

**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 257**

Citations Affected: Numerous citations throughout the Indiana Code.

Synopsis: Motor vehicle law. Conference committee report for ESB 257. 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. Establishes the interim study committee on special group recognition license plates. Makes conforming changes and technical corrections. **(This conference committee report: (1) makes a technical correction regarding the market value of an abandoned vehicle or parts prior to disposal of the vehicle or parts by a police officer; (2) makes a technical punctuation correction; (3) makes technical cross-reference corrections; (4) makes corrections to reflect the passage of SEA 154-2012, SEA 274-2012, HEA 1270-2012, SEA 113-2012, and SEA 26-2012; (5) prohibits the bureau of motor vehicles from approving a new special group recognition license plate until July 15, 2013; (6) deletes language also contained in HEA 1247-2012; and (7) establishes the interim study committee on special group recognition license plates.)**

Effective: July 1, 2012.

Adopted Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 257 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
2 SECTION 1. IC 7.1-5-7-1, AS AMENDED BY P.L.94-2008,
3 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 1. (a) It is a Class C misdemeanor for a minor to
5 knowingly or intentionally make a false statement of the minor's age or
6 to present or offer false or fraudulent evidence of majority or identity
7 to a permittee for the purpose of ordering, purchasing, attempting to
8 purchase, or otherwise procuring or attempting to procure an alcoholic
9 beverage.
10 (b) In addition to the penalty under subsection (a), a minor who:
11 (1) uses a false or altered driver's license or the driver's license of
12 another person as evidence of majority under this section; or
13 (2) is convicted of purchasing or procuring an alcoholic beverage
14 with or without using a false or altered driver's license;
15 shall have the minor's driver's license, **permit, or driving privileges**
16 suspended for up to one (1) year in accordance with IC 9-24-18-8 and
17 IC 9-30-4-9.
18 (c) Upon entering a judgment of conviction for the misdemeanor
19 under this section, the court shall forward a copy of the judgment to the
20 bureau of motor vehicles for the purpose of complying with subsection
21 (b).
22 SECTION 2. IC 7.1-5-7-7, AS AMENDED BY SEA 274-2012,

1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2012]: Sec. 7. (a) Subject to IC 7.1-5-1-6.5, it is a Class C
3 misdemeanor for a minor to knowingly:

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

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

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

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

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

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

36 (b) "Antique motor vehicle", for purposes of IC 9-19-11-1(6), means
37 a passenger motor vehicle or truck that was manufactured without a
38 safety belt as a part of the standard equipment installed by the
39 manufacturer at each designated seating position, before the
40 requirement of the installation of safety belts in the motor vehicle
41 according to the standards stated in the Federal Motor Vehicle Safety
42 Standard Number 208 (49 CFR 571.208).

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

50 SECTION 6. IC 9-13-2-21 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 21. (a) "Chauffeur",
2 except as provided in subsection (b), means a person:

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

7 ~~(2) (1) operating a motor vehicle registered as having a gross~~
8 ~~weight of sixteen thousand (16,000) pounds or more for the~~
9 ~~purpose of transporting property for hire; or~~

10 ~~(3) (2) operating a private bus.~~

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

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

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

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

18 SECTION 7. IC 9-13-2-28 IS REPEALED [EFFECTIVE JULY 1,
19 2012]. Sec. 28: (a) "~~Commercial driver training school~~", for purposes
20 of IC 9-24-10-4, has the meaning set forth in IC 5-2-6.5-5:

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

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

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

31 (2) has a gross vehicle weight rating of at least twenty-six
32 thousand one (26,001) pounds;

33 (3) is designed to transport at least sixteen (16) or more
34 passengers, including the driver; or

35 (4) is:

36 (A) of any size;

37 (B) used in the transportation of materials found to be
38 hazardous for the purposes of the Hazardous Materials
39 Transportation Act; and

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

42 (b) The bureau of motor vehicles may, by rule, broaden the
43 definition of "commercial motor vehicle" under subsection (a) to
44 include vehicles with a gross declared weight greater than eleven
45 thousand (11,000) pounds but less than twenty-six thousand one
46 (26,001) pounds.

47 SECTION 9. IC 9-13-2-32.5 IS ADDED TO THE INDIANA CODE
48 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
49 1, 2012]: Sec. 32.5. "**Commission board**" refers to the **commission**
50 **board of the bureau of motor vehicles.**

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

8 (b) The term includes the following enterprises:

9 (1) An automotive salvage recycler.

10 (2) A hulk crusher.

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

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

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

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

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

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

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

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

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

42 (b) ~~"Identification number", for purposes of IC 9-17-4, has the~~
 43 ~~meaning set forth in IC 9-17-4-0.5.~~

44 SECTION 16. IC 9-13-2-117.5 IS AMENDED TO READ AS
 45 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 117.5. (a) "Operate",
 46 **except as provided in subsection (b), for purposes of IC 9-31,** means
 47 to navigate or otherwise use a motorboat vehicle.

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

50 SECTION 17. IC 9-13-2-118 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 118. (a) **Except as**
 2 **provided in subsection (b)**, "operator", ~~means; except as provided in~~
 3 ~~subsection (b)~~, when used in reference to a ~~motor~~ vehicle, **means** a
 4 person, other than a chauffeur or a public passenger chauffeur, who:

5 (1) drives or is in actual physical control of a ~~motor~~ vehicle upon
 6 a highway; or

7 (2) is exercising control over or steering a motor vehicle being
 8 towed by a ~~motor~~ **another** vehicle.

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

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

17 (1) a person who holds the legal title of a motor vehicle;

18 (2) ~~a person renting or leasing a motor vehicle and having~~
 19 ~~exclusive use of the motor vehicle for more than thirty (30) days;~~
 20 or

21 (3) ~~(2)~~ (2) if a motor vehicle is the subject of an agreement for the
 22 conditional sale or lease vested in the conditional vendee or
 23 lessee, or in the event the mortgagor, with the right of purchase
 24 upon the performance of the conditions stated in the agreement
 25 and with an immediate right of possession of a vehicle is entitled
 26 to possession, the conditional vendee or lessee or mortgagor.

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

30 (1) motor vehicle is the subject of an agreement for the
 31 conditional sale or lease of the motor vehicle with the right of
 32 purchase upon performance of the conditions stated in the
 33 agreement and with an immediate right of possession vested in
 34 the conditional vendee or lessee; or

35 (2) mortgagor of a motor vehicle is entitled to possession;

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

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

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

47 SECTION 19. IC 9-13-2-123.5, AS ADDED BY P.L.184-2007,
 48 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 49 JULY 1, 2012]: Sec. 123.5. "Permit" means ~~any kind of a~~ permit issued
 50 by the state authorizing an individual to operate a ~~motor~~ **the type of**

1 vehicle **for which the permit was issued** on public streets, roads, or
 2 highways **with certain restrictions.**

3 SECTION 20. IC 9-13-2-143 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 143. "Public passenger
 5 chauffeur" means **any of the following:**

6 (1) A person who operates a motor vehicle while in use as a
 7 school bus for the transportation of pupils to or from school; or to
 8 or from school athletic games or contests:

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

14 SECTION 21. IC 9-13-2-148 IS REPEALED [EFFECTIVE JULY
 15 1, 2012]. Sec. 148: "Raw milk"; for purposes of IC 9-20-4-2; has the
 16 meaning set forth in IC 9-20-4-2(d).

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

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

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

30 (A) **designed to perform a specific function; and**

31 (B) **drawn by a motor vehicle.**

32 **The term does not include a vehicle that is designed to carry**
 33 **persons.**

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

- 37 (1) 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 includes pole trailers and two (2) wheeled homemade trailers.

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

- 44 (1) with or without motive power;
- 45 (2) designed for carrying persons or property;
- 46 (3) designed for being drawn by a motor vehicle; and
- 47 (4) so constructed that no part of the weight of the trailer rests
 48 upon the towing vehicle.

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

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

1 means the combination of any motor vehicle towing another vehicle or
2 trailer.

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

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

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

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

14 SECTION 26. IC 9-13-2-188.5, AS AMENDED BY HEA
15 1270-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2012]: Sec. 188.5. "Truck driver training
17 school" means a postsecondary proprietary educational institution (as
18 defined in IC 22-4.1-21-9), **a state educational institution**, or a
19 postsecondary credit bearing proprietary educational institution (as
20 defined in IC 21-18.5-2-12) that:

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

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

24 (3) either:

25 (A) educates or trains a person; or

26 (B) prepares a person for an examination or a validation given
27 by the bureau;

28 to operate a truck as a vocation.

29 SECTION 27. IC 9-14-1-6 IS REPEALED [EFFECTIVE JULY 1,
30 2012]. ~~Sec. 6: A person who violates this chapter commits a Class C~~
31 ~~infraction.~~

32 SECTION 28. IC 9-14-2-4 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau shall
34 prescribe and provide all forms necessary to carry out any laws **or**
35 **rules** administered and enforced by the bureau.

36 SECTION 29. IC 9-14-2-5 IS REPEALED [EFFECTIVE JULY 1,
37 2012]. ~~Sec. 5: The bureau shall provide notary public service for the~~
38 ~~convenience of members of the public when applying for a certificate~~
39 ~~of title, registration, or license.~~

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

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

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

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

47 ~~(2) all licenses and permits issued by the commissioner;~~

48 under this title.

49 SECTION 31. IC 9-14-2-7 IS REPEALED [EFFECTIVE JULY 1,
50 2012]. ~~Sec. 7: A person who violates this chapter commits a Class C~~

1 ~~infraction.~~

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

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

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

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

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

- 21 (1) submitted in writing; or
22 (2) made electronically through the computer gateway
23 administered under IC 4-13.1-2-2(a)(5) by the office of
24 technology;

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

- 27 (b) The bureau shall not disclose:
28 (1) the Social Security number;
29 (2) the federal identification number;
30 (3) the driver's license number;
31 (4) the digital image of the driver's license applicant;
32 (5) a reproduction of the signature secured under IC 9-24-9-1 or
33 IC 9-24-16-3; or

34 (6) medical or disability information;
35 of any person except as provided in subsection (c).

36 (c) The bureau may disclose any information listed in subsection
37 (b):

- 38 (1) to a law enforcement officer;
39 (2) to an agent or a designee of the department of state revenue;
40 (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4),
41 IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or
42 (4) for voter registration and election purposes required under
43 IC 3-7 or IC 9-24-2.5.

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

48 (e) The ~~commission~~ **bureau** may not disclose any information
49 concerning the failure of an applicant for a title, registration, license,
50 or permit (other than a motor vehicle license described under

1 subsection (d)) to sign a voter registration application, except as
2 authorized under IC 3-7-14.

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

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

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

15 (1) That the information is required for the purposes of notifying
16 vehicle owners of vehicle defects and recall for modifications,
17 and that the individual or organization will use the information
18 provided only for that purpose.

19 (2) That the information will be used only for research or
20 statistical reporting purposes and that individual identities will be
21 properly protected in the preparation of the research or reports
22 and not ascertainable from the published reports or research
23 results.

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

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

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

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

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

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

37 ~~(1) Printed records.~~

38 ~~(2) Microfiche.~~

39 ~~(3) Computer disk.~~

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

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

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

46 (A) A moving traffic violation.

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

49 (2) Any administrative penalty imposed by the bureau.

50 (3) If the driving privileges of a person have been suspended or

1 revoked by the bureau, an entry in the record stating that a notice
2 of suspension or revocation was mailed by the bureau and the date
3 of the mailing of the notice.

4 (4) Any suspensions, revocations, or reinstatements of a person's
5 driving privileges, license, or permit.

6 (5) Any requirement that the person may operate only a motor
7 vehicle equipped with ~~an~~ **a** certified ignition interlock device.

8 (c) An entry in the ~~operating driving~~ **operating driving** record of a defendant stating
9 that notice of suspension or revocation was mailed by the bureau to the
10 defendant constitutes prima facie evidence that the notice was mailed
11 to the defendant's address as shown in the ~~official driving record~~
12 **records of the bureau.**

13 (d) ~~An operating A driving~~ **A driving** record maintained under this section:

14 (1) is not admissible as evidence in any action for damages arising
15 out of a motor vehicle accident; and

16 (2) may not include voter registration information.

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

23 (1) an individual named in the ~~certificate certification~~ **certificate certification** is an
24 officer or employee of a state, county, or city department or
25 bureau with police power;

26 (2) the nature of the individual's work or duties is of a secret or
27 confidential nature; and

28 (3) in the course of the individual's work the individual uses the
29 motor vehicle described in the ~~certificate~~; **certificate**;

30 the bureau shall regard all of the bureau's records concerning the
31 certificate of title or certificate of registration of the motor vehicle and
32 the operating license of the individual described in the ~~certificate~~
33 **certificate certification** as confidential.

34 (b) The bureau may disclose the records described in subsection (a)
35 only upon one (1) of the following:

36 (1) An order of a court of competent jurisdiction made in a cause
37 or matter pending before the court.

38 (2) The written request of the officer, employee, or a successor of
39 the officer or employee making the ~~certificate~~; **certificate certification**.

40 (3) A request of the governor.

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

46 (1) **Digital photograph or image.**

47 (2) **Social Security number.**

48 (3) **Medical or disability information.**

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

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
43 least one (1) of the following:

- 44 (1) For use by a government agency, including a court or law
45 enforcement agency, in carrying out its functions, or a person
46 acting on behalf of a government agency in carrying out its
47 functions.
- 48 (2) For use in connection with matters concerning:
 - 49 (A) motor vehicle or driver safety and theft;
 - 50 (B) motor vehicle emissions;

- 1 (C) motor vehicle product alterations, recalls, or advisories;
2 (D) performance monitoring of motor vehicles, motor vehicle
3 parts, and dealers;
4 (E) motor vehicle market research activities, including survey
5 research;
6 (F) the removal of nonowner records from the original owner
7 records of motor vehicle manufacturers; and
8 (G) motor fuel theft under IC 24-4.6-5.
- 9 (3) For use in the normal course of business by a business or its
10 agents, employees, or contractors, but only:
- 11 (A) to verify the accuracy of personal information submitted
12 by an individual to the business or its agents, employees, or
13 contractors; and
14 (B) if information submitted to a business is not correct or is
15 no longer correct, to obtain the correct information only for
16 purposes of preventing fraud by, pursuing legal remedies
17 against, or recovering on a debt or security interest against, the
18 individual.
- 19 (4) For use in connection with a civil, a criminal, an
20 administrative, or an arbitration proceeding in a court or
21 government agency or before a self-regulatory body, including the
22 service of process, investigation in anticipation of litigation, and
23 the execution or enforcement of judgments and orders, or under
24 an order of a court.
- 25 (5) For use in research activities, and for use in producing
26 statistical reports, as long as the personal information is not
27 published, re-disclosed, or used to contact the individuals who are
28 the subject of the personal information.
- 29 (6) For use by an insurer, an insurance support organization, or a
30 self-insured entity, or the agents, employees, or contractors of an
31 insurer, an insurance support organization, or a self-insured entity
32 in connection with claims investigation activities, anti-fraud
33 activities, rating, or underwriting.
- 34 (7) For use in providing notice to the owners of towed or
35 impounded vehicles.
- 36 (8) For use by a licensed private investigative agency or licensed
37 security service for a purpose allowed under this section.
- 38 (9) For use by an employer or its agent or insurer to obtain or
39 verify information relating to a holder of a commercial driver's
40 license that is required under the Commercial Motor Vehicle
41 Safety Act of 1986 (49 U.S.C. 2710 et seq.).
- 42 (10) For use in connection with the operation of private toll
43 transportation facilities.
- 44 (11) For any use in response to requests for individual motor
45 vehicle records when the bureau has obtained the written consent
46 of the person to whom the personal information pertains.
- 47 (12) For bulk distribution for surveys, marketing, or solicitations
48 when the bureau has obtained the written consent of the person to
49 whom the personal information pertains.
- 50 (13) For use by any person, when the person demonstrates, in a

1 form and manner prescribed by the bureau, that written consent
 2 has been obtained from the individual who is the subject of the
 3 information.

4 (14) For any other use specifically authorized by law that is
 5 related to the operation of a motor vehicle or public safety.

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

10 SECTION 43. IC 9-14-3.5-10.5, AS AMENDED BY P.L.184-2007,
 11 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2012]: Sec. 10.5. ~~(a) Except as provided in subsections (b)~~
 13 ~~and (c), the bureau may not disclose the following **Highly restricted**~~
 14 ~~personal information from a person's motor vehicle record:~~

15 ~~(1) Driver's license or digital photograph:~~

16 ~~(2) Social Security number:~~

17 ~~(3) Medical or disability information:~~

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

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

23 ~~(c) The bureau may disclose the personal information described in~~
 24 ~~subsection (a) without~~

25 ~~(2) **In the absence of** the express written consent of the person to~~
 26 ~~whom the **highly restricted** personal information pertains, if the~~
 27 ~~person requesting the information:~~

28 ~~(1) (A) provides proof of identity; and~~

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

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

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

44 (1) An individual of any age who:

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

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

50 (C) is certified to be severely restricted in mobility, either

1 temporarily or permanently, due to a pulmonary or
 2 cardiovascular disability, arthritic condition, or orthopedic or
 3 neurological impairment, by:

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

5
 6 (ii) a physician who is a commissioned medical officer of
 7 the armed forces of the United States or of the United States
 8 Public Health Service;

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

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

12
 13 (v) a podiatrist ~~licensed with a valid and unrestricted~~ **license** under IC 25-29-1; or

14
 15 (vi) an advanced practice nurse ~~licensed with a valid and~~ **unrestricted license** under IC 25-23; or

16
 17 (D) is certified **to be blind or visually impaired** by an
 18 optometrist or ophthalmologist ~~licensed with a valid and~~ **unrestricted license** to practice in Indiana. ~~to be blind or~~
 19 ~~visually impaired.~~

20
 21 (2) Any corporation, limited liability company, partnership,
 22 unincorporated association, and any legal successor of the
 23 corporation, limited liability company, partnership, or association,
 24 empowered by the state or a political subdivision to operate
 25 programs, including the provision of transportation, or facilities
 26 for persons with physical disabilities.

27 SECTION 46. IC 9-14-5-2 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The certification
 29 made by a physician, an optometrist, or an ophthalmologist under
 30 section 1(1)(C) or 1(1)(D) of this chapter must:

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

32
 33 (2) state the expected duration of the condition that severely
 34 restricts the individual's mobility.

35 SECTION 47. IC 9-14-5-4 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A placard issued
 37 under section 1(1) of this chapter expires ~~on the recipient's fourth~~
 38 ~~birthday that follows the date of the placard's issuance if only upon a~~ **physician's certification that** the recipient's disability is **no longer**
 39 **considered to be** permanent. ~~If the disability is permanent, a new~~
 40 ~~physician certification is not required upon expiration of the placard;~~
 41 ~~only reapplication.~~

42
 43 (b) If the recipient's disability is not permanent, a placard issued
 44 under section 1(1) of this chapter expires:

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

46 (2) on the date certified by a physician under section 1(1)(C) or
 47 1(1)(D) of this chapter;

48 whichever occurs first.

49 SECTION 48. IC 9-14-5-6 IS REPEALED [EFFECTIVE JULY 1,
 50 2012]. ~~Sec. 6. When issuing a placard under this chapter, the bureau~~

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

4 SECTION 49. IC 9-14-5-8 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau may
 6 establish by rule and charge a fee of not more than five dollars (\$5) to
 7 cover the cost of issuing a placard **or duplicate placard** under this
 8 chapter to ~~a~~ **an** individual having a temporary disability. However, the
 9 bureau may not establish or charge a fee for issuing a placard **or**
 10 **duplicate placard** under this chapter to an individual having a
 11 permanent disability.

12 SECTION 50. IC 9-15-1-2 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. **(a)** The commission
 14 **board** consists of the following five (5) individuals:

15 (1) Four (4) individuals, not more than two (2) of whom may be
 16 members of the same political party, who:

17 (A) shall be appointed by the governor;

18 (B) serve for terms of four (4) years;

19 (C) may not hold any other public office or serve as a state or
 20 local employee while serving as a commission **board** member;
 21 and

22 (D) shall devote as much time as is needed to carry out their
 23 duties, but are not required to devote full time to their duties.

24 (2) The commissioner, who:

25 (A) shall serve as chairman of the commission **board**; and

26 (B) is responsible for calling commission **board** meetings.

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

28 **(1) officers and employees of the license branches under**
 29 **IC 9-16; and**

30 **(2) other officers and employees designated as commission**
 31 **employees.**

32 SECTION 51. IC 9-15-1-3 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Three (3)
 34 commission **board** members constitute a quorum. The consent of three
 35 (3) commission **board** members is required before any action may be
 36 taken.

37 SECTION 52. IC 9-15-1-4 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) Each member of
 39 the commission **board** who is not a state employee is entitled to the
 40 minimum salary per diem provided by IC 4-10-11-2.1(b). ~~That A~~
 41 **board** member is also entitled to reimbursement for traveling expenses
 42 and other expenses actually incurred in connection with the member's
 43 duties, as provided in the state travel policies and procedures
 44 established by the Indiana department of administration and approved
 45 by the budget agency.

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

1 SECTION 53. IC 9-15-2-1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The commission
 3 **board** shall do the following:

4 ~~(1) Develop and continuously update the bureau's policies.~~

5 ~~(2) (1) Recommend to the governor legislation that is needed to~~
 6 ~~implement the policies developed by the commission. **operate the**~~
 7 ~~**license branches.**~~

8 ~~(3) (2) Recommend to the bureau proposed rules that are needed~~
 9 ~~to implement the policies developed by the commission and~~
 10 ~~require those proposed rules to be adopted under IC 4-22-2.~~
 11 ~~**operate the license branches.**~~

12 ~~(4) (3) Review revise, adopt, and submit to the budget agency~~
 13 ~~budget proposals for the commission the bureau, and the license~~
 14 ~~branches operated under IC 9-16, including the budget required~~
 15 ~~by IC 9-16-3-3.~~

16 ~~(5) (4) Establish the determination criteria and determine the~~
 17 ~~number and location of license branches to be operated under~~
 18 ~~IC 9-16. However, there must be at least one (1) full service~~
 19 ~~license branch in each county.~~

20 ~~(6) (5) Establish and adopt minimum standards for the operation~~
 21 ~~and maintenance of each full **or partial** service license branch~~
 22 ~~operated under IC 9-16.~~

23 ~~(7) Before January 1, 1997, establish and adopt minimum~~
 24 ~~standards for the operation and maintenance of each partial~~
 25 ~~service contractor under IC 9-16. The standards must result in~~
 26 ~~more convenience to the public by providing license branch~~
 27 ~~services at as many walk-up locations as possible without~~
 28 ~~increasing the costs of providing these services.~~

29 ~~(8) Before March 1, 1997, establish and adopt minimum~~
 30 ~~standards for providing license branch services using telephonic,~~
 31 ~~facsimile, electronic, or computer means under IC 9-16.~~

32 ~~(9) (6) Administer the state license branch fund established under~~
 33 ~~IC 9-29-14.~~

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

37 (1) Procure insurance against any loss in connection with the
 38 commission's operations in the amount the commission **board**
 39 considers necessary or desirable.

40 (2) Contract for the operation of full service license branches
 41 under IC 9-16-1-4 and partial services under IC 9-16-1-4.5.

42 (3) Take any other action necessary to achieve the commission's
 43 purpose.

44 SECTION 55. IC 9-15-4-1 IS AMENDED TO READ AS
 45 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. IC 34-13-3 applies
 46 to a claim or suit in tort against any of the following:

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

48 (2) An employee of the commission, **who is employed at a license**
 49 ~~branch under IC 9-16,~~ except for an employee employed at a
 50 license branch operated under a contract with the commission

- 1 under IC 9-16-1-4.
- 2 SECTION 56. IC 9-16-1-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. As used in this
- 4 chapter, "qualified person" means any of the following:
- 5 (1) A motor club that is any of the following:
- 6 (A) A domestic corporation.
- 7 (B) A foreign corporation qualified to transact business in
- 8 Indiana under IC 23-1 or IC 23-17.
- 9 (2) A financial institution (as defined in IC 28-1-1-3).
- 10 (3) A new motor vehicle dealer licensed under IC 9-23-2.
- 11 (4) Other persons, including persons licensed under IC 9-23-2
- 12 that are not covered by subdivision (3), that the commission
- 13 determines can meet the ~~standards adopted by the commission~~
- 14 ~~under IC 9-15-2-1(7)~~ and the requirements for partial service
- 15 contractors under section 4.5 of this chapter.
- 16 SECTION 57. IC 9-16-1-2 IS AMENDED TO READ AS
- 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The ~~commission~~
- 18 **commissioner** shall operate or be responsible for the administration of
- 19 all license branches in Indiana under this article.
- 20 SECTION 58. IC 9-16-1-2.5 IS AMENDED TO READ AS
- 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2.5. The number of
- 22 license branches may not be reduced in a county below the number in
- 23 existence on January 1, 2001, unless the ~~bureau~~ **commission:**
- 24 (1) holds a public hearing in the county; and
- 25 (2) receives unlimited public testimony before the commissioner
- 26 on the merits of closing the branch that the ~~bureau~~ **commission**
- 27 proposes to close in the county.
- 28 SECTION 59. IC 9-16-1-4 IS AMENDED TO READ AS
- 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The commission
- 30 may contract with a qualified person for:
- 31 (1) the operation of a full service license branch under this
- 32 section; ~~or~~
- 33 (2) ~~providing the provision of~~ partial services under section 4.5
- 34 of this chapter; ~~or~~
- 35 (3) **other services to process specific transactions as outlined**
- 36 **by the commission.**
- 37 (b) A contract for the operation of a full service license branch must
- 38 include the following provisions:
- 39 (1) The contractor shall provide a full service license branch,
- 40 including the following services:
- 41 (A) Vehicle titles.
- 42 (B) Vehicle registration.
- 43 (C) Driver's licenses.
- 44 (D) Voter registration as provided in IC 3-7.
- 45 (2) The contractor shall provide trained personnel to properly
- 46 process branch transactions.
- 47 (3) The contractor shall do the following:
- 48 (A) Collect and transmit all bureau fees and taxes collected at
- 49 the license branch.
- 50 (B) Deposit the taxes collected at the license branch with the

- 1 **commission to be deposited with the** county treasurer in the
 2 manner prescribed by IC 6-3.5 or IC 6-6-5.
- 3 (4) The contractor shall generate a transaction volume sufficient
 4 to justify the installation of bureau support systems.
- 5 (5) The contractor shall provide fidelity bond coverage in an
 6 amount prescribed by the commission.
- 7 (6) The contractor may operate the license branch within a facility
 8 used for other purposes.
- 9 (7) The contractor shall pay the cost of any post audits conducted
 10 by the commission or the state board of accounts on an actual cost
 11 basis.
- 12 (8) The commission shall provide support systems ~~and driver's~~
 13 license examiners on the same basis as state operated branches.
- 14 ~~(9) The commission shall provide the same equipment to~~
 15 ~~contractors as is provided to state operated branches.~~
- 16 ~~(10)~~ (9) The commission must approve each location and physical
 17 facility based upon criteria developed by the commission **board**.
- 18 ~~(11)~~ (10) The term of the contract must be for a fixed period.
- 19 ~~(12)~~ (11) The contractor shall agree to provide voter registration
 20 services and to perform the same duties imposed on the
 21 commission under IC 3-7.
- 22 SECTION 60. IC 9-16-1-4.5, AS AMENDED BY P.L.41-2011,
 23 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2012]: Sec. 4.5. (a) The commission may contract with a
 25 qualified person to provide partial services at a qualified person's
 26 location, including locations within a facility used for other purposes,
 27 such as electronic titling and title application services and self-serve
 28 terminal access.
- 29 (b) A contract for providing motor vehicle **title or** registration and
 30 renewal services, **or both**, at a location must include the following
 31 provisions:
- 32 (1) The contractor must provide trained personnel to properly
 33 process motor vehicle registration and renewal transactions.
- 34 (2) The contractor shall do the following:
- 35 (A) Collect and transmit all bureau fees and taxes collected at
 36 the contract location.
- 37 (B) Deposit the taxes collected at the contract location with the
 38 **commission to be deposited with the** county treasurer in the
 39 manner prescribed by IC 6-3.5 or IC 6-6-5.
- 40 (3) The contractor shall provide fidelity bond coverage in an
 41 amount prescribed by the commission.
- 42 (4) The contractor shall provide:
- 43 (A) liability insurance coverage in an amount not to exceed
 44 two million dollars (\$2,000,000) per occurrence, as prescribed
 45 by the commission; and
- 46 (B) indemnification of the commission for any liability in
 47 excess of the amount of coverage provided under clause (A),
 48 not to exceed five million dollars (\$5,000,000) per occurrence.
- 49 (5) The contractor shall pay the cost of any post audits conducted
 50 by the commission or the state board of accounts on an actual cost

- 1 basis.
- 2 (6) The commission must approve each location and physical
- 3 facility used by a contractor.
- 4 (7) The term of the contract must be for a fixed period.
- 5 SECTION 61. IC 9-16-2-5 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Notwithstanding
- 7 IC 5-16, IC 5-17-1, and IC 5-22, the commission may develop a system
- 8 of procurement that applies only to procurement of equipment,
- 9 materials, **services**, and goods required for the operation of license
- 10 branches.
- 11 (b) A system of procurement adopted under this section must
- 12 provide that whenever:
- 13 (1) a contract is awarded by acceptance of bids, proposals, or
- 14 quotations; and
- 15 (2) a trust (as defined in IC 30-4-1-1(a)) submits a bid, proposal,
- 16 or quotation;
- 17 the bid, proposal, or quotation must identify each beneficiary of the
- 18 trust and each settlor empowered to revoke or modify the trust.
- 19 (c) This section does not apply to the purchasing, leasing, or
- 20 disposal of real property.
- 21 SECTION 62. IC 9-16-3-1 IS REPEALED [EFFECTIVE JULY 1,
- 22 2012]. ~~Sec. 1: The manager of each license branch that is staffed by~~
- 23 ~~commission employees shall prepare and submit a proposed operating~~
- 24 ~~budget for that license branch to the commissioner before August 1 of~~
- 25 ~~each year:~~
- 26 SECTION 63. IC 9-16-3-2 IS AMENDED TO READ AS
- 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~Based on the~~
- 28 ~~proposed budgets from each of the license branches,~~ The commission
- 29 shall develop a statewide license branch budget. If the commission
- 30 **board** determines that the total of:
- 31 (1) revenues from license branch operations; and
- 32 (2) appropriations received by the commission;
- 33 are insufficient to support license branch operations, the commission
- 34 shall increase the branch service charges under IC 9-29-3.
- 35 SECTION 64. IC 9-16-3-3 IS AMENDED TO READ AS
- 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. ~~On or before~~
- 37 ~~September 1 a date specified by the budget agency~~ of each
- 38 even-numbered year, the commission shall submit to the budget agency
- 39 a proposed budget. The commission shall include, at a minimum, the
- 40 following information on a county by county basis:
- 41 (1) Total estimated revenue. ~~by source:~~
- 42 (2) Total estimated expenditures for salaries and fringe benefits.
- 43 (3) Total estimated expenditures for other personal services.
- 44 (4) Total estimated expenditures for nonpersonal services.
- 45 (5) Total estimated expenditures for contractual services.
- 46 (6) Total estimated expenditures for supplies and materials.
- 47 (7) All other estimated expenditures.
- 48 (8) The number of full-time and part-time employees.
- 49 (9) Other information the budget agency requires.
- 50 SECTION 65. IC 9-16-3-4 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. ~~Before October 1 of~~
 2 ~~each even-numbered year~~; The budget agency shall provide the
 3 information received under section 3 of this chapter to the budget
 4 committee for the committee's review.

5 SECTION 66. IC 9-16-4-1, AS AMENDED BY P.L.221-2005,
 6 SECTION 143, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2012]: Sec. 1. The commission **board** may
 8 develop a separate personnel system for employees of the commission
 9 who are assigned to be managers and employees of commission license
 10 branches. The system may establish the rights, privileges, powers, and
 11 duties of these employees, including a license branch pay scale and
 12 benefit package. If the commission **board** does not develop and adopt
 13 a license branch personnel system, those employees are subject to the
 14 state personnel system under ~~IC 4-15-1.8~~; **IC 4-15-2.2**, except as
 15 provided in IC 9-16-1-7.

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

- 19 (1) develop a retirement program for managers and employees of
 20 commission license branches; or
- 21 (2) cause managers and employees of commission license
 22 branches to be members of the public employees' retirement fund
 23 (IC 5-10.3-7).

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

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

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

- 38 (1) **special machinery**;
- 39 (2) farm wagons;
- 40 (3) a golf cart when operated in accordance with an ordinance
 41 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a); or
- 42 (4) a motor vehicle that was designed to have a maximum design
 43 speed of not more than twenty-five (25) miles per hour and that
 44 was built, constructed, modified, or assembled by a person other
 45 than the manufacturer;

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

48 SECTION 71. IC 9-17-2-1, AS AMENDED BY P.L.131-2008,
 49 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 50 JULY 1, 2012]: Sec. 1. (a) This section does not apply to an off-road

1 vehicle that is at least five (5) model years old.

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

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

6 (2) are off-road vehicles;

7 and that will be operated in Indiana.

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

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

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

15 (3) will be operated in Indiana.

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

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

20 (2) will be operated in Indiana.

21 (e) **A person must obtain a certificate of title for all vehicles**
22 **owned by the person not later than sixty (60) days after becoming**
23 **an Indiana resident.** A person must produce evidence concerning the
24 date on which the person became an Indiana resident.

25 SECTION 72. IC 9-17-2-2, AS AMENDED BY P.L.83-2008,
26 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2012]: Sec. 2. (a) A person applying for a certificate of title
28 for a vehicle must submit an application on a form furnished by the
29 bureau ~~that contains and provide~~ the following information:

30 (1) A full description of the vehicle, **including the make, model,**
31 **and year of manufacture of the vehicle.**

32 (2) A statement of ~~the person's title and~~ of any lien or
33 encumbrance on the vehicle.

34 **(3) The vehicle identification number or special identification**
35 **number of the vehicle.**

36 **(4) The former title number, if applicable.**

37 **(5) The purchase or acquisition date.**

38 **(6) The name, residence address and, if different from the**
39 **residence address, mailing address, and Social Security**
40 **number or federal identification number of the person.**

41 ~~(7)~~ **(7) Other information that** the bureau requires.

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

45 (1) Surrender the certificate of title designating the individual as
46 a transfer on death beneficiary.

47 (2) Submit proof of the transferor's death.

48 (3) Submit an application for a certificate of title on a form
49 furnished by the bureau that meets the requirements of subsection

50 (a).

51 SECTION 73. IC 9-17-2-3, AS AMENDED BY P.L.131-2008,

1 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2012]: Sec. 3. (a) The **form application** described under
3 section 2 of this chapter must include the following printed statement:

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

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

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

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

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

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

26 SECTION 76. IC 9-17-2-9, AS AMENDED BY P.L.1-2007,
27 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2012]: Sec. 9. (a) This section does not apply to a ~~motor an
29 off-road~~ vehicle requiring a certificate of title under ~~section 4(b)(2) or
30 4.5~~ of this chapter.

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

- 32 (1) apply for registration of the vehicle described in the
33 application for the certificate of title; or
34 (2) transfer the current registration of the vehicle owned or
35 previously owned by the person.

36 SECTION 77. IC 9-17-2-10 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. If the bureau is
38 satisfied that the person applying for a certificate of title is the owner
39 of the vehicle, ~~or is otherwise entitled to have the vehicle registered in
40 the person's name~~, the bureau may issue a certificate of title for the
41 vehicle.

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

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

50 SECTION 79. IC 9-17-3-2 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) If a certificate of
2 title:

- 3 (1) is lost **or stolen**;
4 (2) is mutilated;
5 (3) is destroyed; or
6 (4) becomes illegible;

7 the person who owns the vehicle or the legal representative or legal
8 successor in interest of the person who owns the vehicle for which the
9 certificate of title was issued, as shown by the records of the bureau,
10 shall immediately apply for and may obtain a duplicate certificate of
11 title.

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

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

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

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

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

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

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

36 SECTION 81. IC 9-17-3-4 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A certificate of
38 title for a vehicle held by an Indiana resident who is serving in the
39 armed forces of the United States may be transferred by the **Indiana**
40 resident to another person if the resident authorizes the transfer by a
41 **valid power of attorney or a** letter signed by the **Indiana** resident.
42 **The valid power of attorney or the letter must be accompanied by**
43 **proof that the Indiana resident is actively serving in the armed**
44 **forces of the United States and is outside Indiana.**

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

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

- 50 (1) must be attached to the certificate of title being transferred;

1 and

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

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

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

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

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

16 (2) any provision of an Indiana statute;

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

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

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

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

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

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

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

32 **the vehicle.**

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

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

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

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

48 (A) whether that motor vehicle has previously been titled in
49 Indiana; and

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

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

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

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

8 (A) frame;

9 (B) chassis;

10 (C) cab; or

11 (D) body;

12 replaced **or constructed**; or

13 (2) a motorcycle that has had the:

14 (A) frame; or

15 (B) engine;

16 replaced **or constructed**.

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

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

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

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

33 (2) make application through the bureau for ~~an~~ a **special**
 34 identification number for the motor vehicle, semitrailer, or
 35 recreational vehicle;

36 (3) after receipt of the **special** identification number described in
 37 subdivision (2), stamp or attach the **special** identification number
 38 received from the bureau in the manner provided in section ~~2(2)~~
 39 **2(3)** of this chapter; and

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

42 SECTION 88. IC 9-17-4-2 IS AMENDED TO READ AS
 43 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A certificate of title
 44 may not be issued for a **manufactured or** privately assembled motor
 45 vehicle, semitrailer, or recreational vehicle that does not have a
 46 ~~distinctive~~ **special** identification number stamped on the motor vehicle,
 47 semitrailer, or recreational vehicle or permanently attached to the
 48 motor vehicle, semitrailer, or recreational vehicle until the person who
 49 owns the motor vehicle, semitrailer, or recreational vehicle has:

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

1 (+) (2) obtained from the bureau ~~an~~ a **special** identification
 2 number designated by the bureau; and
 3 (2) (3) stamped or permanently attached the **special** identification
 4 number in a conspicuous place on the frame of the motor vehicle,
 5 semitrailer, or recreational vehicle.

6 SECTION 89. IC 9-17-4-3 IS REPEALED [EFFECTIVE JULY 1,
 7 2012]. ~~Sec. 3. In obtaining an identification number, substantially the~~
 8 ~~same procedure shall be followed as is provided in this article for~~
 9 ~~obtaining a certificate of title from the bureau.~~

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

13 (1) A description and other evidence of identification of the motor
 14 vehicle, semitrailer, or recreational vehicle as required by the
 15 bureau.

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

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

20 (A) For a vehicle assembled using all new vehicle parts,
 21 excluding the vehicle frame, "~~ASSEMBLED~~
 22 **"RECONSTRUCTED VEHICLE"**.

23 (B) For a vehicle assembled using used parts, "REBUILT
 24 VEHICLE".

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

27 SECTION 91. IC 9-17-4-4.5 IS ADDED TO THE INDIANA CODE
 28 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
 29 1, 2012]: **Sec. 4.5. (a) A person must obtain a body change title**
 30 **whenever a vehicle is altered so that the alteration changes the type**
 31 **of the vehicle, as noted on the:**

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

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

34 **of the vehicle.**

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

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

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

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

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

44 SECTION 92. IC 9-17-5-5 IS ADDED TO THE INDIANA CODE
 45 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
 46 1, 2012]: **Sec. 5. (a) A security agreement covering a security**
 47 **interest in a vehicle that is not inventory held for sale can be**
 48 **perfected only if the bureau indicates the security interest on the**
 49 **certificate of title or duplicate. Except as otherwise provided in**
 50 **subsections (b) and (c), IC 26-1-9.1 applies to security interests in**
 51 **vehicles.**

1 **(b) The secured party, upon presentation to the bureau of a**
 2 **properly completed application for certificate of title together with**
 3 **the fee prescribed, may have a notation of the lien made on the face**
 4 **of the certificate of title to be issued by the bureau. The bureau**
 5 **shall:**

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

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

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

17 SECTION 94. IC 9-17-7-2.5 IS ADDED TO THE INDIANA CODE
 18 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 19 1, 2012]: **Sec. 2.5. (a) A security agreement covering a security**
 20 **interest in a trailer that is not inventory held for sale can be**
 21 **perfected only if the bureau indicates the security interest on the**
 22 **certificate of title or duplicate. Except as otherwise provided in**
 23 **subsections (b) and (c), IC 26-1-9.1 applies to security interests in**
 24 **trailers.**

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

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

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

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

- 38 (1) Farm wagons.
 39 (2) Farm tractors.
 40 (3) A new motor vehicle if the new motor vehicle is being
 41 operated in Indiana solely to remove it from an accident site to a
 42 storage location because:
 43 (A) the new motor vehicle was being transported on a railroad
 44 car or semitrailer; and
 45 (B) the railroad car or semitrailer was involved in an accident
 46 that required the unloading of the new motor vehicle to
 47 preserve or prevent further damage to it.
 48 (4) An implement of agriculture designed to be operated primarily
 49 in a farm field or on farm premises.
 50 (5) Off-road vehicles.
 51 (6) Golf carts when operated in accordance with an ordinance

1 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).

2 **(7) Vehicles that are not issued a certificate of title under**
 3 **IC 9-17, unless otherwise provided in this article.**

4 SECTION 96. IC 9-18-2-1, AS AMENDED BY P.L.1-2009,
 5 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 1. (a) ~~Within sixty (60) days after becoming an~~
 7 ~~Indiana resident~~; A person must register all motor vehicles owned by
 8 the person that:

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

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

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

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

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

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

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

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

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

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

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

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

- 47 (1) states facts demonstrating that the motor vehicle is a motor
 48 vehicle described in subsection (g); and
 49 (2) is signed by the owner of the motor vehicle under penalties of
 50 perjury;

1 as sufficient proof that the owner of the motor vehicle is not required
 2 to register the motor vehicle during a registration year described in
 3 subsection (g). The commission or bureau may not require the Indiana
 4 resident to pay any civil penalty or any reinstatement or other fee that
 5 is not also charged to other motor vehicles being registered in the same
 6 registration year.

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

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

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

19 (1) The:

- 20 (A) name, bona fide residence, and mailing address, including
 21 the name of the county, of the person who owns the vehicle; or
 22 (B) business address, including the name of the county, of the
 23 person that owns the vehicle if the person is a firm, a
 24 partnership, an association, a corporation, a limited liability
 25 company, or a unit of government.

26 If the vehicle that is being registered has been leased and is
 27 subject to the motor vehicle excise tax under IC 6-6-5 or the
 28 commercial vehicle excise tax under IC 6-6-5.5, ~~the application~~
 29 ~~must contain~~ the address of the person who is leasing the vehicle
 30 **must be provided.** If the vehicle that is being registered has been
 31 leased and is not subject to the motor vehicle excise tax under
 32 IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5,
 33 ~~the application must contain~~ the address of the person who owns
 34 the vehicle, the person who is the lessor of the vehicle, or the
 35 person who is the lessee of the vehicle **must be provided.** If a
 36 leased vehicle is to be registered under the International
 37 Registration Plan, the registration procedures are governed by the
 38 terms of the plan.

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

- 41 (A) The name of the manufacturer of the vehicle.
 42 (B) The vehicle identification number.
 43 (C) The manufacturer's rated capacity if the vehicle is a truck,
 44 tractor, trailer, or semitrailer.
 45 (D) The type of body of the vehicle.
 46 (E) The model year of the vehicle.
 47 **(F) The color of the vehicle.**

48 ~~(F)~~ **(G)** Any other information reasonably required by the
 49 bureau to enable the bureau to determine if the vehicle may be
 50 registered. The bureau may request the person applying for

- 1 registration to provide the vehicle's odometer reading.
 2 (3) ~~A space on the application in which~~ The person registering the
 3 vehicle may indicate the person's desire to donate money to
 4 organizations that promote the procurement of organs for
 5 anatomical gifts. The ~~space on the application~~ **bureau** must:
 6 (A) allow the person registering the vehicle to indicate the
 7 amount the person desires to donate; and
 8 (B) provide that the minimum amount a person may donate is
 9 one dollar (\$1).

10 Funds collected under this subdivision shall be deposited with the
 11 treasurer of state in a special account. The auditor of state shall
 12 monthly distribute the money in the special account to the
 13 anatomical gift promotion fund established by IC 16-19-3-26. The
 14 bureau may deduct from the funds collected under this
 15 subdivision the costs incurred by the bureau in implementing and
 16 administering this subdivision.

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

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

- 25 (1) determine:
 26 (A) the genuineness and regularity of the ~~application;~~
 27 **information;** and
 28 (B) that the person applying for registration is entitled to
 29 register the vehicle;
 30 ~~(2) file the application;~~
 31 ~~(3)~~ **(2)** subject to subsection (b), register the vehicle described in
 32 the application; and
 33 ~~(4)~~ **(3)** keep a record of the ~~application on suitable index cards~~
 34 **registration of the vehicle** under a distinctive registration
 35 number assigned to the vehicle ~~and in any other a~~ manner the
 36 bureau considers desirable for the convenience of the bureau.

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

- 43 (1) the bureau; or
 44 (2) the appropriate authority under IC 9-21-3.5 that is responsible
 45 for the collection of fines, charges, or other assessments for toll
 46 violations under IC 9-21-3.5.

47 If the owner pays the fine, charge, or assessment, plus any applicable
 48 fees, to the bureau as described in subdivision (1), the bureau shall
 49 remit the appropriate amount to the appropriate authority under
 50 IC 9-21-3.5 that is responsible for the collection of fines, charges,

1 assessments, or fees for toll violations under IC 9-21-3.5.

2 SECTION 100. IC 9-18-2-21 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 21. (a) ~~★~~ **The person**
4 **who registers a vehicle, whose name appears on the certificate of**
5 **registration**, except a person who registers a vehicle under the
6 International Registration Plan, shall sign the person's copy of the
7 certificate of registration in ink in the space provided.

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

10 (1) in the vehicle to which the registration refers; or

11 (2) by the person driving or in control of the vehicle, who shall
12 display the registration upon the demand of a police officer.

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

16 SECTION 101. IC 9-18-2-24 IS REPEALED [EFFECTIVE JULY
17 1, 2012]. ~~Sec. 24: The bureau may destroy applications for registration~~
18 ~~of motor vehicles that have been on file in the bureau for a period of at~~
19 ~~least three (3) years.~~

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

25 (1) register the piece of special machinery with the bureau; and

26 (2) pay the applicable **special machinery** registration fee.

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

29 (1) prescribe forms; and

30 (2) adopt rules;

31 to implement this chapter.

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

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

37 (1) made under the laws governing applications; and

38 (2) signed for, on behalf of the holder, by the person named in the
39 letter.

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

46 SECTION 106. IC 9-18-7-1 IS AMENDED TO READ AS
47 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) A person may
48 apply for and receive a temporary registration permit for a motor
49 vehicle, semitrailer, trailer designed to be used with a semitrailer, or
50 recreational vehicle.

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

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

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

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

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

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

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

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

27 **(6) The person owns a vehicle for which emissions testing is**
 28 **required and the vehicle will require further mechanical**
 29 **repairs in order to comply with the emissions testing**
 30 **requirements.**

31 (c) The bureau shall prescribe the form of a temporary registration
 32 permit.

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

35 (e) The bureau may provide for the bulk issuance of temporary
 36 registration permits to manufacturers for the purpose of subsection
 37 (b)(4).

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

42 SECTION 107. IC 9-18-7-1.5 IS REPEALED [EFFECTIVE JULY
 43 1, 2012]. Sec. 1.5: (a) This section applies to a temporary registration
 44 permit obtained:

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

46 (2) by an individual who:

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

48 (B) purchases a vehicle described in subdivision (1) with the
 49 intention of registering the vehicle in the foreign country of
 50 which the individual is a citizen.

51 (b) A temporary registration permit issued under this section is valid

1 for ninety (90) days from the date of issuance and authorizes the use of
2 the vehicle on the highways:

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

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

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

13 SECTION 108. IC 9-18-11-3 IS REPEALED [EFFECTIVE JULY
14 1, 2012]. Sec. 3: A person engaged in operating at least one (1) fleet of
15 intercity buses may, instead of registering the buses under any other
16 law, register each fleet for operation in Indiana by filing an application
17 with the bureau that contains the following information:

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

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

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

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

26 SECTION 109. IC 9-18-12-3 IS REPEALED [EFFECTIVE JULY
27 1, 2012]. Sec. 3: (a) An application for the registration of an antique
28 motor vehicle under this chapter must be accompanied by a certificate
29 that indicates that the antique motor vehicle has:

30 (1) been inspected for general safety; and

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

33 (b) The state police department shall make the inspection and issue
34 the certificate under this section:

35 SECTION 110. IC 9-18-14-2 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. If a person who owns
37 a military vehicle registers the military vehicle under this chapter, the
38 registration of the military vehicle is for the life of the military vehicle.
39 **A person who owns a military vehicle shall also pay any applicable
40 excise taxes under IC 6-6-5 and IC 6-6-5.5.**

41 SECTION 111. IC 9-18-14-5 IS REPEALED [EFFECTIVE JULY
42 1, 2012]. Sec. 5: The bureau shall adopt rules under IC 4-22-2 to
43 implement this chapter:

44 SECTION 112. IC 9-18-25-2 IS AMENDED TO READ AS
45 FOLLOWS [EFFECTIVE JANUARY 1, 2012 (RETROACTIVE)]:
46 Sec. 2. (a) The bureau shall adopt rules under IC 4-22-2 establishing
47 the requirements to qualify for participation in the special group
48 recognition license plate program.

49 (b) Representatives of a special group shall petition the bureau to
50 qualify for participation in the special group recognition license plate

1 program.

2 (c) Each petition submitted under this section must contain the
3 printed name, address, and signature of at least five hundred (500)
4 members of the special group who pledge to purchase the special group
5 recognition license plate if a special group recognition license plate is
6 issued for the group under this chapter.

7 (d) **Except as provided in subsection (e)**, when a petition
8 containing the information required in subsection (c) is submitted to
9 the bureau, the bureau may design and issue a special group
10 recognition license plate that designates a vehicle as being registered
11 under this chapter by a person (as defined in IC 9-13-2-124) who is a
12 member of the special group.

13 **(e) This subsection expires December 31, 2013. Notwithstanding**
14 **subsection (d), the bureau may not approve a new special group**
15 **recognition license plate in accordance with this section until July**
16 **15, 2013.**

17 SECTION 113. IC 9-22-1-4, AS AMENDED BY P.L.191-2007,
18 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (c), the
20 ~~person who owns~~ **owner of** an abandoned vehicle or parts is:

- 21 (1) responsible for the abandonment; and
22 (2) liable for all of the costs incidental to the removal, storage,
23 and disposal;
24 of the vehicle or the parts under this chapter.

25 (b) The costs for storage of an abandoned vehicle may not exceed
26 one thousand five hundred dollars (\$1,500).

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

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

35 SECTION 114. IC 9-22-1-5 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. When an officer
37 discovers a vehicle in the possession of a person other than the ~~person~~
38 ~~who owns~~ **owner of** the vehicle and the person cannot establish the
39 right to possession of the vehicle, the vehicle shall be taken to and
40 stored in a suitable place.

41 SECTION 115. IC 9-22-1-6 IS REPEALED [EFFECTIVE JULY 1,
42 2012]. ~~Sec. 6. The bureau shall be notified within seventy-two (72)~~
43 ~~hours of the location and description of a vehicle described in section~~
44 ~~5 of this chapter.~~

45 SECTION 116. IC 9-22-1-7, AS AMENDED BY P.L.191-2007,
46 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
47 JULY 1, 2012]: Sec. 7. If:

- 48 (1) the ~~person who owns~~ **owner** or ~~holds a lien~~ **lienholder** under
49 section 8 of this chapter does not appear and pay all costs; or
50 (2) the ~~person who owns~~ **owner of** a vehicle cannot be

1 determined by a search conducted under section 19 of this
2 chapter;
3 the vehicle is considered abandoned and must be disposed of under this
4 chapter.

5 SECTION 117. IC 9-22-1-8 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. If the properly
7 identified person who owns or holds a lien on a vehicle appears at the
8 site of storage before disposal of the vehicle or parts and pays all costs
9 incurred against the vehicle or parts at that time, the vehicle or parts
10 shall be released. **A towing service shall notify the appropriate**
11 **public agency of all releases under this section. The notification**
12 **must include the name, signature, and address of the person that**
13 **owns or holds a lien on the vehicle, a description of the vehicle or**
14 **parts, costs, and the date of release.**

15 SECTION 118. IC 9-22-1-9 IS REPEALED [EFFECTIVE JULY 1,
16 2012]. ~~Sec. 9: The release must state the name, signature, and address~~
17 ~~of the person who owns or holds a lien on the vehicle; a description of~~
18 ~~the vehicle or parts; costs; and date of release. A towing service shall~~
19 ~~notify the appropriate public agency of all releases under section 8 of~~
20 ~~this chapter.~~

21 SECTION 119. IC 9-22-1-12, AS AMENDED BY P.L.131-2008,
22 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2012]: Sec. 12. If a vehicle or a part tagged under section 11
24 of this chapter is not removed within the applicable period, the officer
25 shall prepare a written abandoned vehicle report of the vehicle or parts,
26 including information on the condition **and** missing parts. ~~and other~~
27 ~~facts that might substantiate the estimated market value of the vehicle~~
28 ~~or parts. Photographs shall may be taken to describe the condition of~~
29 the vehicle or parts.

30 SECTION 120. IC 9-22-1-13, AS AMENDED BY P.L.191-2007,
31 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2012]: Sec. 13. (a) If ~~in the opinion of the officer~~ **vehicle is a**
33 **junk vehicle and** the market value of an abandoned vehicle or parts
34 ~~determined in accordance with section 12 of this chapter~~ is less than:

35 (1) ~~five hundred dollars (\$500);~~ **one thousand dollars (\$1,000);**
36 or

37 (2) in a municipality that has adopted an ordinance under
38 subsection (b), the amount established by the ordinance;

39 the ~~officer towing service~~ shall immediately ~~dispose of transfer~~
40 the vehicle to a storage yard. A copy of the abandoned vehicle report and
41 photographs, **if applicable**, relating to the abandoned vehicle shall be
42 ~~forwarded provided~~ to the ~~bureau~~ **storage yard**. A towing service **or**
43 **storage yard** may dispose of an abandoned vehicle not less than thirty
44 (30) days after the date on which the towing service removed the
45 abandoned vehicle. A city, county, or town that operates a storage yard
46 under IC 36-9-30-3 may dispose of an abandoned vehicle to an
47 automobile scrapyard or an automotive salvage recycler upon removal
48 of the abandoned vehicle. The public agency **or storage yard**
49 disposing of the vehicle shall retain the original records and
50 photographs for at least two (2) years. **If the vehicle is demolished, a**

1 **copy of the abandoned vehicle report shall be forwarded to the**
 2 **bureau by the automobile scrap yard after the vehicle has been**
 3 **demolished.**

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

9 **(c) When the bureau receives the report described in subsection**
 10 **(a), the bureau shall note the status of the vehicle in the records of**
 11 **the bureau.**

12 SECTION 121. IC 9-22-1-14, AS AMENDED BY P.L.104-2005,
 13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2012]: Sec. 14. (a) If in the opinion of the officer the market
 15 value of the abandoned vehicle or parts ~~determined in accordance with~~
 16 ~~section 12 of this chapter~~ is at least:

17 (1) ~~five hundred dollars (\$500);~~ **one thousand dollars (\$1,000);**

18 or

19 (2) in a municipality that has adopted an ordinance under section
 20 13(b) of this chapter, the amount established by the ordinance;
 21 the officer, before placing a notice tag on the vehicle or parts, shall
 22 make a reasonable effort to ascertain the person who owns the vehicle
 23 or parts or who may be in control of the vehicle or parts.

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

26 SECTION 122. IC 9-22-1-17, AS AMENDED BY P.L.191-2007,
 27 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2012]: Sec. 17. A towing service that tows a vehicle under
 29 section 5 or 16 of this chapter shall give notice to the public agency
 30 that the abandoned vehicle is in the possession of the towing service.

31 SECTION 123. IC 9-22-1-19, AS AMENDED BY P.L.191-2007,
 32 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2012]: Sec. 19. (a) Within seventy-two (72) hours after
 34 removal of a vehicle to a storage yard or towing service under section
 35 5, 13, 14, or 16 of this chapter, the public agency or towing service
 36 shall ~~do the following~~:

37 ~~(1) Prepare and forward to the bureau a report containing a~~
 38 ~~description of the vehicle, including the following information~~
 39 ~~concerning the vehicle:~~

40 ~~(A) The make:~~

41 ~~(B) The model:~~

42 ~~(C) The identification number:~~

43 ~~(D) The number of the license plate:~~

44 ~~(2) conduct a search of national data bases, including a data base~~
 45 ~~of vehicle identification numbers, to attempt to obtain the last~~
 46 ~~state of record of the vehicle in order to attempt to ascertain~~
 47 ~~the name and address of the person who owns or holds a lien on~~
 48 ~~the vehicle.~~

49 (b) Notwithstanding section 4 of this chapter, if the public agency
 50 or towing service fails to notify the bureau of the removal of an
 51 abandoned vehicle within seventy-two (72) hours after the vehicle is

1 removed as required by subsection (a); the public agency or towing
2 service:

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

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

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

15 (1) name;

16 (2) address; and

17 (3) telephone number;

18 of the public agency or towing service. **The notice must be made by**
19 **certified mail or by means of an electronic service approved by the**
20 **bureau.** Notwithstanding section 4 of this chapter, **and subsection**
21 **(b)(2)**; a public agency or towing service that fails to notify a person
22 **who owns the owner of** or holds a lien **lienholder** on the vehicle as set
23 forth in this subsection may not collect additional storage costs
24 incurred after the date of receipt of the name and address obtained.
25 under subsection (a)(2):

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

29 SECTION 124. IC 9-22-1-21.5 IS ADDED TO THE INDIANA
30 CODE AS A NEW SECTION TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2012]: **Sec. 21.5. (a) An individual, a firm, a**
32 **limited liability company, or a corporation that performs labor,**
33 **furnishes materials or storage, or does repair work on a motor**
34 **vehicle, trailer, semitrailer, or recreational vehicle at the request**
35 **of the person that owns the vehicle has a lien on the vehicle for the**
36 **reasonable value of the charges for the labor, materials, storage, or**
37 **repairs.**

38 (b) **An individual, a firm, a partnership, a limited liability**
39 **company, or a corporation that provides towing services for a**
40 **motor vehicle, trailer, semitrailer, or recreational vehicle:**

41 (1) **at the request of the person that owns the motor vehicle,**
42 **trailer, semitrailer, or recreational vehicle;**

43 (2) **at the request of an individual, a firm, a partnership, a**
44 **limited liability company, or a corporation on whose property**
45 **an abandoned motor vehicle, trailer, semitrailer, or**
46 **recreational vehicle is located; or**

47 (3) **in accordance with this chapter;**

48 **has a lien on the vehicle for the reasonable value of the charges for**
49 **the towing services and other related costs. An individual, a firm,**
50 **a partnership, a limited liability company, or a corporation that**
51 **obtains a lien for an abandoned vehicle under subdivision (2) must**

1 comply with sections 16, 17, and 19 of this chapter.

2 (c) If:

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

5 (2) the motor vehicle, trailer, semitrailer, or recreational
6 vehicle is not claimed;

7 not later than thirty (30) days after the date on which the vehicle
8 is left in or comes into the possession of the individual, firm, limited
9 liability company, or corporation for repairs, storage, towing, or
10 the furnishing of materials, the individual, firm, limited liability
11 company, or corporation may advertise the vehicle for sale. The
12 vehicle may not be sold earlier than fifteen (15) days after the date
13 the advertisement required by subsection (d) has been placed or
14 fifteen (15) days after notice required by subsection (e) has been
15 sent, whichever is later.

16 (d) Before a vehicle may be sold under subsection (c), an
17 advertisement must be placed in a newspaper that is printed in
18 English and of general circulation in the city or town in which the
19 place of business of the lienholder is located. If the lienholder is
20 located outside the corporate limits of a city or a town, the
21 advertisement must be placed in a newspaper of general circulation
22 in the county in which the place of business of the lienholder is
23 located. The advertisement must contain at least the following
24 information:

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

27 (2) The amount of the unpaid charges.

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

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

31 (1) notify the owner of the vehicle and any other person that
32 holds a lien of record at the owner's or other lienholder's last
33 known address by certified mail, return receipt requested; or

34 (2) if the vehicle is an abandoned vehicle, provide notice as
35 required under subdivision (1) if the location of the owner of
36 the vehicle or a lienholder of record is determined by the
37 bureau in a search under section 19 of this chapter;

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

40 (f) A person that holds a lien of record on a vehicle subject to
41 sale under this section may pay the storage, repair, towing, or
42 service charges due. If the person that holds the lien of record
43 elects to pay the charges due, the person is entitled to possession of
44 the vehicle and becomes the holder of the lien imposed by this
45 section.

46 (g) If the owner of a vehicle subject to sale under this section
47 does not claim the vehicle and satisfy the lien on the vehicle, the
48 vehicle may be sold at public auction to the highest and best bidder.
49 A person that holds a lien under this section may purchase a
50 vehicle subject to sale under this section.

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

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

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

16 (1) The facts of the sale.

17 (2) The vehicle identification number.

18 (3) The certificate of title if available.

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

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

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

26 SECTION 125. IC 9-22-1-23, AS AMENDED BY P.L.191-2007,
 27 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2012]: Sec. 23. (a) This section applies to a city, town, or
 29 county.

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

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

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

42 (c) This subsection applies to a consolidated city or county
 43 containing a consolidated city. If the person who owns or holds a lien
 44 upon a vehicle does not appear within fifteen (15) days after the
 45 mailing of a notice **or the notification made by electronic service**
 46 under section 19 of this chapter, the unit may sell the vehicle or parts
 47 by either of the following methods:

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

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

4 SECTION 126. IC 9-22-1.5-4 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The property owner
 6 shall:

7 (1) request that a search be performed in the records of the bureau
 8 for the name and address of the owner of the mobile home and the
 9 name and address of any person holding a lien or security interest
 10 on the mobile home;

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

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

36 (4) conduct an auction, not less than thirty (30) days after the
 37 return receipt is received by the property owner, on the property
 38 where the mobile home was left without permission;

39 (5) provide a reasonable time before the sale for prospective
 40 purchasers to examine the mobile home;

41 (6) sell the mobile home to the highest bidder, if any; and

42 (7) immediately after the auction, execute an affidavit of sale or
 43 disposal ~~in triplicate~~ on a form prescribed by the bureau stating:

44 (A) that the requirements of this section have been met;

45 (B) the length of time that the mobile home was left on the
 46 property without permission;

47 (C) any expenses incurred by the property owner, including
 48 the expenses of the sale;

49 (D) the name and address of the purchaser of the mobile home
 50 at the auction, if any; and

- 1 (E) the amount of the winning bid, if any.
 2 If the auction produces no purchaser, the property owner shall
 3 note that fact on the affidavit. The property owner shall list the
 4 property owner, or any donee, as the purchaser on the affidavit of
 5 sale or disposal.
- 6 SECTION 127. IC 9-22-3-1 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) Except as
 8 provided in subsection (b), ~~and section 14 of this chapter~~, this chapter
 9 applies each year to a motor vehicle, semitrailer, or recreational vehicle
 10 manufactured within the last seven (7) model years, including the
 11 current model year. The bureau shall establish guidelines for
 12 determining the applicability of the model year effective dates for each
 13 year.
- 14 (b) The bureau may extend the model years to be covered each year
 15 by this chapter up to a maximum of fifteen (15) model years, which
 16 includes the current model year. ~~after doing the following:~~
- 17 ~~(1) Conducting a public hearing.~~
 18 ~~(2) Giving reasonable notice to known businesses affected by this~~
 19 ~~chapter.~~
- 20 SECTION 128. IC 9-22-3-4 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau shall
 22 issue a certificate of salvage title as proof of ownership for a salvage
 23 motor vehicle when the acquiring insurance company, disposal facility,
 24 or person does the following:
- 25 (1) Applies for the certificate of salvage title.
 26 (2) Pays the appropriate fee under IC 9-29-7.
 27 (3) Surrenders the motor vehicle's original certificate of title ~~The~~
 28 ~~certificate of title must be properly notarized or include the~~
 29 ~~affidavit of the last person who owned the vehicle; the person's~~
 30 ~~legal representative; or legal successor in interest of the vehicle;~~
 31 ~~or other acceptable proof of ownership as determined by the~~
 32 ~~bureau.~~
- 33 SECTION 129. IC 9-22-3-5 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. A certificate of
 35 salvage title issued under section 4 of this chapter must contain the
 36 following information:
- 37 (1) The same vehicle information as a certificate of title issued by
 38 ~~the department: bureau.~~
 39 (2) The notation "SALVAGE TITLE" prominently recorded on
 40 the front and back of the title.
 41 (3) If the motor vehicle is a flood damaged vehicle, the notation
 42 "FLOOD DAMAGED" prominently recorded on the front and
 43 back of the title.
- 44 SECTION 130. IC 9-22-3-9 IS REPEALED [EFFECTIVE JULY 1,
 45 2012]. Sec. 9: ~~If a dealer purchases a salvage motor vehicle subject to~~
 46 ~~section 8 of this chapter and applies for a certificate of dealer title, the~~
 47 ~~affidavit attached to the certificate of salvage title must also be attached~~
 48 ~~to the certificate of dealer title. The bureau must retain the affidavit or~~
 49 ~~a microfilm copy of the form for ten (10) years.~~
- 50 SECTION 131. IC 9-22-3-10 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) If a certificate
 2 of salvage title is lost, mutilated, or destroyed or becomes illegible, the
 3 person who owns the vehicle or the legal representative or legal
 4 successor in interest of the person who owns the motor vehicle,
 5 semitrailer, or recreational vehicle for which the certificate of salvage
 6 title was issued, as shown by the records of the bureau, ~~of motor~~
 7 ~~vehicles~~, shall immediately apply for a duplicate certificate of salvage
 8 title.

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

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

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

23 SECTION 132. IC 9-22-3-11, AS AMENDED BY P.L.110-2006,
 24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2012]: Sec. 11. (a) This section applies to the following
 26 persons:

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

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

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

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

38 (b) A person who owns or holds a lien upon a vehicle described in
 39 subsection (a) shall assign the certificate of title to the insurance
 40 company described in subsection (a). The insurance company shall
 41 apply to the bureau within thirty-one (31) days after receipt of the
 42 certificate of title for a certificate of salvage title for each salvage or
 43 stolen vehicle subject to this chapter. The insurance company shall
 44 surrender the certificate of title to the ~~department~~ **bureau** and pay the
 45 fee prescribed under IC 9-29-7 for a certificate of salvage title.

46 (c) When the owner of a vehicle described in subsection (a) retains
 47 possession of the vehicle:

48 (1) the person who possesses the certificate of title shall surrender
 49 the certificate of title to the insurance company described in
 50 subdivision (2);

- 1 (2) the insurance company that completes an agreed settlement
 2 for the vehicle shall:
 3 (A) obtain the certificate of title; and
 4 (B) submit to the bureau:
 5 (i) the certificate of title;
 6 (ii) the appropriate fee; and
 7 (iii) a request for a certificate of salvage title on a form
 8 prescribed by the bureau; and
 9 (3) after the bureau has received the items set forth in subdivision
 10 (2)(B), the bureau shall issue a certificate of salvage title to the
 11 owner.

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

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

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

25 SECTION 133. IC 9-22-3-12 IS REPEALED [EFFECTIVE JULY
 26 1, 2012]. ~~Sec. 12: The owner of a salvage motor vehicle not covered by
 27 this chapter, either because a salvage transaction had taken place
 28 before September 1, 1975, or because the vehicle is too old, is not
 29 required to obtain a certificate of salvage title for the vehicle.~~

30 SECTION 134. IC 9-22-3-13 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. A scrap metal
 32 processor or other appropriate facility that purchases or acquires a
 33 salvage motor vehicle that has been totally demolished or destroyed as
 34 a result of normal processing performed by a disposal facility is not
 35 required to apply for and receive a certificate of salvage title for the
 36 vehicle. **The facility or processor that performed the processing
 37 that resulted in the vehicle being demolished or destroyed shall
 38 surrender the certificate of title, the certificate of authority, or the
 39 certificate of salvage title to the bureau.** The disposal facility shall
 40 maintain the records prescribed by the bureau for a totally demolished
 41 or destroyed vehicle.

42 SECTION 135. IC 9-22-3-14 IS REPEALED [EFFECTIVE JULY
 43 1, 2012]. ~~Sec. 14: (a) This section applies to all salvage motor vehicles:~~

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

48 SECTION 136. IC 9-22-3-16 IS AMENDED TO READ AS
 49 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) Except as
 50 provided in subsection (b), a certificate of title issued under section 8

1 9; or 15 of this chapter and a certificate of title subsequently issued
2 must conspicuously bear the designation:

3 (1) "REBUILT VEHICLE--MILEAGE ~~UNKNOWN~~" **NOT**
4 **ACTUAL**" if the motor vehicle is not a flood damaged vehicle;
5 or

6 (2) "REBUILT FLOOD DAMAGED VEHICLE" if the motor
7 vehicle is a flood damaged vehicle.

8 (b) An insurance company authorized to do business in Indiana may
9 obtain a certificate of title that does not bear the designation if the
10 company submits to the bureau, in the form and manner the bureau
11 requires, satisfactory evidence that the damage to a recovered stolen
12 motor vehicle did not meet the criteria set forth in section 3 of this
13 chapter.

14 (c) An affidavit submitted under section 8 ~~or 9~~ of this chapter must
15 conspicuously bear the designation:

16 (1) "REBUILT VEHICLE"~~--MILEAGE UNKNOWN~~ if the
17 motor vehicle is not a flood damaged vehicle; or

18 (2) "REBUILT FLOOD DAMAGED VEHICLE" if the motor
19 vehicle is a flood damaged vehicle.

20 **(d) A certificate of title for a salvage motor vehicle issued under**
21 **subsection (a) may not designate the mileage of the vehicle.**

22 SECTION 137. IC 9-22-3-17 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17. (a) Except as
24 provided in subsection (b), whenever a certificate of title is issued for
25 a ~~motor~~ vehicle that was previously titled in another state or
26 jurisdiction and the certificate of title from the other state or
27 jurisdiction contains a "REBUILT", "~~RECONSTRUCTED~~",
28 "RECONDITIONED", "DISTRESSED VEHICLE", or similar
29 designation, a new and subsequent certificate of title must
30 conspicuously bear the designation "REBUILT VEHICLE".

31 (b) Whenever a certificate of title is issued for a ~~motor~~ vehicle
32 described in subsection (a) that was previously titled in another state
33 or jurisdiction and the certificate of title from the other state or
34 jurisdiction contains a designation that indicates that the ~~motor~~ vehicle
35 is a flood damaged vehicle, a new and subsequent certificate of title
36 must conspicuously bear the designation "REBUILT FLOOD
37 DAMAGED VEHICLE".

38 SECTION 138. IC 9-22-3-18 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. A vehicle that has
40 been designated "JUNK", "~~DISMANTLED~~", "~~SCRAP~~",
41 "~~DESTROYED~~", or any similar designation in another state or
42 jurisdiction ~~may shall~~ not be titled in Indiana.

43 SECTION 139. IC 9-22-3-18.5 IS ADDED TO THE INDIANA
44 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
45 [EFFECTIVE JULY 1, 2012]: **Sec. 18.5. (a) This section does not**
46 **apply to a person who sells, exchanges, or transfers golf carts.**

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

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

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

1 **may not sell, exchange, or transfer a rebuilt vehicle without**
 2 **disclosing in writing to the purchaser, customer, or transferee**
 3 **before consummating the sale, exchange, or transfer, the fact that**
 4 **the vehicle is a rebuilt vehicle if the dealer or other person knows**
 5 **or should reasonably know the vehicle is a rebuilt vehicle.**

6 SECTION 140. IC 9-22-3-33 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 33. A person who
 8 violates section 4, 5, 6, 7, **or 8 of this chapter** (or **section 9** of this
 9 chapter **before its repeal**) commits a Class D felony.

10 SECTION 141. IC 9-22-5-1 IS REPEALED [EFFECTIVE JULY 1,
 11 2012]. Sec. 1: The following officers may act for their respective units
 12 of government under this chapter:

- 13 (1) ~~The sheriff, for a county.~~
- 14 (2) ~~The chief of police, for a city.~~
- 15 (3) ~~A town marshal, for a town.~~
- 16 (4) ~~A township trustee, for a township.~~
- 17 (5) ~~A state police officer, for the state.~~

18 SECTION 142. IC 9-22-5-2 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A:

- 20 (1) person, firm, corporation, limited liability company, or unit of
 21 government upon whose property or in whose possession is found
 22 an abandoned ~~motor~~ vehicle; or
- 23 (2) person who owns a ~~motor~~ vehicle that has a title that is faulty,
 24 lost, or destroyed;

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

28 SECTION 143. IC 9-22-5-3 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The application
 30 required under section 2 of this chapter shall be made in ~~duplicate upon~~
 31 ~~forms a manner~~ prescribed ~~and furnished~~ by the bureau. ~~One (1) copy~~
 32 ~~of~~ The application shall be filed with the bureau. ~~and one (1) copy of~~
 33 ~~the application shall be retained by the sheriff.~~

34 SECTION 144. IC 9-22-5-4 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The application
 36 required under section 2 of this chapter must include the following
 37 information:

- 38 (1) The name and address of the applicant.
- 39 (2) The year, make, model, and ~~engine number vehicle~~
 40 **identification number** of the ~~motor~~ vehicle, if ascertainable,
 41 together with any other identifying features.
- 42 (3) A concise statement of the facts surrounding the abandonment
 43 of the ~~motor~~ vehicle, that the title of the ~~motor~~ vehicle is lost or
 44 destroyed, or the reasons for the defect of title in the owner of the
 45 ~~motor~~ vehicle.

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

49 SECTION 145. IC 9-22-5-5 IS REPEALED [EFFECTIVE JULY 1,
 50 2012]. Sec. 5: (a) ~~The sheriff shall examine each application made~~

1 under section 2 of this chapter. If the sheriff finds that the application:
 2 (1) is executed in proper form; and
 3 (2) shows that the motor vehicle described in the application has
 4 been abandoned upon the property of the person making the
 5 application or that the person making the application is the person
 6 who owns the motor vehicle;

7 the sheriff shall prepare a written notice:

8 (b) The notice required under subsection (a) must include the
 9 following information:

10 (1) The name and address of the applicant.

11 (2) The year, make, model, and engine number of the motor
 12 vehicle; if ascertainable; together with any other identifying
 13 features of the motor vehicle.

14 (3) That the motor vehicle has been abandoned; that the title to
 15 the motor vehicle is lost or destroyed; or that there is a defect of
 16 the title in the person who owns the motor vehicle.

17 (4) That the motor vehicle will be sold for scrap metal unless a
 18 claim or protest is made:

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

22 (1) Posted at the door of the courthouse for a period of thirty (30)
 23 days before sale:

24 (2) Published once in a newspaper of general circulation of the
 25 county in which the motor vehicle is located at least thirty (30)
 26 days before sale:

27 (3) Sent to the last person who owned the motor vehicle; if
 28 known:

29 SECTION 146. IC 9-22-5-6 IS REPEALED [EFFECTIVE JULY 1,
 30 2012]. Sec. 6: If an abandoned motor vehicle for which an application
 31 for sale under this chapter has been filed is claimed by the person who
 32 owns the motor vehicle before the sale occurs and the person provides
 33 satisfactory evidence of ownership to the sheriff; the motor vehicle
 34 shall be returned to the person upon payment by the person of the costs
 35 of preserving the motor vehicle during the period of abandonment;
 36 together with the costs of publication of notice:

37 SECTION 147. IC 9-22-5-7 IS REPEALED [EFFECTIVE JULY 1,
 38 2012]. Sec. 7: If a claim or protest is not made before sale; the person
 39 who filed the application required under section 2 of this chapter shall;
 40 upon payment of the costs of publication of notice; be given a
 41 certificate of authority to sell the motor vehicle to a licensed junk
 42 dealer or an established automobile wrecker for scrap metal. The
 43 licensed junk dealer or established automobile wrecker shall accept the
 44 sheriff's certificate of authority instead of the certificate of title to the
 45 motor vehicle:

46 SECTION 148. IC 9-22-5-8 IS AMENDED TO READ AS
 47 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The certificate of
 48 authority **to scrap or dismantle the vehicle** required under section 7
 49 of this chapter shall be made **in triplicate** on forms prescribed and
 50 furnished by the bureau. The certificate of authority must contain the

1 following information:

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

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

8 SECTION 149. IC 9-22-5-9 IS REPEALED [EFFECTIVE JULY 1,
9 2012]. ~~Sec. 9: The sheriff shall retain one (1) copy of the certificate of~~
10 ~~authority required under section 7 of this chapter. The sheriff shall send~~
11 ~~one (1) copy of the certificate of authority to the bureau.~~

12 SECTION 150. IC 9-22-5-10 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. After a certificate
14 of authority required under ~~section 7~~ of this chapter has been delivered
15 to the bureau ~~under section 9 of this chapter~~; **by the automobile**
16 **scrapyard**, a certificate of title may not be issued for the ~~motor~~ vehicle
17 **that is described in the certificate of authority and is noted in the**
18 **records of the bureau as "junk".**

19 SECTION 151. IC 9-22-5-11 IS REPEALED [EFFECTIVE JULY
20 1, 2012]. ~~Sec. 11: A fee may not be charged for the filing of an~~
21 ~~application under section 2 of this chapter or for the issuance of a~~
22 ~~certificate of authority under section 7 of this chapter.~~

23 SECTION 152. IC 9-22-5-12 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. The person who:

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

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

29 SECTION 153. IC 9-22-5-13, AS AMENDED BY P.L.246-2005,
30 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2012]: Sec. 13. (a) A person not described in section 12 of this
32 chapter who sells ~~an abandoned motor a~~ vehicle under this chapter may
33 retain from the proceeds of sale the cost of publication of notice and the
34 cost of preserving the motor vehicle during the period of the vehicle's
35 abandonment. The person shall pay the remaining balance of the
36 proceeds of the sale to the circuit court clerk of the county in which the
37 ~~abandoned motor~~ vehicle is located.

38 (b) At any time within ten (10) years after the money is paid to the
39 clerk, the person who owns the ~~abandoned motor~~ vehicle sold under
40 this chapter may make a claim with the clerk for the sale proceeds
41 deposited with the clerk. If ownership of the proceeds is established to
42 the satisfaction of the clerk, the clerk shall pay the proceeds to the
43 person who owns the ~~abandoned motor~~ vehicle.

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

50 SECTION 154. IC 9-22-5-14 IS REPEALED [EFFECTIVE JULY

1 1, 2012]. Sec. 14. (a) An individual, a firm, a limited liability company,
 2 or a corporation engaged in the business of storing, furnishing supplies
 3 for, or repairing motor vehicles, trailers, semitrailers, or recreational
 4 vehicles shall obtain the name and address of the person who owns a
 5 motor vehicle, trailer, semitrailer, or recreational vehicle that is left in
 6 the custody of the individual, firm, limited liability company, or
 7 corporation for storage, furnishing of supplies, or repairs at the time the
 8 motor vehicle is left.

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

12 (1) The name and address of the person who owns the motor
 13 vehicle.

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

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

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

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

24 SECTION 155. IC 9-22-5-15 IS REPEALED [EFFECTIVE JULY
 25 1, 2012]. Sec. 15. (a) An individual, a firm, a limited liability company,
 26 or a corporation that performs labor, furnishes materials or storage, or
 27 does repair work on a motor vehicle, trailer, semitrailer, or recreational
 28 vehicle at the request of the person who owns the vehicle has a lien on
 29 the vehicle to the reasonable value of the charges for the labor,
 30 materials, storage, or repairs.

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

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

36 (2) at the request of an individual, a firm, a partnership, a limited
 37 liability company, or a corporation on whose property an
 38 abandoned motor vehicle, trailer, semitrailer, or recreational
 39 vehicle is located; or

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

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

46 (c) If:

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

48 (2) the motor vehicle, trailer, semitrailer, or recreational vehicle
 49 is not claimed;

50 within thirty (30) days from the date on which the vehicle was left in

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

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

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

15 (2) The amount of the unpaid charges:

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

17 (e) In addition to the advertisement required under subsection (d),
 18 the person who holds the mechanic's lien must:

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

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

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

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

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

38 (h) A person who holds a mechanic's lien under this section may
 39 deduct and retain the amount of the lien and the cost of the
 40 advertisement required under subsection (d) from the purchase price
 41 received for a vehicle sold under this section. After deducting from the
 42 purchase price the amount of the lien and the cost of the advertisement,
 43 the person shall pay the surplus of the purchase price to the person who
 44 owns the vehicle if the person's address or whereabouts is known. If the
 45 address or whereabouts of the person who owns the vehicle is not
 46 known, the surplus of the purchase price shall be paid over to the clerk
 47 of the circuit court of the county in which the person who holds the
 48 mechanic's lien has a place of business for the use and benefit of the
 49 person who owns the vehicle:

50 (i) A person who holds a mechanic's lien under this section shall

1 execute and deliver to the purchaser of a vehicle under this section a
 2 sales certificate in the form designated by the bureau, setting forth the
 3 following information:

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

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

12 SECTION 156. IC 9-22-5-16 IS REPEALED [EFFECTIVE JULY
 13 1, 2012]. Sec. 16: (a) This section does not apply to a person who sells,
 14 exchanges, or transfers golf carts:

- 15 (b) A seller that is:
 - 16 (1) a dealer; or
 - 17 (2) another person who sells, exchanges, or transfers at least five
 18 (5) vehicles each year;

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

24 SECTION 157. IC 9-22-5-17 IS REPEALED [EFFECTIVE JULY
 25 1, 2012]. Sec. 17: A person who recklessly violates section 14 or 15 of
 26 this chapter commits a Class A misdemeanor.

27 SECTION 158. IC 9-22-6 IS ADDED TO THE INDIANA CODE
 28 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2012]:

30 Chapter 6. Mechanic's Liens for Vehicles

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

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

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

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

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

1 **Sec. 2. (a) An individual, a firm, a limited liability company, or**
2 **a corporation that performs labor, furnishes materials or storage,**
3 **or does repair work on a motor vehicle, trailer, semitrailer, or**
4 **recreational vehicle at the request of the person that owns the**
5 **vehicle has a mechanic's lien on the vehicle for the reasonable**
6 **value of the charges for the labor, materials, storage, or repairs.**

7 **(b) An individual, a firm, a partnership, a limited liability**
8 **company, or a corporation that provides towing services for a**
9 **motor vehicle, trailer, semitrailer, or recreational vehicle at the**
10 **request of the person that owns the motor vehicle, trailer,**
11 **semitrailer, or recreational vehicle has a mechanic's lien on the**
12 **vehicle for the reasonable value of the charges for the towing**
13 **services and other related costs.**

14 **(c) If:**

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

17 **(2) the motor vehicle, trailer, semitrailer, or recreational**
18 **vehicle is not claimed;**

19 **not later than thirty (30) days after the date on which the vehicle**
20 **is left in or comes into the possession of the individual, firm, limited**
21 **liability company, or corporation for repairs, storage, towing, or**
22 **the furnishing of materials, the individual, firm, limited liability**
23 **company, or corporation may advertise the vehicle for sale. The**
24 **vehicle may not be sold earlier than fifteen (15) days after the date**
25 **the advertisement required by subsection (d) has been placed or**
26 **fifteen (15) days after notice required by subsection (e) has been**
27 **sent, whichever is later.**

28 **(d) Before a vehicle may be sold under subsection (c), an**
29 **advertisement must be placed in a newspaper that is printed in**
30 **English and of general circulation in the city or town in which the**
31 **lienholder's place of business is located. If the lienholder is located**
32 **outside the corporate limits of a city or a town, the advertisement**
33 **must be placed in a newspaper of general circulation in the county**
34 **in which the place of business of the lienholder is located. The**
35 **advertisement must contain at least the following information:**

36 **(1) A description of the vehicle, including make, type, and**
37 **manufacturer's identification number.**

38 **(2) The amount of the unpaid charges.**

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

40 **(e) In addition to the advertisement required under subsection**
41 **(d), the person that holds the mechanic's lien must notify the**
42 **person that owns the vehicle and any other person that holds a lien**
43 **of record at the person's last known address by certified mail,**
44 **return receipt requested, that the vehicle will be sold at public**
45 **auction on a specified date to satisfy the mechanic's lien imposed**
46 **by this section.**

47 **(f) A person that holds a mechanic's lien of record on a vehicle**
48 **subject to sale under this section may pay the storage, repair,**
49 **towing, or service charges due. If the person that holds the**
50 **mechanic's lien of record elects to pay the charges due, the person**
51 **is entitled to possession of the vehicle and becomes the holder of the**

1 mechanic's lien imposed by this section.

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

7 (h) A person that holds a mechanic's lien under this section may
8 deduct and retain the amount of the mechanic's lien and the cost of
9 the advertisement required under subsection (d) from the purchase
10 price received for a vehicle sold under this section. After deducting
11 from the purchase price the amount of the mechanic's lien and the
12 cost of the advertisement, the person shall pay the surplus of the
13 purchase price to the person that owns the vehicle if the person's
14 address or whereabouts are known. If the address or whereabouts
15 of the person that owns the vehicle are not known, the surplus of
16 the purchase price shall be paid over to the clerk of the circuit
17 court of the county in which the person that holds the mechanic's
18 lien has a place of business for the use and benefit of the person
19 that owns the vehicle.

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

24 (1) The facts of the sale.

25 (2) The vehicle identification number.

26 (3) The certificate of title if available.

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

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

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

33 **Sec. 3. A person that knowingly, intentionally, or recklessly**
34 **violates section 1 or 2 of this chapter commits a Class A**
35 **misdemeanor.**

36 SECTION 159. IC 9-24-1-1, AS AMENDED BY P.L.109-2011,
37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2012]: Sec. 1. Except as **otherwise** provided in ~~section 6~~
39 ~~7~~ of this chapter, an individual must have a valid Indiana:

40 (1) operator's license;

41 (2) chauffeur's license;

42 (3) public passenger chauffeur's license;

43 (4) commercial driver's license;

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

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

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

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

51 SECTION 160. IC 9-24-1-1.5 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1.5. ~~(a) This section~~
 2 ~~applies after December 31, 2005:~~

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

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

9 (1) not required by this article to reside in Indiana to receive the
 10 license; and

11 (2) otherwise qualified to receive the license.

12 SECTION 161. IC 9-24-1-2 IS REPEALED [EFFECTIVE JULY 1,
 13 2012]. ~~Sec. 2: Except as provided in section 7 of this chapter, an~~
 14 ~~individual must have a valid Indiana chauffeur's license to operate a~~
 15 ~~motor vehicle as a chauffeur upon an Indiana highway.~~

16 SECTION 162. IC 9-24-1-4 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Except as **otherwise**
 18 provided in ~~section 7~~ of this chapter, an individual must:

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

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

22 to drive a medical services vehicle upon an Indiana highway.

23 SECTION 163. IC 9-24-1-5, AS AMENDED BY P.L.109-2011,
 24 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2012]: Sec. 5. (a) An individual must have a valid driver's
 26 license that may be any of the following to operate a motorcycle upon
 27 a public highway:

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

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

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

34 (b) An individual who held a motorcycle operator's license on ~~June~~
 35 ~~30, December 31, 2011~~, must hold ~~an a valid~~ operator's, a chauffeur's,
 36 a public passenger chauffeur's, or a commercial driver's license with a
 37 motorcycle endorsement in order to operate the motorcycle after ~~June~~
 38 ~~30, December 31, 2011~~, **without restrictions.**

39 SECTION 164. IC 9-24-1-6 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Except as
 41 provided in subsection (b) **or as otherwise provided in this article**, an
 42 individual must hold a valid ~~Indiana~~ commercial driver's license ~~issued~~
 43 ~~by the bureau under this article~~ to drive a commercial motor vehicle
 44 ~~after March 31, 1992~~, upon an Indiana highway.

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

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

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

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

1 SECTION 165. IC 9-24-1-7, AS AMENDED BY SEA 113-2012,
 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 7. (a) Sections 1 through 5 of this chapter do not
 4 apply to the following individuals:

5 (1) An individual in the service of the armed forces of the United
 6 States while operating an official motor vehicle in that service.

7 (2) An individual while operating:

8 (A) a road roller;

9 (B) road construction or maintenance machinery, except where
 10 the road roller or machinery is required to be registered under
 11 Indiana law;

12 (C) a ditch digging apparatus;

13 (D) a well drilling apparatus;

14 (E) a concrete mixer; or

15 (F) a farm tractor, a farm wagon (as defined in
 16 IC 9-13-2-60(a)(2)), or an implement of agriculture designed
 17 to be operated primarily in a farm field or on farm premises;
 18 that is being temporarily drawn, moved, or propelled on a public
 19 highway. However, to operate a farm wagon (as defined in
 20 IC 9-13-2-60(a)(2)) on a highway, an individual must be at least
 21 fifteen (15) years of age.

22 (3) A nonresident who:

23 (A) is at least sixteen (16) years and one (1) month of age;

24 (B) has in the nonresident's immediate possession a valid
 25 ~~operator's~~ **driver's** license that was issued to the nonresident
 26 in the nonresident's home state or country; and

27 (C) is lawfully admitted into the United States;

28 while operating a motor vehicle ~~in Indiana~~ **upon a public**
 29 **highway** only as an operator.

30 (4) A nonresident who:

31 (A) is at least eighteen (18) years of age;

32 (B) has in the nonresident's immediate possession a valid
 33 chauffeur's license that was issued to the nonresident in the
 34 nonresident's home state or country; and

35 (C) is lawfully admitted into the United States;

36 while operating a motor vehicle upon a public highway, either as
 37 an operator or a chauffeur.

38 (5) A nonresident who:

39 (A) is at least eighteen (18) years of age; and

40 (B) has in the nonresident's immediate possession a valid
 41 license issued by the nonresident's home state for the operation
 42 of any motor vehicle upon a public highway when in use as a
 43 public passenger carrying vehicle;

44 while operating a motor vehicle upon a public highway, **either as**
 45 **an operator or a public passenger chauffeur.**

46 (6) An individual who is legally licensed to operate a motor
 47 vehicle in the state of the individual's residence and who is
 48 employed in Indiana, subject to the restrictions imposed by the
 49 state of the individual's residence.

50 (7) A new resident of Indiana who possesses ~~an unexpired a~~

1 **valid, unrestricted** driver's license issued by the resident's former
 2 state of residence, for a period of sixty (60) days after becoming
 3 a resident of Indiana.

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

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

14 SECTION 166. IC 9-24-2-1, AS AMENDED BY P.L.1-2006,
 15 SECTION 165, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) ~~A driver's license or a~~ **The**
 17 **bureau shall suspend the driving privileges or invalidate the**
 18 **learner's permit may not be issued to of** an individual less than eighteen
 19 (18) years of age who meets any of the following conditions:

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

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

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

35 SECTION 167. IC 9-24-2-2 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~A driver's license or~~
 37 ~~a~~ **The bureau shall suspend the driving privileges or invalidate the**
 38 **learner's permit may not be issued to of** an individual less than eighteen
 39 (18) years of age who is under an order entered by a juvenile court
 40 under IC 31-37-19-13 through IC 31-37-19-17 (or IC 31-6-4-15.9(d),
 41 IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before their repeal).

42 SECTION 168. IC 9-24-2-2.5, AS AMENDED BY P.L.3-2008,
 43 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 44 JULY 1, 2012]: Sec. 2.5. (a) ~~An operator's license or a~~ **The bureau**
 45 **shall suspend the driving privileges or invalidate the** learner's permit
 46 **may not be issued to of** an individual who is under an order entered by
 47 a court under IC 35-43-1-2(c).

48 (b) The bureau shall suspend the ~~operator's license~~ **driving**
 49 **privileges** or invalidate the learner's permit of a person who is the
 50 subject of an order issued under IC 31-37-19-17 (or IC 31-6-4-15.9(f))

1 before its repeal) or IC 35-43-1-2(c).

2 SECTION 169. IC 9-24-2-3, AS AMENDED BY P.L.184-2007,
3 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 3. (a) The bureau may not issue a **driver's** license
5 or **learner's permit or grant driving privileges** to the following
6 individuals:

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

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

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

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

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

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

29 (7) An individual when the bureau has good cause to believe that
30 the operation of a motor vehicle on a public highway of Indiana
31 by the individual would be inimical to public safety or welfare.

32 (8) An individual who is the subject of an order issued by:

33 (A) a court under IC 31-14-12-4 or IC 31-16-12-7 (or
34 IC 31-1-11.5-13 or IC 31-6-6.1-16 before their repeal); or

35 (B) the Title IV-D agency;

36 ordering that a ~~driving~~ **driver's** license or permit not be issued to
37 the individual.

38 (9) An individual who has not presented valid documentary
39 evidence to the bureau of the person's legal status in the United
40 States, as required by IC 9-24-9-2.5.

41 (b) An individual subject to epileptic seizures may not be denied a
42 **driver's license or permit** under this section if the individual presents
43 a statement from a licensed physician, **on a form prescribed by the**
44 **bureau**, that the individual is under medication and is free from
45 seizures while under medication.

46 SECTION 170. IC 9-24-2-3.1 IS AMENDED TO READ AS
47 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3.1. (a) If a petitioner
48 named in an order issued under section 3(a)(8) of this chapter has a
49 valid commercial ~~driving~~ **driver's** license, the bureau shall not
50 immediately suspend the **person's commercial** driving ~~license~~

1 **privileges** but **shall** indicate on the ~~driver's~~ **person's** record that the
 2 person has a conditional ~~license~~ **driving privileges** to operate a motor
 3 vehicle to and from the person's place of employment and in the course
 4 of the person's employment.

5 (b) ~~A~~ Conditional ~~license~~ **driving privileges** described in
 6 subsection (a) ~~is~~ **are** valid for thirty (30) days from the date of the
 7 notice sent by the bureau. If the person obtains an amended ~~license~~
 8 **order** within the thirty (30) days, the person may continue to operate
 9 a motor vehicle ~~on~~ **with** the conditional ~~license~~ **driving privileges**
 10 beyond the thirty (30) day period.

11 (c) If the person does not obtain an amended ~~license~~ **order** within
 12 the thirty (30) day period, the bureau shall suspend the person's ~~license~~
 13 **driving privileges**.

14 SECTION 171. IC 9-24-2-4, AS AMENDED BY P.L.1-2005,
 15 SECTION 107, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) If a person is less than
 17 eighteen (18) years of age and is a habitual truant, is under a
 18 suspension or an expulsion or has withdrawn from school as described
 19 in section 1 of this chapter, the bureau shall, upon notification by the
 20 person's principal, ~~invalidate~~ **suspend** the person's ~~license or permit~~
 21 **driving privileges** until the earliest of the following:

22 (1) The person becomes eighteen (18) years of age.

23 (2) One hundred twenty (120) days after the person is suspended,
 24 or the end of a semester during which the person returns to
 25 school, whichever is longer.

26 (3) The suspension, expulsion, or exclusion is reversed after the
 27 person has had a hearing under IC 20-33-8.

28 (b) The bureau shall promptly mail a notice to the person's last
 29 known address that states the following:

30 (1) That the person's driving privileges will be invalidated for a
 31 specified period commencing five (5) days after the date of the
 32 notice.

33 (2) That the person has the right to appeal the ~~invalidation~~
 34 **suspension of a license or permit: the driving privileges**.

35 (c) If an aggrieved person believes that:

36 (1) the information provided was technically incorrect; or

37 (2) the bureau committed a technical or procedural error;

38 the aggrieved person may appeal the invalidation of a license under
 39 ~~IC 9-25: section 5 of this chapter~~.

40 (d) If a person satisfies the conditions for reinstatement of a license
 41 under this section, the person may submit to the bureau the necessary
 42 information certifying that at least one (1) of the events described in
 43 subsection (a) has occurred.

44 (e) Upon certifying the information received under subsection (d),
 45 the bureau shall ~~revalidate~~ **reinstate** the person's ~~license or permit~~
 46 **driving privileges**.

47 (f) A person may not operate a motor vehicle in violation of this
 48 section.

49 (g) A person whose ~~license or permit~~ **is driving privileges are**
 50 ~~invalidated~~ **suspended** under this section may apply for a restricted

1 driving ~~permit privileges~~ under IC 9-24-15.

2 (h) The bureau shall ~~revalidate~~ ~~reinstate~~ the license or permit
3 ~~driving privileges~~ of a person whose license or permit was ~~driving~~
4 ~~privileges were invalidated~~ ~~suspended~~ under this section ~~who if the~~
5 ~~person~~ does the following:

6 (1) Establishes to the ~~satisfaction~~ ~~satisfaction~~ of the principal of
7 the school where the action occurred that caused the ~~invalidation~~
8 ~~suspension~~ of the person's license or permit ~~driving privileges~~
9 that the person has:

10 (A) enrolled in a full-time or part-time program of education;
11 and

12 (B) participated for thirty (30) or more days in the program of
13 education.

14 (2) Submits to the bureau a form developed by the bureau that
15 contains:

16 (A) the verified signature of the principal or the president of
17 the governing body of the school described in subdivision (1);
18 and

19 (B) notification to the bureau that the person has complied
20 with subdivision (1).

21 A person may appeal the decision of a principal under subdivision (1)
22 to the governing body of the school corporation where the principal's
23 school is located.

24 SECTION 172. IC 9-24-2-5, AS AMENDED BY P.L.1-2005,
25 SECTION 108, IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A person whose driving
27 privileges have been ~~invalidated~~ ~~suspended~~ under section 4 of this
28 chapter is entitled to a prompt judicial hearing. The person may file a
29 petition that requests a hearing in a circuit, superior, county, or
30 municipal court in the county where:

31 (1) the person resides; or

32 (2) the school attended by the person is located.

33 (b) The petition for review must:

34 (1) be in writing; and

35 (2) be verified by the person seeking review and:

36 (A) allege specific facts that indicate the suspension or
37 expulsion was improper; or

38 (B) allege that due to the person's emancipation or dependents
39 that an undue hardship exists that requires the granting of a
40 restricted driving permit.

41 (c) The hearing conducted by the court under this section shall be
42 limited to the following issues:

43 (1) Whether the school followed proper procedures when
44 suspending or expelling the person from school, including
45 affording the person due process under IC 20-33-8.

46 (2) Whether the bureau followed proper procedures in
47 ~~invalidating~~ ~~suspending~~ the person's license or permit. ~~driving~~
48 ~~privileges.~~

49 (3) Whether an undue hardship exists that requires the granting of
50 a restricted driving ~~permit.~~ ~~privileges under IC 9-24-15.~~

- 1 (d) If the court finds:
 2 (1) that the school failed to follow proper procedures when
 3 suspending or expelling the person from school; or
 4 (2) that the bureau failed to follow proper procedures in
 5 ~~invalidating~~ **suspending** the person's ~~license or permit~~; **driving**
 6 **privileges**;
 7 the court may order the bureau to reinstate the person's driving
 8 privileges.
- 9 (e) If the court finds that an undue hardship exists, **and the person**
 10 **otherwise qualifies under IC 9-24-15**, the court may order a restricted
 11 driving ~~permit~~ **privileges** limiting the petitioner to essential driving for
 12 work and driving between home, work, and school only. The restricted
 13 driving ~~permit~~ **privileges** must state the restrictions related to time,
 14 territory, and route. If a court orders a restricted driving ~~permit~~
 15 **privileges** for the petitioner, the court shall do the following:
 16 (1) Include in the order a finding of facts that states the
 17 petitioner's driving restrictions.
 18 (2) Enter the findings of fact and order in the order book of the
 19 court.
 20 (3) Send the bureau a signed copy of the order.
- 21 (f) The prosecuting attorney of the county in which a petition has
 22 been filed under this section shall represent the state on behalf of the
 23 bureau with respect to the petition. A school that is made a party to an
 24 action filed under this section is responsible for the school's own
 25 representation.
- 26 (g) In an action under this section the petitioner has the burden of
 27 proof by a preponderance of the evidence.
- 28 (h) The court's order is a final judgment appealable in the manner
 29 of civil actions by either party. The attorney general shall represent the
 30 state on behalf of the bureau with respect to the appeal.
- 31 SECTION 173. IC 9-24-3-1, AS AMENDED BY P.L.145-2011,
 32 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2012]: Sec. 1. Except as otherwise provided in this article, the
 34 bureau shall issue an operator's license to an individual who meets the
 35 following conditions:
 36 (1) Satisfies the age requirements set forth in section ~~2~~ **or** 2.5 of
 37 this chapter.
 38 (2) Makes proper application to the bureau under IC 9-24-9 upon
 39 a form prescribed by the bureau. The form must include an
 40 attestation concerning the number of hours of supervised driving
 41 practice that the individual has completed if the individual is
 42 required under section 2.5 of this chapter to complete a certain
 43 number of hours of supervised driving practice in order to receive
 44 an operator's license. The:
 45 (A) parent or guardian of an applicant less than eighteen (18)
 46 years of age; or
 47 (B) applicant, if the applicant is at least eighteen (18) years of
 48 age;
 49 shall attest in writing under penalty of perjury to the time logged
 50 in practice driving.

- 1 (3) Satisfactorily passes the examination and tests required for
 2 issuance of an operator's license under IC 9-24-10.
- 3 (4) Pays the fee prescribed by IC 9-29-9.
- 4 SECTION 174. IC 9-24-3-2.5, AS AMENDED BY P.L.145-2011,
 5 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 2.5. (a) Except as provided in section 3 of this
 7 chapter, an individual must satisfy the requirements set forth in one (1)
 8 of the following subdivisions to receive an operator's license:
- 9 (1) The individual meets the following conditions:
 10 (A) Is at least sixteen (16) years and one hundred eighty (180)
 11 days of age.
 12 (B) Has held a valid learner's permit for at least one hundred
 13 eighty (180) days.
 14 (C) Obtains an instructor's certification that the individual has
 15 satisfactorily completed an approved driver education course.
 16 (D) Passes the required examination.
 17 (E) Completes at least fifty (50) hours of supervised driving
 18 practice, of which at least ten (10) hours are nighttime driving,
 19 with:
 20 (i) a licensed instructor or a licensed driver who is at least
 21 twenty-five (25) years of age; or
 22 (ii) the spouse of the individual who is at least twenty-one
 23 (21) years of age.
- 24 (2) The individual meets the following conditions:
 25 (A) Is at least sixteen (16) years and two hundred seventy
 26 (270) days of age.
 27 (B) Has held a valid learner's permit for at least one hundred
 28 eighty (180) days.
 29 (C) Passes the required examination.
 30 (D) Completes at least fifty (50) hours of supervised driving
 31 practice, of which at least ten (10) hours are nighttime driving,
 32 with:
 33 (i) a licensed instructor or a licensed driver who is at least
 34 twenty-five (25) years of age; or
 35 (ii) the spouse of the individual who is at least twenty-one
 36 (21) years of age.
- 37 (3) The individual meets the following conditions:
 38 (A) Is at least sixteen (16) years and one hundred eighty (180)
 39 days of age but less than eighteen (18) years of age.
 40 (B) Has previously been a nonresident of Indiana, but, at the
 41 time of application, qualifies as an Indiana resident.
 42 (C) ~~Holds an unrevoked~~ **Has held a valid** driver's license,
 43 excluding a learner's permit or the equivalent, in the state or a
 44 combination of states in which the individual formerly resided
 45 for at least one hundred eighty (180) days.
 46 (D) Passes the required examination.
- 47 (4) The individual meets the following conditions:
 48 (A) Is at least eighteen (18) years of age.
 49 (B) Has previously been a nonresident of Indiana but, at the
 50 time of application, qualifies as an Indiana resident.

1 (C) ~~Has Held an unrevoked operator's, chauffeur's, commercial~~
 2 ~~a valid driver's or public passenger chauffeur's license,~~
 3 ~~excluding a learner's permit or the equivalent,~~ from the
 4 state of prior residence.

5 (D) Passes the required examination.

6 (b) An applicant who is required to complete at least fifty (50) hours
 7 of supervised practice driving under subsection (a)(1)(E) or (a)(2)(D)
 8 must submit to the commission under ~~IC 9-24-9-2(d)~~ **IC 9-24-9-2(c)**
 9 evidence of the time logged in practice driving.

10 SECTION 175. IC 9-24-3-4 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. To receive an
 12 operator's license, an individual must surrender to the bureau **any and**
 13 ~~all valid operator's, chauffeur's, or other current driver's~~ licenses for
 14 ~~the operation of a motor vehicle in the individual's possession or~~
 15 **identification cards** issued to the individual by Indiana or any other
 16 jurisdiction. ~~The bureau shall return all surrendered licenses to the~~
 17 ~~issuing department together with information that the licensee is~~
 18 ~~licensed in a new jurisdiction.~~

19 SECTION 176. IC 9-24-4-1 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. Except as otherwise
 21 provided in this article, the bureau shall issue a chauffeur's license to
 22 an individual who meets the following conditions:

23 (1) Satisfies the age requirements described in section 2 of this
 24 chapter.

25 (2) Has operated a motor vehicle, **excluding operation under a**
 26 **learner's permit**, for more than one (1) year.

27 (3) Makes proper application to the bureau under IC 9-24-9 upon
 28 a form prescribed by the bureau.

29 (4) Satisfactorily passes the examination and tests required for
 30 issuance of a chauffeur's license under IC 9-24-10.

31 (5) Pays the fee prescribed in IC 9-29-9.

32 SECTION 177. IC 9-24-4-3 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. ~~(a) An individual~~
 34 ~~holding a valid chauffeur's license is not required to obtain an~~
 35 ~~operator's license.~~

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

39 SECTION 178. IC 9-24-4-4 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A chauffeur's license
 41 entitles the licensee to operate a motor vehicle, except a motorcycle **or**
 42 **commercial motor vehicle without a proper permit or**
 43 **endorsement**, upon a public highway. A chauffeur's license does not
 44 entitle the licensee to operate a motor vehicle as a public passenger
 45 chauffeur.

46 SECTION 179. IC 9-24-4-5.5 IS AMENDED TO READ AS
 47 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. Notwithstanding
 48 any other law, a person holding a chauffeur's license that is renewed or
 49 issued after June 30, 1991, is not entitled by that license to operate a
 50 commercial motor vehicle. ~~for more than thirty (30) days following the~~

1 ~~renewal or issuance:~~

2 SECTION 180. IC 9-24-5-1, AS AMENDED BY P.L.156-2006,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 1. Except as otherwise provided in this article, the
5 bureau shall issue a public passenger chauffeur's license to an
6 individual who meets the following conditions:

7 (1) ~~Satisfies the~~ **Is at least eighteen (18) years of age.**
8 ~~requirements described in section 2 of this chapter:~~

9 (2) Makes proper application to the bureau under IC 9-24-9, upon
10 a form prescribed by the bureau.

11 (3) Successfully passes the physical examination given by a
12 practicing physician licensed to practice medicine in Indiana.

13 (4) Has operated a motor vehicle, **excluding operation under a**
14 **learner's permit**, for at least two (2) years.

15 (5) Satisfactorily passes the examination and tests for a public
16 passenger chauffeur's license.

17 (6) Pays the fee prescribed in IC 9-29-9.

18 (7) ~~Is at least eighteen (18) years of age:~~

19 SECTION 181. IC 9-24-5-2 IS REPEALED [EFFECTIVE JULY 1,
20 2012]. ~~Sec. 2: An individual must be at least eighteen (18) years of age~~
21 ~~to receive a public passenger chauffeur's license:~~

22 SECTION 182. IC 9-24-5-3, AS AMENDED BY P.L.156-2006,
23 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2012]: Sec. 3. A public passenger chauffeur's license entitles
25 the licensee to operate ~~any~~ **a** motor vehicle, except a commercial
26 **motor** vehicle or a motorcycle **without the proper permit or**
27 **endorsement**, upon a **public** highway.

28 SECTION 183. IC 9-24-5-4 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. To receive a public
30 passenger chauffeur's license, an individual must surrender ~~to the~~
31 ~~bureau any operator's license~~ **all driver's licenses** issued to the
32 individual **by Indiana or any other jurisdiction.**

33 SECTION 184. IC 9-24-5-5.5 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. Notwithstanding
35 any other law, a person holding a public passenger chauffeur's license
36 that is renewed or issued after June 30, 1991, is not entitled by that
37 license to operate a commercial motor vehicle. ~~for more than thirty (30)~~
38 ~~days following the renewal or issuance:~~

39 SECTION 185. IC 9-24-6-0.5, AS ADDED BY P.L.188-2006,
40 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2012]: Sec. 0.5. As used in this chapter, "commercial driver's
42 license learner's permit" means a **driver's learner's** permit that allows
43 an individual, unless otherwise disqualified, to operate a commercial
44 motor vehicle only when accompanied by a person:

45 (1) who holds a valid commercial driver's license for the type of
46 commercial motor vehicle being driven; and

47 (2) who occupies a seat beside the individual in order to give
48 instruction to the individual in driving the commercial motor
49 vehicle.

50 SECTION 186. IC 9-24-6-0.8, AS ADDED BY P.L.45-2011,

1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2012]: Sec. 0.8. As used in this chapter, "downgrade" has the
3 meaning specified in ~~paragraph (4)~~ of the definition of CDL downgrade
4 as set forth in 49 CFR 383.5 as in effect on July 1, 2010.

5 SECTION 187. IC 9-24-6-1 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) ~~Except as~~
7 ~~provided in subsection (c);~~ This chapter does not apply to a motor
8 vehicle **or the operator of a motor vehicle** that meets the following
9 conditions:

10 (1) is used in the transportation of hazardous materials;

11 (2) is not defined as a commercial motor vehicle **or is otherwise**
12 **excepted in 49 CFR 383.3, 49 CFR 390, or 49 CFR 391.**

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

15 (1) Is registered as a recreational vehicle;

16 (2) Is used primarily to transport the owner's family members or
17 guests and their possessions for nonbusiness purposes;

18 (3) Is registered under IC 9-18 as a farm vehicle or is a farm
19 vehicle that is exempt under 49 U.S.C. 521, 49 U.S.C. 31104, and
20 49 U.S.C. 31301 through 31306;

21 (4) Is utilized as a:

22 (A) church bus; or

23 (B) bus operated by a nonprofit benevolent or charitable
24 agency;

25 that is designed to carry more than fifteen (15) passengers;
26 including the driver; if the vehicle is exempt under 49 U.S.C. 521,
27 49 U.S.C. 31104, and 49 U.S.C. 31301 through 31306, or
28 applicable federal regulations;

29 (c) The bureau may remove the exemptions granted under
30 subsections (a) and (b) if the bureau, upon notice and public hearing,
31 determines that the waiver is in the interest of safety or of keeping
32 Indiana in compliance with federal law; subject to section 3 of this
33 chapter.

34 SECTION 188. IC 9-24-6-2.3, AS ADDED BY P.L.45-2011,
35 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2012]: Sec. 2.3. (a) In addition to the requirements of 49 CFR
37 383.71, an applicant for a new commercial driver's license or a holder
38 of a commercial driver's license must ~~provide the bureau with~~ **have** a
39 copy of a current medical examination report and medical examiner's
40 certificate prepared by a medical examiner **on file with the motor**
41 **carrier services division of the department of state revenue. If a**
42 **copy is not on file with the motor carrier services division of the**
43 **department of state revenue, a copy must be presented to the**
44 **bureau.**

45 (b) A commercial driver's license holder must ~~provide the bureau~~
46 ~~with~~ **have** a copy of a current medical examination report and medical
47 examiner's certificate **on file with the motor carrier services division**
48 **of the department of state revenue** each time a medical examination
49 report and medical examiner's certificate are obtained by the
50 commercial driver's license holder, regardless of whether the medical

1 examiner certifies the driver as qualified. **If a copy is not on file with**
 2 **the motor carrier services division of the department of state**
 3 **revenue, a copy must be presented to the bureau.**

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

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

14 (e) If a commercial driver's license applicant or holder who is
 15 disqualified **from operating a commercial motor vehicle** under
 16 subsection (c) or (d) attempts to transfer the commercial driver's
 17 license to another state, the commercial driver's license applicant or
 18 holder remains disqualified **from operating a commercial motor**
 19 **vehicle** until the applicant or holder is able to establish to the bureau's
 20 satisfaction that the applicant or holder meets the qualifications of 49
 21 CFR 391.41.

22 (f) With respect to the self-certification requirements of 49 CFR
 23 383.71(a)(1), a commercial driver's license applicant must certify that
 24 the applicant expects to operate only in interstate ~~commerce~~ or ~~only in~~
 25 intrastate commerce, **and whether the applicant is medically**
 26 **excepted. In either case, Regardless of the applicant's certification**
 27 **under this subsection,** the applicant remains subject to the
 28 requirements of 49 CFR 391.41 **and 49 CFR 383.71,** except as
 29 provided for by rule.

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

34 SECTION 189. IC 9-24-6-5.3, AS AMENDED BY P.L.145-2011,
 35 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2012]: Sec. 5.3. (a) The owner of a truck driver training
 37 school or a state educational institution that operates a truck driver
 38 training school as a course of study must notify the bureau:

39 (1) of a student's completion of a course of the truck driver
 40 training school immediately after the student completes the
 41 course; or

42 (2) of the termination of a student's instruction in the truck driver
 43 training school immediately after the student's instruction
 44 terminates.

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

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

1 student of the truck driver training school for at least six (6) years.

2 SECTION 190. 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 191. 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
43 tracks are not clear of an approaching train or other on-track
44 equipment, in violation of IC 9-21-4-16, IC 9-21-8-39, or any
45 similar statute.

46 (8) For all drivers, whether or not they are required to always stop
47 at a railroad crossing, to do any of the following:

48 (A) Stopping in a railroad crossing, in violation of
49 IC 9-21-8-50 or any similar statute.

50 (B) Failing to obey a traffic control device or failing to obey

- 1 the directions of a law enforcement officer at a railroad
 2 crossing, in violation of IC 9-21-8-1 or any similar statute.
- 3 (C) Stopping in a railroad crossing because of insufficient
 4 undercarriage clearance, in violation of IC 35-42-2-4,
 5 IC 9-21-8-50, or any similar statute.
- 6 (9) Operating a commercial motor vehicle without having ever
 7 obtained a commercial driver's license **or permit**.
- 8 (10) Operating a commercial motor vehicle without a commercial
 9 driver's license **or permit** in the possession of the individual.
- 10 (11) Operating a commercial motor vehicle without holding the
 11 proper class or endorsement of a commercial driver's license **or**
 12 **permit** for the operation of the class of the commercial motor
 13 vehicle.
- 14 **(12) Driving a commercial motor vehicle while using a**
 15 **hand-held mobile device as set forth in 49 CFR 383 through**
 16 **384, and 49 CFR 390 through 392.**
- 17 (b) Subsection (a)(1) through (a)(11) are intended to comply with
 18 the provisions of 49 U.S.C. 31311(a)(10) and regulations adopted
 19 under that statute.
- 20 SECTION 192. IC 9-24-6-8, AS AMENDED BY P.L.9-2010,
 21 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2012]: Sec. 8. The following, if committed while driving a
 23 commercial motor vehicle or while holding any class of commercial
 24 driver's license **or permit**, are disqualifying offenses:
- 25 (1) Operating a vehicle while under the influence of alcohol in
 26 violation of IC 9-30-5-1(a), IC 9-30-5-1(b), or section 15 of this
 27 chapter.
- 28 (2) Operating a vehicle while under the influence of a controlled
 29 substance in violation of IC 9-30-5-1(c).
- 30 (3) Leaving the scene of an accident involving the driver's
 31 commercial motor vehicle in violation of IC 9-26-1.
- 32 (4) Conviction of a felony involving the use of a commercial
 33 motor vehicle other than a felony described in subdivision (5).
- 34 (5) Use of a commercial motor vehicle in the commission of a
 35 felony under IC 35-48 involving manufacturing, distributing, or
 36 dispensing of a controlled substance.
- 37 (6) Violation of IC 9-30-5-2 through IC 9-30-5-8 involving
 38 operating a vehicle while intoxicated.
- 39 (7) Refusing to undergo testing for the enforcement of
 40 IC 9-30-5-1 or section 15 of this chapter.
- 41 SECTION 193. IC 9-24-6-10.5 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10.5. (a) Except as
 43 provided in subsection (b), and in addition to any other penalty
 44 imposed for a violation of this chapter, the court that imposes a
 45 judgment for violation of an out-of-service order shall order the person
 46 receiving the judgment to be disqualified from driving a commercial
 47 vehicle as follows:
- 48 (1) For at least ~~ninety (90)~~ **one hundred eighty (180)** days but not
 49 more than one (1) year, if the judgment is the person's first
 50 judgment for violation of an out-of-service order.

- 1 (2) For at least ~~one (1)~~ year **two (2) years** but not more than five
 2 (5) years, if the judgment is the person's second judgment for
 3 violation of an out-of-service order during any ten (10) year
 4 period.
- 5 (3) For at least three (3) years but not more than five (5) years, if
 6 the person has at least two (2) previous judgments for violation of
 7 an out-of-service order during any ten (10) year period.
- 8 (b) In addition to any other penalty imposed for a violation of this
 9 chapter, the court that imposes a judgment upon a person because the
 10 person violated an out-of-service order while the person was
 11 transporting a hazardous material or while operating a commercial
 12 motor vehicle designed or used to transport more than fifteen (15)
 13 passengers, including the driver, shall order the person to be
 14 disqualified from driving a commercial vehicle as follows:
- 15 (1) For at least one hundred eighty (180) days but not more than
 16 two (2) years, if the judgment is the person's first judgment for
 17 violation of an out-of-service order.
- 18 (2) For at least three (3) years but not more than five (5) years, if
 19 the person has at least one (1) previous judgment for violation of
 20 an out-of-service order that arose out of a separate incident during
 21 any ten (10) consecutive years.
- 22 **(3) For at least three (3) years but not more than five (5)**
 23 **years, if the person has at least two (2) previous judgments for**
 24 **violation of an out-of-service order that arose out of a**
 25 **separate incident during any ten (10) consecutive years.**
- 26 SECTION 194. IC 9-24-6-20, AS ADDED BY P.L.45-2011,
 27 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2012]: Sec. 20. (a) The bureau shall downgrade the
 29 commercial driver's license of a driver under the following
 30 circumstances:
- 31 (1) The driver's medical certification or federally granted medical
 32 variance expires.
- 33 (2) The bureau receives notification that the driver's federally
 34 granted medical variance was removed or rescinded.
- 35 Not later than sixty (60) days after the occurrence of a circumstance
 36 described in subdivision (1) or (2), the bureau shall initiate a
 37 downgrade of the driver's commercial driver's license.
- 38 (b) To prevent the driver's commercial driver's license from being
 39 downgraded:
- 40 (1) a driver whose medical certification has expired must submit
 41 a current and qualifying medical examination report and medical
 42 examiner's certificate not later than sixty (60) days after the
 43 bureau has initiated a downgrade; or
- 44 (2) a driver whose federally granted medical variance was
 45 removed or rescinded must submit a new federally granted
 46 medical variance not later than sixty (60) days after the bureau
 47 has initiated a downgrade.
- 48 (c) The bureau shall provide written notice to a driver at least ten
 49 (10) days before initiating a downgrade of the driver's commercial
 50 driver's license informing the driver:
- 51 (1) that the driver is not medically certified due to the expiration

1 of the driver's medical certificate or because the driver's federally
 2 granted medical variance was removed or rescinded; and
 3 (2) how the driver can prevent the driver's commercial driver's
 4 license from being downgraded.

5 (d) The bureau shall not issue a commercial driver's license to an
 6 applicant who does not certify:

- 7 (1) that the applicant expects to operate only in interstate
 8 ~~commerce~~ or ~~only in~~ intrastate commerce; **and**
 9 **(2) whether or not the applicant is medically exempted.**

10 SECTION 195. IC 9-24-6.5-6 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The hazardous
 12 materials endorsement of a driver who applies for renewal of the
 13 endorsement may remain valid after the date on which the endorsement
 14 would otherwise expire if both of the following conditions are met:

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

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

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

27 (c) Notwithstanding subsection (b), if the bureau receives
 28 information from the administration or another agency designated to
 29 conduct a background check that requires the bureau to revoke the
 30 hazardous materials endorsement of a driver, the bureau shall revoke
 31 the endorsement immediately upon receipt of the information.

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

33 (1) the bureau receives the results of a background check
 34 conducted by the administration or another agency designated to
 35 conduct the background check; or

36 (2) further extensions are barred under regulations adopted to
 37 implement the act.

38 SECTION 196. IC 9-24-7-1, AS AMENDED BY P.L.145-2011,
 39 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2012]: Sec. 1. ~~(a) This subsection expires June 30, 2010. The~~
 41 ~~bureau shall issue a learner's permit to an individual who meets the~~
 42 ~~following conditions:~~

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

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

46 ~~(3) Is enrolled in an approved driver education course.~~

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

50 ~~(1) Is at least fifteen (15) years and one hundred eighty (180) days~~

- 1 of age.
- 2 (2) If less than eighteen (18) years of age, is not ineligible under
- 3 IC 9-24-2-1.
- 4 (3) Is enrolled in an approved driver education course.
- 5 (c) ~~This subsection applies beginning September 1, 2011.~~ (a) The
- 6 bureau shall issue a learner's permit to an individual who: ~~meets the~~
- 7 ~~following conditions:~~
- 8 (1) is at least fifteen (15) years of age;
- 9 (2) if less than eighteen (18) years of age, is not ineligible under
- 10 IC 9-24-2-1;
- 11 (3) is enrolled in an approved driver education course; **and**
- 12 **(4) has passed a written examination as required under**
- 13 **IC 9-24-10.**
- 14 (b) **The bureau shall issue a learner's permit to an individual**
- 15 **who:**
- 16 **(1) is at least sixteen (16) years of age;**
- 17 **(2) if less than eighteen (18) years of age, is not ineligible**
- 18 **under IC 9-24-2; and**
- 19 **(3) has passed a written examination as required under**
- 20 **IC 9-24-10.**
- 21 SECTION 197. IC 9-24-7-2 IS AMENDED TO READ AS
- 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The ~~bureau~~
- 23 **instructor of an approved driver education course** shall validate **or**
- 24 **certify** a learner's permit issued under section 1 of this chapter upon
- 25 certification by the instructor of an approved driver education course
- 26 **that when** the holder has satisfactorily completed the course. **If the**
- 27 **instructor is unable to certify the actual learner's permit, the**
- 28 **instructor may certify that the holder has satisfactorily completed**
- 29 **the course in a manner the bureau prescribes.**
- 30 SECTION 198. IC 9-24-7-3 IS REPEALED [EFFECTIVE JULY 1,
- 31 2012]. Sec. 3: The bureau shall issue a validated learner's permit to an
- 32 individual who is at least sixteen (16) years of age upon passing the
- 33 required examination.
- 34 SECTION 199. IC 9-24-7-4, AS AMENDED BY P.L.156-2006,
- 35 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2012]: Sec. 4. A learner's permit authorizes the permit holder
- 37 to operate a motor vehicle, except a motorcycle **or commercial motor**
- 38 **vehicle**, upon a public highway under the following conditions:
- 39 (1) While the holder is participating in practice driving in an
- 40 approved driver education course and is accompanied by a
- 41 certified driver education instructor **or student teacher** in the
- 42 front seat of an ~~automobile~~ **a motor vehicle** equipped with dual
- 43 controls.
- 44 **(2) While the holder is participating in practice driving after**
- 45 **having commenced an approved driver education course and**
- 46 **the seat beside the holder is occupied by a parent, stepparent,**
- 47 **or guardian of the holder who holds a valid driver's license.**
- 48 ~~(2)~~ **(3) If the learner's permit has been validated and the holder is**
- 49 **not participating in an approved driver education course, and**
- 50 **is less than eighteen (18) years of age, the holder may participate**
- 51 **in practice driving if the seat beside the holder is occupied by a**

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 200. 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 201. 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.

43 (2) The motorcycle is operated only during daylight hours.

44 (3) The motorcycle does not carry passengers other than the
 45 operator.

46 **(c) A motorcycle learner's permit may be renewed one (1) time**
 47 **for a period of one (1) year. An individual who does not obtain a**
 48 **motorcycle operator endorsement before the expiration of the**
 49 **renewed learner's permit must wait one (1) year to reapply for a**
 50 **new motorcycle learner's permit.**

1 SECTION 202. IC 9-24-8-4, AS AMENDED BY P.L.109-2011,
 2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsections **(b) and**
 4 **(c), and (d)**, the bureau shall validate an operator's, a chauffeur's, ~~or~~ a
 5 public passenger chauffeur's, **or a commercial driver's** license for
 6 motorcycle operation upon a highway by endorsement to a person who:
 7 ~~meets the conditions in subsection (b) or (g):~~

8 ~~(b) Except as provided in subsection (g), a person must meet at least~~
 9 ~~one (1) of the following conditions to obtain an endorsement under~~
 10 ~~subsection (a):~~

11 (1) satisfactorily ~~complete~~ **completes** the written test ~~and:~~

12 ~~(A) satisfactorily complete an and approved operational skills~~
 13 ~~test; or tests;~~

14 ~~(B) (2) satisfactorily complete completes~~ a motorcycle operator
 15 safety education course approved by the department of education
 16 as set forth in IC 20-30-13-9; ~~or~~

17 ~~(2) Hold (3) holds~~ a current motorcycle operator endorsement or
 18 motorcycle operator's license from any other jurisdiction and
 19 successfully ~~complete~~ **completes** the written test.

20 **The bureau may waive the testing requirements for an individual**
 21 **who has completed a course described in subdivision (2).**

22 ~~(c) (b)~~ The bureau may not issue a motorcycle endorsement to an
 23 individual less than sixteen (16) years and one hundred eighty (180)
 24 days of age.

25 ~~(d) (c)~~ If an applicant for a motorcycle license endorsement is less
 26 than eighteen (18) years of age, the bureau may not issue a license
 27 endorsement described in subsection (a) if the applicant is ineligible
 28 under IC 9-24-2-1.

29 ~~(e) (d)~~ The bureau shall develop and implement both a written test
 30 and an operational skills test ~~that must be designed~~ to determine
 31 whether an applicant for a motorcycle endorsement ~~is competent~~
 32 **demonstrates the necessary knowledge and skills** to operate a
 33 motorcycle upon a highway. The written test must be made available
 34 at license branch locations approved by the bureau. The operational
 35 skills test must be given at locations designated by the bureau. The
 36 bureau shall adopt rules under IC 4-22-2 to establish standards for
 37 persons administering operational skills tests and the provisions of the
 38 operational skills test. An individual applying for a motorcycle
 39 endorsement must pass the written exam before taking the operational
 40 skills test. If an applicant fails to satisfactorily complete either the
 41 written or operational tests, the applicant may reapply for and must be
 42 offered the examination upon the same terms and conditions as
 43 applicants may reapply for and be offered examinations for an
 44 operator's license. The bureau shall publish and make available at all
 45 locations where an individual may apply for an operator's license
 46 information concerning a motorcycle endorsement.

47 ~~(f) (e)~~ An individual may apply for a motorcycle endorsement not
 48 later than the expiration date of the permit. However, ~~not more than~~
 49 ~~three (3) examinations may be allowed during the period the permit is~~
 50 ~~valid:~~ an individual who holds a learner's permit and does not pass the

1 written and operating skills examination during the period for which
 2 the permit is valid must obtain a new learner's permit. **after a third**
 3 **attempt is not eligible to take the examination until two (2) months**
 4 **after the date of the last failed examination.**

5 (g) ~~(f)~~ A person who held a valid Indiana motorcycle operator's
 6 license on ~~June 30;~~ **December 31,** 2011, may be issued a motorcycle
 7 operator's endorsement after ~~June 30;~~ **December 31,** 2011, on a valid
 8 Indiana operator's, chauffeur's, public passenger chauffeur's, or
 9 commercial driver's license after:

- 10 (1) making the appropriate application for endorsement; ~~and~~
- 11 **(2) passing the appropriate examinations; and**
- 12 ~~(2)~~ **(3)** paying the appropriate fee set forth in IC 9-29-9-7 or
- 13 IC 9-29-9-8.

14 SECTION 203. IC 9-24-9-2, AS AMENDED BY P.L.145-2011,
 15 SECTION 17, AND AS AMENDED BY P.L.118-2011, SECTION 3,
 16 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~(a) Before January 1, 2008;~~ each
 18 application for a license or permit under this chapter must require the
 19 following information:

20 (1) The name; date of birth; sex; Social Security number; and
 21 mailing address; and, if different from the mailing address; the
 22 residence address of the applicant. The applicant shall indicate to
 23 the bureau:

- 24 (A) which address the license or permit shall contain; and
- 25 (B) whether the Social Security number or another
 26 distinguishing number shall be the distinctive identification
 27 number used on the license or permit.

28 (2) Whether the applicant has been licensed as an operator; a
 29 chauffeur; or a public passenger chauffeur or has been the holder
 30 of a learner's permit; and if so; when and by what state:

31 (3) Whether the applicant's license or permit has ever been
 32 suspended or revoked; and if so; the date of and the reason for the
 33 suspension or revocation:

34 (4) Whether the applicant has been convicted of a crime
 35 punishable as a felony under Indiana motor vehicle law or any
 36 other felony in the commission of which a motor vehicle was
 37 used:

38 (5) Whether the applicant has a physical or mental disability; and
 39 if so; the nature of the disability and other information the bureau
 40 directs:

41 The bureau shall maintain records of the information provided under
 42 subdivisions (1) through (5):

43 ~~(b) (a)~~ Except as provided in subsection ~~(c);~~ after ~~December 31;~~
 44 2007; **(b)**, each application for a license or permit under this chapter
 45 must require the following information:

- 46 (1) The full legal name of the applicant.
- 47 (2) The applicant's date of birth.
- 48 (3) The gender of the applicant.
- 49 (4) The applicant's height, weight, hair color, and eye color.
- 50 (5) The principal address and mailing address of the applicant.

- 1 (6) A:
 2 (A) valid Social Security number; or
 3 (B) verification of an applicant's:
 4 (i) ineligibility to be issued a Social Security number; and
 5 (ii) identity and lawful status.
 6 (7) Whether the applicant has been subject to fainting spells or
 7 seizures.
 8 (8) Whether the applicant has been licensed as an operator, a
 9 chauffeur, or a public passenger chauffeur or has been the holder
 10 of a learner's permit, and if so, when and by what state.
 11 (9) Whether the applicant's license or permit has ever been
 12 suspended or revoked, and if so, the date of and the reason for the
 13 suspension or revocation.
 14 (10) Whether the applicant has been convicted of a crime
 15 punishable as a felony under Indiana motor vehicle law or any
 16 other felony in the commission of which a motor vehicle was
 17 used.
 18 (11) Whether the applicant has a physical or mental disability,
 19 and if so, the nature of the disability and other information the
 20 bureau directs.
 21 (12) The signature of the applicant.
 22 The bureau shall maintain records of the information provided under
 23 subdivisions (1) through (12).
 24 ~~(c)~~ **(b)** For purposes of subsection ~~(b)~~; **(a)**, an individual certified as
 25 a program participant in the address confidentiality program under
 26 IC 5-26.5 is not required to provide the individual's principal address
 27 and mailing address, but may provide an address designated by the
 28 office of the attorney general under IC 5-26.5 as the individual's
 29 principal address and mailing address.
 30 ~~(c)~~ **(c)** *In addition to the information required by subsection ~~(b)~~; **(a)**,*
 31 *an applicant who is required to complete at least fifty (50) hours of*
 32 *supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or*
 33 *IC 9-24-3-2.5(a)(2)(D) must submit to the commission evidence of the*
 34 *time logged in practice driving. The bureau shall maintain a record of*
 35 *the time log provided.*
 36 *(d) In addition to the information required under subsection ~~(b)~~; **(a)**,*
 37 *an application for a license or permit to be issued under this chapter*
 38 *must enable the applicant to indicate that the applicant is a veteran of*
 39 *the armed forces of the United States and wishes to have an indication*
 40 *of the applicant's veteran status appear on the license or permit. An*
 41 *applicant who wishes to have an indication of the applicant's veteran*
 42 *status appear on a license or permit must:*
 43 *(1) indicate on the application that the applicant:*
 44 *(A) is a veteran of the armed forces of the United States; and*
 45 *(B) wishes to have an indication of the applicant's veteran*
 46 *status appear on the license or permit; and*
 47 *(2) verify the applicant's veteran status by providing proof of*
 48 *discharge.*
 49 *The bureau shall maintain records of the information provided under*
 50 *this subsection.*

1 SECTION 204. IC 9-24-10-3, AS AMENDED BY P.L.145-2011,
 2 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 3. (a) ~~Except as provided by subsection (b);~~
 4 ~~examinations shall be held in the county where the license branch~~
 5 ~~office in which the application was made is located, within a~~
 6 ~~reasonable length of time following the date of the application.~~

7 (b) ~~After June 30, 2011,~~ An applicant may take any or all of the tests
 8 required by section 4(a)(1)(B), 4(a)(1)(C), and 4(a)(2) of this chapter
 9 at any **license branch** location in Indiana.

10 SECTION 205. IC 9-24-10-4, AS AMENDED BY P.L.145-2011,
 11 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (c), an
 13 examination for a learner's permit **or driver's license** must ~~consist of~~
 14 ~~a test of the applicant's eyesight and knowledge of IC 9-26-1-1.5. All~~
 15 ~~other examinations must include the following:~~

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

17 (A) Eyesight.

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

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

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

25 (b) The examination may include further physical and mental
 26 examination that the bureau finds necessary to determine the
 27 applicant's fitness to operate a motor vehicle safely upon Indiana
 28 highways. The applicant must provide the motor vehicle used in the
 29 examination.

30 (c) The bureau:

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

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

38 (A) an examination concerning:

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

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

41 (B) a skills test;

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

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

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

50 (1) bureau;

- 1 (2) commission; or
 2 (3) driver licensing medical advisory board;
 3 concerning the fitness of the applicant to operate a motor vehicle in a
 4 manner that does not jeopardize the safety of individuals or property.

5 SECTION 206. IC 9-24-10-5 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The bureau shall
 7 **print, make available**, for the mandatory use of individuals conducting
 8 the examinations, the rules and requirements that must be uniformly
 9 and impartially followed in making the examinations.

10 SECTION 207. IC 9-24-11-1 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall
 12 issue a permit or license to every applicant who meets the following
 13 conditions:

- 14 (1) Qualifies as required.
 15 (2) Makes the proper application.
 16 (3) Pays the required fee.
 17 **(4) Passes the required examinations.**

18 SECTION 208. IC 9-24-11-9 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) This section
 20 applies to an individual who has an existing medical condition that
 21 causes the individual to appear intoxicated.

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

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

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

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

36 SECTION 209. IC 9-24-11-10 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) In addition to
 38 any other penalty imposed for a conviction under section 8(c) of this
 39 chapter, the court shall recommend that the person's driving privileges
 40 be suspended for a fixed period of at least ninety (90) days and not
 41 more than two (2) years.

42 (b) The court shall specify:
 43 (1) the length of the fixed period of suspension; and
 44 (2) the date the fixed period of suspension begins;
 45 whenever the court makes a recommendation under subsection (a). **If**
 46 **the court fails to recommend a fixed term of suspension, the bureau**
 47 **shall impose the minimum period of suspension required under this**
 48 **chapter.**

49 SECTION 210. IC 9-24-11-11 IS AMENDED TO READ AS
 50 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. The bureau shall,

1 upon receiving a record of conviction of a person under section 8(c) of
 2 this chapter, set a period of suspension for a fixed period of at least
 3 ninety (90) days and not more than two (2) years. The bureau shall fix
 4 this period in accordance with the recommendation of the court that
 5 entered the conviction, as provided in section 10 of this chapter. **If the**
 6 **court fails to recommend a fixed term of suspension, the bureau**
 7 **shall impose the minimum period of suspension required under this**
 8 **chapter.**

9 SECTION 211. IC 9-24-12-2, AS AMENDED BY P.L.184-2007,
 10 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2012]: Sec. 2. ~~(a) Except as provided in section 10 of this~~
 12 ~~chapter, a chauffeur's license issued under this article after December~~
 13 ~~31, 1996, and before January 1, 2006, expires at midnight of the~~
 14 ~~birthday of the holder that occurs four (4) years following the date of~~
 15 ~~issuance.~~

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

21 ~~(c) (b)~~ Except as provided in ~~subsection (b) and~~ sections 10, 11, and
 22 12 of this chapter, a chauffeur's license issued to an applicant who is at
 23 least seventy-five (75) years of age expires at midnight of the birthday
 24 of the holder that occurs three (3) years following the date of issuance.

25 SECTION 212. IC 9-24-12-5, AS AMENDED BY P.L.109-2011,
 26 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2012]: Sec. 5. (a) Except as provided in subsection (b), an
 28 individual applying for renewal of an operator's, a chauffeur's, or a
 29 public passenger chauffeur's license must apply in person at a license
 30 branch and do the following:

31 (1) Pass an eyesight examination.

32 (2) Pass a written examination if:

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

35 (B) the applicant holds a valid operator's license, has not
 36 reached the applicant's twenty-first birthday, and has active
 37 points on the applicant's driving record maintained by the
 38 bureau.

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

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

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

50 (3) The application for or previous renewal of the individual's

- 1 license must have included a test of the individual's eyesight
 2 approved by the bureau.
- 3 (4) If the individual were applying for the license renewal in
 4 person at a license branch, the individual would not be required
 5 under subsection (a)(2) to submit to a written examination.
- 6 (5) The individual must be a citizen of the United States, as
 7 shown in the records of the bureau.
- 8 (6) There must not have been any change in the:
 9 (A) address; or
 10 (B) name;
 11 of the individual since the issuance or previous renewal of the
 12 individual's operator's, chauffeur's, or public passenger chauffeur's
 13 license.
- 14 (7) The operator's, chauffeur's, or public passenger chauffeur's
 15 license of the individual must not be:
 16 (A) suspended; or
 17 (B) expired more than one hundred eighty (180) days;
 18 at the time of the application for renewal.
- 19 (8) The individual must be less than ~~seventy (70)~~ **seventy-five**
 20 **(75)** years of age at the time of the application for renewal.
- 21 (c) An individual applying for the renewal of an operator's, a
 22 chauffeur's, or a public passenger chauffeur's license must apply in
 23 person at a license branch under subsection (a) if the individual is not
 24 entitled to apply by mail or by electronic service under rules adopted
 25 under subsection (b).
- 26 SECTION 213. IC 9-24-14-1, AS AMENDED BY P.L.87-2010,
 27 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2012]: Sec. 1. If a permit or license issued under this article
 29 ~~except section 2 of this chapter~~, is lost or destroyed, and as provided in
 30 section 3.5 of this chapter, the individual to whom the permit or license
 31 was issued may obtain a replacement if the individual ~~does the~~
 32 ~~following~~:
- 33 (1) ~~Furnishes proof satisfactory to the bureau that the permit or~~
 34 ~~license was lost or destroyed.~~
- 35 (2) ~~pays the required fee for a replacement permit or license under~~
 36 ~~IC 9-29-9.~~
- 37 SECTION 214. IC 9-24-14-2 IS REPEALED [EFFECTIVE JULY
 38 1, 2012]. Sec. 2: (a) ~~This section applies to replacement licenses issued~~
 39 ~~under the following~~:
- 40 (1) ~~IC 9-30-4-6.~~
 41 (2) ~~IC 9-24-15.~~
 42 (3) ~~IC 9-30-5.~~
 43 (4) ~~IC 9-30-6.~~
 44 (5) ~~IC 9-30-10-9.~~
 45 (6) ~~IC 9-30-10-13.~~
- 46 (b) ~~The bureau may issue a replacement license that is restrictive or~~
 47 ~~conditional if an applicant does the following~~:
- 48 (1) ~~Applies for a valid replacement license.~~
 49 (2) ~~Surrenders all licenses in the applicant's possession.~~
 50 (3) ~~Pays the license fee under IC 9-29-9.~~

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

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

9 (2) When suspension is by reason of:

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

11 (B) having caused serious bodily injury to or the death of
 12 another person when operating a motor vehicle after
 13 knowingly or intentionally failing to take prescribed
 14 medication, the taking of which was a condition of the
 15 issuance of the operator's restricted driver's license; or

16 (C) the applicant has been convicted of involuntary
 17 manslaughter or reckless homicide as a result of an automobile
 18 accident.

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

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

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

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

30 (1) received a request for evidence of financial responsibility
 31 after:

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

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

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

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

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

41 (1) an individual's driving license has been suspended under
 42 Indiana motor vehicle law; ~~and~~

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

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

48 the individual may file a verified petition for a restricted driving ~~permit~~
 49 **privileges** for the sole purpose of driving to and from work and in the
 50 course of employment during the period of the driving license

1 suspension.

2 SECTION 217. IC 9-24-15-3, AS AMENDED BY P.L.28-2010,
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 3. The following information must be included in
5 a petition filed under section 2 of this chapter:

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

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

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

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

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

41 (e) Court costs (including fees) for the action on the petition must
42 be charged against the petitioner. The prosecuting attorney of the
43 county is not liable or taxable for any costs (including fees) in any
44 action under this chapter.

45 SECTION 219. IC 9-24-15-6, AS AMENDED BY P.L.109-2011,
46 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
47 JULY 1, 2012]: Sec. 6. (a) The court shall, after hearing the evidence
48 upon a petition filed under this chapter and without any requests, make,
49 sign, and file special finding of facts in writing. Except as provided in
50 section 6.5 of this chapter, the court may do either of the following:

1 (1) Refuse to grant the petition.

2 (2) Make a final determination in the nature of a recommendation
3 to the bureau that the petitioner be granted a restricted driving
4 ~~permit~~ **privileges**.

5 The judge of the court shall sign the recommendation and have the
6 recommendation entered in the order book by the clerk of the court,
7 with a copy sent to the bureau.

8 **(b) If the bureau receives an order granting restricted driving**
9 **privileges to a person who, according to the records of the bureau,**
10 **is ineligible to receive restricted driving privileges under this**
11 **chapter, the bureau shall:**

12 **(1) grant the person restricted driving privileges and notify**
13 **the prosecuting attorney of the county from which the order**
14 **was received that the person is not eligible for restricted**
15 **driving privileges; and**

16 **(2) send a certified copy of the person's driving record to the**
17 **prosecuting attorney. The prosecuting attorney shall, in**
18 **accordance with IC 35-38-1-15, petition the court to correct**
19 **the order of the court. If the bureau does not receive a**
20 **corrected order within sixty (60) days, the bureau shall notify**
21 **the attorney general, who shall, in accordance with**
22 **IC 35-38-1-15, petition the court to correct the order of the**
23 **court.**

24 SECTION 220. IC 9-24-15-6.5, AS AMENDED BY P.L.109-2011,
25 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2012]: Sec. 6.5. (a) The court shall grant a petition for a
27 restricted driving ~~permit~~ **privileges** filed under this chapter if all of the
28 following conditions exist:

29 (1) The person was not convicted of one (1) or more of the
30 following:

31 (A) A Class D felony under IC 9-30-5-4 before July 1, 1996,
32 or a Class D felony or a Class C felony under IC 9-30-5-4 after
33 June 30, 1996.

34 (B) A Class C felony under IC 9-30-5-5 before July 1, 1996, or
35 a Class C felony or a Class B felony under IC 9-30-5-5 after
36 June 30, 1996.

37 (2) The person's driving privileges were suspended under
38 IC 9-30-6-9(c) or IC 35-48-4-15.

39 (3) The driving that was the basis of the suspension was not in
40 connection with the person's work.

41 (4) The person does not have a previous conviction for operating
42 while intoxicated.

43 (5) The person is participating in a rehabilitation program
44 certified by either the division of mental health and addiction or
45 the Indiana judicial center. ~~as a condition of the person's~~
46 ~~probation.~~

47 (b) The person filing the petition for a restricted driving ~~permit~~
48 **privileges** shall include in the petition the information specified in
49 subsection (a) in addition to the information required by sections 3
50 through 4 of this chapter.

51 (c) Whenever the court grants a person restricted driving privileges

1 under this chapter, that part of the court's order granting probationary
 2 driving privileges shall not take effect until the person's driving
 3 privileges have been suspended for at least thirty (30) days under
 4 IC 9-30-6-9. In a county that provides for the installation of an ignition
 5 interlock device under IC 9-30-8, installation of an ignition interlock
 6 device is required as a condition of probationary driving privileges for
 7 the entire duration of the probationary driving privileges.

8 (d) If a court requires installation of a certified ignition interlock
 9 device under subsection (c), the court shall order the bureau to record
 10 this requirement in the person's ~~operating~~ **driving** record in accordance
 11 with IC 9-14-3-7. When the person is no longer required to operate
 12 only a motor vehicle equipped with an ignition interlock device, the
 13 court shall notify the bureau that the ignition interlock use requirement
 14 has expired and order the bureau to update its records accordingly.

15 SECTION 221. IC 9-24-15-6.7, AS AMENDED BY P.L.109-2011,
 16 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2012]: Sec. 6.7. (a) If a petitioner whose driving license or
 18 permit is suspended under ~~IC 9-25-6-19, IC 9-25-6-20, or IC 9-25-6-21~~
 19 **IC 9-30-13-6, IC 9-30-13-7, or IC 9-30-13-8** proves to the satisfaction
 20 of the court that public transportation is unavailable for travel by the
 21 petitioner:

- 22 (1) to and from the petitioner's regular place of employment;
- 23 (2) in the course of the petitioner's regular employment;
- 24 (3) to and from the petitioner's place of worship; or
- 25 (4) to participate in parenting time with the petitioner's children
 26 consistent with a court order granting parenting time;

27 the court may grant a petition for a restricted driving **permit privileges**
 28 filed under this chapter.

29 (b) ~~A~~ Restricted driving **permit privileges** issued by the bureau
 30 under this section must specify that the restricted driving **permit is**
 31 **privileges are** valid only for purposes of driving under the conditions
 32 described in subsection (a).

33 (c) ~~A~~ Restricted driving **permit privileges** issued by the bureau
 34 under this section shall be:

- 35 (1) issued in the same manner; and
- 36 (2) subject to all requirements;

37 as other permits under this chapter.

38 SECTION 222. IC 9-24-15-7 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. ~~The bureau shall~~
 40 ~~comply with the court's recommendation.~~ The bureau in issuing a
 41 restricted driving **permit privileges** shall be guided by the court's
 42 special finding of facts in setting out the petitioner's driving
 43 restrictions. The ~~restricted driving permit recommendation of the~~
 44 **court** must set out restrictions as to the time, territory, and route to be
 45 included and shall be restricted to the essential requirements of the
 46 petitioner in the performance of the petitioner's employment duties.

47 SECTION 223. IC 9-24-15-8 IS AMENDED TO READ AS
 48 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The petitioner must
 49 have **proof of the petitioner's** restricted driving **permit privileges** on
 50 the petitioner's person while driving a motor vehicle. ~~A~~ Restricted

1 driving ~~permit is~~ **privileges are** valid and in force only after the person
 2 gives and maintains in effect proof of financial responsibility in the
 3 manner required in IC 9-25.

4 SECTION 224. IC 9-24-15-9, AS AMENDED BY P.L.109-2011,
 5 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 9. Except as provided in section 6.5 of this
 7 chapter, an individual may not ~~receive a~~ **be granted** restricted driving
 8 **permit privileges** if the individual's driving privileges are suspended
 9 under IC 9-30-5 through IC 9-30-9 or IC 9-30-13-3.

10 SECTION 225. IC 9-24-15-11 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) A person who:

12 (1) has been ~~issued a~~ **granted** restricted driving ~~permit;~~
 13 **privileges;** and

14 (2) operates a motor vehicle:

15 (A) in violation of the terms, limitations, or restrictions set out
 16 **in by the restricted driving permit, court;** and

17 (B) during the period of suspension of the person's current
 18 driving license;

19 commits a Class B misdemeanor.

20 (b) The bureau shall, upon receipt of notice of a conviction for a
 21 violation of this section, do the following:

22 (1) Revoke the **person's** restricted driving ~~permit.~~ **privileges.**

23 (2) Suspend the person's current driving license for two (2) years
 24 in addition to the original existing period of suspension.

25 In addition, the bureau may not issue ~~another~~ restricted driving ~~permit~~
 26 **privileges** to the person during the original existing or additional
 27 period of suspension.

28 SECTION 226. IC 9-24-16-2, AS AMENDED BY P.L.118-2011,
 29 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2012]: Sec. 2. ~~(a) Before January 1, 2008, an application for~~
 31 ~~an identification card issued under this chapter must meet the following~~
 32 ~~conditions:~~

33 ~~(1) Be made upon an approved form provided by the bureau;~~
 34 ~~which shall include the mailing address; and if different from the~~
 35 ~~mailing address, the residence address of the applicant.~~

36 ~~(2) Be verified by the applicant before a person authorized to~~
 37 ~~administer oaths and affirmations.~~

38 ~~(b) Except as provided in subsection (c), after December 31, 2007,~~
 39 **(a)** An application for an identification card issued under this chapter
 40 must require the following information concerning an applicant:

41 (1) The full legal name of the applicant.

42 (2) The applicant's date of birth.

43 (3) The gender of the applicant.

44 (4) The applicant's height, weight, hair color, and eye color.

45 (5) The principal address and mailing address of the applicant.

46 (6) A:

47 (A) valid Social Security number; or

48 (B) verification of an applicant's:

49 (i) ineligibility to be issued a Social Security number; and

50 (ii) identity and lawful status.

1 **(7) A digital photograph of the applicant.**

2 **(8) The signature of the applicant.**

3 The bureau shall maintain records of the information provided under
4 subdivisions (1) through ~~(6)~~: **(8)**.

5 ~~(c)~~ **(b)** The bureau may temporarily invalidate an identification card
6 that the bureau believes to have been issued as a result of fraudulent
7 documentation.

8 ~~(d)~~ **(c)** The bureau:

9 (1) shall adopt rules under IC 4-22-2 to establish a procedure to
10 verify an applicant's identity and lawful status; and

11 (2) may adopt rules to establish a procedure to temporarily
12 invalidate an identification card that it believes to have been
13 issued based on fraudulent documentation.

14 ~~(e)~~ **(d)** For purposes of subsection ~~(b)~~; **(a)**, an individual certified as
15 a program participant in the address confidentiality program under
16 IC 5-26.5 is not required to provide the individual's principal address
17 and mailing address, but may provide an address designated by the
18 office of the attorney general under IC 5-26.5 as the individual's
19 principal address and mailing address.

20 ~~(f)~~ **(e)** In addition to the information required under subsection ~~(b)~~;
21 **(a)**, an application for an identification card to be issued under this
22 chapter must enable the applicant to indicate that the applicant is a
23 veteran of the armed forces of the United States and wishes to have an
24 indication of the applicant's veteran status appear on the identification
25 card. An applicant who wishes to have an indication of the applicant's
26 veteran status appear on the identification card must:

27 (1) indicate on the application that the applicant:

28 (A) is a veteran of the armed forces of the United States; and

29 (B) wishes to have an indication of the applicant's veteran
30 status appear on the identification card; and

31 (2) verify the applicant's veteran status by providing proof of
32 discharge.

33 The bureau shall maintain records of the information provided under
34 this subsection.

35 SECTION 227. IC 9-24-16-3, AS AMENDED BY P.L.118-2011,
36 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 3. (a) An identification card must have the same
38 dimensions and shape as a driver's license, but the card must have
39 markings sufficient to distinguish the card from a driver's license.

40 (b) Except as provided in subsection ~~(h)~~; **(g)**, the front side of an
41 identification card must contain the expiration date of the identification
42 card and the following information about the individual to whom the
43 card is being issued:

44 (1) Full legal name.

45 (2) The address of the principal residence.

46 (3) Date of birth.

47 (4) Date of issue and date of expiration.

48 (5) Unique identification number.

49 (6) Gender.

50 (7) Weight.

- 1 (8) Height.
- 2 (9) Color of eyes and hair.
- 3 (10) Reproduction of the signature of the individual identified.
- 4 (11) Whether the individual is blind (as defined in
- 5 IC 12-7-2-21(1)).
- 6 (12) If the individual is less than eighteen (18) years of age at the
- 7 time of issuance, the dates on which the individual will become:
- 8 (A) eighteen (18) years of age; and
- 9 (B) twenty-one (21) years of age.
- 10 (13) If the individual is at least eighteen (18) years of age but less
- 11 than twenty-one (21) years of age at the time of issuance, the date
- 12 on which the individual will become twenty-one (21) years of age.
- 13 (14) Digital photograph of the individual.
- 14 (c) The information contained on the identification card as required
- 15 by subsection (b)(12) or (b)(13) for an individual who is less than
- 16 twenty-one (21) years of age at the time of issuance shall be printed
- 17 prominently on the permit or license.
- 18 (d) If the individual:
- 19 (1) has indicated on the application that the individual is a veteran
- 20 of the armed forces of the United States and wishes to have an
- 21 indication of the applicant's veteran status appear on the
- 22 identification card; and
- 23 (2) has provided proof of discharge;
- 24 an indication of the individual's veteran status shall be shown on the
- 25 identification card.
- 26 (e) If the applicant for an identification card submits information to
- 27 the bureau concerning the applicant's medical condition, the bureau
- 28 shall place an identifying symbol on the face of the identification card
- 29 to indicate that the applicant has a medical condition of note. The
- 30 bureau shall include information on the identification card that briefly
- 31 describes the medical condition of the holder of the card. The
- 32 information must be printed in a manner that alerts a person reading the
- 33 card to the existence of the medical condition. The applicant for an
- 34 identification card is responsible for the accuracy of the information
- 35 concerning the medical condition submitted under this subsection. The
- 36 bureau shall inform an applicant that submission of information under
- 37 this subsection is voluntary.
- 38 ~~(f) An identification card issued by the state that does not require a~~
- 39 ~~digital photograph must include a statement that the identification card~~
- 40 ~~may not be accepted by any federal agency for federal identification or~~
- 41 ~~any other federal purpose.~~
- 42 ~~(g) (f) An identification card issued by the state to an individual~~
- 43 ~~who:~~
- 44 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
- 45 visa status for entry in the United States;
- 46 (2) has a pending application for asylum in the United States;
- 47 (3) has a pending or approved application for temporary protected
- 48 status in the United States;
- 49 (4) has approved deferred action status; or
- 50 (5) has a pending application for adjustment of status to that of an

1 alien lawfully admitted for permanent residence in the United
 2 States or conditional permanent residence status in the United
 3 States;

4 must be clearly identified as a temporary identification card. A
 5 temporary identification card issued under this subsection may not be
 6 renewed without the presentation of valid documentary evidence
 7 proving that the holder of the identification card's temporary status has
 8 been extended.

9 ~~(h)~~ (g) For purposes of subsection (b), an individual certified as a
 10 program participant in the address confidentiality program under
 11 IC 5-26.5 is not required to provide the address of the individual's
 12 principal residence, but may provide an address designated by the
 13 office of the attorney general under IC 5-26.5 as the address of the
 14 individual's principal residence.

15 SECTION 228. IC 9-24-16-4, AS AMENDED BY P.L.162-2009,
 16 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (b), an
 18 identification card issued:

19 ~~(1) before January 1, 2006, expires on the fourth birthday of the~~
 20 ~~applicant following the date of issue; and~~

21 ~~(2) after December 31, 2005, expires at midnight of the birthday~~
 22 ~~of the holder that occurs six (6) years following the date of~~
 23 ~~issuance.~~

24 (b) An identification card issued under this article ~~after December~~
 25 ~~31, 2007~~, to an applicant who complies with section 3.5(1)(E) through
 26 3.5(1)(J) of this chapter expires:

27 (1) at midnight one (1) year after issuance, if there is no
 28 expiration date on the authorization granted to the individual to
 29 remain in the United States; or

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

33 (A) At midnight of the date the authorization of the holder to
 34 be a legal permanent resident or conditional resident alien of
 35 the United States expires.

36 (B) At midnight of the birthday of the holder that occurs six
 37 (6) years after the date of issuance.

38 SECTION 229. IC 9-24-16-4.5, AS AMENDED BY P.L.109-2011,
 39 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2012]: Sec. 4.5. (a) The bureau may adopt rules under
 41 IC 4-22-2 concerning the ability of an individual to renew an
 42 identification card under section 5 of this chapter, apply for a
 43 replacement identification card under section 9 of this chapter, or apply
 44 for a replacement identification card under section 6 of this chapter by
 45 electronic service. If rules are adopted under this subsection, the rules
 46 must provide that an individual's renewal, amendment, or replacement
 47 of an identification card by electronic service is subject to the following
 48 conditions:

49 (1) A valid computerized image or digital photograph of the
 50 individual must exist within the records of the bureau.

- 1 (2) The individual must be a citizen of the United States, as
 2 shown in the records of the bureau.
- 3 (3) There must not have been any change in the:
 4 (A) **legal** address; or
 5 (B) name;
 6 of the individual since the issuance or previous renewal of the
 7 identification card of the individual.
- 8 (4) The identification card of the individual must not be expired
 9 more than one hundred eighty (180) days at the time of the
 10 application for renewal.
- 11 (b) An individual applying for:
 12 (1) the renewal of an identification card; or
 13 (2) a replacement identification card;
 14 must apply in person at a license branch if the individual is not entitled
 15 to apply by mail or by electronic service under rules adopted under
 16 subsection (a).
- 17 SECTION 230. IC 9-24-16-5, AS AMENDED BY P.L.87-2010,
 18 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2012]: Sec. 5. (a) An application for renewal of an
 20 identification card may be made not more than twelve (12) months
 21 before the expiration date of the card. However, when the applicant
 22 complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter, an
 23 application for renewal of an identification card may be filed not more
 24 than one (1) month before the expiration date of the identification card
 25 held by the applicant. ~~A renewal application received after the date of~~
 26 ~~expiration is considered to be a new application.~~
- 27 (b) Except as provided in subsection ~~(e)~~, ~~(d)~~, a renewed card is valid
 28 on the birth date of the holder and remains valid for six (6) years.
- 29 ~~(e) If renewal has not been made within six (6) months after~~
 30 ~~expiration, the bureau shall destroy all records pertaining to the former~~
 31 ~~cardholder.~~
- 32 ~~(d)~~ (c) Renewal may not be granted if the cardholder was issued a
 33 driver's license subsequent to the last issuance of an identification card.
- 34 ~~(e)~~ (d) A renewed identification card issued under this article ~~after~~
 35 ~~December 31, 2007~~, to an applicant who complies with section
 36 3.5(1)(E) through 3.5(1)(J) of this chapter expires:
 37 (1) at midnight one (1) year after issuance, if there is no
 38 expiration date on the authorization granted to the individual to
 39 remain in the United States; or
 40 (2) if there is an expiration date on the authorization granted to
 41 the individual to remain in the United States, the earlier of the
 42 following:
 43 (A) At midnight of the date the authorization of the holder to
 44 be a legal permanent resident or conditional resident alien of
 45 the United States expires.
 46 (B) At midnight of the birthday of the holder that occurs six
 47 (6) years after the date of issuance.
- 48 SECTION 231. IC 9-24-16-10, AS AMENDED BY P.L.109-2011,
 49 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 50 JULY 1, 2012]: Sec. 10. (a) The bureau may adopt rules under

- 1 IC 4-22-2 and prescribe all forms necessary to implement this chapter.
 2 However, the bureau may not impose a fee for the issuance of:
 3 (1) an original;
 4 (2) a renewal of an; or
 5 (3) a replacement;
 6 identification card to an individual described in subsection (b).
 7 (b) An identification card must be issued without the payment of a
 8 fee or charge to an individual who:
 9 (1) does not have a valid Indiana driver's license; and
 10 (2) will be at least eighteen (18) years of age ~~at~~ **and eligible to**
 11 **vote in** the next general, municipal, or special election.
 12 SECTION 232. IC 9-24-17-2 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) The bureau shall
 14 verbally ask every individual who applies for a driver's license or an
 15 identification card issued under IC 9-24-16 whether the individual
 16 desires to make an anatomical gift.
 17 (b) If the individual does desire to make an anatomical gift, the
 18 bureau shall ~~assist~~ **provide** the individual ~~in completing~~
 19 which the individual makes the gift.
 20 SECTION 233. IC 9-24-17-3 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The bureau shall
 22 make available ~~and publicize~~ the anatomical gift program in a separate
 23 brochure and by other means the bureau considers necessary.
 24 SECTION 234. IC 9-24-17-8 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Each anatomical
 26 gift made under this chapter must be made by the donor by
 27 acknowledging the making of the anatomical gift by signing the
 28 application form for the driver's license or identification card under
 29 section 1 of this chapter. If the donor cannot sign, the application form
 30 may be signed for the donor:
 31 (1) at the donor's direction and in the donor's presence; and
 32 (2) in the presence of two (2) witnesses who must sign the
 33 document in the donor's and each other's presence.
 34 ~~(b) The card must state that the document was signed in accordance~~
 35 ~~with this section.~~
 36 ~~(c)~~ **(b)** The bureau shall place an identifying symbol on the face of
 37 the license or identification card to indicate that the person to whom
 38 the license or identification card is issued has acknowledged the
 39 making of an anatomical gift on the application form for the license or
 40 identification card as set forth in subsection (a).
 41 ~~(d)~~ **(c)** Revocation, suspension, or cancellation of the license or
 42 expiration of the license or identification card does not invalidate the
 43 anatomical gift.
 44 ~~(e)~~ **(d)** An anatomical gift is valid if the person acknowledges the
 45 making of the anatomical gift by signing the application form for a
 46 driver's license or identification card under subsection (a). No other
 47 acknowledgment is required to make an anatomical gift.
 48 SECTION 235. IC 9-24-18-1, AS AMENDED BY P.L.100-2010,
 49 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 50 JULY 1, 2012]: Sec. 1. (a) A person, except a person exempted under

1 IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle
 2 upon a highway and has never received a valid driving license commits
 3 a Class C misdemeanor. However, the offense is a Class A
 4 misdemeanor if the person has a prior unrelated conviction under this
 5 section.

6 (b) In addition to any other penalty imposed for a conviction under
 7 this section, the court shall recommend that the person be prohibited
 8 from receiving a valid driving license for a fixed period of at least
 9 ninety (90) days and not more than two (2) years.

10 (c) The court shall specify:

11 (1) the length of the fixed period of the prohibition; and

12 (2) the date the fixed period of the prohibition begins;

13 whenever the court makes a recommendation under subsection (b).

14 (d) The bureau shall, upon receiving a record of conviction of a
 15 person upon a charge of operating a motor vehicle while never having
 16 received a valid driving license, prohibit the person from receiving a
 17 driving license for a fixed period of at least ninety (90) days and not
 18 more than two (2) years. The bureau shall fix this period in accordance
 19 with the recommendation of the court that entered the conviction, as
 20 provided in subsection (c). **If the court fails to recommend a fixed**
 21 **term of suspension, the bureau shall impose the minimum period**
 22 **of suspension required under this chapter.**

23 (e) In a prosecution under this section, the burden is on the
 24 defendant to prove by a preponderance of the evidence that the
 25 defendant had been issued a driving license or permit that was valid at
 26 the time of the alleged offense.

27 SECTION 236. IC 9-24-18-3 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A person that has
 29 a motor vehicle in the person's custody may not cause or knowingly
 30 permit a person to drive the vehicle upon a highway unless the person
 31 ~~obtains~~ **holds a valid** license or permit under this article.

32 (b) A person who violates this section commits a Class C infraction.

33 SECTION 237. IC 9-24-18-7 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. A person who
 35 counterfeits or falsely reproduces a ~~driving~~ **driver's** license with intent
 36 to use the license or to permit another person to use the license
 37 commits a Class B misdemeanor.

38 SECTION 238. IC 9-24-18-9 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) The bureau may
 40 establish a driving record for an Indiana resident who does not hold any
 41 type of valid driving license. The driving record shall be established for
 42 an unlicensed driver when an abstract of court conviction has been
 43 received by the bureau. ~~The record shall be maintained for not less than~~
 44 ~~three (3) years for each unlicensed driver.~~

45 (b) If an unlicensed driver applies for and receives any type of
 46 driving license in Indiana, the person's driving record as an unlicensed
 47 driver shall be recorded on the permanent record file. An unlicensed
 48 driver who has had at least two (2) traffic violation convictions in
 49 Indiana within twenty-four (24) months before applying for any type of
 50 driving license may not be issued a license within one (1) year after the

1 date of the second traffic conviction as indicated on the abstract of
 2 court conviction record. If the bureau issues a license without
 3 knowledge of the second conviction, the bureau shall suspend the
 4 license upon learning of the second conviction and notify the person of
 5 the reason for the suspension and the term of the suspension.

6 (c) The bureau shall also certify traffic violation convictions on the
 7 driving record of an unlicensed driver who subsequently receives an
 8 Indiana driving license.

9 SECTION 239. IC 9-24-18-12 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. Upon receipt of a
 11 court order under IC 7.1-5-7-7 (minor possessing, consuming, or
 12 transporting alcohol or having alcohol present in a bodily substance),
 13 the bureau shall suspend the minor's ~~driver's license~~ **driving privileges**
 14 for the period ordered by the court.

15 SECTION 240. IC 9-24-19-5 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) In addition to any
 17 other penalty imposed for a conviction under this chapter, the court
 18 shall recommend that the person's driving privileges be suspended for
 19 a fixed period of not less than ninety (90) days and not more than two
 20 (2) years.

21 (b) The court shall specify:

- 22 (1) the length of the fixed period of suspension; and
- 23 (2) the date the fixed period of suspension begins;

24 whenever the court makes a recommendation under subsection (a).

25 **(c) The bureau shall, upon receiving a record of conviction of a**
 26 **person upon a charge of driving a motor vehicle while the driving**
 27 **privileges, permit, or license of the person is suspended, fix the**
 28 **period of suspension in accordance with the recommendation of the**
 29 **court. If the court fails to recommend a fixed term of suspension,**
 30 **the bureau shall impose the minimum period of suspension**
 31 **required under this chapter.**

32 SECTION 241. IC 9-24-19-6 IS REPEALED [EFFECTIVE JULY
 33 1, 2012]. ~~Sec. 6. The bureau shall, upon receiving a record of~~
 34 ~~conviction of a person upon a charge of driving a vehicle while the~~
 35 ~~person's driving privilege, permit, or license was suspended, extend the~~
 36 ~~period of suspension for a fixed period of not less than ninety (90) days~~
 37 ~~and not more than two (2) years. The bureau shall fix this period in~~
 38 ~~accordance with the recommendation of the court that entered the~~
 39 ~~conviction, as provided in section 5 of this chapter.~~

40 SECTION 242. IC 9-25-1-1 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not
 42 apply to a judgment in a civil action. ~~or cause of action arising out of~~
 43 ~~an accident occurring before July 1, 1943.~~

44 SECTION 243. IC 9-25-3-4 IS AMENDED TO READ AS
 45 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Whenever the proof
 46 of financial responsibility filed by a person under this article no longer
 47 fulfills the purpose for which the proof was required, the bureau shall
 48 require other proof of financial responsibility under this article and
 49 shall suspend the ~~operator's or chauffeur's license~~ **driving privileges**
 50 and **motor** vehicle registration of the person for whom other proof of
 51 financial responsibility is required.

1 SECTION 244. IC 9-25-4-1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) This section does
 3 not apply to an electric personal assistive mobility device.

4 (b) A person may not:

5 (1) register a **motor** vehicle; or

6 (2) operate a **motor** vehicle on a public highway;
 7 in Indiana if financial responsibility is not in effect with respect to the
 8 motor vehicle under section 4 of this chapter, **or the person is not**
 9 **otherwise insured in order to operate the motor vehicle.**

10 (c) A person who violates this section is subject to the suspension
 11 of the person's current driving ~~license~~ **privileges** or **motor** vehicle
 12 registration, or both, under this article.

13 SECTION 245. IC 9-25-4-3 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Financial
 15 responsibility in one (1) of the forms required under this chapter must
 16 be continuously maintained as long as a motor vehicle is operated on
 17 a ~~road, street, or public~~ **highway** in Indiana.

18 SECTION 246. IC 9-25-4-4 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) For the purposes
 20 of this article, financial responsibility is in effect with respect to a
 21 motor vehicle if:

22 (1) a motor vehicle liability insurance policy issued with respect
 23 to the **motor** vehicle **or operator under IC 9-25-5-7;**

24 (2) a bond executed with respect to the **motor** vehicle under
 25 section 7 of this chapter; or

26 (3) the status of the owner or operator of the **motor** vehicle as a
 27 self-insurer, as recognized by the bureau through the issuance of
 28 a certificate of self-insurance under section 11 of this chapter;
 29 provides the ability to respond in damages for liability arising out of the
 30 ownership, maintenance, or use of the motor vehicle in amounts at least
 31 equal to those set forth in section 5 or 6 of this chapter.

32 (b) A motor vehicle liability policy under this article must contain
 33 the terms, conditions, and provisions required by statute and must be
 34 approved by the state insurance commissioner.

35 SECTION 247. IC 9-25-4-8 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. Proof of financial
 37 responsibility **meeting the requirements set forth in this article** may
 38 be ~~made filed in a manner prescribed by the bureau by filing with~~
 39 ~~the bureau the written certificate of an insurance carrier authorized to~~
 40 ~~do business in Indiana certifying that the carrier has issued to or for the~~
 41 ~~benefit of the person furnishing the for whom proof and named as the~~
 42 ~~insured a motor vehicle liability policy meeting the requirements of this~~
 43 ~~chapter and having the terms, conditions, and specifications that the~~
 44 ~~bureau requires: is required.~~

45 SECTION 248. IC 9-25-5-1 IS AMENDED TO READ AS
 46 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) If a person is
 47 convicted of a traffic offense that requires a court appearance, the court
 48 shall require the person to show proof that financial responsibility was
 49 in force on the date of the violation in one (1) of the forms described in
 50 IC 9-25-4-4 or in the form of a certificate of self-insurance issued under

1 IC 9-25-4-11.

2 (b) If a person fails to provide proof of financial responsibility as
3 required by this section, the court shall ~~do the following:~~

4 (1) suspend the person's current driving ~~license~~ **privileges** or
5 **motor** vehicle registration, or both.

6 (2) ~~Order the person to immediately surrender the person's current~~
7 ~~driving license or vehicle registration to the court.~~

8 (c) A suspension under this section is subject to the same provisions
9 concerning procedure for suspension, duration of suspension, and
10 reinstatement applicable to other suspensions under this ~~chapter:~~
11 **article.**

12 SECTION 249. IC 9-25-5-2 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. Not more than
14 forty-five (45) days after the bureau receives a copy of an accident
15 report under IC 9-26, the bureau shall send to each person identified in
16 the report as an operator of a **motor** vehicle involved in the accident a
17 request for evidence of financial responsibility under section 3 of this
18 chapter, unless the evidence has already been filed with the bureau.
19 The request for evidence of financial responsibility shall be sent to
20 each person identified in the report as an operator of a **motor** vehicle
21 involved in the accident regardless of fault.

22 SECTION 250. IC 9-25-5-3 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A request for
24 evidence of financial responsibility must do the following:

25 (1) Direct a person identified under section 2 of this chapter to
26 provide the bureau with evidence that financial responsibility was
27 in effect with respect to the **motor** vehicle operated by the person
28 on the date of the accident described in the accident report.

29 (2) Instruct the person on how to furnish the bureau with evidence
30 of financial responsibility in compliance with this ~~chapter:~~ **article.**

31 (3) Warn the person that failure to furnish evidence of financial
32 responsibility to the bureau will result in suspension of the
33 person's current driving ~~license~~ **privileges** or **motor** vehicle
34 registration, or both, under this article.

35 (b) The bureau shall mail a request for evidence of financial
36 responsibility to a person identified under section 2 of this chapter by
37 first class mail at the address appearing in the records of the bureau.

38 SECTION 251. IC 9-25-5-4 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) To avoid a
40 ~~current driving license~~ suspension **of driving privileges** or **motor**
41 vehicle registration suspension, **or both**, under this article, a person
42 identified under section 2 of this chapter who receives a request for
43 evidence of financial responsibility must ~~provide~~ **ensure that the**
44 **insurance company of the person provides** the bureau with a
45 certificate of compliance indicating that financial responsibility
46 required by IC 9-25-4-1 was in effect with respect to the motor vehicle,
47 **or the operation of the motor vehicle**, on the date of the accident
48 described in the accident report. **It is the responsibility of the person**
49 **who receives a request for evidence of financial responsibility to**
50 **ensure that the insurance company of the person has provided a**

1 **certificate of compliance.**

2 (b) Proof that the bureau:

3 (1) did not receive a certificate of compliance ~~from~~ **for** a person
4 presented with a request for evidence of financial responsibility
5 under section 2 of this chapter within ~~forty-five (45)~~ **forty (40)**
6 days after the date on which the person was presented with the
7 request;

8 (2) received a certificate of compliance that did not indicate that
9 financial responsibility was in effect with respect to the motor
10 vehicle that the person was operating on the date of the accident
11 described in the accident report; or

12 (3) suspended a ~~current~~ **the** driving ~~license or privileges or~~
13 **motor** vehicle registration, **or both**, under IC 9-25-6-3 after
14 presenting a person with a request for evidence of financial
15 responsibility under section 2 of this chapter;

16 is prima facie evidence in a civil action that the person presented with
17 the request for evidence of financial responsibility did not have **an**
18 **operator's or** a motor vehicle liability policy in effect with respect to
19 the motor vehicle that the person was operating on the date of the
20 accident described in the accident report.

21 SECTION 252. IC 9-25-5-5 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A person who
23 receives a request for evidence of financial responsibility under section
24 3 of this chapter shall **ensure that the insurance company of the**
25 **person** set forth in the certificate of compliance **provides to the**
26 **bureau** the following information concerning the form of financial
27 responsibility that was in effect with respect to the motor vehicle on the
28 date in question:

29 (1) If **an operator's or** a motor vehicle liability policy was in
30 effect, the following:

31 (A) The name and address of the insurer.

32 (B) The limits of coverage of the policy.

33 (C) The identification number applying to the policy.

34 **(D) Dates of coverage of the policy.**

35 **(E) Other information requested by the bureau.**

36 (2) If a bond was in effect, the following:

37 (A) The name and address of the bond company or surety.

38 (B) The face amount of the bond.

39 **(C) Dates the bond was in effect.**

40 **(D) Other information requested by the bureau.**

41 (3) If self-insurance was in effect under IC 9-25-4-11, the
42 following:

43 (A) The date on which the certificate of self-insurance was
44 issued by the bureau.

45 (B) The name of the person to whom the certificate of
46 self-insurance was issued.

47 **(C) Other information requested by the bureau.**

48 (b) A person who requests information or verification of coverage
49 to complete a certificate of compliance under subsection (a) from:

50 (1) an insurance company; or

1 (2) an insurance producer;
 2 is not required to give the company or the producer a reason for
 3 requesting the information unless the person has been involved in an
 4 accident.

5 SECTION 253. IC 9-25-5-6 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. A certificate of
 7 compliance that reports the existence of an insurance policy must be
 8 ~~signed~~ **executed** by an officer or agent of the insurer. A certificate of
 9 compliance that reports the existence of a bond must be ~~signed~~
 10 **executed** by an officer of the bond company or surety.

11 SECTION 254. IC 9-25-5-8 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) An insurance
 13 carrier that has issued a motor vehicle liability policy or policies
 14 meeting the requirements of this article shall, upon request of the
 15 named insured,

- 16 ~~(1) deliver to the insured for filing; or~~
 17 ~~(2) file with the bureau~~

18 an appropriate certificate that meets the requirements of this ~~chapter~~
 19 **article** and shows that a policy or policies have been issued.

20 (b) The issuance of a certificate to serve as proof of financial
 21 responsibility under this ~~chapter~~ **article** is conclusive evidence that a
 22 motor vehicle liability policy in the certificate cited conforms to all the
 23 requirements of this article.

24 SECTION 255. IC 9-25-5-9 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. Whenever an
 26 insurance carrier has certified a motor vehicle liability policy under this
 27 chapter for the purpose of furnishing evidence of future financial
 28 responsibility, the insurance carrier shall give ten (10) days written
 29 notice to the bureau before cancellation of the policy. The policy
 30 continues in full force and effect until the date of cancellation specified
 31 in the notice or until the policy's expiration. A policy subsequently
 32 procured and certified, on the effective date of the policy's certification,
 33 terminates the insurance previously certified with respect to a **motor**
 34 vehicle designated in both certificates.

35 SECTION 256. IC 9-25-5-10 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) A nonresident
 37 may give proof of financial responsibility in one (1) of the following
 38 ways:

- 39 (1) The nonresident owner of a foreign **motor** vehicle may give
 40 proof of financial responsibility by ~~filing with the bureau a written~~
 41 ~~certificate of having~~ an insurance carrier authorized to transact
 42 business in the state in which the motor vehicle described in the
 43 certificate is registered **file a certificate of compliance with the**
 44 **bureau.**
 45 (2) A nonresident who does not own a motor vehicle may give
 46 proof of financial responsibility by ~~filing with the bureau a written~~
 47 ~~certificate of having~~ an insurance carrier authorized to transact
 48 business in the state in which the nonresident resides **file a**
 49 **certificate of compliance with the bureau.**

50 (b) A certificate **of compliance** filed under subsection (a) must

1 conform to this chapter.

2 (e) The bureau shall accept a certificate filed under subsection (a)
3 if the insurance carrier complies with the following:

4 (1) Executes a power of attorney authorizing the bureau to accept
5 service on the insurance carrier's behalf of notice of process in an
6 action arising out of a motor vehicle accident in Indiana.

7 (2) Adopts a binding resolution declaring that the insurance
8 carrier's policies are considered to comply with Indiana law
9 relating to the terms of motor vehicle liability policies issued in
10 Indiana.

11 (3) Agrees to accept as final and binding a judgment of a court of
12 competent jurisdiction in Indiana rendered in an action arising out
13 of a motor vehicle accident.

14 (d) If a foreign insurance carrier that has qualified to furnish proof
15 of financial responsibility under subsection (c) defaults in an
16 undertaking or agreement, the bureau may not accept a certificate of
17 the defaulting foreign carrier as long as the default continues, whether
18 the certificate was filed before or after the default.

19 SECTION 257. IC 9-25-6-1 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) If:

21 (1) the bureau receives a certificate of compliance ~~from~~ **for** a
22 person identified under IC 9-25-5-2 within forty (40) days after
23 the date on which the bureau mailed the request for evidence of
24 financial responsibility to the person; and

25 (2) the certificate of compliance indicates that financial
26 responsibility was in effect with respect to the **motor vehicle or**
27 **the operation of the motor vehicle** at the time of the accident
28 described in the accident report;

29 the bureau may not suspend the person's ~~current~~ driving license:
30 **privileges.**

31 (b) If:

32 (1) the bureau receives a certificate of compliance from a person
33 presented with a request for evidence of financial responsibility
34 under IC 9-25-9-1 within forty (40) days after the date on which
35 the person was presented with the request; and

36 (2) the certificate of compliance indicates that financial
37 responsibility was in effect with respect to the motor vehicle **or**
38 **the operation of the motor vehicle** that the person was operating
39 when the person committed the violation described in the
40 judgment or abstract received by the bureau under IC 9-25-9-1;

41 the bureau may not suspend the person's ~~current~~ driving license:
42 **privileges.**

43 (c) If:

44 (1) the bureau receives a certificate of compliance for a
45 person identified under IC 9-25-10 within forty (40) days after
46 the date on which the bureau mailed the request for evidence
47 of financial responsibility to the person; and

48 (2) the certificate of compliance indicates that financial
49 responsibility was in effect with respect to the motor vehicle
50 or the operation of the motor vehicle for the date requested
51 under IC 9-25-10;

- 1 **the bureau may not suspend the driving privileges of the person.**
 2 SECTION 258. IC 9-25-6-2 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) If the bureau
 4 finds that a statement as to the existence of financial responsibility in
 5 a certificate of compliance received ~~from:~~ **for**
 6 ~~(1) a person identified under IC 9-25-5-2; or~~
 7 ~~(2) a person presented with a request for evidence of financial~~
 8 ~~responsibility under IC 9-25-9-1; IC 9-25~~
 9 is materially false, the bureau shall take action under subsection (b).
 10 (b) Upon finding that the statement referred to in subsection (a) is
 11 false, the bureau shall ~~do the following:~~
 12 ~~(1) immediately suspend the person's current driving license or~~
 13 ~~privileges or motor vehicle registration, or both,~~
 14 ~~(2) Demand that the person immediately surrender the person's~~
 15 ~~current driving license or vehicle registration; or both; to the~~
 16 ~~bureau: for at least ninety (90) days and not more than one (1)~~
 17 ~~year.~~
 18 SECTION 259. IC 9-25-6-3 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) If the bureau:
 20 (1) does not receive a certificate of compliance ~~from for~~ a person
 21 identified under IC 9-25-5-2 within forty (40) days after the date
 22 on which the bureau mailed the request for evidence of financial
 23 responsibility to the person; or
 24 (2) receives a certificate that does not indicate that financial
 25 responsibility was in effect with respect to the motor vehicle
 26 operated by the person on the date of the accident referred to in
 27 IC 9-25-5-2;
 28 the bureau shall take action under subsection ~~(c):~~ **(d)**.
 29 (b) If the bureau:
 30 (1) does not receive a certificate of compliance ~~from for~~ a person
 31 presented with a request for evidence of financial responsibility
 32 under IC 9-25-9-1 within forty (40) days after the date on which
 33 the person was presented with the request; or
 34 (2) receives a certificate that does not indicate that financial
 35 responsibility was in effect with respect to the motor vehicle that
 36 the person was operating when the person committed the violation
 37 described in the judgment or abstract received by the bureau
 38 under IC 9-25-9-1;
 39 the bureau shall take action under subsection ~~(c):~~ **(d)**.
 40 **(c) If the bureau:**
 41 **(1) does not receive a certificate of compliance for a person**
 42 **presented with a request under IC 9-25-10 not later than forty**
 43 **(40) days after the date on which the person was presented**
 44 **with the request; or**
 45 **(2) receives a certificate that does not indicate that financial**
 46 **responsibility was in effect;**
 47 **the bureau shall take action under subsection (d).**
 48 ~~(c)~~ **(d)** Under the conditions set forth in subsection (a), ~~or (b), or (c),~~
 49 the bureau shall ~~do the following:~~
 50 ~~(1) immediately suspend the person's current driving license~~

1 **privileges or motor or** vehicle registration, or both, **for at least**
 2 **ninety (90) days and not more than one (1) year.**

3 ~~(2) Demand that the person immediately surrender the person's~~
 4 ~~current driving license or vehicle registration, or both, to the~~
 5 ~~bureau.~~

6 ~~(d)~~ **(e)** Except as provided in subsection ~~(e)~~; **(f)**, if subsection (a), ~~or~~
 7 ~~(b)~~, **or (c)** applies to a person, the bureau shall suspend the ~~current~~
 8 ~~driving license~~ **privileges** of the person irrespective of the following:

9 (1) The sale or other disposition of the motor vehicle by the
 10 owner.

11 (2) The cancellation or expiration of the registration of the motor
 12 vehicle.

13 (3) An assertion by the person that the person did not own the
 14 motor vehicle and therefore had no control over whether financial
 15 responsibility was in effect with respect to the motor vehicle.

16 ~~(e)~~ **(f)** The bureau shall not suspend the ~~current driving license~~
 17 ~~privileges~~ of a person to which subsection (a), ~~or subsection (b)~~, **or (c)**
 18 applies if the person, through a certificate of compliance or another
 19 communication with the bureau, establishes to the satisfaction of the
 20 bureau that the motor vehicle that the person was operating when the
 21 accident referred to in subsection (a) took place or when the violation
 22 referred to in subsection (b) was committed was:

23 (1) rented from a rental company; or

24 (2) owned by the person's employer and operated by the person in
 25 the normal course of the person's employment.

26 SECTION 260. IC 9-25-6-3.5 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3.5. If a person
 28 violates:

29 (1) IC 9-25-4;

30 (2) IC 9-25-5; ~~or~~

31 (3) section 2 or 3 of this chapter; ~~or~~

32 **(4) IC 9-25-10;**

33 more than one (1) time within a three (3) year period, the person's
 34 ~~driving license~~ **privileges** or ~~motor~~ vehicle registration may be
 35 suspended for not more than one (1) year.

36 SECTION 261. IC 9-25-6-4 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) This section does
 38 not apply to judgments entered at least seven (7) years after the date of
 39 the accident.

40 (b) "Judgment", as used in this section, means a judgment in excess
 41 of two hundred dollars (\$200) for bodily injury, death, or property
 42 damages arising out of the use of a motor vehicle upon a public
 43 highway.

44 (c) The bureau shall suspend for a period of not more than seven (7)
 45 years from the date of ~~written notification~~ **judgment** the ~~current~~
 46 ~~license issued to~~ **privileges** of a person upon receiving a verified report
 47 that the person has failed for a period of ~~up to~~ ninety (90) days to
 48 satisfy a judgment.

49 SECTION 262. IC 9-25-6-6 IS AMENDED TO READ AS
 50 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The bureau may

1 not suspend a ~~license~~ **the driving privileges of a person** and shall
 2 reinstate a ~~license suspended~~ **the driving privileges of a person**
 3 following nonpayment of a judgment whenever a judgment debtor does
 4 the following:

5 (1) Gives proof ~~of that~~ the judgment ~~debtor's debtor will~~
 6 **maintain** financial responsibility in the future **for at least three**
 7 **(3) years following reinstatement.**

8 (2) Obtains an order from the trial court in which the judgment
 9 was rendered permitting the payment of the judgment in
 10 installments, unless the payment of an installment is in default.

11 (b) A judgment debtor, upon five (5) days notice to the judgment
 12 creditor, may apply to the trial court in which the judgment was
 13 obtained for the privilege of paying the judgment in installments. The
 14 court, in the court's discretion and without prejudice to other legal
 15 remedies the judgment creditor may have, may order the payment of
 16 the judgment in installments, fixing the amounts and times of payment
 17 of the installments.

18 (c) Except as provided in subsection (d), if the judgment debtor fails
 19 to pay an installment as permitted by the order of the court, upon notice
 20 of the default the bureau shall suspend the ~~license~~ **driving privileges**
 21 of the judgment debtor. The bureau may not take action for failure to
 22 make installment payments for judgments entered at least seven (7)
 23 years after the date of the accident. ~~A~~ **Suspended license driving**
 24 **privileges** may not be reinstated until evidence of proof of **future**
 25 financial responsibility is presented.

26 (d) Notwithstanding a default by the judgment debtor in the
 27 payment of a judgment or the payment of an installment under
 28 subsection (b), whenever the judgment creditor consents in writing, in
 29 the form the bureau prescribes, that the judgment debtor be allowed
 30 ~~license driving privileges~~ and registration, the ~~license driving~~
 31 **privileges** and registration may be allowed by the bureau at the
 32 bureau's discretion. The ~~license driving privileges~~ and registration
 33 may be ~~allowed for six (6) months from the date of a consent under this~~
 34 ~~subsection and may be renewed until the consent is revoked in writing~~
 35 if the judgment debtor furnishes proof under this article ~~of that~~ the
 36 judgment ~~debtor's debtor will maintain~~ financial responsibility in the
 37 future **for at least three (3) years following reinstatement.**

38 SECTION 263. IC 9-25-6-7 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. ~~(a)~~ Except as
 40 provided in sections 5 and 6 of this chapter, a suspension required in
 41 sections 4 and 6 of this chapter remains in effect and no other motor
 42 vehicle may be registered in the name of the judgment debtor or a new
 43 license issued to the judgment debtor, until the following occur:

44 (1) The judgment is satisfied or stayed.

45 (2) The judgment debtor gives proof of **future** financial
 46 responsibility ~~in the future for three (3) years~~, as provided in this
 47 article.

48 ~~(b) A discharge in bankruptcy following the rendering of a judgment~~
 49 ~~does not relieve the judgment debtor from the requirements of this~~
 50 ~~chapter.~~

1 SECTION 264. IC 9-25-6-8 IS REPEALED [EFFECTIVE JULY 1,
2 2012]. Sec. 8: (a) A court shall forward to the bureau a certified
3 abstract of the record of the conviction of a person in the court for a
4 violation of a law relating to motor vehicles:

5 (b) If in the opinion of the court a defendant should be deprived of
6 the privilege to operate a motor vehicle upon a public highway; the
7 court shall recommend the suspension of the convicted person's current
8 driving license for a fixed period established by the court not exceeding
9 one (1) year:

10 (c) The bureau shall comply with the court's recommendation:

11 (d) At the time of a conviction referred to in subsection (a) or
12 IC 9-30-5-7, the court may obtain the defendant's current driving
13 license and return the license to the department:

14 (e) An abstract provided for by this section must be in the form
15 prescribed by the bureau and, when certified, shall be accepted by an
16 administrative agency or a court as prima facie evidence of the
17 conviction and all other action stated in the abstract:

18 SECTION 265. IC 9-25-6-9 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. The clerk of a court,
20 or the judge of a court that has no clerk, shall forward to the bureau a
21 certified abstract of the record of a judgment for damages if the
22 rendering and nonpayment of the judgment requires the bureau to
23 suspend or revoke the current driving license in the name **privileges** of
24 the judgment debtor under this article. The abstract shall be forwarded
25 to the bureau immediately upon the expiration of thirty (30) days after
26 the judgment becomes final and has not been stayed or satisfied, as
27 shown by the records of the court.

28 SECTION 266. IC 9-25-6-10 IS REPEALED [EFFECTIVE JULY
29 1, 2012]. Sec. 10: (a) If:

30 (1) a criminal proceeding for driving while intoxicated under
31 IC 9-30-5 is deferred under IC 12-23-5-1 through IC 12-23-5-9;
32 or

33 (2) a child alleged to be a delinquent child based upon the child's
34 violation of IC 9-30-5 voluntarily attends or is ordered by the
35 court under IC 31-37 (or IC 31-6-4 before its repeal) to attend an
36 alcohol and drug services program;

37 the court, within ten (10) days after the defendant or child begins the
38 program, shall forward to the bureau a certified abstract of program
39 enrollment:

40 (b) The abstract must state the following:

41 (1) The defendant's or child's name, address, date of birth, and
42 driver's license number:

43 (2) The name and location of the alcohol and drug services
44 program that the defendant or child is attending:

45 SECTION 267. IC 9-25-6-11 IS REPEALED [EFFECTIVE JULY
46 1, 2012]. Sec. 11: If a license is revoked because of a conviction, the
47 bureau may not accept a certificate of insurance unless the certificate
48 covers each motor vehicle registered in the name of the person
49 furnishing proof as the owner. An additional certificate is required
50 before the subsequent registration of a motor vehicle in the name of the

1 ~~person giving proof as the owner.~~

2 SECTION 268. IC 9-25-6-12 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. ~~(a)~~ Whenever a
4 **certificate proof of financial responsibility** is filed showing that a
5 policy has been issued covering all motor vehicles owned by an insured
6 but not insuring the person when operating a motor vehicle not owned
7 by the person, it is unlawful for the person to operate a motor vehicle
8 not owned by the person or not covered by the certificate. ~~The bureau~~
9 ~~shall designate the restriction under this subsection upon the operator's~~
10 ~~or chauffeur's license of the person.~~

11 (b) If a person who owns a motor vehicle desires to be relieved of
12 the restriction under subsection (a) and be permitted to drive another
13 motor vehicle, the person who owns the motor vehicle may have the
14 restriction removed upon filing a certificate showing that an operator's
15 policy of liability insurance has been issued to the person.

16 SECTION 269. IC 9-25-6-13 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. A:

- 18 (1) nonresident may not operate a motor vehicle in Indiana; and
19 (2) motor vehicle owned by the nonresident may not be operated
20 in Indiana;

21 until the nonresident or the owner of the motor vehicle has complied
22 with the requirements of this article with respect to proof of financial
23 responsibility. ~~covering the motor vehicle.~~

24 SECTION 270. IC 9-25-6-14, AS AMENDED BY P.L.210-2005,
25 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2012]: Sec. 14. (a) The bureau shall reinstate the ~~current~~
27 ~~driving license privileges or motor~~ vehicle registration, or both:

- 28 (1) subject to section 15 of this chapter, after ninety (90) days of
29 suspension

30 (A) ~~except as provided in sections 19, 20, and 21(b) of this~~
31 ~~chapter~~; if the person has furnished the bureau with a
32 certificate of compliance showing that financial responsibility
33 is in effect with respect to the vehicle; or

34 (B) if the person is no longer an owner of the vehicle or the
35 registration of the vehicle has been canceled or has expired;

- 36 (2) if the person is subject to section 21(b) of this chapter and to
37 ~~IC 9-29-10-1~~, after thirty (30) days of suspension;

38 (3) subject to section 15 of this chapter, when the person
39 furnishes the bureau with a certificate of compliance showing that
40 financial responsibility is in effect with respect to the vehicle if:

41 (A) subdivision (1)(B) does not apply; and

42 (B) the person fails to furnish the bureau with a certificate of
43 compliance as described in subdivision (1)(A) within ninety
44 (90) days after the current driving license of the person is
45 suspended; or

46 ~~(4)~~ (2) if financial responsibility was in effect with respect to a
47 **motor** vehicle on the date of the accident requested but the
48 person does not provide the bureau with **does not receive** a
49 certificate of compliance indicating this fact until after the
50 person's ~~current driving license is privileges are~~ suspended under

1 this ~~chapter, article~~, the person's ~~current~~ driving license
 2 **privileges** shall be reinstated when the person provides bureau
 3 **receives** the certificate of compliance. ~~to the bureau and complies~~
 4 ~~with section 15 of this chapter.~~

5 (b) Upon receipt of a certificate of compliance under this section,
 6 the bureau shall expunge from the bureau's data base the administrative
 7 suspension caused by the failure to notify the bureau that the person
 8 had financial responsibility in effect on the date of the violation.

9 SECTION 271. IC 9-25-6-15, AS AMENDED BY P.L.80-2010,
 10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2012]: Sec. 15. (a) ~~Except as provided in subsection (b);~~ A
 12 person:

13 (1) whose ~~current~~ driving license is **privileges are** suspended
 14 under this ~~chapter, article~~; and

15 (2) who seeks the reinstatement of the driving license; **privileges**;
 16 must pay a reinstatement fee to the bureau as provided in IC 9-29-10-1.

17 (b) ~~A person whose driver's license is suspended under section 19~~
 18 ~~or 20 of this chapter is not required to pay a reinstatement fee to have~~
 19 ~~the person's driving license reinstated.~~

20 SECTION 272. IC 9-25-6-16 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. A person whose
 22 ~~current~~ driving license is **privileges are** suspended under this ~~chapter~~
 23 ~~article~~ may seek a review of the suspension under IC 4-21.5-3-7.

24 SECTION 273. IC 9-25-6-17 IS REPEALED [EFFECTIVE JULY
 25 1, 2012]. Sec. 17. ~~If the bureau determines that a person who is~~
 26 ~~required to give proof of financial responsibility in the future under this~~
 27 ~~article because of a conviction, non-satisfaction of a judgment, or for~~
 28 ~~any other reason is or becomes:~~

29 (1) a chauffeur or motor vehicle operator, however designated, in
 30 the employ of a person who owns a motor vehicle; or

31 (2) a member of the immediate family or household of a person
 32 who owns a motor vehicle; and

33 the period for which the person's suspension or revocation has elapsed;
 34 the bureau may accept proof of future financial responsibility given by
 35 the person who owns the motor vehicle instead of requiring proof from
 36 the person under a suspension or revocation if it appears that the proof
 37 offered will be sufficient to cover any number of persons coming
 38 within this classification. The bureau may designate the restrictions
 39 imposed by this section on the face of the operator's or chauffeur's
 40 license of the person who has been under suspension or revocation.

41 SECTION 274. IC 9-25-6-18 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. A person who:

43 (1) forges or without authority signs **or approves** any certificate
 44 to serve as proof of financial responsibility as required by the
 45 bureau; or

46 (2) knowingly files or offers for filing a certificate described in
 47 subdivision (1);

48 commits a Class B misdemeanor.

49 SECTION 275. IC 9-25-6-19 IS REPEALED [EFFECTIVE JULY
 50 1, 2012]. Sec. 19. (a) ~~The bureau shall, upon receiving an order of a~~

1 court issued under IC 31-14-12-4 or IC 31-16-12-7 (or
 2 IC 31-1-11.5-13(j) or IC 31-6-6.1-16(j) before their repeal); suspend
 3 the driving license or permit of the person who is the subject of the
 4 order.

5 (b) The bureau may not reinstate a driving license or permit
 6 suspended under this section until the bureau receives an order
 7 allowing reinstatement from the court that issued the order for
 8 suspension.

9 (c) Upon receiving an order for suspension under subsection (a); the
 10 bureau shall promptly mail a notice to the last known address of the
 11 person who is the subject of the order; stating the following:

12 (1) That the person's driving privileges are suspended; beginning
 13 five (5) business days after the date the notice is mailed; and that
 14 the suspension will terminate ten (10) business days after the
 15 bureau receives an order allowing reinstatement from the court
 16 that issued the suspension order.

17 (2) That the person has the right to petition for reinstatement of
 18 driving privileges to the court that issued the order for suspension.

19 (3) That the person may be granted a restricted driving permit
 20 under IC 9-24-15-6.7 if the person can prove that public
 21 transportation is unavailable for travel by the person:

22 (A) to and from the person's regular place of employment;

23 (B) in the course of the person's regular employment;

24 (C) to and from the person's place of worship; or

25 (D) to participate in parenting time with the petitioner's
 26 children consistent with a court order granting parenting time.

27 (d) Unless a person whose driving license or permit is suspended
 28 under this section has been issued a restricted driving permit under
 29 IC 9-24-15 as a result of a suspension under this section; a person who
 30 operates a motor vehicle in violation of the section commits a Class A
 31 infraction.

32 SECTION 276. IC 9-25-6-19.2 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19.2. The bureau may
 34 suspend the registration of a **motor** vehicle owned by a registrant who
 35 provides the bureau with false evidence of financial responsibility
 36 under this article.

37 SECTION 277. IC 9-25-6-20 IS REPEALED [EFFECTIVE JULY
 38 1, 2012]. Sec. 20: (a) If the bureau is advised by the Title IV-D agency
 39 that the obligor (as defined in IC 31-25-4-4) either requested a hearing
 40 under IC 31-25-4-33 and failed to appear or appeared and was found
 41 to be delinquent; the bureau shall promptly mail a notice to the obligor
 42 stating the following:

43 (1) That the obligor's driving privileges are suspended; beginning
 44 twenty (20) business days after the date the notice is mailed; and
 45 that the suspension will terminate after the bureau receives a
 46 notice from the Title IV-D agency that the obligor has:

47 (A) paid the obligor's child support arrearage in full; or

48 (B) established a payment plan with the Title IV-D agency to
 49 pay the arrearage; which includes an income withholding order
 50 under IC 31-16-15-2 or IC 31-16-15-2.5.

1 (2) That the obligor may be granted a restricted driving permit
 2 under IC 9-24-15-6.7 if the obligor can prove that public
 3 transportation is unavailable for travel by the obligor:

4 (A) to and from the obligor's regular place of employment;

5 (B) in the course of the obligor's regular employment;

6 (C) to and from the obligor's place of worship; or

7 (D) to participate in parenting time with the petitioner's
 8 children consistent with a court order granting parenting time.

9 (b) The bureau may not reinstate a driving license or permit
 10 suspended under this section until the bureau receives a notice from the
 11 Title IV-D agency that the obligor has:

12 (1) paid the obligor's child support arrearage in full; or

13 (2) established a payment plan with the Title IV-D agency to pay
 14 the arrearage, which includes an income withholding order under
 15 IC 31-16-15-2 or IC 31-16-15-2.5.

16 (c) Unless an obligor whose driving license or permit is suspended
 17 under this section has been issued a restricted driving permit under
 18 IC 9-24-15 as a result of a suspension under this section, an obligor
 19 who operates a motor vehicle in violation of the section commits a
 20 Class A infraction.

21 SECTION 278. IC 9-25-6-21 IS REPEALED [EFFECTIVE JULY
 22 1, 2012]. Sec. 21: (a) Upon receiving an order issued by a court under
 23 IC 35-43-4-8(b) concerning a person convicted of fuel theft, the bureau
 24 shall do the following:

25 (1) Suspend under subsection (b) the driving privileges of the
 26 person who is the subject of the order, whether or not the person's
 27 current driving license accompanies the order.

28 (2) Mail to the last known address of the person who is the subject
 29 of the order a notice:

30 (A) stating that the person's driving license is being suspended
 31 for fuel theft;

32 (B) setting forth the date on which the suspension takes effect
 33 and the date on which the suspension terminates; and

34 (C) stating that the person may be granted a restricted driving
 35 permit under IC 9-24-15-6.7 if the person meets the conditions
 36 for obtaining a restricted driving permit.

37 (b) The suspension of the driving privileges of a person who is the
 38 subject of an order issued under IC 35-43-4-8(b):

39 (1) begins five (5) business days after the date on which the
 40 bureau mails the notice to the person under subsection (a)(2); and

41 (2) terminates thirty (30) days after the suspension begins.

42 (c) A person who operates a motor vehicle during a suspension of
 43 the person's driving privileges under this section commits a Class A
 44 infraction unless the person's operation of the motor vehicle is
 45 authorized by a restricted driving permit issued to the person under
 46 IC 9-24-15-6.7.

47 SECTION 279. IC 9-25-7-6 IS AMENDED TO READ AS
 48 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) This section does
 49 not apply to a person who is a resident of Indiana or who operates a
 50 **motor** vehicle in Indiana.

1 (b) A person:

2 (1) whose ~~operator's~~ **driver's** license or registration was
3 suspended and who is required to prove financial responsibility
4 extending into the future in order to have the person's driving
5 privileges reinstated; and

6 (2) who no longer operates a **motor** vehicle in Indiana and has
7 become a resident of another state or foreign jurisdiction;
8 is not required to prove financial responsibility into the future in order
9 to have the person's ~~license~~ **driving privileges** or registration
10 temporarily reinstated to allow licensing or registration in the other
11 state or foreign jurisdiction.

12 SECTION 280. IC 9-25-8-1 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter does not
14 apply to the following:

15 (1) Persons who have obtained a certificate of self-insurance
16 under IC 9-25-4-11.

17 (2) Operators of government owned vehicles.

18 (3) Persons who are exempt under IC 9-25-1-2.

19 ~~(4) A resident of another state who is operating a vehicle that is~~
20 ~~registered in that person's state of residence.~~

21 SECTION 281. IC 9-25-8-2 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) A person who
23 knowingly:

24 (1) operates; or

25 (2) permits the operation of;

26 a motor vehicle on a public highway in Indiana **without financial**
27 **responsibility in effect as set forth in IC 9-25-4-4** commits a Class
28 A infraction. ~~unless financial responsibility is in effect with respect to~~
29 ~~the motor vehicle under IC 9-25-4-4.~~ However, the offense is a Class
30 C misdemeanor if the person knowingly or intentionally violates this
31 section and has a prior unrelated conviction or judgment under this
32 section.

33 (b) Subsection (a)(2) applies to:

34 (1) the owner of a rental company ~~that is referred to in~~
35 ~~IC 9-25-6-3(e)(1);~~ **under IC 9-25-6-3(f)(1);** and

36 (2) an employer ~~that is referred to in IC 9-25-6-3(e)(2).~~ **under**
37 **IC 9-25-6-3(f)(2).**

38 (c) In addition to any other penalty imposed on a person for
39 violating this section, the court may recommend the suspension of the
40 person's driving privileges for **at least ninety (90) days but not more**
41 **than** one (1) year. However, if, within the five (5) years preceding the
42 conviction under this section, the person had a prior unrelated
43 conviction under this section, the court shall recommend the
44 suspension of the person's driving privileges for one (1) year.

45 (d) Upon receiving the recommendation of the court under
46 subsection (c), the bureau shall suspend the person's driving privileges
47 for the period recommended by the court. **If no suspension is**
48 **recommended by the court, the bureau shall impose the minimum**
49 **period of suspension required under this article.**

50 SECTION 282. IC 9-25-8-4 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The commissioner
 2 is not required to notify the prosecuting attorney of a driver who has
 3 had a driving license **privileges** suspended for failure to prove financial
 4 responsibility under this article.

5 SECTION 283. IC 9-25-9-1 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) After the bureau
 7 receives:

8 (1) a certified abstract under ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** of the
 9 record of conviction of a person for a violation of a law relating
 10 to motor vehicles; or

11 (2) a judgment or an abstract under IC 9-30-3-11 of a case
 12 resulting in a conviction, judgment, or forfeiture of security
 13 deposit;

14 the bureau shall determine whether the bureau is required under
 15 subsection (b) to send to the person named in the judgment or abstract
 16 a request for evidence of financial responsibility.

17 (b) The bureau shall send a request for evidence of financial
 18 responsibility to a person referred to in subsection (a) if at least one (1)
 19 of the following applies to the person:

20 (1) The judgment or abstract referred to in subsection (a) reports
 21 that the person committed a moving traffic violation for which
 22 points are assessed by the bureau under the point system, and, not
 23 more than one (1) year before the date of the violation referred to
 24 in the judgment or abstract, the person committed at least two (2)
 25 previous moving traffic violations for which points are assessed
 26 by the bureau under the point system.

27 (2) The judgment or abstract referred to in subsection (a) reports
 28 that the person was convicted of:

29 (A) a misdemeanor; or

30 (B) a felony;

31 involving a motor vehicle.

32 (3) The judgment or abstract referred to in subsection (a) reports
 33 that the person committed a moving traffic violation for which
 34 points are assessed by the bureau under the point system and the
 35 driver's license of the person was previously suspended for
 36 violation of the financial responsibility requirements of IC 9-25.

37 SECTION 284. IC 9-25-9-2 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The request for
 39 evidence of financial responsibility presented to a person under section
 40 1 of this chapter must do the following:

41 (1) Direct the person to **ensure that the insurance company of**
 42 **the person** provide the bureau with evidence that financial
 43 responsibility was in effect with respect to the motor vehicle that
 44 the person was operating when the person committed the violation
 45 described in the judgment or abstract.

46 (2) Instruct the person on how to furnish the bureau with evidence
 47 of financial responsibility as specified in this ~~chapter~~ **article**.

48 (3) Warn the person that failure **of the insurance company of the**
 49 **person to furnish provide** evidence of financial responsibility to
 50 the bureau will result in suspension of the person's current driving

- 1 ~~license privileges~~ or **motor** vehicle registration, or both, under
2 this article.
- 3 SECTION 285. IC 9-25-9-3 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. To avoid a ~~current~~
5 ~~driving license~~ suspension of **driving privileges** or **motor** vehicle
6 registration suspension under this article, a person presented with a
7 request for evidence of financial responsibility under section 1 of this
8 chapter must ~~provide~~ **ensure that the insurance company of the**
9 **person provides** the bureau with a certificate of compliance indicating
10 that financial responsibility as required by IC 9-25-4-1 was in effect
11 ~~with respect to the motor vehicle that the person was operating~~ when
12 the person committed the violation described in the judgment or
13 abstract.
- 14 SECTION 286. IC 9-25-9-4 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A person who is
16 presented with a request for evidence of financial responsibility under
17 section 1 of this chapter shall **direct the insurance company of the**
18 **person to** set forth in the certificate of compliance the following
19 information concerning the form of financial responsibility that was in
20 effect with respect to the motor vehicle:
- 21 (1) If a motor vehicle liability policy was in effect, the following:
- 22 (A) The name and address of the insurer.
- 23 (B) The limits of coverage of the policy.
- 24 (C) The identification number applying to the policy.
- 25 **(D) A statement confirming that financial responsibility**
26 **covering the motor vehicle and operator was in effect on**
27 **the date applicable to section 1(b) of this chapter.**
- 28 (2) If a bond was in effect, the following:
- 29 (A) The name and address of the bond company or surety.
- 30 (B) The face amount of the bond.
- 31 (3) If self-insurance was in effect under IC 9-25-4-11, the
32 following:
- 33 (A) The date on which the certificate of self-insurance was
34 issued by the bureau.
- 35 (B) The name of the person to whom the certificate of
36 self-insurance was issued.
- 37 SECTION 287. IC 9-25-9-5 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A certificate of
39 compliance that is provided to the bureau under this ~~chapter~~ **article** and
40 that reports the existence of an insurance policy must be signed by an
41 officer or agent of the insurer.
- 42 (b) The portion of a request for evidence of financial responsibility
43 that is presented to an officer or agent of an insurer to obtain a
44 certificate of compliance under subsection (a) may not contain
45 information concerning the violation that resulted in the request for
46 evidence of financial responsibility.
- 47 (c) An officer or agent of an insurer may not request information
48 concerning a violation that results in a request for evidence of financial
49 responsibility under this ~~chapter~~ **article.**
- 50 (d) A certificate of compliance that is provided to the bureau under

1 this ~~chapter~~ **article** and that reports the existence of a bond must be
2 signed by an officer of the bond company or surety.

3 SECTION 288. IC 9-25-10-4, AS AMENDED BY P.L.1-2009,
4 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 4. The bureau shall ~~not later than January 1, 2010,~~
6 establish an electronic registry of previously uninsured motorists to
7 facilitate the random and periodic verification by the bureau of
8 compliance with this article.

9 SECTION 289. IC 9-25-10-6, AS AMENDED BY P.L.1-2009,
10 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2012]: Sec. 6. The failure by a previously uninsured motorist
12 to respond **with proof of financial responsibility** to the bureau's
13 request for verification of financial responsibility under this chapter
14 constitutes prima facie evidence of operating a motor vehicle without
15 financial responsibility in violation of this article.

16 SECTION 290. IC 9-25-10-7, AS AMENDED BY P.L.65-2011,
17 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2012]: Sec. 7. (a) The bureau shall remove the name of a
19 previously uninsured motorist from the registry not more than five (5)
20 years after the date on which the:

- 21 (1) judgment;
- 22 (2) conviction; or
- 23 (3) administrative action by the bureau;

24 for which the **previously uninsured** motorist's name is maintained on
25 the registry was entered against the **previously uninsured** motorist.

26 (b) If a previously uninsured motorist is convicted of a second or
27 subsequent offense under this article or is subject to a second or
28 subsequent administrative action by the bureau under this article, the
29 bureau shall remove the **previously uninsured** motorist's name from
30 the registry not more than five (5) years after the date on which the
31 second or subsequent conviction or the second or subsequent
32 administrative action by the bureau is entered.

33 SECTION 291. IC 9-26-1-0.5, AS ADDED BY P.L.94-2006,
34 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2012]: Sec. 0.5. For purposes of this chapter, an accident does
36 not require proof of a collision between a driver's **motor** vehicle and
37 another vehicle or another person if the accident involves serious
38 bodily injury to or the death of a person.

39 SECTION 292. IC 9-26-1-1, AS AMENDED BY P.L.1-2009,
40 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2012]: Sec. 1. **Except as provided in section 1.5 of this**
42 **chapter**, the driver of a **motor** vehicle involved in an accident that
43 results in the injury or death of a person or the entrapment of a person
44 in a vehicle shall do the following:

- 45 (1) Immediately stop the driver's **motor** vehicle at the scene of the
46 accident or as close to the accident as possible in a manner that
47 does not obstruct traffic more than is necessary.
- 48 (2) Immediately return to and remain at the scene of the accident
49 until the driver does the following:
 - 50 (A) Gives the driver's name and address and the registration

- 1 number of the **motor** vehicle the driver was driving.
 2 (B) Upon request, exhibits the driver's license of the driver to
 3 the following:
 4 (i) The person struck.
 5 (ii) The driver or occupant of or person attending each
 6 vehicle involved in the accident.
 7 (C) Subject to section 1.5(a) of this chapter, determines the
 8 need for and renders reasonable assistance to each person
 9 injured or entrapped in the accident, including the removal of,
 10 or the making of arrangements for the removal of:
 11 (i) each injured person from the scene of the accident to a
 12 physician or hospital for medical treatment; and
 13 (ii) each entrapped person from the vehicle in which the
 14 person is entrapped.
 15 (3) Subject to section 1.5(b) of this chapter, immediately give
 16 notice of the accident by the quickest means of communication to
 17 one (1) of the following:
 18 (A) The local police department, if the accident occurs within
 19 a municipality.
 20 (B) The office of the county sheriff or the nearest state police
 21 post, if the accident occurs outside a municipality.
 22 ~~(4) Within ten (10) days after the accident, forward a written~~
 23 ~~report of the accident to the:~~
 24 ~~(A) state police department, if the accident occurs before~~
 25 ~~January 1, 2006; or~~
 26 ~~(B) bureau, if the accident occurs after December 31, 2005.~~
 27 SECTION 293. IC 9-26-1-1.5, AS ADDED BY P.L.126-2008,
 28 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2012]: Sec. 1.5. (a) If:
 30 (1) the driver of a **motor** vehicle is physically incapable of
 31 determining the need for or rendering assistance to any injured or
 32 entrapped person as required under section 1(2)(C) of this
 33 chapter;
 34 (2) there is another occupant in the **motor** vehicle at the time of
 35 the accident who is:
 36 (A) at least:
 37 (i) fifteen (15) years of age and holds a learner's permit
 38 issued under IC 9-24-7-1 or a driver's license issued under
 39 IC 9-24-11; or
 40 (ii) eighteen (18) years of age; and
 41 (B) capable of determining the need for and rendering
 42 reasonable assistance to injured or entrapped persons as
 43 provided in section 1(2)(C) of this chapter; and
 44 (3) the other occupant in the **motor** vehicle knows that the driver
 45 of the **motor** vehicle is physically incapable of determining the
 46 need for or rendering assistance to any injured or entrapped
 47 person;
 48 the **motor** vehicle occupant referred to in subdivisions (2) and (3) shall
 49 immediately determine the need for and render reasonable assistance
 50 to each person injured or entrapped in the accident as provided in

1 section 1(2)(C) of this chapter.

2 (b) If:

3 (1) the driver of a **motor** vehicle is physically incapable of giving
4 immediate notice of an accident as required under section 1(3) of
5 this chapter;

6 (2) there is another occupant in the **motor** vehicle at the time of
7 the accident who is:

8 (A) at least:

9 (i) fifteen (15) years of age and holds a learner's permit
10 issued under IC 9-24-7-1 or a driver's license issued under
11 IC 9-24-11; or

12 (ii) eighteen (18) years of age; and

13 (B) capable of giving notice as provided in section 1(3) of this
14 chapter; and

15 (3) the other occupant in the **motor** vehicle knows that the driver
16 of the **motor** vehicle is physically incapable of giving immediate
17 notice of an accident;

18 the **motor** vehicle occupant referred to in subdivisions (2) and (3) shall
19 immediately give notice of the accident by the quickest means of
20 communication as provided in section 1(3) of this chapter.

21 (c) If there is more than one (1) **motor** vehicle occupant to whom
22 subsection (a) applies, it is a defense to a prosecution of one (1) **motor**
23 vehicle occupant under subsection (a) that the defendant reasonably
24 believed that another occupant of the **motor** vehicle determined the
25 need for and rendered reasonable assistance as required under
26 subsection (a).

27 (d) If there is more than one (1) **motor** vehicle occupant to whom
28 subsection (b) applies, it is a defense to a prosecution of one (1) **motor**
29 vehicle occupant under subsection (b) that the defendant reasonably
30 believed that another occupant of the **motor** vehicle gave the notice
31 required under subsection (b).

32 SECTION 294. IC 9-26-1-2, AS AMENDED BY P.L.54-2009,
33 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2012]: Sec. 2. The driver of a **motor** vehicle involved in an
35 accident that does not result in injury or death of a person or the
36 entrapment of a person in a **motor** vehicle and that does not involve the
37 transportation of hazardous materials but that does result in damage to
38 a vehicle that is driven or attended by a person shall do the following:

39 (1) Immediately stop the **motor** vehicle at the scene of the
40 accident or as close to the accident as possible in a manner that
41 does not obstruct traffic more than is necessary. If the accident
42 occurs on a federal interstate highway, or on a ramp providing
43 access to or from a federal interstate highway, the driver shall, as
44 soon as safely possible, move the **motor** vehicle off the highway
45 or ramp to a location as close to the accident as possible in a
46 manner that does not obstruct traffic more than is necessary.

47 (2) Immediately return to and remain at the scene of the accident
48 until the driver does the following upon request:

49 (A) Gives the driver's name and address and the registration
50 number of the **motor** vehicle the driver was driving.

- 1 (B) Gives the names and addresses of the owner and any
 2 occupants of the **motor** vehicle the driver was driving, if the
 3 names or addresses are different from the name and address
 4 provided under clause (A).
 5 (C) Provides proof of financial responsibility (as defined in
 6 IC 9-25-2-3) for the motor vehicle.
 7 (D) Exhibits the driver's license of the driver to the driver or
 8 occupant of or person attending each vehicle involved in the
 9 accident.

10 (3) If the accident results in total property damage to an apparent
 11 extent of at least one thousand dollars (\$1,000), forward a written
 12 report of the accident to the:

13 (A) state police department, if the accident occurs before
 14 January 1, 2006; or

15 (B) bureau, if the accident occurs after December 31, 2005;
 16 within ten (10) days after the accident.

17 SECTION 295. IC 9-26-1-2.5 IS REPEALED [EFFECTIVE JULY
 18 1, 2012]. Sec. 2.5: Only the following must be included in the written
 19 report prepared under sections 1(4) and 2(3) of this chapter by the
 20 driver of a motor vehicle involved in an accident:

21 (1) The name and address of the driver preparing the report.

22 (2) The date of the accident.

23 (3) The names and addresses of the drivers of the other vehicles
 24 involved in the accident.

25 (4) If, on the date of the accident, a motor vehicle liability policy
 26 was in effect with respect to the motor vehicle driven by the
 27 driver preparing the report, the following:

28 (A) The policy number.

29 (B) The name of the insurance company that issued the policy.

30 (C) The name and signature of an agent of the insurance
 31 company, who by signing the report verifies that the policy
 32 was in effect with respect to the motor vehicle on the date of
 33 the accident.

34 SECTION 296. IC 9-26-1-3 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The driver of a
 36 **motor** vehicle that collides with an unattended vehicle shall
 37 immediately stop and do one (1) of the following:

38 (1) Locate and notify the operator or owner of the vehicle of the
 39 name and address of the driver and owner of the **motor** vehicle
 40 striking the unattended vehicle.

41 (2) Leave in a conspicuous place ~~in~~ on the vehicle struck a written
 42 notice giving the name and address of the driver and the owner of
 43 the **motor** vehicle doing the striking and a statement of the
 44 circumstances of the accident.

45 SECTION 297. IC 9-26-1-4 IS AMENDED TO READ AS
 46 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The driver of a
 47 **motor** vehicle that causes damage to the property of another person,
 48 other than damage to a vehicle, shall do the following:

49 (1) Immediately stop the **motor** vehicle at the scene of the
 50 accident or as close to the accident as possible in a manner that

1 does not obstruct traffic more than is necessary.

2 (2) Immediately return to and remain at the scene of the accident
3 until the driver does the following:

4 (A) Takes reasonable steps to locate and notify the owner or
5 person in charge of the property of the damage.

6 (B) Gives the person the driver's name and address and the
7 registration number of the **motor** vehicle.

8 (C) Upon request, exhibits the driver's license of the driver. if
9 the driver is required to have a driving license to operate the
10 vehicle.

11 (b) If after reasonable inquiry the driver of the **motor** vehicle cannot
12 find the owner or person in charge of the damaged property, the driver
13 of the **motor** vehicle shall do the following:

14 (1) Notify either the ~~sheriff~~ **sheriff's department** of the county in
15 which the damaged property is located or a member of the state
16 police department.

17 (2) Give the ~~sheriff~~ **sheriff's department** or state police
18 department the information required by this section.

19 SECTION 298. IC 9-26-1-6 IS REPEALED [EFFECTIVE JULY 1,
20 2012]. Sec. 6: (a) If:

21 ~~(1) the driver of a vehicle is physically incapable of making a~~
22 ~~written report of an accident as required by this chapter; and~~

23 ~~(2) there was another occupant in the vehicle at the time of the~~
24 ~~accident capable of making a written report;~~

25 the occupant shall make or cause to be made the report not made by the
26 driver.

27 ~~(b) If:~~

28 ~~(1) the driver of a vehicle is physically incapable of making an~~
29 ~~immediate or a written report of an accident as required by this~~
30 ~~chapter;~~

31 ~~(2) there was no other occupant; and~~

32 ~~(3) the driver is not the owner of the vehicle;~~

33 the owner of the vehicle involved in the accident shall, within five (5)
34 days after the accident, make the report not made by the driver.

35 SECTION 299. IC 9-26-1-7, AS AMENDED BY P.L.210-2005,
36 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 7. (a) A city or town may by ordinance require
38 that the driver of a **motor** vehicle involved in an accident file with a
39 designated city or town department

40 ~~(1) a report of the accident. or~~

41 ~~(2) a copy of a report required in this article to be filed with the:~~

42 ~~(A) state police department; or~~

43 ~~(B) bureau.~~

44 (b) An accident report required to be filed under subsection (a) is for
45 the confidential use of the designated city or town department and
46 subject to IC 9-26-3-4.

47 SECTION 300. IC 9-26-1-10 IS REPEALED [EFFECTIVE JULY
48 1, 2012]. Sec. 10: The bureau shall, after proper notice is given and a
49 hearing held, revoke or suspend the driver's license of a person who
50 fails to make a report required under section 1(4), 2(3), or 5 of this

1 ~~chapter.~~

2 SECTION 301. IC 9-26-5-1 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The person in charge
4 of a garage or repair shop to which a motor vehicle that shows evidence
5 of having been struck by a bullet is brought shall report to the state
6 police department, within twenty-four (24) hours after the motor
7 vehicle is received, the following information:

- 8 (1) The engine number of the **motor** vehicle.
9 (2) The registration number of the **motor** vehicle.
10 (3) The name and address of the owner or operator of the **motor**
11 vehicle.

12 SECTION 302. IC 9-26-6-1 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. A person removing
14 a wrecked or damaged **motor** vehicle from a street or highway must
15 remove any glass or other foreign material dropped upon the street or
16 highway from the **motor** vehicle.

17 SECTION 303. IC 9-26-6-2 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) This section does
19 not apply to the removal of a **motor** vehicle that constitutes a traffic
20 hazard.

21 (b) The driver of a **motor** vehicle that is used to remove a **motor**
22 vehicle that caused damage to real or personal property, except a
23 **motor** vehicle of another person as described in IC 9-26-1-4, shall give
24 the notification required by IC 9-26-1-4 before removing the **motor**
25 vehicle that caused the damage.

26 SECTION 304. IC 9-27-6-5, AS ADDED BY P.L.145-2011,
27 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2012]: Sec. 5. (a) As used in this section, "**advisory** board"
29 refers to the driver education advisory board established by subsection
30 (b).

31 (b) The driver education advisory board is established to advise the
32 commissioner in the administration of the policies of the commission
33 and the bureau regarding driver education.

34 (c) The **advisory** board is composed of seven (7) individuals
35 appointed by the commissioner as follows:

- 36 (1) Three (3) members must be driver education professionals
37 endorsed by the bureau under section 8 of this chapter. In the
38 selection of individuals for membership under this subdivision,
39 consideration must be given to driver education instruction
40 performed in urban and rural areas.
41 (2) One (1) member must be a traffic safety advocate.
42 (3) One (1) member must be a representative of the bureau.
43 (4) One (1) member must be a representative of higher education.
44 (5) One (1) member must be a representative of the insurance
45 industry.

46 (d) A member of the **advisory** board serves a ~~three (3)~~ **two (2)** year
47 term. A member may not serve more than two (2) consecutive full
48 terms. Each member serves until the member's successor is appointed
49 and qualified.

50 (e) A member of the **advisory** board may be removed for good

1 cause.

2 (f) A vacancy on the **advisory** board shall be filled by the
3 appointment by the commissioner of an individual to fill the position
4 to which the vacating member was appointed under subsection (c) for
5 the vacating member's unexpired term.

6 (g) ~~At the first meeting of the board each year, the members shall~~
7 ~~elect:~~

8 ~~(1) one (1) member to be the board's chairperson;~~

9 ~~(2) one (1) member to be the board's vice chairperson; and~~

10 ~~(3) one (1) member to be the board's secretary.~~

11 The chairperson, vice chairperson, and secretary serve until their
12 successors are elected and qualified.

13 (h) A vacancy in the office of chairperson, vice chairperson, or
14 secretary shall be filled by vote of the members. The term of office of
15 a board member chosen to fill a vacancy under this subsection expires
16 at the first meeting of the board the following year.

17 (i) The driver education board shall meet at least two (2) times per
18 year. Additional meetings may be convened at the call of the
19 chairperson of the board or the written request of any three (3)
20 members.

21 (j) Four (4) members of the board constitute a quorum for doing
22 business. The majority vote of the members who constitute the quorum
23 and are present and voting is required for the passage of a matter put
24 to a vote of the board.

25 (k) The bureau shall provide staff and administrative support to the
26 board.

27 ~~(g)~~ (g) The **advisory** board has the following powers: **shall:**

28 (1) ~~To~~ consult with and advise the commissioner in the
29 administration of the policies of the commission and the bureau
30 regarding driver education; **and**

31 (2) ~~To~~ suggest rules regarding the education and training of
32 persons to operate or drive motor vehicles or to prepare a person
33 for an examination or validation for a driver's license.

34 ~~(m)~~ (h) A member of the **advisory** board is not subject to liability
35 in a civil action for bodily injury or property damage arising from or
36 thought to have arisen from an action taken in good faith as a member
37 of the **advisory** board.

38 SECTION 305. IC 9-28-2-8 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau may
40 suspend a driver's license issued to the **driving privileges of** a driver
41 licensed under IC 9-24 for failure to meet the conditions of a traffic
42 citation of a jurisdiction in which the traffic offense occurred. This
43 section does not apply if the jurisdiction has not entered into an
44 agreement with Indiana as provided under section 7 of this chapter.

45 SECTION 306. IC 9-28-2-9 IS AMENDED TO READ AS
46 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Upon written
47 notification from a jurisdiction that is a party to an agreement entered
48 into under this chapter, the bureau shall take appropriate action against
49 a licensed driver for failure to meet the conditions set out in the citation
50 of the jurisdiction in which the traffic offense occurred.

1 (b) The bureau shall notify the driver by first class mail of the
 2 request by the respective jurisdiction to have the driver's ~~license~~
 3 **driving privileges** suspended. For the purposes of this chapter, a
 4 written notice sent to the driver's last registered address with the bureau
 5 meets the conditions of due notice.

6 (c) The driver has fifteen (15) days from the date of notice to satisfy
 7 the conditions of the citation issued by the jurisdiction or to request a
 8 hearing before a bureau hearing officer to show evidence or present
 9 information why the bureau should not suspend the ~~license driver's~~
 10 **driving privileges** for failure to meet the terms of the citation.

11 (d) Upon holding the hearing, the bureau may suspend the driver's
 12 ~~license driving privileges~~ until the conditions of the citation are met
 13 or a release from the citing jurisdiction is obtained.

14 (e) If the bureau does not receive information from the driver
 15 concerning the notification, the bureau shall suspend the driver's
 16 ~~license driving privileges~~ until the conditions of the citation are met
 17 or a release is obtained.

18 (f) A driver ~~that has~~ **whose driving privileges have** been suspended
 19 for failure to meet the conditions of a citation is not eligible for a
 20 hardship license under IC 9-24-15.

21 (g) The bureau may not suspend a ~~driver's license driving~~
 22 **privileges** under this section for a nonmoving traffic offense occurring
 23 in another jurisdiction.

24 SECTION 307. IC 9-28-5.1-1, AS ADDED BY P.L.93-2010,
 25 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2012]: Sec. 1. To facilitate the exchange of driver's licenses,
 27 the bureau ~~shall may~~ negotiate and enter into a reciprocal agreement
 28 with a foreign country. However, the bureau may not negotiate or enter
 29 into a reciprocal agreement with a country that is listed as a state
 30 sponsor of terrorism as determined by the Secretary of State of the
 31 United States.

32 SECTION 308. IC 9-28-5.1-3, AS ADDED BY P.L.93-2010,
 33 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2012]: Sec. 3. A written reciprocity agreement entered into
 35 under section 2 of this chapter must require an applicant from the
 36 foreign country for an operator's license to possess:

- 37 (1) a valid ~~operator's driver's~~ **license for the type of vehicle**
 38 **being operated** or the equivalent from the foreign country; or
 39 (2) an international driving permit.

40 SECTION 309. IC 9-28-5.1-4 IS REPEALED [EFFECTIVE JULY
 41 1, 2012]. ~~Sec. 4. The bureau shall report annually in an electronic~~
 42 ~~format under IC 5-14-6 regarding reciprocal agreements entered into~~
 43 ~~under this chapter to the general assembly before February 1 of each~~
 44 ~~year.~~

45 SECTION 310. IC 9-28-5.1-5, AS ADDED BY P.L.93-2010,
 46 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 47 JULY 1, 2012]: Sec. 5. The bureau ~~shall may~~ adopt rules under
 48 IC 4-22-2 to carry out this chapter.

49 SECTION 311. IC 9-29-3-0.3 IS REPEALED [EFFECTIVE JULY
 50 1, 2012]. ~~Sec. 0.3. If P.L.291-2001 imposes an additional service fee~~

1 under section 4, 6, 7, 8, 9, 10, 11, 12, 14, or 18 of this chapter that is
 2 payable into a fund other than the state motor vehicle technology fund
 3 established by IC 9-29-16, the general assembly intends that both the
 4 service fees imposed under P.L.291-2001 and P.L.176-2001 shall be
 5 collected.

6 SECTION 312. IC 9-29-3-4, AS AMENDED BY P.L.63-2007,
 7 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2012]: Sec. 4. (a) ~~The service charge for each of the first~~
 9 ~~twelve thousand (12,000) original and renewed vehicle registrations at~~
 10 ~~a license branch each year is one dollar and seventy-five cents (\$1.75).~~

11 (b) ~~The service charge for each of the next thirty-eight thousand~~
 12 ~~(38,000) original and renewed vehicle registrations at that license~~
 13 ~~branch each year is one dollar and fifty cents (\$1.50).~~

14 (c) ~~(a) The annual service charge for each additional original or~~
 15 ~~renewed vehicle registration at that license branch each year is one~~
 16 ~~dollar and twenty-five cents (\$1.25).~~

17 (d) ~~(b) Fifty cents (\$0.50) of each service charge collected under~~
 18 ~~this section shall be deposited in the state motor vehicle technology~~
 19 ~~fund established by IC 9-29-16-1.~~

20 (e) ~~(c) A service charge that is:~~

21 (1) originally imposed under this section; and

22 (2) increased by a rule adopted by the department;

23 applies to any original or renewed vehicle registration issued at a
 24 license branch.

25 SECTION 313. IC 9-29-3-5 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The service charge
 27 for each title, including duplicate **or corrected** titles, is one dollar (\$1).

28 SECTION 314. IC 9-29-5-11, AS AMENDED BY P.L.210-2005,
 29 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2012]: Sec. 11. (a) This section does not apply to a vehicle or
 31 person exempted from registration under IC 9-18.

32 (b) The **license registration** fee for a piece of special machinery is
 33 five dollars (\$5). The motor vehicle is exempt from other fees provided
 34 under IC 9-18 or this article.

35 (c) The owner of a vehicle listed in this section is not entitled to a
 36 reduction in the five dollar (\$5) **license registration** fee because the
 37 license is granted at a time that the license period is less than a year.

38 SECTION 315. IC 9-29-5-12, AS AMENDED BY P.L.210-2005,
 39 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2012]: Sec. 12. A farm wagon or farm type dry or liquid
 41 fertilizer tank trailer or spreader used to transport bulk fertilizer
 42 between distribution point and farm and return is exempt from all
 43 **license registration** fees when the wagon, trailer, or spreader is drawn
 44 or towed on a highway by a:

45 (1) farm tractor; or

46 (2) properly registered motor vehicle.

47 SECTION 316. IC 9-29-5-13, AS AMENDED BY P.L.210-2005,
 48 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 49 JULY 1, 2012]: Sec. 13. (a) This section does not apply to a vehicle or
 50 person exempt from registration under IC 9-18.

1 (b) The **license registration** fee for a motor vehicle, trailer, or
 2 semitrailer and tractor operated primarily as a farm truck, farm trailer,
 3 or farm semitrailer and tractor:

4 (1) having a declared gross weight of at least eleven thousand
 5 (11,000) pounds; and

6 (2) used by the owner or guest occupant in connection with
 7 agricultural pursuits usual and normal to the user's farming
 8 operation;

9 is fifty percent (50%) of the amount listed in this chapter for a truck,
 10 trailer, or semitrailer and tractor of the same declared gross weight.

11 SECTION 317. IC 9-29-5-13.5, AS AMENDED BY P.L.191-2007,
 12 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2012]: Sec. 13.5. (a) This section applies to a truck, trailer, or
 14 semitrailer and tractor for which a **license registration** fee provided in
 15 section 13(b) of this chapter has been paid.

16 (b) Except as provided in subsections (d) and (e), if the owner of a
 17 truck, trailer, or semitrailer and tractor described in subsection (a)
 18 begins to operate the truck, trailer, or semitrailer and tractor in the
 19 conduct of a commercial enterprise or for the transportation of farm
 20 products after the commodities have entered the channels of commerce
 21 during a registration year for which the **license registration** fee under
 22 section 13(b) of this chapter has been paid, the owner shall pay the
 23 amount listed in this chapter for a truck, trailer, or semitrailer and
 24 tractor of the same declared gross weight reduced by a credit
 25 determined under subsection (c) to license the truck, trailer, or
 26 semitrailer and tractor.

27 (c) The credit provided in subsection (b) equals:

28 (1) the **license registration** fee paid under section 13(b) of this
 29 chapter; reduced by

30 (2) ~~ten~~ **eight and thirty-three hundredths** percent (~~10%~~)
 31 (**8.33%**) for each full or partial calendar month that has elapsed
 32 in the registration year for which the **license registration** fee has
 33 been paid.

34 The credit may not exceed ninety percent (90%) of the **license**
 35 **registration** fee paid under section 13(b) of this chapter.

36 (d) Notwithstanding subsections (b) and (e) and IC 9-18-2-4, a
 37 truck, trailer, or semitrailer and tractor described in subsection (a) may
 38 be operated intrastate for the transportation of seasonal, perishable fruit
 39 or vegetables to the first point of processing for a period that consists
 40 of not more than a thirty (30) day period in a registration year as
 41 provided by IC 9-21-21-4.3(a). Before a vehicle may be operated as
 42 provided in this subsection, the owner shall pay to the bureau:

43 (1) any **license registration** fee due under section 13(b) of this
 44 chapter; and

45 (2) eight and one-half percent (8.5%) of the **license registration**
 46 fee paid under section 13(b) of this chapter.

47 (e) Notwithstanding subsections (b) and (d) and IC 9-18-2-4, a
 48 truck, trailer, or semitrailer and tractor described in subsection (a) may
 49 be operated intrastate for the transportation of tomatoes or silage to the
 50 first point of processing for a period that consists of not more than one

1 (1) seventy-one (71) day period in a registration year as provided by
 2 IC 9-21-21-4.3(b). Before a vehicle may be operated as provided in this
 3 subsection, the owner shall pay to the bureau:

4 (1) any **license registration** fee due under section 13(b) of this
 5 chapter; and

6 (2) seventeen percent (17%) of the **license registration** fee paid
 7 under section 13(b) of this chapter.

8 SECTION 318. IC 9-29-5-18 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. The fee for a
 10 recreational vehicle, **which does not include truck campers (as**
 11 **defined in IC 6-6-5.1-8)**, is twenty dollars (\$20).

12 SECTION 319. IC 9-29-5-26.5 IS REPEALED [EFFECTIVE JULY
 13 1, 2012]. ~~Sec. 26.5: The bureau may adopt rules under IC 4-22-2 to~~
 14 ~~establish the fee for a temporary registration permit issued under~~
 15 ~~IC 9-18-7-1.5. However, the amount of the fee may not exceed~~
 16 ~~seventy-five dollars (\$75).~~

17 SECTION 320. IC 9-29-5-34 IS REPEALED [EFFECTIVE JULY
 18 1, 2012]. ~~Sec. 34: A vehicle registered under IC 9-18-21 is subject to~~
 19 ~~an annual registration fee and any other fee or tax required of a person~~
 20 ~~registering a vehicle under this title.~~

21 SECTION 321. IC 9-29-6-10 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. Whenever a permit
 23 is issued by the ~~bureau~~ **Indiana department of transportation** under
 24 IC 9-20-6, the ~~bureau~~ **Indiana department of transportation** shall fix
 25 the fee to be paid. ~~and~~ Upon payment of the fee, the ~~bureau~~ **Indiana**
 26 **department of transportation** shall validate the permit. The revenue
 27 from the fee shall be credited to the state highway fund.

28 SECTION 322. IC 9-29-7-2.5, AS ADDED BY P.L.110-2006,
 29 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2012]: Sec. 2.5. The fee for a duplicate **or corrected**
 31 certificate of salvage title is four dollars (\$4).

32 SECTION 323. IC 9-30-2-0.1 IS REPEALED [EFFECTIVE JULY
 33 1, 2012]. ~~Sec. 0.1: The amendments made to sections 4 and 5 of this~~
 34 ~~chapter by P.L.99-1996 apply to arrests made after June 30, 1996.~~

35 SECTION 324. IC 9-30-3-8, AS AMENDED BY P.L.206-2007,
 36 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2012]: Sec. 8. (a) The court may issue a warrant for the arrest
 38 of a defendant who is an Indiana resident and who fails to appear or
 39 answer a traffic information and summons or a complaint and summons
 40 served upon the defendant. If the warrant is not executed within thirty
 41 (30) days after issue, the court shall promptly forward the court copy
 42 of the traffic information and summons or complaint and summons to
 43 the bureau indicating that the defendant failed to appear in court as
 44 ordered. The court shall then mark the case as failure to appear on the
 45 court's records.

46 (b) If a defendant who is not an Indiana resident fails to appear or
 47 answer a traffic summons served upon the defendant and upon which
 48 the information or complaint has been filed thirty (30) days after the
 49 return date of the information and summons or complaint and
 50 summons, the court shall promptly forward the court copy of the traffic

1 information and summons or complaint and summons to the bureau.
 2 The bureau shall notify the motor vehicle commission of the state of
 3 the nonresident defendant of the defendant's failure to appear and also
 4 of any action taken by the bureau relative to the Indiana driving
 5 privileges of the defendant. If the defendant fails to appear or otherwise
 6 answer within thirty (30) days, the court shall mark the case as failure
 7 to appear on the court's records.

8 **(c) The court may suspend the driving privileges of a defendant**
 9 **who fails to satisfy a judgment entered against the defendant for:**

10 **(1) violation of a traffic ordinance; or**

11 **(2) commission of a traffic infraction;**

12 **by a date set by the court under IC 34-28-5-6. The court shall**
 13 **forward notice to the bureau indicating that the defendant failed**
 14 **to pay as ordered.**

15 ~~(c)~~ **(d)** If the bureau receives a copy of the traffic information and
 16 summons or complaint and summons for failure to appear in court **or**
 17 **a notice of failure to pay under subsection (c)**, either on a form
 18 prescribed by the bureau or in an electronic format prescribed by the
 19 division of state court administration, the bureau shall suspend the
 20 driving privileges of the defendant until the defendant appears in court
 21 and the case has been disposed of, **or until the date payment is**
 22 **received by the court.** The order of suspension may be served upon
 23 the defendant by mailing the order by first class mail to the defendant
 24 at the last address shown for the defendant in the records of the bureau.
 25 The order takes effect on the date the order is mailed.

26 ~~(d)~~ **(e)** For nonresidents of Indiana, the order of suspension shall be
 27 mailed to the defendant at the address given to the arresting officer **or**
 28 **the clerk of court** by the defendant as shown by the traffic information
 29 or complaint. The order takes effect on the date of mailing. A copy of
 30 the order shall also be sent to the motor vehicle bureau of the state of
 31 the nonresident defendant. If:

32 (1) the defendant's failure to appear in court has been certified to
 33 the bureau under this chapter; and

34 (2) the defendant subsequently appears in court to answer the
 35 charges against the defendant;

36 the court shall proceed to hear and determine the case in the same
 37 manner as other cases pending in the court. Upon final determination
 38 of the case, the court shall notify the bureau of the determination either
 39 in an electronic format or upon forms prescribed by the bureau. The
 40 notification shall be made by the court within ten (10) days after the
 41 final determination of the case, and information from the original copy
 42 of the traffic information and summons or complaint and summons
 43 must accompany the notification.

44 SECTION 325. IC 9-30-3-11, AS AMENDED BY P.L.206-2007,
 45 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 46 JULY 1, 2012]: Sec. 11. (a) Before accepting a plea of guilty to a
 47 misdemeanor traffic offense, the court shall inform the defendant of the
 48 defendant's rights, including the right to:

49 (1) engage counsel;

50 (2) a reasonable continuance to engage counsel to subpoena

- 1 witnesses;
- 2 (3) have process issued by the court, without expense to the
- 3 defendant, to compel the attendance of witnesses in the
- 4 defendant's behalf;
- 5 (4) testify or not to testify in the defendant's own behalf;
- 6 (5) a trial by jury; and
- 7 (6) appeal.
- 8 (b) The court shall inform each defendant charged with a traffic
- 9 offense other than a nonmoving traffic offense, if the defendant is
- 10 convicted or judgment is entered against the defendant, that a record of
- 11 the conviction or judgment will be sent to the bureau or the motor
- 12 vehicle bureau of the state where the defendant received a license to
- 13 drive to become a part of the defendant's driving record.
- 14 (c) The court shall keep a full record of every case in which a person
- 15 is charged with a traffic offense other than a nonmoving traffic offense.
- 16 Within ten (10) days after the conviction, judgment, or forfeiture of
- 17 security deposit of a person, the court shall forward a copy of the
- 18 judgment in an electronic format or an abstract as prescribed by
- 19 ~~IC 9-25-6-8.~~ **IC 9-30-13-0.5.** The abstract comprises the original copy
- 20 of the traffic information and summons or complaint and summons if
- 21 the conviction, judgment, or forfeiture of security deposit has been
- 22 entered on that copy. However, instead of the original copy, the court
- 23 may, subject to the approval of the bureau, send the information in an
- 24 electronic format or in the form of a chemical based, magnetic, or
- 25 machine readable media. Records of nonmoving traffic offenses are not
- 26 required to be forwarded to the bureau.
- 27 (d) One (1) year after the abstract has been forwarded, the court may
- 28 destroy the remaining court copies of the information and summons or
- 29 complaint and summons and related pleadings if an order book entry
- 30 of the copy has been made and the original copy has been sent to the
- 31 bureau. ~~of motor vehicles.~~
- 32 (e) Upon the failure of a court officer to comply with subsection (c),
- 33 the officer is liable on the officer's official bond for a civil penalty of
- 34 one hundred dollars (\$100) accruing to the state, which may be
- 35 recovered, together with the costs of the suit, in a civil action brought
- 36 by the attorney general in the name of the state on relation of the
- 37 attorney general. Each failure by an officer constitutes a separate cause
- 38 of action.
- 39 SECTION 326. IC 9-30-3-12, AS AMENDED BY P.L.106-2010,
- 40 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 41 JULY 1, 2012]: Sec. 12. (a) If during any twelve (12) month period a
- 42 person has committed moving traffic violations for which the person
- 43 has:
- 44 (1) been convicted of at least two (2) traffic misdemeanors;
- 45 (2) had at least two (2) traffic judgments entered against the
- 46 person; or
- 47 (3) been convicted of at least one (1) traffic misdemeanor and has
- 48 had at least one (1) traffic judgment entered against the person;
- 49 the bureau may require the person to attend and satisfactorily complete
- 50 a defensive driving school program **approved by the bureau.** The

1 person shall pay all applicable fees required by the bureau.

2 (b) This subsection applies to an individual who holds a
3 probationary license under ~~IC 9-24-11-3~~ or IC 9-24-11-3.3 or is less
4 than eighteen (18) years of age. An individual is required to attend and
5 satisfactorily complete a defensive driving school program **approved**
6 **by the bureau** if either of the following occurs at least twice or if both
7 of the following have occurred when the individual was less than
8 eighteen (18) years of age:

9 (1) The individual has been convicted of a moving traffic offense
10 (as defined in section 14(a) of this chapter), other than an offense
11 that solely involves motor vehicle equipment.

12 (2) The individual has been the operator of a motor vehicle
13 involved in an accident for which a report is required to be filed
14 under IC 9-26-2.

15 The individual shall pay all applicable fees required by the bureau.

16 (c) The bureau may suspend the driving ~~license~~ **privileges** of any
17 person who:

18 (1) fails to attend a defensive driving school program; or

19 (2) fails to satisfactorily complete a defensive driving school
20 program;

21 as required by this section.

22 (d) Notwithstanding IC 33-37-4-2, any court may suspend one-half
23 (1/2) of each applicable court cost (including fees) for which a person
24 is liable due to a traffic violation if the person enrolls in and completes
25 a defensive driving school or a similar school conducted by an agency
26 of the state or local government.

27 SECTION 327. IC 9-30-3-15 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. In a proceeding,
29 prosecution, or hearing where the prosecuting attorney must prove that
30 the defendant had a prior conviction for an offense under this title, the
31 relevant portions of a certified computer printout or electronic copy as
32 set forth in IC 9-14-3-4 made from the records of the bureau are
33 admissible as prima facie evidence of the prior conviction. However,
34 the prosecuting attorney must establish that the document identifies the
35 defendant by the defendant's ~~driving driver's~~ license number or by any
36 other identification method utilized by the bureau.

37 SECTION 328. IC 9-30-3-16 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) If a person has
39 been found to have committed a traffic offense, the court may do the
40 following:

41 (1) Require the person to attend and satisfactorily complete a
42 driver improvement course that has been approved by the court
43 and the bureau or by the bureau.

44 (2) Place the person on probation for up to one (1) year.

45 (3) Suspend the person's ~~driver's license~~ **driving privileges** for up
46 to thirty (30) days.

47 (b) A driver improvement course required under subsection (a) may
48 be financed by assessing a reasonable charge as determined by the
49 course provider and approved by the bureau.

50 SECTION 329. IC 9-30-4-3 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A person
2 aggrieved by an order or act of the bureau under section 1 or 2 of this
3 chapter may, within fifteen (15) days after notice is given, file a
4 petition in the circuit or superior court of the county in which the
5 person resides. If the person is a nonresident, the person may file a
6 petition for review in the Marion **County** circuit court.

7 (b) The petitioner must state facts showing how the order or act of
8 the bureau is wrongful or unlawful, but the filing of a petition does not
9 suspend the order or act unless a stay is allowed by a judge of the court
10 pending final determination of the review on a showing of reasonable
11 probability that the order or act is wrongful or unlawful.

12 (c) The court shall, within six (6) months of the date of the filing of
13 the petition, hear the petition, take testimony, and examine the facts of
14 the case. The court may, in disposing of the issues, modify, affirm, or
15 reverse the order or act of the bureau in whole or in part and shall make
16 an appropriate order. If the petition has not been heard within six (6)
17 months from the date of the filing, the original order or act of the
18 bureau shall be reinstated in full force and effect.

19 SECTION 330. IC 9-30-4-6, AS AMENDED BY P.L.100-2010,
20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2012]: Sec. 6. (a) Whenever the bureau suspends or revokes
22 the current driver's license upon receiving a record of the conviction of
23 a person for any offense under the motor vehicle laws not enumerated
24 under subsection (b), the bureau may also suspend any of the
25 certificates of registration and license plates issued for any motor
26 vehicle registered in the name of the person so convicted. However, the
27 bureau may not suspend the evidence of registration, unless otherwise
28 required by law, if the person has given or gives and maintains during
29 the three (3) years following the date of suspension or revocation proof
30 of financial responsibility in the future in the manner specified in this
31 section.

32 (b) The bureau shall suspend or revoke without notice or hearing the
33 current driver's license and all certificates of registration and license
34 plates issued or registered in the name of a person who is convicted of
35 any of the following:

36 (1) Manslaughter or reckless homicide resulting from the
37 operation of a motor vehicle.

38 (2) Perjury or knowingly making a false affidavit to the
39 department under this chapter or any other law requiring the
40 registration of motor vehicles or regulating motor vehicle
41 operation upon the highways.

42 (3) A felony under Indiana motor vehicle laws or felony in the
43 commission of which a motor vehicle is used.

44 (4) Three (3) charges of criminal recklessness involving the use
45 of a motor vehicle within the preceding twelve (12) months.

46 (5) Failure to stop and give information or assistance or failure to
47 stop and disclose the person's identity at the scene of an accident
48 that has resulted in death, personal injury, or property damage in
49 excess of two hundred dollars (\$200).

50 (6) Possession, distribution, manufacture, cultivation, transfer,

1 use, or sale of a controlled substance or counterfeit substance, or
2 attempting or conspiring to possess, distribute, manufacture,
3 cultivate, transfer, use, or sell a controlled substance or
4 counterfeit substance.

5 (c) The license of a person shall also be suspended upon conviction
6 in another jurisdiction for any offense described in subsections (b)(1),
7 (b)(2), (b)(3), (b)(4), and (b)(5), except if property damage is less than
8 two hundred dollars (\$200), the bureau may determine whether the
9 driver's license and certificates of registration and license plates shall
10 be suspended or revoked. The license of a person shall also be
11 suspended upon conviction in another jurisdiction for any offense
12 described in subsection (b)(6).

13 (d) A suspension or revocation remains in effect and a new or
14 renewal license may not be issued to the person and a motor vehicle
15 may not be registered in the name of the person as follows:

16 (1) Except as provided in subdivisions (2), (3), (4), and (5), and
17 subject to section 6.5 of this chapter, for six (6) months from the
18 date of conviction or on the date on which the person is otherwise
19 eligible for a license, whichever is later. Except as provided in
20 IC 35-48-4-15, this includes a person convicted of a crime for
21 which the person's license is suspended or revoked under
22 subsection (b)(6).

23 (2) Subject to section 6.5 of this chapter, upon conviction of an
24 offense described in subsection (b)(1), for a fixed period of not
25 less than two (2) years and not more than five (5) years, to be
26 fixed by the bureau based upon recommendation of the court
27 entering a conviction. A new or reinstated license may not be
28 issued to the person unless that person, within the three (3) years
29 following the expiration of the suspension or revocation, gives
30 and maintains in force at all times during the effective period of
31 a new or reinstated license proof of financial responsibility in the
32 future in the manner specified in this chapter. However, the
33 liability of the insurance carrier under a motor vehicle liability
34 policy that is furnished for proof of financial responsibility in the
35 future as set out in this chapter becomes absolute whenever loss
36 or damage covered by the policy occurs, and the satisfaction by
37 the insured of a final judgment for loss or damage is not a
38 condition precedent to the right or obligation of the carrier to
39 make payment on account of loss or damage, but the insurance
40 carrier has the right to settle a claim covered by the policy. If the
41 settlement is made in good faith, the amount shall be deductive
42 from the limits of liability specified in the policy. A policy may
43 not be canceled or annulled with respect to a loss or damage by an
44 agreement between the carrier and the insured after the insured
45 has become responsible for the loss or damage, and a cancellation
46 or annulment is void. The policy may provide that the insured or
47 any other person covered by the policy shall reimburse the
48 insurance carrier for payment made on account of any loss or
49 damage claim or suit involving a breach of the terms, provisions,
50 or conditions of the policy. If the policy provides for limits in

1 excess of the limits specified in this chapter, the insurance carrier
 2 may plead against any plaintiff, with respect to the amount of the
 3 excess limits of liability, any defenses that the carrier may be
 4 entitled to plead against the insured. The policy may further
 5 provide for prorating of the insurance with other applicable valid
 6 and collectible insurance. An action does not lie against the
 7 insurance carrier by or on behalf of any claimant under the policy
 8 until a final judgment has been obtained after actual trial by or on
 9 behalf of any claimant under the policy.

10 (3) Subject to section 6.5 of this chapter, for the period ordered by
 11 a court under IC 35-48-4-15.

12 (4) Subject to section 6.5 of this chapter, if the person is convicted
 13 of a felony involving the use of a motor vehicle under
 14 IC 35-44-3-3(b) and the person:

15 (A) exceeded the speed limit by at least twenty (20) miles per
 16 hour;

17 (B) committed criminal recklessness with a vehicle (IC
 18 35-42-2-2); or

19 (C) engaged in aggressive driving (as defined in
 20 IC 9-21-8-55(b));

21 while committing the felony, for one (1) year after the date the
 22 person was convicted. The convicted person has the burden of
 23 applying for a new or renewal license and establishing that the
 24 one (1) year period described in this subdivision and subject to
 25 section 6.5 of this chapter has elapsed.

26 (5) Subject to section 6.5 of this chapter, if the person is convicted
 27 of a felony involving the use of a motor vehicle under
 28 IC 35-44-3-3(b), the person:

29 (A) exceeded the speed limit by at least twenty (20) miles per
 30 hour;

31 (B) committed criminal recklessness with a vehicle (IC
 32 35-42-2-2); or

33 (C) engaged in aggressive driving (as defined in
 34 IC 9-21-8-55(b));

35 while committing the felony, and the person has a prior unrelated
 36 conviction for a felony under IC 35-44-3-3(b), for two (2) years
 37 after the date the person was convicted. The convicted person has
 38 the burden of applying for a new or renewal license and
 39 establishing that the two (2) year period described in this
 40 subdivision and subject to section 6.5 of this chapter has elapsed.

41 (e) The bureau may take action as required in this section upon
 42 receiving satisfactory evidence of a conviction of a person in another
 43 state.

44 (f) For the purpose of this chapter, "conviction" includes any of the
 45 following:

46 (1) A conviction upon a plea of guilty.

47 (2) A determination of guilt by a jury or court, even if:

48 (A) no sentence is imposed; or

49 (B) a sentence is suspended.

50 (3) A forfeiture of bail, bond, or collateral deposited to secure the

1 defendant's appearance for trial, unless the forfeiture is vacated.

2 (4) A payment of money as a penalty or as costs in accordance
3 with an agreement between a moving traffic violator and a traffic
4 violations bureau.

5 (g) A suspension or revocation under this section or under
6 ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** stands pending appeal of the conviction to
7 a higher court and may be set aside or modified only upon the receipt
8 by the bureau of the certificate of the court reversing or modifying the
9 judgment that the cause has been reversed or modified. However, if the
10 suspension or revocation follows a conviction in a court of no record
11 in Indiana, the suspension or revocation is stayed pending appeal of the
12 conviction to a court of record.

13 (h) A person aggrieved by an order or act of the bureau under this
14 section or ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** may file a petition for a court
15 review.

16 SECTION 331. IC 9-30-4-6.5, AS ADDED BY P.L.100-2010,
17 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2012]: Sec. 6.5. If a person receives a sentence that includes:

19 (1) a term of incarceration; and

20 (2) a ~~license~~ **suspension of the person's driving privileges** under
21 this chapter;

22 the ~~license~~ **suspension of driving privileges** begins on the date the
23 person is released from incarceration and not on the date the person is
24 convicted.

25 SECTION 332. IC 9-30-4-8 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A person whose
27 certificate of registration has been suspended or revoked, with
28 restoration or the issuance of a new certificate being contingent upon
29 the furnishing of proof of financial responsibility, and who, during the
30 suspension or revocation or in the absence of full authorization from
31 the bureau, operates the motor vehicle upon a highway or knowingly
32 permits the motor vehicle to be operated by another person upon a
33 highway except as permitted under this chapter commits a Class C
34 misdemeanor.

35 (b) A person with a ~~restricted license issued by the bureau~~ **driving**
36 **privileges** who operates a motor vehicle upon a highway in violation
37 of the terms and conditions specified ~~on for~~ the ~~restricted license~~
38 **driving privileges** commits a Class C misdemeanor.

39 SECTION 333. IC 9-30-4-9 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Upon the filing
41 of a complaint in writing with the bureau against a person holding a
42 current driver's license or ~~permit or~~ applying for a ~~current~~ driver's
43 license, ~~permit,~~ or a renewal, the bureau may cite the person for a
44 hearing to consider the suspension or revocation of the ~~person's~~
45 license, ~~permit,~~ or **driving privileges** upon any of the following
46 charges:

47 (1) That the person has committed an offense for the conviction
48 of which mandatory revocation of license is provided.

49 (2) That the person has, by reckless or unlawful operation of a
50 motor vehicle, caused or contributed to an accident resulting in

1 death or injury to any other person or property damage.

2 (3) That the person is incompetent to drive a motor vehicle or is
3 afflicted with mental or physical infirmities or disabilities
4 rendering it unsafe for the person to drive a motor vehicle.

5 (4) That the person is a reckless or negligent driver of a motor
6 vehicle or has committed a violation of a motor vehicle law.

7 (b) Whenever the bureau issues a citation upon a complaint in
8 writing for any of the reasons set out in this section, the bureau shall
9 immediately notify the licensee or permit holder ~~of the time and place~~
10 ~~of the hearing. and afford the person an opportunity of a hearing in the~~
11 ~~county in which the person so cited and against whom the complaint is~~
12 ~~filed resides before the bureau or a deputy or an agent of the bureau~~
13 ~~designated for the purpose of the hearing.~~ The citation must state the
14 time, date, and place where the hearing will be held and that the
15 licensee or permit holder has the right to appear and to be heard. At the
16 hearing the bureau or the deputy or agent may issue an order of
17 suspension or revocation ~~of~~, or decline to suspend ~~or~~ revoke, ~~or issue~~
18 the license, ~~or~~ permit, ~~or driving privileges of the person.~~

19 (c) The bureau or the deputy or agent may suspend or revoke the
20 ~~current~~ driver's license, ~~permit, or driving privileges~~ of a person and
21 any of the certificates of registration and license plates for a motor
22 vehicle or require the person cited to operate for a period of one (1)
23 year under a restricted license ~~driving privileges~~ and make the reports
24 the bureau requires.

25 (d) The bureau or the deputy or agent may subpoena witnesses,
26 administer oaths, and take testimony. The failure of the defendant to
27 appear at the time and place of the hearing after notice as provided in
28 this section does not prevent the hearing, the taking of testimony, and
29 the determination of the matter.

30 (e) Testimony or a record of suspension or revocation of a ~~current~~
31 driver's license, ~~a permit, or driving privileges~~ in the custody of the
32 bureau following a hearing is not admissible as evidence:

33 (1) in any court in any action at law for negligence; or

34 (2) in any civil action brought against a person so cited by the
35 bureau under this chapter.

36 (f) The bureau may suspend or revoke the license, ~~permit, or~~
37 ~~driving privileges~~ of an Indiana resident for a period of not more than
38 one (1) year upon receiving notice of the conviction of the person in
39 another state of an offense that, if committed in Indiana, would be
40 grounds for the suspension or revocation of the license, ~~permit, or~~
41 ~~driving privileges~~. The bureau may, upon receiving a record of the
42 conviction in Indiana of a nonresident driver of a motor vehicle of an
43 offense under Indiana motor vehicle laws, forward a certified copy of
44 the record to the motor vehicle administrator in the state where the
45 person convicted is a resident.

46 (g) The bureau may not suspend a ~~current~~ driver's license, ~~a permit,~~
47 ~~or driving privileges~~ for more than one (1) year and upon ~~suspending~~
48 ~~or~~ revoking any license ~~or permit~~ shall require that the license ~~or~~
49 ~~permit~~ be surrendered to the bureau.

50 (h) A suspension or revocation under this section stands pending

1 any proceeding for review of an action of the bureau taken under this
2 section.

3 (i) In addition to any other power, the bureau may modify, amend,
4 or cancel any order or determination during the time within which a
5 judicial review could be had. A person aggrieved by the order or act
6 may have a judicial review under sections 10 and 11 of this chapter.

7 SECTION 334. IC 9-30-4-13 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) Whenever the
9 bureau is authorized or required to give notice under this chapter or any
10 other law regulating the operation of vehicles, unless a different
11 method of giving notice is otherwise expressly prescribed, the notice
12 may be given either by personal delivery to the person to be notified or
13 by deposit with the United States Postal Service of the notice by first
14 class mail.

15 (b) A person who, after notification, fails to return or surrender to
16 the bureau upon demand a suspended, revoked, or ~~cancelled current~~
17 **invalidated** driver's license, ~~or permit~~, certificate of registration, ~~or~~
18 **license plate** commits a Class C misdemeanor. The bureau may file ~~an~~
19 **affidavit** with the prosecuting attorney of the county in which the
20 person resides ~~an affidavit~~ charging the person with the offense.

21 SECTION 335. IC 9-30-5-4 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A person who
23 causes serious bodily injury to another person when operating a ~~motor~~
24 vehicle:

25 (1) with an alcohol concentration equivalent to at least
26 eight-hundredths (0.08) gram of alcohol per:

27 (A) one hundred (100) milliliters of the person's blood; or

28 (B) two hundred ten (210) liters of the person's breath;

29 (2) with a controlled substance listed in schedule I or II of
30 IC 35-48-2 or its metabolite in the person's body; or

31 (3) while intoxicated;

32 commits a Class D felony. However, the offense is a Class C felony if
33 the person has a previous conviction of operating while intoxicated
34 within the five (5) years preceding the commission of the offense.

35 (b) A person who violates subsection (a) commits a separate offense
36 for each person whose serious bodily injury is caused by the violation
37 of subsection (a).

38 (c) It is a defense under subsection (a)(2) that the accused person
39 consumed the controlled substance under a valid prescription or order
40 of a practitioner (as defined in IC 35-48-1) who acted in the course of
41 the practitioner's professional practice.

42 SECTION 336. IC 9-30-5-5, AS AMENDED BY P.L.102-2010,
43 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
44 JULY 1, 2012]: Sec. 5. (a) A person who causes the death of another
45 person when operating a ~~motor~~ vehicle:

46 (1) with an alcohol concentration equivalent to at least
47 eight-hundredths (0.08) gram of alcohol per:

48 (A) one hundred (100) milliliters of the person's blood; or

49 (B) two hundred ten (210) liters of the person's breath;

50 (2) with a controlled substance listed in schedule I or II of

- 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.
- 43 ~~(c) The bureau shall send notice of a judgment entered under this~~
 44 ~~section to the court that granted the defendant probationary driving~~
 45 ~~privileges.~~
- 46 SECTION 338. IC 9-30-5-9.5 IS AMENDED TO READ AS
 47 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9.5. ~~After June 30,~~
 48 ~~2005~~; Probationary driving privileges under this chapter do not apply
 49 to a ~~person who holds~~ a commercial driver's license in accordance with
 50 the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA)

1 (Public Law 106-159.113 Stat. 1748).

2 SECTION 339. IC 9-30-5-10, AS AMENDED BY SEA 154-2012,
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 10. (a) In addition to a criminal penalty imposed
5 for an offense under this chapter, IC 35-46-9, or IC 14-15-8 (before its
6 repeal), the court shall, after reviewing the person's bureau driving
7 record and other relevant evidence, recommend the suspension of the
8 person's driving privileges for the fixed period of time specified under
9 this section. The court may require that a period of suspension
10 recommended under this section be imposed, if applicable, before a
11 period of incarceration or after a period of incarceration, or both before
12 and after a period of incarceration, as long as the suspension otherwise
13 complies with the periods established in this section.

14 (b) If the court finds that the person:

15 (1) does not have a previous conviction of operating a vehicle or
16 a motorboat while intoxicated; or

17 (2) has a previous conviction of operating a vehicle or a
18 motorboat while intoxicated that occurred at least ten (10) years
19 before the conviction under consideration by the court;

20 the court shall recommend the suspension of the person's driving
21 privileges for at least ninety (90) days but not more than two (2) years.

22 (c) If the court finds that the person has a previous conviction of
23 operating a vehicle or a motorboat while intoxicated and the previous
24 conviction occurred more than five (5) years but less than ten (10)
25 years before the conviction under consideration by the court, the court
26 shall recommend the suspension of the person's driving privileges for
27 at least one hundred eighty (180) days but not more than two (2) years.
28 The court may stay the execution of that part of the suspension that
29 exceeds the minimum period of suspension and grant the person
30 probationary driving privileges for a period of time equal to the length
31 of the stay.

32 (d) If the court finds that the person has a previous conviction of
33 operating a vehicle or a motorboat while intoxicated and the previous
34 conviction occurred less than five (5) years before the conviction under
35 consideration by the court, the court shall recommend the suspension
36 of the person's driving privileges for at least one (1) year but not more
37 than two (2) years. The court may stay the execution of that part of the
38 suspension that exceeds the minimum period of suspension and grant
39 the person probationary driving privileges for a period of time equal to
40 the length of the stay. If the court grants probationary driving privileges
41 under this subsection, the court shall order that the probationary driving
42 privileges include the requirement that the person may not operate a
43 motor vehicle unless the motor vehicle is equipped with a functioning
44 certified ignition interlock device under IC 9-30-8. However, the court
45 may grant probationary driving privileges under this subsection without
46 requiring the installation of an ignition interlock device if the person is
47 successfully participating in a court supervised alcohol treatment
48 program in which the person is taking disulfiram or a similar substance
49 that the court determines is effective in treating alcohol abuse. The
50 person granted probationary driving privileges under this subsection

1 shall pay all costs associated with the installation of an ignition
2 interlock device unless the sentencing court determines that the person
3 is indigent.

4 (e) If the conviction under consideration by the court is for an
5 offense under:

- 6 (1) section 4 of this chapter;
- 7 (2) section 5 of this chapter;
- 8 (3) IC 14-15-8-8(b) (before its repeal);
- 9 (4) IC 14-15-8-8(c) (before its repeal);
- 10 (5) IC 35-46-9-6(b); or
- 11 (6) IC 35-46-9-6(c);

12 the court shall recommend the suspension of the person's driving
13 privileges for at least two (2) years but not more than five (5) years.

14 (f) If the conviction under consideration by the court is for an
15 offense involving the use of a controlled substance listed in schedule
16 I, II, III, IV, or V of IC 35-48-2, in which a vehicle was used in the
17 offense, the court shall recommend the suspension or revocation of the
18 person's driving privileges for at least six (6) months.

19 **(g) The bureau shall fix the period of suspension in accordance**
20 **with the recommendation of the court under this section and in**
21 **accordance with IC 9-30-6-9. If the court fails to recommend a**
22 **fixed period of suspension, the bureau shall impose the minimum**
23 **period of suspension required under this section.**

24 SECTION 340. IC 9-30-5-11, AS AMENDED BY P.L.153-2005,
25 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2012]: Sec. 11. (a) If a court grants a person probationary
27 driving privileges under section 12 of this chapter, the person may
28 operate a vehicle only as follows:

- 29 (1) To and from the person's place of employment.
- 30 (2) For specific purposes in exceptional circumstances.
- 31 (3) To and from a court-ordered treatment program.

32 (b) If the court grants the person probationary driving privileges
33 under section 12(a) of this chapter, that part of the court's order
34 granting probationary driving privileges does not take effect until the
35 person's driving privileges have been suspended for at least thirty (30)
36 days under IC 9-30-6-9.

37 (c) The court shall notify a person who is granted probationary
38 driving privileges of the following:

- 39 (1) That the probationary driving period commences when the
40 bureau issues the probationary ~~license~~: **driving privileges**.
- 41 (2) That the bureau may not issue a probationary ~~license~~ **driving**
42 **privileges** until the bureau receives a reinstatement fee from the
43 person, if applicable, and the person otherwise qualifies for a
44 ~~license~~: **valid driving privileges**.

45 SECTION 341. IC 9-30-5-13 IS AMENDED TO READ AS
46 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) An order for
47 probationary driving privileges granted under this chapter must include
48 the following:

- 49 (1) A requirement that the person may not violate a traffic law.
- 50 (2) A restriction of a person's driving privileges providing for

1 automatic execution of the suspension of driving privileges if an
2 order is issued under subsection (b).

3 (3) A written finding by the court that the court has reviewed the
4 person's driving record and other relevant evidence and found that
5 the person qualifies for a probationary license **driving privileges**
6 under this chapter.

7 (4) Other reasonable terms of probation.

8 (b) If the court finds that the person has violated the terms of the
9 order granting probationary driving privileges, the court shall order
10 execution of that part of the sentence concerning the suspension of the
11 person's driving privileges.

12 SECTION 342. IC 9-30-5-18 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2012]: **Sec. 18. (a) If:**

15 **(1) a criminal proceeding for driving while intoxicated under**
16 **IC 9-30-5 is deferred under IC 12-23-5-1 through**
17 **IC 12-23-5-9; or**

18 **(2) a child alleged to be a delinquent child based upon the**
19 **child's violation of IC 9-30-5 voluntarily attends or is ordered**
20 **by the court under IC 31-37 to attend an alcohol and drug**
21 **services program;**

22 **the court, within ten (10) days after the defendant or child begins**
23 **the program, shall forward to the bureau a certified abstract of**
24 **program enrollment.**

25 **(b) The abstract must state the following:**

26 **(1) The defendant's or child's name, address, date of birth,**
27 **and driver's license number.**

28 **(2) The name and location of the alcohol and drug services**
29 **program that the defendant or child is attending.**

30 SECTION 343. IC 9-30-6-4.3, AS AMENDED BY P.L.1-2007,
31 SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2012]: Sec. 4.3. (a) This section applies only to a person
33 whose motor vehicle has been seized under IC 34-24-1-1(15).

34 (b) If the bureau receives an order from a court recommending that
35 the bureau not register a motor vehicle in the name of a person whose
36 motor vehicle has been seized under IC 34-24-1-1(15), the bureau may
37 not register a motor vehicle in the name of the person whose motor
38 vehicle has been seized until the person proves that the person
39 possesses a **current driving driver's license with valid driving**
40 **privileges.**

41 SECTION 344. IC 9-30-6-8, AS AMENDED BY SEA 154-2012,
42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
43 JULY 1, 2012]: Sec. 8. (a) Whenever a judicial officer has determined
44 that there was probable cause to believe that a person has violated
45 IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), the clerk of the
46 court shall forward:

47 (1) a copy of the affidavit; and

48 (2) a bureau certificate as described in section 16 of this chapter;
49 to the bureau.

50 (b) The probable cause affidavit required under section 7(b)(2) of
51 this chapter must do the following:

- 1 (1) Set forth the grounds for the arresting officer's belief that there
 2 was probable cause that the arrested person was operating a
 3 vehicle in violation of IC 9-30-5 or a motorboat in violation of
 4 IC 35-46-9 or IC 14-15-8 (before its repeal).
 5 (2) State that the person was arrested for a violation of IC 9-30-5
 6 or operating a motorboat in violation of IC 35-46-9 or IC 14-15-8
 7 (before its repeal).
 8 (3) State whether the person:
 9 (A) refused to submit to a chemical test when offered; or
 10 (B) submitted to a chemical test that resulted in prima facie
 11 evidence that the person was intoxicated.
 12 (4) Be sworn to by the arresting officer.
 13 (c) Except as provided in subsection (d), if it is determined under
 14 subsection (a) that there was probable cause to believe that a person
 15 has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), at
 16 the initial hearing of the matter held under IC 35-33-7-1
 17 ~~(1)~~ the court shall recommend immediate suspension of the
 18 person's driving privileges to take effect on the date the order is
 19 entered,
 20 ~~(2)~~ the court shall order the person to surrender all driver's
 21 licenses, permits, and receipts; and
 22 ~~(3)~~ the clerk shall forward the following to the bureau
 23 ~~(A)~~ The person's license or permit surrendered under this
 24 section or section 3 or 7 of this chapter.
 25 ~~(B)~~ a copy of the order recommending immediate suspension
 26 of driving privileges.
 27 (d) If it is determined under subsection (a) that there is probable
 28 cause to believe that a person violated IC 9-30-5, the court may, as an
 29 alternative to a ~~license~~ suspension of the person's driving privileges
 30 under subsection ~~(c)(1)~~, **(c)**, issue an order recommending that the
 31 person be prohibited from operating a motor vehicle unless the motor
 32 vehicle is equipped with a functioning certified ignition interlock
 33 device under IC 9-30-8 until the bureau is notified by a court that the
 34 criminal charges against the person have been resolved.
 35 SECTION 345. IC 9-30-6-9, AS AMENDED BY P.L.94-2006,
 36 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2012]: Sec. 9. (a) This section does not apply if an ignition
 38 interlock device order is issued under section 8(d) of this chapter.
 39 (b) If the affidavit under section 8(b) of this chapter states that a
 40 person refused to submit to a chemical test, the bureau shall suspend
 41 the driving privileges of the person:
 42 (1) for:
 43 (A) one (1) year; or
 44 (B) if the person has at least one (1) previous conviction for
 45 operating while intoxicated, two (2) years; or
 46 (2) until the suspension is ordered terminated under IC 9-30-5.
 47 (c) If the affidavit under section 8(b) of this chapter states that a
 48 chemical test resulted in prima facie evidence that a person was
 49 intoxicated, the bureau shall suspend the driving privileges of the
 50 person:

- 1 (1) for one hundred eighty (180) days; or
 2 (2) until the bureau is notified by a court that the charges have
 3 been disposed of;
 4 whichever occurs first.

5 (d) Whenever the bureau is required to suspend a person's driving
 6 privileges under this section, the bureau shall immediately do the
 7 following:

8 (1) Mail a notice to the person's last known address that must state
 9 that the person's driving privileges will be suspended for a
 10 specified period, commencing:

- 11 (A) five (5) days after the date of the notice; or
 12 (B) on the date the court enters an order recommending
 13 suspension of the person's driving privileges under section 8(c)
 14 of this chapter;

15 whichever occurs first.

16 (2) Notify the person of the right to a judicial review under
 17 section 10 of this chapter.

18 (e) Notwithstanding IC 4-21.5, an action that the bureau is required
 19 to take under this article is not subject to any administrative
 20 adjudication under IC 4-21.5.

21 (f) If a person is granted probationary driving privileges under
 22 IC 9-30-5 and the bureau has not received the probable cause affidavit
 23 described in section 8(b) of this chapter, the bureau shall suspend the
 24 person's driving privileges for a period of thirty (30) days. After the
 25 thirty (30) day period has elapsed, the bureau shall, upon receiving a
 26 reinstatement fee, if applicable, from the person who was granted
 27 probationary driving privileges, issue the **person** probationary **license**
 28 **driving privileges** if the person otherwise qualifies. ~~for a license.~~

29 (g) If the bureau receives an order granting probationary driving
 30 privileges to a person who, **according to the records of the bureau**,
 31 has a prior conviction for operating while intoxicated, the bureau shall
 32 do the following:

33 (1) Issue the person a probationary ~~license~~ **driving privileges** and
 34 notify the prosecuting attorney of the county from which the order
 35 was received that the person is not eligible for a probationary
 36 ~~license.~~ **driving privileges.**

37 (2) Send a certified copy of the person's driving record to the
 38 prosecuting attorney.

39 The prosecuting attorney shall, in accordance with IC 35-38-1-15,
 40 petition the court to correct the court's order. If the bureau does not
 41 receive a corrected order within sixty (60) days, the bureau shall notify
 42 the attorney general, who shall, in accordance with IC 35-38-1-15,
 43 petition the court to correct the court's order.

44 SECTION 346. IC 9-30-6-12, AS AMENDED BY P.L.109-2011,
 45 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 46 JULY 1, 2012]: Sec. 12. (a) If a court recommends suspension of ~~the~~
 47 driving privileges under this chapter, IC 9-30-5, or IC 9-30-9,

48 ~~(†) the bureau shall comply~~ **fix the period of suspension in**
 49 **accordance** with the recommendation of ~~suspension~~, and the
 50 ~~driving privileges of the person remain suspended for the period~~

1 set by the court. ~~and~~

2 (2) ~~the person shall surrender to~~ If the court all licenses, permits,
3 or receipts issued to the person; and the court shall immediately
4 forward the licenses, permits, or receipts to ~~fails to recommend~~
5 **a fixed period of suspension**, the bureau ~~with~~ **shall impose** the
6 **abstract minimum period of conviction or judgment: suspension**
7 **required by statute.**

8 (b) Except as provided in subsection (c), during the three (3) years
9 following the termination of the suspension the person's driving
10 privileges remain suspended until the person provides proof of future
11 financial responsibility in force under IC 9-25.

12 (c) If a court recommends suspension of a person's driving
13 privileges for a conviction under IC 9-30-5, during the three (3) years
14 following the termination of the suspension the person's driving
15 privileges remain suspended until the person provides proof of future
16 financial responsibility in force under IC 9-25. However, if a court
17 recommends suspension of the driving privileges of a person who is
18 arrested for or charged with an offense committed under IC 9-30-5, the
19 person is not required to provide proof of future financial responsibility
20 under IC 9-25 unless the person is convicted under IC 9-30-5.

21 (d) If at any time during the three (3) years following the
22 termination of the suspension imposed under subsection (a) a person
23 who has provided proof of future financial responsibility under IC 9-25
24 fails to maintain the proof, the bureau shall suspend the person's
25 driving privileges until the person again provides proof of future
26 financial responsibility under IC 9-25.

27 (e) An agency action under this section is not subject to IC 4-21.5.

28 SECTION 347. IC 9-30-6-13, AS AMENDED BY P.L.42-2011,
29 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2012]: Sec. 13. If a court orders the bureau to rescind an
31 ignition interlock device requirement or reinstate a person's driving
32 privileges under this article, the bureau shall comply with the order.
33 Unless the order for reinstatement is issued under section 11(a)(2) of
34 this chapter, the bureau shall also do the following:

35 (1) Remove any record of the ignition interlock device
36 requirement or suspension from the ~~bureau's recordkeeping~~
37 ~~system.~~ **official driving record of the person.**

38 (2) Reinstate the privileges without cost to the person.

39 SECTION 348. IC 9-30-10-2 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. As used in this
41 chapter, "license" includes any type of license or permit ~~to operate a~~
42 ~~motor vehicle~~ issued by the bureau **to operate the type of vehicle**
43 **being driven.**

44 SECTION 349. IC 9-30-10-4, AS AMENDED BY P.L.28-2010,
45 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
46 JULY 1, 2012]: Sec. 4. (a) A person who has accumulated at least two
47 (2) judgments within a ten (10) year period for any of the following
48 violations, singularly or in combination, **and** not arising out of the same
49 incident, ~~and with at least one (1) violation occurring after March 31,~~
50 ~~1984,~~ is a habitual violator:

- 1 (1) Reckless homicide resulting from the operation of a motor
 2 vehicle.
- 3 (2) Voluntary or involuntary manslaughter resulting from the
 4 operation of a motor vehicle.
- 5 (3) Failure of the driver of a motor vehicle involved in an accident
 6 resulting in death or injury to any person to stop at the scene of
 7 the accident and give the required information and assistance.
- 8 (4) Operation of a vehicle while intoxicated resulting in death.
- 9 (5) Before July 1, 1997, operation of a vehicle with at least
 10 ten-hundredths percent (0.10%) alcohol in the blood resulting in
 11 death.
- 12 (6) After June 30, 1997, and before July 1, 2001, operation of a
 13 vehicle with an alcohol concentration equivalent to at least
 14 ten-hundredths (0.10) gram of alcohol per:
 15 (A) one hundred (100) milliliters of the blood; or
 16 (B) two hundred ten (210) liters of the breath;
 17 resulting in death.
- 18 (7) After June 30, 2001, operation of a vehicle with an alcohol
 19 concentration equivalent to at least eight-hundredths (0.08) gram
 20 of alcohol per:
 21 (A) one hundred (100) milliliters of the blood; or
 22 (B) two hundred ten (210) liters of the breath;
 23 resulting in death.
- 24 (b) A person who has accumulated at least three (3) judgments
 25 within a ten (10) year period for any of the following violations,
 26 singularly or in combination, **and** not arising out of the same incident,
 27 **and with at least one (1) violation occurring after March 31, 1984**, is a
 28 habitual violator:
- 29 (1) Operation of a vehicle while intoxicated.
- 30 (2) Before July 1, 1997, operation of a vehicle with at least
 31 ten-hundredths percent (0.10%) alcohol in the blood.
- 32 (3) After June 30, 1997, and before July 1, 2001, operation of a
 33 vehicle with an alcohol concentration equivalent to at least
 34 ten-hundredths (0.10) gram of alcohol per:
 35 (A) one hundred (100) milliliters of the blood; or
 36 (B) two hundred ten (210) liters of the breath.
- 37 (4) After June 30, 2001, operation of a vehicle with an alcohol
 38 concentration equivalent to at least eight-hundredths (0.08) gram
 39 of alcohol per:
 40 (A) one hundred (100) milliliters of the blood; or
 41 (B) two hundred ten (210) liters of the breath.
- 42 (5) Operating a motor vehicle while the person's license to do so
 43 has been suspended or revoked as a result of the person's
 44 conviction of an offense under IC 9-1-4-52 (repealed July 1,
 45 1991), IC 9-24-18-5(b) (repealed July 1, 2000), **IC 9-24-19-2, or**
 46 **IC 9-24-19-3. or IC 9-24-19-5.**
- 47 (6) Operating a motor vehicle without ever having obtained a
 48 license to do so.
- 49 (7) Reckless driving.
- 50 (8) Criminal recklessness involving the operation of a motor

- 1 vehicle.
- 2 (9) Drag racing or engaging in a speed contest in violation of law.
- 3 (10) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46
- 4 (repealed July 1, 1991), IC 9-26-1-1(1), IC 9-26-1-1(2),
- 5 ~~IC 9-26-1-1(4)~~; IC 9-26-1-2(1), IC 9-26-1-2(2), IC 9-26-1-3, or
- 6 IC 9-26-1-4.
- 7 (11) Any felony under an Indiana motor vehicle statute or any
- 8 felony in the commission of which a motor vehicle is used.

9 A judgment for a violation enumerated in subsection (a) shall be added

10 to the violations described in this subsection for the purposes of this

11 subsection.

12 (c) A person who has accumulated at least ten (10) judgments

13 within a ten (10) year period for any traffic violation, except a parking

14 or an equipment violation, of the type required to be reported to the

15 bureau, singularly or in combination, **and** not arising out of the same

16 incident, ~~and with at least one (1) violation occurring after March 31,~~

17 ~~1984~~; is a habitual violator. However, at least one (1) of the judgments

18 must be for a violation enumerated in subsection (a) or (b). A judgment

19 for a violation enumerated in subsection (a) or (b) shall be added to the

20 judgments described in this subsection for the purposes of this

21 subsection.

22 (d) For purposes of this section, a judgment includes a judgment in

23 any other jurisdiction in which the elements of the offense for which

24 the conviction was entered are substantially similar to the elements of

25 the offenses described in subsections (a) and (b).

26 **(e) For purposes of this section, the offense date is used when**

27 **determining the number of judgments accumulated within a ten**

28 **(10) year period.**

29 SECTION 350. IC 9-30-10-6 IS AMENDED TO READ AS

30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who has

31 received a notice under section 5 of this chapter may notify the bureau,

32 in writing, ~~on forms provided by the bureau~~; that the bureau's records

33 contain a material error with respect to the person's driving record. If

34 a person so notifies the bureau, the bureau shall, within thirty (30) days

35 after the date the notice was received by the bureau, determine whether

36 a material error was made with respect to the person's driving record.

37 (b) If the bureau determines that a material error was made with

38 respect to the person's driving record, the bureau shall:

- 39 (1) prevent the suspension of; or
- 40 (2) reinstate;
- 41 the person's driving privileges.

42 (c) The bureau shall notify the prosecuting attorney of the county

43 where the record originated that the bureau has determined that a

44 material error exists. The prosecuting attorney is entitled to respond to

45 the bureau's determination.

46 (d) An action taken or a determination made by the bureau under

47 this chapter is not subject to IC 4-21.5. However, the person may file

48 a petition for judicial review under this chapter.

49 SECTION 351. IC 9-30-10-8 IS AMENDED TO READ AS

50 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) If a person files

1 a petition for judicial review under section 6 of this chapter, the court
 2 shall promptly hold a hearing. The petition must be filed and the
 3 hearing must be held in accordance with section 7 of this chapter.

4 (b) If the court finds that the petitioner is not a habitual violator, the
 5 court shall order the bureau to reinstate the driving privileges of the
 6 person.

7 (c) If the court finds that the petitioner is a habitual violator, the
 8 person's driving privileges remain suspended, unless the court places
 9 the person on probation under section 9 of this chapter.

10 **(d) The findings of the court under this section constitute a final**
 11 **judgment from which either party may appeal. An appeal does not**
 12 **act as a stay of the findings and orders of the court.**

13 SECTION 352. IC 9-30-10-9, AS AMENDED BY P.L.109-2011,
 14 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2012]: Sec. 9. (a) ~~After June 30, 2005~~; This section does not
 16 apply to a person who:

- 17 (1) holds a commercial driver's license; and
 18 (2) has been charged with an offense involving the operation of
 19 a motor vehicle in accordance with the federal Motor Carrier
 20 Safety Improvement Act of 1999 (MCSIA) (Public Law
 21 106-159.113 Stat. 1748).

22 (b) If a court finds that a person:

- 23 (1) is a habitual violator under section 4(c) of this chapter;
 24 (2) has not been previously placed on probation under this section
 25 by a court;
 26 (3) operates a vehicle for commercial or business purposes, and
 27 the person's mileage for commercial or business purposes:
 28 (A) is substantially in excess of the mileage of an average
 29 driver; and
 30 (B) may have been a factor that contributed to the person's
 31 poor driving record; and

32 (4) does not have:

- 33 (A) a judgment for a violation enumerated in section 4(a) of
 34 this chapter; or
 35 (B) at least three (3) judgments (singularly or in combination
 36 and not arising out of the same incident) of the violations
 37 enumerated in section 4(b) of this chapter;

38 the court may place the person on probation in accordance with
 39 subsection (d).

40 (c) If a court finds that a person:

- 41 (1) is a habitual violator under section 4(b) of this chapter;
 42 (2) has not been previously placed on probation under this section
 43 by a court;
 44 (3) does not have a judgment for any violation listed in section
 45 4(a) of this chapter;
 46 (4) has had the person's driving privileges suspended under this
 47 chapter for at least five (5) consecutive years; and
 48 (5) has not violated the terms of the person's suspension by
 49 operating a vehicle;

50 the court may place the person on probation in accordance with
 51 subsection (d). However, if the person has any judgments for operation

1 of a vehicle before July 1, 2001, while intoxicated or with an alcohol
 2 concentration equivalent to at least ten-hundredths (0.10) gram of
 3 alcohol per one hundred (100) milliliters of the blood or two hundred
 4 ten (210) liters of the breath, or for the operation of a vehicle after June
 5 30, 2001, while intoxicated or with an alcohol concentration equivalent
 6 to at least eight-hundredths (0.08) gram of alcohol per one hundred
 7 (100) milliliters of the blood or two hundred ten (210) liters of the
 8 breath, the court, before the court places a person on probation under
 9 subsection (d), must find that the person has successfully fulfilled the
 10 requirements of a rehabilitation program certified by ~~one (1)~~ or ~~both of~~
 11 ~~the following:~~

- 12 ~~(A)~~ the division of mental health and addiction or
 13 ~~(B)~~ the Indiana judicial center.

14 (d) Whenever a court places a habitual violator on probation, the
 15 court:

- 16 (1) shall record each of the court's findings under this section in
 17 writing;
 18 ~~(2)~~ shall obtain the person's driver's license or permit and send the
 19 license or permit to the bureau;
 20 ~~(3)~~ shall direct the person to apply to the bureau for a restricted
 21 driver's license;
 22 ~~(4)~~ shall order the bureau to issue the person an appropriate
 23 license;
 24 ~~(5)~~ (2) shall place order the bureau to issue the person on
 25 probation **probationary driving privileges** for a fixed period of
 26 not less than three (3) years and not more than ten (10) years;
 27 ~~(6)~~ (3) shall attach restrictions to the person's driving privileges,
 28 including restrictions limiting the person's driving to:
 29 (A) commercial or business purposes or other employment
 30 related driving;
 31 (B) specific purposes in exceptional circumstances;
 32 (C) rehabilitation programs; and
 33 (D) specified hours during which the person may drive;
 34 ~~(7)~~ (4) shall require the person to submit to reasonable monitoring
 35 requirements;
 36 ~~(8)~~ (5) shall order the person to file proof of **future** financial
 37 responsibility for three (3) years following the date of being
 38 placed on probation; and
 39 ~~(9)~~ (6) shall impose other appropriate conditions of probation,
 40 which must include one (1) or more of the following conditions
 41 if the person was determined to be a habitual violator under
 42 IC 9-30-10-4(b)(1) through IC 9-30-10-4(b)(4): **and at least one**
 43 ~~(1)~~ of the offenses occurred within five (5) years prior to the
 44 **granting of the probationary or restricted license:**
 45 (A) An order prohibiting the person from operating a motor
 46 vehicle or motorized bicycle with an alcohol concentration
 47 equivalent to at least two-hundredths (0.02) gram of alcohol
 48 per:
 49 (i) one hundred (100) milliliters of the person's blood; or
 50 (ii) two hundred ten (210) liters of the person's breath;

- 1 or while under the influence of any other intoxicating
 2 substance.
- 3 (B) An order that the person submit to a method to monitor the
 4 person's compliance with the prohibition against operating a
 5 motor vehicle or motorized bicycle with an alcohol
 6 concentration equivalent to at least two-hundredths (0.02)
 7 gram of alcohol per:
- 8 (i) one hundred (100) milliliters of the person's blood; or
 9 (ii) two hundred ten (210) liters of the person's breath;
- 10 or while intoxicated (as defined under IC 9-13-2-86).
- 11 (C) The court shall determine the appropriate monitoring
 12 method, which may include one (1) or more of the following:
- 13 (i) The person may operate only a motor vehicle equipped
 14 with an ignition interlock device.
- 15 (ii) The person must submit to a chemical test if a law
 16 enforcement officer lawfully stops the person while
 17 operating a motor vehicle or motorized bicycle and the law
 18 enforcement officer requests that the person submit to a
 19 chemical test.
- 20 (iii) The person must wear a device that detects and records
 21 the person's use of alcohol.
- 22 (iv) The person must submit to any other reasonable
 23 monitoring requirement as determined by the court.
- 24 (e) If a court finds that a person:
- 25 (1) is a habitual violator under section 4(b) or 4(c) of this chapter;
 26 (2) does not have any judgments for violations under section 4(a)
 27 of this chapter;
 28 (3) does not have any judgments or convictions for violations
 29 under section 4(b) of this chapter, except for judgments or
 30 convictions under section 4(b)(5) of this chapter that resulted
 31 from driving on a suspended license that was suspended for:
- 32 (A) the commission of infractions only; or
 33 (B) previously driving on a suspended license;
- 34 (4) has not been previously placed on probation under this section
 35 by a court; and
- 36 (5) has had the person's driving privileges suspended under this
 37 chapter for at least three (3) consecutive years and has not
 38 violated the terms of the person's suspension by operating a
 39 vehicle for at least three (3) consecutive years;
- 40 the court may place the person on probation under **the conditions**
 41 **described in** subsection ~~(d)~~ **(d)(1) through (d)(5)**.
- 42 **(f) If the bureau receives an order granting probationary**
 43 **driving privileges to a person who, according to the records of the**
 44 **bureau, does not qualify under this chapter, the bureau shall do the**
 45 **following:**
- 46 **(1) Issue the person probationary driving privileges and notify**
 47 **the prosecuting attorney of the county from which the order**
 48 **was received that the person is not eligible for the rescission**
 49 **and reinstatement.**
- 50 **(2) Send a certified copy of the person's driving record to the**
 51 **prosecuting attorney.**

1 **The prosecuting attorney shall, in accordance with IC 35-38-1-15,**
 2 **petition the court to correct the court's order. If the bureau does**
 3 **not receive a corrected order within sixty (60) days, the bureau**
 4 **shall notify the attorney general, who shall, in accordance with**
 5 **IC 35-38-1-15, petition the court to correct the court's order.**

6 SECTION 353. IC 9-30-10-10 IS REPEALED [EFFECTIVE JULY
 7 1, 2012]. ~~Sec. 10: The court's findings under sections 8 and 9 of this~~
 8 ~~chapter constitute a final judgment from which either party may appeal.~~
 9 ~~An appeal does not act as a stay of the court's findings and orders.~~

10 SECTION 354. IC 9-30-10-12 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) Upon the filing
 12 of a petition for revocation of probation, the court shall do the
 13 following:

14 (1) Set a date for a hearing upon the petition that is not earlier
 15 than twenty (20) days nor later than forty-five (45) days from the
 16 date of the filing of the petition for review.

17 (2) Hold a hearing on the date set, unless the proceeding is
 18 continued by order of the court.

19 (3) Cause notice of the hearing date to be sent to all parties.

20 (b) At the hearing, the prosecuting attorney must bear the burden of
 21 proof by a preponderance of the evidence to prevail.

22 (c) If the court finds that the person has violated any terms of the
 23 probation, the court shall do the following:

24 (1) Record each of its findings in writing.

25 (2) Obtain the person's **driver's** license.

26 (3) Order the bureau to suspend the person's driving privileges for
 27 a period equal to the period of suspension originally imposed
 28 under section 5 of this chapter.

29 (4) Not place the person on probation under section 9 of this
 30 chapter.

31 (d) If the court finds that the person has not violated any of the
 32 terms of the person's probation, the court shall do the following:

33 (1) Record each of the court's findings in writing.

34 (2) Continue the person on probation for the remainder of the
 35 probationary period.

36 (e) The court's findings under subsection (c) or (d) constitute a final
 37 judgment from which either party may appeal. An appeal does not act
 38 as a stay of the court's findings and orders.

39 SECTION 355. IC 9-30-10-13, AS AMENDED BY P.L.109-2011,
 40 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2012]: Sec. 13. (a) The bureau may ~~issue a license to operate~~
 42 ~~a motor vehicle~~ **issue driving privileges** to a habitual violator whose
 43 driving privileges were suspended under section 5(b) of this chapter if
 44 the following conditions exist:

45 (1) The time specified for the person's probation or the restriction
 46 or suspension of the person's license has elapsed.

47 (2) The person has met all the requirements of all applicable
 48 statutes and rules relating to the licensing of motor vehicle
 49 operators.

50 (3) The person files with the bureau and maintains, for three (3)

1 years after ~~file~~ **termination of suspension**, proof of **future**
 2 financial responsibility in accordance with IC 9-25.

3 **(4) If the person has a prior conviction for operating while**
 4 **intoxicated**, the bureau places a restriction on the person's
 5 driver's license and driving record that indicates the person is
 6 prohibited from operating a motor vehicle or motorized bicycle
 7 with an alcohol concentration equivalent to at least
 8 two-hundredths (0.02) gram of alcohol per:

9 (A) one hundred (100) milliliters of the person's blood; or

10 (B) two hundred ten (210) liters of the person's breath;

11 ~~or while intoxicated (as defined under IC 9-13-2-86)~~ for three (3)
 12 years after the bureau issues the driver's license to the person.

13 (5) The person signs a bureau form by which the person agrees
 14 that as a condition to obtaining the driver's license the person will
 15 submit to a chemical test at any time during the period three (3)
 16 years after the bureau issues the driver's license to the person if a
 17 law enforcement officer lawfully stops the person while operating
 18 a motor vehicle or motorized bicycle and the law enforcement
 19 officer requests that the person submit to a chemical test.

20 (b) The bureau may issue a license to operate a motor vehicle to a
 21 habitual violator whose driving privileges have been suspended for life
 22 if the following conditions exist:

23 (1) The bureau has received an order for rescission of suspension
 24 and reinstatement issued under section 15 of this chapter.

25 (2) The person to whom the license is to be issued has never been
 26 convicted of a violation described in section 4(a) or 17 of this
 27 chapter.

28 (3) The person has not been convicted of an offense under section
 29 16 of this chapter more than one (1) time.

30 (4) The person has met all the requirements of all applicable
 31 statutes and rules relating to the licensing of motor vehicle
 32 operators.

33 (5) The person:

34 (A) files with the bureau; and

35 (B) maintains for three (3) years after ~~file~~ **rescission of the**
 36 **suspension**;

37 proof of **future** financial responsibility in accordance with
 38 IC 9-25.

39 **(6) If the person has a prior conviction for operating while**
 40 **intoxicated**, the bureau places a restriction on the person's
 41 driver's license and driving record that indicates the person is
 42 prohibited from operating a motor vehicle or motorized bicycle
 43 with an alcohol concentration equivalent to at least
 44 two-hundredths (0.02) gram of alcohol per:

45 (A) one hundred (100) milliliters of the person's blood; or

46 (B) two hundred ten (210) liters of the person's breath;

47 ~~or while intoxicated (as defined under IC 9-13-2-86)~~ for three (3)
 48 years after the bureau issues the driver's license to the person.

49 (7) The person signs a bureau form by which the person agrees
 50 that as a condition to obtaining the driver's license the person will

1 submit to a chemical test at any time during the period three (3)
 2 years after the bureau issues the driver's license to the person if a
 3 law enforcement officer lawfully stops the person while operating
 4 a motor vehicle or motorized bicycle and the law enforcement
 5 officer requests that the person submit to a chemical test.

6 (c) A habitual violator is not eligible for relief under the hardship
 7 provisions of IC 9-24-15.

8 **(d) The bureau shall not issue driving privileges to a person who**
 9 **does not satisfy all of the requirements set forth in subsections (a)**
 10 **and (b).**

11 SECTION 356. IC 9-30-10-14 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. (a) Except as
 13 provided in subsection (e), a person whose driving privileges have been
 14 suspended for life may petition a court in a civil action for a rescission
 15 of the suspension order and reinstatement of driving privileges if the
 16 following conditions exist:

17 (1) Ten (10) years have elapsed since the date on which an order
 18 for the lifetime suspension of the person's driving privileges was
 19 issued.

20 (2) The person has never been convicted of a violation described
 21 in section 4(a) of this chapter.

22 (3) The person has never been convicted of an offense under
 23 section 17 of this chapter.

24 (4) The person has not been convicted of an offense under section
 25 16 of this chapter more than one (1) time.

26 (b) A petition for rescission and reinstatement under this section
 27 must meet the following conditions:

28 (1) Be verified by the petitioner.

29 (2) State the petitioner's age, date of birth, and place of residence.

30 (3) Describe the circumstances leading up to the lifetime
 31 suspension of the petitioner's driving privileges.

32 (4) Aver a substantial change in the petitioner's circumstances of
 33 the following:

34 (A) That indicates the petitioner would no longer pose a risk
 35 to the safety of others if the petitioner's driving privileges are
 36 reinstated.

37 (B) That makes the lifetime suspension of the petitioner's
 38 driving privileges unreasonable.

39 (C) Indicates it is in the best interests of society for the
 40 petitioner's driving privileges to be reinstated.

41 **(5) Aver that the requisite amount of time has elapsed since**
 42 **the date on which the order for the lifetime suspension of the**
 43 **person's driving privileges was issued as required under**
 44 **subsections (a) and (e).**

45 ~~(5)~~ **(6)** Aver that the petitioner has never been convicted of an
 46 offense under section 17 of this chapter.

47 ~~(6)~~ **(7)** Aver that the petitioner has not been convicted of an
 48 offense under section 16 of this chapter more than one (1) time.

49 ~~(7)~~ **(8)** Aver that the petitioner has never been convicted of a
 50 violation described in section 4(a) of this chapter.

51 ~~(8)~~ **(9)** Be filed in a circuit or superior court having jurisdiction in

1 the county where the petitioner resides.

2 ~~(9)~~ **(10)** If the petition is being filed under subsection (e), aver the
3 existence of the conditions listed in subsection (e)(1) through
4 (e)(3).

5 (c) The petitioner shall serve the prosecuting attorney of the county
6 where the petitioner resides and the bureau with a copy of the petition
7 described in subsection (b). A responsive pleading is not required.

8 (d) The prosecuting attorney of the county where the petitioner
9 resides shall represent the state in the matter.

10 (e) A person whose driving privileges have been suspended for life
11 may petition a court in a civil action for a rescission of the suspension
12 order and reinstatement of driving privileges if all of the following
13 conditions exist:

14 (1) Three (3) years have elapsed since the date on which the order
15 for lifetime suspension of the petitioner's driving privileges was
16 issued.

17 (2) The petitioner's lifetime suspension was the result of driving
18 on a suspended license that was suspended for commission of
19 infractions only or for driving on a suspended license.

20 (3) The petitioner has never been convicted of a violation
21 described in section 4(a) or 4(b) of this chapter, with the
22 exception of a ~~judgement~~ **judgment** or conviction under section
23 4(b)(3) of this chapter.

24 (4) The petitioner has never been convicted of an offense under
25 section 17 of this chapter.

26 (5) The petitioner has not been convicted of an offense under
27 section 16 of this chapter more than one (1) time.

28 SECTION 357. IC 9-30-10-15, AS AMENDED BY P.L.28-2010,
29 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2012]: Sec. 15. (a) Upon receiving a petition filed under
31 section 14 of this chapter, a court shall set a date for hearing the matter
32 and direct the clerk of the court to provide notice of the hearing date to
33 the following:

34 (1) The petitioner.

35 (2) The prosecuting attorney of the county where the petitioner
36 resides.

37 (3) The bureau.

38 (b) A court may order the rescission of the order that required the
39 suspension of the petitioner's driving privileges for life and may order
40 the bureau to reinstate the driving privileges of a petitioner whose
41 driving privileges have been suspended for life if, after the hearing of
42 the matter, the court makes the following written findings and
43 conclusions, based on clear and convincing evidence:

44 (1) That the petitioner has never been convicted of a violation
45 described in section 4(a) of this chapter.

46 (2) That the petitioner has never been convicted of an offense
47 under section 17 of this chapter.

48 (3) That the petitioner has not been convicted of an offense under
49 section 16 of this chapter more than one (1) time.

50 (4) If the person is petitioning the court under section 14(a) of this

- 1 chapter that ten (10) years have elapsed since the date on which
 2 an order was issued that required the suspension of the petitioner's
 3 driving privileges for life.
- 4 (5) That there has been a substantial change in the petitioner's
 5 circumstances indicating the petitioner would no longer pose a
 6 risk to the safety of others if the petitioner's driving privileges
 7 were reinstated.
- 8 (6) That there has been a substantial change in the petitioner's
 9 circumstances indicating that the suspension of the petitioner's
 10 driving privileges for life has become unreasonable.
- 11 (7) That it is in the best interests of society for the petitioner's
 12 driving privileges to be reinstated.
- 13 (8) If the person is petitioning the court under section 14(e) of this
 14 chapter:
- 15 (A) that three (3) years have elapsed since the date the order
 16 was issued that required the suspension of the petitioner's
 17 driving privileges for life; and
- 18 (B) that the conditions listed under section 14(e) of this
 19 chapter are satisfied.
- 20 (c) The petitioner has the burden of proof under this section and an
 21 order issued under subsection (b) is a final order, appealable by any
 22 party to the action.
- 23 (d) In an order for reinstatement of driving privileges issued under
 24 this section, the court may require the bureau to issue to the prevailing
 25 petitioner:
- 26 (1) ~~a license to operate a motor vehicle driving privileges~~ under
 27 section 13(b) of this chapter; or
- 28 (2) ~~a restricted driving license privileges~~ for a time and subject to
 29 conditions specified by the court, which must include one (1) or
 30 more of the following conditions if the person was determined to
 31 be a habitual violator under IC 9-30-10-4(a)(4) through
 32 IC 9-30-10-4(a)(7) or IC 9-30-10-4(b)(1) through
 33 IC 9-30-10-4(b)(4): ~~and at least one (1) of the offenses occurred~~
 34 ~~within five (5) years prior to the granting of the probationary or~~
 35 ~~restricted license:~~
- 36 (A) Specified hours during which the person may drive.
- 37 (B) An order prohibiting the person from operating a motor
 38 vehicle or motorized bicycle with an alcohol concentration
 39 equivalent to at least two-hundredths (0.02) gram of alcohol
 40 per:
- 41 (i) one hundred (100) milliliters of the person's blood; or
 42 (ii) two hundred ten (210) liters of the person's breath;
 43 or while intoxicated (as defined under IC 9-13-2-86).
- 44 (C) An order that the person submit to a method to monitor the
 45 person's compliance with the prohibition against operating a
 46 motor vehicle or motorized bicycle with an alcohol
 47 concentration equivalent to at least two-hundredths (0.02)
 48 gram of alcohol per:
- 49 (i) one hundred (100) milliliters of the person's blood; or
 50 (ii) two hundred ten (210) liters of the person's breath;

1 or while intoxicated (as defined under IC 9-13-2-86).

2 (D) The court shall determine the appropriate monitoring
3 method, which may include one (1) or more of the following:

4 (i) The person may operate only a motor vehicle equipped
5 with an ignition interlock device.

6 (ii) The person must submit to a chemical test if a law
7 enforcement officer lawfully stops the person while
8 operating a motor vehicle or motorized bicycle and the law
9 enforcement officer requests that the person submit to a
10 chemical test.

11 (iii) The person must wear a device that detects and records
12 the person's use of alcohol.

13 (iv) The person must submit to any other reasonable
14 monitoring requirement as determined by the court.

15 (e) If a court orders the bureau to issue a restricted **or probationary**
16 **driving license privileges** to a petitioner under subsection (d), the court
17 shall specify the conditions under which the petitioner may be issued
18 a **license driving privileges** to operate a motor vehicle under section
19 13(b) of this chapter. After the expiration date of the restricted **license**
20 **or probationary driving privileges** and upon:

21 (1) fulfillment by the petitioner of the conditions specified by the
22 court; and

23 (2) the expiration of the restricted **license** issued **driving**
24 **privileges** under subsection (d)(2);

25 the bureau shall issue to the petitioner a **license driving privileges** to
26 operate a motor vehicle under section 13(b) of this chapter.

27 **(f) If the bureau receives an order granting a rescission of the**
28 **suspension order and reinstatement of driving privileges to a**
29 **person who, according to the records of the bureau, does not**
30 **qualify under this chapter, the bureau shall do the following:**

31 **(1) Issue the person probationary driving privileges and notify**
32 **the prosecuting attorney of the county from which the order**
33 **was received that the person is not eligible for the rescission**
34 **and reinstatement.**

35 **(2) Send a certified copy of the person's driving record to the**
36 **prosecuting attorney.**

37 **The prosecuting attorney shall, in accordance with IC 35-38-1-15,**
38 **petition the court to correct the court's order. If the bureau does**
39 **not receive a corrected order within sixty (60) days, the bureau**
40 **shall notify the attorney general, who shall, in accordance with**
41 **IC 35-38-1-15, petition the court to correct the court's order.**

42 SECTION 358. IC 9-30-10-17.5, AS ADDED BY P.L.28-2010,
43 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
44 JULY 1, 2012]: Sec. 17.5. A person who operates a vehicle or
45 motorized bicycle in violation of conditions of a restricted **license**
46 **driving privileges** ordered by a court under ~~IC 9-30-10-9(d)(9)~~ **section**
47 **9(d)(6) or IC 9-30-10-15(d)(2) 15(d)(2) of this chapter** commits a
48 Class A misdemeanor.

49 SECTION 359. IC 9-30-11-6, AS AMENDED BY P.L.153-2005,
50 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
51 JULY 1, 2012]: Sec. 6. The bureau shall reinstate motor vehicle

1 registration that is suspended under this chapter if the following occur:

2 (1) ~~Any person~~ **The court** presents the bureau ~~or a bureau license~~
3 ~~branch~~ with adequate proof that all unpaid judgments with respect
4 to the motor vehicle have been paid.

5 (2) A reinstatement fee under IC 9-29 is paid to the bureau, if
6 applicable.

7 SECTION 360. IC 9-30-11-7 IS REPEALED [EFFECTIVE JULY
8 1, 2012]. ~~Sec. 7: If the bureau suspends a motor vehicle registration~~
9 ~~under section 5 of this chapter, the bureau shall send a notice of the~~
10 ~~suspension to the clerk who sent the referral. Upon receipt of a notice,~~
11 ~~a clerk shall inform each of the law enforcement agencies that are listed~~
12 ~~on the referral of the following:~~

13 ~~(1) That the motor vehicle's registration has been suspended:~~

14 ~~(2) That any law enforcement agency may remove the license~~
15 ~~plate of the motor vehicle fifteen (15) days after the motor~~
16 ~~vehicle's registration was suspended unless the judgments have~~
17 ~~been paid:~~

18 SECTION 361. IC 9-30-12-1 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. **(a)** The bureau may
20 suspend or revoke the ~~driver's license or permit~~ **driving privileges** of
21 an individual who ~~pays the fee required for~~ **makes payment to the**
22 ~~driver's license or permit~~ **bureau** with a check ~~funds~~ that:

23 ~~(1) is are not honored. by the financial institution on which the~~
24 ~~check is drawn; or~~

25 ~~(2) has had payment stopped by the maker of the check:~~

26 **(b) In addition to the penalties in subsection (a), the bureau may**
27 **do the following:**

28 **(1) Revoke the driver's license or permit of an individual who**
29 **makes payment to the bureau for a driver's license or permit**
30 **with funds that are not honored.**

31 **(2) Invalidate the title or registration of an individual who**
32 **makes payment to the bureau for a driver's license or permit**
33 **with funds that are not honored.**

34 SECTION 362. IC 9-30-12-2, AS AMENDED BY P.L.153-2005,
35 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2012]: Sec. 2. The bureau may:

37 (1) reinstate a license, ~~or a permit,~~ **or driving privileges** revoked
38 or suspended under section 1 of this chapter; or

39 (2) revalidate a title or registration that has been invalidated under
40 section ~~3~~ **1** of this chapter;

41 if the obligation has been satisfied, including the payment of service,
42 collection, and reinstatement fees, if applicable.

43 SECTION 363. IC 9-30-12-3 IS REPEALED [EFFECTIVE JULY
44 1, 2012]. ~~Sec. 3: The bureau may invalidate a title or registration that~~
45 ~~has been issued by the bureau and the applicable fees have been paid~~
46 ~~with a check that:~~

47 ~~(1) is not honored by the financial institution on which the check~~
48 ~~is drawn; or~~

49 ~~(2) has had payment stopped by the maker of the check:~~

50 SECTION 364. IC 9-30-12-4 IS REPEALED [EFFECTIVE JULY

1 1, 2012]. Sec. 4. The bureau may suspend or revoke the driver's license
 2 or permit of an individual who pays the fee required for a vehicle title
 3 or registration with a check that:

4 (1) is not honored by the financial institution on which the check
 5 is drawn; or

6 (2) has had payment stopped by the maker of the check.

7 SECTION 365. IC 9-30-13-0.5 IS ADDED TO THE INDIANA
 8 CODE AS A NEW SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2012]: **Sec. 0.5. (a) A court shall forward to
 10 the bureau a certified abstract of the record of the conviction of a
 11 person in the court for a violation of a law relating to motor
 12 vehicles.**

13 **(b) If in the opinion of the court a defendant should be deprived
 14 of the privilege to operate a motor vehicle upon a public highway,
 15 the court shall recommend the suspension of the convicted person's
 16 driving privileges for a fixed period established by the court not
 17 exceeding one (1) year.**

18 **(c) The bureau shall comply with the court's recommendation.**

19 **(d) At the time of a conviction referred to in subsection (a) or
 20 under IC 9-30-5-7, the court may obtain and destroy the
 21 defendant's current driver's license.**

22 **(e) An abstract required by this section must be in the form
 23 prescribed by the bureau and, when certified, shall be accepted by
 24 an administrative agency or a court as prima facie evidence of the
 25 conviction and all other action stated in the abstract.**

26 SECTION 366. IC 9-30-13-1 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. For a person who
 28 uses a motor vehicle to commit recklessness under IC 35-42-2-2, the
 29 judge of the court in which the person is convicted shall recommend
 30 that the ~~current driver's license~~ **driving privileges** of the person be
 31 suspended for not less than sixty (60) days and not more than two (2)
 32 years. **If the court fails to recommend a fixed term of suspension,
 33 the bureau shall impose the minimum period of suspension
 34 required under this section.**

35 SECTION 367. IC 9-30-13-2 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. For a person who
 37 uses a motor vehicle to commit obstruction of traffic under
 38 IC 35-42-2-4, the judge of the court in which the person is convicted
 39 may recommend that the ~~current driver's license~~ **driving privileges** of
 40 the person be suspended for not less than sixty (60) days and not more
 41 than two (2) years.

42 SECTION 368. IC 9-30-13-3 IS AMENDED TO READ AS
 43 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. For a person who
 44 uses a motor vehicle to commit criminal mischief under IC 35-43-1-2,
 45 the judge of the court in which the person is convicted may recommend
 46 that the ~~current driver's license~~ **driving privileges** of the person be
 47 suspended for not less than sixty (60) days and not more than two (2)
 48 years.

49 SECTION 369. IC 9-30-13-4 IS AMENDED TO READ AS
 50 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. **(a) If a person
 51 commits any of the following offenses, the court that convicted the**

1 person shall recommend the suspension of the person's driving
 2 privileges for a fixed period of at least two (2) years and not more than
 3 five (5) years:

4 (1) Involuntary manslaughter resulting from the operation of a
 5 motor vehicle (IC 35-42-1-4).

6 (2) Reckless homicide resulting from the operation of a motor
 7 vehicle (IC 35-42-1-5).

8 **(b) If the court fails to recommend a fixed term of suspension,**
 9 **the bureau shall impose the minimum period of suspension**
 10 **required under this section.**

11 SECTION 370. IC 9-30-13-5 IS REPEALED [EFFECTIVE JULY
 12 1, 2012]. Sec. 5: If a court fails to recommend a fixed term of
 13 suspension for an offense described under section 4 of this chapter, the
 14 bureau shall suspend the driver's license of the convicted person under
 15 ~~IC 9-30-4-6~~ for two (2) years.

16 SECTION 371. IC 9-30-13-6 IS ADDED TO THE INDIANA
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) **The bureau shall, upon**
 19 **receiving an order of a court issued under IC 31-14-12-4 or**
 20 **IC 31-16-12-7, suspend the driving privileges of the person who is**
 21 **the subject of the order.**

22 **(b) The bureau may not reinstate driving privileges suspended**
 23 **under this section until the bureau receives an order allowing**
 24 **reinstatement from the court that issued the order for suspension.**

25 **(c) Upon receiving an order for suspension under subsection (a),**
 26 **the bureau shall promptly mail a notice to the last known address**
 27 **of the person who is the subject of the order, stating the following:**

28 **(1) That the person's driving privileges are suspended,**
 29 **beginning five (5) business days after the date the notice is**
 30 **mailed, and that the suspension will terminate ten (10)**
 31 **business days after the bureau receives an order allowing**
 32 **reinstatement from the court that issued the suspension order.**

33 **(2) That the person has the right to petition for reinstatement**
 34 **of driving privileges to the court that issued the order for**
 35 **suspension.**

36 **(3) That the person may be granted restricted driving**
 37 **privileges under IC 9-24-15-6.7 if the person otherwise**
 38 **qualifies and can prove that public transportation is**
 39 **unavailable for travel by the person:**

40 **(A) to and from the person's regular place of employment;**

41 **(B) in the course of the person's regular employment;**

42 **(C) to and from the person's place of worship; or**

43 **(D) to participate in parenting time with the petitioner's**
 44 **children consistent with a court order granting parenting**
 45 **time.**

46 **(d) A person who operates a motor vehicle in violation of this**
 47 **section commits a Class A infraction, unless:**

48 **(1) the person's driving privileges are suspended under this**
 49 **section; and**

50 **(2) the person has been granted restricted driving privileges**
 51 **under IC 9-24-15 as a result of the suspension under this**

1 **section.**

2 SECTION 372. IC 9-30-13-7 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2012]: **Sec. 7. (a) If the bureau is advised by**
5 **the Title IV-D agency that the obligor (as defined in IC 31-25-4-4)**
6 **either requested a hearing under IC 31-25-4-33 and failed to**
7 **appear or appeared and was found to be delinquent, the bureau**
8 **shall promptly mail a notice to the obligor stating the following:**

9 (1) That the obligor's driving privileges are suspended,
10 beginning eighteen (18) business days after the date the notice
11 is mailed, and that the suspension will terminate after the
12 bureau receives a notice from the Title IV-D agency that the
13 obligor has:

14 (A) paid the obligor's child support arrearage in full; or
15 (B) established a payment plan with the Title IV-D agency
16 to pay the arrearage, which includes an income
17 withholding order under IC 31-16-15-0.5 or
18 IC 31-16-15-2.5.

19 (2) That the obligor may be granted restricted driving
20 privileges under IC 9-24-15-6.7 if the obligor can prove that
21 public transportation is unavailable for travel by the obligor:

22 (A) to and from the obligor's regular place of employment;
23 (B) in the course of the obligor's regular employment;
24 (C) to and from the obligor's place of worship; or
25 (D) to participate in parenting time with the petitioner's
26 children consistent with a court order granting parenting
27 time.

28 (b) The bureau may not reinstate driving privileges suspended
29 under this section until the bureau receives a notice from the Title
30 IV-D agency that the obligor has:

31 (1) paid the obligor's child support arrearage in full; or
32 (2) established a payment plan with the Title IV-D agency to
33 pay the arrearage, which includes an income withholding
34 order under IC 31-16-15-0.5 or IC 31-16-15-2.5.

35 (c) An obligor who operates a motor vehicle in violation of this
36 section commits a Class A infraction, unless:

37 (1) the obligor's driving privileges are suspended under this
38 section; and
39 (2) the obligor has been granted restricted driving privileges
40 under IC 9-24-15 as a result of the suspension under this
41 section.

42 SECTION 373. IC 9-30-13-8 IS ADDED TO THE INDIANA
43 CODE AS A NEW SECTION TO READ AS FOLLOWS
44 [EFFECTIVE JULY 1, 2012]: **Sec. 8. (a) Upon receiving an order**
45 **issued by a court under IC 35-43-4-8(b) concerning a person**
46 **convicted of fuel theft, the bureau shall do the following:**

47 (1) Suspend under subsection (b) the driving privileges of the
48 person who is the subject of the order, whether or not the
49 person's current driver's license accompanies the order.

50 (2) Mail to the last known address of the person who is the
51 subject of the order a notice:

- 1 (A) stating that the person's driving privileges are being
 2 suspended for fuel theft;
 3 (B) setting forth the date on which the suspension takes
 4 effect and the date on which the suspension terminates;
 5 and
 6 (C) stating that the person may be granted restricted
 7 driving privileges under IC 9-24-15-6.7 if the person meets
 8 the conditions for obtaining restricted driving privileges.
- 9 (b) The suspension of the driving privileges of a person who is
 10 the subject of an order issued under IC 35-43-4-8(b):
 11 (1) begins five (5) business days after the date on which the
 12 bureau mails the notice to the person under subsection (a)(2);
 13 and
 14 (2) terminates thirty (30) days after the suspension begins.
- 15 (c) A person who operates a motor vehicle during a suspension
 16 of the person's driving privileges under this section commits a
 17 Class A infraction unless the person's operation of the motor
 18 vehicle is authorized by restricted driving privileges granted to the
 19 person under IC 9-24-15-6.7.
- 20 SECTION 374. IC 9-30-14-1 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. As used in this
 22 chapter, "covered offense" means the following:
 23 (1) An offense:
 24 (A) for which the offender's ~~current~~ driving license **privileges**
 25 may be suspended under IC 9-30-13; and
 26 (B) that involved the obstruction of traffic with or the
 27 operation of a motor vehicle with alcohol or a controlled
 28 substance listed in schedule I or II under IC 35-48-2 in the
 29 person's blood.
 30 (2) An offense described under IC 9-30-5 that involved operation
 31 of a ~~motor~~ vehicle with alcohol or a controlled substance listed
 32 under schedule I or II under IC 35-48-2.
- 33 SECTION 375. IC 9-31-1-3 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The bureau shall
 35 receive payments of:
 36 (1) the ~~use tax~~ **taxes** on watercraft that ~~is~~ **are** required by
 37 ~~IC 6-2.5-3-2~~ **IC 6-2.5-3 and IC 6-6-11**; and ~~IC 6-2.5-3-6~~.
 38 (2) **any other taxes applicable to watercraft as imposed by**
 39 **Indiana law.**
- 40 SECTION 376. IC 9-31-1-4 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau may
 42 utilize the services and facilities of license branches to carry out the
 43 bureau's responsibilities under this article. However, an additional
 44 charge may not be imposed for the services of license branches under
 45 this ~~article~~: **chapter**.
- 46 SECTION 377. IC 9-31-1-7 IS REPEALED [EFFECTIVE JULY 1,
 47 2012]. Sec. 7: (a) ~~On January 1, 1992, the employees of the department~~
 48 ~~of natural resources who administer the watercraft registration and title~~
 49 ~~programs are transferred to the bureau of motor vehicles.~~
 50 (b) ~~The employees who are transferred under subsection (a) are~~
 51 ~~entitled to have the employees' service with the department of natural~~

resources included for the purpose of computing all applicable employment benefits and will not be adversely affected by the transfer.

SECTION 378. IC 9-31-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter does not apply to the following:

(1) A watercraft from a jurisdiction other than Indiana temporarily using the waters of Indiana **for less than sixty (60) consecutive days.**

(2) A ship's lifeboat.

(3) Watercraft other than motorboats unless the owner voluntarily desires to become subject to this chapter.

(4) A watercraft that is a Class 5 or lower motorboat or sailboat under ~~IC 6-6-11-11~~ **IC 6-6-11-10** (the boat excise tax), unless the owner voluntarily desires to become subject to this chapter.

(5) A watercraft that is propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means, including sailboats that are equipped with such a motor or engine when the sailboat is in operation whether or not the sails are hoisted, if:

(A) the watercraft was made by an individual for the use of the individual and not for resale; and

(B) the owner does not voluntarily desire to become subject to this chapter.

SECTION 379. IC 9-31-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A manufacturer, importer, dealer, or other person may not sell or otherwise dispose of a new watercraft to a dealer, to be used by the dealer for purposes of display and resale, without delivering to the dealer a manufacturer's or importer's certificate executed under this section and with those assignments on the certificate as are necessary to show title in the purchaser of the watercraft. A dealer may not purchase or acquire a new watercraft without obtaining from the seller of the watercraft the manufacturer's or importer's certificate.

(b) A manufacturer's or importer's certificate of the origin of a watercraft must contain the following information along with ~~the~~ **any** additional information the bureau requires:

(1) A description of the watercraft, including, if applicable, the make, year, length, dry weight, series or model, horsepower rating, hull type, and hull identification number.

(2) Certification of the date of transfer of the watercraft to a distributor, dealer, or other transferee and the name and address of the transferee.

(3) Certification that this is the first transfer of the new watercraft in ordinary trade and commerce.

(4) The signature and address of a representative of the transferor.

(c) An assignment of a manufacturer's or importer's certificate shall be printed on the reverse side of the manufacturer's or importer's certificate. The assignment form must include the following:

(1) The name and address of the transferee.

(2) A certification that the watercraft is new.

1 (3) A warranty that the title at the time of delivery is subject only
 2 to the liens and encumbrances that are set forth and described in
 3 full in the assignment.

4 SECTION 380. IC 9-31-2-6, AS AMENDED BY P.L.83-2008,
 5 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 6. (a) Except as provided in subsection (b), an
 7 application for a certificate of title shall be filed with the bureau within
 8 thirty-one (31) days after the date of purchase or transfer. The
 9 application must be accompanied by the fee prescribed in IC 9-29-15-1.

10 (b) This subsection applies only to a watercraft acquired by a
 11 conveyance subject to section 30 of this chapter. An application for a
 12 certificate of title shall be filed with the bureau within sixty (60) days
 13 after the date of the transfer under section 30 of this chapter. The
 14 application must be accompanied by the fee prescribed in IC 9-29-15-1
 15 **and any other applicable fees and service charges.**

16 SECTION 381. IC 9-31-2-7 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. An application for
 18 a certificate of title must be certified by the owner or purchaser of the
 19 watercraft and must contain the following information, along with the
 20 additional information the bureau requires:

- 21 (1) The name and address of the applicant.
 22 ~~(2) A statement of how the watercraft was acquired.~~
 23 ~~(3)~~ (2) The name and address of the previous owner.
 24 ~~(4)~~ (3) A statement of liens, mortgages, or other encumbrances on
 25 the watercraft and the name and address of the holder of the liens,
 26 mortgages, or other encumbrances.
 27 ~~(5)~~ (4) If a lien, mortgage, or other encumbrance is not
 28 outstanding, a statement of that fact.
 29 ~~(6)~~ (5) A description of the watercraft, including, if applicable,
 30 the make, year, length, dry weight, series or model, horsepower
 31 rating, hull type, and hull identification number.

32 **(6) Any other information that the bureau requires.**
 33 SECTION 382. IC 9-31-2-8 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. If a watercraft
 35 contains a permanent hull identification number placed on the
 36 watercraft by the manufacturer of the watercraft, the number shall be
 37 used as the hull identification number. If there is no manufacturer's hull
 38 identification number or if the manufacturer's hull identification
 39 number has been removed or obliterated, the bureau shall, upon a
 40 prescribed application that includes information indicating proof of
 41 ownership, assign a hull identification number to the watercraft. The
 42 assigned hull identification number shall be permanently affixed to or
 43 imprinted by the applicant at the place and in the manner designated by
 44 the bureau upon the watercraft to which the hull identification number
 45 is assigned. The fee prescribed under IC 9-29-15-2 **and any other**
 46 **applicable fees and service charges** shall be paid to the bureau for
 47 assigning a hull identification number.

48 SECTION 383. IC 9-31-2-9 IS AMENDED TO READ AS
 49 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. If a certificate of title
 50 was not previously issued in Indiana for the watercraft, the application

1 must be accompanied by one (1) of the following:

- 2 (1) A manufacturer's or importer's certificate.
 3 ~~(2) A sworn statement of ownership as prescribed by the bureau.~~
 4 ~~(3)~~ **(2)** A certificate of registration issued under IC 9-31-3, if
 5 purchased by the applicant before January 1, 1986.
 6 ~~(4)~~ **(3)** A certificate of title or bill of sale.
 7 ~~(5)~~ **(4)** Other evidence of ownership required by the law of
 8 another state from which the watercraft is brought into Indiana.

9 SECTION 384. IC 9-31-2-11 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. **(a)** The bureau
 11 shall:

12 **(1)** retain the evidence of title presented by ~~an applicant on a~~
 13 **person upon** which ~~a the Indiana~~ certificate of title is issued **in**
 14 **accordance with applicable document and record retention**
 15 **requirements; and shall**

16 **(2)** use reasonable diligence in ascertaining whether the facts in
 17 the application are true by checking the application and
 18 documents accompanying the application with the records of
 19 watercraft in the bureau.

20 **(b) An authorized employee of the bureau may inspect a**
 21 **watercraft to determine whether a certificate of title should be**
 22 **issued.**

23 **(c) The bureau may reject an application if the bureau is not**
 24 **satisfied:**

- 25 **(1) of the genuineness, regularity, or legality of the application**
 26 **or the truth of a statement made on the application; or**
 27 **(2) for any other reason authorized by law.**

28 SECTION 385. IC 9-31-2-12 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. ~~(a) The bureau shall~~
 30 ~~file each application received.~~ If the bureau is satisfied:

- 31 (1) of the genuineness and regularity of an application;
 32 (2) that no tax imposed by ~~IC 6-2.5~~ **Indiana law** is owed as
 33 evidenced by the receipt for payment or determination of
 34 exemption from the department of state revenue; and
 35 (3) that the applicant is entitled to the issuance of a certificate of
 36 title;

37 the bureau shall issue a certificate of title containing the information
 38 required in the application for a certificate of title, as prescribed by
 39 section 7 of this chapter, as well as space for the notation and
 40 cancellation of a lien, a mortgage, or an encumbrance.

41 (b) A form for the assignment of the certificate of title must appear
 42 on the reverse side of the certificate of title. The assignment form must
 43 include a warranty that the signer is the owner of the watercraft and
 44 that a mortgage, a lien, or an encumbrance is not on the watercraft
 45 except as noted on the face of the certificate of title.

46 SECTION 386. IC 9-31-2-13 IS REPEALED [EFFECTIVE JULY
 47 1, 2012]. ~~Sec. 13: The bureau shall do the following:~~

- 48 ~~(1) Prescribe a uniform method of numbering certificates of title.~~
 49 ~~(2) Maintain in the office of the bureau indexes for the certificates~~
 50 ~~of title.~~

1 SECTION 387. IC 9-31-2-14 IS REPEALED [EFFECTIVE JULY
2 1, 2012]. ~~Sec. 14. The bureau may destroy a certificate of title or
3 supporting evidence of a certificate of title covering a watercraft that
4 was on file for ten (10) years after the date of filing.~~

5 SECTION 388. IC 9-31-2-16, AS AMENDED BY P.L.83-2008,
6 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2012]: Sec. 16. (a) If the transfer of ownership of a watercraft
8 is by operation of law (such as upon inheritance, devise, bequest,
9 transfer on death designation in accordance with section 30 of this
10 chapter, order in bankruptcy, insolvency, replevin, ~~or~~ execution of sale,
11 **or under an order of court**), if a watercraft is sold to satisfy a storage
12 or repair charge, or if repossession is had upon default in performance
13 of the terms of a security agreement, the bureau shall issue to the
14 applicant a certificate of title to the watercraft upon: ~~the following:~~

15 (1) ~~Compliance with any of the following:~~

16 (A) ~~The surrender of the prior certificate of title.~~

17 (B) ~~The surrender of the manufacturer's or importer's
18 certificate.~~

19 (C) ~~Both of the following:~~

20 (i) ~~The surrender of a certificate of title designating a
21 transfer on death beneficiary.~~

22 (ii) ~~The submission of proof of the death of the transferor.~~

23 (D) ~~the presentation of satisfactory proof to the bureau of
24 ownership and a right of possession to of the watercraft;~~

25 (2) ~~payment of the fee prescribed under IC 9-29-15-1 and any
26 other applicable fees and service charges; and~~

27 (3) ~~presentation of an application for certificate of title.~~

28 (b) ~~A certification by the person or agent of the person to whom
29 possession of the watercraft passed setting forth the facts entitling the
30 person to possession and ownership; together with a copy of the journal
31 entry, court order, or instrument upon which the claim of possession
32 and ownership is founded; is satisfactory proof of ownership and right
33 of possession.~~

34 (c) (b) ~~If an applicant cannot produce proof of ownership, the
35 applicant may apply to the bureau and submit evidence of ownership.
36 If the bureau finds the evidence sufficient, the bureau may issue a
37 certificate of title. If, from the records of the department, bureau, a lien
38 appears to be on the watercraft, the certificate of title must contain a
39 statement of the lien, unless the application is accompanied by proper
40 evidence of the extinction satisfaction of the lien.~~

41 SECTION 389. IC 9-31-2-19 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19. (a) If a watercraft
43 is dismantled, destroyed, or changed in a manner that the watercraft
44 loses the character of a watercraft or changed in a manner that the
45 watercraft is not the watercraft described in the certificate of title, an
46 owner of the watercraft ~~and a person mentioned as owner in the last
47 certificate of title~~ shall surrender the certificate of title to the bureau.
48 The bureau shall, **with upon notification to** ~~the consent of~~ a holder of
49 a lien noted on the certificate of title, enter a cancellation upon the
50 lienholder's records.

1 (b) Upon the cancellation of a certificate of title in the manner
 2 prescribed by subsection (a), the bureau may cancel and destroy the
 3 certificates **of title.**

4 SECTION 390. IC 9-31-2-20 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 20. (a) If a certificate
 6 of title is lost or mutilated or becomes illegible, the owner of the
 7 watercraft shall apply to the bureau for a duplicate certificate of title
 8 upon a form prescribed by the bureau and accompanied by the fee
 9 prescribed by IC 9-29-15-1 **and any other applicable fees and service**
 10 **charges.** The person making the application shall certify the
 11 application **for the duplicate certificate of title.** Upon receipt of the
 12 application, the bureau shall issue a duplicate certificate of title to the
 13 person entitled to receive the certificate of title under this chapter.
 14 Upon the issuance of a duplicate certificate of title, the previously
 15 issued certificate of title becomes void.

16 (b) Each duplicate certificate of title ~~must contain~~ **shall have** the
 17 legend "~~This is a duplicate certificate.~~" **word "duplicate" printed or**
 18 **stamped on the certificate of title.** The duplicate certificate of title
 19 shall be delivered to the person entitled to possession **of the certificate**
 20 **of title.**

21 (c) If an original certificate of title is recovered by the owner, the
 22 owner shall immediately surrender the original certificate of title to the
 23 bureau for cancellation.

24 SECTION 391. IC 9-31-2-21 IS REPEALED [EFFECTIVE JULY
 25 1, 2012]. ~~Sec. 21. (a) The bureau may provide a commercial lookup~~
 26 ~~service of watercraft title records on a fee basis per transaction and use~~
 27 ~~fee revenues received from the service for necessary expenses.~~

28 ~~(b) The bureau shall furnish information on a title without charge to~~
 29 ~~law enforcement and conservation officers when engaged in official~~
 30 ~~duties.~~

31 SECTION 392. IC 9-31-2-22 IS REPEALED [EFFECTIVE JULY
 32 1, 2012]. ~~Sec. 22. Manufacturers and importers shall appoint and~~
 33 ~~authorize agents to sign manufacturer's or importer's certificates. The~~
 34 ~~bureau may require that a certified copy of a list containing the names~~
 35 ~~and the facsimile signatures of authorized agents be furnished to the~~
 36 ~~bureau.~~

37 SECTION 393. IC 9-31-2-23 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 23. (a) Upon receiving
 39 knowledge of a stolen watercraft, a law enforcement agency shall
 40 immediately furnish the sheriff's department of the county from which
 41 the watercraft was stolen, the department of natural resources, law
 42 enforcement division, and the bureau with full information concerning
 43 the theft.

44 (b) The bureau shall file the record in the numerical order of the
 45 manufacturer's hull identification number or assigned hull
 46 identification number with the index records of the watercraft. The
 47 bureau shall prepare a list of watercraft stolen and recovered as
 48 disclosed by the reports submitted to the bureau. The bureau shall
 49 distribute the lists as the bureau considers advisable.

50 (c) ~~(b)~~ If a stolen or converted watercraft is recovered, the owner or

1 recovering agency shall immediately notify the law enforcement
 2 agency that received the initial theft report. The law enforcement
 3 agency shall immediately notify the bureau, the department of natural
 4 resources, the sheriff of the county from which the watercraft was
 5 stolen, and other law enforcement agencies in the county. The bureau
 6 shall remove the record of the theft or conversion from the file in which
 7 the report is recorded.

8 SECTION 394. IC9-31-2-25 IS REPEALED [EFFECTIVE JULY
 9 1, 2012]. ~~Sec. 25: The bureau shall use due diligence in examining and
 10 determining the genuineness, regularity, and legality of every
 11 application for a certificate of title for a watercraft and may do the
 12 following:~~

13 ~~(1) Make the investigations that are determined necessary or
 14 require additional information. An authorized employee of the
 15 bureau may inspect a watercraft to determine whether a certificate
 16 of title should be issued.~~

17 ~~(2) Reject an application:~~

18 ~~(A) if not satisfied of:~~

19 ~~(i) the application's genuineness, regularity, or legality; or~~

20 ~~(ii) the truth of a statement contained on the application; or~~

21 ~~(B) for any other reason authorized by law.~~

22 SECTION 395. IC 9-31-3-3 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Except as provided
 24 in sections 5 and 7 of this chapter, **and in addition to section 4 of this**
 25 **chapter**, a person may not operate or give permission for the operation
 26 of a motorboat on the waters of Indiana unless the motorboat is:

27 (1) registered and numbered under this chapter;

28 (2) in accordance with applicable federal law; ~~or~~

29 (3) legally registered in another state; **or**

30 **(4) a boat for which any applicable taxes have been paid**
 31 **under IC 6-6-11.**

32 SECTION 396. IC 9-31-3-4 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Except as provided
 34 in sections 5 and 7 of this chapter, **and in addition to section 3 of this**
 35 **chapter**, a motorboat may only be operated on the waters of Indiana if
 36 the following conditions are met:

37 (1) The registration number awarded to the motorboat is in full
 38 force and effect.

39 (2) The identifying number set forth in the certificate of
 40 registration is displayed on each side of the bow of the motorboat.
 41 However, a motorboat that has a valid marine document issued by
 42 the United States Bureau of Customs is not required to display the
 43 registration number.

44 (3) The decals indicating the year and month of expiration of
 45 registration and class of boat are attached to the motorboat as
 46 provided under IC 6-6-11.

47 SECTION 397. IC 9-31-3-15 IS REPEALED [EFFECTIVE JULY
 48 1, 2012]. ~~Sec. 15: All records of the bureau made or kept under this
 49 chapter are public records and open to inspection by the public and any
 50 authorized law enforcement agency of the state.~~

1 SECTION 398. IC 9-31-3-17 IS REPEALED [EFFECTIVE JULY
2 1, 2012]. Sec. 17: (a) The owner of a motorboat, within fifteen (15)
3 days, shall furnish the bureau notice of any of the following:

4 (1) The transfer of all or any part of the owner's interest, other
5 than the creation of a security interest in a motorboat registered in
6 Indiana under section 5 or 7 of this chapter.

7 (2) The destruction or abandonment of a motorboat.

8 (b) Except as provided in subsection (c), a transfer, destruction, or
9 abandonment terminates the certificate of registration for the
10 motorboat.

11 (c) If a transfer of a part interest does not affect the owner's right to
12 operate the motorboat, the transfer does not terminate the certificate of
13 registration.

14 SECTION 399. IC 10-11-2-26, AS AMENDED BY P.L.26-2010,
15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 26. (a) The superintendent may assign qualified
17 persons who are not state police officers to supervise or operate
18 permanent or portable weigh stations. A person assigned under this
19 section may stop, inspect, and issue citations to operators of trucks and
20 trailers having a declared gross weight of at least ten thousand one
21 (10,001) pounds and buses at a permanent or portable weigh station or
22 while operating a clearly marked Indiana state police vehicle for
23 violations of the following:

24 (1) IC 6-1.1-7-10.

25 (2) IC 6-6-1.1-1202.

26 (3) IC 6-6-2.5.

27 (4) IC 6-6-4.1-12.

28 (5) IC 8-2.1.

29 (6) IC 9-18.

30 (7) IC 9-19.

31 (8) IC 9-20.

32 (9) IC 9-21-7-2 through IC 9-21-7-11.

33 (10) IC 9-21-8-41 pertaining to the duty to obey an official traffic
34 control device for a weigh station.

35 (11) IC 9-21-8-45 through IC 9-21-8-48.

36 (12) IC 9-21-9.

37 (13) IC 9-21-15.

38 (14) IC 9-21-21.

39 (15) IC 9-24-1-1 through ~~IC 9-24-1-2~~. **IC 9-24-1-1.5.**

40 (16) IC 9-24-1-7.

41 (17) Except as provided in subsection (c), IC 9-24-1-6,
42 IC 9-24-6-16, IC 9-24-6-17, and IC 9-24-6-18, commercial
43 driver's license.

44 (18) IC 9-24-4.

45 (19) IC 9-24-5.

46 (20) IC 9-24-11-4.

47 (21) IC 9-24-13-3.

48 (22) IC 9-24-18-1 through IC 9-24-18-2.

49 (23) IC 9-25-4-3.

50 (24) IC 9-28-4.

- 1 (25) IC 9-28-5.
 2 (26) IC 9-28-6.
 3 (27) IC 9-29-5-11 through IC 9-29-5-13.
 4 (28) IC 9-29-5-42.
 5 (29) IC 9-29-6-1.
 6 (30) IC 10-14-8.
 7 (31) IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or IC 13-17-5-4.
 8 (32) IC 13-30-2-1.
- 9 (b) For the purpose of enforcing this section, a person assigned
 10 under this section may detain a person in the same manner as a law
 11 enforcement officer under IC 34-28-5-3.
- 12 (c) A person assigned under this section may not enforce
 13 IC 9-24-6-14 or IC 9-24-6-15.
- 14 SECTION 400. IC 11-12-3.7-6 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. As used in this
 16 chapter, "violent offense" means one (1) or more of the following
 17 offenses:
- 18 (1) Murder (IC 35-42-1-1).
 19 (2) Attempted murder (IC 35-41-5-1).
 20 (3) Voluntary manslaughter (IC 35-42-1-3).
 21 (4) Involuntary manslaughter (IC 35-42-1-4).
 22 (5) Reckless homicide (IC 35-42-1-5).
 23 (6) Aggravated battery (IC 35-42-2-1.5).
 24 (7) Battery (IC 35-42-2-1) as a Class A felony, Class B felony, or
 25 Class C felony.
 26 (8) Kidnapping (IC 35-42-3-2).
 27 (9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8 that
 28 is a Class A felony, Class B felony, or Class C felony.
 29 (10) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A
 30 felony or Class B felony.
 31 (11) Incest (IC 35-46-1-3).
 32 (12) Robbery as a Class A felony or a Class B felony (IC
 33 35-42-5-1).
 34 (13) Burglary as a Class A felony or a Class B felony (IC
 35 35-43-2-1).
 36 (14) Carjacking (IC 35-42-5-2).
 37 (15) Assisting a criminal as a Class C felony (IC 35-44-3-2).
 38 (16) Escape (IC 35-44-3-5) as a Class B felony or Class C felony.
 39 (17) Trafficking with an inmate as a Class C felony (IC
 40 35-44-3-9).
 41 (18) Causing death when operating a ~~motor~~ vehicle (IC 9-30-5-5).
 42 (19) Criminal confinement (IC 35-42-3-3) as a Class B felony.
 43 (20) Arson (IC 35-43-1-1) as a Class A or Class B felony.
 44 (21) Possession, use, or manufacture of a weapon of mass
 45 destruction (IC 35-47-12-1).
 46 (22) Terroristic mischief (IC 35-47-12-3) as a Class B felony.
 47 (23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
 48 (24) A violation of IC 35-47.5 (Controlled explosives) as a Class
 49 A or Class B felony.
 50 (25) A crime under the laws of another jurisdiction, including a

1 military court, that is substantially similar to any of the offenses
2 listed in this subdivision.

3 (26) Any other crimes evidencing a propensity or history of
4 violence.

5 SECTION 401. IC 14-15-11-4 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. As used in this
7 chapter, "Indiana driver's license" means:

- 8 (1) an operator's license;
9 (2) a chauffeur's license; or
10 (3) a public passenger chauffeur's license;

11 that is issued to an individual by the bureau of motor vehicles under
12 ~~IC 9-24-3~~. **IC 9-24.**

13 SECTION 402. IC 20-33-8-33, AS ADDED BY P.L.231-2005,
14 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2012]: Sec. 33. Before February 1 and before October 1 of
16 each year, except when a hearing has been requested to determine
17 financial hardship under IC 9-24-2-1(a)(4), a principal shall submit to
18 the bureau of motor vehicles the pertinent information concerning an
19 individual's ineligibility under IC 9-24-2-1 to be issued a driver's
20 license or learner's permit, or concerning the ~~invalidation~~ **suspension**
21 ~~of a license or permit driving privileges~~ under IC 9-24-2-4.

22 SECTION 403. IC 27-7-5-2, AS AMENDED BY P.L.116-2011,
23 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2012]: Sec. 2. (a) Except as provided in subsections (d) and
25 (f), the insurer shall make available, in each automobile liability or
26 motor vehicle liability policy of insurance which is delivered or issued
27 for delivery in this state with respect to any motor vehicle registered or
28 principally garaged in this state, insuring against loss resulting from
29 liability imposed by law for bodily injury or death suffered by any
30 person and for injury to or destruction of property to others arising from
31 the ownership, maintenance, or use of a motor vehicle, or in a
32 supplement to such a policy, the following types of coverage:

33 (1) in limits for bodily injury or death and for injury to or
34 destruction of property not less than those set forth in IC 9-25-4-5
35 under policy provisions approved by the commissioner of
36 insurance, for the protection of persons insured under the policy
37 who are legally entitled to recover damages from owners or
38 operators of uninsured or underinsured motor vehicles because of
39 bodily injury, sickness or disease, including death, and for the
40 protection of persons insured under the policy who are legally
41 entitled to recover damages from owners or operators of
42 uninsured motor vehicles for injury to or destruction of property
43 resulting therefrom; or

44 (2) in limits for bodily injury or death not less than those set forth
45 in IC 9-25-4-5 under policy provisions approved by the
46 commissioner of insurance, for the protection of persons insured
47 under the policy provisions who are legally entitled to recover
48 damages from owners or operators of uninsured or underinsured
49 motor vehicles because of bodily injury, sickness or disease,
50 including death resulting therefrom.

1 The uninsured and underinsured motorist coverages must be provided
 2 by insurers for either a single premium or for separate premiums, in
 3 limits at least equal to the limits of liability specified in the bodily
 4 injury liability provisions of an insured's policy, unless such coverages
 5 have been rejected in writing by the insured. However, underinsured
 6 motorist coverage must be made available in limits of not less than fifty
 7 thousand dollars (\$50,000). At the insurer's option, the bodily injury
 8 liability provisions of the insured's policy may be required to be equal
 9 to the insured's underinsured motorist coverage. Insurers may not sell
 10 or provide underinsured motorist coverage in an amount less than fifty
 11 thousand dollars (\$50,000). Insurers must make underinsured motorist
 12 coverage available to all existing policyholders on the date of the first
 13 renewal of existing policies that occurs on or after January 1, 1995, and
 14 on any policies newly issued or delivered on or after January 1, 1995.
 15 Uninsured motorist coverage or underinsured motorist coverage may
 16 be offered by an insurer in an amount exceeding the limits of liability
 17 specified in the bodily injury and property damage liability provisions
 18 of the insured's policy.

19 (b) A named insured of an automobile or motor vehicle liability
 20 policy has the right, in writing, to:

- 21 (1) reject both the uninsured motorist coverage and the
- 22 underinsured motorist coverage provided for in this section; or
- 23 (2) reject either the uninsured motorist coverage alone or the
- 24 underinsured motorist coverage alone, if the insurer provides the
- 25 coverage not rejected separately from the coverage rejected.

26 A rejection of coverage under this subsection by a named insured is a
 27 rejection on behalf of all other named insureds, all other insureds, and
 28 all other persons entitled to coverage under the policy. No insured may
 29 have uninsured motorist property damage liability insurance coverage
 30 under this section unless the insured also has uninsured motorist bodily
 31 injury liability insurance coverage under this section. Following
 32 rejection of either or both uninsured motorist coverage or underinsured
 33 motorist coverage, unless later requested in writing, the insurer need
 34 not offer uninsured motorist coverage or underinsured motorist
 35 coverage in or supplemental to a renewal or replacement policy issued
 36 to the same insured by the same insurer or a subsidiary or an affiliate
 37 of the originally issuing insurer. Renewals of policies issued or
 38 delivered in this state which have undergone interim policy
 39 endorsement or amendment do not constitute newly issued or delivered
 40 policies for which the insurer is required to provide the coverages
 41 described in this section.

42 (c) A rejection under subsection (b) must specify:

- 43 (1) that the named insured is rejecting:
- 44 (A) the uninsured motorist coverage;
- 45 (B) the underinsured motorist coverage; or
- 46 (C) both the uninsured motorist coverage and the underinsured
- 47 motorist coverage;

48 that would otherwise be provided under the policy; and

- 49 (2) the date on which the rejection is effective.

50 (d) An insurer is not required to make available the coverage

1 described in subsection (a) in a commercial umbrella or excess liability
 2 policy, including a commercial umbrella or excess liability policy that
 3 is issued or delivered to a motor carrier (as defined in IC 8-2.1-17-10)
 4 that is in compliance with the minimum levels of financial
 5 responsibility set forth in 49 CFR Part 387.

6 (e) A rejection under subsection (b) of uninsured motorist coverage
 7 or underinsured motorist coverage in an underlying commercial policy
 8 of insurance is also a rejection of uninsured motorist coverage or
 9 underinsured motorist coverage in a commercial umbrella or excess
 10 liability policy.

11 (f) An insurer is not required to make available the coverage
 12 described in subsection (a) in connection with coverage that:

13 (1) is related to or included in a commercial policy of property
 14 and casualty insurance described in Class 2 or Class 3 of
 15 IC 27-1-5-1; and

16 (2) covers a loss related to a motor vehicle:

17 (A) of which the insured is not the owner; ~~(as defined in~~
 18 ~~IC 9-13-2-121(a))~~; and

19 (B) that is used:

20 (i) by the insured or an agent of the insured; and

21 (ii) for purposes authorized by the insured.

22 **(g) For purposes of subsection (f), "owner" means:**

23 **(1) a person who holds the legal title to a motor vehicle;**

24 **(2) a person who rents or leases a motor vehicle and has**
 25 **exclusive use of the motor vehicle for more than thirty (30)**
 26 **days;**

27 **(3) the conditional vendee or lessee under an agreement for**
 28 **the conditional sale or lease of a motor vehicle; or**

29 **(4) the mortgagor under an agreement for the conditional sale**
 30 **or lease of a motor vehicle under which the mortgagor has:**

31 **(A) the right to purchase; and**

32 **(B) an immediate right of possession of;**

33 **the motor vehicle upon the performance of the conditions**
 34 **stated in the agreement.**

35 SECTION 404. IC 31-37-4-3, AS AMENDED BY P.L.3-2008,
 36 SECTION 240, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) This section applies if a child
 38 is arrested or taken into custody for allegedly committing an act that
 39 would be any of the following crimes if committed by an adult:

40 (1) Murder (IC 35-42-1-1).

41 (2) Attempted murder (IC 35-41-5-1).

42 (3) Voluntary manslaughter (IC 35-42-1-3).

43 (4) Involuntary manslaughter (IC 35-42-1-4).

44 (5) Reckless homicide (IC 35-42-1-5).

45 (6) Aggravated battery (IC 35-42-2-1.5).

46 (7) Battery (IC 35-42-2-1).

47 (8) Kidnapping (IC 35-42-3-2).

48 (9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8.

49 (10) Sexual misconduct with a minor (IC 35-42-4-9).

50 (11) Incest (IC 35-46-1-3).

51 (12) Robbery as a Class A felony or a Class B felony (IC

- 1 35-42-5-1).
 2 (13) Burglary as a Class A felony or a Class B felony (IC
 3 35-43-2-1).
 4 (14) Carjacking (IC 35-42-5-2).
 5 (15) Assisting a criminal as a Class C felony (IC 35-44-3-2).
 6 (16) Escape (IC 35-44-3-5) as a Class B felony or Class C felony.
 7 (17) Trafficking with an inmate as a Class C felony (IC
 8 35-44-3-9).
 9 (18) Causing death when operating a ~~motor~~ vehicle (IC 9-30-5-5).
 10 (19) Criminal confinement (IC 35-42-3-3) as a Class B felony.
 11 (20) Arson (IC 35-43-1-1) as a Class A or Class B felony.
 12 (21) Possession, use, or manufacture of a weapon of mass
 13 destruction (IC 35-47-12-1).
 14 (22) Terroristic mischief (IC 35-47-12-3) as a Class B felony.
 15 (23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
 16 (24) A violation of IC 35-47.5 (controlled explosives) as a Class
 17 A or Class B felony.
 18 (25) A controlled substances offense under IC 35-48.
 19 (26) A criminal gang offense under IC 35-45-9.

20 (b) If a child is taken into custody under this chapter for a crime or
 21 act listed in subsection (a), the law enforcement agency that employs
 22 the law enforcement officer who takes the child into custody shall
 23 notify the chief administrative officer of the primary or secondary
 24 school, including a public or nonpublic school, in which the child is
 25 enrolled or, if the child is enrolled in a public school, the
 26 superintendent of the school district in which the child is enrolled:

- 27 (1) that the child was taken into custody; and
 28 (2) of the reason why the child was taken into custody.

29 (c) The notification under subsection (b) must occur within
 30 forty-eight (48) hours after the child is taken into custody.

31 (d) A law enforcement agency may not disclose information that is
 32 confidential under state or federal law to a school or school district
 33 under this section.

34 SECTION 405. IC 31-37-19-17.2 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17.2. (a) This section
 36 applies if a child is a delinquent child under IC 31-37-1 due to the
 37 commission of a delinquent act that, if committed by an adult, would
 38 be a theft or criminal conversion described in IC 35-43-4-8 (fuel theft).

39 (b) The juvenile court shall, in addition to any other order or decree
 40 the court makes under this chapter, order the bureau of motor vehicles
 41 to:

- 42 (1) suspend the child's ~~operator's license~~; **driving privileges**; or
 43 (2) invalidate the child's ~~learner's permit~~; **driving privileges**;
 44 under ~~IC 9-25-6-21~~ **IC 9-30-13-8** in the same manner as the bureau of
 45 motor vehicles is required to suspend the driving privileges of a person
 46 convicted of fuel theft.

47 SECTION 406. IC 31-37-19-18, AS AMENDED BY P.L.109-2011,
 48 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 49 JULY 1, 2012]: Sec. 18. If the court orders invalidation or denial of
 50 issuance of a ~~driver's license or permit~~ **driving privileges** as described

1 in IC 31-37-5-7 or section 4, 13, 14, 15, 16, 17, or 17.3 of this chapter
 2 (or IC 31-6-4-15.9(c), IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or
 3 IC 31-6-4-15.9(f) before the repeal of IC 31-6-4-15.9):

4 (1) the bureau of motor vehicles shall comply with the order for
 5 invalidation or denial of issuance; and

6 (2) the child shall surrender to the court all driver's licenses or
 7 permits of the child and the court shall immediately forward the
 8 licenses or permits to the bureau of motor vehicles.

9 If a juvenile court recommends suspension of driving privileges under
 10 section 17.3 of this chapter, IC 9-30-6-12(b), IC 9-30-6-12(c),
 11 IC 9-30-6-12(d), and IC 9-30-6-12(e) apply to the child's driving
 12 privileges.

13 SECTION 407. IC 31-40-2-1.7, AS ADDED BY P.L.2-2005,
 14 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2012]: Sec. 1.7. (a) A person may pay a monthly probation
 16 user's fee under section 1 or 1.5 of this chapter before the date the
 17 payment is required to be made without obtaining the prior approval of
 18 a court or a probation department. However, if a delinquent child is
 19 discharged from probation before the date the delinquent child was
 20 scheduled to be released from probation, any monthly probation user's
 21 fee paid in advance for the delinquent child may not be refunded.

22 (b) A probation department may petition a court to:

23 (1) impose a probation user's fee on a person; or

24 (2) increase a person's probation user's fee;

25 under section 1 or 1.5 of this chapter if the financial ability of the
 26 person to pay a probation user's fee changes while the person is on
 27 probation.

28 (c) An order to pay a probation user's fee under section 1 or 1.5 of
 29 this chapter:

30 (1) is a judgment lien that:

31 (A) attaches to the property of the person subject to the order;

32 (B) may be perfected;

33 (C) may be enforced to satisfy any payment that is delinquent
 34 under section 1 or 1.5 of this chapter; and

35 (D) expires;

36 in the same manner as a judgment lien created in a civil
 37 proceeding;

38 (2) is not discharged by the completion of the person's
 39 probationary period or other sentence imposed on the person; and

40 (3) is not discharged by the liquidation of a person's estate by a
 41 receiver under IC 32-30-5.

42 (d) A delinquent child placed on probation for more than one (1)
 43 delinquent act:

44 (1) may be required to pay more than one (1) initial probation
 45 user's fee; and

46 (2) may not be required to pay more than one (1) monthly
 47 probation user's fee per month;

48 to either the probation department or the clerk of the court.

49 (e) If a court orders a person to pay a probation user's fee under
 50 section 1 or 1.5 of this chapter, the court may garnish the wages, salary,

1 and other income earned by the person to enforce the order.

2 (f) If:

3 (1) a person is delinquent in paying the person's probation user's
4 fees required under section 1 or 1.5 of this chapter; and

5 (2) the person's **driving privileges or** driver's license or permit
6 has been suspended or revoked or the person has never been
7 issued a driver's license or permit;

8 the court may order the bureau of motor vehicles to not issue a driver's
9 license or permit to the person until the person has paid the person's
10 delinquent probation user's fees.

11 SECTION 408. IC 32-17-13-1, AS AMENDED BY P.L.36-2011,
12 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2012]: Sec. 1. (a) As used in this chapter, "nonprobate
14 transfer" means a valid transfer, effective at death, by a transferor:

15 (1) whose last domicile was in Indiana; and

16 (2) who immediately before death had the power, acting alone, to
17 prevent transfer of the property by revocation or withdrawal and:

18 (A) use the property for the benefit of the transferor; or

19 (B) apply the property to discharge claims against the
20 transferor's probate estate.

21 (b) The term does not include a transfer at death (other than a
22 transfer to or from the decedent's probate estate) of:

23 (1) a survivorship interest in a tenancy by the entireties real
24 estate;

25 (2) a life insurance policy or annuity;

26 (3) the death proceeds of a life insurance policy or annuity;

27 (4) an individual retirement account or a similar account or plan;
28 or

29 (5) benefits under an employee benefit plan.

30 (c) With respect to a nonprobate transfer involving a multiple party
31 account, a nonprobate transfer occurs if the last domicile of the
32 depositor whose interest is transferred under IC 32-17-11 was in
33 Indiana.

34 (d) With respect to a motor vehicle or a watercraft, a nonprobate
35 transfer occurs if the transferee obtains a certificate of title in Indiana
36 for:

37 (1) the motor vehicle under IC 9-17-2-2(b); or

38 (2) the watercraft as required by ~~IC 9-31-2-16(a)(1)(C)~~:

39 **IC 9-31-2-16(a).**

40 (e) A transfer on death transfer completed under IC 32-17-14 is a
41 nonprobate transfer.

42 SECTION 409. IC 32-33-10-10 IS AMENDED TO READ AS
43 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. This chapter may
44 not be construed to repeal, modify, or amend ~~IC 9-22-5-14~~ **IC 9-22-6-1**
45 or ~~IC 9-22-5-15~~: **IC 9-22-6-2.**

46 SECTION 410. IC 33-39-1-8, AS AMENDED BY P.L.101-2009,
47 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
48 JULY 1, 2012]: Sec. 8. (a) After June 30, 2005, this section does not
49 apply to a person who:

50 (1) holds a commercial driver's license; and

- 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:
- 43 (1) pay to the clerk of the court an initial user's fee and monthly
 44 user's fees in the amounts specified in IC 33-37-4-1;
 45 (2) work faithfully at a suitable employment or faithfully pursue
 46 a course of study or career and technical education that will equip
 47 the person for suitable employment;
 48 (3) undergo available medical treatment or counseling and remain
 49 in a specified facility required for that purpose;
 50 (4) support the person's dependents and meet other family

- 1 responsibilities;
- 2 (5) make restitution or reparation to the victim of the crime for the
- 3 damage or injury that was sustained;
- 4 (6) refrain from harassing, intimidating, threatening, or having
- 5 any direct or indirect contact with the victim or a witness;
- 6 (7) report to the prosecuting attorney at reasonable times;
- 7 (8) answer all reasonable inquiries by the prosecuting attorney
- 8 and promptly notify the prosecuting attorney of any change in
- 9 address or employment; and
- 10 (9) participate in dispute resolution either under IC 34-57-3 or a
- 11 program established by the prosecuting attorney.
- 12 (f) An agreement under subsection (d)(2) may include other
- 13 provisions reasonably related to the defendant's rehabilitation, if
- 14 approved by the court.
- 15 (g) The prosecuting attorney shall notify the victim when
- 16 prosecution is withheld under this section.
- 17 (h) All money collected by the clerk as user's fees under this section
- 18 shall be deposited in the appropriate user fee fund under IC 33-37-8.
- 19 (i) If a court withholds prosecution under this section and the terms
- 20 of the agreement contain conditions described in subsection (e)(6):
- 21 (1) the clerk of the court shall comply with IC 5-2-9; and
- 22 (2) the prosecuting attorney shall file a confidential form
- 23 prescribed or approved by the division of state court
- 24 administration with the clerk.
- 25 SECTION 411. IC 34-24-1-1, AS AMENDED BY SEA 26-2012,
- 26 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27 JULY 1, 2012]: Sec. 1. (a) The following may be seized:
- 28 (1) All vehicles (as defined by IC 35-31.5-2-346), if they are used
- 29 or are intended for use by the person or persons in possession of
- 30 them to transport or in any manner to facilitate the transportation
- 31 of the following:
- 32 (A) A controlled substance for the purpose of committing,
- 33 attempting to commit, or conspiring to commit any of the
- 34 following:
- 35 (i) Dealing in or manufacturing cocaine or a narcotic drug
- 36 (IC 35-48-4-1).
- 37 (ii) Dealing in methamphetamine (IC 35-48-4-1.1).
- 38 (iii) Dealing in a schedule I, II, or III controlled substance
- 39 (IC 35-48-4-2).
- 40 (iv) Dealing in a schedule IV controlled substance (IC
- 41 35-48-4-3).
- 42 (v) Dealing in a schedule V controlled substance (IC
- 43 35-48-4-4).
- 44 (vi) Dealing in a counterfeit substance (IC 35-48-4-5).
- 45 (vii) Possession of cocaine or a narcotic drug (IC 35-48-4-6).
- 46 (viii) Possession of methamphetamine (IC 35-48-4-6.1).
- 47 (ix) Dealing in paraphernalia (IC 35-48-4-8.5).
- 48 (x) Dealing in marijuana, hash oil, hashish, salvia, or a
- 49 synthetic cannabinoid (IC 35-48-4-10).
- 50 (B) Any stolen (IC 35-43-4-2) or converted property (IC

- 1 35-43-4-3) if the retail or repurchase value of that property is
 2 one hundred dollars (\$100) or more.
- 3 (C) Any hazardous waste in violation of IC 13-30-10-1.5.
- 4 (D) A bomb (as defined in IC 35-31.5-2-31) or weapon of
 5 mass destruction (as defined in IC 35-31.5-2-354) used to
 6 commit, used in an attempt to commit, or used in a conspiracy
 7 to commit an offense under IC 35-47 as part of or in
 8 furtherance of an act of terrorism (as defined by
 9 IC 35-31.5-2-329).
- 10 (2) All money, negotiable instruments, securities, weapons,
 11 communications devices, or any property used to commit, used in
 12 an attempt to commit, or used in a conspiracy to commit an
 13 offense under IC 35-47 as part of or in furtherance of an act of
 14 terrorism or commonly used as consideration for a violation of
 15 IC 35-48-4 (other than items subject to forfeiture under
 16 IC 16-42-20-5 or IC 16-6-8.5-5.1 before its repeal):
- 17 (A) furnished or intended to be furnished by any person in
 18 exchange for an act that is in violation of a criminal statute;
 19 (B) used to facilitate any violation of a criminal statute; or
 20 (C) traceable as proceeds of the violation of a criminal statute.
- 21 (3) Any portion of real or personal property purchased with
 22 money that is traceable as a proceed of a violation of a criminal
 23 statute.
- 24 (4) A vehicle that is used by a person to:
- 25 (A) commit, attempt to commit, or conspire to commit;
 26 (B) facilitate the commission of; or
 27 (C) escape from the commission of;
 28 murder (IC 35-42-1-1), kidnapping (IC 35-42-3-2), criminal
 29 confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting
 30 (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense
 31 under IC 35-47 as part of or in furtherance of an act of terrorism.
- 32 (5) Real property owned by a person who uses it to commit any of
 33 the following as a Class A felony, a Class B felony, or a Class C
 34 felony:
- 35 (A) Dealing in or manufacturing cocaine or a narcotic drug (IC
 36 35-48-4-1).
- 37 (B) Dealing in methamphetamine (IC 35-48-4-1.1).
- 38 (C) Dealing in a schedule I, II, or III controlled substance (IC
 39 35-48-4-2).
- 40 (D) Dealing in a schedule IV controlled substance (IC
 41 35-48-4-3).
- 42 (E) Dealing in marijuana, hash oil, hashish, salvia, or a
 43 synthetic cannabinoid (IC 35-48-4-10).
- 44 (6) Equipment and recordings used by a person to commit fraud
 45 under IC 35-43-5-4(10).
- 46 (7) Recordings sold, rented, transported, or possessed by a person
 47 in violation of IC 24-4-10.
- 48 (8) Property (as defined by IC 35-31.5-2-253) or an enterprise (as
 49 defined by IC 35-45-6-1) that is the object of a corrupt business
 50 influence violation (IC 35-45-6-2).

- 1 (9) Unlawful telecommunications devices (as defined in
 2 IC 35-45-13-6) and plans, instructions, or publications used to
 3 commit an offense under IC 35-45-13.
- 4 (10) Any equipment, including computer equipment and cellular
 5 telephones, used for or intended for use in preparing,
 6 photographing, recording, videotaping, digitizing, printing,
 7 copying, or disseminating matter in violation of IC 35-42-4.
- 8 (11) Destructive devices used, possessed, transported, or sold in
 9 violation of IC 35-47.5.
- 10 (12) Tobacco products that are sold in violation of IC 24-3-5,
 11 tobacco products that a person attempts to sell in violation of
 12 IC 24-3-5, and other personal property owned and used by a
 13 person to facilitate a violation of IC 24-3-5.
- 14 (13) Property used by a person to commit counterfeiting or
 15 forgery in violation of IC 35-43-5-2.
- 16 (14) After December 31, 2005, if a person is convicted of an
 17 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the
 18 following real or personal property:
- 19 (A) Property used or intended to be used to commit, facilitate,
 20 or promote the commission of the offense.
- 21 (B) Property constituting, derived from, or traceable to the
 22 gross proceeds that the person obtained directly or indirectly
 23 as a result of the offense.
- 24 (15) Except as provided in subsection (e), a ~~motor~~ vehicle used by
 25 a person who operates the ~~motor~~ vehicle:
- 26 (A) while intoxicated, in violation of IC 9-30-5-1 through
 27 IC 9-30-5-5, if in the previous five (5) years the person has two
 28 (2) or more prior unrelated convictions:
- 29 (i) for operating a motor vehicle while intoxicated in
 30 violation of IC 9-30-5-1 through IC 9-30-5-5; or
 31 (ii) for an offense that is substantially similar to IC 9-30-5-1
 32 through IC 9-30-5-5 in another jurisdiction; or
- 33 (B) on a highway while the person's ~~driver's license is driving~~
 34 **privileges are** suspended in violation of IC 9-24-19-2 through
 35 IC 9-24-19-4, if in the previous five (5) years the person has
 36 two (2) or more prior unrelated convictions:
- 37 (i) for operating a ~~motor~~ vehicle while intoxicated in
 38 violation of IC 9-30-5-1 through IC 9-30-5-5; or
 39 (ii) for an offense that is substantially similar to IC 9-30-5-1
 40 through IC 9-30-5-5 in another jurisdiction.
- 41 If a court orders the seizure of a ~~motor~~ vehicle under this
 42 subdivision, the court shall transmit an order to the bureau of
 43 motor vehicles recommending that the bureau not permit a ~~motor~~
 44 vehicle to be registered in the name of the person whose ~~motor~~
 45 vehicle was seized until the person possesses a current driving
 46 license (as defined in IC 9-13-2-41).
- 47 (16) The following real or personal property:
- 48 (A) Property used or intended to be used to commit, facilitate,
 49 or promote the commission of an offense specified in
 50 IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or

- 1 IC 30-2-13-38(f).
 2 (B) Property constituting, derived from, or traceable to the
 3 gross proceeds that a person obtains directly or indirectly as a
 4 result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b),
 5 IC 30-2-10-9(b), or IC 30-2-13-38(f).
 6 (b) A vehicle used by any person as a common or contract carrier in
 7 the transaction of business as a common or contract carrier is not
 8 subject to seizure under this section, unless it can be proven by a
 9 preponderance of the evidence that the owner of the vehicle knowingly
 10 permitted the vehicle to be used to engage in conduct that subjects it to
 11 seizure under subsection (a).
 12 (c) Equipment under subsection (a)(10) may not be seized unless it
 13 can be proven by a preponderance of the evidence that the owner of the
 14 equipment knowingly permitted the equipment to be used to engage in
 15 conduct that subjects it to seizure under subsection (a)(10).
 16 (d) Money, negotiable instruments, securities, weapons,
 17 communications devices, or any property commonly used as
 18 consideration for a violation of IC 35-48-4 found near or on a person
 19 who is committing, attempting to commit, or conspiring to commit any
 20 of the following offenses shall be admitted into evidence in an action
 21 under this chapter as prima facie evidence that the money, negotiable
 22 instrument, security, or other thing of value is property that has been
 23 used or was to have been used to facilitate the violation of a criminal
 24 statute or is the proceeds of the violation of a criminal statute:
 25 (1) IC 35-48-4-1 (dealing in or manufacturing cocaine or a
 26 narcotic drug).
 27 (2) IC 35-48-4-1.1 (dealing in methamphetamine).
 28 (3) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled
 29 substance).
 30 (4) IC 35-48-4-3 (dealing in a schedule IV controlled substance).
 31 (5) IC 35-48-4-4 (dealing in a schedule V controlled substance)
 32 as a Class B felony.
 33 (6) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a
 34 Class A felony, Class B felony, or Class C felony.
 35 (7) IC 35-48-4-6.1 (possession of methamphetamine) as a Class
 36 A felony, Class B felony, or Class C felony.
 37 (8) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, salvia,
 38 or a synthetic cannabinoid) as a Class C felony.
 39 (e) A ~~motor~~ vehicle operated by a person who is not:
 40 (1) an owner of the ~~motor~~ vehicle; or
 41 (2) the spouse of the person who owns the ~~motor~~ vehicle;
 42 is not subject to seizure under subsection (a)(15) unless it can be
 43 proven by a preponderance of the evidence that the owner of the
 44 vehicle knowingly permitted the vehicle to be used to engage in
 45 conduct that subjects it to seizure under subsection (a)(15).
 46 SECTION 412. IC 34-28-5-1, AS AMENDED BY SEA 26-2012,
 47 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 48 JULY 1, 2012]: Sec. 1. (a) As used in this section, "probationary
 49 license" refers to a license described in ~~IC 9-24-11-3(b)~~ or
 50 IC 9-24-11-3.3(b).

1 (b) An action to enforce a statute defining an infraction shall be
 2 brought in the name of the state of Indiana by the prosecuting attorney
 3 for the judicial circuit in which the infraction allegedly took place.
 4 However, if the infraction allegedly took place on a public highway (as
 5 defined in IC 9-25-2-4) that runs on and along a common boundary
 6 shared by two (2) or more judicial circuits, a prosecuting attorney for
 7 any judicial circuit sharing the common boundary may bring the action.

8 (c) An action to enforce an ordinance shall be brought in the name
 9 of the municipal corporation. The municipal corporation need not
 10 prove that it or the ordinance is valid unless validity is controverted by
 11 affidavit.

12 (d) Actions under this chapter (or IC 34-4-32 before its repeal):

13 (1) shall be conducted in accordance with the Indiana Rules of
 14 Trial Procedure; and

15 (2) must be brought within two (2) years after the alleged conduct
 16 or violation occurred.

17 (e) The plaintiff in an action under this chapter must prove the
 18 commission of an infraction or ordinance violation by a preponderance
 19 of the evidence.

20 (f) The complaint and summons described in IC 9-30-3-6 may be
 21 used for any infraction or ordinance violation.

22 (g) Subsection (h) does not apply to an individual holding a
 23 probationary license who is alleged to have committed an infraction
 24 under any of the following when the individual was less than eighteen
 25 (18) years of age at the time of the alleged offense:

26 IC 9-19

27 IC 9-21

28 IC 9-24

29 IC 9-25

30 IC 9-26

31 IC 9-30-5

32 IC 9-30-10

33 IC 9-30-15.

34 (h) This subsection does not apply to an offense or violation under
 35 IC 9-24-6 involving the operation of a commercial motor vehicle. The
 36 prosecuting attorney or the attorney for a municipal corporation may
 37 establish a deferral program for deferring actions brought under this
 38 section. Actions may be deferred under this section if:

39 (1) the defendant in the action agrees to conditions of a deferral
 40 program offered by the prosecuting attorney or the attorney for a
 41 municipal corporation;

42 (2) the defendant in the action agrees to pay to the clerk of the
 43 court an initial user's fee and monthly user's fee set by the
 44 prosecuting attorney or the attorney for the municipal corporation
 45 in accordance with IC 33-37-4-2(e);

46 (3) the terms of the agreement are recorded in an instrument
 47 signed by the defendant and the prosecuting attorney or the
 48 attorney for the municipal corporation;

49 (4) the defendant in the action agrees to pay a fee of seventy
 50 dollars (\$70) to the clerk of court if the action involves a moving

1 traffic offense (as defined in IC 9-13-2-110);

2 (5) the agreement is filed in the court in which the action is
3 brought; and

4 (6) if the deferral program is offered by the prosecuting attorney,
5 the prosecuting attorney electronically transmits information
6 required by the prosecuting attorneys council concerning the
7 withheld prosecution to the prosecuting attorneys council, in a
8 manner and format designated by the prosecuting attorneys
9 council.

10 When a defendant complies with the terms of an agreement filed under
11 this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting
12 attorney or the attorney for the municipal corporation shall request the
13 court to dismiss the action. Upon receipt of a request to dismiss an
14 action under this subsection, the court shall dismiss the action. An
15 action dismissed under this subsection (or IC 34-4-32-1(f) before its
16 repeal) may not be refiled.

17 (i) If a judgment is entered against a defendant in an action to
18 enforce an ordinance, the defendant may perform community
19 restitution or service (as defined in IC 35-31.5-2-50) instead of paying
20 a monetary judgment for the ordinance violation as described in section
21 4(e) of this chapter if:

22 (1) the:

23 (A) defendant; and

24 (B) attorney for the municipal corporation;

25 agree to the defendant's performance of community restitution or
26 service instead of the payment of a monetary judgment;

27 (2) the terms of the agreement described in subdivision (1):

28 (A) include the amount of the judgment the municipal
29 corporation requests that the defendant pay under section 4(e)
30 of this chapter for the ordinance violation if the defendant fails
31 to perform the community restitution or service provided for
32 in the agreement as approved by the court; and

33 (B) are recorded in a written instrument signed by the
34 defendant and the attorney for the municipal corporation;

35 (3) the agreement is filed in the court where the judgment was
36 entered; and

37 (4) the court approves the agreement.

38 If a defendant fails to comply with an agreement approved by a court
39 under this subsection, the court shall require the defendant to pay up to
40 the amount of the judgment requested in the action under section 4(e)
41 of this chapter as if the defendant had not entered into an agreement
42 under this subsection.

43 SECTION 413. IC 34-30-2-32.5, AS ADDED BY P.L.145-2011,
44 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
45 JULY 1, 2012]: Sec. 32.5. (a) This section applies after December 31,
46 2011.

47 (b) ~~IC 9-27-6-5(m)~~ **IC 9-27-6-5(h)** (Concerning members of the
48 driver education advisory board).

49 SECTION 414. IC 35-43-4-8 IS AMENDED TO READ AS
50 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A conviction for

1 an offense under section 2 of this chapter or section 3 of this chapter
2 that involves exerting unauthorized control over gasoline or motor
3 vehicle fuel:

4 (1) by operation of a motor vehicle to leave the premises of a
5 establishment at which gasoline or motor vehicle fuel is offered
6 for sale after the gasoline or motor vehicle fuel has been
7 dispensed into the fuel tank of the motor vehicle; and

8 (2) without payment or authorization of payment by a credit card,
9 debit card, charge card, or similar method of payment;

10 shall result in the suspension of the driving privileges of the person.

11 (b) The court imposing a sentence for a violation under subsection
12 (a) shall issue an order to the bureau of motor vehicles:

13 (1) stating that the person has been convicted of an offense under
14 section 2 of this chapter or section 3 of this chapter involving the
15 unauthorized taking of gasoline or motor vehicle fuel; and

16 (2) ordering the suspension of the person's driving privileges
17 under ~~IC 9-25-6-21~~ **IC 9-30-13-8**.

18 The suspension of a person's driving privileges under this section is in
19 addition to other penalties prescribed by IC 35-50-3-2 for a Class A
20 misdemeanor or by IC 35-50-2-7 for a Class D felony.

21 SECTION 415. IC 35-48-4-15 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. (a) If a person is
23 convicted of an offense under section 1, 2, 3, 4, 5, 6, 7, 10, or 11 of this
24 chapter, or conspiracy to commit an offense under section 1, 2, 3, 4, 5,
25 6, 7, 10, or 11 of this chapter, and the court finds that a motor vehicle
26 was used in the commission of the offense, the court shall, in addition
27 to any other order the court enters, order that the person's:

28 (1) ~~operator's~~ **driver's** license be suspended;

29 (2) existing motor vehicle registrations be suspended; and

30 (3) ability to register motor vehicles be suspended;

31 by the bureau of motor vehicles for a period specified by the court of
32 at least six (6) months but not more than two (2) years.

33 (b) If a person is convicted of an offense described in subsection (a)
34 and the person does not hold ~~an operator's~~ **a driver's** license or a
35 learner's permit, the court shall order that the person may not receive
36 ~~an operator's~~ **a driver's** license or a learner's permit from the bureau of
37 motor vehicles for a period of not less than six (6) months.

38 SECTION 416. IC 35-50-1-2, AS AMENDED BY P.L.126-2008,
39 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2012]: Sec. 2. (a) As used in this section, "crime of violence"
41 means the following:

42 (1) Murder (IC 35-42-1-1).

43 (2) Attempted murder (IC 35-41-5-1).

44 (3) Voluntary manslaughter (IC 35-42-1-3).

45 (4) Involuntary manslaughter (IC 35-42-1-4).

46 (5) Reckless homicide (IC 35-42-1-5).

47 (6) Aggravated battery (IC 35-42-2-1.5).

48 (7) Kidnapping (IC 35-42-3-2).

49 (8) Rape (IC 35-42-4-1).

50 (9) Criminal deviate conduct (IC 35-42-4-2).

- 1 (10) Child molesting (IC 35-42-4-3).
- 2 (11) Sexual misconduct with a minor as a Class A felony under
- 3 IC 35-42-4-9(a)(2) or a Class B felony under IC 35-42-4-9(b)(2).
- 4 (12) Robbery as a Class A felony or a Class B felony (IC
- 5 35-42-5-1).
- 6 (13) Burglary as a Class A felony or a Class B felony (IC
- 7 35-43-2-1).
- 8 (14) Operating a motor vehicle while intoxicated causing death
- 9 (IC 9-30-5-5).
- 10 (15) Operating a motor vehicle while intoxicated causing serious
- 11 bodily injury to another person (IC 9-30-5-4).
- 12 (16) Resisting law enforcement as a felony (IC 35-44-3-3).
- 13 (b) As used in this section, "episode of criminal conduct" means
- 14 offenses or a connected series of offenses that are closely related in
- 15 time, place, and circumstance.
- 16 (c) Except as provided in subsection (d) or (e), the court shall
- 17 determine whether terms of imprisonment shall be served concurrently
- 18 or consecutively. The court may consider the:
- 19 (1) aggravating circumstances in IC 35-38-1-7.1(a); and
- 20 (2) mitigating circumstances in IC 35-38-1-7.1(b);
- 21 in making a determination under this subsection. The court may order
- 22 terms of imprisonment to be served consecutively even if the sentences
- 23 are not imposed at the same time. However, except for crimes of
- 24 violence, the total of the consecutive terms of imprisonment, exclusive
- 25 of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10, to
- 26 which the defendant is sentenced for felony convictions arising out of
- 27 an episode of criminal conduct shall not exceed the advisory sentence
- 28 for a felony which is one (1) class of felony higher than the most
- 29 serious of the felonies for which the person has been convicted.
- 30 (d) If, after being arrested for one (1) crime, a person commits
- 31 another crime:
- 32 (1) before the date the person is discharged from probation,
- 33 parole, or a term of imprisonment imposed for the first crime; or
- 34 (2) while the person is released:
- 35 (A) upon the person's own recognizance; or
- 36 (B) on bond;
- 37 the terms of imprisonment for the crimes shall be served consecutively,
- 38 regardless of the order in which the crimes are tried and sentences are
- 39 imposed.
- 40 (e) If the factfinder determines under IC 35-50-2-11 that a person
- 41 used a firearm in the commission of the offense for which the person
- 42 was convicted, the term of imprisonment for the underlying offense and
- 43 the additional term of imprisonment imposed under IC 35-50-2-11
- 44 must be served consecutively.
- 45 SECTION 417. IC 35-51-9-1, AS ADDED BY P.L.70-2011,
- 46 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 47 JULY 1, 2012]: Sec. 1. The following statutes define crimes in IC 9:
- 48 IC 9-14-3.5-15 (Concerning bureau of motor vehicles).
- 49 IC 9-14-5-9 (Concerning parking placards for persons with
- 50 physical disabilities).

- 1 IC 9-17-2-15 (Concerning certificates of title).
- 2 IC 9-17-2-16 (Concerning certificates of title).
- 3 IC 9-17-3-3.2 (Concerning certificates of title).
- 4 IC 9-17-3-7 (Concerning certificates of title).
- 5 IC 9-17-4-6 (Concerning certificates of title).
- 6 IC 9-18-2-42 (Concerning motor vehicle registration and license
- 7 plates).
- 8 IC 9-18-2-44 (Concerning motor vehicle registration and license
- 9 plates).
- 10 IC 9-18-2-45 (Concerning motor vehicle registration and license
- 11 plates).
- 12 IC 9-18-4-8 (Concerning motor vehicle registration and license
- 13 plates).
- 14 IC 9-18-8-11 (Concerning motor vehicle registration and license
- 15 plates).
- 16 IC 9-18-8-12 (Concerning motor vehicle registration and license
- 17 plates).
- 18 IC 9-18-8-13 (Concerning motor vehicle registration and license
- 19 plates).
- 20 IC 9-18-8-14 (Concerning motor vehicle registration and license
- 21 plates).
- 22 IC 9-18-8-15 (Concerning motor vehicle registration and license
- 23 plates).
- 24 IC 9-18-13-9 (Concerning motor vehicle registration and license
- 25 plates).
- 26 IC 9-18-22-6 (Concerning motor vehicle registration and license
- 27 plates).
- 28 IC 9-18-26-11 (Concerning motor vehicle registration and license
- 29 plates).
- 30 IC 9-18-26-13 (Concerning motor vehicle registration and license
- 31 plates).
- 32 IC 9-18-27-9 (Concerning motor vehicle registration and license
- 33 plates).
- 34 IC 9-19-9-5 (Concerning motor vehicle equipment).
- 35 IC 9-19-10.5-4 (Concerning motor vehicle equipment).
- 36 IC 9-19-10.5-5 (Concerning motor vehicle equipment).
- 37 IC 9-20-18-4 (Concerning motor vehicle size and weight
- 38 regulation).
- 39 IC 9-21-5-13 (Concerning traffic regulation).
- 40 IC 9-21-6-3 (Concerning traffic regulation).
- 41 IC 9-21-8-50 (Concerning traffic regulation).
- 42 IC 9-21-8-52 (Concerning traffic regulation).
- 43 IC 9-21-8-55 (Concerning traffic regulation).
- 44 IC 9-21-8-56 (Concerning traffic regulation).
- 45 IC 9-21-8-58 (Concerning traffic regulation).
- 46 IC 9-21-12-9 (Concerning traffic regulation).
- 47 IC 9-21-12-11 (Concerning traffic regulation).
- 48 **IC 9-22-1-21.5 (Concerning liens for vehicles).**
- 49 IC 9-22-3-31 (Concerning abandoned, salvaged, and scrap
- 50 vehicles).

- 1 IC 9-22-3-32 (Concerning abandoned, salvaged, and scrap
2 vehicles).
- 3 IC 9-22-3-33 (Concerning abandoned, salvaged, and scrap
4 vehicles).
- 5 ~~IC 9-22-5-17 (Concerning abandoned, salvaged, and scrap
6 vehicles):~~
- 7 **IC 9-22-6-3 (Concerning mechanic's liens for vehicles).**
- 8 IC 9-23-6-1 (Concerning vehicle manufacturers, distributors, and
9 dealers).
- 10 IC 9-24-1-8 (Concerning driver's licenses).
- 11 IC 9-24-6-16 (Concerning driver's licenses).
- 12 IC 9-24-6-17 (Concerning driver's licenses).
- 13 IC 9-24-11-8 (Concerning driver's licenses).
- 14 IC 9-24-15-11 (Concerning driver's licenses).
- 15 IC 9-24-16-12 (Concerning driver's licenses).
- 16 IC 9-24-16-13 (Concerning driver's licenses).
- 17 IC 9-24-18-1 (Concerning driver's licenses).
- 18 IC 9-24-18-2 (Concerning driver's licenses).
- 19 IC 9-24-18-7 (Concerning driver's licenses).
- 20 IC 9-24-19-2 (Concerning driver's licenses).
- 21 IC 9-24-19-3 (Concerning driver's licenses).
- 22 IC 9-24-19-4 (Concerning driver's licenses).
- 23 IC 9-25-6-18 (Concerning financial responsibility).
- 24 IC 9-25-8-2 (Concerning financial responsibility).
- 25 IC 9-26-1-8 (Concerning accidents and accident reports).
- 26 IC 9-26-1-9 (Concerning accidents and accident reports).
- 27 IC 9-26-6-4 (Concerning accidents and accident reports).
- 28 IC 9-30-4-7 (Concerning licenses and registrations).
- 29 IC 9-30-4-8 (Concerning licenses and registrations).
- 30 IC 9-30-4-13 (Concerning licenses and registrations).
- 31 IC 9-30-5-1 (Concerning operating a vehicle while intoxicated).
- 32 IC 9-30-5-2 (Concerning operating a vehicle while intoxicated).
- 33 IC 9-30-5-3 (Concerning operating a vehicle while intoxicated).
- 34 IC 9-30-5-4 (Concerning operating a vehicle while intoxicated).
- 35 IC 9-30-5-5 (Concerning operating a vehicle while intoxicated).
- 36 IC 9-30-5-7 (Concerning operating a vehicle while intoxicated).
- 37 IC 9-30-5-8 (Concerning operating a vehicle while intoxicated).
- 38 IC 9-30-6-8.7 (Concerning implied consent).
- 39 IC 9-30-9-7.5 (Concerning alcohol abuse deterrent programs).
- 40 IC 9-30-10-16 (Concerning habitual violator of traffic laws).
- 41 IC 9-30-10-17 (Concerning habitual violator of traffic laws).
- 42 IC 9-30-10-17.5 (Concerning habitual violator of traffic laws).
- 43 IC 9-31-2-26 (Concerning watercraft titling and registration).
- 44 IC 9-31-2-27 (Concerning watercraft titling and registration).
- 45 IC 9-31-2-28 (Concerning watercraft titling and registration).
- 46 **SECTION 418. [EFFECTIVE JULY 1, 2012] (a) As used in this**
47 **SECTION, "bureau" refers to the bureau of motor vehicles**
48 **created by IC 9-14-1-1.**
- 49 **(b) As used in this SECTION, "committee" refers to the interim**
50 **study committee on special group recognition license plates**
51 **established by this SECTION.**

1 (c) As used in this SECTION, "special group recognition license
2 plate" refers to a license plate that is issued under IC 9-18-25.

3 (d) There is established the interim study committee on special
4 group recognition license plates.

5 (e) The committee consists of the following members:

6 (1) Two (2) members of the majority party of the senate
7 appointed by the president pro tempore of the senate.

8 (2) Two (2) members of the minority party of the senate
9 appointed by the minority leader of the senate.

10 (3) Two (2) members of the majority party of the house of
11 representatives appointed by the speaker of the house of
12 representatives.

13 (4) Two (2) members of the minority party of the house of
14 representatives appointed by the minority leader of the house
15 of representatives.

16 (5) Two (2) members appointed by the governor, one (1) of
17 whom must have expertise in auditing nonprofit
18 organizations.

19 (f) The committee shall review policies and procedures
20 concerning the issuance of special group recognition license plates.

21 (g) The committee shall operate under the rules and guidelines
22 of the legislative council for interim study committees.

23 (h) Each member of the committee who is not a state employee
24 or is not a member of the general assembly is entitled to the
25 following:

26 (1) The salary per diem provided under IC 4-10-11-2.1(b).

27 (2) Reimbursement for traveling expenses as provided under
28 IC 4-13-1-4.

29 (3) Other expenses actually incurred in connection with the
30 member's duties as provided in the state policies and
31 procedures established by the Indiana department of
32 administration and approved by the budget agency.

33 (i) Each member of the committee who is a state employee but
34 not a member of the general assembly is entitled to the following:

35 (1) Reimbursement for traveling expenses as provided under
36 IC 4-13-1-4.

37 (2) Other expenses actually incurred in connection with the
38 member's duties as provided in the state policies and
39 procedures established by the Indiana department of
40 administration and approved by the budget agency.

41 (j) Each member of the committee who is a member of the
42 general assembly is entitled to the:

43 (1) per diem;

44 (2) mileage; and

45 (3) travel allowances;

46 paid to legislative members of interim study committees
47 established by the legislative council.

48 (k) The affirmative votes of a majority of the voting members
49 appointed to the committee are required for the committee to take
50 action on any measure, including final reports.

51 (l) The committee shall submit a final report to the governor

1 **and the legislative council in an electronic format under IC 5-14-6**
2 **not later than December 1, 2012.**

3 **(m) This SECTION expires December 31, 2012.**

4 **SECTION 419. An emergency is declared for this act.**

(Reference is to ESB 257 as reprinted February 22, 2012.)

Conference Committee Report
on
Engrossed Senate Bill 257

Signed by:

Senator Wyss
Chairperson

Representative Soliday

Senator Merritt

Representative Burton

Senate Conferees

House Conferees