
HOUSE BILL No. 1120

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-30-2-2.

Synopsis: Arrests or citations at traffic stops. Provides that a law enforcement officer may not arrest or issue a traffic information and summons to a person for a violation of a law regulating the use and operation of a motor vehicle on an Indiana highway or an ordinance of a city or town regulating the use and operation of a motor vehicle on an Indiana highway unless, at the time of the arrest or issuance, the officer: (1) is wearing a distinctive uniform and a badge of authority; (2) immediately identifies himself or herself as an officer using an authorized departmental identification card and a badge of authority; or (3) is operating a motor vehicle that is equipped with at least one signal lamp equipped with a red beam and a blue beam and a siren. Provides that, upon request, a law enforcement officer must allow a person who is the subject of such an: (1) arrest; or (2) issuance of a traffic information and summons; to contact a law enforcement agency or emergency dispatcher to verify the identity of the law enforcement officer. Makes an exception to these requirements for a law enforcement officer who is: (1) making an arrest; or (2) conducting a search or seizure of a person or property; in connection with the commission of a felony or misdemeanor that is not related to the use or operation of a motor vehicle.

Effective: July 1, 2012.

Morris

January 9, 2012, read first time and referred to Committee on Veterans Affairs and Public Safety.

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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.

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HOUSE BILL No. 1120



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 9-30-2-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2012]: Sec. 2. **(a) This section does not apply**
3 **to a law enforcement officer who is:**
4 **(1) making an arrest; or**
5 **(2) conducting a search or seizure of a person or property;**
6 **in connection with the commission of a felony or misdemeanor that**
7 **is not related to the use or operation of a motor vehicle.**
8 **(b) A law enforcement officer may not arrest or issue a traffic**
9 **information and summons to a person for a violation of an Indiana law**
10 **regulating the use and operation of a motor vehicle on an Indiana**
11 **highway or an ordinance of a city or town regulating the use and**
12 **operation of a motor vehicle on an Indiana highway unless at the time**
13 **of the arrest or issuance the officer: is-**
14 **(1) is wearing a distinctive uniform and a badge of authority; or**
15 **(2) immediately identifies himself or herself as an officer using**
16 **an authorized departmental identification card and a badge**
17 **of authority; or**



1 (2) (3) is operating a motor vehicle that is clearly marked as a
2 police vehicle;
3 that will clearly show the officer or the officer's vehicle to casual
4 observations to be an officer or a police vehicle. This section does not
5 apply to an officer making an arrest when there is a uniformed officer
6 present at the time of the arrest. equipped with:
7 (A) at least one (1) signal lamp equipped with a red beam
8 and a blue beam in the manner provided in IC 9-19-14-5;
9 and
10 (B) a siren under IC 9-19-14-3.
11 (c) Upon request, a law enforcement officer shall allow a person
12 who is the subject of an:
13 (1) arrest; or
14 (2) issuance of a traffic information and summons;
15 described in subsection (b) to contact a law enforcement agency or
16 emergency dispatcher to verify the identity of the law enforcement
17 officer.

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