5 ~~2011. A truck driver training school accredited by the Indiana~~  
6 ~~commission on proprietary education is subject to rules adopted by the~~  
7 ~~Indiana commission on proprietary education.~~
- 8 (b) A:
- 9 (1) student of a truck driver training school; and  
10 (2) truck driver training school;  
11 are subject to applicable rules adopted by the department of state  
12 revenue.
- 13 (c) ~~This subsection applies after December 31, 2011.~~ A:
- 14 (1) student of a truck driver training school; and  
15 (2) truck driver training school;  
16 is subject to applicable rules adopted by the bureau.
- 17 SECTION 190. IC 9-24-6-6, AS AMENDED BY P.L.9-2010,  
18 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2012]: Sec. 6. (a) The following, if committed while driving  
20 a commercial motor vehicle or while holding any class of commercial  
21 driver's license **or permit**, are serious traffic violations:
- 22 (1) Operating a vehicle at least fifteen (15) miles per hour above  
23 the posted speed limit in violation of IC 9-21-5, IC 9-21-6, or  
24 IC 9-21-5-14.  
25 (2) Operating a vehicle recklessly as provided in IC 9-21-8-50 and  
26 IC 9-21-8-52.  
27 (3) Improper or erratic traffic lane changes in violation of  
28 IC 9-21-8-2 through IC 9-21-8-13 and IC 9-21-8-17 through  
29 IC 9-21-8-18.  
30 (4) Following a vehicle too closely in violation of IC 9-21-8-14  
31 through IC 9-21-8-16.  
32 (5) In connection with a fatal accident, violating any statute,  
33 ordinance, or rule concerning motor vehicle traffic control other  
34 than parking statutes, ordinances, or rules.  
35 (6) Operating a vehicle while disqualified under this chapter.  
36 (7) For drivers who are not required to always stop at a railroad  
37 crossing, failing to do any of the following:
- 38 (A) Slow down and determine that the railroad tracks are clear  
39 of an approaching train or other on-track equipment, in  
40 violation of IC 9-21-5-4, IC 9-21-8-39, IC 35-42-2-4, or any  
41 similar statute.  
42 (B) Stop before reaching the railroad crossing, if the railroad

C  
O  
P  
Y

- 1 tracks are not clear of an approaching train or other on-track  
 2 equipment, in violation of IC 9-21-4-16, IC 9-21-8-39, or any  
 3 similar statute.
- 4 (8) For all drivers, whether or not they are required to always stop  
 5 at a railroad crossing, to do any of the following:
- 6 (A) Stopping in a railroad crossing, in violation of  
 7 IC 9-21-8-50 or any similar statute.
- 8 (B) Failing to obey a traffic control device or failing to obey  
 9 the directions of a law enforcement officer at a railroad  
 10 crossing, in violation of IC 9-21-8-1 or any similar statute.
- 11 (C) Stopping in a railroad crossing because of insufficient  
 12 undercarriage clearance, in violation of IC 35-42-2-4,  
 13 IC 9-21-8-50, or any similar statute.
- 14 (9) Operating a commercial motor vehicle without having ever  
 15 obtained a commercial driver's license **or permit**.
- 16 (10) Operating a commercial motor vehicle without a commercial  
 17 driver's license **or permit** in the possession of the individual.
- 18 (11) Operating a commercial motor vehicle without holding the  
 19 proper class or endorsement of a commercial driver's license **or**  
 20 **permit** for the operation of the class of the commercial motor  
 21 vehicle.
- 22 **(12) Driving a commercial motor vehicle while using a**  
 23 **hand-held mobile device as set forth in 49 CFR 383 through**  
 24 **384 and 49 CFR 390 through 392.**
- 25 (b) Subsection (a)(1) through (a)(11) are intended to comply with  
 26 the provisions of 49 U.S.C. 31311(a)(10) and regulations adopted  
 27 under that statute.
- 28 SECTION 191. IC 9-24-6-8, AS AMENDED BY P.L.9-2010,  
 29 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2012]: Sec. 8. The following, if committed while driving a  
 31 commercial motor vehicle or while holding any class of commercial  
 32 driver's license **or permit**, are disqualifying offenses:
- 33 (1) Operating a vehicle while under the influence of alcohol in  
 34 violation of IC 9-30-5-1(a), IC 9-30-5-1(b), or section 15 of this  
 35 chapter.
- 36 (2) Operating a vehicle while under the influence of a controlled  
 37 substance in violation of IC 9-30-5-1(c).
- 38 (3) Leaving the scene of an accident involving the driver's  
 39 commercial motor vehicle in violation of IC 9-26-1.
- 40 (4) Conviction of a felony involving the use of a commercial  
 41 motor vehicle other than a felony described in subdivision (5).
- 42 (5) Use of a commercial motor vehicle in the commission of a

C  
o  
p  
y

1 felony under IC 35-48 involving manufacturing, distributing, or  
2 dispensing of a controlled substance.

3 (6) Violation of IC 9-30-5-2 through IC 9-30-5-8 involving  
4 operating a vehicle while intoxicated.

5 (7) Refusing to undergo testing for the enforcement of  
6 IC 9-30-5-1 or section 15 of this chapter.

7 SECTION 192. IC 9-24-6-10.5 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10.5. (a) Except as  
9 provided in subsection (b), and in addition to any other penalty  
10 imposed for a violation of this chapter, the court that imposes a  
11 judgment for violation of an out-of-service order shall order the person  
12 receiving the judgment to be disqualified from driving a commercial  
13 vehicle as follows:

14 (1) For at least ~~ninety (90)~~ **one hundred and eighty (180)** days  
15 but not more than one (1) year, if the judgment is the person's first  
16 judgment for violation of an out-of-service order.

17 (2) For at least ~~one (1) year~~ **two (2) years** but not more than five  
18 (5) years, if the judgment is the person's second judgment for  
19 violation of an out-of-service order during any ten (10) year  
20 period.

21 (3) For at least three (3) years but not more than five (5) years, if  
22 the person has at least two (2) previous judgments for violation of  
23 an out-of-service order during any ten (10) year period.

24 (b) In addition to any other penalty imposed for a violation of this  
25 chapter, the court that imposes a judgment upon a person because the  
26 person violated an out-of-service order while the person was  
27 transporting a hazardous material or while operating a commercial  
28 motor vehicle designed or used to transport more than fifteen (15)  
29 passengers, including the driver, shall order the person to be  
30 disqualified from driving a commercial vehicle as follows:

31 (1) For at least one hundred eighty (180) days but not more than  
32 two (2) years, if the judgment is the person's first judgment for  
33 violation of an out-of-service order.

34 (2) For at least three (3) years but not more than five (5) years, if  
35 the person has at least one (1) previous judgment for violation of  
36 an out-of-service order that arose out of a separate incident during  
37 any ten (10) consecutive years.

38 **(3) For at least three (3) years but not more than five (5)**  
39 **years, if the person has at least two (2) previous judgments for**  
40 **violation of an out-of-service order that arose out of a**  
41 **separate incident during any ten (10) consecutive years.**

42 SECTION 193. IC 9-24-6-20, AS ADDED BY P.L.45-2011,

C  
o  
p  
y



1 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2012]: Sec. 20. (a) The bureau shall downgrade the  
3 commercial driver's license of a driver under the following  
4 circumstances:

5 (1) The driver's medical certification or federally granted medical  
6 variance expires.

7 (2) The bureau receives notification that the driver's federally  
8 granted medical variance was removed or rescinded.

9 Not later than sixty (60) days after the occurrence of a circumstance  
10 described in subdivision (1) or (2), the bureau shall initiate a  
11 downgrade of the driver's commercial driver's license.

12 (b) To prevent the driver's commercial driver's license from being  
13 downgraded:

14 (1) a driver whose medical certification has expired must submit  
15 a current and qualifying medical examination report and medical  
16 examiner's certificate not later than sixty (60) days after the  
17 bureau has initiated a downgrade; or

18 (2) a driver whose federally granted medical variance was  
19 removed or rescinded must submit a new federally granted  
20 medical variance not later than sixty (60) days after the bureau  
21 has initiated a downgrade.

22 (c) The bureau shall provide written notice to a driver at least ten  
23 (10) days before initiating a downgrade of the driver's commercial  
24 driver's license informing the driver:

25 (1) that the driver is not medically certified due to the expiration  
26 of the driver's medical certificate or because the driver's federally  
27 granted medical variance was removed or rescinded; and

28 (2) how the driver can prevent the driver's commercial driver's  
29 license from being downgraded.

30 (d) The bureau shall not issue a commercial driver's license to an  
31 applicant who does not certify that the applicant:

32 (1) expects to operate only in interstate ~~commerce~~ or ~~only in~~  
33 intrastate commerce; **and**

34 **(2) whether or not the applicant is medically excepted.**

35 SECTION 194. IC 9-24-6.5-6 IS AMENDED TO READ AS  
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The hazardous  
37 materials endorsement of a driver who applies for renewal of the  
38 endorsement may remain valid after the date on which the endorsement  
39 would otherwise expire if both of the following conditions are met:

40 (1) The application for renewal was received by the bureau at  
41 least ninety (90) days before the date on which the endorsement  
42 expires.

C  
o  
p  
y



1 (2) On the date on which the endorsement expires, the bureau has  
 2 not yet received the results of a background check conducted by  
 3 the administration or another agency designated to conduct the  
 4 background check.

5 (b) Except as provided in subsection (c), an extension under  
 6 subsection (a) is valid for ninety (90) days after the date on which the  
 7 endorsement would otherwise expire **if the driver has applied with**  
 8 **the Transportation Security Administration for renewal of the**  
 9 **hazardous materials endorsement approval.**

10 (c) Notwithstanding subsection (b), if the bureau receives  
 11 information from the administration or another agency designated to  
 12 conduct a background check that requires the bureau to revoke the  
 13 hazardous materials endorsement of a driver, the bureau shall revoke  
 14 the endorsement immediately upon receipt of the information.

15 (d) An extension under subsection (a) may be renewed until:

16 (1) the bureau receives the results of a background check  
 17 conducted by the administration or another agency designated to  
 18 conduct the background check; or

19 (2) further extensions are barred under regulations adopted to  
 20 implement the act.

21 SECTION 195. IC 9-24-7-1, AS AMENDED BY P.L.145-2011,  
 22 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2012]: Sec. 1. (a) ~~This subsection expires June 30, 2010. The~~  
 24 ~~bureau shall issue a learner's permit to an individual who meets the~~  
 25 ~~following conditions:~~

26 (1) ~~Is at least fifteen (15) years of age:~~

27 (2) ~~If less than eighteen (18) years of age, is not ineligible under~~  
 28 ~~IC 9-24-2-1.~~

29 (3) ~~Is enrolled in an approved driver education course:~~

30 (b) ~~This subsection applies beginning July 1, 2010, and expires~~  
 31 ~~September 1, 2011. The bureau shall issue a learner's permit to an~~  
 32 ~~individual who meets the following conditions:~~

33 (1) ~~Is at least fifteen (15) years and one hundred eighty (180) days~~  
 34 ~~of age.~~

35 (2) ~~If less than eighteen (18) years of age, is not ineligible under~~  
 36 ~~IC 9-24-2-1.~~

37 (3) ~~Is enrolled in an approved driver education course:~~

38 (c) ~~This subsection applies beginning September 1, 2011. (a) The~~  
 39 ~~bureau shall issue a learner's permit to an individual who: meets the~~  
 40 ~~following conditions:~~

41 (1) ~~is at least fifteen (15) years of age;~~

42 (2) ~~if less than eighteen (18) years of age, is not ineligible under~~

C  
o  
p  
y



- 1 IC 9-24-2-1;
- 2 (3) is enrolled in an approved driver education course; **and**
- 3 **(4) has passed a written examination as required under**
- 4 **IC 9-24-10.**

5 **(b) The bureau shall issue a learner's permit to an individual**  
 6 **who:**

- 7 **(1) is at least sixteen (16) years of age;**
- 8 **(2) if less than eighteen (18) years of age, is not ineligible**
- 9 **under IC 9-24-2; and**
- 10 **(3) has passed a written examination as required under**
- 11 **IC 9-24-10.**

12 SECTION 196. IC 9-24-7-2 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The ~~bureau~~  
 14 **instructor of an approved driver education course** shall validate **or**  
 15 **certify** a learner's permit issued under section 1 of this chapter upon  
 16 certification by the instructor of an approved driver education course  
 17 ~~that when~~ the holder has satisfactorily completed the course. **If the**  
 18 **instructor is unable to certify the actual learner's permit, the**  
 19 **instructor may certify that the holder has satisfactorily completed**  
 20 **the course in a manner the bureau prescribes.**

21 SECTION 197. IC 9-24-7-3 IS REPEALED [EFFECTIVE JULY 1,  
 22 2012]. Sec. 3. The ~~bureau shall issue a validated learner's permit to an~~  
 23 ~~individual who is at least sixteen (16) years of age upon passing the~~  
 24 ~~required examination.~~

25 SECTION 198. IC 9-24-7-4, AS AMENDED BY P.L.156-2006,  
 26 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2012]: Sec. 4. A learner's permit authorizes the permit holder  
 28 to operate a motor vehicle, except a motorcycle **or commercial motor**  
 29 **vehicle**, upon a public highway under the following conditions:

- 30 (1) While the holder is participating in practice driving in a  
 31 approved driver education course and is accompanied by a  
 32 certified driver education instructor **or student teacher** in the  
 33 front seat of ~~an automobile~~ **a motor vehicle** equipped with dual  
 34 controls.
- 35 **(2) While the holder is participating in practice driving after**  
 36 **having commenced an approved driver education course and**  
 37 **the seat beside the holder is occupied by a parent, stepparent,**  
 38 **or guardian of the holder who holds a valid driver's license.**
- 39 ~~(2)~~ **(3) If the learner's permit has been validated and the holder is**  
 40 **not participating in an approved driver education course, and**  
 41 **is less than eighteen (18) years of age, the holder may participate**  
 42 **in practice driving if the seat beside the holder is occupied by a**

C  
O  
P  
Y



1 guardian, stepparent, or relative of the holder who is at least  
 2 twenty-one (21) years of age and holds a valid ~~operator's;~~  
 3 ~~chauffeur's; or public passenger chauffeur's~~ **driver's** license.

4 ~~(3)~~ **(4)** If the learner's permit has been validated and the holder is  
 5 **not participating in an approved driver education course, and**  
 6 **is** at least eighteen (18) years of age, the holder may participate in  
 7 practice driving if accompanied in the vehicle by an individual  
 8 who holds a valid ~~operator's; chauffeur's; or public passenger~~  
 9 ~~chauffeur's~~ **driver's** license.

10 ~~(4)~~ **While:**

11 (A) the holder is enrolled in an approved driver education  
 12 course;

13 (B) the holder is participating in practice driving after having  
 14 commenced an approved driver education course; and

15 (C) the seat beside the holder is occupied by a parent;  
 16 stepparent; or guardian of the holder who holds a valid  
 17 ~~operator's; chauffeur's; or public passenger chauffeur's~~ license.

18 SECTION 199. IC 9-24-7-5 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. A holder of a  
 20 learner's permit may take ~~an~~ **the skills** examination for an operator's  
 21 license not later than the expiration date of the learner's permit. ~~Not~~  
 22 ~~more than three (3) examinations may be allowed any holder during the~~  
 23 ~~period the learner's permit is issued.~~ A holder who does not pass the  
 24 **skills** examination during the period for which the learner's permit is  
 25 issued **must obtain a new learner's permit and after a third attempt** is  
 26 not eligible to take the examination until two (2) months after the  
 27 issuance of the new permit. **date of the last failed examination.**

28 SECTION 200. IC 9-24-8-3 IS AMENDED TO READ AS  
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) The bureau shall  
 30 issue a motorcycle learner's permit to an individual who meets the  
 31 following conditions:

32 (1) The individual holds a valid operator's, chauffeur's, ~~or~~ public  
 33 passenger chauffeur's, **or commercial driver's** license issued  
 34 under this article.

35 (2) The individual passes a written examination developed by the  
 36 bureau concerning the safe operation of a motorcycle.

37 (b) A motorcycle learner's permit authorizes the permit's holder to  
 38 operate a motorcycle upon a highway during a period of one (1) year  
 39 under the following conditions:

40 (1) The holder wears a helmet that meets the standards  
 41 established by the United States Department of Transportation  
 42 under 49 CFR 571.218 as in effect January 1, 1979.



C  
o  
p  
y

1 (2) The motorcycle is operated only during daylight hours.  
 2 (3) The motorcycle does not carry passengers other than the  
 3 operator.  
 4 **(c) A motorcycle learner's permit may be renewed one (1) time**  
 5 **for a period of one (1) year. An individual who does not obtain a**  
 6 **motorcycle operator endorsement before the expiration of the**  
 7 **renewed learner's permit must wait one (1) year to reapply for a**  
 8 **new motorcycle learner's permit.**  
 9 SECTION 201. IC 9-24-8-4, AS AMENDED BY P.L.109-2011,  
 10 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsections **(b) and**  
 12 **(c), and ~~(d)~~**; the bureau shall validate an operator's, a chauffeur's, **or** a  
 13 public passenger chauffeur's, **or a commercial driver's** license for  
 14 motorcycle operation upon a highway by endorsement to a person who:  
 15 **meets the conditions in subsection (b) or (g):**  
 16 **(b) Except as provided in subsection (g), a person must meet at least**  
 17 **one ~~(1)~~ of the following conditions to obtain an endorsement under**  
 18 **subsection (a):**  
 19 (1) satisfactorily ~~complete~~ **completes** the written test ~~and:~~  
 20 ~~(A) satisfactorily complete an and~~ approved operational skills  
 21 ~~test; or tests;~~  
 22 ~~(B) (2)~~ satisfactorily ~~complete~~ **completes** a motorcycle operator  
 23 safety education course approved by the department of education  
 24 as set forth in IC 20-30-13-9; **or**  
 25 ~~(2) Hold~~ **(3) holds** a current motorcycle operator endorsement or  
 26 motorcycle operator's license from any other jurisdiction and  
 27 successfully ~~complete~~ **completes** the written test.  
 28 **The bureau may waive the testing requirements for an individual**  
 29 **who has completed a course described in subdivision (2).**  
 30 ~~(e) (b)~~ The bureau may not issue a motorcycle endorsement to an  
 31 individual less than sixteen (16) years and one hundred eighty (180)  
 32 days of age.  
 33 ~~(d) (c)~~ If an applicant for a motorcycle license endorsement is less  
 34 than eighteen (18) years of age, the bureau may not issue a license  
 35 endorsement described in subsection (a) if the applicant is ineligible  
 36 under IC 9-24-2-1.  
 37 ~~(e) (d)~~ The bureau shall develop and implement both a written test  
 38 and an operational skills test ~~that must be designed~~ to determine  
 39 whether an applicant for a motorcycle endorsement ~~is competent~~  
 40 **demonstrates the necessary knowledge and skills** to operate a  
 41 motorcycle upon a highway. The written test must be made available  
 42 at license branch locations approved by the bureau. The operational

COPY



1 skills test must be given at locations designated by the bureau. The  
 2 bureau shall adopt rules under IC 4-22-2 to establish standards for  
 3 persons administering operational skills tests and the provisions of the  
 4 operational skills test. An individual applying for a motorcycle  
 5 endorsement must pass the written exam before taking the operational  
 6 skills test. If an applicant fails to satisfactorily complete either the  
 7 written or operational tests, the applicant may reapply for and must be  
 8 offered the examination upon the same terms and conditions as  
 9 applicants may reapply for and be offered examinations for an  
 10 operator's license. The bureau shall publish and make available at all  
 11 locations where an individual may apply for an operator's license  
 12 information concerning a motorcycle endorsement.

13 ~~(f)~~ **(e)** An individual may apply for a motorcycle endorsement not  
 14 later than the expiration date of the permit. However, ~~not more than~~  
 15 ~~three (3) examinations may be allowed during the period the permit is~~  
 16 ~~valid; an individual who holds a learner's permit and does not pass the~~  
 17 ~~written and operating skills examination during the period for which~~  
 18 ~~the permit is valid must obtain a new learner's permit. after a third~~  
 19 ~~attempt is not eligible to take the examination until two (2) months~~  
 20 ~~after the date of the last failed examination.~~

21 ~~(g)~~ **(f)** A person who held a valid Indiana motorcycle operator's  
 22 license on ~~June 30; December 31~~, 2011, may be issued a motorcycle  
 23 operator's endorsement after ~~June 30; December 31~~, 2011, on a valid  
 24 Indiana operator's, chauffeur's, public passenger chauffeur's, or  
 25 commercial driver's license after:

- 26 (1) making the appropriate application for endorsement; ~~and~~
- 27 **(2) passing the appropriate examinations; and**
- 28 ~~(2)~~ **(3)** paying the appropriate fee set forth in IC 9-29-9-7 or
- 29 IC 9-29-9-8.

30 SECTION 202. IC 9-24-9-2, AS AMENDED BY P.L.145-2011,  
 31 SECTION 17, AND AS AMENDED BY P.L.118-2011, SECTION 3,  
 32 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~(a) Before January 1, 2008; each~~  
 34 ~~application for a license or permit under this chapter must require the~~  
 35 ~~following information:~~

- 36 ~~(1) The name, date of birth, sex, Social Security number, and~~  
 37 ~~mailing address; and; if different from the mailing address; the~~  
 38 ~~residence address of the applicant. The applicant shall indicate to~~  
 39 ~~the bureau:~~
- 40 ~~(A) which address the license or permit shall contain; and~~
- 41 ~~(B) whether the Social Security number or another~~  
 42 ~~distinguishing number shall be the distinctive identification~~



C  
o  
p  
y

- 1           number used on the license or permit.
- 2           (2) Whether the applicant has been licensed as an operator, a
- 3           chauffeur, or a public passenger chauffeur or has been the holder
- 4           of a learner's permit, and if so, when and by what state.
- 5           (3) Whether the applicant's license or permit has ever been
- 6           suspended or revoked, and if so, the date of and the reason for the
- 7           suspension or revocation.
- 8           (4) Whether the applicant has been convicted of a crime
- 9           punishable as a felony under Indiana motor vehicle law or any
- 10          other felony in the commission of which a motor vehicle was
- 11          used.
- 12          (5) Whether the applicant has a physical or mental disability, and
- 13          if so, the nature of the disability and other information the bureau
- 14          directs.
- 15          The bureau shall maintain records of the information provided under
- 16          subdivisions (1) through (5):
- 17          (b) (a) Except as provided in subsection (c), after December 31,
- 18          2007, (b), each application for a license or permit under this chapter
- 19          must require the following information:
- 20               (1) The full legal name of the applicant.
- 21               (2) The applicant's date of birth.
- 22               (3) The gender of the applicant.
- 23               (4) The applicant's height, weight, hair color, and eye color.
- 24               (5) The principal address and mailing address of the applicant.
- 25               (6) A:
- 26                    (A) valid Social Security number; or
- 27                    (B) verification of an applicant's:
- 28                       (i) ineligibility to be issued a Social Security number; and
- 29                       (ii) identity and lawful status.
- 30               (7) Whether the applicant has been subject to fainting spells or
- 31               seizures.
- 32               (8) Whether the applicant has been licensed as an operator, a
- 33               chauffeur, or a public passenger chauffeur or has been the holder
- 34               of a learner's permit, and if so, when and by what state.
- 35               (9) Whether the applicant's license or permit has ever been
- 36               suspended or revoked, and if so, the date of and the reason for the
- 37               suspension or revocation.
- 38               (10) Whether the applicant has been convicted of a crime
- 39               punishable as a felony under Indiana motor vehicle law or any
- 40               other felony in the commission of which a motor vehicle was
- 41               used.
- 42               (11) Whether the applicant has a physical or mental disability,

C  
O  
P  
Y



- 1 and if so, the nature of the disability and other information the  
 2 bureau directs.
- 3 (12) The signature of the applicant.
- 4 The bureau shall maintain records of the information provided under  
 5 subdivisions (1) through (12).
- 6 ~~(c)~~ **(b)** For purposes of subsection ~~(b)~~, **(a)**, an individual certified as  
 7 a program participant in the address confidentiality program under  
 8 IC 5-26.5 is not required to provide the individual's principal address  
 9 and mailing address, but may provide an address designated by the  
 10 office of the attorney general under IC 5-26.5 as the individual's  
 11 principal address and mailing address.
- 12 ~~(d)~~ **(c)** *In addition to the information required by subsection ~~(b)~~, **(a)**,*  
 13 *an applicant who is required to complete at least fifty (50) hours of*  
 14 *supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or*  
 15 *IC 9-24-3-2.5(a)(2)(D) must submit to the commission evidence of the*  
 16 *time logged in practice driving. The bureau shall maintain a record of*  
 17 *the time log provided.*
- 18 *(d) In addition to the information required under subsection ~~(b)~~, **(a)**,*  
 19 *an application for a license or permit to be issued under this chapter*  
 20 *must enable the applicant to indicate that the applicant is a veteran of*  
 21 *the armed forces of the United States and wishes to have an indication*  
 22 *of the applicant's veteran status appear on the license or permit. An*  
 23 *applicant who wishes to have an indication of the applicant's veteran*  
 24 *status appear on a license or permit must:*
- 25 *(1) indicate on the application that the applicant:*
- 26 *(A) is a veteran of the armed forces of the United States; and*  
 27 *(B) wishes to have an indication of the applicant's veteran*  
 28 *status appear on the license or permit; and*
- 29 *(2) verify the applicant's veteran status by providing proof of*  
 30 *discharge.*
- 31 *The bureau shall maintain records of the information provided under*  
 32 *this subsection.*
- 33 SECTION 203. IC 9-24-10-3, AS AMENDED BY P.L.145-2011,  
 34 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2012]: Sec. 3. ~~(a)~~ Except as provided by subsection ~~(b)~~,  
 36 examinations shall be held in the county where the license branch  
 37 office in which the application was made is located, within a  
 38 reasonable length of time following the date of the application.
- 39 ~~(b)~~ After June 30, 2011, An applicant may take any or all of the tests  
 40 required by section 4(a)(1)(B), 4(a)(1)(C), and 4(a)(2) of this chapter  
 41 at any **license branch** location in Indiana.
- 42 SECTION 204. IC 9-24-10-4, AS AMENDED BY P.L.145-2011,

C  
O  
P  
Y

1 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 2 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (c), an  
 3 examination for a learner's permit **or driver's license** must ~~consist of~~  
 4 ~~a test of the applicant's eyesight and knowledge of IC 9-26-1-1.5. All~~  
 5 ~~other examinations must~~ include the following:

6 (1) A test of the following of the applicant:

7 (A) Eyesight.

8 (B) Ability to read and understand highway signs regulating,  
 9 warning, and directing traffic.

10 (C) Knowledge of Indiana traffic laws, including  
 11 IC 9-26-1-1.5.

12 (2) An actual demonstration of the applicant's skill in exercising  
 13 ordinary and reasonable control in the operation of a motor  
 14 vehicle under the type of permit or license applied for.

15 (b) The examination may include further physical and mental  
 16 examination that the bureau finds necessary to determine the  
 17 applicant's fitness to operate a motor vehicle safely upon Indiana  
 18 highways. The applicant must provide the motor vehicle used in the  
 19 examination.

20 (c) The bureau:

21 (1) ~~shall~~ **may** waive the actual demonstration required under  
 22 subsection (a)(2) for a person who has passed a driver's education  
 23 class and a skills test given by a commercial driver training school  
 24 or driver education program given by an entity licensed under  
 25 IC 9-27-6-7; and

26 (2) may waive the testing, other than testing under subsection  
 27 (a)(1)(A), of an applicant who has passed:

28 (A) an examination concerning:

29 (i) subsection (a)(1)(B); and

30 (ii) subsection (a)(1)(C); and

31 (B) a skills test;

32 given by a commercial driver training school or an entity licensed  
 33 under IC 9-27-6-7.

34 (d) The bureau shall adopt rules under IC 4-22-2 specifying  
 35 requirements for a skills test given under subsection (c) and the testing  
 36 required under subsection (a)(1)(B) and (a)(1)(C).

37 (e) An instructor having an endorsement under IC 9-27-6-8 who did  
 38 not instruct the applicant for the license or permit in driver education  
 39 is not civilly or criminally liable for a report made in good faith to the:

40 (1) bureau;

41 (2) commission; or

42 (3) driver licensing medical advisory board;

ES 257—LS 6814/DI 96+



C  
O  
P  
Y

1 concerning the fitness of the applicant to operate a motor vehicle in a  
2 manner that does not jeopardize the safety of individuals or property.

3 SECTION 205. IC 9-24-10-5 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The bureau shall  
5 **print, make available**, for the mandatory use of individuals conducting  
6 the examinations, the rules and requirements that must be uniformly  
7 and impartially followed in making the examinations.

8 SECTION 206. IC 9-24-11-1 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall  
10 issue a permit or license to every applicant who meets the following  
11 conditions:

- 12 (1) Qualifies as required.
- 13 (2) Makes the proper application.
- 14 (3) Pays the required fee.

15 **(4) Passes the required examinations.**

16 SECTION 207. IC 9-24-11-9 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) This section  
18 applies to an individual who has an existing medical condition that  
19 causes the individual to appear intoxicated.

20 (b) An operator's permit or license issued to an individual under this  
21 section must bear a **distinctive color coding restriction** on the **face of**  
22 **the** operator's permit or license.

23 (c) An individual who wishes to have an operator's permit or license  
24 issued under this section must provide a verified certificate from a  
25 physician licensed to practice in Indiana attesting to the individual's  
26 medical condition. The physician's certificate must be:

- 27 (1) provided to the bureau at the time the individual applies for an  
28 operator's permit or license under this section;
- 29 (2) carried in any vehicle that the individual operates; and
- 30 (3) renewed each time the individual's operator's license is  
31 renewed.

32 (d) The bureau shall adopt rules under IC 4-22-2 to carry out this  
33 section.

34 SECTION 208. IC 9-24-11-10 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) In addition to  
36 any other penalty imposed for a conviction under section 8(c) of this  
37 chapter, the court shall recommend that the person's driving privileges  
38 be suspended for a fixed period of at least ninety (90) days and not  
39 more than two (2) years.

40 (b) The court shall specify:

- 41 (1) the length of the fixed period of suspension; and
- 42 (2) the date the fixed period of suspension begins;

C  
O  
P  
Y



1 whenever the court makes a recommendation under subsection (a). **If**  
 2 **the court fails to recommend a fixed term of suspension, the bureau**  
 3 **shall impose the minimum period of suspension required under this**  
 4 **chapter.**

5 SECTION 209. IC 9-24-11-11 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. The bureau shall,  
 7 upon receiving a record of conviction of a person under section 8(c) of  
 8 this chapter, set a period of suspension for a fixed period of at least  
 9 ninety (90) days and not more than two (2) years. The bureau shall fix  
 10 this period in accordance with the recommendation of the court that  
 11 entered the conviction, as provided in section 10 of this chapter. **If the**  
 12 **court fails to recommend a fixed term of suspension, the bureau**  
 13 **shall impose the minimum period of suspension required under this**  
 14 **chapter.**

15 SECTION 210. IC 9-24-12-1, AS AMENDED BY P.L.87-2010,  
 16 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 UPON PASSAGE]: Sec. 1. (a) **Notwithstanding subsection (c) and**  
 18 **except as provided in subsections subsection (b) and (d) and section**  
 19 **sections 10, 11, and 12 of this chapter, the expiration date for an**  
 20 **operator's license issued under this article before January 1, 2006;**  
 21 **expires at midnight of the birthday of the holder that occurs four (4)**  
 22 **years following the date of issuance. that contains a 2012 expiration**  
 23 **date is as follows:**

24 (1) **If the license was previously issued or renewed after May**  
 25 **14, 2007, and before January 1, 2008, the license expires at**  
 26 **midnight on the birthday of the holder that occurs five (5)**  
 27 **years following the date of issuance.**

28 (2) **If the license was previously issued or renewed after**  
 29 **December 31, 2007, and before January 1, 2009, the license**  
 30 **expires at midnight on the birthday of the holder that occurs**  
 31 **six (6) years following the date of issuance.**

32 (3) **If the license was previously issued or renewed after**  
 33 **December 31, 2005, and before January 1, 2007, the license**  
 34 **expires at midnight on the birthday of the holder that occurs**  
 35 **four (4) years following the date of issuance.**

36 **This subsection does not apply to the issuance or renewal of an**  
 37 **operator's license that contains an expiration date after 2012.**

38 (b) Except as provided in sections 10, 11, and 12 of this chapter, an  
 39 operator's license issued to an applicant who is at least seventy-five  
 40 (75) years of age expires at midnight of the birthday of the holder that  
 41 occurs three (3) years following the date of issuance.

42 (c) Except as provided in subsections (a), (b), and (d), and (f) and



C  
o  
p  
y

1 sections 10, 11, and 12 of this chapter, an operator's license issued  
 2 under this article expires at midnight of the birthday of the holder that  
 3 occurs six (6) years following the date of issuance.

4 (d) A probationary operator's license issued under IC 9-24-11-3  
 5 expires at ~~midnight of the twenty-first birthday of the holder.~~ **in**  
 6 **accordance with IC 9-24-11-3(e).**

7 (e) A probationary **operator's** license issued under IC 9-24-11-3.3  
 8 to an individual who complies with IC 9-24-9-2.5(5) through  
 9 IC 9-24-9-2.5(9) expires:

10 (1) at midnight one (1) year after issuance if there is no expiration  
 11 date on the authorization granted to the individual to remain in the  
 12 United States; or

13 (2) if there is an expiration date on the authorization granted to  
 14 the individual to remain in the United States, the earlier of the  
 15 following:

16 (A) At midnight of the date the authorization to remain in the  
 17 United States expires.

18 (B) At midnight of the date thirty (30) days after the  
 19 twenty-first birthday of the holder.

20 (f) Except as provided in subsection (e), a probationary operator's  
 21 license issued under IC 9-24-11-3.3 expires at midnight of the date  
 22 thirty (30) days after the twenty-first birthday of the holder.

23 SECTION 211. IC 9-24-12-2, AS AMENDED BY P.L.184-2007,  
 24 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2012]: Sec. 2. ~~(a) Except as provided in section 10 of this~~  
 26 ~~chapter, a chauffeur's license issued under this article after December~~  
 27 ~~31, 1996, and before January 1, 2006, expires at midnight of the~~  
 28 ~~birthday of the holder that occurs four (4) years following the date of~~  
 29 ~~issuance.~~

30 ~~(b) (a) After December 31, 2005, and~~ Except as provided in  
 31 subsection ~~(c)~~ **(b)** and sections 10, 11, and 12 of this chapter, a  
 32 chauffeur's license issued under this article expires at midnight of the  
 33 birthday of the holder that occurs six (6) years following the date of  
 34 issuance.

35 ~~(c) (b)~~ Except as provided in ~~subsection (b) and~~ sections 10, 11, and  
 36 12 of this chapter, a chauffeur's license issued to an applicant who is at  
 37 least seventy-five (75) years of age expires at midnight of the birthday  
 38 of the holder that occurs three (3) years following the date of issuance.

39 SECTION 212. IC 9-24-12-5, AS AMENDED BY P.L.109-2011,  
 40 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2012]: Sec. 5. (a) Except as provided in subsection (b), an  
 42 individual applying for renewal of an operator's, a chauffeur's, or a

C  
O  
P  
Y



1 public passenger chauffeur's license must apply in person at a license  
2 branch and do the following:

3 (1) Pass an eyesight examination.

4 (2) Pass a written examination if:

5 (A) the applicant has at least six (6) active points on the  
6 applicant's driving record maintained by the bureau; or

7 (B) the applicant holds a valid operator's license, has not  
8 reached the applicant's twenty-first birthday, and has active  
9 points on the applicant's driving record maintained by the  
10 bureau.

11 (b) The bureau may adopt rules under IC 4-22-2 concerning the  
12 ability of a holder of an operator's, a chauffeur's, or a public passenger  
13 chauffeur's license to renew the license by mail or by electronic service.  
14 If rules are adopted under this subsection, the rules must provide that  
15 an individual's renewal of a license by mail or by electronic service is  
16 subject to the following conditions:

17 (1) A valid computerized image of the individual must exist  
18 within the records of the bureau.

19 (2) The previous renewal of the individual's operator's,  
20 chauffeur's, or public passenger chauffeur's license must not have  
21 been by mail or by electronic service.

22 (3) The application for or previous renewal of the individual's  
23 license must have included a test of the individual's eyesight  
24 approved by the bureau.

25 (4) If the individual were applying for the license renewal in  
26 person at a license branch, the individual would not be required  
27 under subsection (a)(2) to submit to a written examination.

28 (5) The individual must be a citizen of the United States, as  
29 shown in the records of the bureau.

30 (6) There must not have been any change in the:

31 (A) address; or

32 (B) name;

33 of the individual since the issuance or previous renewal of the  
34 individual's operator's, chauffeur's, or public passenger chauffeur's  
35 license.

36 (7) The operator's, chauffeur's, or public passenger chauffeur's  
37 license of the individual must not be:

38 (A) suspended; or

39 (B) expired more than one hundred eighty (180) days;  
40 at the time of the application for renewal.

41 (8) The individual must be less than ~~seventy (70)~~ **seventy-five**  
42 **(75)** years of age at the time of the application for renewal.

C  
o  
p  
y



1 (c) An individual applying for the renewal of an operator's, a  
 2 chauffeur's, or a public passenger chauffeur's license must apply in  
 3 person at a license branch under subsection (a) if the individual is not  
 4 entitled to apply by mail or by electronic service under rules adopted  
 5 under subsection (b).

6 SECTION 213. IC 9-24-14-1, AS AMENDED BY P.L.87-2010,  
 7 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2012]: Sec. 1. If a permit or license issued under this article  
 9 ~~except section 2 of this chapter~~, is lost or destroyed, and as provided in  
 10 section 3.5 of this chapter, the individual to whom the permit or license  
 11 was issued may obtain a replacement if the individual ~~does the~~  
 12 following:

13 (1) ~~Furnishes proof satisfactory to the bureau that the permit or~~  
 14 ~~license was lost or destroyed:~~

15 (2) pays the required fee for a replacement permit or license under  
 16 IC 9-29-9.

17 SECTION 214. IC 9-24-14-2 IS REPEALED [EFFECTIVE JULY  
 18 1, 2012]. Sec. 2: (a) ~~This section applies to replacement licenses issued~~  
 19 ~~under the following:~~

20 (1) ~~IC 9-30-4-6:~~

21 (2) ~~IC 9-24-15:~~

22 (3) ~~IC 9-30-5:~~

23 (4) ~~IC 9-30-6:~~

24 (5) ~~IC 9-30-10-9:~~

25 (6) ~~IC 9-30-10-13:~~

26 (b) ~~The bureau may issue a replacement license that is restrictive or~~  
 27 ~~conditional if an applicant does the following:~~

28 (1) ~~Applies for a valid replacement license:~~

29 (2) ~~Surrenders all licenses in the applicant's possession:~~

30 (3) ~~Pays the license fee under IC 9-29-9:~~

31 SECTION 215. IC 9-24-15-1 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) Except as  
 33 provided in subsection (b), this chapter does not apply to the following:

34 (1) A suspension of a driving license upon the failure of an  
 35 individual to file security or proof of financial responsibility  
 36 following an accident as required by or upon the failure of any  
 37 individual to satisfy a judgment for damages arising out of the use  
 38 of a motor vehicle on a public highway as provided for in IC 9-25.

39 (2) When suspension is by reason of:

40 (A) physical, mental, or emotional instability;

41 (B) having caused serious bodily injury to or the death of  
 42 another person when operating a motor vehicle after

C  
o  
p  
y



1 knowingly or intentionally failing to take prescribed  
2 medication, the taking of which was a condition of the  
3 issuance of the operator's restricted driver's license; or  
4 (C) the applicant has been convicted of involuntary  
5 manslaughter or reckless homicide as a result of an automobile  
6 accident.

7 (3) A suspension of the license of an applicant whose license has  
8 been previously suspended.

9 (4) A suspension of the license of an applicant who has failed to  
10 use timely appeal procedures provided by the bureau.

11 (5) After June 30, 2005, a suspension of the license of an  
12 applicant whose commercial driver's license has been disqualified  
13 under 49 CFR 383.51 or other applicable federal or state law,  
14 including an alcohol or a controlled substance conviction under  
15 IC 9-30-5-4 or 49 CFR 391.15.

16 (b) A court may grant a petition for a restricted driving ~~permit~~  
17 **privileges** from an individual who:

18 (1) received a request for evidence of financial responsibility  
19 after:

20 (A) an accident under IC 9-25-5-2; or

21 (B) a conviction of a motor vehicle violation under  
22 IC 9-25-9-1; and

23 (2) failed to provide proof of financial responsibility under  
24 IC 9-25-6;

25 if the individual shows by a preponderance of the evidence that the  
26 failure to maintain financial responsibility was inadvertent.

27 SECTION 216. IC 9-24-15-2 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. If:

29 (1) an individual's driving license has been suspended under  
30 Indiana motor vehicle law; **and**

31 (2) because of the nature of the individual's employment the  
32 suspension would work an undue hardship and burden upon the  
33 individual's family or dependents; **and**

34 **(3) the individual is eligible for restricted driving privileges**  
35 **under section 1 of this chapter;**

36 the individual may file a verified petition for a restricted driving ~~permit~~  
37 **privileges** for the sole purpose of driving to and from work and in the  
38 course of employment during the period of the driving license  
39 suspension.

40 SECTION 217. IC 9-24-15-3, AS AMENDED BY P.L.28-2010,  
41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2012]: Sec. 3. The following information must be included in

C  
o  
p  
y



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

- a petition filed under section 2 of this chapter:
- (1) The petitioner's age, place of residence, and occupation.
- (2) That the petitioner has never been convicted of a similar offense or been **previously** suspended. ~~for a similar reason.~~
- (3) The reason and nature of the hardship or burden upon the petitioner's family or dependents.
- (4) The nature of and the necessity of the use of a motor vehicle in the petitioner's employment.
- (5) The petitioner's place of employment, hours worked, and route to be traveled for employment purposes.
- (6) ~~After June 30, 2005,~~ A certified copy of the petitioner's driving record in Indiana and other states in which the petitioner has held driving privileges, including all states in which the petitioner has held a commercial driver's license.
- (7) ~~After June 30, 2005,~~ A verified statement that the petitioner meets eligibility requirements for a restricted license as set forth in section 6.5 of this chapter.
- (8) ~~Whether the person is a habitual violator of traffic laws under IC 9-30-10.~~

SECTION 218. IC 9-24-15-5, AS AMENDED BY P.L.106-2010, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) The issues before the court in a proceeding under this chapter must be considered closed by denial of all matters at issue without the necessity of filing any further pleadings.

(b) Changes of venue from the judge or from the county must be granted a party under the law governing changes of venue in civil causes.

(c) A suspension or revocation under this title remains in full force and effect during the pendency of a cause under this chapter and until the issuance of the restricted driving **permit privileges** by the bureau in accordance with the recommendation of the court.

(d) Records accumulated in the regular course of business and routinely on file in the offices of the prosecuting attorney of the county, sheriff of the county, and bureau may be admitted at the hearing on the petition. The records constitute prima facie evidence of the matters contained on the face of the petition in relation to the petitioner.

(e) Court costs (including fees) for the action on the petition must be charged against the petitioner. The prosecuting attorney of the county is not liable or taxable for any costs (including fees) in any action under this chapter.

SECTION 219. IC 9-24-15-6, AS AMENDED BY P.L.109-2011, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

C  
o  
p  
y



1 JULY 1, 2012]: Sec. 6. (a) The court shall, after hearing the evidence  
2 upon a petition filed under this chapter and without any requests, make,  
3 sign, and file special finding of facts in writing. Except as provided in  
4 section 6.5 of this chapter, the court may do either of the following:

- 5 (1) Refuse to grant the petition.
- 6 (2) Make a final determination in the nature of a recommendation  
7 to the bureau that the petitioner be granted a restricted driving  
8 ~~permit~~ **privileges**.

9 The judge of the court shall sign the recommendation and have the  
10 recommendation entered in the order book by the clerk of the court,  
11 with a copy sent to the bureau.

12 **(b) If the bureau receives an order granting restricted driving**  
13 **privileges to a person who, according to the records of the bureau,**  
14 **is ineligible to receive restricted driving privileges under this**  
15 **chapter, the bureau shall:**

- 16 (1) **grant the person restricted driving privileges and notify**  
17 **the prosecuting attorney of the county from which the order**  
18 **was received that the person is not eligible for restricted**  
19 **driving privileges; and**
- 20 (2) **send a certified copy of the person's driving record to the**  
21 **prosecuting attorney. The prosecuting attorney shall, in**  
22 **accordance with IC 35-38-1-15, petition the court to correct**  
23 **the order of the court. If the bureau does not receive a**  
24 **corrected order within sixty (60) days, the bureau shall notify**  
25 **the attorney general, who shall, in accordance with**  
26 **IC 35-38-1-15, petition the court to correct the order of the**  
27 **court.**

28 SECTION 220. IC 9-24-15-6.5, AS AMENDED BY P.L.109-2011,  
29 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2012]: Sec. 6.5. (a) The court shall grant a petition for a  
31 restricted driving ~~permit~~ **privileges** filed under this chapter if all of the  
32 following conditions exist:

- 33 (1) The person was not convicted of one (1) or more of the  
34 following:
  - 35 (A) A Class D felony under IC 9-30-5-4 before July 1, 1996,
  - 36 or a Class D felony or a Class C felony under IC 9-30-5-4 after
  - 37 June 30, 1996.
  - 38 (B) A Class C felony under IC 9-30-5-5 before July 1, 1996, or
  - 39 a Class C felony or a Class B felony under IC 9-30-5-5 after
  - 40 June 30, 1996.
- 41 (2) The person's driving privileges were suspended under  
42 IC 9-30-6-9(c) or IC 35-48-4-15.

C  
O  
P  
Y



- 1 (3) The driving that was the basis of the suspension was not in
- 2 connection with the person's work.
- 3 (4) The person does not have a previous conviction for operating
- 4 while intoxicated.
- 5 (5) The person is participating in a rehabilitation program
- 6 certified by either the division of mental health and addiction or
- 7 the Indiana judicial center. ~~as a condition of the person's~~
- 8 ~~probation.~~
- 9 (b) The person filing the petition for a restricted driving ~~permit~~
- 10 **privileges** shall include in the petition the information specified in
- 11 subsection (a) in addition to the information required by sections 3
- 12 through 4 of this chapter.
- 13 (c) Whenever the court grants a person restricted driving privileges
- 14 under this chapter, that part of the court's order granting probationary
- 15 driving privileges shall not take effect until the person's driving
- 16 privileges have been suspended for at least thirty (30) days under
- 17 IC 9-30-6-9. In a county that provides for the installation of an ignition
- 18 interlock device under IC 9-30-8, installation of an ignition interlock
- 19 device is required as a condition of probationary driving privileges for
- 20 the entire duration of the probationary driving privileges.
- 21 (d) If a court requires installation of a certified ignition interlock
- 22 device under subsection (c), the court shall order the bureau to record
- 23 this requirement in the person's ~~operating driving~~ record in accordance
- 24 with IC 9-14-3-7. When the person is no longer required to operate
- 25 only a motor vehicle equipped with an ignition interlock device, the
- 26 court shall notify the bureau that the ignition interlock use requirement
- 27 has expired and order the bureau to update its records accordingly.
- 28 SECTION 221. IC 9-24-15-6.7, AS AMENDED BY P.L.109-2011,
- 29 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2012]: Sec. 6.7. (a) If a petitioner whose driving license or
- 31 permit is suspended under ~~IC 9-25-6-19, IC 9-25-6-20, or IC 9-25-6-21~~
- 32 **IC 9-30-13-6, IC 9-30-13-7, or IC 9-30-13-8** proves to the satisfaction
- 33 of the court that public transportation is unavailable for travel by the
- 34 petitioner:
- 35 (1) to and from the petitioner's regular place of employment;
- 36 (2) in the course of the petitioner's regular employment;
- 37 (3) to and from the petitioner's place of worship; or
- 38 (4) to participate in parenting time with the petitioner's children
- 39 consistent with a court order granting parenting time;
- 40 the court may grant a petition for a restricted driving ~~permit~~ **privileges**
- 41 filed under this chapter.
- 42 (b) ~~A~~ Restricted driving ~~permit~~ **privileges** issued by the bureau

COPY



1 under this section must specify that the restricted driving **permit is**  
2 **privileges are** valid only for purposes of driving under the conditions  
3 described in subsection (a).

4 (c) ~~A~~ Restricted driving **permit privileges** issued by the bureau  
5 under this section shall be:

- 6 (1) issued in the same manner; and
- 7 (2) subject to all requirements;

8 as other permits under this chapter.

9 SECTION 222. IC 9-24-15-7 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. ~~The bureau shall~~  
11 ~~comply with the court's recommendation.~~ The bureau in issuing a  
12 restricted driving **permit privileges** shall be guided by the court's  
13 special finding of facts in setting out the petitioner's driving  
14 restrictions. The ~~restricted driving permit recommendation of the~~  
15 **court** must set out restrictions as to the time, territory, and route to be  
16 included and shall be restricted to the essential requirements of the  
17 petitioner in the performance of the petitioner's employment duties.

18 SECTION 223. IC 9-24-15-8 IS AMENDED TO READ AS  
19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The petitioner must  
20 have **proof of the petitioner's** restricted driving ~~permit~~ **privileges**  
21 on the petitioner's person while driving a motor vehicle. ~~A~~ Restricted  
22 driving ~~permit is~~ **privileges are** valid and in force only after the person  
23 gives and maintains in effect proof of financial responsibility in the  
24 manner required in IC 9-25.

25 SECTION 224. IC 9-24-15-9, AS AMENDED BY P.L.109-2011,  
26 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2012]: Sec. 9. Except as provided in section 6.5 of this  
28 chapter, an individual may not ~~receive a~~ **be granted** restricted driving  
29 **permit privileges** if the individual's driving privileges are suspended  
30 under IC 9-30-5 through IC 9-30-9 or IC 9-30-13-3.

31 SECTION 225. IC 9-24-15-11 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) A person who:

- 33 (1) has been ~~issued a~~ **granted** restricted driving ~~permit;~~  
34 **privileges;** and
- 35 (2) operates a motor vehicle:
  - 36 (A) in violation of the terms, limitations, or restrictions set out  
37 **in by the restricted driving permit, court;** and
  - 38 (B) during the period of suspension of the person's current  
39 driving license;

40 commits a Class B misdemeanor.

41 (b) The bureau shall, upon receipt of notice of a conviction for a  
42 violation of this section, do the following:

C  
o  
p  
y



1 (1) Revoke the **person's** restricted driving ~~permit:~~ **privileges.**  
2 (2) Suspend the person's current driving license for two (2) years  
3 in addition to the original existing period of suspension.  
4 In addition, the bureau may not issue ~~another~~ restricted driving **permit**  
5 **privileges** to the person during the original existing or additional  
6 period of suspension.  
7 SECTION 226. IC 9-24-16-2, AS AMENDED BY P.L.118-2011,  
8 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2012]: Sec. 2. ~~(a) Before January 1, 2008, an application for~~  
10 ~~an identification card issued under this chapter must meet the following~~  
11 ~~conditions:~~  
12 ~~(1) Be made upon an approved form provided by the bureau;~~  
13 ~~which shall include the mailing address; and if different from the~~  
14 ~~mailing address; the residence address of the applicant.~~  
15 ~~(2) Be verified by the applicant before a person authorized to~~  
16 ~~administer oaths and affirmations.~~  
17 ~~(b) Except as provided in subsection (e); after December 31, 2007,~~  
18 **(a)** An application for an identification card issued under this chapter  
19 must require the following information concerning an applicant:  
20 (1) The full legal name of the applicant.  
21 (2) The applicant's date of birth.  
22 (3) The gender of the applicant.  
23 (4) The applicant's height, weight, hair color, and eye color.  
24 (5) The principal address and mailing address of the applicant.  
25 (6) A:  
26 (A) valid Social Security number; or  
27 (B) verification of an applicant's:  
28 (i) ineligibility to be issued a Social Security number; and  
29 (ii) identity and lawful status.  
30 **(7) A digital photograph of the applicant.**  
31 **(8) The signature of the applicant.**  
32 The bureau shall maintain records of the information provided under  
33 subdivisions (1) through ~~(6):~~ **(8).**  
34 ~~(e)~~ **(b)** The bureau may temporarily invalidate an identification card  
35 that the bureau believes to have been issued as a result of fraudulent  
36 documentation.  
37 ~~(d)~~ **(c)** The bureau:  
38 (1) shall adopt rules under IC 4-22-2 to establish a procedure to  
39 verify an applicant's identity and lawful status; and  
40 (2) may adopt rules to establish a procedure to temporarily  
41 invalidate an identification card that it believes to have been  
42 issued based on fraudulent documentation.

C  
o  
p  
y



1           ~~(e)~~ **(d)** For purposes of subsection ~~(b)~~; **(a)**, an individual certified as  
 2 a program participant in the address confidentiality program under  
 3 IC 5-26.5 is not required to provide the individual's principal address  
 4 and mailing address, but may provide an address designated by the  
 5 office of the attorney general under IC 5-26.5 as the individual's  
 6 principal address and mailing address.

7           ~~(f)~~ **(e)** In addition to the information required under subsection ~~(b)~~;  
 8 **(a)**, an application for an identification card to be issued under this  
 9 chapter must enable the applicant to indicate that the applicant is a  
 10 veteran of the armed forces of the United States and wishes to have an  
 11 indication of the applicant's veteran status appear on the identification  
 12 card. An applicant who wishes to have an indication of the applicant's  
 13 veteran status appear on the identification card must:

- 14           (1) indicate on the application that the applicant:  
 15                 (A) is a veteran of the armed forces of the United States; and  
 16                 (B) wishes to have an indication of the applicant's veteran  
 17                 status appear on the identification card; and  
 18           (2) verify the applicant's veteran status by providing proof of  
 19                 discharge.

20 The bureau shall maintain records of the information provided under  
 21 this subsection.

22           SECTION 227. IC 9-24-16-3, AS AMENDED BY P.L.118-2011,  
 23 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2012]: Sec. 3. (a) An identification card must have the same  
 25 dimensions and shape as a driver's license, but the card must have  
 26 markings sufficient to distinguish the card from a driver's license.

27           (b) Except as provided in subsection ~~(h)~~; **(g)**, the front side of an  
 28 identification card must contain the expiration date of the identification  
 29 card and the following information about the individual to whom the  
 30 card is being issued:

- 31           (1) Full legal name.  
 32           (2) The address of the principal residence.  
 33           (3) Date of birth.  
 34           (4) Date of issue and date of expiration.  
 35           (5) Unique identification number.  
 36           (6) Gender.  
 37           (7) Weight.  
 38           (8) Height.  
 39           (9) Color of eyes and hair.  
 40           (10) Reproduction of the signature of the individual identified.  
 41           (11) Whether the individual is blind (as defined in  
 42 IC 12-7-2-21(1)).

C  
o  
p  
y



- 1 (12) If the individual is less than eighteen (18) years of age at the
- 2 time of issuance, the dates on which the individual will become:
- 3 (A) eighteen (18) years of age; and
- 4 (B) twenty-one (21) years of age.
- 5 (13) If the individual is at least eighteen (18) years of age but less
- 6 than twenty-one (21) years of age at the time of issuance, the date
- 7 on which the individual will become twenty-one (21) years of age.
- 8 (14) Digital photograph of the individual.
- 9 (c) The information contained on the identification card as required
- 10 by subsection (b)(12) or (b)(13) for an individual who is less than
- 11 twenty-one (21) years of age at the time of issuance shall be printed
- 12 prominently on the permit or license.
- 13 (d) If the individual:
- 14 (1) has indicated on the application that the individual is a veteran
- 15 of the armed forces of the United States and wishes to have an
- 16 indication of the applicant's veteran status appear on the
- 17 identification card; and
- 18 (2) has provided proof of discharge;
- 19 an indication of the individual's veteran status shall be shown on the
- 20 identification card.
- 21 (e) If the applicant for an identification card submits information to
- 22 the bureau concerning the applicant's medical condition, the bureau
- 23 shall place an identifying symbol on the face of the identification card
- 24 to indicate that the applicant has a medical condition of note. The
- 25 bureau shall include information on the identification card that briefly
- 26 describes the medical condition of the holder of the card. The
- 27 information must be printed in a manner that alerts a person reading the
- 28 card to the existence of the medical condition. The applicant for an
- 29 identification card is responsible for the accuracy of the information
- 30 concerning the medical condition submitted under this subsection. The
- 31 bureau shall inform an applicant that submission of information under
- 32 this subsection is voluntary.
- 33 ~~(f) An identification card issued by the state that does not require a~~
- 34 ~~digital photograph must include a statement that the identification card~~
- 35 ~~may not be accepted by any federal agency for federal identification or~~
- 36 ~~any other federal purpose.~~
- 37 ~~(g)~~ (f) An identification card issued by the state to an individual
- 38 who:
- 39 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
- 40 visa status for entry in the United States;
- 41 (2) has a pending application for asylum in the United States;
- 42 (3) has a pending or approved application for temporary protected

COPY



- 1 status in the United States;
- 2 (4) has approved deferred action status; or
- 3 (5) has a pending application for adjustment of status to that of an
- 4 alien lawfully admitted for permanent residence in the United
- 5 States or conditional permanent residence status in the United
- 6 States;

7 must be clearly identified as a temporary identification card. A  
 8 temporary identification card issued under this subsection may not be  
 9 renewed without the presentation of valid documentary evidence  
 10 proving that the holder of the identification card's temporary status has  
 11 been extended.

12 ~~(h)~~ (g) For purposes of subsection (b), an individual certified as a  
 13 program participant in the address confidentiality program under  
 14 IC 5-26.5 is not required to provide the address of the individual's  
 15 principal residence, but may provide an address designated by the  
 16 office of the attorney general under IC 5-26.5 as the address of the  
 17 individual's principal residence.

18 SECTION 228. IC 9-24-16-4, AS AMENDED BY P.L.162-2009,  
 19 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (b), an  
 21 identification card ~~issued:~~

- 22 ~~(1) before January 1, 2006, expires on the fourth birthday of the~~
- 23 ~~applicant following the date of issue; and~~
- 24 ~~(2) after December 31, 2005, expires at midnight of the birthday~~
- 25 ~~of the holder that occurs six (6) years following the date of~~
- 26 ~~issuance.~~

27 (b) An identification card issued under this article ~~after December~~  
 28 ~~31, 2007,~~ to an applicant who complies with section 3.5(1)(E) through  
 29 3.5(1)(J) of this chapter expires:

- 30 (1) at midnight one (1) year after issuance, if there is no
- 31 expiration date on the authorization granted to the individual to
- 32 remain in the United States; or
- 33 (2) if there is an expiration date on the authorization granted to
- 34 the individual to remain in the United States, the earlier of the
- 35 following:
- 36 (A) At midnight of the date the authorization of the holder to
- 37 be a legal permanent resident or conditional resident alien of
- 38 the United States expires.
- 39 (B) At midnight of the birthday of the holder that occurs six
- 40 (6) years after the date of issuance.

41 SECTION 229. IC 9-24-16-4.5, AS AMENDED BY P.L.109-2011,  
 42 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

C  
o  
p  
y



1 JULY 1, 2012]: Sec. 4.5. (a) The bureau may adopt rules under  
2 IC 4-22-2 concerning the ability of an individual to renew an  
3 identification card under section 5 of this chapter, apply for a  
4 replacement identification card under section 9 of this chapter, or apply  
5 for a replacement identification card under section 6 of this chapter by  
6 electronic service. If rules are adopted under this subsection, the rules  
7 must provide that an individual's renewal, amendment, or replacement  
8 of an identification card by electronic service is subject to the following  
9 conditions:

10 (1) A valid computerized image or digital photograph of the  
11 individual must exist within the records of the bureau.

12 (2) The individual must be a citizen of the United States, as  
13 shown in the records of the bureau.

14 (3) There must not have been any change in the:

15 (A) legal address; or

16 (B) name;

17 of the individual since the issuance or previous renewal of the  
18 identification card of the individual.

19 (4) The identification card of the individual must not be expired  
20 more than one hundred eighty (180) days at the time of the  
21 application for renewal.

22 (b) An individual applying for:

23 (1) the renewal of an identification card; or

24 (2) a replacement identification card;

25 must apply in person at a license branch if the individual is not entitled  
26 to apply by mail or by electronic service under rules adopted under  
27 subsection (a).

28 SECTION 230. IC 9-24-16-5, AS AMENDED BY P.L.87-2010,  
29 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2012]: Sec. 5. (a) An application for renewal of an  
31 identification card may be made not more than twelve (12) months  
32 before the expiration date of the card. However, when the applicant  
33 complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter, an  
34 application for renewal of an identification card may be filed not more  
35 than one (1) month before the expiration date of the identification card  
36 held by the applicant. ~~A renewal application received after the date of~~  
37 ~~expiration is considered to be a new application.~~

38 (b) Except as provided in subsection ~~(e)~~; ~~(d)~~, a renewed card is valid  
39 on the birth date of the holder and remains valid for six (6) years.

40 ~~(c) If renewal has not been made within six (6) months after~~  
41 ~~expiration, the bureau shall destroy all records pertaining to the former~~  
42 ~~cardholder.~~

C  
o  
p  
y



1            ~~(d)~~ (c) Renewal may not be granted if the cardholder was issued a  
2 driver's license subsequent to the last issuance of an identification card.  
3            ~~(e)~~ (d) A renewed identification card issued under this article ~~after~~  
4 ~~December 31, 2007~~, to an applicant who complies with section  
5 3.5(1)(E) through 3.5(1)(J) of this chapter expires:  
6            (1) at midnight one (1) year after issuance, if there is no  
7 expiration date on the authorization granted to the individual to  
8 remain in the United States; or  
9            (2) if there is an expiration date on the authorization granted to  
10 the individual to remain in the United States, the earlier of the  
11 following:  
12            (A) At midnight of the date the authorization of the holder to  
13 be a legal permanent resident or conditional resident alien of  
14 the United States expires.  
15            (B) At midnight of the birthday of the holder that occurs six  
16 (6) years after the date of issuance.  
17            SECTION 231. IC 9-24-16-10, AS AMENDED BY P.L.109-2011,  
18 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2012]: Sec. 10. (a) The bureau may adopt rules under  
20 IC 4-22-2 and prescribe all forms necessary to implement this chapter.  
21 However, the bureau may not impose a fee for the issuance of:  
22            (1) an original;  
23            (2) a renewal of an; or  
24            (3) a replacement;  
25 identification card to an individual described in subsection (b).  
26            (b) An identification card must be issued without the payment of a  
27 fee or charge to an individual who:  
28            (1) does not have a valid Indiana driver's license; and  
29            (2) will be at least eighteen (18) years of age ~~at~~ **and eligible to**  
30 **vote in** the next general, municipal, or special election.  
31            SECTION 232. IC 9-24-17-2 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) The bureau shall  
33 verbally ask every individual who applies for a driver's license or an  
34 identification card issued under IC 9-24-16 whether the individual  
35 desires to make an anatomical gift.  
36            (b) If the individual does desire to make an anatomical gift, the  
37 bureau shall ~~assist~~ **provide** the individual ~~in completing~~  
38 which the individual makes the gift.  
39            SECTION 233. IC 9-24-17-3 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The bureau shall  
41 make available ~~and publicize~~ the anatomical gift program in a separate  
42 brochure and by other means the bureau considers necessary.

C  
o  
p  
y



1 SECTION 234. IC 9-24-17-8 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Each anatomical  
3 gift made under this chapter must be made by the donor by  
4 acknowledging the making of the anatomical gift by signing the  
5 application form for the driver's license or identification card under  
6 section 1 of this chapter. If the donor cannot sign, the application form  
7 may be signed for the donor:

- 8 (1) at the donor's direction and in the donor's presence; and
- 9 (2) in the presence of two (2) witnesses who must sign the  
10 document in the donor's and each other's presence.

11 ~~(b) The card must state that the document was signed in accordance~~  
12 ~~with this section.~~

13 ~~(c)~~ **(b)** The bureau shall place an identifying symbol on the face of  
14 the license or identification card to indicate that the person to whom  
15 the license or identification card is issued has acknowledged the  
16 making of an anatomical gift on the application form for the license or  
17 identification card as set forth in subsection (a).

18 ~~(d)~~ **(c)** Revocation, suspension, or cancellation of the license or  
19 expiration of the license or identification card does not invalidate the  
20 anatomical gift.

21 ~~(e)~~ **(d)** An anatomical gift is valid if the person acknowledges the  
22 making of the anatomical gift by signing the application form for a  
23 driver's license or identification card under subsection (a). No other  
24 acknowledgment is required to make an anatomical gift.

25 SECTION 235. IC 9-24-18-1, AS AMENDED BY P.L.100-2010,  
26 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2012]: Sec. 1. (a) A person, except a person exempted under  
28 IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle  
29 upon a highway and has never received a valid driving license commits  
30 a Class C misdemeanor. However, the offense is a Class A  
31 misdemeanor if the person has a prior unrelated conviction under this  
32 section.

33 (b) In addition to any other penalty imposed for a conviction under  
34 this section, the court shall recommend that the person be prohibited  
35 from receiving a valid driving license for a fixed period of at least  
36 ninety (90) days and not more than two (2) years.

37 (c) The court shall specify:

- 38 (1) the length of the fixed period of the prohibition; and
- 39 (2) the date the fixed period of the prohibition begins;

40 whenever the court makes a recommendation under subsection (b).

41 (d) The bureau shall, upon receiving a record of conviction of a  
42 person upon a charge of operating a motor vehicle while never having

C  
o  
p  
y



1 received a valid driving license, prohibit the person from receiving a  
 2 driving license for a fixed period of at least ninety (90) days and not  
 3 more than two (2) years. The bureau shall fix this period in accordance  
 4 with the recommendation of the court that entered the conviction, as  
 5 provided in subsection (c). **If the court fails to recommend a fixed**  
 6 **term of suspension, the bureau shall impose the minimum period**  
 7 **of suspension required under this chapter.**

8 (e) In a prosecution under this section, the burden is on the  
 9 defendant to prove by a preponderance of the evidence that the  
 10 defendant had been issued a driving license or permit that was valid at  
 11 the time of the alleged offense.

12 SECTION 236. IC 9-24-18-3 IS AMENDED TO READ AS  
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A person that has  
 14 a motor vehicle in the person's custody may not cause or knowingly  
 15 permit a person to drive the vehicle upon a highway unless the person  
 16 ~~obtains~~ **holds a valid** license or permit under this article.

17 (b) A person who violates this section commits a Class C infraction.

18 SECTION 237. IC 9-24-18-7 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. A person who  
 20 counterfeits or falsely reproduces a ~~driving~~ **driver's** license with intent  
 21 to use the license or to permit another person to use the license  
 22 commits a Class B misdemeanor.

23 SECTION 238. IC 9-24-18-9 IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) The bureau may  
 25 establish a driving record for an Indiana resident who does not hold any  
 26 type of valid driving license. The driving record shall be established for  
 27 an unlicensed driver when an abstract of court conviction has been  
 28 received by the bureau. ~~The record shall be maintained for not less than~~  
 29 ~~three (3) years for each unlicensed driver.~~

30 (b) If an unlicensed driver applies for and receives any type of  
 31 driving license in Indiana, the person's driving record as an unlicensed  
 32 driver shall be recorded on the permanent record file. An unlicensed  
 33 driver who has had at least two (2) traffic violation convictions in  
 34 Indiana within twenty-four (24) months before applying for any type of  
 35 driving license may not be issued a license within one (1) year after the  
 36 date of the second traffic conviction as indicated on the abstract of  
 37 court conviction record. If the bureau issues a license without  
 38 knowledge of the second conviction, the bureau shall suspend the  
 39 license upon learning of the second conviction and notify the person of  
 40 the reason for the suspension and the term of the suspension.

41 (c) The bureau shall also certify traffic violation convictions on the  
 42 driving record of an unlicensed driver who subsequently receives an

C  
o  
p  
y



1 Indiana driving license.  
2 SECTION 239. IC 9-24-18-12 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. Upon receipt of a  
4 court order under IC 7.1-5-7-7 (minor possessing, consuming, or  
5 transporting alcohol or having alcohol present in a bodily substance),  
6 the bureau shall suspend the minor's ~~driver's license~~ **driving privileges**  
7 for the period ordered by the court.  
8 SECTION 240. IC 9-24-19-5 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) In addition to any  
10 other penalty imposed for a conviction under this chapter, the court  
11 shall recommend that the person's driving privileges be suspended for  
12 a fixed period of not less than ninety (90) days and not more than two  
13 (2) years.  
14 (b) The court shall specify:  
15 (1) the length of the fixed period of suspension; and  
16 (2) the date the fixed period of suspension begins;  
17 whenever the court makes a recommendation under subsection (a).  
18 (c) **The bureau shall, upon receiving a record of conviction of a**  
19 **person upon a charge of driving a motor vehicle while the driving**  
20 **privileges, permit, or license of the person is suspended, fix the**  
21 **period of suspension in accordance with the recommendation of the**  
22 **court. If the court fails to recommend a fixed term of suspension,**  
23 **the bureau shall impose the minimum period of suspension**  
24 **required under this chapter.**  
25 SECTION 241. IC 9-24-19-6 IS REPEALED [EFFECTIVE JULY  
26 1, 2012]. Sec. 6. ~~The bureau shall, upon receiving a record of~~  
27 ~~conviction of a person upon a charge of driving a vehicle while the~~  
28 ~~person's driving privilege, permit, or license was suspended, extend the~~  
29 ~~period of suspension for a fixed period of not less than ninety (90) days~~  
30 ~~and not more than two (2) years. The bureau shall fix this period in~~  
31 ~~accordance with the recommendation of the court that entered the~~  
32 ~~conviction, as provided in section 5 of this chapter.~~  
33 SECTION 242. IC 9-25-1-1 IS AMENDED TO READ AS  
34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not  
35 apply to a judgment in a civil action. ~~or cause of action arising out of~~  
36 ~~an accident occurring before July 1, 1943.~~  
37 SECTION 243. IC 9-25-3-4 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Whenever the proof  
39 of financial responsibility filed by a person under this article no longer  
40 fulfills the purpose for which the proof was required, the bureau shall  
41 require other proof of financial responsibility under this article and  
42 shall suspend the ~~operator's or chauffeur's license~~ **driving privileges**

COPY



1 and **motor** vehicle registration of the person for whom other proof of  
2 financial responsibility is required.

3 SECTION 244. IC 9-25-4-1 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) This section does  
5 not apply to an electric personal assistive mobility device.

6 (b) A person may not:

7 (1) register a **motor** vehicle; or

8 (2) operate a **motor** vehicle on a public highway;  
9 in Indiana if financial responsibility is not in effect with respect to the  
10 motor vehicle under section 4 of this chapter, **or the person is not**  
11 **otherwise insured in order to operate the motor vehicle.**

12 (c) A person who violates this section is subject to the suspension  
13 of the person's current driving ~~license~~ **privileges** or **motor** vehicle  
14 registration, or both, under this article.

15 SECTION 245. IC 9-25-4-3 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Financial  
17 responsibility in one (1) of the forms required under this chapter must  
18 be continuously maintained as long as a motor vehicle is operated on  
19 a ~~road, street, or public~~ **highway** in Indiana.

20 SECTION 246. IC 9-25-4-4 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) For the purposes  
22 of this article, financial responsibility is in effect with respect to a  
23 motor vehicle if:

24 (1) a motor vehicle liability insurance policy issued with respect  
25 to the **motor** vehicle **or operator under IC 9-25-5-7;**

26 (2) a bond executed with respect to the **motor** vehicle under  
27 section 7 of this chapter; or

28 (3) the status of the owner or operator of the **motor** vehicle as a  
29 self-insurer, as recognized by the bureau through the issuance of  
30 a certificate of self-insurance under section 11 of this chapter;  
31 provides the ability to respond in damages for liability arising out of the  
32 ownership, maintenance, or use of the motor vehicle in amounts at least  
33 equal to those set forth in section 5 or 6 of this chapter.

34 (b) A motor vehicle liability policy under this article must contain  
35 the terms, conditions, and provisions required by statute and must be  
36 approved by the state insurance commissioner.

37 SECTION 247. IC 9-25-4-8 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. Proof of financial  
39 responsibility **meeting the requirements set forth in this article** may  
40 be ~~made filed in a manner prescribed by the bureau by filing with~~  
41 ~~the bureau the written certificate of an insurance carrier authorized to~~  
42 ~~do business in Indiana certifying that the carrier has issued to or for the~~

C  
o  
p  
y



1 benefit of the person furnishing the for whom proof and named as the  
2 insured a motor vehicle liability policy meeting the requirements of this  
3 chapter and having the terms, conditions, and specifications that the  
4 bureau requires: **is required.**

5 SECTION 248. IC 9-25-5-1 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) If a person is  
7 convicted of a traffic offense that requires a court appearance, the court  
8 shall require the person to show proof that financial responsibility was  
9 in force on the date of the violation in one (1) of the forms described in  
10 IC 9-25-4-4 or in the form of a certificate of self-insurance issued under  
11 IC 9-25-4-11.

12 (b) If a person fails to provide proof of financial responsibility as  
13 required by this section, the court shall ~~do the following:~~

- 14 (+) suspend the person's current driving license **privileges** or
- 15 **motor** vehicle registration, or both.
- 16 (-) ~~Order the person to immediately surrender the person's current~~
- 17 ~~driving license or vehicle registration to the court.~~

18 (c) A suspension under this section is subject to the same provisions  
19 concerning procedure for suspension, duration of suspension, and  
20 reinstatement applicable to other suspensions under this ~~chapter:~~  
21 **article.**

22 SECTION 249. IC 9-25-5-2 IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. Not more than  
24 forty-five (45) days after the bureau receives a copy of an accident  
25 report under IC 9-26, the bureau shall send to each person identified in  
26 the report as an operator of a **motor** vehicle involved in the accident a  
27 request for evidence of financial responsibility under section 3 of this  
28 chapter, unless the evidence has already been filed with the bureau.  
29 The request for evidence of financial responsibility shall be sent to  
30 each person identified in the report as an operator of a **motor** vehicle  
31 involved in the accident regardless of fault.

32 SECTION 250. IC 9-25-5-3 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A request for  
34 evidence of financial responsibility must do the following:

- 35 (1) Direct a person identified under section 2 of this chapter to
- 36 provide the bureau with evidence that financial responsibility was
- 37 in effect with respect to the **motor** vehicle operated by the person
- 38 on the date of the accident described in the accident report.
- 39 (2) Instruct the person on how to furnish the bureau with evidence
- 40 of financial responsibility in compliance with this ~~chapter:~~ **article.**
- 41 (3) Warn the person that failure to furnish evidence of financial
- 42 responsibility to the bureau will result in suspension of the

C  
o  
p  
y



1 person's current driving ~~license~~ **privileges** or **motor** vehicle  
2 registration, or both, under this article.

3 (b) The bureau shall mail a request for evidence of financial  
4 responsibility to a person identified under section 2 of this chapter by  
5 first class mail at the address appearing in the records of the bureau.

6 SECTION 251. IC 9-25-5-4 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) To avoid a  
8 ~~current driving license~~ suspension of **driving privileges** or **motor**  
9 vehicle registration suspension, **or both**, under this article, a person  
10 identified under section 2 of this chapter who receives a request for  
11 evidence of financial responsibility must ~~provide~~ **ensure that the**  
12 **insurance company of the person provides** the bureau with a  
13 certificate of compliance indicating that financial responsibility  
14 required by IC 9-25-4-1 was in effect with respect to the motor vehicle,  
15 **or the operation of the motor vehicle**, on the date of the accident  
16 described in the accident report. **It is the responsibility of the person**  
17 **who receives a request for evidence of financial responsibility to**  
18 **ensure that the insurance company of the person has provided a**  
19 **certificate of compliance.**

20 (b) Proof that the bureau:  
21 (1) did not receive a certificate of compliance ~~from~~ **for** a person  
22 presented with a request for evidence of financial responsibility  
23 under section 2 of this chapter within ~~forty-five (45)~~ **forty (40)**  
24 days after the date on which the person was presented with the  
25 request;  
26 (2) received a certificate of compliance that did not indicate that  
27 financial responsibility was in effect with respect to the motor  
28 vehicle that the person was operating on the date of the accident  
29 described in the accident report; or  
30 (3) suspended a ~~current~~ **the** driving ~~license~~ **or privileges** **or**  
31 **motor** vehicle registration, **or both**, under IC 9-25-6-3 after  
32 presenting a person with a request for evidence of financial  
33 responsibility under section 2 of this chapter;

34 is prima facie evidence in a civil action that the person presented with  
35 the request for evidence of financial responsibility did not have **an**  
36 **operator's** or a motor vehicle liability policy in effect with respect to  
37 the motor vehicle that the person was operating on the date of the  
38 accident described in the accident report.

39 SECTION 252. IC 9-25-5-5 IS AMENDED TO READ AS  
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A person who  
41 receives a request for evidence of financial responsibility under section  
42 3 of this chapter shall **ensure that the insurance company of the**

C  
o  
p  
y



1 **person** set forth in the certificate of compliance **provides to the**  
2 **bureau** the following information concerning the form of financial  
3 responsibility that was in effect with respect to the motor vehicle on the  
4 date in question:

5 (1) If **an operator's or** a motor vehicle liability policy was in  
6 effect, the following:

- 7 (A) The name and address of the insurer.
- 8 (B) The limits of coverage of the policy.
- 9 (C) The identification number applying to the policy.
- 10 **(D) Dates of coverage of the policy.**
- 11 **(E) Other information requested by the bureau.**

12 (2) If a bond was in effect, the following:

- 13 (A) The name and address of the bond company or surety.
- 14 (B) The face amount of the bond.
- 15 **(C) Dates the bond was in effect.**
- 16 **(D) Other information requested by the bureau.**

17 (3) If self-insurance was in effect under IC 9-25-4-11, the  
18 following:

- 19 (A) The date on which the certificate of self-insurance was  
20 issued by the bureau.
- 21 (B) The name of the person to whom the certificate of  
22 self-insurance was issued.
- 23 **(C) Other information requested by the bureau.**

24 (b) A person who requests information or verification of coverage  
25 to complete a certificate of compliance under subsection (a) from:

- 26 (1) an insurance company; or
- 27 (2) an insurance producer;

28 is not required to give the company or the producer a reason for  
29 requesting the information unless the person has been involved in an  
30 accident.

31 SECTION 253. IC 9-25-5-6 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. A certificate of  
33 compliance that reports the existence of an insurance policy must be  
34 ~~signed~~ **executed** by an officer or agent of the insurer. A certificate of  
35 compliance that reports the existence of a bond must be ~~signed~~  
36 **executed** by an officer of the bond company or surety.

37 SECTION 254. IC 9-25-5-8 IS AMENDED TO READ AS  
38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) An insurance  
39 carrier that has issued a motor vehicle liability policy or policies  
40 meeting the requirements of this article shall, upon request of the  
41 named insured,

42 ~~(1) deliver to the insured for filing; or~~

C  
O  
P  
Y



1           (2) file with the bureau  
2 an appropriate certificate that meets the requirements of this ~~chapter~~  
3 **article** and shows that a policy or policies have been issued.  
4           (b) The issuance of a certificate to serve as proof of financial  
5 responsibility under this ~~chapter~~ **article** is conclusive evidence that a  
6 motor vehicle liability policy in the certificate cited conforms to all the  
7 requirements of this article.  
8           SECTION 255. IC 9-25-5-9 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. Whenever an  
10 insurance carrier has certified a motor vehicle liability policy under this  
11 chapter for the purpose of furnishing evidence of future financial  
12 responsibility, the insurance carrier shall give ten (10) days written  
13 notice to the bureau before cancellation of the policy. The policy  
14 continues in full force and effect until the date of cancellation specified  
15 in the notice or until the policy's expiration. A policy subsequently  
16 procured and certified, on the effective date of the policy's certification,  
17 terminates the insurance previously certified with respect to a **motor**  
18 vehicle designated in both certificates.  
19           SECTION 256. IC 9-25-5-10 IS AMENDED TO READ AS  
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) A nonresident  
21 may give proof of financial responsibility in one (1) of the following  
22 ways:  
23           (1) The nonresident owner of a foreign **motor** vehicle may give  
24 proof of financial responsibility by ~~filing with the bureau a written~~  
25 **certificate of having** an insurance carrier authorized to transact  
26 business in the state in which the motor vehicle described in the  
27 certificate is registered **file a certificate of compliance with the**  
28 **bureau.**  
29           (2) A nonresident who does not own a motor vehicle may give  
30 proof of financial responsibility by ~~filing with the bureau a written~~  
31 **certificate of having** an insurance carrier authorized to transact  
32 business in the state in which the nonresident resides **file a**  
33 **certificate of compliance with the bureau.**  
34           (b) A certificate **of compliance** filed under subsection (a) must  
35 conform to this chapter.  
36           (c) ~~The bureau shall accept a certificate filed under subsection (a)~~  
37 ~~if the insurance carrier complies with the following:~~  
38           (1) ~~Executes a power of attorney authorizing the bureau to accept~~  
39 ~~service on the insurance carrier's behalf of notice of process in an~~  
40 ~~action arising out of a motor vehicle accident in Indiana.~~  
41           (2) ~~Adopts a binding resolution declaring that the insurance~~  
42 ~~carrier's policies are considered to comply with Indiana law~~

COPY



1 relating to the terms of motor vehicle liability policies issued in  
 2 Indiana.  
 3 (3) Agrees to accept as final and binding a judgment of a court of  
 4 competent jurisdiction in Indiana rendered in an action arising out  
 5 of a motor vehicle accident.  
 6 (d) If a foreign insurance carrier that has qualified to furnish proof  
 7 of financial responsibility under subsection (c) defaults in an  
 8 undertaking or agreement, the bureau may not accept a certificate of  
 9 the defaulting foreign carrier as long as the default continues, whether  
 10 the certificate was filed before or after the default.  
 11 SECTION 257. IC 9-25-6-1 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) If:  
 13 (1) the bureau receives a certificate of compliance ~~from~~ **for** a  
 14 person identified under IC 9-25-5-2 within forty (40) days after  
 15 the date on which the bureau mailed the request for evidence of  
 16 financial responsibility to the person; and  
 17 (2) the certificate of compliance indicates that financial  
 18 responsibility was in effect with respect to the **motor vehicle or**  
 19 **the operation of the motor vehicle** at the time of the accident  
 20 described in the accident report;  
 21 the bureau may not suspend the person's ~~current~~ driving license  
 22 **privileges.**  
 23 (b) If:  
 24 (1) the bureau receives a certificate of compliance from a person  
 25 presented with a request for evidence of financial responsibility  
 26 under IC 9-25-9-1 within forty (40) days after the date on which  
 27 the person was presented with the request; and  
 28 (2) the certificate of compliance indicates that financial  
 29 responsibility was in effect with respect to the motor vehicle **or**  
 30 **the operation of the motor vehicle** that the person was operating  
 31 when the person committed the violation described in the  
 32 judgment or abstract received by the bureau under IC 9-25-9-1;  
 33 the bureau may not suspend the person's ~~current~~ driving license  
 34 **privileges.**  
 35 (c) If:  
 36 (1) the bureau receives a certificate of compliance for a  
 37 person identified under IC 9-25-10 within forty (40) days after  
 38 the date on which the bureau mailed the request for evidence  
 39 of financial responsibility to the person; and  
 40 (2) the certificate of compliance indicates that financial  
 41 responsibility was in effect with respect to the motor vehicle  
 42 or the operation of the motor vehicle for the date requested

COPY



1                   **under IC 9-25-10;**  
 2                   **the bureau may not suspend the driving privileges of the person.**  
 3                   SECTION 258. IC 9-25-6-2 IS AMENDED TO READ AS  
 4                   FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) If the bureau  
 5                   finds that a statement as to the existence of financial responsibility in  
 6                   a certificate of compliance received ~~from:~~ **for**  
 7                   (1) a person identified under ~~IC 9-25-5-2;~~ **or**  
 8                   (2) **a person presented with a request for evidence of financial**  
 9                   **responsibility under IC 9-25-9-1; IC 9-25**  
 10                  is materially false, the bureau shall take action under subsection (b).  
 11                  (b) Upon finding that the statement referred to in subsection (a) is  
 12                  false, the bureau shall ~~do the following:~~  
 13                  (1) immediately suspend the person's ~~current driving license or~~  
 14                  **privileges or motor** vehicle registration, or both,  
 15                  (2) ~~Demand that the person immediately surrender the person's~~  
 16                  ~~current driving license or vehicle registration, or both, to the~~  
 17                  ~~bureau: for at least ninety (90) days and not more than one (1)~~  
 18                  **year.**  
 19                  SECTION 259. IC 9-25-6-3 IS AMENDED TO READ AS  
 20                  FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) If the bureau:  
 21                  (1) does not receive a certificate of compliance ~~from for~~ **for** a person  
 22                  identified under IC 9-25-5-2 within forty (40) days after the date  
 23                  on which the bureau mailed the request for evidence of financial  
 24                  responsibility to the person; or  
 25                  (2) receives a certificate that does not indicate that financial  
 26                  responsibility was in effect with respect to the motor vehicle  
 27                  operated by the person on the date of the accident referred to in  
 28                  IC 9-25-5-2;  
 29                  the bureau shall take action under subsection ~~(c):~~ **(d).**  
 30                  (b) If the bureau:  
 31                  (1) does not receive a certificate of compliance ~~from for~~ **for** a person  
 32                  presented with a request for evidence of financial responsibility  
 33                  under IC 9-25-9-1 within forty (40) days after the date on which  
 34                  the person was presented with the request; or  
 35                  (2) receives a certificate that does not indicate that financial  
 36                  responsibility was in effect with respect to the motor vehicle that  
 37                  the person was operating when the person committed the violation  
 38                  described in the judgment or abstract received by the bureau  
 39                  under IC 9-25-9-1;  
 40                  the bureau shall take action under subsection ~~(c):~~ **(d).**  
 41                  **(c) If the bureau:**  
 42                  **(1) does not receive a certificate of compliance for a person**

C  
O  
P  
Y



1           **presented with a request under IC 9-25-10 not later than forty**  
 2           **(40) days after the date on which the person was presented**  
 3           **with the request; or**  
 4           **(2) receives a certificate that does not indicate that financial**  
 5           **responsibility was in effect;**  
 6           **the bureau shall take action under subsection (d).**

7           ~~(e)~~ **(d)** Under the conditions set forth in subsection (a), ~~or (b), or (c),~~  
 8           the bureau shall ~~do the following:~~

9           ~~(1)~~ **(1)** immediately suspend the person's ~~current~~ **current** driving license  
 10           **privileges or motor or** vehicle registration, or both, **for at least**  
 11           **ninety (90) days and not more than one (1) year.**

12           ~~(2)~~ **(2)** Demand that the person immediately surrender the person's  
 13           current driving license or vehicle registration, or both, to the  
 14           bureau.

15           ~~(d)~~ **(e)** Except as provided in subsection ~~(e); (f),~~ if subsection (a), ~~or~~  
 16           (b), ~~or (c)~~ applies to a person, the bureau shall suspend the ~~current~~ **current**  
 17           driving license **privileges** of the person irrespective of the following:

- 18           (1) The sale or other disposition of the motor vehicle by the  
 19           owner.
- 20           (2) The cancellation or expiration of the registration of the motor  
 21           vehicle.
- 22           (3) An assertion by the person that the person did not own the  
 23           motor vehicle and therefore had no control over whether financial  
 24           responsibility was in effect with respect to the motor vehicle.

25           ~~(e)~~ **(f)** The bureau shall not suspend the ~~current~~ **current** driving license  
 26           **privileges** of a person to which subsection (a), ~~or subsection (b), or (c)~~  
 27           applies if the person, through a certificate of compliance or another  
 28           communication with the bureau, establishes to the satisfaction of the  
 29           bureau that the motor vehicle that the person was operating when the  
 30           accident referred to in subsection (a) took place or when the violation  
 31           referred to in subsection (b) was committed was:

- 32           (1) rented from a rental company; or
- 33           (2) owned by the person's employer and operated by the person in  
 34           the normal course of the person's employment.

35           SECTION 260. IC 9-25-6-3.5 IS AMENDED TO READ AS  
 36           FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3.5. If a person  
 37           violates:

- 38           (1) IC 9-25-4;
- 39           (2) IC 9-25-5; ~~or~~
- 40           (3) section 2 or 3 of this chapter; ~~or~~
- 41           **(4) IC 9-25-10;**
- 42           more than one (1) time within a three (3) year period, the person's

C  
o  
p  
y



1 driving ~~license~~ **privileges** or **motor** vehicle registration may be  
 2 suspended for not more than one (1) year.  
 3 SECTION 261. IC 9-25-6-4 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) This section does  
 5 not apply to judgments entered at least seven (7) years after the date of  
 6 the accident.  
 7 (b) "Judgment", as used in this section, means a judgment in excess  
 8 of two hundred dollars (\$200) for bodily injury, death, or property  
 9 damages arising out of the use of a motor vehicle upon a public  
 10 highway.  
 11 (c) The bureau shall suspend for a period of not more than seven (7)  
 12 years from the date of ~~written notification~~ **judgment** the ~~current~~ driving  
 13 ~~license issued to~~ **privileges of** a person upon receiving a verified report  
 14 that the person has failed for a period of ~~up to~~ ninety (90) days to  
 15 satisfy a judgment.  
 16 SECTION 262. IC 9-25-6-6 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The bureau may  
 18 not suspend a ~~license~~ **the driving privileges of a person** and shall  
 19 reinstate a ~~license suspended~~ **the driving privileges of a person**  
 20 following nonpayment of a judgment whenever a judgment debtor does  
 21 the following:  
 22 (1) Gives proof ~~of that~~ the judgment ~~debtor's~~ **debtor will**  
 23 **maintain** financial responsibility in the future **for at least three**  
 24 **(3) years following reinstatement.**  
 25 (2) Obtains an order from the trial court in which the judgment  
 26 was rendered permitting the payment of the judgment in  
 27 installments, unless the payment of an installment is in default.  
 28 (b) A judgment debtor, upon five (5) days notice to the judgment  
 29 creditor, may apply to the trial court in which the judgment was  
 30 obtained for the privilege of paying the judgment in installments. The  
 31 court, in the court's discretion and without prejudice to other legal  
 32 remedies the judgment creditor may have, may order the payment of  
 33 the judgment in installments, fixing the amounts and times of payment  
 34 of the installments.  
 35 (c) Except as provided in subsection (d), if the judgment debtor fails  
 36 to pay an installment as permitted by the order of the court, upon notice  
 37 of the default the bureau shall suspend the ~~license~~ **driving privileges**  
 38 of the judgment debtor. The bureau may not take action for failure to  
 39 make installment payments for judgments entered at least seven (7)  
 40 years after the date of the accident. ~~A~~ **Suspended license driving**  
 41 **privileges** may not be reinstated until evidence of proof of **future**  
 42 financial responsibility is presented.

C  
o  
p  
y



1 (d) Notwithstanding a default by the judgment debtor in the  
 2 payment of a judgment or the payment of an installment under  
 3 subsection (b), whenever the judgment creditor consents in writing, in  
 4 the form the bureau prescribes, that the judgment debtor be allowed  
 5 **license driving privileges** and registration, the **license driving**  
 6 **privileges** and registration may be allowed by the bureau at the  
 7 bureau's discretion. The **license driving privileges** and registration  
 8 may be allowed for six (6) months from the date of a consent under this  
 9 subsection and may be renewed until the consent is revoked in writing  
 10 if the judgment debtor furnishes proof under this article ~~of that~~ the  
 11 judgment ~~debtor's~~ **debtor will maintain** financial responsibility in the  
 12 future **for at least three (3) years following reinstatement.**

13 SECTION 263. IC 9-25-6-7 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) Except as  
 15 provided in sections 5 and 6 of this chapter, a suspension required in  
 16 sections 4 and 6 of this chapter remains in effect and no other motor  
 17 vehicle may be registered in the name of the judgment debtor or a new  
 18 license issued to the judgment debtor, until the following occur:

19 (1) The judgment is satisfied or stayed.

20 (2) The judgment debtor gives proof of **future** financial  
 21 responsibility ~~in the future~~ **for three (3) years**, as provided in this  
 22 article.

23 (b) ~~A discharge in bankruptcy following the rendering of a judgment~~  
 24 ~~does not relieve the judgment debtor from the requirements of this~~  
 25 ~~chapter.~~

26 SECTION 264. IC 9-25-6-8 IS REPEALED [EFFECTIVE JULY 1,  
 27 2012]. Sec. 8: (a) ~~A court shall forward to the bureau a certified~~  
 28 ~~abstract of the record of the conviction of a person in the court for a~~  
 29 ~~violation of a law relating to motor vehicles.~~

30 (b) ~~If in the opinion of the court a defendant should be deprived of~~  
 31 ~~the privilege to operate a motor vehicle upon a public highway, the~~  
 32 ~~court shall recommend the suspension of the convicted person's current~~  
 33 ~~driving license for a fixed period established by the court not exceeding~~  
 34 ~~one (1) year.~~

35 (c) ~~The bureau shall comply with the court's recommendation.~~

36 (d) ~~At the time of a conviction referred to in subsection (a) or~~  
 37 ~~IC 9-30-5-7, the court may obtain the defendant's current driving~~  
 38 ~~license and return the license to the department.~~

39 (e) ~~An abstract provided for by this section must be in the form~~  
 40 ~~prescribed by the bureau and, when certified, shall be accepted by an~~  
 41 ~~administrative agency or a court as prima facie evidence of the~~  
 42 ~~conviction and all other action stated in the abstract.~~



C  
O  
P  
Y

1 SECTION 265. IC 9-25-6-9 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. The ~~clerk of a court;~~  
 3 ~~or the judge of a court that has no clerk;~~ shall forward to the bureau a  
 4 certified abstract of the record of a judgment for damages if the  
 5 rendering and nonpayment of the judgment requires the bureau to  
 6 suspend or revoke the ~~current driving license in the name~~ **privileges** of  
 7 the judgment debtor under this article. The abstract shall be forwarded  
 8 to the bureau immediately upon the expiration of thirty (30) days after  
 9 the judgment becomes final and has not been stayed or satisfied, as  
 10 shown by the records of the court.

11 SECTION 266. IC 9-25-6-10 IS REPEALED [EFFECTIVE JULY  
 12 1, 2012]. ~~Sec. 10: (a) If:~~

13 (1) a criminal proceeding for driving while intoxicated under  
 14 IC 9-30-5 is deferred under IC 12-23-5-1 through IC 12-23-5-9;  
 15 or

16 (2) a child alleged to be a delinquent child based upon the child's  
 17 violation of IC 9-30-5 voluntarily attends or is ordered by the  
 18 court under IC 31-37 (or IC 31-6-4 before its repeal) to attend an  
 19 alcohol and drug services program;

20 the court, within ten (10) days after the defendant or child begins the  
 21 program, shall forward to the bureau a certified abstract of program  
 22 enrollment.

23 (b) The abstract must state the following:

24 (1) The defendant's or child's name, address, date of birth, and  
 25 driver's license number.

26 (2) The name and location of the alcohol and drug services  
 27 program that the defendant or child is attending.

28 SECTION 267. IC 9-25-6-11 IS REPEALED [EFFECTIVE JULY  
 29 1, 2012]. ~~Sec. 11: If a license is revoked because of a conviction, the~~  
 30 ~~bureau may not accept a certificate of insurance unless the certificate~~  
 31 ~~covers each motor vehicle registered in the name of the person~~  
 32 ~~furnishing proof as the owner. An additional certificate is required~~  
 33 ~~before the subsequent registration of a motor vehicle in the name of the~~  
 34 ~~person giving proof as the owner.~~

35 SECTION 268. IC 9-25-6-12 IS AMENDED TO READ AS  
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) Whenever a  
 37 **certificate proof of financial responsibility** is filed showing that a  
 38 policy has been issued covering all motor vehicles owned by an insured  
 39 but not insuring the person when operating a motor vehicle not owned  
 40 by the person, it is unlawful for the person to operate a motor vehicle  
 41 not owned by the person or not covered by the certificate. ~~The bureau~~  
 42 ~~shall designate the restriction under this subsection upon the operator's~~

C  
O  
P  
Y



1 or chauffeur's license of the person:

2 (b) If a person who owns a motor vehicle desires to be relieved of  
3 the restriction under subsection (a) and be permitted to drive another  
4 motor vehicle, the person who owns the motor vehicle may have the  
5 restriction removed upon filing a certificate showing that an operator's  
6 policy of liability insurance has been issued to the person:

7 SECTION 269. IC 9-25-6-13 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. A:

- 9 (1) nonresident may not operate a motor vehicle in Indiana; and
- 10 (2) motor vehicle owned by the nonresident may not be operated  
11 in Indiana;

12 until the nonresident or the owner of the motor vehicle has complied  
13 with the requirements of this article with respect to proof of financial  
14 responsibility. covering the motor vehicle:

15 SECTION 270. IC 9-25-6-14, AS AMENDED BY P.L.210-2005,  
16 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2012]: Sec. 14. (a) The bureau shall reinstate the ~~current~~  
18 driving license **privileges** or **motor** vehicle registration, or both:

- 19 (1) subject to section 15 of this chapter, after ninety (90) days of  
20 suspension

21 (A) ~~except as provided in sections 19, 20, and 21(b) of this~~  
22 ~~chapter~~, if the person has furnished the bureau with a  
23 certificate of compliance showing that financial responsibility  
24 is in effect with respect to the vehicle; or

25 (B) if the person is no longer an owner of the vehicle or the  
26 registration of the vehicle has been canceled or has expired;

- 27 (2) if the person is subject to section 21(b) of this chapter and to  
28 IC 9-29-10-1, after thirty (30) days of suspension;

29 (3) subject to section 15 of this chapter, when the person  
30 furnishes the bureau with a certificate of compliance showing that  
31 financial responsibility is in effect with respect to the vehicle if:

32 (A) subdivision (1)(B) does not apply; and

33 (B) the person fails to furnish the bureau with a certificate of  
34 compliance as described in subdivision (1)(A) within ninety  
35 (90) days after the current driving license of the person is  
36 suspended; or

37 (4) (2) if financial responsibility was in effect with respect to a  
38 **motor** vehicle on the date of the accident requested but the  
39 person does not provide the bureau with **does not receive** a  
40 certificate of compliance indicating this fact until after the  
41 person's ~~current~~ driving license is **privileges** are suspended under  
42 this chapter, **article**, the person's ~~current~~ driving license

C  
o  
p  
y



1           **privileges** shall be reinstated when the **person provides bureau**  
2           **receives** the certificate of compliance. ~~to the bureau and complies~~  
3           ~~with section 15 of this chapter.~~

4           (b) Upon receipt of a certificate of compliance under this section,  
5           the bureau shall expunge from the bureau's data base the administrative  
6           suspension caused by the failure to notify the bureau that the person  
7           had financial responsibility in effect on the date of the violation.

8           SECTION 271. IC 9-25-6-15, AS AMENDED BY P.L.80-2010,  
9           SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10          JULY 1, 2012]: Sec. 15. (a) ~~Except as provided in subsection (b); A~~  
11          person:  
12               (1) whose ~~current~~ driving license is **privileges are** suspended  
13               under this ~~chapter; article;~~ and  
14               (2) who seeks the reinstatement of the driving license; **privileges;**  
15          must pay a reinstatement fee to the bureau as provided in IC 9-29-10-1.

16          (b) ~~A person whose driver's license is suspended under section 19~~  
17          ~~or 20 of this chapter is not required to pay a reinstatement fee to have~~  
18          ~~the person's driving license reinstated.~~

19          SECTION 272. IC 9-25-6-16 IS AMENDED TO READ AS  
20          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. A person whose  
21          current driving license is **privileges are** suspended under this ~~chapter~~  
22          **article** may seek a review of the suspension under IC 4-21.5-3-7.

23          SECTION 273. IC 9-25-6-17 IS REPEALED [EFFECTIVE JULY  
24          1, 2012]. Sec. ~~17~~. If the bureau determines that a person who is  
25          required to give proof of financial responsibility in the future under this  
26          article because of a conviction, non-satisfaction of a judgment, or for  
27          any other reason is or becomes:  
28               (1) a chauffeur or motor vehicle operator, however designated, in  
29               the employ of a person who owns a motor vehicle; or  
30               (2) a member of the immediate family or household of a person  
31               who owns a motor vehicle; and  
32          the period for which the person's suspension or revocation has elapsed;  
33          the bureau may accept proof of future financial responsibility given by  
34          the person who owns the motor vehicle instead of requiring proof from  
35          the person under a suspension or revocation if it appears that the proof  
36          offered will be sufficient to cover any number of persons coming  
37          within this classification. The bureau may designate the restrictions  
38          imposed by this section on the face of the operator's or chauffeur's  
39          license of the person who has been under suspension or revocation.

40          SECTION 274. IC 9-25-6-18 IS AMENDED TO READ AS  
41          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. A person who:  
42               (1) forges or without authority signs **or approves** any certificate

C  
O  
P  
Y



1 to serve as proof of financial responsibility as required by the  
 2 bureau; or  
 3 (2) knowingly files or offers for filing a certificate described in  
 4 subdivision (1);  
 5 commits a Class B misdemeanor.

6 SECTION 275. IC 9-25-6-19 IS REPEALED [EFFECTIVE JULY  
 7 1, 2012]. Sec. 19: (a) The bureau shall, upon receiving an order of a  
 8 court issued under IC 31-14-12-4 or IC 31-16-12-7 (or  
 9 IC 31-1-11.5-13(j) or IC 31-6-6.1-16(j) before their repeal), suspend  
 10 the driving license or permit of the person who is the subject of the  
 11 order.

12 (b) The bureau may not reinstate a driving license or permit  
 13 suspended under this section until the bureau receives an order  
 14 allowing reinstatement from the court that issued the order for  
 15 suspension.

16 (c) Upon receiving an order for suspension under subsection (a), the  
 17 bureau shall promptly mail a notice to the last known address of the  
 18 person who is the subject of the order, stating the following:

19 (1) That the person's driving privileges are suspended, beginning  
 20 five (5) business days after the date the notice is mailed; and that  
 21 the suspension will terminate ten (10) business days after the  
 22 bureau receives an order allowing reinstatement from the court  
 23 that issued the suspension order.

24 (2) That the person has the right to petition for reinstatement of  
 25 driving privileges to the court that issued the order for suspension.

26 (3) That the person may be granted a restricted driving permit  
 27 under IC 9-24-15-6.7 if the person can prove that public  
 28 transportation is unavailable for travel by the person:

- 29 (A) to and from the person's regular place of employment;
- 30 (B) in the course of the person's regular employment;
- 31 (C) to and from the person's place of worship; or
- 32 (D) to participate in parenting time with the petitioner's  
 33 children consistent with a court order granting parenting time.

34 (d) Unless a person whose driving license or permit is suspended  
 35 under this section has been issued a restricted driving permit under  
 36 IC 9-24-15 as a result of a suspension under this section, a person who  
 37 operates a motor vehicle in violation of the section commits a Class A  
 38 infraction.

39 SECTION 276. IC 9-25-6-19.2 IS AMENDED TO READ AS  
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19.2. The bureau may  
 41 suspend the registration of a **motor** vehicle owned by a registrant who  
 42 provides the bureau with false evidence of financial responsibility

C  
 O  
 P  
 Y



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

under this article.  
SECTION 277. IC 9-25-6-20 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 20: (a) If the bureau is advised by the Title IV-D agency that the obligor (as defined in IC 31-25-4-4) either requested a hearing under IC 31-25-4-33 and failed to appear or appeared and was found to be delinquent, the bureau shall promptly mail a notice to the obligor stating the following:

(1) That the obligor's driving privileges are suspended, beginning twenty (20) business days after the date the notice is mailed, and that the suspension will terminate after the bureau receives a notice from the Title IV-D agency that the obligor has:

- (A) paid the obligor's child support arrearage in full; or
- (B) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(2) That the obligor may be granted a restricted driving permit under IC 9-24-15-6.7 if the obligor can prove that public transportation is unavailable for travel by the obligor:

- (A) to and from the obligor's regular place of employment;
- (B) in the course of the obligor's regular employment;
- (C) to and from the obligor's place of worship; or
- (D) to participate in parenting time with the petitioner's children consistent with a court order granting parenting time.

(b) The bureau may not reinstate a driving license or permit suspended under this section until the bureau receives a notice from the Title IV-D agency that the obligor has:

- (1) paid the obligor's child support arrearage in full; or
- (2) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(c) Unless an obligor whose driving license or permit is suspended under this section has been issued a restricted driving permit under IC 9-24-15 as a result of a suspension under this section, an obligor who operates a motor vehicle in violation of the section commits a Class A infraction.

SECTION 278. IC 9-25-6-21 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 21: (a) Upon receiving an order issued by a court under IC 35-43-4-8(b) concerning a person convicted of fuel theft, the bureau shall do the following:

(1) Suspend under subsection (b) the driving privileges of the person who is the subject of the order, whether or not the person's current driving license accompanies the order.

C  
O  
P  
Y



- 1 (2) Mail to the last known address of the person who is the subject
- 2 of the order a notice:
- 3 (A) stating that the person's driving license is being suspended
- 4 for fuel theft;
- 5 (B) setting forth the date on which the suspension takes effect
- 6 and the date on which the suspension terminates; and
- 7 (C) stating that the person may be granted a restricted driving
- 8 permit under IC 9-24-15-6.7 if the person meets the conditions
- 9 for obtaining a restricted driving permit.
- 10 (b) The suspension of the driving privileges of a person who is the
- 11 subject of an order issued under IC 35-43-4-8(b):
- 12 (1) begins five (5) business days after the date on which the
- 13 bureau mails the notice to the person under subsection (a)(2); and
- 14 (2) terminates thirty (30) days after the suspension begins.
- 15 (c) A person who operates a motor vehicle during a suspension of
- 16 the person's driving privileges under this section commits a Class A
- 17 infraction unless the person's operation of the motor vehicle is
- 18 authorized by a restricted driving permit issued to the person under
- 19 IC 9-24-15-6.7.
- 20 SECTION 279. IC 9-25-7-6 IS AMENDED TO READ AS
- 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) This section does
- 22 not apply to a person who is a resident of Indiana or who operates a
- 23 **motor** vehicle in Indiana.
- 24 (b) A person:
- 25 (1) whose ~~operator's~~ **driver's** license or registration was
- 26 suspended and who is required to prove financial responsibility
- 27 extending into the future in order to have the person's driving
- 28 privileges reinstated; and
- 29 (2) who no longer operates a **motor** vehicle in Indiana and has
- 30 become a resident of another state or foreign jurisdiction;
- 31 is not required to prove financial responsibility into the future in order
- 32 to have the person's ~~license~~ **driving privileges** or registration
- 33 temporarily reinstated to allow licensing or registration in the other
- 34 state or foreign jurisdiction.
- 35 SECTION 280. IC 9-25-8-1 IS AMENDED TO READ AS
- 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter does not
- 37 apply to the following:
- 38 (1) Persons who have obtained a certificate of self-insurance
- 39 under IC 9-25-4-11.
- 40 (2) Operators of government owned vehicles.
- 41 (3) Persons who are exempt under IC 9-25-1-2.
- 42 (4) A resident of another state who is operating a vehicle that is

COPY



1 registered in that person's state of residence.  
2 SECTION 281. IC 9-25-8-2 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) A person who  
4 knowingly:  
5 (1) operates; or  
6 (2) permits the operation of;  
7 a motor vehicle on a public highway in Indiana **without financial**  
8 **responsibility in effect as set forth in IC 9-25-4-4** commits a Class  
9 A infraction. ~~unless financial responsibility is in effect with respect to~~  
10 ~~the motor vehicle under IC 9-25-4-4.~~ However, the offense is a Class  
11 C misdemeanor if the person knowingly or intentionally violates this  
12 section and has a prior unrelated conviction or judgment under this  
13 section.  
14 (b) Subsection (a)(2) applies to:  
15 (1) the owner of a rental company ~~that is referred to in~~  
16 ~~IC 9-25-6-3(e)(1);~~ **under IC 9-25-6-3(f)(1);** and  
17 (2) an employer ~~that is referred to in IC 9-25-6-3(e)(2).~~ **under**  
18 **IC 9-25-6-2(f)(2).**  
19 (c) In addition to any other penalty imposed on a person for  
20 violating this section, the court may recommend the suspension of the  
21 person's driving privileges for **at least ninety (90) days but not more**  
22 **than** one (1) year. However, if, within the five (5) years preceding the  
23 conviction under this section, the person had a prior unrelated  
24 conviction under this section, the court shall recommend the  
25 suspension of the person's driving privileges for one (1) year.  
26 (d) Upon receiving the recommendation of the court under  
27 subsection (c), the bureau shall suspend the person's driving privileges  
28 for the period recommended by the court. **If no suspension is**  
29 **recommended by the court, the bureau shall impose the minimum**  
30 **period of suspension required under this article.**  
31 SECTION 282. IC 9-25-8-4 IS AMENDED TO READ AS  
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The commissioner  
33 is not required to notify the prosecuting attorney of a driver who has  
34 had a driving ~~license~~ **privileges** suspended for failure to prove financial  
35 responsibility under this article.  
36 SECTION 283. IC 9-25-9-1 IS AMENDED TO READ AS  
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) After the bureau  
38 receives:  
39 (1) a certified abstract under ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** of the  
40 record of conviction of a person for a violation of a law relating  
41 to motor vehicles; or  
42 (2) a judgment or an abstract under IC 9-30-3-11 of a case

C  
o  
p  
y



1 resulting in a conviction, judgment, or forfeiture of security  
2 deposit;  
3 the bureau shall determine whether the bureau is required under  
4 subsection (b) to send to the person named in the judgment or abstract  
5 a request for evidence of financial responsibility.

6 (b) The bureau shall send a request for evidence of financial  
7 responsibility to a person referred to in subsection (a) if at least one (1)  
8 of the following applies to the person:

9 (1) The judgment or abstract referred to in subsection (a) reports  
10 that the person committed a moving traffic violation for which  
11 points are assessed by the bureau under the point system, and, not  
12 more than one (1) year before the date of the violation referred to  
13 in the judgment or abstract, the person committed at least two (2)  
14 previous moving traffic violations for which points are assessed  
15 by the bureau under the point system.

16 (2) The judgment or abstract referred to in subsection (a) reports  
17 that the person was convicted of:

18 (A) a misdemeanor; or

19 (B) a felony;

20 involving a motor vehicle.

21 (3) The judgment or abstract referred to in subsection (a) reports  
22 that the person committed a moving traffic violation for which  
23 points are assessed by the bureau under the point system and the  
24 driver's license of the person was previously suspended for  
25 violation of the financial responsibility requirements of IC 9-25.

26 SECTION 284. IC 9-25-9-2 IS AMENDED TO READ AS  
27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The request for  
28 evidence of financial responsibility presented to a person under section  
29 1 of this chapter must do the following:

30 (1) Direct the person to **ensure that the insurance company of**  
31 **the person** provide the bureau with evidence that financial  
32 responsibility was in effect with respect to the motor vehicle that  
33 the person was operating when the person committed the violation  
34 described in the judgment or abstract.

35 (2) Instruct the person on how to furnish the bureau with evidence  
36 of financial responsibility as specified in this ~~chapter~~ **article**.

37 (3) Warn the person that failure **of the insurance company of the**  
38 **person to furnish** **provide** evidence of financial responsibility to  
39 the bureau will result in suspension of the person's current driving  
40 **license privileges** or **motor** vehicle registration, or both, under  
41 this article.

42 SECTION 285. IC 9-25-9-3 IS AMENDED TO READ AS

C  
o  
p  
y



1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. To avoid a ~~current~~  
 2 ~~driving license~~ suspension **of driving privileges** or **motor** vehicle  
 3 registration suspension under this article, a person presented with a  
 4 request for evidence of financial responsibility under section 1 of this  
 5 chapter must ~~provide~~ **ensure that the insurance company of the**  
 6 **person provides** the bureau with a certificate of compliance indicating  
 7 that financial responsibility as required by IC 9-25-4-1 was in effect  
 8 ~~with respect to the motor vehicle that the person was operating~~ when  
 9 the person committed the violation described in the judgment or  
 10 abstract.

11 SECTION 286. IC 9-25-9-4 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A person who is  
 13 presented with a request for evidence of financial responsibility under  
 14 section 1 of this chapter shall **direct the insurance company of the**  
 15 **person to** set forth in the certificate of compliance the following  
 16 information concerning the form of financial responsibility that was in  
 17 effect with respect to the motor vehicle:

18 (1) If a motor vehicle liability policy was in effect, the following:

19 (A) The name and address of the insurer.

20 (B) The limits of coverage of the policy.

21 (C) The identification number applying to the policy.

22 **(D) A statement confirming that financial responsibility**  
 23 **covering the motor vehicle and operator was in effect on**  
 24 **the date applicable to section 1(b) of this chapter.**

25 (2) If a bond was in effect, the following:

26 (A) The name and address of the bond company or surety.

27 (B) The face amount of the bond.

28 (3) If self-insurance was in effect under IC 9-25-4-11, the  
 29 following:

30 (A) The date on which the certificate of self-insurance was  
 31 issued by the bureau.

32 (B) The name of the person to whom the certificate of  
 33 self-insurance was issued.

34 SECTION 287. IC 9-25-9-5 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A certificate of  
 36 compliance that is provided to the bureau under this ~~chapter~~ **article** and  
 37 that reports the existence of an insurance policy must be signed by an  
 38 officer or agent of the insurer.

39 (b) The portion of a request for evidence of financial responsibility  
 40 that is presented to an officer or agent of an insurer to obtain a  
 41 certificate of compliance under subsection (a) may not contain  
 42 information concerning the violation that resulted in the request for



C  
O  
P  
Y

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

evidence of financial responsibility.  
(c) An officer or agent of an insurer may not request information concerning a violation that results in a request for evidence of financial responsibility under this ~~chapter~~ **article**.

(d) A certificate of compliance that is provided to the bureau under this ~~chapter~~ **article** and that reports the existence of a bond must be signed by an officer of the bond company or surety.

SECTION 288. IC 9-25-10-4, AS AMENDED BY P.L.1-2009, SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau shall ~~not later than January 1, 2010,~~ establish an electronic registry of previously uninsured motorists to facilitate the random and periodic verification by the bureau of compliance with this article.

SECTION 289. IC 9-25-10-6, AS AMENDED BY P.L.1-2009, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. The failure by a previously uninsured motorist to respond **with proof of financial responsibility** to the bureau's request for verification of financial responsibility under this chapter constitutes prima facie evidence of operating a motor vehicle without financial responsibility in violation of this article.

SECTION 290. IC 9-25-10-7, AS AMENDED BY P.L.65-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) The bureau shall remove the name of a previously uninsured motorist from the registry not more than five (5) years after the date on which the:

- (1) judgment;
- (2) conviction; or
- (3) administrative action by the bureau;

for which the **previously uninsured** motorist's name is maintained on the registry was entered against the **previously uninsured** motorist.

(b) If a previously uninsured motorist is convicted of a second or subsequent offense under this article or is subject to a second or subsequent administrative action by the bureau under this article, the bureau shall remove the **previously uninsured** motorist's name from the registry not more than five (5) years after the date on which the second or subsequent conviction or the second or subsequent administrative action by the bureau is entered.

SECTION 291. IC 9-26-1-0.5, AS ADDED BY P.L.94-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 0.5. For purposes of this chapter, an accident does not require proof of a collision between a driver's **motor** vehicle and another vehicle or another person if the accident involves serious

C  
o  
p  
y



1 bodily injury to or the death of a person.  
2 SECTION 292. IC 9-26-1-1, AS AMENDED BY P.L.1-2009,  
3 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2012]: Sec. 1. **Except as provided in section 1.5 of this**  
5 **chapter**, the driver of a **motor** vehicle involved in an accident that  
6 results in the injury or death of a person or the entrapment of a person  
7 in a vehicle shall do the following:  
8 (1) Immediately stop the driver's **motor** vehicle at the scene of the  
9 accident or as close to the accident as possible in a manner that  
10 does not obstruct traffic more than is necessary.  
11 (2) Immediately return to and remain at the scene of the accident  
12 until the driver does the following:  
13 (A) Gives the driver's name and address and the registration  
14 number of the **motor** vehicle the driver was driving.  
15 (B) Upon request, exhibits the driver's license of the driver to  
16 the following:  
17 (i) The person struck.  
18 (ii) The driver or occupant of or person attending each  
19 vehicle involved in the accident.  
20 (C) Subject to section 1.5(a) of this chapter, determines the  
21 need for and renders reasonable assistance to each person  
22 injured or entrapped in the accident, including the removal of,  
23 or the making of arrangements for the removal of:  
24 (i) each injured person from the scene of the accident to a  
25 physician or hospital for medical treatment; and  
26 (ii) each entrapped person from the vehicle in which the  
27 person is entrapped.  
28 (3) Subject to section 1.5(b) of this chapter, immediately give  
29 notice of the accident by the quickest means of communication to  
30 one (1) of the following:  
31 (A) The local police department, if the accident occurs within  
32 a municipality.  
33 (B) The office of the county sheriff or the nearest state police  
34 post, if the accident occurs outside a municipality.  
35 ~~(4) Within ten (10) days after the accident, 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 SECTION 293. IC 9-26-1-1.5, AS ADDED BY P.L.126-2008,  
41 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2012]: Sec. 1.5. (a) If:

COPY



- 1 (1) the driver of a **motor** vehicle is physically incapable of
- 2 determining the need for or rendering assistance to any injured or
- 3 entrapped person as required under section 1(2)(C) of this
- 4 chapter;
- 5 (2) there is another occupant in the **motor** vehicle at the time of
- 6 the accident who is:
- 7 (A) at least:
- 8 (i) fifteen (15) years of age and holds a learner's permit
- 9 issued under IC 9-24-7-1 or a driver's license issued under
- 10 IC 9-24-11; or
- 11 (ii) eighteen (18) years of age; and
- 12 (B) capable of determining the need for and rendering
- 13 reasonable assistance to injured or entrapped persons as
- 14 provided in section 1(2)(C) of this chapter; and
- 15 (3) the other occupant in the **motor** vehicle knows that the driver
- 16 of the **motor** vehicle is physically incapable of determining the
- 17 need for or rendering assistance to any injured or entrapped
- 18 person;
- 19 the **motor** vehicle occupant referred to in subdivisions (2) and (3) shall
- 20 immediately determine the need for and render reasonable assistance
- 21 to each person injured or entrapped in the accident as provided in
- 22 section 1(2)(C) of this chapter.
- 23 (b) If:
- 24 (1) the driver of a **motor** vehicle is physically incapable of giving
- 25 immediate notice of an accident as required under section 1(3) of
- 26 this chapter;
- 27 (2) there is another occupant in the **motor** vehicle at the time of
- 28 the accident who is:
- 29 (A) at least:
- 30 (i) fifteen (15) years of age and holds a learner's permit
- 31 issued under IC 9-24-7-1 or a driver's license issued under
- 32 IC 9-24-11; or
- 33 (ii) eighteen (18) years of age; and
- 34 (B) capable of giving notice as provided in section 1(3) of this
- 35 chapter; and
- 36 (3) the other occupant in the **motor** vehicle knows that the driver
- 37 of the **motor** vehicle is physically incapable of giving immediate
- 38 notice of an accident;
- 39 the **motor** vehicle occupant referred to in subdivisions (2) and (3) shall
- 40 immediately give notice of the accident by the quickest means of
- 41 communication as provided in section 1(3) of this chapter.
- 42 (c) If there is more than one (1) **motor** vehicle occupant to whom

C  
O  
P  
Y



1 subsection (a) applies, it is a defense to a prosecution of one (1) **motor**  
 2 vehicle occupant under subsection (a) that the defendant reasonably  
 3 believed that another occupant of the **motor** vehicle determined the  
 4 need for and rendered reasonable assistance as required under  
 5 subsection (a).

6 (d) If there is more than one (1) **motor** vehicle occupant to whom  
 7 subsection (b) applies, it is a defense to a prosecution of one (1) **motor**  
 8 vehicle occupant under subsection (b) that the defendant reasonably  
 9 believed that another occupant of the **motor** vehicle gave the notice  
 10 required under subsection (b).

11 SECTION 294. IC 9-26-1-2, AS AMENDED BY P.L.54-2009,  
 12 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2012]: Sec. 2. The driver of a **motor** vehicle involved in an  
 14 accident that does not result in injury or death of a person or the  
 15 entrapment of a person in a **motor** vehicle and that does not involve the  
 16 transportation of hazardous materials but that does result in damage to  
 17 a vehicle that is driven or attended by a person shall do the following:

18 (1) Immediately stop the **motor** vehicle at the scene of the  
 19 accident or as close to the accident as possible in a manner that  
 20 does not obstruct traffic more than is necessary. If the accident  
 21 occurs on a federal interstate highway, or on a ramp providing  
 22 access to or from a federal interstate highway, the driver shall, as  
 23 soon as safely possible, move the **motor** vehicle off the highway  
 24 or ramp to a location as close to the accident as possible in a  
 25 manner that does not obstruct traffic more than is necessary.

26 (2) Immediately return to and remain at the scene of the accident  
 27 until the driver does the following upon request:

28 (A) Gives the driver's name and address and the registration  
 29 number of the **motor** vehicle the driver was driving.

30 (B) Gives the names and addresses of the owner and any  
 31 occupants of the **motor** vehicle the driver was driving, if the  
 32 names or addresses are different from the name and address  
 33 provided under clause (A).

34 (C) Provides proof of financial responsibility (as defined in  
 35 IC 9-25-2-3) for the motor vehicle.

36 (D) Exhibits the driver's license of the driver to the driver or  
 37 occupant of or person attending each vehicle involved in the  
 38 accident.

39 (3) If the accident results in total property damage to an apparent  
 40 extent of at least one thousand dollars (\$1,000), forward a written  
 41 report of the accident to the:

42 (A) state police department, if the accident occurs before

C  
o  
p  
y



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

January 1, 2006; or  
 (B) bureau, if the accident occurs after December 31, 2005;  
 within ten (10) days after the accident.

SECTION 295. IC 9-26-1-2.5 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 2.5: Only the following must be included in the written report prepared under sections 1(4) and 2(3) of this chapter by the driver of a motor vehicle involved in an accident:

- (1) The name and address of the driver preparing the report.
- (2) The date of the accident.
- (3) The names and addresses of the drivers of the other vehicles involved in the accident.
- (4) If, on the date of the accident, a motor vehicle liability policy was in effect with respect to the motor vehicle driven by the driver preparing the report, the following:
  - (A) The policy number.
  - (B) The name of the insurance company that issued the policy.
  - (C) The name and signature of an agent of the insurance company, who by signing the report verifies that the policy was in effect with respect to the motor vehicle on the date of the accident.

SECTION 296. IC 9-26-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The driver of a **motor** vehicle that collides with an unattended vehicle shall immediately stop and do one (1) of the following:

- (1) Locate and notify the operator or owner of the vehicle of the name and address of the driver and owner of the **motor** vehicle striking the unattended vehicle.
- (2) Leave in a conspicuous place **in on** the vehicle struck a written notice giving the name and address of the driver and the owner of the **motor** vehicle doing the striking and a statement of the circumstances of the accident.

SECTION 297. IC 9-26-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The driver of a **motor** vehicle that causes damage to the property of another person, other than damage to a vehicle, shall do the following:

- (1) Immediately stop the **motor** vehicle at the scene of the accident or as close to the accident as possible in a manner that does not obstruct traffic more than is necessary.
- (2) Immediately return to and remain at the scene of the accident until the driver does the following:
  - (A) Takes reasonable steps to locate and notify the owner or person in charge of the property of the damage.

C  
O  
P  
Y



- 1 (B) Gives the person the driver's name and address and the
- 2 registration number of the **motor** vehicle.
- 3 (C) Upon request, exhibits the driver's license of the driver. if
- 4 the driver is required to have a driving license to operate the
- 5 vehicle:

6 (b) If after reasonable inquiry the driver of the **motor** vehicle cannot  
 7 find the owner or person in charge of the damaged property, the driver  
 8 of the **motor** vehicle shall do the following:

- 9 (1) Notify either the ~~sheriff~~ **sheriff's department** of the county in
- 10 which the damaged property is located or a member of the state
- 11 police department.
- 12 (2) Give the ~~sheriff~~ **sheriff's department** or state police
- 13 department the information required by this section.

14 SECTION 298. IC 9-26-1-6 IS REPEALED [EFFECTIVE JULY 1,  
 15 2012]. Sec. 6: (a) If:

- 16 (1) the driver of a vehicle is physically incapable of making a
- 17 written report of an accident as required by this chapter; and
- 18 (2) there was another occupant in the vehicle at the time of the
- 19 accident capable of making a written report;

20 the occupant shall make or cause to be made the report not made by the  
 21 driver:

- 22 (b) If:
- 23 (1) the driver of a vehicle is physically incapable of making an
- 24 immediate or a written report of an accident as required by this
- 25 chapter;
- 26 (2) there was no other occupant; and
- 27 (3) the driver is not the owner of the vehicle;

28 the owner of the vehicle involved in the accident shall, within five (5)  
 29 days after the accident, make the report not made by the driver:

30 SECTION 299. IC 9-26-1-7, AS AMENDED BY P.L.210-2005,  
 31 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2012]: Sec. 7. (a) A city or town may by ordinance require  
 33 that the driver of a **motor** vehicle involved in an accident file with a  
 34 designated city or town department

- 35 (1) a report of the accident. or
- 36 (2) a copy of a report required in this article to be filed with the:
- 37 (A) state police department; or
- 38 (B) bureau:

39 (b) An accident report required to be filed under subsection (a) is for  
 40 the confidential use of the designated city or town department and  
 41 subject to IC 9-26-3-4.

42 SECTION 300. IC 9-26-1-10 IS REPEALED [EFFECTIVE JULY

C  
O  
P  
Y



1 1, 2012]. Sec. 10: ~~The bureau shall, after proper notice is given and a~~  
2 ~~hearing held, revoke or suspend the driver's license of a person who~~  
3 ~~fails to make a report required under section 1(4), 2(3), or 5 of this~~  
4 ~~chapter.~~

5 SECTION 301. IC 9-26-5-1 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The person in charge  
7 of a garage or repair shop to which a motor vehicle that shows evidence  
8 of having been struck by a bullet is brought shall report to the state  
9 police department, within twenty-four (24) hours after the motor  
10 vehicle is received, the following information:

- 11 (1) The engine number of the **motor** vehicle.
- 12 (2) The registration number of the **motor** vehicle.
- 13 (3) The name and address of the owner or operator of the **motor**
- 14 vehicle.

15 SECTION 302. IC 9-26-6-1 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. A person removing  
17 a wrecked or damaged **motor** vehicle from a street or highway must  
18 remove any glass or other foreign material dropped upon the street or  
19 highway from the **motor** vehicle.

20 SECTION 303. IC 9-26-6-2 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) This section does  
22 not apply to the removal of a **motor** vehicle that constitutes a traffic  
23 hazard.

24 (b) The driver of a **motor** vehicle that is used to remove a **motor**  
25 vehicle that caused damage to real or personal property, except a  
26 **motor** vehicle of another person as described in IC 9-26-1-4, shall give  
27 the notification required by IC 9-26-1-4 before removing the **motor**  
28 vehicle that caused the damage.

29 SECTION 304. IC 9-27-6-5, AS ADDED BY P.L.145-2011,  
30 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2012]: Sec. 5. (a) As used in this section, "**advisory** board"  
32 refers to the driver education advisory board established by subsection  
33 (b).

34 (b) The driver education advisory board is established to advise the  
35 commissioner in the administration of the policies of the commission  
36 and the bureau regarding driver education.

37 (c) The **advisory** board is composed of seven (7) individuals  
38 appointed by the commissioner as follows:

- 39 (1) Three (3) members must be driver education professionals
- 40 endorsed by the bureau under section 8 of this chapter. In the
- 41 selection of individuals for membership under this subdivision,
- 42 consideration must be given to driver education instruction

C  
o  
p  
y



1 performed in urban and rural areas.

2 (2) One (1) member must be a traffic safety advocate.

3 (3) One (1) member must be a representative of the bureau.

4 (4) One (1) member must be a representative of higher education.

5 (5) One (1) member must be a representative of the insurance  
6 industry.

7 (d) A member of the **advisory** board serves a ~~three (3)~~ **two (2)** year  
8 term. A member may not serve more than two (2) consecutive full  
9 terms. Each member serves until the member's successor is appointed  
10 and qualified.

11 (e) A member of the **advisory** board may be removed for good  
12 cause.

13 (f) A vacancy on the **advisory** board shall be filled by the  
14 appointment by the commissioner of an individual to fill the position  
15 to which the vacating member was appointed under subsection (c) for  
16 the vacating member's unexpired term.

17 (g) ~~At the first meeting of the board each year, the members shall~~  
18 ~~elect:~~

19 (1) ~~one (1) member to be the board's chairperson;~~

20 (2) ~~one (1) member to be the board's vice chairperson; and~~

21 (3) ~~one (1) member to be the board's secretary.~~

22 ~~The chairperson, vice chairperson, and secretary serve until their~~  
23 ~~successors are elected and qualified.~~

24 (h) A vacancy in the office of chairperson, vice chairperson, or  
25 secretary shall be filled by vote of the members. The term of office of  
26 a board member chosen to fill a vacancy under this subsection expires  
27 at the first meeting of the board the following year.

28 (i) ~~The driver education board shall meet at least two (2) times per~~  
29 ~~year. Additional meetings may be convened at the call of the~~  
30 ~~chairperson of the board or the written request of any three (3)~~  
31 ~~members.~~

32 (j) ~~Four (4) members of the board constitute a quorum for doing~~  
33 ~~business. The majority vote of the members who constitute the quorum~~  
34 ~~and are present and voting is required for the passage of a matter put~~  
35 ~~to a vote of the board.~~

36 (k) ~~The bureau shall provide staff and administrative support to the~~  
37 ~~board.~~

38 (†) (g) The **advisory** board ~~has the following powers:~~ **shall:**

39 (1) ~~To~~ consult with and advise the commissioner in the  
40 administration of the policies of the commission and the bureau  
41 regarding driver education; **and**

42 (2) ~~To~~ suggest rules regarding the education and training of

C  
o  
p  
y



1 persons to operate or drive motor vehicles or to prepare a person  
2 for an examination or validation for a driver's license.

3 ~~(m)~~ **(h)** A member of the **advisory** board is not subject to liability  
4 in a civil action for bodily injury or property damage arising from or  
5 thought to have arisen from an action taken in good faith as a member  
6 of the **advisory** board.

7 SECTION 305. IC 9-28-2-8 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau may  
9 suspend a ~~driver's license issued to the driving privileges of~~ a driver  
10 licensed under IC 9-24 for failure to meet the conditions of a traffic  
11 citation of a jurisdiction in which the traffic offense occurred. This  
12 section does not apply if the jurisdiction has not entered into an  
13 agreement with Indiana as provided under section 7 of this chapter.

14 SECTION 306. IC 9-28-2-9 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Upon written  
16 notification from a jurisdiction that is a party to an agreement entered  
17 into under this chapter, the bureau shall take appropriate action against  
18 a licensed driver for failure to meet the conditions set out in the citation  
19 of the jurisdiction in which the traffic offense occurred.

20 (b) The bureau shall notify the driver by first class mail of the  
21 request by the respective jurisdiction to have the driver's ~~license~~  
22 **driving privileges** suspended. For the purposes of this chapter, a  
23 written notice sent to the driver's last registered address with the bureau  
24 meets the conditions of due notice.

25 (c) The driver has fifteen (15) days from the date of notice to satisfy  
26 the conditions of the citation issued by the jurisdiction or to request a  
27 hearing before a bureau hearing officer to show evidence or present  
28 information why the bureau should not suspend the ~~license driver's~~  
29 **driving privileges** for failure to meet the terms of the citation.

30 (d) Upon holding the hearing, the bureau may suspend the driver's  
31 ~~license driving privileges~~ until the conditions of the citation are met  
32 or a release from the citing jurisdiction is obtained.

33 (e) If the bureau does not receive information from the driver  
34 concerning the notification, the bureau shall suspend the driver's  
35 ~~license driving privileges~~ until the conditions of the citation are met  
36 or a release is obtained.

37 (f) A driver ~~that has~~ **whose driving privileges have** been suspended  
38 for failure to meet the conditions of a citation is not eligible for a  
39 hardship license under IC 9-24-15.

40 (g) The bureau may not suspend a ~~driver's license driving~~  
41 **privileges** under this section for a nonmoving traffic offense occurring  
42 in another jurisdiction.

C  
o  
p  
y



1 SECTION 307. IC 9-28-5.1-1, AS ADDED BY P.L.93-2010,  
 2 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2012]: Sec. 1. To facilitate the exchange of driver's licenses,  
 4 the bureau ~~shall~~ **may** negotiate and enter into a reciprocal agreement  
 5 with a foreign country. However, the bureau may not negotiate or enter  
 6 into a reciprocal agreement with a country that is listed as a state  
 7 sponsor of terrorism as determined by the Secretary of State of the  
 8 United States.

9 SECTION 308. IC 9-28-5.1-3, AS ADDED BY P.L.93-2010,  
 10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2012]: Sec. 3. A written reciprocity agreement entered into  
 12 under section 2 of this chapter must require an applicant from the  
 13 foreign country for an operator's license to possess:

- 14 (1) a valid ~~operator's~~ **driver's** license **for the type of vehicle**  
 15 **being operated** or the equivalent from the foreign country; or  
 16 (2) an international driving permit.

17 SECTION 309. IC 9-28-5.1-4 IS REPEALED [EFFECTIVE JULY  
 18 1, 2012]. ~~Sec. 4. The bureau shall report annually in an electronic~~  
 19 ~~format under IC 5-14-6 regarding reciprocal agreements entered into~~  
 20 ~~under this chapter to the general assembly before February 1 of each~~  
 21 ~~year.~~

22 SECTION 310. IC 9-28-5.1-5, AS ADDED BY P.L.93-2010,  
 23 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2012]: Sec. 5. The bureau ~~shall~~ **may** adopt rules under  
 25 IC 4-22-2 to carry out this chapter.

26 SECTION 311. 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 312. 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~~



C  
o  
p  
y

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 313. 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 314. IC 9-29-5-11, AS AMENDED BY P.L.210-2005,  
 14 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2012]: Sec. 11. (a) This section does not apply to a vehicle or  
 16 person exempted from registration under IC 9-18.  
 17 (b) The **license registration** fee for a piece of special machinery is  
 18 five dollars (\$5). The motor vehicle is exempt from other fees provided  
 19 under IC 9-18 or this article.  
 20 (c) The owner of a vehicle listed in this section is not entitled to a  
 21 reduction in the five dollar (\$5) **license registration** fee because the  
 22 license is granted at a time that the license period is less than a year.  
 23 SECTION 315. IC 9-29-5-12, AS AMENDED BY P.L.210-2005,  
 24 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2012]: Sec. 12. A farm wagon or farm type dry or liquid  
 26 fertilizer tank trailer or spreader used to transport bulk fertilizer  
 27 between distribution point and farm and return is exempt from all  
 28 **license registration** fees when the wagon, trailer, or spreader is drawn  
 29 or towed on a highway by a:  
 30 (1) farm tractor; or  
 31 (2) properly registered motor vehicle.  
 32 SECTION 316. IC 9-29-5-13, AS AMENDED BY P.L.210-2005,  
 33 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2012]: Sec. 13. (a) This section does not apply to a vehicle or  
 35 person exempt from registration under IC 9-18.  
 36 (b) The **license registration** fee for a motor vehicle, trailer, or  
 37 semitrailer and tractor operated primarily as a farm truck, farm trailer,  
 38 or farm semitrailer and tractor:  
 39 (1) having a declared gross weight of at least eleven thousand  
 40 (11,000) pounds; and  
 41 (2) used by the owner or guest occupant in connection with  
 42 agricultural pursuits usual and normal to the user's farming

C  
o  
p  
y



1 operation;  
 2 is fifty percent (50%) of the amount listed in this chapter for a truck,  
 3 trailer, or semitrailer and tractor of the same declared gross weight.  
 4 SECTION 317. IC 9-29-5-13.5, AS AMENDED BY P.L.191-2007,  
 5 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2012]: Sec. 13.5. (a) This section applies to a truck, trailer, or  
 7 semitrailer and tractor for which a **license registration** fee provided in  
 8 section 13(b) of this chapter has been paid.  
 9 (b) Except as provided in subsections (d) and (e), if the owner of a  
 10 truck, trailer, or semitrailer and tractor described in subsection (a)  
 11 begins to operate the truck, trailer, or semitrailer and tractor in the  
 12 conduct of a commercial enterprise or for the transportation of farm  
 13 products after the commodities have entered the channels of commerce  
 14 during a registration year for which the **license registration** fee under  
 15 section 13(b) of this chapter has been paid, the owner shall pay the  
 16 amount listed in this chapter for a truck, trailer, or semitrailer and  
 17 tractor of the same declared gross weight reduced by a credit  
 18 determined under subsection (c) to license the truck, trailer, or  
 19 semitrailer and tractor.  
 20 (c) The credit provided in subsection (b) equals:  
 21 (1) the **license registration** fee paid under section 13(b) of this  
 22 chapter; reduced by  
 23 (2) **ten eight and thirty-three hundredths** percent (~~10%~~)  
 24 **(8.33%)** for each full or partial calendar month that has elapsed  
 25 in the registration year for which the **license registration** fee has  
 26 been paid.  
 27 The credit may not exceed ninety percent (90%) of the **license**  
 28 **registration** fee paid under section 13(b) of this chapter.  
 29 (d) Notwithstanding subsections (b) and (e) and IC 9-18-2-4, a  
 30 truck, trailer, or semitrailer and tractor described in subsection (a) may  
 31 be operated intrastate for the transportation of seasonal, perishable fruit  
 32 or vegetables to the first point of processing for a period that consists  
 33 of not more than a thirty (30) day period in a registration year as  
 34 provided by IC 9-21-21-4.3(a). Before a vehicle may be operated as  
 35 provided in this subsection, the owner shall pay to the bureau:  
 36 (1) any **license registration** fee due under section 13(b) of this  
 37 chapter; and  
 38 (2) eight and one-half percent (8.5%) of the **license registration**  
 39 fee paid under section 13(b) of this chapter.  
 40 (e) Notwithstanding subsections (b) and (d) and IC 9-18-2-4, a  
 41 truck, trailer, or semitrailer and tractor described in subsection (a) may  
 42 be operated intrastate for the transportation of tomatoes or silage to the

C  
 O  
 P  
 Y



1 first point of processing for a period that consists of not more than one  
 2 (1) seventy-one (71) day period in a registration year as provided by  
 3 IC 9-21-21-4.3(b). Before a vehicle may be operated as provided in this  
 4 subsection, the owner shall pay to the bureau:

5 (1) any **license registration** fee due under section 13(b) of this  
 6 chapter; and

7 (2) seventeen percent (17%) of the **license registration** fee paid  
 8 under section 13(b) of this chapter.

9 SECTION 318. IC 9-29-5-18 IS AMENDED TO READ AS  
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. The fee for a  
 11 recreational vehicle, **which does not include truck campers (as**  
 12 **defined in IC 6-6-5.1-8)**, is twenty dollars (\$20).

13 SECTION 319. IC 9-29-5-26.5 IS REPEALED [EFFECTIVE JULY  
 14 1, 2012]. ~~Sec. 26.5: The bureau may adopt rules under IC 4-22-2 to~~  
 15 ~~establish the fee for a temporary registration permit issued under~~  
 16 ~~IC 9-18-7-1.5. However, the amount of the fee may not exceed~~  
 17 ~~seventy-five dollars (\$75).~~

18 SECTION 320. IC 9-29-5-34 IS REPEALED [EFFECTIVE JULY  
 19 1, 2012]. ~~Sec. 34: A vehicle registered under IC 9-18-21 is subject to~~  
 20 ~~an annual registration fee and any other fee or tax required of a person~~  
 21 ~~registering a vehicle under this title.~~

22 SECTION 321. IC 9-29-6-10 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. Whenever a permit  
 24 is issued by the ~~bureau~~ **Indiana department of transportation** under  
 25 IC 9-20-6, the ~~bureau~~ **Indiana department of transportation** shall fix  
 26 the fee to be paid. ~~and~~ Upon payment of the fee, the ~~bureau~~ **Indiana**  
 27 **department of transportation** shall validate the permit. The revenue  
 28 from the fee shall be credited to the state highway fund.

29 SECTION 322. IC 9-29-7-2.5, AS ADDED BY P.L.110-2006,  
 30 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2012]: Sec. 2.5. The fee for a duplicate **or corrected**  
 32 certificate of salvage title is four dollars (\$4).

33 SECTION 323. IC 9-29-9-2, AS AMENDED BY P.L.101-2009,  
 34 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 UPON PASSAGE]: Sec. 2. (a) **Except as provided in subsection (c)**,  
 36 the fee for an operator's license issued under IC 9-24-3 or renewed  
 37 under IC 9-24-12 to an individual who is:

38 (1) less than seventy-five (75) years of age is nine dollars (\$9);  
 39 and

40 (2) at least seventy-five (75) years of age is six dollars (\$6).

41 (b) The fee for a probationary license issued under IC 9-24-11-3 or  
 42 IC 9-24-11-3.3 is six dollars (\$6).



C  
o  
p  
y

1 (c) Notwithstanding subsection (a), the fee for the renewal of an  
2 operator's license issued under IC 9-24 that contains a 2012  
3 expiration date is as follows:

4 (1) If the license was previously issued or renewed after May  
5 14, 2007, and before January 1, 2008, the fee is seven dollars  
6 and fifty cents (\$7.50).

7 (2) If the license was previously issued or renewed after  
8 December 31, 2007, and before January 1, 2009, the fee is nine  
9 dollars (\$9).

10 (3) If the license was previously issued or renewed after  
11 December 31, 2005, and before January 1, 2007, the fee is six  
12 dollars (\$6).

13 **This subsection does not apply to the renewal of an operator's**  
14 **license that contains an expiration date after 2012.**

15 SECTION 324. IC 9-30-2-0.1 IS REPEALED [EFFECTIVE JULY  
16 1, 2012]. ~~Sec. 0.1. The amendments made to sections 4 and 5 of this~~  
17 ~~chapter by P.L.99-1996 apply to arrests made after June 30, 1996.~~

18 SECTION 325. IC 9-30-3-8, AS AMENDED BY P.L.206-2007,  
19 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2012]: Sec. 8. (a) The court may issue a warrant for the arrest  
21 of a defendant who is an Indiana resident and who fails to appear or  
22 answer a traffic information and summons or a complaint and summons  
23 served upon the defendant. If the warrant is not executed within thirty  
24 (30) days after issue, the court shall promptly forward the court copy  
25 of the traffic information and summons or complaint and summons to  
26 the bureau indicating that the defendant failed to appear in court as  
27 ordered. The court shall then mark the case as failure to appear on the  
28 court's records.

29 (b) If a defendant who is not an Indiana resident fails to appear or  
30 answer a traffic summons served upon the defendant and upon which  
31 the information or complaint has been filed thirty (30) days after the  
32 return date of the information and summons or complaint and  
33 summons, the court shall promptly forward the court copy of the traffic  
34 information and summons or complaint and summons to the bureau.  
35 The bureau shall notify the motor vehicle commission of the state of  
36 the nonresident defendant of the defendant's failure to appear and also  
37 of any action taken by the bureau relative to the Indiana driving  
38 privileges of the defendant. If the defendant fails to appear or otherwise  
39 answer within thirty (30) days, the court shall mark the case as failure  
40 to appear on the court's records.

41 (c) **The court may suspend the driving privileges of a defendant**  
42 **who fails to satisfy a judgment entered against the defendant for:**

C  
o  
p  
y



1           **(1) violation of a traffic ordinance; or**  
 2           **(2) commission of a traffic infraction;**  
 3           **by a date set by the court under IC 34-28-5-6. The court shall**  
 4           **forward notice to the bureau indicating that the defendant failed**  
 5           **to pay as ordered.**

6           ~~(c)~~ **(d)** If the bureau receives a copy of the traffic information and  
 7           summons or complaint and summons for failure to appear in court **or**  
 8           **a notice of failure to pay under subsection (c)**, either on a form  
 9           prescribed by the bureau or in an electronic format prescribed by the  
 10          division of state court administration, the bureau shall suspend the  
 11          driving privileges of the defendant until the defendant appears in court  
 12          and the case has been disposed of, **or until the date payment is**  
 13          **received by the court.** The order of suspension may be served upon  
 14          the defendant by mailing the order by first class mail to the defendant  
 15          at the last address shown for the defendant in the records of the bureau.  
 16          The order takes effect on the date the order is mailed.

17          ~~(d)~~ **(e)** For nonresidents of Indiana, the order of suspension shall be  
 18          mailed to the defendant at the address given to the arresting officer **or**  
 19          **the clerk of court** by the defendant as shown by the traffic information  
 20          or complaint. The order takes effect on the date of mailing. A copy of  
 21          the order shall also be sent to the motor vehicle bureau of the state of  
 22          the nonresident defendant. If:

- 23               (1) the defendant's failure to appear in court has been certified to
- 24               the bureau under this chapter; and
- 25               (2) the defendant subsequently appears in court to answer the
- 26               charges against the defendant;

27          the court shall proceed to hear and determine the case in the same  
 28          manner as other cases pending in the court. Upon final determination  
 29          of the case, the court shall notify the bureau of the determination either  
 30          in an electronic format or upon forms prescribed by the bureau. The  
 31          notification shall be made by the court within ten (10) days after the  
 32          final determination of the case, and information from the original copy  
 33          of the traffic information and summons or complaint and summons  
 34          must accompany the notification.

35          SECTION 326. IC 9-30-3-11, AS AMENDED BY P.L.206-2007,  
 36          SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37          JULY 1, 2012]: Sec. 11. (a) Before accepting a plea of guilty to a  
 38          misdemeanor traffic offense, the court shall inform the defendant of the  
 39          defendant's rights, including the right to:

- 40               (1) engage counsel;
- 41               (2) a reasonable continuance to engage counsel to subpoena
- 42               witnesses;

C  
o  
p  
y



- 1 (3) have process issued by the court, without expense to the
- 2 defendant, to compel the attendance of witnesses in the
- 3 defendant's behalf;
- 4 (4) testify or not to testify in the defendant's own behalf;
- 5 (5) a trial by jury; and
- 6 (6) appeal.

7 (b) The court shall inform each defendant charged with a traffic  
 8 offense other than a nonmoving traffic offense, if the defendant is  
 9 convicted or judgment is entered against the defendant, that a record of  
 10 the conviction or judgment will be sent to the bureau or the motor  
 11 vehicle bureau of the state where the defendant received a license to  
 12 drive to become a part of the defendant's driving record.

13 (c) The court shall keep a full record of every case in which a person  
 14 is charged with a traffic offense other than a nonmoving traffic offense.  
 15 Within ten (10) days after the conviction, judgment, or forfeiture of  
 16 security deposit of a person, the court shall forward a copy of the  
 17 judgment in an electronic format or an abstract as prescribed by  
 18 ~~IC 9-25-6-8.~~ **IC 9-30-13-0.5.** The abstract comprises the original copy  
 19 of the traffic information and summons or complaint and summons if  
 20 the conviction, judgment, or forfeiture of security deposit has been  
 21 entered on that copy. However, instead of the original copy, the court  
 22 may, subject to the approval of the bureau, send the information in an  
 23 electronic format or in the form of a chemical based, magnetic, or  
 24 machine readable media. Records of nonmoving traffic offenses are not  
 25 required to be forwarded to the bureau.

26 (d) One (1) year after the abstract has been forwarded, the court may  
 27 destroy the remaining court copies of the information and summons or  
 28 complaint and summons and related pleadings if an order book entry  
 29 of the copy has been made and the original copy has been sent to the  
 30 bureau. ~~of motor vehicles.~~

31 (e) Upon the failure of a court officer to comply with subsection (c),  
 32 the officer is liable on the officer's official bond for a civil penalty of  
 33 one hundred dollars (\$100) accruing to the state, which may be  
 34 recovered, together with the costs of the suit, in a civil action brought  
 35 by the attorney general in the name of the state on relation of the  
 36 attorney general. Each failure by an officer constitutes a separate cause  
 37 of action.

38 SECTION 327. IC 9-30-3-12, AS AMENDED BY P.L.106-2010,  
 39 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2012]: Sec. 12. (a) If during any twelve (12) month period a  
 41 person has committed moving traffic violations for which the person  
 42 has:

COPY



- 1 (1) been convicted of at least two (2) traffic misdemeanors;
- 2 (2) had at least two (2) traffic judgments entered against the
- 3 person; or
- 4 (3) been convicted of at least one (1) traffic misdemeanor and has
- 5 had at least one (1) traffic judgment entered against the person;
- 6 the bureau may require the person to attend and satisfactorily complete
- 7 a defensive driving school program **approved by the bureau**. The
- 8 person shall pay all applicable fees required by the bureau.

9 (b) This subsection applies to an individual who holds a  
 10 probationary license under ~~IC 9-24-11-3~~ or IC 9-24-11-3.3 or is less  
 11 than eighteen (18) years of age. An individual is required to attend and  
 12 satisfactorily complete a defensive driving school program **approved**  
 13 **by the bureau** if either of the following occurs at least twice or if both  
 14 of the following have occurred when the individual was less than  
 15 eighteen (18) years of age:

- 16 (1) The individual has been convicted of a moving traffic offense
- 17 (as defined in section 14(a) of this chapter), other than an offense
- 18 that solely involves motor vehicle equipment.
- 19 (2) The individual has been the operator of a motor vehicle
- 20 involved in an accident for which a report is required to be filed
- 21 under IC 9-26-2.

22 The individual shall pay all applicable fees required by the bureau.

23 (c) The bureau may suspend the driving ~~license~~ **privileges** of any  
 24 person who:

- 25 (1) fails to attend a defensive driving school program; or
- 26 (2) fails to satisfactorily complete a defensive driving school
- 27 program;
- 28 as required by this section.

29 (d) Notwithstanding IC 33-37-4-2, any court may suspend one-half  
 30 (1/2) of each applicable court cost (including fees) for which a person  
 31 is liable due to a traffic violation if the person enrolls in and completes  
 32 a defensive driving school or a similar school conducted by an agency  
 33 of the state or local government.

34 SECTION 328. IC 9-30-3-15 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. In a proceeding,  
 36 prosecution, or hearing where the prosecuting attorney must prove that  
 37 the defendant had a prior conviction for an offense under this title, the  
 38 relevant portions of a certified computer printout or electronic copy as  
 39 set forth in IC 9-14-3-4 made from the records of the bureau are  
 40 admissible as prima facie evidence of the prior conviction. However,  
 41 the prosecuting attorney must establish that the document identifies the  
 42 defendant by the defendant's ~~driving~~ **driver's** license number or by any

C  
O  
P  
Y



1 other identification method utilized by the bureau.  
2 SECTION 329. IC 9-30-3-16 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) If a person has  
4 been found to have committed a traffic offense, the court may do the  
5 following:  
6 (1) Require the person to attend and satisfactorily complete a  
7 driver improvement course that has been approved by the court  
8 and the bureau or by the bureau.  
9 (2) Place the person on probation for up to one (1) year.  
10 (3) Suspend the person's ~~driver's license~~ **driving privileges** for up  
11 to thirty (30) days.  
12 (b) A driver improvement course required under subsection (a) may  
13 be financed by assessing a reasonable charge as determined by the  
14 course provider and approved by the bureau.  
15 SECTION 330. IC 9-30-4-3 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A person  
17 aggrieved by an order or act of the bureau under section 1 or 2 of this  
18 chapter may, within fifteen (15) days after notice is given, file a  
19 petition in the circuit or superior court of the county in which the  
20 person resides. If the person is a nonresident, the person may file a  
21 petition for review in the Marion **County** circuit court.  
22 (b) The petitioner must state facts showing how the order or act of  
23 the bureau is wrongful or unlawful, but the filing of a petition does not  
24 suspend the order or act unless a stay is allowed by a judge of the court  
25 pending final determination of the review on a showing of reasonable  
26 probability that the order or act is wrongful or unlawful.  
27 (c) The court shall, within six (6) months of the date of the filing of  
28 the petition, hear the petition, take testimony, and examine the facts of  
29 the case. The court may, in disposing of the issues, modify, affirm, or  
30 reverse the order or act of the bureau in whole or in part and shall make  
31 an appropriate order. If the petition has not been heard within six (6)  
32 months from the date of the filing, the original order or act of the  
33 bureau shall be reinstated in full force and effect.  
34 SECTION 331. IC 9-30-4-6.5, AS ADDED BY P.L.100-2010,  
35 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2012]: Sec. 6.5. If a person receives a sentence that includes:  
37 (1) a term of incarceration; and  
38 (2) a ~~license~~ suspension **of the person's driving privileges** under  
39 this chapter;  
40 the ~~license~~ suspension **of driving privileges** begins on the date the  
41 person is released from incarceration and not on the date the person is  
42 convicted.

C  
o  
p  
y



1 SECTION 332. IC 9-30-4-8 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A person whose  
3 certificate of registration has been suspended or revoked, with  
4 restoration or the issuance of a new certificate being contingent upon  
5 the furnishing of proof of financial responsibility, and who, during the  
6 suspension or revocation or in the absence of full authorization from  
7 the bureau, operates the motor vehicle upon a highway or knowingly  
8 permits the motor vehicle to be operated by another person upon a  
9 highway except as permitted under this chapter commits a Class C  
10 misdemeanor.

11 (b) A person with a restricted license issued by the bureau driving  
12 privileges who operates a motor vehicle upon a highway in violation  
13 of the terms and conditions specified on for the restricted license  
14 driving privileges commits a Class C misdemeanor.

15 SECTION 333. IC 9-30-4-9 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Upon the filing  
17 of a complaint in writing with the bureau against a person holding a  
18 current driver's license or permit or applying for a current driver's  
19 license, permit, or a renewal, the bureau may cite the person for a  
20 hearing to consider the suspension or revocation of the person's  
21 license, permit, or driving privileges upon any of the following  
22 charges:

- 23 (1) That the person has committed an offense for the conviction
- 24 of which mandatory revocation of license is provided.
- 25 (2) That the person has, by reckless or unlawful operation of a
- 26 motor vehicle, caused or contributed to an accident resulting in
- 27 death or injury to any other person or property damage.
- 28 (3) That the person is incompetent to drive a motor vehicle or is
- 29 afflicted with mental or physical infirmities or disabilities
- 30 rendering it unsafe for the person to drive a motor vehicle.
- 31 (4) That the person is a reckless or negligent driver of a motor
- 32 vehicle or has committed a violation of a motor vehicle law.

33 (b) Whenever the bureau issues a citation upon a complaint in  
34 writing for any of the reasons set out in this section, the bureau shall  
35 immediately notify the licensee or permit holder of the time and place  
36 of the hearing. and afford the person an opportunity of a hearing in the  
37 county in which the person so cited and against whom the complaint is  
38 filed resides before the bureau or a deputy or an agent of the bureau  
39 designated for the purpose of the hearing. The citation must state the  
40 time, date, and place where the hearing will be held and that the  
41 licensee or permit holder has the right to appear and to be heard. At the  
42 hearing the bureau or the deputy or agent may issue an order of

C  
o  
p  
y



1 suspension or revocation **of**, or decline to suspend **or** revoke, ~~or issue~~  
 2 the license, ~~or~~ permit, **or driving privileges of the person.**

3 (c) The bureau or the deputy or agent may suspend or revoke the  
 4 ~~current~~ driver's license, **permit, or driving privileges** of a person and  
 5 any of the certificates of registration and license plates for a motor  
 6 vehicle or require the person cited to operate for a period of one (1)  
 7 year under a restricted ~~license~~ **driving privileges** and make the reports  
 8 the bureau requires.

9 (d) The bureau or the deputy or agent may subpoena witnesses,  
 10 administer oaths, and take testimony. The failure of the defendant to  
 11 appear at the time and place of the hearing after notice as provided in  
 12 this section does not prevent the hearing, the taking of testimony, and  
 13 the determination of the matter.

14 (e) Testimony or a record of suspension or revocation of a ~~current~~  
 15 driver's license, **a permit, or driving privileges** in the custody of the  
 16 bureau following a hearing is not admissible as evidence:

17 (1) in any court in any action at law for negligence; or

18 (2) in any civil action brought against a person so cited by the  
 19 bureau under this chapter.

20 (f) The bureau may suspend or revoke the license, **permit, or**  
 21 **driving privileges** of an Indiana resident for a period of not more than  
 22 one (1) year upon receiving notice of the conviction of the person in  
 23 another state of an offense that, if committed in Indiana, would be  
 24 grounds for the suspension or revocation of the license, **permit, or**  
 25 **driving privileges.** The bureau may, upon receiving a record of the  
 26 conviction in Indiana of a nonresident driver of a motor vehicle of an  
 27 offense under Indiana motor vehicle laws, forward a certified copy of  
 28 the record to the motor vehicle administrator in the state where the  
 29 person convicted is a resident.

30 (g) The bureau may not suspend a ~~current~~ driver's license, **a permit,**  
 31 **or driving privileges** for more than one (1) year and upon ~~suspending~~  
 32 ~~or~~ revoking any license **or permit** shall require that the license **or**  
 33 **permit** be surrendered to the bureau.

34 (h) A suspension or revocation under this section stands pending  
 35 any proceeding for review of an action of the bureau taken under this  
 36 section.

37 (i) In addition to any other power, the bureau may modify, amend,  
 38 or cancel any order or determination during the time within which a  
 39 judicial review could be had. A person aggrieved by the order or act  
 40 may have a judicial review under sections 10 and 11 of this chapter.

41 SECTION 334. IC 9-30-4-13 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) Whenever the

C  
O  
P  
Y



1 bureau is authorized or required to give notice under this chapter or any  
 2 other law regulating the operation of vehicles, unless a different  
 3 method of giving notice is otherwise expressly prescribed, the notice  
 4 may be given either by personal delivery to the person to be notified or  
 5 by deposit with the United States Postal Service of the notice by first  
 6 class mail.

7 (b) A person who, after notification, fails to return or surrender to  
 8 the bureau upon demand a suspended, revoked, or ~~canceled current~~  
 9 **invalidated** driver's license, ~~or permit~~, certificate of registration, ~~or~~  
 10 **license plate** commits a Class C misdemeanor. The bureau may file ~~an~~  
 11 **affidavit** with the prosecuting attorney of the county in which the  
 12 person resides ~~an affidavit~~ charging the person with the offense.

13 SECTION 335. IC 9-30-5-4 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A person who  
 15 causes serious bodily injury to another person when operating a ~~motor~~  
 16 vehicle:

17 (1) with an alcohol concentration equivalent to at least  
 18 eight-hundredths (0.08) gram of alcohol per:

19 (A) one hundred (100) milliliters of the person's blood; or

20 (B) two hundred ten (210) liters of the person's breath;

21 (2) with a controlled substance listed in schedule I or II of  
 22 IC 35-48-2 or its metabolite in the person's body; or

23 (3) while intoxicated;

24 commits a Class D felony. However, the offense is a Class C felony if  
 25 the person has a previous conviction of operating while intoxicated  
 26 within the five (5) years preceding the commission of the offense.

27 (b) A person who violates subsection (a) commits a separate offense  
 28 for each person whose serious bodily injury is caused by the violation  
 29 of subsection (a).

30 (c) It is a defense under subsection (a)(2) that the accused person  
 31 consumed the controlled substance under a valid prescription or order  
 32 of a practitioner (as defined in IC 35-48-1) who acted in the course of  
 33 the practitioner's professional practice.

34 SECTION 336. IC 9-30-5-5, AS AMENDED BY P.L.102-2010,  
 35 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2012]: Sec. 5. (a) A person who causes the death of another  
 37 person when operating a ~~motor~~ vehicle:

38 (1) with an alcohol concentration equivalent to at least  
 39 eight-hundredths (0.08) gram of alcohol per:

40 (A) one hundred (100) milliliters of the person's blood; or

41 (B) two hundred ten (210) liters of the person's breath;

42 (2) with a controlled substance listed in schedule I or II of

C  
o  
p  
y



1           IC 35-48-2 or its metabolite in the person's blood; or  
2           (3) while intoxicated;  
3           commits a Class C felony. However, the offense is a Class B felony if  
4           the person has a previous conviction of operating while intoxicated  
5           within the five (5) years preceding the commission of the offense, or if  
6           the person operated the ~~motor~~ vehicle when the person knew that the  
7           person's driver's license, driving privilege, or permit is suspended or  
8           revoked for a previous conviction for operating a vehicle while  
9           intoxicated.

10          (b) A person at least twenty-one (21) years of age who causes the  
11          death of another person when operating a ~~motor~~ vehicle:  
12           (1) with an alcohol concentration equivalent to at least  
13           fifteen-hundredths (0.15) gram of alcohol per:  
14           (A) one hundred (100) milliliters of the person's blood; or  
15           (B) two hundred ten (210) liters of the person's breath; or  
16           (2) with a controlled substance listed in schedule I or II of  
17           IC 35-48-2 or its metabolite in the person's blood;  
18          commits a Class B felony.

19          (c) A person who causes the death of a law enforcement animal (as  
20          defined in IC 35-46-3-4.5) when operating a ~~motor~~ vehicle:  
21           (1) with an alcohol concentration equivalent to at least  
22           eight-hundredths (0.08) gram of alcohol per:  
23           (A) one hundred (100) milliliters of the person's blood; or  
24           (B) two hundred ten (210) liters of the person's breath; or  
25           (2) with a controlled substance listed in schedule I or II of  
26           IC 35-48-2 or its metabolite in the person's blood;  
27          commits a Class D felony.

28          (d) A person who violates subsection (a), (b), or (c) commits a  
29          separate offense for each person or law enforcement animal whose  
30          death is caused by the violation of subsection (a), (b), or (c).

31          (e) It is a defense under subsection (a)(2), (b)(2), or (c)(2) that the  
32          accused person consumed the controlled substance under a valid  
33          prescription or order of a practitioner (as defined in IC 35-48-1) who  
34          acted in the course of the practitioner's professional practice.

35          SECTION 337. IC 9-30-5-6 IS AMENDED TO READ AS  
36          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who  
37          operates a vehicle in violation of any term of a probationary license  
38          issued under this chapter, IC 9-30-6, or IC 9-30-9 commits a Class C  
39          infraction.

40          (b) In addition to any other penalty imposed under this section, the  
41          court may suspend the person's driving privileges for a period of not  
42          more than one (1) year.

C  
o  
p  
y



1 (c) The bureau shall send notice of a judgment entered under this  
 2 section to the court that granted the defendant probationary driving  
 3 privileges:

4 SECTION 338. IC 9-30-5-9.5 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9.5. ~~After June 30,~~  
 6 ~~2005~~; Probationary driving privileges under this chapter do not apply  
 7 to a ~~person who holds~~ a commercial driver's license in accordance with  
 8 the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA)  
 9 (Public Law 106-159.113 Stat. 1748).

10 SECTION 339. IC 9-30-5-10, AS AMENDED BY P.L.126-2008,  
 11 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2012]: Sec. 10. (a) In addition to a criminal penalty imposed  
 13 for an offense under this chapter or IC 14-15-8, the court shall, after  
 14 reviewing the person's bureau driving record and other relevant  
 15 evidence, recommend the suspension of the person's driving privileges  
 16 for the fixed period of time specified under this section. The court may  
 17 require that a period of suspension recommended under this section be  
 18 imposed, if applicable, before a period of incarceration or after a period  
 19 of incarceration, or both before and after a period of incarceration, as  
 20 long as the suspension otherwise complies with the periods established  
 21 in this section.

22 (b) If the court finds that the person:

23 (1) does not have a previous conviction of operating a vehicle or  
 24 a motorboat while intoxicated; or

25 (2) has a previous conviction of operating a vehicle or a  
 26 motorboat while intoxicated that occurred at least ten (10) years  
 27 before the conviction under consideration by the court;

28 the court shall recommend the suspension of the person's driving  
 29 privileges for at least ninety (90) days but not more than two (2) years.

30 (c) If the court finds that the person has a previous conviction of  
 31 operating a vehicle or a motorboat while intoxicated and the previous  
 32 conviction occurred more than five (5) years but less than ten (10)  
 33 years before the conviction under consideration by the court, the court  
 34 shall recommend the suspension of the person's driving privileges for  
 35 at least one hundred eighty (180) days but not more than two (2) years.  
 36 The court may stay the execution of that part of the suspension that  
 37 exceeds the minimum period of suspension and grant the person  
 38 probationary driving privileges for a period of time equal to the length  
 39 of the stay.

40 (d) If the court finds that the person has a previous conviction of  
 41 operating a vehicle or a motorboat while intoxicated and the previous  
 42 conviction occurred less than five (5) years before the conviction under

C  
o  
p  
y



1 consideration by the court, the court shall recommend the suspension  
 2 of the person's driving privileges for at least one (1) year but not more  
 3 than two (2) years. The court may stay the execution of that part of the  
 4 suspension that exceeds the minimum period of suspension and grant  
 5 the person probationary driving privileges for a period of time equal to  
 6 the length of the stay. If the court grants probationary driving privileges  
 7 under this subsection, the court shall order that the probationary driving  
 8 privileges include the requirement that the person may not operate a  
 9 motor vehicle unless the motor vehicle is equipped with a functioning  
 10 certified ignition interlock device under IC 9-30-8. However, the court  
 11 may grant probationary driving privileges under this subsection without  
 12 requiring the installation of an ignition interlock device if the person is  
 13 successfully participating in a court supervised alcohol treatment  
 14 program in which the person is taking disulfiram or a similar substance  
 15 that the court determines is effective in treating alcohol abuse. The  
 16 person granted probationary driving privileges under this subsection  
 17 shall pay all costs associated with the installation of an ignition  
 18 interlock device unless the sentencing court determines that the person  
 19 is indigent.

20 (e) If the conviction under consideration by the court is for an  
 21 offense under:

- 22 (1) section 4 of this chapter;
- 23 (2) section 5 of this chapter;
- 24 (3) IC 14-15-8-8(b); or
- 25 (4) IC 14-15-8-8(c);

26 the court shall recommend the suspension of the person's driving  
 27 privileges for at least two (2) years but not more than five (5) years.

28 (f) If the conviction under consideration by the court is for an  
 29 offense involving the use of a controlled substance listed in schedule  
 30 I, II, III, IV, or V of IC 35-48-2, in which a vehicle was used in the  
 31 offense, the court shall recommend the suspension or revocation of the  
 32 person's driving privileges for at least six (6) months.

33 **(g) The bureau shall fix the period of suspension in accordance**  
 34 **with the recommendation of the court under this section and in**  
 35 **accordance with IC 9-30-6-9. If the court fails to recommend a**  
 36 **fixed period of suspension, the bureau shall impose the minimum**  
 37 **period of suspension required under this section.**

38 SECTION 340. IC 9-30-5-11, AS AMENDED BY P.L.153-2005,  
 39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2012]: Sec. 11. (a) If a court grants a person probationary  
 41 driving privileges under section 12 of this chapter, the person may  
 42 operate a vehicle only as follows:

C  
o  
p  
y



- 1 (1) To and from the person's place of employment.
- 2 (2) For specific purposes in exceptional circumstances.
- 3 (3) To and from a court-ordered treatment program.
- 4 (b) If the court grants the person probationary driving privileges
- 5 under section 12(a) of this chapter, that part of the court's order
- 6 granting probationary driving privileges does not take effect until the
- 7 person's driving privileges have been suspended for at least thirty (30)
- 8 days under IC 9-30-6-9.
- 9 (c) The court shall notify a person who is granted probationary
- 10 driving privileges of the following:
- 11 (1) That the probationary driving period commences when the
- 12 bureau issues the probationary ~~license~~ **driving privileges**.
- 13 (2) That the bureau may not issue a probationary ~~license~~ **driving**
- 14 **privileges** until the bureau receives a reinstatement fee from the
- 15 person, if applicable, and the person otherwise qualifies for a
- 16 ~~license~~ **valid driving privileges**.
- 17 SECTION 341. IC 9-30-5-13 IS AMENDED TO READ AS
- 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) An order for
- 19 probationary driving privileges granted under this chapter must include
- 20 the following:
- 21 (1) A requirement that the person may not violate a traffic law.
- 22 (2) A restriction of a person's driving privileges providing for
- 23 automatic execution of the suspension of driving privileges if an
- 24 order is issued under subsection (b).
- 25 (3) A written finding by the court that the court has reviewed the
- 26 person's driving record and other relevant evidence and found that
- 27 the person qualifies for a probationary ~~license~~ **driving privileges**
- 28 under this chapter.
- 29 (4) Other reasonable terms of probation.
- 30 (b) If the court finds that the person has violated the terms of the
- 31 order granting probationary driving privileges, the court shall order
- 32 execution of that part of the sentence concerning the suspension of the
- 33 person's driving privileges.
- 34 SECTION 342. IC 9-30-5-18 IS ADDED TO THE INDIANA
- 35 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 36 [EFFECTIVE JULY 1, 2012]: **Sec. 18. (a) If:**
- 37 (1) **a criminal proceeding for driving while intoxicated under**
- 38 **IC 9-30-5 is deferred under IC 12-23-5-1 through**
- 39 **IC 12-23-5-9; or**
- 40 (2) **a child alleged to be a delinquent child based upon the**
- 41 **child's violation of IC 9-30-5 voluntarily attends or is ordered**
- 42 **by the court under IC 31-37 to attend an alcohol and drug**

COPY



1 services program;  
2 the court, within ten (10) days after the defendant or child begins  
3 the program, shall forward to the bureau a certified abstract of  
4 program enrollment.

5 (b) The abstract must state the following:

6 (1) The defendant's or child's name, address, date of birth,  
7 and driver's license number.

8 (2) The name and location of the alcohol and drug services  
9 program that the defendant or child is attending.

10 SECTION 343. IC 9-30-6-4.3, AS AMENDED BY P.L.1-2007,  
11 SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2012]: Sec. 4.3. (a) This section applies only to a person  
13 whose motor vehicle has been seized under IC 34-24-1-1(15).

14 (b) If the bureau receives an order from a court recommending that  
15 the bureau not register a motor vehicle in the name of a person whose  
16 motor vehicle has been seized under IC 34-24-1-1(15), the bureau may  
17 not register a motor vehicle in the name of the person whose motor  
18 vehicle has been seized until the person proves that the person  
19 possesses a ~~current driving~~ driver's license with valid driving  
20 privileges.

21 SECTION 344. IC 9-30-6-8 IS AMENDED TO READ AS  
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Whenever a  
23 judicial officer has determined that there was probable cause to believe  
24 that a person has violated IC 9-30-5 or IC 14-15-8, the clerk of the  
25 court shall forward:

26 (1) a copy of the affidavit; and

27 (2) a bureau certificate as described in section 16 of this chapter;  
28 to the bureau.

29 (b) The probable cause affidavit required under section 7(b)(2) of  
30 this chapter must do the following:

31 (1) Set forth the grounds for the arresting officer's belief that there  
32 was probable cause that the arrested person was operating a  
33 vehicle in violation of IC 9-30-5 or a motorboat in violation of  
34 IC 14-15-8.

35 (2) State that the person was arrested for a violation of IC 9-30-5  
36 or operating a motorboat in violation of IC 14-15-8.

37 (3) State whether the person:

38 (A) refused to submit to a chemical test when offered; or

39 (B) submitted to a chemical test that resulted in prima facie  
40 evidence that the person was intoxicated.

41 (4) Be sworn to by the arresting officer.

42 (c) Except as provided in subsection (d), if it is determined under

C  
o  
p  
y



1 subsection (a) that there was probable cause to believe that a person  
2 has violated IC 9-30-5 or IC 14-15-8, at the initial hearing of the matter  
3 held under IC 35-33-7-1,

4 ~~(1)~~ the court shall recommend immediate suspension of the  
5 person's driving privileges to take effect on the date the order is  
6 entered,

7 ~~(2)~~ the court shall order the person to surrender all driver's  
8 licenses, permits, and receipts; and

9 ~~(3)~~ the clerk shall forward the following to the bureau

10 ~~(A)~~ The person's license or permit surrendered under this  
11 section or section 3 or 7 of this chapter.

12 ~~(B)~~ a copy of the order recommending immediate suspension  
13 of driving privileges.

14 (d) If it is determined under subsection (a) that there is probable  
15 cause to believe that a person violated IC 9-30-5, the court may, as an  
16 alternative to a license suspension of the person's driving privileges  
17 under subsection ~~(e)(1)~~; **(c)**, issue an order recommending that the  
18 person be prohibited from operating a motor vehicle unless the motor  
19 vehicle is equipped with a functioning certified ignition interlock  
20 device under IC 9-30-8 until the bureau is notified by a court that the  
21 criminal charges against the person have been resolved.

22 SECTION 345. IC 9-30-6-9, AS AMENDED BY P.L.94-2006,  
23 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2012]: Sec. 9. (a) This section does not apply if an ignition  
25 interlock device order is issued under section 8(d) of this chapter.

26 (b) If the affidavit under section 8(b) of this chapter states that a  
27 person refused to submit to a chemical test, the bureau shall suspend  
28 the driving privileges of the person:

29 (1) for:

30 (A) one (1) year; or

31 (B) if the person has at least one (1) previous conviction for  
32 operating while intoxicated, two (2) years; or

33 (2) until the suspension is ordered terminated under IC 9-30-5.

34 (c) If the affidavit under section 8(b) of this chapter states that a  
35 chemical test resulted in prima facie evidence that a person was  
36 intoxicated, the bureau shall suspend the driving privileges of the  
37 person:

38 (1) for one hundred eighty (180) days; or

39 (2) until the bureau is notified by a court that the charges have  
40 been disposed of;

41 whichever occurs first.

42 (d) Whenever the bureau is required to suspend a person's driving

C  
o  
p  
y



1 privileges under this section, the bureau shall immediately do the  
2 following:

3 (1) Mail a notice to the person's last known address that must state  
4 that the person's driving privileges will be suspended for a  
5 specified period, commencing:

6 (A) five (5) days after the date of the notice; or

7 (B) on the date the court enters an order recommending  
8 suspension of the person's driving privileges under section 8(c)  
9 of this chapter;

10 whichever occurs first.

11 (2) Notify the person of the right to a judicial review under  
12 section 10 of this chapter.

13 (e) Notwithstanding IC 4-21.5, an action that the bureau is required  
14 to take under this article is not subject to any administrative  
15 adjudication under IC 4-21.5.

16 (f) If a person is granted probationary driving privileges under  
17 IC 9-30-5 and the bureau has not received the probable cause affidavit  
18 described in section 8(b) of this chapter, the bureau shall suspend the  
19 person's driving privileges for a period of thirty (30) days. After the  
20 thirty (30) day period has elapsed, the bureau shall, upon receiving a  
21 reinstatement fee, if applicable, from the person who was granted  
22 probationary driving privileges, issue the **person probationary license**  
23 **driving privileges** if the person otherwise qualifies. ~~for a license.~~

24 (g) If the bureau receives an order granting probationary driving  
25 privileges to a person who, **according to the records of the bureau**,  
26 has a prior conviction for operating while intoxicated, the bureau shall  
27 do the following:

28 (1) Issue the person a ~~probationary license~~ **probationary license driving privileges** and  
29 notify the prosecuting attorney of the county from which the order  
30 was received that the person is not eligible for a probationary  
31 ~~license.~~ **driving privileges.**

32 (2) Send a certified copy of the person's driving record to the  
33 prosecuting attorney.

34 The prosecuting attorney shall, in accordance with IC 35-38-1-15,  
35 petition the court to correct the court's order. If the bureau does not  
36 receive a corrected order within sixty (60) days, the bureau shall notify  
37 the attorney general, who shall, in accordance with IC 35-38-1-15,  
38 petition the court to correct the court's order.

39 SECTION 346. IC 9-30-6-12, AS AMENDED BY P.L.109-2011,  
40 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2012]: Sec. 12. (a) If a court recommends suspension of ~~the~~  
42 driving privileges under this chapter, IC 9-30-5, or IC 9-30-9,

C  
o  
p  
y



1 (†) the bureau shall ~~comply~~ **fix the period of suspension in**  
2 **accordance** with the recommendation of ~~suspension~~; ~~and the~~  
3 ~~driving privileges of the person remain suspended for the period~~  
4 ~~set by the court. and~~

5 (2) the person shall ~~surrender to~~ **If** the court all licenses; permits;  
6 or receipts issued to the person; and the court shall immediately  
7 forward the licenses; permits; or receipts to ~~fails to recommend~~  
8 **a fixed period of suspension**, the bureau ~~with~~ **shall impose** the  
9 ~~abstract minimum period of conviction or judgment.~~ **suspension**  
10 **required by statute.**

11 (b) Except as provided in subsection (c), during the three (3) years  
12 following the termination of the suspension the person's driving  
13 privileges remain suspended until the person provides proof of future  
14 financial responsibility in force under IC 9-25.

15 (c) If a court recommends suspension of a person's driving  
16 privileges for a conviction under IC 9-30-5, during the three (3) years  
17 following the termination of the suspension the person's driving  
18 privileges remain suspended until the person provides proof of future  
19 financial responsibility in force under IC 9-25. However, if a court  
20 recommends suspension of the driving privileges of a person who is  
21 arrested for or charged with an offense committed under IC 9-30-5, the  
22 person is not required to provide proof of future financial responsibility  
23 under IC 9-25 unless the person is convicted under IC 9-30-5.

24 (d) If at any time during the three (3) years following the  
25 termination of the suspension imposed under subsection (a) a person  
26 who has provided proof of future financial responsibility under IC 9-25  
27 fails to maintain the proof, the bureau shall suspend the person's  
28 driving privileges until the person again provides proof of future  
29 financial responsibility under IC 9-25.

30 (e) An agency action under this section is not subject to IC 4-21.5.

31 SECTION 347. IC 9-30-6-13, AS AMENDED BY P.L.42-2011,  
32 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 JULY 1, 2012]: Sec. 13. If a court orders the bureau to rescind an  
34 ignition interlock device requirement or reinstate a person's driving  
35 privileges under this article, the bureau shall comply with the order.  
36 Unless the order for reinstatement is issued under section 11(a)(2) of  
37 this chapter, the bureau shall also do the following:

38 (1) Remove any record of the ignition interlock device  
39 requirement or suspension from the ~~bureau's recordkeeping~~  
40 ~~system.~~ **official driving record of the person.**

41 (2) Reinstate the privileges without cost to the person.  
42 SECTION 348. IC 9-30-10-2 IS AMENDED TO READ AS

C  
o  
p  
y



1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. As used in this  
 2 chapter, "license" includes any type of license or permit ~~to operate a~~  
 3 ~~motor vehicle~~ issued by the bureau **to operate the type of vehicle**  
 4 **being driven.**

5 SECTION 349. IC 9-30-10-4, AS AMENDED BY P.L.28-2010,  
 6 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2012]: Sec. 4. (a) A person who has accumulated at least two  
 8 (2) judgments within a ten (10) year period for any of the following  
 9 violations, singularly or in combination, **and** not arising out of the same  
 10 incident, **and with at least one (1) violation occurring after March 31,**  
 11 ~~1984~~, is a habitual violator:

12 (1) Reckless homicide resulting from the operation of a motor  
 13 vehicle.

14 (2) Voluntary or involuntary manslaughter resulting from the  
 15 operation of a motor vehicle.

16 (3) Failure of the driver of a motor vehicle involved in an accident  
 17 resulting in death or injury to any person to stop at the scene of  
 18 the accident and give the required information and assistance.

19 (4) Operation of a vehicle while intoxicated resulting in death.

20 (5) Before July 1, 1997, operation of a vehicle with at least  
 21 ten-hundredths percent (0.10%) alcohol in the blood resulting in  
 22 death.

23 (6) After June 30, 1997, and before July 1, 2001, operation of a  
 24 vehicle with an alcohol concentration equivalent to at least  
 25 ten-hundredths (0.10) gram of alcohol per:

26 (A) one hundred (100) milliliters of the blood; or

27 (B) two hundred ten (210) liters of the breath;

28 resulting in death.

29 (7) After June 30, 2001, operation of a vehicle with an alcohol  
 30 concentration equivalent to at least eight-hundredths (0.08) gram  
 31 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 (b) A person who has accumulated at least three (3) judgments  
 36 within a ten (10) year period for any of the following violations,  
 37 singularly or in combination, **and** not arising out of the same incident,  
 38 **and with at least one (1) violation occurring after March 31, 1984**, is a  
 39 habitual violator:

40 (1) Operation of a vehicle while intoxicated.

41 (2) Before July 1, 1997, operation of a vehicle with at least  
 42 ten-hundredths percent (0.10%) alcohol in the blood.

C  
O  
P  
Y



- 1 (3) After June 30, 1997, and before July 1, 2001, operation of a
- 2 vehicle with an alcohol concentration equivalent to at least
- 3 ten-hundredths (0.10) gram of alcohol per:
- 4 (A) one hundred (100) milliliters of the blood; or
- 5 (B) two hundred ten (210) liters of the breath.
- 6 (4) After June 30, 2001, operation of a vehicle with an alcohol
- 7 concentration equivalent to at least eight-hundredths (0.08) gram
- 8 of alcohol per:
- 9 (A) one hundred (100) milliliters of the blood; or
- 10 (B) two hundred ten (210) liters of the breath.
- 11 (5) Operating a motor vehicle while the person's license to do so
- 12 has been suspended or revoked as a result of the person's
- 13 conviction of an offense under IC 9-1-4-52 (repealed July 1,
- 14 1991), IC 9-24-18-5(b) (repealed July 1, 2000), **IC 9-24-19-2, or**
- 15 **IC 9-24-19-3. or IC 9-24-19-5.**
- 16 (6) Operating a motor vehicle without ever having obtained a
- 17 license to do so.
- 18 (7) Reckless driving.
- 19 (8) Criminal recklessness involving the operation of a motor
- 20 vehicle.
- 21 (9) Drag racing or engaging in a speed contest in violation of law.
- 22 (10) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46
- 23 (repealed July 1, 1991), IC 9-26-1-1(1), IC 9-26-1-1(2),
- 24 ~~IC 9-26-1-1(4)~~, IC 9-26-1-2(1), IC 9-26-1-2(2), IC 9-26-1-3, or
- 25 IC 9-26-1-4.
- 26 (11) Any felony under an Indiana motor vehicle statute or any
- 27 felony in the commission of which a motor vehicle is used.
- 28 A judgment for a violation enumerated in subsection (a) shall be added
- 29 to the violations described in this subsection for the purposes of this
- 30 subsection.
- 31 (c) A person who has accumulated at least ten (10) judgments
- 32 within a ten (10) year period for any traffic violation, except a parking
- 33 or an equipment violation, of the type required to be reported to the
- 34 bureau, singularly or in combination, **and** not arising out of the same
- 35 incident, **and with at least one (1) violation occurring after March 31,**
- 36 **1984,** is a habitual violator. However, at least one (1) of the judgments
- 37 must be for a violation enumerated in subsection (a) or (b). A judgment
- 38 for a violation enumerated in subsection (a) or (b) shall be added to the
- 39 judgments described in this subsection for the purposes of this
- 40 subsection.
- 41 (d) For purposes of this section, a judgment includes a judgment in
- 42 any other jurisdiction in which the elements of the offense for which

COPY



1 the conviction was entered are substantially similar to the elements of  
2 the offenses described in subsections (a) and (b).

3 **(e) For purposes of this section, the offense date is used when**  
4 **determining the number of judgments accumulated within a ten**  
5 **(10) year period.**

6 SECTION 350. IC 9-30-10-6 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who has  
8 received a notice under section 5 of this chapter may notify the bureau,  
9 in writing, ~~on forms provided by the bureau,~~ that the bureau's records  
10 contain a material error with respect to the person's driving record. If  
11 a person so notifies the bureau, the bureau shall, within thirty (30) days  
12 after the date the notice was received by the bureau, determine whether  
13 a material error was made with respect to the person's driving record.

14 (b) If the bureau determines that a material error was made with  
15 respect to the person's driving record, the bureau shall:

- 16 (1) prevent the suspension of; or
- 17 (2) reinstate;

18 the person's driving privileges.

19 (c) The bureau shall notify the prosecuting attorney of the county  
20 where the record originated that the bureau has determined that a  
21 material error exists. The prosecuting attorney is entitled to respond to  
22 the bureau's determination.

23 (d) An action taken or a determination made by the bureau under  
24 this chapter is not subject to IC 4-21.5. However, the person may file  
25 a petition for judicial review under this chapter.

26 SECTION 351. IC 9-30-10-8 IS AMENDED TO READ AS  
27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) If a person files  
28 a petition for judicial review under section 6 of this chapter, the court  
29 shall promptly hold a hearing. The petition must be filed and the  
30 hearing must be held in accordance with section 7 of this chapter.

31 (b) If the court finds that the petitioner is not a habitual violator, the  
32 court shall order the bureau to reinstate the driving privileges of the  
33 person.

34 (c) If the court finds that the petitioner is a habitual violator, the  
35 person's driving privileges remain suspended, unless the court places  
36 the person on probation under section 9 of this chapter.

37 **(d) The findings of the court under this section constitute a final**  
38 **judgment from which either party may appeal. An appeal does not**  
39 **act as a stay of the findings and orders of the court.**

40 SECTION 352. IC 9-30-10-9, AS AMENDED BY P.L.109-2011,  
41 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2012]: Sec. 9. (a) ~~After June 30, 2005,~~ This section does not

C  
o  
p  
y



- 1 apply to a person who:
- 2 (1) holds a commercial driver's license; and
- 3 (2) has been charged with an offense involving the operation of
- 4 a motor vehicle in accordance with the federal Motor Carrier
- 5 Safety Improvement Act of 1999 (MCSIA) (Public Law
- 6 106-159.113 Stat. 1748).
- 7 (b) If a court finds that a person:
- 8 (1) is a habitual violator under section 4(c) of this chapter;
- 9 (2) has not been previously placed on probation under this section
- 10 by a court;
- 11 (3) operates a vehicle for commercial or business purposes, and
- 12 the person's mileage for commercial or business purposes:
- 13 (A) is substantially in excess of the mileage of an average
- 14 driver; and
- 15 (B) may have been a factor that contributed to the person's
- 16 poor driving record; and
- 17 (4) does not have:
- 18 (A) a judgment for a violation enumerated in section 4(a) of
- 19 this chapter; or
- 20 (B) at least three (3) judgments (singularly or in combination
- 21 and not arising out of the same incident) of the violations
- 22 enumerated in section 4(b) of this chapter;
- 23 the court may place the person on probation in accordance with
- 24 subsection (d).
- 25 (c) If a court finds that a person:
- 26 (1) is a habitual violator under section 4(b) of this chapter;
- 27 (2) has not been previously placed on probation under this section
- 28 by a court;
- 29 (3) does not have a judgment for any violation listed in section
- 30 4(a) of this chapter;
- 31 (4) has had the person's driving privileges suspended under this
- 32 chapter for at least five (5) consecutive years; and
- 33 (5) has not violated the terms of the person's suspension by
- 34 operating a vehicle;
- 35 the court may place the person on probation in accordance with
- 36 subsection (d). However, if the person has any judgments for operation
- 37 of a vehicle before July 1, 2001, while intoxicated or with an alcohol
- 38 concentration equivalent to at least ten-hundredths (0.10) gram of
- 39 alcohol per one hundred (100) milliliters of the blood or two hundred
- 40 ten (210) liters of the breath, or for the operation of a vehicle after June
- 41 30, 2001, while intoxicated or with an alcohol concentration equivalent
- 42 to at least eight-hundredths (0.08) gram of alcohol per one hundred

C  
o  
p  
y



1 (100) milliliters of the blood or two hundred ten (210) liters of the  
 2 breath, the court, before the court places a person on probation under  
 3 subsection (d), must find that the person has successfully fulfilled the  
 4 requirements of a rehabilitation program certified by ~~one (1) or both of~~  
 5 ~~the following:~~  
 6 (A) the division of mental health and addiction ~~or~~  
 7 (B) the Indiana judicial center.  
 8 (d) Whenever a court places a habitual violator on probation, the  
 9 court:  
 10 (1) shall record each of the court's findings under this section in  
 11 writing;  
 12 (2) shall obtain the person's driver's license or permit and send the  
 13 license or permit to the bureau;  
 14 (3) shall direct the person to apply to the bureau for a restricted  
 15 driver's license;  
 16 (4) shall order the bureau to issue the person an appropriate  
 17 license;  
 18 (5) (2) shall place order the bureau to issue the person on  
 19 probation **probationary driving privileges** for a fixed period of  
 20 not less than three (3) years and not more than ten (10) years;  
 21 (6) (3) shall attach restrictions to the person's driving privileges,  
 22 including restrictions limiting the person's driving to:  
 23 (A) commercial or business purposes or other employment  
 24 related driving;  
 25 (B) specific purposes in exceptional circumstances;  
 26 (C) rehabilitation programs; and  
 27 (D) specified hours during which the person may drive;  
 28 (7) (4) shall require the person to submit to reasonable monitoring  
 29 requirements;  
 30 (8) (5) shall order the person to file proof of **future** financial  
 31 responsibility for three (3) years following the date of being  
 32 placed on probation; and  
 33 (9) (6) shall impose other appropriate conditions of probation,  
 34 which must include one (1) or more of the following conditions  
 35 if the person was determined to be a habitual violator under  
 36 IC 9-30-10-4(b)(1) through IC 9-30-10-4(b)(4): ~~and at least one~~  
 37 ~~(1) of the offenses occurred within five (5) years prior to the~~  
 38 ~~granting of the probationary or restricted license:~~  
 39 (A) An order prohibiting the person from operating a motor  
 40 vehicle or motorized bicycle with an alcohol concentration  
 41 equivalent to at least two-hundredths (0.02) gram of alcohol  
 42 per:

COPY



- 1 (i) one hundred (100) milliliters of the person's blood; or
- 2 (ii) two hundred ten (210) liters of the person's breath;
- 3 or while under the influence of any other intoxicating
- 4 substance.
- 5 (B) An order that the person submit to a method to monitor the
- 6 person's compliance with the prohibition against operating a
- 7 motor vehicle or motorized bicycle with an alcohol
- 8 concentration equivalent to at least two-hundredths (0.02)
- 9 gram of alcohol per:
- 10 (i) one hundred (100) milliliters of the person's blood; or
- 11 (ii) two hundred ten (210) liters of the person's breath;
- 12 or while intoxicated (as defined under IC 9-13-2-86).
- 13 (C) The court shall determine the appropriate monitoring
- 14 method, which may include one (1) or more of the following:
- 15 (i) The person may operate only a motor vehicle equipped
- 16 with an ignition interlock device.
- 17 (ii) The person must submit to a chemical test if a law
- 18 enforcement officer lawfully stops the person while
- 19 operating a motor vehicle or motorized bicycle and the law
- 20 enforcement officer requests that the person submit to a
- 21 chemical test.
- 22 (iii) The person must wear a device that detects and records
- 23 the person's use of alcohol.
- 24 (iv) The person must submit to any other reasonable
- 25 monitoring requirement as determined by the court.
- 26 (e) If a court finds that a person:
- 27 (1) is a habitual violator under section 4(b) or 4(c) of this chapter;
- 28 (2) does not have any judgments for violations under section 4(a)
- 29 of this chapter;
- 30 (3) does not have any judgments or convictions for violations
- 31 under section 4(b) of this chapter, except for judgments or
- 32 convictions under section 4(b)(5) of this chapter that resulted
- 33 from driving on a suspended license that was suspended for:
- 34 (A) the commission of infractions only; or
- 35 (B) previously driving on a suspended license;
- 36 (4) has not been previously placed on probation under this section
- 37 by a court; and
- 38 (5) has had the person's driving privileges suspended under this
- 39 chapter for at least three (3) consecutive years and has not
- 40 violated the terms of the person's suspension by operating a
- 41 vehicle for at least three (3) consecutive years;
- 42 the court may place the person on probation under **the conditions**

COPY



1 described in subsection ~~(d)~~ (d)(1) through (d)(5).  
 2 (f) If the bureau receives an order granting probationary  
 3 driving privileges to a person who, according to the records of the  
 4 bureau, does not qualify under this chapter, the bureau shall do the  
 5 following:  
 6 (1) Issue the person probationary driving privileges and notify  
 7 the prosecuting attorney of the county from which the order  
 8 was received that the person is not eligible for the rescission  
 9 and reinstatement.  
 10 (2) Send a certified copy of the person's driving record to the  
 11 prosecuting attorney.  
 12 The prosecuting attorney shall, in accordance with IC 35-38-1-15,  
 13 petition the court to correct the court's order. If the bureau does  
 14 not receive a corrected order within sixty (60) days, the bureau  
 15 shall notify the attorney general, who shall, in accordance with  
 16 IC 35-38-1-15, petition the court to correct the court's order.  
 17 SECTION 353. IC 9-30-10-10 IS REPEALED [EFFECTIVE JULY  
 18 1, 2012]. Sec. 10. The court's findings under sections 8 and 9 of this  
 19 chapter constitute a final judgment from which either party may appeal.  
 20 An appeal does not act as a stay of the court's findings and orders.  
 21 SECTION 354. IC 9-30-10-12 IS AMENDED TO READ AS  
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) Upon the filing  
 23 of a petition for revocation of probation, the court shall do the  
 24 following:  
 25 (1) Set a date for a hearing upon the petition that is not earlier  
 26 than twenty (20) days nor later than forty-five (45) days from the  
 27 date of the filing of the petition for review.  
 28 (2) Hold a hearing on the date set, unless the proceeding is  
 29 continued by order of the court.  
 30 (3) Cause notice of the hearing date to be sent to all parties.  
 31 (b) At the hearing, the prosecuting attorney must bear the burden of  
 32 proof by a preponderance of the evidence to prevail.  
 33 (c) If the court finds that the person has violated any terms of the  
 34 probation, the court shall do the following:  
 35 (1) Record each of its findings in writing.  
 36 (2) Obtain the person's **driver's** license.  
 37 (3) Order the bureau to suspend the person's driving privileges for  
 38 a period equal to the period of suspension originally imposed  
 39 under section 5 of this chapter.  
 40 (4) Not place the person on probation under section 9 of this  
 41 chapter.  
 42 (d) If the court finds that the person has not violated any of the

C  
o  
p  
y



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

terms of the person's probation, the court shall do the following:

- (1) Record each of the court's findings in writing.
- (2) Continue the person on probation for the remainder of the probationary period.

(e) The court's findings under subsection (c) or (d) constitute a final judgment from which either party may appeal. An appeal does not act as a stay of the court's findings and orders.

SECTION 355. IC 9-30-10-13, AS AMENDED BY P.L.109-2011, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) The bureau may ~~issue a license to operate a motor vehicle~~ **issue driving privileges** to a habitual violator whose driving privileges were suspended under section 5(b) of this chapter if the following conditions exist:

- (1) The time specified for the person's probation or the restriction or suspension of the person's license has elapsed.
- (2) The person has met all the requirements of all applicable statutes and rules relating to the licensing of motor vehicle operators.
- (3) The person files with the bureau and maintains, for three (3) years after ~~fining termination of suspension~~, proof of **future** financial responsibility in accordance with IC 9-25.
- (4) **If the person has a prior conviction for operating while intoxicated**, the bureau places a restriction on the person's driver's license and driving record that indicates the person is prohibited from operating a motor vehicle or motorized bicycle with an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:
  - (A) one hundred (100) milliliters of the person's blood; or
  - (B) two hundred ten (210) liters of the person's breath;~~or while intoxicated (as defined under IC 9-13-2-86)~~ for three (3) years after the bureau issues the driver's license to the person.
- (5) The person signs a bureau form by which the person agrees that as a condition to obtaining the driver's license the person will submit to a chemical test at any time during the period three (3) years after the bureau issues the driver's license to the person 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.
- (b) The bureau may issue a license to operate a motor vehicle to a habitual violator whose driving privileges have been suspended for life if the following conditions exist:

- (1) The bureau has received an order for rescission of suspension

C  
O  
P  
Y



1 and reinstatement issued under section 15 of this chapter.  
 2 (2) The person to whom the license is to be issued has never been  
 3 convicted of a violation described in section 4(a) or 17 of this  
 4 chapter.  
 5 (3) The person has not been convicted of an offense under section  
 6 16 of this chapter more than one (1) time.  
 7 (4) The person has met all the requirements of all applicable  
 8 statutes and rules relating to the licensing of motor vehicle  
 9 operators.  
 10 (5) The person:  
 11 (A) files with the bureau; and  
 12 (B) maintains for three (3) years after ~~filing~~; **rescission of the**  
 13 **suspension;**  
 14 proof of **future** financial responsibility in accordance with  
 15 IC 9-25.  
 16 (6) **If the person has a prior conviction for operating while**  
 17 **intoxicated**, the bureau places a restriction on the person's  
 18 driver's license and driving record that indicates the person is  
 19 prohibited from operating a motor vehicle or motorized bicycle  
 20 with an alcohol concentration equivalent to at least  
 21 two-hundredths (0.02) gram of alcohol per:  
 22 (A) one hundred (100) milliliters of the person's blood; or  
 23 (B) two hundred ten (210) liters of the person's breath;  
 24 or while intoxicated (as defined under IC 9-13-2-86) for three (3)  
 25 years after the bureau issues the driver's license to the person.  
 26 (7) The person signs a bureau form by which the person agrees  
 27 that as a condition to obtaining the driver's license the person will  
 28 submit to a chemical test at any time during the period three (3)  
 29 years after the bureau issues the driver's license to the person if a  
 30 law enforcement officer lawfully stops the person while operating  
 31 a motor vehicle or motorized bicycle and the law enforcement  
 32 officer requests that the person submit to a chemical test.  
 33 (c) A habitual violator is not eligible for relief under the hardship  
 34 provisions of IC 9-24-15.  
 35 **(d) The bureau shall not issue driving privileges to a person who**  
 36 **does not satisfy all of the requirements set forth in subsections (a)**  
 37 **and (b).**  
 38 SECTION 356. IC 9-30-10-14 IS AMENDED TO READ AS  
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. (a) Except as  
 40 provided in subsection (e), a person whose driving privileges have been  
 41 suspended for life may petition a court in a civil action for a rescission  
 42 of the suspension order and reinstatement of driving privileges if the

COPY



- 1 following conditions exist:
- 2 (1) Ten (10) years have elapsed since the date on which an order
- 3 for the lifetime suspension of the person's driving privileges was
- 4 issued.
- 5 (2) The person has never been convicted of a violation described
- 6 in section 4(a) of this chapter.
- 7 (3) The person has never been convicted of an offense under
- 8 section 17 of this chapter.
- 9 (4) The person has not been convicted of an offense under section
- 10 16 of this chapter more than one (1) time.
- 11 (b) A petition for rescission and reinstatement under this section
- 12 must meet the following conditions:
- 13 (1) Be verified by the petitioner.
- 14 (2) State the petitioner's age, date of birth, and place of residence.
- 15 (3) Describe the circumstances leading up to the lifetime
- 16 suspension of the petitioner's driving privileges.
- 17 (4) Aver a substantial change in the petitioner's circumstances of
- 18 the following:
- 19 (A) That indicates the petitioner would no longer pose a risk
- 20 to the safety of others if the petitioner's driving privileges are
- 21 reinstated.
- 22 (B) That makes the lifetime suspension of the petitioner's
- 23 driving privileges unreasonable.
- 24 (C) Indicates it is in the best interests of society for the
- 25 petitioner's driving privileges to be reinstated.
- 26 **(5) Aver that the requisite amount of time has elapsed since**
- 27 **the date on which the order for the lifetime suspension of the**
- 28 **person's driving privileges was issued as required under**
- 29 **subsections (a) and (e).**
- 30 ~~(5)~~ **(6)** Aver that the petitioner has never been convicted of an
- 31 offense under section 17 of this chapter.
- 32 ~~(6)~~ **(7)** Aver that the petitioner has not been convicted of an
- 33 offense under section 16 of this chapter more than one (1) time.
- 34 ~~(7)~~ **(8)** Aver that the petitioner has never been convicted of a
- 35 violation described in section 4(a) of this chapter.
- 36 ~~(8)~~ **(9)** Be filed in a circuit or superior court having jurisdiction in
- 37 the county where the petitioner resides.
- 38 ~~(9)~~ **(10)** If the petition is being filed under subsection (e), aver the
- 39 existence of the conditions listed in subsection (e)(1) through
- 40 (e)(3).
- 41 (c) The petitioner shall serve the prosecuting attorney of the county
- 42 where the petitioner resides and the bureau with a copy of the petition

C  
o  
p  
y



1 described in subsection (b). A responsive pleading is not required.  
 2 (d) The prosecuting attorney of the county where the petitioner  
 3 resides shall represent the state in the matter.  
 4 (e) A person whose driving privileges have been suspended for life  
 5 may petition a court in a civil action for a rescission of the suspension  
 6 order and reinstatement of driving privileges if all of the following  
 7 conditions exist:  
 8 (1) Three (3) years have elapsed since the date on which the order  
 9 for lifetime suspension of the petitioner's driving privileges was  
 10 issued.  
 11 (2) The petitioner's lifetime suspension was the result of driving  
 12 on a suspended license that was suspended for commission of  
 13 infractions only or for driving on a suspended license.  
 14 (3) The petitioner has never been convicted of a violation  
 15 described in section 4(a) or 4(b) of this chapter, with the  
 16 exception of a ~~judgement~~ **judgment** or conviction under section  
 17 4(b)(3) of this chapter.  
 18 (4) The petitioner has never been convicted of an offense under  
 19 section 17 of this chapter.  
 20 (5) The petitioner has not been convicted of an offense under  
 21 section 16 of this chapter more than one (1) time.  
 22 SECTION 357. IC 9-30-10-15, AS AMENDED BY P.L.28-2010,  
 23 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2012]: Sec. 15. (a) Upon receiving a petition filed under  
 25 section 14 of this chapter, a court shall set a date for hearing the matter  
 26 and direct the clerk of the court to provide notice of the hearing date to  
 27 the following:  
 28 (1) The petitioner.  
 29 (2) The prosecuting attorney of the county where the petitioner  
 30 resides.  
 31 (3) The bureau.  
 32 (b) A court may order the rescission of the order that required the  
 33 suspension of the petitioner's driving privileges for life and may order  
 34 the bureau to reinstate the driving privileges of a petitioner whose  
 35 driving privileges have been suspended for life if, after the hearing of  
 36 the matter, the court makes the following written findings and  
 37 conclusions, based on clear and convincing evidence:  
 38 (1) That the petitioner has never been convicted of a violation  
 39 described in section 4(a) of this chapter.  
 40 (2) That the petitioner has never been convicted of an offense  
 41 under section 17 of this chapter.  
 42 (3) That the petitioner has not been convicted of an offense under

C  
o  
p  
y



- 1 section 16 of this chapter more than one (1) time.
- 2 (4) If the person is petitioning the court under section 14(a) of this
- 3 chapter that ten (10) years have elapsed since the date on which
- 4 an order was issued that required the suspension of the petitioner's
- 5 driving privileges for life.
- 6 (5) That there has been a substantial change in the petitioner's
- 7 circumstances indicating the petitioner would no longer pose a
- 8 risk to the safety of others if the petitioner's driving privileges
- 9 were reinstated.
- 10 (6) That there has been a substantial change in the petitioner's
- 11 circumstances indicating that the suspension of the petitioner's
- 12 driving privileges for life has become unreasonable.
- 13 (7) That it is in the best interests of society for the petitioner's
- 14 driving privileges to be reinstated.
- 15 (8) If the person is petitioning the court under section 14(e) of this
- 16 chapter:
- 17 (A) that three (3) years have elapsed since the date the order
- 18 was issued that required the suspension of the petitioner's
- 19 driving privileges for life; and
- 20 (B) that the conditions listed under section 14(e) of this
- 21 chapter are satisfied.
- 22 (c) The petitioner has the burden of proof under this section and an
- 23 order issued under subsection (b) is a final order, appealable by any
- 24 party to the action.
- 25 (d) In an order for reinstatement of driving privileges issued under
- 26 this section, the court may require the bureau to issue to the prevailing
- 27 petitioner:
- 28 (1) ~~a license to operate a motor vehicle driving privileges~~ under
- 29 section 13(b) of this chapter; or
- 30 (2) ~~a restricted driving license privileges~~ for a time and subject to
- 31 conditions specified by the court, which must include one (1) or
- 32 more of the following conditions if the person was determined to
- 33 be a habitual violator under IC 9-30-10-4(a)(4) through
- 34 IC 9-30-10-4(a)(7) or IC 9-30-10-4(b)(1) through
- 35 IC 9-30-10-4(b)(4): ~~and at least one (1) of the offenses occurred~~
- 36 ~~within five (5) years prior to the granting of the probationary or~~
- 37 ~~restricted license:~~
- 38 (A) Specified hours during which the person may drive.
- 39 (B) An order prohibiting the person from operating a motor
- 40 vehicle or motorized bicycle with an alcohol concentration
- 41 equivalent to at least two-hundredths (0.02) gram of alcohol
- 42 per:

COPY



- 1 (i) one hundred (100) milliliters of the person's blood; or
- 2 (ii) two hundred ten (210) liters of the person's breath;
- 3 or while intoxicated (as defined under IC 9-13-2-86).
- 4 (C) An order that the person submit to a method to monitor the
- 5 person's compliance with the prohibition against operating a
- 6 motor vehicle or motorized bicycle with an alcohol
- 7 concentration equivalent to at least two-hundredths (0.02)
- 8 gram of alcohol per:
- 9 (i) one hundred (100) milliliters of the person's blood; or
- 10 (ii) two hundred ten (210) liters of the person's breath;
- 11 or while intoxicated (as defined under IC 9-13-2-86).
- 12 (D) The court shall determine the appropriate monitoring
- 13 method, which may include one (1) or more of the following:
- 14 (i) The person may operate only a motor vehicle equipped
- 15 with an ignition interlock device.
- 16 (ii) The person must submit to a chemical test if a law
- 17 enforcement officer lawfully stops the person while
- 18 operating a motor vehicle or motorized bicycle and the law
- 19 enforcement officer requests that the person submit to a
- 20 chemical test.
- 21 (iii) The person must wear a device that detects and records
- 22 the person's use of alcohol.
- 23 (iv) The person must submit to any other reasonable
- 24 monitoring requirement as determined by the court.
- 25 (e) If a court orders the bureau to issue a restricted or probationary
- 26 driving license privileges to a petitioner under subsection (d), the court
- 27 shall specify the conditions under which the petitioner may be issued
- 28 a license driving privileges to operate a motor vehicle under section
- 29 13(b) of this chapter. After the expiration date of the restricted license
- 30 or probationary driving privileges and upon:
- 31 (1) fulfillment by the petitioner of the conditions specified by the
- 32 court; and
- 33 (2) the expiration of the restricted license issued driving
- 34 privileges under subsection (d)(2);
- 35 the bureau shall issue to the petitioner a license driving privileges to
- 36 operate a motor vehicle under section 13(b) of this chapter.
- 37 (f) If the bureau receives an order granting a rescission of the
- 38 suspension order and reinstatement of driving privileges to a
- 39 person who, according to the records of the bureau, does not
- 40 qualify under this chapter, the bureau shall do the following:
- 41 (1) Issue the person probationary driving privileges and notify
- 42 the prosecuting attorney of the county from which the order

COPY



1 was received that the person is not eligible for the rescission  
 2 and reinstatement.  
 3 (2) Send a certified copy of the person's driving record to the  
 4 prosecuting attorney.

5 The prosecuting attorney shall, in accordance with IC 35-38-1-15,  
 6 petition the court to correct the court's order. If the bureau does  
 7 not receive a corrected order within sixty (60) days, the bureau  
 8 shall notify the attorney general, who shall, in accordance with  
 9 IC 35-38-1-15, petition the court to correct the court's order.

10 SECTION 358. IC 9-30-10-17.5, AS ADDED BY P.L.28-2010,  
 11 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2012]: Sec. 17.5. A person who operates a vehicle or  
 13 motorized bicycle in violation of conditions of a restricted license  
 14 driving privileges ordered by a court under ~~IC 9-30-10-9(d)(9)~~ **section**  
 15 **9(d)(6)** or ~~IC 9-30-10-15(d)(2)~~ **15(d)(2)** of this chapter commits a  
 16 Class A misdemeanor.

17 SECTION 359. IC 9-30-11-6, AS AMENDED BY P.L.153-2005,  
 18 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2012]: Sec. 6. The bureau shall reinstate motor vehicle  
 20 registration that is suspended under this chapter if the following occur:

- 21 (1) ~~Any person~~ **The court** presents the bureau ~~or a bureau license~~  
 22 ~~branch~~ with adequate proof that all unpaid judgments with respect  
 23 to the motor vehicle have been paid.
- 24 (2) A reinstatement fee under IC 9-29 is paid to the bureau, if  
 25 applicable.

26 SECTION 360. IC 9-30-11-7 IS REPEALED [EFFECTIVE JULY  
 27 1, 2012]. Sec. 7: ~~If the bureau suspends a motor vehicle registration~~  
 28 ~~under section 5 of this chapter, the bureau shall send a notice of the~~  
 29 ~~suspension to the clerk who sent the referral. Upon receipt of a notice,~~  
 30 ~~a clerk shall inform each of the law enforcement agencies that are listed~~  
 31 ~~on the referral of the following:~~

- 32 (1) ~~That the motor vehicle's registration has been suspended.~~
- 33 (2) ~~That any law enforcement agency may remove the license~~  
 34 ~~plate of the motor vehicle fifteen (15) days after the motor~~  
 35 ~~vehicle's registration was suspended unless the judgments have~~  
 36 ~~been paid.~~

37 SECTION 361. IC 9-30-12-1 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) The bureau may  
 39 suspend or revoke the ~~driver's license or permit driving privileges~~ of  
 40 an individual who ~~pays the fee required for~~ **makes payment to the**  
 41 ~~driver's license or permit bureau~~ with a ~~check funds~~ that:

- 42 (1) ~~is are not honored. by the financial institution on which the~~

C  
o  
p  
y



1 check is drawn; or  
 2 (2) has had payment stopped by the maker of the check.  
 3 **(b) In addition to the penalties in subsection (a), the bureau may**  
 4 **do the following:**  
 5 **(1) Revoke the driver's license or permit of an individual who**  
 6 **makes payment to the bureau for a driver's license or permit**  
 7 **with funds that are not honored.**  
 8 **(2) Invalidate the title or registration of an individual who**  
 9 **makes payment to the bureau for a driver's license or permit**  
 10 **with funds that are not honored.**  
 11 SECTION 362. IC 9-30-12-2, AS AMENDED BY P.L.153-2005,  
 12 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2012]: Sec. 2. The bureau may:  
 14 (1) reinstate a license, or a permit, or driving privileges revoked  
 15 or suspended under section 1 of this chapter; or  
 16 (2) revalidate a title or registration that has been invalidated under  
 17 section 3 1 of this chapter;  
 18 if the obligation has been satisfied, including the payment of service,  
 19 collection, and reinstatement fees, if applicable.  
 20 SECTION 363. IC 9-30-12-3 IS REPEALED [EFFECTIVE JULY  
 21 1, 2012]. Sec. 3: The bureau may invalidate a title or registration that  
 22 has been issued by the bureau and the applicable fees have been paid  
 23 with a check that:  
 24 (1) is not honored by the financial institution on which the check  
 25 is drawn; or  
 26 (2) has had payment stopped by the maker of the check.  
 27 SECTION 364. IC 9-30-12-4 IS REPEALED [EFFECTIVE JULY  
 28 1, 2012]. Sec. 4: The bureau may suspend or revoke the driver's license  
 29 or permit of an individual who pays the fee required for a vehicle title  
 30 or registration with a check that:  
 31 (1) is not honored by the financial institution on which the check  
 32 is drawn; or  
 33 (2) has had payment stopped by the maker of the check.  
 34 SECTION 365. IC 9-30-13-0.5 IS ADDED TO THE INDIANA  
 35 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 36 [EFFECTIVE JULY 1, 2012]: Sec. 0.5. (a) A court shall forward to  
 37 the bureau a certified abstract of the record of the conviction of a  
 38 person in the court for a violation of a law relating to motor  
 39 vehicles.  
 40 (b) If in the opinion of the court a defendant should be deprived  
 41 of the privilege to operate a motor vehicle upon a public highway,  
 42 the court shall recommend the suspension of the convicted person's

COPY



1 driving privileges for a fixed period established by the court not  
2 exceeding one (1) year.

3 (c) The bureau shall comply with the court's recommendation.

4 (d) At the time of a conviction referred to in subsection (a) or  
5 under IC 9-30-5-7, the court may obtain and destroy the  
6 defendant's current driver's license.

7 (e) An abstract required by this section must be in the form  
8 prescribed by the bureau and, when certified, shall be accepted by  
9 an administrative agency or a court as prima facie evidence of the  
10 conviction and all other action stated in the abstract.

11 SECTION 366. IC 9-30-13-1 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. For a person who  
13 uses a motor vehicle to commit recklessness under IC 35-42-2-2, the  
14 judge of the court in which the person is convicted shall recommend  
15 that the ~~current driver's license~~ **driving privileges** of the person be  
16 suspended for not less than sixty (60) days and not more than two (2)  
17 years. **If the court fails to recommend a fixed term of suspension,**  
18 **the bureau shall impose the minimum period of suspension**  
19 **required under this section.**

20 SECTION 367. IC 9-30-13-2 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. For a person who  
22 uses a motor vehicle to commit obstruction of traffic under  
23 IC 35-42-2-4, the judge of the court in which the person is convicted  
24 may recommend that the ~~current driver's license~~ **driving privileges** of  
25 the person be suspended for not less than sixty (60) days and not more  
26 than two (2) years.

27 SECTION 368. IC 9-30-13-3 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. For a person who  
29 uses a motor vehicle to commit criminal mischief under IC 35-43-1-2,  
30 the judge of the court in which the person is convicted may recommend  
31 that the ~~current driver's license~~ **driving privileges** of the person be  
32 suspended for not less than sixty (60) days and not more than two (2)  
33 years.

34 SECTION 369. IC 9-30-13-4 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) If a person  
36 commits any of the following offenses, the court that convicted the  
37 person shall recommend the suspension of the person's driving  
38 privileges for a fixed period of at least two (2) years and not more than  
39 five (5) years:

40 (1) Involuntary manslaughter resulting from the operation of a  
41 motor vehicle (IC 35-42-1-4).

42 (2) Reckless homicide resulting from the operation of a motor

C  
o  
p  
y



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

vehicle (IC 35-42-1-5).  
**(b) If the court fails to recommend a fixed term of suspension, the bureau shall impose the minimum period of suspension required under this section.**

SECTION 370. IC 9-30-13-5 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 5: If a court fails to recommend a fixed term of suspension for an offense described under section 4 of this chapter, the bureau shall suspend the driver's license of the convicted person under ~~IC 9-30-4-6~~ for two (2) years.

SECTION 371. IC 9-30-13-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. **(a) The bureau shall, upon receiving an order of a court issued under IC 31-14-12-4 or IC 31-16-12-7, suspend the driving privileges of the person who is the subject of the order.**

**(b) The bureau may not reinstate driving privileges suspended under this section until the bureau receives an order allowing reinstatement from the court that issued the order for suspension.**

**(c) Upon receiving an order for suspension under subsection (a), the bureau shall promptly mail a notice to the last known address of the person who is the subject of the order, stating the following:**

**(1) That the person's driving privileges are suspended, beginning five (5) business days after the date the notice is mailed, and that the suspension will terminate ten (10) business days after the bureau receives an order allowing reinstatement from the court that issued the suspension order.**

**(2) That the person has the right to petition for reinstatement of driving privileges to the court that issued the order for suspension.**

**(3) That the person may be granted restricted driving privileges under IC 9-24-15-6.7 if the person otherwise qualifies and can prove that public transportation is unavailable for travel by the person:**

- (A) to and from the person's regular place of employment;**
- (B) in the course of the person's regular employment;**
- (C) to and from the person's place of worship; or**
- (D) to participate in parenting time with the petitioner's children consistent with a court order granting parenting time.**

**(d) A person who operates a motor vehicle in violation of this section commits a Class A infraction, unless:**

**(1) the person's driving privileges are suspended under this**

C  
O  
P  
Y



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

section; and  
(2) the person has been granted restricted driving privileges under IC 9-24-15 as a result of the suspension under this section.

SECTION 372. IC 9-30-13-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) If the bureau is advised by the Title IV-D agency that the obligor (as defined in IC 31-25-4-4) either requested a hearing under IC 31-25-4-33 and failed to appear or appeared and was found to be delinquent, the bureau shall promptly mail a notice to the obligor stating the following:

(1) That the obligor's driving privileges are suspended, beginning eighteen (18) business days after the date the notice is mailed, and that the suspension will terminate after the bureau receives a notice from the Title IV-D agency that the obligor has:

- (A) paid the obligor's child support arrearage in full; or
- (B) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-0.5 or IC 31-16-15-2.5.

(2) That the obligor may be granted restricted driving privileges under IC 9-24-15-6.7 if the obligor can prove that public transportation is unavailable for travel by the obligor:

- (A) to and from the obligor's regular place of employment;
- (B) in the course of the obligor's regular employment;
- (C) to and from the obligor's place of worship; or
- (D) to participate in parenting time with the petitioner's children consistent with a court order granting parenting time.

(b) The bureau may not reinstate driving privileges suspended under this section until the bureau receives a notice from the Title IV-D agency that the obligor has:

- (1) paid the obligor's child support arrearage in full; or
- (2) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-0.5 or IC 31-16-15-2.5.

(c) An obligor who operates a motor vehicle in violation of this section commits a Class A infraction, unless:

- (1) the obligor's driving privileges are suspended under this section; and
- (2) the obligor has been granted restricted driving privileges

C  
o  
p  
y



1 under IC 9-24-15 as a result of the suspension under this  
2 section.

3 SECTION 373. IC 9-30-13-8 IS ADDED TO THE INDIANA  
4 CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Upon receiving an order  
6 issued by a court under IC 35-43-4-8(b) concerning a person  
7 convicted of fuel theft, the bureau shall do the following:

8 (1) Suspend under subsection (b) the driving privileges of the  
9 person who is the subject of the order, whether or not the  
10 person's current driving license accompanies the order.

11 (2) Mail to the last known address of the person who is the  
12 subject of the order a notice:

13 (A) stating that the person's driving privileges are being  
14 suspended for fuel theft;

15 (B) setting forth the date on which the suspension takes  
16 effect and the date on which the suspension terminates;  
17 and

18 (C) stating that the person may be granted restricted  
19 driving privileges under IC 9-24-15-6.7 if the person meets  
20 the conditions for obtaining restricted driving privileges.

21 (b) The suspension of the driving privileges of a person who is  
22 the subject of an order issued under IC 35-43-4-8(b):

23 (1) begins five (5) business days after the date on which the  
24 bureau mails the notice to the person under subsection (a)(2);  
25 and

26 (2) terminates thirty (30) days after the suspension begins.

27 (c) A person who operates a motor vehicle during a suspension  
28 of the person's driving privileges under this section commits a  
29 Class A infraction unless the person's operation of the motor  
30 vehicle is authorized by restricted driving privileges granted to the  
31 person under IC 9-24-15-6.7.

32 SECTION 374. IC 9-30-14-1 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. As used in this  
34 chapter, "covered offense" means the following:

35 (1) An offense:  
36 (A) for which the offender's ~~current~~ driving license privileges  
37 may be suspended under IC 9-30-13; and

38 (B) that involved the obstruction of traffic with or the  
39 operation of a motor vehicle with alcohol or a controlled  
40 substance listed in schedule I or II under IC 35-48-2 in the  
41 person's blood.

42 (2) An offense described under IC 9-30-5 that involved operation

C  
o  
p  
y



1 of a motor vehicle with alcohol or a controlled substance listed  
2 under schedule I or II under IC 35-48-2.

3 SECTION 375. IC 9-31-1-3 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The bureau shall  
5 receive payments of:

6 (1) the use tax taxes on watercraft that is are required by  
7 ~~IC 6-2.5-3-2~~ IC 6-2.5-3 and IC 6-6-11; and ~~IC 6-2.5-3-6~~.

8 (2) any other taxes applicable to watercraft as imposed by  
9 Indiana law.

10 SECTION 376. IC 9-31-1-4 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau may  
12 utilize the services and facilities of license branches to carry out the  
13 bureau's responsibilities under this article. However, an additional  
14 charge may not be imposed for the services of license branches under  
15 this article: chapter.

16 SECTION 377. IC 9-31-1-7 IS REPEALED [EFFECTIVE JULY 1,  
17 2012]. Sec. 7: (a) On January 1, 1992, the employees of the department  
18 of natural resources who administer the watercraft registration and title  
19 programs are transferred to the bureau of motor vehicles:

20 (b) The employees who are transferred under subsection (a) are  
21 entitled to have the employees' service with the department of natural  
22 resources included for the purpose of computing all applicable  
23 employment benefits and will not be adversely affected by the transfer.

24 SECTION 378. IC 9-31-2-1 IS AMENDED TO READ AS  
25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter does not  
26 apply to the following:

27 (1) A watercraft from a jurisdiction other than Indiana temporarily  
28 using the waters of Indiana for less than sixty (60) consecutive  
29 days.

30 (2) A ship's lifeboat.

31 (3) Watercraft other than motorboats unless the owner voluntarily  
32 desires to become subject to this chapter.

33 (4) A watercraft that is a Class 5 or lower motorboat or sailboat  
34 under ~~IC 6-6-11-11~~ IC 6-6-11-10 (the boat excise tax), unless the  
35 owner voluntarily desires to become subject to this chapter.

36 (5) A watercraft that is propelled by an internal combustion,  
37 steam, or electrical inboard or outboard motor or engine or by any  
38 mechanical means, including sailboats that are equipped with  
39 such a motor or engine when the sailboat is in operation whether  
40 or not the sails are hoisted, if:

41 (A) the watercraft was made by an individual for the use of the  
42 individual and not for resale; and

C  
o  
p  
y



1 (B) the owner does not voluntarily desire to become subject to  
2 this chapter.

3 SECTION 379. IC 9-31-2-5 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A manufacturer,  
5 importer, dealer, or other person may not sell or otherwise dispose of  
6 a new watercraft to a dealer, to be used by the dealer for purposes of  
7 display and resale, without delivering to the dealer a manufacturer's or  
8 importer's certificate executed under this section and with those  
9 assignments on the certificate as are necessary to show title in the  
10 purchaser of the watercraft. A dealer may not purchase or acquire a  
11 new watercraft without obtaining from the seller of the watercraft the  
12 manufacturer's or importer's certificate.

13 (b) A manufacturer's or importer's certificate of the origin of a  
14 watercraft must contain the following information along with ~~the~~ any  
15 additional information the bureau requires:

16 (1) A description of the watercraft, including, if applicable, the  
17 make, year, length, dry weight, series or model, horsepower  
18 rating, hull type, and hull identification number.

19 (2) Certification of the date of transfer of the watercraft to a  
20 distributor, dealer, or other transferee and the name and address  
21 of the transferee.

22 (3) Certification that this is the first transfer of the new watercraft  
23 in ordinary trade and commerce.

24 (4) The signature and address of a representative of the transferor.

25 (c) An assignment of a manufacturer's or importer's certificate shall  
26 be printed on the reverse side of the manufacturer's or importer's  
27 certificate. The assignment form must include the following:

28 (1) The name and address of the transferee.

29 (2) A certification that the watercraft is new.

30 (3) A warranty that the title at the time of delivery is subject only  
31 to the liens and encumbrances that are set forth and described in  
32 full in the assignment.

33 SECTION 380. IC 9-31-2-6, AS AMENDED BY P.L.83-2008,  
34 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 JULY 1, 2012]: Sec. 6. (a) Except as provided in subsection (b), an  
36 application for a certificate of title shall be filed with the bureau within  
37 thirty-one (31) days after the date of purchase or transfer. The  
38 application must be accompanied by the fee prescribed in IC 9-29-15-1.

39 (b) This subsection applies only to a watercraft acquired by a  
40 conveyance subject to section 30 of this chapter. An application for a  
41 certificate of title shall be filed with the bureau within sixty (60) days  
42 after the date of the transfer under section 30 of this chapter. The

C  
o  
p  
y



1 application must be accompanied by the fee prescribed in IC 9-29-15-1  
2 **and any other applicable fees and service charges.**

3 SECTION 381. IC 9-31-2-7 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. An application for  
5 a certificate of title must be certified by the owner or purchaser of the  
6 watercraft and must contain the following information, along with the  
7 additional information the bureau requires:

8 (1) The name and address of the applicant.

9 ~~(2) A statement of how the watercraft was acquired.~~

10 ~~(3) (2)~~ The name and address of the previous owner.

11 ~~(4) (3)~~ A statement of liens, mortgages, or other encumbrances on  
12 the watercraft and the name and address of the holder of the liens,  
13 mortgages, or other encumbrances.

14 ~~(5) (4)~~ If a lien, mortgage, or other encumbrance is not  
15 outstanding, a statement of that fact.

16 ~~(6) (5)~~ A description of the watercraft, including, if applicable,  
17 the make, year, length, dry weight, series or model, horsepower  
18 rating, hull type, and hull identification number.

19 **(6) Any other information that the bureau requires.**

20 SECTION 382. IC 9-31-2-8 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. If a watercraft  
22 contains a permanent hull identification number placed on the  
23 watercraft by the manufacturer of the watercraft, the number shall be  
24 used as the hull identification number. If there is no manufacturer's hull  
25 identification number or if the manufacturer's hull identification  
26 number has been removed or obliterated, the bureau shall, upon a  
27 prescribed application that includes information indicating proof of  
28 ownership, assign a hull identification number to the watercraft. The  
29 assigned hull identification number shall be permanently affixed to or  
30 imprinted by the applicant at the place and in the manner designated by  
31 the bureau upon the watercraft to which the hull identification number  
32 is assigned. The fee prescribed under IC 9-29-15-2 **and any other**  
33 **applicable fees and service charges** shall be paid to the bureau for  
34 assigning a hull identification number.

35 SECTION 383. IC 9-31-2-9 IS AMENDED TO READ AS  
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. If a certificate of title  
37 was not previously issued in Indiana for the watercraft, the application  
38 must be accompanied by one (1) of the following:

39 (1) A manufacturer's or importer's certificate.

40 ~~(2) A sworn statement of ownership as prescribed by the bureau.~~

41 ~~(3) (2)~~ A certificate of registration issued under IC 9-31-3, if  
42 purchased by the applicant before January 1, 1986.

C  
o  
p  
y



1           ~~(4)~~ **(3)** A certificate of title or bill of sale.

2           ~~(5)~~ **(4)** Other evidence of ownership required by the law of

3           another state from which the watercraft is brought into Indiana.

4           SECTION 384. IC 9-31-2-11 IS AMENDED TO READ AS

5           FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. **(a)** The bureau

6           shall:

7           **(1)** retain the evidence of title presented by ~~an applicant on a~~

8           **person upon** which ~~a the Indiana~~ certificate of title is issued **in**

9           **accordance with applicable document and record retention**

10          **requirements; and shall**

11          **(2)** use reasonable diligence in ascertaining whether the facts in

12          the application are true by checking the application and

13          documents accompanying the application with the records of

14          watercraft in the bureau.

15          **(b) An authorized employee of the bureau may inspect a**

16          **watercraft to determine whether a certificate of title should be**

17          **issued.**

18          **(c) The bureau may reject an application if the bureau is not**

19          **satisfied:**

20          **(1) of the genuineness, regularity, or legality of the application**

21          **or the truth of a statement made on the application; or**

22          **(2) for any other reason authorized by law.**

23          SECTION 385. IC 9-31-2-12 IS AMENDED TO READ AS

24          FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. ~~(a) The bureau shall~~

25          ~~file each application received.~~ If the bureau is satisfied:

26          **(1)** of the genuineness and regularity of an application;

27          **(2)** that no tax imposed by ~~IC 6-2-5~~ **Indiana law** is owed as

28          evidenced by the receipt for payment or determination of

29          exemption from the department of state revenue; and

30          **(3)** that the applicant is entitled to the issuance of a certificate of

31          title;

32          the bureau shall issue a certificate of title containing the information

33          required in the application for a certificate of title, as prescribed by

34          section 7 of this chapter, as well as space for the notation and

35          cancellation of a lien, a mortgage, or an encumbrance.

36          **(b)** A form for the assignment of the certificate of title must appear

37          on the reverse side of the certificate of title. The assignment form must

38          include a warranty that the signer is the owner of the watercraft and

39          that a mortgage, a lien, or an encumbrance is not on the watercraft

40          except as noted on the face of the certificate of title.

41          SECTION 386. IC 9-31-2-13 IS REPEALED [EFFECTIVE JULY

42          1, 2012]. ~~Sec. 13. The bureau shall do the following:~~

C  
o  
p  
y



1 (1) Prescribe a uniform method of numbering certificates of title.

2 (2) Maintain in the office of the bureau indexes for the certificates  
3 of title.

4 SECTION 387. IC 9-31-2-14 IS REPEALED [EFFECTIVE JULY  
5 1, 2012]. Sec. 14. The bureau may destroy a certificate of title or  
6 supporting evidence of a certificate of title covering a watercraft that  
7 was on file for ten (10) years after the date of filing.

8 SECTION 388. IC 9-31-2-16, AS AMENDED BY P.L.83-2008,  
9 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2012]: Sec. 16. (a) If the transfer of ownership of a watercraft  
11 is by operation of law (such as upon inheritance, devise, bequest,  
12 transfer on death designation in accordance with section 30 of this  
13 chapter, order in bankruptcy, insolvency, replevin, or execution of sale,  
14 **or under an order of court**), if a watercraft is sold to satisfy a storage  
15 or repair charge, or if repossession is had upon default in performance  
16 of the terms of a security agreement, the bureau shall issue to the  
17 applicant a certificate of title to the watercraft upon: the following:

18 (1) ~~Compliance with any of the following:~~

19 (A) ~~The surrender of the prior certificate of title.~~

20 (B) ~~The surrender of the manufacturer's or importer's~~  
21 ~~certificate.~~

22 (C) ~~Both of the following:~~

23 (i) ~~The surrender of a certificate of title designating a~~  
24 ~~transfer on death beneficiary.~~

25 (ii) ~~The submission of proof of the death of the transferor.~~

26 (D) ~~the presentation of satisfactory proof to the bureau of~~  
27 ~~ownership and a right of possession to of the watercraft;~~

28 (2) ~~payment of the fee prescribed under IC 9-29-15-1 and any~~  
29 ~~other applicable fees and service charges; and~~

30 (3) ~~presentation of an application for certificate of title.~~

31 (b) ~~A certification by the person or agent of the person to whom~~  
32 ~~possession of the watercraft passed setting forth the facts entitling the~~  
33 ~~person to possession and ownership; together with a copy of the journal~~  
34 ~~entry, court order, or instrument upon which the claim of possession~~  
35 ~~and ownership is founded; is satisfactory proof of ownership and right~~  
36 ~~of possession.~~

37 (c) (b) If an applicant cannot produce proof of ownership, the  
38 applicant may apply to the bureau and submit evidence of ownership.  
39 If the bureau finds the evidence sufficient, the bureau may issue a  
40 certificate of title. If, from the records of the ~~department, bureau,~~ a lien  
41 appears to be on the watercraft, the certificate of title must contain a  
42 statement of the lien, unless the application is accompanied by proper

C  
O  
P  
Y



1 evidence of the ~~extinction~~ **satisfaction** of the lien.  
 2 SECTION 389. IC 9-31-2-19 IS AMENDED TO READ AS  
 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19. (a) If a watercraft  
 4 is dismantled, destroyed, or changed in a manner that the watercraft  
 5 loses the character of a watercraft or changed in a manner that the  
 6 watercraft is not the watercraft described in the certificate of title, an  
 7 owner of the watercraft ~~and a person mentioned as owner in the last~~  
 8 ~~certificate of title~~ shall surrender the certificate of title to the bureau.  
 9 The bureau shall, ~~with~~ **upon notification to the consent** of a holder of  
 10 a lien noted on the certificate of title, enter a cancellation upon the  
 11 lienholder's records.

12 (b) Upon the cancellation of a certificate of title in the manner  
 13 prescribed by subsection (a), the bureau may cancel and destroy the  
 14 certificates **of title**.

15 SECTION 390. IC 9-31-2-20 IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 20. (a) If a certificate  
 17 of title is lost or mutilated or becomes illegible, the owner of the  
 18 watercraft shall apply to the bureau for a duplicate certificate of title  
 19 upon a form prescribed by the bureau and accompanied by the fee  
 20 prescribed by IC 9-29-15-1 ~~and any other applicable fees and service~~  
 21 ~~charges~~. The person making the application shall certify the  
 22 application **for the duplicate certificate of title**. Upon receipt of the  
 23 application, the bureau shall issue a duplicate certificate of title to the  
 24 person entitled to receive the certificate of title under this chapter.  
 25 Upon the issuance of a duplicate certificate of title, the previously  
 26 issued certificate of title becomes void.

27 (b) Each duplicate certificate of title ~~must contain~~ **shall have** the  
 28 ~~legend "This is a duplicate certificate."~~ **word "duplicate" printed or**  
 29 **stamped on the certificate of title**. The duplicate certificate of title  
 30 shall be delivered to the person entitled to possession **of the certificate**  
 31 **of title**.

32 (c) If an original certificate of title is recovered by the owner, the  
 33 owner shall immediately surrender the original certificate of title to the  
 34 bureau for cancellation.

35 SECTION 391. IC 9-31-2-21 IS REPEALED [EFFECTIVE JULY  
 36 1, 2012]. ~~Sec. 21: (a) The bureau may provide a commercial lookup~~  
 37 ~~service of watercraft title records on a fee basis per transaction and use~~  
 38 ~~fee revenues received from the service for necessary expenses.~~

39 (b) ~~The bureau shall furnish information on a title without charge to~~  
 40 ~~law enforcement and conservation officers when engaged in official~~  
 41 ~~duties.~~

42 SECTION 392. IC 9-31-2-22 IS REPEALED [EFFECTIVE JULY

C  
o  
p  
y



1 1, 2012]. Sec. 22: Manufacturers and importers shall appoint and  
 2 authorize agents to sign manufacturer's or importer's certificates. The  
 3 bureau may require that a certified copy of a list containing the names  
 4 and the facsimile signatures of authorized agents be furnished to the  
 5 bureau:

6 SECTION 393. IC 9-31-2-23 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 23. (a) Upon receiving  
 8 knowledge of a stolen watercraft, a law enforcement agency shall  
 9 immediately furnish the sheriff's department of the county from which  
 10 the watercraft was stolen, the department of natural resources, law  
 11 enforcement division, and the bureau with full information concerning  
 12 the theft.

13 (b) The bureau shall file the record in the numerical order of the  
 14 manufacturer's hull identification number or assigned hull  
 15 identification number with the index records of the watercraft. The  
 16 bureau shall prepare a list of watercraft stolen and recovered as  
 17 disclosed by the reports submitted to the bureau. The bureau shall  
 18 distribute the lists as the bureau considers advisable.

19 (c) (b) If a stolen or converted watercraft is recovered, the owner or  
 20 recovering agency shall immediately notify the law enforcement  
 21 agency that received the initial theft report. The law enforcement  
 22 agency shall immediately notify the bureau, the department of natural  
 23 resources, the sheriff of the county from which the watercraft was  
 24 stolen, and other law enforcement agencies in the county. The bureau  
 25 shall remove the record of the theft or conversion from the file in which  
 26 the report is recorded.

27 SECTION 394. IC 9-31-2-25 IS REPEALED [EFFECTIVE JULY  
 28 1, 2012]. Sec. 25: The bureau shall use due diligence in examining and  
 29 determining the genuineness, regularity, and legality of every  
 30 application for a certificate of title for a watercraft and may do the  
 31 following:

32 (1) Make the investigations that are determined necessary or  
 33 require additional information. An authorized employee of the  
 34 bureau may inspect a watercraft to determine whether a certificate  
 35 of title should be issued:

36 (2) Reject an application:

37 (A) if not satisfied of:

38 (i) the application's genuineness, regularity, or legality; or

39 (ii) the truth of a statement contained on the application; or

40 (B) for any other reason authorized by law.

41 SECTION 395. IC 9-31-3-3 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Except as provided

C  
o  
p  
y



1 in sections 5 and 7 of this chapter, **and in addition to section 4 of this**  
2 **chapter**, a person may not operate or give permission for the operation  
3 of a motorboat on the waters of Indiana unless the motorboat is:

- 4 (1) registered and numbered under this chapter;
- 5 (2) in accordance with applicable federal law; **or**
- 6 (3) legally registered in another state; **or**
- 7 **(4) a boat for which any applicable taxes have been paid**  
8 **under IC 6-6-11.**

9 SECTION 396. IC 9-31-3-4 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Except as provided  
11 in sections 5 and 7 of this chapter, **and in addition to section 3 of this**  
12 **chapter**, a motorboat may only be operated on the waters of Indiana if  
13 the following conditions are met:

- 14 (1) The registration number awarded to the motorboat is in full  
15 force and effect.
- 16 (2) The identifying number set forth in the certificate of  
17 registration is displayed on each side of the bow of the motorboat.  
18 However, a motorboat that has a valid marine document issued by  
19 the United States Bureau of Customs is not required to display the  
20 registration number.
- 21 (3) The decals indicating the year and month of expiration of  
22 registration and class of boat are attached to the motorboat as  
23 provided under IC 6-6-11.

24 SECTION 397. IC 9-31-3-15 IS REPEALED [EFFECTIVE JULY  
25 1, 2012]. Sec. 15: All records of the bureau made or kept under this  
26 chapter are public records and open to inspection by the public and any  
27 authorized law enforcement agency of the state.

28 SECTION 398. IC 9-31-3-17 IS REPEALED [EFFECTIVE JULY  
29 1, 2012]. Sec. 17: (a) The owner of a motorboat, within fifteen (15)  
30 days, shall furnish the bureau notice of any of the following:

- 31 (1) The transfer of all or any part of the owner's interest, other  
32 than the creation of a security interest in a motorboat registered in  
33 Indiana under section 5 or 7 of this chapter.
- 34 (2) The destruction or abandonment of a motorboat.

35 (b) Except as provided in subsection (c), a transfer, destruction, or  
36 abandonment terminates the certificate of registration for the  
37 motorboat.

38 (c) If a transfer of a part interest does not affect the owner's right to  
39 operate the motorboat, the transfer does not terminate the certificate of  
40 registration.

41 SECTION 399. IC 11-12-3.7-6 IS AMENDED TO READ AS  
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. As used in this

C  
o  
p  
y



1 chapter, "violent offense" means one (1) or more of the following  
2 offenses:

- 3 (1) Murder (IC 35-42-1-1).
- 4 (2) Attempted murder (IC 35-41-5-1).
- 5 (3) Voluntary manslaughter (IC 35-42-1-3).
- 6 (4) Involuntary manslaughter (IC 35-42-1-4).
- 7 (5) Reckless homicide (IC 35-42-1-5).
- 8 (6) Aggravated battery (IC 35-42-2-1.5).
- 9 (7) Battery (IC 35-42-2-1) as a Class A felony, Class B felony, or  
10 Class C felony.
- 11 (8) Kidnapping (IC 35-42-3-2).
- 12 (9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8 that  
13 is a Class A felony, Class B felony, or Class C felony.
- 14 (10) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A  
15 felony or Class B felony.
- 16 (11) Incest (IC 35-46-1-3).
- 17 (12) Robbery as a Class A felony or a Class B felony  
18 (IC 35-42-5-1).
- 19 (13) Burglary as a Class A felony or a Class B felony  
20 (IC 35-43-2-1).
- 21 (14) Carjacking (IC 35-42-5-2).
- 22 (15) Assisting a criminal as a Class C felony (IC 35-44-3-2).
- 23 (16) Escape (IC 35-44-3-5) as a Class B felony or Class C felony.
- 24 (17) Trafficking with an inmate as a Class C felony  
25 (IC 35-44-3-9).
- 26 (18) Causing death when operating a motor vehicle (IC 9-30-5-5).
- 27 (19) Criminal confinement (IC 35-42-3-3) as a Class B felony.
- 28 (20) Arson (IC 35-43-1-1) as a Class A or Class B felony.
- 29 (21) Possession, use, or manufacture of a weapon of mass  
30 destruction (IC 35-47-12-1).
- 31 (22) Terroristic mischief (IC 35-47-12-3) as a Class B felony.
- 32 (23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
- 33 (24) A violation of IC 35-47.5 (Controlled explosives) as a Class  
34 A or Class B felony.
- 35 (25) A crime under the laws of another jurisdiction, including a  
36 military court, that is substantially similar to any of the offenses  
37 listed in this subdivision.
- 38 (26) Any other crimes evidencing a propensity or history of  
39 violence.

40 SECTION 400. IC 14-15-11-4 IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. As used in this  
42 chapter, "Indiana driver's license" means:

ES 257—LS 6814/DI 96+



C  
o  
p  
y

- 1 (1) an operator's license;
- 2 (2) a chauffeur's license; or
- 3 (3) a public passenger chauffeur's license;
- 4 that is issued to an individual by the bureau of motor vehicles under
- 5 ~~IC 9-24-3~~. **IC 9-24.**

6 SECTION 401. IC 20-33-8-33, AS ADDED BY P.L.231-2005,  
 7 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2012]: Sec. 33. Before February 1 and before October 1 of  
 9 each year, except when a hearing has been requested to determine  
 10 financial hardship under IC 9-24-2-1(a)(4), a principal shall submit to  
 11 the bureau of motor vehicles the pertinent information concerning an  
 12 individual's ineligibility under IC 9-24-2-1 to be issued a driver's  
 13 license or learner's permit, or concerning the ~~invalidation~~ **suspension**  
 14 **of a license or permit driving privileges** under IC 9-24-2-4.

15 SECTION 402. IC 27-7-5-2, AS AMENDED BY P.L.116-2011,  
 16 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2012]: Sec. 2. (a) Except as provided in subsections (d) and  
 18 (f), the insurer shall make available, in each automobile liability or  
 19 motor vehicle liability policy of insurance which is delivered or issued  
 20 for delivery in this state with respect to any motor vehicle registered or  
 21 principally garaged in this state, insuring against loss resulting from  
 22 liability imposed by law for bodily injury or death suffered by any  
 23 person and for injury to or destruction of property to others arising from  
 24 the ownership, maintenance, or use of a motor vehicle, or in a  
 25 supplement to such a policy, the following types of coverage:

- 26 (1) in limits for bodily injury or death and for injury to or
- 27 destruction of property not less than those set forth in IC 9-25-4-5
- 28 under policy provisions approved by the commissioner of
- 29 insurance, for the protection of persons insured under the policy
- 30 who are legally entitled to recover damages from owners or
- 31 operators of uninsured or underinsured motor vehicles because of
- 32 bodily injury, sickness or disease, including death, and for the
- 33 protection of persons insured under the policy who are legally
- 34 entitled to recover damages from owners or operators of
- 35 uninsured motor vehicles for injury to or destruction of property
- 36 resulting therefrom; or
- 37 (2) in limits for bodily injury or death not less than those set forth
- 38 in IC 9-25-4-5 under policy provisions approved by the
- 39 commissioner of insurance, for the protection of persons insured
- 40 under the policy provisions who are legally entitled to recover
- 41 damages from owners or operators of uninsured or underinsured
- 42 motor vehicles because of bodily injury, sickness or disease,

COPY



1 including death resulting therefrom.

2 The uninsured and underinsured motorist coverages must be provided  
 3 by insurers for either a single premium or for separate premiums, in  
 4 limits at least equal to the limits of liability specified in the bodily  
 5 injury liability provisions of an insured's policy, unless such coverages  
 6 have been rejected in writing by the insured. However, underinsured  
 7 motorist coverage must be made available in limits of not less than fifty  
 8 thousand dollars (\$50,000). At the insurer's option, the bodily injury  
 9 liability provisions of the insured's policy may be required to be equal  
 10 to the insured's underinsured motorist coverage. Insurers may not sell  
 11 or provide underinsured motorist coverage in an amount less than fifty  
 12 thousand dollars (\$50,000). Insurers must make underinsured motorist  
 13 coverage available to all existing policyholders on the date of the first  
 14 renewal of existing policies that occurs on or after January 1, 1995, and  
 15 on any policies newly issued or delivered on or after January 1, 1995.  
 16 Uninsured motorist coverage or underinsured motorist coverage may  
 17 be offered by an insurer in an amount exceeding the limits of liability  
 18 specified in the bodily injury and property damage liability provisions  
 19 of the insured's policy.

20 (b) A named insured of an automobile or motor vehicle liability  
 21 policy has the right, in writing, to:

- 22 (1) reject both the uninsured motorist coverage and the
- 23 underinsured motorist coverage provided for in this section; or
- 24 (2) reject either the uninsured motorist coverage alone or the
- 25 underinsured motorist coverage alone, if the insurer provides the
- 26 coverage not rejected separately from the coverage rejected.

27 A rejection of coverage under this subsection by a named insured is a  
 28 rejection on behalf of all other named insureds, all other insureds, and  
 29 all other persons entitled to coverage under the policy. No insured may  
 30 have uninsured motorist property damage liability insurance coverage  
 31 under this section unless the insured also has uninsured motorist bodily  
 32 injury liability insurance coverage under this section. Following  
 33 rejection of either or both uninsured motorist coverage or underinsured  
 34 motorist coverage, unless later requested in writing, the insurer need  
 35 not offer uninsured motorist coverage or underinsured motorist  
 36 coverage in or supplemental to a renewal or replacement policy issued  
 37 to the same insured by the same insurer or a subsidiary or an affiliate  
 38 of the originally issuing insurer. Renewals of policies issued or  
 39 delivered in this state which have undergone interim policy  
 40 endorsement or amendment do not constitute newly issued or delivered  
 41 policies for which the insurer is required to provide the coverages  
 42 described in this section.

ES 257—LS 6814/DI 96+



C  
o  
p  
y

- 1 (c) A rejection under subsection (b) must specify:  
 2 (1) that the named insured is rejecting:  
 3 (A) the uninsured motorist coverage;  
 4 (B) the underinsured motorist coverage; or  
 5 (C) both the uninsured motorist coverage and the underinsured  
 6 motorist coverage;  
 7 that would otherwise be provided under the policy; and  
 8 (2) the date on which the rejection is effective.
- 9 (d) An insurer is not required to make available the coverage  
 10 described in subsection (a) in a commercial umbrella or excess liability  
 11 policy, including a commercial umbrella or excess liability policy that  
 12 is issued or delivered to a motor carrier (as defined in IC 8-2.1-17-10)  
 13 that is in compliance with the minimum levels of financial  
 14 responsibility set forth in 49 CFR Part 387.
- 15 (e) A rejection under subsection (b) of uninsured motorist coverage  
 16 or underinsured motorist coverage in an underlying commercial policy  
 17 of insurance is also a rejection of uninsured motorist coverage or  
 18 underinsured motorist coverage in a commercial umbrella or excess  
 19 liability policy.
- 20 (f) An insurer is not required to make available the coverage  
 21 described in subsection (a) in connection with coverage that:  
 22 (1) is related to or included in a commercial policy of property  
 23 and casualty insurance described in Class 2 or Class 3 of  
 24 IC 27-1-5-1; and  
 25 (2) covers a loss related to a motor vehicle:  
 26 (A) of which the insured is not the owner; ~~(as defined in~~  
 27 ~~IC 9-13-2-121(a))~~; and  
 28 (B) that is used:  
 29 (i) by the insured or an agent of the insured; and  
 30 (ii) for purposes authorized by the insured.
- 31 **(g) For purposes of subsection (f), "owner" means:**  
 32 **(1) a person who holds the legal title to a motor vehicle;**  
 33 **(2) a person who rents or leases a motor vehicle and has**  
 34 **exclusive use of the motor vehicle for more than thirty (30)**  
 35 **days;**  
 36 **(3) the conditional vendee or lessee under an agreement for**  
 37 **the conditional sale or lease of a motor vehicle; or**  
 38 **(4) the mortgagor under an agreement for the conditional sale**  
 39 **or lease of a motor vehicle under which the mortgagor has:**  
 40 **(A) the right to purchase; and**  
 41 **(B) an immediate right of possession of;**  
 42 **the motor vehicle upon the performance of the conditions**

C  
O  
P  
Y

- 1           **stated in the agreement.**
- 2           SECTION 403. IC 31-37-4-3, AS AMENDED BY P.L.3-2008,
- 3           SECTION 240, IS AMENDED TO READ AS FOLLOWS
- 4           [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) This section applies if a child
- 5           is arrested or taken into custody for allegedly committing an act that
- 6           would be any of the following crimes if committed by an adult:
- 7           (1) Murder (IC 35-42-1-1).
- 8           (2) Attempted murder (IC 35-41-5-1).
- 9           (3) Voluntary manslaughter (IC 35-42-1-3).
- 10          (4) Involuntary manslaughter (IC 35-42-1-4).
- 11          (5) Reckless homicide (IC 35-42-1-5).
- 12          (6) Aggravated battery (IC 35-42-2-1.5).
- 13          (7) Battery (IC 35-42-2-1).
- 14          (8) Kidnapping (IC 35-42-3-2).
- 15          (9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8.
- 16          (10) Sexual misconduct with a minor (IC 35-42-4-9).
- 17          (11) Incest (IC 35-46-1-3).
- 18          (12) Robbery as a Class A felony or a Class B felony
- 19          (IC 35-42-5-1).
- 20          (13) Burglary as a Class A felony or a Class B felony
- 21          (IC 35-43-2-1).
- 22          (14) Carjacking (IC 35-42-5-2).
- 23          (15) Assisting a criminal as a Class C felony (IC 35-44-3-2).
- 24          (16) Escape (IC 35-44-3-5) as a Class B felony or Class C felony.
- 25          (17) Trafficking with an inmate as a Class C felony
- 26          (IC 35-44-3-9).
- 27          (18) Causing death when operating a ~~motor~~ vehicle (IC 9-30-5-5).
- 28          (19) Criminal confinement (IC 35-42-3-3) as a Class B felony.
- 29          (20) Arson (IC 35-43-1-1) as a Class A or Class B felony.
- 30          (21) Possession, use, or manufacture of a weapon of mass
- 31          destruction (IC 35-47-12-1).
- 32          (22) Terroristic mischief (IC 35-47-12-3) as a Class B felony.
- 33          (23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
- 34          (24) A violation of IC 35-47.5 (controlled explosives) as a Class
- 35          A or Class B felony.
- 36          (25) A controlled substances offense under IC 35-48.
- 37          (26) A criminal gang offense under IC 35-45-9.
- 38          (b) If a child is taken into custody under this chapter for a crime or
- 39          act listed in subsection (a), the law enforcement agency that employs
- 40          the law enforcement officer who takes the child into custody shall
- 41          notify the chief administrative officer of the primary or secondary
- 42          school, including a public or nonpublic school, in which the child is

C  
o  
p  
y



1 enrolled or, if the child is enrolled in a public school, the  
2 superintendent of the school district in which the child is enrolled:

- 3 (1) that the child was taken into custody; and
- 4 (2) of the reason why the child was taken into custody.

5 (c) The notification under subsection (b) must occur within  
6 forty-eight (48) hours after the child is taken into custody.

7 (d) A law enforcement agency may not disclose information that is  
8 confidential under state or federal law to a school or school district  
9 under this section.

10 SECTION 404. IC 31-37-19-17.2 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17.2. (a) This section  
12 applies if a child is a delinquent child under IC 31-37-1 due to the  
13 commission of a delinquent act that, if committed by an adult, would  
14 be a theft or criminal conversion described in IC 35-43-4-8 (fuel theft).

15 (b) The juvenile court shall, in addition to any other order or decree  
16 the court makes under this chapter, order the bureau of motor vehicles  
17 to:

- 18 (1) suspend the child's ~~operator's license;~~ **driving privileges;** or
  - 19 (2) invalidate the child's ~~learner's permit;~~ **driving privileges;**
- 20 under ~~IC 9-25-6-21~~ **IC 9-30-13-8** in the same manner as the bureau of  
21 motor vehicles is required to suspend the driving privileges of a person  
22 convicted of fuel theft.

23 SECTION 405. IC 31-37-19-18, AS AMENDED BY P.L.109-2011,  
24 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2012]: Sec. 18. If the court orders invalidation or denial of  
26 issuance of a ~~driver's license or permit~~ **driving privileges** as described  
27 in IC 31-37-5-7 or section 4, 13, 14, 15, 16, 17, or 17.3 of this chapter  
28 (or IC 31-6-4-15.9(c), IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or  
29 IC 31-6-4-15.9(f) before the repeal of IC 31-6-4-15.9):

- 30 (1) the bureau of motor vehicles shall comply with the order for  
31 invalidation or denial of issuance; and
- 32 (2) the child shall surrender to the court all driver's licenses or  
33 permits of the child and the court shall immediately forward the  
34 licenses or permits to the bureau of motor vehicles.

35 If a juvenile court recommends suspension of driving privileges under  
36 section 17.3 of this chapter, IC 9-30-6-12(b), IC 9-30-6-12(c),  
37 IC 9-30-6-12(d), and IC 9-30-6-12(e) apply to the child's driving  
38 privileges.

39 SECTION 406. IC 31-40-2-1.7, AS ADDED BY P.L.2-2005,  
40 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2012]: Sec. 1.7. (a) A person may pay a monthly probation  
42 user's fee under section 1 or 1.5 of this chapter before the date the

C  
o  
p  
y



1 payment is required to be made without obtaining the prior approval of  
 2 a court or a probation department. However, if a delinquent child is  
 3 discharged from probation before the date the delinquent child was  
 4 scheduled to be released from probation, any monthly probation user's  
 5 fee paid in advance for the delinquent child may not be refunded.

6 (b) A probation department may petition a court to:

- 7 (1) impose a probation user's fee on a person; or
- 8 (2) increase a person's probation user's fee;

9 under section 1 or 1.5 of this chapter if the financial ability of the  
 10 person to pay a probation user's fee changes while the person is on  
 11 probation.

12 (c) An order to pay a probation user's fee under section 1 or 1.5 of  
 13 this chapter:

14 (1) is a judgment lien that:

- 15 (A) attaches to the property of the person subject to the order;
- 16 (B) may be perfected;
- 17 (C) may be enforced to satisfy any payment that is delinquent  
 18 under section 1 or 1.5 of this chapter; and
- 19 (D) expires;

20 in the same manner as a judgment lien created in a civil  
 21 proceeding;

- 22 (2) is not discharged by the completion of the person's  
 23 probationary period or other sentence imposed on the person; and
- 24 (3) is not discharged by the liquidation of a person's estate by a  
 25 receiver under IC 32-30-5.

26 (d) A delinquent child placed on probation for more than one (1)  
 27 delinquent act:

- 28 (1) may be required to pay more than one (1) initial probation  
 29 user's fee; and
- 30 (2) may not be required to pay more than one (1) monthly  
 31 probation user's fee per month;

32 to either the probation department or the clerk of the court.

33 (e) If a court orders a person to pay a probation user's fee under  
 34 section 1 or 1.5 of this chapter, the court may garnish the wages, salary,  
 35 and other income earned by the person to enforce the order.

36 (f) If:

- 37 (1) a person is delinquent in paying the person's probation user's  
 38 fees required under section 1 or 1.5 of this chapter; and
- 39 (2) the person's **driving privileges or** driver's license or permit  
 40 **has have** been suspended or revoked or the person has never been  
 41 issued a driver's license or permit;

42 the court may order the bureau of motor vehicles to not issue a driver's

C  
o  
p  
y



1 license or permit to the person until the person has paid the person's  
2 delinquent probation user's fees.

3 SECTION 407. IC 32-17-13-1, AS AMENDED BY P.L.36-2011,  
4 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2012]: Sec. 1. (a) As used in this chapter, "nonprobate  
6 transfer" means a valid transfer, effective at death, by a transferor:

- 7 (1) whose last domicile was in Indiana; and
- 8 (2) who immediately before death had the power, acting alone, to  
9 prevent transfer of the property by revocation or withdrawal and:  
10 (A) use the property for the benefit of the transferor; or  
11 (B) apply the property to discharge claims against the  
12 transferor's probate estate.

13 (b) The term does not include a transfer at death (other than a  
14 transfer to or from the decedent's probate estate) of:

- 15 (1) a survivorship interest in a tenancy by the entireties real  
16 estate;
- 17 (2) a life insurance policy or annuity;
- 18 (3) the death proceeds of a life insurance policy or annuity;
- 19 (4) an individual retirement account or a similar account or plan;  
20 or
- 21 (5) benefits under an employee benefit plan.

22 (c) With respect to a nonprobate transfer involving a multiple party  
23 account, a nonprobate transfer occurs if the last domicile of the  
24 depositor whose interest is transferred under IC 32-17-11 was in  
25 Indiana.

26 (d) With respect to a motor vehicle or a watercraft, a nonprobate  
27 transfer occurs if the transferee obtains a certificate of title in Indiana  
28 for:

- 29 (1) the motor vehicle under IC 9-17-2-2(b); or
- 30 (2) the watercraft as required by ~~IC 9-31-2-16(a)(1)(C)~~  
31 **IC 9-31-2-16(a).**

32 (e) A transfer on death transfer completed under IC 32-17-14 is a  
33 nonprobate transfer.

34 SECTION 408. IC 32-33-10-10 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. This chapter may  
36 not be construed to repeal, modify, or amend ~~IC 9-22-5-14~~ **IC 9-22-6-1**  
37 or ~~IC 9-22-5-15~~. **IC 9-22-6-2.**

38 SECTION 409. IC 33-39-1-8, AS AMENDED BY P.L.101-2009,  
39 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
40 JULY 1, 2012]: Sec. 8. (a) After June 30, 2005, this section does not  
41 apply to a person who:

- 42 (1) holds a commercial driver's license; and

C  
o  
p  
y



- 1 (2) has been charged with an offense involving the operation of
- 2 a motor vehicle in accordance with the federal Motor Carrier
- 3 Safety Improvement Act of 1999 (MCSIA) (Public Law
- 4 106-159.113 Stat. 1748).
- 5 (b) This section does not apply to a person arrested for or charged
- 6 with:
- 7 (1) an offense under IC 9-30-5-1 through IC 9-30-5-5; or
- 8 (2) if a person was arrested or charged with an offense under
- 9 IC 9-30-5-1 through IC 9-30-5-5, an offense involving:
- 10 (A) intoxication; or
- 11 (B) the operation of a ~~motor~~ vehicle;
- 12 if the offense involving intoxication or the operation of a ~~motor~~ vehicle
- 13 was part of the same episode of criminal conduct as the offense under
- 14 IC 9-30-5-1 through IC 9-30-5-5.
- 15 (c) This section does not apply to a person:
- 16 (1) who is arrested for or charged with an offense under:
- 17 (A) IC 7.1-5-7-7(a), if the alleged offense occurred while the
- 18 person was operating a motor vehicle;
- 19 (B) IC 9-30-4-8(a), if the alleged offense occurred while the
- 20 person was operating a motor vehicle;
- 21 (C) IC 35-42-2-2(c)(1);
- 22 (D) IC 35-42-2-4(b)(1); or
- 23 (E) IC 35-43-1-2(a), if the alleged offense occurred while the
- 24 person was operating a motor vehicle; and
- 25 (2) who held a probationary license (as defined in ~~IC 9-24-11-3(b)~~
- 26 ~~or~~ IC 9-24-11-3.3(b)) and was less than eighteen (18) years of age
- 27 at the time of the alleged offense.
- 28 (d) A prosecuting attorney may withhold prosecution against an
- 29 accused person if:
- 30 (1) the person is charged with a misdemeanor;
- 31 (2) the person agrees to conditions of a pretrial diversion program
- 32 offered by the prosecuting attorney;
- 33 (3) the terms of the agreement are recorded in an instrument
- 34 signed by the person and the prosecuting attorney and filed in the
- 35 court in which the charge is pending; and
- 36 (4) 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 (e) An agreement under subsection (d) may include conditions that
- 42 the person:

C  
O  
P  
Y



- 1 (1) pay to the clerk of the court an initial user's fee and monthly
- 2 user's fees in the amounts specified in IC 33-37-4-1;
- 3 (2) work faithfully at a suitable employment or faithfully pursue
- 4 a course of study or career and technical education that will equip
- 5 the person for suitable employment;
- 6 (3) undergo available medical treatment or counseling and remain
- 7 in a specified facility required for that purpose;
- 8 (4) support the person's dependents and meet other family
- 9 responsibilities;
- 10 (5) make restitution or reparation to the victim of the crime for the
- 11 damage or injury that was sustained;
- 12 (6) refrain from harassing, intimidating, threatening, or having
- 13 any direct or indirect contact with the victim or a witness;
- 14 (7) report to the prosecuting attorney at reasonable times;
- 15 (8) answer all reasonable inquiries by the prosecuting attorney
- 16 and promptly notify the prosecuting attorney of any change in
- 17 address or employment; and
- 18 (9) participate in dispute resolution either under IC 34-57-3 or a
- 19 program established by the prosecuting attorney.

20 (f) An agreement under subsection (d)(2) may include other  
 21 provisions reasonably related to the defendant's rehabilitation, if  
 22 approved by the court.

23 (g) The prosecuting attorney shall notify the victim when  
 24 prosecution is withheld under this section.

25 (h) All money collected by the clerk as user's fees under this section  
 26 shall be deposited in the appropriate user fee fund under IC 33-37-8.

27 (i) If a court withholds prosecution under this section and the terms  
 28 of the agreement contain conditions described in subsection (e)(6):

- 29 (1) the clerk of the court shall comply with IC 5-2-9; and
- 30 (2) the prosecuting attorney shall file a confidential form
- 31 prescribed or approved by the division of state court
- 32 administration with the clerk.

33 SECTION 410. IC 34-24-1-1, AS AMENDED BY P.L.182-2011,  
 34 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2012]: Sec. 1. (a) The following may be seized:

36 (1) All vehicles (as defined by IC 35-41-1), if they are used or are  
 37 intended for use by the person or persons in possession of them to  
 38 transport or in any manner to facilitate the transportation of the  
 39 following:

- 40 (A) A controlled substance for the purpose of committing,
- 41 attempting to commit, or conspiring to commit any of the
- 42 following:

C  
o  
p  
y



- 1 (i) Dealing in or manufacturing cocaine or a narcotic drug
- 2 (IC 35-48-4-1).
- 3 (ii) Dealing in methamphetamine (IC 35-48-4-1.1).
- 4 (iii) Dealing in a schedule I, II, or III controlled substance
- 5 (IC 35-48-4-2).
- 6 (iv) Dealing in a schedule IV controlled substance
- 7 (IC 35-48-4-3).
- 8 (v) Dealing in a schedule V controlled substance
- 9 (IC 35-48-4-4).
- 10 (vi) Dealing in a counterfeit substance (IC 35-48-4-5).
- 11 (vii) Possession of cocaine or a narcotic drug (IC 35-48-4-6).
- 12 (viii) Possession of methamphetamine (IC 35-48-4-6.1).
- 13 (ix) Dealing in paraphernalia (IC 35-48-4-8.5).
- 14 (x) Dealing in marijuana, hash oil, hashish, salvia, or a
- 15 synthetic cannabinoid (IC 35-48-4-10).
- 16 (B) Any stolen (IC 35-43-4-2) or converted property
- 17 (IC 35-43-4-3) if the retail or repurchase value of that property
- 18 is one hundred dollars (\$100) or more.
- 19 (C) Any hazardous waste in violation of IC 13-30-10-1.5.
- 20 (D) A bomb (as defined in IC 35-41-1-4.3) or weapon of mass
- 21 destruction (as defined in IC 35-41-1-29.4) used to commit,
- 22 used in an attempt to commit, or used in a conspiracy to
- 23 commit an offense under IC 35-47 as part of or in furtherance
- 24 of an act of terrorism (as defined by IC 35-41-1-26.5).
- 25 (2) All money, negotiable instruments, securities, weapons,
- 26 communications devices, or any property used to commit, used in
- 27 an attempt to commit, or used in a conspiracy to commit an
- 28 offense under IC 35-47 as part of or in furtherance of an act of
- 29 terrorism or commonly used as consideration for a violation of
- 30 IC 35-48-4 (other than items subject to forfeiture under
- 31 IC 16-42-20-5 or IC 16-6-8.5-5.1 before its repeal):
- 32 (A) furnished or intended to be furnished by any person in
- 33 exchange for an act that is in violation of a criminal statute;
- 34 (B) used to facilitate any violation of a criminal statute; or
- 35 (C) traceable as proceeds of the violation of a criminal statute.
- 36 (3) Any portion of real or personal property purchased with
- 37 money that is traceable as a proceed of a violation of a criminal
- 38 statute.
- 39 (4) A vehicle that is used by a person to:
- 40 (A) commit, attempt to commit, or conspire to commit;
- 41 (B) facilitate the commission of; or
- 42 (C) escape from the commission of;

COPY



- 1 murder (IC 35-42-1-1), kidnapping (IC 35-42-3-2), criminal  
 2 confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting  
 3 (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense  
 4 under IC 35-47 as part of or in furtherance of an act of terrorism.  
 5 (5) Real property owned by a person who uses it to commit any of  
 6 the following as a Class A felony, a Class B felony, or a Class C  
 7 felony:  
 8 (A) Dealing in or manufacturing cocaine or a narcotic drug  
 9 (IC 35-48-4-1).  
 10 (B) Dealing in methamphetamine (IC 35-48-4-1.1).  
 11 (C) Dealing in a schedule I, II, or III controlled substance  
 12 (IC 35-48-4-2).  
 13 (D) Dealing in a schedule IV controlled substance  
 14 (IC 35-48-4-3).  
 15 (E) Dealing in marijuana, hash oil, hashish, salvia, or a  
 16 synthetic cannabinoid (IC 35-48-4-10).  
 17 (6) Equipment and recordings used by a person to commit fraud  
 18 under IC 35-43-5-4(10).  
 19 (7) Recordings sold, rented, transported, or possessed by a person  
 20 in violation of IC 24-4-10.  
 21 (8) Property (as defined by IC 35-41-1-23) or an enterprise (as  
 22 defined by IC 35-45-6-1) that is the object of a corrupt business  
 23 influence violation (IC 35-45-6-2).  
 24 (9) Unlawful telecommunications devices (as defined in  
 25 IC 35-45-13-6) and plans, instructions, or publications used to  
 26 commit an offense under IC 35-45-13.  
 27 (10) Any equipment, including computer equipment and cellular  
 28 telephones, used for or intended for use in preparing,  
 29 photographing, recording, videotaping, digitizing, printing,  
 30 copying, or disseminating matter in violation of IC 35-42-4.  
 31 (11) Destructive devices used, possessed, transported, or sold in  
 32 violation of IC 35-47.5.  
 33 (12) Tobacco products that are sold in violation of IC 24-3-5,  
 34 tobacco products that a person attempts to sell in violation of  
 35 IC 24-3-5, and other personal property owned and used by a  
 36 person to facilitate a violation of IC 24-3-5.  
 37 (13) Property used by a person to commit counterfeiting or  
 38 forgery in violation of IC 35-43-5-2.  
 39 (14) After December 31, 2005, if a person is convicted of an  
 40 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the  
 41 following real or personal property:  
 42 (A) Property used or intended to be used to commit, facilitate,

C  
o  
p  
y



1 or promote the commission of the offense.

2 (B) Property constituting, derived from, or traceable to the  
3 gross proceeds that the person obtained directly or indirectly  
4 as a result of the offense.

5 (15) Except as provided in subsection (e), a **motor** vehicle used by  
6 a person who operates the **motor** vehicle:

7 (A) while intoxicated, in violation of IC 9-30-5-1 through  
8 IC 9-30-5-5, if in the previous five (5) years the person has two  
9 (2) or more prior unrelated convictions:

10 (i) for operating a **motor** vehicle while intoxicated in  
11 violation of IC 9-30-5-1 through IC 9-30-5-5; or

12 (ii) for an offense that is substantially similar to IC 9-30-5-1  
13 through IC 9-30-5-5 in another jurisdiction; or

14 (B) on a highway while the person's **driver's license is driving**  
15 **privileges are** suspended in violation of IC 9-24-19-2 through  
16 IC 9-24-19-4, if in the previous five (5) years the person has  
17 two (2) or more prior unrelated convictions:

18 (i) for operating a **motor** vehicle while intoxicated in  
19 violation of IC 9-30-5-1 through IC 9-30-5-5; or

20 (ii) for an offense that is substantially similar to IC 9-30-5-1  
21 through IC 9-30-5-5 in another jurisdiction.

22 If a court orders the seizure of a **motor** vehicle under this  
23 subdivision, the court shall transmit an order to the bureau of  
24 motor vehicles recommending that the bureau not permit a **motor**  
25 vehicle to be registered in the name of the person whose **motor**  
26 vehicle was seized until the person possesses a current driving  
27 license (as defined in IC 9-13-2-41).

28 (16) The following real or personal property:

29 (A) Property used or intended to be used to commit, facilitate,  
30 or promote the commission of an offense specified in  
31 IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or  
32 IC 30-2-13-38(f).

33 (B) Property constituting, derived from, or traceable to the  
34 gross proceeds that a person obtains directly or indirectly as a  
35 result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b),  
36 IC 30-2-10-9(b), or IC 30-2-13-38(f).

37 (b) A vehicle used by any person as a common or contract carrier in  
38 the transaction of business as a common or contract carrier is not  
39 subject to seizure under this section, unless it can be proven by a  
40 preponderance of the evidence that the owner of the vehicle knowingly  
41 permitted the vehicle to be used to engage in conduct that subjects it to  
42 seizure under subsection (a).



C  
o  
p  
y

1 (c) Equipment under subsection (a)(10) may not be seized unless it  
 2 can be proven by a preponderance of the evidence that the owner of the  
 3 equipment knowingly permitted the equipment to be used to engage in  
 4 conduct that subjects it to seizure under subsection (a)(10).

5 (d) Money, negotiable instruments, securities, weapons,  
 6 communications devices, or any property commonly used as  
 7 consideration for a violation of IC 35-48-4 found near or on a person  
 8 who is committing, attempting to commit, or conspiring to commit any  
 9 of the following offenses shall be admitted into evidence in an action  
 10 under this chapter as prima facie evidence that the money, negotiable  
 11 instrument, security, or other thing of value is property that has been  
 12 used or was to have been used to facilitate the violation of a criminal  
 13 statute or is the proceeds of the violation of a criminal statute:

14 (1) IC 35-48-4-1 (dealing in or manufacturing cocaine or a  
 15 narcotic drug).

16 (2) IC 35-48-4-1.1 (dealing in methamphetamine).

17 (3) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled  
 18 substance).

19 (4) IC 35-48-4-3 (dealing in a schedule IV controlled substance).

20 (5) IC 35-48-4-4 (dealing in a schedule V controlled substance)  
 21 as a Class B felony.

22 (6) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a  
 23 Class A felony, Class B felony, or Class C felony.

24 (7) IC 35-48-4-6.1 (possession of methamphetamine) as a Class  
 25 A felony, Class B felony, or Class C felony.

26 (8) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, salvia,  
 27 or a synthetic cannabinoid) as a Class C felony.

28 (e) A ~~motor~~ vehicle operated by a person who is not:

29 (1) an owner of the ~~motor~~ vehicle; or

30 (2) the spouse of the person who owns the ~~motor~~ vehicle;

31 is not subject to seizure under subsection (a)(15) unless it can be  
 32 proven by a preponderance of the evidence that the owner of the  
 33 vehicle knowingly permitted the vehicle to be used to engage in  
 34 conduct that subjects it to seizure under subsection (a)(15).

35 SECTION 411. IC 34-28-5-1, AS AMENDED BY P.L.101-2009,  
 36 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2012]: Sec. 1. (a) As used in this section, "probationary  
 38 license" refers to a license described in ~~IC 9-24-11-3(b)~~ or  
 39 IC 9-24-11-3.3(b).

40 (b) An action to enforce a statute defining an infraction shall be  
 41 brought in the name of the state of Indiana by the prosecuting attorney  
 42 for the judicial circuit in which the infraction allegedly took place.

ES 257—LS 6814/DI 96+



C  
O  
P  
Y

1 However, if the infraction allegedly took place on a public highway (as  
2 defined in IC 9-25-2-4) that runs on and along a common boundary  
3 shared by two (2) or more judicial circuits, a prosecuting attorney for  
4 any judicial circuit sharing the common boundary may bring the action.

5 (c) An action to enforce an ordinance shall be brought in the name  
6 of the municipal corporation. The municipal corporation need not  
7 prove that it or the ordinance is valid unless validity is controverted by  
8 affidavit.

9 (d) Actions under this chapter (or IC 34-4-32 before its repeal):  
10 (1) shall be conducted in accordance with the Indiana Rules of  
11 Trial Procedure; and  
12 (2) must be brought within two (2) years after the alleged conduct  
13 or violation occurred.

14 (e) The plaintiff in an action under this chapter must prove the  
15 commission of an infraction or ordinance violation by a preponderance  
16 of the evidence.

17 (f) The complaint and summons described in IC 9-30-3-6 may be  
18 used for any infraction or ordinance violation.

19 (g) Subsection (h) does not apply to an individual holding a  
20 probationary license who is alleged to have committed an infraction  
21 under any of the following when the individual was less than eighteen  
22 (18) years of age at the time of the alleged offense:

- 23 IC 9-19
- 24 IC 9-21
- 25 IC 9-24
- 26 IC 9-25
- 27 IC 9-26
- 28 IC 9-30-5
- 29 IC 9-30-10
- 30 IC 9-30-15.

31 (h) This subsection does not apply to an offense or violation under  
32 IC 9-24-6 involving the operation of a commercial motor vehicle. The  
33 prosecuting attorney or the attorney for a municipal corporation may  
34 establish a deferral program for deferring actions brought under this  
35 section. Actions may be deferred under this section if:

- 36 (1) the defendant in the action agrees to conditions of a deferral  
37 program offered by the prosecuting attorney or the attorney for a  
38 municipal corporation;
- 39 (2) the defendant in the action agrees to pay to the clerk of the  
40 court an initial user's fee and monthly user's fee set by the  
41 prosecuting attorney or the attorney for the municipal corporation  
42 in accordance with IC 33-37-4-2(e);

C  
o  
p  
y



- 1 (3) the terms of the agreement are recorded in an instrument
- 2 signed by the defendant and the prosecuting attorney or the
- 3 attorney for the municipal corporation;
- 4 (4) the defendant in the action agrees to pay a fee of seventy
- 5 dollars (\$70) to the clerk of court if the action involves a moving
- 6 traffic offense (as defined in IC 9-13-2-110);
- 7 (5) the agreement is filed in the court in which the action is
- 8 brought; and
- 9 (6) if the deferral program is offered by the prosecuting attorney,
- 10 the prosecuting attorney electronically transmits information
- 11 required by the prosecuting attorneys council concerning the
- 12 withheld prosecution to the prosecuting attorneys council, in a
- 13 manner and format designated by the prosecuting attorneys
- 14 council.

15 When a defendant complies with the terms of an agreement filed under  
 16 this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting  
 17 attorney or the attorney for the municipal corporation shall request the  
 18 court to dismiss the action. Upon receipt of a request to dismiss an  
 19 action under this subsection, the court shall dismiss the action. An  
 20 action dismissed under this subsection (or IC 34-4-32-1(f) before its  
 21 repeal) may not be refiled.

22 (i) If a judgment is entered against a defendant in an action to  
 23 enforce an ordinance, the defendant may perform community  
 24 restitution or service (as defined in IC 35-41-1-4.6) instead of paying  
 25 a monetary judgment for the ordinance violation as described in section  
 26 4(e) of this chapter if:

- 27 (1) the:
  - 28 (A) defendant; and
  - 29 (B) attorney for the municipal corporation;
 agree to the defendant's performance of community restitution or  
 30 service instead of the payment of a monetary judgment;
- 31 (2) the terms of the agreement described in subdivision (1):
  - 32 (A) include the amount of the judgment the municipal
  - 33 corporation requests that the defendant pay under section 4(e)
  - 34 of this chapter for the ordinance violation if the defendant fails
  - 35 to perform the community restitution or service provided for
  - 36 in the agreement as approved by the court; and
  - 37 (B) are recorded in a written instrument signed by the
  - 38 defendant and the attorney for the municipal corporation;
  - 39
  - 40 (3) the agreement is filed in the court where the judgment was
  - 41 entered; and
  - 42 (4) the court approves the agreement.

COPY



1 If a defendant fails to comply with an agreement approved by a court  
2 under this subsection, the court shall require the defendant to pay up to  
3 the amount of the judgment requested in the action under section 4(e)  
4 of this chapter as if the defendant had not entered into an agreement  
5 under this subsection.

6 SECTION 412. IC 34-30-2-32.5, AS ADDED BY P.L.145-2011,  
7 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2012]: Sec. 32.5. (a) This section applies after December 31,  
9 2011.

10 (b) ~~IC 9-27-6-5(m)~~ **IC 9-27-6-5(h)** (Concerning members of the  
11 driver education advisory board).

12 SECTION 413. IC 35-43-4-8 IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A conviction for  
14 an offense under section 2 of this chapter or section 3 of this chapter  
15 that involves exerting unauthorized control over gasoline or motor  
16 vehicle fuel:

17 (1) by operation of a motor vehicle to leave the premises of an  
18 establishment at which gasoline or motor vehicle fuel is offered  
19 for sale after the gasoline or motor vehicle fuel has been  
20 dispensed into the fuel tank of the motor vehicle; and

21 (2) without payment or authorization of payment by a credit card,  
22 debit card, charge card, or similar method of payment;  
23 shall result in the suspension of the driving privileges of the person.

24 (b) The court imposing a sentence for a violation under subsection  
25 (a) shall issue an order to the bureau of motor vehicles:

26 (1) stating that the person has been convicted of an offense under  
27 section 2 of this chapter or section 3 of this chapter involving the  
28 unauthorized taking of gasoline or motor vehicle fuel; and

29 (2) ordering the suspension of the person's driving privileges  
30 under ~~IC 9-25-6-21~~. **IC 9-30-13-8.**

31 The suspension of a person's driving privileges under this section is in  
32 addition to other penalties prescribed by IC 35-50-3-2 for a Class A  
33 misdemeanor or by IC 35-50-2-7 for a Class D felony.

34 SECTION 414. IC 35-48-4-15 IS AMENDED TO READ AS  
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. (a) If a person is  
36 convicted of an offense under section 1, 2, 3, 4, 5, 6, 7, 10, or 11 of this  
37 chapter, or conspiracy to commit an offense under section 1, 2, 3, 4, 5,  
38 6, 7, 10, or 11 of this chapter, and the court finds that a motor vehicle  
39 was used in the commission of the offense, the court shall, in addition  
40 to any other order the court enters, order that the person's:

- 41 (1) ~~operator's~~ **driver's** license be suspended;
- 42 (2) existing motor vehicle registrations be suspended; and

C  
o  
p  
y



1 (3) ability to register motor vehicles be suspended;  
 2 by the bureau of motor vehicles for a period specified by the court of  
 3 at least six (6) months but not more than two (2) years.

4 (b) If a person is convicted of an offense described in subsection (a)  
 5 and the person does not hold ~~an operator's a driver's~~ license or a  
 6 learner's permit, the court shall order that the person may not receive  
 7 ~~an operator's a driver's~~ license or a learner's permit from the bureau of  
 8 motor vehicles for a period of not less than six (6) months.

9 SECTION 415. IC 35-50-1-2, AS AMENDED BY P.L.126-2008,  
 10 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2012]: Sec. 2. (a) As used in this section, "crime of violence"  
 12 means the following:

- 13 (1) Murder (IC 35-42-1-1).
- 14 (2) Attempted murder (IC 35-41-5-1).
- 15 (3) Voluntary manslaughter (IC 35-42-1-3).
- 16 (4) Involuntary manslaughter (IC 35-42-1-4).
- 17 (5) Reckless homicide (IC 35-42-1-5).
- 18 (6) Aggravated battery (IC 35-42-2-1.5).
- 19 (7) Kidnapping (IC 35-42-3-2).
- 20 (8) Rape (IC 35-42-4-1).
- 21 (9) Criminal deviate conduct (IC 35-42-4-2).
- 22 (10) Child molesting (IC 35-42-4-3).
- 23 (11) Sexual misconduct with a minor as a Class A felony under  
 24 IC 35-42-4-9(a)(2) or a Class B felony under IC 35-42-4-9(b)(2).
- 25 (12) Robbery as a Class A felony or a Class B felony  
 26 (IC 35-42-5-1).
- 27 (13) Burglary as a Class A felony or a Class B felony  
 28 (IC 35-43-2-1).
- 29 (14) Operating a ~~motor~~ vehicle while intoxicated causing death  
 30 (IC 9-30-5-5).
- 31 (15) Operating a ~~motor~~ vehicle while intoxicated causing serious  
 32 bodily injury to another person (IC 9-30-5-4).
- 33 (16) Resisting law enforcement as a felony (IC 35-44-3-3).

34 (b) As used in this section, "episode of criminal conduct" means  
 35 offenses or a connected series of offenses that are closely related in  
 36 time, place, and circumstance.

37 (c) Except as provided in subsection (d) or (e), the court shall  
 38 determine whether terms of imprisonment shall be served concurrently  
 39 or consecutively. The court may consider the:

- 40 (1) aggravating circumstances in IC 35-38-1-7.1(a); and
- 41 (2) mitigating circumstances in IC 35-38-1-7.1(b);

42 in making a determination under this subsection. The court may order

C  
o  
p  
y



1 terms of imprisonment to be served consecutively even if the sentences  
 2 are not imposed at the same time. However, except for crimes of  
 3 violence, the total of the consecutive terms of imprisonment, exclusive  
 4 of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10, to  
 5 which the defendant is sentenced for felony convictions arising out of  
 6 an episode of criminal conduct shall not exceed the advisory sentence  
 7 for a felony which is one (1) class of felony higher than the most  
 8 serious of the felonies for which the person has been convicted.

9 (d) If, after being arrested for one (1) crime, a person commits  
 10 another crime:

11 (1) before the date the person is discharged from probation,  
 12 parole, or a term of imprisonment imposed for the first crime; or

13 (2) while the person is released:

14 (A) upon the person's own recognizance; or

15 (B) on bond;

16 the terms of imprisonment for the crimes shall be served consecutively,  
 17 regardless of the order in which the crimes are tried and sentences are  
 18 imposed.

19 (e) If the factfinder determines under IC 35-50-2-11 that a person  
 20 used a firearm in the commission of the offense for which the person  
 21 was convicted, the term of imprisonment for the underlying offense and  
 22 the additional term of imprisonment imposed under IC 35-50-2-11  
 23 must be served consecutively.

24 **SECTION 416. An emergency is declared for this act.**

C  
O  
P  
Y



## 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;**



C  
o  
p  
y

- (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".



C  
O  
P  
Y

- 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".

C  
O  
P  
Y

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".

C  
O  
P  
Y



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 ",".

C  
o  
p  
y



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".



C  
O  
P  
Y

- 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.**".

ES 257—LS 6814/DI 96+



C  
O  
P  
Y

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;

ES 257—LS 6814/DI 96+



C  
o  
p  
y

- (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+



COPY

## 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.)

ARNOLD

C  
O  
P  
Y



## 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.

C  
O  
P  
Y



## HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 257 be amended to read as follows:

Page 5, delete lines 21 through 24.  
 Page 6, delete line 42.  
 Page 7, delete lines 1 through 5.  
 Page 18, delete lines 4 through 18.  
 Page 35, delete lines 12 through 42.  
 Delete pages 36 through 38.  
 Page 39, delete lines 1 through 15.  
 Page 41, delete lines 41 through 42.  
 Page 42, delete lines 1 through 40.  
 Page 43, delete lines 3 through 37.  
 Page 44, delete lines 3 through 42.  
 Page 45, delete lines 1 through 35.  
 Page 46, delete lines 13 through 42.  
 Page 47, delete lines 1 through 27.  
 Page 49, delete lines 25 through 42.  
 Page 50, delete lines 1 through 3.  
 Page 50, delete lines 19 through 27.  
 Page 50, delete lines 31 through 42.  
 Delete pages 51 through 59.  
 Page 60, delete lines 1 through 16.  
 Page 127, delete lines 39 through 42.  
 Page 128, delete lines 1 through 19.  
 Page 144, delete lines 3 through 42.  
 Page 145, delete lines 1 through 5.  
 Page 158, delete lines 21 through 42.  
 Page 159, delete lines 1 through 25.  
 Page 160, delete lines 13 through 42.  
 Page 161, delete lines 1 through 11.  
 Page 163, delete lines 8 through 10.  
 Page 164, delete lines 20 through 42.  
 Page 168, delete lines 17 through 37.  
 Page 169, delete lines 19 through 28.  
 Page 170, delete lines 6 through 42.  
 Delete pages 171 through 172.  
 Page 173, delete lines 1 through 29.  
 Page 173, delete lines 39 through 42.  
 Page 174, delete lines 1 through 19.  
 Page 176, delete lines 18 through 38.

C  
o  
p  
y



Page 199, delete lines 23 through 34.  
Page 213, delete lines 17 through 42.  
Page 214, delete lines 1 through 24.  
Page 231, delete lines 18 through 42.  
Page 232, delete lines 1 through 39.  
Page 234, delete lines 30 through 42.  
Delete pages 235 through 236.  
Page 237, delete lines 1 through 7.  
Renumber all SECTIONS consecutively.

(Reference is to ESB 257 as printed February 10, 2012.)

SOLIDAY

---

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 257 be recommitted to a Committee of One, its sponsor, with specific instructions to amend as follows:

Page 127, delete lines 38 through 42.  
Page 128, delete 1 through 4.  
Page 147, delete lines 22 through 29.  
Renumber all SECTIONS consecutively.

(Reference is to ESB 257 as reprinted February 17, 2012.)

SOLIDAY

---

COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed Senate Bill 257, begs leave to report that said bill has been amended as directed.

SOLIDAY

C  
O  
P  
Y

