
HOUSE BILL No. 1266

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-24.

Synopsis: Early probationary licenses for good students. Provides that an individual may apply for an operator's license and an accompanying motorcycle endorsement as early as: (1) the age of 16 and 30 days; or (2) before the date that the individual is 16 years and 180 days of age if the individual has achieved at least a "B" average in school in the semester or trimester the individual completed: (A) prior to the date of the applicant's sixteenth birthday; or (B) in the period between the applicant's sixteenth birthday and 179 days after the sixteenth birthday of the applicant; and has satisfactorily completed an approved driver education course. (Current law provides that an individual must be at least 16 years and 180 days of age to apply for an operator's license.) Makes technical corrections.

Effective: July 1, 2012.

Ubelhor, McNamara, Goodin

January 9, 2012, read first time and referred to Committee on Roads and Transportation.

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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. 1266



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 9-24-3-2.5, AS AMENDED BY P.L.145-2011,
- 2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2012]: Sec. 2.5. (a) Except as provided in section 3 of this
- 4 chapter, an individual must satisfy the requirements set forth in one (1)
- 5 of the following subdivisions to receive an operator's license:
- 6 (1) The individual meets the following conditions:
- 7 (A) Is at least sixteen (16) years and one hundred eighty (180)
- 8 days of age.
- 9 (B) Has held a valid learner's permit for at least one hundred
- 10 eighty (180) days.
- 11 (C) Obtains an instructor's certification that the individual has
- 12 satisfactorily completed an approved driver education course.
- 13 (D) Passes the required examination.
- 14 (E) Completes at least fifty (50) hours of supervised driving
- 15 practice, of which at least ten (10) hours are nighttime driving,
- 16 with:
- 17 (i) a licensed instructor or a licensed driver who is at least



- 1 twenty-five (25) years of age; or
 2 (ii) the spouse of the individual who is at least twenty-one
 3 (21) years of age.
- 4 (2) The individual meets the following conditions:
 5 (A) Is at least sixteen (16) years and two hundred seventy
 6 (270) days of age.
 7 (B) Has held a valid learner's permit for at least one hundred
 8 eighty (180) days.
 9 (C) Passes the required examination.
 10 (D) Completes at least fifty (50) hours of supervised driving
 11 practice, of which at least ten (10) hours are nighttime driving,
 12 with:
 13 (i) a licensed instructor or a licensed driver who is at least
 14 twenty-five (25) years of age; or
 15 (ii) the spouse of the individual who is at least twenty-one
 16 (21) years of age.
- 17 (3) The individual meets the following conditions:
 18 (A) Is at least sixteen (16) years and one hundred eighty (180)
 19 days of age but less than eighteen (18) years of age.
 20 (B) Has previously been a nonresident of Indiana, but, at the
 21 time of application, qualifies as an Indiana resident.
 22 (C) Holds an unrevoked driver's license, excluding a learner's
 23 permit or the equivalent, in the state or a combination of states
 24 in which the individual formerly resided for at least one
 25 hundred eighty (180) days.
 26 (D) Passes the required examination.
- 27 (4) The individual meets the following conditions:
 28 (A) Is at least eighteen (18) years of age.
 29 (B) Has previously been a nonresident of Indiana but, at the
 30 time of application, qualifies as an Indiana resident.
 31 (C) Has held an unrevoked operator's, chauffeur's, commercial
 32 driver's, or public passenger chauffeur's license from the state
 33 of prior residence.
 34 (D) Passes the required examination.
- 35 **(5) The individual meets the following conditions:**
 36 **(A) Is at least sixteen (16) years and thirty (30) days of age.**
 37 **(B) Has held a valid learner's permit for at least one**
 38 **hundred eighty (180) days.**
 39 **(C) Has achieved at least a "B" average in a public school**
 40 **or a nonpublic school that has voluntarily become**
 41 **accredited under IC 20-19-2-8 during the semester or**
 42 **trimester the individual completed:**

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- 1 (i) before the date of the individual's sixteenth birthday;
- 2 or
- 3 (ii) in the period between the individual's sixteenth
- 4 birthday and one hundred seventy-nine (179) days after
- 5 the individual's sixteenth birthday.
- 6 (D) Obtains an instructor's certification that the individual
- 7 has satisfactorily completed an approved driver education
- 8 course.
- 9 (E) Passes the required examination.
- 10 (F) Completes at least fifty (50) hours of supervised driving
- 11 practice, of which at least ten (10) hours are nighttime
- 12 driving, with:
 - 13 (i) a licensed instructor or a licensed driver who is at
 - 14 least twenty-five (25) years of age; or
 - 15 (ii) the spouse of the individual who is at least twenty-one
 - 16 (21) years of age.

17 (b) An applicant who is required to complete at least fifty (50) hours
 18 of supervised practice driving under subsection (a)(1)(E), ~~or~~ (a)(2)(D),
 19 or **(a)(5)(F)** must submit to the commission under IC 9-24-9-2(d)
 20 evidence of the time logged in practice driving.

21 SECTION 2. IC 9-24-7-7, AS ADDED BY P.L.145-2011,
 22 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2012]: Sec. 7. The bureau shall publish an online driving
 24 guide that may be used by the holder of a learner's permit and the
 25 parent of the holder of a learner's permit, if applicable. The driving
 26 guide must include a log that must be completed to show evidence of
 27 the completion of the hours of supervised practice driving required
 28 under IC 9-24-3-2.5(a)(1)(E), ~~or~~ IC 9-24-3-2.5(a)(2)(D), **or**
 29 **IC 9-24-3-2.5(a)(5)(F)**.

30 SECTION 3. IC 9-24-8-4, AS AMENDED BY P.L.109-2011,
 31 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsections (c) and
 33 (d), the bureau shall validate an operator's, a chauffeur's, or a public
 34 passenger chauffeur's license for motorcycle operation upon a highway
 35 by endorsement to a person who meets the conditions in subsection (b)
 36 or (g).

37 (b) Except as provided in subsection (g), a person must meet at least
 38 one (1) of the following conditions to obtain an endorsement under
 39 subsection (a):

- 40 (1) Satisfactorily complete the written test and:
 - 41 (A) satisfactorily complete an approved operational skills test;
 - 42 or

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- 1 (B) satisfactorily complete a motorcycle operator safety
 2 education course approved by the department of education as
 3 set forth in IC 20-30-13-9.
- 4 (2) Hold a current motorcycle operator endorsement or
 5 motorcycle operator's license from any other jurisdiction and
 6 successfully complete the written test.
- 7 (c) The bureau may not issue a motorcycle endorsement to an
 8 individual less than sixteen (16) years and one hundred eighty (180)
 9 days of age **unless the individual has satisfied the requirements of**
 10 **IC 9-24-3-2.5(a)(5).**
- 11 (d) If an applicant for a motorcycle license endorsement is less than
 12 eighteen (18) years of age, the bureau may not issue a license
 13 endorsement described in subsection (a) if the applicant is ineligible
 14 under IC 9-24-2-1.
- 15 (e) The bureau shall develop and implement both a written test and
 16 an operational skills test that must be designed to determine whether
 17 an applicant for a motorcycle endorsement is competent to operate a
 18 motorcycle upon a highway. The written test must be made available
 19 at license branch locations approved by the bureau. The operational
 20 skills test must be given at locations designated by the bureau. The
 21 bureau shall adopt rules under IC 4-22-2 to establish standards for
 22 persons administering operational skills tests and the provisions of the
 23 operational skills test. An individual applying for a motorcycle
 24 endorsement must pass the written exam before taking the operational
 25 skills test. If an applicant fails to satisfactorily complete either the
 26 written or operational tests, the applicant may reapply for and must be
 27 offered the examination upon the same terms and conditions as
 28 applicants may reapply for and be offered examinations for an
 29 operator's license. The bureau shall publish and make available at all
 30 locations where an individual may apply for an operator's license
 31 information concerning a motorcycle endorsement.
- 32 (f) An individual may apply for a motorcycle endorsement not later
 33 than the expiration date of the permit. However, not more than three (3)
 34 examinations may be allowed during the period the permit is valid. An
 35 individual who holds a learner's permit and does not pass the written
 36 and operating skills examination during the period for which the permit
 37 is valid must obtain a new learner's permit.
- 38 (g) A person who held a valid Indiana motorcycle operator's license
 39 on June 30, 2011, may be issued a motorcycle operator's endorsement
 40 after June 30, 2011, on a valid Indiana operator's, chauffeur's, public
 41 passenger chauffeur's, or commercial driver's license after:
 42 (1) making the appropriate application for endorsement; and

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1 (2) paying the appropriate fee set forth in IC 9-29-9-7 or
2 IC 9-29-9-8.

3 SECTION 4. IC 9-24-9-2, AS AMENDED BY P.L.145-2011,
4 SECTION 17, AND AS AMENDED BY P.L.118-2011, SECTION 3,
5 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) Before January 1, 2008, each
7 application for a license or permit under this chapter must require the
8 following information:

9 (1) The name, date of birth, sex, Social Security number, and
10 mailing address, and, if different from the mailing address, the
11 residence address of the applicant. The applicant shall indicate to
12 the bureau:

- 13 (A) which address the license or permit shall contain; and
- 14 (B) whether the Social Security number or another
15 distinguishing number shall be the distinctive identification
16 number used on the license or permit.

17 (2) Whether the applicant has been licensed as an operator, a
18 chauffeur, or a public passenger chauffeur or has been the holder
19 of a learner's permit, and if so, when and by what state.

20 (3) Whether the applicant's license or permit has ever been
21 suspended or revoked, and if so, the date of and the reason for the
22 suspension or revocation.

23 (4) Whether the applicant has been convicted of a crime
24 punishable as a felony under Indiana motor vehicle law or any
25 other felony in the commission of which a motor vehicle was
26 used.

27 (5) Whether the applicant has a physical or mental disability, and
28 if so, the nature of the disability and other information the bureau
29 directs.

30 The bureau shall maintain records of the information provided under
31 subdivisions (1) through (5).

32 (b) Except as provided in subsection (c), after December 31, 2007,
33 each application for a license or permit under this chapter must require
34 the following information:

- 35 (1) The full legal name of the applicant.
- 36 (2) The applicant's date of birth.
- 37 (3) The gender of the applicant.
- 38 (4) The applicant's height, weight, hair color, and eye color.
- 39 (5) The principal address and mailing address of the applicant.
- 40 (6) A:
- 41 (A) valid Social Security number; or
- 42 (B) verification of an applicant's:

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- 1 (i) ineligibility to be issued a Social Security number; and
- 2 (ii) identity and lawful status.
- 3 (7) Whether the applicant has been subject to fainting spells or
- 4 seizures.
- 5 (8) Whether the applicant has been licensed as an operator, a
- 6 chauffeur, or a public passenger chauffeur or has been the holder
- 7 of a learner's permit, and if so, when and by what state.
- 8 (9) Whether the applicant's license or permit has ever been
- 9 suspended or revoked, and if so, the date of and the reason for the
- 10 suspension or revocation.
- 11 (10) Whether the applicant has been convicted of a crime
- 12 punishable as a felony under Indiana motor vehicle law or any
- 13 other felony in the commission of which a motor vehicle was
- 14 used.
- 15 (11) Whether the applicant has a physical or mental disability,
- 16 and if so, the nature of the disability and other information the
- 17 bureau directs.
- 18 (12) The signature of the applicant.

19 The bureau shall maintain records of the information provided under
 20 subdivisions (1) through (12).

21 (c) For purposes of subsection (b), an individual certified as a
 22 program participant in the address confidentiality program under
 23 IC 5-26.5 is not required to provide the individual's principal address
 24 and mailing address, but may provide an address designated by the
 25 office of the attorney general under IC 5-26.5 as the individual's
 26 principal address and mailing address.

27 (d) *In addition to the information required by subsection (b), an*
 28 *applicant who is required to complete at least fifty (50) hours of*
 29 *supervised practice driving under IC 9-24-3-2.5(a)(1)(E), or*
 30 *IC 9-24-3-2.5(a)(2)(D), or IC 9-24-3-2.5(a)(5)(F) must submit to the*
 31 *commission evidence of the time logged in practice driving. The*
 32 *bureau shall maintain a record of the time log provided.*

33 ~~(d)~~ (e) *In addition to the information required under subsection (b),*
 34 *an application for a license or permit to be issued under this chapter*
 35 *must enable the applicant to indicate that the applicant is a veteran of*
 36 *the armed forces of the United States and wishes to have an indication*
 37 *of the applicant's veteran status appear on the license or permit. An*
 38 *applicant who wishes to have an indication of the applicant's veteran*
 39 *status appear on a license or permit must:*

- 40 (1) *indicate on the application that the applicant:*
- 41 (A) *is a veteran of the armed forces of the United States; and*
- 42 (B) *wishes to have an indication of the applicant's veteran*

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1 *status appear on the license or permit; and*
2 *(2) verify the applicant's veteran status by providing proof of*
3 *discharge.*
4 *The bureau shall maintain records of the information provided under*
5 *this subsection.*
6 **(f) An applicant who is required to have achieved at least a "B"**
7 **average in a school as required by IC 9-24-3-2.5(a)(5)(C) must**
8 **submit a certified copy of the transcript showing the required**
9 **grade point average to the commission as a part of the application.**
10 **The bureau shall maintain a record of the transcript provided.**

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