
SENATE BILL No. 257

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-5-7; IC 9; IC 10-11-2-26; IC 11-12-3.7-6; IC 20-33-8-33; IC 27-7-5-2; IC 31-37; IC 32-17-13-1; IC 32-33-10-10; IC 33-39-1-8; IC 34-24-1-1; IC 34-28-5-1; IC 34-30-2-32.5; IC 35-43-4-8; IC 35-44-3-3; IC 35-48-4-15; IC 35-50-1-2; IC 35-51-9-1.

Synopsis: Motor vehicle law. Makes various changes to the motor vehicle law. Makes conforming changes and technical corrections. Removes outdated language.

Effective: Upon passage; July 1, 2012.

Arnold

January 4, 2012, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.

C
o
p
y



Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

C
o
p
y

SENATE BILL No. 257



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

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

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



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

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

7 (1) possess an alcoholic beverage;

8 (2) consume ~~it~~; **an alcoholic beverage**; or

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

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

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

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

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

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

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

C
O
P
Y



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

4 SECTION 5. IC 9-13-2-3.5 IS ADDED TO THE INDIANA CODE
 5 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
 6 1, 2012]: **Sec. 3.5. "Applicant", for purposes of IC 9-18-25, has the**
 7 **meaning set forth in IC 9-18-25-1.2.**

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

15 SECTION 7. IC 9-13-2-21 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 21. (a) "Chauffeur",
 17 except as provided in subsection (b), means a person:

18 (†) employed by another person for the principal purpose of
 19 operating a motor vehicle registered as having a gross weight of
 20 sixteen thousand (16,000) pounds or more for the purpose of
 21 transporting property;

22 (⊖) (1) operating a motor vehicle registered as having a gross
 23 weight of sixteen thousand (16,000) pounds or more for the
 24 purpose of transporting property for hire; or

25 (⊖) (2) operating a private bus.

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

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

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

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

33 SECTION 8. IC 9-13-2-28 IS REPEALED [EFFECTIVE JULY 1,
 34 2012]. Sec. 28: (a) "~~Commercial driver training school~~"; for purposes
 35 of ~~IC 9-24-10-4~~, has the meaning set forth in ~~IC 5-2-6.5-5~~.

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

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

42 (1) has a gross combination weight rating of at least twenty-six

C
o
p
y



- 1 thousand one (26,001) pounds, including a towed unit with a
 2 gross vehicle weight rating of more than ten thousand (10,000)
 3 pounds;
 4 (2) has a gross vehicle weight rating of at least twenty-six
 5 thousand one (26,001) pounds;
 6 (3) is designed to transport ~~at least~~ sixteen (16) **or more**
 7 passengers, including the driver; or
 8 (4) is:
 9 (A) of any size;
 10 (B) used in the transportation of materials found to be
 11 hazardous for the purposes of the Hazardous Materials
 12 Transportation Act; and
 13 (C) required to be placarded under the Hazardous Materials
 14 Regulations (49 CFR Part 172, Subpart F).

15 (b) The bureau of motor vehicles may, by rule, broaden the
 16 definition of "commercial motor vehicle" under subsection (a) to
 17 include vehicles with a gross declared weight greater than eleven
 18 thousand (11,000) pounds but less than twenty-six thousand one
 19 (26,001) pounds.

20 SECTION 10. IC 9-13-2-32.5 IS ADDED TO THE INDIANA
 21 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2012]: **Sec. 32.5. "Commission board" refers**
 23 **to the commission board of the bureau of motor vehicles.**

24 SECTION 11. IC 9-13-2-44 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 44. (a) "Disposal
 26 facility" means a person, firm, limited liability company, corporation,
 27 or other legal entity that, in the course of business, engages in the
 28 acquisition and dismantling or demolition of ~~motor~~ vehicles,
 29 motorcycles, semitrailers, or recreational vehicles or their remains for
 30 the benefit of reusable components and parts or recyclable materials.

31 (b) The term includes the following enterprises:

- 32 (1) An automotive salvage recycler.
 33 (2) A hulk crusher.

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

35 SECTION 12. IC 9-13-2-49.6 IS ADDED TO THE INDIANA
 36 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2012]: **Sec. 49.6. "Eligible individual", for**
 38 **purposes of IC 9-18-25, has the meaning set forth in IC 9-18-25-1.3.**

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

C
o
p
y



1 **forth in IC 9-14-3.5-2.5.**

2 SECTION 14. IC 9-13-2-75 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 75. ~~(a)~~ "Identification
4 number", for purposes of IC 9-18-8-15, has the meaning set forth in
5 IC 9-18-8-15(b).

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

8 SECTION 15. IC 9-13-2-94.4 IS REPEALED [EFFECTIVE JULY
9 1, 2012]. Sec. ~~94.4. "Low numbered motor vehicle registration plate";~~
10 ~~for purposes of IC 9-29-3-19; has the meaning set forth in~~
11 ~~IC 9-29-3-19.~~

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

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

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

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

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

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

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

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

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

39 ~~(3) (2) if a motor vehicle is the subject of an agreement for the~~
40 ~~conditional sale or lease vested in the conditional vendee or~~
41 ~~lessee, or in the event the mortgagor, with the right of purchase~~
42 ~~upon the performance of the conditions stated in the agreement~~

C
O
P
Y



1 and with an immediate right of possession of a vehicle is entitled
2 to possession, the conditional vendee or lessee or mortgagor.

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

6 (1) motor vehicle is the subject of an agreement for the
7 conditional sale or lease of the motor vehicle with the right of
8 purchase upon performance of the conditions stated in the
9 agreement and with an immediate right of possession vested in
10 the conditional vendee or lessee; or

11 (2) mortgagor of a motor vehicle is entitled to possession;
12 the conditional vendee or lessee or mortgagor is considered to be the
13 owner for the purpose of IC 9-21 and IC 9-25.

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

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

23 SECTION 19. IC 9-13-2-123.5, AS ADDED BY P.L.184-2007,
24 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2012]: Sec. 123.5. "Permit" means ~~any kind of~~ a permit issued
26 by the state authorizing an individual to operate ~~a motor~~ **the type of**
27 **vehicle for which the permit was issued** on public streets, roads, or
28 highways **with certain restrictions.**

29 SECTION 20. IC 9-13-2-125 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 125. "Personalized
31 license plate" means a license plate that displays the registration
32 number assigned to the vehicle and issued in a combination of letters
33 or numbers, or both, requested by the owner or the lessee of the vehicle
34 **and approved by the bureau.**

35 SECTION 21. IC 9-13-2-143 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 143. "Public passenger
37 chauffeur" means ~~any of the following:~~

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

41 (2) ~~a person who operates a motor vehicle other than a medical~~
42 ~~services vehicle designed to transport sixteen (16) or more~~

C
o
p
y



1 passengers, including the driver, while in use as a public
 2 passenger carrying vehicle for hire. The term does not include
 3 a person who operates a medical services vehicle.

4 SECTION 22. IC 9-13-2-148 IS REPEALED [EFFECTIVE JULY
 5 1, 2012]. Sec. 148: "Raw milk"; for purposes of IC 9-20-4-2, has the
 6 meaning set forth in IC 9-20-4-2(d).

7 SECTION 23. IC 9-13-2-170, AS AMENDED BY P.L.214-2005,
 8 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2012]: Sec. 170. "Special group" means:

10 (1) a class or group of persons that the bureau finds:

11 (A) is based, headquartered, or has a chapter in Indiana;
 12 ~~(A) have~~ (B) has made broad and significant civic,
 13 community, and charitable contributions to the United
 14 States; in Indiana, or the group's community or the members
 15 of which are descendants of native or pioneer residents of
 16 Indiana;

17 (C) does not discriminate in the group's membership
 18 practices, activities, or provision of services to the group's
 19 community;

20 ~~(B) are~~ (D) is organized as a nonprofit organization (as defined
 21 under Section 501(c) of the Internal Revenue Code);

22 ~~(C) are~~ (E) is organized for nonrecreational purposes; and
 23 ~~(D) are~~ (F) is organized as a separate, unique organization or
 24 as a coalition of separate, unique organizations, and is
 25 separate from any other organization currently
 26 participating in the special group recognition plate
 27 program; or

28 (2) a National Football League franchised professional football
 29 team.

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

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

- 39 (1) A portable saw mill. or
 40 (2) Well drilling machinery.
 41 (3) A utility service cable trailer.
 42 (4) Any other vehicle that is:

C
o
p
y



1 (A) designed to perform a specific function; and
 2 (B) drawn by a motor vehicle.
 3 The term does not include a vehicle that is designed to carry
 4 persons.

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

- 8 (1) without motive power;
- 9 (2) designed for carrying persons or property;
- 10 (3) designed for being drawn by a motor vehicle; and
- 11 (4) so constructed that no part of the weight of the trailer rests
 12 upon the towing vehicle.

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

- 14 (b) "Trailer", for purposes of IC 9-21, means a vehicle:
- 15 (1) with or without motive power;
- 16 (2) designed for carrying persons or property;
- 17 (3) designed for being drawn by a motor vehicle; and
- 18 (4) so constructed that no part of the weight of the trailer rests
 19 upon the towing vehicle.

20 The term does not include pole trailers or special machinery.

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

24 SECTION 27. IC 9-13-2-187 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 187. "Transport
 26 operator" means any of the following:

- 27 (1) A person engaged in the business of furnishing drivers and
 28 operators for the purpose of transporting vehicles in transit from
 29 one (1) place to another by the drive away or tow away methods.
- 30 (2) A nonresident dealer or manufacturer engaged in the
 31 operation or business described in subdivision (1).
- 32 (3) A business that prepares newly purchased vehicles of the
 33 business and delivers the vehicles to the locations where the
 34 vehicles will be based, titled, and registered.

35 SECTION 28. IC 9-13-2-188.5, AS AMENDED BY P.L.145-2011,
 36 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2012]: Sec. 188.5. (a) This subsection expires December 31,
 38 2011. "Truck driver training school" means a postsecondary proprietary
 39 educational institution (as defined in IC 21-17-1-13) located in Indiana
 40 and accredited by the Indiana commission on proprietary education or
 41 a state educational institution subject to rules adopted by the bureau
 42 under IC 9-24-6-5.5 that:

C
o
p
y



- 1 (1) educates or trains a person; or
- 2 (2) prepares a person for an examination or a validation given by
- 3 the bureau;
- 4 to operate a truck as a vocation.

5 (b) This subsection applies after December 31, 2011. "Truck driver
6 training school" means a postsecondary proprietary educational
7 institution (as defined in IC 21-17-1-13) or a state educational
8 institution that:

- 9 (1) is located in Indiana; or is a state educational institution;
- 10 (2) is subject to rules adopted by the bureau under IC 9-24-6-5.5;
- 11 and
- 12 (3) either:
- 13 (A) educates or trains a person; or
- 14 (B) prepares a person for an examination or a validation given
- 15 by the bureau;
- 16 to operate a truck as a vocation.

17 SECTION 29. IC 9-14-1-6 IS REPEALED [EFFECTIVE JULY 1,
18 2012]. Sec. 6: A person who violates this chapter commits a Class C
19 infraction.

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

24 SECTION 31. IC 9-14-2-5 IS REPEALED [EFFECTIVE JULY 1,
25 2012]. Sec. 5: The bureau shall provide notary public service for the
26 convenience of members of the public when applying for a certificate
27 of title, registration, or license.

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

- 31 (1) File and index by name maintain suitable records of:
- 32 (1) each application for a license or permit issued by the bureau;
- 33 under this title.
- 34 (2) Maintain suitable records of and
- 35 (2) all licenses and permits issued by the commissioner;
- 36 under this title.

37 SECTION 33. IC 9-14-2-7 IS REPEALED [EFFECTIVE JULY 1,
38 2012]. Sec. 7: A person who violates this chapter commits a Class C
39 infraction.

40 SECTION 34. IC 9-14-3-0.3 IS REPEALED [EFFECTIVE JULY
41 1, 2012]. Sec. 0.3: As used in this chapter, "digital signature" has the
42 meaning set forth in IC 5-24-2-1.

C
o
p
y



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

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

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

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

17 (1) submitted in writing; or

18 (2) made electronically through the computer gateway
 19 administered under IC 4-13.1-2-2(a)(5) by the office of
 20 technology;

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

23 (b) The bureau shall not disclose:

24 (1) the Social Security number;

25 (2) the federal identification number;

26 (3) the driver's license number;

27 (4) the digital image of the driver's license applicant;

28 (5) a reproduction of the signature secured under IC 9-24-9-1 or
 29 IC 9-24-16-3; or

30 (6) medical or disability information;

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

32 (c) The bureau may disclose any information listed in subsection
 33 (b):

34 (1) to a law enforcement officer;

35 (2) to an agent or a designee of the department of state revenue;

36 (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4),
 37 IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or

38 (4) for voter registration and election purposes required under
 39 IC 3-7 or IC 9-24-2.5.

40 (d) As provided under 42 U.S.C. 1973gg-3(b), the ~~commission~~
 41 **bureau** may not disclose any information concerning the failure of an
 42 applicant for a motor vehicle driver's license to sign a voter registration

C
o
p
y



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

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

SECTION 37. IC 9-14-3-6, AS AMENDED BY P.L.80-2010, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Upon the submission to the bureau of a specific written request from an individual or organization for a compilation of specific information requested for the purposes described in subsection (c), the bureau may contract with the individual or organization to compile the requested information from the records of the bureau.

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

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

- (1) That the information is required for the purposes of notifying vehicle owners of vehicle defects and recall for modifications, and that the individual or organization will use the information provided only for that purpose.
- (2) That the information will be used only for research or statistical reporting purposes and that individual identities will be properly protected in the preparation of the research or reports and not ascertainable from the published reports or research results.
- (3) That the information will be used for the purpose of documenting the sale of motor vehicles in Indiana.
- (4) That the information will be used for purposes of the federal Selective Service System.
- (5) That the information will be used solely for law enforcement purposes by police officers.
- (6) That the information will be used to locate a parent described in IC 31-25-3-2(c) as provided under IC 31-25-3-2.

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

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

- (1) **Printed records.**
- (2) **Microfiche.**

C
o
p
y



1 ~~(3) Computer disk.~~

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

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

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

8 (A) A moving traffic violation.

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

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

12 (3) If the driving privileges of a person have been suspended or
13 revoked by the bureau, an entry in the record stating that a notice
14 of suspension or revocation was mailed by the bureau and the date
15 of the mailing of the notice.

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

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

20 (c) An entry in the ~~operating driving~~ record of a defendant stating
21 that notice of suspension or revocation was mailed by the bureau to the
22 defendant constitutes prima facie evidence that the notice was mailed
23 to the defendant's address as shown in the ~~official driving record;~~
24 **records of the bureau.**

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

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

28 (2) may not include voter registration information.

29 SECTION 39. IC 9-14-3-9 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) If the governor,
31 the superintendent of the state police department, or the highest officer
32 located in Indiana of the Federal Bureau of Investigation, the United
33 States Secret Service, or the United States Treasury Department
34 certifies to the bureau that:

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

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

40 (3) in the course of the individual's work the individual uses the
41 motor vehicle described in the ~~certificate;~~ **certification;**

42 the bureau shall regard all of the bureau's records concerning the

C
O
P
Y



1 certificate of title or certificate of registration of the motor vehicle and
2 the operating license of the individual described in the ~~certificate~~
3 **certification** as confidential.

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

- 6 (1) An order of a court of competent jurisdiction made in a cause
7 or matter pending before the court.
- 8 (2) The written request of the officer, employee, or a successor of
9 the officer or employee making the ~~certificate~~ **certification**.
- 10 (3) A request of the governor.

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

- 16 (1) **Digital photograph or image.**
- 17 (2) **Social Security number.**
- 18 (3) **Medical or disability information.**

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

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

27 SECTION 42. IC 9-14-3.5-7, AS AMENDED BY P.L.1-2006,
28 SECTION 158, IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) Except as provided in
30 sections 8, ~~and~~ 10, ~~and~~ **10.5** of this chapter:

- 31 (1) an officer or employee of the bureau;
- 32 (2) an officer or employee of the bureau of motor vehicles
33 commission; or
- 34 (3) a contractor of the bureau or the bureau of motor vehicles
35 commission (or an officer or employee of the contractor);

36 may not knowingly disclose **or otherwise make available** personal
37 information, ~~about a person~~ **including highly restricted personal**
38 **information** obtained by the bureau in connection with a motor vehicle
39 record.

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

42 SECTION 43. IC 9-14-3.5-10, AS AMENDED BY P.L.97-2011,

C
o
p
y



1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2012]: Sec. 10. ~~Except as provided in section 10.5 of this~~
 3 ~~chapter,~~ The bureau may disclose **certain** personal information to a
 4 **person that is not highly restricted information** if the person
 5 requesting the information provides proof of identity and represents
 6 that the use of the personal information will be strictly limited to at
 7 least one (1) of the following:

8 (1) For use by a government agency, including a court or law
 9 enforcement agency, in carrying out its functions, or a person
 10 acting on behalf of a government agency in carrying out its
 11 functions.

12 (2) For use in connection with matters concerning:

13 (A) motor vehicle or driver safety and theft;

14 (B) motor vehicle emissions;

15 (C) motor vehicle product alterations, recalls, or advisories;

16 (D) performance monitoring of motor vehicles, motor vehicle
 17 parts, and dealers;

18 (E) motor vehicle market research activities, including survey
 19 research;

20 (F) the removal of nonowner records from the original owner
 21 records of motor vehicle manufacturers; and

22 (G) motor fuel theft under IC 24-4.6-5.

23 (3) For use in the normal course of business by a business or its
 24 agents, employees, or contractors, but only:

25 (A) to verify the accuracy of personal information submitted
 26 by an individual to the business or its agents, employees, or
 27 contractors; and

28 (B) if information submitted to a business is not correct or is
 29 no longer correct, to obtain the correct information only for
 30 purposes of preventing fraud by, pursuing legal remedies
 31 against, or recovering on a debt or security interest against, the
 32 individual.

33 (4) For use in connection with a civil, a criminal, an
 34 administrative, or an arbitration proceeding in a court or
 35 government agency or before a self-regulatory body, including the
 36 service of process, investigation in anticipation of litigation, and
 37 the execution or enforcement of judgments and orders, or under
 38 an order of a court.

39 (5) For use in research activities, and for use in producing
 40 statistical reports, as long as the personal information is not
 41 published, re-disclosed, or used to contact the individuals who are
 42 the subject of the personal information.

C
o
p
y



1 (6) For use by an insurer, an insurance support organization, or a
 2 self-insured entity, or the agents, employees, or contractors of an
 3 insurer, an insurance support organization, or a self-insured entity
 4 in connection with claims investigation activities, anti-fraud
 5 activities, rating, or underwriting.

6 (7) For use in providing notice to the owners of towed or
 7 impounded vehicles.

8 (8) For use by a licensed private investigative agency or licensed
 9 security service for a purpose allowed under this section.

10 (9) For use by an employer or its agent or insurer to obtain or
 11 verify information relating to a holder of a commercial driver's
 12 license that is required under the Commercial Motor Vehicle
 13 Safety Act of 1986 (49 U.S.C. 2710 et seq.).

14 (10) For use in connection with the operation of private toll
 15 transportation facilities.

16 (11) For any use in response to requests for individual motor
 17 vehicle records when the bureau has obtained the written consent
 18 of the person to whom the personal information pertains.

19 (12) For bulk distribution for surveys, marketing, or solicitations
 20 when the bureau has obtained the written consent of the person to
 21 whom the personal information pertains.

22 (13) For use by any person, when the person demonstrates, in a
 23 form and manner prescribed by the bureau, that written consent
 24 has been obtained from the individual who is the subject of the
 25 information.

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

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

32 SECTION 44. IC 9-14-3.5-10.5, AS AMENDED BY P.L. 184-2007,
 33 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2012]: Sec. 10.5. (a) ~~Except as provided in subsections (b)~~
 35 ~~and (c), the bureau may not disclose the following **Highly restricted**~~
 36 ~~personal information from a person's motor vehicle record:~~

37 ~~(1) Driver's license or digital photograph;~~

38 ~~(2) Social Security number;~~

39 ~~(3) Medical or disability information;~~

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

42 (1) **With** the express written consent of the person to whom the

C
O
P
Y



1 **highly restricted** personal information pertains. ~~to release the~~
2 ~~information described in subsection (a):~~

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

5 **(2) In the absence of** the express written consent of the person to
6 whom the **highly restricted** personal information pertains, if the
7 person requesting the information:

- 8 (1) **(A)** provides proof of identity; and
- 9 **(2) (B)** represents that the use of the **highly restricted**
10 personal information will be strictly limited to at least one (1)
11 of the uses set forth in section 10(1), 10(4), 10(6), and 10(9)
12 of this chapter.

13 SECTION 45. IC 9-14-3.5-15 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. A person requesting
15 the disclosure of personal information **or highly restricted personal**
16 **information** from bureau records who knowingly or intentionally
17 misrepresents the person's identity or makes a false statement to the
18 bureau on an application required to be submitted under this chapter
19 commits a Class C misdemeanor.

20 SECTION 46. IC 9-14-5-1, AS AMENDED BY P.L.184-2007,
21 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 1. The bureau shall issue a placard to the
23 following:

- 24 (1) An individual of any age who:
 - 25 (A) has a temporary or permanent physical disability that
26 requires the use of a wheelchair, a walker, braces, or crutches
27 **as certified by a health care provider listed in clause (C);**
 - 28 (B) has temporarily or permanently lost the use of one (1) or
29 both legs;
 - 30 (C) is certified to be severely restricted in mobility, either
31 temporarily or permanently, due to a pulmonary or
32 cardiovascular disability, arthritic condition, or orthopedic or
33 neurological impairment, by:
 - 34 (i) a physician having ~~an~~ **unlimited a valid and**
35 **unrestricted** license to practice medicine;
 - 36 (ii) a physician who is a commissioned medical officer of
37 the armed forces of the United States or of the United States
38 Public Health Service;
 - 39 (iii) a physician who is a medical officer of the United States
40 Department of Veterans Affairs;
 - 41 (iv) a chiropractor ~~licensed with a valid and unrestricted~~
42 **license** under IC 25-10-1;

C
o
p
y



- 1 (v) a podiatrist ~~licensed with a valid and unrestricted~~
2 **license** under IC 25-29-1; or
- 3 (vi) an advanced practice nurse ~~licensed with a valid and~~
4 **unrestricted license** under IC 25-23; or
- 5 (D) is certified **to be blind or visually impaired** by an
6 optometrist or ophthalmologist ~~licensed with a valid and~~
7 **unrestricted license** to practice in Indiana. ~~to be blind or~~
8 ~~visually impaired.~~
- 9 (2) Any corporation, limited liability company, partnership,
10 unincorporated association, and any legal successor of the
11 corporation, limited liability company, partnership, or association,
12 empowered by the state or a political subdivision to operate
13 programs, including the provision of transportation, or facilities
14 for persons with physical disabilities.

15 SECTION 47. IC 9-14-5-2 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The certification
17 made by a physician, an optometrist, or an ophthalmologist under
18 section 1(1)(C) or 1(1)(D) of this chapter must:

- 19 (1) be on a form prescribed by the ~~state board of accounts~~
20 **bureau; and must**
- 21 (2) state the expected duration of the condition that severely
22 restricts the individual's mobility.

23 SECTION 48. IC 9-14-5-4 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A placard issued
25 under section 1(1) of this chapter expires ~~on the recipient's fourth~~
26 ~~birthday that follows the date of the placard's issuance if only upon a~~
27 **physician's certification that the recipient's disability is no longer**
28 **considered to be permanent. If the disability is permanent, a new**
29 **physician certification is not required upon expiration of the placard;**
30 ~~only reapplication.~~

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

- 33 (1) six (6) months after the date of the placard's issuance; or
 - 34 (2) on the date certified by a physician under section 1(1)(C) or
35 1(1)(D) of this chapter;
- 36 whichever occurs first.

37 SECTION 49. IC 9-14-5-6 IS REPEALED [EFFECTIVE JULY 1,
38 2012]. ~~Sec. 6: When issuing a placard under this chapter, the bureau~~
39 ~~shall provide the individual to whom a placard is issued instructions~~
40 ~~explaining the law governing parking for a person with a physical~~
41 ~~disability and explaining proper use of the placard.~~

42 SECTION 50. IC 9-14-5-7, AS AMENDED BY P.L.87-2010,

C
o
p
y



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

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

12 If a placard is lost, stolen, damaged, or destroyed, the bureau shall
13 provide a duplicate placard upon the application of the person who was
14 issued the placard.

15 SECTION 51. IC 9-14-5-8 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau may
17 establish by rule and charge a fee of not more than five dollars (\$5) to
18 cover the cost of issuing a placard **or duplicate placard** under this
19 chapter to ~~a~~ **an** individual having a temporary disability. However, the
20 bureau may not establish or charge a fee for issuing a placard **or**
21 **duplicate placard** under this chapter to an individual having a
22 permanent disability.

23 SECTION 52. IC 9-15-1-2 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. **(a)** The commission
25 **board** consists of the following five (5) individuals:

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

- 36 (A) shall serve as chairman of the commission **board**; and
37 (B) is responsible for calling commission **board** meetings.
38 **(b) The commission consists of all:**
39 **(1) officers and employees of the license branches under**
40 **IC 9-16; and**
41 **(2) other officers and employees designated as commission**
42 **employees.**



C
o
p
y

1 SECTION 53. IC 9-15-1-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Three (3)
3 commission **board** members constitute a quorum. The consent of three
4 (3) commission **board** members is required before any action may be
5 taken.

6 SECTION 54. IC 9-15-1-4 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) Each member of
8 the commission **board** who is not a state employee is entitled to the
9 minimum salary per diem provided by IC 4-10-11-2.1(b). ~~That A~~
10 **board** member is also entitled to reimbursement for traveling expenses
11 and other expenses actually incurred in connection with the member's
12 duties, as provided in the state travel policies and procedures
13 established by the Indiana department of administration and approved
14 by the budget agency.

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

20 SECTION 55. IC 9-15-2-1 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The commission
22 **board** shall do the following:

- 23 ~~(1) Develop and continuously update the bureau's policies.~~
- 24 ~~(2) (1) Recommend to the governor legislation that is needed to~~
25 ~~implement the policies developed by the commission. **operate the**~~
26 ~~**license branches.**~~
- 27 ~~(3) (2) Recommend to the bureau proposed rules that are needed~~
28 ~~to implement the policies developed by the commission and~~
29 ~~require those proposed rules to be adopted under IC 4-22-2.~~
30 ~~**operate the license branches.**~~
- 31 ~~(4) (3) Review revise, adopt, and submit to the budget agency~~
32 ~~budget proposals for the commission the bureau, and the license~~
33 ~~branches operated under IC 9-16, including the budget required~~
34 ~~by IC 9-16-3-3.~~
- 35 ~~(5) (4) Establish the determination criteria and determine the~~
36 ~~number and location of license branches to be operated under~~
37 ~~IC 9-16. However, there must be at least one (1) full service~~
38 ~~license branch in each county.~~
- 39 ~~(6) (5) Establish and adopt minimum standards for the operation~~
40 ~~and maintenance of each full **or partial** service license branch~~
41 ~~operated under IC 9-16.~~
- 42 ~~(7) Before January 1, 1997, establish and adopt minimum~~

C
o
p
y



1 standards for the operation and maintenance of each partial
2 service contractor under IC 9-16. The standards must result in
3 more convenience to the public by providing license branch
4 services at as many walk-up locations as possible without
5 increasing the costs of providing these services.

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

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

11 SECTION 56. IC 9-15-2-2 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The commission
13 **board** may do the following:

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

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

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

21 SECTION 57. IC 9-15-4-1 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. IC 34-13-3 applies
23 to a claim or suit in tort against any of the following:

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

25 (2) An employee of the commission, ~~who is employed at a license~~
26 ~~branch under IC 9-16,~~ except for an employee employed at a
27 license branch operated under a contract with the commission
28 under IC 9-16-1-4.

29 SECTION 58. IC 9-16-1-1 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. As used in this
31 chapter, "qualified person" means any of the following:

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

33 (A) A domestic corporation.

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

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

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

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

C
o
p
y



1 SECTION 59. IC 9-16-1-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The ~~commission~~
 3 **commissioner** shall operate or be responsible for the administration of
 4 all license branches in Indiana under this article.

5 SECTION 60. IC 9-16-1-2.5 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2.5. The number of
 7 license branches may not be reduced in a county below the number in
 8 existence on January 1, 2001, unless the ~~bureau~~ **commission:**

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

13 SECTION 61. IC 9-16-1-4 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The commission
 15 may contract with a qualified person for:

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

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

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

C
 o
 p
 y



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

15 SECTION 62. IC 9-16-1-4.5, AS AMENDED BY P.L.41-2011,
 16 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2012]: Sec. 4.5. (a) The commission may contract with a
 18 qualified person to provide partial services at a qualified person's
 19 location, including locations within a facility used for other purposes,
 20 such as electronic titling and title application services and self-serve
 21 terminal access.

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

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

COPY



1 by the commission or the state board of accounts on an actual cost
2 basis.

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

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

6 SECTION 63. IC 9-16-2-5 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Notwithstanding
8 IC 5-16, IC 5-17-1, and IC 5-22, the commission may develop a system
9 of procurement that applies only to procurement of equipment,
10 materials, **services**, and goods required for the operation of license
11 branches.

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

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

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

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

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

22 SECTION 64. IC 9-16-3-1 IS REPEALED [EFFECTIVE JULY 1,
23 2012]. ~~Sec. 4. The manager of each license branch that is staffed by~~
24 ~~commission employees shall prepare and submit a proposed operating~~
25 ~~budget for that license branch to the commissioner before August 1 of~~
26 ~~each year.~~

27 SECTION 65. IC 9-16-3-2 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~Based on the~~
29 ~~proposed budgets from each of the license branches;~~ The commission
30 shall develop a statewide license branch budget. If the commission
31 **board** determines that the total of:

32 (1) revenues from license branch operations; and

33 (2) appropriations received by the commission;

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

36 SECTION 66. IC 9-16-3-3 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. ~~On or before~~
38 ~~September 1 a date specified by the budget agency~~ of each
39 even-numbered year, the commission shall submit to the budget agency
40 a proposed budget. The commission shall include, at a minimum, the
41 following information on a county by county basis:

42 (1) Total estimated revenue. ~~by source.~~

C
o
p
y



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

9 SECTION 67. IC 9-16-3-4 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. ~~Before October 1 of~~
 11 ~~each even-numbered year,~~ The budget agency shall provide the
 12 information received under section 3 of this chapter to the budget
 13 committee for the committee's review.

14 SECTION 68. IC 9-16-4-1, AS AMENDED BY P.L.221-2005,
 15 SECTION 143, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2012]: Sec. 1. The commission **board** may
 17 develop a separate personnel system for employees of the commission
 18 who are assigned to be managers and employees of commission license
 19 branches. The system may establish the rights, privileges, powers, and
 20 duties of these employees, including a license branch pay scale and
 21 benefit package. If the commission **board** does not develop and adopt
 22 a license branch personnel system, those employees are subject to the
 23 state personnel system under ~~IC 4-15-1.8;~~ **IC 4-15-2.2**, except as
 24 provided in IC 9-16-1-7.

25 SECTION 69. IC 9-16-4-2 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The commission
 27 **board** may:

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

33 SECTION 70. IC 9-16-7-1 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter applies
 35 to a license branch ~~that furnishes any services other than the issuance~~
 36 ~~of a driver's license or identification card under IC 9-24.~~ **operated by**
 37 **the commission.**

38 SECTION 71. IC 9-16-7-2 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~The commission~~
 40 **License branches** shall offer voter registration services under this
 41 chapter, in addition to providing a voter registration application as a
 42 part of an application for a motor vehicle driver's license, permit, or

C
o
p
y



1 identification card under IC 9-24-2.5 and 42 U.S.C. 1973gg-3.

2 SECTION 72. IC 9-17-1-1, AS AMENDED BY P.L.182-2009(ss),
3 SECTION 284, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not apply to:

5 **(1) special machinery;**

6 **(2) farm wagons;**

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

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

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

15 SECTION 73. IC 9-17-2-1, AS AMENDED BY P.L.131-2008,
16 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2012]: Sec. 1. (a) This section does not apply to an off-road
18 vehicle that is at least five (5) model years old.

19 ~~(b) Within sixty (60) days after becoming an Indiana resident;~~ A
20 person must obtain a certificate of title for all vehicles owned by the
21 person that:

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

23 (2) are off-road vehicles;

24 and that will be operated in Indiana.

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

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

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

32 (3) will be operated in Indiana.

33 ~~(d) Within sixty (60) days after becoming an Indiana resident;~~ A
34 person must obtain a certificate of title for all recreational vehicles
35 owned by the person that:

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

37 (2) will be operated in Indiana.

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

42 SECTION 74. IC 9-17-2-2, AS AMENDED BY P.L.83-2008,

C
o
p
y



1 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2012]: Sec. 2. (a) A person applying for a certificate of title
3 for a vehicle must submit an application on a form furnished by the
4 bureau ~~that contains and provide~~ the following information:

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

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

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

26 SECTION 75. IC 9-17-2-3, AS AMENDED BY P.L.131-2008,
27 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2012]: Sec. 3. (a) The ~~form application~~ described under
29 section 2 of this chapter must include the following printed statement:

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

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

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

37 SECTION 76. IC 9-17-2-4 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. If a certificate of
39 title:

- 40 (1) has been previously issued for a vehicle in Indiana, an
- 41 application for a certificate of title must be accompanied by the
- 42 previously issued certificate of title, unless otherwise provided; or

C
o
p
y



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

5 SECTION 77. IC 9-17-2-7 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. The bureau shall
 7 retain the evidence of title presented by a person upon which the
 8 Indiana certificate of title is issued **in accordance with applicable**
 9 **document and record retention requirements**.

10 SECTION 78. IC 9-17-2-9, AS AMENDED BY P.L.1-2007,
 11 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2012]: Sec. 9. (a) This section does not apply to a **motor an**
 13 **off-road** vehicle requiring a certificate of title under ~~section 1(b)(2) or~~
 14 ~~1.5~~ of this chapter.

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

- 16 (1) apply for registration of the vehicle described in the
 17 application for the certificate of title; or
 18 (2) transfer the current registration of the vehicle owned or
 19 previously owned by the person.

20 SECTION 79. IC 9-17-2-10 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. If the bureau is
 22 satisfied that the person applying for a certificate of title is the owner
 23 of the vehicle, ~~or is otherwise entitled to have the vehicle registered in~~
 24 ~~the person's name~~, the bureau may issue a certificate of title for the
 25 vehicle.

26 SECTION 80. IC 9-17-2-11 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) The bureau shall
 28 deliver a certificate of title to the person who owns the vehicle if no
 29 lien or encumbrance appears on the certificate of title.

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

34 SECTION 81. IC 9-17-3-2 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) If a certificate of
 36 title:

- 37 (1) is lost **or stolen**;
 38 (2) is mutilated;
 39 (3) is destroyed; or
 40 (4) becomes illegible;

41 the person who owns the vehicle or the legal representative or legal
 42 successor in interest of the person who owns the vehicle for which the

C
o
p
y



1 certificate of title was issued, as shown by the records of the bureau,
2 shall immediately apply for and may obtain a duplicate certificate of
3 title.

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

6 (1) furnish information satisfactory to the bureau concerning the
7 loss, **theft**, mutilation, destruction, or illegibility of the certificate
8 of title; and

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

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

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

14 SECTION 82. IC 9-17-3-3.2, AS ADDED BY P.L.131-2008,
15 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 3.2. ~~The form furnished by the bureau under~~
17 ~~IC 9-17-2-2 must contain the following language immediately below~~
18 ~~the signature of the seller:~~

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

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

28 SECTION 83. IC 9-17-3-4 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A certificate of
30 title for a vehicle held by an Indiana resident who is serving in the
31 armed forces of the United States may be transferred by the **Indiana**
32 resident to another person if the resident authorizes the transfer by a
33 **valid power of attorney or a letter signed by the Indiana resident.**
34 **The valid power of attorney or the letter must be accompanied by**
35 **proof that the Indiana resident is actively serving in the armed**
36 **forces of the United States and is out of the state.**

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

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

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

C
o
p
y



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 84. 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 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 85. 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.

C
 o
 p
 y



1 SECTION 86. IC 9-17-3-8 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau shall:
 3 ~~adopt rules under IC 4-22-2 that:~~

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

6 (A) whether that motor vehicle has previously been titled in
 7 Indiana; and

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

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

13 SECTION 87. IC 9-17-4-0.3 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 0.3. As used in this
 15 chapter, "assembled vehicle" means:

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

17 (A) frame;

18 (B) chassis;

19 (C) cab; or

20 (D) body;

21 replaced **or constructed**; or

22 (2) a motorcycle that has had the:

23 (A) frame; or

24 (B) engine;

25 replaced **or constructed**.

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

29 SECTION 88. IC 9-17-4-0.5 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 0.5. As used in this
 31 chapter, "**special** identification number" means a distinguishing
 32 number assigned by the bureau to a privately assembled motor vehicle,
 33 semitrailer, or recreational vehicle.

34 SECTION 89. IC 9-17-4-1 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. If a motor vehicle,
 36 semitrailer, or recreational vehicle has been built, constructed, or
 37 assembled by the person who owns the motor vehicle, semitrailer, or
 38 recreational vehicle, the person shall:

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

42 (2) make application through the bureau for ~~an~~ **a special**

C
O
P
Y



- 1 identification number for the motor vehicle, semitrailer, or
- 2 recreational vehicle;
- 3 (3) after receipt of the **special** identification number described in
- 4 subdivision (2), stamp or attach the **special** identification number
- 5 received from the bureau in the manner provided in section ~~2(2)~~
- 6 **2(3)** of this chapter; and
- 7 (4) apply for a certificate of title for the motor vehicle, semitrailer,
- 8 or recreational vehicle from the bureau.

9 SECTION 90. IC 9-17-4-2 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A certificate of title
 11 may not be issued for a **manufactured or** privately assembled motor
 12 vehicle, semitrailer, or recreational vehicle that does not have a
 13 ~~distinctive~~ **special** identification number stamped on the motor vehicle,
 14 semitrailer, or recreational vehicle or permanently attached to the
 15 motor vehicle, semitrailer, or recreational vehicle until the person who
 16 owns the motor vehicle, semitrailer, or recreational vehicle has:

- 17 **(1) an inspection performed under IC 9-17-2-12(c);**
- 18 ~~(+)~~ **(2)** obtained from the bureau ~~an a~~ **special** identification
- 19 number designated by the bureau; and
- 20 ~~(2)~~ **(3)** stamped or permanently attached the **special** identification
- 21 number in a conspicuous place on the frame of the motor vehicle,
- 22 semitrailer, or recreational vehicle.

23 SECTION 91. IC 9-17-4-3 IS REPEALED [EFFECTIVE JULY 1,
 24 2012]. ~~Sec. 3: In obtaining an identification number, substantially the~~
 25 ~~same procedure shall be followed as is provided in this article for~~
 26 ~~obtaining a certificate of title from the bureau.~~

27 SECTION 92. IC 9-17-4-4 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A certificate of title
 29 issued under this chapter must contain the following:

- 30 (1) A description and other evidence of identification of the motor
- 31 vehicle, semitrailer, or recreational vehicle as required by the
- 32 bureau.
- 33 (2) A statement of any liens or encumbrances that the application
- 34 shows to be on the certificate of title.
- 35 (3) The appropriate notation prominently recorded on the front of
- 36 the title as follows:
- 37 (A) For a vehicle assembled using all new vehicle parts,
- 38 excluding the vehicle frame, **"ASSEMBLED**
- 39 **"RECONSTRUCTED VEHICLE"**.
- 40 (B) For a vehicle assembled using used parts, **"REBUILT**
- 41 **VEHICLE"**.
- 42 (C) For a vehicle assembled using a salvage vehicle or parts,

COPY



- 1 "REBUILT SALVAGE".
- 2 SECTION 93. IC 9-17-4-4.5 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2012]: **Sec. 4.5. (a) A person must obtain a body change title**
- 5 **whenever a vehicle is altered so that the alteration changes the type**
- 6 **of the vehicle, as noted on the:**
- 7 (1) current title; or
- 8 (2) certificate of origin;
- 9 of the vehicle.
- 10 (b) To receive a body change title, an applicant must provide:
- 11 (1) the former title or certificate of origin;
- 12 (2) a properly completed body change affidavit using a bureau
- 13 designated form; and
- 14 (3) proof of a vehicle inspection.
- 15 (c) An assembled vehicle and a vehicle that is altered such that
- 16 the vehicle type is changed must meet all applicable federal and
- 17 state highway safety requirements before the vehicle may be titled
- 18 and registered for operation on highways.
- 19 SECTION 94. IC 9-17-5-5 IS ADDED TO THE INDIANA CODE
- 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 21 1, 2012]: **Sec. 5. (a) A security agreement covering a security**
- 22 **interest in a vehicle that is not inventory held for sale can be**
- 23 **perfected only if the bureau indicates the security interest on the**
- 24 **certificate of title or duplicate. Except as otherwise provided in**
- 25 **subsections (b) and (c), IC 26-1-9.1 applies to security interests in**
- 26 **vehicles.**
- 27 (b) The secured party, upon presentation to the bureau of a
- 28 properly completed application for certificate of title together with
- 29 the fee prescribed in IC 9-29-4, may have a notation of the lien
- 30 made on the face of the certificate of title to be issued by the
- 31 bureau. The bureau shall:
- 32 (1) enter the notation and the date of the notation; and
- 33 (2) note the lien and date of lien in the bureau's files.
- 34 (c) Whenever a lien is discharged, the holder shall note the
- 35 discharge on the certificate of title over the signature of the holder.
- 36 SECTION 95. IC 9-17-6-12 IS AMENDED TO READ AS
- 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 12. If the bureau is**
- 38 **satisfied that the person applying for the certificate of title is the owner**
- 39 **of the manufactured home or is otherwise entitled to have the**
- 40 **manufactured home titled in the person's name, the bureau shall issue**
- 41 **an appropriate certificate of title. ~~over the signature of the bureau and~~**
- 42 **sealed with the seal of the bureau.**

C
O
P
Y

1 SECTION 96. IC 9-17-7-2.5 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2012]: **Sec. 2.5. (a) A security agreement covering a security
 4 interest in a trailer that is not inventory held for sale can be
 5 perfected only if the bureau indicates the security interest on the
 6 certificate of title or duplicate. Except as otherwise provided in
 7 subsections (b) and (c), IC 26-1-9.1 applies to security interests in
 8 vehicles.**

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

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

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

18 SECTION 97. IC 9-18-1-1, AS AMENDED BY P.L.182-2009(ss),
 19 SECTION 285, IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not apply to the
 21 following:

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

39 SECTION 98. IC 9-18-2-1, AS AMENDED BY P.L.1-2009,
 40 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2012]: Sec. 1. (a) ~~Within sixty (60) days after becoming an~~
 42 ~~Indiana resident,~~ A person must register all motor vehicles owned by

C
O
P
Y



- 1 the person that:
- 2 (1) are subject to the motor vehicle excise tax under IC 6-6-5; and
- 3 (2) will be operated in Indiana.
- 4 (b) ~~Within sixty (60) days after becoming an Indiana resident,~~ A
- 5 person must register all commercial vehicles owned by the person that:
- 6 (1) are subject to the commercial vehicle excise tax under
- 7 IC 6-6-5.5;
- 8 (2) are not subject to proportional registration under the
- 9 International Registration Plan; and
- 10 (3) will be operated in Indiana.
- 11 (c) ~~Within sixty (60) days after becoming an Indiana resident,~~ A
- 12 person must register all recreational vehicles owned by the person that:
- 13 (1) are subject to the excise tax imposed under IC 6-6-5.1; and
- 14 (2) will be operated in Indiana.
- 15 (d) A person must ~~produce evidence concerning the date on which~~
- 16 **register all vehicles owned by the person became not later than sixty**
- 17 **(60) days after becoming** an Indiana resident.
- 18 (e) Except as provided in subsection (f), an Indiana resident must
- 19 register all motor vehicles operated in Indiana.
- 20 (f) An Indiana resident who has a legal residence in a state that is
- 21 not contiguous to Indiana may operate a motor vehicle in Indiana for
- 22 not more than sixty (60) days without registering the motor vehicle in
- 23 Indiana.
- 24 (g) An Indiana resident who has registered a motor vehicle in
- 25 Indiana in any previous registration year is not required to register the
- 26 motor vehicle, is not required to pay motor vehicle excise tax under
- 27 IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5 on the
- 28 motor vehicle, and is exempt from property tax on the motor vehicle for
- 29 any registration year in which:
- 30 (1) the Indiana resident is:
- 31 (A) an active member of the armed forces of the United States;
- 32 and
- 33 (B) assigned to a duty station outside Indiana; and
- 34 (2) the motor vehicle is not operated inside or outside Indiana.
- 35 This subsection may not be construed as granting the bureau authority
- 36 to require the registration of any vehicle that is not operated in Indiana.
- 37 (h) When an Indiana resident registers a motor vehicle in Indiana
- 38 after the period of exemption described in subsection (g), the Indiana
- 39 resident may submit an affidavit that:
- 40 (1) states facts demonstrating that the motor vehicle is a motor
- 41 vehicle described in subsection (g); and
- 42 (2) is signed by the owner of the motor vehicle under penalties of

C
o
p
y



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

8 SECTION 99. IC 9-18-2-4.5 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4.5. (a) Upon payment
 10 of the annual registration fee under IC 9-29-5, and any applicable
 11 commercial vehicle excise tax under IC 6-6-5.5, the bureau may issue
 12 a license plate for each commercial vehicle registered to the registered
 13 owner of at least twenty-five (25) commercial vehicles. The license
 14 plate issued under this section for a commercial vehicle is valid for five
 15 (5) years.

16 (b) If the registered owner of at least twenty-five (25) commercial
 17 vehicles submits the application of registration for the commercial
 18 vehicles on an aggregate basis by electronic means, the bureau shall
 19 issue a certificate of registration that shall be carried at all times in the
 20 vehicle for which it is issued.

21 (c) The registration for a commercial vehicle is void when the
 22 registered owner:

- 23 (1) sells;
- 24 (2) disposes of; or
- 25 (3) does not renew the registration of;

26 the commercial vehicle. Neither the certificate of registration nor the
 27 plate may be transferred to another vehicle.

28 (d) This section does not relieve the owner of the vehicle from
 29 payment of any applicable commercial vehicle excise tax under
 30 IC 6-6-5.5 on a yearly basis.

31 ~~(e) The bureau shall adopt rules under IC 4-22-2 necessary to~~
 32 ~~administer this section.~~

33 SECTION 100. IC 9-18-2-7, AS AMENDED BY P.L.26-2011,
 34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2012]: Sec. 7. (a) A person who owns a vehicle **that is**
 36 **operated on Indiana roadways and is** subject to registration shall
 37 register ~~each the~~ vehicle ~~owned by the person~~ as follows:

- 38 (1) A vehicle subject to section 8 of this chapter shall be
 39 registered under section 8 of this chapter.
- 40 (2) Subject to subsection (g) or (h), a vehicle not subject to
 41 section 8 or 8.5 of this chapter or to the International Registration
 42 Plan shall be registered before:

C
 O
 P
 Y



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

C
 O
 P
 Y



1 is in effect on June 30, 2011, the registration of the vehicle remains
2 valid:

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

9 SECTION 101. IC 9-18-2-8, AS AMENDED BY P.L.26-2011,
10 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2012]: Sec. 8. (a) Except as provided in section 7(h) of this
12 chapter and subsection (f), the bureau shall determine the schedule for
13 registration for the following categories of vehicles:

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

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

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

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

- 37 (1) Administer the registration ~~application form.~~ **of the vehicle.**
38 (2) Issue the license plate **in accordance with the central**
39 **fulfillment processes of the bureau.**
40 (3) Collect the proper registration and service fees in accordance
41 with the procedure established by the bureau.

42 (e) Except as provided in IC 9-18-12-2.5, the bureau shall issue a

C
O
P
Y



1 semipermanent plate under section 30 of this chapter, or:

- 2 (1) an annual renewal tag; or
 3 (2) other indicia;

4 to be affixed on the semipermanent plate.

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

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

18 SECTION 102. IC 9-18-2-9 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) The bureau shall
 20 use due diligence in examining and determining the genuineness,
 21 regularity, and legality of the following:

- 22 (1) ~~An application~~ **Information provided from a person as part**
 23 **of a request** for the registration of a vehicle.
 24 (2) ~~An application~~ **A request** for any type of license required
 25 under this title for the operation of a vehicle upon the highways.
 26 (3) Any other application **or request** made to the bureau **under**
 27 **this article.**

28 (b) The bureau may:

- 29 (1) make investigations or require additional information; and
 30 (2) reject an application **or request**;

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

34 SECTION 103. IC 9-18-2-10 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. **(a)** Except as
 36 provided in ~~section~~ **sections 18, 23, and 29.5** of this chapter, a
 37 certificate of registration of a motor vehicle, semitrailer, or recreational
 38 vehicle and a license plate for a motor vehicle, semitrailer, or
 39 recreational vehicle, whether original issues or duplicates, may not be
 40 issued or furnished by the bureau unless the person applying for the
 41 certificate of registration:

- 42 (1) applies at the same time for and is granted a certificate of title

C
o
p
y



1 for the motor vehicle, semitrailer, or recreational vehicle; or
 2 (2) presents satisfactory evidence that a certificate of title has
 3 been previously issued to the person that covers the motor
 4 vehicle, semitrailer, or recreational vehicle.

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

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

9 **(2) the bureau may invalidate the certificate of registration of**
 10 **the vehicle.**

11 SECTION 104. IC 9-18-2-11 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. A **person**
 13 **registering a motor vehicle may be registered in Indiana only if must**
 14 **have proof of financial responsibility that is in effect in the amounts**
 15 **specified in IC 9-25 is produced available for inspection at the time an**
 16 **the person's application for registration is made. in a form required by**
 17 **the bureau.**

18 SECTION 105. IC 9-18-2-16 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) **A person who**
 20 **owns a vehicle must sign an application in ink to register the vehicle.**

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

23 (1) The:

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

26 (B) business address, including the name of the county, of the
 27 person that owns the vehicle if the person is a firm, a
 28 partnership, an association, a corporation, a limited liability
 29 company, or a unit of government.

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

C
o
p
y



- 1 (2) A brief description of the vehicle to be registered, including
 2 the following information if available:
 3 (A) The name of the manufacturer of the vehicle.
 4 (B) The vehicle identification number.
 5 (C) The manufacturer's rated capacity if the vehicle is a truck,
 6 tractor, trailer, or semitrailer.
 7 (D) The type of body of the vehicle.
 8 (E) The model year of the vehicle.
 9 **(F) The color of the vehicle.**
 10 ~~(F)~~ **(G)** Any other information reasonably required by the
 11 bureau to enable the bureau to determine if the vehicle may be
 12 registered. The bureau may request the person applying for
 13 registration to provide the vehicle's odometer reading.
 14 (3) ~~A space on the application in which~~ The person registering the
 15 vehicle may indicate the person's desire to donate money to
 16 organizations that promote the procurement of organs for
 17 anatomical gifts. ~~The space on the application~~ **bureau** must:
 18 (A) allow the person registering the vehicle to indicate the
 19 amount the person desires to donate; and
 20 (B) provide that the minimum amount a person may donate is
 21 one dollar (\$1).
 22 Funds collected under this subdivision shall be deposited with the
 23 treasurer of state in a special account. The auditor of state shall
 24 monthly distribute the money in the special account to the
 25 anatomical gift promotion fund established by IC 16-19-3-26. The
 26 bureau may deduct from the funds collected under this
 27 subdivision the costs incurred by the bureau in implementing and
 28 administering this subdivision.
 29 ~~(e)~~ **(b)** The department of state revenue may audit records of
 30 persons who register trucks, trailers, semitrailers, buses, and rental cars
 31 under the International Registration Plan to verify the accuracy of the
 32 application and collect or refund fees due.
 33 SECTION 106. IC 9-18-2-17, AS AMENDED BY P.L.163-2011,
 34 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2012]: Sec. 17. (a) Upon receiving ~~an application~~ **the**
 36 **information** under section 16 of this chapter, the bureau shall:
 37 (1) determine:
 38 (A) the genuineness and regularity of the ~~application;~~
 39 **information;** and
 40 (B) that the person applying for registration is entitled to
 41 register the vehicle;
 42 ~~(2) file the application;~~

C
o
p
y

1 (3) (2) subject to subsection (b), register the vehicle described in
 2 the application; and
 3 (4) (3) keep a record of the ~~application on suitable index cards~~
 4 **registration of the vehicle** under a distinctive registration
 5 number assigned to the vehicle ~~and in any other a~~ manner the
 6 bureau considers desirable for the convenience of the bureau.

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

- 13 (1) the bureau; or
- 14 (2) the appropriate authority under IC 9-21-3.5 that is responsible
 15 for the collection of fines, charges, or other assessments for toll
 16 violations under IC 9-21-3.5.

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

22 SECTION 107. IC 9-18-2-21 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 21. (a) ~~A~~ **The person**
 24 ~~who registers a vehicle, whose name appears on the certificate of~~
 25 **registration**, except a person who registers a vehicle under the
 26 International Registration Plan, shall sign the person's copy of the
 27 certificate of registration in ink in the space provided.

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

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

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

36 SECTION 108. IC 9-18-2-23 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 23. (a) This section
 38 does not apply to a vehicle registered as a recovery vehicle under
 39 IC 9-18-13.

40 (b) A transport operator may, instead of registering each motor
 41 vehicle transported, make a verified application upon a form prescribed
 42 by the bureau and furnished by the bureau for a general distinctive

C
o
p
y



1 registration number for all motor vehicles transported by the transport
 2 operator and used and operated for the purposes provided. The
 3 application must contain the following:

4 (1) A brief description of each style or type of motor vehicle
 5 transported.

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

8 (3) Any other information the bureau requires.

9 (c) The bureau, upon receiving:

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

11 (2) the proper fee;

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

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

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

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

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

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

36 SECTION 109. IC 9-18-2-24 IS REPEALED [EFFECTIVE JULY
 37 1, 2012]. ~~Sec. 24. The bureau may destroy applications for registration~~
 38 ~~of motor vehicles that have been on file in the bureau for a period of at~~
 39 ~~least three (3) years:~~

40 SECTION 110. IC 9-18-2-26, AS AMENDED BY P.L.184-2011,
 41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2012]: Sec. 26. (a) License plates, **including temporary**

C
O
P
Y



- 1 **license plates**, shall be displayed as follows:
- 2 (1) For a motorcycle, trailer, semitrailer, or recreational vehicle,
- 3 upon the rear of the vehicle, except as provided in subdivision (4).
- 4 (2) For a tractor or dump truck, upon the front of the vehicle.
- 5 (3) For every other vehicle, upon the rear of the vehicle, except as
- 6 provided in subdivision (4).
- 7 (4) For a truck with a rear mounted forklift or a mechanism to
- 8 carry a rear mounted forklift or implement, upon the front of the
- 9 vehicle.
- 10 (b) A license plate shall be securely fastened, in a horizontal
- 11 position, to the vehicle for which the plate is issued:
- 12 (1) to prevent the license plate from swinging;
- 13 (2) at a height of at least twelve (12) inches from the ground,
- 14 measuring from the bottom of the license plate;
- 15 (3) in a place and position that are clearly visible;
- 16 (4) maintained free from foreign materials and in a condition to
- 17 be clearly legible; and
- 18 (5) not obstructed or obscured by tires, bumpers, accessories, or
- 19 other opaque objects.
- 20 (c) The bureau may adopt rules the bureau considers advisable to
- 21 enforce the proper mounting and securing of license plates on vehicles
- 22 consistent with this chapter.
- 23 SECTION 111. IC 9-18-2-28 IS REPEALED [EFFECTIVE JULY
- 24 1, 2012]. ~~Sec. 28. Notwithstanding any other law, license plates for:~~
- 25 ~~(1) passenger motor vehicles;~~
- 26 ~~(2) recreational vehicles;~~
- 27 ~~(3) motor vehicles registered to disabled veterans under~~
- 28 ~~IC 9-18-18; or~~
- 29 ~~(4) motor vehicles registered to former prisoners of war under~~
- 30 ~~IC 9-18-17;~~
- 31 ~~that contain any of the numerals 1 through 100 following the prefix~~
- 32 ~~numbers and letter shall be issued by the bureau.~~
- 33 SECTION 112. IC 9-18-2-29.5, AS ADDED BY P.L.210-2005,
- 34 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 35 JULY 1, 2012]: Sec. 29.5. Before a piece of special machinery is
- 36 operated off a highway or in a farm field, the person who owns the
- 37 piece of special machinery must:
- 38 (1) register the piece of special machinery with the bureau; and
- 39 (2) pay the applicable **special machinery** registration fee.
- 40 SECTION 113. IC 9-18-2-30 IS AMENDED TO READ AS
- 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 30. **Unless otherwise**
- 42 **provided in this chapter**, the bureau shall issue to the owner of each

C
o
p
y

1 vehicle subject to registration one (1) license plate upon the registration
2 of the vehicle.

3 SECTION 114. IC 9-18-2-32 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 32. (a) Except as
5 provided in subsection (b), a license plate issued under section 30 of
6 this chapter:

7 (1) must be six (6) inches wide and twelve (12) inches long;

8 (2) must display

9 (A) the registration number assigned to the vehicle for which
10 the plate is issued;

11 (B) the letters "IN"; and

12 (C) the year for which the plate is issued;

13 (3) may have a prefix of at least one (1) letter of the alphabet to
14 designate the type of vehicle registered; and

15 (4) shall be treated with special reflective material designed to
16 increase the visibility and legibility of the license plate.

17 (b) The bureau may issue license plates in a different size or
18 character if the bureau determines that the change is appropriate to
19 effect the proper display of the license plates.

20 SECTION 115. IC 9-18-2-35 IS REPEALED [EFFECTIVE JULY
21 1, 2012]. ~~Sec. 35: The bureau, with the approval of the governor, may
22 revise the vehicle identification name designated to be embossed on a
23 given classification of license plates to reflect contemporary language
24 that is used to describe vehicles that must be registered under this
25 article.~~

26 SECTION 116. IC 9-18-2-38 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 38. A license plate
28 issued under this chapter remains valid if the person who registered the
29 passenger motor vehicle or recreational vehicle changes the person's
30 county of residence during the term of the license plate. A person who
31 registers a passenger motor vehicle or recreational vehicle and who
32 changes the person's county of residence may, at the time of
33 reregistration:

34 (1) retain the license plate originally issued; or

35 (2) request a new license plate ~~at no additional cost to the person,~~
36 indicating the person's new county of residence.

37 SECTION 117. IC 9-18-2-47, AS AMENDED BY P.L.87-2010,
38 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2012]: Sec. 47. (a) The commissioner shall adopt rules under
40 IC 4-22-2 prescribing the cycle for the issuance and replacement of
41 license plates under this article. The rules adopted under this section
42 shall provide that a license plate for a vehicle issued under this article

C
o
p
y



1 is valid for five (5) years.

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

- 3 (1) truck license plates issued under section 4.5 or 18 of this
4 chapter; **or**
5 (2) general assembly and other state official license plates issued
6 under IC 9-18-16. **and**
7 ~~(3) personalized license plates issued under IC 9-18-15.~~

8 SECTION 118. IC 9-18-2-49 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 49. (a) Notwithstanding
10 ~~IC 9-18-2-32~~, **section 32 of this chapter**, if a person is **initially**
11 **registering a vehicle or** renewing the registration for a motor vehicle
12 that needs a new license plate, the bureau may issue a temporary paper
13 or cardboard license plate to the person for use on the motor vehicle.

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

16 SECTION 119. IC 9-18-4-1 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. ~~The bureau A~~
18 **person may accept an application by mail for register a vehicle and**
19 **request license plate for a:**

- 20 ~~(1) motor vehicle;~~
21 ~~(2) semitrailer; or~~
22 ~~(3) recreational vehicle;~~

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

27 SECTION 120. IC 9-18-4-2 IS REPEALED [EFFECTIVE JULY 1,
28 2012]. ~~Sec. 2: An application made by mail under section 1 of this~~
29 ~~chapter must be for a license plate previously issued directly from the~~
30 ~~bureau to the applicant.~~

31 SECTION 121. IC 9-18-4-7 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) The bureau may:

- 33 (1) prescribe forms; and
34 (2) adopt rules;

35 to implement this chapter.

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

38 SECTION 122. IC 9-18-5-2 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~An application A~~
40 **request** for registration under this chapter must be:

- 41 (1) made under the laws governing applications; and
42 (2) signed for, on behalf of the holder, by the person named in the

C
o
p
y



1 letter.
 2 SECTION 123. IC 9-18-5-3 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Upon receiving ~~an~~
 4 ~~application and~~ a letter of authorization, the bureau shall determine if
 5 the signature on the letter is that of the person who holds the certificate
 6 of title for the motor vehicle by comparing the signature on the letter
 7 with the signature on the certificate of title.

8 SECTION 124. IC 9-18-6-2, AS AMENDED BY P.L.109-2011,
 9 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2012]: Sec. 2. (a) Except as provided in subsections (b) and
 11 (e), if a license plate is:

- 12 (1) lost **or stolen**;
 13 (2) ~~mutilated~~; **damaged so as not to be legible**; or
 14 (3) destroyed;

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

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

- 22 (1) the Indiana law enforcement agency that has jurisdiction
 23 where the loss **or theft** occurred; or
 24 (2) the law enforcement agency that has jurisdiction over the
 25 address listed on the registration;

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

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

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

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

- 36 (1) the Indiana law enforcement agency that has jurisdiction
 37 where the loss, **theft, damage, or destruction** occurred; and
 38 (2) the bureau;

39 that the original license plate has been lost, ~~mutilated~~, **stolen**,
 40 **damaged**, or destroyed. In order to receive a ~~duplicate or a~~ replacement
 41 license plate, the person in whose name the license plate was issued
 42 must complete and submit to the bureau an application and affidavit

C
 O
 P
 Y



1 ~~designed prescribed~~ by the bureau.

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

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

6 SECTION 125. IC 9-18-6-5 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Upon the
8 disposition by sale or other means of a motor vehicle, trailer,
9 semitrailer, recreational vehicle, or motor home currently registered in
10 Indiana, the license plate from the disposed motor vehicle, trailer,
11 semitrailer, recreational vehicle, or motor home may be:

12 (1) transferred by the person who is the current registrant to any
13 other vehicle of the same type acquired by the person; and

14 (2) operated in Indiana for not more than thirty-one (31) days after
15 the date the person acquires ownership of the vehicle.

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

18 (1) manufacturer's certificate of origin;

19 (2) duly assigned certificate of title; or

20 (3) ~~notarized~~ bill of sale;

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

23 SECTION 126. IC 9-18-7-1 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) A person may
25 apply for and receive a temporary registration permit for a motor
26 vehicle, semitrailer, trailer designed to be used with a semitrailer, or
27 recreational vehicle.

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

33 (1) The person has purchased or otherwise obtained the vehicle
34 in Indiana and will be titling or registering the vehicle in another
35 state.

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

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

42 (4) The person is a manufacturer of semitrailers or trailers

C
o
p
y



1 designed to be used with a semitrailer that may be leased by the
 2 manufacturer to any person, including a motor carrier, for not
 3 more than the term of the special registration permit. This
 4 subdivision does not prohibit the transportation of property on a
 5 semitrailer or trailer operating under a temporary registration
 6 permit. A copy of the lease must accompany the semitrailer or
 7 trailer.

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

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

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

12 **(6) The person owns a vehicle for which emissions testing is**
 13 **required and the vehicle will require further mechanical**
 14 **repairs in order to comply with the emissions testing**
 15 **requirements.**

16 (c) The bureau shall prescribe the form of a temporary registration
 17 permit.

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

20 (e) The bureau may provide for the bulk issuance of temporary
 21 registration permits to manufacturers for the purpose of subsection
 22 (b)(4).

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

27 SECTION 127. IC 9-18-7-1.5 IS REPEALED [EFFECTIVE JULY
 28 1, 2012]. Sec. 1-5: (a) This section applies to a temporary registration
 29 permit obtained:

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

31 (2) by an individual who:

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

33 (B) purchases a vehicle described in subdivision (1) with the
 34 intention of registering the vehicle in the foreign country of
 35 which the individual is a citizen.

36 (b) A temporary registration permit issued under this section is valid
 37 for ninety (90) days from the date of issuance and authorizes the use of
 38 the vehicle on the highways.

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

C
O
P
Y



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

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

7 SECTION 128. IC 9-18-11-3 IS REPEALED [EFFECTIVE JULY
8 1, 2012]. Sec. 3: A person engaged in operating at least one (1) fleet of
9 intercity buses may, instead of registering the buses under any other
10 law, register each fleet for operation in Indiana by filing an application
11 with the bureau that contains the following information:

12 (1) The total number of miles operated in all states during the
13 preceding year by the intercity buses in the fleet.

14 (2) The total number of miles operated in Indiana during the
15 preceding year by the intercity buses in the fleet.

16 (3) A description and identification of each intercity bus in the
17 fleet that is to be operated in Indiana during the registration year
18 for which proportional fleet registration is requested.

19 (4) Any other information requested by the bureau.

20 SECTION 129. IC 9-18-12-2, AS AMENDED BY P.L.79-2006,
21 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 2. (a) Except as provided in section 2.5 of this
23 chapter, the bureau shall issue one (1) license plate to the person who
24 owns an antique motor vehicle that is registered under this chapter.

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

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

28 (1) contain:

29 (A) the registration number assigned to the registration
30 certificate by the bureau; and

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

33 (2) indicate the year for which the antique motor vehicle has been
34 registered.

35 (d) Instead of issuing a new license plate each time that an antique
36 motor vehicle is registered, the bureau may issue to the person who
37 owns the antique motor vehicle a tag or sticker that indicates the year
38 for which the motor vehicle has been registered.

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

41 SECTION 130. IC 9-18-12-3 IS REPEALED [EFFECTIVE JULY
42 1, 2012]. Sec. 3: (a) An application for the registration of an antique

C
O
P
Y



1 motor vehicle under this chapter must be accompanied by a certificate
2 that indicates that the antique motor vehicle has:

- 3 (1) been inspected for general safety; and
4 (2) been found to be in a mechanical condition that the vehicle
5 can be operated safely on the highways:

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

8 SECTION 131. IC 9-18-14-2 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. If a person who owns
10 a military vehicle registers the military vehicle under this chapter, the
11 registration of the military vehicle is for the life of the military vehicle.
12 **A person who owns a military vehicle shall also pay any applicable**
13 **excise taxes under IC 6-6-5 and IC 6-6-5.5.**

14 SECTION 132. IC 9-18-14-3 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. If a person who owns
16 a military vehicle registers the military vehicle under this chapter the

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

19 ~~(2) bureau shall authorize as a registration number the military~~
20 ~~vehicle identification number stenciled on the military vehicle in~~
21 ~~white or yellow letters and numbers in accordance with all~~
22 ~~pertinent military regulations.~~

23 SECTION 133. IC 9-18-14-5 IS REPEALED [EFFECTIVE JULY
24 1, 2012]. Sec. 5. ~~The bureau shall adopt rules under IC 4-22-2 to~~
25 ~~implement this chapter.~~

26 SECTION 134. IC 9-18-15-1, AS AMENDED BY P.L.87-2010,
27 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2012]: Sec. 1. (a) A person who is the registered owner or
29 lessee of a:

- 30 (1) passenger motor vehicle;
31 (2) motorcycle;
32 (3) recreational vehicle; or
33 (4) vehicle registered as a truck with a declared gross weight of
34 not more than eleven thousand (11,000) pounds;

35 registered with the bureau or who makes an application for an original
36 registration or renewal registration of a vehicle may apply to the bureau
37 for a personalized license plate to be affixed to the vehicle for which
38 registration is sought instead of the regular license plate.

39 (b) A person who:

- 40 (1) is the registered owner or lessee of a vehicle described in
41 subsection (a); and
42 (2) is eligible to receive a license plate for the vehicle under:

C
o
p
y



- 1 (A) IC 9-18-17 (prisoner of war license plates);
 2 (B) IC 9-18-18 (disabled Hoosier veteran license plates);
 3 (C) IC 9-18-19 (Purple Heart license plates);
 4 (D) IC 9-18-20 (Indiana National Guard license plates);
 5 ~~(E) IC 9-18-21 (Indiana Guard Reserve license plates);~~
 6 ~~(F)~~ (E) IC 9-18-22 (license plates for persons with
 7 disabilities);
 8 ~~(G) IC 9-18-23 (amateur radio operator license plates);~~
 9 ~~(H) IC 9-18-24 (civic event license plates);~~
 10 ~~(I)~~ (F) IC 9-18-24.5 (In God We Trust license plates);
 11 ~~(J)~~ (G) IC 9-18-25 (special group recognition license plates);
 12 ~~(K)~~ (H) IC 9-18-29 (environmental license plates);
 13 ~~(L)~~ (I) IC 9-18-30 (kids first trust license plates);
 14 ~~(M)~~ (J) IC 9-18-31 (education license plates);
 15 ~~(N) IC 9-18-32.2 (drug free Indiana trust license plates);~~
 16 ~~(O)~~ (K) IC 9-18-33 (Indiana FFA trust license plates);
 17 ~~(P)~~ (L) IC 9-18-34 (Indiana firefighter license plates);
 18 ~~(Q) IC 9-18-35 (Indiana food bank trust license plates);~~
 19 ~~(R) IC 9-18-36 (Indiana girl scouts trust license plates);~~
 20 ~~(S)~~ (M) IC 9-18-37 (Indiana boy scouts trust license plates);
 21 ~~(T) IC 9-18-38 (Indiana retired armed forces member license~~
 22 ~~plates);~~
 23 ~~(U) IC 9-18-39 (Indiana antique car museum trust license~~
 24 ~~plates);~~
 25 ~~(V)~~ (N) IC 9-18-40 (D.A.R.E. Indiana trust license plates);
 26 ~~(W)~~ (O) IC 9-18-41 (Indiana arts trust license plates);
 27 ~~(X)~~ (P) IC 9-18-42 (Indiana health trust license plates);
 28 ~~(Y) IC 9-18-43 (Indiana mental health trust license plates);~~
 29 ~~(Z)~~ (Q) IC 9-18-44 (Indiana Native American trust license
 30 plates);
 31 ~~(AA)~~ (R) IC 9-18-45.8 (Pearl Harbor survivor license plates);
 32 ~~(BB)~~ (S) IC 9-18-46.2 (Indiana state educational institution
 33 trust license plates);
 34 ~~(CC)~~ (T) IC 9-18-47 (Lewis and Clark bicentennial license
 35 plates);
 36 ~~(DD)~~ (U) IC 9-18-48 (Riley Children's Foundation license
 37 plates);
 38 ~~(EE) IC 9-18-49 (National Football League franchised~~
 39 ~~professional football team license plates);~~
 40 ~~(FF)~~ (V) IC 9-18-50 (Hoosier veteran license plates);
 41 ~~(GG)~~ (W) IC 9-18-51 (support our troops license plates);
 42 ~~(HH)~~ (X) IC 9-18-52 (Abraham Lincoln bicentennial license

C
o
p
y

1 plates);
 2 ~~(H)~~ (Y) IC 9-18-53 (Earlham College Trust license plates); or
 3 ~~(H)~~ (Z) IC 9-18-54 (Indiana Gold Star family member license
 4 plates);

5 may apply to the bureau for a personalized license plate to be affixed
 6 to the vehicle for which registration is sought instead of the regular
 7 special recognition license plate.

8 SECTION 135. IC 9-18-15-2 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) A personalized
 10 license plate may be the same color and size and contain similar
 11 required information as regular license plates issued for the respective
 12 class of vehicle.

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

14 (1) numerals 0 through 9; or

15 (2) letters A through Z;

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

18 (c) A personalized license plate may not be issued to duplicate a
 19 regularly issued plate.

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

23 SECTION 136. IC 9-18-15-4 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A person who
 25 applies for:

26 (1) a personalized license plate; or

27 (2) the renewal of a personalized license plate in the subsequent
 28 period;

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

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

34 (1) carries a connotation offensive to good taste and decency; ~~or~~

35 (2) would be misleading; **or**

36 **(3) the bureau otherwise considers improper for issuance.**

37 SECTION 137. IC 9-18-15-5.5, AS ADDED BY P.L.103-2006,
 38 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2012]: Sec. 5.5. ~~After December 31, 2006,~~ The bureau shall
 40 issue personalized license plates annually **on the same cycle**
 41 **prescribed for license plates issued under IC 9-18-2-47.**

42 SECTION 138. IC 9-18-15-8, AS AMENDED BY P.L.2-2005,

C
O
P
Y



1 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2012]: Sec. 8. (a) If a person has registered a vehicle and has
3 been issued a personalized license plate for use on a leased vehicle,
4 and:

5 (1) the person cancels the lease; or

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

7 the person may transfer the registration to another vehicle eligible to be
8 registered under this chapter.

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

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

14 SECTION 139. IC 9-18-15-9 IS REPEALED [EFFECTIVE JULY
15 1, 2012]. Sec. 9: ~~A person who has registered a vehicle with the current~~
16 ~~year's license plate and applies for a personalized license plate for the~~
17 ~~same vehicle shall surrender the regular license plate and registration~~
18 ~~to the bureau when the personalized license plate is delivered to the~~
19 ~~person.~~

20 SECTION 140. IC 9-18-15-10, AS AMENDED BY P.L.233-2005,
21 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 10. (a) In addition to the applicable excise tax
23 imposed under IC 6-6-5, the regular registration fees, and any
24 additional fee required to receive a special recognition license plate
25 described in section 1(b) of this chapter, a person applying for or
26 renewing the registration of a personalized license plate shall pay the
27 personalized license plate fee under IC 9-29-5-32.5 upon an original
28 application or registration renewal, as provided in this chapter.

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

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

36 ~~(d) The payment of regular registration fees and excise tax, if~~
37 ~~applicable, may be deferred until the time that the personalized license~~
38 ~~plate is delivered to the person who applied for the plate.~~

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

42 SECTION 141. IC 9-18-15-11 IS AMENDED TO READ AS

C
o
p
y



1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. If a person who
 2 applies for a personalized license plate with a given configuration of
 3 letters or numbers is not able to obtain the license plate requested or a
 4 satisfactory alternative configuration, ~~a license branch the bureau~~ shall
 5 refund the entire **personalized license plate** fee to the person.
 6 However, a refund of a personalized license plate fee may not be made
 7 when the person who applies for the personalized license plate cancels
 8 the request.

9 SECTION 142. IC 9-18-16-1 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. **(a)** License plates
 11 shall be issued to the following:

- 12 (1) Members of the general assembly.
- 13 (2) Spouses of members of the general assembly.
- 14 (3) Other state officials who receive special license plates on an
 15 annual basis.

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

19 SECTION 143. IC 9-18-18-4 IS REPEALED [EFFECTIVE JULY
 20 1, 2012]. Sec. 4: Not more than two (2) disabled Hoosier veteran
 21 license plates may be issued to each eligible person:

22 SECTION 144. IC 9-18-19-4 IS ADDED TO THE INDIANA
 23 CODE AS A NEW SECTION TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2012]: Sec. 4. **(a) A person qualifying under**
 25 **section 2 of this chapter may not be:**

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

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

- 32 **(1) posted; and**
- 33 **(2) authorized:**
 - 34 **(A) by city or town ordinance; or**
 - 35 **(B) by order of the Indiana department of transportation.**

36 **(c) A person other than the owner of the motor vehicle**
 37 **displaying a disabled Hoosier veteran license plate authorized by**
 38 **this chapter is not entitled to the parking privileges authorized by**
 39 **this section.**

40 SECTION 145. IC 9-18-20-1 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall
 42 design and issue a vehicle license plate under IC 9-18-25 that will

C
O
P
Y



1 designate a vehicle as being registered by an active member of the
2 ~~Indiana~~ National Guard.

3 SECTION 146. IC 9-18-20-2 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~An Indiana A~~
5 National Guard license plate must display the following:

6 (1) An identification number.

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

8 SECTION 147. IC 9-18-20-3 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A resident of
10 Indiana who is an active member of the ~~Indiana~~ Army or Air National
11 Guard may apply for and receive one (1) or more license plates under
12 this chapter.

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

17 (1) A current armed forces identification card.

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

20 SECTION 148. IC 9-18-20-4 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. ~~An Indiana A~~
22 National Guard license plate must be displayed on a vehicle legally
23 registered by the person described in section 3 of this chapter.

24 SECTION 149. IC 9-18-21 IS REPEALED [EFFECTIVE JULY 1,
25 2012]. (Indiana Guard Reserve License Plates).

26 SECTION 150. IC 9-18-22-1 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall
28 issue a license plate ~~or decal~~ for a person with a disability that
29 designates a vehicle as a vehicle that is regularly used to transport a
30 person who:

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

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

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

36 (4) is certified **to be permanently or severely restricted in**
37 **mobility due to a pulmonary or cardiovascular disability,**
38 **arthritic condition, or orthopedic or neurological impairment,**

39 by:

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

42 (A) in mobility;

C
o
p
y



1 (B) by a pulmonary or cardiovascular disability; a physician
 2 who is a commissioned medical officer of the armed forces
 3 of the United States or of the United States Public Health
 4 Service;
 5 (C) by an arthritic condition; or a physician who is a medical
 6 officer of the United States Department of Veteran's
 7 Affairs;
 8 (D) by an orthopedic or a neurological impairment; or
 9 chiropractor with a valid, unrestricted license under
 10 IC 25-10-1;
 11 (E) a podiatrist with a valid, unrestricted license under
 12 IC 25-29; or
 13 (F) an advanced practice nurse with a valid, unrestricted
 14 license under IC 25-23; or
 15 (5) is certified by an optometrist or ophthalmologist licensed with
 16 a valid, unrestricted license to practice in Indiana to be:
 17 (A) blind (as defined in IC 12-7-2-21(2)); or
 18 (B) visually impaired (as defined in IC 12-7-2-198).
 19 SECTION 151. IC 9-18-22-2 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The license plate ~~or~~
 21 ~~decal~~ for a person with a disability must bear:
 22 (1) the official international wheelchair symbol;
 23 (2) a reasonable facsimile of the international wheelchair symbol;
 24 or
 25 (3) another symbol selected by the bureau;
 26 to designate the vehicle as being used to transport a person with a
 27 disability.
 28 SECTION 152. IC 9-18-22-3 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The license plate ~~or~~
 30 ~~decal~~ for a person with a disability may only be issued to the following:
 31 (1) A person with a disability.
 32 (2) A person who owns a vehicle that is:
 33 (A) frequently operated by a person with a disability; or
 34 (B) used to transport a person with a disability.
 35 SECTION 153. IC 9-18-22-4 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The license plate ~~or~~
 37 ~~decal~~ for a person with a disability:
 38 (1) shall be assigned to a vehicle subject to registration under
 39 Indiana law; and
 40 (2) may be displayed only on a legally registered vehicle.
 41 SECTION 154. IC 9-18-22-5 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The motor vehicle

C
O
P
Y



1 bearing the license plate ~~or decal~~ for a person with a disability may
 2 only be used by the person who has registered the motor vehicle for
 3 private and personal purposes.

4 SECTION 155. IC 9-18-22-6 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who
 6 knowingly and falsely professes to have the qualifications to obtain a
 7 license plate ~~or decal~~ for a person with a disability under this chapter
 8 commits a Class C misdemeanor.

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

13 SECTION 156. IC 9-18-23-6 IS ADDED TO THE INDIANA
 14 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2012]: **Sec. 6. After December 31, 2012, the**
 16 **bureau shall issue amateur radio operator license plates on a**
 17 **semi-permanent basis.**

18 SECTION 157. IC 9-18-25-1.2 IS ADDED TO THE INDIANA
 19 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2012]: **Sec. 1.2. As used in this chapter,**
 21 **"applicant" means a person who has submitted a request to**
 22 **register a vehicle displaying an approved special group recognition**
 23 **license plate.**

24 SECTION 158. IC 9-18-25-1.3 IS ADDED TO THE INDIANA
 25 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2012]: **Sec. 1.3. As used in this chapter,**
 27 **"eligible individual" means a person who owns, or is otherwise**
 28 **able to register, a vehicle with a special group recognition license**
 29 **plate, if the plate is approved.**

30 SECTION 159. IC 9-18-25-2 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) The bureau shall
 32 adopt rules under IC 4-22-2 establishing the requirements to qualify for
 33 participation in the special group recognition license plate program,
 34 **administration of this chapter, and fees.**

35 (b) Representatives of a special group shall ~~petition~~ **must apply to**
 36 the bureau to qualify for participation in the special group recognition
 37 license plate program.

38 (c) Each ~~petition application~~ **petition application** submitted ~~under this section~~
 39 contain the printed name, address, and signature of at least five
 40 hundred (500) ~~members of the special group~~ **eligible individuals** who
 41 pledge to purchase the special group recognition license plate if a
 42 special group recognition license plate is issued for the group under

C
o
p
y



1 this chapter.

2 (d) When ~~a petition~~ **an application** containing the information
3 required ~~in subsection (c) by this section~~ is submitted to **approved by**
4 the bureau, the bureau may design and issue a special group
5 recognition license plate that designates a vehicle as being registered
6 under this chapter by a person (as defined in IC 9-13-2-124) who is a
7 member of, **or is otherwise eligible to purchase the plate of**, the
8 special group.

9 SECTION 160. IC 9-18-25-3 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) The design of a
11 special group recognition license plate issued under this chapter must
12 be a distinct design and include an emblem that identifies the vehicle
13 as being registered to a person who is:

14 (1) a member of; **or**

15 (2) **is otherwise eligible to purchase the plate of**;
16 a special group.

17 (b) A special group license plate must be treated with special
18 reflective material designed to increase the visibility and legibility of
19 the special group license plate.

20 SECTION 161. IC 9-18-25-5 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The bureau:

22 (1) shall require representatives of a special group to confer with
23 the bureau concerning the design of the emblem that identifies the
24 vehicle as being registered to a person who is a member of, **or is**
25 **otherwise eligible to purchase the plate of**, a special group; and
26 (2) may request a list of the names and addresses of the persons
27 who are

28 (A) members of the special group ~~and~~

29 (B) **or are otherwise** eligible for a special group recognition
30 license plate.

31 SECTION 162. IC 9-18-25-12 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) ~~Except as~~
33 ~~provided in subsection (c)~~; A vehicle bearing a special group
34 recognition license plate issued under this chapter may be used ~~only for~~
35 ~~private and personal purposes~~: **for any lawful purpose**.

36 (b) A person who does not qualify for the special group recognition
37 license plate may not display a special group recognition license plate
38 on a vehicle the person is required to register.

39 (c) A vehicle:

40 (1) ~~owned by a corporation~~ (as defined in IC 6-5.5-1-6); a
41 ~~municipal corporation~~ (as defined in IC 36-1-2-10); a partnership
42 (as defined in IC 6-3-1-19); or a sole proprietor; and

C
O
P
Y



1 (2) bearing an environmental license plate issued under
2 ~~IC 9-18-29;~~
3 may be used for any lawful purpose.

4 SECTION 163. IC 9-18-25-15 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. The bureau ~~shall~~
6 **may** terminate an organization's qualification for the special group
7 license plate program ~~and no further special group recognition license~~
8 ~~plates shall be issued for an organization~~ if less than two thousand
9 (2,000) of the organization's special group license plates are sold or
10 renewed in the first four (4) years of the five (5) year period beginning
11 the earlier of January 1, 2002, or January 1 of the year in which the
12 organization's special group license plate is first issued. The bureau
13 shall reevaluate ~~the an~~ organization's qualification for the special group
14 license plate program every five (5) years thereafter. The bureau ~~shall~~
15 **may** terminate ~~the an~~ organization's qualification for the special group
16 license plate program ~~and no further special group recognition license~~
17 ~~plates shall be issued for an organization~~ if less than two thousand
18 (2,000) of the organization's special group license plates are sold or
19 renewed in the first four (4) years of a subsequent five (5) year period.
20 **If the bureau terminates an organization's qualification under this**
21 **section, no further special group recognition license plates shall be**
22 **issued for the organization unless the organization reapplies and**
23 **meets the requirements under section 2 of this chapter.**

24 SECTION 164. IC 9-18-25-17 IS REPEALED [EFFECTIVE JULY
25 1, 2012]. Sec. 17: (a) This section applies to a special group if at least
26 ten thousand (10,000) of the special group's license plates are issued
27 under this chapter in the first four (4) years of a five (5) year plate cycle
28 beginning after December 31, 2001:

29 (b) Notwithstanding section 3 of this chapter, the representatives of
30 the special group may petition the bureau to design a distinctive license
31 plate that identifies a vehicle as being registered to a person who is a
32 member of the special group.

33 (c) The design of the special group license plate must include a
34 basic design for the special group recognition license plate with
35 consecutive numerals or letters; or both, to properly identify the
36 vehicle.

37 (d) A special group license plate must be treated with special
38 reflective material designed to increase the visibility and legibility of
39 the special group license plate.

40 SECTION 165. IC 9-18-25-17.5 IS REPEALED [EFFECTIVE
41 JULY 1, 2012]. Sec. 17.5: (a) This section applies to a special group if
42 at least five thousand (5,000) of the special group's license plates are

C
o
p
y



1 issued under this chapter during one (1) calendar year beginning after
2 December 31, 2004:

3 (b) Notwithstanding section 2 of this chapter, the representatives of
4 the special group may petition the bureau to design a distinctive license
5 plate that identifies a vehicle as being registered to a person who is a
6 member of the special group.

7 (c) The design of the special group license plate must include a
8 basic design for the special group recognition license plate with
9 consecutive numerals or letters, or both, to properly identify the
10 vehicle.

11 (d) A special group license plate must be treated with special
12 reflective material designed to increase the visibility and legibility of
13 the special group license plate.

14 (e) Beginning with the calendar year following the year in which the
15 representatives petition the bureau under subsection (b), the bureau
16 shall issue the special group's license plate to a person who is eligible
17 to register a vehicle under this title who:

18 (1) completes an application for the license plate; and

19 (2) pays the following fees:

20 (A) The appropriate fee under IC 9-29-5-38(a).

21 (B) An annual fee of twenty-five dollars (\$25).

22 (f) The annual fee referred to in subsection (e)(2)(B) shall be
23 collected by the bureau and deposited in a trust fund for the special
24 group established under subsection (g). However, the bureau shall
25 retain two dollars (\$2) for each license plate issued until the cost of
26 designing and issuing the special group license plate is recovered by
27 the bureau.

28 (g) The treasurer of state shall establish a trust fund for each special
29 group for which the bureau collects fees under this section.

30 (h) The treasurer of state shall invest the money in the fund not
31 currently needed to meet the obligations of the fund in the same
32 manner as other public funds are invested. Interest that accrues from
33 these investments shall be deposited in the fund. Money in the fund is
34 continuously appropriated for the purposes of this section. Money in
35 the fund at the end of a state fiscal year does not revert to the state
36 general fund.

37 (i) The commissioner shall administer the fund. Expenses of
38 administering the fund shall be paid from money in the fund.

39 (j) On June 30 of each year, the commissioner shall distribute the
40 money from the fund to the special group for which the bureau has
41 collected fees under this section.

42 (k) The bureau may not disclose information that identifies the

C
O
P
Y



1 persons to whom special group license plates have been issued under
2 this section:

3 SECTION 166. IC 9-18-25-17.7, AS AMENDED BY P.L.87-2010,
4 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 17.7. (a) Notwithstanding any other law,
6 representatives of a special group that participates in the special group
7 recognition plate program may request that the bureau collect an
8 annual fee of **not more than** twenty-five dollars (\$25) on behalf of the
9 special group.

10 (b) If a request is made under subsection (a), the bureau shall collect
11 the following fees:

12 (1) The appropriate fee under IC 9-29-5-38(a).

13 (2) An annual fee of **not more than** twenty-five dollars (\$25).

14 (c) The annual fee referred to in subsection (b)(2) shall be collected
15 by the bureau and deposited in a trust fund for the special group
16 established under subsection (d).

17 (d) The treasurer of state shall establish a trust fund for each special
18 group for which the bureau collects fees under this section.

19 (e) The treasurer of state shall invest the money in the fund not
20 currently needed to meet the obligations of the fund in the same
21 manner as other public funds are invested. ~~Interest that accrues from~~
22 ~~these investments shall be deposited in the fund.~~ Money in the fund is
23 continuously appropriated for the purposes of this section. Money in
24 the fund at the end of a state fiscal year does not revert to the state
25 general fund.

26 (f) The commissioner shall administer the fund. ~~Expenses of~~
27 ~~administering the fund shall be paid from money in the fund.~~

28 (g) ~~Before June 30 of each year,~~ The commissioner shall distribute
29 **monthly** the money from the fund to the special group for which the
30 bureau has collected fees under this section.

31 (h) Subject to section 18 of this chapter, the bureau may not disclose
32 information that identifies the persons to whom special group license
33 plates have been issued under this section.

34 (i) If:

35 (1) representatives of a special group have collected an annual fee
36 as set forth in subsection (a) from purchasers of the special group
37 recognition license plates that was paid directly to the special
38 group; and

39 (2) the representatives of the special group request the bureau to
40 collect the annual fee on behalf of the special group as set forth in
41 subsection (a);

42 representatives of the special group may request the bureau to change

C
o
p
y



1 the method of collection of the annual fee for the following calendar
 2 year. The representatives of the special group must make a request
 3 under this subsection by July 1 of the year preceding the year for which
 4 the change has been requested. The group may request only one (1)
 5 change in the method of collection in a plate cycle.

6 (j) If:

7 (1) the bureau collects an annual fee as set forth in subsection (a)
 8 on behalf of a special group; and

9 (2) representatives of the special group request the bureau to
 10 cease collection of the annual fee as set forth in subsection (a) on
 11 behalf of the special group as the annual fee will be paid directly
 12 to the special group by purchasers of the special group
 13 recognition license plates;

14 representatives of the special group may request the bureau to change
 15 the method of collection of the annual fee for the following calendar
 16 year. The representatives of the special group must make a request
 17 under this subsection by July 1 of the year preceding the year for which
 18 the change has been requested. The group may request only one (1)
 19 change in the method of collection in a plate cycle.

20 SECTION 167. IC 9-18-25-18, AS ADDED BY P.L.87-2010,
 21 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2012]: Sec. 18. (a) This section applies to ~~an application form~~
 23 **a request** for a special group recognition license plate that:

24 (1) is subject to an annual special group fee; and

25 (2) does not require an applicant to obtain authorization from the
 26 special group that sponsors the license plate.

27 (b) ~~The application form must include a box for the~~ **An applicant to**
 28 ~~check that states shall be given the following:~~

29 **"By checking opportunity to authorize the above box, I am**
 30 **authorizing disclosure of the personal information of the**
 31 **applicant when requesting the special group recognition**
 32 **license plate as follows:**

33 **"I authorize** the bureau of motor vehicles to disclose my personal
 34 information included ~~on in~~ **in this application form to the request**
 35 **for a special group license plate to the special group** that
 36 sponsors the license plate for which I am applying. I understand
 37 that:

38 (1) the special group may contact me with information about
 39 its activities but may not use my personal information
 40 primarily for fundraising or solicitation purposes;

41 (2) the bureau will not disclose my personal information to any
 42 other person or group; and

C
o
p
y



1 (3) the special group will not disclose my personal information
2 to any other person or group without my written consent."

3 (c) If an applicant ~~checks the box~~ **authorizes the disclosure of the**
4 **personal information of the applicant as** described in subsection (b),
5 the bureau may disclose **the** personal information ~~about the applicant~~
6 ~~included on the application form~~ only to the special group that sponsors
7 the license plate.

8 (d) If a special group receives personal information disclosed under
9 subsection (c), the special group:

10 (1) may contact the applicant with information about the special
11 group's activities;

12 (2) may not contact the applicant primarily for fundraising or
13 solicitation purposes; and

14 (3) may not disclose the applicant's personal information to any
15 other person or group without the applicant's written consent.

16 SECTION 168. IC 9-18-26-8, AS AMENDED BY P.L.93-2010,
17 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2012]: Sec. 8. Dealer-new, dealer-used, and manufacturer
19 license plates may be used without restriction by a designee of a dealer
20 or a designee of a manufacturer under rules adopted by the secretary of
21 state. The rules must provide the following:

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

25 (2) The dealer or manufacturer shall report to the ~~secretary of~~
26 ~~state bureau~~ the date of assignment to a designee, the designee's
27 name and address, and the date of termination of the assignment
28 within ten (10) days of the assignment or termination.

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

33 SECTION 169. IC 9-18-29-4 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The fee for an
35 environmental license plate is as follows:

36 (1) The appropriate fee under IC 9-29-5-38.

37 (2) An annual fee of twenty-five dollars (\$25).

38 (b) The annual fee referred to in subsection (a)(2) shall be collected
39 by the ~~bureau of motor vehicles~~ commission.

40 SECTION 170. IC 9-18-32.2 IS REPEALED [EFFECTIVE JULY
41 1, 2012]. (Drug Free Indiana Trust License Plates).

42 SECTION 171. IC 9-18-35 IS REPEALED [EFFECTIVE JULY 1,

C
o
p
y



1 2012]. (Indiana Food Bank Trust License Plates).
 2 SECTION 172. IC 9-18-36 IS REPEALED [EFFECTIVE JULY 1,
 3 2012]. (Indiana Girl Scouts Trust License Plates).
 4 SECTION 173. IC 9-18-38 IS REPEALED [EFFECTIVE JULY 1,
 5 2012]. (Indiana Retired Armed Forces Member License Plates).
 6 SECTION 174. IC 9-18-39 IS REPEALED [EFFECTIVE JULY 1,
 7 2012]. (Indiana Antique Car Museum Trust License Plates).
 8 SECTION 175. IC 9-18-43 IS REPEALED [EFFECTIVE JULY 1,
 9 2012]. (Indiana Mental Health Trust License Plates).
 10 SECTION 176. IC 9-18-46.2-6 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) This section
 12 applies with regard to a state educational institution trust license plate
 13 supporting a state educational institution in a year following a year:
 14 (1) in which at least ten thousand (10,000) of the state educational
 15 institution trust license plates are sold or renewed; and
 16 (2) beginning after December 31, 1998.
 17 (b) The treasurer of state shall establish a special account within a
 18 trust fund for each state educational institution described in subsection
 19 (a)(1).
 20 (c) The bureau shall require a person who purchases a state
 21 educational institution trust license plate under this section to designate
 22 the state educational institution the person chooses to receive the
 23 annual fee that the person pays under section 5(2) of this chapter as the
 24 corresponding state educational institution designated in section 4 of
 25 this chapter.
 26 (d) The treasurer of state shall deposit the annual fee collected under
 27 section 5(2) of this chapter into a special account within a trust fund for
 28 the state educational institution designated by the purchaser in
 29 subsection (c).
 30 (e) The treasurer of state shall invest the money in the special
 31 account not distributed in the same manner as other public trust funds
 32 are invested. Interest that accrues from these investments shall be
 33 deposited in the special account.
 34 (f) The auditor of state monthly shall distribute the money from the
 35 special account to the state educational institution's authorized alumni
 36 association.
 37 (g) Money in the special account at the end of a state fiscal year
 38 does not revert to the state general fund.
 39 ~~(h) The bureau shall maintain a sufficient supply of the state~~
 40 ~~educational institution trust license plates in each branch and partial~~
 41 ~~service walk-up location to provide a plate to a purchaser at the time of~~
 42 ~~sale.~~

COPY



1 SECTION 177. IC 9-18-50-5, AS ADDED BY P.L.58-2006,
 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 5. A Hoosier veteran license plate issued under
 4 this chapter may be displayed on the following:

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

10 SECTION 178. IC 9-18-50-6, AS ADDED BY P.L.58-2006,
 11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2012]: Sec. 6. A veteran who is a resident of Indiana and is
 13 eligible to register a motor vehicle under this title may apply for and
 14 receive a Hoosier veteran license plate for one (1) or more motor
 15 vehicles upon doing the following:

- 16 (1) Completing an application for a Hoosier veteran license plate.
- 17 (2) Presenting:
 - 18 (A) a United States Uniformed Services Retiree Identification
 19 Card;
 - 20 (B) a DD 214 or DD 215 record;
 - 21 (C) United States military discharge papers; or
 - 22 (D) a current armed forces identification card;
 - 23 to the bureau.
- 24 (3) Paying the fee under section 7 of this chapter.

25 SECTION 179. IC 9-18-51-3, AS ADDED BY P.L.58-2006,
 26 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2012]: Sec. 3. A support our troops license plate issued under
 28 this chapter may be displayed on the following:

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

34 SECTION 180. IC 9-18-52-5, AS ADDED BY P.L.30-2008,
 35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2012]: Sec. 5. A license plate issued under this chapter may
 37 be displayed on the following:

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

C
 o
 p
 y



1 SECTION 181. IC 9-18-54-4, AS ADDED BY P.L.87-2010,
 2 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 4. An Indiana Gold Star family member license
 4 plate issued under this chapter may be displayed on the following:

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

10 SECTION 182. IC 9-22-1-4, AS AMENDED BY P.L.191-2007,
 11 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (c), the
 13 ~~person who owns~~ **owner of** an abandoned vehicle or parts is:

- 14 (1) responsible for the abandonment; and
 15 (2) liable for all of the costs incidental to the removal, storage,
 16 and disposal;

17 of the vehicle or the parts under this chapter.

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

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

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

28 SECTION 183. IC 9-22-1-5 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. When an officer
 30 discovers a vehicle in the possession of a person other than the ~~person~~
 31 ~~who owns~~ **owner of** the vehicle and the person cannot establish the
 32 right to possession of the vehicle, the vehicle shall be taken to and
 33 stored in a suitable place.

34 SECTION 184. IC 9-22-1-6 IS REPEALED [EFFECTIVE JULY 1,
 35 2012]. Sec. 6: ~~The bureau shall be notified within seventy-two (72)~~
 36 ~~hours of the location and description of a vehicle described in section~~
 37 ~~5 of this chapter:~~

38 SECTION 185. IC 9-22-1-7, AS AMENDED BY P.L.191-2007,
 39 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2012]: Sec. 7. If:

- 41 (1) the ~~person who owns~~ **owner** or ~~holds a lien~~ **lienholder** under
 42 section ~~8~~ **8.5** of this chapter does not appear and pay all costs; or

C
o
p
y



1 (2) the ~~person who owns~~ **owner** of a vehicle cannot be
2 determined by a search conducted under section 19 of this
3 chapter;
4 the vehicle is considered abandoned and must be disposed of under this
5 chapter.

6 SECTION 186. IC 9-22-1-8 IS REPEALED [EFFECTIVE JULY 1,
7 2012]. ~~Sec. 8: If the properly identified person who owns or holds a lien~~
8 ~~on a vehicle appears at the site of storage before disposal of the vehicle~~
9 ~~or parts and pays all costs incurred against the vehicle or parts at that~~
10 ~~time, the vehicle or parts shall be released.~~

11 SECTION 187. IC 9-22-1-8.5 IS ADDED TO THE INDIANA
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2012]: **Sec. 8.5. If the properly identified**
14 **person who owns or holds a lien on a vehicle appears at the site of**
15 **storage before disposal of the vehicle or parts and pays all costs**
16 **incurred against the vehicle or parts at that time, the vehicle or**
17 **parts shall be released.**

18 SECTION 188. IC 9-22-1-9 IS REPEALED [EFFECTIVE JULY 1,
19 2012]. ~~Sec. 9: The release must state the name; signature; and address~~
20 ~~of the person who owns or holds a lien on the vehicle; a description of~~
21 ~~the vehicle or parts; costs; and date of release. A towing service shall~~
22 ~~notify the appropriate public agency of all releases under section 8 of~~
23 ~~this chapter.~~

24 SECTION 189. IC 9-22-1-9.5 IS ADDED TO THE INDIANA
25 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2012]: **Sec. 9.5. The release under section 8.5**
27 **of this chapter must state the name, signature, and address of the**
28 **person who owns or holds a lien on the vehicle, a description of the**
29 **vehicle or parts, costs, and date of release. A towing service shall**
30 **notify the appropriate public agency of all releases under section**
31 **8.5 of this chapter.**

32 SECTION 190. IC 9-22-1-12, AS AMENDED BY P.L.131-2008,
33 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2012]: Sec. 12. If a vehicle or a part tagged under section 11
35 of this chapter is not removed within the applicable period, the officer
36 shall prepare a written abandoned vehicle report of the vehicle or parts,
37 including information on the condition **and** missing parts. ~~and other~~
38 ~~facts that might substantiate the estimated market value of the vehicle~~
39 ~~or parts. Photographs shall may be taken to describe the condition of~~
40 the vehicle or parts.

41 SECTION 191. IC 9-22-1-13, AS AMENDED BY P.L.191-2007,
42 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

C
o
p
y



1 JULY 1, 2012]: Sec. 13. (a) If ~~in the opinion of the officer~~ **vehicle is a**
 2 **junk vehicle and** the market value of an abandoned vehicle or parts
 3 ~~determined in accordance with section 12 of this chapter~~ is less than:

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

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

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

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

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

30 SECTION 192. IC 9-22-1-14, AS AMENDED BY P.L.104-2005,
 31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2012]: Sec. 14. (a) If in the opinion of the officer the market
 33 value of the abandoned vehicle or parts ~~determined in accordance with~~
 34 ~~section 12 of this chapter~~ is at least:

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

36 (2) in a municipality that has adopted an ordinance under section
 37 13(b) of this chapter, the amount established by the ordinance;

38 the officer, before placing a notice tag on the vehicle or parts, shall
 39 make a reasonable effort to ascertain the person who owns the vehicle
 40 or parts or who may be in control of the vehicle or parts.

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



C
O
P
Y

1 SECTION 193. IC 9-22-1-17, AS AMENDED BY P.L.191-2007,
 2 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 17. A towing service that tows a vehicle under
 4 section 5 or 16 of this chapter shall give notice to the public agency
 5 that the abandoned vehicle is in the possession of the towing service.

6 SECTION 194. IC 9-22-1-19, AS AMENDED BY P.L.191-2007,
 7 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2012]: Sec. 19. (a) Within seventy-two (72) hours after
 9 removal of a vehicle to a storage yard or towing service under section
 10 5, 13, 14, or 16 of this chapter, the public agency or towing service
 11 shall do the following:

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

15 (A) The make.

16 (B) The model.

17 (C) The identification number.

18 (D) The number of the license plate.

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

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

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

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

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

41 (1) name;

42 (2) address; and

C
o
p
y



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

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

13 SECTION 195. IC 9-22-1-21.5 IS ADDED TO THE INDIANA
 14 CODE AS A NEW SECTION TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2012]: **Sec. 21.5. (a) An individual, a firm, a**
 16 **limited liability company, or a corporation that performs labor,**
 17 **furnishes materials or storage, or does repair work on a motor**
 18 **vehicle, trailer, semitrailer, or recreational vehicle at the request**
 19 **of the person who owns the vehicle has a mechanic's lien on the**
 20 **vehicle for the reasonable value of the charges for the labor,**
 21 **materials, storage, or repairs.**

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

25 (1) **at the request of the person who owns the motor vehicle,**
 26 **trailer, semitrailer, or recreational vehicle;**

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

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

32 **has a mechanic's lien on the vehicle for the reasonable value of the**
 33 **charges for the towing services and other related costs. An**
 34 **individual, a firm, a partnership, a limited liability company, or a**
 35 **corporation that obtains a mechanic's lien for an abandoned**
 36 **vehicle under subdivision (2) must comply with sections 4, 17, and**
 37 **19 of this chapter.**

38 (c) **If:**

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

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

C
O
P
Y



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

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

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

21 (2) The amount of the unpaid charges.

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

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

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

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

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

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

40 (g) If the owner of a vehicle subject to sale under this section
 41 does not claim the vehicle and satisfy the mechanic's lien on the
 42 vehicle, the vehicle may be sold at public auction to the highest and

C
O
P
Y



1 best bidder. A person who holds a mechanic's lien under this
2 section may purchase a vehicle subject to sale under this section.

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

15 (i) A person who holds a mechanic's lien under this section shall
16 execute and deliver to the purchaser of a vehicle under this section
17 a sales certificate in the form designated by the bureau, setting
18 forth the following information:

19 (1) The facts of the sale.

20 (2) The vehicle identification number.

21 (3) The certificate of title if available.

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

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

27 SECTION 196. IC 9-22-1-23, AS AMENDED BY P.L.191-2007,
28 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2012]: Sec. 23. (a) This section applies to a city, town, or
30 county.

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

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

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

C
o
p
y



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

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

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

14 SECTION 197. IC 9-22-1.5-4 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The property owner
 16 shall:

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

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

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

C
 o
 p
 y



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

20 If the auction produces no purchaser, the property owner shall

21 note that fact on the affidavit. The property owner shall list the

22 property owner, or any donee, as the purchaser on the affidavit of

23 sale or disposal.

24 SECTION 198. IC 9-22-3-1 IS AMENDED TO READ AS

25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) Except as

26 provided in subsection (b), ~~and section 14 of this chapter~~, this chapter

27 applies each year to a motor vehicle, semitrailer, or recreational vehicle

28 manufactured within the last seven (7) model years, including the

29 current model year. The bureau shall establish guidelines for

30 determining the applicability of the model year effective dates for each

31 year.

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

38 SECTION 199. IC 9-22-3-4 IS AMENDED TO READ AS

39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau shall

40 issue a certificate of salvage title as proof of ownership for a salvage

41 motor vehicle when the acquiring insurance company, disposal facility,

42 or person does the following:

C
o
p
y



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

9 SECTION 200. IC 9-22-3-5 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. A certificate of
 11 salvage title issued under section 4 of this chapter must contain the
 12 following information:

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

20 SECTION 201. IC 9-22-3-9 IS REPEALED [EFFECTIVE JULY 1,
 21 2012]. ~~Sec. 9: If a dealer purchases a salvage motor vehicle subject to~~
 22 ~~section 8 of this chapter and applies for a certificate of dealer title; the~~
 23 ~~affidavit attached to the certificate of salvage title must also be attached~~
 24 ~~to the certificate of dealer title. The bureau must retain the affidavit or~~
 25 ~~a microfilm copy of the form for ten (10) years.~~

26 SECTION 202. IC 9-22-3-10 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) If a certificate
 28 of salvage title is lost, mutilated, or destroyed or becomes illegible, the
 29 person who owns the **salvage motor** vehicle or the legal representative
 30 or legal successor in interest of the person who owns the **salvage** motor
 31 vehicle, semitrailer, or recreational vehicle for which the certificate of
 32 salvage title was issued, as shown by the records of the bureau, ~~of~~
 33 ~~motor vehicles;~~ shall immediately apply for a duplicate certificate of
 34 salvage title.

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

42 (c) A certificate of salvage title issued under this section must have

C
o
p
y



1 recorded upon the title's face and back the words "DUPLICATE
2 SALVAGE TITLE".

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

7 SECTION 203. IC 9-22-3-11, AS AMENDED BY P.L.110-2006,
8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2012]: Sec. 11. (a) This section applies to the following
10 persons:

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

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

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

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

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

31 (c) When the owner of a **salvage motor** vehicle described in
32 subsection (a) retains possession of the **salvage motor** vehicle:

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

36 (2) the insurance company that completes an agreed settlement
37 for the **salvage motor** vehicle shall:

38 (A) obtain the certificate of title; and

39 (B) submit to the bureau:

40 (i) the certificate of title;

41 (ii) the appropriate fee; and

42 (iii) a request for a certificate of salvage title on a form

C
O
P
Y



1 prescribed by the bureau; and
 2 (3) after the bureau has received the items set forth in subdivision
 3 (2)(B), the bureau shall issue a certificate of salvage title to the
 4 owner.

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

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

17 (f) A person that violates this section commits a Class D infraction.
 18 SECTION 204. IC 9-22-3-12 IS REPEALED [EFFECTIVE JULY
 19 1, 2012]. ~~Sec. 12. The owner of a salvage motor vehicle not covered by
 20 this chapter, either because a salvage transaction had taken place
 21 before September 1, 1975, or because the vehicle is too old, is not
 22 required to obtain a certificate of salvage title for the vehicle.~~

23 SECTION 205. IC 9-22-3-13 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. A scrap metal
 25 processor or other appropriate facility that purchases or acquires a
 26 salvage motor vehicle that has been totally demolished or destroyed as
 27 a result of normal processing performed by a disposal facility is not
 28 required to apply for and receive a certificate of salvage title for the
 29 vehicle. **The facility or processor shall surrender the certificate of
 30 title or the certificate of salvage title to the bureau.** The disposal
 31 facility shall maintain the records prescribed by the bureau for a totally
 32 demolished or destroyed vehicle.

33 SECTION 206. IC 9-22-3-14 IS REPEALED [EFFECTIVE JULY
 34 1, 2012]. ~~Sec. 14. (a) This section applies to all salvage motor vehicles.~~

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

39 SECTION 207. IC 9-22-3-16 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) Except as
 41 provided in subsection (b), a certificate of title issued under section 8
 42 9; or 15 of this chapter and a certificate of title subsequently issued

C
o
p
y



- 1 must conspicuously bear the designation:
 2 (1) "REBUILT VEHICLE--MILEAGE ~~UNKNOWN~~" **NOT**
 3 **ACTUAL**" if the motor vehicle is not a flood damaged vehicle;
 4 or
 5 (2) "REBUILT FLOOD DAMAGED VEHICLE" if the motor
 6 vehicle is a flood damaged vehicle.
- 7 (b) An insurance company authorized to do business in Indiana may
 8 obtain a certificate of title that does not bear the designation if the
 9 company submits to the bureau, in the form and manner the bureau
 10 requires, satisfactory evidence that the damage to a recovered stolen
 11 motor vehicle did not meet the criteria set forth in section 3 of this
 12 chapter.
- 13 (c) An affidavit submitted under section 8 ~~or 9~~ of this chapter must
 14 conspicuously bear the designation:
 15 (1) "REBUILT VEHICLE"--~~MILEAGE UNKNOWN~~" if the
 16 motor vehicle is not a flood damaged vehicle; or
 17 (2) "REBUILT FLOOD DAMAGED VEHICLE" if the motor
 18 vehicle is a flood damaged vehicle.
- 19 **(d) A certificate of title for a salvage motor vehicle issued under**
 20 **subsection (a) may not designate the mileage of the vehicle.**
- 21 SECTION 208. IC 9-22-3-17 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17. (a) Except as
 23 provided in subsection (b), whenever a certificate of title is issued for
 24 a ~~motor~~ vehicle that was previously titled in another state or
 25 jurisdiction and the certificate of title from the other state or
 26 jurisdiction contains a "REBUILT", "RECONSTRUCTED",
 27 "RECONDITIONED", "DISTRESSED VEHICLE", or similar
 28 designation, a new and subsequent certificate of title must
 29 conspicuously bear the designation "REBUILT VEHICLE".
- 30 (b) Whenever a certificate of title is issued for a ~~motor~~ vehicle
 31 described in subsection (a) that was previously titled in another state
 32 or jurisdiction and the certificate of title from the other state or
 33 jurisdiction contains a designation that indicates that the ~~motor~~ vehicle
 34 is a flood damaged vehicle, a new and subsequent certificate of title
 35 must conspicuously bear the designation "REBUILT FLOOD
 36 DAMAGED VEHICLE".
- 37 SECTION 209. IC 9-22-3-18 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. A **salvage motor**
 39 **vehicle** that has been designated "JUNK", "**DISMANTLED**",
 40 "**SCRAP**", "**DESTROYED**", **or any similar designation** in another
 41 state or jurisdiction ~~may~~ **shall** not be titled in Indiana.
- 42 SECTION 210. IC 9-22-3-18.5 IS ADDED TO THE INDIANA

C
o
p
y

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

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

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

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

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

13 SECTION 211. IC 9-22-3-33 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 33. A person who
 15 violates section 4, 5, 6, 7, or 8 of this chapter (or section 9 of this
 16 chapter **before its repeal**) commits a Class D felony.

17 SECTION 212. IC 9-22-5-1 IS REPEALED [EFFECTIVE JULY 1,
 18 2012]. ~~Sec. 1: The following officers may act for their respective units~~
 19 ~~of government under this chapter:~~

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

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

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

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

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

25 SECTION 213. IC 9-22-5-2 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A:

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

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

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

35 SECTION 214. IC 9-22-5-3 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The application
 37 required under section 2 of this chapter shall be made in ~~duplicate upon~~
 38 ~~forms a manner~~ prescribed and furnished by the bureau. ~~One (1) copy~~
 39 ~~of~~ The application shall be filed with the bureau. ~~and one (1) copy of~~
 40 ~~the application shall be retained by the sheriff.~~

41 SECTION 215. IC 9-22-5-5 IS REPEALED [EFFECTIVE JULY 1,
 42 2012]. ~~Sec. 5: (a) The sheriff shall examine each application made~~

C
o
p
y



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 216. 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 217. 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

C
o
p
y



1 licensed junk dealer or established automobile wrecker shall accept the
 2 sheriff's certificate of authority instead of the certificate of title to the
 3 motor vehicle.

4 SECTION 218. IC 9-22-5-8 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The certificate of
 6 authority to **scrap the vehicle** required under ~~section 7~~ of this chapter
 7 shall be made in ~~triplicate~~ on forms prescribed and furnished by the
 8 bureau. The certificate of authority must contain the following
 9 information:

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

12 (2) The year, make, model, and engine number, if ascertainable,
 13 together with any other identifying features of the **abandoned**
 14 motor vehicle that has been authorized to be sold for scrap metal.

15 SECTION 219. IC 9-22-5-9 IS REPEALED [EFFECTIVE JULY 1,
 16 2012]. ~~Sec. 9: The sheriff shall retain one (1) copy of the certificate of~~
 17 ~~authority required under section 7 of this chapter. The sheriff shall send~~
 18 ~~one (1) copy of the certificate of authority to the bureau.~~

19 SECTION 220. IC 9-22-5-10 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. After a certificate
 21 of authority required under ~~section 7~~ of this chapter has been delivered
 22 to the bureau ~~under section 9 of this chapter~~, **by the automobile**
 23 **scrapyard**, a certificate of title may not be issued for the **abandoned**
 24 motor vehicle **that is** described in the certificate of authority **and is**
 25 **noted in the records of the bureau as "junk"**.

26 SECTION 221. IC 9-22-5-11 IS REPEALED [EFFECTIVE JULY
 27 1, 2012]. ~~Sec. 11: A fee may not be charged for the filing of an~~
 28 ~~application under section 2 of this chapter or for the issuance of a~~
 29 ~~certificate of authority under section 7 of this chapter.~~

30 SECTION 222. IC 9-22-5-12 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. The person who

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

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

36 SECTION 223. IC 9-22-5-13, AS AMENDED BY P.L.246-2005,
 37 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2012]: Sec. 13. (a) A person ~~not described in section 12 of this~~
 39 ~~chapter~~ who sells an abandoned motor vehicle under this chapter may
 40 retain from the proceeds of sale the cost of publication of notice and the
 41 cost of preserving the motor vehicle during the period of the vehicle's
 42 abandonment. The person shall pay the remaining balance of the

C
o
p
y



1 proceeds of the sale to the circuit court clerk of the county in which the
2 abandoned motor vehicle is located.

3 (b) At any time within ten (10) years after the money is paid to the
4 clerk, the person who owns the abandoned motor vehicle sold under
5 this chapter may make a claim with the clerk for the sale proceeds
6 deposited with the clerk. If ownership of the proceeds is established to
7 the satisfaction of the clerk, the clerk shall pay the proceeds to the
8 person who owns the abandoned motor vehicle.

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

15 SECTION 224. IC 9-22-5-14 IS REPEALED [EFFECTIVE JULY
16 1, 2012]. See: 14: (a) An individual; a firm; a limited liability company;
17 or a corporation engaged in the business of storing; furnishing supplies
18 for; or repairing motor vehicles; trailers; semitrailers; or recreational
19 vehicles shall obtain the name and address of the person who owns a
20 motor vehicle; trailer; semitrailer; or recreational vehicle that is left in
21 the custody of the individual; firm; limited liability company; or
22 corporation for storage; furnishing of supplies; or repairs at the time the
23 motor vehicle is left.

24 (b) The individual; firm; limited liability company; or corporation
25 shall record in a book the following information concerning the motor
26 vehicle:

27 (1) The name and address of the person who owns the motor
28 vehicle.

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

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

31 (c) The book shall be provided and kept by the individual; firm;
32 limited liability company; or corporation and shall be open for
33 inspection by an authorized police officer of the state or of a city or
34 town or by the county sheriff.

35 (d) If a motor vehicle; trailer; semitrailer; or recreational vehicle is
36 stored by the week or by the month; only one (1) entry on the book is
37 required for the period of time during which the motor vehicle is
38 stored.

39 SECTION 225. IC 9-22-5-15 IS REPEALED [EFFECTIVE JULY
40 1, 2012]. See: 15: (a) An individual; a firm; a limited liability company;
41 or a corporation that performs labor, furnishes materials or storage; or
42 does repair work on a motor vehicle; trailer; semitrailer; or recreational

C
o
p
y



1 vehicle at the request of the person who owns the vehicle has a lien on
 2 the vehicle to the reasonable value of the charges for the labor;
 3 materials; storage; or repairs:

4 (b) An individual; a firm; a partnership; a limited liability company;
 5 or a corporation that provides towing services for a motor vehicle;
 6 trailer; semitrailer; or recreational vehicle:

7 (1) at the request of the person who owns the motor vehicle;
 8 trailer; semitrailer; or recreational vehicle;

9 (2) at the request of an individual; a firm; a partnership; a limited
 10 liability company; or a corporation on whose property an
 11 abandoned motor vehicle; trailer; semitrailer; or recreational
 12 vehicle is located; or

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

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

19 (c) If:

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

21 (2) the motor vehicle; trailer; semitrailer; or recreational vehicle
 22 is not claimed;

23 within thirty (30) days from the date on which the vehicle was left in
 24 or came into the possession of the individual; firm; limited liability
 25 company; or corporation for repairs; storage; towing; or the furnishing
 26 of materials; the individual; firm; limited liability company; or
 27 corporation may advertise the vehicle for sale. The vehicle may not be
 28 sold before fifteen (15) days after the date the advertisement required
 29 by subsection (d) has been placed or after notice required by subsection
 30 (e) has been sent; whichever is later.

31 (d) Before a vehicle may be sold under subsection (c); an
 32 advertisement must be placed in a newspaper of general circulation
 33 printed in the English language in the city or town in which the
 34 lienholder's place of business is located. The advertisement must
 35 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 (d);
 41 the person who holds the mechanic's lien must:

42 (1) notify the person who owns the vehicle and any other person

C
O
P
Y



1 who holds a lien of record at the person's last known address by
2 certified mail; return receipt requested; or

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

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

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

14 (g) If the person who owns a vehicle subject to sale under this
15 section does not claim the vehicle and satisfy the lien on the vehicle;
16 the vehicle may be sold at public auction to the highest and best bidder
17 for cash. A person who holds a mechanic's lien under this section may
18 purchase a vehicle subject to sale under this section:

19 (h) A person who holds a mechanic's lien under this section may
20 deduct and retain the amount of the lien and the cost of the
21 advertisement required under subsection (d) from the purchase price
22 received for a vehicle sold under this section. After deducting from the
23 purchase price the amount of the lien and the cost of the advertisement;
24 the person shall pay the surplus of the purchase price to the person who
25 owns the vehicle if the person's address or whereabouts is known. If the
26 address or whereabouts of the person who owns the vehicle is not
27 known, the surplus of the purchase price shall be paid over to the clerk
28 of the circuit court of the county in which the person who holds the
29 mechanic's lien has a place of business for the use and benefit of the
30 person who owns the vehicle:

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

35 (1) The facts of the sale:

36 (2) The vehicle identification number:

37 (3) The certificate of title if available:

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

40 Whenever the bureau receives from the purchaser an application for
41 certificate of title accompanied by these items, the bureau shall issue
42 a certificate of title for the vehicle under IC 9-17:

C
o
p
y



1 SECTION 226. IC 9-22-5-16 IS REPEALED [EFFECTIVE JULY
2 1, 2012]. Sec. 16: (a) This section does not apply to a person who sells;
3 exchanges; or transfers golf carts:

4 (b) A seller that is:

5 (1) a dealer; or

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

7 (5) vehicles each year;

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

13 SECTION 227. IC 9-22-5-17 IS REPEALED [EFFECTIVE JULY
14 1, 2012]. Sec. 17: A person who recklessly violates section 14 or 15 of
15 this chapter commits a Class A misdemeanor.

16 SECTION 228. IC 9-22-6 IS ADDED TO THE INDIANA CODE
17 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2012]:

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

20 **Sec. 1. (a) An individual, a firm, a limited liability company, or**
21 **a corporation engaged in the business of storing, furnishing**
22 **supplies for, or repairing motor vehicles, trailers, semitrailers, or**
23 **recreational vehicles shall obtain the name and address of the**
24 **person who owns a motor vehicle, trailer, semitrailer, or**
25 **recreational vehicle that is left in the custody of the individual,**
26 **firm, limited liability company, or corporation for storage,**
27 **furnishing of supplies, or repairs at the time the motor vehicle is**
28 **left.**

29 (b) The individual, firm, limited liability company, or
30 corporation shall record in a book the following information
31 concerning the motor vehicle described in subsection (a):

32 (1) The name and address of the person who owns the vehicle.

33 (2) The license number of the vehicle.

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

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

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

42 **Sec. 2. (a) An individual, a firm, a limited liability company, or**

C
O
P
Y



1 a corporation that performs labor, furnishes materials or storage,
 2 or does repair work on a motor vehicle, trailer, semitrailer, or
 3 recreational vehicle at the request of the person who owns the
 4 vehicle has a mechanic's lien on the vehicle for the reasonable
 5 value of the charges for the labor, materials, storage, or repairs.

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

13 (c) If:

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

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

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

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

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

37 (2) The amount of the unpaid charges.

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

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

41 (1) notify the person who owns the vehicle and any other
 42 person who holds a lien of record at the person's last known

C
O
P
Y



1 address by certified mail, return receipt requested; or

2 (2) if the vehicle is an abandoned motor vehicle, provide
3 notice as required under subdivision (1) if the location of the
4 owner of the motor vehicle or a lienholder of record is
5 determined by the bureau in a search;

6 that the vehicle will be sold at public auction on a specified date to
7 satisfy the mechanic's lien imposed by this section.

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

14 (g) If the person who owns a vehicle subject to sale under this
15 section does not claim the vehicle and satisfy the mechanic's lien on
16 the vehicle, the vehicle may be sold at public auction to the highest
17 and best bidder. A person who holds a mechanic's lien under this
18 section may purchase a vehicle subject to sale under this section.

19 (h) A person who holds a mechanic's lien under this section may
20 deduct and retain the amount of the mechanic's lien and the cost of
21 the advertisement required under subsection (d) from the purchase
22 price received for a vehicle sold under this section. After deducting
23 from the purchase price the amount of the mechanic's lien and the
24 cost of the advertisement, the person shall pay the surplus of the
25 purchase price to the person who owns the vehicle if the person's
26 address or whereabouts are known. If the address or whereabouts
27 of the person who owns the vehicle are not known, the surplus of
28 the purchase price shall be paid over to the clerk of the circuit
29 court of the county in which the person who holds the mechanic's
30 lien has a place of business for the use and benefit of the person
31 who owns the vehicle.

32 (i) A person who holds a mechanic's lien under this section shall
33 execute and deliver to the purchaser of a vehicle under this section
34 a sales certificate in the form designated by the bureau, setting
35 forth the following information:

36 (1) The facts of the sale.

37 (2) The vehicle identification number.

38 (3) The certificate of title if available.

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

41 Whenever the bureau receives from the purchaser an application
42 for certificate of title accompanied by these items, the bureau shall

C
O
P
Y



1 **issue a certificate of title for the vehicle under IC 9-17.**

2 **Sec. 3. A person who knowingly, intentionally, or recklessly**
 3 **violates section 1 or 2 of this chapter commits a Class A**
 4 **misdemeanor.**

5 SECTION 229. IC 9-24-1-1, AS AMENDED BY P.L.109-2011,
 6 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2012]: Sec. 1. Except as **otherwise** provided in ~~section 6~~ **or**
 8 ~~7~~ of this chapter, an individual must have a valid Indiana:

- 9 (1) operator's license;
 10 (2) chauffeur's license;
 11 (3) public passenger chauffeur's license;
 12 (4) commercial driver's license;
 13 (5) driver's license listed in subdivision (1), (2), (3), or (4) with a
 14 motorcycle endorsement; ~~or~~
 15 (6) learner's permit; **or**
 16 **(7) motorcycle learner's permit;**

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

20 SECTION 230. IC 9-24-1-1.5 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1.5. ~~(a) This section~~
 22 ~~applies after December 31, 2005.~~

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

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

- 29 (1) not required by this article to reside in Indiana to receive the
 30 license; and
 31 (2) otherwise qualified to receive the license.

32 SECTION 231. IC 9-24-1-2 IS REPEALED [EFFECTIVE JULY 1,
 33 2012]. ~~Sec. 2. Except as provided in section 7 of this chapter, an~~
 34 ~~individual must have a valid Indiana chauffeur's license to operate a~~
 35 ~~motor vehicle as a chauffeur upon an Indiana highway.~~

36 SECTION 232. IC 9-24-1-4 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Except as **otherwise**
 38 provided in ~~section 7~~ of this chapter, an individual must:

- 39 (1) have a valid Indiana ~~operator's, chauffeur's, or public~~
 40 ~~passenger chauffeur's~~ **driver's** license; and
 41 (2) be at least eighteen (18) years of age;

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

C
O
P
Y



1 SECTION 233. IC 9-24-1-5, AS AMENDED BY P.L.109-2011,
 2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 5. (a) An individual must have a valid driver's
 4 license that may be any of the following to operate a motorcycle upon
 5 a public highway:

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

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

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

12 (b) An individual who held a motorcycle operator's license on ~~June~~
 13 ~~30, December 31, 2011~~, must hold ~~an a~~ **valid** operator's, a chauffeur's,
 14 a public passenger chauffeur's, or a commercial driver's license with a
 15 motorcycle endorsement in order to operate the motorcycle after ~~June~~
 16 ~~30, December 31, 2011~~, **without restrictions**.

17 SECTION 234. IC 9-24-1-6 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Except as
 19 provided in subsection (b) **or as otherwise provided in this article**, an
 20 individual must hold a valid ~~Indiana~~ commercial driver's license ~~issued~~
 21 ~~by the bureau under this article~~ to drive a commercial motor vehicle
 22 ~~after March 31, 1992~~, upon an Indiana highway.

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

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

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

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

29 SECTION 235. IC 9-24-1-7, AS AMENDED BY P.L.87-2010,
 30 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2012]: Sec. 7. (a) Sections 1 through 5 of this chapter do not
 32 apply to the following individuals:

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

35 (2) An individual while operating:

36 (A) a road roller;

37 (B) road construction or maintenance machinery, except where
 38 the road roller or machinery is required to be registered under
 39 Indiana law;

40 (C) a ditch digging apparatus;

41 (D) a well drilling apparatus;

42 (E) a concrete mixer; or

C
o
p
y



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

8 (3) A nonresident who:

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

10 (B) has in the nonresident's immediate possession a valid
 11 ~~operator's driver's~~ license that was issued to the nonresident
 12 in the nonresident's home state or country; and

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

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

16 (4) A nonresident who:

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

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

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

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

24 (5) A nonresident who:

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

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

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

32 (6) An individual who is legally licensed to operate a motor
 33 vehicle in the state of the individual's residence and who is
 34 employed in Indiana, subject to the restrictions imposed by the
 35 state of the individual's residence.

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

40 (8) An individual who is an engineer, a conductor, a brakeman, or
 41 another member of the crew of a locomotive or a train that is
 42 being operated upon rails, including the operation of the

C
o
p
y



1 locomotive or the train on a crossing over a street or a highway.
 2 An individual described in this subdivision is not required to
 3 display a license to a law enforcement officer in connection with
 4 the operation of a locomotive or a train in Indiana.

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

8 SECTION 236. IC 9-24-2-1, AS AMENDED BY P.L.1-2006,
 9 SECTION 165, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) ~~A driver's license or a~~ **The**
 11 **bureau shall suspend the driving privileges or invalidate the**
 12 **learner's permit** ~~may not be issued to of~~ an individual less than eighteen
 13 (18) years of age who meets any of the following conditions:

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

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

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

29 SECTION 237. IC 9-24-2-2 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~A driver's license or~~
 31 ~~a~~ **The bureau shall suspend the driving privileges or invalidate the**
 32 **learner's permit** ~~may not be issued to of~~ an individual less than eighteen
 33 (18) years of age who is under an order entered by a juvenile court
 34 under IC 31-37-19-13 through IC 31-37-19-17 (or IC 31-6-4-15.9(d),
 35 IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before their repeal).

36 SECTION 238. IC 9-24-2-2.5, AS AMENDED BY P.L.3-2008,
 37 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2012]: Sec. 2.5. (a) ~~An operator's license or a~~ **The bureau**
 39 **shall suspend the driving privileges or invalidate the** learner's permit
 40 **may not be issued to of** an individual who is under an order entered by
 41 a court under IC 35-43-1-2(c).

42 (b) The bureau shall suspend the ~~operator's license~~ **driving**

C
o
p
y



1 **privileges** or invalidate the learner's permit of a person who is the
 2 subject of an order issued under IC 31-37-19-17 (or IC 31-6-4-15.9(f)
 3 before its repeal) or IC 35-43-1-2(c).

4 SECTION 239. IC 9-24-2-3, AS AMENDED BY P.L.184-2007,
 5 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 3. (a) The bureau may not issue a **driver's** license
 7 or **learner's** permit **or grant driving privileges** to the following
 8 individuals:

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

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

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

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

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

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

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

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

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

37 (B) the Title IV-D agency;

38 ordering that a **driving driver's** license or permit not be issued to
 39 the individual.

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

C
o
p
y



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

6 SECTION 240. IC 9-24-2-3.1 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3.1. (a) If a petitioner
8 named in an order issued under section 3(a)(8) of this chapter has a
9 valid commercial ~~driving driver's~~ license, the bureau shall not
10 immediately suspend the ~~person's commercial~~ driving ~~license~~
11 **privileges** but **shall** indicate on the ~~driver's person's~~ record that the
12 person has a conditional ~~license driving privileges~~ to operate a motor
13 vehicle to and from the person's place of employment and in the course
14 of the person's employment.

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

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

24 SECTION 241. IC 9-24-2-4, AS AMENDED BY P.L.1-2005,
25 SECTION 107, IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) If a person is less than
27 eighteen (18) years of age and is a habitual truant, is under a
28 suspension or an expulsion or has withdrawn from school as described
29 in section 1 of this chapter, the bureau shall, upon notification by the
30 person's principal, ~~invalidate suspend~~ the person's ~~license or permit~~
31 **driving privileges** until the earliest of the following:

- 32 (1) The person becomes eighteen (18) years of age.
- 33 (2) One hundred twenty (120) days after the person is suspended,
34 or the end of a semester during which the person returns to
35 school, whichever is longer.
- 36 (3) The suspension, expulsion, or exclusion is reversed after the
37 person has had a hearing under IC 20-33-8.

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

- 40 (1) That the person's driving privileges will be invalidated for a
41 specified period commencing five (5) days after the date of the
42 notice.

C
o
p
y



1 (2) That the person has the right to appeal the ~~invalidation~~
2 **suspension of a license or permit: the driving privileges.**
3 (c) If an aggrieved person believes that:
4 (1) the information provided was technically incorrect; or
5 (2) the bureau committed a technical or procedural error;
6 the aggrieved person may appeal the invalidation of a license under
7 ~~IC 9-25:~~ **section 5 of this chapter.**
8 (d) If a person satisfies the conditions for reinstatement of a license
9 under this section, the person may submit to the bureau the necessary
10 information certifying that at least one (1) of the events described in
11 subsection (a) has occurred.
12 (e) Upon certifying the information received under subsection (d),
13 the bureau shall ~~revalidate~~ **reinstate** the person's ~~license or permit:~~
14 **driving privileges.**
15 (f) A person may not operate a motor vehicle in violation of this
16 section.
17 (g) A person whose ~~license or permit is~~ **driving privileges are**
18 invalidated under this section may apply for a restricted driving ~~permit~~
19 **privileges** under IC 9-24-15.
20 (h) The bureau shall ~~revalidate~~ **reinstate** the ~~license or permit~~
21 **driving privileges** of a person whose ~~license or permit was~~ **driving**
22 **privileges were** invalidated under this section ~~who if the person~~ does
23 the following:
24 (1) Establishes to the ~~satisfaction~~ **satisfaction** of the principal of
25 the school where the action occurred that caused the ~~invalidation~~
26 **suspension** of the ~~person's license or permit~~ **driving privileges**
27 that the person has:
28 (A) enrolled in a full-time or part-time program of education;
29 and
30 (B) participated for thirty (30) or more days in the program of
31 education.
32 (2) Submits to the bureau a form developed by the bureau that
33 contains:
34 (A) the verified signature of the principal or the president of
35 the governing body of the school described in subdivision (1);
36 and
37 (B) notification to the bureau that the person has complied
38 with subdivision (1).
39 A person may appeal the decision of a principal under subdivision (1)
40 to the governing body of the school corporation where the principal's
41 school is located.

42 SECTION 242. IC 9-24-2-5, AS AMENDED BY P.L.1-2005,

C
O
P
Y



1 SECTION 108, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A person whose driving
 3 privileges have been ~~invalidated~~ **suspended** under section 4 of this
 4 chapter is entitled to a prompt judicial hearing. The person may file a
 5 petition that requests a hearing in a circuit, superior, county, or
 6 municipal court in the county where:

- 7 (1) the person resides; or
 8 (2) the school attended by the person is located.

9 (b) The petition for review must:

- 10 (1) be in writing; and
 11 (2) be verified by the person seeking review and:
 12 (A) allege specific facts that indicate the suspension or
 13 expulsion was improper; or
 14 (B) allege that due to the person's emancipation or dependents
 15 that an undue hardship exists that requires the granting of a
 16 restricted driving permit.

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

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

27 (d) If the court finds:

- 28 (1) that the school failed to follow proper procedures when
 29 suspending or expelling the person from school; or
 30 (2) that the bureau failed to follow proper procedures in
 31 ~~invalidating suspending~~ the person's ~~license or permit~~; **driving**
 32 **privileges**;

33 the court may order the bureau to reinstate the person's driving
 34 privileges.

35 (e) If the court finds that an undue hardship exists, **and the person**
 36 **otherwise qualifies under IC 9-24-15**, the court may order a restricted
 37 driving ~~permit~~ **privileges** limiting the petitioner to essential driving for
 38 work and driving between home, work, and school only. The restricted
 39 driving ~~permit~~ **privileges** must state the restrictions related to time,
 40 territory, and route. If a court orders a restricted driving ~~permit~~
 41 **privileges** for the petitioner, the court shall do the following:

- 42 (1) Include in the order a finding of facts that states the

C
O
P
Y



1 petitioner's driving restrictions.
 2 (2) Enter the findings of fact and order in the order book of the
 3 court.
 4 (3) Send the bureau a signed copy of the order.
 5 (f) The prosecuting attorney of the county in which a petition has
 6 been filed under this section shall represent the state on behalf of the
 7 bureau with respect to the petition. A school that is made a party to an
 8 action filed under this section is responsible for the school's own
 9 representation.
 10 (g) In an action under this section the petitioner has the burden of
 11 proof by a preponderance of the evidence.
 12 (h) The court's order is a final judgment appealable in the manner
 13 of civil actions by either party. The attorney general shall represent the
 14 state on behalf of the bureau with respect to the appeal.
 15 SECTION 243. IC 9-24-3-1, AS AMENDED BY P.L.145-2011,
 16 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2012]: Sec. 1. Except as otherwise provided in this article, the
 18 bureau shall issue an operator's license to an individual who meets the
 19 following conditions:
 20 (1) Satisfies the age requirements set forth in section 2 or 2.5 of
 21 this chapter.
 22 (2) Makes proper application to the bureau under IC 9-24-9 upon
 23 a form prescribed by the bureau. The form must include an
 24 attestation concerning the number of hours of supervised driving
 25 practice that the individual has completed if the individual is
 26 required under section 2.5 of this chapter to complete a certain
 27 number of hours of supervised driving practice in order to receive
 28 an operator's license. The:
 29 (A) parent or guardian of an applicant less than eighteen (18)
 30 years of age; or
 31 (B) applicant, if the applicant is at least eighteen (18) years of
 32 age;
 33 shall attest in writing under penalty of perjury to the time logged
 34 in practice driving.
 35 (3) Satisfactorily passes the examination and tests required for
 36 issuance of an operator's license under IC 9-24-10.
 37 (4) Pays the fee prescribed by IC 9-29-9.
 38 SECTION 244. IC 9-24-3-2.5, AS AMENDED BY P.L.145-2011,
 39 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2012]: Sec. 2.5. (a) Except as provided in section 3 of this
 41 chapter, an individual must satisfy the requirements set forth in one (1)
 42 of the following subdivisions to receive an operator's license:

C
o
p
y



- 1 (1) The individual meets the following conditions:
 2 (A) Is at least sixteen (16) years and one hundred eighty (180)
 3 days of age.
 4 (B) Has held a valid learner's permit for at least one hundred
 5 eighty (180) days.
 6 (C) Obtains an instructor's certification that the individual has
 7 satisfactorily completed an approved driver education course.
 8 (D) Passes the required examination.
 9 (E) Completes at least fifty (50) hours of supervised driving
 10 practice, of which at least ten (10) hours are nighttime driving,
 11 with:
 12 (i) a licensed instructor or a licensed driver who is at least
 13 twenty-five (25) years of age; or
 14 (ii) the spouse of the individual who is at least twenty-one
 15 (21) years of age.
 16 (2) The individual meets the following conditions:
 17 (A) Is at least sixteen (16) years and two hundred seventy
 18 (270) days of age.
 19 (B) Has held a valid learner's permit for at least one hundred
 20 eighty (180) days.
 21 (C) Passes the required examination.
 22 (D) Completes at least fifty (50) hours of supervised driving
 23 practice, of which at least ten (10) hours are nighttime driving,
 24 with:
 25 (i) a licensed instructor or a licensed driver who is at least
 26 twenty-five (25) years of age; or
 27 (ii) the spouse of the individual who is at least twenty-one
 28 (21) years of age.
 29 (3) The individual meets the following conditions:
 30 (A) Is at least sixteen (16) years and one hundred eighty (180)
 31 days of age but less than eighteen (18) years of age.
 32 (B) Has previously been a nonresident of Indiana, but, at the
 33 time of application, qualifies as an Indiana resident.
 34 (C) ~~Holder an unrevoked~~ **Has held a valid** driver's license,
 35 excluding a learner's permit or the equivalent, in the state or a
 36 combination of states in which the individual formerly resided
 37 for at least one hundred eighty (180) days.
 38 (D) Passes the required examination.
 39 (4) The individual meets the following conditions:
 40 (A) Is at least eighteen (18) years of age.
 41 (B) Has previously been a nonresident of Indiana but, at the
 42 time of application, qualifies as an Indiana resident.

C
O
P
Y



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 245. 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 246. 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 247. 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 248. 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**

C
O
P
Y



1 **endorsement**, upon a public highway. A chauffeur's license does not
2 entitle the licensee to operate a motor vehicle as a public passenger
3 chauffeur.

4 SECTION 249. IC 9-24-4-5.5 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. Notwithstanding
6 any other law, a person holding a chauffeur's license that is renewed or
7 issued after June 30, 1991, is not entitled by that license to operate a
8 commercial motor vehicle. ~~for more than thirty (30) days following the~~
9 ~~renewal or issuance.~~

10 SECTION 250. IC 9-24-5-1, AS AMENDED BY P.L.156-2006,
11 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2012]: Sec. 1. Except as otherwise provided in this article, the
13 bureau shall issue a public passenger chauffeur's license to an
14 individual who meets the following conditions:

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

27 SECTION 251. IC 9-24-5-2 IS REPEALED [EFFECTIVE JULY 1,
28 2012]. ~~Sec. 2: An individual must be at least eighteen (18) years of age~~
29 ~~to receive a public passenger chauffeur's license.~~

30 SECTION 252. IC 9-24-5-3, AS AMENDED BY P.L.156-2006,
31 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2012]: Sec. 3. A public passenger chauffeur's license entitles
33 the licensee to operate ~~any~~ **a** motor vehicle, except a commercial
34 vehicle or a motorcycle **without proper permit endorsement**, upon
35 **a public** highway.

36 SECTION 253. IC 9-24-5-4 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. To receive a public
38 passenger chauffeur's license, an individual must surrender ~~to the~~
39 ~~bureau any operator's license~~ **all driver's licenses** issued to the
40 individual **by Indiana or any other jurisdiction.**

41 SECTION 254. IC 9-24-5-5.5 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. Notwithstanding

C
o
p
y



1 any other law, a person holding a public passenger chauffeur's license
2 that is renewed or issued after June 30, 1991, is not entitled by that
3 license to operate a commercial motor vehicle. ~~for more than thirty (30)~~
4 ~~days following the renewal or issuance.~~

5 SECTION 255. IC 9-24-6-0.5, AS ADDED BY P.L.188-2006,
6 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2012]: Sec. 0.5. As used in this chapter, "commercial driver's
8 license learner's permit" means a ~~driver's~~ **learner's** permit that allows
9 an individual, unless otherwise disqualified, to operate a commercial
10 motor vehicle only when accompanied by a person:

- 11 (1) who holds a valid commercial driver's license for the type of
12 commercial motor vehicle being driven; and
- 13 (2) who occupies a seat beside the individual in order to give
14 instruction to the individual in driving the commercial motor
15 vehicle.

16 SECTION 256. IC 9-24-6-0.8, AS ADDED BY P.L.45-2011,
17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2012]: Sec. 0.8. As used in this chapter, "downgrade" has the
19 meaning specified in ~~paragraph (4)~~ of the definition of CDL downgrade
20 as set forth in 49 CFR 383.5 as in effect on July 1, 2010.

21 SECTION 257. IC 9-24-6-1 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. ~~(a) Except as~~
23 ~~provided in subsection (c);~~ This chapter does not apply to a motor
24 vehicle **or the operator of a motor vehicle** that meets the following
25 conditions:

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

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

- 31 (1) Is registered as a recreational vehicle;
- 32 (2) Is used primarily to transport the owner's family members or
33 guests and their possessions for nonbusiness purposes;
- 34 (3) Is registered under IC 9-18 as a farm vehicle or is a farm
35 vehicle that is exempt under 49 U.S.C. 521, 49 U.S.C. 31104, and
36 49 U.S.C. 31301 through 31306.

- 37 (4) Is utilized as a:
 - 38 (A) church bus; or
 - 39 (B) bus operated by a nonprofit benevolent or charitable
40 agency;
- 41 that is designed to carry more than fifteen (15) passengers;
42 including the driver, if the vehicle is exempt under 49 U.S.C. 521;

C
o
p
y



1 49 U.S.C. 31104, and 49 U.S.C. 31301 through 31306, or
2 applicable federal regulations.
3 (e) The bureau may remove the exemptions granted under
4 subsections (a) and (b) if the bureau, upon notice and public hearing,
5 determines that the waiver is in the interest of safety or of keeping
6 Indiana in compliance with federal law, subject to section 3 of this
7 chapter.
8 SECTION 258. IC 9-24-6-2.3, AS ADDED BY P.L.45-2011,
9 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2012]: Sec. 2.3. (a) In addition to the requirements of 49 CFR
11 383.71, an applicant for a new commercial driver's license or a holder
12 of a commercial driver's license must ~~provide the bureau with~~ **have a**
13 copy of a current medical examination report and medical examiner's
14 certificate prepared by a medical examiner **on file with the motor**
15 **carrier services division of the department of state revenue. If a**
16 **copy is not on file with the motor carrier services division of the**
17 **department of state revenue, a copy must be presented to the**
18 **bureau.**
19 (b) A commercial driver's license holder must ~~provide the bureau~~
20 ~~with~~ **have** a copy of a current medical examination report and medical
21 examiner's certificate **on file with the motor carrier services division**
22 **of the department of state revenue** each time a medical examination
23 report and medical examiner's certificate are obtained by the
24 commercial driver's license holder, regardless of whether the medical
25 examiner certifies the driver as qualified. **If a copy is not on file with**
26 **the motor carrier services division of the department of state**
27 **revenue, a copy must be presented to the bureau.**
28 (c) If a medical examination report does not certify that a
29 commercial driver's license holder meets the physical standards in 49
30 CFR 391.41 or if the driver is otherwise unqualified, the commercial
31 driver's license or permit holder is disqualified **from operating a**
32 **commercial motor vehicle.**
33 (d) The bureau shall make the final determination of whether a
34 commercial driver's license applicant or holder meets the qualifications
35 of 49 CFR 391.41. If the bureau determines that the applicant or holder
36 does not meet the qualifications of 49 CFR 391.41, the applicant or
37 holder is disqualified **from operating a commercial motor vehicle.**
38 (e) If a commercial driver's license applicant or holder who is
39 disqualified **from operating a commercial motor vehicle** under
40 subsection (c) or (d) attempts to transfer the commercial driver's
41 license to another state, the commercial driver's license applicant or
42 holder remains disqualified **from operating a commercial motor**

C
O
P
Y



1 **vehicle** until the applicant or holder is able to establish to the bureau's
 2 satisfaction that the applicant or holder meets the qualifications of 49
 3 CFR 391.41.

4 (f) With respect to the self-certification requirements of 49 CFR
 5 383.71(a)(1), a commercial driver's license applicant must certify that
 6 the applicant expects to operate only in interstate ~~commerce~~ or ~~only in~~
 7 intrastate commerce, **and whether the applicant is medically**
 8 **excepted. In either case, Regardless of the applicant's certification**
 9 **under this subsection**, the applicant remains subject to the
 10 requirements of 49 CFR 391.41 **and 49 CFR 383.71**, except as
 11 provided for by rule.

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

16 SECTION 259. IC 9-24-6-5.3, AS AMENDED BY P.L.145-2011,
 17 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2012]: Sec. 5.3. (a) The owner of a truck driver training
 19 school or a state educational institution that operates a truck driver
 20 training school as a course of study must notify the bureau:

21 (1) of a student's completion of a course of the truck driver
 22 training school immediately after the student completes the
 23 course; or

24 (2) of the termination of a student's instruction in the truck driver
 25 training school immediately after the student's instruction
 26 terminates.

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

31 ~~(c) This subsection applies after December 31, 2011. (b) The owner~~
 32 ~~of a truck driver training school shall retain records relating to each~~
 33 ~~student of the truck driver training school for at least six (6) years.~~

34 SECTION 260. IC 9-24-6-5.5, AS AMENDED BY P.L.145-2011,
 35 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2012]: Sec. 5.5. ~~(a) This subsection expires December 31,~~
 37 ~~2011. A truck driver training school accredited by the Indiana~~
 38 ~~commission on proprietary education is subject to rules adopted by the~~
 39 ~~Indiana commission on proprietary education.~~

40 ~~(b) A:~~

41 ~~(1) student of a truck driver training school; and~~

42 ~~(2) truck driver training school;~~

C
o
p
y



1 are subject to applicable rules adopted by the department of state
2 revenue:

3 (e) This subsection applies after December 31, 2011. A:

- 4 (1) student of a truck driver training school; and
- 5 (2) truck driver training school;

6 is subject to applicable rules adopted by the bureau.

7 SECTION 261. IC 9-24-6-6, AS AMENDED BY P.L.9-2010,
8 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2012]: Sec. 6. (a) The following, if committed while driving
10 a commercial motor vehicle or while holding any class of commercial
11 driver's license **or permit**, are serious traffic violations:

- 12 (1) Operating a vehicle at least fifteen (15) miles per hour above
13 the posted speed limit in violation of IC 9-21-5, IC 9-21-6, or
14 IC 9-21-5-14.
- 15 (2) Operating a vehicle recklessly as provided in IC 9-21-8-50 and
16 IC 9-21-8-52.
- 17 (3) Improper or erratic traffic lane changes in violation of
18 IC 9-21-8-2 through IC 9-21-8-13 and IC 9-21-8-17 through
19 IC 9-21-8-18.
- 20 (4) Following a vehicle too closely in violation of IC 9-21-8-14
21 through IC 9-21-8-16.
- 22 (5) In connection with a fatal accident, violating any statute,
23 ordinance, or rule concerning motor vehicle traffic control other
24 than parking statutes, ordinances, or rules.
- 25 (6) Operating a vehicle while disqualified under this chapter.
- 26 (7) For drivers who are not required to always stop at a railroad
27 crossing, failing to do any of the following:
 - 28 (A) Slow down and determine that the railroad tracks are clear
29 of an approaching train or other on-track equipment, in
30 violation of IC 9-21-5-4, IC 9-21-8-39, IC 35-42-2-4, or any
31 similar statute.
 - 32 (B) Stop before reaching the railroad crossing, if the railroad
33 tracks are not clear of an approaching train or other on-track
34 equipment, in violation of IC 9-21-4-16, IC 9-21-8-39, or any
35 similar statute.
- 36 (8) For all drivers, whether or not they are required to always stop
37 at a railroad crossing, to do any of the following:
 - 38 (A) Stopping in a railroad crossing, in violation of
39 IC 9-21-8-50 or any similar statute.
 - 40 (B) Failing to obey a traffic control device or failing to obey
41 the directions of a law enforcement officer at a railroad
42 crossing, in violation of IC 9-21-8-1 or any similar statute.

C
o
p
y



- 1 (C) Stopping in a railroad crossing because of insufficient
- 2 undercarriage clearance, in violation of IC 35-42-2-4,
- 3 IC 9-21-8-50, or any similar statute.
- 4 (9) Operating a commercial motor vehicle without having ever
- 5 obtained a commercial driver's license.
- 6 (10) Operating a commercial motor vehicle without a commercial
- 7 driver's license in the possession of the individual.
- 8 (11) Operating a commercial motor vehicle without holding the
- 9 proper class or endorsement of a commercial driver's license for
- 10 the operation of the class of the commercial motor vehicle.
- 11 **(12) Driving a commercial motor vehicle while using a**
- 12 **hand-held mobile device as set forth in 49 CFR 383 through**
- 13 **384 and 49 CFR 390 through 392.**

14 (b) Subsection (a)(1) through (a)(11) are intended to comply with
 15 the provisions of 49 U.S.C. 31311(a)(10) and regulations adopted
 16 under that statute.

17 SECTION 262. IC 9-24-6-8, AS AMENDED BY P.L.9-2010,
 18 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2012]: Sec. 8. The following, if committed while driving a
 20 commercial motor vehicle or while holding any class of commercial
 21 driver's license **or permit**, are disqualifying offenses:

- 22 (1) Operating a vehicle while under the influence of alcohol in
- 23 violation of IC 9-30-5-1(a), IC 9-30-5-1(b), or section 15 of this
- 24 chapter.
- 25 (2) Operating a vehicle while under the influence of a controlled
- 26 substance in violation of IC 9-30-5-1(c).
- 27 (3) Leaving the scene of an accident involving the driver's
- 28 commercial motor vehicle in violation of IC 9-26-1.
- 29 (4) Conviction of a felony involving the use of a commercial
- 30 motor vehicle other than a felony described in subdivision (5).
- 31 (5) Use of a commercial motor vehicle in the commission of a
- 32 felony under IC 35-48 involving manufacturing, distributing, or
- 33 dispensing of a controlled substance.
- 34 (6) Violation of IC 9-30-5-2 through IC 9-30-5-8 involving
- 35 operating a vehicle while intoxicated.
- 36 (7) Refusing to undergo testing for the enforcement of
- 37 IC 9-30-5-1 or section 15 of this chapter.

38 SECTION 263. IC 9-24-6-10.5 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10.5. (a) Except as
 40 provided in subsection (b), and in addition to any other penalty
 41 imposed for a violation of this chapter, the court that imposes a
 42 judgment for violation of an out-of-service order shall order the person

C
o
p
y



1 receiving the judgment to be disqualified from driving a commercial
2 vehicle as follows:

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

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

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

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

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

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

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

31 SECTION 264. IC 9-24-6-20, AS ADDED BY P.L.45-2011,
32 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2012]: Sec. 20. (a) The bureau shall downgrade the
34 commercial driver's license of a driver under the following
35 circumstances:

36 (1) The driver's medical certification or federally granted medical
37 variance expires.

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

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

C
o
p
y



- 1 (b) To prevent the driver's commercial driver's license from being
- 2 downgraded:
- 3 (1) a driver whose medical certification has expired must submit
- 4 a current and qualifying medical examination report and medical
- 5 examiner's certificate not later than sixty (60) days after the
- 6 bureau has initiated a downgrade; or
- 7 (2) a driver whose federally granted medical variance was
- 8 removed or rescinded must submit a new federally granted
- 9 medical variance not later than sixty (60) days after the bureau
- 10 has initiated a downgrade.
- 11 (c) The bureau shall provide written notice to a driver at least ten
- 12 (10) days before initiating a downgrade of the driver's commercial
- 13 driver's license informing the driver:
- 14 (1) that the driver is not medically certified due to the expiration
- 15 of the driver's medical certificate or because the driver's federally
- 16 granted medical variance was removed or rescinded; and
- 17 (2) how the driver can prevent the driver's commercial driver's
- 18 license from being downgraded.
- 19 (d) The bureau shall not issue a commercial driver's license to an
- 20 applicant who does not certify that the applicant:
- 21 (1) expects to operate only in interstate ~~commerce~~ or ~~only in~~
- 22 intrastate commerce; **and**
- 23 (2) **whether or not the applicant is medically exempted.**
- 24 SECTION 265. IC 9-24-6.5-6 IS AMENDED TO READ AS
- 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The hazardous
- 26 materials endorsement of a driver who applies for renewal of the
- 27 endorsement may remain valid after the date on which the endorsement
- 28 would otherwise expire if both of the following conditions are met:
- 29 (1) The application for renewal was received by the bureau at
- 30 least ninety (90) days before the date on which the endorsement
- 31 expires.
- 32 (2) On the date on which the endorsement expires, the bureau has
- 33 not yet received the results of a background check conducted by
- 34 the administration or another agency designated to conduct the
- 35 background check.
- 36 (b) Except as provided in subsection (c), an extension under
- 37 subsection (a) is valid for ninety (90) days after the date on which the
- 38 endorsement would otherwise expire **if the driver has applied with**
- 39 **the Transportation Security Administration for renewal of the**
- 40 **hazardous materials endorsement approval.**
- 41 (c) Notwithstanding subsection (b), if the bureau receives
- 42 information from the administration or another agency designated to

COPY



1 conduct a background check that requires the bureau to revoke the
2 hazardous materials endorsement of a driver, the bureau shall revoke
3 the endorsement immediately upon receipt of the information.

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

5 (1) the bureau receives the results of a background check
6 conducted by the administration or another agency designated to
7 conduct the background check; or

8 (2) further extensions are barred under regulations adopted to
9 implement the act.

10 SECTION 266. IC 9-24-7-1, AS AMENDED BY P.L.145-2011,
11 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2012]: Sec. 1. ~~(a) This subsection expires June 30, 2010. The~~
13 ~~bureau shall issue a learner's permit to an individual who meets the~~
14 ~~following conditions:~~

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

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

18 (3) ~~Is enrolled in an approved driver education course.~~

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

22 (1) ~~Is at least fifteen (15) years and one hundred eighty (180) days~~
23 ~~of age:~~

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

26 (3) ~~Is enrolled in an approved driver education course.~~

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

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

31 (2) ~~if less than eighteen (18) years of age, is not ineligible under~~
32 ~~IC 9-24-2-1;~~

33 (3) ~~is enrolled in an approved driver education course; and~~

34 (4) ~~has passed a written examination as required under~~
35 ~~IC 9-24-10.~~

36 (b) ~~The bureau shall issue a learner's permit to an individual~~
37 ~~who:~~

38 (1) ~~is at least sixteen (16) years of age;~~

39 (2) ~~if less than eighteen (18) years of age, is not ineligible~~
40 ~~under IC 9-24-2; and~~

41 (3) ~~has passed a written examination as required under~~
42 ~~IC 9-24-10.~~

C
o
p
y



1 SECTION 267. IC 9-24-7-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The ~~bureau~~
 3 **instructor of an approved driver education course** shall validate or
 4 **certify** a learner's permit issued under section 1 of this chapter upon
 5 certification by the instructor of an approved driver education course
 6 that **when** the holder has satisfactorily completed the course. **If the**
 7 **instructor is unable to certify the actual learner's permit, the**
 8 **instructor may certify that the holder has satisfactorily completed**
 9 **the course in a manner the bureau prescribes.**

10 SECTION 268. IC 9-24-7-3 IS REPEALED [EFFECTIVE JULY 1,
 11 2012]. Sec. 3. The bureau shall issue a validated learner's permit to an
 12 individual who is at least sixteen (16) years of age upon passing the
 13 required examination.

14 SECTION 269. IC 9-24-7-4, AS AMENDED BY P.L.156-2006,
 15 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2012]: Sec. 4. A learner's permit authorizes the permit holder
 17 to operate a motor vehicle, except a motorcycle **or commercial motor**
 18 **vehicle**, upon a public highway under the following conditions:

19 (1) While the holder is participating in practice driving in an
 20 approved driver education course and is accompanied by a
 21 certified driver education instructor **or student teacher** in the
 22 front seat of ~~an automobile~~ **a motor vehicle** equipped with dual
 23 controls.

24 **(2) While the holder is participating in practice driving after**
 25 **having commenced an approved driver education course and**
 26 **the seat beside the holder is occupied by a parent, stepparent,**
 27 **or guardian of the holder who holds a valid driver's license.**

28 ~~(2) (3)~~ **(3) (4)** If the learner's permit has been validated and the holder is
 29 **not participating in an approved driver education course, and**
 30 **is less than eighteen (18) years of age, the holder may participate**
 31 **in practice driving if the seat beside the holder is occupied by a**
 32 **guardian, stepparent, or relative of the holder who is at least**
 33 **twenty-one (21) years of age and holds a valid operator's,**
 34 **chauffeur's, or public passenger chauffeur's driver's license.**

35 ~~(3) (4)~~ **(4) (5)** If the learner's permit has been validated and the holder is
 36 **not participating in an approved driver education course, and**
 37 **is at least eighteen (18) years of age, the holder may participate in**
 38 **practice driving if accompanied in the vehicle by an individual**
 39 **who holds a valid operator's, chauffeur's, or public passenger**
 40 **chauffeur's driver's license.**

41 ~~(4) While:~~
 42 **(A) the holder is enrolled in an approved driver education**

C
o
p
y



1 course;

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

4 (C) the seat beside the holder is occupied by a parent,
5 stepparent, or guardian of the holder who holds a valid
6 operator's, chauffeur's, or public passenger chauffeur's license.

7 SECTION 270. IC 9-24-7-5 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. A holder of a
9 learner's permit may take ~~an~~ **the skills** examination for an operator's
10 license not later than the expiration date of the learner's permit. ~~Not~~
11 ~~more than three (3) examinations may be allowed any holder during the~~
12 ~~period the learner's permit is issued:~~ A holder who does not pass the
13 **skills** examination during the period for which the learner's permit is
14 issued must obtain a new learner's permit and **after a third attempt** is
15 not eligible to take the examination until two (2) months after the
16 issuance of the new permit. **date of the last failed examination.**

17 SECTION 271. IC 9-24-8-3 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) The bureau shall
19 issue a motorcycle learner's permit to an individual who meets the
20 following conditions:

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

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

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

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

32 (2) The motorcycle is operated only during daylight hours.

33 (3) The motorcycle does not carry passengers other than the
34 operator.

35 **(c) A motorcycle learner's permit may be renewed one (1) time**
36 **for a period of one (1) year. An individual who does not obtain a**
37 **motorcycle operator endorsement before the expiration of the**
38 **renewed learner's permit must wait one (1) year to reapply for a**
39 **new motorcycle learner's permit.**

40 SECTION 272. IC 9-24-8-4, AS AMENDED BY P.L.109-2011,
41 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsections (b) and

C
o
p
y



1 (c), ~~and (d)~~; the bureau shall validate an operator's, a chauffeur's, ~~or a~~
 2 public passenger chauffeur's, **or a commercial driver's** license for
 3 motorcycle operation upon a highway by endorsement to a person who:
 4 **meets the conditions in subsection (b) or (g)**;

5 (b) ~~Except as provided in subsection (g); a person must meet at least~~
 6 **one (1) of the following conditions to obtain an endorsement under**
 7 **subsection (a)**:

8 (1) satisfactorily ~~complete~~ **completes** the written test ~~and~~;

9 (A) satisfactorily ~~complete an~~ **and** approved operational skills
 10 ~~test; or tests~~;

11 (B) ~~(2)~~ **(2)** satisfactorily ~~complete~~ **completes** a motorcycle operator
 12 safety education course approved by the department of education
 13 as set forth in IC 20-30-13-9; **or**

14 (2) ~~Hold~~ **(3) holds** a current motorcycle operator endorsement or
 15 motorcycle operator's license from any other jurisdiction and
 16 successfully ~~complete~~ **completes** the written test.

17 **The bureau may waive the testing requirements for an individual**
 18 **who has completed a course described in subdivision (2).**

19 (e) ~~(b)~~ **(b)** The bureau may not issue a motorcycle endorsement to an
 20 individual less than sixteen (16) years and one hundred eighty (180)
 21 days of age.

22 (d) ~~(c)~~ **(c)** If an applicant for a motorcycle license endorsement is less
 23 than eighteen (18) years of age, the bureau may not issue a license
 24 endorsement described in subsection (a) if the applicant is ineligible
 25 under IC 9-24-2-1.

26 (e) ~~(d)~~ **(d)** The bureau shall develop and implement both a written test
 27 and an operational skills test ~~that must be designed~~ to determine
 28 whether an applicant for a motorcycle endorsement ~~is competent~~
 29 **demonstrates the necessary knowledge and skills** to operate a
 30 motorcycle upon a highway. The written test must be made available
 31 at license branch locations approved by the bureau. The operational
 32 skills test must be given at locations designated by the bureau. The
 33 bureau shall adopt rules under IC 4-22-2 to establish standards for
 34 persons administering operational skills tests and the provisions of the
 35 operational skills test. An individual applying for a motorcycle
 36 endorsement must pass the written exam before taking the operational
 37 skills test. If an applicant fails to satisfactorily complete either the
 38 written or operational tests, the applicant may reapply for and must be
 39 offered the examination upon the same terms and conditions as
 40 applicants may reapply for and be offered examinations for an
 41 operator's license. The bureau shall publish and make available at all
 42 locations where an individual may apply for an operator's license

C
o
p
y



1 information concerning a motorcycle endorsement.

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

10 ~~(g)~~ **(f)** A person who held a valid Indiana motorcycle operator's
 11 license on ~~June 30; December 31, 2011,~~ may be issued a motorcycle
 12 operator's endorsement after ~~June 30; December 31, 2011,~~ on a valid
 13 Indiana operator's, chauffeur's, public passenger chauffeur's, or
 14 commercial driver's license after:

- 15 (1) making the appropriate application for endorsement; and
 16 **(2) passing the appropriate examinations; and**
 17 ~~(2)~~ **(3)** paying the appropriate fee set forth in IC 9-29-9-7 or
 18 IC 9-29-9-8.

19 SECTION 273. IC 9-24-9-2, AS AMENDED BY P.L.145-2011,
 20 SECTION 17, AND AS AMENDED BY P.L.118-2011, SECTION 3,
 21 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~(a) Before January 1, 2008, each~~
 23 ~~application for a license or permit under this chapter must require the~~
 24 ~~following information:~~

25 ~~(1) The name, date of birth, sex, Social Security number, and~~
 26 ~~mailing address; and, if different from the mailing address, the~~
 27 ~~residence address of the applicant. The applicant shall indicate to~~
 28 ~~the bureau:~~

- 29 ~~(A) which address the license or permit shall contain; and~~
 30 ~~(B) whether the Social Security number or another~~
 31 ~~distinguishing number shall be the distinctive identification~~
 32 ~~number used on the license or permit.~~

33 ~~(2) Whether the applicant has been licensed as an operator, a~~
 34 ~~chauffeur, or a public passenger chauffeur or has been the holder~~
 35 ~~of a learner's permit, and if so, when and by what state.~~

36 ~~(3) Whether the applicant's license or permit has ever been~~
 37 ~~suspended or revoked; and if so, the date of and the reason for the~~
 38 ~~suspension or revocation.~~

39 ~~(4) Whether the applicant has been convicted of a crime~~
 40 ~~punishable as a felony under Indiana motor vehicle law or any~~
 41 ~~other felony in the commission of which a motor vehicle was~~
 42 ~~used.~~

C
O
P
Y



1 (5) Whether the applicant has a physical or mental disability, and
2 if so, the nature of the disability and other information the bureau
3 directs.
4 The bureau shall maintain records of the information provided under
5 subdivisions (1) through (5):
6 **(b) (a)** Except as provided in subsection ~~(c)~~, after December 31,
7 2007, **(b)**, each application for a license or permit under this chapter
8 must require the following information:
9 (1) The full legal name of the applicant.
10 (2) The applicant's date of birth.
11 (3) The gender of the applicant.
12 (4) The applicant's height, weight, hair color, and eye color.
13 (5) The principal address and mailing address of the applicant.
14 (6) A:
15 (A) valid Social Security number; or
16 (B) verification of an applicant's:
17 (i) ineligibility to be issued a Social Security number; and
18 (ii) identity and lawful status.
19 (7) Whether the applicant has been subject to fainting spells or
20 seizures.
21 (8) Whether the applicant has been licensed as an operator, a
22 chauffeur, or a public passenger chauffeur or has been the holder
23 of a learner's permit, and if so, when and by what state.
24 (9) Whether the applicant's license or permit has ever been
25 suspended or revoked, and if so, the date of and the reason for the
26 suspension or revocation.
27 (10) Whether the applicant has been convicted of a crime
28 punishable as a felony under Indiana motor vehicle law or any
29 other felony in the commission of which a motor vehicle was
30 used.
31 (11) Whether the applicant has a physical or mental disability,
32 and if so, the nature of the disability and other information the
33 bureau directs.
34 (12) The signature of the applicant.
35 The bureau shall maintain records of the information provided under
36 subdivisions (1) through (12).
37 **~~(c)~~ (b)** For purposes of subsection ~~(b)~~; **(a)**, an individual certified as
38 a program participant in the address confidentiality program under
39 IC 5-26.5 is not required to provide the individual's principal address
40 and mailing address, but may provide an address designated by the
41 office of the attorney general under IC 5-26.5 as the individual's
42 principal address and mailing address.

COPY



1 ~~(c)~~ (c) In addition to the information required by subsection ~~(b)~~, (a),
2 an applicant who is required to complete at least fifty (50) hours of
3 supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or
4 IC 9-24-3-2.5(a)(2)(D) must submit to the commission evidence of the
5 time logged in practice driving. The bureau shall maintain a record of
6 the time log provided.

7 (d) In addition to the information required under subsection ~~(b)~~, (a),
8 an application for a license or permit to be issued under this chapter
9 must enable the applicant to indicate that the applicant is a veteran of
10 the armed forces of the United States and wishes to have an indication
11 of the applicant's veteran status appear on the license or permit. An
12 applicant who wishes to have an indication of the applicant's veteran
13 status appear on a license or permit must:

- 14 (1) indicate on the application that the applicant:
15 (A) is a veteran of the armed forces of the United States; and
16 (B) wishes to have an indication of the applicant's veteran
17 status appear on the license or permit; and
18 (2) verify the applicant's veteran status by providing proof of
19 discharge.

20 The bureau shall maintain records of the information provided under
21 this subsection.

22 SECTION 274. IC 9-24-10-3, AS AMENDED BY P.L.145-2011,
23 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2012]: Sec. 3. (a) Except as provided by subsection (b);
25 examinations shall be held in the county where the license branch
26 office in which the application was made is located, within a
27 reasonable length of time following the date of the application.

28 ~~(b) After June 30, 2011;~~ An applicant may take any or all of the tests
29 required by section 4(a)(1)(B), 4(a)(1)(C), and 4(a)(2) of this chapter
30 at any **license branch** location in Indiana.

31 SECTION 275. IC 9-24-10-4, AS AMENDED BY P.L.145-2011,
32 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (c), an
34 examination for a learner's permit **or driver's license** must consist of
35 a test of the applicant's eyesight and knowledge of IC 9-26-1-1.5. All
36 other examinations must include the following:

- 37 (1) A test of the following of the applicant:
38 (A) Eyesight.
39 (B) Ability to read and understand highway signs regulating,
40 warning, and directing traffic.
41 (C) Knowledge of Indiana traffic laws, including
42 IC 9-26-1-1.5.

C
o
p
y



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

4 (b) The examination may include further physical and mental
 5 examination that the bureau finds necessary to determine the
 6 applicant's fitness to operate a motor vehicle safely upon Indiana
 7 highways. The applicant must provide the motor vehicle used in the
 8 examination.

9 (c) The bureau:

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

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

17 (A) an examination concerning:

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

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

20 (B) a skills test;

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

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

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

29 (1) bureau;

30 (2) commission; or

31 (3) driver licensing medical advisory board;

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

34 SECTION 276. IC 9-24-10-5 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The bureau shall
 36 ~~print~~, **make available**, for the mandatory use of individuals conducting
 37 the examinations, the rules and requirements that must be uniformly
 38 and impartially followed in making the examinations.

39 SECTION 277. IC 9-24-11-1 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall
 41 issue a permit or license to every applicant who meets the following
 42 conditions:

C
o
p
y



- 1 (1) Qualifies as required.
- 2 (2) Makes the proper application.
- 3 (3) Pays the required fee.
- 4 **(4) Passes the required examinations.**
- 5 SECTION 278. IC 9-24-11-3 IS REPEALED [EFFECTIVE JULY
- 6 1, 2012]. Sec. 3: (a) This section applies to a probationary operator's
- 7 license issued before July 1, 2009:
- 8 (b) A license issued to an individual less than eighteen (18) years of
- 9 age is a probationary license.
- 10 (c) An individual holds a probationary license subject to the
- 11 following conditions:
- 12 (1) Except as provided in IC 31-37-3, the individual may not
- 13 operate a motor vehicle during the curfew hours specified in
- 14 IC 31-37-3-2.
- 15 (2) During the ninety (90) days following the issuance of the
- 16 probationary license, the individual may not operate a motor
- 17 vehicle in which there are passengers unless another individual:
- 18 (A) who is at least twenty-one (21) years of age and holds a
- 19 valid operator's license issued under this article; or
- 20 (B) who is the parent, guardian, or stepparent of the individual
- 21 holding a probationary license and who is at least twenty-one
- 22 (21) years of age;
- 23 is present in the front seat of the motor vehicle.
- 24 (3) The individual may operate a motor vehicle only if:
- 25 (A) a safety belt is properly fastened about the body of the
- 26 individual; and
- 27 (B) a safety belt is properly fastened about the body of each
- 28 occupant of the motor vehicle;
- 29 at all times when the motor vehicle is in motion.
- 30 (d) An individual who holds a probationary license issued under this
- 31 section may receive an operator's license, a chauffeur's license, a public
- 32 passenger chauffeur's license, or a commercial driver's license when the
- 33 individual is at least eighteen (18) years of age.
- 34 (e) Except as provided in subsection (f), a probationary license
- 35 issued under this section:
- 36 (1) expires at midnight of the twenty-first birthday of the holder;
- 37 and
- 38 (2) may not be renewed.
- 39 (f) A probationary license issued under this section to an individual
- 40 who complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(10) expires:
- 41 (1) at midnight one (1) year after issuance if there is no expiration
- 42 date on the authorization granted to the individual to remain in the

COPY



1 United States; or
2 (2) if there is an expiration date on the authorization granted to
3 the individual to remain in the United States, the earlier of the
4 following:

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

7 (B) At midnight of the twenty-first birthday of the holder.

8 SECTION 279. IC 9-24-11-9 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) This section
10 applies to an individual who has an existing medical condition that
11 causes the individual to appear intoxicated.

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

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

19 (1) provided to the bureau at the time the individual applies for an
20 operator's permit or license under this section;

21 (2) carried in any vehicle that the individual operates; and

22 (3) renewed each time the individual's operator's license is
23 renewed.

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

26 SECTION 280. IC 9-24-11-10 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) In addition to
28 any other penalty imposed for a conviction under section 8(c) of this
29 chapter, the court shall recommend that the person's driving privileges
30 be suspended for a fixed period of at least ninety (90) days and not
31 more than two (2) years.

32 (b) The court shall specify:

33 (1) the length of the fixed period of suspension; and

34 (2) the date the fixed period of suspension begins;

35 whenever the court makes a recommendation under subsection (a). **If**
36 **the court fails to recommend a fixed term of suspension, the bureau**
37 **shall impose the minimum period of suspension required under this**
38 **chapter.**

39 SECTION 281. IC 9-24-11-11 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. The bureau shall,
41 upon receiving a record of conviction of a person under section 8(c) of
42 this chapter, set a period of suspension for a fixed period of at least

C
o
p
y



1 ninety (90) days and not more than two (2) years. The bureau shall fix
 2 this period in accordance with the recommendation of the court that
 3 entered the conviction, as provided in section 10 of this chapter. **If the**
 4 **court fails to recommend a fixed term of suspension, the bureau**
 5 **shall impose the minimum period of suspension required under this**
 6 **chapter.**

7 SECTION 282. IC 9-24-12-1, AS AMENDED BY P.L.87-2010,
 8 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 UPON PASSAGE]: Sec. 1. (a) **Notwithstanding subsection (c) and**
 10 **except as provided in subsections subsection (b) and ~~(d)~~ and section**
 11 **sections 10, 11, and 12 of this chapter, the expiration date for a**
 12 **license and for the renewal of an operator's license issued under this**
 13 **article before January 1, 2006, expires at midnight of the birthday of**
 14 **the holder that occurs four (4) years following the date of issuance.**
 15 **that contains a 2012 expiration date is as follows:**

16 (1) **If the license was issued after May 14, 2007, and before**
 17 **January 1, 2008, the license expires at midnight on the**
 18 **birthday of the holder that occurs five (5) years following the**
 19 **date of issuance.**

20 (2) **If the license was issued after December 31, 2007, and**
 21 **before January 1, 2009, the license expires at midnight on the**
 22 **birthday of the holder that occurs six (6) years following the**
 23 **date of issuance.**

24 (3) **If the license was issued after December 31, 2008, and**
 25 **before May 14, 2010, the license expires at midnight on the**
 26 **birthday of the holder that occurs four (4) years following the**
 27 **date of issuance.**

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

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

34 (c) Except as provided in subsections (a), (b), ~~and~~ (d), and (f) and
 35 sections 10, 11, and 12 of this chapter, an operator's license issued
 36 under this article expires at midnight of the birthday of the holder that
 37 occurs six (6) years following the date of issuance.

38 (d) A probationary operator's license issued under IC 9-24-11-3
 39 **(before its repeal)** expires at midnight of the twenty-first birthday of
 40 the holder.

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

C
o
p
y



1 IC 9-24-9-2.5(9) expires:
 2 (1) at midnight one (1) year after issuance if there is no expiration
 3 date on the authorization granted to the individual to remain in the
 4 United States; or
 5 (2) if there is an expiration date on the authorization granted to
 6 the individual to remain in the United States, the earlier of the
 7 following:
 8 (A) At midnight of the date the authorization to remain in the
 9 United States expires.
 10 (B) At midnight of the date thirty (30) days after the
 11 twenty-first birthday of the holder.
 12 (f) Except as provided in subsection (e), a probationary operator's
 13 license issued under IC 9-24-11-3.3 expires at midnight of the date
 14 thirty (30) days after the twenty-first birthday of the holder.
 15 SECTION 283. IC 9-24-12-2, AS AMENDED BY P.L.184-2007,
 16 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2012]: Sec. 2. (a) Except as provided in section 10 of this
 18 chapter, a chauffeur's license issued under this article after December
 19 31, 1996, and before January 1, 2006, expires at midnight of the
 20 birthday of the holder that occurs four (4) years following the date of
 21 issuance.
 22 (b) (a) After December 31, 2005, and Except as provided in
 23 subsection (c) (b) and sections 10, 11, and 12 of this chapter, a
 24 chauffeur's license issued under this article expires at midnight of the
 25 birthday of the holder that occurs six (6) years following the date of
 26 issuance.
 27 (c) (b) Except as provided in subsection (b) and sections 10, 11, and
 28 12 of this chapter, a chauffeur's license issued to an applicant who is at
 29 least seventy-five (75) years of age expires at midnight of the birthday
 30 of the holder that occurs three (3) years following the date of issuance.
 31 SECTION 284. IC 9-24-12-5, AS AMENDED BY P.L.109-2011,
 32 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2012]: Sec. 5. (a) Except as provided in subsection (b), an
 34 individual applying for renewal of an operator's, a chauffeur's, or a
 35 public passenger chauffeur's license must apply in person at a license
 36 branch and do the following:
 37 (1) Pass an eyesight examination.
 38 (2) Pass a written examination if:
 39 (A) the applicant has at least six (6) active points on the
 40 applicant's driving record maintained by the bureau; or
 41 (B) the applicant holds a valid operator's license, has not
 42 reached the applicant's twenty-first birthday, and has active

COPY



1 points on the applicant's driving record maintained by the
 2 bureau.

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

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

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

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

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

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

22 (6) There must not have been any change in the:
 23 (A) address; or
 24 (B) name;
 25 of the individual since the issuance or previous renewal of the
 26 individual's operator's, chauffeur's, or public passenger chauffeur's
 27 license.

28 (7) The operator's, chauffeur's, or public passenger chauffeur's
 29 license of the individual must not be:
 30 (A) suspended; or
 31 (B) expired more than one hundred eighty (180) days;
 32 at the time of the application for renewal.

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

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

40 SECTION 285. IC 9-24-14-1, AS AMENDED BY P.L.87-2010,
 41 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2012]: Sec. 1. If a permit or license issued under this article

COPY



1 ~~except section 2 of this chapter~~, is lost or destroyed, and as provided in
2 section 3.5 of this chapter, the individual to whom the permit or license
3 was issued may obtain a replacement if the individual ~~does the~~
4 ~~following~~:

5 (1) ~~Furnishes proof satisfactory to the bureau that the permit or~~
6 ~~license was lost or destroyed.~~

7 (2) ~~pays the required fee for a replacement permit or license under~~
8 ~~IC 9-29-9.~~

9 SECTION 286. IC 9-24-14-2 IS REPEALED [EFFECTIVE JULY
10 1, 2012]. Sec. 2: (a) ~~This section applies to replacement licenses issued~~
11 ~~under the following~~:

12 (1) ~~IC 9-30-4-6.~~

13 (2) ~~IC 9-24-15.~~

14 (3) ~~IC 9-30-5.~~

15 (4) ~~IC 9-30-6.~~

16 (5) ~~IC 9-30-10-9.~~

17 (6) ~~IC 9-30-10-13.~~

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

20 (1) ~~Applies for a valid replacement license.~~

21 (2) ~~Surrenders all licenses in the applicant's possession.~~

22 (3) ~~Pays the license fee under IC 9-29-9.~~

23 SECTION 287. IC 9-24-15-1 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) Except as
25 provided in subsection (b), this chapter does not apply to the following:

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

31 (2) When suspension is by reason of:

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

33 (B) having caused serious bodily injury to or the death of
34 another person when operating a motor vehicle after
35 knowingly or intentionally failing to take prescribed
36 medication, the taking of which was a condition of the
37 issuance of the operator's restricted driver's license; or

38 (C) the applicant has been convicted of involuntary
39 manslaughter or reckless homicide as a result of an automobile
40 accident.

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

C
o
p
y



- 1 (4) A suspension of the license of an applicant who has failed to
- 2 use timely appeal procedures provided by the bureau.
- 3 (5) After June 30, 2005, a suspension of the license of an
- 4 applicant whose commercial driver's license has been disqualified
- 5 under 49 CFR 383.51 or other applicable federal or state law,
- 6 including an alcohol or a controlled substance conviction under
- 7 IC 9-30-5-4 or 49 CFR 391.15.
- 8 (b) A court may grant a petition for a restricted driving **permit**
- 9 **privileges** from an individual who:
- 10 (1) received a request for evidence of financial responsibility
- 11 after:
- 12 (A) an accident under IC 9-25-5-2; or
- 13 (B) a conviction of a motor vehicle violation under
- 14 IC 9-25-9-1; and
- 15 (2) failed to provide proof of financial responsibility under
- 16 IC 9-25-6;
- 17 if the individual shows by a preponderance of the evidence that the
- 18 failure to maintain financial responsibility was inadvertent.
- 19 SECTION 288. IC 9-24-15-2 IS AMENDED TO READ AS
- 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. If:
- 21 (1) an individual's driving license has been suspended under
- 22 Indiana motor vehicle law; ~~and~~
- 23 (2) because of the nature of the individual's employment the
- 24 suspension would work an undue hardship and burden upon the
- 25 individual's family or dependents; ~~and~~
- 26 **(3) the individual is eligible for restricted driving privileges**
- 27 **under section 1 of this chapter;**
- 28 the individual may file a verified petition for a restricted driving **permit**
- 29 **privileges** for the sole purpose of driving to and from work and in the
- 30 course of employment during the period of the driving license
- 31 suspension.
- 32 SECTION 289. IC 9-24-15-3, AS AMENDED BY P.L.28-2010,
- 33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34 JULY 1, 2012]: Sec. 3. The following information must be included in
- 35 a petition filed under section 2 of this chapter:
- 36 (1) The petitioner's age, place of residence, and occupation.
- 37 (2) That the petitioner has never been convicted of a similar
- 38 offense or been **previously** suspended. ~~for a similar reason.~~
- 39 (3) The reason and nature of the hardship or burden upon the
- 40 petitioner's family or dependents.
- 41 (4) The nature of and the necessity of the use of a motor vehicle
- 42 in the petitioner's employment.

C
O
P
Y



- 1 (5) The petitioner's place of employment, hours worked, and route
- 2 to be traveled for employment purposes.
- 3 (6) ~~After June 30, 2005,~~ A certified copy of the petitioner's
- 4 driving record in Indiana and other states in which the petitioner
- 5 has held driving privileges, including all states in which the
- 6 petitioner has held a commercial driver's license.
- 7 (7) ~~After June 30, 2005,~~ A verified statement that the petitioner
- 8 meets eligibility requirements for a restricted license as set forth
- 9 in section 6.5 of this chapter.
- 10 (8) ~~Whether the person is a habitual violator of traffic laws under~~
- 11 ~~IC 9-30-10.~~

12 SECTION 290. IC 9-24-15-5, AS AMENDED BY P.L.106-2010,
 13 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2012]: Sec. 5. (a) The issues before the court in a proceeding
 15 under this chapter must be considered closed by denial of all matters
 16 at issue without the necessity of filing any further pleadings.

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

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

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

29 (e) Court costs (including fees) for the action on the petition must
 30 be charged against the petitioner. The prosecuting attorney of the
 31 county is not liable or taxable for any costs (including fees) in any
 32 action under this chapter.

33 SECTION 291. IC 9-24-15-6, AS AMENDED BY P.L.109-2011,
 34 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2012]: Sec. 6. (a) The court shall, after hearing the evidence
 36 upon a petition filed under this chapter and without any requests, make,
 37 sign, and file special finding of facts in writing. Except as provided in
 38 section 6.5 of this chapter, the court may do either of the following:

- 39 (1) Refuse to grant the petition.
- 40 (2) Make a final determination in the nature of a recommendation
- 41 to the bureau that the petitioner be granted a restricted driving
- 42 **permit. privileges.**

C
o
p
y



1 The judge of the court shall sign the recommendation and have the
2 recommendation entered in the order book by the clerk of the court,
3 with a copy sent to the bureau.

4 **(b) If the bureau receives an order granting restricted driving**
5 **privileges to a person who, according to the records of the bureau,**
6 **is ineligible to receive restricted driving privileges under this**
7 **chapter, the bureau shall:**

8 **(1) grant the person restricted driving privileges and notify**
9 **the prosecuting attorney of the county from which the order**
10 **was received that the person is not eligible for restricted**
11 **driving privileges; and**

12 **(2) send a certified copy of the person's driving record to the**
13 **prosecuting attorney. The prosecuting attorney shall, in**
14 **accordance with IC 35-38-1-15, petition the court to correct**
15 **the order of the court. If the bureau does not receive a**
16 **corrected order within sixty (60) days, the bureau shall notify**
17 **the attorney general, who shall, in accordance with**
18 **IC 35-38-1-15, petition the court to correct the order of the**
19 **court.**

20 SECTION 292. IC 9-24-15-6.5, AS AMENDED BY P.L.109-2011,
21 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 6.5. (a) The court shall grant a petition for a
23 restricted driving ~~permit~~ **privileges** filed under this chapter if all of the
24 following conditions exist:

25 (1) The person was not convicted of one (1) or more of the
26 following:

27 (A) A Class D felony under IC 9-30-5-4 before July 1, 1996,
28 or a Class D felony or a Class C felony under IC 9-30-5-4 after
29 June 30, 1996.

30 (B) A Class C felony under IC 9-30-5-5 before July 1, 1996, or
31 a Class C felony or a Class B felony under IC 9-30-5-5 after
32 June 30, 1996.

33 (2) The person's driving privileges were suspended under
34 IC 9-30-6-9(c) or IC 35-48-4-15.

35 (3) The driving that was the basis of the suspension was not in
36 connection with the person's work.

37 (4) The person does not have a previous conviction for operating
38 while intoxicated.

39 (5) The person is participating in a rehabilitation program
40 certified by either the division of mental health and addiction or
41 the Indiana judicial center. ~~as a condition of the person's~~
42 ~~probation.~~

C
o
p
y



1 (b) The person filing the petition for a restricted driving ~~permit~~
2 **privileges** shall include in the petition the information specified in
3 subsection (a) in addition to the information required by sections 3
4 through 4 of this chapter.

5 (c) Whenever the court grants a person restricted driving privileges
6 under this chapter, that part of the court's order granting probationary
7 driving privileges shall not take effect until the person's driving
8 privileges have been suspended for at least thirty (30) days under
9 IC 9-30-6-9. In a county that provides for the installation of an ignition
10 interlock device under IC 9-30-8, installation of an ignition interlock
11 device is required as a condition of probationary driving privileges for
12 the entire duration of the probationary driving privileges.

13 (d) If a court requires installation of a certified ignition interlock
14 device under subsection (c), the court shall order the bureau to record
15 this requirement in the person's ~~operating driving~~ record in accordance
16 with IC 9-14-3-7. When the person is no longer required to operate
17 only a motor vehicle equipped with an ignition interlock device, the
18 court shall notify the bureau that the ignition interlock use requirement
19 has expired and order the bureau to update its records accordingly.

20 SECTION 293. IC 9-24-15-6.7, AS AMENDED BY P.L.109-2011,
21 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 6.7. (a) If a petitioner whose driving license or
23 permit is suspended under ~~IC 9-25-6-19, IC 9-25-6-20, or IC 9-25-6-21~~
24 **IC 9-30-13-6, IC 9-30-13-7, or IC 9-30-13-8** proves to the satisfaction
25 of the court that public transportation is unavailable for travel by the
26 petitioner:

- 27 (1) to and from the petitioner's regular place of employment;
- 28 (2) in the course of the petitioner's regular employment;
- 29 (3) to and from the petitioner's place of worship; or
- 30 (4) to participate in parenting time with the petitioner's children
31 consistent with a court order granting parenting time;

32 the court may grant a petition for a restricted driving ~~permit~~ **privileges**
33 filed under this chapter.

34 (b) ~~A Restricted driving permit issued~~ **privileges granted** by the
35 bureau under this section must specify that the restricted driving ~~permit~~
36 **is privileges are** valid only for purposes of driving under the
37 conditions described in subsection (a).

38 (c) ~~A Restricted driving permit issued~~ **privileges granted** by the
39 bureau under this section shall be:

- 40 (1) issued in the same manner; and
- 41 (2) subject to all requirements;
- 42 as other permits under this chapter.

C
o
p
y



1 SECTION 294. IC 9-24-15-7 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. ~~The bureau shall~~
 3 ~~comply with the court's recommendation.~~ The bureau in issuing a
 4 **granting** restricted driving **permit privileges** shall be guided by the
 5 court's special finding of facts in setting out the petitioner's driving
 6 restrictions. The ~~restricted driving permit recommendation of the~~
 7 **court** must set out restrictions as to the time, territory, and route to be
 8 included and shall be restricted to the essential requirements of the
 9 petitioner in the performance of the petitioner's employment duties.

10 SECTION 295. IC 9-24-15-8 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The petitioner must
 12 have **proof of the petitioner's** restricted driving **permit privileges** on
 13 the petitioner's person while driving a motor vehicle. ~~A~~ Restricted
 14 driving **permit is privileges are** valid and in force only after the person
 15 gives and maintains in effect proof of financial responsibility in the
 16 manner required in IC 9-25.

17 SECTION 296. IC 9-24-15-9, AS AMENDED BY P.L.109-2011,
 18 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2012]: Sec. 9. Except as provided in section 6.5 of this
 20 chapter, an individual may not ~~receive a~~ **be granted** restricted driving
 21 **permit privileges** if the individual's driving privileges are suspended
 22 under IC 9-30-5 through IC 9-30-9 or IC 9-30-13-3.

23 SECTION 297. IC 9-24-15-11 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) A person who:

25 (1) has been ~~issued a~~ **granted** restricted driving ~~permit;~~
 26 **privileges;** and

27 (2) operates a motor vehicle:

28 (A) in violation of the terms, limitations, or restrictions set out
 29 **in by the restricted driving permit; court;** and

30 (B) during the period of suspension of the person's current
 31 driving license;

32 commits a Class B misdemeanor.

33 (b) The bureau shall, upon receipt of notice of a conviction for a
 34 violation of this section, do the following:

35 (1) Revoke the **person's** restricted driving ~~permit.~~ **privileges.**

36 (2) Suspend the person's current driving license for two (2) years
 37 in addition to the original existing period of suspension.

38 In addition, the bureau may not ~~issue another grant~~ restricted driving
 39 **permit privileges** to the person during the original existing or
 40 additional period of suspension.

41 SECTION 298. IC 9-24-16-2, AS AMENDED BY P.L.118-2011,
 42 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

C
o
p
y



1 JULY 1, 2012]: Sec. 2. (a) Before January 1, 2008, an application for
 2 an identification card issued under this chapter must meet the following
 3 conditions:

4 (1) Be made upon an approved form provided by the bureau,
 5 which shall include the mailing address; and if different from the
 6 mailing address, the residence address of the applicant:

7 (2) Be verified by the applicant before a person authorized to
 8 administer oaths and affirmations:

9 (b) Except as provided in subsection (c), after December 31, 2007,

10 (a) An application for an identification card issued under this chapter
 11 must require the following information concerning an applicant:

12 (1) The full legal name of the applicant.

13 (2) The applicant's date of birth.

14 (3) The gender of the applicant.

15 (4) The applicant's height, weight, hair color, and eye color.

16 (5) The principal address and mailing address of the applicant.

17 (6) A:

18 (A) valid Social Security number; or

19 (B) verification of an applicant's:

20 (i) ineligibility to be issued a Social Security number; and

21 (ii) identity and lawful status.

22 (7) A digital photograph of the applicant.

23 (8) The signature of the applicant.

24 The bureau shall maintain records of the information provided under
 25 subdivisions (1) through ~~(6)~~: (8).

26 ~~(c)~~ (b) The bureau may temporarily invalidate an identification card
 27 that the bureau believes to have been issued as a result of fraudulent
 28 documentation.

29 ~~(d)~~ (c) The bureau:

30 (1) shall adopt rules under IC 4-22-2 to establish a procedure to
 31 verify an applicant's identity and lawful status; and

32 (2) may adopt rules to establish a procedure to temporarily
 33 invalidate an identification card that it believes to have been
 34 issued based on fraudulent documentation.

35 ~~(e)~~ (d) For purposes of subsection ~~(b)~~; (a), an individual certified as
 36 a program participant in the address confidentiality program under
 37 IC 5-26.5 is not required to provide the individual's principal address
 38 and mailing address, but may provide an address designated by the
 39 office of the attorney general under IC 5-26.5 as the individual's
 40 principal address and mailing address.

41 ~~(f)~~ (e) In addition to the information required under subsection ~~(b)~~;
 42 (a), an application for an identification card to be issued under this

C
o
p
y



1 chapter must enable the applicant to indicate that the applicant is a
2 veteran of the armed forces of the United States and wishes to have an
3 indication of the applicant's veteran status appear on the identification
4 card. An applicant who wishes to have an indication of the applicant's
5 veteran status appear on the identification card must:

- 6 (1) indicate on the application that the applicant:
 - 7 (A) is a veteran of the armed forces of the United States; and
 - 8 (B) wishes to have an indication of the applicant's veteran
9 status appear on the identification card; and
- 10 (2) verify the applicant's veteran status by providing proof of
11 discharge.

12 The bureau shall maintain records of the information provided under
13 this subsection.

14 SECTION 299. IC 9-24-16-3, AS AMENDED BY P.L.118-2011,
15 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 3. (a) An identification card must have the same
17 dimensions and shape as a driver's license, but the card must have
18 markings sufficient to distinguish the card from a driver's license.

19 (b) Except as provided in subsection ~~(h)~~; **(g)**, the front side of an
20 identification card must contain the expiration date of the identification
21 card and the following information about the individual to whom the
22 card is being issued:

- 23 (1) Full legal name.
- 24 (2) The address of the principal residence.
- 25 (3) Date of birth.
- 26 (4) Date of issue and date of expiration.
- 27 (5) Unique identification number.
- 28 (6) Gender.
- 29 (7) Weight.
- 30 (8) Height.
- 31 (9) Color of eyes and hair.
- 32 (10) Reproduction of the signature of the individual identified.
- 33 (11) Whether the individual is blind (as defined in
34 IC 12-7-2-21(1)).
- 35 (12) If the individual is less than eighteen (18) years of age at the
36 time of issuance, the dates on which the individual will become:
 - 37 (A) eighteen (18) years of age; and
 - 38 (B) twenty-one (21) years of age.
- 39 (13) If the individual is at least eighteen (18) years of age but less
40 than twenty-one (21) years of age at the time of issuance, the date
41 on which the individual will become twenty-one (21) years of age.
- 42 (14) Digital photograph of the individual.

C
o
p
y



1 (c) The information contained on the identification card as required
 2 by subsection (b)(12) or (b)(13) for an individual who is less than
 3 twenty-one (21) years of age at the time of issuance shall be printed
 4 prominently on the permit or license.

5 (d) If the individual:

6 (1) has indicated on the application that the individual is a veteran
 7 of the armed forces of the United States and wishes to have an
 8 indication of the applicant's veteran status appear on the
 9 identification card; and

10 (2) has provided proof of discharge;
 11 an indication of the individual's veteran status shall be shown on the
 12 identification card.

13 (e) If the applicant for an identification card submits information to
 14 the bureau concerning the applicant's medical condition, the bureau
 15 shall place an identifying symbol on the face of the identification card
 16 to indicate that the applicant has a medical condition of note. The
 17 bureau shall include information on the identification card that briefly
 18 describes the medical condition of the holder of the card. The
 19 information must be printed in a manner that alerts a person reading the
 20 card to the existence of the medical condition. The applicant for an
 21 identification card is responsible for the accuracy of the information
 22 concerning the medical condition submitted under this subsection. The
 23 bureau shall inform an applicant that submission of information under
 24 this subsection is voluntary.

25 (f) An identification card issued by the state that does not require a
 26 digital photograph must include a statement that the identification card
 27 may not be accepted by any federal agency for federal identification or
 28 any other federal purpose:

29 (g) (f) An identification card issued by the state to an individual
 30 who:

31 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
 32 visa status for entry in the United States;

33 (2) has a pending application for asylum in the United States;

34 (3) has a pending or approved application for temporary protected
 35 status in the United States;

36 (4) has approved deferred action status; or

37 (5) has a pending application for adjustment of status to that of an
 38 alien lawfully admitted for permanent residence in the United
 39 States or conditional permanent residence status in the United
 40 States;

41 must be clearly identified as a temporary identification card. A
 42 temporary identification card issued under this subsection may not be

C
o
p
y



1 renewed without the presentation of valid documentary evidence
2 proving that the holder of the identification card's temporary status has
3 been extended.

4 ~~(h)~~ (g) For purposes of subsection (b), an individual certified as a
5 program participant in the address confidentiality program under
6 IC 5-26.5 is not required to provide the address of the individual's
7 principal residence, but may provide an address designated by the
8 office of the attorney general under IC 5-26.5 as the address of the
9 individual's principal residence.

10 SECTION 300. IC 9-24-16-4, AS AMENDED BY P.L.162-2009,
11 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (b), an
13 identification card issued:

- 14 ~~(1) before January 1, 2006; expires on the fourth birthday of the~~
15 ~~applicant following the date of issue; and~~
- 16 ~~(2) after December 31, 2005; expires at midnight of the birthday~~
17 ~~of the holder that occurs six (6) years following the date of~~
18 ~~issuance.~~

19 (b) An identification card issued under this article ~~after December~~
20 ~~31, 2007;~~ to an applicant who complies with section 3.5(1)(E) through
21 3.5(1)(J) of this chapter expires:

- 22 (1) at midnight one (1) year after issuance, if there is no
23 expiration date on the authorization granted to the individual to
24 remain in the United States; or
- 25 (2) if there is an expiration date on the authorization granted to
26 the individual to remain in the United States, the earlier of the
27 following:
 - 28 (A) At midnight of the date the authorization of the holder to
29 be a legal permanent resident or conditional resident alien of
30 the United States expires.
 - 31 (B) At midnight of the birthday of the holder that occurs six
32 (6) years after the date of issuance.

33 SECTION 301. IC 9-24-16-4.5, AS AMENDED BY P.L.109-2011,
34 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2012]: Sec. 4.5. (a) The bureau may adopt rules under
36 IC 4-22-2 concerning the ability of an individual to renew an
37 identification card under section 5 of this chapter, apply for a
38 replacement identification card under section 9 of this chapter, or apply
39 for a replacement identification card under section 6 of this chapter by
40 electronic service. If rules are adopted under this subsection, the rules
41 must provide that an individual's renewal, amendment, or replacement
42 of an identification card by electronic service is subject to the following

C
o
p
y



- 1 conditions:
- 2 (1) A valid computerized image or digital photograph of the
- 3 individual must exist within the records of the bureau.
- 4 (2) The individual must be a citizen of the United States, as
- 5 shown in the records of the bureau.
- 6 (3) There must not have been any change in the:
- 7 (A) **legal** address; or
- 8 (B) name;
- 9 of the individual since the issuance or previous renewal of the
- 10 identification card of the individual.
- 11 (4) The identification card of the individual must not be expired
- 12 more than one hundred eighty (180) days at the time of the
- 13 application for renewal.
- 14 (b) An individual applying for:
- 15 (1) the renewal of an identification card; or
- 16 (2) a replacement identification card;
- 17 must apply in person at a license branch if the individual is not entitled
- 18 to apply by mail or by electronic service under rules adopted under
- 19 subsection (a).
- 20 SECTION 302. IC 9-24-16-5, AS AMENDED BY P.L.87-2010,
- 21 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2012]: Sec. 5. (a) An application for renewal of an
- 23 identification card may be made not more than twelve (12) months
- 24 before the expiration date of the card. However, when the applicant
- 25 complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter, an
- 26 application for renewal of an identification card may be filed not more
- 27 than one (1) month before the expiration date of the identification card
- 28 held by the applicant. ~~A renewal application received after the date of~~
- 29 ~~expiration is considered to be a new application.~~
- 30 (b) Except as provided in subsection ~~(e)~~; ~~(d)~~, a renewed card is valid
- 31 on the birth date of the holder and remains valid for six (6) years.
- 32 ~~(c) If renewal has not been made within six (6) months after~~
- 33 ~~expiration, the bureau shall destroy all records pertaining to the former~~
- 34 ~~cardholder.~~
- 35 ~~(d)~~ ~~(c)~~ Renewal may not be granted if the cardholder was issued a
- 36 driver's license subsequent to the last issuance of an identification card.
- 37 ~~(e)~~ ~~(d)~~ A renewed identification card issued under this article ~~after~~
- 38 ~~December 31, 2007~~, to an applicant who complies with section
- 39 3.5(1)(E) through 3.5(1)(J) of this chapter expires:
- 40 (1) at midnight one (1) year after issuance, if there is no
- 41 expiration date on the authorization granted to the individual to
- 42 remain in the United States; or

C
o
p
y



1 (2) if there is an expiration date on the authorization granted to
 2 the individual to remain in the United States, the earlier of the
 3 following:
 4 (A) At midnight of the date the authorization of the holder to
 5 be a legal permanent resident or conditional resident alien of
 6 the United States expires.
 7 (B) At midnight of the birthday of the holder that occurs six
 8 (6) years after the date of issuance.

9 SECTION 303. IC 9-24-16-10, AS AMENDED BY P.L.109-2011,
 10 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2012]: Sec. 10. (a) The bureau may adopt rules under
 12 IC 4-22-2 and prescribe all forms necessary to implement this chapter.
 13 However, the bureau may not impose a fee for the issuance of:
 14 (1) an original;
 15 (2) a renewal of an; or
 16 (3) a replacement;
 17 identification card to an individual described in subsection (b).
 18 (b) An identification card must be issued without the payment of a
 19 fee or charge to an individual who:
 20 (1) does not have a valid Indiana driver's license; and
 21 (2) will be at least eighteen (18) years of age ~~at~~ **and eligible to**
 22 **vote in** the next general, municipal, or special election.

23 SECTION 304. IC 9-24-17-2 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) The bureau shall
 25 verbally ask every individual who applies for a driver's license or an
 26 identification card issued under IC 9-24-16 whether the individual
 27 desires to make an anatomical gift.
 28 (b) If the individual does desire to make an anatomical gift, the
 29 bureau shall ~~assist~~ **provide** the individual in ~~completing~~
 30 which the individual makes the gift.

31 SECTION 305. IC 9-24-17-3 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The bureau shall
 33 make available ~~and publicize~~ the anatomical gift program in a separate
 34 brochure and by other means the bureau considers necessary.

35 SECTION 306. IC 9-24-17-8 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Each anatomical
 37 gift made under this chapter must be made by the donor by
 38 acknowledging the making of the anatomical gift by signing the
 39 application form for the driver's license or identification card under
 40 section 1 of this chapter. If the donor cannot sign, the application form
 41 may be signed for the donor:
 42 (1) at the donor's direction and in the donor's presence; and

C
o
p
y



- 1 (2) in the presence of two (2) witnesses who must sign the
- 2 document in the donor's and each other's presence.
- 3 ~~(b) The card must state that the document was signed in accordance~~
- 4 ~~with this section.~~
- 5 ~~(c)~~ (b) The bureau shall place an identifying symbol on the face of
- 6 the license or identification card to indicate that the person to whom
- 7 the license or identification card is issued has acknowledged the
- 8 making of an anatomical gift on the application form for the license or
- 9 identification card as set forth in subsection (a).
- 10 ~~(d)~~ (c) Revocation, suspension, or cancellation of the license or
- 11 expiration of the license or identification card does not invalidate the
- 12 anatomical gift.
- 13 ~~(e)~~ (d) An anatomical gift is valid if the person acknowledges the
- 14 making of the anatomical gift by signing the application form for a
- 15 driver's license or identification card under subsection (a). No other
- 16 acknowledgment is required to make an anatomical gift.
- 17 SECTION 307. IC 9-24-18-1, AS AMENDED BY P.L.100-2010,
- 18 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 19 JULY 1, 2012]: Sec. 1. (a) A person, except a person exempted under
- 20 IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle
- 21 upon a highway and has never received a valid driving license commits
- 22 a Class C misdemeanor. However, the offense is a Class A
- 23 misdemeanor if the person has a prior unrelated conviction under this
- 24 section.
- 25 (b) In addition to any other penalty imposed for a conviction under
- 26 this section, the court shall recommend that the person be prohibited
- 27 from receiving a valid driving license for a fixed period of at least
- 28 ninety (90) days and not more than two (2) years.
- 29 (c) The court shall specify:
- 30 (1) the length of the fixed period of the prohibition; and
- 31 (2) the date the fixed period of the prohibition begins;
- 32 whenever the court makes a recommendation under subsection (b).
- 33 (d) The bureau shall, upon receiving a record of conviction of a
- 34 person upon a charge of operating a motor vehicle while never having
- 35 received a valid driving license, prohibit the person from receiving a
- 36 driving license for a fixed period of at least ninety (90) days and not
- 37 more than two (2) years. The bureau shall fix this period in accordance
- 38 with the recommendation of the court that entered the conviction, as
- 39 provided in subsection (c). **If the court fails to recommend a fixed**
- 40 **term of suspension, the bureau shall impose the minimum period**
- 41 **of suspension required under this chapter.**
- 42 (e) In a prosecution under this section, the burden is on the

C
o
p
y



1 defendant to prove by a preponderance of the evidence that the
2 defendant had been issued a driving license or permit that was valid at
3 the time of the alleged offense.

4 SECTION 308. IC 9-24-18-3 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A person that has
6 a motor vehicle in the person's custody may not cause or knowingly
7 permit a person to drive the vehicle upon a highway unless the person
8 ~~obtains~~ **holds a valid** license or permit under this article.

9 (b) A person who violates this section commits a Class C infraction.

10 SECTION 309. IC 9-24-18-7 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. A person who
12 counterfeits or falsely reproduces a ~~driving driver's~~ license with intent
13 to use the license or to permit another person to use the license
14 commits a Class B misdemeanor.

15 SECTION 310. IC 9-24-18-9 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) The bureau may
17 establish a driving record for an Indiana resident who does not hold any
18 type of valid driving license. The driving record shall be established for
19 an unlicensed driver when an abstract of court conviction has been
20 received by the bureau. ~~The record shall be maintained for not less than~~
21 ~~three (3) years for each unlicensed driver.~~

22 (b) If an unlicensed driver applies for and receives any type of
23 driving license in Indiana, the person's driving record as an unlicensed
24 driver shall be recorded on the permanent record file. An unlicensed
25 driver who has had at least two (2) traffic violation convictions in
26 Indiana within twenty-four (24) months before applying for any type of
27 driving license may not be issued a license within one (1) year after the
28 date of the second traffic conviction as indicated on the abstract of
29 court conviction record. If the bureau issues a license without
30 knowledge of the second conviction, the bureau shall suspend the
31 license upon learning of the second conviction and notify the person of
32 the reason for the suspension and the term of the suspension.

33 (c) The bureau shall also certify traffic violation convictions on the
34 driving record of an unlicensed driver who subsequently receives an
35 Indiana driving license.

36 SECTION 311. IC 9-24-18-12 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. Upon receipt of a
38 court order under IC 7.1-5-7-7 (minor possessing, consuming, or
39 transporting alcohol or having alcohol present in a bodily substance),
40 the bureau shall suspend the minor's ~~driver's license~~ **driving privileges**
41 for the period ordered by the court.

42 SECTION 312. IC 9-24-19-5 IS AMENDED TO READ AS

C
o
p
y



1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) In addition to any
2 other penalty imposed for a conviction under this chapter, the court
3 shall recommend that the person's driving privileges be suspended for
4 a fixed period of not less than ninety (90) days and not more than two
5 (2) years.

6 (b) The court shall specify:
7 (1) the length of the fixed period of suspension; and
8 (2) the date the fixed period of suspension begins;
9 whenever the court makes a recommendation under subsection (a).

10 (c) **The bureau shall, upon receiving a record of conviction of a**
11 **person upon a charge of driving a motor vehicle while the driving**
12 **privileges, permit, or license of the person is suspended, fix the**
13 **period of suspension in accordance with the recommendation of the**
14 **court. If the court fails to recommend a fixed term of suspension,**
15 **the bureau shall impose the minimum period of suspension**
16 **required under this chapter.**

17 SECTION 313. IC 9-24-19-6 IS REPEALED [EFFECTIVE JULY
18 1, 2012]. ~~Sec. 6. The bureau shall, upon receiving a record of~~
19 ~~conviction of a person upon a charge of driving a vehicle while the~~
20 ~~person's driving privilege, permit, or license was suspended, extend the~~
21 ~~period of suspension for a fixed period of not less than ninety (90) days~~
22 ~~and not more than two (2) years. The bureau shall fix this period in~~
23 ~~accordance with the recommendation of the court that entered the~~
24 ~~conviction, as provided in section 5 of this chapter.~~

25 SECTION 314. IC 9-25-1-1 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not
27 apply to a judgment in a civil action. ~~or cause of action arising out of~~
28 ~~an accident occurring before July 1, 1943.~~

29 SECTION 315. IC 9-25-3-2 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) Whenever under
31 ~~Indiana law this article~~ the bureau may suspend or revoke a ~~license if~~
32 ~~the operator of a motor vehicle is~~ **a the driving privileges of an**
33 **Indiana resident, of Indiana;** the bureau may suspend or revoke the
34 ~~license driving privileges~~ of or forbid the operation of a motor vehicle
35 in Indiana owned by ~~an operator who is~~ a nonresident.

36 (b) Whenever under ~~Indiana law this article~~ the bureau may
37 suspend or revoke the registration certificate and registration plates of
38 a motor vehicle ~~if the owner of the motor vehicle is a~~ **of an Indiana**
39 ~~resident, of Indiana;~~ the bureau may forbid the operation within Indiana
40 of a motor vehicle if the owner of the motor vehicle is a nonresident.

41 (c) The bureau shall transmit to the motor vehicle bureau or state
42 officer performing the functions of a bureau in the state in which a

C
o
p
y



1 nonresident resides a ~~certified~~ copy of the following:

2 (1) A conviction of the nonresident that has resulted in, **or would**
3 **result in**, the suspension of the nonresident's driving privilege in
4 Indiana.

5 (2) An unsatisfied judgment rendered against a nonresident that
6 has resulted in, **or would result in**, the suspension of the
7 nonresident's driving privilege in Indiana.

8 **(3) Notice of suspension for the nonresident due to**
9 **noncompliance with this article.**

10 SECTION 316. IC 9-25-3-4 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Whenever the proof
12 of financial responsibility filed by a person under this article no longer
13 fulfills the purpose for which the proof was required, the bureau shall
14 require other proof of financial responsibility under this article and
15 shall suspend the ~~operator's or chauffeur's license~~ **driving privileges**
16 **and motor** vehicle registration of the person for whom other proof of
17 financial responsibility is required.

18 SECTION 317. IC 9-25-4-1 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) This section does
20 not apply to an electric personal assistive mobility device.

21 (b) A person may not:

22 (1) register a **motor** vehicle; or

23 (2) operate a **motor** vehicle on a public highway;

24 in Indiana if financial responsibility is not in effect with respect to the
25 motor vehicle under section 4 of this chapter, **or the person is not**
26 **otherwise insured in order to operate the motor vehicle.**

27 (c) A person who violates this section is subject to the suspension
28 of the person's current driving ~~license~~ **privileges** or **motor** vehicle
29 registration, or both, under this article.

30 SECTION 318. IC 9-25-4-3 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Financial
32 responsibility in one (1) of the forms required under this chapter must
33 be continuously maintained as long as a motor vehicle is operated on
34 a ~~road, street, or public~~ **public** highway in Indiana.

35 SECTION 319. IC 9-25-4-4 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) For the purposes
37 of this article, financial responsibility is in effect with respect to a
38 motor vehicle if:

39 (1) a motor vehicle liability insurance policy issued with respect
40 to the **motor** vehicle **or operator under IC 9-25-5-7;**

41 (2) a bond executed with respect to the **motor** vehicle under
42 section 7 of this chapter; or

C
o
p
y



1 (3) the status of the owner or operator of the **motor** vehicle as a
 2 self-insurer, as recognized by the bureau through the issuance of
 3 a certificate of self-insurance under section 11 of this chapter;
 4 provides the ability to respond in damages for liability arising out of the
 5 ownership, maintenance, or use of the motor vehicle in amounts at least
 6 equal to those set forth in section 5 or 6 of this chapter.

7 (b) A motor vehicle liability policy under this article must contain
 8 the terms, conditions, and provisions required by statute and must be
 9 approved by the state insurance commissioner.

10 SECTION 320. IC 9-25-4-8 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. Proof of financial
 12 responsibility **meeting the requirements set forth in this article** may
 13 be ~~made filed in a manner prescribed by the bureau by filing with~~
 14 ~~the bureau the written certificate of an insurance carrier authorized to~~
 15 ~~do business in Indiana certifying that the carrier has issued to or for the~~
 16 ~~benefit of the person furnishing the for whom proof and named as the~~
 17 ~~insured a motor vehicle liability policy meeting the requirements of this~~
 18 ~~chapter and having the terms, conditions, and specifications that the~~
 19 ~~bureau requires:~~ **is required.**

20 SECTION 321. IC 9-25-5-1 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) If a person is
 22 convicted of a traffic offense that requires a court appearance, the court
 23 shall require the person to show proof that financial responsibility was
 24 in force on the date of the violation in one (1) of the forms described in
 25 IC 9-25-4-4 or in the form of a certificate of self-insurance issued under
 26 IC 9-25-4-11.

27 (b) If a person fails to provide proof of financial responsibility as
 28 required by this section, the court shall ~~do the following:~~

29 ~~(1)~~ **(1)** suspend the person's current driving ~~license~~ **privileges** or
 30 **motor** vehicle registration, or both.

31 ~~(2) Order the person to immediately surrender the person's current~~
 32 ~~driving license or vehicle registration to the court.~~

33 (c) A suspension under this section is subject to the same provisions
 34 concerning procedure for suspension, duration of suspension, and
 35 reinstatement applicable to other suspensions under this ~~chapter:~~
 36 **article.**

37 SECTION 322. IC 9-25-5-2 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. Not more than
 39 forty-five (45) days after the bureau receives a copy of an accident
 40 report under IC 9-26, the bureau shall send to each person identified in
 41 the report as an operator of a **motor** vehicle involved in the accident a
 42 request for evidence of financial responsibility under section 3 of this

C
o
p
y



1 chapter, unless the evidence has already been filed with the bureau.
2 The request for evidence of financial responsibility shall be sent to
3 each person identified in the report as an operator of a **motor** vehicle
4 involved in the accident regardless of fault.

5 SECTION 323. IC 9-25-5-3 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A request for
7 evidence of financial responsibility must do the following:

8 (1) Direct a person identified under section 2 of this chapter to
9 provide the bureau with evidence that financial responsibility was
10 in effect with respect to the **motor** vehicle operated by the person
11 on the date of the accident described in the accident report.

12 (2) Instruct the person on how to furnish the bureau with evidence
13 of financial responsibility in compliance with this ~~chapter~~ **article**.

14 (3) Warn the person that failure to furnish evidence of financial
15 responsibility to the bureau will result in suspension of the
16 person's current driving ~~license~~ **privileges** or **motor** vehicle
17 registration, or both, under this article.

18 (b) The bureau shall mail a request for evidence of financial
19 responsibility to a person identified under section 2 of this chapter by
20 first class mail at the address appearing in the records of the bureau.

21 SECTION 324. IC 9-25-5-4 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) To avoid a
23 ~~current driving license~~ suspension of **driving privileges** or **motor**
24 vehicle registration suspension, **or both**, under this article, a person
25 identified under section 2 of this chapter who receives a request for
26 evidence of financial responsibility must ~~provide~~ **ensure that the**
27 **insurance company of the person provides** the bureau with a
28 certificate of compliance indicating that financial responsibility
29 required by IC 9-25-4-1 was in effect with respect to the motor vehicle,
30 **or the operation of the motor vehicle**, on the date of the accident
31 described in the accident report. **It is the responsibility of the person**
32 **who receives a request for evidence of financial responsibility to**
33 **ensure that the insurance company of the person has provided a**
34 **certificate of compliance.**

35 (b) Proof that the bureau:

36 (1) did not receive a certificate of compliance ~~from~~ **for** a person
37 presented with a request for evidence of financial responsibility
38 under section 2 of this chapter within ~~forty-five (45)~~ **forty (40)**
39 days after the date on which the person was presented with the
40 request;

41 (2) received a certificate of compliance that did not indicate that
42 financial responsibility was in effect with respect to the motor

C
o
p
y



1 vehicle that the person was operating on the date of the accident
 2 described in the accident report; or
 3 (3) suspended a ~~current~~ **the** driving license or **privileges or**
 4 **motor** vehicle registration, or **both**, under IC 9-25-6-3 after
 5 presenting a person with a request for evidence of financial
 6 responsibility under section 2 of this chapter;
 7 is prima facie evidence in a civil action that the person presented with
 8 the request for evidence of financial responsibility did not have **an**
 9 **operator's or** a motor vehicle liability policy in effect with respect to
 10 the motor vehicle that the person was operating on the date of the
 11 accident described in the accident report.

12 SECTION 325. IC 9-25-5-5 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A person who
 14 receives a request for evidence of financial responsibility under section
 15 3 of this chapter shall **ensure that the insurance company of the**
 16 **person** set forth in the certificate of compliance **provides to the**
 17 **bureau** the following information concerning the form of financial
 18 responsibility that was in effect with respect to the motor vehicle on the
 19 date in question:

- 20 (1) If **an operator's or** a motor vehicle liability policy was in
 21 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) Dates of coverage of the policy.**
 26 **(E) Other information requested by the bureau.**
 27 (2) If a bond was in effect, the following:
 28 (A) The name and address of the bond company or surety.
 29 (B) The face amount of the bond.
 30 **(C) Dates the bond was in effect.**
 31 **(D) Other information requested by the bureau.**
 32 (3) If self-insurance was in effect under IC 9-25-4-11, the
 33 following:
 34 (A) The date on which the certificate of self-insurance was
 35 issued by the bureau.
 36 (B) The name of the person to whom the certificate of
 37 self-insurance was issued.
 38 **(C) Other information requested by the bureau.**
 39 (b) A person who requests information or verification of coverage
 40 to complete a certificate of compliance under subsection (a) from:
 41 (1) an insurance company; or
 42 (2) an insurance producer;

COPY



1 is not required to give the company or the producer a reason for
 2 requesting the information unless the person has been involved in an
 3 accident.

4 SECTION 326. IC 9-25-5-6 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. A certificate of
 6 compliance that reports the existence of an insurance policy must be
 7 ~~signed~~ **executed** by an officer or agent of the insurer. A certificate of
 8 compliance that reports the existence of a bond must be ~~signed~~
 9 **executed** by an officer of the bond company or surety.

10 SECTION 327. IC 9-25-5-8 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) An insurance
 12 carrier that has issued a motor vehicle liability policy or policies
 13 meeting the requirements of this article shall, upon request of the
 14 named insured,

- 15 ~~(1) deliver to the insured for filing; or~~
 16 ~~(2) file with the bureau~~

17 an appropriate certificate that meets the requirements of this ~~chapter~~
 18 **article** and shows that a policy or policies have been issued.

19 (b) The issuance of a certificate to serve as proof of financial
 20 responsibility under this ~~chapter~~ **article** is conclusive evidence that a
 21 motor vehicle liability policy in the certificate cited conforms to all the
 22 requirements of this article.

23 SECTION 328. IC 9-25-5-9 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. Whenever an
 25 insurance carrier has certified a motor vehicle liability policy under this
 26 chapter for the purpose of furnishing evidence of future financial
 27 responsibility, the insurance carrier shall give ten (10) days written
 28 notice to the bureau before cancellation of the policy. The policy
 29 continues in full force and effect until the date of cancellation specified
 30 in the notice or until the policy's expiration. A policy subsequently
 31 procured and certified, on the effective date of the policy's certification,
 32 terminates the insurance previously certified with respect to a **motor**
 33 vehicle designated in both certificates.

34 SECTION 329. IC 9-25-5-10 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) A nonresident
 36 may give proof of financial responsibility in one (1) of the following
 37 ways:

- 38 (1) The nonresident owner of a foreign **motor** vehicle may give
 39 proof of financial responsibility by ~~filing with the bureau a written~~
 40 **certificate of having** an insurance carrier authorized to transact
 41 business in the state in which the motor vehicle described in the
 42 certificate is registered **file a certificate of compliance with the**

C
O
P
Y



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

bureau.

(2) A nonresident who does not own a motor vehicle may give proof of financial responsibility by ~~filing with the bureau a written certificate of having~~ an insurance carrier authorized to transact business in the state in which the nonresident resides ~~file a certificate of compliance with the bureau.~~

(b) A certificate **of compliance** filed under subsection (a) must conform to this chapter.

(c) ~~The bureau shall accept a certificate filed under subsection (a) if the insurance carrier complies with the following:~~

(1) ~~Executes a power of attorney authorizing the bureau to accept service on the insurance carrier's behalf of notice of process in an action arising out of a motor vehicle accident in Indiana.~~

(2) ~~Adopts a binding resolution declaring that the insurance carrier's policies are considered to comply with Indiana law relating to the terms of motor vehicle liability policies issued in Indiana.~~

(3) ~~Agrees to accept as final and binding a judgment of a court of competent jurisdiction in Indiana rendered in an action arising out of a motor vehicle accident.~~

(d) ~~If a foreign insurance carrier that has qualified to furnish proof of financial responsibility under subsection (c) defaults in an undertaking or agreement, the bureau may not accept a certificate of the defaulting foreign carrier as long as the default continues, whether the certificate was filed before or after the default.~~

SECTION 330. IC 9-25-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) If:

(1) the bureau receives a certificate of compliance ~~from~~ **for** a person identified under IC 9-25-5-2 within forty (40) days after the date on which the bureau mailed the request for evidence of financial responsibility to the person; and

(2) the certificate of compliance indicates that financial responsibility was in effect with respect to the **motor vehicle or the operation of the motor vehicle** at the time of the accident described in the accident report;

the bureau may not suspend the person's ~~current driving license~~ **privileges.**

(b) If:

(1) the bureau receives a certificate of compliance from a person presented with a request for evidence of financial responsibility under IC 9-25-9-1 within forty (40) days after the date on which the person was presented with the request; and

C
o
p
y



1 (2) the certificate of compliance indicates that financial
2 responsibility was in effect with respect to the motor vehicle **or**
3 **the operation of the motor vehicle** that the person was operating
4 when the person committed the violation described in the
5 judgment or abstract received by the bureau under IC 9-25-9-1;
6 the bureau may not suspend the person's ~~current driving license~~
7 **privileges.**

8 (c) If:

9 (1) the bureau receives a certificate of compliance for a
10 person identified under IC 9-25-10 within forty (40) days after
11 the date on which the bureau mailed the request for evidence
12 of financial responsibility to the person; and

13 (2) the certificate of compliance indicates that financial
14 responsibility was in effect with respect to the motor vehicle
15 or the operation of the motor vehicle for the date requested
16 under IC 9-25-10;

17 **the bureau may not suspend the driving privileges of the person.**

18 SECTION 331. IC 9-25-6-2 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) If the bureau
20 finds that a statement as to the existence of financial responsibility in
21 a certificate of compliance received ~~from~~ **for**

22 ~~(1) a person identified under IC 9-25-5-2; or~~

23 ~~(2) a person presented with a request for evidence of financial~~
24 ~~responsibility under IC 9-25-9-1; IC 9-25~~

25 is materially false, the bureau shall take action under subsection (b).

26 (b) Upon finding that the statement referred to in subsection (a) is
27 false, the bureau shall ~~do the following~~:

28 ~~(1) immediately suspend the person's current driving license or~~
29 ~~privileges or motor vehicle registration, or both,~~

30 ~~(2) Demand that the person immediately surrender the person's~~
31 ~~current driving license or vehicle registration, or both, to the~~
32 ~~bureau for at least ninety (90) days and not more than one (1)~~
33 ~~year.~~

34 SECTION 332. IC 9-25-6-3 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) If the bureau:

36 (1) does not receive a certificate of compliance ~~from~~ **for** a person
37 identified under IC 9-25-5-2 within forty (40) days after the date
38 on which the bureau mailed the request for evidence of financial
39 responsibility to the person; or

40 (2) receives a certificate that does not indicate that financial
41 responsibility was in effect with respect to the motor vehicle
42 operated by the person on the date of the accident referred to in

C
o
p
y



1 IC 9-25-5-2;
2 the bureau shall take action under subsection ~~(e)~~: **(d)**.
3 (b) If the bureau:
4 (1) does not receive a certificate of compliance ~~from for~~ for a person
5 presented with a request for evidence of financial responsibility
6 under IC 9-25-9-1 within forty (40) days after the date on which
7 the person was presented with the request; or
8 (2) receives a certificate that does not indicate that financial
9 responsibility was in effect with respect to the motor vehicle that
10 the person was operating when the person committed the violation
11 described in the judgment or abstract received by the bureau
12 under IC 9-25-9-1;
13 the bureau shall take action under subsection ~~(e)~~: **(d)**.
14 **(c) If the bureau:**
15 **(1) does not receive a certificate of compliance for a person**
16 **presented with a request under IC 9-25-10 not later than forty**
17 **(40) days after the date on which the person was presented**
18 **with the request; or**
19 **(2) receives a certificate that does not indicate that financial**
20 **responsibility was in effect;**
21 **the bureau shall take action under subsection (d).**
22 ~~(e)~~ **(d)** Under the conditions set forth in subsection (a), ~~or~~ (b), ~~or~~ (c),
23 the bureau shall ~~do~~ the following:
24 ~~(+)~~ immediately suspend the person's ~~current~~ driving license
25 **privileges or motor or** vehicle registration, or both, **for at least**
26 **ninety (90) days and not more than one (1) year.**
27 ~~(2)~~ Demand that the person immediately surrender the person's
28 current driving license or vehicle registration, or both, to the
29 bureau:
30 ~~(d)~~ **(e)** Except as provided in subsection ~~(e)~~; **(f)**, if subsection (a), ~~or~~
31 (b), ~~or~~ (c) applies to a person, the bureau shall suspend the ~~current~~
32 driving license **privileges** of the person irrespective of the following:
33 (1) The sale or other disposition of the motor vehicle by the
34 owner.
35 (2) The cancellation or expiration of the registration of the motor
36 vehicle.
37 (3) An assertion by the person that the person did not own the
38 motor vehicle and therefore had no control over whether financial
39 responsibility was in effect with respect to the motor vehicle.
40 ~~(e)~~ **(f)** The bureau shall not suspend the ~~current~~ driving license
41 **privileges** of a person to which subsection (a) or subsection (b) applies
42 if the person, through a certificate of compliance or another

COPY



1 communication with the bureau, establishes to the satisfaction of the
2 bureau that the motor vehicle that the person was operating when the
3 accident referred to in subsection (a) took place or when the violation
4 referred to in subsection (b) was committed was:

- 5 (1) rented from a rental company; or
- 6 (2) owned by the person's employer and operated by the person in
7 the normal course of the person's employment.

8 SECTION 333. IC 9-25-6-3.5 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3.5. If a person
10 violates:

- 11 (1) IC 9-25-4;
- 12 (2) IC 9-25-5; ~~or~~
- 13 (3) section 2 or 3 of this chapter; ~~or~~
- 14 **(4) IC 9-25-10;**

15 more than one (1) time within a three (3) year period, the person's
16 driving ~~license~~ **privileges** or **motor** vehicle registration may be
17 suspended for not more than one (1) year.

18 SECTION 334. IC 9-25-6-4 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) This section does
20 not apply to judgments entered at least seven (7) years after the date of
21 the accident.

22 (b) "Judgment", as used in this section, means a judgment in excess
23 of two hundred dollars (\$200) for bodily injury, death, or property
24 damages arising out of the use of a motor vehicle upon a public
25 highway.

26 (c) The bureau shall suspend for a period of not more than seven (7)
27 years from the date of ~~written notification~~ **judgment** the ~~current~~
28 ~~license issued to~~ **privileges of** a person upon receiving a verified report
29 that the person has failed for a period of ~~up to~~ **ninety (90) days** to
30 satisfy a judgment.

31 SECTION 335. IC 9-25-6-6 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The bureau may
33 not suspend a ~~license~~ **the driving privileges of a person** and shall
34 reinstate a ~~license suspended~~ **the driving privileges of a person**
35 following nonpayment of a judgment whenever a judgment debtor does
36 the following:

- 37 (1) Gives proof ~~of that~~ the judgment ~~debtor's~~ **debtor will**
38 **maintain** financial responsibility ~~in the future.~~ **for at least three**
39 **(3) years following reinstatement.**
- 40 (2) Obtains an order from the trial court in which the judgment
41 was rendered permitting the payment of the judgment in
42 installments, unless the payment of an installment is in default.

C
o
p
y



1 (b) A judgment debtor, upon five (5) days notice to the judgment
2 creditor, may apply to the trial court in which the judgment was
3 obtained for the privilege of paying the judgment in installments. The
4 court, in the court's discretion and without prejudice to other legal
5 remedies the judgment creditor may have, may order the payment of
6 the judgment in installments, fixing the amounts and times of payment
7 of the installments.

8 (c) Except as provided in subsection (d), if the judgment debtor fails
9 to pay an installment as permitted by the order of the court, upon notice
10 of the default the bureau shall suspend the **license driving privileges**
11 of the judgment debtor. The bureau may not take action for failure to
12 make installment payments for judgments entered at least seven (7)
13 years after the date of the accident. ~~A~~ **Suspended license driving**
14 **privileges** may not be reinstated until evidence of proof of financial
15 responsibility is presented.

16 (d) Notwithstanding a default by the judgment debtor in the
17 payment of a judgment or the payment of an installment under
18 subsection (b), whenever the judgment creditor consents in writing, in
19 the form the bureau prescribes, that the judgment debtor be allowed
20 **license driving privileges** and registration, the **license driving**
21 **privileges** and registration may be allowed by the bureau at the
22 bureau's discretion. The **license driving privileges** and registration
23 may be allowed for six (6) months from the date of a consent under this
24 subsection and may be renewed until the consent is revoked in writing
25 if the judgment debtor furnishes proof under this article ~~of that~~ the
26 judgment debtor's **debtor will maintain** financial responsibility ~~in the~~
27 **future: for at least three (3) years following reinstatement.**

28 SECTION 336. IC 9-25-6-7 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. ~~(a)~~ Except as
30 provided in sections 5 and 6 of this chapter, a suspension required in
31 sections 4 and 6 of this chapter remains in effect and no other motor
32 vehicle may be registered in the name of the judgment debtor or a new
33 license issued to the judgment debtor, until the following occur:

- 34 (1) The judgment is satisfied or stayed.
- 35 (2) The judgment debtor gives proof of **future** financial
36 responsibility ~~in the future for three (3) years~~, as provided in this
37 article.

38 ~~(b) A discharge in bankruptcy following the rendering of a judgment~~
39 ~~does not relieve the judgment debtor from the requirements of this~~
40 ~~chapter.~~

41 SECTION 337. IC 9-25-6-8 IS REPEALED [EFFECTIVE JULY 1,
42 2012]. Sec. 8. ~~(a) A court shall forward to the bureau a certified~~

C
o
p
y



1 abstract of the record of the conviction of a person in the court for a
2 violation of a law relating to motor vehicles:

3 (b) If in the opinion of the court a defendant should be deprived of
4 the privilege to operate a motor vehicle upon a public highway, the
5 court shall recommend the suspension of the convicted person's current
6 driving license for a fixed period established by the court not exceeding
7 one (1) year:

8 (c) The bureau shall comply with the court's recommendation:

9 (d) At the time of a conviction referred to in subsection (a) or
10 IC 9-30-5-7, the court may obtain the defendant's current driving
11 license and return the license to the department:

12 (e) An abstract provided for by this section must be in the form
13 prescribed by the bureau and, when certified, shall be accepted by an
14 administrative agency or a court as prima facie evidence of the
15 conviction and all other action stated in the abstract:

16 SECTION 338. IC 9-25-6-9 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. The clerk of a court,
18 or the judge of a court that has no clerk, shall forward to the bureau a
19 certified abstract of the record of a judgment for damages if the
20 rendering and nonpayment of the judgment requires the bureau to
21 suspend or revoke the current driving license in the name **privileges** of
22 the judgment debtor under this article. The abstract shall be forwarded
23 to the bureau immediately upon the expiration of thirty (30) days after
24 the judgment becomes final and has not been stayed or satisfied, as
25 shown by the records of the court.

26 SECTION 339. IC 9-25-6-10 IS REPEALED [EFFECTIVE JULY
27 1, 2012]. Sec. 10. (a) If:

28 (1) a criminal proceeding for driving while intoxicated under
29 IC 9-30-5 is deferred under IC 12-23-5-1 through IC 12-23-5-9;
30 or

31 (2) a child alleged to be a delinquent child based upon the child's
32 violation of IC 9-30-5 voluntarily attends or is ordered by the
33 court under IC 31-37 (or IC 31-6-4 before its repeal) to attend an
34 alcohol and drug services program;

35 the court, within ten (10) days after the defendant or child begins the
36 program, shall forward to the bureau a certified abstract of program
37 enrollment:

38 (b) The abstract must state the following:

39 (1) The defendant's or child's name, address, date of birth, and
40 driver's license number:

41 (2) The name and location of the alcohol and drug services
42 program that the defendant or child is attending:

C
o
p
y



1 SECTION 340. IC 9-25-6-11 IS REPEALED [EFFECTIVE JULY
2 1, 2012]. Sec. 11. If a license is revoked because of a conviction, the
3 bureau may not accept a certificate of insurance unless the certificate
4 covers each motor vehicle registered in the name of the person
5 furnishing proof as the owner. An additional certificate is required
6 before the subsequent registration of a motor vehicle in the name of the
7 person giving proof as the owner.

8 SECTION 341. IC 9-25-6-12 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) Whenever a
10 certificate **proof of financial responsibility** is filed showing that a
11 policy has been issued covering all motor vehicles owned by an insured
12 but not insuring the person when operating a motor vehicle not owned
13 by the person, it is unlawful for the person to operate a motor vehicle
14 not owned by the person or not covered by the certificate. ~~The bureau~~
15 ~~shall designate the restriction under this subsection upon the operator's~~
16 ~~or chauffeur's license of the person.~~

17 (b) If a person who owns a motor vehicle desires to be relieved of
18 the restriction under subsection (a) and be permitted to drive another
19 motor vehicle, the person who owns the motor vehicle may have the
20 restriction removed upon filing a certificate showing that an operator's
21 policy of liability insurance has been issued to the person.

22 SECTION 342. IC 9-25-6-13 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. A:

- 24 (1) nonresident may not operate a motor vehicle in Indiana; and
- 25 (2) motor vehicle owned by the nonresident may not be operated
26 in Indiana;

27 until the nonresident or the owner of the motor vehicle has complied
28 with the requirements of this article with respect to proof of financial
29 responsibility. ~~covering the motor vehicle.~~

30 SECTION 343. IC 9-25-6-14, AS AMENDED BY P.L.210-2005,
31 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2012]: Sec. 14. (a) The bureau shall reinstate the ~~current~~
33 ~~driving license privileges~~ or **motor** vehicle registration, or both:

- 34 (1) subject to section 15 of this chapter, after ninety (90) days of
35 suspension
 - 36 (A) ~~except as provided in sections 19, 20, and 21(b) of this~~
37 ~~chapter~~, if the person has furnished the bureau with a
38 certificate of compliance showing that financial responsibility
39 is in effect with respect to the vehicle; or
 - 40 (B) if the person is no longer an owner of the vehicle or the
41 registration of the vehicle has been canceled or has expired;
- 42 (2) if the person is subject to section 21(b) of this chapter and to

C
o
p
y



1 IC 9-29-10-1, after thirty (30) days of suspension;
 2 (3) subject to section 15 of this chapter, when the person
 3 furnishes the bureau with a certificate of compliance showing that
 4 financial responsibility is in effect with respect to the vehicle if:
 5 (A) subdivision (1)(B) does not apply; and
 6 (B) the person fails to furnish the bureau with a certificate of
 7 compliance as described in subdivision (1)(A) within ninety
 8 (90) days after the current driving license of the person is
 9 suspended; or
 10 (4) (2) if financial responsibility was in effect with respect to a
 11 motor vehicle on the date of the accident requested but the
 12 person does not provide the bureau with does not receive a
 13 certificate of compliance indicating this fact until after the
 14 person's current driving license is privileges are suspended under
 15 this chapter, article, the person's current driving license
 16 privileges shall be reinstated when the person provides bureau
 17 receives the certificate of compliance. to the bureau and complies
 18 with section 15 of this chapter.

19 (b) Upon receipt of a certificate of compliance under this section,
 20 the bureau shall expunge from the bureau's data base the administrative
 21 suspension caused by the failure to notify the bureau that the person
 22 had financial responsibility in effect on the date of the violation.

23 SECTION 344. IC 9-25-6-15, AS AMENDED BY P.L.80-2010,
 24 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2012]: Sec. 15. (a) Except as provided in subsection (b), A
 26 person:

- 27 (1) whose current driving license is privileges are suspended
- 28 under this chapter, article; and
- 29 (2) who seeks the reinstatement of the driving license; privileges;
- 30 must pay a reinstatement fee to the bureau as provided in IC 9-29-10-1.

31 (b) A person whose driver's license is suspended under section 19
 32 or 20 of this chapter is not required to pay a reinstatement fee to have
 33 the person's driving license reinstated.

34 SECTION 345. IC 9-25-6-16 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. A person whose
 36 current driving license is privileges are suspended under this chapter
 37 article may seek a review of the suspension under IC 4-21.5-3-7.

38 SECTION 346. IC 9-25-6-17 IS REPEALED [EFFECTIVE JULY
 39 1, 2012]. Sec. 17. If the bureau determines that a person who is
 40 required to give proof of financial responsibility in the future under this
 41 article because of a conviction, non-satisfaction of a judgment, or for
 42 any other reason is or becomes:

COPY



1 (1) a chauffeur or motor vehicle operator, however designated, in
 2 the employ of a person who owns a motor vehicle; or
 3 (2) a member of the immediate family or household of a person
 4 who owns a motor vehicle; and
 5 the period for which the person's suspension or revocation has elapsed;
 6 the bureau may accept proof of future financial responsibility given by
 7 the person who owns the motor vehicle instead of requiring proof from
 8 the person under a suspension or revocation if it appears that the proof
 9 offered will be sufficient to cover any number of persons coming
 10 within this classification. The bureau may designate the restrictions
 11 imposed by this section on the face of the operator's or chauffeur's
 12 license of the person who has been under suspension or revocation.

13 SECTION 347. IC 9-25-6-18 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. A person who:

- 15 (1) forges or without authority signs **or approves** any certificate
- 16 to serve as proof of financial responsibility as required by the
- 17 bureau; or
- 18 (2) knowingly files or offers for filing a certificate described in
- 19 subdivision (1);
- 20 commits a Class B misdemeanor.

21 SECTION 348. IC 9-25-6-19 IS REPEALED [EFFECTIVE JULY
 22 1, 2012]. Sec. 19: (a) The bureau shall, upon receiving an order of a
 23 court issued under IC ~~31-14-12-4~~ or IC ~~31-16-12-7~~ (or
 24 IC ~~31-1-11.5-13(j)~~ or IC ~~31-6-6.1-16(j)~~ before their repeal); suspend
 25 the driving license or permit of the person who is the subject of the
 26 order.

27 (b) The bureau may not reinstate a driving license or permit
 28 suspended under this section until the bureau receives an order
 29 allowing reinstatement from the court that issued the order for
 30 suspension.

31 (c) Upon receiving an order for suspension under subsection (a); the
 32 bureau shall promptly mail a notice to the last known address of the
 33 person who is the subject of the order; stating the following:

- 34 (1) That the person's driving privileges are suspended, beginning
- 35 five (5) business days after the date the notice is mailed; and that
- 36 the suspension will terminate ten (10) business days after the
- 37 bureau receives an order allowing reinstatement from the court
- 38 that issued the suspension order.
- 39 (2) That the person has the right to petition for reinstatement of
- 40 driving privileges to the court that issued the order for suspension.
- 41 (3) That the person may be granted a restricted driving permit
- 42 under IC 9-24-15-6.7 if the person can prove that public

C
o
p
y



1 transportation is unavailable for travel by the person:

- 2 (A) to and from the person's regular place of employment;
- 3 (B) in the course of the person's regular employment;
- 4 (C) to and from the person's place of worship; or
- 5 (D) to participate in parenting time with the petitioner's
- 6 children consistent with a court order granting parenting time.

7 (d) Unless a person whose driving license or permit is suspended
8 under this section has been issued a restricted driving permit under
9 IC 9-24-15 as a result of a suspension under this section, a person who
10 operates a motor vehicle in violation of the section commits a Class A
11 infraction.

12 SECTION 349. IC 9-25-6-19.2 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19.2. The bureau may
14 suspend the registration of a **motor** vehicle owned by a registrant who
15 provides the bureau with false evidence of financial responsibility
16 under this article.

17 SECTION 350. IC 9-25-6-20 IS REPEALED [EFFECTIVE JULY
18 1, 2012]. Sec. 20: (a) If the bureau is advised by the Title IV-D agency
19 that the obligor (as defined in IC 31-25-4-4) either requested a hearing
20 under IC 31-25-4-33 and failed to appear or appeared and was found
21 to be delinquent, the bureau shall promptly mail a notice to the obligor
22 stating the following:

23 (1) That the obligor's driving privileges are suspended, beginning
24 twenty (20) business days after the date the notice is mailed; and
25 that the suspension will terminate after the bureau receives a
26 notice from the Title IV-D agency that the obligor has:

- 27 (A) paid the obligor's child support arrearage in full; or
- 28 (B) established a payment plan with the Title IV-D agency to
29 pay the arrearage, which includes an income withholding order
30 under IC 31-16-15-2 or IC 31-16-15-2.5.

31 (2) That the obligor may be granted a restricted driving permit
32 under IC 9-24-15-6.7 if the obligor can prove that public
33 transportation is unavailable for travel by the obligor:

- 34 (A) to and from the obligor's regular place of employment;
- 35 (B) in the course of the obligor's regular employment;
- 36 (C) to and from the obligor's place of worship; or
- 37 (D) to participate in parenting time with the petitioner's
- 38 children consistent with a court order granting parenting time.

39 (b) The bureau may not reinstate a driving license or permit
40 suspended under this section until the bureau receives a notice from the
41 Title IV-D agency that the obligor has:

- 42 (1) paid the obligor's child support arrearage in full; or

C
o
p
y



1 (2) established a payment plan with the Title IV-D agency to pay
2 the arrearage, which includes an income withholding order under
3 IC 31-16-15-2 or IC 31-16-15-2.5.

4 (c) Unless an obligor whose driving license or permit is suspended
5 under this section has been issued a restricted driving permit under
6 IC 9-24-15 as a result of a suspension under this section, an obligor
7 who operates a motor vehicle in violation of the section commits a
8 Class A infraction.

9 SECTION 351. IC 9-25-6-21 IS REPEALED [EFFECTIVE JULY
10 1, 2012]. Sec. 21. (a) Upon receiving an order issued by a court under
11 IC 35-43-4-8(b) concerning a person convicted of fuel theft, the bureau
12 shall do the following:

13 (1) Suspend under subsection (b) the driving privileges of the
14 person who is the subject of the order, whether or not the person's
15 current driving license accompanies the order.

16 (2) Mail to the last known address of the person who is the subject
17 of the order a notice:

18 (A) stating that the person's driving license is being suspended
19 for fuel theft;

20 (B) setting forth the date on which the suspension takes effect
21 and the date on which the suspension terminates; and

22 (C) stating that the person may be granted a restricted driving
23 permit under IC 9-24-15-6.7 if the person meets the conditions
24 for obtaining a restricted driving permit.

25 (b) The suspension of the driving privileges of a person who is the
26 subject of an order issued under IC 35-43-4-8(b):

27 (1) begins five (5) business days after the date on which the
28 bureau mails the notice to the person under subsection (a)(2); and

29 (2) terminates thirty (30) days after the suspension begins.

30 (c) A person who operates a motor vehicle during a suspension of
31 the person's driving privileges under this section commits a Class A
32 infraction unless the person's operation of the motor vehicle is
33 authorized by a restricted driving permit issued to the person under
34 IC 9-24-15-6.7.

35 SECTION 352. IC 9-25-7-1 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau may not
37 revoke the driving license privileges or registration plates of the owner
38 or operator of a motor vehicle who has been involved in a motor
39 vehicle accident resulting in bodily injury or death or in damage to
40 property in excess of one thousand dollars (\$1,000) solely because of
41 failure to provide evidence of financial responsibility whenever the:

42 (1) owner or operator was insured by an insurance company for

C
o
p
y



1 public liability and property damage at the time of the accident;
 2 and
 3 (2) insurance company becomes insolvent after the accident or
 4 within fifteen (15) days before the accident;
 5 if the insurance company was authorized and qualified to do business
 6 in Indiana on the effective date of the policy.

7 SECTION 353. IC 9-25-7-3 IS REPEALED [EFFECTIVE JULY 1,
 8 2012]. Sec. 3: (a) The bureau shall, upon request, cancel a bond or
 9 return a certificate of insurance; direct the treasurer of state to return to
 10 the person entitled any money or securities deposited under this article
 11 as proof of financial responsibility; or waive the requirement of filing
 12 proof of financial responsibility in any of the following circumstances:

13 (1) At any time after three (3) years from the date the proof was
 14 required; if during the three (3) year period preceding the request
 15 the person furnishing the proof has not been convicted of an
 16 offense referred to in IC 9-30-4-6;

17 (2) If the person on whose behalf the proof was filed dies or the
 18 person becomes permanently incapable of operating a motor
 19 vehicle;

20 (3) If the person who has given proof of financial responsibility
 21 surrenders the person's operator's or chauffeur's license;
 22 registration certificates, and registration plates to the bureau. The
 23 bureau may not release the proof if an action for damages upon a
 24 liability referred to in this article is pending; a judgment upon a
 25 liability is outstanding and unsatisfied; or the bureau has received
 26 notice that the person has, within the period of three (3) months
 27 immediately preceding, been involved as a driver in a motor
 28 vehicle accident. An affidavit of the applicant of the nonexistence
 29 of the facts referred to in this subdivision is sufficient evidence of
 30 the nonexistence of the facts in the absence of evidence to the
 31 contrary in the records of the department.

32 (b) Whenever a person to whom proof has been surrendered under
 33 subsection (a)(3) applies for an operator's or chauffeur's license or the
 34 registration of a motor vehicle within a period of three (3) years from
 35 the date the proof of financial responsibility was originally required;
 36 the bureau shall reject the application unless the applicant reestablishes
 37 the proof for the remainder of the period:

38 SECTION 354. IC 9-25-7-6 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) This section does
 40 not apply to a person who is a resident of Indiana or who operates a
 41 **motor** vehicle in Indiana.

42 (b) A person:

C
o
p
y



- 1 (1) whose ~~operator's~~ **driver's** license or registration was
- 2 suspended and who is required to prove financial responsibility
- 3 extending into the future in order to have the person's driving
- 4 privileges reinstated; and
- 5 (2) who no longer operates a **motor** vehicle in Indiana and has
- 6 become a resident of another state or foreign jurisdiction;
- 7 is not required to prove financial responsibility into the future in order
- 8 to have the person's ~~license~~ **driving privileges** or registration
- 9 temporarily reinstated to allow licensing or registration in the other
- 10 state or foreign jurisdiction.

11 SECTION 355. IC 9-25-8-1 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter does not
 13 apply to the following:

- 14 (1) Persons who have obtained a certificate of self-insurance
- 15 under IC 9-25-4-11.
- 16 (2) Operators of government owned vehicles.
- 17 (3) Persons who are exempt under IC 9-25-1-2.
- 18 ~~(4) A resident of another state who is operating a vehicle that is~~
- 19 ~~registered in that person's state of residence.~~

20 SECTION 356. IC 9-25-8-2 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) A person who
 22 knowingly:

- 23 (1) operates; or
- 24 (2) permits the operation of;
- 25 a motor vehicle on a public highway in Indiana **without financial**
- 26 **responsibility in effect as set forth in IC 9-25-4-4** commits a Class
- 27 A infraction. ~~unless financial responsibility is in effect with respect to~~
- 28 ~~the motor vehicle under IC 9-25-4-4.~~ However, the offense is a Class
- 29 C misdemeanor if the person knowingly or intentionally violates this
- 30 section and has a prior unrelated conviction or judgment under this
- 31 section.

- 32 (b) Subsection (a)(2) applies to:
- 33 (1) the owner of a rental company ~~that is referred to in~~
- 34 ~~IC 9-25-6-3(e)(1);~~ **under IC 9-25-6-3(f)(1);** and
- 35 (2) an employer ~~that is referred to in IC 9-25-6-3(e)(2).~~ **under**
- 36 **IC 9-25-6-2(f)(2).**

37 (c) In addition to any other penalty imposed on a person for
 38 violating this section, the court may recommend the suspension of the
 39 person's driving privileges for **at least ninety (90) days but not more**
 40 **than one (1) year.** However, if, within the five (5) years preceding the
 41 conviction under this section, the person had a prior unrelated
 42 conviction under this section, the court shall recommend the

C
o
p
y



1 suspension of the person's driving privileges for one (1) year.

2 (d) Upon receiving the recommendation of the court under
3 subsection (c), the bureau shall suspend the person's driving privileges
4 for the period recommended by the court. **If no suspension is**
5 **recommended by the court, the bureau shall impose the minimum**
6 **period of suspension required under this article.**

7 SECTION 357. IC 9-25-8-4 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The commissioner
9 is not required to notify the prosecuting attorney of a driver who has
10 had a driving ~~license~~ **privileges** suspended for failure to prove financial
11 responsibility under this article.

12 SECTION 358. IC 9-25-9-1 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) After the bureau
14 receives:

15 (1) a certified abstract under ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** of the
16 record of conviction of a person for a violation of a law relating
17 to motor vehicles; or

18 (2) a judgment or an abstract under IC 9-30-3-11 of a case
19 resulting in a conviction, judgment, or forfeiture of security
20 deposit;

21 the bureau shall determine whether the bureau is required under
22 subsection (b) to send to the person named in the judgment or abstract
23 a request for evidence of financial responsibility.

24 (b) The bureau shall send a request for evidence of financial
25 responsibility to a person referred to in subsection (a) if at least one (1)
26 of the following applies to the person:

27 (1) The judgment or abstract referred to in subsection (a) reports
28 that the person committed a moving traffic violation for which
29 points are assessed by the bureau under the point system, and, not
30 more than one (1) year before the date of the violation referred to
31 in the judgment or abstract, the person committed at least two (2)
32 previous moving traffic violations for which points are assessed
33 by the bureau under the point system.

34 (2) The judgment or abstract referred to in subsection (a) reports
35 that the person was convicted of:

36 (A) a misdemeanor; or

37 (B) a felony;

38 involving a motor vehicle.

39 (3) The judgment or abstract referred to in subsection (a) reports
40 that the person committed a moving traffic violation for which
41 points are assessed by the bureau under the point system and the
42 driver's license of the person was previously suspended for

C
o
p
y



1 violation of the financial responsibility requirements of IC 9-25.
2 SECTION 359. IC 9-25-9-2 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The request for
4 evidence of financial responsibility presented to a person under section
5 1 of this chapter must do the following:

6 (1) Direct the person to **ensure that the insurance company of**
7 **the person** provide the bureau with evidence that financial
8 responsibility was in effect with respect to the motor vehicle that
9 the person was operating when the person committed the violation
10 described in the judgment or abstract.

11 (2) Instruct the person on how to furnish the bureau with evidence
12 of financial responsibility as specified in this ~~chapter~~: **article**.

13 (3) Warn the person that failure **of the insurance company of the**
14 **person to furnish provide** evidence of financial responsibility to
15 the bureau will result in suspension of the person's current driving
16 **license privileges or motor** vehicle registration, or both, under
17 this article.

18 SECTION 360. IC 9-25-9-3 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. To avoid a ~~current~~
20 ~~driving license~~ suspension **of driving privileges or motor** vehicle
21 registration suspension under this article, a person presented with a
22 request for evidence of financial responsibility under section 1 of this
23 chapter must ~~provide~~ **ensure that the insurance company of the**
24 **person provides** the bureau with a certificate of compliance indicating
25 that financial responsibility as required by IC 9-25-4-1 was in effect
26 ~~with respect to the motor vehicle that the person was operating~~ when
27 the person committed the violation described in the judgment or
28 abstract.

29 SECTION 361. IC 9-25-9-4 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A person who is
31 presented with a request for evidence of financial responsibility under
32 section 1 of this chapter shall **direct the insurance company of the**
33 **person to** set forth in the certificate of compliance the following
34 information concerning the form of financial responsibility that was in
35 effect with respect to the motor vehicle:

- 36 (1) If a motor vehicle liability policy was in effect, the following:
37 (A) The name and address of the insurer.
38 (B) The limits of coverage of the policy.
39 (C) The identification number applying to the policy.
40 **(D) A statement confirming that financial responsibility**
41 **covering the motor vehicle and operator was in effect on**
42 **the date applicable to section 1(b) of this chapter.**

C
o
p
y



1 (2) If a bond was in effect, the following:
 2 (A) The name and address of the bond company or surety.
 3 (B) The face amount of the bond.
 4 (3) If self-insurance was in effect under IC 9-25-4-11, the
 5 following:
 6 (A) The date on which the certificate of self-insurance was
 7 issued by the bureau.
 8 (B) The name of the person to whom the certificate of
 9 self-insurance was issued.

10 SECTION 362. IC 9-25-9-5 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A certificate of
 12 compliance that is provided to the bureau under this ~~chapter~~ **article** and
 13 that reports the existence of an insurance policy must be signed by an
 14 officer or agent of the insurer.

15 (b) The portion of a request for evidence of financial responsibility
 16 that is presented to an officer or agent of an insurer to obtain a
 17 certificate of compliance under subsection (a) may not contain
 18 information concerning the violation that resulted in the request for
 19 evidence of financial responsibility.

20 (c) An officer or agent of an insurer may not request information
 21 concerning a violation that results in a request for evidence of financial
 22 responsibility under this ~~chapter~~ **article**.

23 (d) A certificate of compliance that is provided to the bureau under
 24 this ~~chapter~~ **article** and that reports the existence of a bond must be
 25 signed by an officer of the bond company or surety.

26 SECTION 363. IC 9-25-10-4, AS AMENDED BY P.L.1-2009,
 27 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2012]: Sec. 4. The bureau shall ~~not later than January 1, 2010,~~
 29 establish an electronic registry of previously uninsured motorists to
 30 facilitate the random and periodic verification by the bureau of
 31 compliance with this article.

32 SECTION 364. IC 9-25-10-6, AS AMENDED BY P.L.1-2009,
 33 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2012]: Sec. 6. The failure by a previously uninsured motorist
 35 to respond **with proof of financial responsibility** to the bureau's
 36 request for verification of financial responsibility under this chapter
 37 constitutes prima facie evidence of operating a motor vehicle without
 38 financial responsibility in violation of this article.

39 SECTION 365. IC 9-25-10-7, AS AMENDED BY P.L.65-2011,
 40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2012]: Sec. 7. (a) The bureau shall remove the name of a
 42 previously uninsured motorist from the registry not more than five (5)

C
o
p
y



1 years after the date on which the:
 2 (1) judgment;
 3 (2) conviction; or
 4 (3) administrative action by the bureau;
 5 for which the **previously uninsured** motorist's name is maintained on
 6 the registry was entered against the **previously uninsured** motorist.

7 (b) If a previously uninsured motorist is convicted of a second or
 8 subsequent offense under this article or is subject to a second or
 9 subsequent administrative action by the bureau under this article, the
 10 bureau shall remove the **previously uninsured** motorist's name from
 11 the registry not more than five (5) years after the date on which the
 12 second or subsequent conviction or the second or subsequent
 13 administrative action by the bureau is entered.

14 SECTION 366. IC 9-26-1-0.1, AS ADDED BY P.L.220-2011,
 15 SECTION 225, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2012]: Sec. 0.1. The following amendments to
 17 this chapter apply as follows:

18 (1) The amendments made to sections 1, 2, 6, 8, and 9 of this
 19 chapter by P.L.126-2008 apply only to crimes committed after
 20 June 30, 2008.

21 (2) The addition of section 1.5 of this chapter by P.L.126-2008
 22 applies only to crimes committed after June 30, 2008.

23 SECTION 367. IC 9-26-1-0.5, AS ADDED BY P.L.94-2006,
 24 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2012]: Sec. 0.5. For purposes of this chapter, an accident does
 26 not require proof of a collision between a driver's **motor** vehicle and
 27 another vehicle or another person if the accident involves serious
 28 bodily injury to or the death of a person.

29 SECTION 368. IC 9-26-1-1, AS AMENDED BY P.L.1-2009,
 30 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2012]: Sec. 1. **Except as provided in section 1.5 of this**
 32 **chapter**, the driver of a **motor** vehicle involved in an accident that
 33 results in the injury or death of a person or the entrapment of a person
 34 in a vehicle shall do the following:

35 (1) Immediately stop the driver's **motor** vehicle at the scene of the
 36 accident or as close to the accident as possible in a manner that
 37 does not obstruct traffic more than is necessary.

38 (2) Immediately return to and remain at the scene of the accident
 39 until the driver does the following:

40 (A) Gives the driver's name and address and the registration
 41 number of the **motor** vehicle the driver was driving.

42 (B) Upon request, exhibits the driver's license of the driver to

COPY



1 the following:

2 (i) The person struck.

3 (ii) The driver or occupant of or person attending each
4 vehicle involved in the accident.

5 (C) Subject to section 1.5(a) of this chapter, determines the
6 need for and renders reasonable assistance to each person
7 injured or entrapped in the accident, including the removal of,
8 or the making of arrangements for the removal of:

9 (i) each injured person from the scene of the accident to a
10 physician or hospital for medical treatment; and

11 (ii) each entrapped person from the vehicle in which the
12 person is entrapped.

13 (3) Subject to section 1.5(b) of this chapter, immediately give
14 notice of the accident by the quickest means of communication to
15 one (1) of the following:

16 (A) The local police department, if the accident occurs within
17 a municipality.

18 (B) The office of the county sheriff or the nearest state police
19 post, if the accident occurs outside a municipality.

20 ~~(4) Within ten (10) days after the accident, forward a written~~
21 ~~report of the accident to the:~~

22 ~~(A) state police department, if the accident occurs before~~
23 ~~January 1, 2006; or~~

24 ~~(B) bureau, if the accident occurs after December 31, 2005.~~

25 SECTION 369. IC 9-26-1-1.5, AS ADDED BY P.L.126-2008,
26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2012]: Sec. 1.5. (a) If:

28 (1) the driver of a **motor** vehicle is physically incapable of
29 determining the need for or rendering assistance to any injured or
30 entrapped person as required under section 1(2)(C) of this
31 chapter;

32 (2) there is another occupant in the **motor** vehicle at the time of
33 the accident who is:

34 (A) at least:

35 (i) fifteen (15) years of age and holds a learner's permit
36 issued under IC 9-24-7-1 or a driver's license issued under
37 IC 9-24-11; or

38 (ii) eighteen (18) years of age; and

39 (B) capable of determining the need for and rendering
40 reasonable assistance to injured or entrapped persons as
41 provided in section 1(2)(C) of this chapter; and

42 (3) the other occupant in the **motor** vehicle knows that the driver

C
o
p
y



1 of the **motor** vehicle is physically incapable of determining the
 2 need for or rendering assistance to any injured or entrapped
 3 person;
 4 the **motor** vehicle occupant referred to in subdivisions (2) and (3) shall
 5 immediately determine the need for and render reasonable assistance
 6 to each person injured or entrapped in the accident as provided in
 7 section 1(2)(C) of this chapter.

- 8 (b) If:
- 9 (1) the driver of a **motor** vehicle is physically incapable of giving
 10 immediate notice of an accident as required under section 1(3) of
 11 this chapter;
 - 12 (2) there is another occupant in the **motor** vehicle at the time of
 13 the accident who is:
 - 14 (A) at least:
 - 15 (i) fifteen (15) years of age and holds a learner's permit
 16 issued under IC 9-24-7-1 or a driver's license issued under
 17 IC 9-24-11; or
 - 18 (ii) eighteen (18) years of age; and
 - 19 (B) capable of giving notice as provided in section 1(3) of this
 20 chapter; and
 - 21 (3) the other occupant in the **motor** vehicle knows that the driver
 22 of the **motor** vehicle is physically incapable of giving immediate
 23 notice of an accident;

24 the **motor** vehicle occupant referred to in subdivisions (2) and (3) shall
 25 immediately give notice of the accident by the quickest means of
 26 communication as provided in section 1(3) of this chapter.

27 (c) If there is more than one (1) **motor** vehicle occupant to whom
 28 subsection (a) applies, it is a defense to a prosecution of one (1) **motor**
 29 vehicle occupant under subsection (a) that the defendant reasonably
 30 believed that another occupant of the **motor** vehicle determined the
 31 need for and rendered reasonable assistance as required under
 32 subsection (a).

33 (d) If there is more than one (1) **motor** vehicle occupant to whom
 34 subsection (b) applies, it is a defense to a prosecution of one (1) **motor**
 35 vehicle occupant under subsection (b) that the defendant reasonably
 36 believed that another occupant of the **motor** vehicle gave the notice
 37 required under subsection (b).

38 SECTION 370. IC 9-26-1-2, AS AMENDED BY P.L.54-2009,
 39 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2012]: Sec. 2. The driver of a **motor** vehicle involved in an
 41 accident that does not result in injury or death of a person or the
 42 entrapment of a person in a **motor** vehicle and that does not involve the

C
O
P
Y



1 transportation of hazardous materials but that does result in damage to
2 a vehicle that is driven or attended by a person shall do the following:

3 (1) Immediately stop the **motor** vehicle at the scene of the
4 accident or as close to the accident as possible in a manner that
5 does not obstruct traffic more than is necessary. If the accident
6 occurs on a federal interstate highway, or on a ramp providing
7 access to or from a federal interstate highway, the driver shall, as
8 soon as safely possible, move the **motor** vehicle off the highway
9 or ramp to a location as close to the accident as possible in a
10 manner that does not obstruct traffic more than is necessary.

11 (2) Immediately return to and remain at the scene of the accident
12 until the driver does the following upon request:

13 (A) Gives the driver's name and address and the registration
14 number of the **motor** vehicle the driver was driving.

15 (B) Gives the names and addresses of the owner and any
16 occupants of the **motor** vehicle the driver was driving, if the
17 names or addresses are different from the name and address
18 provided under clause (A).

19 (C) Provides proof of financial responsibility (as defined in
20 IC 9-25-2-3) for the motor vehicle.

21 (D) Exhibits the driver's license of the driver to the driver or
22 occupant of or person attending each vehicle involved in the
23 accident.

24 (3) If the accident results in total property damage to an apparent
25 extent of at least one thousand dollars (\$1,000), forward a written
26 report of the accident to the:

27 (A) state police department, if the accident occurs before
28 January 1, 2006; or

29 (B) bureau, if the accident occurs after December 31, 2005;

30 within ten (10) days after the accident.

31 SECTION 371. IC 9-26-1-2.5 IS REPEALED [EFFECTIVE JULY
32 1, 2012]. Sec. 2-5: Only the following must be included in the written
33 report prepared under sections 1(4) and 2(3) of this chapter by the
34 driver of a motor vehicle involved in an accident:

35 (1) The name and address of the driver preparing the report.

36 (2) The date of the accident.

37 (3) The names and addresses of the drivers of the other vehicles
38 involved in the accident.

39 (4) If, on the date of the accident, a motor vehicle liability policy
40 was in effect with respect to the motor vehicle driven by the
41 driver preparing the report, the following:

42 (A) The policy number.

C
o
p
y



- 1 (B) The name of the insurance company that issued the policy.
- 2 (C) The name and signature of an agent of the insurance
- 3 company, who by signing the report verifies that the policy
- 4 was in effect with respect to the motor vehicle on the date of
- 5 the accident.

6 SECTION 372. IC 9-26-1-3 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The driver of a
 8 **motor** vehicle that collides with an unattended vehicle shall
 9 immediately stop and do one (1) of the following:

- 10 (1) Locate and notify the operator or owner of the vehicle of the
- 11 name and address of the driver and owner of the vehicle striking
- 12 the unattended vehicle.
- 13 (2) Leave in a conspicuous place in the vehicle struck a written
- 14 notice giving the name and address of the driver and the owner of
- 15 the **motor** vehicle doing the striking and a statement of the
- 16 circumstances of the accident.

17 SECTION 373. IC 9-26-1-4 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The driver of a
 19 **motor** vehicle that causes damage to the property of another person,
 20 other than damage to a vehicle, shall do the following:

- 21 (1) Immediately stop the **motor** vehicle at the scene of the
- 22 accident or as close to the accident as possible in a manner that
- 23 does not obstruct traffic more than is necessary.
- 24 (2) Immediately return to and remain at the scene of the accident
- 25 until the driver does the following:
 - 26 (A) Takes reasonable steps to locate and notify the owner or
 - 27 person in charge of the property of the damage.
 - 28 (B) Gives the person the driver's name and address and the
 - 29 registration number of the **motor** vehicle.
 - 30 (C) Upon request, exhibits the driver's license of the driver. ~~if~~
 - 31 ~~the driver is required to have a driving license to operate the~~
 - 32 ~~vehicle:~~

33 (b) If after reasonable inquiry the driver of the **motor** vehicle cannot
 34 find the owner or person in charge of the damaged property, the driver
 35 of the **motor** vehicle shall do the following:

- 36 (1) Notify either the ~~sheriff~~ **sheriff's department** of the county in
- 37 which the damaged property is located or a member of the state
- 38 police department.
- 39 (2) Give the ~~sheriff~~ **sheriff's department** or state police
- 40 department the information required by this section.

41 SECTION 374. IC 9-26-1-6 IS REPEALED [EFFECTIVE JULY 1,
 42 2012]. Sec. 6: (a) ~~ff:~~

COPY



1 (1) the driver of a vehicle is physically incapable of making a
 2 written report of an accident as required by this chapter; and
 3 (2) there was another occupant in the vehicle at the time of the
 4 accident capable of making a written report;
 5 the occupant shall make or cause to be made the report not made by the
 6 driver.

7 (b) If:
 8 (1) the driver of a vehicle is physically incapable of making an
 9 immediate or a written report of an accident as required by this
 10 chapter;
 11 (2) there was no other occupant; and
 12 (3) the driver is not the owner of the vehicle;
 13 the owner of the vehicle involved in the accident shall, within five (5)
 14 days after the accident, make the report not made by the driver.

15 SECTION 375. IC 9-26-1-7, AS AMENDED BY P.L.210-2005,
 16 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2012]: Sec. 7. (a) A city or town may by ordinance require
 18 that the driver of a **motor** vehicle involved in an accident file with a
 19 designated city or town department

- 20 (1) a report of the accident. ~~or~~
 21 (2) a copy of a report required in this article to be filed with the:
 22 (A) state police department; or
 23 (B) bureau.

24 (b) An accident report required to be filed under subsection (a) is for
 25 the confidential use of the designated city or town department and
 26 subject to IC 9-26-3-4.

27 SECTION 376. IC 9-26-1-10 IS REPEALED [EFFECTIVE JULY
 28 1, 2012]. ~~Sec. 10: The bureau shall, after proper notice is given and a
 29 hearing held, revoke or suspend the driver's license of a person who
 30 fails to make a report required under section 1(4), 2(3), or 5 of this
 31 chapter.~~

32 SECTION 377. IC 9-26-5-1 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The person in charge
 34 of a garage or repair shop to which a motor vehicle that shows evidence
 35 of having been struck by a bullet is brought shall report to the state
 36 police department, within twenty-four (24) hours after the motor
 37 vehicle is received, the following information:

- 38 (1) The engine number of the **motor** vehicle.
 39 (2) The registration number of the **motor** vehicle.
 40 (3) The name and address of the owner or operator of the **motor**
 41 vehicle.

42 SECTION 378. IC 9-26-6-1 IS AMENDED TO READ AS

C
o
p
y



1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. A person removing
2 a wrecked or damaged **motor** vehicle from a street or highway must
3 remove any glass or other foreign material dropped upon the street or
4 highway from the **motor** vehicle.

5 SECTION 379. IC 9-26-6-2 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) This section does
7 not apply to the removal of a **motor** vehicle that constitutes a traffic
8 hazard.

9 (b) The driver of a **motor** vehicle that is used to remove a **motor**
10 vehicle that caused damage to real or personal property, except a
11 **motor** vehicle of another person as described in IC 9-26-1-4, shall give
12 the notification required by IC 9-26-1-4 before removing the **motor**
13 vehicle that caused the damage.

14 SECTION 380. IC 9-27-6-5, AS ADDED BY P.L.145-2011,
15 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 5. (a) As used in this section, "**advisory** board"
17 refers to the driver education advisory board established by subsection
18 (b).

19 (b) The driver education advisory board is established to advise the
20 commissioner in the administration of the policies of the commission
21 and the bureau regarding driver education.

22 (c) The **advisory** board is composed of seven (7) individuals
23 appointed by the commissioner as follows:

24 (1) Three (3) members must be driver education professionals
25 endorsed by the bureau under section 8 of this chapter. In the
26 selection of individuals for membership under this subdivision,
27 consideration must be given to driver education instruction
28 performed in urban and rural areas.

29 (2) One (1) member must be a traffic safety advocate.

30 (3) One (1) member must be a representative of the bureau.

31 (4) One (1) member must be a representative of higher education.

32 (5) One (1) member must be a representative of the insurance
33 industry.

34 (d) A member of the **advisory** board serves a ~~three (3)~~ **two (2)** year
35 term. A member may not serve more than two (2) consecutive full
36 terms. Each member serves until the member's successor is appointed
37 and qualified.

38 (e) A member of the **advisory** board may be removed for good
39 cause.

40 (f) A vacancy on the **advisory** board shall be filled by the
41 appointment by the commissioner of an individual to fill the position
42 to which the vacating member was appointed under subsection (c) for

C
o
p
y



1 the vacating member's unexpired term.
 2 (g) At the first meeting of the board each year, the members shall
 3 elect:
 4 (1) one (1) member to be the board's chairperson;
 5 (2) one (1) member to be the board's vice chairperson; and
 6 (3) one (1) member to be the board's secretary.
 7 The chairperson, vice chairperson, and secretary serve until their
 8 successors are elected and qualified.
 9 (h) A vacancy in the office of chairperson, vice chairperson, or
 10 secretary shall be filled by vote of the members. The term of office of
 11 a board member chosen to fill a vacancy under this subsection expires
 12 at the first meeting of the board the following year.
 13 (i) The driver education board shall meet at least two (2) times per
 14 year. Additional meetings may be convened at the call of the
 15 chairperson of the board or the written request of any three (3)
 16 members.
 17 (j) Four (4) members of the board constitute a quorum for doing
 18 business. The majority vote of the members who constitute the quorum
 19 and are present and voting is required for the passage of a matter put
 20 to a vote of the board.
 21 (k) The bureau shall provide staff and administrative support to the
 22 board.
 23 (l) (g) The **advisory** board has the following powers: **shall:**
 24 (1) To consult with and advise the commissioner in the
 25 administration of the policies of the commission and the bureau
 26 regarding driver education; **and**
 27 (2) To suggest rules regarding the education and training of
 28 persons to operate or drive motor vehicles or to prepare a person
 29 for an examination or validation for a driver's license.
 30 (m) (h) A member of the **advisory** board is not subject to liability
 31 in a civil action for bodily injury or property damage arising from or
 32 thought to have arisen from an action taken in good faith as a member
 33 of the **advisory** board.
 34 SECTION 381. IC 9-28-2-8 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau may
 36 suspend a driver's license issued to the **driving privileges of** a driver
 37 licensed under IC 9-24 for failure to meet the conditions of a traffic
 38 citation of a jurisdiction in which the traffic offense occurred. This
 39 section does not apply if the jurisdiction has not entered into an
 40 agreement with Indiana as provided under section 7 of this chapter.
 41 SECTION 382. IC 9-28-2-9 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Upon written

COPY



1 notification from a jurisdiction that is a party to an agreement entered
2 into under this chapter, the bureau shall take appropriate action against
3 a licensed driver for failure to meet the conditions set out in the citation
4 of the jurisdiction in which the traffic offense occurred.

5 (b) The bureau shall notify the driver by first class mail of the
6 request by the respective jurisdiction to have the driver's ~~license~~
7 **driving privileges** suspended. For the purposes of this chapter, a
8 written notice sent to the driver's last registered address with the bureau
9 meets the conditions of due notice.

10 (c) The driver has fifteen (15) days from the date of notice to satisfy
11 the conditions of the citation issued by the jurisdiction or to request a
12 hearing before a bureau hearing officer to show evidence or present
13 information why the bureau should not suspend the ~~license driver's~~
14 **driving privileges** for failure to meet the terms of the citation.

15 (d) Upon holding the hearing, the bureau may suspend the driver's
16 ~~license driving privileges~~ until the conditions of the citation are met
17 or a release from the citing jurisdiction is obtained.

18 (e) If the bureau does not receive information from the driver
19 concerning the notification, the bureau shall suspend the driver's
20 ~~license driving privileges~~ until the conditions of the citation are met
21 or a release is obtained.

22 (f) A driver ~~that has~~ **whose driving privileges have** been suspended
23 for failure to meet the conditions of a citation is not eligible for a
24 hardship license under IC 9-24-15.

25 (g) The bureau may not suspend a ~~driver's license driving~~
26 **privileges** under this section for a nonmoving traffic offense occurring
27 in another jurisdiction.

28 SECTION 383. IC 9-28-5.1-1, AS ADDED BY P.L.93-2010,
29 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2012]: Sec. 1. To facilitate the exchange of driver's licenses,
31 the bureau ~~shall~~ **may** negotiate and enter into a reciprocal agreement
32 with a foreign country. However, the bureau may not negotiate or enter
33 into a reciprocal agreement with a country that is listed as a state
34 sponsor of terrorism as determined by the Secretary of State of the
35 United States.

36 SECTION 384. IC 9-28-5.1-3, AS ADDED BY P.L.93-2010,
37 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2012]: Sec. 3. A written reciprocity agreement entered into
39 under section 2 of this chapter must require an applicant from the
40 foreign country for an operator's license to possess:

41 (1) a valid ~~operator's~~ **driver's license for the type of vehicle**
42 **being operated** or the equivalent from the foreign country; or

C
o
p
y



1 (2) an international driving permit.

2 SECTION 385. IC 9-28-5.1-4 IS REPEALED [EFFECTIVE JULY

3 1, 2012]. Sec. 4. The bureau shall report annually in an electronic

4 format under IC 5-14-6 regarding reciprocal agreements entered into

5 under this chapter to the general assembly before February 1 of each

6 year.

7 SECTION 386. IC 9-28-5.1-5, AS ADDED BY P.L.93-2010,

8 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

9 JULY 1, 2012]: Sec. 5. The bureau shall **may** adopt rules under

10 IC 4-22-2 to carry out this chapter.

11 SECTION 387. IC 9-29-1-2, AS AMENDED BY P.L.109-2011,

12 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

13 JULY 1, 2012]: Sec. 2. (a) Money from the increases in fees levied by

14 the 1969 regular session of the general assembly in IC 9-18-2,

15 IC 9-18-5, IC 9-18-6, IC 9-18-7, IC 9-18-9, IC 9-18-10, IC 9-18-16,

16 IC 9-24-3, IC 9-24-4, IC 9-24-5, IC 9-24-7, IC 9-24-8, IC 9-24-10,

17 IC 9-24-11, IC 9-24-12, IC 9-24-13, IC 9-24-14, and IC 9-29-9-15

18 (IC 9-1-4 before its repeal on July 1, 1991) shall be deposited daily

19 with the treasurer of state and credited to the highway, road, and street

20 fund established under IC 8-14-2-2.1.

21 (b) For the purpose of providing adequate and sufficient funds for

22 the crossroads 2000 fund established under IC 8-14-10-9, and subject

23 to subsection (c) ~~after June 30, 1997,~~ **with and** the approval of the

24 ~~bureau of motor vehicles~~ commission, the ~~bureau of motor vehicles~~

25 may adopt rules under IC 4-22-2 to increase, by an amount that is in

26 addition to the fees specified by statute, the fees under the following:

27 IC 9-29-4-3

28 IC 9-29-5

29 IC 9-29-9-1

30 IC 9-29-9-2

31 IC 9-29-9-3

32 IC 9-29-9-4

33 IC 9-29-9-5

34 IC 9-29-9-7

35 IC 9-29-9-8

36 IC 9-29-9-9

37 IC 9-29-9-11

38 IC 9-29-9-13

39 IC 9-29-9-14

40 IC 9-29-15-1

41 IC 9-29-15-2

42 IC 9-29-15-3

COPY



1 IC 9-29-15-4

2 The amount of fees increased under this section shall first be deposited
3 into the crossroads 2000 fund established under IC 8-14-10-9.

4 (c) The bureau's authority to adopt rules under subsection (b) is
5 subject to the condition that a fee increase must be uniform throughout
6 all license branches and at all partial service locations in Indiana.

7 (d) If a fee imposed by a statute listed in subsection (b) is
8 eliminated, the amount of the fee increase set forth in a rule adopted
9 under this section ~~before July 1, 2007~~, with respect to the fee must be:

10 (1) collected by the bureau notwithstanding the elimination of the
11 underlying fee;

12 (2) collected in addition to all other fees collected at the time of
13 the underlying transaction; and

14 (3) deposited in the crossroads 2000 fund established under
15 IC 8-14-10-9.

16 SECTION 388. IC 9-29-3-0.3 IS REPEALED [EFFECTIVE JULY
17 1, 2012]. ~~Sec. 0.3. If P.L.291-2001 imposes an additional service fee~~
18 ~~under section 4, 6, 7, 8, 9, 10, 11, 12, 14, or 18 of this chapter that is~~
19 ~~payable into a fund other than the state motor vehicle technology fund~~
20 ~~established by IC 9-29-16, the general assembly intends that both the~~
21 ~~service fees imposed under P.L.291-2001 and P.L.176-2001 shall be~~
22 ~~collected.~~

23 SECTION 389. IC 9-29-3-4, AS AMENDED BY P.L.63-2007,
24 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2012]: Sec. 4. (a) ~~The service charge for each of the first~~
26 ~~twelve thousand (12,000) original and renewed vehicle registrations at~~
27 ~~a license branch each year is one dollar and seventy-five cents (\$1.75).~~

28 (b) ~~The service charge for each of the next thirty-eight thousand~~
29 ~~(38,000) original and renewed vehicle registrations at that license~~
30 ~~branch each year is one dollar and fifty cents (\$1.50).~~

31 (c) ~~(a)~~ The **annual** service charge for each ~~additional original or~~
32 ~~renewed vehicle registration at that license branch each year~~ is one
33 dollar and twenty-five cents (\$1.25).

34 (d) ~~(b)~~ Fifty cents (\$0.50) of each service charge collected under
35 this section shall be deposited in the state motor vehicle technology
36 fund established by IC 9-29-16-1.

37 (e) ~~(c)~~ A service charge that is:

38 (1) originally imposed under this section; and

39 (2) increased by a rule adopted by the department;

40 applies to any original or renewed vehicle registration issued at a
41 license branch.

42 SECTION 390. IC 9-29-3-5 IS AMENDED TO READ AS

C
O
P
Y



1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The service charge
2 for each title, including duplicate **or corrected** titles, is one dollar (\$1).

3 SECTION 391. IC 9-29-3-19, AS AMENDED BY P.L.68-2006,
4 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 19. (a) ~~As used in this section, "low numbered~~
6 ~~motor vehicle registration plate" means any motor vehicle registration~~
7 ~~plate numbered from one (1) to one hundred (100) before or after the~~
8 ~~county designation number or letter series designation, or both.~~

9 ~~(b) (a)~~ As used in this section, "pull service charge" refers to the
10 charge that the commission may require for a requested ~~low numbered~~
11 ~~motor vehicle registration plate~~ or a special numbered motor vehicle
12 registration plate.

13 ~~(c) (b)~~ As used in this section, "special numbered motor vehicle
14 registration plate" means any plate, other than a low numbered motor
15 vehicle registration plate, requested for issuance out of its established
16 numerical sequence.

17 ~~(d) (c)~~ Subject to ~~subsections (e) and (f)~~ **subsection (d)** and with the
18 approval of the commission, the bureau may adopt rules under
19 IC 4-22-2 to do the following:

- 20 (1) Increase or decrease any of the service charges listed in
21 sections 1 through 18 of this chapter.
22 (2) Impose a service charge on any other license branch service
23 that is not listed in sections 1 through 18 of this chapter.
24 (3) Increase or decrease a service charge imposed under
25 subdivision (2).

26 ~~(e) (d)~~ The bureau's authority to adopt rules under subsection ~~(d) (c)~~
27 is subject to the condition that a service charge must be uniform
28 throughout all license branches and at all partial service locations in
29 Indiana.

30 ~~(f)~~ The bureau may not impose a pull service charge for a requested
31 ~~passenger motor vehicle registration plate containing the numbers set~~
32 ~~forth in IC 9-18-2-28 for a motor vehicle:~~

- 33 ~~(1)~~ issued a license plate under IC 9-18-17 that designates the
34 ~~motor vehicle as being owned by a former prisoner of war or by~~
35 ~~the surviving spouse of a former prisoner of war; or~~
36 ~~(2)~~ after December 31, 2006, issued a license plate under
37 IC 9-18-19 that designates the motor vehicle as being owned by
38 a person who has received a Purple Heart decoration.

39 ~~(g) (e)~~ The bureau may not impose a pull service charge of more
40 than fifteen dollars (\$15) for a requested motor vehicle registration
41 plate issued under IC 9-18-25 for a special group recognition license
42 plate that commemorates the bicentennial of the Lewis and Clark

C
o
p
y



1 expedition.
2 SECTION 392. IC 9-29-5-11, AS AMENDED BY P.L.210-2005,
3 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 11. (a) This section does not apply to a vehicle or
5 person exempted from registration under IC 9-18.

6 (b) The **license registration** fee for a piece of special machinery is
7 five dollars (\$5). The motor vehicle is exempt from other fees provided
8 under IC 9-18 or this article.

9 (c) The owner of a vehicle listed in this section is not entitled to a
10 reduction in the five dollar (\$5) **license registration** fee because the
11 license is granted at a time that the license period is less than a year.

12 SECTION 393. IC 9-29-5-12, AS AMENDED BY P.L.210-2005,
13 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2012]: Sec. 12. A farm wagon or farm type dry or liquid
15 fertilizer tank trailer or spreader used to transport bulk fertilizer
16 between distribution point and farm and return is exempt from all
17 **license registration** fees when the wagon, trailer, or spreader is drawn
18 or towed on a highway by a:

- 19 (1) farm tractor; or
- 20 (2) properly registered motor vehicle.

21 SECTION 394. IC 9-29-5-13, AS AMENDED BY P.L.210-2005,
22 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2012]: Sec. 13. (a) This section does not apply to a vehicle or
24 person exempt from registration under IC 9-18.

25 (b) The **license registration** fee for a motor vehicle, trailer, or
26 semitrailer and tractor operated primarily as a farm truck, farm trailer,
27 or farm semitrailer and tractor:

- 28 (1) having a declared gross weight of at least eleven thousand
29 (11,000) pounds; and
- 30 (2) used by the owner or guest occupant in connection with
31 agricultural pursuits usual and normal to the user's farming
32 operation;

33 is fifty percent (50%) of the amount listed in this chapter for a truck,
34 trailer, or semitrailer and tractor of the same declared gross weight.

35 SECTION 395. IC 9-29-5-13.5, AS AMENDED BY P.L.191-2007,
36 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 13.5. (a) This section applies to a truck, trailer, or
38 semitrailer and tractor for which a **license registration** fee provided in
39 section 13(b) of this chapter has been paid.

40 (b) Except as provided in subsections (d) and (e), if the owner of a
41 truck, trailer, or semitrailer and tractor described in subsection (a)
42 begins to operate the truck, trailer, or semitrailer and tractor in the

C
o
p
y



1 conduct of a commercial enterprise or for the transportation of farm
 2 products after the commodities have entered the channels of commerce
 3 during a registration year for which the **license registration** fee under
 4 section 13(b) of this chapter has been paid, the owner shall pay the
 5 amount listed in this chapter for a truck, trailer, or semitrailer and
 6 tractor of the same declared gross weight reduced by a credit
 7 determined under subsection (c) to license the truck, trailer, or
 8 semitrailer and tractor.

9 (c) The credit provided in subsection (b) equals:

10 (1) the **license registration** fee paid under section 13(b) of this
 11 chapter; reduced by

12 (2) ~~ten eight and thirty-three hundredths~~ percent (~~10%~~)
 13 **(8.33%)** for each full or partial calendar month that has elapsed
 14 in the registration year for which the **license registration** fee has
 15 been paid.

16 The credit may not exceed ninety percent (90%) of the **license**
 17 **registration** fee paid under section 13(b) of this chapter.

18 (d) Notwithstanding subsections (b) and (e) and IC 9-18-2-4, a
 19 truck, trailer, or semitrailer and tractor described in subsection (a) may
 20 be operated intrastate for the transportation of seasonal, perishable fruit
 21 or vegetables to the first point of processing for a period that consists
 22 of not more than a thirty (30) day period in a registration year as
 23 provided by IC 9-21-21-4.3(a). Before a vehicle may be operated as
 24 provided in this subsection, the owner shall pay to the bureau:

25 (1) any **license registration** fee due under section 13(b) of this
 26 chapter; and

27 (2) eight and one-half percent (8.5%) of the **license registration**
 28 fee paid under section 13(b) of this chapter.

29 (e) Notwithstanding subsections (b) and (d) and IC 9-18-2-4, a
 30 truck, trailer, or semitrailer and tractor described in subsection (a) may
 31 be operated intrastate for the transportation of tomatoes or silage to the
 32 first point of processing for a period that consists of not more than one
 33 (1) seventy-one (71) day period in a registration year as provided by
 34 IC 9-21-21-4.3(b). Before a vehicle may be operated as provided in this
 35 subsection, the owner shall pay to the bureau:

36 (1) any **license registration** fee due under section 13(b) of this
 37 chapter; and

38 (2) seventeen percent (17%) of the **license registration** fee paid
 39 under section 13(b) of this chapter.

40 SECTION 396. IC 9-29-5-17 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17. The fee for each
 42 duplicate **or replacement** license plate is three dollars (\$3).

C
O
P
Y



1 SECTION 397. IC 9-29-5-18 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. The fee for a
 3 recreational vehicle, **which does not include truck campers (as**
 4 **defined in IC 6-6-5.1-8)**, is twenty dollars (\$20).

5 SECTION 398. IC 9-29-5-26.5 IS REPEALED [EFFECTIVE JULY
 6 1, 2012]. ~~Sec. 26.5. The bureau may adopt rules under IC 4-22-2 to~~
 7 ~~establish the fee for a temporary registration permit issued under~~
 8 ~~IC 9-18-7-1.5. However, the amount of the fee may not exceed~~
 9 ~~seventy-five dollars (\$75).~~

10 SECTION 399. IC 9-29-5-34 IS REPEALED [EFFECTIVE JULY
 11 1, 2012]. ~~Sec. 34. A vehicle registered under IC 9-18-21 is subject to~~
 12 ~~an annual registration fee and any other fee or tax required of a person~~
 13 ~~registering a vehicle under this title.~~

14 SECTION 400. IC 9-29-6-10 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. Whenever a permit
 16 is issued by the ~~bureau~~ **Indiana department of transportation** under
 17 IC 9-20-6, the ~~bureau~~ **Indiana department of transportation** shall fix
 18 the fee to be paid. ~~and~~ Upon payment of the fee, the ~~bureau~~ **Indiana**
 19 **department of transportation** shall validate the permit. The revenue
 20 from the fee shall be credited to the state highway fund.

21 SECTION 401. IC 9-29-7-2.5, AS ADDED BY P.L.110-2006,
 22 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2012]: Sec. 2.5. The fee for a duplicate **or corrected**
 24 certificate of salvage title is four dollars (\$4).

25 SECTION 402. IC 9-29-9-2, AS AMENDED BY P.L.101-2009,
 26 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 UPON PASSAGE]: Sec. 2. (a) **Except as provided in subsection (c),**
 28 the fee for an operator's license issued under IC 9-24-3 or renewed
 29 under IC 9-24-12 to an individual who is:

30 (1) less than seventy-five (75) years of age is nine dollars (\$9);
 31 and

32 (2) at least seventy-five (75) years of age is six dollars (\$6).

33 (b) The fee for a probationary license issued under ~~IC 9-24-11-3 or~~
 34 IC 9-24-11-3.3 is six dollars (\$6).

35 **(c) Notwithstanding subsection (a), the fee for the renewal of an**
 36 **operator's license issued under IC 9-24 that contains a 2012**
 37 **expiration date is as follows:**

38 **(1) If the license was issued after May 14, 2007, and before**
 39 **January 1, 2008, the fee is seven dollars and fifty cents (\$7.50).**

40 **(2) If the license was issued after December 31, 2007, and**
 41 **before January 1, 2009, the fee is nine dollars (\$9).**

42 **(3) If the license was issued after December 31, 2008, and**

C
o
p
y



1 before May 14, 2010, the fee is six dollars (\$6).
 2 **This subsection does not apply to the issuance or renewal of an**
 3 **operator's license that contains an expiration date after 2012.**

4 SECTION 403. IC 9-30-2-0.1 IS REPEALED [EFFECTIVE JULY
 5 1, 2012]. Sec. 0-1. The amendments made to sections 4 and 5 of this
 6 chapter by P.L.99-1996 apply to arrests made after June 30, 1996.

7 SECTION 404. IC 9-30-2-7 IS REPEALED [EFFECTIVE JULY 1,
 8 2012]. Sec. 7: (a) The:

- 9 (1) superintendent of the state police department;
 10 (2) police chief of each city or the police chief's designee;
 11 (3) sheriff of each county; and
 12 (4) town marshal or police chief of each town;

13 shall report to the bureau immediately the arrest of a person for a
 14 violation of an Indiana law or a city ordinance relating to the operation
 15 of motor vehicles upon the highways:

16 (b) The report must state the following:

- 17 (1) The offense with which the operator or driver is charged;
 18 (2) The court in which pending;
 19 (3) The names of all available witnesses to the violation;
 20 (4) The name and address of the operator;
 21 (5) If the operator is the holder of a license, the following:
 22 (A) The kind of license and license number.
 23 (B) The license plate number of the vehicle operated by the
 24 operator:

25 (c) The bureau shall cause the report:

- 26 (1) to be filed in the bureau; and
 27 (2) retained for at least two (2) years.

28 (d) The bureau shall prescribe and the bureau shall furnish the form
 29 of the report required by this section:

30 SECTION 405. IC 9-30-3-8, AS AMENDED BY P.L.206-2007,
 31 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2012]: Sec. 8. (a) The court may issue a warrant for the arrest
 33 of a defendant who is an Indiana resident and who fails to appear or
 34 answer a traffic information and summons or a complaint and summons
 35 served upon the defendant. If the warrant is not executed within thirty
 36 (30) days after issue, the court shall promptly forward the court copy
 37 of the traffic information and summons or complaint and summons to
 38 the bureau indicating that the defendant failed to appear in court as
 39 ordered. The court shall then mark the case as failure to appear on the
 40 court's records.

41 (b) If a defendant who is not an Indiana resident fails to appear or
 42 answer a traffic summons served upon the defendant and upon which

C
O
P
Y



1 the information or complaint has been filed thirty (30) days after the
 2 return date of the information and summons or complaint and
 3 summons, the court shall promptly forward the court copy of the traffic
 4 information and summons or complaint and summons to the bureau.
 5 The bureau shall notify the motor vehicle commission of the state of
 6 the nonresident defendant of the defendant's failure to appear and also
 7 of any action taken by the bureau relative to the Indiana driving
 8 privileges of the defendant. If the defendant fails to appear or otherwise
 9 answer within thirty (30) days, the court shall mark the case as failure
 10 to appear on the court's records.

11 **(c) The court may suspend the driving privileges of a defendant**
 12 **who fails to satisfy a judgment entered against the defendant for:**

13 **(1) violation of a traffic ordinance; or**

14 **(2) commission of a traffic infraction;**

15 **by a date set by the court under IC 34-28-5-6. The court shall**
 16 **forward notice to the bureau indicating that the defendant failed**
 17 **to pay as ordered.**

18 ~~(c)~~ **(d)** If the bureau receives a copy of the traffic information and
 19 summons or complaint and summons for failure to appear in court **or**
 20 **a notice of failure to pay under subsection (c)**, either on a form
 21 prescribed by the bureau or in an electronic format prescribed by the
 22 division of state court administration, the bureau shall suspend the
 23 driving privileges of the defendant until the defendant appears in court
 24 and the case has been disposed of, **or until the date payment is**
 25 **received by the court.** The order of suspension may be served upon
 26 the defendant by mailing the order by first class mail to the defendant
 27 at the last address shown for the defendant in the records of the bureau.
 28 The order takes effect on the date the order is mailed.

29 ~~(d)~~ **(e)** For nonresidents of Indiana, the order of suspension shall be
 30 mailed to the defendant at the address given to the arresting officer **or**
 31 **the clerk of court** by the defendant as shown by the traffic information
 32 or complaint. The order takes effect on the date of mailing. A copy of
 33 the order shall also be sent to the motor vehicle bureau of the state of
 34 the nonresident defendant. If:

35 **(1) the defendant's failure to appear in court has been certified to**
 36 **the bureau under this chapter; and**

37 **(2) the defendant subsequently appears in court to answer the**
 38 **charges against the defendant;**

39 the court shall proceed to hear and determine the case in the same
 40 manner as other cases pending in the court. Upon final determination
 41 of the case, the court shall notify the bureau of the determination either
 42 in an electronic format or upon forms prescribed by the bureau. The

C
O
P
Y



1 notification shall be made by the court within ten (10) days after the
 2 final determination of the case, and information from the original copy
 3 of the traffic information and summons or complaint and summons
 4 must accompany the notification.

5 SECTION 406. IC 9-30-3-11, AS AMENDED BY P.L.206-2007,
 6 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2012]: Sec. 11. (a) Before accepting a plea of guilty to a
 8 misdemeanor traffic offense, the court shall inform the defendant of the
 9 defendant's rights, including the right to:

- 10 (1) engage counsel;
- 11 (2) a reasonable continuance to engage counsel to subpoena
 12 witnesses;
- 13 (3) have process issued by the court, without expense to the
 14 defendant, to compel the attendance of witnesses in the
 15 defendant's behalf;
- 16 (4) testify or not to testify in the defendant's own behalf;
- 17 (5) a trial by jury; and
- 18 (6) appeal.

19 (b) The court shall inform each defendant charged with a traffic
 20 offense other than a nonmoving traffic offense, if the defendant is
 21 convicted or judgment is entered against the defendant, that a record of
 22 the conviction or judgment will be sent to the bureau or the motor
 23 vehicle bureau of the state where the defendant received a license to
 24 drive to become a part of the defendant's driving record.

25 (c) The court shall keep a full record of every case in which a person
 26 is charged with a traffic offense other than a nonmoving traffic offense.
 27 Within ten (10) days after the conviction, judgment, or forfeiture of
 28 security deposit of a person, the court shall forward a copy of the
 29 judgment in an electronic format or an abstract as prescribed by
 30 ~~IC 9-25-6-8.~~ **IC 9-30-13-0.5.** The abstract comprises the original copy
 31 of the traffic information and summons or complaint and summons if
 32 the conviction, judgment, or forfeiture of security deposit has been
 33 entered on that copy. However, instead of the original copy, the court
 34 may, subject to the approval of the bureau, send the information in an
 35 electronic format or in the form of a chemical based, magnetic, or
 36 machine readable media. Records of nonmoving traffic offenses are not
 37 required to be forwarded to the bureau.

38 (d) One (1) year after the abstract has been forwarded, the court may
 39 destroy the remaining court copies of the information and summons or
 40 complaint and summons and related pleadings if an order book entry
 41 of the copy has been made and the original copy has been sent to the
 42 bureau. ~~of motor vehicles.~~



C
 O
 P
 Y

1 (e) Upon the failure of a court officer to comply with subsection (c),
2 the officer is liable on the officer's official bond for a civil penalty of
3 one hundred dollars (\$100) accruing to the state, which may be
4 recovered, together with the costs of the suit, in a civil action brought
5 by the attorney general in the name of the state on relation of the
6 attorney general. Each failure by an officer constitutes a separate cause
7 of action.

8 SECTION 407. IC 9-30-3-12, AS AMENDED BY P.L.106-2010,
9 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2012]: Sec. 12. (a) If during any twelve (12) month period a
11 person has committed moving traffic violations for which the person
12 has:

- 13 (1) been convicted of at least two (2) traffic misdemeanors;
 - 14 (2) had at least two (2) traffic judgments entered against the
15 person; or
 - 16 (3) been convicted of at least one (1) traffic misdemeanor and has
17 had at least one (1) traffic judgment entered against the person;
- 18 the bureau may require the person to attend and satisfactorily complete
19 a defensive driving school program **approved by the bureau**. The
20 person shall pay all applicable fees required by the bureau.

21 (b) This subsection applies to an individual who holds a
22 probationary license under ~~IC 9-24-11-3~~ or IC 9-24-11-3.3 or is less
23 than eighteen (18) years of age. An individual is required to attend and
24 satisfactorily complete a defensive driving school program **approved**
25 **by the bureau** if either of the following occurs at least twice or if both
26 of the following have occurred when the individual was less than
27 eighteen (18) years of age:

- 28 (1) The individual has been convicted of a moving traffic offense
29 (as defined in section 14(a) of this chapter), other than an offense
30 that solely involves motor vehicle equipment.
- 31 (2) The individual has been the operator of a motor vehicle
32 involved in an accident for which a report is required to be filed
33 under IC 9-26-2.

34 The individual shall pay all applicable fees required by the bureau.

35 (c) The bureau may suspend the ~~driving driver's~~ license of any
36 person who:

- 37 (1) fails to attend a defensive driving school program; or
 - 38 (2) fails to satisfactorily complete a defensive driving school
39 program;
- 40 as required by this section.

41 (d) Notwithstanding IC 33-37-4-2, any court may suspend one-half
42 (1/2) of each applicable court cost (including fees) for which a person

C
O
P
Y



1 is liable due to a traffic violation if the person enrolls in and completes
2 a defensive driving school or a similar school conducted by an agency
3 of the state or local government.

4 SECTION 408. IC 9-30-3-14 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. (a) As used in this
6 section, "moving traffic offense" means a violation of a statute, an
7 ordinance, or a rule relating to the operation or use of motor vehicles
8 while the motor vehicle is in motion.

9 (b) If a court convicts a person for a moving traffic offense and the
10 person is known or believed by the court not to be the owner of the
11 motor vehicle, the court shall, within seven (7) days after entering the
12 conviction, deposit with the United States Postal Service, first class
13 postage prepaid, notice addressed to the owner of the motor vehicle
14 giving the owner the following information:

- 15 (1) The name and address of the person convicted.
- 16 (2) The name and address of the owner of the motor vehicle.
- 17 (3) The offense upon which the conviction was made.
- 18 (4) The date of arrest of the person convicted and the location of
19 the place of the offense.
- 20 (5) The license plate number of the motor vehicle.
- 21 (6) The ~~operator's or chauffeur's~~ **driver's** license number of the
22 person convicted.
- 23 (7) The date of the conviction and the name of the court making
24 the conviction.

25 SECTION 409. IC 9-30-3-15 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. In a proceeding,
27 prosecution, or hearing where the prosecuting attorney must prove that
28 the defendant had a prior conviction for an offense under this title, the
29 relevant portions of a certified computer printout or electronic copy as
30 set forth in IC 9-14-3-4 made from the records of the bureau are
31 admissible as prima facie evidence of the prior conviction. However,
32 the prosecuting attorney must establish that the document identifies the
33 defendant by the defendant's ~~driving~~ **driver's** license number or by any
34 other identification method utilized by the bureau.

35 SECTION 410. IC 9-30-3-16 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) If a person has
37 been found to have committed a traffic offense, the court may do the
38 following:

- 39 (1) Require the person to attend and satisfactorily complete a
40 driver improvement course that has been approved by the court
41 and the bureau or by the bureau.
- 42 (2) Place the person on probation for up to one (1) year.

C
o
p
y



1 (3) Suspend the person's ~~driver's license~~ **driving privileges** for up
2 to thirty (30) days.

3 (b) A driver improvement course required under subsection (a) may
4 be financed by assessing a reasonable charge as determined by the
5 course provider and approved by the bureau.

6 SECTION 411. IC 9-30-4-1 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. Upon any reasonable
8 ground appearing on the records of the bureau, the bureau may do the
9 following:

10 (1) Suspend, ~~or revoke,~~ **or invalidate** the current ~~driving permit,~~
11 **driver's license, identification card, or driving privileges** of
12 any person.

13 (2) Suspend, ~~or revoke,~~ **or invalidate** the certificate of
14 registration ~~and or~~ license plate for any motor vehicle **or**
15 **watercraft.**

16 SECTION 412. IC 9-30-4-3 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A person
18 aggrieved by an order or act of the bureau under section 1 or 2 of this
19 chapter may, within fifteen (15) days after notice is given, file a
20 petition in the circuit or superior court of the county in which the
21 person resides. If the person is a nonresident, the person may file a
22 petition for review in the Marion **County** circuit court.

23 (b) The petitioner must state facts showing how the order or act of
24 the bureau is wrongful or unlawful, but the filing of a petition does not
25 suspend the order or act unless a stay is allowed by a judge of the court
26 pending final determination of the review on a showing of reasonable
27 probability that the order or act is wrongful or unlawful.

28 (c) The court shall, within six (6) months of the date of the filing of
29 the petition, hear the petition, take testimony, and examine the facts of
30 the case. The court may, in disposing of the issues, modify, affirm, or
31 reverse the order or act of the bureau in whole or in part and shall make
32 an appropriate order. If the petition has not been heard within six (6)
33 months from the date of the filing, the original order or act of the
34 bureau shall be reinstated in full force and effect.

35 SECTION 413. IC 9-30-4-6, AS AMENDED BY P.L.100-2010,
36 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 6. (a) Whenever the bureau suspends or revokes
38 ~~the current a person's~~ driver's license, **driving privileges, or permit**
39 upon receiving a record of the conviction of ~~a~~ **the** person for any
40 offense under the motor vehicle laws not enumerated under subsection
41 (b), the bureau may also suspend any of the certificates of registration
42 and license plates issued for any motor vehicle **or watercraft**

C
o
p
y



1 registered in the name of the person so convicted. However, the bureau
2 may not suspend the evidence of registration, unless otherwise required
3 by law, if the person has given or gives and maintains during the three
4 (3) years following the date of suspension or revocation proof of
5 financial responsibility in the future. ~~in the manner specified in this~~
6 ~~section.~~

7 (b) The bureau shall suspend or revoke without notice or hearing the
8 ~~current~~ driver's license, **permit, or driving privileges** and all
9 certificates of registration and license plates issued or registered in the
10 name of a person who is convicted of any of the following:

11 (1) Manslaughter or reckless homicide resulting from the
12 operation of a motor vehicle.

13 (2) Perjury or knowingly making a false affidavit to the
14 department under this chapter or any other law requiring the
15 registration of motor vehicles or regulating motor vehicle
16 operation upon the highways.

17 (3) A felony under Indiana motor vehicle laws or felony in the
18 commission of which a motor vehicle is used.

19 (4) Three (3) charges of criminal recklessness involving the use
20 of a motor vehicle within the preceding twelve (12) months.

21 (5) Failure to stop and give information or assistance or failure to
22 stop and disclose the person's identity at the scene of an accident
23 that has resulted in death, personal injury, or property damage in
24 excess of two hundred dollars (\$200).

25 (6) Possession, distribution, manufacture, cultivation, transfer,
26 use, or sale of a controlled substance or counterfeit substance, or
27 attempting or conspiring to possess, distribute, manufacture,
28 cultivate, transfer, use, or sell a controlled substance or
29 counterfeit substance.

30 (c) The ~~license~~ **driving privileges** of a person shall also be
31 suspended upon conviction in another jurisdiction for any offense
32 described in subsections (b)(1), (b)(2), (b)(3), (b)(4), and (b)(5), except
33 if property damage is less than two hundred dollars (\$200), the bureau
34 may determine whether the driver's license, **permit, driving privileges,**
35 ~~and~~ certificates of registration, and license plates shall be suspended or
36 revoked. The ~~license~~ **driving privileges** of a person shall also be
37 suspended upon conviction in another jurisdiction for any offense
38 described in subsection (b)(6).

39 (d) A suspension or revocation remains in effect and a new or
40 renewal license ~~or permit~~ may not be issued to the person and a motor
41 vehicle may not be registered in the name of the person as follows:

42 (1) Except as provided in subdivisions (2), (3), (4), and (5), and

C
o
p
y



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

subject to section 6.5 of this chapter, for six (6) months from the date of conviction or on the date on which the person is otherwise eligible for a license, whichever is later. Except as provided in IC 35-48-4-15, this includes a person convicted of a crime for which the person's license is suspended or revoked under subsection (b)(6).

(2) Subject to section 6.5 of this chapter, upon conviction of an offense described in subsection (b)(1), for a fixed period of not less than two (2) years and not more than five (5) years, to be fixed by the bureau based upon recommendation of the court entering a conviction. A new or reinstated license **or permit** may not be issued to the person, **and driving privileges may not be granted to or reinstated for the person**, unless ~~that~~ the person, **within during** the three (3) years following the expiration of the suspension or revocation, gives and maintains in force at all times ~~during the effective period of a new or reinstated license~~ proof of financial responsibility. ~~in the future in the manner specified in this chapter~~. However, the liability of the insurance carrier under a motor vehicle liability policy that is furnished for proof of financial responsibility in the future as set out in this chapter becomes absolute whenever loss or damage covered by the policy occurs, and the satisfaction by the insured of a final judgment for loss or damage is not a condition precedent to the right or obligation of the carrier to make payment on account of loss or damage, but the insurance carrier has the right to settle a claim covered by the policy. If the settlement is made in good faith, the amount shall be deductive from the limits of liability specified in the policy. A policy may not be canceled or annulled with respect to a loss or damage by an agreement between the carrier and the insured after the insured has become responsible for the loss or damage, and a cancellation or annulment is void. The policy may provide that the insured or any other person covered by the policy shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms, provisions, or conditions of the policy. If the policy provides for limits in excess of the limits specified in this chapter, the insurance carrier may plead against any plaintiff, with respect to the amount of the excess limits of liability, any defenses that the carrier may be entitled to plead against the insured. The policy may further provide for prorating of the insurance with other applicable valid and collectible insurance. An action does not lie against the insurance carrier by or on behalf of any claimant under

C
o
p
y



- 1 the policy until a final judgment has been obtained after actual
- 2 trial by or on behalf of any claimant under the policy.
- 3 (3) Subject to section 6.5 of this chapter, for the period ordered by
- 4 a court under IC 35-48-4-15.
- 5 (4) Subject to section 6.5 of this chapter, if the person is convicted
- 6 of a felony involving the use of a motor vehicle under
- 7 IC 35-44-3-3(b) and the person:
- 8 (A) exceeded the speed limit by at least twenty (20) miles per
- 9 hour;
- 10 (B) committed criminal recklessness with a vehicle
- 11 (IC 35-42-2-2)); or
- 12 (C) engaged in aggressive driving (as defined in
- 13 IC 9-21-8-55(b));
- 14 while committing the felony, for one (1) year after the date the
- 15 person was convicted. ~~The convicted person has the burden of~~
- 16 ~~applying for a new or renewal license and establishing that the~~
- 17 ~~one (1) year period described in this subdivision and subject to~~
- 18 ~~section 6.5 of this chapter has elapsed.~~
- 19 (5) Subject to section 6.5 of this chapter, if the person is convicted
- 20 of a felony involving the use of a motor vehicle under
- 21 IC 35-44-3-3(b), the person:
- 22 (A) exceeded the speed limit by at least twenty (20) miles per
- 23 hour;
- 24 (B) committed criminal recklessness with a vehicle
- 25 (IC 35-42-2-2); or
- 26 (C) engaged in aggressive driving (as defined in
- 27 IC 9-21-8-55(b));
- 28 while committing the felony, and the person has a prior unrelated
- 29 conviction for a felony under IC 35-44-3-3(b), for two (2) years
- 30 after the date the person was convicted. ~~The convicted person has~~
- 31 ~~the burden of applying for a new or renewal license and~~
- 32 ~~establishing that the two (2) year period described in this~~
- 33 ~~subdivision and subject to section 6.5 of this chapter has elapsed.~~
- 34 (e) The bureau may take action as required in this section upon
- 35 receiving satisfactory evidence of a conviction of a person in another
- 36 state.
- 37 (f) For the purpose of this chapter, "conviction" includes any of the
- 38 following:
- 39 (1) A conviction upon a plea of guilty.
- 40 (2) A determination of guilt by a jury or court, even if:
- 41 (A) no sentence is imposed; or
- 42 (B) a sentence is suspended.

COPY



1 (3) A forfeiture of bail, bond, or collateral deposited to secure the
 2 defendant's appearance for trial, unless the forfeiture is vacated.
 3 (4) A payment of money as a penalty or as costs in accordance
 4 with an agreement between a moving traffic violator and a traffic
 5 violations bureau.

6 (g) A suspension or revocation under this section or under
 7 ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** stands pending appeal of the conviction to
 8 a higher court and may be set aside or modified only upon the receipt
 9 by the bureau of the certificate of the court reversing or modifying the
 10 judgment that the cause has been reversed or modified. However, if the
 11 suspension or revocation follows a conviction in a court of no record
 12 in Indiana, the suspension or revocation is stayed pending appeal of the
 13 conviction to a court of record.

14 (h) A person aggrieved by an order or act of the bureau under this
 15 section or ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** may file a petition for a court
 16 review.

17 SECTION 414. IC 9-30-4-6.5, AS ADDED BY P.L.100-2010,
 18 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2012]: Sec. 6.5. If a person receives a sentence that includes:

- 20 (1) a term of incarceration; and
 21 (2) ~~a license~~ **suspension of the person's driving privileges** under
 22 this chapter;
 23 the ~~license~~ **suspension of driving privileges** begins on the date the
 24 person is released from incarceration and not on the date the person is
 25 convicted.

26 SECTION 415. IC 9-30-4-7 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) A person whose:

- 28 (1) ~~operator's or chauffeur's driver's~~ **license, permit, or driving**
 29 **privileges;** or
 30 (2) certificate of registration or license plate;

31 has been ~~suspended~~ **revoked or invalidated** and has not been
 32 reinstated shall immediately return the license, **permit**, certificate of
 33 registration, ~~and~~ **or** license plate to the bureau. A person who
 34 knowingly fails to comply with this requirement commits a Class C
 35 misdemeanor.

- 36 (b) The bureau may:
 37 (1) take possession of a license, **permit**, certificate of registration,
 38 or license plate upon the ~~suspension;~~ **revocation or invalidation;**
 39 or
 40 (2) direct a law enforcement officer to take possession and return
 41 the license, **permit**, certificate, or license plate to the office of the
 42 bureau.

C
o
p
y



1 (c) All law enforcement officers are authorized as agents of the
2 bureau to seize the license **or permit**, certificate of registration, ~~and or~~
3 license plate of a person who fails to surrender the license, **permit**,
4 certificate, or license plate. A law enforcement officer shall ~~notify the~~
5 ~~bureau of the seizure:~~ **destroy each license, permit, certificate of**
6 **registration, or license plate that the law enforcement officer seizes.**

7 SECTION 416. IC 9-30-4-8 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A person whose
9 certificate of registration has been suspended or revoked, with
10 restoration or the issuance of a new certificate being contingent upon
11 the furnishing of proof of financial responsibility, and who, during the
12 suspension or revocation or in the absence of full authorization from
13 the bureau, operates the motor vehicle upon a highway or knowingly
14 permits the motor vehicle to be operated by another person upon a
15 highway except as permitted under this chapter commits a Class C
16 misdemeanor.

17 (b) A person with a restricted ~~license issued by the bureau~~ **driving**
18 **privileges** who operates a motor vehicle upon a highway in violation
19 of the terms and conditions specified ~~on for~~ the restricted ~~license~~
20 **driving privileges** commits a Class C misdemeanor.

21 SECTION 417. IC 9-30-4-9 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Upon the filing
23 of a complaint in writing with the bureau against a person holding a
24 current driver's license or **permit or** applying for a ~~current~~ driver's
25 license, **permit**, or a renewal, the bureau may cite the person for a
26 hearing to consider the suspension or revocation of the **person's**
27 license, **permit, or driving privileges** upon any of the following
28 charges:

- 29 (1) That the person has committed an offense for the conviction
30 of which mandatory revocation of license is provided.
- 31 (2) That the person has, by reckless or unlawful operation of a
32 motor vehicle, caused or contributed to an accident resulting in
33 death or injury to any other person or property damage.
- 34 (3) That the person is incompetent to drive a motor vehicle or is
35 afflicted with mental or physical infirmities or disabilities
36 rendering it unsafe for the person to drive a motor vehicle.
- 37 (4) That the person is a reckless or negligent driver of a motor
38 vehicle or has committed a violation of a motor vehicle law.

39 (b) Whenever the bureau issues a citation upon a complaint in
40 writing for any of the reasons set out in this section, the bureau shall
41 immediately notify the licensee or permit holder ~~of the time and place~~
42 of the hearing. ~~and afford the person an opportunity of a hearing in the~~

C
o
p
y



1 county in which the person so cited and against whom the complaint is
2 filed resides before the bureau or a deputy or an agent of the bureau
3 designated for the purpose of the hearing. The citation must state the
4 time, date, and place where the hearing will be held and that the
5 licensee or permit holder has the right to appear and to be heard. At the
6 hearing the bureau or the deputy or agent may:

7 (1) issue an order of suspension or revocation of, or decline to
8 suspend or revoke, or ~~issue~~ the license, or permit, or **driving**
9 **privileges of the person; or**

10 (2) **issue or grant a license, a permit, or driving privileges to**
11 **the person.**

12 (c) The bureau or the deputy or agent may suspend or revoke the
13 ~~current~~ driver's license, **permit, or driving privileges** of a person and
14 any of the certificates of registration and license plates for a motor
15 vehicle or require the person cited to operate for a period of one (1)
16 year under a restricted ~~license~~ **driving privileges** and make the reports
17 the bureau requires.

18 (d) The bureau or the deputy or agent may subpoena witnesses,
19 administer oaths, and take testimony. The failure of the defendant to
20 appear at the time and place of the hearing after notice as provided in
21 this section does not prevent the hearing, the taking of testimony, and
22 the determination of the matter.

23 (e) Testimony or a record of suspension or revocation of a ~~current~~
24 driver's license, **a permit, or driving privileges** in the custody of the
25 bureau following a hearing is not admissible as evidence:

26 (1) in any court in any action at law for negligence; or

27 (2) in any civil action brought against a person so cited by the
28 bureau under this chapter.

29 (f) The bureau may suspend or revoke the license, **permit, or**
30 **driving privileges** of an Indiana resident for a period of not more than
31 one (1) year upon receiving notice of the conviction of the person in
32 another state of an offense that, if committed in Indiana, would be
33 grounds for the suspension or revocation of the license, **permit, or**
34 **driving privileges**. The bureau may, upon receiving a record of the
35 conviction in Indiana of a nonresident driver of a motor vehicle of an
36 offense under Indiana motor vehicle laws, forward a certified copy of
37 the record to the motor vehicle administrator in the state where the
38 person convicted is a resident.

39 (g) The bureau may not suspend a ~~current~~ driver's license, **a permit,**
40 **or driving privileges** for more than one (1) year and upon ~~suspending~~
41 ~~or~~ revoking any license **or permit** shall require that the license **or**
42 **permit** be surrendered to the bureau.

C
o
p
y



1 (h) A suspension or revocation under this section stands pending
2 any proceeding for review of an action of the bureau taken under this
3 section.

4 (i) In addition to any other power, the bureau may modify, amend,
5 or cancel any order or determination during the time within which a
6 judicial review could be had. A person aggrieved by the order or act
7 may have a judicial review under sections 10 and 11 of this chapter.

8 SECTION 418. IC 9-30-4-10 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) A person whose
10 ~~current~~ driver's license, ~~or permit, or driving privileges~~, certificate of
11 registration, ~~or license plate~~ has been suspended or revoked by the
12 bureau under section 9 of this chapter may file a petition within thirty
13 (30) days for a hearing in the matter in a circuit or superior court in the
14 county in which the person resides. The court has jurisdiction and shall
15 set the matter for hearing after fifteen (15) days written notice to the
16 bureau. The court shall conduct a hearing on the petition, take
17 testimony, and examine into the facts of the case de novo and
18 determine whether the action of the bureau complained of was
19 erroneous and make an appropriate order or decree as provided in this
20 chapter.

21 (b) Every action for a court review or appeal under this chapter shall
22 be tried by the court and not by a jury. The court shall, without any
23 requests, make, sign, and file a special finding of facts in writing and
24 shall state in writing its conclusions of law. The court shall
25 immediately, after ruling on any motion for a new trial duly filed,
26 render judgment in accordance with the conclusions of law stated in the
27 special findings of facts. Exceptions to conclusions of law may be
28 taken by an entry of the exceptions at any time before judgment.

29 SECTION 419. IC 9-30-4-13 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) Whenever the
31 bureau is authorized or required to give notice under this chapter or any
32 other law regulating the operation of vehicles, unless a different
33 method of giving notice is otherwise expressly prescribed, the notice
34 may be given either by personal delivery to the person to be notified or
35 by deposit with the United States Postal Service of the notice by first
36 class mail.

37 (b) A person who, after notification, fails to return or surrender to
38 the bureau upon demand a suspended, revoked, or ~~canceled current~~
39 **invalidated** driver's license, ~~or permit~~, certificate of registration, ~~or~~
40 **license plate** commits a Class C misdemeanor. The bureau may file ~~an~~
41 **affidavit** with the prosecuting attorney of the county in which the
42 person resides **an affidavit** charging the person with the offense.

C
o
p
y



1 SECTION 420. IC 9-30-5-0.1 IS REPEALED [EFFECTIVE JULY
2 1, 2012]. ~~Sec. 0.1. The following amendments to this chapter apply as~~
3 ~~follows:~~

4 ~~(1) The amendments made to section 5 of this chapter by~~
5 ~~P.L.82-2004 apply only to offenses committed after June 30,~~
6 ~~2004.~~

7 ~~(2) The amendments made to sections 3 and 10 of this chapter by~~
8 ~~P.L.126-2008 apply only to crimes committed after June 30, 2008.~~

9 SECTION 421. IC 9-30-5-4 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A person who
11 causes serious bodily injury to another person when operating a ~~motor~~
12 vehicle:

13 (1) with an alcohol concentration equivalent to at least
14 eight-hundredths (0.08) gram of alcohol per:

- 15 (A) one hundred (100) milliliters of the person's blood; or
- 16 (B) two hundred ten (210) liters of the person's breath;

17 (2) with a controlled substance listed in schedule I or II of
18 IC 35-48-2 or its metabolite in the person's body; or

19 (3) while intoxicated;

20 commits a Class D felony. However, the offense is a Class C felony if
21 the person has a previous conviction of operating while intoxicated
22 within the five (5) years preceding the commission of the offense.

23 (b) A person who violates subsection (a) commits a separate offense
24 for each person whose serious bodily injury is caused by the violation
25 of subsection (a).

26 (c) It is a defense under subsection (a)(2) that the accused person
27 consumed the controlled substance under a valid prescription or order
28 of a practitioner (as defined in IC 35-48-1) who acted in the course of
29 the practitioner's professional practice.

30 SECTION 422. IC 9-30-5-5, AS AMENDED BY P.L.102-2010,
31 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2012]: Sec. 5. (a) A person who causes the death of another
33 person when operating a ~~motor~~ vehicle:

34 (1) with an alcohol concentration equivalent to at least
35 eight-hundredths (0.08) gram of alcohol per:

- 36 (A) one hundred (100) milliliters of the person's blood; or
- 37 (B) two hundred ten (210) liters of the person's breath;

38 (2) with a controlled substance listed in schedule I or II of
39 IC 35-48-2 or its metabolite in the person's blood; or

40 (3) while intoxicated;

41 commits a Class C felony. However, the offense is a Class B felony if
42 the person has a previous conviction of operating while intoxicated

C
o
p
y



1 within the five (5) years preceding the commission of the offense, or if
2 the person operated the ~~motor~~ vehicle when the person knew that the
3 person's driver's license, driving privilege, or permit is suspended or
4 revoked for a previous conviction for operating a vehicle while
5 intoxicated.

6 (b) A person at least twenty-one (21) years of age who causes the
7 death of another person when operating a ~~motor~~ vehicle:

8 (1) with an alcohol concentration equivalent to at least
9 fifteen-hundredths (0.15) gram of alcohol per:

10 (A) one hundred (100) milliliters of the person's blood; or

11 (B) two hundred ten (210) liters of the person's breath; or

12 (2) with a controlled substance listed in schedule I or II of
13 IC 35-48-2 or its metabolite in the person's blood;

14 commits a Class B felony.

15 (c) A person who causes the death of a law enforcement animal (as
16 defined in IC 35-46-3-4.5) when operating a ~~motor~~ vehicle:

17 (1) with an alcohol concentration equivalent to at least
18 eight-hundredths (0.08) gram of alcohol per:

19 (A) one hundred (100) milliliters of the person's blood; or

20 (B) two hundred ten (210) liters of the person's breath; or

21 (2) with a controlled substance listed in schedule I or II of
22 IC 35-48-2 or its metabolite in the person's blood;

23 commits a Class D felony.

24 (d) A person who violates subsection (a), (b), or (c) commits a
25 separate offense for each person or law enforcement animal whose
26 death is caused by the violation of subsection (a), (b), or (c).

27 (e) It is a defense under subsection (a)(2), (b)(2), or (c)(2) that the
28 accused person consumed the controlled substance under a valid
29 prescription or order of a practitioner (as defined in IC 35-48-1) who
30 acted in the course of the practitioner's professional practice.

31 SECTION 423. IC 9-30-5-6 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who
33 operates a vehicle in violation of any term of a probationary license
34 issued under this chapter, IC 9-30-6, or IC 9-30-9 commits a Class C
35 infraction.

36 (b) In addition to any other penalty imposed under this section, the
37 court may suspend the person's driving privileges for a period of not
38 more than one (1) year.

39 (c) ~~The bureau shall send notice of a judgment entered under this~~
40 ~~section to the court that granted the defendant probationary driving~~
41 ~~privileges.~~

42 SECTION 424. IC 9-30-5-9.5 IS AMENDED TO READ AS

C
o
p
y



1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9.5. ~~After June 30,~~
 2 ~~2005~~, Probationary driving privileges under this chapter do not apply
 3 to a ~~person who holds~~ a commercial driver's license in accordance with
 4 the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA)
 5 (Public Law 106-159.113 Stat. 1748).

6 SECTION 425. IC 9-30-5-10, AS AMENDED BY P.L.126-2008,
 7 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2012]: Sec. 10. (a) In addition to a criminal penalty imposed
 9 for an offense under this chapter or IC 14-15-8, the court shall, after
 10 reviewing the person's bureau driving record and other relevant
 11 evidence, recommend the suspension of the person's driving privileges
 12 for the fixed period of time specified under this section. The court may
 13 require that a period of suspension recommended under this section be
 14 imposed, if applicable, before a period of incarceration or after a period
 15 of incarceration, or both before and after a period of incarceration, as
 16 long as the suspension otherwise complies with the periods established
 17 in this section.

18 (b) If the court finds that the person:

19 (1) does not have a previous conviction of operating a vehicle or
 20 a motorboat while intoxicated; or

21 (2) has a previous conviction of operating a vehicle or a
 22 motorboat while intoxicated that occurred at least ten (10) years
 23 before the conviction under consideration by the court;

24 the court shall recommend the suspension of the person's driving
 25 privileges for at least ninety (90) days but not more than two (2) years.

26 (c) If the court finds that the person has a previous conviction of
 27 operating a vehicle or a motorboat while intoxicated and the previous
 28 conviction occurred more than five (5) years but less than ten (10)
 29 years before the conviction under consideration by the court, the court
 30 shall recommend the suspension of the person's driving privileges for
 31 at least one hundred eighty (180) days but not more than two (2) years.
 32 The court may stay the execution of that part of the suspension that
 33 exceeds the minimum period of suspension and grant the person
 34 probationary driving privileges for a period of time equal to the length
 35 of the stay.

36 (d) If the court finds that the person has a previous conviction of
 37 operating a vehicle or a motorboat while intoxicated and the previous
 38 conviction occurred less than five (5) years before the conviction under
 39 consideration by the court, the court shall recommend the suspension
 40 of the person's driving privileges for at least one (1) year but not more
 41 than two (2) years. The court may stay the execution of that part of the
 42 suspension that exceeds the minimum period of suspension and grant

C
o
p
y



1 the person probationary driving privileges for a period of time equal to
 2 the length of the stay. If the court grants probationary driving privileges
 3 under this subsection, the court shall order that the probationary driving
 4 privileges include the requirement that the person may not operate a
 5 motor vehicle unless the motor vehicle is equipped with a functioning
 6 certified ignition interlock device under IC 9-30-8. However, the court
 7 may grant probationary driving privileges under this subsection without
 8 requiring the installation of an ignition interlock device if the person is
 9 successfully participating in a court supervised alcohol treatment
 10 program in which the person is taking disulfiram or a similar substance
 11 that the court determines is effective in treating alcohol abuse. The
 12 person granted probationary driving privileges under this subsection
 13 shall pay all costs associated with the installation of an ignition
 14 interlock device unless the sentencing court determines that the person
 15 is indigent.

16 (e) If the conviction under consideration by the court is for an
 17 offense under:

- 18 (1) section 4 of this chapter;
- 19 (2) section 5 of this chapter;
- 20 (3) IC 14-15-8-8(b); or
- 21 (4) IC 14-15-8-8(c);

22 the court shall recommend the suspension of the person's driving
 23 privileges for at least two (2) years but not more than five (5) years.

24 (f) If the conviction under consideration by the court is for an
 25 offense involving the use of a controlled substance listed in schedule
 26 I, II, III, IV, or V of IC 35-48-2, in which a vehicle was used in the
 27 offense, the court shall recommend the suspension or revocation of the
 28 person's driving privileges for at least six (6) months.

29 **(g) The bureau shall fix the period of suspension in accordance**
 30 **with the recommendation of the court under this section and in**
 31 **accordance with IC 9-30-6-9. If the court fails to recommend a**
 32 **fixed period of suspension, the bureau shall impose the minimum**
 33 **period of suspension required under this section.**

34 SECTION 426. IC 9-30-5-11, AS AMENDED BY P.L.153-2005,
 35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2012]: Sec. 11. (a) If a court grants a person probationary
 37 driving privileges under section 12 of this chapter, the person may
 38 operate a vehicle only as follows:

- 39 (1) To and from the person's place of employment.
- 40 (2) For specific purposes in exceptional circumstances.
- 41 (3) To and from a court-ordered treatment program.

42 (b) If the court grants the person probationary driving privileges

C
O
P
Y



1 under section 12(a) of this chapter, that part of the court's order
2 granting probationary driving privileges does not take effect until the
3 person's driving privileges have been suspended for at least thirty (30)
4 days under IC 9-30-6-9.

5 (c) The court shall notify a person who is granted probationary
6 driving privileges of the following:

7 (1) That the probationary driving period commences when the
8 bureau ~~issues~~ **grants** the probationary ~~license~~ **driving privileges**.

9 (2) That the bureau may not ~~issue a~~ **grant** probationary ~~license~~
10 **driving privileges** until the bureau receives a reinstatement fee
11 from the person, if applicable, and the person otherwise qualifies
12 for a ~~license~~ **valid driving privileges**.

13 SECTION 427. IC 9-30-5-13 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) An order for
15 probationary driving privileges granted under this chapter must include
16 the following:

17 (1) A requirement that the person may not violate a traffic law.

18 (2) A restriction of a person's driving privileges providing for
19 automatic execution of the suspension of driving privileges if an
20 order is issued under subsection (b).

21 (3) A written finding by the court that the court has reviewed the
22 person's driving record and other relevant evidence and found that
23 the person qualifies for a probationary ~~license~~ **driving privileges**
24 under this chapter.

25 (4) Other reasonable terms of probation.

26 (b) If the court finds that the person has violated the terms of the
27 order granting probationary driving privileges, the court shall order
28 execution of that part of the sentence concerning the suspension of the
29 person's driving privileges.

30 SECTION 428. IC 9-30-5-18 IS ADDED TO THE INDIANA
31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2012]: **Sec. 18. (a) If:**

33 **(1) a criminal proceeding for driving while intoxicated under**
34 **IC 9-30-5 is deferred under IC 12-23-5-1 through**
35 **IC 12-23-5-9; or**

36 **(2) a child alleged to be a delinquent child based upon the**
37 **child's violation of IC 9-30-5 voluntarily attends or is ordered**
38 **by the court under IC 31-37 to attend an alcohol and drug**
39 **services program;**

40 **the court, within ten (10) days after the defendant or child begins**
41 **the program, shall forward to the bureau a certified abstract of**
42 **program enrollment.**

C
O
P
Y



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

- (b) The abstract must state the following:**
 - (1) The defendant's or child's name, address, date of birth, and driver's license number.**
 - (2) The name and location of the alcohol and drug services program that the defendant or child is attending.**

SECTION 429. IC 9-30-6-4.3, AS AMENDED BY P.L.1-2007, SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4.3. (a) This section applies only to a person whose motor vehicle has been seized under IC 34-24-1-1(15).

(b) If the bureau receives an order from a court recommending that the bureau not register a motor vehicle in the name of a person whose motor vehicle has been seized under IC 34-24-1-1(15), the bureau may not register a motor vehicle in the name of the person whose motor vehicle has been seized until the person proves that the person possesses a **current driving driver's license with valid driving privileges.**

SECTION 430. IC 9-30-6-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Whenever a judicial officer has determined that there was probable cause to believe that a person has violated IC 9-30-5 or IC 14-15-8, the clerk of the court shall forward:

- (1) a copy of the affidavit; and
- (2) a bureau certificate as described in section 16 of this chapter; to the bureau.

(b) The probable cause affidavit required under section 7(b)(2) of this chapter must do the following:

- (1) Set forth the grounds for the arresting officer's belief that there was probable cause that the arrested person was operating a vehicle in violation of IC 9-30-5 or a motorboat in violation of IC 14-15-8.
- (2) State that the person was arrested for a violation of IC 9-30-5 or operating a motorboat in violation of IC 14-15-8.
- (3) State whether the person:
 - (A) refused to submit to a chemical test when offered; or
 - (B) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated.
- (4) Be sworn to by the arresting officer.

(c) Except as provided in subsection (d), if it is determined under subsection (a) that there was probable cause to believe that a person has violated IC 9-30-5 or IC 14-15-8, at the initial hearing of the matter held under IC 35-33-7-1,

(+) the court shall recommend immediate suspension of the

C
o
p
y



1 person's driving privileges to take effect on the date the order is
 2 entered,
 3 ~~(2) the court shall order the person to surrender all driver's~~
 4 ~~licenses, permits, and receipts; and~~
 5 ~~(3) the clerk shall forward the following to the bureau~~
 6 ~~(A) The person's license or permit surrendered under this~~
 7 ~~section or section 3 or 7 of this chapter.~~
 8 ~~(B) a copy of the order recommending immediate suspension~~
 9 ~~of driving privileges.~~
 10 (d) If it is determined under subsection (a) that there is probable
 11 cause to believe that a person violated IC 9-30-5, the court may, as an
 12 alternative to a license suspension **of the person's driving privileges**
 13 under subsection ~~(c)(1); (c)~~, issue an order recommending that the
 14 person be prohibited from operating a motor vehicle unless the motor
 15 vehicle is equipped with a functioning certified ignition interlock
 16 device under IC 9-30-8 until the bureau is notified by a court that the
 17 criminal charges against the person have been resolved.
 18 SECTION 431. IC 9-30-6-9, AS AMENDED BY P.L.94-2006,
 19 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2012]: Sec. 9. (a) This section does not apply if an ignition
 21 interlock device order is issued under section 8(d) of this chapter.
 22 (b) If the affidavit under section 8(b) of this chapter states that a
 23 person refused to submit to a chemical test, the bureau shall suspend
 24 the driving privileges of the person:
 25 (1) for:
 26 (A) one (1) year; or
 27 (B) if the person has at least one (1) previous conviction for
 28 operating while intoxicated, two (2) years; or
 29 (2) until the suspension is ordered terminated under IC 9-30-5.
 30 (c) If the affidavit under section 8(b) of this chapter states that a
 31 chemical test resulted in prima facie evidence that a person was
 32 intoxicated, the bureau shall suspend the driving privileges of the
 33 person:
 34 (1) for one hundred eighty (180) days; or
 35 (2) until the bureau is notified by a court that the charges have
 36 been disposed of;
 37 whichever occurs first.
 38 (d) Whenever the bureau is required to suspend a person's driving
 39 privileges under this section, the bureau shall immediately do the
 40 following:
 41 (1) Mail a notice to the person's last known address that must state
 42 that the person's driving privileges will be suspended for a

C
o
p
y



1 specified period, commencing:
 2 (A) five (5) days after the date of the notice; or
 3 (B) on the date the court enters an order recommending
 4 suspension of the person's driving privileges under section 8(c)
 5 of this chapter;
 6 whichever occurs first.
 7 (2) Notify the person of the right to a judicial review under
 8 section 10 of this chapter.
 9 (e) Notwithstanding IC 4-21.5, an action that the bureau is required
 10 to take under this article is not subject to any administrative
 11 adjudication under IC 4-21.5.
 12 (f) If a person is granted probationary driving privileges under
 13 IC 9-30-5 and the bureau has not received the probable cause affidavit
 14 described in section 8(b) of this chapter, the bureau shall suspend the
 15 person's driving privileges for a period of thirty (30) days. After the
 16 thirty (30) day period has elapsed, the bureau shall, upon receiving a
 17 reinstatement fee, if applicable, from the person who was granted
 18 probationary driving privileges, **issue grant the person probationary**
 19 **license driving privileges** if the person otherwise qualifies. ~~for a~~
 20 ~~license.~~
 21 (g) If the bureau receives an order granting probationary driving
 22 privileges to a person who, **according to the records of the bureau,**
 23 has a prior conviction for operating while intoxicated, the bureau shall
 24 do the following:
 25 (1) ~~issue Grant~~ the person a probationary **license driving**
 26 **privileges** and notify the prosecuting attorney of the county from
 27 which the order was received that the person is not eligible for a
 28 probationary ~~license.~~ **driving privileges.**
 29 (2) Send a certified copy of the person's driving record to the
 30 prosecuting attorney.
 31 The prosecuting attorney shall, in accordance with IC 35-38-1-15,
 32 petition the court to correct the court's order. If the bureau does not
 33 receive a corrected order within sixty (60) days, the bureau shall notify
 34 the attorney general, who shall, in accordance with IC 35-38-1-15,
 35 petition the court to correct the court's order.
 36 SECTION 432. IC 9-30-6-12, AS AMENDED BY P.L.109-2011,
 37 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2012]: Sec. 12. (a) If a court recommends suspension of ~~the~~
 39 driving privileges under this chapter, IC 9-30-5, or IC 9-30-9,
 40 ~~(+) the bureau shall comply~~ **fix the period of suspension in**
 41 **accordance** with the recommendation of ~~suspension;~~ ~~and the~~
 42 ~~driving privileges of the person remain suspended for the period~~

C
O
P
Y



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

set by the court. ~~and~~
~~(2) the person shall surrender to~~ **If the court all licenses, permits,**
~~or receipts issued to the person; and the court shall immediately~~
~~forward the licenses, permits, or receipts to~~ **fails to recommend**
a fixed period of suspension, the bureau ~~with~~ **shall impose the**
~~abstract minimum period of conviction or judgment. suspension~~
required by statute.

(b) Except as provided in subsection (c), during the three (3) years following the termination of the suspension the person's driving privileges remain suspended until the person provides proof of future financial responsibility in force under IC 9-25.

(c) If a court recommends suspension of a person's driving privileges for a conviction under IC 9-30-5, during the three (3) years following the termination of the suspension the person's driving privileges remain suspended until the person provides proof of future financial responsibility in force under IC 9-25. However, if a court recommends suspension of the driving privileges of a person who is arrested for or charged with an offense committed under IC 9-30-5, the person is not required to provide proof of future financial responsibility under IC 9-25 unless the person is convicted under IC 9-30-5.

(d) If at any time during the three (3) years following the termination of the suspension imposed under subsection (a) a person who has provided proof of future financial responsibility under IC 9-25 fails to maintain the proof, the bureau shall suspend the person's driving privileges until the person again provides proof of future financial responsibility under IC 9-25.

(e) An agency action under this section is not subject to IC 4-21.5.

SECTION 433. IC 9-30-6-13, AS AMENDED BY P.L.42-2011, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. If a court orders the bureau to rescind an ignition interlock device requirement or reinstate a person's driving privileges under this article, the bureau shall comply with the order. Unless the order for reinstatement is issued under section 11(a)(2) of this chapter, the bureau shall also do the following:

- (1) Remove any record of the ignition interlock device requirement or suspension from the ~~bureau's recordkeeping system.~~ **official driving record of the person.**
- (2) Reinstate the privileges without cost to the person.

SECTION 434. IC 9-30-10-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. As used in this chapter, "license" includes any type of license or permit ~~to operate a motor vehicle~~ issued by the bureau **to operate the type of vehicle**

C
o
p
y



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

being driven.

SECTION 435. IC 9-30-10-4, AS AMENDED BY P.L.28-2010, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A person who has accumulated at least two (2) judgments within a ten (10) year period for any of the following violations, singularly or in combination, **and** not arising out of the same incident, **and with at least one (1) violation occurring after March 31, 1984**, is a habitual violator:

- (1) Reckless homicide resulting from the operation of a motor vehicle.
- (2) Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle.
- (3) Failure of the driver of a motor vehicle involved in an accident resulting in death or injury to any person to stop at the scene of the accident and give the required information and assistance.
- (4) Operation of a vehicle while intoxicated resulting in death.
- (5) Before July 1, 1997, operation of a vehicle with at least ten-hundredths percent (0.10%) alcohol in the blood resulting in death.
- (6) After June 30, 1997, and before July 1, 2001, operation of a vehicle with an alcohol concentration equivalent to at least ten-hundredths (0.10) gram of alcohol per:
 - (A) one hundred (100) milliliters of the blood; or
 - (B) two hundred ten (210) liters of the breath;
 resulting in death.
- (7) After June 30, 2001, operation of a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:
 - (A) one hundred (100) milliliters of the blood; or
 - (B) two hundred ten (210) liters of the breath;
 resulting in death.

(b) A person who has accumulated at least three (3) judgments within a ten (10) year period for any of the following violations, singularly or in combination, **and** not arising out of the same incident, **and with at least one (1) violation occurring after March 31, 1984**, is a habitual violator:

- (1) Operation of a vehicle while intoxicated.
- (2) Before July 1, 1997, operation of a vehicle with at least ten-hundredths percent (0.10%) alcohol in the blood.
- (3) After June 30, 1997, and before July 1, 2001, operation of a vehicle with an alcohol concentration equivalent to at least ten-hundredths (0.10) gram of alcohol per:

C
o
p
y



- 1 (A) one hundred (100) milliliters of the blood; or
- 2 (B) two hundred ten (210) liters of the breath.
- 3 (4) After June 30, 2001, operation of a vehicle with an alcohol
- 4 concentration equivalent to at least eight-hundredths (0.08) gram
- 5 of alcohol per:
- 6 (A) one hundred (100) milliliters of the blood; or
- 7 (B) two hundred ten (210) liters of the breath.
- 8 (5) Operating a motor vehicle while the person's license to do so
- 9 has been suspended or revoked as a result of the person's
- 10 conviction of an offense under IC 9-1-4-52 (repealed July 1,
- 11 1991), IC 9-24-18-5(b) (repealed July 1, 2000), **IC 9-24-19-2, or**
- 12 **IC 9-24-19-3. or ~~IC 9-24-19-5.~~**
- 13 (6) Operating a motor vehicle without ever having obtained a
- 14 license to do so.
- 15 (7) Reckless driving.
- 16 (8) Criminal recklessness involving the operation of a motor
- 17 vehicle.
- 18 (9) Drag racing or engaging in a speed contest in violation of law.
- 19 (10) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46
- 20 (repealed July 1, 1991), IC 9-26-1-1(1), IC 9-26-1-1(2),
- 21 ~~IC 9-26-1-1(4)~~, IC 9-26-1-2(1), IC 9-26-1-2(2), IC 9-26-1-3, or
- 22 IC 9-26-1-4.
- 23 (11) Any felony under an Indiana motor vehicle statute or any
- 24 felony in the commission of which a motor vehicle is used.
- 25 A judgment for a violation enumerated in subsection (a) shall be added
- 26 to the violations described in this subsection for the purposes of this
- 27 subsection.
- 28 (c) A person who has accumulated at least ten (10) judgments
- 29 within a ten (10) year period for any traffic violation, except a parking
- 30 or an equipment violation, of the type required to be reported to the
- 31 bureau, singularly or in combination, **and** not arising out of the same
- 32 incident, **and with at least one (1) violation occurring after March 31,**
- 33 ~~1984~~, is a habitual violator. However, at least one (1) of the judgments
- 34 must be for a violation enumerated in subsection (a) or (b). A judgment
- 35 for a violation enumerated in subsection (a) or (b) shall be added to the
- 36 judgments described in this subsection for the purposes of this
- 37 subsection.
- 38 (d) For purposes of this section, a judgment includes a judgment in
- 39 any other jurisdiction in which the elements of the offense for which
- 40 the conviction was entered are substantially similar to the elements of
- 41 the offenses described in subsections (a) and (b).
- 42 (e) **For purposes of this section, the offense date is used when**

COPY



1 **determining the number of judgments accumulated within a ten**
 2 **(10) year period.**

3 SECTION 436. IC 9-30-10-6 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who has
 5 received a notice under section 5 of this chapter may notify the bureau,
 6 in writing, ~~on forms provided by the bureau~~, that the bureau's records
 7 contain a material error with respect to the person's driving record. If
 8 a person so notifies the bureau, the bureau shall, within thirty (30) days
 9 after the date the notice was received by the bureau, determine whether
 10 a material error was made with respect to the person's driving record.

11 (b) If the bureau determines that a material error was made with
 12 respect to the person's driving record, the bureau shall:

13 (1) prevent the suspension of; or

14 (2) reinstate;

15 the person's driving privileges.

16 (c) The bureau shall notify the prosecuting attorney of the county
 17 where the record originated that the bureau has determined that a
 18 material error exists. The prosecuting attorney is entitled to respond to
 19 the bureau's determination.

20 (d) An action taken or a determination made by the bureau under
 21 this chapter is not subject to IC 4-21.5. However, the person may file
 22 a petition for judicial review under this chapter.

23 SECTION 437. IC 9-30-10-8 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) If a person files
 25 a petition for judicial review under section 6 of this chapter, the court
 26 shall promptly hold a hearing. The petition must be filed and the
 27 hearing must be held in accordance with section 7 of this chapter.

28 (b) If the court finds that the petitioner is not a habitual violator, the
 29 court shall order the bureau to reinstate the driving privileges of the
 30 person.

31 (c) If the court finds that the petitioner is a habitual violator, the
 32 person's driving privileges remain suspended, unless the court places
 33 the person on probation under section 9 of this chapter.

34 **(d) The findings of the court under this section constitute a final**
 35 **judgment from which either party may appeal. An appeal does not**
 36 **act as a stay of the findings and orders of the court.**

37 SECTION 438. IC 9-30-10-9, AS AMENDED BY P.L.109-2011,
 38 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2012]: Sec. 9. (a) ~~After June 30, 2005~~; This section does not
 40 apply to a person who:

41 (1) holds a commercial driver's license; and

42 (2) has been charged with an offense involving the operation of

C
O
P
Y



1 a motor vehicle in accordance with the federal Motor Carrier
 2 Safety Improvement Act of 1999 (MCSIA) (Public Law
 3 106-159.113 Stat. 1748).

4 (b) If a court finds that a person:

5 (1) is a habitual violator under section 4(c) of this chapter;
 6 (2) has not been previously placed on probation under this section
 7 by a court;

8 (3) operates a vehicle for commercial or business purposes, and
 9 the person's mileage for commercial or business purposes:

10 (A) is substantially in excess of the mileage of an average
 11 driver; and

12 (B) may have been a factor that contributed to the person's
 13 poor driving record; and

14 (4) does not have:

15 (A) a judgment for a violation enumerated in section 4(a) of
 16 this chapter; or

17 (B) at least three (3) judgments (singularly or in combination
 18 and not arising out of the same incident) of the violations
 19 enumerated in section 4(b) of this chapter;

20 the court may place the person on probation in accordance with
 21 subsection (d).

22 (c) If a court finds that a person:

23 (1) is a habitual violator under section 4(b) of this chapter;

24 (2) has not been previously placed on probation under this section
 25 by a court;

26 (3) does not have a judgment for any violation listed in section
 27 4(a) of this chapter;

28 (4) has had the person's driving privileges suspended under this
 29 chapter for at least five (5) consecutive years; and

30 (5) has not violated the terms of the person's suspension by
 31 operating a vehicle;

32 the court may place the person on probation in accordance with
 33 subsection (d). However, if the person has any judgments for operation
 34 of a vehicle before July 1, 2001, while intoxicated or with an alcohol
 35 concentration equivalent to at least ten-hundredths (0.10) gram of
 36 alcohol per one hundred (100) milliliters of the blood or two hundred
 37 ten (210) liters of the breath, or for the operation of a vehicle after June
 38 30, 2001, while intoxicated or with an alcohol concentration equivalent
 39 to at least eight-hundredths (0.08) gram of alcohol per one hundred
 40 (100) milliliters of the blood or two hundred ten (210) liters of the
 41 breath, the court, before the court places a person on probation under
 42 subsection (d), must find that the person has successfully fulfilled the

C
O
P
Y



1 requirements of a rehabilitation program certified by ~~one (1)~~ or both of
2 the following:
3 (A) the division of mental health and addiction or
4 (B) the Indiana judicial center.
5 (d) Whenever a court places a habitual violator on probation, the
6 court:
7 (1) shall record each of the court's findings under this section in
8 writing;
9 (2) shall obtain the person's driver's license or permit and send the
10 license or permit to the bureau;
11 (3) shall direct the person to apply to the bureau for a restricted
12 driver's license;
13 (4) shall order the bureau to issue the person an appropriate
14 license;
15 (5) (2) shall place order the bureau to grant the person on
16 probation **probationary driving privileges** for a fixed period of
17 not less than three (3) years and not more than ten (10) years;
18 (6) (3) shall attach restrictions to the person's driving privileges,
19 including restrictions limiting the person's driving to:
20 (A) commercial or business purposes or other employment
21 related driving;
22 (B) specific purposes in exceptional circumstances;
23 (C) rehabilitation programs; and
24 (D) specified hours during which the person may drive;
25 (7) (4) shall require the person to submit to reasonable monitoring
26 requirements;
27 (8) (5) shall order the person to file proof of **future** financial
28 responsibility for three (3) years following the date of being
29 placed on probation; and
30 (9) (6) shall impose other appropriate conditions of probation,
31 which must include one (1) or more of the following conditions
32 if the person was determined to be a habitual violator under
33 IC 9-30-10-4(b)(1) through IC 9-30-10-4(b)(4): and at least one
34 (1) of the offenses occurred within five (5) years prior to the
35 granting of the probationary or restricted license:
36 (A) An order prohibiting the person from operating a motor
37 vehicle or motorized bicycle with an alcohol concentration
38 equivalent to at least two-hundredths (0.02) gram of alcohol
39 per:
40 (i) one hundred (100) milliliters of the person's blood; or
41 (ii) two hundred ten (210) liters of the person's breath;
42 or while under the influence of any other intoxicating

COPY



1 substance.

2 (B) An order that the person submit to a method to monitor the

3 person's compliance with the prohibition against operating a

4 motor vehicle or motorized bicycle with an alcohol

5 concentration equivalent to at least two-hundredths (0.02)

6 gram of alcohol per:

7 (i) one hundred (100) milliliters of the person's blood; or

8 (ii) two hundred ten (210) liters of the person's breath;

9 or while intoxicated (as defined under IC 9-13-2-86).

10 (C) The court shall determine the appropriate monitoring

11 method, which may include one (1) or more of the following:

12 (i) The person may operate only a motor vehicle equipped

13 with an ignition interlock device.

14 (ii) The person must submit to a chemical test if a law

15 enforcement officer lawfully stops the person while

16 operating a motor vehicle or motorized bicycle and the law

17 enforcement officer requests that the person submit to a

18 chemical test.

19 (iii) The person must wear a device that detects and records

20 the person's use of alcohol.

21 (iv) The person must submit to any other reasonable

22 monitoring requirement as determined by the court.

23 (e) If a court finds that a person:

24 (1) is a habitual violator under section 4(b) or 4(c) of this chapter;

25 (2) does not have any judgments for violations under section 4(a)

26 of this chapter;

27 (3) does not have any judgments or convictions for violations

28 under section 4(b) of this chapter, except for judgments or

29 convictions under section 4(b)(5) of this chapter that resulted

30 from driving on a suspended license that was suspended for:

31 (A) the commission of infractions only; or

32 (B) previously driving on a suspended license;

33 (4) has not been previously placed on probation under this section

34 by a court; and

35 (5) has had the person's driving privileges suspended under this

36 chapter for at least three (3) consecutive years and has not

37 violated the terms of the person's suspension by operating a

38 vehicle for at least three (3) consecutive years;

39 the court may place the person on probation under **the conditions**

40 **described in** subsection ~~(d)~~ **(d)(1) through (d)(5)**.

41 **(f) If the bureau receives an order granting probationary**

42 **driving privileges to a person who, according to the records of the**

COPY



1 bureau, does not qualify under this chapter, the bureau shall do the
2 following:

3 (1) Grant the person probationary driving privileges and
4 notify the prosecuting attorney of the county from which the
5 order was received that the person is not eligible for the
6 rescission and reinstatement.

7 (2) Send a certified copy of the person's driving record to the
8 prosecuting attorney.

9 The prosecuting attorney shall, in accordance with IC 35-38-1-15,
10 petition the court to correct the court's order. If the bureau does
11 not receive a corrected order within sixty (60) days, the bureau
12 shall notify the attorney general, who shall, in accordance with
13 IC 35-38-1-15, petition the court to correct the court's order.

14 SECTION 439. IC 9-30-10-10 IS REPEALED [EFFECTIVE JULY
15 1, 2012]. ~~Sec. 10. The court's findings under sections 8 and 9 of this~~
16 ~~chapter constitute a final judgment from which either party may appeal.~~
17 ~~An appeal does not act as a stay of the court's findings and orders.~~

18 SECTION 440. IC 9-30-10-12 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) Upon the filing
20 of a petition for revocation of probation, the court shall do the
21 following:

22 (1) Set a date for a hearing upon the petition that is not earlier
23 than twenty (20) days nor later than forty-five (45) days from the
24 date of the filing of the petition for review.

25 (2) Hold a hearing on the date set, unless the proceeding is
26 continued by order of the court.

27 (3) Cause notice of the hearing date to be sent to all parties.

28 (b) At the hearing, the prosecuting attorney must bear the burden of
29 proof by a preponderance of the evidence to prevail.

30 (c) If the court finds that the person has violated any terms of the
31 probation, the court shall do the following:

32 (1) Record each of its findings in writing.

33 (2) Obtain the person's **driver's** license.

34 (3) Order the bureau to suspend the person's driving privileges for
35 a period equal to the period of suspension originally imposed
36 under section 5 of this chapter.

37 (4) Not place the person on probation under section 9 of this
38 chapter.

39 (d) If the court finds that the person has not violated any of the
40 terms of the person's probation, the court shall do the following:

41 (1) Record each of the court's findings in writing.

42 (2) Continue the person on probation for the remainder of the

C
o
p
y



1 probatory period.

2 (e) The court's findings under subsection (c) or (d) constitute a final
3 judgment from which either party may appeal. An appeal does not act
4 as a stay of the court's findings and orders.

5 SECTION 441. IC 9-30-10-13, AS AMENDED BY P.L.109-2011,
6 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2012]: Sec. 13. (a) The bureau may ~~issue a license to operate~~
8 ~~a motor vehicle~~ **grant driving privileges** to a habitual violator whose
9 driving privileges were suspended under section 5(b) of this chapter if
10 the following conditions exist:

11 (1) The time specified for the person's probation or the restriction
12 or suspension of the person's license has elapsed.

13 (2) The person has met all the requirements of all applicable
14 statutes and rules relating to the licensing of motor vehicle
15 operators.

16 (3) The person files with the bureau and maintains, for three (3)
17 years after ~~filing termination of suspension~~, proof of **future**
18 financial responsibility in accordance with IC 9-25.

19 (4) **If the person has a prior conviction for operating while**
20 **intoxicated**, the bureau places a restriction on the person's
21 driver's license and driving record that indicates the person is
22 prohibited from operating a motor vehicle or motorized bicycle
23 with an alcohol concentration equivalent to at least
24 two-hundredths (0.02) gram of alcohol per:

25 (A) one hundred (100) milliliters of the person's blood; or

26 (B) two hundred ten (210) liters of the person's breath;
27 ~~or while intoxicated (as defined under IC 9-13-2-86)~~ for three (3)
28 years after the bureau issues the driver's license to the person.

29 (5) The person signs a bureau form by which the person agrees
30 that as a condition to obtaining the driver's license the person will
31 submit to a chemical test at any time during the period three (3)
32 years after the bureau issues the driver's license to the person if a
33 law enforcement officer lawfully stops the person while operating
34 a motor vehicle or motorized bicycle and the law enforcement
35 officer requests that the person submit to a chemical test.

36 (b) The bureau may issue a license to operate a motor vehicle to a
37 habitual violator whose driving privileges have been suspended for life
38 if the following conditions exist:

39 (1) The bureau has received an order for rescission of suspension
40 and reinstatement issued under section 15 of this chapter.

41 (2) The person to whom the license is to be issued has never been
42 convicted of a violation described in section 4(a) or 17 of this

C
O
P
Y



1 chapter.
 2 (3) The person has not been convicted of an offense under section
 3 16 of this chapter more than one (1) time.
 4 (4) The person has met all the requirements of all applicable
 5 statutes and rules relating to the licensing of motor vehicle
 6 operators.
 7 (5) The person:
 8 (A) files with the bureau; and
 9 (B) maintains for three (3) years after ~~filing~~; **rescission of the**
 10 **suspension;**
 11 proof of **future** financial responsibility in accordance with
 12 IC 9-25.
 13 (6) **If the person has a prior conviction for operating while**
 14 **intoxicated,** the bureau places a restriction on the person's
 15 driver's license and driving record that indicates the person is
 16 prohibited from operating a motor vehicle or motorized bicycle
 17 with an alcohol concentration equivalent to at least
 18 two-hundredths (0.02) gram of alcohol per:
 19 (A) one hundred (100) milliliters of the person's blood; or
 20 (B) two hundred ten (210) liters of the person's breath;
 21 or while intoxicated (as defined under IC 9-13-2-86) for three (3)
 22 years after the bureau issues the driver's license to the person.
 23 (7) The person signs a bureau form by which the person agrees
 24 that as a condition to obtaining the driver's license the person will
 25 submit to a chemical test at any time during the period three (3)
 26 years after the bureau issues the driver's license to the person if a
 27 law enforcement officer lawfully stops the person while operating
 28 a motor vehicle or motorized bicycle and the law enforcement
 29 officer requests that the person submit to a chemical test.
 30 (c) A habitual violator is not eligible for relief under the hardship
 31 provisions of IC 9-24-15.
 32 **(d) The bureau shall not grant driving privileges to a person**
 33 **who does not satisfy all of the requirements set forth in subsections**
 34 **(a) and (b).**
 35 SECTION 442. IC 9-30-10-14 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. (a) Except as
 37 provided in subsection (e), a person whose driving privileges have been
 38 suspended for life may petition a court in a civil action for a rescission
 39 of the suspension order and reinstatement of driving privileges if the
 40 following conditions exist:
 41 (1) Ten (10) years have elapsed since the date on which an order
 42 for the lifetime suspension of the person's driving privileges was

C
O
P
Y



- 1 issued.
- 2 (2) The person has never been convicted of a violation described
- 3 in section 4(a) of this chapter.
- 4 (3) The person has never been convicted of an offense under
- 5 section 17 of this chapter.
- 6 (4) The person has not been convicted of an offense under section
- 7 16 of this chapter more than one (1) time.
- 8 (b) A petition for rescission and reinstatement under this section
- 9 must meet the following conditions:
- 10 (1) Be verified by the petitioner.
- 11 (2) State the petitioner's age, date of birth, and place of residence.
- 12 (3) Describe the circumstances leading up to the lifetime
- 13 suspension of the petitioner's driving privileges.
- 14 (4) Aver a substantial change in the petitioner's circumstances of
- 15 the following:
- 16 (A) That indicates the petitioner would no longer pose a risk
- 17 to the safety of others if the petitioner's driving privileges are
- 18 reinstated.
- 19 (B) That makes the lifetime suspension of the petitioner's
- 20 driving privileges unreasonable.
- 21 (C) Indicates it is in the best interests of society for the
- 22 petitioner's driving privileges to be reinstated.
- 23 **(5) Aver that the requisite amount of time has elapsed since**
- 24 **the date on which the order for the lifetime suspension of the**
- 25 **person's driving privileges was issued as required under**
- 26 **subsections (a) and (e).**
- 27 ~~(5)~~ **(6)** Aver that the petitioner has never been convicted of an
- 28 offense under section 17 of this chapter.
- 29 ~~(6)~~ **(7)** Aver that the petitioner has not been convicted of an
- 30 offense under section 16 of this chapter more than one (1) time.
- 31 ~~(7)~~ **(8)** Aver that the petitioner has never been convicted of a
- 32 violation described in section 4(a) of this chapter.
- 33 ~~(8)~~ **(9)** Be filed in a circuit or superior court having jurisdiction in
- 34 the county where the petitioner resides.
- 35 ~~(9)~~ **(10)** If the petition is being filed under subsection (e), aver the
- 36 existence of the conditions listed in subsection (e)(1) through
- 37 (e)(3).
- 38 (c) The petitioner shall serve the prosecuting attorney of the county
- 39 where the petitioner resides and the bureau with a copy of the petition
- 40 described in subsection (b). A responsive pleading is not required.
- 41 (d) The prosecuting attorney of the county where the petitioner
- 42 resides shall represent the state in the matter.

COPY



1 (e) A person whose driving privileges have been suspended for life
2 may petition a court in a civil action for a rescission of the suspension
3 order and reinstatement of driving privileges if all of the following
4 conditions exist:

5 (1) Three (3) years have elapsed since the date on which the order
6 for lifetime suspension of the petitioner's driving privileges was
7 issued.

8 (2) The petitioner's lifetime suspension was the result of driving
9 on a suspended license that was suspended for commission of
10 infractions only or for driving on a suspended license.

11 (3) The petitioner has never been convicted of a violation
12 described in section 4(a) or 4(b) of this chapter, with the
13 exception of a ~~judgement~~ **judgment** or conviction under section
14 4(b)(3) of this chapter.

15 (4) The petitioner has never been convicted of an offense under
16 section 17 of this chapter.

17 (5) The petitioner has not been convicted of an offense under
18 section 16 of this chapter more than one (1) time.

19 SECTION 443. IC 9-30-10-15, AS AMENDED BY P.L.28-2010,
20 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2012]: Sec. 15. (a) Upon receiving a petition filed under
22 section 14 of this chapter, a court shall set a date for hearing the matter
23 and direct the clerk of the court to provide notice of the hearing date to
24 the following:

25 (1) The petitioner.

26 (2) The prosecuting attorney of the county where the petitioner
27 resides.

28 (3) The bureau.

29 (b) A court may order the rescission of the order that required the
30 suspension of the petitioner's driving privileges for life and may order
31 the bureau to reinstate the driving privileges of a petitioner whose
32 driving privileges have been suspended for life if, after the hearing of
33 the matter, the court makes the following written findings and
34 conclusions, based on clear and convincing evidence:

35 (1) That the petitioner has never been convicted of a violation
36 described in section 4(a) of this chapter.

37 (2) That the petitioner has never been convicted of an offense
38 under section 17 of this chapter.

39 (3) That the petitioner has not been convicted of an offense under
40 section 16 of this chapter more than one (1) time.

41 (4) If the person is petitioning the court under section 14(a) of this
42 chapter that ten (10) years have elapsed since the date on which

C
o
p
y



1 an order was issued that required the suspension of the petitioner's
2 driving privileges for life.

3 (5) That there has been a substantial change in the petitioner's
4 circumstances indicating the petitioner would no longer pose a
5 risk to the safety of others if the petitioner's driving privileges
6 were reinstated.

7 (6) That there has been a substantial change in the petitioner's
8 circumstances indicating that the suspension of the petitioner's
9 driving privileges for life has become unreasonable.

10 (7) That it is in the best interests of society for the petitioner's
11 driving privileges to be reinstated.

12 (8) If the person is petitioning the court under section 14(e) of this
13 chapter:

14 (A) that three (3) years have elapsed since the date the order
15 was issued that required the suspension of the petitioner's
16 driving privileges for life; and

17 (B) that the conditions listed under section 14(e) of this
18 chapter are satisfied.

19 (c) The petitioner has the burden of proof under this section and an
20 order issued under subsection (b) is a final order, appealable by any
21 party to the action.

22 (d) In an order for reinstatement of driving privileges issued under
23 this section, the court may require the bureau to ~~issue to~~ **grant** the
24 prevailing petitioner:

25 (1) ~~a license to operate a motor vehicle driving privileges~~ under
26 section 13(b) of this chapter; or

27 (2) ~~a restricted driving license privileges~~ for a time and subject to
28 conditions specified by the court, which must include one (1) or
29 more of the following conditions if the person was determined to
30 be a habitual violator under IC 9-30-10-4(a)(4) through
31 IC 9-30-10-4(a)(7) or IC 9-30-10-4(b)(1) through
32 IC 9-30-10-4(b)(4): ~~and at least one (1) of the offenses occurred~~
33 ~~within five (5) years prior to the granting of the probationary or~~
34 ~~restricted license:~~

35 (A) Specified hours during which the person may drive.

36 (B) An order prohibiting the person from operating a motor
37 vehicle or motorized bicycle with an alcohol concentration
38 equivalent to at least two-hundredths (0.02) gram of alcohol
39 per:

40 (i) one hundred (100) milliliters of the person's blood; or

41 (ii) two hundred ten (210) liters of the person's breath;

42 or while intoxicated (as defined under IC 9-13-2-86).

C
O
P
Y



1 (C) An order that the person submit to a method to monitor the
 2 person's compliance with the prohibition against operating a
 3 motor vehicle or motorized bicycle with an alcohol
 4 concentration equivalent to at least two-hundredths (0.02)
 5 gram of alcohol per:
 6 (i) one hundred (100) milliliters of the person's blood; or
 7 (ii) two hundred ten (210) liters of the person's breath;
 8 or while intoxicated (as defined under IC 9-13-2-86).
 9 (D) The court shall determine the appropriate monitoring
 10 method, which may include one (1) or more of the following:
 11 (i) The person may operate only a motor vehicle equipped
 12 with an ignition interlock device.
 13 (ii) The person must submit to a chemical test if a law
 14 enforcement officer lawfully stops the person while
 15 operating a motor vehicle or motorized bicycle and the law
 16 enforcement officer requests that the person submit to a
 17 chemical test.
 18 (iii) The person must wear a device that detects and records
 19 the person's use of alcohol.
 20 (iv) The person must submit to any other reasonable
 21 monitoring requirement as determined by the court.
 22 (e) If a court orders the bureau to ~~issue a grant~~ **restricted or**
 23 **probationary driving license privileges** to a petitioner under
 24 subsection (d), the court shall specify the conditions under which the
 25 petitioner may be ~~issued a license granted driving privileges~~ to
 26 operate a motor vehicle under section 13(b) of this chapter. After the
 27 expiration date of the restricted ~~license or probationary driving~~
 28 **privileges** and upon:
 29 (1) fulfillment by the petitioner of the conditions specified by the
 30 court; and
 31 (2) the expiration of the restricted ~~license issued driving~~
 32 **privileges granted** under subsection (d)(2);
 33 the bureau shall ~~issue to grant~~ the petitioner a ~~license driving~~
 34 **privileges** to operate a motor vehicle under section 13(b) of this
 35 chapter.
 36 (f) **If the bureau receives an order granting a rescission of the**
 37 **suspension order and reinstatement of driving privileges to a**
 38 **person who, according to the records of the bureau, does not**
 39 **qualify under this chapter, the bureau shall do the following:**
 40 (1) **Grant the person probationary driving privileges and**
 41 **notify the prosecuting attorney of the county from which the**
 42 **order was received that the person is not eligible for the**

C
O
P
Y



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

rescission and reinstatement.
(2) Send a certified copy of the person's driving record to the prosecuting attorney.
The prosecuting attorney shall, in accordance with IC 35-38-1-15, petition the court to correct the court's order. If the bureau does not receive a corrected order within sixty (60) days, the bureau shall notify the attorney general, who shall, in accordance with IC 35-38-1-15, petition the court to correct the court's order.

SECTION 444. IC 9-30-10-17.5, AS ADDED BY P.L.28-2010, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17.5. A person who operates a vehicle or motorized bicycle in violation of conditions of a restricted license **driving privileges** ordered by a court under ~~IC 9-30-10-9(d)(9)~~ **section 9(d)(6) or IC 9-30-10-15(d)(2) 15(d)(2) of this chapter** commits a Class A misdemeanor.

SECTION 445. IC 9-30-11-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. If the bureau receives a referral under section 4 of this chapter, the bureau shall suspend the registration of the motor vehicle and mail a notice to the person in whose name the vehicle is registered that does the following:

- (1) Informs the person that the motor vehicle's registration has been suspended and the reason for the suspension.
- ~~(2) Informs the person that if the judgments are not paid within fifteen (15) days, the motor vehicle's license plates will be removed by a law enforcement officer.~~
- ~~(3)~~ **(2)** Explains what the person is required to do to have the registration reinstated.

SECTION 446. IC 9-30-11-6, AS AMENDED BY P.L.153-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. The bureau shall reinstate motor vehicle registration that is suspended under this chapter if the following occur:

- ~~(1) Any person~~ **The court** presents the bureau ~~or a bureau license branch~~ with adequate proof that all unpaid judgments with respect to the motor vehicle have been paid.
- (2) A reinstatement fee under IC 9-29 is paid to the bureau, if applicable.

SECTION 447. IC 9-30-11-7 IS REPEALED [EFFECTIVE JULY 1, 2012]. ~~Sec. 7: If the bureau suspends a motor vehicle registration under section 5 of this chapter, the bureau shall send a notice of the suspension to the clerk who sent the referral. Upon receipt of a notice, a clerk shall inform each of the law enforcement agencies that are listed on the referral of the following:~~

C
O
P
Y



1 (1) That the motor vehicle's registration has been suspended:

2 (2) That any law enforcement agency may remove the license
3 plate of the motor vehicle fifteen (15) days after the motor
4 vehicle's registration was suspended unless the judgments have
5 been paid:

6 SECTION 448. IC 9-30-12-1 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) The bureau may
8 suspend or revoke the driver's license or permit **driving privileges** of
9 an individual who pays the fee required for **makes payment to the**
10 **driver's license or permit bureau** with a check **funds** that:

11 (1) ~~is are~~ not honored. ~~by the financial institution on which the~~
12 ~~check is drawn; or~~

13 (2) ~~has had payment stopped by the maker of the check.~~

14 **(b) In addition to the penalties in subsection (a), the bureau may**
15 **do the following:**

16 **(1) Revoke the driver's license or permit of an individual who**
17 **makes payment to the bureau for a driver's license or permit**
18 **with funds that are not honored.**

19 **(2) Invalidate the title or registration of an individual who**
20 **makes payment to the bureau for a driver's license or permit**
21 **with funds that are not honored.**

22 SECTION 449. IC 9-30-12-2, AS AMENDED BY P.L.153-2005,
23 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2012]: Sec. 2. The bureau may:

25 (1) reinstate a license, ~~or a permit,~~ **or driving privileges** revoked
26 or suspended under section 1 of this chapter; or

27 (2) revalidate a title or registration that has been invalidated under
28 section ~~3~~ **1** of this chapter;

29 if the obligation has been satisfied, including the payment of service,
30 collection, and reinstatement fees, if applicable.

31 SECTION 450. IC 9-30-12-3 IS REPEALED [EFFECTIVE JULY
32 1, 2012]. Sec. 3. ~~The bureau may invalidate a title or registration that~~
33 ~~has been issued by the bureau and the applicable fees have been paid~~
34 ~~with a check that:~~

35 (1) ~~is not honored by the financial institution on which the check~~
36 ~~is drawn; or~~

37 (2) ~~has had payment stopped by the maker of the check.~~

38 SECTION 451. IC 9-30-12-4 IS REPEALED [EFFECTIVE JULY
39 1, 2012]. Sec. 4. ~~The bureau may suspend or revoke the driver's license~~
40 ~~or permit of an individual who pays the fee required for a vehicle title~~
41 ~~or registration with a check that:~~

42 (1) ~~is not honored by the financial institution on which the check~~

C
O
P
Y



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

is drawn; or
(2) has had payment stopped by the maker of the check.
SECTION 452. IC 9-30-13-0.5 IS ADDED TO THE INDIANA
CODE AS A NEW SECTION TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2012]: **Sec. 0.5. (a) A court shall forward to
the bureau a certified abstract of the record of the conviction of a
person in the court for a violation of a law relating to motor
vehicles.**

**(b) If in the opinion of the court a defendant should be deprived
of the privilege to operate a motor vehicle upon a public highway,
the court shall recommend the suspension of the convicted person's
driving privileges for a fixed period established by the court not
exceeding one (1) year.**

(c) The bureau shall comply with the court's recommendation.

**(d) At the time of a conviction referred to in subsection (a) or
under IC 9-30-5-7, the court may obtain and destroy the
defendant's current driver's license.**

**(e) An abstract required by this section must be in the form
prescribed by the bureau and, when certified, shall be accepted by
an administrative agency or a court as prima facie evidence of the
conviction and all other action stated in the abstract.**

SECTION 453. IC 9-30-13-1 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. For a person who
uses a motor vehicle to commit recklessness under IC 35-42-2-2, the
judge of the court in which the person is convicted shall recommend
that the ~~current driver's license~~ **driving privileges** of the person be
suspended for not less than sixty (60) days and not more than two (2)
years. **If the court fails to recommend a fixed term of suspension,
the bureau shall impose the minimum period of suspension
required under this section.**

SECTION 454. IC 9-30-13-2 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. For a person who
uses a motor vehicle to commit obstruction of traffic under
IC 35-42-2-4, the judge of the court in which the person is convicted
may recommend that the ~~current driver's license~~ **driving privileges** of
the person be suspended for not less than sixty (60) days and not more
than two (2) years.

SECTION 455. IC 9-30-13-3 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. For a person who
uses a motor vehicle to commit criminal mischief under IC 35-43-1-2,
the judge of the court in which the person is convicted may recommend
that the ~~current driver's license~~ **driving privileges** of the person be

C
o
p
y



1 suspended for not less than sixty (60) days and not more than two (2)
2 years.

3 SECTION 456. IC 9-30-13-4 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. **(a)** If a person
5 commits any of the following offenses, the court that convicted the
6 person shall recommend the suspension of the person's driving
7 privileges for a fixed period of at least two (2) years and not more than
8 five (5) years:

9 (1) Involuntary manslaughter resulting from the operation of a
10 motor vehicle (IC 35-42-1-4).

11 (2) Reckless homicide resulting from the operation of a motor
12 vehicle (IC 35-42-1-5).

13 **(b) If the court fails to recommend a fixed term of suspension,**
14 **the bureau shall impose the minimum period of suspension**
15 **required under this section.**

16 SECTION 457. IC 9-30-13-5 IS REPEALED [EFFECTIVE JULY
17 1, 2012]. Sec. 5: ~~If a court fails to recommend a fixed term of~~
18 ~~suspension for an offense described under section 4 of this chapter, the~~
19 ~~bureau shall suspend the driver's license of the convicted person under~~
20 ~~IC 9-30-4-6 for two (2) years.~~

21 SECTION 458. IC 9-30-13-6 IS ADDED TO THE INDIANA
22 CODE AS A NEW SECTION TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2012]: Sec. 6. **(a) The bureau shall, upon**
24 **receiving an order of a court issued under IC 31-14-12-4 or**
25 **IC 31-16-12-7, suspend the driving privileges of the person who is**
26 **the subject of the order.**

27 **(b) The bureau may not reinstate driving privileges suspended**
28 **under this section until the bureau receives an order allowing**
29 **reinstatement from the court that issued the order for suspension.**

30 **(c) Upon receiving an order for suspension under subsection (a),**
31 **the bureau shall promptly mail a notice to the last known address**
32 **of the person who is the subject of the order, stating the following:**

33 **(1) That the person's driving privileges are suspended,**
34 **beginning five (5) business days after the date the notice is**
35 **mailed, and that the suspension will terminate ten (10)**
36 **business days after the bureau receives an order allowing**
37 **reinstatement from the court that issued the suspension order.**

38 **(2) That the person has the right to petition for reinstatement**
39 **of driving privileges to the court that issued the order for**
40 **suspension.**

41 **(3) That the person may be granted restricted driving**
42 **privileges under IC 9-24-15-6.7 if the person otherwise**

C
O
P
Y



1 **qualifies and can prove that public transportation is**
 2 **unavailable for travel by the person:**

- 3 **(A) to and from the person's regular place of employment;**
 4 **(B) in the course of the person's regular employment;**
 5 **(C) to and from the person's place of worship; or**
 6 **(D) to participate in parenting time with the petitioner's**
 7 **children consistent with a court order granting parenting**
 8 **time.**

9 **(d) A person who operates a motor vehicle in violation of this**
 10 **section commits a Class A infraction, unless:**

- 11 **(1) the person's driving privileges are suspended under this**
 12 **section; and**
 13 **(2) the person has been granted restricted driving privileges**
 14 **under IC 9-24-15 as a result of the suspension under this**
 15 **section.**

16 SECTION 459. IC 9-30-13-7 IS ADDED TO THE INDIANA
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2012]: **Sec. 7. (a) If the bureau is advised by**
 19 **the Title IV-D agency that the obligor (as defined in IC 31-25-4-4)**
 20 **either requested a hearing under IC 31-25-4-33 and failed to**
 21 **appear or appeared and was found to be delinquent, the bureau**
 22 **shall promptly mail a notice to the obligor stating the following:**

23 **(1) That the obligor's driving privileges are suspended,**
 24 **beginning eighteen (18) business days after the date the notice**
 25 **is mailed, and that the suspension will terminate after the**
 26 **bureau receives a notice from the Title IV-D agency that the**
 27 **obligor has:**

- 28 **(A) paid the obligor's child support arrearage in full; or**
 29 **(B) established a payment plan with the Title IV-D agency:**
 30 **(i) to pay the arrearage; and**
 31 **(ii) that includes an income withholding order under**
 32 **IC 31-16-15-2 or IC 31-16-15-2.5.**

33 **(2) That the obligor may be granted restricted driving**
 34 **privileges under IC 9-24-15-6.7 if the obligor can prove that**
 35 **public transportation is unavailable for travel by the obligor:**

- 36 **(A) to and from the obligor's regular place of employment;**
 37 **(B) in the course of the obligor's regular employment;**
 38 **(C) to and from the obligor's place of worship; or**
 39 **(D) to participate in parenting time with the petitioner's**
 40 **children consistent with a court order granting parenting**
 41 **time.**

42 **(b) The bureau may not reinstate driving privileges suspended**

C
O
P
Y



1 under this section until the bureau receives a notice from the Title
2 IV-D agency that the obligor has:

- 3 (1) paid the obligor's child support arrearage in full; or
- 4 (2) established a payment plan with the Title IV-D agency:
 - 5 (A) to pay the arrearage; and
 - 6 (B) that includes an income withholding order under
 - 7 IC 31-16-15-2 or IC 31-16-15-2.5.

8 (c) An obligor who operates a motor vehicle in violation of this
9 section commits a Class A infraction, unless:

- 10 (1) the obligor's driving privileges are suspended under this
- 11 section; and
- 12 (2) the obligor has been granted restricted driving privileges
- 13 under IC 9-24-15 as a result of the suspension under this
- 14 section.

15 SECTION 460. IC 9-30-13-8 IS ADDED TO THE INDIANA
16 CODE AS A NEW SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Upon receiving an order
18 issued by a court under IC 35-43-4-8(b) concerning a person
19 convicted of fuel theft, the bureau shall do the following:

- 20 (1) Suspend under subsection (b) the driving privileges of the
- 21 person who is the subject of the order, whether or not the
- 22 person's current driving license accompanies the order.
- 23 (2) Mail to the last known address of the person who is the
- 24 subject of the order a notice:
 - 25 (A) stating that the person's driving privileges are being
 - 26 suspended for fuel theft;
 - 27 (B) setting forth the date on which the suspension takes
 - 28 effect and the date on which the suspension terminates;
 - 29 and
 - 30 (C) stating that the person may be granted restricted
 - 31 driving privileges under IC 9-24-15-6.7 if the person meets
 - 32 the conditions for obtaining restricted driving privileges.

33 (b) The suspension of the driving privileges of a person who is
34 the subject of an order issued under IC 35-43-4-8(b):

- 35 (1) begins five (5) business days after the date on which the
- 36 bureau mails the notice to the person under subsection (a)(2);
- 37 and
- 38 (2) terminates thirty (30) days after the suspension begins.

39 (c) A person who operates a motor vehicle during a suspension
40 of the person's driving privileges under this section commits a
41 Class A infraction unless the person's operation of the motor
42 vehicle is authorized by restricted driving privileges granted to the

C
O
P
Y



1 **person under IC 9-24-15-6.7.**

2 SECTION 461. IC 9-30-14-1 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. As used in this
4 chapter, "covered offense" means the following:

5 (1) An offense:

6 (A) for which the offender's ~~current~~ driving license privileges
7 may be suspended under IC 9-30-13; and

8 (B) that involved the obstruction of traffic with or the
9 operation of a motor vehicle with alcohol or a controlled
10 substance listed in schedule I or II under IC 35-48-2 in the
11 person's blood.

12 (2) An offense described under IC 9-30-5 that involved operation
13 of a ~~motor~~ vehicle with alcohol or a controlled substance listed
14 under schedule I or II under IC 35-48-2.

15 SECTION 462. IC 9-31-1-3 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The bureau shall
17 receive payments of:

18 (1) the ~~use tax taxes~~ on watercraft that ~~is~~ **are** required by
19 ~~IC 6-2.5-3-2 IC 6-2.5-3 and IC 6-6-11; and IC 6-2.5-3-6.~~

20 (2) **any other taxes applicable to watercraft as imposed by**
21 **Indiana law.**

22 SECTION 463. IC 9-31-1-4 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau may
24 utilize the services and facilities of license branches to carry out the
25 bureau's responsibilities under this article. However, an additional
26 charge may not be imposed for the services of license branches under
27 this ~~article.~~ **chapter.**

28 SECTION 464. IC 9-31-1-7 IS REPEALED [EFFECTIVE JULY 1,
29 2012]. Sec. 7: (a) ~~On January 1, 1992, the employees of the department~~
30 ~~of natural resources who administer the watercraft registration and title~~
31 ~~programs are transferred to the bureau of motor vehicles.~~

32 (b) ~~The employees who are transferred under subsection (a) are~~
33 ~~entitled to have the employees' service with the department of natural~~
34 ~~resources included for the purpose of computing all applicable~~
35 ~~employment benefits and will not be adversely affected by the transfer.~~

36 SECTION 465. IC 9-31-2-1 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter does not
38 apply to the following:

39 (1) A watercraft from a jurisdiction other than Indiana ~~temporarily~~
40 using the waters of Indiana **for less than sixty (60) consecutive**
41 **days.**

42 (2) A ship's lifeboat.

C
o
p
y



- 1 (3) Watercraft other than motorboats unless the owner voluntarily
 2 desires to become subject to this chapter.
- 3 (4) A watercraft that is a Class 5 or lower motorboat or sailboat
 4 under ~~IC 6-6-11-11~~ **IC 6-6-11-10** (the boat excise tax), unless the
 5 owner voluntarily desires to become subject to this chapter.
- 6 (5) A watercraft that is propelled by an internal combustion,
 7 steam, or electrical inboard or outboard motor or engine or by any
 8 mechanical means, including sailboats that are equipped with
 9 such a motor or engine when the sailboat is in operation whether
 10 or not the sails are hoisted, if:
- 11 (A) the watercraft was made by an individual for the use of the
 12 individual and not for resale; and
- 13 (B) the owner does not voluntarily desire to become subject to
 14 this chapter.
- 15 SECTION 466. IC 9-31-2-5 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A manufacturer,
 17 importer, dealer, or other person may not sell or otherwise dispose of
 18 a new watercraft to a dealer, to be used by the dealer for purposes of
 19 display and resale, without delivering to the dealer a manufacturer's or
 20 importer's certificate executed under this section and with those
 21 assignments on the certificate as are necessary to show title in the
 22 purchaser of the watercraft. A dealer may not purchase or acquire a
 23 new watercraft without obtaining from the seller of the watercraft the
 24 manufacturer's or importer's certificate.
- 25 (b) A manufacturer's or importer's certificate of the origin of a
 26 watercraft must contain the following information along with ~~the~~ **any**
 27 additional information the bureau requires:
- 28 (1) A description of the watercraft, including, if applicable, the
 29 make, year, length, dry weight, series or model, horsepower
 30 rating, hull type, and hull identification number.
- 31 (2) Certification of the date of transfer of the watercraft to a
 32 distributor, dealer, or other transferee and the name and address
 33 of the transferee.
- 34 (3) Certification that this is the first transfer of the new watercraft
 35 in ordinary trade and commerce.
- 36 (4) The signature and address of a representative of the transferor.
- 37 (c) An assignment of a manufacturer's or importer's certificate shall
 38 be printed on the reverse side of the manufacturer's or importer's
 39 certificate. The assignment form must include the following:
- 40 (1) The name and address of the transferee.
- 41 (2) A certification that the watercraft is new.
- 42 (3) A warranty that the title at the time of delivery is subject only

C
O
P
Y

1 to the liens and encumbrances that are set forth and described in
2 full in the assignment.

3 SECTION 467. IC 9-31-2-6, AS AMENDED BY P.L.83-2008,
4 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 6. (a) Except as provided in subsection (b), an
6 application for a certificate of title shall be filed with the bureau within
7 thirty-one (31) days after the date of purchase or transfer. The
8 application must be accompanied by the fee prescribed in IC 9-29-15-1.

9 (b) This subsection applies only to a watercraft acquired by a
10 conveyance subject to section 30 of this chapter. An application for a
11 certificate of title shall be filed with the bureau within sixty (60) days
12 after the date of the transfer under section 30 of this chapter. The
13 application must be accompanied by the fee prescribed in IC 9-29-15-1
14 **and any other applicable fees and service charges.**

15 SECTION 468. IC 9-31-2-7 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. An application for
17 a certificate of title must be certified by the owner or purchaser of the
18 watercraft and must contain the following information, along with the
19 additional information the bureau requires:

- 20 (1) The name and address of the applicant.
21 ~~(2) A statement of how the watercraft was acquired.~~
22 ~~(3) (2) The name and address of the previous owner.~~
23 ~~(4) (3) A statement of liens, mortgages, or other encumbrances on~~
24 ~~the watercraft and the name and address of the holder of the liens,~~
25 ~~mortgages, or other encumbrances.~~
26 ~~(5) (4) If a lien, mortgage, or other encumbrance is not~~
27 ~~outstanding, a statement of that fact.~~
28 ~~(6) (5) A description of the watercraft, including, if applicable,~~
29 ~~the make, year, length, dry weight, series or model, horsepower~~
30 ~~rating, hull type, and hull identification number.~~

31 **(6) Any other information that the bureau requires.**

32 SECTION 469. IC 9-31-2-8 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. If a watercraft
34 contains a permanent hull identification number placed on the
35 watercraft by the manufacturer of the watercraft, the number shall be
36 used as the hull identification number. If there is no manufacturer's hull
37 identification number or if the manufacturer's hull identification
38 number has been removed or obliterated, the bureau shall, upon a
39 prescribed application that includes information indicating proof of
40 ownership, assign a hull identification number to the watercraft. The
41 assigned hull identification number shall be permanently affixed to or
42 imprinted by the applicant at the place and in the manner designated by

C
o
p
y



1 the bureau upon the watercraft to which the hull identification number
2 is assigned. The fee prescribed under IC 9-29-15-2 **and any other**
3 **applicable fees and service charges** shall be paid to the bureau for
4 assigning a hull identification number.

5 SECTION 470. IC 9-31-2-9 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. If a certificate of title
7 was not previously issued in Indiana for the watercraft, the application
8 must be accompanied by one (1) of the following:

- 9 (1) A manufacturer's or importer's certificate.
- 10 ~~(2) A sworn statement of ownership as prescribed by the bureau.~~
- 11 ~~(3)~~ **(2)** A certificate of registration issued under IC 9-31-3, if
- 12 purchased by the applicant before January 1, 1986.
- 13 ~~(4)~~ **(3)** A certificate of title or bill of sale.
- 14 ~~(5)~~ **(4)** Other evidence of ownership required by the law of
- 15 another state from which the watercraft is brought into Indiana.

16 SECTION 471. IC 9-31-2-11 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. **(a)** The bureau
18 shall:

19 **(1)** retain the evidence of title presented by ~~an applicant on a~~
20 **person upon which a the Indiana** certificate of title is issued **in**
21 **accordance with applicable document and record retention**
22 **requirements; and shall**

23 **(2)** use reasonable diligence in ascertaining whether the facts in
24 the application are true by checking the application and
25 documents accompanying the application with the records of
26 watercraft in the bureau.

27 **(b)** **An authorized employee of the bureau may inspect a**
28 **watercraft to determine whether a certificate of title should be**
29 **issued.**

30 **(c)** **The bureau may reject an application if the bureau is not**
31 **satisfied:**

- 32 **(1) of the genuineness, regularity, or legality of the application**
- 33 **or the truth of a statement made on the application; or**
- 34 **(2) for any other reason authorized by law.**

35 SECTION 472. IC 9-31-2-12 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. ~~(a) The bureau shall~~
37 ~~file each application received.~~ If the bureau is satisfied:

- 38 (1) of the genuineness and regularity of an application;
- 39 (2) that no tax imposed by ~~IC 6-2.5~~ **Indiana law** is owed as
- 40 evidenced by the receipt for payment or determination of
- 41 exemption from the department of state revenue; and
- 42 (3) that the applicant is entitled to the issuance of a certificate of

C
o
p
y



- 1 title;
 2 the bureau shall issue a certificate of title containing the information
 3 required in the application for a certificate of title, as prescribed by
 4 section 7 of this chapter, as well as space for the notation and
 5 cancellation of a lien, a mortgage, or an encumbrance.
- 6 (b) A form for the assignment of the certificate of title must appear
 7 on the reverse side of the certificate of title. The assignment form must
 8 include a warranty that the signer is the owner of the watercraft and
 9 that a mortgage, a lien, or an encumbrance is not on the watercraft
 10 except as noted on the face of the certificate of title.
- 11 SECTION 473. IC 9-31-2-13 IS REPEALED [EFFECTIVE JULY
 12 1, 2012]. ~~Sec. 13: The bureau shall do the following:~~
- 13 ~~(1) Prescribe a uniform method of numbering certificates of title.~~
 14 ~~(2) Maintain in the office of the bureau indexes for the certificates~~
 15 ~~of title.~~
- 16 SECTION 474. IC 9-31-2-14 IS REPEALED [EFFECTIVE JULY
 17 1, 2012]. ~~Sec. 14: The bureau may destroy a certificate of title or~~
 18 ~~supporting evidence of a certificate of title covering a watercraft that~~
 19 ~~was on file for ten (10) years after the date of filing.~~
- 20 SECTION 475. IC 9-31-2-16, AS AMENDED BY P.L.83-2008,
 21 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2012]: Sec. 16. (a) If the transfer of ownership of a watercraft
 23 is by operation of law (such as upon inheritance, devise, bequest,
 24 transfer on death designation in accordance with section 30 of this
 25 chapter, order in bankruptcy, insolvency, replevin, or execution of sale
 26 **or under an order of court**), if a watercraft is sold to satisfy a storage
 27 or repair charge, or if repossession is had upon default in performance
 28 of the terms of a security agreement, the bureau shall issue to the
 29 applicant a certificate of title to the watercraft upon: ~~the following:~~
- 30 (1) ~~Compliance with any of the following:~~
- 31 ~~(A) The surrender of the prior certificate of title.~~
 32 ~~(B) The surrender of the manufacturer's or importer's~~
 33 ~~certificate.~~
 34 ~~(C) Both of the following:~~
- 35 ~~(i) The surrender of a certificate of title designating a~~
 36 ~~transfer on death beneficiary.~~
 37 ~~(ii) The submission of proof of the death of the transferor.~~
 38 ~~(D) the presentation of satisfactory proof to the bureau of~~
 39 ~~ownership and a right of possession to of the watercraft;~~
 40 (2) payment of the fee prescribed under IC 9-29-15-1 **and any**
 41 **other applicable fees and service charges; and**
 42 (3) presentation of an application for certificate of title.

C
O
P
Y

1 (b) A certification by the person or agent of the person to whom
 2 possession of the watercraft passed setting forth the facts entitling the
 3 person to possession and ownership, together with a copy of the journal
 4 entry, court order, or instrument upon which the claim of possession
 5 and ownership is founded; is satisfactory proof of ownership and right
 6 of possession.

7 (c) (b) If an applicant cannot produce proof of ownership, the
 8 applicant may apply to the bureau and submit evidence of ownership.
 9 If the bureau finds the evidence sufficient, the bureau may issue a
 10 certificate of title. If, from the records of the ~~department~~, **bureau**, a lien
 11 appears to be on the watercraft, the certificate of title must contain a
 12 statement of the lien, unless the application is accompanied by proper
 13 evidence of the ~~extinction~~ **satisfaction** of the lien.

14 SECTION 476. IC 9-31-2-19 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19. (a) If a watercraft
 16 is dismantled, destroyed, or changed in a manner that the watercraft
 17 loses the character of a watercraft or changed in a manner that the
 18 watercraft is not the watercraft described in the certificate of title, an
 19 owner of the watercraft ~~and a person mentioned as owner in the last~~
 20 ~~certificate of title~~ shall surrender the certificate of title to the bureau.
 21 The bureau shall, ~~with~~ **upon notification to the consent** of a holder of
 22 a lien noted on the certificate of title, enter a cancellation upon the
 23 lienholder's records.

24 (b) Upon the cancellation of a certificate of title in the manner
 25 prescribed by subsection (a), the bureau may cancel and destroy the
 26 certificates **of title**.

27 SECTION 477. IC 9-31-2-20 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 20. (a) If a certificate
 29 of title is lost or mutilated or becomes illegible, the owner of the
 30 watercraft shall apply to the bureau for a duplicate certificate of title
 31 upon a form prescribed by the bureau and accompanied by the fee
 32 prescribed by IC 9-29-15-1 ~~and any other applicable fees and service~~
 33 ~~charges~~. The person making the application shall certify the
 34 application **for the duplicate certificate of title**. Upon receipt of the
 35 application, the bureau shall issue a duplicate certificate of title to the
 36 person entitled to receive the certificate of title under this chapter.
 37 Upon the issuance of a duplicate certificate of title, the previously
 38 issued certificate of title becomes void.

39 (b) Each duplicate certificate of title ~~must contain~~ **shall have** the
 40 ~~legend "This is a duplicate certificate."~~ **word "duplicate" printed or**
 41 **stamped on the certificate of title**. The duplicate certificate of title
 42 shall be delivered to the person entitled to possession **of the certificate**

C
o
p
y



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

of title.

(c) If an original certificate of title is recovered by the owner, the owner shall immediately surrender the original certificate of title to the bureau for cancellation.

SECTION 478. IC 9-31-2-21 IS REPEALED [EFFECTIVE JULY 1, 2012]. ~~Sec. 21: (a) The bureau may provide a commercial lookup service of watercraft title records on a fee basis per transaction and use fee revenues received from the service for necessary expenses.~~

~~(b) The bureau shall furnish information on a title without charge to law enforcement and conservation officers when engaged in official duties.~~

SECTION 479. IC 9-31-2-22 IS REPEALED [EFFECTIVE JULY 1, 2012]. ~~Sec. 22: Manufacturers and importers shall appoint and authorize agents to sign manufacturer's or importer's certificates. The bureau may require that a certified copy of a list containing the names and the facsimile signatures of authorized agents be furnished to the bureau.~~

SECTION 480. IC 9-31-2-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 23. (a) Upon receiving knowledge of a stolen watercraft, a law enforcement agency shall immediately furnish the sheriff's department of the county from which the watercraft was stolen, the department of natural resources, law enforcement division, and the bureau with full information concerning the theft.

(b) The bureau shall file the record in the numerical order of the manufacturer's hull identification number or assigned hull identification number with the index records of the watercraft. The bureau shall prepare a list of watercraft stolen and recovered as disclosed by the reports submitted to the bureau. The bureau shall distribute the lists as the bureau considers advisable.

(c) ~~(b)~~ If a stolen or converted watercraft is recovered, the owner or recovering agency shall immediately notify the law enforcement agency that received the initial theft report. The law enforcement agency shall immediately notify the bureau, the department of natural resources, the sheriff of the county from which the watercraft was stolen, and other law enforcement agencies in the county. The bureau shall remove the record of the theft or conversion from the file in which the report is recorded.

SECTION 481. IC 9-31-2-25 IS REPEALED [EFFECTIVE JULY 1, 2012]. ~~Sec. 25: The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of every application for a certificate of title for a watercraft and may do the~~

C
o
p
y



- 1 following:
- 2 (1) Make the investigations that are determined necessary or
- 3 require additional information. An authorized employee of the
- 4 bureau may inspect a watercraft to determine whether a certificate
- 5 of title should be issued.
- 6 (2) Reject an application:
- 7 (A) if not satisfied of:
- 8 (i) the application's genuineness, regularity, or legality; or
- 9 (ii) the truth of a statement contained on the application; or
- 10 (B) for any other reason authorized by law.

11 SECTION 482. IC 9-31-3-3 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Except as provided
 13 in sections 5 and 7 of this chapter, **and in addition to section 4 of this**
 14 **chapter**, a person may not operate or give permission for the operation
 15 of a motorboat on the waters of Indiana unless the motorboat is:

- 16 (1) registered and numbered under this chapter;
- 17 (2) in accordance with applicable federal law; or
- 18 (3) legally registered in another state; or
- 19 (4) **a boat for which any applicable taxes have been paid**
 20 **under IC 6-6-11.**

21 SECTION 483. IC 9-31-3-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Except as provided
 23 in sections 5 and 7 of this chapter, **and in addition to section 3 of this**
 24 **chapter**, a motorboat may only be operated on the waters of Indiana if
 25 the following conditions are met:

- 26 (1) The registration number awarded to the motorboat is in full
- 27 force and effect.
- 28 (2) The identifying number set forth in the certificate of
- 29 registration is displayed on each side of the bow of the motorboat.
- 30 However, a motorboat that has a valid marine document issued by
- 31 the United States Bureau of Customs is not required to display the
- 32 registration number.
- 33 (3) The decals indicating the year and month of expiration of
- 34 registration and class of boat are attached to the motorboat as
- 35 provided under IC 6-6-11.

36 SECTION 484. IC 9-31-3-15 IS REPEALED [EFFECTIVE JULY
 37 1, 2012]. ~~Sec. 15: All records of the bureau made or kept under this~~
 38 ~~chapter are public records and open to inspection by the public and any~~
 39 ~~authorized law enforcement agency of the state.~~

40 SECTION 485. IC 9-31-3-17 IS REPEALED [EFFECTIVE JULY
 41 1, 2012]. ~~Sec. 17: (a) The owner of a motorboat, within fifteen (15)~~
 42 ~~days, shall furnish the bureau notice of any of the following:~~

C
o
p
y



1 (1) The transfer of all or any part of the owner's interest; other
 2 than the creation of a security interest in a motorboat registered in
 3 Indiana under section 5 or 7 of this chapter.

4 (2) The destruction or abandonment of a motorboat.

5 (b) Except as provided in subsection (c); a transfer; destruction; or
 6 abandonment terminates the certificate of registration for the
 7 motorboat.

8 (c) If a transfer of a part interest does not affect the owner's right to
 9 operate the motorboat, the transfer does not terminate the certificate of
 10 registration.

11 SECTION 486. IC 10-11-2-26, AS AMENDED BY P.L.26-2010,
 12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2012]: Sec. 26. (a) The superintendent may assign qualified
 14 persons who are not state police officers to supervise or operate
 15 permanent or portable weigh stations. A person assigned under this
 16 section may stop, inspect, and issue citations to operators of trucks and
 17 trailers having a declared gross weight of at least ten thousand one
 18 (10,001) pounds and buses at a permanent or portable weigh station or
 19 while operating a clearly marked Indiana state police vehicle for
 20 violations of the following:

21 (1) IC 6-1.1-7-10.

22 (2) IC 6-6-1.1-1202.

23 (3) IC 6-6-2.5.

24 (4) IC 6-6-4.1-12.

25 (5) IC 8-2.1.

26 (6) IC 9-18.

27 (7) IC 9-19.

28 (8) IC 9-20.

29 (9) IC 9-21-7-2 through IC 9-21-7-11.

30 (10) IC 9-21-8-41 pertaining to the duty to obey an official traffic
 31 control device for a weigh station.

32 (11) IC 9-21-8-45 through IC 9-21-8-48.

33 (12) IC 9-21-9.

34 (13) IC 9-21-15.

35 (14) IC 9-21-21.

36 (15) IC 9-24-1-1, ~~through IC 9-24-1-2.~~

37 (16) IC 9-24-1-7.

38 (17) Except as provided in subsection (c), IC 9-24-1-6,
 39 IC 9-24-6-16, IC 9-24-6-17, and IC 9-24-6-18, commercial
 40 driver's license.

41 (18) IC 9-24-4.

42 (19) IC 9-24-5.

C
o
p
y



- 1 (20) IC 9-24-11-4.
 2 (21) IC 9-24-13-3.
 3 (22) IC 9-24-18-1 through IC 9-24-18-2.
 4 (23) IC 9-25-4-3.
 5 (24) IC 9-28-4.
 6 (25) IC 9-28-5.
 7 (26) IC 9-28-6.
 8 (27) IC 9-29-5-11 through IC 9-29-5-13.
 9 (28) IC 9-29-5-42.
 10 (29) IC 9-29-6-1.
 11 (30) IC 10-14-8.
 12 (31) IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or IC 13-17-5-4.
 13 (32) IC 13-30-2-1.

14 (b) For the purpose of enforcing this section, a person assigned
 15 under this section may detain a person in the same manner as a law
 16 enforcement officer under IC 34-28-5-3.

17 (c) A person assigned under this section may not enforce
 18 IC 9-24-6-14 or IC 9-24-6-15.

19 SECTION 487. IC 11-12-3.7-6 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. As used in this
 21 chapter, "violent offense" means one (1) or more of the following
 22 offenses:

- 23 (1) Murder (IC 35-42-1-1).
 24 (2) Attempted murder (IC 35-41-5-1).
 25 (3) Voluntary manslaughter (IC 35-42-1-3).
 26 (4) Involuntary manslaughter (IC 35-42-1-4).
 27 (5) Reckless homicide (IC 35-42-1-5).
 28 (6) Aggravated battery (IC 35-42-2-1.5).
 29 (7) Battery (IC 35-42-2-1) as a Class A felony, Class B felony, or
 30 Class C felony.
 31 (8) Kidnapping (IC 35-42-3-2).
 32 (9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8 that
 33 is a Class A felony, Class B felony, or Class C felony.
 34 (10) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A
 35 felony or Class B felony.
 36 (11) Incest (IC 35-46-1-3).
 37 (12) Robbery as a Class A felony or a Class B felony
 38 (IC 35-42-5-1).
 39 (13) Burglary as a Class A felony or a Class B felony
 40 (IC 35-43-2-1).
 41 (14) Carjacking (IC 35-42-5-2).
 42 (15) Assisting a criminal as a Class C felony (IC 35-44-3-2).



C
O
P
Y

- 1 (16) Escape (IC 35-44-3-5) as a Class B felony or Class C felony.
 2 (17) Trafficking with an inmate as a Class C felony
 3 (IC 35-44-3-9).
 4 (18) Causing death when operating a motor vehicle (IC 9-30-5-5).
 5 (19) Criminal confinement (IC 35-42-3-3) as a Class B felony.
 6 (20) Arson (IC 35-43-1-1) as a Class A or Class B felony.
 7 (21) Possession, use, or manufacture of a weapon of mass
 8 destruction (IC 35-47-12-1).
 9 (22) Terroristic mischief (IC 35-47-12-3) as a Class B felony.
 10 (23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
 11 (24) A violation of IC 35-47.5 (Controlled explosives) as a Class
 12 A or Class B felony.
 13 (25) A crime under the laws of another jurisdiction, including a
 14 military court, that is substantially similar to any of the offenses
 15 listed in this subdivision.
 16 (26) Any other crimes evidencing a propensity or history of
 17 violence.

18 SECTION 488. IC 20-33-8-33, AS ADDED BY P.L.231-2005,
 19 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2012]: Sec. 33. Before February 1 and before October 1 of
 21 each year, except when a hearing has been requested to determine
 22 financial hardship under IC 9-24-2-1(a)(4), a principal shall submit to
 23 the bureau of motor vehicles the pertinent information concerning an
 24 individual's ineligibility under IC 9-24-2-1 to be issued a driver's
 25 license or learner's permit, or concerning the ~~invalidation~~ **suspension**
 26 of a ~~license or permit~~ **driving privileges** under IC 9-24-2-4.

27 SECTION 489. IC 27-7-5-2, AS AMENDED BY P.L.116-2011,
 28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2012]: Sec. 2. (a) Except as provided in subsections (d) and
 30 (f), the insurer shall make available, in each automobile liability or
 31 motor vehicle liability policy of insurance which is delivered or issued
 32 for delivery in this state with respect to any motor vehicle registered or
 33 principally garaged in this state, insuring against loss resulting from
 34 liability imposed by law for bodily injury or death suffered by any
 35 person and for injury to or destruction of property to others arising from
 36 the ownership, maintenance, or use of a motor vehicle, or in a
 37 supplement to such a policy, the following types of coverage:

- 38 (1) in limits for bodily injury or death and for injury to or
 39 destruction of property not less than those set forth in IC 9-25-4-5
 40 under policy provisions approved by the commissioner of
 41 insurance, for the protection of persons insured under the policy
 42 who are legally entitled to recover damages from owners or

C
o
p
y



1 operators of uninsured or underinsured motor vehicles because of
 2 bodily injury, sickness or disease, including death, and for the
 3 protection of persons insured under the policy who are legally
 4 entitled to recover damages from owners or operators of
 5 uninsured motor vehicles for injury to or destruction of property
 6 resulting therefrom; or

7 (2) in limits for bodily injury or death not less than those set forth
 8 in IC 9-25-4-5 under policy provisions approved by the
 9 commissioner of insurance, for the protection of persons insured
 10 under the policy provisions who are legally entitled to recover
 11 damages from owners or operators of uninsured or underinsured
 12 motor vehicles because of bodily injury, sickness or disease,
 13 including death resulting therefrom.

14 The uninsured and underinsured motorist coverages must be provided
 15 by insurers for either a single premium or for separate premiums, in
 16 limits at least equal to the limits of liability specified in the bodily
 17 injury liability provisions of an insured's policy, unless such coverages
 18 have been rejected in writing by the insured. However, underinsured
 19 motorist coverage must be made available in limits of not less than fifty
 20 thousand dollars (\$50,000). At the insurer's option, the bodily injury
 21 liability provisions of the insured's policy may be required to be equal
 22 to the insured's underinsured motorist coverage. Insurers may not sell
 23 or provide underinsured motorist coverage in an amount less than fifty
 24 thousand dollars (\$50,000). Insurers must make underinsured motorist
 25 coverage available to all existing policyholders on the date of the first
 26 renewal of existing policies that occurs on or after January 1, 1995, and
 27 on any policies newly issued or delivered on or after January 1, 1995.
 28 Uninsured motorist coverage or underinsured motorist coverage may
 29 be offered by an insurer in an amount exceeding the limits of liability
 30 specified in the bodily injury and property damage liability provisions
 31 of the insured's policy.

32 (b) A named insured of an automobile or motor vehicle liability
 33 policy has the right, in writing, to:

- 34 (1) reject both the uninsured motorist coverage and the
- 35 underinsured motorist coverage provided for in this section; or
- 36 (2) reject either the uninsured motorist coverage alone or the
- 37 underinsured motorist coverage alone, if the insurer provides the
- 38 coverage not rejected separately from the coverage rejected.

39 A rejection of coverage under this subsection by a named insured is a
 40 rejection on behalf of all other named insureds, all other insureds, and
 41 all other persons entitled to coverage under the policy. No insured may
 42 have uninsured motorist property damage liability insurance coverage

C
o
p
y



1 under this section unless the insured also has uninsured motorist bodily
 2 injury liability insurance coverage under this section. Following
 3 rejection of either or both uninsured motorist coverage or underinsured
 4 motorist coverage, unless later requested in writing, the insurer need
 5 not offer uninsured motorist coverage or underinsured motorist
 6 coverage in or supplemental to a renewal or replacement policy issued
 7 to the same insured by the same insurer or a subsidiary or an affiliate
 8 of the originally issuing insurer. Renewals of policies issued or
 9 delivered in this state which have undergone interim policy
 10 endorsement or amendment do not constitute newly issued or delivered
 11 policies for which the insurer is required to provide the coverages
 12 described in this section.

13 (c) A rejection under subsection (b) must specify:

14 (1) that the named insured is rejecting:

15 (A) the uninsured motorist coverage;

16 (B) the underinsured motorist coverage; or

17 (C) both the uninsured motorist coverage and the underinsured
 18 motorist coverage;

19 that would otherwise be provided under the policy; and

20 (2) the date on which the rejection is effective.

21 (d) An insurer is not required to make available the coverage
 22 described in subsection (a) in a commercial umbrella or excess liability
 23 policy, including a commercial umbrella or excess liability policy that
 24 is issued or delivered to a motor carrier (as defined in IC 8-2.1-17-10)
 25 that is in compliance with the minimum levels of financial
 26 responsibility set forth in 49 CFR Part 387.

27 (e) A rejection under subsection (b) of uninsured motorist coverage
 28 or underinsured motorist coverage in an underlying commercial policy
 29 of insurance is also a rejection of uninsured motorist coverage or
 30 underinsured motorist coverage in a commercial umbrella or excess
 31 liability policy.

32 (f) An insurer is not required to make available the coverage
 33 described in subsection (a) in connection with coverage that:

34 (1) is related to or included in a commercial policy of property
 35 and casualty insurance described in Class 2 or Class 3 of
 36 IC 27-1-5-1; and

37 (2) covers a loss related to a motor vehicle:

38 (A) of which the insured is not the owner; (~~as defined in~~
 39 ~~IC 9-13-2-121(a)~~); and

40 (B) that is used:

41 (i) by the insured or an agent of the insured; and

42 (ii) for purposes authorized by the insured.

C
O
P
Y



1 (g) For purposes of subsection (f), "owner" means:

- 2 (1) a person who holds the legal title to a motor vehicle;
 3 (2) a person who rents or leases a motor vehicle and has
 4 exclusive use of the motor vehicle for more than thirty (30)
 5 days;
 6 (3) the conditional vendee or lessee under an agreement for
 7 the conditional sale or lease of a motor vehicle; or
 8 (4) the mortgagor under an agreement for the conditional sale
 9 or lease of a motor vehicle under which the mortgagor has:
 10 (A) the right to purchase; and
 11 (B) an immediate right of possession of;
 12 the motor vehicle upon the performance of the conditions
 13 stated in the agreement.

14 SECTION 490. IC 31-37-4-3, AS AMENDED BY P.L.3-2008,
 15 SECTION 240, IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) This section applies if a child
 17 is arrested or taken into custody for allegedly committing an act that
 18 would be any of the following crimes if committed by an adult:

- 19 (1) Murder (IC 35-42-1-1).
 20 (2) Attempted murder (IC 35-41-5-1).
 21 (3) Voluntary manslaughter (IC 35-42-1-3).
 22 (4) Involuntary manslaughter (IC 35-42-1-4).
 23 (5) Reckless homicide (IC 35-42-1-5).
 24 (6) Aggravated battery (IC 35-42-2-1.5).
 25 (7) Battery (IC 35-42-2-1).
 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.
 28 (10) Sexual misconduct with a minor (IC 35-42-4-9).
 29 (11) Incest (IC 35-46-1-3).
 30 (12) Robbery as a Class A felony or a Class B felony
 31 (IC 35-42-5-1).
 32 (13) Burglary as a Class A felony or a Class B felony
 33 (IC 35-43-2-1).
 34 (14) Carjacking (IC 35-42-5-2).
 35 (15) Assisting a criminal as a Class C felony (IC 35-44-3-2).
 36 (16) Escape (IC 35-44-3-5) as a Class B felony or Class C felony.
 37 (17) Trafficking with an inmate as a Class C felony
 38 (IC 35-44-3-9).
 39 (18) Causing death when operating a motor vehicle (IC 9-30-5-5).
 40 (19) Criminal confinement (IC 35-42-3-3) as a Class B felony.
 41 (20) Arson (IC 35-43-1-1) as a Class A or Class B felony.
 42 (21) Possession, use, or manufacture of a weapon of mass

C
o
p
y



1 destruction (IC 35-47-12-1).

2 (22) Terroristic mischief (IC 35-47-12-3) as a Class B felony.

3 (23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).

4 (24) A violation of IC 35-47.5 (controlled explosives) as a Class
5 A or Class B felony.

6 (25) A controlled substances offense under IC 35-48.

7 (26) A criminal gang offense under IC 35-45-9.

8 (b) If a child is taken into custody under this chapter for a crime or
9 act listed in subsection (a), the law enforcement agency that employs
10 the law enforcement officer who takes the child into custody shall
11 notify the chief administrative officer of the primary or secondary
12 school, including a public or nonpublic school, in which the child is
13 enrolled or, if the child is enrolled in a public school, the
14 superintendent of the school district in which the child is enrolled:

15 (1) that the child was taken into custody; and

16 (2) of the reason why the child was taken into custody.

17 (c) The notification under subsection (b) must occur within
18 forty-eight (48) hours after the child is taken into custody.

19 (d) A law enforcement agency may not disclose information that is
20 confidential under state or federal law to a school or school district
21 under this section.

22 SECTION 491. IC 31-37-19-17.2 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17.2. (a) This section
24 applies if a child is a delinquent child under IC 31-37-1 due to the
25 commission of a delinquent act that, if committed by an adult, would
26 be a theft or criminal conversion described in IC 35-43-4-8 (fuel theft).

27 (b) The juvenile court shall, in addition to any other order or decree
28 the court makes under this chapter, order the bureau of motor vehicles
29 to:

30 (1) suspend the child's operator's license; or

31 (2) invalidate the child's learner's permit;

32 under ~~IC 9-25-6-21~~ **IC 9-30-13-8** in the same manner as the bureau of
33 motor vehicles is required to suspend the driving privileges of a person
34 convicted of fuel theft.

35 SECTION 492. IC 32-17-13-1, AS AMENDED BY P.L.36-2011,
36 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 1. (a) As used in this chapter, "nonprobate
38 transfer" means a valid transfer, effective at death, by a transferor:

39 (1) whose last domicile was in Indiana; and

40 (2) who immediately before death had the power, acting alone, to
41 prevent transfer of the property by revocation or withdrawal and:

42 (A) use the property for the benefit of the transferor; or

C
o
p
y



- 1 (B) apply the property to discharge claims against the
2 transferor's probate estate.
- 3 (b) The term does not include a transfer at death (other than a
4 transfer to or from the decedent's probate estate) of:
- 5 (1) a survivorship interest in a tenancy by the entireties real
6 estate;
- 7 (2) a life insurance policy or annuity;
- 8 (3) the death proceeds of a life insurance policy or annuity;
- 9 (4) an individual retirement account or a similar account or plan;
- 10 or
- 11 (5) benefits under an employee benefit plan.
- 12 (c) With respect to a nonprobate transfer involving a multiple party
13 account, a nonprobate transfer occurs if the last domicile of the
14 depositor whose interest is transferred under IC 32-17-11 was in
15 Indiana.
- 16 (d) With respect to a motor vehicle or a watercraft, a nonprobate
17 transfer occurs if the transferee obtains a certificate of title in Indiana
18 for:
- 19 (1) the motor vehicle under IC 9-17-2-2(b); or
- 20 (2) the watercraft as required by ~~IC 9-31-2-16(a)(1)(C)~~
21 **IC 9-31-2-16(a)**.
- 22 (e) A transfer on death transfer completed under IC 32-17-14 is a
23 nonprobate transfer.
- 24 SECTION 493. IC 32-33-10-10 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. This chapter may
26 not be construed to repeal, modify, or amend ~~IC 9-22-5-14~~ **IC 9-22-6-1**
27 or ~~IC 9-22-5-15~~. **IC 9-22-6-2**.
- 28 SECTION 494. IC 33-39-1-8, AS AMENDED BY P.L.101-2009,
29 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2012]: Sec. 8. (a) After June 30, 2005, this section does not
31 apply to a person who:
- 32 (1) holds a commercial driver's license; and
- 33 (2) has been charged with an offense involving the operation of
34 a motor vehicle in accordance with the federal Motor Carrier
35 Safety Improvement Act of 1999 (MCSIA) (Public Law
36 106-159.113 Stat. 1748).
- 37 (b) This section does not apply to a person arrested for or charged
38 with:
- 39 (1) an offense under IC 9-30-5-1 through IC 9-30-5-5; or
- 40 (2) if a person was arrested or charged with an offense under
41 IC 9-30-5-1 through IC 9-30-5-5, an offense involving:
- 42 (A) intoxication; or

C
o
p
y

1 (B) the operation of a motor vehicle;
 2 if the offense involving intoxication or the operation of a motor vehicle
 3 was part of the same episode of criminal conduct as the offense under
 4 IC 9-30-5-1 through IC 9-30-5-5.

5 (c) This section does not apply to a person:

6 (1) who is arrested for or charged with an offense under:

7 (A) IC 7.1-5-7-7(a), if the alleged offense occurred while the
 8 person was operating a motor vehicle;

9 (B) IC 9-30-4-8(a), if the alleged offense occurred while the
 10 person was operating a motor vehicle;

11 (C) IC 35-42-2-2(c)(1);

12 (D) IC 35-42-2-4(b)(1); or

13 (E) IC 35-43-1-2(a), if the alleged offense occurred while the
 14 person was operating a motor vehicle; and

15 (2) who held a probationary license (as defined in ~~IC 9-24-11-3(b)~~
 16 ~~or~~ IC 9-24-11-3.3(b)) and was less than eighteen (18) years of age
 17 at the time of the alleged offense.

18 (d) A prosecuting attorney may withhold prosecution against an
 19 accused person if:

20 (1) the person is charged with a misdemeanor;

21 (2) the person agrees to conditions of a pretrial diversion program
 22 offered by the prosecuting attorney;

23 (3) the terms of the agreement are recorded in an instrument
 24 signed by the person and the prosecuting attorney and filed in the
 25 court in which the charge is pending; and

26 (4) the prosecuting attorney electronically transmits information
 27 required by the prosecuting attorneys council concerning the
 28 withheld prosecution to the prosecuting attorneys council, in a
 29 manner and format designated by the prosecuting attorneys
 30 council.

31 (e) An agreement under subsection (d) may include conditions that
 32 the person:

33 (1) pay to the clerk of the court an initial user's fee and monthly
 34 user's fees in the amounts specified in IC 33-37-4-1;

35 (2) work faithfully at a suitable employment or faithfully pursue
 36 a course of study or career and technical education that will equip
 37 the person for suitable employment;

38 (3) undergo available medical treatment or counseling and remain
 39 in a specified facility required for that purpose;

40 (4) support the person's dependents and meet other family
 41 responsibilities;

42 (5) make restitution or reparation to the victim of the crime for the

C
 O
 P
 Y



- 1 damage or injury that was sustained;
- 2 (6) refrain from harassing, intimidating, threatening, or having
- 3 any direct or indirect contact with the victim or a witness;
- 4 (7) report to the prosecuting attorney at reasonable times;
- 5 (8) answer all reasonable inquiries by the prosecuting attorney
- 6 and promptly notify the prosecuting attorney of any change in
- 7 address or employment; and
- 8 (9) participate in dispute resolution either under IC 34-57-3 or a
- 9 program established by the prosecuting attorney.
- 10 (f) An agreement under subsection (d)(2) may include other
- 11 provisions reasonably related to the defendant's rehabilitation, if
- 12 approved by the court.
- 13 (g) The prosecuting attorney shall notify the victim when
- 14 prosecution is withheld under this section.
- 15 (h) All money collected by the clerk as user's fees under this section
- 16 shall be deposited in the appropriate user fee fund under IC 33-37-8.
- 17 (i) If a court withholds prosecution under this section and the terms
- 18 of the agreement contain conditions described in subsection (e)(6):
- 19 (1) the clerk of the court shall comply with IC 5-2-9; and
- 20 (2) the prosecuting attorney shall file a confidential form
- 21 prescribed or approved by the division of state court
- 22 administration with the clerk.
- 23 SECTION 495. IC 34-24-1-1, AS AMENDED BY P.L.182-2011,
- 24 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 25 JULY 1, 2012]: Sec. 1. (a) The following may be seized:
- 26 (1) All vehicles (as defined by IC 35-41-1), if they are used or are
- 27 intended for use by the person or persons in possession of them to
- 28 transport or in any manner to facilitate the transportation of the
- 29 following:
- 30 (A) A controlled substance for the purpose of committing,
- 31 attempting to commit, or conspiring to commit any of the
- 32 following:
- 33 (i) Dealing in or manufacturing cocaine or a narcotic drug
- 34 (IC 35-48-4-1).
- 35 (ii) Dealing in methamphetamine (IC 35-48-4-1.1).
- 36 (iii) Dealing in a schedule I, II, or III controlled substance
- 37 (IC 35-48-4-2).
- 38 (iv) Dealing in a schedule IV controlled substance
- 39 (IC 35-48-4-3).
- 40 (v) Dealing in a schedule V controlled substance
- 41 (IC 35-48-4-4).
- 42 (vi) Dealing in a counterfeit substance (IC 35-48-4-5).

COPY



- 1 (vii) Possession of cocaine or a narcotic drug (IC 35-48-4-6).
 2 (viii) Possession of methamphetamine (IC 35-48-4-6.1).
 3 (ix) Dealing in paraphernalia (IC 35-48-4-8.5).
 4 (x) Dealing in marijuana, hash oil, hashish, salvia, or a
 5 synthetic cannabinoid (IC 35-48-4-10).
 6 (B) Any stolen (IC 35-43-4-2) or converted property
 7 (IC 35-43-4-3) if the retail or repurchase value of that property
 8 is one hundred dollars (\$100) or more.
 9 (C) Any hazardous waste in violation of IC 13-30-10-1.5.
 10 (D) A bomb (as defined in IC 35-41-1-4.3) or weapon of mass
 11 destruction (as defined in IC 35-41-1-29.4) used to commit,
 12 used in an attempt to commit, or used in a conspiracy to
 13 commit an offense under IC 35-47 as part of or in furtherance
 14 of an act of terrorism (as defined by IC 35-41-1-26.5).
 15 (2) All money, negotiable instruments, securities, weapons,
 16 communications devices, or any property used to commit, used in
 17 an attempt to commit, or used in a conspiracy to commit an
 18 offense under IC 35-47 as part of or in furtherance of an act of
 19 terrorism or commonly used as consideration for a violation of
 20 IC 35-48-4 (other than items subject to forfeiture under
 21 IC 16-42-20-5 or IC 16-6-8.5-5.1 before its repeal):
 22 (A) furnished or intended to be furnished by any person in
 23 exchange for an act that is in violation of a criminal statute;
 24 (B) used to facilitate any violation of a criminal statute; or
 25 (C) traceable as proceeds of the violation of a criminal statute.
 26 (3) Any portion of real or personal property purchased with
 27 money that is traceable as a proceed of a violation of a criminal
 28 statute.
 29 (4) A vehicle that is used by a person to:
 30 (A) commit, attempt to commit, or conspire to commit;
 31 (B) facilitate the commission of; or
 32 (C) escape from the commission of;
 33 murder (IC 35-42-1-1), kidnapping (IC 35-42-3-2), criminal
 34 confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting
 35 (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense
 36 under IC 35-47 as part of or in furtherance of an act of terrorism.
 37 (5) Real property owned by a person who uses it to commit any of
 38 the following as a Class A felony, a Class B felony, or a Class C
 39 felony:
 40 (A) Dealing in or manufacturing cocaine or a narcotic drug
 41 (IC 35-48-4-1).
 42 (B) Dealing in methamphetamine (IC 35-48-4-1.1).

C
o
p
y



- 1 (C) Dealing in a schedule I, II, or III controlled substance
 2 (IC 35-48-4-2).
 3 (D) Dealing in a schedule IV controlled substance
 4 (IC 35-48-4-3).
 5 (E) Dealing in marijuana, hash oil, hashish, salvia, or a
 6 synthetic cannabinoid (IC 35-48-4-10).
 7 (6) Equipment and recordings used by a person to commit fraud
 8 under IC 35-43-5-4(10).
 9 (7) Recordings sold, rented, transported, or possessed by a person
 10 in violation of IC 24-4-10.
 11 (8) Property (as defined by IC 35-41-1-23) or an enterprise (as
 12 defined by IC 35-45-6-1) that is the object of a corrupt business
 13 influence violation (IC 35-45-6-2).
 14 (9) Unlawful telecommunications devices (as defined in
 15 IC 35-45-13-6) and plans, instructions, or publications used to
 16 commit an offense under IC 35-45-13.
 17 (10) Any equipment, including computer equipment and cellular
 18 telephones, used for or intended for use in preparing,
 19 photographing, recording, videotaping, digitizing, printing,
 20 copying, or disseminating matter in violation of IC 35-42-4.
 21 (11) Destructive devices used, possessed, transported, or sold in
 22 violation of IC 35-47.5.
 23 (12) Tobacco products that are sold in violation of IC 24-3-5,
 24 tobacco products that a person attempts to sell in violation of
 25 IC 24-3-5, and other personal property owned and used by a
 26 person to facilitate a violation of IC 24-3-5.
 27 (13) Property used by a person to commit counterfeiting or
 28 forgery in violation of IC 35-43-5-2.
 29 (14) After December 31, 2005, if a person is convicted of an
 30 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the
 31 following real or personal property:
 32 (A) Property used or intended to be used to commit, facilitate,
 33 or promote the commission of the offense.
 34 (B) Property constituting, derived from, or traceable to the
 35 gross proceeds that the person obtained directly or indirectly
 36 as a result of the offense.
 37 (15) Except as provided in subsection (e), a ~~motor~~ vehicle used by
 38 a person who operates the ~~motor~~ vehicle:
 39 (A) while intoxicated, in violation of IC 9-30-5-1 through
 40 IC 9-30-5-5, if in the previous five (5) years the person has two
 41 (2) or more prior unrelated convictions:
 42 (i) for operating a ~~motor~~ vehicle while intoxicated in

C
o
p
y

- 1 violation of IC 9-30-5-1 through IC 9-30-5-5; or
 2 (ii) for an offense that is substantially similar to IC 9-30-5-1
 3 through IC 9-30-5-5 in another jurisdiction; or
 4 (B) on a highway while the person's driver's license is
 5 suspended in violation of IC 9-24-19-2 through IC 9-24-19-4,
 6 if in the previous five (5) years the person has two (2) or more
 7 prior unrelated convictions:
 8 (i) for operating a **motor** vehicle while intoxicated in
 9 violation of IC 9-30-5-1 through IC 9-30-5-5; or
 10 (ii) for an offense that is substantially similar to IC 9-30-5-1
 11 through IC 9-30-5-5 in another jurisdiction.
- 12 If a court orders the seizure of a **motor** vehicle under this
 13 subdivision, the court shall transmit an order to the bureau of
 14 motor vehicles recommending that the bureau not permit a **motor**
 15 vehicle to be registered in the name of the person whose **motor**
 16 vehicle was seized until the person possesses a current driving
 17 license (as defined in IC 9-13-2-41).
- 18 (16) The following real or personal property:
 19 (A) Property used or intended to be used to commit, facilitate,
 20 or promote the commission of an offense specified in
 21 IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or
 22 IC 30-2-13-38(f).
 23 (B) Property constituting, derived from, or traceable to the
 24 gross proceeds that a person obtains directly or indirectly as a
 25 result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b),
 26 IC 30-2-10-9(b), or IC 30-2-13-38(f).
- 27 (b) A vehicle used by any person as a common or contract carrier in
 28 the transaction of business as a common or contract carrier is not
 29 subject to seizure under this section, unless it can be proven by a
 30 preponderance of the evidence that the owner of the vehicle knowingly
 31 permitted the vehicle to be used to engage in conduct that subjects it to
 32 seizure under subsection (a).
- 33 (c) Equipment under subsection (a)(10) may not be seized unless it
 34 can be proven by a preponderance of the evidence that the owner of the
 35 equipment knowingly permitted the equipment to be used to engage in
 36 conduct that subjects it to seizure under subsection (a)(10).
- 37 (d) Money, negotiable instruments, securities, weapons,
 38 communications devices, or any property commonly used as
 39 consideration for a violation of IC 35-48-4 found near or on a person
 40 who is committing, attempting to commit, or conspiring to commit any
 41 of the following offenses shall be admitted into evidence in an action
 42 under this chapter as prima facie evidence that the money, negotiable

C
o
p
y

1 instrument, security, or other thing of value is property that has been
 2 used or was to have been used to facilitate the violation of a criminal
 3 statute or is the proceeds of the violation of a criminal statute:

4 (1) IC 35-48-4-1 (dealing in or manufacturing cocaine or a
 5 narcotic drug).

6 (2) IC 35-48-4-1.1 (dealing in methamphetamine).

7 (3) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled
 8 substance).

9 (4) IC 35-48-4-3 (dealing in a schedule IV controlled substance).

10 (5) IC 35-48-4-4 (dealing in a schedule V controlled substance)
 11 as a Class B felony.

12 (6) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a
 13 Class A felony, Class B felony, or Class C felony.

14 (7) IC 35-48-4-6.1 (possession of methamphetamine) as a Class
 15 A felony, Class B felony, or Class C felony.

16 (8) IC 35-48-4-10 (dealing in marijuana, hashish, hashish, salvia,
 17 or a synthetic cannabinoid) as a Class C felony.

18 (e) A ~~motor~~ vehicle operated by a person who is not:

19 (1) an owner of the ~~motor~~ vehicle; or

20 (2) the spouse of the person who owns the ~~motor~~ vehicle;

21 is not subject to seizure under subsection (a)(15) unless it can be
 22 proven by a preponderance of the evidence that the owner of the
 23 vehicle knowingly permitted the vehicle to be used to engage in
 24 conduct that subjects it to seizure under subsection (a)(15).

25 SECTION 496. IC 34-28-5-1, AS AMENDED BY P.L.101-2009,
 26 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2012]: Sec. 1. (a) As used in this section, "probationary
 28 license" refers to a license described in ~~IC 9-24-11-3(b)~~ or
 29 IC 9-24-11-3.3(b).

30 (b) An action to enforce a statute defining an infraction shall be
 31 brought in the name of the state of Indiana by the prosecuting attorney
 32 for the judicial circuit in which the infraction allegedly took place.
 33 However, if the infraction allegedly took place on a public highway (as
 34 defined in IC 9-25-2-4) that runs on and along a common boundary
 35 shared by two (2) or more judicial circuits, a prosecuting attorney for
 36 any judicial circuit sharing the common boundary may bring the action.

37 (c) An action to enforce an ordinance shall be brought in the name
 38 of the municipal corporation. The municipal corporation need not
 39 prove that it or the ordinance is valid unless validity is controverted by
 40 affidavit.

41 (d) Actions under this chapter (or IC 34-4-32 before its repeal):

42 (1) shall be conducted in accordance with the Indiana Rules of

C
O
P
Y



1 Trial Procedure; and
 2 (2) must be brought within two (2) years after the alleged conduct
 3 or violation occurred.
 4 (e) The plaintiff in an action under this chapter must prove the
 5 commission of an infraction or ordinance violation by a preponderance
 6 of the evidence.
 7 (f) The complaint and summons described in IC 9-30-3-6 may be
 8 used for any infraction or ordinance violation.
 9 (g) Subsection (h) does not apply to an individual holding a
 10 probationary license who is alleged to have committed an infraction
 11 under any of the following when the individual was less than eighteen
 12 (18) years of age at the time of the alleged offense:
 13 IC 9-19
 14 IC 9-21
 15 IC 9-24
 16 IC 9-25
 17 IC 9-26
 18 IC 9-30-5
 19 IC 9-30-10
 20 IC 9-30-15.
 21 (h) This subsection does not apply to an offense or violation under
 22 IC 9-24-6 involving the operation of a commercial motor vehicle. The
 23 prosecuting attorney or the attorney for a municipal corporation may
 24 establish a deferral program for deferring actions brought under this
 25 section. Actions may be deferred under this section if:
 26 (1) the defendant in the action agrees to conditions of a deferral
 27 program offered by the prosecuting attorney or the attorney for a
 28 municipal corporation;
 29 (2) the defendant in the action agrees to pay to the clerk of the
 30 court an initial user's fee and monthly user's fee set by the
 31 prosecuting attorney or the attorney for the municipal corporation
 32 in accordance with IC 33-37-4-2(e);
 33 (3) the terms of the agreement are recorded in an instrument
 34 signed by the defendant and the prosecuting attorney or the
 35 attorney for the municipal corporation;
 36 (4) the defendant in the action agrees to pay a fee of seventy
 37 dollars (\$70) to the clerk of court if the action involves a moving
 38 traffic offense (as defined in IC 9-13-2-110);
 39 (5) the agreement is filed in the court in which the action is
 40 brought; and
 41 (6) if the deferral program is offered by the prosecuting attorney,
 42 the prosecuting attorney electronically transmits information

C
o
p
y



1 required by the prosecuting attorneys council concerning the
 2 withheld prosecution to the prosecuting attorneys council, in a
 3 manner and format designated by the prosecuting attorneys
 4 council.

5 When a defendant complies with the terms of an agreement filed under
 6 this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting
 7 attorney or the attorney for the municipal corporation shall request the
 8 court to dismiss the action. Upon receipt of a request to dismiss an
 9 action under this subsection, the court shall dismiss the action. An
 10 action dismissed under this subsection (or IC 34-4-32-1(f) before its
 11 repeal) may not be refiled.

12 (i) If a judgment is entered against a defendant in an action to
 13 enforce an ordinance, the defendant may perform community
 14 restitution or service (as defined in IC 35-41-1-4.6) instead of paying
 15 a monetary judgment for the ordinance violation as described in section
 16 4(e) of this chapter if:

- 17 (1) the:
- 18 (A) defendant; and
 - 19 (B) attorney for the municipal corporation;
- 20 agree to the defendant's performance of community restitution or
 21 service instead of the payment of a monetary judgment;
- 22 (2) the terms of the agreement described in subdivision (1):
- 23 (A) include the amount of the judgment the municipal
 24 corporation requests that the defendant pay under section 4(e)
 25 of this chapter for the ordinance violation if the defendant fails
 26 to perform the community restitution or service provided for
 27 in the agreement as approved by the court; and
 - 28 (B) are recorded in a written instrument signed by the
 29 defendant and the attorney for the municipal corporation;
- 30 (3) the agreement is filed in the court where the judgment was
 31 entered; and
- 32 (4) the court approves the agreement.

33 If a defendant fails to comply with an agreement approved by a court
 34 under this subsection, the court shall require the defendant to pay up to
 35 the amount of the judgment requested in the action under section 4(e)
 36 of this chapter as if the defendant had not entered into an agreement
 37 under this subsection.

38 SECTION 497. IC 34-30-2-32.5, AS ADDED BY P.L.145-2011,
 39 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2012]: Sec. 32.5. (a) This section applies after December 31,
 41 2011.

42 (b) ~~IC 9-27-6-5(m)~~ **IC 9-27-6-5(h)** (Concerning members of the

C
 o
 p
 y



1 driver education advisory board).

2 SECTION 498. IC 35-43-4-8 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A conviction for
4 an offense under section 2 of this chapter or section 3 of this chapter
5 that involves exerting unauthorized control over gasoline or motor
6 vehicle fuel:

7 (1) by operation of a motor vehicle to leave the premises of an
8 establishment at which gasoline or motor vehicle fuel is offered
9 for sale after the gasoline or motor vehicle fuel has been
10 dispensed into the fuel tank of the motor vehicle; and

11 (2) without payment or authorization of payment by a credit card,
12 debit card, charge card, or similar method of payment;

13 shall result in the suspension of the driving privileges of the person.

14 (b) The court imposing a sentence for a violation under subsection
15 (a) shall issue an order to the bureau of motor vehicles:

16 (1) stating that the person has been convicted of an offense under
17 section 2 of this chapter or section 3 of this chapter involving the
18 unauthorized taking of gasoline or motor vehicle fuel; and

19 (2) ordering the suspension of the person's driving privileges
20 under ~~IC 9-25-6-21~~. **IC 9-30-13-8.**

21 The suspension of a person's driving privileges under this section is in
22 addition to other penalties prescribed by IC 35-50-3-2 for a Class A
23 misdemeanor or by IC 35-50-2-7 for a Class D felony.

24 SECTION 499. IC 35-44-3-3, AS AMENDED BY P.L.42-2011,
25 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2012]: Sec. 3. (a) A person who knowingly or intentionally:

27 (1) forcibly resists, obstructs, or interferes with a law enforcement
28 officer or a person assisting the officer while the officer is
29 lawfully engaged in the execution of the officer's duties;

30 (2) forcibly resists, obstructs, or interferes with the authorized
31 service or execution of a civil or criminal process or order of a
32 court; or

33 (3) flees from a law enforcement officer after the officer has, by
34 visible or audible means, including operation of the law
35 enforcement officer's siren or emergency lights, identified himself
36 or herself and ordered the person to stop;

37 commits resisting law enforcement, a Class A misdemeanor, except as
38 provided in subsection (b).

39 (b) The offense under subsection (a) is a:

40 (1) Class D felony if:

41 (A) the offense is described in subsection (a)(3) and the person
42 uses a vehicle to commit the offense; or

C
O
P
Y



- 1 (B) while committing any offense described in subsection (a),
 2 the person draws or uses a deadly weapon, inflicts bodily
 3 injury on or otherwise causes bodily injury to another person,
 4 or operates a vehicle in a manner that creates a substantial risk
 5 of bodily injury to another person;
- 6 (2) Class C felony if, while committing any offense described in
 7 subsection (a), the person operates a vehicle in a manner that
 8 causes serious bodily injury to another person;
- 9 (3) Class B felony if, while committing any offense described in
 10 subsection (a), the person operates a vehicle in a manner that
 11 causes the death of another person; and
- 12 (4) Class A felony if, while committing any offense described in
 13 subsection (a), the person operates a vehicle in a manner that
 14 causes the death of a law enforcement officer while the law
 15 enforcement officer is engaged in the officer's official duties.
- 16 (c) For purposes of this section, a law enforcement officer includes
 17 an enforcement officer of the alcohol and tobacco commission and a
 18 conservation officer of the department of natural resources.
- 19 (d) If a person uses a vehicle to commit a felony offense under
 20 subsection (b)(1)(B), (b)(2), (b)(3), or (b)(4), as part of the criminal
 21 penalty imposed for the offense, the court shall impose a minimum
 22 executed sentence of at least:
- 23 (1) thirty (30) days, if the person does not have a prior unrelated
 24 conviction under this section;
- 25 (2) one hundred eighty (180) days, if the person has one (1) prior
 26 unrelated conviction under this section; or
- 27 (3) one (1) year, if the person has two (2) or more prior unrelated
 28 convictions under this section.
- 29 (e) Notwithstanding IC 35-50-2-2 and IC 35-50-3-1, the mandatory
 30 minimum sentence imposed under subsection (d) may not be
 31 suspended.
- 32 (f) If a person is convicted of an offense involving the use of a motor
 33 vehicle under:
- 34 (1) subsection (b)(1)(A), if the person exceeded the speed limit by
 35 at least twenty (20) miles per hour while committing the offense;
- 36 (2) subsection (b)(2); or
- 37 (3) subsection (b)(3);
- 38 the court may notify the bureau of motor vehicles to suspend or revoke
 39 the person's driver's license and all certificates of registration and
 40 license plates issued or registered in the person's name in accordance
 41 with IC 9-30-4-6(b)(3) for the period described in IC 9-30-4-6(d)(4) or
 42 IC 9-30-4-6(d)(5). The court shall inform the bureau whether the

C
O
P
Y

1 person has been sentenced to a term of incarceration. At the time of
 2 conviction, the court may obtain **and destroy** the person's current
 3 driver's license. ~~and return the license to the bureau of motor vehicles.~~

4 SECTION 500. IC 35-48-4-15 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. (a) If a person is
 6 convicted of an offense under section 1, 2, 3, 4, 5, 6, 7, 10, or 11 of this
 7 chapter, or conspiracy to commit an offense under section 1, 2, 3, 4, 5,
 8 6, 7, 10, or 11 of this chapter, and the court finds that a motor vehicle
 9 was used in the commission of the offense, the court shall, in addition
 10 to any other order the court enters, order that the person's:

- 11 (1) ~~operator's~~ **driver's** license be suspended;
- 12 (2) existing motor vehicle registrations be suspended; and
- 13 (3) ability to register motor vehicles be suspended;

14 by the bureau of motor vehicles for a period specified by the court of
 15 at least six (6) months but not more than two (2) years.

16 (b) If a person is convicted of an offense described in subsection (a)
 17 and the person does not hold ~~an operator's~~ **a driver's** license or a
 18 learner's permit, the court shall order that the person may not receive
 19 ~~an operator's~~ **a driver's** license or a learner's permit from the bureau of
 20 motor vehicles for a period of not less than six (6) months.

21 SECTION 501. IC 35-50-1-2, AS AMENDED BY P.L.126-2008,
 22 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2012]: Sec. 2. (a) As used in this section, "crime of violence"
 24 means the following:

- 25 (1) Murder (IC 35-42-1-1).
- 26 (2) Attempted murder (IC 35-41-5-1).
- 27 (3) Voluntary manslaughter (IC 35-42-1-3).
- 28 (4) Involuntary manslaughter (IC 35-42-1-4).
- 29 (5) Reckless homicide (IC 35-42-1-5).
- 30 (6) Aggravated battery (IC 35-42-2-1.5).
- 31 (7) Kidnapping (IC 35-42-3-2).
- 32 (8) Rape (IC 35-42-4-1).
- 33 (9) Criminal deviate conduct (IC 35-42-4-2).
- 34 (10) Child molesting (IC 35-42-4-3).
- 35 (11) Sexual misconduct with a minor as a Class A felony under
- 36 IC 35-42-4-9(a)(2) or a Class B felony under IC 35-42-4-9(b)(2).
- 37 (12) Robbery as a Class A felony or a Class B felony
- 38 (IC 35-42-5-1).
- 39 (13) Burglary as a Class A felony or a Class B felony
- 40 (IC 35-43-2-1).
- 41 (14) Operating a ~~motor~~ vehicle while intoxicated causing death
- 42 (IC 9-30-5-5).

C
o
p
y



1 (15) Operating a motor vehicle while intoxicated causing serious
 2 bodily injury to another person (IC 9-30-5-4).
 3 (16) Resisting law enforcement as a felony (IC 35-44-3-3).
 4 (b) As used in this section, "episode of criminal conduct" means
 5 offenses or a connected series of offenses that are closely related in
 6 time, place, and circumstance.
 7 (c) Except as provided in subsection (d) or (e), the court shall
 8 determine whether terms of imprisonment shall be served concurrently
 9 or consecutively. The court may consider the:
 10 (1) aggravating circumstances in IC 35-38-1-7.1(a); and
 11 (2) mitigating circumstances in IC 35-38-1-7.1(b);
 12 in making a determination under this subsection. The court may order
 13 terms of imprisonment to be served consecutively even if the sentences
 14 are not imposed at the same time. However, except for crimes of
 15 violence, the total of the consecutive terms of imprisonment, exclusive
 16 of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10, to
 17 which the defendant is sentenced for felony convictions arising out of
 18 an episode of criminal conduct shall not exceed the advisory sentence
 19 for a felony which is one (1) class of felony higher than the most
 20 serious of the felonies for which the person has been convicted.
 21 (d) If, after being arrested for one (1) crime, a person commits
 22 another crime:
 23 (1) before the date the person is discharged from probation,
 24 parole, or a term of imprisonment imposed for the first crime; or
 25 (2) while the person is released:
 26 (A) upon the person's own recognizance; or
 27 (B) on bond;
 28 the terms of imprisonment for the crimes shall be served consecutively,
 29 regardless of the order in which the crimes are tried and sentences are
 30 imposed.
 31 (e) If the factfinder determines under IC 35-50-2-11 that a person
 32 used a firearm in the commission of the offense for which the person
 33 was convicted, the term of imprisonment for the underlying offense and
 34 the additional term of imprisonment imposed under IC 35-50-2-11
 35 must be served consecutively.
 36 SECTION 502. IC 35-51-9-1, AS ADDED BY P.L.70-2011,
 37 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2012]: Sec. 1. The following statutes define crimes in IC 9:
 39 IC 9-14-3.5-15 (Concerning bureau of motor vehicles).
 40 IC 9-14-5-9 (Concerning parking placards for persons with
 41 physical disabilities).
 42 IC 9-17-2-15 (Concerning certificates of title).

COPY



- 1 IC 9-17-2-16 (Concerning certificates of title).
- 2 IC 9-17-3-3.2 (Concerning certificates of title).
- 3 IC 9-17-3-7 (Concerning certificates of title).
- 4 IC 9-17-4-6 (Concerning certificates of title).
- 5 IC 9-18-2-42 (Concerning motor vehicle registration and license
- 6 plates).
- 7 IC 9-18-2-44 (Concerning motor vehicle registration and license
- 8 plates).
- 9 IC 9-18-2-45 (Concerning motor vehicle registration and license
- 10 plates).
- 11 IC 9-18-4-8 (Concerning motor vehicle registration and license
- 12 plates).
- 13 IC 9-18-8-11 (Concerning motor vehicle registration and license
- 14 plates).
- 15 IC 9-18-8-12 (Concerning motor vehicle registration and license
- 16 plates).
- 17 IC 9-18-8-13 (Concerning motor vehicle registration and license
- 18 plates).
- 19 IC 9-18-8-14 (Concerning motor vehicle registration and license
- 20 plates).
- 21 IC 9-18-8-15 (Concerning motor vehicle registration and license
- 22 plates).
- 23 IC 9-18-13-9 (Concerning motor vehicle registration and license
- 24 plates).
- 25 IC 9-18-22-6 (Concerning motor vehicle registration and license
- 26 plates).
- 27 IC 9-18-26-11 (Concerning motor vehicle registration and license
- 28 plates).
- 29 IC 9-18-26-13 (Concerning motor vehicle registration and license
- 30 plates).
- 31 IC 9-18-27-9 (Concerning motor vehicle registration and license
- 32 plates).
- 33 IC 9-19-9-5 (Concerning motor vehicle equipment).
- 34 IC 9-19-10.5-4 (Concerning motor vehicle equipment).
- 35 IC 9-19-10.5-5 (Concerning motor vehicle equipment).
- 36 IC 9-20-18-4 (Concerning motor vehicle size and weight
- 37 regulation).
- 38 IC 9-21-5-13 (Concerning traffic regulation).
- 39 IC 9-21-6-3 (Concerning traffic regulation).
- 40 IC 9-21-8-50 (Concerning traffic regulation).
- 41 IC 9-21-8-52 (Concerning traffic regulation).
- 42 IC 9-21-8-55 (Concerning traffic regulation).

C
O
P
Y

- 1 IC 9-21-8-56 (Concerning traffic regulation).
 2 IC 9-21-8-58 (Concerning traffic regulation).
 3 IC 9-21-12-9 (Concerning traffic regulation).
 4 IC 9-21-12-11 (Concerning traffic regulation).
 5 IC 9-22-3-31 (Concerning abandoned, salvaged, and scrap
 6 vehicles).
 7 IC 9-22-3-32 (Concerning abandoned, salvaged, and scrap
 8 vehicles).
 9 IC 9-22-3-33 (Concerning abandoned, salvaged, and scrap
 10 vehicles).
 11 ~~IC 9-22-5-17 (Concerning abandoned, salvaged, and scrap
 12 vehicles):~~
 13 **IC 9-22-6-3 (Concerning mechanic's liens for vehicles).**
 14 IC 9-23-6-1 (Concerning vehicle manufacturers, distributors, and
 15 dealers).
 16 IC 9-24-1-8 (Concerning driver's licenses).
 17 IC 9-24-6-16 (Concerning driver's licenses).
 18 IC 9-24-6-17 (Concerning driver's licenses).
 19 IC 9-24-11-8 (Concerning driver's licenses).
 20 IC 9-24-15-11 (Concerning driver's licenses).
 21 IC 9-24-16-12 (Concerning driver's licenses).
 22 IC 9-24-16-13 (Concerning driver's licenses).
 23 IC 9-24-18-1 (Concerning driver's licenses).
 24 IC 9-24-18-2 (Concerning driver's licenses).
 25 IC 9-24-18-7 (Concerning driver's licenses).
 26 IC 9-24-19-2 (Concerning driver's licenses).
 27 IC 9-24-19-3 (Concerning driver's licenses).
 28 IC 9-24-19-4 (Concerning driver's licenses).
 29 IC 9-25-6-18 (Concerning financial responsibility).
 30 IC 9-25-8-2 (Concerning financial responsibility).
 31 IC 9-26-1-8 (Concerning accidents and accident reports).
 32 IC 9-26-1-9 (Concerning accidents and accident reports).
 33 IC 9-26-6-4 (Concerning accidents and accident reports).
 34 IC 9-30-4-7 (Concerning licenses, **permits, driving privileges,**
 35 and registrations).
 36 IC 9-30-4-8 (Concerning ~~licenses~~ **driving privileges** and
 37 registrations).
 38 IC 9-30-4-13 (Concerning licenses, **permits, license plates,** and
 39 registrations).
 40 IC 9-30-5-1 (Concerning operating a vehicle while intoxicated).
 41 IC 9-30-5-2 (Concerning operating a vehicle while intoxicated).
 42 IC 9-30-5-3 (Concerning operating a vehicle while intoxicated).

C
o
p
y

- 1 IC 9-30-5-4 (Concerning operating a vehicle while intoxicated).
- 2 IC 9-30-5-5 (Concerning operating a vehicle while intoxicated).
- 3 IC 9-30-5-7 (Concerning operating a vehicle while intoxicated).
- 4 IC 9-30-5-8 (Concerning operating a vehicle while intoxicated).
- 5 IC 9-30-6-8.7 (Concerning implied consent).
- 6 IC 9-30-9-7.5 (Concerning alcohol abuse deterrent programs).
- 7 IC 9-30-10-16 (Concerning habitual violator of traffic laws).
- 8 IC 9-30-10-17 (Concerning habitual violator of traffic laws).
- 9 IC 9-30-10-17.5 (Concerning habitual violator of traffic laws).
- 10 IC 9-31-2-26 (Concerning watercraft titling and registration).
- 11 IC 9-31-2-27 (Concerning watercraft titling and registration).
- 12 IC 9-31-2-28 (Concerning watercraft titling and registration).
- 13 SECTION 503. **An emergency is declared for this act.**

C
o
p
y

