



January 11, 2012

SENATE BILL No. 257

DIGEST OF SB 257 (Updated January 10, 2012 11:20 am - DI 71)

Citations Affected: IC 7.1-5; IC 9-13; IC 9-14; IC 9-15; IC 9-16; IC 9-17; IC 9-18; IC 9-22; IC 9-24; IC 9-25; IC 9-26; IC 9-27; IC 9-28; IC 9-29; IC 9-30; IC 9-31; IC 10-11; IC 11-12; IC 14-15; IC 20-33; IC 27-7; IC 31-37; IC 31-40; IC 32-17; IC 32-33; IC 33-39; IC 34-24; IC 34-28; IC 34-30; IC 35-43; IC 35-44; IC 35-48; IC 35-50; IC 35-51.

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 Removes outdated language.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, Wyss

January 4, 2012, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.
January 10, 2012, amended, reported favorably — Do Pass.

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SB 257—LS 6814/DI 96+



January 11, 2012

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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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

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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

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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 ~~(2)~~ **(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 ~~(3)~~ **(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

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

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

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

7 SECTION 14. IC 9-13-2-48.5 IS ADDED TO THE INDIANA
 8 CODE AS A NEW SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2012]: **Sec. 48.5. "Driving record" means a**
 10 **record:**

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

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

14 SECTION 15. IC 9-13-2-49.6 IS ADDED TO THE INDIANA
 15 CODE AS A NEW SECTION TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2012]: **Sec. 49.6. "Eligible individual", for**
 17 **purposes of IC 9-18-25, has the meaning set forth in IC 9-18-25-1.3.**

18 SECTION 16. IC 9-13-2-72.7 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2012]: **Sec. 72.7. "Highly restricted personal**
 21 **information", for purposes of IC 9-14-3.5, has the meaning set**
 22 **forth in IC 9-14-3.5-2.5.**

23 SECTION 17. IC 9-13-2-75 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 75. (a) "Identification**
 25 **number", for purposes of IC 9-18-8-15, has the meaning set forth in**
 26 **IC 9-18-8-15(b).**

27 (b) **"Identification number", for purposes of IC 9-17-4, has the**
 28 **meaning set forth in IC 9-17-4-0.5.**

29 SECTION 18. IC 9-13-2-94.4 IS REPEALED [EFFECTIVE JULY
 30 1, 2012]. **Sec. 94.4. "Low numbered motor vehicle registration plate",**
 31 **for purposes of IC 9-29-3-19, has the meaning set forth in**
 32 **IC 9-29-3-19.**

33 SECTION 19. IC 9-13-2-117.5 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 117.5. (a) "Operate",**
 35 **except as provided in subsection (b), for purposes of IC 9-31, means**
 36 **to navigate or otherwise use a motorboat. vehicle.**

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

39 SECTION 20. IC 9-13-2-118 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 118. (a) Except as**
 41 **provided in subsection (b), "operator", means, except as provided in**
 42 **subsection (b); when used in reference to a motor vehicle, means a**

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1 person, other than a chauffeur or a public passenger chauffeur, who:

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

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

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

9 SECTION 21. IC 9-13-2-121 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 121. (a) **Except as**
11 **otherwise provided in this section, "owner", means, except as**
12 ~~otherwise provided in this section,~~ when used in reference to a motor
13 vehicle, **means:**

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

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

18 (3) ~~(2)~~ **(2)** if a motor vehicle is the subject of an agreement for the
19 conditional sale or lease vested in the conditional vendee or
20 lessee, or in the event the mortgagor, with the right of purchase
21 upon the performance of the conditions stated in the agreement
22 and with an immediate right of possession of a vehicle is entitled
23 to possession, the conditional vendee or lessee or mortgagor.

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

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

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

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

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

38 (d) "Owner", for purposes of IC 9-31, means a person, other than a
39 lienholder, having the property in or title to a motorboat. The term
40 includes a person entitled to the use or possession of a motorboat
41 subject to an interest in another person reserved or created by
42 agreement and securing payment or performance of an obligation. The

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1 term excludes a lessee under a lease not intended as security.

2 SECTION 22. IC 9-13-2-123.5, AS ADDED BY P.L.184-2007,
3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 123.5. "Permit" means ~~any kind of a~~ permit issued
5 by the state authorizing an individual to operate a ~~motor~~ **the type of**
6 vehicle **for which the permit was issued** on public streets, roads, or
7 highways **with certain restrictions.**

8 SECTION 23. IC 9-13-2-125 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 125. "Personalized
10 license plate" means a license plate that displays the registration
11 number assigned to the vehicle and issued in a combination of letters
12 or numbers, or both, requested by the owner or the lessee of the vehicle
13 **and approved by the bureau.**

14 SECTION 24. IC 9-13-2-143 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 143. "Public passenger
16 chauffeur" means ~~any of the following:~~

17 ~~(1) A person who operates a motor vehicle while in use as a~~
18 ~~school bus for the transportation of pupils to or from school, or to~~
19 ~~or from school athletic games or contests;~~

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

25 SECTION 25. IC 9-13-2-148 IS REPEALED [EFFECTIVE JULY
26 1, 2012]. Sec. 148: "Raw milk"; for purposes of IC 9-20-4-2, has the
27 meaning set forth in IC 9-20-4-2(d).

28 SECTION 26. IC 9-13-2-170, AS AMENDED BY P.L.214-2005,
29 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2012]: Sec. 170. "Special group" means:

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

32 **(A) is based, headquartered, or has a chapter in Indiana;**
33 ~~(A) have~~ **(B) has made broad and significant civic,**
34 **community, and charitable** contributions ~~to the United~~
35 ~~States, in~~ Indiana, ~~or the group's community or the members~~
36 **of which** are descendants of native or pioneer residents of
37 Indiana;

38 **(C) does not discriminate in the group's membership**
39 **practices, activities, or provision of services to the group's**
40 **community;**

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

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1 ~~(E)~~ **(E) is** organized for nonrecreational purposes; and
 2 ~~(F)~~ **(F) is** organized as a separate, unique organization or
 3 as a coalition of separate, unique organizations, **and is**
 4 **separate from any other organization currently**
 5 **participating in the special group recognition plate**
 6 **program; or**

7 (2) a National Football League franchised professional football
 8 team.

9 SECTION 27. IC 9-13-2-170.1 IS ADDED TO THE INDIANA
 10 CODE AS A NEW SECTION TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2012]: **Sec. 170.1. "Special identification**
 12 **number", for purposes of IC 9-17-4, has the meaning set forth in**
 13 **IC 9-17-4-0.5.**

14 SECTION 28. IC 9-13-2-170.3, AS ADDED BY P.L.210-2005,
 15 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2012]: Sec. 170.3. "Special machinery" ~~means a~~ **includes but**
 17 **is not limited to any of the following:**

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

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

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

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

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

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

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

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

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

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

3 SECTION 30. IC 9-13-2-187 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 187. "Transport
5 operator" means any of the following:

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

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

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

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

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

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

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

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

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

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

33 ~~(3) either:~~

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

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

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

38 SECTION 32. IC 9-14-1-6 IS REPEALED [EFFECTIVE JULY 1,
39 2012]. ~~Sec. 6: A person who violates this chapter commits a Class C~~
40 ~~infraction.~~

41 SECTION 33. IC 9-14-2-4 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau shall

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1 prescribe and provide all forms necessary to carry out any laws or
2 rules administered and enforced by the bureau.

3 SECTION 34. IC 9-14-2-5 IS REPEALED [EFFECTIVE JULY 1,
4 2012]. ~~Sec. 5. The bureau shall provide notary public service for the
5 convenience of members of the public when applying for a certificate
6 of title, registration, or license.~~

7 SECTION 35. IC 9-14-2-6 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. The bureau shall do
9 the following:

- 10 ~~(1) File and index by name~~ **maintain suitable records of:**
- 11 ~~(1) each application for a license or permit issued by the bureau;~~
- 12 ~~under this title;~~
- 13 ~~(2) Maintain suitable records of and~~
- 14 ~~(2) all licenses and permits issued by the commissioner;~~
- 15 under this title.

16 SECTION 36. IC 9-14-2-7 IS REPEALED [EFFECTIVE JULY 1,
17 2012]. ~~Sec. 7. A person who violates this chapter commits a Class C
18 infraction.~~

19 SECTION 37. IC 9-14-3-0.3 IS REPEALED [EFFECTIVE JULY
20 1, 2012]. ~~Sec. 0.3. As used in this chapter, "digital signature" has the
21 meaning set forth in IC 5-24-2-1.~~

22 SECTION 38. IC 9-14-3-4 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The bureau shall
24 prepare and deliver, upon request and payment of the fees prescribed
25 in IC 9-29-2-1, a certified copy of any record of the bureau that is not
26 otherwise declared by law to be confidential.

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

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

32 SECTION 39. IC 9-14-3-5, AS AMENDED BY P.L.198-2007,
33 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2012]: Sec. 5. (a) Except as provided in subsection (b), (d), or
35 (e), the bureau shall prepare and deliver information on titles,
36 registrations, and licenses and permits upon the request of any person.
37 All requests must be:

- 38 (1) submitted in writing; or
- 39 (2) made electronically through the computer gateway
- 40 administered under IC 4-13.1-2-2(a)(5) by the office of
- 41 technology;
- 42 to the bureau and, unless exempted under IC 9-29, must be

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1 accompanied by the payment of the fee prescribed in IC 9-29-2-2.
2 (b) The bureau shall not disclose:
3 (1) the Social Security number;
4 (2) the federal identification number;
5 (3) the driver's license number;
6 (4) the digital image of the driver's license applicant;
7 (5) a reproduction of the signature secured under IC 9-24-9-1 or
8 IC 9-24-16-3; or
9 (6) medical or disability information;
10 of any person except as provided in subsection (c).
11 (c) The bureau may disclose any information listed in subsection
12 (b):
13 (1) to a law enforcement officer;
14 (2) to an agent or a designee of the department of state revenue;
15 (3) for uses permitted under IC 9-14-3.5-10(1), IC 9-14-3.5-10(4),
16 IC 9-14-3.5-10(6), and IC 9-14-3.5-10(9); or
17 (4) for voter registration and election purposes required under
18 IC 3-7 or IC 9-24-2.5.
19 (d) As provided under 42 U.S.C. 1973gg-3(b), the ~~commission~~
20 **bureau** may not disclose any information concerning the failure of an
21 applicant for a motor vehicle driver's license to sign a voter registration
22 application, except as authorized under IC 3-7-14.
23 (e) The ~~commission~~ **bureau** may not disclose any information
24 concerning the failure of an applicant for a title, registration, license,
25 or permit (other than a motor vehicle license described under
26 subsection (d)) to sign a voter registration application, except as
27 authorized under IC 3-7-14.
28 SECTION 40. IC 9-14-3-6, AS AMENDED BY P.L.80-2010,
29 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2012]: Sec. 6. (a) Upon the submission to the bureau of a
31 specific written request from an individual or organization for a
32 compilation of specific information requested for the purposes
33 described in subsection (c), the bureau may contract with the individual
34 or organization to compile the requested information from the records
35 of the bureau.
36 (b) The bureau may charge an amount agreeable to the parties, as
37 described in IC 9-29-2-3.
38 (c) An individual or organization making a request under this
39 section must certify one (1) of the following:
40 (1) That the information is required for the purposes of notifying
41 vehicle owners of vehicle defects and recall for modifications,
42 and that the individual or organization will use the information

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

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

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

8 SECTION 42. IC 9-14-3-9 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) If the governor,
10 the superintendent of the state police department, or the highest officer
11 located in Indiana of the Federal Bureau of Investigation, the United
12 States Secret Service, or the United States Treasury Department
13 certifies to the bureau that:

- 14 (1) an individual named in the ~~certificate~~ **certification** is an
- 15 officer or employee of a state, county, or city department or
- 16 bureau with police power;
- 17 (2) the nature of the individual's work or duties is of a secret or
- 18 confidential nature; and
- 19 (3) in the course of the individual's work the individual uses the
- 20 motor vehicle described in the ~~certificate~~; **certification**;

21 the bureau shall regard all of the bureau's records concerning the
22 certificate of title or certificate of registration of the motor vehicle and
23 the operating license of the individual described in the ~~certificate~~
24 **certification** as confidential.

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

- 27 (1) An order of a court of competent jurisdiction made in a cause
- 28 or matter pending before the court.
- 29 (2) The written request of the officer, employee, or a successor of
- 30 the officer or employee making the ~~certificate~~; **certification**.
- 31 (3) A request of the governor.

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

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

40 SECTION 44. IC 9-14-3.5-4 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. As used in this
42 chapter, "motor vehicle record" means a record that pertains to:

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

6 SECTION 45. IC 9-14-3.5-5, AS AMENDED BY P.L.184-2007,
 7 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2012]: Sec. 5. As used in this chapter, "personal information"
 9 means information that identifies a person, including an individual's:

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

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

20 SECTION 46. IC 9-14-3.5-7, AS AMENDED BY P.L.1-2006,
 21 SECTION 158, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) Except as provided in
 23 sections 8, ~~and 10,~~ **and 10.5** of this chapter:

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

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

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

35 SECTION 47. IC 9-14-3.5-10, AS AMENDED BY P.L.97-2011,
 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2012]: Sec. 10. ~~Except as provided in section 10.5 of this~~
 38 ~~chapter,~~ The bureau may disclose **certain** personal information ~~to a~~
 39 **person that is not highly restricted information** if the person
 40 requesting the information provides proof of identity and represents
 41 that the use of the personal information will be strictly limited to at
 42 least one (1) of the following:

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

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- 1 (8) For use by a licensed private investigative agency or licensed
- 2 security service for a purpose allowed under this section.
- 3 (9) For use by an employer or its agent or insurer to obtain or
- 4 verify information relating to a holder of a commercial driver's
- 5 license that is required under the Commercial Motor Vehicle
- 6 Safety Act of 1986 (49 U.S.C. 2710 et seq.).
- 7 (10) For use in connection with the operation of private toll
- 8 transportation facilities.
- 9 (11) For any use in response to requests for individual motor
- 10 vehicle records when the bureau has obtained the written consent
- 11 of the person to whom the personal information pertains.
- 12 (12) For bulk distribution for surveys, marketing, or solicitations
- 13 when the bureau has obtained the written consent of the person to
- 14 whom the personal information pertains.
- 15 (13) For use by any person, when the person demonstrates, in a
- 16 form and manner prescribed by the bureau, that written consent
- 17 has been obtained from the individual who is the subject of the
- 18 information.
- 19 (14) For any other use specifically authorized by law that is
- 20 related to the operation of a motor vehicle or public safety.

21 However, this section does not affect the use of anatomical gift
 22 information on a person's driver's license or identification document
 23 issued by the bureau, nor does it **this section** affect the administration
 24 of anatomical gift initiatives in the state.

25 SECTION 48. IC 9-14-3.5-10.5, AS AMENDED BY P.L.184-2007,
 26 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2012]: Sec. 10.5. (a) ~~Except as provided in subsections (b)~~
 28 ~~and (c); the bureau may not disclose the following **Highly restricted**~~
 29 ~~personal information from a person's motor vehicle record:~~

- 30 (1) ~~Driver's license or digital photograph:~~
- 31 (2) ~~Social Security number:~~
- 32 (3) ~~Medical or disability information:~~

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

- 35 (1) ~~With~~ the express written consent of the person to whom the
- 36 ~~highly restricted~~ personal information pertains. ~~to release the~~
- 37 ~~information described in subsection (a):~~

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

- 40 (2) ~~In the absence of~~ the express written consent of the person to
- 41 whom the ~~highly restricted~~ personal information pertains, if the
- 42 person requesting the information:

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

6 SECTION 49. IC 9-14-3.5-15 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. A person requesting
 8 the disclosure of personal information **or highly restricted personal**
 9 **information** from bureau records who knowingly or intentionally
 10 misrepresents the person's identity or makes a false statement to the
 11 bureau on an application required to be submitted under this chapter
 12 commits a Class C misdemeanor.

13 SECTION 50. IC 9-14-5-1, AS AMENDED BY P.L.184-2007,
 14 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2012]: Sec. 1. The bureau shall issue a placard to the
 16 following:

- 17 (1) An individual of any age who:
 - 18 (A) has a temporary or permanent physical disability that
 - 19 requires the use of a wheelchair, a walker, braces, or crutches
 - 20 **as certified by a health care provider listed in clause (C);**
 - 21 (B) has temporarily or permanently lost the use of one (1) or
 - 22 both legs;
 - 23 (C) is certified to be severely restricted in mobility, either
 - 24 temporarily or permanently, due to a pulmonary or
 - 25 cardiovascular disability, arthritic condition, or orthopedic or
 - 26 neurological impairment, by:
 - 27 (i) a physician having ~~an unlimited~~ **a valid and**
 - 28 **unrestricted** license to practice medicine;
 - 29 (ii) a physician who is a commissioned medical officer of
 - 30 the armed forces of the United States or of the United States
 - 31 Public Health Service;
 - 32 (iii) a physician who is a medical officer of the United States
 - 33 Department of Veterans Affairs;
 - 34 (iv) a chiropractor ~~licensed~~ **with a valid and unrestricted**
 - 35 **license** under IC 25-10-1;
 - 36 (v) a podiatrist ~~licensed~~ **with a valid and unrestricted**
 - 37 **license** under IC 25-29-1; or
 - 38 (vi) an advanced practice nurse ~~licensed~~ **with a valid and**
 - 39 **unrestricted license** under IC 25-23; or
 - 40 (D) is certified **to be blind or visually impaired** by an
 - 41 optometrist or ophthalmologist ~~licensed~~ **with a valid and**
 - 42 **unrestricted license** to practice in Indiana. ~~to be blind or~~

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~~visually impaired.~~

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

SECTION 51. IC 9-14-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The certification made by a physician, an optometrist, or an ophthalmologist under section 1(1)(C) or 1(1)(D) of this chapter must:

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

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

SECTION 52. IC 9-14-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A placard issued under section 1(1) of this chapter expires ~~on the recipient's fourth birthday that follows the date of the placard's issuance if only upon a physician's certification that the recipient's disability is no longer considered to be permanent. If the disability is permanent, a new physician certification is not required upon expiration of the placard; only reapplication.~~

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

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

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

whichever occurs first.

SECTION 53. IC 9-14-5-6 IS REPEALED [EFFECTIVE JULY 1, 2012]. ~~Sec. 6. When issuing a placard under this chapter, the bureau shall provide the individual to whom a placard is issued instructions explaining the law governing parking for a person with a physical disability and explaining proper use of the placard.~~

SECTION 54. IC 9-14-5-7, AS AMENDED BY P.L.87-2010, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. A placard issued under this chapter must be displayed on the dashboard **or rearview mirror** of a motor vehicle that is parked in a parking space reserved for persons with physical disabilities under this chapter unless the motor vehicle bears:

(1) a license plate for a person with a disability issued under IC 9-18-22;

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- 1 (2) a disabled Hoosier veteran's license plate issued under
- 2 IC 9-18-18; or
- 3 (3) an equivalent parking permit issued under the laws of another
- 4 state.

5 If a placard is lost, stolen, damaged, or destroyed, the bureau shall
 6 provide a duplicate placard upon the application of the person who was
 7 issued the placard.

8 SECTION 55. IC 9-14-5-8 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau may
 10 establish by rule and charge a fee of not more than five dollars (\$5) to
 11 cover the cost of issuing a placard **or duplicate placard** under this
 12 chapter to ~~a~~ **an** individual having a temporary disability. However, the
 13 bureau may not establish or charge a fee for issuing a placard **or**
 14 **duplicate placard** under this chapter to an individual having a
 15 permanent disability.

16 SECTION 56. IC 9-15-1-2 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. **(a)** The commission
 18 **board** consists of the following five (5) individuals:

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

31 **(b) The commission consists of all:**
 32 **(1) officers and employees of the license branches under**
 33 **IC 9-16; and**
 34 **(2) other officers and employees designated as commission**
 35 **employees.**

36 SECTION 57. IC 9-15-1-3 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Three (3)
 38 commission **board** members constitute a quorum. The consent of three
 39 (3) commission **board** members is required before any action may be
 40 taken.

41 SECTION 58. IC 9-15-1-4 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) Each member of

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1 the commission **board** who is not a state employee is entitled to the
 2 minimum salary per diem provided by IC 4-10-11-2.1(b). ~~That A~~
 3 **board** member is also entitled to reimbursement for traveling expenses
 4 and other expenses actually incurred in connection with the member's
 5 duties, as provided in the state travel policies and procedures
 6 established by the Indiana department of administration and approved
 7 by the budget agency.

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

13 SECTION 59. IC 9-15-2-1 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The commission
 15 **board** shall do the following:

16 ~~(1) Develop and continuously update the bureau's policies;~~

17 ~~(2) (1) Recommend to the governor legislation that is needed to~~
 18 ~~implement the policies developed by the commission; operate the~~
 19 ~~license branches.~~

20 ~~(3) (2) Recommend to the bureau proposed rules that are needed~~
 21 ~~to implement the policies developed by the commission and~~
 22 ~~require those proposed rules to be adopted under IC 4-22-2;~~
 23 ~~operate the license branches.~~

24 ~~(4) (3) Review revise, adopt, and submit to the budget agency~~
 25 ~~budget proposals for the commission the bureau, and the license~~
 26 ~~branches operated under IC 9-16, including the budget required~~
 27 ~~by IC 9-16-3-3.~~

28 ~~(5) (4) Establish the determination criteria and determine the~~
 29 ~~number and location of license branches to be operated under~~
 30 ~~IC 9-16. However, there must be at least one (1) full service~~
 31 ~~license branch in each county.~~

32 ~~(6) (5) Establish and adopt minimum standards for the operation~~
 33 ~~and maintenance of each full or partial service license branch~~
 34 ~~operated under IC 9-16.~~

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

41 ~~(8) Before March 1, 1997, establish and adopt minimum~~
 42 ~~standards for providing license branch services using telephonic;~~

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1 ~~facsimile, electronic, or computer means under IC 9-16-~~
2 ~~(9) (6) Administer the state license branch fund established under~~
3 ~~IC 9-29-14.~~

4 SECTION 60. IC 9-15-2-2 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The commission
6 **board** may do the following:

- 7 (1) Procure insurance against any loss in connection with the
- 8 commission's operations in the amount the commission **board**
- 9 considers necessary or desirable.
- 10 (2) Contract for the operation of full service license branches
- 11 under IC 9-16-1-4 and partial services under IC 9-16-1-4.5.
- 12 (3) Take any other action necessary to achieve the commission's
- 13 purpose.

14 SECTION 61. IC 9-15-4-1 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. IC 34-13-3 applies
16 to a claim or suit in tort against any of the following:

- 17 (1) A member of the commission **or commission board.**
- 18 (2) An employee of the commission, ~~who is employed at a license~~
- 19 ~~branch under IC 9-16;~~ except for an employee employed at a
- 20 license branch operated under a contract with the commission
- 21 under IC 9-16-1-4.

22 SECTION 62. IC 9-16-1-1 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. As used in this
24 chapter, "qualified person" means any of the following:

- 25 (1) A motor club that is any of the following:
 - 26 (A) A domestic corporation.
 - 27 (B) A foreign corporation qualified to transact business in
 - 28 Indiana under IC 23-1 or IC 23-17.
- 29 (2) A financial institution (as defined in IC 28-1-1-3).
- 30 (3) A new motor vehicle dealer licensed under IC 9-23-2.
- 31 (4) Other persons, including persons licensed under IC 9-23-2
- 32 that are not covered by subdivision (3), that the commission
- 33 determines can meet the ~~standards adopted by the commission~~
- 34 ~~under IC 9-15-2-1(7) and the requirements for partial service~~
- 35 ~~contractors under section 4.5 of this chapter.~~

36 SECTION 63. IC 9-16-1-2 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The ~~commission~~
38 **commissioner** shall operate or be responsible for the administration of
39 all license branches in Indiana under this article.

40 SECTION 64. IC 9-16-1-2.5 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2.5. The number of
42 license branches may not be reduced in a county below the number in

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1 existence on January 1, 2001, unless the ~~bureau~~ **commission**:

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

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

6 SECTION 65. IC 9-16-1-4 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The commission
8 may contract with a qualified person for:

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

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

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

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

17 (1) The contractor shall provide a full service license branch,
18 including the following services:

19 (A) Vehicle titles.

20 (B) Vehicle registration.

21 (C) Driver's licenses.

22 (D) Voter registration as provided in IC 3-7.

23 (2) The contractor shall provide trained personnel to properly
24 process branch transactions.

25 (3) The contractor shall do the following:

26 (A) Collect and transmit all bureau fees and taxes collected at
27 the license branch.

28 (B) Deposit the taxes collected at the license branch with the
29 **commission to be deposited with the** county treasurer in the
30 manner prescribed by IC 6-3.5 or IC 6-6-5.

31 (4) The contractor shall generate a transaction volume sufficient
32 to justify the installation of bureau support systems.

33 (5) The contractor shall provide fidelity bond coverage in an
34 amount prescribed by the commission.

35 (6) The contractor may operate the license branch within a facility
36 used for other purposes.

37 (7) The contractor shall pay the cost of any post audits conducted
38 by the commission or the state board of accounts on an actual cost
39 basis.

40 (8) The commission shall provide support systems ~~and driver's~~
41 ~~license examiners~~ on the same basis as state operated branches.

42 (9) ~~The commission shall provide the same equipment to~~

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1 contractors as is provided to state operated branches.

2 ~~(9)~~ (9) The commission must approve each location and physical
3 facility based upon criteria developed by the commission **board**.

4 ~~(10)~~ (10) The term of the contract must be for a fixed period.

5 ~~(11)~~ (11) The contractor shall agree to provide voter registration
6 services and to perform the same duties imposed on the
7 commission under IC 3-7.

8 SECTION 66. IC 9-16-1-4.5, AS AMENDED BY P.L.41-2011,
9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2012]: Sec. 4.5. (a) The commission may contract with a
11 qualified person to provide partial services at a qualified person's
12 location, including locations within a facility used for other purposes,
13 such as electronic titling and title application services and self-serve
14 terminal access.

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

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

20 (2) The contractor shall do the following:

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

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

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

28 (4) The contractor shall provide:

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

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

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

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

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

41 SECTION 67. IC 9-16-2-5 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Notwithstanding

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1 IC 5-16, IC 5-17-1, and IC 5-22, the commission may develop a system
 2 of procurement that applies only to procurement of equipment,
 3 materials, **services**, and goods required for the operation of license
 4 branches.

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

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

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

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

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

15 SECTION 68. IC 9-16-3-1 IS REPEALED [EFFECTIVE JULY 1,
 16 2012]. ~~Sec. 1. The manager of each license branch that is staffed by~~
 17 ~~commission employees shall prepare and submit a proposed operating~~
 18 ~~budget for that license branch to the commissioner before August 1 of~~
 19 ~~each year.~~

20 SECTION 69. IC 9-16-3-2 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: ~~Sec. 2. Based on the~~
 22 ~~proposed budgets from each of the license branches,~~ The commission
 23 shall develop a statewide license branch budget. If the commission
 24 **board** determines that the total of:

25 (1) revenues from license branch operations; and

26 (2) appropriations received by the commission;

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

29 SECTION 70. IC 9-16-3-3 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: ~~Sec. 3. On or before~~
 31 ~~September 1 a date specified by the budget agency~~ of each
 32 even-numbered year, the commission shall submit to the budget agency
 33 a proposed budget. The commission shall include, at a minimum, the
 34 following information on a county by county basis:

35 (1) Total estimated revenue. ~~by source:~~

36 (2) Total estimated expenditures for salaries and fringe benefits.

37 (3) Total estimated expenditures for other personal services.

38 (4) Total estimated expenditures for nonpersonal services.

39 (5) Total estimated expenditures for contractual services.

40 (6) Total estimated expenditures for supplies and materials.

41 (7) All other estimated expenditures.

42 (8) The number of full-time and part-time employees.



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1 (9) Other information the budget agency requires.
 2 SECTION 71. IC 9-16-3-4 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. ~~Before October 1 of~~
 4 ~~each even-numbered year,~~ The budget agency shall provide the
 5 information received under section 3 of this chapter to the budget
 6 committee for the committee's review.

7 SECTION 72. IC 9-16-4-1, AS AMENDED BY P.L.221-2005,
 8 SECTION 143, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2012]: Sec. 1. The commission **board** may
 10 develop a separate personnel system for employees of the commission
 11 who are assigned to be managers and employees of commission license
 12 branches. The system may establish the rights, privileges, powers, and
 13 duties of these employees, including a license branch pay scale and
 14 benefit package. If the commission **board** does not develop and adopt
 15 a license branch personnel system, those employees are subject to the
 16 state personnel system under ~~IC 4-15-1.8;~~ **IC 4-15-2.2**, except as
 17 provided in IC 9-16-1-7.

18 SECTION 73. IC 9-16-4-2 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The commission
 20 **board** may:

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

26 SECTION 74. IC 9-16-7-1 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter applies
 28 to a license branch ~~that furnishes any services other than the issuance~~
 29 ~~of a driver's license or identification card under IC 9-24;~~ **operated by**
 30 **the commission.**

31 SECTION 75. IC 9-16-7-2 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~The commission~~
 33 **License branches** shall offer voter registration services under this
 34 chapter, in addition to providing a voter registration application as a
 35 part of an application for a motor vehicle driver's license, permit, or
 36 identification card under IC 9-24-2.5 and 42 U.S.C. 1973gg-3.

37 SECTION 76. IC 9-17-1-1, AS AMENDED BY P.L.182-2009(ss),
 38 SECTION 284, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not apply to:

- 40 (1) **special machinery;**
 41 (2) farm wagons;
 42 (3) a golf cart when operated in accordance with an ordinance



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1 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a); or
 2 **(4)** a motor vehicle that was designed to have a maximum design
 3 speed of not more than twenty-five (25) miles per hour and that
 4 was built, constructed, modified, or assembled by a person other
 5 than the manufacturer;

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

8 SECTION 77. IC 9-17-2-1, AS AMENDED BY P.L.131-2008,
 9 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2012]: Sec. 1. (a) This section does not apply to an off-road
 11 vehicle that is at least five (5) model years old.

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

- 15 (1) are subject to the motor vehicle excise tax under IC 6-6-5; or
- 16 (2) are off-road vehicles;

17 and that will be operated in Indiana.

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

- 21 (1) are subject to the commercial vehicle excise tax under
- 22 IC 6-6-5.5;
- 23 (2) are not subject to proportional registration under the
- 24 International Registration Plan; and
- 25 (3) will be operated in Indiana.

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

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

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

35 SECTION 78. IC 9-17-2-2, AS AMENDED BY P.L.83-2008,
 36 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2012]: Sec. 2. (a) A person applying for a certificate of title
 38 for a vehicle must submit an application on a form furnished by the
 39 bureau ~~that contains and provide~~ the following information:

- 40 (1) A full description of the vehicle, **including the make, model,**
 41 **and year of manufacture of the vehicle.**
- 42 (2) A statement of ~~the person's title and~~ of any lien or

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- 1 encumbrance on the vehicle.
- 2 **(3) The vehicle identification number or special identification**
- 3 **number of the vehicle.**
- 4 **(4) The former title number, if applicable.**
- 5 **(5) The purchase or acquisition date.**
- 6 **(6) The name, residence address and, if different from the**
- 7 **residence address, mailing address, and Social Security**
- 8 **number or federal identification number of the person.**
- 9 **(7) Other information that the bureau requires.**

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

- 13 (1) Surrender the certificate of title designating the individual as
- 14 a transfer on death beneficiary.
- 15 (2) Submit proof of the transferor's death.
- 16 (3) Submit an application for a certificate of title on a form
- 17 furnished by the bureau that meets the requirements of subsection
- 18 (a).

19 SECTION 79. IC 9-17-2-3, AS AMENDED BY P.L.131-2008,
 20 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2012]: Sec. 3. (a) The ~~form~~ **application** described under
 22 section 2 of this chapter must include the following printed statement:

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

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

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

30 SECTION 80. IC 9-17-2-4 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. If a certificate of
 32 title:

- 33 (1) has been previously issued for a vehicle in Indiana, an
- 34 application for a certificate of title must be accompanied by the
- 35 previously issued certificate of title, unless otherwise provided; or
- 36 (2) has not previously been issued for a vehicle in Indiana, an
- 37 application for a certificate of title must be accompanied by a
- 38 manufacturer's certificate of origin as provided in IC 9-17-8,
- 39 unless otherwise provided **in this chapter.**

40 SECTION 81. IC 9-17-2-7 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. The bureau shall
 42 retain the evidence of title presented by a person upon which the

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1 Indiana certificate of title is issued **in accordance with applicable**
 2 **document and record retention requirements.**

3 SECTION 82. IC 9-17-2-9, AS AMENDED BY P.L.1-2007,
 4 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2012]: Sec. 9. (a) This section does not apply to a **motor an**
 6 **off-road** vehicle requiring a certificate of title under ~~section 4(b)(2) or~~
 7 ~~4.5~~ of this chapter.

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

9 (1) apply for registration of the vehicle described in the
 10 application for the certificate of title; or

11 (2) transfer the current registration of the vehicle owned or
 12 previously owned by the person.

13 SECTION 83. IC 9-17-2-10 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. If the bureau is
 15 satisfied that the person applying for a certificate of title is the owner
 16 of the vehicle, ~~or is otherwise entitled to have the vehicle registered in~~
 17 ~~the person's name~~, the bureau may issue a certificate of title for the
 18 vehicle.

19 SECTION 84. IC 9-17-2-11 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) The bureau shall
 21 deliver a certificate of title to the person who owns the vehicle if no
 22 lien or encumbrance appears on the certificate of title.

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

27 SECTION 85. IC 9-17-3-2 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) If a certificate of
 29 title:

30 (1) is lost **or stolen**;

31 (2) is mutilated;

32 (3) is destroyed; or

33 (4) becomes illegible;

34 the person who owns the vehicle or the legal representative or legal
 35 successor in interest of the person who owns the vehicle for which the
 36 certificate of title was issued, as shown by the records of the bureau,
 37 shall immediately apply for and may obtain a duplicate certificate of
 38 title.

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

41 (1) furnish information satisfactory to the bureau concerning the
 42 loss, **theft**, mutilation, destruction, or illegibility of the certificate

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1 of title; and
 2 (2) pay the fee provided under IC 9-29.
 3 (c) The word "duplicate" shall be printed or stamped in ink on the
 4 face of a certificate of title issued under this section.
 5 (d) When a duplicate certificate of title is issued, the previous
 6 certificate of title becomes void.
 7 SECTION 86. IC 9-17-3-3.2, AS ADDED BY P.L.131-2008,
 8 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2012]: Sec. 3.2. ~~The form furnished by the bureau under~~
 10 ~~IC 9-17-2-2 must contain the following language immediately below~~
 11 ~~the signature of the seller:~~
 12 ~~"If this (a) When a certificate of title is available and a vehicle~~
 13 ~~is sold or transferred to a person other than a dealer licensed in~~
 14 ~~Indiana, the seller or transferor is required to shall fill in all~~
 15 ~~blanks on the certificate of title relating to buyer information,~~
 16 ~~including the sale price.~~
 17 ~~(b) The knowing or intentional failure of the seller or transferor to~~
 18 ~~fill in all buyer information is a Class A misdemeanor or for the first~~
 19 ~~offense and a Class D felony for the second or subsequent offense~~
 20 ~~under IC 9-17-3-7(c)(2).~~
 21 SECTION 87. IC 9-17-3-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A certificate of
 23 title for a vehicle held by an Indiana resident who is serving in the
 24 armed forces of the United States may be transferred by the **Indiana**
 25 resident to another person if the resident authorizes the transfer by a
 26 **valid power of attorney or a letter signed by the Indiana resident.**
 27 **The valid power of attorney or the letter must be accompanied by**
 28 **proof that the Indiana resident is actively serving in the armed**
 29 **forces of the United States and is out of the state.**
 30 (b) When the bureau receives the **power of attorney or letter and**
 31 **proof** described in subsection (a), the bureau may make the transfer to
 32 the person named in the **power of attorney or letter.**
 33 (c) Whenever a transfer described in subsection (a) is made, the
 34 **power of attorney or letter:**
 35 (1) must be attached to the certificate of title being transferred;
 36 and
 37 (2) becomes a permanent record of the bureau.
 38 (d) The bureau shall use reasonable diligence in determining if the
 39 signature of the person who signed the letter described in subsection (a)
 40 authorizing the transfer is the signature of the person.
 41 (e) If the bureau is satisfied that the signature is the signature of the
 42 person who owns the vehicle described in the certificate of title, the

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1 bureau shall issue an appropriate certificate of title over the signature
 2 of the bureau and sealed with the seal of the bureau to the person
 3 named in the letter.

4 SECTION 88. IC 9-17-3-5 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Whenever a
 6 vehicle for which a certificate of title is required by this article is sold
 7 under:

- 8 (1) an order or a process of an Indiana court; or
 9 (2) any provision of an Indiana statute;

10 the person who purchases the vehicle may obtain a certificate of title
 11 for the vehicle by filing an application for the certificate of title with
 12 the bureau and attaching to the application written evidence showing
 13 the order, process, or statute under which the person obtained
 14 ownership of the vehicle.

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

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

- 21 (1) **year of manufacture of;**
 22 (2) **make and model of;**
 23 (3) **vehicle identification number of; and**
 24 (4) **name and address of the person who is entitled to;**

25 **the vehicle.**

26 SECTION 89. IC 9-17-3-6 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Except as
 28 provided in subsection (b), if the bureau receives notification from
 29 another state or a foreign country that a certificate of title for a vehicle
 30 that was issued by the bureau has been surrendered by the person who
 31 owns the vehicle in conformity with the laws of the other state or
 32 country, the bureau may cancel the record of certificate of title in
 33 Indiana.

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

36 SECTION 90. IC 9-17-3-8 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau shall:
 38 ~~adopt rules under IC 4-22-2 that:~~

- 39 (1) enable the owner of a motor vehicle titled in Indiana to
 40 determine:

- 41 (A) whether that motor vehicle has previously been titled in
 42 Indiana; and

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- 1 (B) if the motor vehicle has previously been titled in Indiana,
 2 whether the title was issued **as a salvage title** under IC 9-22-3;
 3 and
 4 (2) impose a service charge under IC 9-29-3-19 for services
 5 performed by the bureau under this section.
- 6 SECTION 91. IC 9-17-4-0.3 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 0.3. As used in this
 8 chapter, "assembled vehicle" means:
 9 (1) a motor vehicle, excluding a motorcycle, that has had the:
 10 (A) frame;
 11 (B) chassis;
 12 (C) cab; or
 13 (D) body;
 14 replaced **or constructed**; or
 15 (2) a motorcycle that has had the:
 16 (A) frame; or
 17 (B) engine;
 18 replaced **or constructed**.
- 19 The term includes but is not limited to glider kits, fiberglass body kits,
 20 and vehicle reproductions or replicas and includes motor vehicles that
 21 have visible and original vehicle identification numbers.
- 22 SECTION 92. IC 9-17-4-0.5 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 0.5. As used in this
 24 chapter, "**special** identification number" means a distinguishing
 25 number assigned by the bureau to a privately assembled motor vehicle,
 26 semitrailer, or recreational vehicle.
- 27 SECTION 93. IC 9-17-4-1 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. If a motor vehicle,
 29 semitrailer, or recreational vehicle has been built, constructed, or
 30 assembled by the person who owns the motor vehicle, semitrailer, or
 31 recreational vehicle, the person shall:
 32 (1) indicate on a form provided by the bureau the major
 33 component parts that have been used to assemble the motor
 34 vehicle, semitrailer, or recreational vehicle;
 35 (2) make application through the bureau for ~~an~~ **a special**
 36 identification number for the motor vehicle, semitrailer, or
 37 recreational vehicle;
 38 (3) after receipt of the **special** identification number described in
 39 subdivision (2), stamp or attach the **special** identification number
 40 received from the bureau in the manner provided in section ~~2(2)~~
 41 **2(3)** of this chapter; and
 42 (4) apply for a certificate of title for the motor vehicle, semitrailer,



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1 or recreational vehicle from the bureau.

2 SECTION 94. IC 9-17-4-2 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A certificate of title
4 may not be issued for a **manufactured or** privately assembled motor
5 vehicle, semitrailer, or recreational vehicle that does not have a
6 **distinctive special** identification number stamped on the motor vehicle,
7 semitrailer, or recreational vehicle or permanently attached to the
8 motor vehicle, semitrailer, or recreational vehicle until the person who
9 owns the motor vehicle, semitrailer, or recreational vehicle has:

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

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

13 ~~(-)~~ **(3)** stamped or permanently attached the **special** identification
14 number in a conspicuous place on the frame of the motor vehicle,
15 semitrailer, or recreational vehicle.

16 SECTION 95. IC 9-17-4-3 IS REPEALED [EFFECTIVE JULY 1,
17 2012]. Sec. 3: ~~In obtaining an identification number, substantially the~~
18 ~~same procedure shall be followed as is provided in this article for~~
19 ~~obtaining a certificate of title from the bureau:~~

20 SECTION 96. IC 9-17-4-4 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A certificate of title
22 issued under this chapter must contain the following:

23 (1) A description and other evidence of identification of the motor
24 vehicle, semitrailer, or recreational vehicle as required by the
25 bureau.

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

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

30 (A) For a vehicle assembled using all new vehicle parts,
31 excluding the vehicle frame, ~~"ASSEMBLED~~
32 **"RECONSTRUCTED VEHICLE"**.

33 (B) For a vehicle assembled using used parts, "REBUILT
34 VEHICLE".

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

37 SECTION 97. IC 9-17-4-4.5 IS ADDED TO THE INDIANA CODE
38 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
39 1, 2012]: Sec. 4.5. **(a) A person must obtain a body change title**
40 **whenever a vehicle is altered so that the alteration changes the type**
41 **of the vehicle, as noted on the:**

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

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- (2) certificate of origin;
of the vehicle.
- (b) To receive a body change title, an applicant must provide:
 - (1) the former title or certificate of origin;
 - (2) a properly completed body change affidavit using a bureau designated form; and
 - (3) proof of a vehicle inspection.

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

SECTION 98. IC 9-17-5-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 5. (a)** A security agreement covering a security interest in a vehicle that is not inventory held for sale can be perfected only if the bureau indicates the security interest on the certificate of title or duplicate. Except as otherwise provided in subsections (b) and (c), IC 26-1-9.1 applies to security interests in vehicles.

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

- (1) enter the notation and the date of the notation; and
 - (2) note the lien and date of lien in the bureau's files.
- (c) Whenever a lien is discharged, the holder shall note the discharge on the certificate of title over the signature of the holder.

SECTION 99. IC 9-17-6-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 12.** If the bureau is satisfied that the person applying for the certificate of title is the owner of the manufactured home or is otherwise entitled to have the manufactured home titled in the person's name, the bureau shall issue an appropriate certificate of title. ~~over the signature of the bureau and sealed with the seal of the bureau.~~

SECTION 100. IC 9-17-7-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 2.5. (a)** A security agreement covering a security interest in a trailer that is not inventory held for sale can be perfected only if the bureau indicates the security interest on the certificate of title or duplicate. Except as otherwise provided in subsections (b) and (c), IC 26-1-9.1 applies to security

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interests in trailers.

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

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

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

SECTION 101. IC 9-18-1-1, AS AMENDED BY P.L.182-2009(ss), SECTION 285, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not apply to the following:

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

SECTION 102. IC 9-18-2-1, AS AMENDED BY P.L.1-2009, SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) ~~Within sixty (60) days after becoming an Indiana resident,~~ A person must register all motor vehicles owned by the person that:

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

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

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

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



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1 SECTION 103. IC 9-18-2-4.5 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4.5. (a) Upon payment
 3 of the annual registration fee under IC 9-29-5, and any applicable
 4 commercial vehicle excise tax under IC 6-6-5.5, the bureau may issue
 5 a license plate for each commercial vehicle registered to the registered
 6 owner of at least twenty-five (25) commercial vehicles. The license
 7 plate issued under this section for a commercial vehicle is valid for five
 8 (5) years.

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

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

- 16 (1) sells;
- 17 (2) disposes of; or
- 18 (3) does not renew the registration of;

19 the commercial vehicle. Neither the certificate of registration nor the
 20 plate may be transferred to another vehicle.

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

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

26 SECTION 104. IC 9-18-2-7, AS AMENDED BY P.L.26-2011,
 27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2012]: Sec. 7. (a) A person who owns a vehicle **that is**
 29 **operated on Indiana roadways and is** subject to registration shall
 30 register **each the** vehicle **owned by the person** as follows:

- 31 (1) A vehicle subject to section 8 of this chapter shall be
 32 registered under section 8 of this chapter.
- 33 (2) Subject to subsection (g) or (h), a vehicle not subject to
 34 section 8 or 8.5 of this chapter or to the International Registration
 35 Plan shall be registered before:
 - 36 (A) March 1 of each year; or
 - 37 (B) an earlier date subsequent to January 1 of each year as set
 38 by the bureau.
- 39 (3) School buses owned by a school corporation are exempt from
 40 annual registration but are subject to registration under
 41 IC 20-27-7.
- 42 (4) Subject to subsection (f), a vehicle subject to the International

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- 1 Registration Plan shall be registered before April 1 of each year.
 2 (5) A school bus not owned by a school corporation shall be
 3 registered subject to section 8.5 of this chapter.
 4 (b) Registrations and reregistrations under this section are for the
 5 calendar year. Registration and reregistration for school buses owned
 6 by a school corporation may be for more than a calendar year.
 7 (c) License plates for a vehicle subject to this section may be
 8 displayed during:
 9 (1) the calendar year for which the vehicle is registered; and
 10 (2) the period of time:
 11 (A) subsequent to the calendar year; and
 12 (B) before the date that the vehicle must be reregistered.
 13 (d) Except as provided in IC 9-18-12-2.5, a person who owns or
 14 operates a vehicle may not operate or permit the operation of a vehicle
 15 that:
 16 (1) is required to be registered under this chapter; and
 17 (2) has expired license plates.
 18 (e) If a vehicle that is required to be registered under this chapter
 19 has:
 20 (1) been operated on the highways; and
 21 (2) not been properly registered under this chapter;
 22 the bureau shall, before the vehicle is reregistered, collect the
 23 registration fee that the owner of the vehicle would have paid if the
 24 vehicle had been properly registered.
 25 (f) The department of state revenue may adopt rules under IC 4-22-2
 26 to issue staggered registration to motor vehicles subject to the
 27 International Registration Plan.
 28 (g) Except as provided in section 8.5 of this chapter, the bureau may
 29 adopt rules under IC 4-22-2 to issue staggered registration to motor
 30 vehicles described in subsection (a)(2).
 31 (h) After June 30, 2011, the registration of a vehicle under
 32 ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or ~~IC 9-18-16-1(2)~~
 33 **IC 9-18-16-1(a)(2)** expires on December 14 of each year. However, if
 34 a vehicle is registered under ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or
 35 ~~IC 9-18-16-1(2)~~ **IC 9-18-16-1(a)(2)** and the registration of the vehicle
 36 is in effect on June 30, 2011, the registration of the vehicle remains
 37 valid:
 38 (1) throughout calendar year 2011; and
 39 (2) during the period that:
 40 (A) begins January 1, 2012; and
 41 (B) ends on the date on which the vehicle was due for
 42 reregistration under the law in effect before this subsection

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- 1 took effect.
- 2 SECTION 105. IC 9-18-2-8, AS AMENDED BY P.L.26-2011,
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 8. (a) Except as provided in section 7(h) of this
5 chapter and subsection (f), the bureau shall determine the schedule for
6 registration for the following categories of vehicles:
- 7 (1) Passenger motor vehicles.
8 (2) Recreational vehicles.
9 (3) Motorcycles.
10 (4) Trucks. ~~that:~~
- 11 (A) are regularly rented to others for not more than
12 twenty-nine (29) days in the regular course of the corporation's
13 business; and
14 (B) have a declared gross weight of not more than eleven
15 thousand (11,000) pounds:
- 16 (b) Except as provided in IC 9-18-12-2.5, a person that owns a
17 vehicle shall receive a license plate, renewal tag, or other indicia upon
18 registration of the vehicle. The bureau may determine the ~~device~~
19 **indicia** required to be displayed.
- 20 (c) A corporation that owns a ~~truck that has a declared gross weight~~
21 **of not more than eleven thousand (11,000) pounds vehicle** that is
22 regularly rented to others for periods of not more than twenty-nine (29)
23 days in the regular course of the corporation's business must register
24 the ~~truck before March 1 of each year.~~ **vehicle on a date as prescribed**
25 **by the bureau.**
- 26 (d) A person that owns a vehicle in a category required to be
27 registered under this section and desires to register the vehicle for the
28 first time must apply to the bureau. ~~for a registration application form.~~
29 The bureau shall do the following:
- 30 (1) Administer the registration ~~application form.~~ **of the vehicle.**
31 (2) Issue the license plate **in accordance with the central**
32 **fulfillment processes of the bureau.**
33 (3) Collect the proper registration and service fees in accordance
34 with the procedure established by the bureau.
- 35 (e) Except as provided in IC 9-18-12-2.5, the bureau shall issue a
36 semipermanent plate under section 30 of this chapter, or:
37 (1) an annual renewal tag; or
38 (2) other indicia;
39 to be affixed on the semipermanent plate.
- 40 (f) After June 30, 2011, the registration of a vehicle under
41 ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or ~~IC 9-18-16-1(2)~~
42 **IC 9-18-16-1(a)(2)** expires on December 14 of each year. However, if

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1 a vehicle is registered under ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or
 2 ~~IC 9-18-16-1(2)~~ **IC 9-18-16-1(a)(2)** and the registration of the vehicle
 3 is in effect on June 30, 2011, the registration of the vehicle remains
 4 valid:

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

11 SECTION 106. IC 9-18-2-9 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) The bureau shall
 13 use due diligence in examining and determining the genuineness,
 14 regularity, and legality of the following:

- 15 (1) ~~An application~~ **Information provided from a person as part**
 16 **of a request** for the registration of a vehicle.
 17 (2) ~~An application~~ **A request** for any type of license **plate**
 18 required under this title for the operation of a vehicle upon the
 19 highways.
 20 (3) Any other application **or request** made to the bureau **under**
 21 **this article.**

22 (b) The bureau may:

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

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

28 SECTION 107. IC 9-18-2-10 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) Except as
 30 provided in ~~section~~ **sections 18, 23, and 29.5** of this chapter, a
 31 certificate of registration of a motor vehicle, semitrailer, or recreational
 32 vehicle and a license plate for a motor vehicle, semitrailer, or
 33 recreational vehicle, whether original issues or duplicates, may not be
 34 issued or furnished by the bureau unless the person applying for the
 35 certificate of registration:

- 36 (1) applies at the same time for and is granted a certificate of title
 37 for the motor vehicle, semitrailer, or recreational vehicle; or
 38 (2) presents satisfactory evidence that a certificate of title has
 39 been previously issued to the person that covers the motor
 40 vehicle, semitrailer, or recreational vehicle.

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



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- 1 **(1) a certificate of registration may not be issued or furnished**
- 2 **for the vehicle by the bureau; or**
- 3 **(2) the bureau may invalidate the certificate of registration of**
- 4 **the vehicle.**

5 SECTION 108. IC 9-18-2-11 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. A **person**
 7 **registering a motor vehicle may be registered in Indiana only if must**
 8 **have proof of financial responsibility that is in effect in the amounts**
 9 **specified in IC 9-25 is produced available for inspection at the time an**
 10 **the person's application for registration is made. in a form required by**
 11 **the bureau.**

12 SECTION 109. IC 9-18-2-16 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. ~~(a) A person who~~
 14 ~~owns a vehicle must sign an application in ink to register the vehicle.~~

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

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

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

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

- 39 (A) The name of the manufacturer of the vehicle.
- 40 (B) The vehicle identification number.
- 41 (C) The manufacturer's rated capacity if the vehicle is a truck,
- 42 tractor, trailer, or semitrailer.

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- 1 (D) The type of body of the vehicle.
 2 (E) The model year of the vehicle.
 3 **(F) The color of the vehicle.**
 4 ~~(F)~~ **(G)** Any other information reasonably required by the
 5 bureau to enable the bureau to determine if the vehicle may be
 6 registered. The bureau may request the person applying for
 7 registration to provide the vehicle's odometer reading.
 8 (3) ~~A space on the application in which~~ The person registering the
 9 vehicle may indicate the person's desire to donate money to
 10 organizations that promote the procurement of organs for
 11 anatomical gifts. The ~~space on the application~~ **bureau** must:
 12 (A) allow the person registering the vehicle to indicate the
 13 amount the person desires to donate; and
 14 (B) provide that the minimum amount a person may donate is
 15 one dollar (\$1).
 16 Funds collected under this subdivision shall be deposited with the
 17 treasurer of state in a special account. The auditor of state shall
 18 monthly distribute the money in the special account to the
 19 anatomical gift promotion fund established by IC 16-19-3-26. The
 20 bureau may deduct from the funds collected under this
 21 subdivision the costs incurred by the bureau in implementing and
 22 administering this subdivision.
 23 ~~(e)~~ **(b)** The department of state revenue may audit records of
 24 persons who register trucks, trailers, semitrailers, buses, and rental cars
 25 under the International Registration Plan to verify the accuracy of the
 26 application and collect or refund fees due.
 27 SECTION 110. IC 9-18-2-17, AS AMENDED BY P.L.163-2011,
 28 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2012]: Sec. 17. (a) Upon receiving ~~an application the~~
 30 **information** under section 16 of this chapter, the bureau shall:
 31 (1) determine:
 32 (A) the genuineness and regularity of the ~~application;~~
 33 **information;** and
 34 (B) that the person applying for registration is entitled to
 35 register the vehicle;
 36 ~~(2) file the application;~~
 37 ~~(3)~~ **(2)** subject to subsection (b), register the vehicle described in
 38 the application; and
 39 ~~(4)~~ **(3)** keep a record of the ~~application on suitable index cards~~
 40 **registration of the vehicle** under a distinctive registration
 41 number assigned to the vehicle ~~and in any other a manner the~~
 42 bureau considers desirable for the convenience of the bureau.

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

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

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

16 SECTION 111. IC 9-18-2-21 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 21. (a) ~~The person~~
 18 ~~who registers a vehicle, whose name appears on the certificate of~~
 19 **registration**, except a person who registers a vehicle under the
 20 International Registration Plan, shall sign the person's copy of the
 21 certificate of registration in ink in the space provided.

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

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

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

30 SECTION 112. IC 9-18-2-23 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 23. (a) This section
 32 does not apply to a vehicle registered as a recovery vehicle under
 33 IC 9-18-13.

34 (b) A transport operator may, instead of registering each motor
 35 vehicle transported, make a verified application upon a form prescribed
 36 by the bureau and furnished by the bureau for a general distinctive
 37 registration number for all motor vehicles transported by the transport
 38 operator and used and operated for the purposes provided. The
 39 application must contain the following:

- 40 (1) A brief description of each style or type of motor vehicle
 41 transported.
 42 (2) The name and address, including the county of residence, of

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1 the transport operator.
 2 (3) Any other information the bureau requires.
 3 (c) The bureau, upon receiving:
 4 (1) an application for a transport operator license plate; and
 5 (2) the proper fee;
 6 shall issue to the person who submitted the application and fee two (2)
 7 certificates of registration and the license plates with numbers
 8 corresponding to the numbers of the certificates of registration. A
 9 transport operator may obtain as many additional pairs of license plates
 10 as desired upon application and the payment to the bureau of the fee
 11 prescribed under IC 9-29 for each pair of additional license plates.
 12 (d) A license plate or sign other than those furnished and approved
 13 by the bureau may not be used.
 14 (e) A transport operator license plate may not be used on a vehicle
 15 used or operated on a highway, except for the purpose of transporting
 16 vehicles in transit. A person may haul other vehicles or parts of
 17 vehicles in transit in the same combination.
 18 (f) A transport operator may not operate a vehicle or any
 19 combination of vehicles in excess of the size and weight limits
 20 specified by law.
 21 (g) A license plate shall be displayed on the front and rear of each
 22 combination, and if only one (1) motor vehicle is transported, a license
 23 plate shall be displayed on both the front and rear of the motor vehicle.
 24 (h) ~~The bureau may adopt rules to prescribe the conditions under~~
 25 ~~which~~ Transport operator license plates may **not** be issued to a
 26 transport operator who has ~~been convicted of violating~~ **violated** this
 27 section until the bureau ~~issues is satisfied that~~ the transport operator
 28 ~~a new license plate:~~ **can comply with the requirements of this**
 29 **section.**
 30 SECTION 113. IC 9-18-2-24 IS REPEALED [EFFECTIVE JULY
 31 1, 2012]. ~~Sec. 24. The bureau may destroy applications for registration~~
 32 ~~of motor vehicles that have been on file in the bureau for a period of at~~
 33 ~~least three (3) years.~~
 34 SECTION 114. IC 9-18-2-26, AS AMENDED BY P.L.184-2011,
 35 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2012]: Sec. 26. (a) License plates, **including temporary**
 37 **license plates**, shall be displayed as follows:
 38 (1) For a motorcycle, trailer, semitrailer, or recreational vehicle,
 39 upon the rear of the vehicle, except as provided in subdivision (4).
 40 (2) For a tractor or dump truck, upon the front of the vehicle.
 41 (3) For every other vehicle, upon the rear of the vehicle, except as
 42 provided in subdivision (4).

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- 1 (4) For a truck with a rear mounted forklift or a mechanism to
 2 carry a rear mounted forklift or implement, upon the front of the
 3 vehicle.
- 4 (b) A license plate shall be securely fastened, in a horizontal
 5 position, to the vehicle for which the plate is issued:
 6 (1) to prevent the license plate from swinging;
 7 (2) at a height of at least twelve (12) inches from the ground,
 8 measuring from the bottom of the license plate;
 9 (3) in a place and position that are clearly visible;
 10 (4) maintained free from foreign materials and in a condition to
 11 be clearly legible; and
 12 (5) not obstructed or obscured by tires, bumpers, accessories, or
 13 other opaque objects.
- 14 (c) The bureau may adopt rules the bureau considers advisable to
 15 enforce the proper mounting and securing of license plates on vehicles
 16 consistent with this chapter.
- 17 SECTION 115. IC 9-18-2-28 IS REPEALED [EFFECTIVE JULY
 18 1, 2012]. ~~Sec. 28. Notwithstanding any other law, license plates for:~~
 19 ~~(1) passenger motor vehicles;~~
 20 ~~(2) recreational vehicles;~~
 21 ~~(3) motor vehicles registered to disabled veterans under~~
 22 ~~IC 9-18-18; or~~
 23 ~~(4) motor vehicles registered to former prisoners of war under~~
 24 ~~IC 9-18-17;~~
 25 ~~that contain any of the numerals † through †00 following the prefix~~
 26 ~~numbers and letter shall be issued by the bureau.~~
- 27 SECTION 116. IC 9-18-2-29.5, AS ADDED BY P.L.210-2005,
 28 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2012]: Sec. 29.5. Before a piece of special machinery is
 30 operated off a highway or in a farm field, the person who owns the
 31 piece of special machinery must:
 32 (1) register the piece of special machinery with the bureau; and
 33 (2) pay the applicable **special machinery** registration fee.
- 34 SECTION 117. IC 9-18-2-30 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 30. **Unless otherwise**
 36 **provided in this chapter**, the bureau shall issue to the owner of each
 37 vehicle subject to registration one (1) license plate upon the registration
 38 of the vehicle.
- 39 SECTION 118. IC 9-18-2-32 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 32. (a) Except as
 41 provided in subsection (b), a license plate issued under section 30 of
 42 this chapter:



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- 1 (1) must be six (6) inches wide and twelve (12) inches long;
- 2 (2) must display
- 3 (A) the registration number assigned to the vehicle for which
- 4 the plate is issued;
- 5 (B) the letters "IN"; and
- 6 (C) the year for which the plate is issued;
- 7 (3) may have a prefix of at least one (1) letter of the alphabet to
- 8 designate the type of vehicle registered; and
- 9 (4) shall be treated with special reflective material designed to
- 10 increase the visibility and legibility of the license plate.

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

14 SECTION 119. IC 9-18-2-35 IS REPEALED [EFFECTIVE JULY
 15 1, 2012]. ~~Sec. 35. The bureau, with the approval of the governor, may~~
 16 ~~revise the vehicle identification name designated to be embossed on a~~
 17 ~~given classification of license plates to reflect contemporary language~~
 18 ~~that is used to describe vehicles that must be registered under this~~
 19 ~~article.~~

20 SECTION 120. IC 9-18-2-38 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 38. A license plate
 22 issued under this chapter remains valid if the person who registered the
 23 passenger motor vehicle or recreational vehicle changes the person's
 24 county of residence during the term of the license plate. A person who
 25 registers a passenger motor vehicle or recreational vehicle and who
 26 changes the person's county of residence may, at the time of
 27 reregistration:

- 28 (1) retain the license plate originally issued; or
- 29 (2) request a new license plate ~~at no additional cost to the person;~~
 30 indicating the person's new county of residence.

31 SECTION 121. IC 9-18-2-47, AS AMENDED BY P.L.87-2010,
 32 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2012]: Sec. 47. (a) The commissioner shall adopt rules under
 34 IC 4-22-2 prescribing the cycle for the issuance and replacement of
 35 license plates under this article. The rules adopted under this section
 36 shall provide that a license plate for a vehicle issued under this article
 37 is valid for five (5) years.

- 38 (b) The rules adopted under this section do not apply to:
- 39 (1) truck license plates issued under section 4.5 or 18 of this
- 40 chapter; **or**
- 41 (2) general assembly and other state official license plates issued
- 42 under IC 9-18-16. ~~and~~

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1 (3) personalized license plates issued under IC 9-18-15.
 2 SECTION 122. IC 9-18-2-49 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 49. (a) Notwithstanding
 4 ~~IC 9-18-2-32~~, **section 32 of this chapter**, if a person is **initially**
 5 **registering a vehicle or** renewing the registration for a motor vehicle
 6 that needs a new license plate, the bureau may issue a temporary paper
 7 or cardboard license plate to the person for use on the motor vehicle.
 8 (b) A temporary license plate issued under subsection (a) is valid for
 9 thirty (30) days after the date of its issuance.
 10 SECTION 123. IC 9-18-4-1 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. ~~The bureau A~~
 12 **person** may ~~accept an application by mail for register a vehicle and~~
 13 **request** license plate for a:
 14 (1) motor vehicle;
 15 (2) semitrailer; or
 16 (3) recreational vehicle;
 17 **plates by mail** if the person applying for the license plate has been
 18 issued a certificate of title for the motor vehicle, semitrailer, or
 19 recreational vehicle, unless excepted under IC 9-17-2-13 or
 20 IC 9-18-2-18.
 21 SECTION 124. IC 9-18-4-2 IS REPEALED [EFFECTIVE JULY 1,
 22 2012]. ~~Sec. 2. An application made by mail under section 1 of this~~
 23 ~~chapter must be for a license plate previously issued directly from the~~
 24 ~~bureau to the applicant.~~
 25 SECTION 125. IC 9-18-4-7 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) The bureau may:
 27 (1) prescribe forms; and
 28 (2) adopt rules;
 29 to implement this chapter.
 30 (b) A form prescribed under this section must include the
 31 information described in ~~IC 9-18-2-16(b)(3)~~. **IC 9-18-2-16(a)(3)**.
 32 SECTION 126. IC 9-18-5-2 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~An application A~~
 34 **request** for registration under this chapter must be:
 35 (1) made under the laws governing applications; and
 36 (2) signed for, on behalf of the holder, by the person named in the
 37 letter.
 38 SECTION 127. IC 9-18-5-3 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Upon receiving ~~an~~
 40 **application and** a letter of authorization, the bureau shall determine if
 41 the signature on the letter is that of the person who holds the certificate
 42 of title for the motor vehicle by comparing the signature on the letter

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1 with the signature on the certificate of title.

2 SECTION 128. IC 9-18-6-2, AS AMENDED BY P.L.109-2011,
3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 2. (a) Except as provided in subsections (b) and
5 (e), if a license plate is:

- 6 (1) **lost or stolen**;
7 (2) ~~mutilated~~; **damaged so as not to be legible**; or
8 (3) destroyed;

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

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

- 16 (1) the Indiana law enforcement agency that has jurisdiction
17 where the loss **or theft** occurred; or
18 (2) the law enforcement agency that has jurisdiction over the
19 address listed on the registration;

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

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

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

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

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

33 that the original license plate has been lost, ~~mutilated~~; **stolen,**
34 **damaged**, or destroyed. In order to receive a ~~duplicate~~ or a replacement
35 license plate, the person in whose name the license plate was issued
36 must complete and submit to the bureau an application and affidavit
37 **designed prescribed** by the bureau.

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

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

42 SECTION 129. IC 9-18-6-5 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) Upon the
 2 disposition by sale or other means of a motor vehicle, trailer,
 3 semitrailer, recreational vehicle, or motor home currently registered in
 4 Indiana, the license plate from the disposed motor vehicle, trailer,
 5 semitrailer, recreational vehicle, or motor home may be:

- 6 (1) transferred by the person who is the current registrant to any
 7 other vehicle of the same type acquired by the person; and
 8 (2) operated in Indiana for not more than thirty-one (31) days after
 9 the date the person acquires ownership of the vehicle.

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

- 12 (1) manufacturer's certificate of origin;
 13 (2) duly assigned certificate of title; or
 14 (3) ~~notarized~~ bill of sale;

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

17 SECTION 130. IC 9-18-7-1 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) A person may
 19 apply for and receive a temporary registration permit for a motor
 20 vehicle, semitrailer, trailer designed to be used with a semitrailer, or
 21 recreational vehicle.

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

- 27 (1) The person has purchased or otherwise obtained the vehicle
 28 in Indiana and will be titling or registering the vehicle in another
 29 state **or foreign country.**
 30 (2) The person is a resident of Indiana and is intending to move
 31 to another state and the current vehicle registration or temporary
 32 permit will expire before the person moves.
 33 (3) The person is a resident of Indiana and the vehicle registration
 34 in another state has expired and the person has applied for an
 35 Indiana title for the vehicle.
 36 (4) The person is a manufacturer of semitrailers or trailers
 37 designed to be used with a semitrailer that may be leased by the
 38 manufacturer to any person, including a motor carrier, for not
 39 more than the term of the special registration permit. This
 40 subdivision does not prohibit the transportation of property on a
 41 semitrailer or trailer operating under a temporary registration
 42 permit. A copy of the lease must accompany the semitrailer or

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- 1 trailer.
- 2 (5) The person owns and operates the vehicle and the person:
- 3 (A) does not operate the vehicle as a lessor; and
- 4 (B) moves the empty vehicle from one (1) lessee-carrier to
- 5 another.
- 6 **(6) The person owns a vehicle for which emissions testing is**
- 7 **required and the vehicle will require further mechanical**
- 8 **repairs in order to comply with the emissions testing**
- 9 **requirements.**
- 10 (c) The bureau shall prescribe the form of a temporary registration
- 11 permit.
- 12 (d) A temporary registration permit shall be displayed on a vehicle
- 13 in a manner determined by the bureau.
- 14 (e) The bureau may provide for the bulk issuance of temporary
- 15 registration permits to manufacturers for the purpose of subsection
- 16 (b)(4).
- 17 (f) Subject to IC 9-25-1-2, a temporary registration permit may be
- 18 obtained under this section if the owner of the vehicle provides proof
- 19 of financial responsibility in the amounts specified under IC 9-25 in a
- 20 form required by the bureau.
- 21 SECTION 131. IC 9-18-7-1.5 IS REPEALED [EFFECTIVE JULY
- 22 1, 2012]. Sec. 1.5: (a) This section applies to a temporary registration
- 23 permit obtained:
- 24 (1) for a vehicle that is manufactured in Indiana; and
- 25 (2) by an individual who:
- 26 (A) is a citizen of a foreign country; and
- 27 (B) purchases a vehicle described in subdivision (1) with the
- 28 intention of registering the vehicle in the foreign country of
- 29 which the individual is a citizen.
- 30 (b) A temporary registration permit issued under this section is valid
- 31 for ninety (90) days from the date of issuance and authorizes the use of
- 32 the vehicle on the highways.
- 33 (c) A temporary registration permit issued under this section shall
- 34 be manufactured from the same material as a license plate issued under
- 35 IC 9-18-2. The bureau shall prescribe the form of a temporary
- 36 registration permit.
- 37 (d) A temporary registration permit shall be displayed on a vehicle
- 38 in a manner determined by the bureau.
- 39 (e) Subject to IC 9-25-1-2, a temporary registration permit may be
- 40 obtained under this section if the owner of the vehicle provides proof
- 41 of financial responsibility in the amounts specified under IC 9-25 in a
- 42 form required by the bureau.

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1 SECTION 132. IC 9-18-11-3 IS REPEALED [EFFECTIVE JULY
2 1, 2012]. ~~Sec. 3: A person engaged in operating at least one (1) fleet of~~
3 ~~intercity buses may, instead of registering the buses under any other~~
4 ~~law, register each fleet for operation in Indiana by filing an application~~
5 ~~with the bureau that contains the following information:~~

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

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

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

13 (4) ~~Any other information requested by the bureau.~~

14 SECTION 133. IC 9-18-12-2, AS AMENDED BY P.L.79-2006,
15 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 2. (a) Except as provided in section 2.5 of this
17 chapter, the bureau shall issue one (1) license plate to the person who
18 owns an antique motor vehicle that is registered under this chapter.

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

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

22 (1) contain:

23 (A) the registration number assigned to the registration
24 certificate by the bureau; and

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

27 (2) indicate the year for which the antique motor vehicle has been
28 registered.

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

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

35 SECTION 134. IC 9-18-12-3 IS REPEALED [EFFECTIVE JULY
36 1, 2012]. ~~Sec. 3: (a) An application for the registration of an antique~~
37 ~~motor vehicle under this chapter must be accompanied by a certificate~~
38 ~~that indicates that the antique motor vehicle has:~~

39 (1) ~~been inspected for general safety; and~~

40 (2) ~~been found to be in a mechanical condition that the vehicle~~
41 ~~can be operated safely on the highways.~~

42 (b) ~~The state police department shall make the inspection and issue~~

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1 the certificate under this section:

2 SECTION 135. IC 9-18-14-2 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. If a person who owns
4 a military vehicle registers the military vehicle under this chapter, the
5 registration of the military vehicle is for the life of the military vehicle.
6 **A person who owns a military vehicle shall also pay any applicable
7 excise taxes under IC 6-6-5 and IC 6-6-5.5.**

8 SECTION 136. IC 9-18-14-3 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. If a person who owns
10 a military vehicle registers the military vehicle under this chapter the

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

13 ~~(2) bureau shall authorize as a registration number the military~~
14 ~~vehicle identification number stenciled on the military vehicle in~~
15 ~~white or yellow letters and numbers in accordance with all~~
16 ~~pertinent military regulations.~~

17 SECTION 137. IC 9-18-14-5 IS REPEALED [EFFECTIVE JULY
18 1, 2012]. ~~Sec. 5: The bureau shall adopt rules under IC 4-22-2 to~~
19 ~~implement this chapter.~~

20 SECTION 138. IC 9-18-15-1, AS AMENDED BY P.L.87-2010,
21 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 1. (a) A person who is the registered owner or
23 lessee of a:

- 24 (1) passenger motor vehicle;
25 (2) motorcycle;
26 (3) recreational vehicle; or
27 (4) vehicle registered as a truck with a declared gross weight of
28 not more than eleven thousand (11,000) pounds;

29 registered with the bureau or who makes an application for an original
30 registration or renewal registration of a vehicle may apply to the bureau
31 for a personalized license plate to be affixed to the vehicle for which
32 registration is sought instead of the regular license plate.

33 (b) A person who:

- 34 (1) is the registered owner or lessee of a vehicle described in
35 subsection (a); and
36 (2) is eligible to receive a license plate for the vehicle under:
37 (A) IC 9-18-17 (prisoner of war license plates);
38 (B) IC 9-18-18 (disabled Hoosier veteran license plates);
39 (C) IC 9-18-19 (Purple Heart license plates);
40 (D) IC 9-18-20 (Indiana National Guard license plates);
41 ~~(E) IC 9-18-21 (Indiana Guard Reserve license plates);~~
42 ~~(F)~~ (E) IC 9-18-22 (license plates for persons with



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1 disabilities);
 2 ~~(G) IC 9-18-23 (amateur radio operator license plates);~~
 3 ~~(H) IC 9-18-24 (civic event license plates);~~
 4 ~~(I) (F) IC 9-18-24.5 (In God We Trust license plates);~~
 5 ~~(J) (G) IC 9-18-25 (special group recognition license plates);~~
 6 ~~(K) (H) IC 9-18-29 (environmental license plates);~~
 7 ~~(L) (I) IC 9-18-30 (kids first trust license plates);~~
 8 ~~(M) (J) IC 9-18-31 (education license plates);~~
 9 ~~(N) IC 9-18-32.2 (drug free Indiana trust license plates);~~
 10 ~~(O) (K) IC 9-18-33 (Indiana FFA trust license plates);~~
 11 ~~(P) (L) IC 9-18-34 (Indiana firefighter license plates);~~
 12 ~~(Q) IC 9-18-35 (Indiana food bank trust license plates);~~
 13 ~~(R) IC 9-18-36 (Indiana girl scouts trust license plates);~~
 14 ~~(S) (M) IC 9-18-37 (Indiana boy scouts trust license plates);~~
 15 ~~(T) IC 9-18-38 (Indiana retired armed forces member license~~
 16 ~~plates);~~
 17 ~~(U) IC 9-18-39 (Indiana antique car museum trust license~~
 18 ~~plates);~~
 19 ~~(V) (N) IC 9-18-40 (D.A.R.E. Indiana trust license plates);~~
 20 ~~(W) (O) IC 9-18-41 (Indiana arts trust license plates);~~
 21 ~~(X) (P) IC 9-18-42 (Indiana health trust license plates);~~
 22 ~~(Y) IC 9-18-43 (Indiana mental health trust license plates);~~
 23 ~~(Z) (Q) IC 9-18-44 (Indiana Native American trust license~~
 24 ~~plates);~~
 25 ~~(AA) (R) IC 9-18-45.8 (Pearl Harbor survivor license plates);~~
 26 ~~(BB) (S) IC 9-18-46.2 (Indiana state educational institution~~
 27 ~~trust license plates);~~
 28 ~~(CC) (T) IC 9-18-47 (Lewis and Clark bicentennial license~~
 29 ~~plates);~~
 30 ~~(DD) (U) IC 9-18-48 (Riley Children's Foundation license~~
 31 ~~plates);~~
 32 ~~(EE) IC 9-18-49 (National Football League franchised~~
 33 ~~professional football team license plates);~~
 34 ~~(FF) (V) IC 9-18-50 (Hoosier veteran license plates);~~
 35 ~~(GG) (W) IC 9-18-51 (support our troops license plates);~~
 36 ~~(HH) (X) IC 9-18-52 (Abraham Lincoln bicentennial license~~
 37 ~~plates);~~
 38 ~~(I) (Y) IC 9-18-53 (Earlham College Trust license plates); or~~
 39 ~~(J) (Z) IC 9-18-54 (Indiana Gold Star family member license~~
 40 ~~plates);~~
 41 may apply to the bureau for a personalized license plate to be affixed
 42 to the vehicle for which registration is sought instead of the regular



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- 1 special recognition license plate.
- 2 SECTION 139. IC 9-18-15-2 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) A personalized
- 4 license plate may be the same color and size and contain similar
- 5 required information as regular license plates issued for the respective
- 6 class of vehicle.
- 7 (b) A personalized license plate is limited to the:
- 8 (1) numerals 0 through 9; or
- 9 (2) letters A through Z;
- 10 in a continuous combination of numbers and letters with at least two
- 11 (2) positions.
- 12 (c) A personalized license plate may not ~~be issued to~~ duplicate a
- 13 regularly issued plate.
- 14 (d) Only one (1) personalized plate, without regard to classification
- 15 of registration, may be issued by the bureau with the same
- 16 configuration of numbers and letters.
- 17 SECTION 140. IC 9-18-15-4 IS AMENDED TO READ AS
- 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A person who
- 19 applies for:
- 20 (1) a personalized license plate; or
- 21 (2) the renewal of a personalized license plate in the subsequent
- 22 period;
- 23 must file an application in the manner the bureau requires, indicating
- 24 the combination of letters or numerals, or both, requested. ~~as a~~
- 25 ~~registration number.~~
- 26 (b) The bureau may refuse to issue a combination of letters or
- 27 numerals, or both, that:
- 28 (1) carries a connotation offensive to good taste and decency; ~~or~~
- 29 (2) would be misleading; **or**
- 30 **(3) the bureau otherwise considers improper for issuance.**
- 31 SECTION 141. IC 9-18-15-5.5, AS ADDED BY P.L.103-2006,
- 32 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 33 JULY 1, 2012]: Sec. 5.5. ~~After December 31, 2006,~~ The bureau shall
- 34 issue personalized license plates annually **on the same cycle**
- 35 **prescribed for license plates issued under IC 9-18-2-47.**
- 36 SECTION 142. IC 9-18-15-8, AS AMENDED BY P.L.2-2005,
- 37 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 2012]: Sec. 8. (a) If a person has registered a vehicle and has
- 39 been issued a personalized license plate for use on a leased vehicle,
- 40 and:
- 41 (1) the person cancels the lease; or
- 42 (2) the lease expires during the registration year;

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1 the person may transfer the registration to another vehicle eligible to be
2 registered under this chapter.

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

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

8 SECTION 143. IC 9-18-15-9 IS REPEALED [EFFECTIVE JULY
9 1, 2012]. ~~Sec. 9: A person who has registered a vehicle with the current~~
10 ~~year's license plate and applies for a personalized license plate for the~~
11 ~~same vehicle shall surrender the regular license plate and registration~~
12 ~~to the bureau when the personalized license plate is delivered to the~~
13 ~~person.~~

14 SECTION 144. IC 9-18-15-10, AS AMENDED BY P.L.233-2005,
15 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 10. (a) In addition to the applicable excise tax
17 imposed under IC 6-6-5, the regular registration fees, and any
18 additional fee required to receive a special recognition license plate
19 described in section 1(b) of this chapter, a person applying for or
20 renewing the registration of a personalized license plate shall pay the
21 personalized license plate fee under IC 9-29-5-32.5 upon an original
22 application or registration renewal, as provided in this chapter.

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

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

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

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

36 SECTION 145. IC 9-18-15-11 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. If a person who
38 applies for a personalized license plate with a given configuration of
39 letters or numbers is not able to obtain the license plate requested or a
40 satisfactory alternative configuration, ~~a license branch~~ **the bureau** shall
41 refund the entire **personalized license plate** fee to the person.
42 However, a refund of a personalized license plate fee may not be made

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1 when the person who applies for the personalized license plate cancels
2 the request.

3 SECTION 146. IC 9-18-16-1 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) License plates
5 shall be issued to the following:

- 6 (1) Members of the general assembly.
7 (2) Spouses of members of the general assembly.
8 (3) Other state officials who receive special license plates on an
9 annual basis.

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

13 SECTION 147. IC 9-18-18-4 IS REPEALED [EFFECTIVE JULY
14 1, 2012]. ~~Sec. 4. Not more than two (2) disabled Hoosier veteran~~
15 ~~license plates may be issued to each eligible person:~~

16 SECTION 148. IC 9-18-19-4 IS ADDED TO THE INDIANA
17 CODE AS A NEW SECTION TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) **A person qualifying under
19 section 2 of this chapter may not be:**

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

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

- 26 (1) **posted; and**
27 (2) **authorized:**
28 (A) **by city or town ordinance; or**
29 (B) **by order of the Indiana department of transportation.**

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

34 SECTION 149. IC 9-18-20-1 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall
36 design and issue a vehicle license plate under IC 9-18-25 that will
37 designate a vehicle as being registered by an active member of the
38 ~~Indiana~~ National Guard.

39 SECTION 150. IC 9-18-20-2 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~An Indiana~~ A
41 National Guard license plate must display the following:

- 42 (1) An identification number.

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- 1 (2) Any other information and design selected by the bureau.
 2 SECTION 151. IC 9-18-20-3 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A resident of
 4 Indiana who is an active member of the ~~Indiana~~ Army or Air National
 5 Guard may apply for and receive one (1) or more license plates under
 6 this chapter.
 7 (b) A person applying for a National Guard license plate under this
 8 chapter must demonstrate the person's status as an active member of
 9 the ~~Indiana~~ Army or Air National Guard by presenting the following
 10 with the person's application:
 11 (1) A current armed forces identification card.
 12 (2) A letter signed by the person's commanding officer identifying
 13 the person as a current active member.
 14 SECTION 152. IC 9-18-20-4 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. ~~An Indiana~~ A
 16 National Guard license plate must be displayed on a vehicle legally
 17 registered by the person described in section 3 of this chapter.
 18 SECTION 153. IC 9-18-21 IS REPEALED [EFFECTIVE JULY 1,
 19 2012]. (Indiana Guard Reserve License Plates).
 20 SECTION 154. IC 9-18-22-1 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall
 22 issue a license plate ~~or decal~~ for a person with a disability that
 23 designates a vehicle as a vehicle that is regularly used to transport a
 24 person who:
 25 (1) has been issued a permanent parking placard under IC 9-14-5;
 26 (2) has a permanent physical disability that requires the
 27 **permanent** use of a wheelchair, walker, braces, or crutches **as**
 28 **certified by a health care provider listed in subsection (4);**
 29 (3) has permanently lost the use of one (1) or both legs;
 30 (4) is **certified to be permanently or severely restricted in**
 31 **mobility due to a pulmonary or cardiovascular disability,**
 32 **arthritic condition, or orthopedic or neurological impairment,**
 33 by:
 34 (A) a physician having an unlimited license to practice
 35 medicine; ~~in Indiana to be severely and permanently restricted;~~
 36 ~~(A) in mobility;~~
 37 (B) by a ~~pulmonary or cardiovascular disability;~~ **a physician**
 38 **who is a commissioned medical officer of the armed forces**
 39 **of the United States or of the United States Public Health**
 40 **Service;**
 41 (C) ~~by an arthritic condition;~~ **or a physician who is a medical**
 42 **officer of the United States Department of Veteran's**

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- 1 **Affairs;**
 2 (D) ~~by an orthopedic or a neurological impairment; or~~
 3 **chiropractor with a valid, unrestricted license under**
 4 **IC 25-10-1;**
 5 **(E) a podiatrist with a valid, unrestricted license under**
 6 **IC 25-29; or**
 7 **(F) an advanced practice nurse with a valid, unrestricted**
 8 **license under IC 25-23; or**
 9 (5) is certified by an optometrist or ophthalmologist ~~licensed with~~
 10 **a valid, unrestricted license** to practice in Indiana to be:
 11 (A) blind (as defined in IC 12-7-2-21(2)); or
 12 (B) visually impaired (as defined in IC 12-7-2-198).
 13 SECTION 155. IC 9-18-22-2 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The license plate ~~or~~
 15 ~~decet~~ for a person with a disability must bear:
 16 (1) the official international wheelchair symbol;
 17 (2) a reasonable facsimile of the international wheelchair symbol;
 18 or
 19 (3) another symbol selected by the bureau;
 20 to designate the vehicle as being used to transport a person with a
 21 disability.
 22 SECTION 156. IC 9-18-22-3 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The license plate ~~or~~
 24 ~~decet~~ for a person with a disability may only be issued to the following:
 25 (1) A person with a disability.
 26 (2) A person who owns a vehicle that is:
 27 (A) frequently operated by a person with a disability; or
 28 (B) used to transport a person with a disability.
 29 SECTION 157. IC 9-18-22-4 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The license plate ~~or~~
 31 ~~decet~~ for a person with a disability:
 32 (1) shall be assigned to a vehicle subject to registration under
 33 Indiana law; and
 34 (2) may be displayed only on a legally registered vehicle.
 35 SECTION 158. IC 9-18-22-5 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The motor vehicle
 37 bearing the license plate ~~or decet~~ for a person with a disability may
 38 only be used by the person who has registered the motor vehicle for
 39 private and personal purposes.
 40 SECTION 159. IC 9-18-22-6 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who
 42 knowingly and falsely professes to have the qualifications to obtain a

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1 license plate ~~or decal~~ for a person with a disability under this chapter
 2 commits a Class C misdemeanor.

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

7 SECTION 160. IC 9-18-23-6 IS ADDED TO THE INDIANA
 8 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 9 [EFFECTIVE JULY 1, 2012]: **Sec. 6. After December 31, 2012, the**
 10 **bureau shall issue amateur radio operator license plates on a**
 11 **semi-permanent basis.**

12 SECTION 161. IC 9-18-25-1.2 IS ADDED TO THE INDIANA
 13 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 14 [EFFECTIVE JULY 1, 2012]: **Sec. 1.2. As used in this chapter,**
 15 **"applicant" means a person who has submitted a request to**
 16 **register a vehicle displaying an approved special group recognition**
 17 **license plate.**

18 SECTION 162. IC 9-18-25-1.3 IS ADDED TO THE INDIANA
 19 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 20 [EFFECTIVE JULY 1, 2012]: **Sec. 1.3. As used in this chapter,**
 21 **"eligible individual" means a person who owns, or is otherwise**
 22 **able to register, a vehicle with a special group recognition license**
 23 **plate, if the plate is approved.**

24 SECTION 163. IC 9-18-25-2 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) The bureau shall
 26 adopt rules under IC 4-22-2 establishing the requirements to qualify for
 27 participation in the special group recognition license plate program,
 28 **administration of this chapter, and fees.**

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

32 (c) Each ~~petition application~~ submitted ~~under this section~~ must
 33 contain the printed name, address, and signature of at least five
 34 hundred (500) ~~members of the special group~~ **eligible individuals** who
 35 pledge to purchase the special group recognition license plate if a
 36 special group recognition license plate is issued for the group under
 37 this chapter.

38 (d) When a ~~petition~~ **an application** containing the information
 39 required ~~in subsection (c) by this section~~ is ~~submitted to~~ **approved by**
 40 the bureau, the bureau may design and issue a special group
 41 recognition license plate that designates a vehicle as being registered
 42 under this chapter by a person (as defined in IC 9-13-2-124) who is a

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1 member of, **or is otherwise eligible to purchase the plate of**, the
2 special group.

3 SECTION 164. IC 9-18-25-3 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) The design of a
5 special group recognition license plate issued under this chapter must
6 be a distinct design and include an emblem that identifies the vehicle
7 as being registered to a person who is:

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

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

11 (b) 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 SECTION 165. IC 9-18-25-5 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The bureau:

16 (1) shall require representatives of a special group to confer with
17 the bureau concerning the design of the emblem that identifies the
18 vehicle as being registered to a person who is a member of, **or is**

19 **otherwise eligible to purchase the plate of**, a special group; and

20 (2) may request a list of the names and addresses of the persons
21 who are

22 (A) members of the special group **and**

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

25 SECTION 166. IC 9-18-25-12 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) ~~Except as~~
27 ~~provided in subsection (e)~~; A vehicle bearing a special group
28 recognition license plate issued under this chapter may be used ~~only for~~
29 ~~private and personal purposes.~~ **for any lawful purpose.**

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

33 (c) A vehicle:

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

37 (2) bearing an environmental license plate issued under
38 IC 9-18-29;

39 may be used for any lawful purpose.

40 SECTION 167. IC 9-18-25-15 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. The bureau ~~shall~~
42 **may** terminate an organization's qualification for the special group

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1 license plate program and no further special group recognition license
 2 plates shall be issued for an organization if less than two thousand
 3 (2,000) of the organization's special group license plates are sold or
 4 renewed in the first four (4) years of the five (5) year period beginning
 5 the earlier of January 1, 2002, or January 1 of the year in which the
 6 organization's special group license plate is first issued. The bureau
 7 shall reevaluate the an organization's qualification for the special group
 8 license plate program every five (5) years thereafter. The bureau shall
 9 may terminate the an organization's qualification for the special group
 10 license plate program and no further special group recognition license
 11 plates shall be issued for an organization if less than two thousand
 12 (2,000) of the organization's special group license plates are sold or
 13 renewed in the first four (4) years of a subsequent five (5) year period.
 14 **If the bureau terminates an organization's qualification under this**
 15 **section, no further special group recognition license plates shall be**
 16 **issued for the organization unless the organization reapplies and**
 17 **meets the requirements under section 2 of this chapter.**

18 SECTION 168. IC 9-18-25-17 IS REPEALED [EFFECTIVE JULY
 19 1, 2012]. Sec. 17. (a) This section applies to a special group if at least
 20 ten thousand (10,000) of the special group's license plates are issued
 21 under this chapter in the first four (4) years of a five (5) year plate cycle
 22 beginning after December 31, 2001.

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

27 (c) The design of the special group license plate must include a
 28 basic design for the special group recognition license plate with
 29 consecutive numerals or letters, or both, to properly identify the
 30 vehicle.

31 (d) A special group license plate must be treated with special
 32 reflective material designed to increase the visibility and legibility of
 33 the special group license plate.

34 SECTION 169. IC 9-18-25-17.5 IS REPEALED [EFFECTIVE
 35 JULY 1, 2012]. Sec. 17.5. (a) This section applies to a special group if
 36 at least five thousand (5,000) of the special group's license plates are
 37 issued under this chapter during one (1) calendar year beginning after
 38 December 31, 2004.

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



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1 (c) The design of the special group license plate must include a
 2 basic design for the special group recognition license plate with
 3 consecutive numerals or letters; or both, to properly identify the
 4 vehicle.

5 (d) A special group license plate must be treated with special
 6 reflective material designed to increase the visibility and legibility of
 7 the special group license plate.

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

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

13 (2) pays the following fees:

14 (A) The appropriate fee under IC 9-29-5-38(a);

15 (B) An annual fee of twenty-five dollars (\$25);

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

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

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

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

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

36 (k) The bureau may not disclose information that identifies the
 37 persons to whom special group license plates have been issued under
 38 this section.

39 SECTION 170. IC 9-18-25-17.7, AS AMENDED BY P.L.87-2010,
 40 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2012]: Sec. 17.7. (a) Notwithstanding any other law,
 42 representatives of a special group that participates in the special group

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1 recognition plate program may request that the bureau collect an
 2 annual fee of **not more than** twenty-five dollars (\$25) on behalf of the
 3 special group.

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

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

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

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

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

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

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

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

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

28 (i) If:

29 (1) representatives of a special group have collected an annual fee
 30 as set forth in subsection (a) from purchasers of the special group
 31 recognition license plates that was paid directly to the special
 32 group; and

33 (2) the representatives of the special group request the bureau to
 34 collect the annual fee on behalf of the special group as set forth in
 35 subsection (a);

36 representatives of the special group may request the bureau to change
 37 the method of collection of the annual fee for the following calendar
 38 year. The representatives of the special group must make a request
 39 under this subsection by July 1 of the year preceding the year for which
 40 the change has been requested. The group may request only one (1)
 41 change in the method of collection in a plate cycle.

42 (j) If:

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

3 (2) representatives of the special group request the bureau to
4 cease collection of the annual fee as set forth in subsection (a) on
5 behalf of the special group as the annual fee will be paid directly
6 to the special group by purchasers of the special group
7 recognition license plates;

8 representatives of the special group may request the bureau to change
9 the method of collection of the annual fee for the following calendar
10 year. The representatives of the special group must make a request
11 under this subsection by July 1 of the year preceding the year for which
12 the change has been requested. The group may request only one (1)
13 change in the method of collection in a plate cycle.

14 SECTION 171. IC 9-18-25-18, AS ADDED BY P.L.87-2010,
15 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 18. (a) This section applies to ~~an application form~~
17 **a request** for a special group recognition license plate that:

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

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

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

23 ~~"By checking opportunity to authorize the above box, I am~~
24 ~~authorizing disclosure of the personal information of the~~
25 ~~applicant when requesting the special group recognition~~
26 ~~license plate as follows:~~

27 **"I authorize** the bureau of motor vehicles to disclose my personal
28 information included ~~on in~~ this application form ~~to the request~~
29 **for a special group license plate to the special group** that
30 sponsors the license plate for which I am applying. I understand
31 that:

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

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

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

39 (c) If an applicant ~~checks the box~~ **authorizes the disclosure of the**
40 **personal information of the applicant as** described in subsection (b),
41 the bureau may disclose ~~the~~ personal information ~~about the applicant~~
42 ~~included on the application form~~ only to the special group that sponsors

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1 the license plate.
 2 (d) If a special group receives personal information disclosed under
 3 subsection (c), the special group:
 4 (1) may contact the applicant with information about the special
 5 group's activities;
 6 (2) may not contact the applicant primarily for fundraising or
 7 solicitation purposes; and
 8 (3) may not disclose the applicant's personal information to any
 9 other person or group without the applicant's written consent.
 10 SECTION 172. IC 9-18-26-8, AS AMENDED BY P.L.93-2010,
 11 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2012]: Sec. 8. Dealer-new, dealer-used, and manufacturer
 13 license plates may be used without restriction by a designee of a dealer
 14 or a designee of a manufacturer under rules adopted by the secretary of
 15 state. The rules must provide the following:
 16 (1) The dealer or manufacturer is to be assessed and pay the
 17 motor vehicle excise tax under IC 6-6-5 attributable to that part of
 18 the total year that the designee operates the motor vehicle.
 19 (2) The dealer or manufacturer shall report to the ~~secretary of~~
 20 ~~state bureau~~ the date of assignment to a designee, the designee's
 21 name and address, and the date of termination of the assignment
 22 within ten (10) days of the assignment or termination.
 23 (3) The tax calculated in subdivision (1) shall be paid within
 24 thirty (30) days of the termination of the assignment to the
 25 designee or at the time the dealer or manufacturer purchases
 26 license plates under this chapter.
 27 SECTION 173. IC 9-18-29-4 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The fee for an
 29 environmental license plate is as follows:
 30 (1) The appropriate fee under IC 9-29-5-38.
 31 (2) An annual fee of twenty-five dollars (\$25).
 32 (b) The annual fee referred to in subsection (a)(2) shall be collected
 33 by the ~~bureau of motor vehicles~~ commission.
 34 SECTION 174. IC 9-18-32.2 IS REPEALED [EFFECTIVE JULY
 35 1, 2012]. (Drug Free Indiana Trust License Plates).
 36 SECTION 175. IC 9-18-35 IS REPEALED [EFFECTIVE JULY 1,
 37 2012]. (Indiana Food Bank Trust License Plates).
 38 SECTION 176. IC 9-18-36 IS REPEALED [EFFECTIVE JULY 1,
 39 2012]. (Indiana Girl Scouts Trust License Plates).
 40 SECTION 177. IC 9-18-38 IS REPEALED [EFFECTIVE JULY 1,
 41 2012]. (Indiana Retired Armed Forces Member License Plates).
 42 SECTION 178. IC 9-18-39 IS REPEALED [EFFECTIVE JULY 1,

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1 2012]. (Indiana Antique Car Museum Trust License Plates).

2 SECTION 179. IC 9-18-43 IS REPEALED [EFFECTIVE JULY 1,
3 2012]. (Indiana Mental Health Trust License Plates).

4 SECTION 180. IC 9-18-46.2-6 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) This section
6 applies with regard to a state educational institution trust license plate
7 supporting a state educational institution in a year following a year:

8 (1) in which at least ten thousand (10,000) of the state educational
9 institution trust license plates are sold or renewed; and

10 (2) beginning after December 31, 1998.

11 (b) The treasurer of state shall establish a special account within a
12 trust fund for each state educational institution described in subsection
13 (a)(1).

14 (c) The bureau shall require a person who purchases a state
15 educational institution trust license plate under this section to designate
16 the state educational institution the person chooses to receive the
17 annual fee that the person pays under section 5(2) of this chapter as the
18 corresponding state educational institution designated in section 4 of
19 this chapter.

20 (d) The treasurer of state shall deposit the annual fee collected under
21 section 5(2) of this chapter into a special account within a trust fund for
22 the state educational institution designated by the purchaser in
23 subsection (c).

24 (e) The treasurer of state shall invest the money in the special
25 account not distributed in the same manner as other public trust funds
26 are invested. Interest that accrues from these investments shall be
27 deposited in the special account.

28 (f) The auditor of state monthly shall distribute the money from the
29 special account to the state educational institution's authorized alumni
30 association.

31 (g) Money in the special account at the end of a state fiscal year
32 does not revert to the state general fund.

33 ~~(h) The bureau shall maintain a sufficient supply of the state
34 educational institution trust license plates in each branch and partial
35 service walk-up location to provide a plate to a purchaser at the time of
36 sale.~~

37 SECTION 181. IC 9-18-50-5, AS ADDED BY P.L.58-2006,
38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2012]: Sec. 5. A Hoosier veteran license plate issued under
40 this chapter may be displayed on the following:

41 (1) A passenger motor vehicle.

42 (2) A truck registered as a truck with a declared gross weight of

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- 1 not more than eleven thousand (11,000) pounds.
- 2 (3) A recreational vehicle.
- 3 **(4) A motorcycle.**
- 4 SECTION 182. IC 9-18-50-6, AS ADDED BY P.L.58-2006,
- 5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 6 JULY 1, 2012]: Sec. 6. A veteran who is a resident of Indiana and is
- 7 eligible to register a motor vehicle under this title may apply for and
- 8 receive a Hoosier veteran license plate for one (1) or more motor
- 9 vehicles upon doing the following:
- 10 (1) Completing an application for a Hoosier veteran license plate.
- 11 (2) Presenting:
- 12 (A) a United States Uniformed Services Retiree Identification
- 13 Card;
- 14 (B) a DD 214 or **DD 215** record;
- 15 (C) United States military discharge papers; or
- 16 (D) a current armed forces identification card;
- 17 to the bureau.
- 18 (3) Paying the fee under section 7 of this chapter.
- 19 SECTION 183. IC 9-18-51-3, AS ADDED BY P.L.58-2006,
- 20 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21 JULY 1, 2012]: Sec. 3. A support our troops license plate issued under
- 22 this chapter may be displayed on the following:
- 23 (1) A passenger motor vehicle.
- 24 (2) A truck registered as a truck with a declared gross weight of
- 25 not more than eleven thousand (11,000) pounds.
- 26 (3) A recreational vehicle.
- 27 **(4) A motorcycle.**
- 28 SECTION 184. IC 9-18-52-5, AS ADDED BY P.L.30-2008,
- 29 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2012]: Sec. 5. A license plate issued under this chapter may
- 31 be displayed on the following:
- 32 (1) A passenger motor vehicle.
- 33 (2) A truck registered as a truck with a declared gross weight of
- 34 not more than eleven thousand (11,000) pounds.
- 35 (3) A recreational vehicle.
- 36 **(4) A motorcycle.**
- 37 SECTION 185. IC 9-18-54-4, AS ADDED BY P.L.87-2010,
- 38 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 39 JULY 1, 2012]: Sec. 4. An Indiana Gold Star family member license
- 40 plate issued under this chapter may be displayed on the following:
- 41 (1) A passenger motor vehicle.
- 42 (2) A truck registered as a truck with a declared gross weight of

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1 not more than eleven thousand (11,000) pounds.
 2 (3) A recreational vehicle.
 3 **(4) A motorcycle.**
 4 SECTION 186. IC 9-22-1-4, AS AMENDED BY P.L.191-2007,
 5 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (c), the
 7 ~~person who owns~~ **owner of** an abandoned vehicle or parts is:
 8 (1) responsible for the abandonment; and
 9 (2) liable for all of the costs incidental to the removal, storage,
 10 and disposal;
 11 of the vehicle or the parts under this chapter.
 12 (b) The costs for storage of an abandoned vehicle may not exceed
 13 one thousand five hundred dollars (\$1,500).
 14 (c) If an abandoned vehicle is sold by a person who removed, towed,
 15 or stored the vehicle, the person who previously owned the vehicle is
 16 not responsible for storage fees.
 17 (d) If an abandoned vehicle is sold by a person who removed,
 18 towed, or stored the vehicle, and proceeds from the sale of the vehicle
 19 covered the removal, towing, and storage expenses, any remaining
 20 proceeds from the sale of the vehicle shall be returned to the previous
 21 owner of the vehicle if the previous owner is known.
 22 SECTION 187. IC 9-22-1-5 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. When an officer
 24 discovers a vehicle in the possession of a person other than the ~~person~~
 25 ~~who owns~~ **owner of** the vehicle and the person cannot establish the
 26 right to possession of the vehicle, the vehicle shall be taken to and
 27 stored in a suitable place.
 28 SECTION 188. IC 9-22-1-6 IS REPEALED [EFFECTIVE JULY 1,
 29 2012]. ~~Sec. 6: The bureau shall be notified within seventy-two (72)~~
 30 ~~hours of the location and description of a vehicle described in section~~
 31 ~~5 of this chapter.~~
 32 SECTION 189. IC 9-22-1-7, AS AMENDED BY P.L.191-2007,
 33 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2012]: Sec. 7. If:
 35 (1) the ~~person who owns~~ **owner** or ~~holds a lien~~ **lienholder** under
 36 section ~~8~~ **8.5** of this chapter does not appear and pay all costs; or
 37 (2) the ~~person who owns~~ **owner of** a vehicle cannot be
 38 determined by a search conducted under section 19 of this
 39 chapter;
 40 the vehicle is considered abandoned and must be disposed of under this
 41 chapter.
 42 SECTION 190. IC 9-22-1-8 IS REPEALED [EFFECTIVE JULY 1,

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1 2012]. Sec. 8: If the properly identified person who owns or holds a lien
 2 on a vehicle appears at the site of storage before disposal of the vehicle
 3 or parts and pays all costs incurred against the vehicle or parts at that
 4 time, the vehicle or parts shall be released.

5 SECTION 191. IC 9-22-1-8.5 IS ADDED TO THE INDIANA
 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2012]: **Sec. 8.5. The release under section 9.5**
 8 **of this chapter must state the name, signature, and address of the**
 9 **person that owns or holds a lien on the vehicle, a description of the**
 10 **vehicle or parts, costs, and date of release. A towing service shall**
 11 **notify the appropriate public agency of all releases under section**
 12 **9.5 of this chapter.**

13 SECTION 192. IC 9-22-1-9 IS REPEALED [EFFECTIVE JULY 1,
 14 2012]. Sec. 9: The release must state the name, signature, and address
 15 of the person who owns or holds a lien on the vehicle, a description of
 16 the vehicle or parts, costs, and date of release. A towing service shall
 17 notify the appropriate public agency of all releases under section 8 of
 18 this chapter.

19 SECTION 193. IC 9-22-1-9.5 IS ADDED TO THE INDIANA
 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2012]: **Sec. 9.5. If the properly identified**
 22 **person that owns or holds a lien on a vehicle appears at the site of**
 23 **storage before disposal of the vehicle or parts and pays all costs**
 24 **incurred against the vehicle or parts at that time, the vehicle or**
 25 **parts shall be released.**

26 SECTION 194. IC 9-22-1-12, AS AMENDED BY P.L.131-2008,
 27 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2012]: Sec. 12. If a vehicle or a part tagged under section 11
 29 of this chapter is not removed within the applicable period, the officer
 30 shall prepare a written abandoned vehicle report of the vehicle or parts,
 31 including information on the condition **and** missing parts. ~~and other~~
 32 ~~facts that might substantiate the estimated market value of the vehicle~~
 33 ~~or parts.~~ Photographs ~~shall~~ **may** be taken to describe the condition of
 34 the vehicle or parts.

35 SECTION 195. IC 9-22-1-13, AS AMENDED BY P.L.191-2007,
 36 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2012]: Sec. 13. (a) If ~~in the opinion of the officer~~ **vehicle is a**
 38 **junk vehicle and** the market value of an abandoned vehicle or parts
 39 ~~determined in accordance with section 12 of this chapter~~ is less than:

- 40 (1) five hundred dollars (\$500); or
 41 (2) in a municipality that has adopted an ordinance under
 42 subsection (b), the amount established by the ordinance;

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

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

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

24 SECTION 196. IC 9-22-1-14, AS AMENDED BY P.L.104-2005,
 25 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2012]: Sec. 14. (a) If in the opinion of the officer the market
 27 value of the abandoned vehicle or parts ~~determined in accordance with~~
 28 ~~section 12 of this chapter~~ is at least:

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

30 (2) in a municipality that has adopted an ordinance under section
 31 13(b) of this chapter, the amount established by the ordinance;
 32 the officer, before placing a notice tag on the vehicle or parts, shall
 33 make a reasonable effort to ascertain the person who owns the vehicle
 34 or parts or who may be in control of the vehicle or parts.

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

37 SECTION 197. IC 9-22-1-17, AS AMENDED BY P.L.191-2007,
 38 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2012]: Sec. 17. A towing service that tows a vehicle under
 40 section 5 ~~or~~ 16 of this chapter shall give notice to the public agency
 41 that the abandoned vehicle is in the possession of the towing service.

42 SECTION 198. IC 9-22-1-19, AS AMENDED BY P.L.191-2007,



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

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

9 (A) The make:

10 (B) The model:

11 (C) The identification number:

12 (D) The number of the license plate:

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

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

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

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

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

35 (1) name;

36 (2) address; and

37 (3) telephone number;

38 of the public agency or towing service. **The notice must be made by**
39 **certified mail or by means of an electronic service approved by the**
40 **bureau.** Notwithstanding section 4 of this chapter, ~~and subsection~~
41 ~~(b)(2);~~ a public agency or towing service that fails to notify a ~~person~~
42 **who owns the owner of** or holds a **lien lienholder** on the vehicle as set



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1 forth in this subsection may not collect additional storage costs
 2 incurred after the date of receipt of the name and address obtained.
 3 under subsection (a)(2):

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

7 SECTION 199. IC 9-22-1-21.5 IS ADDED TO THE INDIANA
 8 CODE AS A NEW SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2012]: **Sec. 21.5. (a) An individual, a firm, a
 10 limited liability company, or a corporation that performs labor,
 11 furnishes materials or storage, or does repair work on a motor
 12 vehicle, trailer, semitrailer, or recreational vehicle at the request
 13 of the person that owns the vehicle has a lien on the vehicle for the
 14 reasonable value of the charges for the labor, materials, storage, or
 15 repairs.**

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

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

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

25 (3) in accordance with this chapter;

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

31 (c) If:

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

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

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



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1 fifteen (15) days after notice required by subsection (e) has been
2 sent, whichever is later.

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

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

14 (2) The amount of the unpaid charges.

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

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

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

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

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

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

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

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

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

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

12 (1) The facts of the sale.

13 (2) The vehicle identification number.

14 (3) The certificate of title if available.

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

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

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

22 SECTION 200. IC 9-22-1-23, AS AMENDED BY P.L.191-2007,
 23 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2012]: Sec. 23. (a) This section applies to a city, town, or
 25 county.

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

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

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

38 (c) This subsection applies to a consolidated city or county
 39 containing a consolidated city. If the person who owns or holds a lien
 40 upon a vehicle does not appear within fifteen (15) days after the
 41 mailing of a notice **or the notification made by electronic service**
 42 under section 19 of this chapter, the unit may sell the vehicle or parts

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1 by either of the following methods:
2 (1) The unit may sell the vehicle or parts to the highest bidder at
3 a public sale. Notice of the sale shall be given under IC 5-3-1,
4 except that only one (1) newspaper insertion one (1) week before
5 the public sale is required.
6 (2) The unit may sell the vehicle or part as unclaimed property
7 under IC 36-1-11. The fifteen (15) day period for the property to
8 remain unclaimed is sufficient for a sale under this subdivision.
9 SECTION 201. IC 9-22-1.5-4 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The property owner
11 shall:
12 (1) request that a search be performed in the records of the bureau
13 for the name and address of the owner of the mobile home and the
14 name and address of any person holding a lien or security interest
15 on the mobile home;
16 (2) after receiving the results of the search required by
17 subdivision (1), give notice by certified mail, return receipt
18 requested, or in person, to the last known address of the owner of
19 the mobile home, to any lien holder with a perfected security
20 interest in the mobile home and to all other persons known to
21 claim an interest in the mobile home. The notice must include a
22 description of the mobile home, a demand that the mobile home
23 be removed within a specified time not less than ten (10) days
24 after receipt of the notice, and a conspicuous statement that unless
25 the mobile home is removed within that time, the mobile home
26 will be advertised for sale and offered for sale by auction at a
27 specified time and place;
28 (3) advertise that the mobile home will be offered for sale at
29 public auction in conformity with IC 26-1-7-210 and
30 IC 26-1-2-328. The advertisement of sale must be published once
31 a week for two (2) consecutive weeks in a newspaper of general
32 circulation in the county where the mobile home has been left
33 without permission. The advertisement must include a description
34 of the mobile home, the name of the owner of the mobile home,
35 if ascertainable, and the time and place of the sale. The sale must
36 take place at least fifteen (15) days after the first publication. If
37 there is no newspaper of general circulation where the sale is to
38 be held, the advertisement must be posted at least ten (10) days
39 before the sale in not less than six (6) conspicuous places in the
40 neighborhood of the proposed sale;
41 (4) conduct an auction, not less than thirty (30) days after the
42 return receipt is received by the property owner, on the property

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- 1 where the mobile home was left without permission;
 2 (5) provide a reasonable time before the sale for prospective
 3 purchasers to examine the mobile home;
 4 (6) sell the mobile home to the highest bidder, if any; and
 5 (7) immediately after the auction, execute an affidavit of sale or
 6 disposal ~~in triplicate~~ on a form prescribed by the bureau stating:
 7 (A) that the requirements of this section have been met;
 8 (B) the length of time that the mobile home was left on the
 9 property without permission;
 10 (C) any expenses incurred by the property owner, including
 11 the expenses of the sale;
 12 (D) the name and address of the purchaser of the mobile home
 13 at the auction, if any; and
 14 (E) the amount of the winning bid, if any.

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

19 SECTION 202. IC 9-22-3-1 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) Except as
 21 provided in subsection (b), ~~and section 14 of this chapter~~, this chapter
 22 applies each year to a motor vehicle, semitrailer, or recreational vehicle
 23 manufactured within the last seven (7) model years, including the
 24 current model year. The bureau shall establish guidelines for
 25 determining the applicability of the model year effective dates for each
 26 year.

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

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

33 SECTION 203. IC 9-22-3-4 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau shall
 35 issue a certificate of salvage title as proof of ownership for a salvage
 36 motor vehicle when the acquiring insurance company, disposal facility,
 37 or person does the following:

- 38 (1) Applies for the certificate of salvage title.
 39 (2) Pays the appropriate fee under IC 9-29-7.
 40 (3) Surrenders the motor vehicle's original certificate of title ~~The~~
 41 ~~certificate of title must be properly notarized or include the~~
 42 ~~affidavit of the last person who owned the vehicle; the person's~~

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- 1 ~~legal representative, or legal successor in interest of the vehicle,~~
 2 ~~or other acceptable~~ proof of ownership as determined by the
 3 bureau.
- 4 SECTION 204. IC 9-22-3-5 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. A certificate of
 6 salvage title issued under section 4 of this chapter must contain the
 7 following information:
- 8 (1) The same vehicle information as a certificate of title issued by
 9 the ~~department:~~ **bureau.**
- 10 (2) The notation "SALVAGE TITLE" prominently recorded on
 11 the front and back of the title.
- 12 (3) If the motor vehicle is a flood damaged vehicle, the notation
 13 "FLOOD DAMAGED" prominently recorded on the front and
 14 back of the title.
- 15 SECTION 205. IC 9-22-3-9 IS REPEALED [EFFECTIVE JULY 1,
 16 2012]. ~~Sec. 9: If a dealer purchases a salvage motor vehicle subject to~~
 17 ~~section 8 of this chapter and applies for a certificate of dealer title, the~~
 18 ~~affidavit attached to the certificate of salvage title must also be attached~~
 19 ~~to the certificate of dealer title. The bureau must retain the affidavit or~~
 20 ~~a microfilm copy of the form for ten (10) years.~~
- 21 SECTION 206. IC 9-22-3-10 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) If a certificate
 23 of salvage title is lost, mutilated, or destroyed or becomes illegible, the
 24 person who owns the vehicle or the legal representative or legal
 25 successor in interest of the person who owns the motor vehicle,
 26 semitrailer, or recreational vehicle for which the certificate of salvage
 27 title was issued, as shown by the records of the bureau, ~~of motor~~
 28 ~~vehicles,~~ shall immediately apply for a duplicate certificate of salvage
 29 title.
- 30 (b) A person described in subsection (a) may obtain a duplicate
 31 certificate of salvage title when the person furnishes information
 32 concerning the loss, mutilation, destruction, or illegibility satisfactory
 33 to the ~~department~~ **bureau** and pays the fee set forth in IC 9-29-7. Upon
 34 the issuance of a duplicate certificate of salvage title, the most recent
 35 certificate of salvage title issued is considered void by the ~~department:~~
 36 **bureau.**
- 37 (c) A certificate of salvage title issued under this section must have
 38 recorded upon the title's face and back the words "DUPLICATE
 39 SALVAGE TITLE".
- 40 (d) If the lost, mutilated, destroyed, or illegible certificate of salvage
 41 title contained the notation "FLOOD DAMAGED", the duplicate
 42 certificate of salvage title must have recorded upon the title's face and

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- 1 back the words "FLOOD DAMAGED".
- 2 SECTION 207. IC 9-22-3-11, AS AMENDED BY P.L.110-2006,
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 11. (a) This section applies to the following
5 persons:
- 6 (1) An insurance company that declares a wrecked or damaged
7 motor vehicle, motorcycle, semitrailer, or recreational vehicle that
8 meets at least one (1) of the criteria set forth in section 3 of this
9 chapter and the ownership of which is not evidenced by a
10 certificate of salvage title.
- 11 (2) An insurance company that has made and paid an agreed
12 settlement for the loss of a stolen motor vehicle, motorcycle,
13 semitrailer, or recreational vehicle that:
- 14 (A) has been recovered by the titled owner; and
15 (B) meets at least one (1) of the criteria set forth in section 3
16 of this chapter.
- 17 (b) A person who owns or holds a lien upon a vehicle described in
18 subsection (a) shall assign the certificate of title to the insurance
19 company described in subsection (a). The insurance company shall
20 apply to the bureau within thirty-one (31) days after receipt of the
21 certificate of title for a certificate of salvage title for each salvage or
22 stolen vehicle subject to this chapter. The insurance company shall
23 surrender the certificate of title to the ~~department~~ bureau and pay the
24 fee prescribed under IC 9-29-7 for a certificate of salvage title.
- 25 (c) When the owner of a vehicle described in subsection (a) retains
26 possession of the vehicle:
- 27 (1) the person who possesses the certificate of title shall surrender
28 the certificate of title to the insurance company described in
29 subdivision (2);
- 30 (2) the insurance company that completes an agreed settlement
31 for the vehicle shall:
- 32 (A) obtain the certificate of title; and
33 (B) submit to the bureau:
34 (i) the certificate of title;
35 (ii) the appropriate fee; and
36 (iii) a request for a certificate of salvage title on a form
37 prescribed by the bureau; and
- 38 (3) after the bureau has received the items set forth in subdivision
39 (2)(B), the bureau shall issue a certificate of salvage title to the
40 owner.
- 41 (d) When a self-insured entity is the owner of a salvage motor
42 vehicle, motorcycle, semitrailer, or recreational vehicle that meets at

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1 least one (1) of the criteria set forth in section 3 of this chapter, the
 2 self-insured entity shall apply to the bureau within thirty-one (31) days
 3 after the date of loss for a certificate of salvage title in the name of the
 4 self-insured entity's name.

5 (e) Any other person acquiring a wrecked or damaged 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, which
 8 acquisition is not evidenced by a certificate of salvage title, shall apply
 9 to the bureau within thirty-one (31) days after receipt of the certificate
 10 of title for a certificate of salvage title.

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

12 SECTION 208. IC 9-22-3-12 IS REPEALED [EFFECTIVE JULY
 13 1, 2012]. ~~Sec. 12: The owner of a salvage motor vehicle not covered by
 14 this chapter, either because a salvage transaction had taken place
 15 before September 1, 1975, or because the vehicle is too old, is not
 16 required to obtain a certificate of salvage title for the vehicle.~~

17 SECTION 209. IC 9-22-3-13 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. A scrap metal
 19 processor or other appropriate facility that purchases or acquires a
 20 salvage motor vehicle that has been totally demolished or destroyed as
 21 a result of normal processing performed by a disposal facility is not
 22 required to apply for and receive a certificate of salvage title for the
 23 vehicle. **The facility or processor shall surrender the certificate of
 24 title or the certificate of salvage title to the bureau.** The disposal
 25 facility shall maintain the records prescribed by the bureau for a totally
 26 demolished or destroyed vehicle.

27 SECTION 210. IC 9-22-3-14 IS REPEALED [EFFECTIVE JULY
 28 1, 2012]. ~~Sec. 14: (a) This section applies to all salvage motor vehicles:~~

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

33 SECTION 211. IC 9-22-3-16 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) Except as
 35 provided in subsection (b), a certificate of title issued under section 8
 36 9, or 15 of this chapter and a certificate of title subsequently issued
 37 must conspicuously bear the designation:

- 38 (1) "REBUILT VEHICLE--MILEAGE ~~UNKNOWN~~" **NOT**
 39 **ACTUAL**" if the motor vehicle is not a flood damaged vehicle;
 40 or
 41 (2) "REBUILT FLOOD DAMAGED VEHICLE" if the motor
 42 vehicle is a flood damaged vehicle.



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

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

9 (1) "REBUILT VEHICLE"~~—MILEAGE UNKNOWN~~ if the
 10 motor vehicle is not a flood damaged vehicle; or

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

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

15 SECTION 212. IC 9-22-3-17 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17. (a) Except as
 17 provided in subsection (b), whenever a certificate of title is issued for
 18 a ~~motor~~ vehicle that was previously titled in another state or
 19 jurisdiction and the certificate of title from the other state or
 20 jurisdiction contains a "REBUILT", "~~RECONSTRUCTED~~",
 21 "~~RECONDITIONED~~", "DISTRESSED VEHICLE", or similar
 22 designation, a new and subsequent certificate of title must
 23 conspicuously bear the designation "REBUILT VEHICLE".

24 (b) Whenever a certificate of title is issued for a ~~motor~~ vehicle
 25 described in subsection (a) that was previously titled in another state
 26 or jurisdiction and the certificate of title from the other state or
 27 jurisdiction contains a designation that indicates that the ~~motor~~ vehicle
 28 is a flood damaged vehicle, a new and subsequent certificate of title
 29 must conspicuously bear the designation "REBUILT FLOOD
 30 DAMAGED VEHICLE".

31 SECTION 213. IC 9-22-3-18 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. A vehicle that has
 33 been designated "JUNK", "~~DISMANTLED~~", "~~SCRAP~~",
 34 "~~DESTROYED~~", or any similar designation in another state or
 35 jurisdiction ~~may~~ **shall** not be titled in Indiana.

36 SECTION 214. IC 9-22-3-18.5 IS ADDED TO THE INDIANA
 37 CODE AS A NEW SECTION TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2012]: **Sec. 18.5. (a) This section does not**
 39 **apply to a person who sells, exchanges, or transfers golf carts.**

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

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

42 **(2) another person who sells, exchanges, or transfers at least**

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

7 SECTION 215. IC 9-22-3-33 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 33. A person who
 9 violates section 4, 5, 6, 7, **or 8 of this chapter** (or **section 9** of this
 10 chapter **before its repeal**) commits a Class D felony.

11 SECTION 216. IC 9-22-5-1 IS REPEALED [EFFECTIVE JULY 1,
 12 2012]. ~~Sec. 1. The following officers may act for their respective units~~
 13 ~~of government under this chapter:~~

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

19 SECTION 217. IC 9-22-5-2 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A:

- 21 (1) person, firm, corporation, limited liability company, or unit of
 22 government upon whose property or in whose possession is found
 23 an abandoned ~~motor~~ vehicle; or
 - 24 (2) person who owns a ~~motor~~ vehicle that has a title that is faulty,
 25 lost, or destroyed;
- 26 may apply to the sheriff of the county in which the motor vehicle is
 27 located **in accordance with this chapter** for authority to sell, give
 28 away, or dispose of the ~~motor~~ vehicle for scrap metal.

29 SECTION 218. IC 9-22-5-3 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The application
 31 required under section 2 of this chapter shall be made in ~~duplicate upon~~
 32 ~~forms a manner~~ prescribed and furnished by the bureau. ~~One (1) copy~~
 33 ~~of~~ The application shall be filed with the bureau. ~~and one (1) copy of~~
 34 ~~the application shall be retained by the sheriff.~~

35 SECTION 219. IC 9-22-5-4 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The application
 37 required under section 2 of this chapter must include the following
 38 information:

- 39 (1) The name and address of the applicant.
- 40 (2) The year, make, model, and engine number of the ~~motor~~
 41 vehicle, if ascertainable, together with any other identifying
 42 features.

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1 (3) A concise statement of the facts surrounding the abandonment
2 of the motor vehicle, that the title of the motor vehicle is lost or
3 destroyed, or the reasons for the defect of title in the owner of the
4 motor vehicle.

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

8 SECTION 220. IC 9-22-5-5 IS REPEALED [EFFECTIVE JULY 1,
9 2012]. Sec. 5: (a) The sheriff shall examine each application made
10 under section 2 of this chapter. If the sheriff finds that the application:

- 11 (1) is executed in proper form; and
- 12 (2) shows that the motor vehicle described in the application has
13 been abandoned upon the property of the person making the
14 application or that the person making the application is the person
15 who owns the motor vehicle;

16 the sheriff shall prepare a written notice:

17 (b) The notice required under subsection (a) must include the
18 following information:

- 19 (1) The name and address of the applicant.
- 20 (2) The year, make, model, and engine number of the motor
21 vehicle; if ascertainable, together with any other identifying
22 features of the motor vehicle.
- 23 (3) That the motor vehicle has been abandoned; that the title to
24 the motor vehicle is lost or destroyed; or that there is a defect of
25 the title in the person who owns the motor vehicle.
- 26 (4) That the motor vehicle will be sold for scrap metal unless a
27 claim or protest is made.

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

- 31 (1) Posted at the door of the courthouse for a period of thirty (30)
32 days before sale.
- 33 (2) Published once in a newspaper of general circulation of the
34 county in which the motor vehicle is located at least thirty (30)
35 days before sale.
- 36 (3) Sent to the last person who owned the motor vehicle; if
37 known:

38 SECTION 221. IC 9-22-5-6 IS REPEALED [EFFECTIVE JULY 1,
39 2012]. Sec. 6. If an abandoned motor vehicle for which an application
40 for sale under this chapter has been filed is claimed by the person who
41 owns the motor vehicle before the sale occurs and the person provides
42 satisfactory evidence of ownership to the sheriff, the motor vehicle

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1 shall be returned to the person upon payment by the person of the costs
 2 of preserving the motor vehicle during the period of abandonment;
 3 together with the costs of publication of notice.

4 SECTION 222. IC 9-22-5-7 IS REPEALED [EFFECTIVE JULY 1,
 5 2012]. Sec. 7: If a claim or protest is not made before sale; the person
 6 who filed the application required under section 2 of this chapter shall;
 7 upon payment of the costs of publication of notice; be given a
 8 certificate of authority to sell the motor vehicle to a licensed junk
 9 dealer or an established automobile wrecker for scrap metal. The
 10 licensed junk dealer or established automobile wrecker shall accept the
 11 sheriff's certificate of authority instead of the certificate of title to the
 12 motor vehicle.

13 SECTION 223. IC 9-22-5-8 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The certificate of
 15 authority to **scrap the vehicle** required under section 7 of this chapter
 16 shall be made in ~~triplicate~~ on forms prescribed and furnished by the
 17 bureau. The certificate of authority must contain the following
 18 information:

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

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

24 SECTION 224. IC 9-22-5-9 IS REPEALED [EFFECTIVE JULY 1,
 25 2012]. Sec. 9: The sheriff shall retain one ~~(1)~~ copy of the certificate of
 26 authority required under section 7 of this chapter. The sheriff shall send
 27 one ~~(1)~~ copy of the certificate of authority to the bureau.

28 SECTION 225. IC 9-22-5-10 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. After a certificate
 30 of authority required under section 7 of this chapter has been delivered
 31 to the bureau ~~under section 9 of this chapter~~, **by the automobile**
 32 **scrapyard**, a certificate of title may not be issued for the motor vehicle
 33 **that is described in the certificate of authority and is noted in the**
 34 **records of the bureau as "junk".**

35 SECTION 226. IC 9-22-5-11 IS REPEALED [EFFECTIVE JULY
 36 1, 2012]. Sec. ~~11~~. A fee may not be charged for the filing of an
 37 application under section 2 of this chapter or for the issuance of a
 38 certificate of authority under section 7 of this chapter.

39 SECTION 227. IC 9-22-5-12 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. The person who:

41 (1) owns a motor vehicle that has a title that is faulty, lost, or
 42 destroyed; and

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

3 SECTION 228. IC 9-22-5-13, AS AMENDED BY P.L.246-2005,
 4 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2012]: Sec. 13. (a) A person not described in section 12 of this
 6 chapter who sells an ~~abandoned motor a~~ vehicle under this chapter may
 7 retain from the proceeds of sale the cost of publication of notice and the
 8 cost of preserving the motor vehicle during the period of the vehicle's
 9 abandonment. The person shall pay the remaining balance of the
 10 proceeds of the sale to the circuit court clerk of the county in which the
 11 abandoned motor vehicle is located.

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

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

24 SECTION 229. IC 9-22-5-14 IS REPEALED [EFFECTIVE JULY
 25 1, 2012]. Sec. 14. (a) An individual; a firm; a limited liability company;
 26 or a corporation engaged in the business of storing; furnishing supplies
 27 for; or repairing motor vehicles; trailers; semitrailers; or recreational
 28 vehicles shall obtain the name and address of the person who owns a
 29 motor vehicle; trailer; semitrailer; or recreational vehicle that is left in
 30 the custody of the individual; firm; limited liability company; or
 31 corporation for storage; furnishing of supplies; or repairs at the time the
 32 motor vehicle is left.

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

36 (1) The name and address of the person who owns the motor
 37 vehicle.

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

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

40 (c) The book shall be provided and kept by the individual; firm;
 41 limited liability company; or corporation and shall be open for
 42 inspection by an authorized police officer of the state or of a city or

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1 town or by the county sheriff.

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

6 SECTION 230. IC 9-22-5-15 IS REPEALED [EFFECTIVE JULY
7 1, 2012]. Sec. 15: (a) An individual, a firm, a limited liability company,
8 or a corporation that performs labor, furnishes materials or storage, or
9 does repair work on a motor vehicle, trailer, semitrailer, or recreational
10 vehicle at the request of the person who owns the vehicle has a lien on
11 the vehicle to the reasonable value of the charges for the labor,
12 materials, storage, or repairs.

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

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

18 (2) at the request of an individual, a firm, a partnership, a limited
19 liability company, or a corporation on whose property an
20 abandoned motor vehicle, trailer, semitrailer, or recreational
21 vehicle is located; or

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

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

28 (c) If:

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

30 (2) the motor vehicle, trailer, semitrailer, or recreational vehicle
31 is not claimed;

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

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

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1 lienholder's place of business is located. The advertisement must
2 contain at least the following information:

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

5 (2) The amount of the unpaid charges.

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

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

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

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

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

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

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

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

40 (i) A person who holds a mechanic's lien under this section shall
41 execute and deliver to the purchaser of a vehicle under this section a
42 sales certificate in the form designated by the bureau, setting forth the

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1 following information:

2 (1) The facts of the sale;

3 (2) The vehicle identification number;

4 (3) The certificate of title if available;

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

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

10 SECTION 231. IC 9-22-5-16 IS REPEALED [EFFECTIVE JULY
11 1, 2012]. Sec. 16: (a) This section does not apply to a person who sells;
12 exchanges; or transfers golf carts:

13 (b) A seller that is:

14 (1) a dealer; or

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

16 (5) vehicles each year;

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

22 SECTION 232. IC 9-22-5-17 IS REPEALED [EFFECTIVE JULY
23 1, 2012]. Sec. 17: A person who recklessly violates section 14 or 15 of
24 this chapter commits a Class A misdemeanor.

25 SECTION 233. IC 9-22-6 IS ADDED TO THE INDIANA CODE
26 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2012]:

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

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

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

40 (1) The name and address of the person that owns the vehicle.

41 (2) The license number of the vehicle.

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



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

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

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

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

21 (c) If:

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

24 (2) the motor vehicle, trailer, semitrailer, or recreational
25 vehicle is not claimed;

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

35 (d) Before a vehicle may be sold under subsection (c), an
36 advertisement must be placed in a newspaper that is printed in
37 English and of general circulation in the city or town in which the
38 lienholder's place of business is located. If the lienholder is located
39 outside the corporate limits of a city or a town, the advertisement
40 must be placed in a newspaper of general circulation in the county
41 in which the place of business of the lienholder is located. The
42 advertisement must contain at least the following information:



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

3 (2) The amount of the unpaid charges.

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

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

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

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

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

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

40 (1) The facts of the sale.

41 (2) The vehicle identification number.

42 (3) The certificate of title if available.

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

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

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

7 Sec. 3. A person that knowingly, intentionally, or recklessly
8 violates section 1 or 2 of this chapter commits a Class A
9 misdemeanor.

10 SECTION 234. IC 9-24-1-1, AS AMENDED BY P.L.109-2011,
11 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2012]: Sec. 1. Except as otherwise provided in section 6 or
13 7 of this chapter, an individual must have a valid Indiana:

- 14 (1) operator's license;
- 15 (2) chauffeur's license;
- 16 (3) public passenger chauffeur's license;
- 17 (4) commercial driver's license;
- 18 (5) driver's license listed in subdivision (1), (2), (3), or (4) with a
19 motorcycle endorsement; ~~or~~
- 20 (6) learner's permit; **or**
- 21 (7) **motorcycle learner's permit;**

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

25 SECTION 235. IC 9-24-1-1.5 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1.5. ~~(a) This section~~
27 ~~applies after December 31, 2005.~~

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

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

- 34 (1) not required by this article to reside in Indiana to receive the
35 license; and
- 36 (2) otherwise qualified to receive the license.

37 SECTION 236. IC 9-24-1-2 IS REPEALED [EFFECTIVE JULY 1,
38 2012]. Sec. 2: Except as provided in section 7 of this chapter, an
39 individual must have a valid Indiana chauffeur's license to operate a
40 motor vehicle as a chauffeur upon an Indiana highway.

41 SECTION 237. IC 9-24-1-4 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Except as otherwise

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1 provided in ~~section 7~~ of this chapter, an individual must:

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

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

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

6 SECTION 238. IC 9-24-1-5, AS AMENDED BY P.L.109-2011,
7 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2012]: Sec. 5. (a) An individual must have a valid driver's
9 license that may be any of the following to operate a motorcycle upon
10 a public highway:

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

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

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

17 (b) An individual who held a motorcycle operator's license on ~~June~~
18 ~~30, December 31, 2011~~, must hold ~~an a~~ **a valid** operator's, a chauffeur's,
19 a public passenger chauffeur's, or a commercial driver's license with a
20 motorcycle endorsement in order to operate the motorcycle after ~~June~~
21 ~~30, December 31, 2011~~, **without restrictions**.

22 SECTION 239. IC 9-24-1-6 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Except as
24 provided in subsection (b) **or as otherwise provided in this article**, an
25 individual must hold a valid ~~Indiana~~ commercial driver's license ~~issued~~
26 ~~by the bureau under this article~~ to drive a commercial motor vehicle
27 ~~after March 31, 1992~~, upon an Indiana highway.

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

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

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

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

34 SECTION 240. IC 9-24-1-7, AS AMENDED BY P.L.87-2010,
35 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2012]: Sec. 7. (a) Sections 1 through 5 of this chapter do not
37 apply to the following individuals:

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

40 (2) An individual while operating:

41 (A) a road roller;

42 (B) road construction or maintenance machinery, except where

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

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1 state of residence, for a period of sixty (60) days after becoming
2 a resident of Indiana.

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

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

13 SECTION 241. IC 9-24-2-1, AS AMENDED BY P.L.1-2006,
14 SECTION 165, IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) ~~A driver's license or a~~ **The**
16 **bureau shall suspend the driving privileges or invalidate the**
17 **learner's permit may not be issued to of** an individual less than eighteen
18 (18) years of age who meets any of the following conditions:

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

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

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

34 SECTION 242. IC 9-24-2-2 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~A driver's license or~~
36 ~~a~~ **The bureau shall suspend the driving privileges or invalidate the**
37 **learner's permit may not be issued to of** an individual less than eighteen
38 (18) years of age who is under an order entered by a juvenile court
39 under IC 31-37-19-13 through IC 31-37-19-17 (or IC 31-6-4-15.9(d),
40 IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before their repeal).

41 SECTION 243. IC 9-24-2-2.5, AS AMENDED BY P.L.3-2008,
42 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2012]: Sec. 2.5. (a) ~~An operator's license or a~~ **The bureau**
 2 **shall suspend the driving privileges or invalidate the** learner's permit
 3 ~~may not be issued to of~~ an individual who is under an order entered by
 4 a court under IC 35-43-1-2(c).

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

9 SECTION 244. IC 9-24-2-3, AS AMENDED BY P.L.184-2007,
 10 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2012]: Sec. 3. (a) The bureau may not issue a **driver's** license
 12 or **learner's permit or grant driving privileges** to the following
 13 individuals:

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

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

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

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

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

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

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

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

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

42 (B) the Title IV-D agency;

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1 ordering that a ~~driving driver's~~ license or permit not be issued to
2 the individual.

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

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

11 SECTION 245. IC 9-24-2-3.1 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3.1. (a) If a petitioner
13 named in an order issued under section 3(a)(8) of this chapter has a
14 valid commercial ~~driving driver's~~ license, the bureau shall not
15 immediately suspend the **person's commercial driving license**
16 **privileges** but **shall** indicate on the ~~driver's person's~~ record that the
17 person has a conditional ~~license driving privileges~~ to operate a motor
18 vehicle to and from the person's place of employment and in the course
19 of the person's employment.

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

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

29 SECTION 246. IC 9-24-2-4, AS AMENDED BY P.L.1-2005,
30 SECTION 107, IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) If a person is less than
32 eighteen (18) years of age and is a habitual truant, is under a
33 suspension or an expulsion or has withdrawn from school as described
34 in section 1 of this chapter, the bureau shall, upon notification by the
35 person's principal, ~~invalidate~~ **suspend** the person's ~~license or permit~~
36 **driving privileges** until the earliest of the following:

- 37 (1) The person becomes eighteen (18) years of age.
- 38 (2) One hundred twenty (120) days after the person is suspended,
39 or the end of a semester during which the person returns to
40 school, whichever is longer.
- 41 (3) The suspension, expulsion, or exclusion is reversed after the
42 person has had a hearing under IC 20-33-8.

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

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1 with subdivision (1).
 2 A person may appeal the decision of a principal under subdivision (1)
 3 to the governing body of the school corporation where the principal's
 4 school is located.
 5 SECTION 247. IC 9-24-2-5, AS AMENDED BY P.L.1-2005,
 6 SECTION 108, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A person whose driving
 8 privileges have been ~~invalidated~~ **suspended** under section 4 of this
 9 chapter is entitled to a prompt judicial hearing. The person may file a
 10 petition that requests a hearing in a circuit, superior, county, or
 11 municipal court in the county where:
 12 (1) the person resides; or
 13 (2) the school attended by the person is located.
 14 (b) The petition for review must:
 15 (1) be in writing; and
 16 (2) be verified by the person seeking review and:
 17 (A) allege specific facts that indicate the suspension or
 18 expulsion was improper; or
 19 (B) allege that due to the person's emancipation or dependents
 20 that an undue hardship exists that requires the granting of a
 21 restricted driving permit.
 22 (c) The hearing conducted by the court under this section shall be
 23 limited to the following issues:
 24 (1) Whether the school followed proper procedures when
 25 suspending or expelling the person from school, including
 26 affording the person due process under IC 20-33-8.
 27 (2) Whether the bureau followed proper procedures in
 28 ~~invalidating suspending~~ **the person's license or permit; driving**
 29 **privileges.**
 30 (3) Whether an undue hardship exists that requires the granting of
 31 a restricted driving ~~permit; privileges under IC 9-24-15.~~
 32 (d) If the court finds:
 33 (1) that the school failed to follow proper procedures when
 34 suspending or expelling the person from school; or
 35 (2) that the bureau failed to follow proper procedures in
 36 ~~invalidating suspending~~ **the person's license or permit; driving**
 37 **privileges;**
 38 the court may order the bureau to reinstate the person's driving
 39 privileges.
 40 (e) If the court finds that an undue hardship exists, **and the person**
 41 **otherwise qualifies under IC 9-24-15,** the court may order a restricted
 42 driving ~~permit privileges~~ limiting the petitioner to essential driving for

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1 work and driving between home, work, and school only. The restricted
 2 driving ~~permit~~ **privileges** must state the restrictions related to time,
 3 territory, and route. If a court orders a restricted driving ~~permit~~
 4 **privileges** for the petitioner, the court shall do the following:

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

7 (2) Enter the findings of fact and order in the order book of the
 8 court.

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

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

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

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

20 SECTION 248. IC 9-24-3-1, AS AMENDED BY P.L.145-2011,
 21 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2012]: Sec. 1. Except as otherwise provided in this article, the
 23 bureau shall issue an operator's license to an individual who meets the
 24 following conditions:

25 (1) Satisfies the age requirements set forth in section 2 ~~or~~ 2.5 of
 26 this chapter.

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

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

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

38 shall attest in writing under penalty of perjury to the time logged
 39 in practice driving.

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

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

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1 SECTION 249. 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
 18 twenty-five (25) years of age; or

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

21 (2) The individual meets the following conditions:

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

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

26 (C) Passes the required examination.

27 (D) Completes at least fifty (50) hours of supervised driving
 28 practice, of which at least ten (10) hours are nighttime driving,
 29 with:

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

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

34 (3) The individual meets the following conditions:

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

37 (B) Has previously been a nonresident of Indiana, but, at the
 38 time of application, qualifies as an Indiana resident.

39 (C) ~~Holds an unrevoked~~ **Has held a valid** driver's license,
 40 excluding a learner's permit or the equivalent, in the state or a
 41 combination of states in which the individual formerly resided
 42 for at least one hundred eighty (180) days.

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- 1 (D) Passes the required examination.
- 2 (4) The individual meets the following conditions:
- 3 (A) Is at least eighteen (18) years of age.
- 4 (B) Has previously been a nonresident of Indiana but, at the
- 5 time of application, qualifies as an Indiana resident.
- 6 (C) ~~Has Held an unrevoked operator's, chauffeur's, commercial~~
- 7 **a valid driver's or public passenger chauffeur's license,**
- 8 **excluding a learner's permit or the equivalent,** from the
- 9 state of prior residence.
- 10 (D) Passes the required examination.

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

15 SECTION 250. IC 9-24-3-4 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. To receive an
 17 operator's license, an individual must surrender to the bureau **any and**
 18 **all valid operator's, chauffeur's, or other current driver's licenses for**
 19 **the operation of a motor vehicle in the individual's possession or**
 20 **identification cards** issued to the individual by Indiana or any other
 21 jurisdiction. ~~The bureau shall return all surrendered licenses to the~~
 22 ~~issuing department together with information that the licensee is~~
 23 ~~licensed in a new jurisdiction.~~

24 SECTION 251. IC 9-24-4-1 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. Except as otherwise
 26 provided in this article, the bureau shall issue a chauffeur's license to
 27 an individual who meets the following conditions:

- 28 (1) Satisfies the age requirements described in section 2 of this
- 29 chapter.
- 30 (2) Has operated a motor vehicle, **excluding operation under a**
- 31 **learner's permit,** for more than one (1) year.
- 32 (3) Makes proper application to the bureau under IC 9-24-9 upon
- 33 a form prescribed by the bureau.
- 34 (4) Satisfactorily passes the examination and tests required for
- 35 issuance of a chauffeur's license under IC 9-24-10.
- 36 (5) Pays the fee prescribed in IC 9-29-9.

37 SECTION 252. IC 9-24-4-3 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. ~~(a) An individual~~
 39 ~~holding a valid chauffeur's license is not required to obtain an~~
 40 ~~operator's license.~~

41 ~~(b)~~ To receive a chauffeur's license, an individual must surrender to
 42 the bureau ~~any operator's license~~ **all driver's licenses** issued to the

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1 individual by **Indiana or any other jurisdiction.**
 2 SECTION 253. IC 9-24-4-4 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A chauffeur's license
 4 entitles the licensee to operate a motor vehicle, except a motorcycle **or**
 5 **commercial motor vehicle without a proper permit or**
 6 **endorsement**, upon a public highway. A chauffeur's license does not
 7 entitle the licensee to operate a motor vehicle as a public passenger
 8 chauffeur.
 9 SECTION 254. IC 9-24-4-5.5 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. Notwithstanding
 11 any other law, a person holding a chauffeur's license that is renewed or
 12 issued after June 30, 1991, is not entitled by that license to operate a
 13 commercial motor vehicle. ~~for more than thirty (30) days following the~~
 14 ~~renewal or issuance:~~
 15 SECTION 255. IC 9-24-5-1, AS AMENDED BY P.L.156-2006,
 16 SECTION 5, 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 a public passenger chauffeur's license to an
 19 individual who meets the following conditions:
 20 (1) ~~Satisfies the~~ **Is at least eighteen (18) years of age.**
 21 ~~requirements described in section 2 of this chapter.~~
 22 (2) Makes proper application to the bureau under IC 9-24-9, upon
 23 a form prescribed by the bureau.
 24 (3) Successfully passes the physical examination given by a
 25 practicing physician licensed to practice medicine in Indiana.
 26 (4) Has operated a motor vehicle, **excluding operation under a**
 27 **learner's permit**, for at least two (2) years.
 28 (5) Satisfactorily passes the examination and tests for a public
 29 passenger chauffeur's license.
 30 (6) Pays the fee prescribed in IC 9-29-9.
 31 ~~(7) Is at least eighteen (18) years of age.~~
 32 SECTION 256. IC 9-24-5-2 IS REPEALED [EFFECTIVE JULY 1,
 33 2012]. ~~Sec. 2: An individual must be at least eighteen (18) years of age~~
 34 ~~to receive a public passenger chauffeur's license.~~
 35 SECTION 257. IC 9-24-5-3, AS AMENDED BY P.L.156-2006,
 36 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2012]: Sec. 3. A public passenger chauffeur's license entitles
 38 the licensee to operate ~~any~~ **a** motor vehicle, except a commercial
 39 **motor** vehicle or a motorcycle **without proper permit endorsement**,
 40 upon a **public** highway.
 41 SECTION 258. IC 9-24-5-4 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. To receive a public

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1 passenger chauffeur's license, an individual must surrender to the
 2 bureau any operator's license **all driver's licenses** issued to the
 3 individual **by Indiana or any other jurisdiction.**

4 SECTION 259. IC 9-24-5-5.5 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. Notwithstanding
 6 any other law, a person holding a public passenger chauffeur's license
 7 that is renewed or issued after June 30, 1991, is not entitled by that
 8 license to operate a commercial motor vehicle. ~~for more than thirty (30)~~
 9 ~~days following the renewal or issuance.~~

10 SECTION 260. IC 9-24-6-0.5, AS ADDED BY P.L.188-2006,
 11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2012]: Sec. 0.5. As used in this chapter, "commercial driver's
 13 license learner's permit" means a ~~driver's~~ **learner's** permit that allows
 14 an individual, unless otherwise disqualified, to operate a commercial
 15 motor vehicle only when accompanied by a person:

- 16 (1) who holds a valid commercial driver's license for the type of
- 17 commercial motor vehicle being driven; and
- 18 (2) who occupies a seat beside the individual in order to give
- 19 instruction to the individual in driving the commercial motor
- 20 vehicle.

21 SECTION 261. IC 9-24-6-0.8, AS ADDED BY P.L.45-2011,
 22 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2012]: Sec. 0.8. As used in this chapter, "downgrade" has the
 24 meaning specified in ~~paragraph (4)~~ of the definition of CDL downgrade
 25 as set forth in 49 CFR 383.5 as in effect on July 1, 2010.

26 SECTION 262. IC 9-24-6-1 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. ~~(a) Except as~~
 28 ~~provided in subsection (c);~~ This chapter does not apply to a motor
 29 vehicle **or the operator of a motor vehicle** that ~~meets the following~~
 30 ~~conditions:~~

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

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

- 36 ~~(1) Is registered as a recreational vehicle;~~
- 37 ~~(2) Is used primarily to transport the owner's family members or~~
- 38 ~~guests and their possessions for nonbusiness purposes;~~
- 39 ~~(3) Is registered under IC 9-18 as a farm vehicle or is a farm~~
- 40 ~~vehicle that is exempt under 49 U.S.C. 521, 49 U.S.C. 31104, and~~
- 41 ~~49 U.S.C. 31301 through 31306;~~
- 42 ~~(4) Is utilized as a:~~

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1 (A) church bus; or
 2 (B) bus operated by a nonprofit benevolent or charitable
 3 agency;
 4 that is designed to carry more than fifteen (15) passengers;
 5 including the driver; if the vehicle is exempt under 49 U.S.C. 521;
 6 49 U.S.C. 31104, and 49 U.S.C. 31301 through 31306; or
 7 applicable federal regulations.
 8 (c) The bureau may remove the exemptions granted under
 9 subsections (a) and (b) if the bureau, upon notice and public hearing,
 10 determines that the waiver is in the interest of safety or of keeping
 11 Indiana in compliance with federal law; subject to section 3 of this
 12 chapter.
 13 SECTION 263. IC 9-24-6-2.3, AS ADDED BY P.L.45-2011,
 14 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2012]: Sec. 2.3. (a) In addition to the requirements of 49 CFR
 16 383.71, an applicant for a new commercial driver's license or a holder
 17 of a commercial driver's license must ~~provide the bureau with~~ **have** a
 18 copy of a current medical examination report and medical examiner's
 19 certificate prepared by a medical examiner **on file with the motor**
 20 **carrier services division of the department of state revenue. If a**
 21 **copy is not on file with the motor carrier services division of the**
 22 **department of state revenue, a copy must be presented to the**
 23 **bureau.**
 24 (b) A commercial driver's license holder must ~~provide the bureau~~
 25 ~~with~~ **have** a copy of a current medical examination report and medical
 26 examiner's certificate **on file with the motor carrier services division**
 27 **of the department of state revenue** each time a medical examination
 28 report and medical examiner's certificate are obtained by the
 29 commercial driver's license holder, regardless of whether the medical
 30 examiner certifies the driver as qualified. **If a copy is not on file with**
 31 **the motor carrier services division of the department of state**
 32 **revenue, a copy must be presented to the bureau.**
 33 (c) If a medical examination report does not certify that a
 34 commercial driver's license holder meets the physical standards in 49
 35 CFR 391.41 or if the driver is otherwise unqualified, the commercial
 36 driver's license or permit holder is disqualified **from operating a**
 37 **commercial motor vehicle.**
 38 (d) The bureau shall make the final determination of whether a
 39 commercial driver's license applicant or holder meets the qualifications
 40 of 49 CFR 391.41. If the bureau determines that the applicant or holder
 41 does not meet the qualifications of 49 CFR 391.41, the applicant or
 42 holder is disqualified **from operating a commercial motor vehicle.**

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

9 (f) With respect to the self-certification requirements of 49 CFR
10 383.71(a)(1), a commercial driver's license applicant must certify that
11 the applicant expects to operate only in interstate ~~commerce~~ or ~~only in~~
12 intrastate commerce, **and whether the applicant is medically**
13 **excepted. In either case, Regardless of the applicant's certification**
14 **under this subsection,** the applicant remains subject to the
15 requirements of 49 CFR 391.41 **and 49 CFR 383.71**, except as
16 provided for by rule.

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

21 SECTION 264. IC 9-24-6-5.3, AS AMENDED BY P.L.145-2011,
22 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2012]: Sec. 5.3. (a) The owner of a truck driver training
24 school or a state educational institution that operates a truck driver
25 training school as a course of study must notify the bureau:

- 26 (1) of a student's completion of a course of the truck driver
27 training school immediately after the student completes the
28 course; or
- 29 (2) of the termination of a student's instruction in the truck driver
30 training school immediately after the student's instruction
31 terminates.

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

36 (c) ~~This subsection applies after December 31, 2011.~~ (b) The owner
37 of a truck driver training school shall retain records relating to each
38 student of the truck driver training school for at least six (6) years.

39 SECTION 265. IC 9-24-6-5.5, AS AMENDED BY P.L.145-2011,
40 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2012]: Sec. 5.5. (a) ~~This subsection expires December 31,~~
42 ~~2011. A truck driver training school accredited by the Indiana~~

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1 commission on proprietary education is subject to rules adopted by the
2 Indiana commission on proprietary education.

3 (b) A:

4 (1) student of a truck driver training school; and

5 (2) truck driver training school;

6 are subject to applicable rules adopted by the department of state
7 revenue.

8 (c) This subsection applies after December 31, 2011. A:

9 (1) student of a truck driver training school; and

10 (2) truck driver training school;

11 is subject to applicable rules adopted by the bureau.

12 SECTION 266. IC 9-24-6-6, AS AMENDED BY P.L.9-2010,
13 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2012]: Sec. 6. (a) The following, if committed while driving
15 a commercial motor vehicle or while holding any class of commercial
16 driver's license **or permit**, are serious traffic violations:

17 (1) Operating a vehicle at least fifteen (15) miles per hour above
18 the posted speed limit in violation of IC 9-21-5, IC 9-21-6, or
19 IC 9-21-5-14.

20 (2) Operating a vehicle recklessly as provided in IC 9-21-8-50 and
21 IC 9-21-8-52.

22 (3) Improper or erratic traffic lane changes in violation of
23 IC 9-21-8-2 through IC 9-21-8-13 and IC 9-21-8-17 through
24 IC 9-21-8-18.

25 (4) Following a vehicle too closely in violation of IC 9-21-8-14
26 through IC 9-21-8-16.

27 (5) In connection with a fatal accident, violating any statute,
28 ordinance, or rule concerning motor vehicle traffic control other
29 than parking statutes, ordinances, or rules.

30 (6) Operating a vehicle while disqualified under this chapter.

31 (7) For drivers who are not required to always stop at a railroad
32 crossing, failing to do any of the following:

33 (A) Slow down and determine that the railroad tracks are clear
34 of an approaching train or other on-track equipment, in
35 violation of IC 9-21-5-4, IC 9-21-8-39, IC 35-42-2-4, or any
36 similar statute.

37 (B) Stop before reaching the railroad crossing, if the railroad
38 tracks are not clear of an approaching train or other on-track
39 equipment, in violation of IC 9-21-4-16, IC 9-21-8-39, or any
40 similar statute.

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

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- 1 (A) Stopping in a railroad crossing, in violation of
- 2 IC 9-21-8-50 or any similar statute.
- 3 (B) Failing to obey a traffic control device or failing to obey
- 4 the directions of a law enforcement officer at a railroad
- 5 crossing, in violation of IC 9-21-8-1 or any similar statute.
- 6 (C) Stopping in a railroad crossing because of insufficient
- 7 undercarriage clearance, in violation of IC 35-42-2-4,
- 8 IC 9-21-8-50, or any similar statute.
- 9 (9) Operating a commercial motor vehicle without having ever
- 10 obtained a commercial driver's license.
- 11 (10) Operating a commercial motor vehicle without a commercial
- 12 driver's license in the possession of the individual.
- 13 (11) Operating a commercial motor vehicle without holding the
- 14 proper class or endorsement of a commercial driver's license for
- 15 the operation of the class of the commercial motor vehicle.
- 16 **(12) Driving a commercial motor vehicle while using a**
- 17 **hand-held mobile device as set forth in 49 CFR 383 through**
- 18 **384 and 49 CFR 390 through 392.**
- 19 (b) Subsection (a)(1) through (a)(11) are intended to comply with
- 20 the provisions of 49 U.S.C. 31311(a)(10) and regulations adopted
- 21 under that statute.
- 22 SECTION 267. IC 9-24-6-8, AS AMENDED BY P.L.9-2010,
- 23 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 24 JULY 1, 2012]: Sec. 8. The following, if committed while driving a
- 25 commercial motor vehicle or while holding any class of commercial
- 26 driver's license **or permit**, are disqualifying offenses:
- 27 (1) Operating a vehicle while under the influence of alcohol in
- 28 violation of IC 9-30-5-1(a), IC 9-30-5-1(b), or section 15 of this
- 29 chapter.
- 30 (2) Operating a vehicle while under the influence of a controlled
- 31 substance in violation of IC 9-30-5-1(c).
- 32 (3) Leaving the scene of an accident involving the driver's
- 33 commercial motor vehicle in violation of IC 9-26-1.
- 34 (4) Conviction of a felony involving the use of a commercial
- 35 motor vehicle other than a felony described in subdivision (5).
- 36 (5) Use of a commercial motor vehicle in the commission of a
- 37 felony under IC 35-48 involving manufacturing, distributing, or
- 38 dispensing of a controlled substance.
- 39 (6) Violation of IC 9-30-5-2 through IC 9-30-5-8 involving
- 40 operating a vehicle while intoxicated.
- 41 (7) Refusing to undergo testing for the enforcement of
- 42 IC 9-30-5-1 or section 15 of this chapter.

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1 SECTION 268. IC 9-24-6-10.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10.5. (a) Except as
3 provided in subsection (b), and in addition to any other penalty
4 imposed for a violation of this chapter, the court that imposes a
5 judgment for violation of an out-of-service order shall order the person
6 receiving the judgment to be disqualified from driving a commercial
7 vehicle as follows:

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

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

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

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

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

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

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

36 SECTION 269. IC 9-24-6-20, AS ADDED BY P.L.45-2011,
37 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2012]: Sec. 20. (a) The bureau shall downgrade the
39 commercial driver's license of a driver under the following
40 circumstances:

41 (1) The driver's medical certification or federally granted medical
42 variance expires.

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1 (2) The bureau receives notification that the driver's federally
 2 granted medical variance was removed or rescinded.
 3 Not later than sixty (60) days after the occurrence of a circumstance
 4 described in subdivision (1) or (2), the bureau shall initiate a
 5 downgrade of the driver's commercial driver's license.
 6 (b) To prevent the driver's commercial driver's license from being
 7 downgraded:
 8 (1) a driver whose medical certification has expired must submit
 9 a current and qualifying medical examination report and medical
 10 examiner's certificate not later than sixty (60) days after the
 11 bureau has initiated a downgrade; or
 12 (2) a driver whose federally granted medical variance was
 13 removed or rescinded must submit a new federally granted
 14 medical variance not later than sixty (60) days after the bureau
 15 has initiated a downgrade.
 16 (c) The bureau shall provide written notice to a driver at least ten
 17 (10) days before initiating a downgrade of the driver's commercial
 18 driver's license informing the driver:
 19 (1) that the driver is not medically certified due to the expiration
 20 of the driver's medical certificate or because the driver's federally
 21 granted medical variance was removed or rescinded; and
 22 (2) how the driver can prevent the driver's commercial driver's
 23 license from being downgraded.
 24 (d) The bureau shall not issue a commercial driver's license to an
 25 applicant who does not certify that the applicant:
 26 (1) expects to operate only in interstate ~~commerce~~ or ~~only in~~
 27 intrastate commerce; **and**
 28 (2) **whether or not the applicant is medically excepted.**
 29 SECTION 270. IC 9-24-6.5-6 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The hazardous
 31 materials endorsement of a driver who applies for renewal of the
 32 endorsement may remain valid after the date on which the endorsement
 33 would otherwise expire if both of the following conditions are met:
 34 (1) The application for renewal was received by the bureau at
 35 least ninety (90) days before the date on which the endorsement
 36 expires.
 37 (2) On the date on which the endorsement expires, the bureau has
 38 not yet received the results of a background check conducted by
 39 the administration or another agency designated to conduct the
 40 background check.
 41 (b) Except as provided in subsection (c), an extension under
 42 subsection (a) is valid for ninety (90) days after the date on which the

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1 endorsement would otherwise expire **if the driver has applied with**
2 **the Transportation Security Administration for renewal of the**
3 **hazardous materials endorsement approval.**

4 (c) Notwithstanding subsection (b), if the bureau receives
5 information from the administration or another agency designated to
6 conduct a background check that requires the bureau to revoke the
7 hazardous materials endorsement of a driver, the bureau shall revoke
8 the endorsement immediately upon receipt of the information.

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

10 (1) the bureau receives the results of a background check
11 conducted by the administration or another agency designated to
12 conduct the background check; or

13 (2) further extensions are barred under regulations adopted to
14 implement the act.

15 SECTION 271. IC 9-24-7-1, AS AMENDED BY P.L.145-2011,
16 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2012]: Sec. 1. (a) ~~This subsection expires June 30, 2010. The~~
18 ~~bureau shall issue a learner's permit to an individual who meets the~~
19 ~~following conditions:~~

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

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

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

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

27 (1) ~~Is at least fifteen (15) years and one hundred eighty (180) days~~
28 ~~of age:~~

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

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

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

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

36 (2) if less than eighteen (18) years of age, is not ineligible under
37 IC 9-24-2-1;

38 (3) is enrolled in an approved driver education course; **and**

39 (4) **has passed a written examination as required under**
40 **IC 9-24-10.**

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



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

6 SECTION 272. IC 9-24-7-2 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The ~~bureau~~
 8 **instructor of an approved driver education course** shall validate or
 9 **certify** a learner's permit issued under section 4 of this chapter upon
 10 certification by the instructor of an approved driver education course
 11 ~~that~~ **when** the holder has satisfactorily completed the course. **If the**
 12 **instructor is unable to certify the actual learner's permit, the**
 13 **instructor may certify that the holder has satisfactorily completed**
 14 **the course in a manner the bureau prescribes.**

15 SECTION 273. IC 9-24-7-3 IS REPEALED [EFFECTIVE JULY 1,
 16 2012]. Sec. 3. The ~~bureau~~ shall issue a validated learner's permit to an
 17 individual who is at least sixteen (16) years of age upon passing the
 18 required examination.

19 SECTION 274. IC 9-24-7-4, AS AMENDED BY P.L.156-2006,
 20 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2012]: Sec. 4. A learner's permit authorizes the permit holder
 22 to operate a motor vehicle, except a motorcycle **or commercial motor**
 23 **vehicle**, upon a public highway under the following conditions:

24 (1) While the holder is participating in practice driving in an
 25 approved driver education course and is accompanied by a
 26 certified driver education instructor **or student teacher** in the
 27 front seat of an ~~automobile~~ **a motor vehicle** equipped with dual
 28 controls.

29 **(2) While the holder is participating in practice driving after**
 30 **having commenced an approved driver education course and**
 31 **the seat beside the holder is occupied by a parent, stepparent,**
 32 **or guardian of the holder who holds a valid driver's license.**

33 ~~(2)~~ **(3) If the learner's permit has been validated and the holder is**
 34 **not participating in an approved driver education course, and**
 35 **is less than eighteen (18) years of age, the holder may participate**
 36 **in practice driving if the seat beside the holder is occupied by a**
 37 **guardian, stepparent, or relative of the holder who is at least**
 38 **twenty-one (21) years of age and holds a valid operator's,**
 39 **chauffeur's, or public passenger chauffeur's driver's license.**

40 ~~(3)~~ **(4) If the learner's permit has been validated and the holder is**
 41 **not participating in an approved driver education course, and**
 42 **is at least eighteen (18) years of age, the holder may participate in**

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1 practice driving if accompanied in the vehicle by an individual
2 who holds a valid operator's, chauffeur's, or public passenger
3 chauffeur's driver's license.

4 (~~4~~) While:

5 (A) the holder is enrolled in an approved driver education
6 course;

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

9 (C) the seat beside the holder is occupied by a parent,
10 stepparent, or guardian of the holder who holds a valid
11 operator's, chauffeur's, or public passenger chauffeur's license.

12 SECTION 275. IC 9-24-7-5 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. A holder of a
14 learner's permit may take ~~an~~ **the skills** examination for an operator's
15 license not later than the expiration date of the learner's permit. ~~Not~~
16 ~~more than three (3) examinations may be allowed any holder during the~~
17 ~~period the learner's permit is issued.~~ A holder who does not pass the
18 **skills** examination during the period for which the learner's permit is
19 issued must obtain a new learner's permit and **after a third attempt** is
20 not eligible to take the examination until two (2) months after the
21 issuance of the new permit. **date of the last failed examination.**

22 SECTION 276. IC 9-24-8-3 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) The bureau shall
24 issue a motorcycle learner's permit to an individual who meets the
25 following conditions:

26 (1) The individual holds a valid operator's, chauffeur's, or public
27 passenger chauffeur's, **or commercial driver's** license issued
28 under this article.

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

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

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

37 (2) The motorcycle is operated only during daylight hours.

38 (3) The motorcycle does not carry passengers other than the
39 operator.

40 (c) **A motorcycle learner's permit may be renewed one (1) time**
41 **for a period of one (1) year. An individual who does not obtain a**
42 **motorcycle operator endorsement before the expiration of the**

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1 renewed learner's permit must wait one (1) year to reapply for a
 2 new motorcycle learner's permit.

3 SECTION 277. IC 9-24-8-4, AS AMENDED BY P.L.109-2011,
 4 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsections (b) and
 6 (c), and ~~(d)~~; the bureau shall validate an operator's, a chauffeur's, or a
 7 public passenger chauffeur's, or a commercial driver's license for
 8 motorcycle operation upon a highway by endorsement to a person who:
 9 meets the conditions in subsection (b) or (g):

10 (b) Except as provided in subsection (g); a person must meet at least
 11 one (1) of the following conditions to obtain an endorsement under
 12 subsection (a):

13 (1) satisfactorily ~~complete~~ **completes** the written test and:
 14 (A) satisfactorily ~~complete an~~ and approved operational skills
 15 test; or tests;

16 (B) ~~(2)~~ **(2)** satisfactorily ~~complete~~ **completes** a motorcycle operator
 17 safety education course approved by the department of education
 18 as set forth in IC 20-30-13-9; or

19 (2) ~~Hold~~ **(3) holds** a current motorcycle operator endorsement or
 20 motorcycle operator's license from any other jurisdiction and
 21 successfully ~~complete~~ **completes** the written test.

22 **The bureau may waive the testing requirements for an individual**
 23 **who has completed a course described in subdivision (2).**

24 (c) ~~(b)~~ The bureau may not issue a motorcycle endorsement to an
 25 individual less than sixteen (16) years and one hundred eighty (180)
 26 days of age.

27 (d) ~~(c)~~ If an applicant for a motorcycle license endorsement is less
 28 than eighteen (18) years of age, the bureau may not issue a license
 29 endorsement described in subsection (a) if the applicant is ineligible
 30 under IC 9-24-2-1.

31 (e) ~~(d)~~ The bureau shall develop and implement both a written test
 32 and an operational skills test ~~that must be designed~~ to determine
 33 whether an applicant for a motorcycle endorsement ~~is competent~~
 34 **demonstrates the necessary knowledge and skills** to operate a
 35 motorcycle upon a highway. The written test must be made available
 36 at license branch locations approved by the bureau. The operational
 37 skills test must be given at locations designated by the bureau. The
 38 bureau shall adopt rules under IC 4-22-2 to establish standards for
 39 persons administering operational skills tests and the provisions of the
 40 operational skills test. An individual applying for a motorcycle
 41 endorsement must pass the written exam before taking the operational
 42 skills test. If an applicant fails to satisfactorily complete either the

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1 written or operational tests, the applicant may reapply for and must be
 2 offered the examination upon the same terms and conditions as
 3 applicants may reapply for and be offered examinations for an
 4 operator's license. The bureau shall publish and make available at all
 5 locations where an individual may apply for an operator's license
 6 information concerning a motorcycle endorsement.

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

15 ~~(g)~~ **(f)** A person who held a valid Indiana motorcycle operator's
 16 license on ~~June 30;~~ **December 31**, 2011, may be issued a motorcycle
 17 operator's endorsement after ~~June 30;~~ **December 31**, 2011, on a valid
 18 Indiana operator's, chauffeur's, public passenger chauffeur's, or
 19 commercial driver's license after:

- 20 (1) making the appropriate application for endorsement; ~~and~~
- 21 **(2) passing the appropriate examinations; and**
- 22 ~~(2)~~ **(3)** paying the appropriate fee set forth in IC 9-29-9-7 or
- 23 IC 9-29-9-8.

24 SECTION 278. IC 9-24-9-2, AS AMENDED BY P.L.145-2011,
 25 SECTION 17, AND AS AMENDED BY P.L.118-2011, SECTION 3,
 26 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2012]: Sec. 2. ~~(a) Before January 1, 2008, each~~
 28 ~~application for a license or permit under this chapter must require the~~
 29 ~~following information:~~

- 30 ~~(1) The name, date of birth, sex, Social Security number, and~~
 31 ~~mailing address; and, if different from the mailing address, the~~
 32 ~~residence address of the applicant. The applicant shall indicate to~~
 33 ~~the bureau:~~
 - 34 ~~(A) which address the license or permit shall contain; and~~
 - 35 ~~(B) whether the Social Security number or another~~
 36 ~~distinguishing number shall be the distinctive identification~~
 37 ~~number used on the license or permit.~~
- 38 ~~(2) Whether the applicant has been licensed as an operator, a~~
 39 ~~chauffeur, or a public passenger chauffeur or has been the holder~~
 40 ~~of a learner's permit, and if so, when and by what state.~~
- 41 ~~(3) Whether the applicant's license or permit has ever been~~
 42 ~~suspended or revoked; and if so, the date of and the reason for the~~

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

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1 a program participant in the address confidentiality program under
 2 IC 5-26.5 is not required to provide the individual's principal address
 3 and mailing address, but may provide an address designated by the
 4 office of the attorney general under IC 5-26.5 as the individual's
 5 principal address and mailing address.

6 ~~(d)~~ **(c)** *In addition to the information required by subsection ~~(b)~~, (a),*
 7 *an applicant who is required to complete at least fifty (50) hours of*
 8 *supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or*
 9 *IC 9-24-3-2.5(a)(2)(D) must submit to the commission evidence of the*
 10 *time logged in practice driving. The bureau shall maintain a record of*
 11 *the time log provided.*

12 *(d) In addition to the information required under subsection ~~(b)~~, (a),*
 13 *an application for a license or permit to be issued under this chapter*
 14 *must enable the applicant to indicate that the applicant is a veteran of*
 15 *the armed forces of the United States and wishes to have an indication*
 16 *of the applicant's veteran status appear on the license or permit. An*
 17 *applicant who wishes to have an indication of the applicant's veteran*
 18 *status appear on a license or permit must:*

- 19 (1) *indicate on the application that the applicant:*
 20 *(A) is a veteran of the armed forces of the United States; and*
 21 *(B) wishes to have an indication of the applicant's veteran*
 22 *status appear on the license or permit; and*
 23 (2) *verify the applicant's veteran status by providing proof of*
 24 *discharge.*

25 *The bureau shall maintain records of the information provided under*
 26 *this subsection.*

27 SECTION 279. IC 9-24-10-3, AS AMENDED BY P.L.145-2011,
 28 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2012]: Sec. 3. ~~(a) Except as provided by subsection (b);~~
 30 ~~examinations shall be held in the county where the license branch~~
 31 ~~office in which the application was made is located, within a~~
 32 ~~reasonable length of time following the date of the application.~~

33 ~~(b) After June 30, 2011, An applicant may take any or all of the tests~~
 34 ~~required by section 4(a)(1)(B), 4(a)(1)(C), and 4(a)(2) of this chapter~~
 35 ~~at any **license branch** location in Indiana.~~

36 SECTION 280. IC 9-24-10-4, AS AMENDED BY P.L.145-2011,
 37 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (c), an
 39 examination for a learner's permit **or driver's license** must consist of
 40 a test of the applicant's eyesight and knowledge of IC 9-26-1-1.5. All
 41 other examinations must include the following:

- 42 (1) A test of the following of the applicant:

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1 (A) Eyesight.
 2 (B) Ability to read and understand highway signs regulating,
 3 warning, and directing traffic.
 4 (C) Knowledge of Indiana traffic laws, including
 5 IC 9-26-1-1.5.
 6 (2) An actual demonstration of the applicant's skill in exercising
 7 ordinary and reasonable control in the operation of a motor
 8 vehicle under the type of permit or license applied for.
 9 (b) The examination may include further physical and mental
 10 examination that the bureau finds necessary to determine the
 11 applicant's fitness to operate a motor vehicle safely upon Indiana
 12 highways. The applicant must provide the motor vehicle used in the
 13 examination.
 14 (c) The bureau:
 15 (1) ~~shall~~ **may** waive the actual demonstration required under
 16 subsection (a)(2) for a person who has passed a driver's education
 17 class and a skills test given by a commercial driver training school
 18 or driver education program given by an entity licensed under
 19 IC 9-27-6-7; and
 20 (2) may waive the testing, other than testing under subsection
 21 (a)(1)(A), of an applicant who has passed:
 22 (A) an examination concerning:
 23 (i) subsection (a)(1)(B); and
 24 (ii) subsection (a)(1)(C); and
 25 (B) a skills test;
 26 given by a commercial driver training school or an entity licensed
 27 under IC 9-27-6-7.
 28 (d) The bureau shall adopt rules under IC 4-22-2 specifying
 29 requirements for a skills test given under subsection (c) and the testing
 30 required under subsection (a)(1)(B) and (a)(1)(C).
 31 (e) An instructor having an endorsement under IC 9-27-6-8 who did
 32 not instruct the applicant for the license or permit in driver education
 33 is not civilly or criminally liable for a report made in good faith to the:
 34 (1) bureau;
 35 (2) commission; or
 36 (3) driver licensing medical advisory board;
 37 concerning the fitness of the applicant to operate a motor vehicle in a
 38 manner that does not jeopardize the safety of individuals or property.
 39 SECTION 281. IC 9-24-10-5 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The bureau shall
 41 **print, make available**, for the mandatory use of individuals conducting
 42 the examinations, the rules and requirements that must be uniformly

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1 and impartially followed in making the examinations.

2 SECTION 282. IC 9-24-11-1 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau shall
4 issue a permit or license to every applicant who meets the following
5 conditions:

- 6 (1) Qualifies as required.
- 7 (2) Makes the proper application.
- 8 (3) Pays the required fee.
- 9 **(4) Passes the required examinations.**

10 SECTION 283. IC 9-24-11-9 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) This section
12 applies to an individual who has an existing medical condition that
13 causes the individual to appear intoxicated.

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

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

- 21 (1) provided to the bureau at the time the individual applies for an
22 operator's permit or license under this section;
- 23 (2) carried in any vehicle that the individual operates; and
- 24 (3) renewed each time the individual's operator's license is
25 renewed.

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

28 SECTION 284. IC 9-24-11-10 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) In addition to
30 any other penalty imposed for a conviction under section 8(c) of this
31 chapter, the court shall recommend that the person's driving privileges
32 be suspended for a fixed period of at least ninety (90) days and not
33 more than two (2) years.

- 34 (b) The court shall specify:
 - 35 (1) the length of the fixed period of suspension; and
 - 36 (2) the date the fixed period of suspension begins;

37 whenever the court makes a recommendation under subsection (a). **If**
38 **the court fails to recommend a fixed term of suspension, the bureau**
39 **shall impose the minimum period of suspension required under this**
40 **chapter.**

41 SECTION 285. IC 9-24-11-11 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. The bureau shall,

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1 upon receiving a record of conviction of a person under section 8(c) of
 2 this chapter, set a period of suspension for a fixed period of at least
 3 ninety (90) days and not more than two (2) years. The bureau shall fix
 4 this period in accordance with the recommendation of the court that
 5 entered the conviction, as provided in section 10 of this chapter. **If the**
 6 **court fails to recommend a fixed term of suspension, the bureau**
 7 **shall impose the minimum period of suspension required under this**
 8 **chapter.**

9 SECTION 286. IC 9-24-12-1, AS AMENDED BY P.L.87-2010,
 10 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 UPON PASSAGE]: Sec. 1. (a) **Notwithstanding subsection (c) and**
 12 **except as provided in subsections subsection (b) and (d) and section**
 13 **sections 10, 11, and 12 of this chapter, the expiration date for an**
 14 **operator's license issued under this article before January 1, 2006,**
 15 **expires at midnight of the birthday of the holder that occurs four (4)**
 16 **years following the date of issuance: that contains a 2012 expiration**
 17 **date is as follows:**

18 (1) **If the license was previously issued or renewed after May**
 19 **14, 2007, and before January 1, 2008, the license expires at**
 20 **midnight on the birthday of the holder that occurs five (5)**
 21 **years following the date of issuance.**

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

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

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

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

36 (c) Except as provided in subsections (a), (b), and (d), and (f) and
 37 sections 10, 11, and 12 of this chapter, an operator's license issued
 38 under this article expires at midnight of the birthday of the holder that
 39 occurs six (6) years following the date of issuance.

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

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

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

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

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

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

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

17 SECTION 287. IC 9-24-12-2, AS AMENDED BY P.L.184-2007,
18 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2012]: Sec. 2. ~~(a) Except as provided in section 10 of this~~
20 ~~chapter, a chauffeur's license issued under this article after December~~
21 ~~31, 1996, and before January 1, 2006, expires at midnight of the~~
22 ~~birthday of the holder that occurs four (4) years following the date of~~
23 ~~issuance.~~

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

29 ~~(c) (b)~~ Except as provided in ~~subsection (b) and~~ sections 10, 11, and
30 12 of this chapter, a chauffeur's license issued to an applicant who is at
31 least seventy-five (75) years of age expires at midnight of the birthday
32 of the holder that occurs three (3) years following the date of issuance.

33 SECTION 288. IC 9-24-12-5, AS AMENDED BY P.L.109-2011,
34 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2012]: Sec. 5. (a) Except as provided in subsection (b), an
36 individual applying for renewal of an operator's, a chauffeur's, or a
37 public passenger chauffeur's license must apply in person at a license
38 branch and do the following:

39 (1) Pass an eyesight examination.

40 (2) Pass a written examination if:

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

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1 (B) the applicant holds a valid operator's license, has not
 2 reached the applicant's twenty-first birthday, and has active
 3 points on the applicant's driving record maintained by the
 4 bureau.

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

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

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

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

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

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

24 (6) There must not have been any change in the:
 25 (A) address; or
 26 (B) name;
 27 of the individual since the issuance or previous renewal of the
 28 individual's operator's, chauffeur's, or public passenger chauffeur's
 29 license.

30 (7) The operator's, chauffeur's, or public passenger chauffeur's
 31 license of the individual must not be:
 32 (A) suspended; or
 33 (B) expired more than one hundred eighty (180) days;
 34 at the time of the application for renewal.

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

37 (c) An individual applying for the renewal of an operator's, a
 38 chauffeur's, or a public passenger chauffeur's license must apply in
 39 person at a license branch under subsection (a) if the individual is not
 40 entitled to apply by mail or by electronic service under rules adopted
 41 under subsection (b).
 42 SECTION 289. IC 9-24-14-1, AS AMENDED BY P.L.87-2010,

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1 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2012]: Sec. 1. If a permit or license issued under this article
3 ~~except section 2 of this chapter~~, is lost or destroyed, and as provided in
4 section 3.5 of this chapter, the individual to whom the permit or license
5 was issued may obtain a replacement if the individual ~~does the~~
6 following:

- 7 (1) ~~Furnishes proof satisfactory to the bureau that the permit or~~
8 ~~license was lost or destroyed.~~
- 9 (2) ~~pays the required fee for a replacement permit or license under~~
10 ~~IC 9-29-9.~~

11 SECTION 290. IC 9-24-14-2 IS REPEALED [EFFECTIVE JULY
12 1, 2012]. Sec. 2: (a) ~~This section applies to replacement licenses issued~~
13 ~~under the following:~~

- 14 (1) ~~IC 9-30-4-6.~~
- 15 (2) ~~IC 9-24-15.~~
- 16 (3) ~~IC 9-30-5.~~
- 17 (4) ~~IC 9-30-6.~~
- 18 (5) ~~IC 9-30-10-9.~~
- 19 (6) ~~IC 9-30-10-13.~~

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

- 22 (1) ~~Applies for a valid replacement license.~~
- 23 (2) ~~Surrenders all licenses in the applicant's possession.~~
- 24 (3) ~~Pays the license fee under IC 9-29-9.~~

25 SECTION 291. IC 9-24-15-1 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) Except as
27 provided in subsection (b), this chapter does not apply to the following:

- 28 (1) A suspension of a driving license upon the failure of an
29 individual to file security or proof of financial responsibility
30 following an accident as required by or upon the failure of any
31 individual to satisfy a judgment for damages arising out of the use
32 of a motor vehicle on a public highway as provided for in IC 9-25.
- 33 (2) When suspension is by reason of:
 - 34 (A) physical, mental, or emotional instability;
 - 35 (B) having caused serious bodily injury to or the death of
36 another person when operating a motor vehicle after
37 knowingly or intentionally failing to take prescribed
38 medication, the taking of which was a condition of the
39 issuance of the operator's restricted driver's license; or
 - 40 (C) the applicant has been convicted of involuntary
41 manslaughter or reckless homicide as a result of an automobile
42 accident.

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- 1 (3) A suspension of the license of an applicant whose license has
- 2 been previously suspended.
- 3 (4) A suspension of the license of an applicant who has failed to
- 4 use timely appeal procedures provided by the bureau.
- 5 (5) After June 30, 2005, a suspension of the license of an
- 6 applicant whose commercial driver's license has been disqualified
- 7 under 49 CFR 383.51 or other applicable federal or state law,
- 8 including an alcohol or a controlled substance conviction under
- 9 IC 9-30-5-4 or 49 CFR 391.15.
- 10 (b) A court may grant a petition for a restricted driving **permit**
- 11 **privileges** from an individual who:
- 12 (1) received a request for evidence of financial responsibility
- 13 after:
- 14 (A) an accident under IC 9-25-5-2; or
- 15 (B) a conviction of a motor vehicle violation under
- 16 IC 9-25-9-1; and
- 17 (2) failed to provide proof of financial responsibility under
- 18 IC 9-25-6;
- 19 if the individual shows by a preponderance of the evidence that the
- 20 failure to maintain financial responsibility was inadvertent.
- 21 SECTION 292. IC 9-24-15-2 IS AMENDED TO READ AS
- 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. If:
- 23 (1) an individual's driving license has been suspended under
- 24 Indiana motor vehicle law; ~~and~~
- 25 (2) because of the nature of the individual's employment the
- 26 suspension would work an undue hardship and burden upon the
- 27 individual's family or dependents; ~~and~~
- 28 **(3) the individual is eligible for restricted driving privileges**
- 29 **under section 1 of this chapter;**
- 30 the individual may file a verified petition for a restricted driving **permit**
- 31 **privileges** for the sole purpose of driving to and from work and in the
- 32 course of employment during the period of the driving license
- 33 suspension.
- 34 SECTION 293. IC 9-24-15-3, AS AMENDED BY P.L.28-2010,
- 35 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2012]: Sec. 3. The following information must be included in
- 37 a petition filed under section 2 of this chapter:
- 38 (1) The petitioner's age, place of residence, and occupation.
- 39 (2) That the petitioner has never been convicted of a similar
- 40 offense or been **previously** suspended. ~~for a similar reason.~~
- 41 (3) The reason and nature of the hardship or burden upon the
- 42 petitioner's family or dependents.

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- 1 (4) The nature of and the necessity of the use of a motor vehicle
- 2 in the petitioner's employment.
- 3 (5) The petitioner's place of employment, hours worked, and route
- 4 to be traveled for employment purposes.
- 5 (6) ~~After June 30, 2005~~; A certified copy of the petitioner's
- 6 driving record in Indiana and other states in which the petitioner
- 7 has held driving privileges, including all states in which the
- 8 petitioner has held a commercial driver's license.
- 9 (7) ~~After June 30, 2005~~; A verified statement that the petitioner
- 10 meets eligibility requirements for a restricted license as set forth
- 11 in section 6.5 of this chapter.
- 12 (8) ~~Whether the person is a habitual violator of traffic laws under~~
- 13 ~~IC 9-30-10.~~

14 SECTION 294. IC 9-24-15-5, AS AMENDED BY P.L.106-2010,
 15 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2012]: Sec. 5. (a) The issues before the court in a proceeding
 17 under this chapter must be considered closed by denial of all matters
 18 at issue without the necessity of filing any further pleadings.

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

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

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

31 (e) Court costs (including fees) for the action on the petition must
 32 be charged against the petitioner. The prosecuting attorney of the
 33 county is not liable or taxable for any costs (including fees) in any
 34 action under this chapter.

35 SECTION 295. IC 9-24-15-6, AS AMENDED BY P.L.109-2011,
 36 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2012]: Sec. 6. (a) The court shall, after hearing the evidence
 38 upon a petition filed under this chapter and without any requests, make,
 39 sign, and file special finding of facts in writing. Except as provided in
 40 section 6.5 of this chapter, the court may do either of the following:

- 41 (1) Refuse to grant the petition.
- 42 (2) Make a final determination in the nature of a recommendation

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1 to the bureau that the petitioner be granted a restricted driving
 2 ~~permit~~ **privileges**.
 3 The judge of the court shall sign the recommendation and have the
 4 recommendation entered in the order book by the clerk of the court,
 5 with a copy sent to the bureau.

6 **(b) If the bureau receives an order granting restricted driving**
 7 **privileges to a person who, according to the records of the bureau,**
 8 **is ineligible to receive restricted driving privileges under this**
 9 **chapter, the bureau shall:**

10 **(1) grant the person restricted driving privileges and notify**
 11 **the prosecuting attorney of the county from which the order**
 12 **was received that the person is not eligible for restricted**
 13 **driving privileges; and**

14 **(2) send a certified copy of the person's driving record to the**
 15 **prosecuting attorney. The prosecuting attorney shall, in**
 16 **accordance with IC 35-38-1-15, petition the court to correct**
 17 **the order of the court. If the bureau does not receive a**
 18 **corrected order within sixty (60) days, the bureau shall notify**
 19 **the attorney general, who shall, in accordance with**
 20 **IC 35-38-1-15, petition the court to correct the order of the**
 21 **court.**

22 SECTION 296. IC 9-24-15-6.5, AS AMENDED BY P.L.109-2011,
 23 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2012]: Sec. 6.5. (a) The court shall grant a petition for a
 25 restricted driving ~~permit~~ **privileges** filed under this chapter if all of the
 26 following conditions exist:

27 (1) The person was not convicted of one (1) or more of the
 28 following:

29 (A) A Class D felony under IC 9-30-5-4 before July 1, 1996,
 30 or a Class D felony or a Class C felony under IC 9-30-5-4 after
 31 June 30, 1996.

32 (B) A Class C felony under IC 9-30-5-5 before July 1, 1996, or
 33 a Class C felony or a Class B felony under IC 9-30-5-5 after
 34 June 30, 1996.

35 (2) The person's driving privileges were suspended under
 36 IC 9-30-6-9(c) or IC 35-48-4-15.

37 (3) The driving that was the basis of the suspension was not in
 38 connection with the person's work.

39 (4) The person does not have a previous conviction for operating
 40 while intoxicated.

41 (5) The person is participating in a rehabilitation program
 42 certified by either the division of mental health and addiction or

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1 the Indiana judicial center. as a condition of the person's
2 probation.

3 (b) The person filing the petition for a restricted driving permit
4 **privileges** shall include in the petition the information specified in
5 subsection (a) in addition to the information required by sections 3
6 through 4 of this chapter.

7 (c) Whenever the court grants a person restricted driving privileges
8 under this chapter, that part of the court's order granting probationary
9 driving privileges shall not take effect until the person's driving
10 privileges have been suspended for at least thirty (30) days under
11 IC 9-30-6-9. In a county that provides for the installation of an ignition
12 interlock device under IC 9-30-8, installation of an ignition interlock
13 device is required as a condition of probationary driving privileges for
14 the entire duration of the probationary driving privileges.

15 (d) If a court requires installation of a certified ignition interlock
16 device under subsection (c), the court shall order the bureau to record
17 this requirement in the person's ~~operating~~ **driving** record in accordance
18 with IC 9-14-3-7. When the person is no longer required to operate
19 only a motor vehicle equipped with an ignition interlock device, the
20 court shall notify the bureau that the ignition interlock use requirement
21 has expired and order the bureau to update its records accordingly.

22 SECTION 297. IC 9-24-15-6.7, AS AMENDED BY P.L.109-2011,
23 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2012]: Sec. 6.7. (a) If a petitioner whose driving license or
25 permit is suspended under ~~IC 9-25-6-19, IC 9-25-6-20, or IC 9-25-6-21~~
26 **IC 9-30-13-6, IC 9-30-13-7, or IC 9-30-13-8** proves to the satisfaction
27 of the court that public transportation is unavailable for travel by the
28 petitioner:

- 29 (1) to and from the petitioner's regular place of employment;
- 30 (2) in the course of the petitioner's regular employment;
- 31 (3) to and from the petitioner's place of worship; or
- 32 (4) to participate in parenting time with the petitioner's children
33 consistent with a court order granting parenting time;

34 the court may grant a petition for a restricted driving **permit privileges**
35 filed under this chapter.

36 (b) ~~A~~ Restricted driving ~~permit~~ **privileges** issued by the bureau
37 under this section must specify that the restricted driving ~~permit~~ **is**
38 **privileges are** valid only for purposes of driving under the conditions
39 described in subsection (a).

40 (c) ~~A~~ Restricted driving ~~permit~~ **privileges** issued by the bureau
41 under this section shall be:

- 42 (1) issued in the same manner; and

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(2) subject to all requirements;
as other permits under this chapter.

SECTION 298. IC 9-24-15-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. ~~The bureau shall comply with the court's recommendation.~~ The bureau in issuing a restricted driving ~~permit~~ **privileges** shall be guided by the court's special finding of facts in setting out the petitioner's driving restrictions. The ~~restricted driving permit recommendation of the court~~ must set out restrictions as to the time, territory, and route to be included and shall be restricted to the essential requirements of the petitioner in the performance of the petitioner's employment duties.

SECTION 299. IC 9-24-15-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The petitioner must have **proof of the petitioner's** restricted driving ~~permit~~ **privileges** on the petitioner's person while driving a motor vehicle. ~~A Restricted driving permit is~~ **privileges are** valid and in force only after the person gives and maintains in effect proof of financial responsibility in the manner required in IC 9-25.

SECTION 300. IC 9-24-15-9, AS AMENDED BY P.L.109-2011, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. Except as provided in section 6.5 of this chapter, an individual may not ~~receive a~~ **be granted** restricted driving ~~permit~~ **privileges** if the individual's driving privileges are suspended under IC 9-30-5 through IC 9-30-9 or IC 9-30-13-3.

SECTION 301. IC 9-24-15-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) A person who:

- (1) has been ~~issued a~~ **granted** restricted driving ~~permit;~~ **privileges;** and
 - (2) operates a motor vehicle:
 - (A) in violation of the terms, limitations, or restrictions set out ~~in by the restricted driving permit;~~ **court;** and
 - (B) during the period of suspension of the person's current driving license;
- commits a Class B misdemeanor.

(b) The bureau shall, upon receipt of notice of a conviction for a violation of this section, do the following:

- (1) Revoke the ~~person's~~ restricted driving ~~permit.~~ **privileges.**
- (2) Suspend the person's current driving license for two (2) years in addition to the original existing period of suspension.

In addition, the bureau may not issue ~~another~~ restricted driving ~~permit~~ **privileges** to the person during the original existing or additional period of suspension.

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1 SECTION 302. IC 9-24-16-2, AS AMENDED BY P.L.118-2011,
 2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2012]: Sec. 2. ~~(a) Before January 1, 2008, an application for~~
 4 ~~an identification card issued under this chapter must meet the following~~
 5 ~~conditions:~~

6 (1) ~~Be made upon an approved form provided by the bureau;~~
 7 ~~which shall include the mailing address, and if different from the~~
 8 ~~mailing address, the residence address of the applicant.~~

9 (2) ~~Be verified by the applicant before a person authorized to~~
 10 ~~administer oaths and affirmations:~~

11 ~~(b) Except as provided in subsection (c), after December 31, 2007,~~

12 **(a)** An application for an identification card issued under this chapter
 13 must require the following information concerning an applicant:

- 14 (1) The full legal name of the applicant.
- 15 (2) The applicant's date of birth.
- 16 (3) The gender of the applicant.
- 17 (4) The applicant's height, weight, hair color, and eye color.
- 18 (5) The principal address and mailing address of the applicant.
- 19 (6) A:
 - 20 (A) valid Social Security number; or
 - 21 (B) verification of an applicant's:
 - 22 (i) ineligibility to be issued a Social Security number; and
 - 23 (ii) identity and lawful status.
- 24 **(7) A digital photograph of the applicant.**
- 25 **(8) The signature of the applicant.**

26 The bureau shall maintain records of the information provided under
 27 subdivisions (1) through ~~(6)~~: **(8)**.

28 ~~(c)~~ **(b)** The bureau may temporarily invalidate an identification card
 29 that the bureau believes to have been issued as a result of fraudulent
 30 documentation.

31 ~~(d)~~ **(c)** The bureau:

- 32 (1) shall adopt rules under IC 4-22-2 to establish a procedure to
 33 verify an applicant's identity and lawful status; and
- 34 (2) may adopt rules to establish a procedure to temporarily
 35 invalidate an identification card that it believes to have been
 36 issued based on fraudulent documentation.

37 ~~(e)~~ **(d)** 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.

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1 ~~(f)~~ (e) In addition to the information required under subsection ~~(b)~~;
 2 (a), an application for an identification card to be issued under this
 3 chapter must enable the applicant to indicate that the applicant is a
 4 veteran of the armed forces of the United States and wishes to have an
 5 indication of the applicant's veteran status appear on the identification
 6 card. An applicant who wishes to have an indication of the applicant's
 7 veteran status appear on the identification card must:

- 8 (1) indicate on the application that the applicant:
 9 (A) is a veteran of the armed forces of the United States; and
 10 (B) wishes to have an indication of the applicant's veteran
 11 status appear on the identification card; and
 12 (2) verify the applicant's veteran status by providing proof of
 13 discharge.

14 The bureau shall maintain records of the information provided under
 15 this subsection.

16 SECTION 303. IC 9-24-16-3, AS AMENDED BY P.L.118-2011,
 17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2012]: Sec. 3. (a) An identification card must have the same
 19 dimensions and shape as a driver's license, but the card must have
 20 markings sufficient to distinguish the card from a driver's license.

21 (b) Except as provided in subsection ~~(h)~~; (g), the front side of an
 22 identification card must contain the expiration date of the identification
 23 card and the following information about the individual to whom the
 24 card is being issued:

- 25 (1) Full legal name.
 26 (2) The address of the principal residence.
 27 (3) Date of birth.
 28 (4) Date of issue and date of expiration.
 29 (5) Unique identification number.
 30 (6) Gender.
 31 (7) Weight.
 32 (8) Height.
 33 (9) Color of eyes and hair.
 34 (10) Reproduction of the signature of the individual identified.
 35 (11) Whether the individual is blind (as defined in
 36 IC 12-7-2-21(1)).
 37 (12) If the individual is less than eighteen (18) years of age at the
 38 time of issuance, the dates on which the individual will become:
 39 (A) eighteen (18) years of age; and
 40 (B) twenty-one (21) years of age.
 41 (13) If the individual is at least eighteen (18) years of age but less
 42 than twenty-one (21) years of age at the time of issuance, the date

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- 1 on which the individual will become twenty-one (21) years of age.
- 2 (14) Digital photograph of the individual.
- 3 (c) The information contained on the identification card as required
- 4 by subsection (b)(12) or (b)(13) for an individual who is less than
- 5 twenty-one (21) years of age at the time of issuance shall be printed
- 6 prominently on the permit or license.
- 7 (d) If the individual:
- 8 (1) has indicated on the application that the individual is a veteran
- 9 of the armed forces of the United States and wishes to have an
- 10 indication of the applicant's veteran status appear on the
- 11 identification card; and
- 12 (2) has provided proof of discharge;
- 13 an indication of the individual's veteran status shall be shown on the
- 14 identification card.
- 15 (e) If the applicant for an identification card submits information to
- 16 the bureau concerning the applicant's medical condition, the bureau
- 17 shall place an identifying symbol on the face of the identification card
- 18 to indicate that the applicant has a medical condition of note. The
- 19 bureau shall include information on the identification card that briefly
- 20 describes the medical condition of the holder of the card. The
- 21 information must be printed in a manner that alerts a person reading the
- 22 card to the existence of the medical condition. The applicant for an
- 23 identification card is responsible for the accuracy of the information
- 24 concerning the medical condition submitted under this subsection. The
- 25 bureau shall inform an applicant that submission of information under
- 26 this subsection is voluntary.
- 27 ~~(f)~~ **(f)** An identification card issued by the state that does not require a
- 28 digital photograph must include a statement that the identification card
- 29 may not be accepted by any federal agency for federal identification or
- 30 any other federal purpose.
- 31 ~~(g)~~ **(f)** An identification card issued by the state to an individual
- 32 who:
- 33 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant
- 34 visa status for entry in the United States;
- 35 (2) has a pending application for asylum in the United States;
- 36 (3) has a pending or approved application for temporary protected
- 37 status in the United States;
- 38 (4) has approved deferred action status; or
- 39 (5) has a pending application for adjustment of status to that of an
- 40 alien lawfully admitted for permanent residence in the United
- 41 States or conditional permanent residence status in the United
- 42 States;

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1 must be clearly identified as a temporary identification card. A
2 temporary identification card issued under this subsection may not be
3 renewed without the presentation of valid documentary evidence
4 proving that the holder of the identification card's temporary status has
5 been extended.

6 ~~(h)~~ (g) For purposes of subsection (b), an individual certified as a
7 program participant in the address confidentiality program under
8 IC 5-26.5 is not required to provide the address of the individual's
9 principal residence, but may provide an address designated by the
10 office of the attorney general under IC 5-26.5 as the address of the
11 individual's principal residence.

12 SECTION 304. IC 9-24-16-4, AS AMENDED BY P.L.162-2009,
13 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2012]: Sec. 4. (a) Except as provided in subsection (b), an
15 identification card issued:

16 ~~(1) before January 1, 2006, expires on the fourth birthday of the~~
17 ~~applicant following the date of issue; and~~

18 ~~(2) after December 31, 2005, expires at midnight of the birthday~~
19 ~~of the holder that occurs six (6) years following the date of~~
20 ~~issuance.~~

21 (b) An identification card issued under this article ~~after December~~
22 ~~31, 2007,~~ to an applicant who complies with section 3.5(1)(E) through
23 3.5(1)(J) of this chapter expires:

24 (1) at midnight one (1) year after issuance, if there is no
25 expiration date on the authorization granted to the individual to
26 remain in the United States; or

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

30 (A) At midnight of the date the authorization of the holder to
31 be a legal permanent resident or conditional resident alien of
32 the United States expires.

33 (B) At midnight of the birthday of the holder that occurs six
34 (6) years after the date of issuance.

35 SECTION 305. IC 9-24-16-4.5, AS AMENDED BY P.L.109-2011,
36 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 4.5. (a) The bureau may adopt rules under
38 IC 4-22-2 concerning the ability of an individual to renew an
39 identification card under section 5 of this chapter, apply for a
40 replacement identification card under section 9 of this chapter, or apply
41 for a replacement identification card under section 6 of this chapter by
42 electronic service. If rules are adopted under this subsection, the rules

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1 must provide that an individual's renewal, amendment, or replacement
2 of an identification card by electronic service is subject to the following
3 conditions:

4 (1) A valid computerized image or digital photograph of the
5 individual must exist within the records of the bureau.

6 (2) The individual must be a citizen of the United States, as
7 shown in the records of the bureau.

8 (3) There must not have been any change in the:

9 (A) legal address; or

10 (B) name;

11 of the individual since the issuance or previous renewal of the
12 identification card of the individual.

13 (4) The identification card of the individual must not be expired
14 more than one hundred eighty (180) days at the time of the
15 application for renewal.

16 (b) An individual applying for:

17 (1) the renewal of an identification card; or

18 (2) a replacement identification card;

19 must apply in person at a license branch if the individual is not entitled
20 to apply by mail or by electronic service under rules adopted under
21 subsection (a).

22 SECTION 306. IC 9-24-16-5, AS AMENDED BY P.L.87-2010,
23 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2012]: Sec. 5. (a) An application for renewal of an
25 identification card may be made not more than twelve (12) months
26 before the expiration date of the card. However, when the applicant
27 complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter, an
28 application for renewal of an identification card may be filed not more
29 than one (1) month before the expiration date of the identification card
30 held by the applicant. ~~A renewal application received after the date of~~
31 ~~expiration is considered to be a new application.~~

32 (b) Except as provided in subsection ~~(e)~~, ~~(d)~~, a renewed card is valid
33 on the birth date of the holder and remains valid for six (6) years.

34 ~~(e) If renewal has not been made within six (6) months after~~
35 ~~expiration, the bureau shall destroy all records pertaining to the former~~
36 ~~cardholder.~~

37 ~~(d)~~ (c) Renewal may not be granted if the cardholder was issued a
38 driver's license subsequent to the last issuance of an identification card.

39 ~~(e)~~ (d) A renewed identification card issued under this article ~~after~~
40 ~~December 31, 2007~~, to an applicant who complies with section
41 3.5(1)(E) through 3.5(1)(J) of this chapter expires:

42 (1) at midnight one (1) year after issuance, if there is no

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- 1 expiration date on the authorization granted to the individual to
- 2 remain in the United States; or
- 3 (2) if there is an expiration date on the authorization granted to
- 4 the individual to remain in the United States, the earlier of the
- 5 following:
- 6 (A) At midnight of the date the authorization of the holder to
- 7 be a legal permanent resident or conditional resident alien of
- 8 the United States expires.
- 9 (B) At midnight of the birthday of the holder that occurs six
- 10 (6) years after the date of issuance.

11 SECTION 307. IC 9-24-16-10, AS AMENDED BY P.L.109-2011,
 12 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2012]: Sec. 10. (a) The bureau may adopt rules under
 14 IC 4-22-2 and prescribe all forms necessary to implement this chapter.
 15 However, the bureau may not impose a fee for the issuance of:

- 16 (1) an original;
- 17 (2) a renewal of an; or
- 18 (3) a replacement;
- 19 identification card to an individual described in subsection (b).
- 20 (b) An identification card must be issued without the payment of a
- 21 fee or charge to an individual who:
- 22 (1) does not have a valid Indiana driver's license; and
- 23 (2) will be at least eighteen (18) years of age **at and eligible to**
- 24 **vote in** the next general, municipal, or special election.

25 SECTION 308. IC 9-24-17-2 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) The bureau shall
 27 verbally ask every individual who applies for a driver's license or an
 28 identification card issued under IC 9-24-16 whether the individual
 29 desires to make an anatomical gift.

- 30 (b) If the individual does desire to make an anatomical gift, the
- 31 bureau shall **assist provide** the individual ~~in completing~~ the form by
- 32 which the individual makes the gift.

33 SECTION 309. IC 9-24-17-3 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The bureau shall
 35 make available ~~and publicize~~ the anatomical gift program in a separate
 36 brochure and by other means the bureau considers necessary.

37 SECTION 310. IC 9-24-17-8 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Each anatomical
 39 gift made under this chapter must be made by the donor by
 40 acknowledging the making of the anatomical gift by signing the
 41 application form for the driver's license or identification card under
 42 section 1 of this chapter. If the donor cannot sign, the application form

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1 may be signed for the donor:
 2 (1) at the donor's direction and in the donor's presence; and
 3 (2) in the presence of two (2) witnesses who must sign the
 4 document in the donor's and each other's presence.
 5 ~~(b)~~ **(b)** The card must state that the document was signed in accordance
 6 with this section:
 7 ~~(c)~~ **(b)** The bureau shall place an identifying symbol on the face of
 8 the license or identification card to indicate that the person to whom
 9 the license or identification card is issued has acknowledged the
 10 making of an anatomical gift on the application form for the license or
 11 identification card as set forth in subsection (a).
 12 ~~(d)~~ **(c)** Revocation, suspension, or cancellation of the license or
 13 expiration of the license or identification card does not invalidate the
 14 anatomical gift.
 15 ~~(e)~~ **(d)** An anatomical gift is valid if the person acknowledges the
 16 making of the anatomical gift by signing the application form for a
 17 driver's license or identification card under subsection (a). No other
 18 acknowledgment is required to make an anatomical gift.
 19 SECTION 311. IC 9-24-18-1, AS AMENDED BY P.L.100-2010,
 20 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2012]: Sec. 1. (a) A person, except a person exempted under
 22 IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle
 23 upon a highway and has never received a valid driving license commits
 24 a Class C misdemeanor. However, the offense is a Class A
 25 misdemeanor if the person has a prior unrelated conviction under this
 26 section.
 27 (b) In addition to any other penalty imposed for a conviction under
 28 this section, the court shall recommend that the person be prohibited
 29 from receiving a valid driving license for a fixed period of at least
 30 ninety (90) days and not more than two (2) years.
 31 (c) The court shall specify:
 32 (1) the length of the fixed period of the prohibition; and
 33 (2) the date the fixed period of the prohibition begins;
 34 whenever the court makes a recommendation under subsection (b).
 35 (d) The bureau shall, upon receiving a record of conviction of a
 36 person upon a charge of operating a motor vehicle while never having
 37 received a valid driving license, prohibit the person from receiving a
 38 driving license for a fixed period of at least ninety (90) days and not
 39 more than two (2) years. The bureau shall fix this period in accordance
 40 with the recommendation of the court that entered the conviction, as
 41 provided in subsection (c). **If the court fails to recommend a fixed**
 42 **term of suspension, the bureau shall impose the minimum period**

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of suspension required under this chapter.

(e) In a prosecution under this section, the burden is on the defendant to prove by a preponderance of the evidence that the defendant had been issued a driving license or permit that was valid at the time of the alleged offense.

SECTION 312. IC 9-24-18-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A person that has a motor vehicle in the person's custody may not cause or knowingly permit a person to drive the vehicle upon a highway unless the person **obtains holds a valid** license or permit under this article.

(b) A person who violates this section commits a Class C infraction.

SECTION 313. IC 9-24-18-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. A person who counterfeits or falsely reproduces a **driving driver's** license with intent to use the license or to permit another person to use the license commits a Class B misdemeanor.

SECTION 314. IC 9-24-18-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) The bureau may establish a driving record for an Indiana resident who does not hold any type of valid driving license. The driving record shall be established for an unlicensed driver when an abstract of court conviction has been received by the bureau. ~~The record shall be maintained for not less than three (3) years for each unlicensed driver.~~

(b) If an unlicensed driver applies for and receives any type of driving license in Indiana, the person's driving record as an unlicensed driver shall be recorded on the permanent record file. An unlicensed driver who has had at least two (2) traffic violation convictions in Indiana within twenty-four (24) months before applying for any type of driving license may not be issued a license within one (1) year after the date of the second traffic conviction as indicated on the abstract of court conviction record. If the bureau issues a license without knowledge of the second conviction, the bureau shall suspend the license upon learning of the second conviction and notify the person of the reason for the suspension and the term of the suspension.

(c) The bureau shall also certify traffic violation convictions on the driving record of an unlicensed driver who subsequently receives an Indiana driving license.

SECTION 315. IC 9-24-18-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. Upon receipt of a court order under IC 7.1-5-7-7 (minor possessing, consuming, or transporting alcohol or having alcohol present in a bodily substance), the bureau shall suspend the minor's ~~driver's license~~ **driving privileges**

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1 for the period ordered by the court.
2 SECTION 316. IC 9-24-19-5 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) In addition to any
4 other penalty imposed for a conviction under this chapter, the court
5 shall recommend that the person's driving privileges be suspended for
6 a fixed period of not less than ninety (90) days and not more than two
7 (2) years.

8 (b) The court shall specify:
9 (1) the length of the fixed period of suspension; and
10 (2) the date the fixed period of suspension begins;

11 whenever the court makes a recommendation under subsection (a).

12 (c) **The bureau shall, upon receiving a record of conviction of a**
13 **person upon a charge of driving a motor vehicle while the driving**
14 **privileges, permit, or license of the person is suspended, fix the**
15 **period of suspension in accordance with the recommendation of the**
16 **court. If the court fails to recommend a fixed term of suspension,**
17 **the bureau shall impose the minimum period of suspension**
18 **required under this chapter.**

19 SECTION 317. IC 9-24-19-6 IS REPEALED [EFFECTIVE JULY
20 1, 2012]. Sec. 6. The bureau shall, upon receiving a record of
21 conviction of a person upon a charge of driving a vehicle while the
22 person's driving privilege, permit, or license was suspended, extend the
23 period of suspension for a fixed period of not less than ninety (90) days
24 and not more than two (2) years. The bureau shall fix this period in
25 accordance with the recommendation of the court that entered the
26 conviction, as provided in section 5 of this chapter.

27 SECTION 318. IC 9-25-1-1 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This article does not
29 apply to a judgment in a civil action. ~~or cause of action arising out of~~
30 ~~an accident occurring before July 1, 1943.~~

31 SECTION 319. IC 9-25-3-2 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) Whenever under
33 ~~Indiana law this article~~ the bureau may suspend or revoke a license if
34 ~~the operator of a motor vehicle is a~~ **the driving privileges of an**
35 **Indiana** resident, ~~of Indiana~~; the bureau may suspend or revoke the
36 license **driving privileges** of or forbid the operation of a motor vehicle
37 in Indiana owned by ~~an operator who is~~ a nonresident.

38 (b) Whenever under ~~Indiana law this article~~ the bureau may
39 suspend or revoke the registration certificate and registration plates of
40 a motor vehicle if ~~the owner of the motor vehicle is a~~ **of an Indiana**
41 resident, ~~of Indiana~~; the bureau may forbid the operation within Indiana
42 of a motor vehicle if the owner of the motor vehicle is a nonresident.

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1 (c) The bureau shall transmit to the motor vehicle bureau or state
2 officer performing the functions of a bureau in the state in which a
3 nonresident resides a ~~certified~~ copy of the following:

4 (1) A conviction of the nonresident that has resulted in, **or would**
5 **result in**, the suspension of the nonresident's driving privilege in
6 Indiana.

7 (2) An unsatisfied judgment rendered against a nonresident that
8 has resulted in, **or would result in**, the suspension of the
9 nonresident's driving privilege in Indiana.

10 (3) **Notice of suspension for the nonresident due to**
11 **noncompliance with this article.**

12 SECTION 320. IC 9-25-3-4 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Whenever the proof
14 of financial responsibility filed by a person under this article no longer
15 fulfills the purpose for which the proof was required, the bureau shall
16 require other proof of financial responsibility under this article and
17 shall suspend the ~~operator's or chauffeur's license~~ **driving privileges**
18 **and motor** vehicle registration of the person for whom other proof of
19 financial responsibility is required.

20 SECTION 321. IC 9-25-4-1 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) This section does
22 not apply to an electric personal assistive mobility device.

23 (b) A person may not:

24 (1) register a **motor** vehicle; or

25 (2) operate a **motor** vehicle on a public highway;

26 in Indiana if financial responsibility is not in effect with respect to the
27 motor vehicle under section 4 of this chapter, **or the person is not**
28 **otherwise insured in order to operate the motor vehicle.**

29 (c) A person who violates this section is subject to the suspension
30 of the person's current driving ~~license~~ **privileges** or **motor** vehicle
31 registration, or both, under this article.

32 SECTION 322. IC 9-25-4-3 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Financial
34 responsibility in one (1) of the forms required under this chapter must
35 be continuously maintained as long as a motor vehicle is operated on
36 a ~~road, street, or~~ **public** highway in Indiana.

37 SECTION 323. IC 9-25-4-4 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) For the purposes
39 of this article, financial responsibility is in effect with respect to a
40 motor vehicle if:

41 (1) a motor vehicle liability insurance policy issued with respect
42 to the **motor** vehicle **or operator under IC 9-25-5-7;**

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1 (2) a bond executed with respect to the **motor** vehicle under
 2 section 7 of this chapter; or
 3 (3) the status of the owner or operator of the **motor** vehicle as a
 4 self-insurer, as recognized by the bureau through the issuance of
 5 a certificate of self-insurance under section 11 of this chapter;
 6 provides the ability to respond in damages for liability arising out of the
 7 ownership, maintenance, or use of the motor vehicle in amounts at least
 8 equal to those set forth in section 5 or 6 of this chapter.

9 (b) A motor vehicle liability policy under this article must contain
 10 the terms, conditions, and provisions required by statute and must be
 11 approved by the state insurance commissioner.

12 SECTION 324. IC 9-25-4-8 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. Proof of financial
 14 responsibility **meeting the requirements set forth in this article** may
 15 be **made filed in a manner prescribed by the bureau** by ~~filing with~~
 16 ~~the bureau the written certificate of an insurance carrier authorized to~~
 17 ~~do business in Indiana certifying that the carrier has issued to or for the~~
 18 ~~benefit of the person furnishing the for whom proof and named as the~~
 19 ~~insured a motor vehicle liability policy meeting the requirements of this~~
 20 ~~chapter and having the terms, conditions, and specifications that the~~
 21 ~~bureau requires:~~ **is required.**

22 SECTION 325. IC 9-25-5-1 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) If a person is
 24 convicted of a traffic offense that requires a court appearance, the court
 25 shall require the person to show proof that financial responsibility was
 26 in force on the date of the violation in one (1) of the forms described in
 27 IC 9-25-4-4 or in the form of a certificate of self-insurance issued under
 28 IC 9-25-4-11.

29 (b) If a person fails to provide proof of financial responsibility as
 30 required by this section, the court shall ~~do the following:~~

31 ~~(1) suspend the person's current driving license privileges or~~
 32 ~~motor vehicle registration, or both.~~

33 ~~(2) Order the person to immediately surrender the person's current~~
 34 ~~driving license or vehicle registration to the court.~~

35 (c) A suspension under this section is subject to the same provisions
 36 concerning procedure for suspension, duration of suspension, and
 37 reinstatement applicable to other suspensions under this ~~chapter:~~
 38 **article.**

39 SECTION 326. IC 9-25-5-2 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. Not more than
 41 forty-five (45) days after the bureau receives a copy of an accident
 42 report under IC 9-26, the bureau shall send to each person identified in

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1 the report as an operator of a **motor** vehicle involved in the accident a
 2 request for evidence of financial responsibility under section 3 of this
 3 chapter, unless the evidence has already been filed with the bureau.
 4 The request for evidence of financial responsibility shall be sent to
 5 each person identified in the report as an operator of a **motor** vehicle
 6 involved in the accident regardless of fault.

7 SECTION 327. IC 9-25-5-3 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A request for
 9 evidence of financial responsibility must do the following:

10 (1) Direct a person identified under section 2 of this chapter to
 11 provide the bureau with evidence that financial responsibility was
 12 in effect with respect to the **motor** vehicle operated by the person
 13 on the date of the accident described in the accident report.

14 (2) Instruct the person on how to furnish the bureau with evidence
 15 of financial responsibility in compliance with this ~~chapter~~ **article**.

16 (3) Warn the person that failure to furnish evidence of financial
 17 responsibility to the bureau will result in suspension of the
 18 person's current driving ~~license~~ **privileges** or **motor** vehicle
 19 registration, or both, under this article.

20 (b) The bureau shall mail a request for evidence of financial
 21 responsibility to a person identified under section 2 of this chapter by
 22 first class mail at the address appearing in the records of the bureau.

23 SECTION 328. IC 9-25-5-4 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) To avoid a
 25 ~~current driving license~~ suspension **of driving privileges** or **motor**
 26 **vehicle registration suspension, or both,** under this article, a person
 27 identified under section 2 of this chapter who receives a request for
 28 evidence of financial responsibility must ~~provide~~ **ensure that the**
 29 **insurance company of the person provides** the bureau with a
 30 certificate of compliance indicating that financial responsibility
 31 required by IC 9-25-4-1 was in effect with respect to the motor vehicle,
 32 **or the operation of the motor vehicle,** on the date of the accident
 33 described in the accident report. **It is the responsibility of the person**
 34 **who receives a request for evidence of financial responsibility to**
 35 **ensure that the insurance company of the person has provided a**
 36 **certificate of compliance.**

37 (b) Proof that the bureau:

38 (1) did not receive a certificate of compliance ~~from~~ **for** a person
 39 presented with a request for evidence of financial responsibility
 40 under section 2 of this chapter within ~~forty-five (45)~~ **forty (40)**
 41 days after the date on which the person was presented with the
 42 request;

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1 (2) received a certificate of compliance that did not indicate that
 2 financial responsibility was in effect with respect to the motor
 3 vehicle that the person was operating on the date of the accident
 4 described in the accident report; or
 5 (3) suspended a ~~current the driving license or privileges or~~
 6 **motor** vehicle registration, **or both**, under IC 9-25-6-3 after
 7 presenting a person with a request for evidence of financial
 8 responsibility under section 2 of this chapter;
 9 is prima facie evidence in a civil action that the person presented with
 10 the request for evidence of financial responsibility did not have **an**
 11 **operator's or** a motor vehicle liability policy in effect with respect to
 12 the motor vehicle that the person was operating on the date of the
 13 accident described in the accident report.

14 SECTION 329. IC 9-25-5-5 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A person who
 16 receives a request for evidence of financial responsibility under section
 17 3 of this chapter shall **ensure that the insurance company of the**
 18 **person** set forth in the certificate of compliance **provides to the**
 19 **bureau** the following information concerning the form of financial
 20 responsibility that was in effect with respect to the motor vehicle on the
 21 date in question:

- 22 (1) If **an operator's or** a motor vehicle liability policy was in
 23 effect, the following:
 24 (A) The name and address of the insurer.
 25 (B) The limits of coverage of the policy.
 26 (C) The identification number applying to the policy.
 27 **(D) Dates of coverage of the policy.**
 28 **(E) Other information requested by the bureau.**
 29 (2) If a bond was in effect, the following:
 30 (A) The name and address of the bond company or surety.
 31 (B) The face amount of the bond.
 32 **(C) Dates the bond was in effect.**
 33 **(D) Other information requested by the bureau.**
 34 (3) If self-insurance was in effect under IC 9-25-4-11, the
 35 following:
 36 (A) The date on which the certificate of self-insurance was
 37 issued by the bureau.
 38 (B) The name of the person to whom the certificate of
 39 self-insurance was issued.
 40 **(C) Other information requested by the bureau.**
 41 (b) A person who requests information or verification of coverage
 42 to complete a certificate of compliance under subsection (a) from:

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1 (1) an insurance company; or

2 (2) an insurance producer;

3 is not required to give the company or the producer a reason for
4 requesting the information unless the person has been involved in an
5 accident.

6 SECTION 330. IC 9-25-5-6 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. A certificate of
8 compliance that reports the existence of an insurance policy must be
9 ~~signed~~ **executed** by an officer or agent of the insurer. A certificate of
10 compliance that reports the existence of a bond must be ~~signed~~
11 **executed** by an officer of the bond company or surety.

12 SECTION 331. IC 9-25-5-8 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) An insurance
14 carrier that has issued a motor vehicle liability policy or policies
15 meeting the requirements of this article shall, upon request of the
16 named insured,

17 ~~(1) deliver to the insured for filing; or~~

18 ~~(2) file with the bureau~~

19 an appropriate certificate that meets the requirements of this ~~chapter~~
20 **article** and shows that a policy or policies have been issued.

21 (b) The issuance of a certificate to serve as proof of financial
22 responsibility under this ~~chapter~~ **article** is conclusive evidence that a
23 motor vehicle liability policy in the certificate cited conforms to all the
24 requirements of this article.

25 SECTION 332. IC 9-25-5-9 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. Whenever an
27 insurance carrier has certified a motor vehicle liability policy under this
28 chapter for the purpose of furnishing evidence of future financial
29 responsibility, the insurance carrier shall give ten (10) days written
30 notice to the bureau before cancellation of the policy. The policy
31 continues in full force and effect until the date of cancellation specified
32 in the notice or until the policy's expiration. A policy subsequently
33 procured and certified, on the effective date of the policy's certification,
34 terminates the insurance previously certified with respect to a **motor**
35 vehicle designated in both certificates.

36 SECTION 333. IC 9-25-5-10 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) A nonresident
38 may give proof of financial responsibility in one (1) of the following
39 ways:

40 (1) The nonresident owner of a foreign **motor** vehicle may give
41 proof of financial responsibility by ~~filing with the bureau a written~~
42 **certificate of having** an insurance carrier authorized to transact

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1 business in the state in which the motor vehicle described in the
 2 certificate is registered **file a certificate of compliance with the**
 3 **bureau.**
 4 (2) A nonresident who does not own a motor vehicle may give
 5 proof of financial responsibility by ~~filing with the bureau a written~~
 6 **certificate of having** an insurance carrier authorized to transact
 7 business in the state in which the nonresident resides **file a**
 8 **certificate of compliance with the bureau.**
 9 (b) A certificate of compliance filed under subsection (a) must
 10 conform to this chapter.
 11 (c) The bureau shall accept a certificate filed under subsection (a)
 12 if the insurance carrier complies with the following:
 13 (1) Executes a power of attorney authorizing the bureau to accept
 14 service on the insurance carrier's behalf of notice of process in an
 15 action arising out of a motor vehicle accident in Indiana;
 16 (2) Adopts a binding resolution declaring that the insurance
 17 carrier's policies are considered to comply with Indiana law
 18 relating to the terms of motor vehicle liability policies issued in
 19 Indiana;
 20 (3) Agrees to accept as final and binding a judgment of a court of
 21 competent jurisdiction in Indiana rendered in an action arising out
 22 of a motor vehicle accident.
 23 (d) If a foreign insurance carrier that has qualified to furnish proof
 24 of financial responsibility under subsection (c) defaults in an
 25 undertaking or agreement, the bureau may not accept a certificate of
 26 the defaulting foreign carrier as long as the default continues, whether
 27 the certificate was filed before or after the default.
 28 SECTION 334. IC 9-25-6-1 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) If:
 30 (1) the bureau receives a certificate of compliance ~~from~~ **for** a
 31 person identified under IC 9-25-5-2 within forty (40) days after
 32 the date on which the bureau mailed the request for evidence of
 33 financial responsibility to the person; and
 34 (2) the certificate of compliance indicates that financial
 35 responsibility was in effect with respect to the **motor vehicle or**
 36 **the operation of the motor vehicle** at the time of the accident
 37 described in the accident report;
 38 the bureau may not suspend the person's ~~current~~ driving license
 39 **privileges.**
 40 (b) If:
 41 (1) the bureau receives a certificate of compliance from a person
 42 presented with a request for evidence of financial responsibility

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1 under IC 9-25-9-1 within forty (40) days after the date on which
 2 the person was presented with the request; and
 3 (2) the certificate of compliance indicates that financial
 4 responsibility was in effect with respect to the motor vehicle **or**
 5 **the operation of the motor vehicle** that the person was operating
 6 when the person committed the violation described in the
 7 judgment or abstract received by the bureau under IC 9-25-9-1;
 8 the bureau may not suspend the person's ~~current driving license~~
 9 **privileges.**

10 (c) If:

11 (1) **the bureau receives a certificate of compliance for a**
 12 **person identified under IC 9-25-10 within forty (40) days after**
 13 **the date on which the bureau mailed the request for evidence**
 14 **of financial responsibility to the person; and**

15 (2) **the certificate of compliance indicates that financial**
 16 **responsibility was in effect with respect to the motor vehicle**
 17 **or the operation of the motor vehicle for the date requested**
 18 **under IC 9-25-10;**

19 **the bureau may not suspend the driving privileges of the person.**

20 SECTION 335. IC 9-25-6-2 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) If the bureau
 22 finds that a statement as to the existence of financial responsibility in
 23 a certificate of compliance received ~~from:~~ **for**

24 ~~(+) a person identified under IC 9-25-5-2; or~~

25 ~~(2) a person presented with a request for evidence of financial~~
 26 ~~responsibility under IC 9-25-9-1; IC 9-25~~

27 is materially false, the bureau shall take action under subsection (b).

28 (b) Upon finding that the statement referred to in subsection (a) is
 29 false, the bureau shall ~~do the following:~~

30 ~~(+) immediately suspend the person's current driving license or~~
 31 **privileges or motor** vehicle registration, or both,

32 ~~(2) Demand that the person immediately surrender the person's~~
 33 ~~current driving license or vehicle registration; or both; to the~~
 34 ~~bureau: for at least ninety (90) days and not more than one (1)~~
 35 **year.**

36 SECTION 336. IC 9-25-6-3 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) If the bureau:

38 (1) does not receive a certificate of compliance ~~from for~~ a person
 39 identified under IC 9-25-5-2 within forty (40) days after the date
 40 on which the bureau mailed the request for evidence of financial
 41 responsibility to the person; or

42 (2) receives a certificate that does not indicate that financial

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1 responsibility was in effect with respect to the motor vehicle
 2 operated by the person on the date of the accident referred to in
 3 IC 9-25-5-2;
 4 the bureau shall take action under subsection ~~(c)~~: **(d)**.
 5 (b) If the bureau:
 6 (1) does not receive a certificate of compliance ~~from~~ **for** a person
 7 presented with a request for evidence of financial responsibility
 8 under IC 9-25-9-1 within forty (40) days after the date on which
 9 the person was presented with the request; or
 10 (2) receives a certificate that does not indicate that financial
 11 responsibility was in effect with respect to the motor vehicle that
 12 the person was operating when the person committed the violation
 13 described in the judgment or abstract received by the bureau
 14 under IC 9-25-9-1;
 15 the bureau shall take action under subsection ~~(c)~~: **(d)**.
 16 **(c) If the bureau:**
 17 **(1) does not receive a certificate of compliance for a person**
 18 **presented with a request under IC 9-25-10 not later than forty**
 19 **(40) days after the date on which the person was presented**
 20 **with the request; or**
 21 **(2) receives a certificate that does not indicate that financial**
 22 **responsibility was in effect;**
 23 **the bureau shall take action under subsection (d).**
 24 ~~(c)~~ **(d)** Under the conditions set forth in subsection (a), ~~or (b), or (c),~~
 25 the bureau shall ~~do the following:~~
 26 ~~(1)~~ immediately suspend the person's ~~current~~ driving license
 27 **privileges or motor or vehicle registration, or both, for at least**
 28 **ninety (90) days and not more than one (1) year.**
 29 ~~(2)~~ Demand that the person immediately surrender the person's
 30 ~~current driving license or vehicle registration, or both, to the~~
 31 ~~bureau.~~
 32 ~~(d)~~ **(e)** Except as provided in subsection ~~(c)~~; **(f)**, if subsection (a), ~~or~~
 33 (b), ~~or (c)~~ applies to a person, the bureau shall suspend the ~~current~~
 34 driving license **privileges** of the person irrespective of the following:
 35 (1) The sale or other disposition of the motor vehicle by the
 36 owner.
 37 (2) The cancellation or expiration of the registration of the motor
 38 vehicle.
 39 (3) An assertion by the person that the person did not own the
 40 motor vehicle and therefore had no control over whether financial
 41 responsibility was in effect with respect to the motor vehicle.
 42 ~~(e)~~ **(f)** The bureau shall not suspend the ~~current~~ driving license

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1 **privileges** of a person to which subsection (a), ~~or subsection (b), or (c)~~
 2 applies if the person, through a certificate of compliance or another
 3 communication with the bureau, establishes to the satisfaction of the
 4 bureau that the motor vehicle that the person was operating when the
 5 accident referred to in subsection (a) took place or when the violation
 6 referred to in subsection (b) was committed was:

- 7 (1) rented from a rental company; or
- 8 (2) owned by the person's employer and operated by the person in
 9 the normal course of the person's employment.

10 SECTION 337. IC 9-25-6-3.5 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3.5. If a person
 12 violates:

- 13 (1) IC 9-25-4;
- 14 (2) IC 9-25-5; ~~or~~
- 15 (3) section 2 or 3 of this chapter; **or**
- 16 (4) **IC 9-25-10;**

17 more than one (1) time within a three (3) year period, the person's
 18 driving ~~license~~ **privileges** or **motor** vehicle registration may be
 19 suspended for not more than one (1) year.

20 SECTION 338. IC 9-25-6-4 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) This section does
 22 not apply to judgments entered at least seven (7) years after the date of
 23 the accident.

24 (b) "Judgment", as used in this section, means a judgment in excess
 25 of two hundred dollars (\$200) for bodily injury, death, or property
 26 damages arising out of the use of a motor vehicle upon a public
 27 highway.

28 (c) The bureau shall suspend for a period of not more than seven (7)
 29 years from the date of ~~written notification~~ **judgment** the ~~current~~
 30 ~~license issued to~~ **privileges of** a person upon receiving a verified report
 31 that the person has failed for a period of ~~up to~~ **ninety (90)** days to
 32 satisfy a judgment.

33 SECTION 339. IC 9-25-6-6 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The bureau may
 35 not suspend a ~~license~~ **the driving privileges of a person** and shall
 36 reinstate a ~~license suspended~~ **the driving privileges of a person**
 37 following nonpayment of a judgment whenever a judgment debtor does
 38 the following:

- 39 (1) Gives proof ~~of that~~ the judgment ~~debtor's~~ **debtor will**
 40 **maintain** financial responsibility in the future **for at least three**
 41 **(3) years following reinstatement.**
- 42 (2) Obtains an order from the trial court in which the judgment

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1 was rendered permitting the payment of the judgment in
2 installments, unless the payment of an installment is in default.

3 (b) A judgment debtor, upon five (5) days notice to the judgment
4 creditor, may apply to the trial court in which the judgment was
5 obtained for the privilege of paying the judgment in installments. The
6 court, in the court's discretion and without prejudice to other legal
7 remedies the judgment creditor may have, may order the payment of
8 the judgment in installments, fixing the amounts and times of payment
9 of the installments.

10 (c) Except as provided in subsection (d), if the judgment debtor fails
11 to pay an installment as permitted by the order of the court, upon notice
12 of the default the bureau shall suspend the **license driving privileges**
13 of the judgment debtor. The bureau may not take action for failure to
14 make installment payments for judgments entered at least seven (7)
15 years after the date of the accident. ~~A~~ Suspended **license driving**
16 **privileges** may not be reinstated until evidence of proof of **future**
17 financial responsibility is presented.

18 (d) Notwithstanding a default by the judgment debtor in the
19 payment of a judgment or the payment of an installment under
20 subsection (b), whenever the judgment creditor consents in writing, in
21 the form the bureau prescribes, that the judgment debtor be allowed
22 **license driving privileges** and registration, the **license driving**
23 **privileges** and registration may be allowed by the bureau at the
24 bureau's discretion. The **license driving privileges** and registration
25 may be allowed for six (6) months from the date of a consent under this
26 subsection and may be renewed until the consent is revoked in writing
27 if the judgment debtor furnishes proof under this article ~~of that~~ the
28 judgment ~~debtor's~~ **debtor will maintain** financial responsibility in the
29 future **for at least three (3) years following reinstatement.**

30 SECTION 340. IC 9-25-6-7 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. ~~(a)~~ Except as
32 provided in sections 5 and 6 of this chapter, a suspension required in
33 sections 4 and 6 of this chapter remains in effect and no other motor
34 vehicle may be registered in the name of the judgment debtor or a new
35 license issued to the judgment debtor, until the following occur:

36 (1) The judgment is satisfied or stayed.

37 (2) The judgment debtor gives proof of **future** financial
38 responsibility ~~in the future~~ **for three (3) years**, as provided in this
39 article.

40 ~~(b) A discharge in bankruptcy following the rendering of a judgment~~
41 ~~does not relieve the judgment debtor from the requirements of this~~
42 ~~chapter.~~



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1 SECTION 341. IC 9-25-6-8 IS REPEALED [EFFECTIVE JULY 1,
2 2012]. Sec. 8: (a) A court shall forward to the bureau a certified
3 abstract of the record of the conviction of a person in the court for a
4 violation of a law relating to motor vehicles:

5 (b) If in the opinion of the court a defendant should be deprived of
6 the privilege to operate a motor vehicle upon a public highway; the
7 court shall recommend the suspension of the convicted person's current
8 driving license for a fixed period established by the court not exceeding
9 one (1) year:

10 (c) The bureau shall comply with the court's recommendation:

11 (d) At the time of a conviction referred to in subsection (a) or
12 IC 9-30-5-7, the court may obtain the defendant's current driving
13 license and return the license to the department:

14 (e) An abstract provided for by this section must be in the form
15 prescribed by the bureau and, when certified, shall be accepted by an
16 administrative agency or a court as prima facie evidence of the
17 conviction and all other action stated in the abstract:

18 SECTION 342. IC 9-25-6-9 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. The clerk of a court;
20 or the judge of a court that has no clerk; shall forward to the bureau a
21 certified abstract of the record of a judgment for damages if the
22 rendering and nonpayment of the judgment requires the bureau to
23 suspend or revoke the current driving license in the name **privileges** of
24 the judgment debtor under this article. The abstract shall be forwarded
25 to the bureau immediately upon the expiration of thirty (30) days after
26 the judgment becomes final and has not been stayed or satisfied, as
27 shown by the records of the court.

28 SECTION 343. IC 9-25-6-10 IS REPEALED [EFFECTIVE JULY
29 1, 2012]. Sec. 10: (a) If:

30 (1) a criminal proceeding for driving while intoxicated under
31 IC 9-30-5 is deferred under IC 12-23-5-1 through IC 12-23-5-9;
32 or

33 (2) a child alleged to be a delinquent child based upon the child's
34 violation of IC 9-30-5 voluntarily attends or is ordered by the
35 court under IC 31-37 (or IC 31-6-4 before its repeal) to attend an
36 alcohol and drug services program;

37 the court, within ten (10) days after the defendant or child begins the
38 program, shall forward to the bureau a certified abstract of program
39 enrollment:

40 (b) The abstract must state the following:

41 (1) The defendant's or child's name, address, date of birth, and
42 driver's license number:

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1 (2) The name and location of the alcohol and drug services
2 program that the defendant or child is attending.
3 SECTION 344. IC 9-25-6-11 IS REPEALED [EFFECTIVE JULY
4 1, 2012]. Sec. 11: If a license is revoked because of a conviction, the
5 bureau may not accept a certificate of insurance unless the certificate
6 covers each motor vehicle registered in the name of the person
7 furnishing proof as the owner. An additional certificate is required
8 before the subsequent registration of a motor vehicle in the name of the
9 person giving proof as the owner.
10 SECTION 345. IC 9-25-6-12 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) Whenever a
12 certificate **proof of financial responsibility** is filed showing that a
13 policy has been issued covering all motor vehicles owned by an insured
14 but not insuring the person when operating a motor vehicle not owned
15 by the person, it is unlawful for the person to operate a motor vehicle
16 not owned by the person or not covered by the certificate. ~~The bureau~~
17 shall designate the restriction under this subsection upon the operator's
18 or chauffeur's license of the person.
19 (b) If a person who owns a motor vehicle desires to be relieved of
20 the restriction under subsection (a) and be permitted to drive another
21 motor vehicle, the person who owns the motor vehicle may have the
22 restriction removed upon filing a certificate showing that an operator's
23 policy of liability insurance has been issued to the person.
24 SECTION 346. IC 9-25-6-13 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. A:
26 (1) nonresident may not operate a motor vehicle in Indiana; and
27 (2) motor vehicle owned by the nonresident may not be operated
28 in Indiana;
29 until the nonresident or the owner of the motor vehicle has complied
30 with the requirements of this article with respect to proof of financial
31 responsibility. ~~covering the motor vehicle.~~
32 SECTION 347. IC 9-25-6-14, AS AMENDED BY P.L.210-2005,
33 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2012]: Sec. 14. (a) The bureau shall reinstate the ~~current~~
35 driving license **privileges** or **motor** vehicle registration, or both:
36 (1) subject to section 15 of this chapter, after ninety (90) days of
37 suspension
38 (A) ~~except as provided in sections 19, 20, and 21(b) of this~~
39 chapter, if the person has furnished the bureau with a
40 certificate of compliance showing that financial responsibility
41 is in effect with respect to the vehicle; or
42 (B) if the person is no longer an owner of the vehicle or the

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1 registration of the vehicle has been canceled or has expired;
 2 (2) if the person is subject to section 21(b) of this chapter and to
 3 IC 9-29-10-1, after thirty (30) days of suspension;
 4 (3) subject to section 15 of this chapter, when the person
 5 furnishes the bureau with a certificate of compliance showing that
 6 financial responsibility is in effect with respect to the vehicle if:
 7 (A) subdivision (1)(B) does not apply; and
 8 (B) the person fails to furnish the bureau with a certificate of
 9 compliance as described in subdivision (1)(A) within ninety
 10 (90) days after the current driving license of the person is
 11 suspended; or
 12 (4) (2) if financial responsibility was in effect with respect to a
 13 motor vehicle on the date of the accident requested but the
 14 person does not provide the bureau with does not receive a
 15 certificate of compliance indicating this fact until after the
 16 person's current driving license is privileges are suspended under
 17 this chapter, article, the person's current driving license
 18 privileges shall be reinstated when the person provides bureau
 19 receives the certificate of compliance. to the bureau and complies
 20 with section 15 of this chapter.
 21 (b) Upon receipt of a certificate of compliance under this section,
 22 the bureau shall expunge from the bureau's data base the administrative
 23 suspension caused by the failure to notify the bureau that the person
 24 had financial responsibility in effect on the date of the violation.
 25 SECTION 348. IC 9-25-6-15, AS AMENDED BY P.L.80-2010,
 26 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2012]: Sec. 15. (a) Except as provided in subsection (b); A
 28 person:
 29 (1) whose current driving license is privileges are suspended
 30 under this chapter; article; and
 31 (2) who seeks the reinstatement of the driving license; privileges;
 32 must pay a reinstatement fee to the bureau as provided in IC 9-29-10-1.
 33 (b) A person whose driver's license is suspended under section 19
 34 or 20 of this chapter is not required to pay a reinstatement fee to have
 35 the person's driving license reinstated.
 36 SECTION 349. IC 9-25-6-16 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. A person whose
 38 current driving license is privileges are suspended under this chapter
 39 article may seek a review of the suspension under IC 4-21.5-3-7.
 40 SECTION 350. IC 9-25-6-17 IS REPEALED [EFFECTIVE JULY
 41 1, 2012]. Sec. 17. If the bureau determines that a person who is
 42 required to give proof of financial responsibility in the future under this

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1 article because of a conviction; non-satisfaction of a judgment; or for
2 any other reason is or becomes:

3 (1) a chauffeur or motor vehicle operator; however designated; in
4 the employ of a person who owns a motor vehicle; or

5 (2) a member of the immediate family or household of a person
6 who owns a motor vehicle; and

7 the period for which the person's suspension or revocation has elapsed;
8 the bureau may accept proof of future financial responsibility given by
9 the person who owns the motor vehicle instead of requiring proof from
10 the person under a suspension or revocation if it appears that the proof
11 offered will be sufficient to cover any number of persons coming
12 within this classification. The bureau may designate the restrictions
13 imposed by this section on the face of the operator's or chauffeur's
14 license of the person who has been under suspension or revocation.

15 SECTION 351. IC 9-25-6-18 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. A person who:

17 (1) forges or without authority signs **or approves** any certificate
18 to serve as proof of financial responsibility as required by the
19 bureau; or

20 (2) knowingly files or offers for filing a certificate described in
21 subdivision (1);

22 commits a Class B misdemeanor.

23 SECTION 352. IC 9-25-6-19 IS REPEALED [EFFECTIVE JULY
24 1, 2012]. Sec. 19: (a) The bureau shall, upon receiving an order of a
25 court issued under IC 31-14-12-4 or IC 31-16-12-7 (or
26 IC 31-1-11.5-13(j) or IC 31-6-6.1-16(j) before their repeal); suspend
27 the driving license or permit of the person who is the subject of the
28 order.

29 (b) The bureau may not reinstate a driving license or permit
30 suspended under this section until the bureau receives an order
31 allowing reinstatement from the court that issued the order for
32 suspension.

33 (c) Upon receiving an order for suspension under subsection (a); the
34 bureau shall promptly mail a notice to the last known address of the
35 person who is the subject of the order; stating the following:

36 (1) That the person's driving privileges are suspended; beginning
37 five (5) business days after the date the notice is mailed; and that
38 the suspension will terminate ten (10) business days after the
39 bureau receives an order allowing reinstatement from the court
40 that issued the suspension order.

41 (2) That the person has the right to petition for reinstatement of
42 driving privileges to the court that issued the order for suspension.

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- 1 (3) That the person may be granted a restricted driving permit
- 2 under IC 9-24-15-6.7 if the person can prove that public
- 3 transportation is unavailable for travel by the person:
- 4 (A) to and from the person's regular place of employment;
- 5 (B) in the course of the person's regular employment;
- 6 (C) to and from the person's place of worship; or
- 7 (D) to participate in parenting time with the petitioner's
- 8 children consistent with a court order granting parenting time.

9 (d) Unless a person whose driving license or permit is suspended
 10 under this section has been issued a restricted driving permit under
 11 IC 9-24-15 as a result of a suspension under this section; a person who
 12 operates a motor vehicle in violation of the section commits a Class A
 13 infraction.

14 SECTION 353. IC 9-25-6-19.2 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19.2. The bureau may
 16 suspend the registration of a **motor** vehicle owned by a registrant who
 17 provides the bureau with false evidence of financial responsibility
 18 under this article.

19 SECTION 354. IC 9-25-6-20 IS REPEALED [EFFECTIVE JULY
 20 1, 2012]. Sec. 20: (a) If the bureau is advised by the Title IV-D agency
 21 that the obligor (as defined in IC 31-25-4-4) either requested a hearing
 22 under IC 31-25-4-33 and failed to appear or appeared and was found
 23 to be delinquent; the bureau shall promptly mail a notice to the obligor
 24 stating the following:

25 (1) That the obligor's driving privileges are suspended, beginning
 26 twenty (20) business days after the date the notice is mailed; and
 27 that the suspension will terminate after the bureau receives a
 28 notice from the Title IV-D agency that the obligor has:

- 29 (A) paid the obligor's child support arrearage in full; or
- 30 (B) established a payment plan with the Title IV-D agency to
- 31 pay the arrearage, which includes an income withholding order
- 32 under IC 31-16-15-2 or IC 31-16-15-2.5.

33 (2) That the obligor may be granted a restricted driving permit
 34 under IC 9-24-15-6.7 if the obligor can prove that public
 35 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 time.

41 (b) The bureau may not reinstate a driving license or permit
 42 suspended under this section until the bureau receives a notice from the

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1 Title IV-D agency that the obligor has:
 2 (1) paid the obligor's child support arrearage in full; or
 3 (2) established a payment plan with the Title IV-D agency to pay
 4 the arrearage, which includes an income withholding order under
 5 IC 31-16-15-2 or IC 31-16-15-2.5.

6 (c) Unless an obligor whose driving license or permit is suspended
 7 under this section has been issued a restricted driving permit under
 8 IC 9-24-15 as a result of a suspension under this section, an obligor
 9 who operates a motor vehicle in violation of the section commits a
 10 Class A infraction.

11 SECTION 355. IC 9-25-6-21 IS REPEALED [EFFECTIVE JULY
 12 1, 2012]. Sec. 21. (a) Upon receiving an order issued by a court under
 13 IC 35-43-4-8(b) concerning a person convicted of fuel theft, the bureau
 14 shall do the following:

15 (1) Suspend under subsection (b) the driving privileges of the
 16 person who is the subject of the order, whether or not the person's
 17 current driving license accompanies the order.

18 (2) Mail to the last known address of the person who is the subject
 19 of the order a notice:

20 (A) stating that the person's driving license is being suspended
 21 for fuel theft;

22 (B) setting forth the date on which the suspension takes effect
 23 and the date on which the suspension terminates; and

24 (C) stating that the person may be granted a restricted driving
 25 permit under IC 9-24-15-6.7 if the person meets the conditions
 26 for obtaining a restricted driving permit.

27 (b) The suspension of the driving privileges of a person who is the
 28 subject of an order issued under IC 35-43-4-8(b):

29 (1) begins five (5) business days after the date on which the
 30 bureau mails the notice to the person under subsection (a)(2); and

31 (2) terminates thirty (30) days after the suspension begins.

32 (c) A person who operates a motor vehicle during a suspension of
 33 the person's driving privileges under this section commits a Class A
 34 infraction unless the person's operation of the motor vehicle is
 35 authorized by a restricted driving permit issued to the person under
 36 IC 9-24-15-6.7.

37 SECTION 356. IC 9-25-7-1 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau may not
 39 revoke the driving license **privileges** or registration plates of the owner
 40 or operator of a motor vehicle who has been involved in a motor
 41 vehicle accident resulting in bodily injury or death or in damage to
 42 property in excess of one thousand dollars (\$1,000) solely because of

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1 failure to provide evidence of financial responsibility whenever the:
 2 (1) owner or operator was insured by an insurance company for
 3 public liability and property damage at the time of the accident;
 4 and
 5 (2) insurance company becomes insolvent after the accident or
 6 within fifteen (15) days before the accident;
 7 if the insurance company was authorized and qualified to do business
 8 in Indiana on the effective date of the policy.

9 SECTION 357. IC 9-25-7-3 IS REPEALED [EFFECTIVE JULY 1,
 10 2012]. Sec. 3: (a) The bureau shall, upon request, cancel a bond or
 11 return a certificate of insurance; direct the treasurer of state to return to
 12 the person entitled any money or securities deposited under this article
 13 as proof of financial responsibility; or waive the requirement of filing
 14 proof of financial responsibility in any of the following circumstances:

15 (1) At any time after three (3) years from the date the proof was
 16 required; if during the three (3) year period preceding the request
 17 the person furnishing the proof has not been convicted of an
 18 offense referred to in IC 9-30-4-6.

19 (2) If the person on whose behalf the proof was filed dies or the
 20 person becomes permanently incapable of operating a motor
 21 vehicle:

22 (3) If the person who has given proof of financial responsibility
 23 surrenders the person's operator's or chauffeur's license;
 24 registration certificates; and registration plates to the bureau. The
 25 bureau may not release the proof if an action for damages upon a
 26 liability referred to in this article is pending; a judgment upon a
 27 liability is outstanding and unsatisfied; or the bureau has received
 28 notice that the person has; within the period of three (3) months
 29 immediately preceding; been involved as a driver in a motor
 30 vehicle accident. An affidavit of the applicant of the nonexistence
 31 of the facts referred to in this subdivision is sufficient evidence of
 32 the nonexistence of the facts in the absence of evidence to the
 33 contrary in the records of the department.

34 (b) Whenever a person to whom proof has been surrendered under
 35 subsection (a)(3) applies for an operator's or chauffeur's license or the
 36 registration of a motor vehicle within a period of three (3) years from
 37 the date the proof of financial responsibility was originally required;
 38 the bureau shall reject the application unless the applicant reestablishes
 39 the proof for the remainder of the period.

40 SECTION 358. IC 9-25-7-6 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) This section does
 42 not apply to a person who is a resident of Indiana or who operates a

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1 **motor** vehicle in Indiana.
 2 (b) A person:
 3 (1) whose ~~operator's~~ **driver's** license or registration was
 4 suspended and who is required to prove financial responsibility
 5 extending into the future in order to have the person's driving
 6 privileges reinstated; and
 7 (2) who no longer operates a **motor** vehicle in Indiana and has
 8 become a resident of another state or foreign jurisdiction;
 9 is not required to prove financial responsibility into the future in order
 10 to have the person's ~~license~~ **driving privileges** or registration
 11 temporarily reinstated to allow licensing or registration in the other
 12 state or foreign jurisdiction.

13 SECTION 359. IC 9-25-8-1 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter does not
 15 apply to the following:

- 16 (1) Persons who have obtained a certificate of self-insurance
- 17 under IC 9-25-4-11.
- 18 (2) Operators of government owned vehicles.
- 19 (3) Persons who are exempt under IC 9-25-1-2.
- 20 ~~(4) A resident of another state who is operating a vehicle that is~~
- 21 ~~registered in that person's state of residence.~~

22 SECTION 360. IC 9-25-8-2 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) A person who
 24 knowingly:

- 25 (1) operates; or
 - 26 (2) permits the operation of;
- 27 a motor vehicle on a public highway in Indiana **without financial**
 28 **responsibility in effect as set forth in IC 9-25-4-4** commits a Class
 29 A infraction. ~~unless financial responsibility is in effect with respect to~~
 30 ~~the motor vehicle under IC 9-25-4-4.~~ However, the offense is a Class
 31 C misdemeanor if the person knowingly or intentionally violates this
 32 section and has a prior unrelated conviction or judgment under this
 33 section.

- 34 (b) Subsection (a)(2) applies to:
- 35 (1) the owner of a rental company ~~that is referred to in~~
- 36 ~~IC 9-25-6-3(e)(1); under IC 9-25-6-3(f)(1); and~~
- 37 (2) an employer ~~that is referred to in IC 9-25-6-3(e)(2); under~~
- 38 ~~IC 9-25-6-2(f)(2).~~

39 (c) In addition to any other penalty imposed on a person for
 40 violating this section, the court may recommend the suspension of the
 41 person's driving privileges for **at least ninety (90) days but not more**
 42 **than** one (1) year. However, if, within the five (5) years preceding the

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1 conviction under this section, the person had a prior unrelated
2 conviction under this section, the court shall recommend the
3 suspension of the person's driving privileges for one (1) year.

4 (d) Upon receiving the recommendation of the court under
5 subsection (c), the bureau shall suspend the person's driving privileges
6 for the period recommended by the court. **If no suspension is**
7 **recommended by the court, the bureau shall impose the minimum**
8 **period of suspension required under this article.**

9 SECTION 361. IC 9-25-8-4 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The commissioner
11 is not required to notify the prosecuting attorney of a driver who has
12 had a driving license privileges suspended for failure to prove financial
13 responsibility under this article.

14 SECTION 362. IC 9-25-9-1 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) After the bureau
16 receives:

17 (1) a certified abstract under ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** of the
18 record of conviction of a person for a violation of a law relating
19 to motor vehicles; or

20 (2) a judgment or an abstract under IC 9-30-3-11 of a case
21 resulting in a conviction, judgment, or forfeiture of security
22 deposit;

23 the bureau shall determine whether the bureau is required under
24 subsection (b) to send to the person named in the judgment or abstract
25 a request for evidence of financial responsibility.

26 (b) The bureau shall send a request for evidence of financial
27 responsibility to a person referred to in subsection (a) if at least one (1)
28 of the following applies to the person:

29 (1) The judgment or abstract referred to in subsection (a) reports
30 that the person committed a moving traffic violation for which
31 points are assessed by the bureau under the point system, and, not
32 more than one (1) year before the date of the violation referred to
33 in the judgment or abstract, the person committed at least two (2)
34 previous moving traffic violations for which points are assessed
35 by the bureau under the point system.

36 (2) The judgment or abstract referred to in subsection (a) reports
37 that the person was convicted of:

38 (A) a misdemeanor; or

39 (B) a felony;

40 involving a motor vehicle.

41 (3) The judgment or abstract referred to in subsection (a) reports
42 that the person committed a moving traffic violation for which

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1 points are assessed by the bureau under the point system and the
2 driver's license of the person was previously suspended for
3 violation of the financial responsibility requirements of IC 9-25.

4 SECTION 363. IC 9-25-9-2 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. The request for
6 evidence of financial responsibility presented to a person under section
7 1 of this chapter must do the following:

8 (1) Direct the person to **ensure that the insurance company of**
9 **the person** provide the bureau with evidence that financial
10 responsibility was in effect with respect to the motor vehicle that
11 the person was operating when the person committed the violation
12 described in the judgment or abstract.

13 (2) Instruct the person on how to furnish the bureau with evidence
14 of financial responsibility as specified in this ~~chapter~~: **article**.

15 (3) Warn the person that failure **of the insurance company of the**
16 **person to furnish provide** evidence of financial responsibility to
17 the bureau will result in suspension of the person's current driving
18 **license privileges or motor** vehicle registration, or both, under
19 this article.

20 SECTION 364. IC 9-25-9-3 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. To avoid a ~~current~~
22 ~~driving license~~ suspension of **driving privileges or motor** vehicle
23 registration suspension under this article, a person presented with a
24 request for evidence of financial responsibility under section 1 of this
25 chapter must ~~provide~~ **ensure that the insurance company of the**
26 **person provides** the bureau with a certificate of compliance indicating
27 that financial responsibility as required by IC 9-25-4-1 was in effect
28 ~~with respect to the motor vehicle that the person was operating~~ when
29 the person committed the violation described in the judgment or
30 abstract.

31 SECTION 365. IC 9-25-9-4 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. A person who is
33 presented with a request for evidence of financial responsibility under
34 section 1 of this chapter shall **direct the insurance company of the**
35 **person to** set forth in the certificate of compliance the following
36 information concerning the form of financial responsibility that was in
37 effect with respect to the motor vehicle:

- 38 (1) If a motor vehicle liability policy was in effect, the following:
39 (A) The name and address of the insurer.
40 (B) The limits of coverage of the policy.
41 (C) The identification number applying to the policy.
42 (D) **A statement confirming that financial responsibility**

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- 1 **covering the motor vehicle and operator was in effect on**
- 2 **the date applicable to section 1(b) of this chapter.**
- 3 (2) If a bond was in effect, the following:
- 4 (A) The name and address of the bond company or surety.
- 5 (B) The face amount of the bond.
- 6 (3) If self-insurance was in effect under IC 9-25-4-11, the
- 7 following:
- 8 (A) The date on which the certificate of self-insurance was
- 9 issued by the bureau.
- 10 (B) The name of the person to whom the certificate of
- 11 self-insurance was issued.

12 SECTION 366. IC 9-25-9-5 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A certificate of
 14 compliance that is provided to the bureau under this ~~chapter~~ **article** and
 15 that reports the existence of an insurance policy must be signed by an
 16 officer or agent of the insurer.

17 (b) The portion of a request for evidence of financial responsibility
 18 that is presented to an officer or agent of an insurer to obtain a
 19 certificate of compliance under subsection (a) may not contain
 20 information concerning the violation that resulted in the request for
 21 evidence of financial responsibility.

22 (c) An officer or agent of an insurer may not request information
 23 concerning a violation that results in a request for evidence of financial
 24 responsibility under this ~~chapter~~ **article**.

25 (d) A certificate of compliance that is provided to the bureau under
 26 this ~~chapter~~ **article** and that reports the existence of a bond must be
 27 signed by an officer of the bond company or surety.

28 SECTION 367. IC 9-25-10-4, AS AMENDED BY P.L.1-2009,
 29 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2012]: Sec. 4. The bureau shall ~~not later than January 1, 2010~~;
 31 establish an electronic registry of previously uninsured motorists to
 32 facilitate the random and periodic verification by the bureau of
 33 compliance with this article.

34 SECTION 368. IC 9-25-10-6, AS AMENDED BY P.L.1-2009,
 35 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2012]: Sec. 6. The failure by a previously uninsured motorist
 37 to respond **with proof of financial responsibility** to the bureau's
 38 request for verification of financial responsibility under this chapter
 39 constitutes prima facie evidence of operating a motor vehicle without
 40 financial responsibility in violation of this article.

41 SECTION 369. IC 9-25-10-7, AS AMENDED BY P.L.65-2011,
 42 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2012]: Sec. 7. (a) The bureau shall remove the name of a
2 previously uninsured motorist from the registry not more than five (5)
3 years after the date on which the:

- 4 (1) judgment;
- 5 (2) conviction; or
- 6 (3) administrative action by the bureau;

7 for which the **previously uninsured** motorist's name is maintained on
8 the registry was entered against the **previously uninsured** motorist.

9 (b) If a previously uninsured motorist is convicted of a second or
10 subsequent offense under this article or is subject to a second or
11 subsequent administrative action by the bureau under this article, the
12 bureau shall remove the **previously uninsured** motorist's name from
13 the registry not more than five (5) years after the date on which the
14 second or subsequent conviction or the second or subsequent
15 administrative action by the bureau is entered.

16 SECTION 370. IC 9-26-1-0.1, AS ADDED BY P.L.220-2011,
17 SECTION 225, IS AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2012]: Sec. 0.1. The following amendments to
19 this chapter apply as follows:

20 (1) The amendments made to sections 1, 2, ~~6~~, 8, and 9 of this
21 chapter by P.L.126-2008 apply only to crimes committed after
22 June 30, 2008.

23 (2) The addition of section 1.5 of this chapter by P.L.126-2008
24 applies only to crimes committed after June 30, 2008.

25 SECTION 371. IC 9-26-1-0.5, AS ADDED BY P.L.94-2006,
26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2012]: Sec. 0.5. For purposes of this chapter, an accident does
28 not require proof of a collision between a driver's **motor** vehicle and
29 another vehicle or another person if the accident involves serious
30 bodily injury to or the death of a person.

31 SECTION 372. IC 9-26-1-1, AS AMENDED BY P.L.1-2009,
32 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2012]: Sec. 1. **Except as provided in section 1.5 of this**
34 **chapter**, the driver of a **motor** vehicle involved in an accident that
35 results in the injury or death of a person or the entrapment of a person
36 in a vehicle shall do the following:

37 (1) Immediately stop the driver's **motor** vehicle at the scene of the
38 accident or as close to the accident as possible in a manner that
39 does not obstruct traffic more than is necessary.

40 (2) Immediately return to and remain at the scene of the accident
41 until the driver does the following:

42 (A) Gives the driver's name and address and the registration

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- 1 number of the **motor** vehicle the driver was driving.
- 2 (B) Upon request, exhibits the driver's license of the driver to
- 3 the following:
- 4 (i) The person struck.
- 5 (ii) The driver or occupant of or person attending each
- 6 vehicle involved in the accident.
- 7 (C) Subject to section 1.5(a) of this chapter, determines the
- 8 need for and renders reasonable assistance to each person
- 9 injured or entrapped in the accident, including the removal of,
- 10 or the making of arrangements for the removal of:
- 11 (i) each injured person from the scene of the accident to a
- 12 physician or hospital for medical treatment; and
- 13 (ii) each entrapped person from the vehicle in which the
- 14 person is entrapped.
- 15 (3) Subject to section 1.5(b) of this chapter, immediately give
- 16 notice of the accident by the quickest means of communication to
- 17 one (1) of the following:
- 18 (A) The local police department, if the accident occurs within
- 19 a municipality.
- 20 (B) The office of the county sheriff or the nearest state police
- 21 post, if the accident occurs outside a municipality.
- 22 ~~(4) Within ten (10) days after the accident, forward a written~~
- 23 ~~report of the accident to the:~~
- 24 ~~(A) state police department, if the accident occurs before~~
- 25 ~~January 1, 2006; or~~
- 26 ~~(B) bureau, if the accident occurs after December 31, 2005.~~
- 27 SECTION 373. IC 9-26-1-1.5, AS ADDED BY P.L.126-2008,
- 28 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2012]: Sec. 1.5. (a) If:
- 30 (1) the driver of a **motor** vehicle is physically incapable of
- 31 determining the need for or rendering assistance to any injured or
- 32 entrapped person as required under section 1(2)(C) of this
- 33 chapter;
- 34 (2) there is another occupant in the **motor** vehicle at the time of
- 35 the accident who is:
- 36 (A) at least:
- 37 (i) fifteen (15) years of age and holds a learner's permit
- 38 issued under IC 9-24-7-1 or a driver's license issued under
- 39 IC 9-24-11; or
- 40 (ii) eighteen (18) years of age; and
- 41 (B) capable of determining the need for and rendering
- 42 reasonable assistance to injured or entrapped persons as

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1 provided in section 1(2)(C) of this chapter; and
2 (3) the other occupant in the **motor** vehicle knows that the driver
3 of the **motor** vehicle is physically incapable of determining the
4 need for or rendering assistance to any injured or entrapped
5 person;
6 the **motor** vehicle occupant referred to in subdivisions (2) and (3) shall
7 immediately determine the need for and render reasonable assistance
8 to each person injured or entrapped in the accident as provided in
9 section 1(2)(C) of this chapter.
10 (b) If:
11 (1) the driver of a **motor** vehicle is physically incapable of giving
12 immediate notice of an accident as required under section 1(3) of
13 this chapter;
14 (2) there is another occupant in the **motor** vehicle at the time of
15 the accident who is:
16 (A) at least:
17 (i) fifteen (15) years of age and holds a learner's permit
18 issued under IC 9-24-7-1 or a driver's license issued under
19 IC 9-24-11; or
20 (ii) eighteen (18) years of age; and
21 (B) capable of giving notice as provided in section 1(3) of this
22 chapter; and
23 (3) the other occupant in the **motor** vehicle knows that the driver
24 of the **motor** vehicle is physically incapable of giving immediate
25 notice of an accident;
26 the **motor** vehicle occupant referred to in subdivisions (2) and (3) shall
27 immediately give notice of the accident by the quickest means of
28 communication as provided in section 1(3) of this chapter.
29 (c) If there is more than one (1) **motor** vehicle occupant to whom
30 subsection (a) applies, it is a defense to a prosecution of one (1) **motor**
31 vehicle occupant under subsection (a) that the defendant reasonably
32 believed that another occupant of the **motor** vehicle determined the
33 need for and rendered reasonable assistance as required under
34 subsection (a).
35 (d) If there is more than one (1) **motor** vehicle occupant to whom
36 subsection (b) applies, it is a defense to a prosecution of one (1) **motor**
37 vehicle occupant under subsection (b) that the defendant reasonably
38 believed that another occupant of the **motor** vehicle gave the notice
39 required under subsection (b).
40 SECTION 374. IC 9-26-1-2, AS AMENDED BY P.L.54-2009,
41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2012]: Sec. 2. The driver of a **motor** vehicle involved in an

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1 accident that does not result in injury or death of a person or the
 2 entrapment of a person in a **motor** vehicle and that does not involve the
 3 transportation of hazardous materials but that does result in damage to
 4 a vehicle that is driven or attended by a person shall do the following:

5 (1) Immediately stop the **motor** vehicle at the scene of the
 6 accident or as close to the accident as possible in a manner that
 7 does not obstruct traffic more than is necessary. If the accident
 8 occurs on a federal interstate highway, or on a ramp providing
 9 access to or from a federal interstate highway, the driver shall, as
 10 soon as safely possible, move the **motor** vehicle off the highway
 11 or ramp to a location as close to the accident as possible in a
 12 manner that does not obstruct traffic more than is necessary.

13 (2) Immediately return to and remain at the scene of the accident
 14 until the driver does the following upon request:

15 (A) Gives the driver's name and address and the registration
 16 number of the **motor** vehicle the driver was driving.

17 (B) Gives the names and addresses of the owner and any
 18 occupants of the **motor** vehicle the driver was driving, if the
 19 names or addresses are different from the name and address
 20 provided under clause (A).

21 (C) Provides proof of financial responsibility (as defined in
 22 IC 9-25-2-3) for the motor vehicle.

23 (D) Exhibits the driver's license of the driver to the driver or
 24 occupant of or person attending each vehicle involved in the
 25 accident.

26 (3) If the accident results in total property damage to an apparent
 27 extent of at least one thousand dollars (\$1,000); forward a written
 28 report of the accident to the:

29 (A) state police department; if the accident occurs before
 30 January 1, 2006; or

31 (B) bureau; if the accident occurs after December 31, 2005;

32 within ten (10) days after the accident.

33 SECTION 375. IC 9-26-1-2.5 IS REPEALED [EFFECTIVE JULY
 34 1, 2012]. Sec. 2.5: Only the following must be included in the written
 35 report prepared under sections 1(4) and 2(3) of this chapter by the
 36 driver of a motor vehicle involved in an accident:

37 (1) The name and address of the driver preparing the report.

38 (2) The date of the accident.

39 (3) The names and addresses of the drivers of the other vehicles
 40 involved in the accident.

41 (4) If, on the date of the accident, a motor vehicle liability policy
 42 was in effect with respect to the motor vehicle driven by the

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1 driver preparing the report, the following:

2 (A) The policy number.

3 (B) The name of the insurance company that issued the policy.

4 (C) The name and signature of an agent of the insurance
5 company, who by signing the report verifies that the policy
6 was in effect with respect to the motor vehicle on the date of
7 the accident.

8 SECTION 376. IC 9-26-1-3 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The driver of a
10 **motor** vehicle that collides with an unattended vehicle shall
11 immediately stop and do one (1) of the following:

12 (1) Locate and notify the operator or owner of the vehicle of the
13 name and address of the driver and owner of the **motor** vehicle
14 striking the unattended vehicle.

15 (2) Leave in a conspicuous place ~~in on~~ the vehicle struck a written
16 notice giving the name and address of the driver and the owner of
17 the **motor** vehicle doing the striking and a statement of the
18 circumstances of the accident.

19 SECTION 377. IC 9-26-1-4 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The driver of a
21 **motor** vehicle that causes damage to the property of another person,
22 other than damage to a vehicle, shall do the following:

23 (1) Immediately stop the **motor** vehicle at the scene of the
24 accident or as close to the accident as possible in a manner that
25 does not obstruct traffic more than is necessary.

26 (2) Immediately return to and remain at the scene of the accident
27 until the driver does the following:

28 (A) Takes reasonable steps to locate and notify the owner or
29 person in charge of the property of the damage.

30 (B) Gives the person the driver's name and address and the
31 registration number of the **motor** vehicle.

32 (C) Upon request, exhibits the driver's license of the driver. ~~if~~
33 ~~the driver is required to have a driving license to operate the~~
34 ~~vehicle.~~

35 (b) If after reasonable inquiry the driver of the **motor** vehicle cannot
36 find the owner or person in charge of the damaged property, the driver
37 of the **motor** vehicle shall do the following:

38 (1) Notify either the ~~sheriff~~ **sheriff's department** of the county in
39 which the damaged property is located or a member of the state
40 police department.

41 (2) Give the ~~sheriff~~ **sheriff's department** or state police
42 department the information required by this section.

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1 SECTION 378. IC 9-26-1-6 IS REPEALED [EFFECTIVE JULY 1,
2 2012]. Sec. 6: (a) If:

3 (1) the driver of a vehicle is physically incapable of making a
4 written report of an accident as required by this chapter; and

5 (2) there was another occupant in the vehicle at the time of the
6 accident capable of making a written report;

7 the occupant shall make or cause to be made the report not made by the
8 driver.

9 (b) If:

10 (1) the driver of a vehicle is physically incapable of making an
11 immediate or a written report of an accident as required by this
12 chapter;

13 (2) there was no other occupant; and

14 (3) the driver is not the owner of the vehicle;

15 the owner of the vehicle involved in the accident shall, within five (5)
16 days after the accident, make the report not made by the driver.

17 SECTION 379. IC 9-26-1-7, AS AMENDED BY P.L.210-2005,
18 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2012]: Sec. 7. (a) A city or town may by ordinance require
20 that the driver of a **motor** vehicle involved in an accident file with a
21 designated city or town department

22 (1) a report of the accident. or

23 (2) a copy of a report required in this article to be filed with the:

24 (A) state police department; or

25 (B) bureau.

26 (b) An accident report required to be filed under subsection (a) is for
27 the confidential use of the designated city or town department and
28 subject to IC 9-26-3-4.

29 SECTION 380. IC 9-26-1-10 IS REPEALED [EFFECTIVE JULY
30 1, 2012]. Sec. 10: The bureau shall, after proper notice is given and a
31 hearing held, revoke or suspend the driver's license of a person who
32 fails to make a report required under section 1(4), 2(3), or 5 of this
33 chapter.

34 SECTION 381. IC 9-26-5-1 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The person in charge
36 of a garage or repair shop to which a motor vehicle that shows evidence
37 of having been struck by a bullet is brought shall report to the state
38 police department, within twenty-four (24) hours after the motor
39 vehicle is received, the following information:

40 (1) The engine number of the **motor** vehicle.

41 (2) The registration number of the **motor** vehicle.

42 (3) The name and address of the owner or operator of the **motor**

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- 1 vehicle.
- 2 SECTION 382. IC 9-26-6-1 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. A person removing
4 a wrecked or damaged **motor** vehicle from a street or highway must
5 remove any glass or other foreign material dropped upon the street or
6 highway from the **motor** vehicle.
- 7 SECTION 383. IC 9-26-6-2 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) This section does
9 not apply to the removal of a **motor** vehicle that constitutes a traffic
10 hazard.
- 11 (b) The driver of a **motor** vehicle that is used to remove a **motor**
12 vehicle that caused damage to real or personal property, except a
13 **motor** vehicle of another person as described in IC 9-26-1-4, shall give
14 the notification required by IC 9-26-1-4 before removing the **motor**
15 vehicle that caused the damage.
- 16 SECTION 384. IC 9-27-6-5, AS ADDED BY P.L.145-2011,
17 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2012]: Sec. 5. (a) As used in this section, "**advisory** board"
19 refers to the driver education advisory board established by subsection
20 (b).
- 21 (b) The driver education advisory board is established to advise the
22 commissioner in the administration of the policies of the commission
23 and the bureau regarding driver education.
- 24 (c) The **advisory** board is composed of seven (7) individuals
25 appointed by the commissioner as follows:
- 26 (1) Three (3) members must be driver education professionals
27 endorsed by the bureau under section 8 of this chapter. In the
28 selection of individuals for membership under this subdivision,
29 consideration must be given to driver education instruction
30 performed in urban and rural areas.
- 31 (2) One (1) member must be a traffic safety advocate.
- 32 (3) One (1) member must be a representative of the bureau.
- 33 (4) One (1) member must be a representative of higher education.
- 34 (5) One (1) member must be a representative of the insurance
35 industry.
- 36 (d) A member of the **advisory** board serves a ~~three (3)~~ **two (2)** year
37 term. A member may not serve more than two (2) consecutive full
38 terms. Each member serves until the member's successor is appointed
39 and qualified.
- 40 (e) A member of the **advisory** board may be removed for good
41 cause.
- 42 (f) A vacancy on the **advisory** board shall be filled by the

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1 appointment by the commissioner of an individual to fill the position
2 to which the vacating member was appointed under subsection (c) for
3 the vacating member's unexpired term.

4 (g) At the first meeting of the board each year, the members shall
5 elect:

- 6 (1) one (1) member to be the board's chairperson;
- 7 (2) one (1) member to be the board's vice chairperson; and
- 8 (3) one (1) member to be the board's secretary.

9 The chairperson, vice chairperson, and secretary serve until their
10 successors are elected and qualified:

11 (h) A vacancy in the office of chairperson, vice chairperson, or
12 secretary shall be filled by vote of the members. The term of office of
13 a board member chosen to fill a vacancy under this subsection expires
14 at the first meeting of the board the following year.

15 (i) The driver education board shall meet at least two (2) times per
16 year. Additional meetings may be convened at the call of the
17 chairperson of the board or the written request of any three (3)
18 members.

19 (j) Four (4) members of the board constitute a quorum for doing
20 business. The majority vote of the members who constitute the quorum
21 and are present and voting is required for the passage of a matter put
22 to a vote of the board.

23 (k) The bureau shall provide staff and administrative support to the
24 board.

25 (l) (g) The **advisory** board has the following powers: **shall:**

- 26 (1) To consult with and advise the commissioner in the
- 27 administration of the policies of the commission and the bureau
- 28 regarding driver education; **and**
- 29 (2) To suggest rules regarding the education and training of
- 30 persons to operate or drive motor vehicles or to prepare a person
- 31 for an examination or validation for a driver's license.

32 (m) (h) A member of the **advisory** board is not subject to liability
33 in a civil action for bodily injury or property damage arising from or
34 thought to have arisen from an action taken in good faith as a member
35 of the **advisory** board.

36 SECTION 385. IC 9-28-2-8 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. The bureau may
38 suspend a driver's license issued to **the driving privileges of** a driver
39 licensed under IC 9-24 for failure to meet the conditions of a traffic
40 citation of a jurisdiction in which the traffic offense occurred. This
41 section does not apply if the jurisdiction has not entered into an
42 agreement with Indiana as provided under section 7 of this chapter.



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1 SECTION 386. IC 9-28-2-9 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Upon written
 3 notification from a jurisdiction that is a party to an agreement entered
 4 into under this chapter, the bureau shall take appropriate action against
 5 a licensed driver for failure to meet the conditions set out in the citation
 6 of the jurisdiction in which the traffic offense occurred.

7 (b) The bureau shall notify the driver by first class mail of the
 8 request by the respective jurisdiction to have the driver's ~~license~~
 9 **driving privileges** suspended. For the purposes of this chapter, a
 10 written notice sent to the driver's last registered address with the bureau
 11 meets the conditions of due notice.

12 (c) The driver has fifteen (15) days from the date of notice to satisfy
 13 the conditions of the citation issued by the jurisdiction or to request a
 14 hearing before a bureau hearing officer to show evidence or present
 15 information why the bureau should not suspend the ~~license driver's~~
 16 **driving privileges** for failure to meet the terms of the citation.

17 (d) Upon holding the hearing, the bureau may suspend the driver's
 18 ~~license driving privileges~~ until the conditions of the citation are met
 19 or a release from the citing jurisdiction is obtained.

20 (e) If the bureau does not receive information from the driver
 21 concerning the notification, the bureau shall suspend the driver's
 22 ~~license driving privileges~~ until the conditions of the citation are met
 23 or a release is obtained.

24 (f) A driver ~~that has~~ **whose driving privileges have** been suspended
 25 for failure to meet the conditions of a citation is not eligible for a
 26 hardship license under IC 9-24-15.

27 (g) The bureau may not suspend a ~~driver's license driving~~
 28 **privileges** under this section for a nonmoving traffic offense occurring
 29 in another jurisdiction.

30 SECTION 387. IC 9-28-5.1-1, AS ADDED BY P.L.93-2010,
 31 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2012]: Sec. 1. To facilitate the exchange of driver's licenses,
 33 the bureau ~~shall~~ **may** negotiate and enter into a reciprocal agreement
 34 with a foreign country. However, the bureau may not negotiate or enter
 35 into a reciprocal agreement with a country that is listed as a state
 36 sponsor of terrorism as determined by the Secretary of State of the
 37 United States.

38 SECTION 388. IC 9-28-5.1-3, AS ADDED BY P.L.93-2010,
 39 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2012]: Sec. 3. A written reciprocity agreement entered into
 41 under section 2 of this chapter must require an applicant from the
 42 foreign country for an operator's license to possess:

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1 (1) a valid ~~operator's~~ **driver's** license **for the type of vehicle**
 2 **being operated** or the equivalent from the foreign country; or
 3 (2) an international driving permit.
 4 SECTION 389. IC 9-28-5.1-4 IS REPEALED [EFFECTIVE JULY
 5 1, 2012]. ~~Sec. 4. The bureau shall report annually in an electronic~~
 6 ~~format under IC 5-14-6 regarding reciprocal agreements entered into~~
 7 ~~under this chapter to the general assembly before February 1 of each~~
 8 ~~year.~~
 9 SECTION 390. IC 9-28-5.1-5, AS ADDED BY P.L.93-2010,
 10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2012]: Sec. 5. The bureau ~~shall~~ **may** adopt rules under
 12 IC 4-22-2 to carry out this chapter.
 13 SECTION 391. IC 9-29-1-2, AS AMENDED BY P.L.109-2011,
 14 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2012]: Sec. 2. (a) Money from the increases in fees levied by
 16 the 1969 regular session of the general assembly in IC 9-18-2,
 17 IC 9-18-5, IC 9-18-6, IC 9-18-7, IC 9-18-9, IC 9-18-10, IC 9-18-16,
 18 IC 9-24-3, IC 9-24-4, IC 9-24-5, IC 9-24-7, IC 9-24-8, IC 9-24-10,
 19 IC 9-24-11, IC 9-24-12, IC 9-24-13, IC 9-24-14, and IC 9-29-9-15
 20 (IC 9-1-4 before its repeal on July 1, 1991) shall be deposited daily
 21 with the treasurer of state and credited to the highway, road, and street
 22 fund established under IC 8-14-2-2.1.
 23 (b) For the purpose of providing adequate and sufficient funds for
 24 the crossroads 2000 fund established under IC 8-14-10-9, and subject
 25 to subsection (c) ~~after June 30, 1997, with~~ **and** the approval of the
 26 ~~bureau of motor vehicles~~ commission, the ~~bureau of motor vehicles~~
 27 may adopt rules under IC 4-22-2 to increase, by an amount that is in
 28 addition to the fees specified by statute, the fees under the following:
 29 IC 9-29-4-3
 30 IC 9-29-5
 31 IC 9-29-9-1
 32 IC 9-29-9-2
 33 IC 9-29-9-3
 34 IC 9-29-9-4
 35 IC 9-29-9-5
 36 IC 9-29-9-7
 37 IC 9-29-9-8
 38 IC 9-29-9-9
 39 IC 9-29-9-11
 40 IC 9-29-9-13
 41 IC 9-29-9-14
 42 IC 9-29-15-1

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1 IC 9-29-15-2
 2 IC 9-29-15-3
 3 IC 9-29-15-4
 4 The amount of fees increased under this section shall first be deposited
 5 into the crossroads 2000 fund established under IC 8-14-10-9.
 6 (c) The bureau's authority to adopt rules under subsection (b) is
 7 subject to the condition that a fee increase must be uniform throughout
 8 all license branches and at all partial service locations in Indiana.
 9 (d) If a fee imposed by a statute listed in subsection (b) is
 10 eliminated, the amount of the fee increase set forth in a rule adopted
 11 under this section ~~before July 1, 2007~~, with respect to the fee must be:
 12 (1) collected by the bureau notwithstanding the elimination of the
 13 underlying fee;
 14 (2) collected in addition to all other fees collected at the time of
 15 the underlying transaction; and
 16 (3) deposited in the crossroads 2000 fund established under
 17 IC 8-14-10-9.
 18 SECTION 392. IC 9-29-3-0.3 IS REPEALED [EFFECTIVE JULY
 19 1, 2012]. ~~Sec. 0.3: If P.L.291-2001 imposes an additional service fee~~
 20 ~~under section 4, 6, 7, 8, 9, 10, 11, 12, 14, or 18 of this chapter that is~~
 21 ~~payable into a fund other than the state motor vehicle technology fund~~
 22 ~~established by IC 9-29-16, the general assembly intends that both the~~
 23 ~~service fees imposed under P.L.291-2001 and P.L.176-2001 shall be~~
 24 ~~collected.~~
 25 SECTION 393. IC 9-29-3-4, AS AMENDED BY P.L.63-2007,
 26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2012]: Sec. 4. (a) ~~The service charge for each of the first~~
 28 ~~twelve thousand (12,000) original and renewed vehicle registrations at~~
 29 ~~a license branch each year is one dollar and seventy-five cents (\$1.75).~~
 30 (b) ~~The service charge for each of the next thirty-eight thousand~~
 31 ~~(38,000) original and renewed vehicle registrations at that license~~
 32 ~~branch each year is one dollar and fifty cents (\$1.50).~~
 33 (c) ~~The annual service charge for each additional original or~~
 34 ~~renewed vehicle registration at that license branch each year is one~~
 35 ~~dollar and twenty-five cents (\$1.25).~~
 36 (d) ~~Fifty cents (\$0.50) of each service charge collected under~~
 37 ~~this section shall be deposited in the state motor vehicle technology~~
 38 ~~fund established by IC 9-29-16-1.~~
 39 (e) (c) A service charge that is:
 40 (1) originally imposed under this section; and
 41 (2) increased by a rule adopted by the department;
 42 applies to any original or renewed vehicle registration issued at a

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- 1 license branch.
- 2 SECTION 394. IC 9-29-3-5 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. The service charge
4 for each title, including duplicate **or corrected** titles, is one dollar (\$1).
- 5 SECTION 395. IC 9-29-3-19, AS AMENDED BY P.L.68-2006,
6 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2012]: Sec. 19. (a) **As used in this section, "low numbered
8 motor vehicle registration plate" means any motor vehicle registration
9 plate numbered from one (1) to one hundred (100) before or after the
10 county designation number or letter series designation; or both.**
- 11 **(b) (a)** As used in this section, "pull service charge" refers to the
12 charge that the commission may require for a requested **low numbered
13 motor vehicle registration plate** or a special numbered motor vehicle
14 registration plate.
- 15 **(c) (b)** As used in this section, "special numbered motor vehicle
16 registration plate" means any plate, other than a low numbered motor
17 vehicle registration plate, requested for issuance out of its established
18 numerical sequence.
- 19 **(d) (c)** Subject to **subsections (e) and (f) subsection (d)** and with the
20 approval of the commission, the bureau may adopt rules under
21 IC 4-22-2 to do the following:
- 22 (1) Increase or decrease any of the service charges listed in
23 sections 1 through 18 of this chapter.
- 24 (2) Impose a service charge on any other license branch service
25 that is not listed in sections 1 through 18 of this chapter.
- 26 (3) Increase or decrease a service charge imposed under
27 subdivision (2).
- 28 **(e) (d)** The bureau's authority to adopt rules under subsection **(d) (c)**
29 is subject to the condition that a service charge must be uniform
30 throughout all license branches and at all partial service locations in
31 Indiana.
- 32 **(f)** The bureau may not impose a pull service charge for a requested
33 passenger motor vehicle registration plate containing the numbers set
34 forth in IC 9-18-2-28 for a motor vehicle:
- 35 **(1)** issued a license plate under IC 9-18-17 that designates the
36 motor vehicle as being owned by a former prisoner of war or by
37 the surviving spouse of a former prisoner of war; or
- 38 **(2)** after December 31, 2006, issued a license plate under
39 IC 9-18-19 that designates the motor vehicle as being owned by
40 a person who has received a Purple Heart decoration.
- 41 **(g) (e)** The bureau may not impose a pull service charge of more
42 than fifteen dollars (\$15) for a requested motor vehicle registration



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1 plate issued under IC 9-18-25 for a special group recognition license
2 plate that commemorates the bicentennial of the Lewis and Clark
3 expedition.

4 SECTION 396. IC 9-29-5-11, AS AMENDED BY P.L.210-2005,
5 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2012]: Sec. 11. (a) This section does not apply to a vehicle or
7 person exempted from registration under IC 9-18.

8 (b) The **license registration** fee for a piece of special machinery is
9 five dollars (\$5). The motor vehicle is exempt from other fees provided
10 under IC 9-18 or this article.

11 (c) The owner of a vehicle listed in this section is not entitled to a
12 reduction in the five dollar (\$5) **license registration** fee because the
13 license is granted at a time that the license period is less than a year.

14 SECTION 397. IC 9-29-5-12, AS AMENDED BY P.L.210-2005,
15 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 12. A farm wagon or farm type dry or liquid
17 fertilizer tank trailer or spreader used to transport bulk fertilizer
18 between distribution point and farm and return is exempt from all
19 **license registration** fees when the wagon, trailer, or spreader is drawn
20 or towed on a highway by a:

- 21 (1) farm tractor; or
- 22 (2) properly registered motor vehicle.

23 SECTION 398. IC 9-29-5-13, AS AMENDED BY P.L.210-2005,
24 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2012]: Sec. 13. (a) This section does not apply to a vehicle or
26 person exempt from registration under IC 9-18.

27 (b) The **license registration** fee for a motor vehicle, trailer, or
28 semitrailer and tractor operated primarily as a farm truck, farm trailer,
29 or farm semitrailer and tractor:

- 30 (1) having a declared gross weight of at least eleven thousand
31 (11,000) pounds; and
- 32 (2) used by the owner or guest occupant in connection with
33 agricultural pursuits usual and normal to the user's farming
34 operation;

35 is fifty percent (50%) of the amount listed in this chapter for a truck,
36 trailer, or semitrailer and tractor of the same declared gross weight.

37 SECTION 399. IC 9-29-5-13.5, AS AMENDED BY P.L.191-2007,
38 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2012]: Sec. 13.5. (a) This section applies to a truck, trailer, or
40 semitrailer and tractor for which a **license registration** fee provided in
41 section 13(b) of this chapter has been paid.

42 (b) Except as provided in subsections (d) and (e), if the owner of a

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1 truck, trailer, or semitrailer and tractor described in subsection (a)
 2 begins to operate the truck, trailer, or semitrailer and tractor in the
 3 conduct of a commercial enterprise or for the transportation of farm
 4 products after the commodities have entered the channels of commerce
 5 during a registration year for which the **license registration** fee under
 6 section 13(b) of this chapter has been paid, the owner shall pay the
 7 amount listed in this chapter for a truck, trailer, or semitrailer and
 8 tractor of the same declared gross weight reduced by a credit
 9 determined under subsection (c) to license the truck, trailer, or
 10 semitrailer and tractor.

11 (c) The credit provided in subsection (b) equals:

- 12 (1) the **license registration** fee paid under section 13(b) of this
- 13 chapter; reduced by
- 14 (2) **ten eight and thirty-three hundredths** percent (~~10%~~)
- 15 **(8.33%)** for each full or partial calendar month that has elapsed
- 16 in the registration year for which the **license registration** fee has
- 17 been paid.

18 The credit may not exceed ninety percent (90%) of the **license**
 19 **registration** fee paid under section 13(b) of this chapter.

20 (d) Notwithstanding subsections (b) and (e) and IC 9-18-2-4, a
 21 truck, trailer, or semitrailer and tractor described in subsection (a) may
 22 be operated intrastate for the transportation of seasonal, perishable fruit
 23 or vegetables to the first point of processing for a period that consists
 24 of not more than a thirty (30) day period in a registration year as
 25 provided by IC 9-21-21-4.3(a). Before a vehicle may be operated as
 26 provided in this subsection, the owner shall pay to the bureau:

- 27 (1) any **license registration** fee due under section 13(b) of this
- 28 chapter; and
- 29 (2) eight and one-half percent (8.5%) of the **license registration**
- 30 fee paid under section 13(b) of this chapter.

31 (e) Notwithstanding subsections (b) and (d) and IC 9-18-2-4, a
 32 truck, trailer, or semitrailer and tractor described in subsection (a) may
 33 be operated intrastate for the transportation of tomatoes or silage to the
 34 first point of processing for a period that consists of not more than one
 35 (1) seventy-one (71) day period in a registration year as provided by
 36 IC 9-21-21-4.3(b). Before a vehicle may be operated as provided in this
 37 subsection, the owner shall pay to the bureau:

- 38 (1) any **license registration** fee due under section 13(b) of this
- 39 chapter; and
- 40 (2) seventeen percent (17%) of the **license registration** fee paid
- 41 under section 13(b) of this chapter.

42 SECTION 400. IC 9-29-5-17 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17. The fee for each
2 duplicate **or replacement** license plate is three dollars (\$3).

3 SECTION 401. IC 9-29-5-18 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. The fee for a
5 recreational vehicle, **which does not include truck campers (as**
6 **defined in IC 6-6-5.1-8)**, is twenty dollars (\$20).

7 SECTION 402. IC 9-29-5-26.5 IS REPEALED [EFFECTIVE JULY
8 1, 2012]. ~~Sec. 26.5. The bureau may adopt rules under IC 4-22-2 to~~
9 ~~establish the fee for a temporary registration permit issued under~~
10 ~~IC 9-18-7-1.5. However, the amount of the fee may not exceed~~
11 ~~seventy-five dollars (\$75).~~

12 SECTION 403. IC 9-29-5-34 IS REPEALED [EFFECTIVE JULY
13 1, 2012]. ~~Sec. 34. A vehicle registered under IC 9-18-21 is subject to~~
14 ~~an annual registration fee and any other fee or tax required of a person~~
15 ~~registering a vehicle under this title.~~

16 SECTION 404. IC 9-29-6-10 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. Whenever a permit
18 is issued by the ~~bureau~~ **Indiana department of transportation** under
19 IC 9-20-6, the ~~bureau~~ **Indiana department of transportation** shall fix
20 the fee to be paid. ~~and~~ Upon payment of the fee, the ~~bureau~~ **Indiana**
21 **department of transportation** shall validate the permit. The revenue
22 from the fee shall be credited to the state highway fund.

23 SECTION 405. IC 9-29-7-2.5, AS ADDED BY P.L.110-2006,
24 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2012]: Sec. 2.5. The fee for a duplicate **or corrected**
26 certificate of salvage title is four dollars (\$4).

27 SECTION 406. IC 9-29-9-2, AS AMENDED BY P.L.101-2009,
28 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 UPON PASSAGE]: Sec. 2. (a) **Except as provided in subsection (c),**
30 the fee for an operator's license issued under IC 9-24-3 or renewed
31 under IC 9-24-12 to an individual who is:

32 (1) less than seventy-five (75) years of age is nine dollars (\$9);

33 and

34 (2) at least seventy-five (75) years of age is six dollars (\$6).

35 (b) The fee for a probationary license issued under IC 9-24-11-3 or
36 IC 9-24-11-3.3 is six dollars (\$6).

37 (c) **Notwithstanding subsection (a), the fee for the renewal of an**
38 **operator's license issued under IC 9-24 that contains a 2012**
39 **expiration date is as follows:**

40 (1) **If the license was previously issued or renewed after May**
41 **14, 2007, and before January 1, 2008, the fee is seven dollars**
42 **and fifty cents (\$7.50).**



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1 (2) If the license was previously issued or renewed after
2 December 31, 2007, and before January 1, 2009, the fee is nine
3 dollars (\$9).

4 (3) If the license was previously issued or renewed after
5 December 31, 2005, and before January 1, 2007, the fee is six
6 dollars (\$6).

7 **This subsection does not apply to the renewal of an operator's**
8 **license that contains an expiration date after 2012.**

9 SECTION 407. IC 9-30-2-0.1 IS REPEALED [EFFECTIVE JULY
10 1, 2012]. Sec. 0-1: The amendments made to sections 4 and 5 of this
11 chapter by P.L.99-1996 apply to arrests made after June 30, 1996.

12 SECTION 408. IC 9-30-2-7 IS REPEALED [EFFECTIVE JULY 1,
13 2012]. Sec. 7: (a) The:

- 14 (1) superintendent of the state police department;
- 15 (2) police chief of each city or the police chief's designee;
- 16 (3) sheriff of each county; and
- 17 (4) town marshal or police chief of each town;

18 shall report to the bureau immediately the arrest of a person for a
19 violation of an Indiana law or a city ordinance relating to the operation
20 of motor vehicles upon the highways.

21 (b) The report must state the following:

- 22 (1) The offense with which the operator or driver is charged;
- 23 (2) The court in which pending;
- 24 (3) The names of all available witnesses to the violation;
- 25 (4) The name and address of the operator;
- 26 (5) If the operator is the holder of a license, the following:
 - 27 (A) The kind of license and license number;
 - 28 (B) The license plate number of the vehicle operated by the
29 operator;

30 (c) The bureau shall cause the report:

- 31 (1) to be filed in the bureau; and
- 32 (2) retained for at least two (2) years.

33 (d) The bureau shall prescribe and the bureau shall furnish the form
34 of the report required by this section:

35 SECTION 409. IC 9-30-3-8, AS AMENDED BY P.L.206-2007,
36 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 8. (a) The court may issue a warrant for the arrest
38 of a defendant who is an Indiana resident and who fails to appear or
39 answer a traffic information and summons or a complaint and summons
40 served upon the defendant. If the warrant is not executed within thirty
41 (30) days after issue, the court shall promptly forward the court copy
42 of the traffic information and summons or complaint and summons to

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1 the bureau indicating that the defendant failed to appear in court as
 2 ordered. The court shall then mark the case as failure to appear on the
 3 court's records.

4 (b) If a defendant who is not an Indiana resident fails to appear or
 5 answer a traffic summons served upon the defendant and upon which
 6 the information or complaint has been filed thirty (30) days after the
 7 return date of the information and summons or complaint and
 8 summons, the court shall promptly forward the court copy of the traffic
 9 information and summons or complaint and summons to the bureau.
 10 The bureau shall notify the motor vehicle commission of the state of
 11 the nonresident defendant of the defendant's failure to appear and also
 12 of any action taken by the bureau relative to the Indiana driving
 13 privileges of the defendant. If the defendant fails to appear or otherwise
 14 answer within thirty (30) days, the court shall mark the case as failure
 15 to appear on the court's records.

16 **(c) The court may suspend the driving privileges of a defendant**
 17 **who fails to satisfy a judgment entered against the defendant for:**

- 18 **(1) violation of a traffic ordinance; or**
 19 **(2) commission of a traffic infraction;**

20 **by a date set by the court under IC 34-28-5-6. The court shall**
 21 **forward notice to the bureau indicating that the defendant failed**
 22 **to pay as ordered.**

23 ~~(c)~~ **(d)** If the bureau receives a copy of the traffic information and
 24 summons or complaint and summons for failure to appear in court **or**
 25 **a notice of failure to pay under subsection (c)**, either on a form
 26 prescribed by the bureau or in an electronic format prescribed by the
 27 division of state court administration, the bureau shall suspend the
 28 driving privileges of the defendant until the defendant appears in court
 29 and the case has been disposed of, **or until the date payment is**
 30 **received by the court.** The order of suspension may be served upon
 31 the defendant by mailing the order by first class mail to the defendant
 32 at the last address shown for the defendant in the records of the bureau.
 33 The order takes effect on the date the order is mailed.

34 ~~(d)~~ **(e)** For nonresidents of Indiana, the order of suspension shall be
 35 mailed to the defendant at the address given to the arresting officer **or**
 36 **the clerk of court** by the defendant as shown by the traffic information
 37 or complaint. The order takes effect on the date of mailing. A copy of
 38 the order shall also be sent to the motor vehicle bureau of the state of
 39 the nonresident defendant. If:

- 40 (1) the defendant's failure to appear in court has been certified to
 41 the bureau under this chapter; and
 42 (2) the defendant subsequently appears in court to answer the

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1 charges against the defendant;
 2 the court shall proceed to hear and determine the case in the same
 3 manner as other cases pending in the court. Upon final determination
 4 of the case, the court shall notify the bureau of the determination either
 5 in an electronic format or upon forms prescribed by the bureau. The
 6 notification shall be made by the court within ten (10) days after the
 7 final determination of the case, and information from the original copy
 8 of the traffic information and summons or complaint and summons
 9 must accompany the notification.

10 SECTION 410. IC 9-30-3-11, AS AMENDED BY P.L.206-2007,
 11 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2012]: Sec. 11. (a) Before accepting a plea of guilty to a
 13 misdemeanor traffic offense, the court shall inform the defendant of the
 14 defendant's rights, including the right to:

- 15 (1) engage counsel;
- 16 (2) a reasonable continuance to engage counsel to subpoena
 17 witnesses;
- 18 (3) have process issued by the court, without expense to the
 19 defendant, to compel the attendance of witnesses in the
 20 defendant's behalf;
- 21 (4) testify or not to testify in the defendant's own behalf;
- 22 (5) a trial by jury; and
- 23 (6) appeal.

24 (b) The court shall inform each defendant charged with a traffic
 25 offense other than a nonmoving traffic offense, if the defendant is
 26 convicted or judgment is entered against the defendant, that a record of
 27 the conviction or judgment will be sent to the bureau or the motor
 28 vehicle bureau of the state where the defendant received a license to
 29 drive to become a part of the defendant's driving record.

30 (c) The court shall keep a full record of every case in which a person
 31 is charged with a traffic offense other than a nonmoving traffic offense.
 32 Within ten (10) days after the conviction, judgment, or forfeiture of
 33 security deposit of a person, the court shall forward a copy of the
 34 judgment in an electronic format or an abstract as prescribed by
 35 ~~IC 9-25-6-8.~~ **IC 9-30-13-0.5.** The abstract comprises the original copy
 36 of the traffic information and summons or complaint and summons if
 37 the conviction, judgment, or forfeiture of security deposit has been
 38 entered on that copy. However, instead of the original copy, the court
 39 may, subject to the approval of the bureau, send the information in an
 40 electronic format or in the form of a chemical based, magnetic, or
 41 machine readable media. Records of nonmoving traffic offenses are not
 42 required to be forwarded to the bureau.

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1 (d) One (1) year after the abstract has been forwarded, the court may
2 destroy the remaining court copies of the information and summons or
3 complaint and summons and related pleadings if an order book entry
4 of the copy has been made and the original copy has been sent to the
5 bureau. ~~of motor vehicles.~~

6 (e) Upon the failure of a court officer to comply with subsection (c),
7 the officer is liable on the officer's official bond for a civil penalty of
8 one hundred dollars (\$100) accruing to the state, which may be
9 recovered, together with the costs of the suit, in a civil action brought
10 by the attorney general in the name of the state on relation of the
11 attorney general. Each failure by an officer constitutes a separate cause
12 of action.

13 SECTION 411. IC 9-30-3-12, AS AMENDED BY P.L.106-2010,
14 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2012]: Sec. 12. (a) If during any twelve (12) month period a
16 person has committed moving traffic violations for which the person
17 has:

- 18 (1) been convicted of at least two (2) traffic misdemeanors;
 - 19 (2) had at least two (2) traffic judgments entered against the
20 person; or
 - 21 (3) been convicted of at least one (1) traffic misdemeanor and has
22 had at least one (1) traffic judgment entered against the person;
- 23 the bureau may require the person to attend and satisfactorily complete
24 a defensive driving school program **approved by the bureau**. The
25 person shall pay all applicable fees required by the bureau.

26 (b) This subsection applies to an individual who holds a
27 probationary license under ~~IC 9-24-11-3~~ or IC 9-24-11-3.3 or is less
28 than eighteen (18) years of age. An individual is required to attend and
29 satisfactorily complete a defensive driving school program **approved**
30 **by the bureau** if either of the following occurs at least twice or if both
31 of the following have occurred when the individual was less than
32 eighteen (18) years of age:

- 33 (1) The individual has been convicted of a moving traffic offense
34 (as defined in section 14(a) of this chapter), other than an offense
35 that solely involves motor vehicle equipment.
- 36 (2) The individual has been the operator of a motor vehicle
37 involved in an accident for which a report is required to be filed
38 under IC 9-26-2.

39 The individual shall pay all applicable fees required by the bureau.

40 (c) The bureau may suspend the driving ~~license~~ **privileges** of any
41 person who:

- 42 (1) fails to attend a defensive driving school program; or

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1 (2) fails to satisfactorily complete a defensive driving school
2 program;
3 as required by this section.

4 (d) Notwithstanding IC 33-37-4-2, any court may suspend one-half
5 (1/2) of each applicable court cost (including fees) for which a person
6 is liable due to a traffic violation if the person enrolls in and completes
7 a defensive driving school or a similar school conducted by an agency
8 of the state or local government.

9 SECTION 412. IC 9-30-3-14 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. (a) As used in this
11 section, "moving traffic offense" means a violation of a statute, an
12 ordinance, or a rule relating to the operation or use of motor vehicles
13 while the motor vehicle is in motion.

14 (b) If a court convicts a person for a moving traffic offense and the
15 person is known or believed by the court not to be the owner of the
16 motor vehicle, the court shall, within seven (7) days after entering the
17 conviction, deposit with the United States Postal Service, first class
18 postage prepaid, notice addressed to the owner of the motor vehicle
19 giving the owner the following information:

- 20 (1) The name and address of the person convicted.
- 21 (2) The name and address of the owner of the motor vehicle.
- 22 (3) The offense upon which the conviction was made.
- 23 (4) The date of arrest of the person convicted and the location of
- 24 the place of the offense.
- 25 (5) The license plate number of the motor vehicle.
- 26 (6) The ~~operator's or chauffeur's~~ **driver's** license number of the
- 27 person convicted.
- 28 (7) The date of the conviction and the name of the court making
- 29 the conviction.

30 SECTION 413. IC 9-30-3-15 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. In a proceeding,
32 prosecution, or hearing where the prosecuting attorney must prove that
33 the defendant had a prior conviction for an offense under this title, the
34 relevant portions of a certified computer printout or electronic copy as
35 set forth in IC 9-14-3-4 made from the records of the bureau are
36 admissible as prima facie evidence of the prior conviction. However,
37 the prosecuting attorney must establish that the document identifies the
38 defendant by the defendant's ~~operator's~~ **driving driver's** license number or by any
39 other identification method utilized by the bureau.

40 SECTION 414. IC 9-30-3-16 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. (a) If a person has
42 been found to have committed a traffic offense, the court may do the

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following:

- (1) Require the person to attend and satisfactorily complete a driver improvement course that has been approved by the court and the bureau or by the bureau.
- (2) Place the person on probation for up to one (1) year.
- (3) Suspend the person's ~~driver's license~~ **driving privileges** for up to thirty (30) days.

(b) A driver improvement course required under subsection (a) may be financed by assessing a reasonable charge as determined by the course provider and approved by the bureau.

SECTION 415. IC 9-30-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. Upon any reasonable ground appearing on the records of the bureau, the bureau may do the following:

- (1) Suspend, ~~or revoke,~~ **or invalidate** the current ~~driving permit,~~ **driver's license, identification card, or driving privileges** of any person.
- (2) Suspend, ~~or revoke,~~ **or invalidate** the certificate of registration ~~and or~~ license plate for any motor vehicle **or watercraft.**

SECTION 416. IC 9-30-4-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) A person aggrieved by an order or act of the bureau under section 1 or 2 of this chapter may, within fifteen (15) days after notice is given, file a petition in the circuit or superior court of the county in which the person resides. If the person is a nonresident, the person may file a petition for review in the Marion **County** circuit court.

(b) The petitioner must state facts showing how the order or act of the bureau is wrongful or unlawful, but the filing of a petition does not suspend the order or act unless a stay is allowed by a judge of the court pending final determination of the review on a showing of reasonable probability that the order or act is wrongful or unlawful.

(c) The court shall, within six (6) months of the date of the filing of the petition, hear the petition, take testimony, and examine the facts of the case. The court may, in disposing of the issues, modify, affirm, or reverse the order or act of the bureau in whole or in part and shall make an appropriate order. If the petition has not been heard within six (6) months from the date of the filing, the original order or act of the bureau shall be reinstated in full force and effect.

SECTION 417. IC 9-30-4-6, AS AMENDED BY P.L.100-2010, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Whenever the bureau suspends or revokes

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1 ~~the current~~ **a person's** driver's license, **driving privileges, or permit**
 2 upon receiving a record of the conviction of ~~a~~ **the** person for any
 3 offense under the motor vehicle laws not enumerated under subsection
 4 (b), the bureau may also suspend any of the certificates of registration
 5 and license plates issued for any motor vehicle **or watercraft**
 6 registered in the name of the person so convicted. However, the bureau
 7 may not suspend the evidence of registration, unless otherwise required
 8 by law, if the person has given or gives and maintains during the three
 9 (3) years following the date of suspension or revocation proof of
 10 financial responsibility in the future. ~~in the manner specified in this~~
 11 ~~section.~~

12 (b) The bureau shall suspend or revoke without notice or hearing the
 13 ~~current~~ driver's license, **permit, or driving privileges** and all
 14 certificates of registration and license plates issued or registered in the
 15 name of a person who is convicted of any of the following:

16 (1) Manslaughter or reckless homicide resulting from the
 17 operation of a motor vehicle.

18 (2) Perjury or knowingly making a false affidavit to the
 19 department under this chapter or any other law requiring the
 20 registration of motor vehicles or regulating motor vehicle
 21 operation upon the highways.

22 (3) A felony under Indiana motor vehicle laws or felony in the
 23 commission of which a motor vehicle is used.

24 (4) Three (3) charges of criminal recklessness involving the use
 25 of a motor vehicle within the preceding twelve (12) months.

26 (5) Failure to stop and give information or assistance or failure to
 27 stop and disclose the person's identity at the scene of an accident
 28 that has resulted in death, personal injury, or property damage in
 29 excess of two hundred dollars (\$200).

30 (6) Possession, distribution, manufacture, cultivation, transfer,
 31 use, or sale of a controlled substance or counterfeit substance, or
 32 attempting or conspiring to possess, distribute, manufacture,
 33 cultivate, transfer, use, or sell a controlled substance or
 34 counterfeit substance.

35 (c) The ~~license~~ **driving privileges** of a person shall also be
 36 suspended upon conviction in another jurisdiction for any offense
 37 described in subsections (b)(1), (b)(2), (b)(3), (b)(4), and (b)(5), except
 38 if property damage is less than two hundred dollars (\$200), the bureau
 39 may determine whether the driver's license, **permit, driving privileges,**
 40 **and** certificates of registration, and license plates shall be suspended or
 41 revoked. The ~~license~~ **driving privileges** of a person shall also be
 42 suspended upon conviction in another jurisdiction for any offense



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described in subsection (b)(6).
(d) A suspension or revocation remains in effect and a new or renewal license **or permit** may not be issued to the person and a motor vehicle may not be registered in the name of the person as follows:
(1) Except as provided in subdivisions (2), (3), (4), and (5), and 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

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1 to the amount of the excess limits of liability, any defenses that
 2 the carrier may be entitled to plead against the insured. The policy
 3 may further provide for prorating of the insurance with other
 4 applicable valid and collectible insurance. An action does not lie
 5 against the insurance carrier by or on behalf of any claimant under
 6 the policy until a final judgment has been obtained after actual
 7 trial by or on behalf of any claimant under the policy.
 8 (3) Subject to section 6.5 of this chapter, for the period ordered by
 9 a court under IC 35-48-4-15.
 10 (4) Subject to section 6.5 of this chapter, if the person is convicted
 11 of a felony involving the use of a motor vehicle under
 12 IC 35-44-3-3(b) and the person:
 13 (A) exceeded the speed limit by at least twenty (20) miles per
 14 hour;
 15 (B) committed criminal recklessness with a vehicle
 16 (IC 35-42-2-2)); or
 17 (C) engaged in aggressive driving (as defined in
 18 IC 9-21-8-55(b));
 19 while committing the felony, for one (1) year after the date the
 20 person was convicted. ~~The convicted person has the burden of~~
 21 ~~applying for a new or renewal license and establishing that the~~
 22 ~~one (1) year period described in this subdivision and subject to~~
 23 ~~section 6.5 of this chapter has elapsed.~~
 24 (5) Subject to section 6.5 of this chapter, if the person is convicted
 25 of a felony involving the use of a motor vehicle under
 26 IC 35-44-3-3(b), the person:
 27 (A) exceeded the speed limit by at least twenty (20) miles per
 28 hour;
 29 (B) committed criminal recklessness with a vehicle
 30 (IC 35-42-2-2)); or
 31 (C) engaged in aggressive driving (as defined in
 32 IC 9-21-8-55(b));
 33 while committing the felony, and the person has a prior unrelated
 34 conviction for a felony under IC 35-44-3-3(b), for two (2) years
 35 after the date the person was convicted. ~~The convicted person has~~
 36 ~~the burden of applying for a new or renewal license and~~
 37 ~~establishing that the two (2) year period described in this~~
 38 ~~subdivision and subject to section 6.5 of this chapter has elapsed.~~
 39 (e) The bureau may take action as required in this section upon
 40 receiving satisfactory evidence of a conviction of a person in another
 41 state.
 42 (f) For the purpose of this chapter, "conviction" includes any of the

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following:

- (1) A conviction upon a plea of guilty.
- (2) A determination of guilt by a jury or court, even if:
 - (A) no sentence is imposed; or
 - (B) a sentence is suspended.
- (3) A forfeiture of bail, bond, or collateral deposited to secure the defendant's appearance for trial, unless the forfeiture is vacated.
- (4) A payment of money as a penalty or as costs in accordance with an agreement between a moving traffic violator and a traffic violations bureau.

(g) A suspension or revocation under this section or under ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** stands pending appeal of the conviction to a higher court and may be set aside or modified only upon the receipt by the bureau of the certificate of the court reversing or modifying the judgment that the cause has been reversed or modified. However, if the suspension or revocation follows a conviction in a court of no record in Indiana, the suspension or revocation is stayed pending appeal of the conviction to a court of record.

(h) A person aggrieved by an order or act of the bureau under this section or ~~IC 9-25-6-8~~ **IC 9-30-13-0.5** may file a petition for a court review.

SECTION 418. IC 9-30-4-6.5, AS ADDED BY P.L.100-2010, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6.5. If a person receives a sentence that includes:

- (1) a term of incarceration; and
- (2) a ~~license~~ **suspension of the person's driving privileges** under this chapter;

the ~~license~~ **suspension of driving privileges** begins on the date the person is released from incarceration and not on the date the person is convicted.

SECTION 419. IC 9-30-4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) A person whose:

- (1) ~~operator's or chauffeur's driver's~~ **license, permit, or driving privileges**; or
- (2) certificate of registration or license plate;

has been ~~suspended~~ **revoked or invalidated** and has not been reinstated shall immediately return the license, **permit**, certificate of registration, ~~and~~ **or** license plate to the bureau. A person who knowingly fails to comply with this requirement commits a Class C misdemeanor.

(b) The bureau may:

- (1) take possession of a license, **permit**, certificate of registration,

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1 or license plate upon the ~~suspension~~; **revocation or invalidation**;
 2 or
 3 (2) direct a law enforcement officer to take possession and return
 4 the license, **permit**, certificate, or license plate to the office of the
 5 bureau.

6 (c) All law enforcement officers are authorized as agents of the
 7 bureau to seize the license **or permit**, certificate of registration, **and or**
 8 license plate of a person who fails to surrender the license, **permit**,
 9 certificate, or license plate. A law enforcement officer shall ~~notify the~~
 10 ~~bureau of the seizure~~; **destroy each license, permit, certificate of**
 11 **registration, or license plate that the law enforcement officer seizes.**

12 SECTION 420. IC 9-30-4-8 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A person whose
 14 certificate of registration has been suspended or revoked, with
 15 restoration or the issuance of a new certificate being contingent upon
 16 the furnishing of proof of financial responsibility, and who, during the
 17 suspension or revocation or in the absence of full authorization from
 18 the bureau, operates the motor vehicle upon a highway or knowingly
 19 permits the motor vehicle to be operated by another person upon a
 20 highway except as permitted under this chapter commits a Class C
 21 misdemeanor.

22 (b) A person with a restricted license ~~issued by the bureau~~ **driving**
 23 **privileges** who operates a motor vehicle upon a highway in violation
 24 of the terms and conditions specified ~~on for~~ the restricted ~~license~~
 25 **driving privileges** commits a Class C misdemeanor.

26 SECTION 421. IC 9-30-4-9 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Upon the filing
 28 of a complaint in writing with the bureau against a person holding a
 29 current driver's license or **permit or** applying for a ~~current~~ driver's
 30 license, **permit**, or a renewal, the bureau may cite the person for a
 31 hearing to consider the suspension or revocation of the **person's**
 32 license, **permit, or driving privileges** upon any of the following
 33 charges:

- 34 (1) That the person has committed an offense for the conviction
- 35 of which mandatory revocation of license is provided.
- 36 (2) That the person has, by reckless or unlawful operation of a
- 37 motor vehicle, caused or contributed to an accident resulting in
- 38 death or injury to any other person or property damage.
- 39 (3) That the person is incompetent to drive a motor vehicle or is
- 40 afflicted with mental or physical infirmities or disabilities
- 41 rendering it unsafe for the person to drive a motor vehicle.
- 42 (4) That the person is a reckless or negligent driver of a motor

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1 vehicle or has committed a violation of a motor vehicle law.
 2 (b) Whenever the bureau issues a citation upon a complaint in
 3 writing for any of the reasons set out in this section, the bureau shall
 4 immediately notify the licensee or permit holder ~~of the time and place~~
 5 ~~of the hearing. and afford the person an opportunity of a hearing in the~~
 6 ~~county in which the person so cited and against whom the complaint is~~
 7 ~~filed resides before the bureau or a deputy or an agent of the bureau~~
 8 ~~designated for the purpose of the hearing.~~ The citation must state the
 9 time, date, and place where the hearing will be held and that the
 10 licensee or permit holder has the right to appear and to be heard. At the
 11 hearing the bureau or the deputy or agent may issue an order of
 12 suspension or revocation ~~of,~~ or decline to suspend ~~or~~ revoke, ~~or issue~~
 13 the license, ~~or~~ permit, **or driving privileges of the person.**
 14 (c) The bureau or the deputy or agent may suspend or revoke the
 15 ~~current~~ driver's license, **permit, or driving privileges** of a person and
 16 any of the certificates of registration and license plates for a motor
 17 vehicle or require the person cited to operate for a period of one (1)
 18 year under a restricted ~~license~~ **driving privileges** and make the reports
 19 the bureau requires.
 20 (d) The bureau or the deputy or agent may subpoena witnesses,
 21 administer oaths, and take testimony. The failure of the defendant to
 22 appear at the time and place of the hearing after notice as provided in
 23 this section does not prevent the hearing, the taking of testimony, and
 24 the determination of the matter.
 25 (e) Testimony or a record of suspension or revocation of a ~~current~~
 26 driver's license, **a permit, or driving privileges** in the custody of the
 27 bureau following a hearing is not admissible as evidence:
 28 (1) in any court in any action at law for negligence; or
 29 (2) in any civil action brought against a person so cited by the
 30 bureau under this chapter.
 31 (f) The bureau may suspend or revoke the license, **permit, or**
 32 **driving privileges** of an Indiana resident for a period of not more than
 33 one (1) year upon receiving notice of the conviction of the person in
 34 another state of an offense that, if committed in Indiana, would be
 35 grounds for the suspension or revocation of the license, **permit, or**
 36 **driving privileges.** The bureau may, upon receiving a record of the
 37 conviction in Indiana of a nonresident driver of a motor vehicle of an
 38 offense under Indiana motor vehicle laws, forward a certified copy of
 39 the record to the motor vehicle administrator in the state where the
 40 person convicted is a resident.
 41 (g) The bureau may not suspend a ~~current~~ driver's license, **a permit,**
 42 **or driving privileges** for more than one (1) year and upon ~~suspending~~

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1 ~~or~~ revoking any license **or permit** shall require that the license **or**
2 **permit** be surrendered to the bureau.

3 (h) A suspension or revocation under this section stands pending
4 any proceeding for review of an action of the bureau taken under this
5 section.

6 (i) In addition to any other power, the bureau may modify, amend,
7 or cancel any order or determination during the time within which a
8 judicial review could be had. A person aggrieved by the order or act
9 may have a judicial review under sections 10 and 11 of this chapter.

10 SECTION 422. IC 9-30-4-10 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) A person whose
12 ~~current~~ driver's license, ~~or permit, or driving privileges,~~ certificate of
13 registration, **or license plate** has been suspended or revoked by the
14 bureau under section 9 of this chapter may file a petition within thirty
15 (30) days for a hearing in the matter in a circuit or superior court in the
16 county in which the person resides. The court has jurisdiction and shall
17 set the matter for hearing after fifteen (15) days written notice to the
18 bureau. The court shall conduct a hearing on the petition, take
19 testimony, and examine into the facts of the case de novo and
20 determine whether the action of the bureau complained of was
21 erroneous and make an appropriate order or decree as provided in this
22 chapter.

23 (b) Every action for a court review or appeal under this chapter shall
24 be tried by the court and not by a jury. The court shall, without any
25 requests, make, sign, and file a special finding of facts in writing and
26 shall state in writing its conclusions of law. The court shall
27 immediately, after ruling on any motion for a new trial duly filed,
28 render judgment in accordance with the conclusions of law stated in the
29 special findings of facts. Exceptions to conclusions of law may be
30 taken by an entry of the exceptions at any time before judgment.

31 SECTION 423. IC 9-30-4-13 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) Whenever the
33 bureau is authorized or required to give notice under this chapter or any
34 other law regulating the operation of vehicles, unless a different
35 method of giving notice is otherwise expressly prescribed, the notice
36 may be given either by personal delivery to the person to be notified or
37 by deposit with the United States Postal Service of the notice by first
38 class mail.

39 (b) A person who, after notification, fails to return or surrender to
40 the bureau upon demand a suspended, revoked, or ~~canceled current~~
41 **invalidated** driver's license, ~~or permit,~~ certificate of registration, **or**
42 **license plate** commits a Class C misdemeanor. The bureau may file an

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1 affidavit with the prosecuting attorney of the county in which the
2 person resides **an affidavit** charging the person with the offense.

3 SECTION 424. IC 9-30-5-0.1 IS REPEALED [EFFECTIVE JULY
4 1, 2012]. ~~Sec. 0.1. The following amendments to this chapter apply as~~
5 ~~follows:~~

6 (1) ~~The amendments made to section 5 of this chapter by~~
7 ~~P.L.82-2004 apply only to offenses committed after June 30,~~
8 ~~2004.~~

9 (2) ~~The amendments made to sections 3 and 10 of this chapter by~~
10 ~~P.L.126-2008 apply only to crimes committed after June 30, 2008.~~

11 SECTION 425. IC 9-30-5-4 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) A person who
13 causes serious bodily injury to another person when operating a **motor**
14 vehicle:

15 (1) with an alcohol concentration equivalent to at least
16 eight-hundredths (0.08) gram of alcohol per:

17 (A) one hundred (100) milliliters of the person's blood; or

18 (B) two hundred ten (210) liters of the person's breath;

19 (2) with a controlled substance listed in schedule I or II of
20 IC 35-48-2 or its metabolite in the person's body; or

21 (3) while intoxicated;

22 commits a Class D felony. However, the offense is a Class C felony if
23 the person has a previous conviction of operating while intoxicated
24 within the five (5) years preceding the commission of the offense.

25 (b) A person who violates subsection (a) commits a separate offense
26 for each person whose serious bodily injury is caused by the violation
27 of subsection (a).

28 (c) It is a defense under subsection (a)(2) that the accused person
29 consumed the controlled substance under a valid prescription or order
30 of a practitioner (as defined in IC 35-48-1) who acted in the course of
31 the practitioner's professional practice.

32 SECTION 426. IC 9-30-5-5, AS AMENDED BY P.L.102-2010,
33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2012]: Sec. 5. (a) A person who causes the death of another
35 person when operating a **motor** vehicle:

36 (1) with an alcohol concentration equivalent to at least
37 eight-hundredths (0.08) gram of alcohol per:

38 (A) one hundred (100) milliliters of the person's blood; or

39 (B) two hundred ten (210) liters of the person's breath;

40 (2) with a controlled substance listed in schedule I or II of
41 IC 35-48-2 or its metabolite in the person's blood; or

42 (3) while intoxicated;

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1 commits a Class C felony. However, the offense is a Class B felony if
2 the person has a previous conviction of operating while intoxicated
3 within the five (5) years preceding the commission of the offense, or if
4 the person operated the ~~motor~~ vehicle when the person knew that the
5 person's driver's license, driving privilege, or permit is suspended or
6 revoked for a previous conviction for operating a vehicle while
7 intoxicated.

8 (b) A person at least twenty-one (21) years of age who causes the
9 death of another person when operating a ~~motor~~ vehicle:

10 (1) with an alcohol concentration equivalent to at least
11 fifteen-hundredths (0.15) gram of alcohol per:

12 (A) one hundred (100) milliliters of the person's blood; or

13 (B) two hundred ten (210) liters of the person's breath; or

14 (2) with a controlled substance listed in schedule I or II of
15 IC 35-48-2 or its metabolite in the person's blood;

16 commits a Class B felony.

17 (c) A person who causes the death of a law enforcement animal (as
18 defined in IC 35-46-3-4.5) when operating a ~~motor~~ vehicle:

19 (1) with an alcohol concentration equivalent to at least
20 eight-hundredths (0.08) gram of alcohol per:

21 (A) one hundred (100) milliliters of the person's blood; or

22 (B) two hundred ten (210) liters of the person's breath; or

23 (2) with a controlled substance listed in schedule I or II of
24 IC 35-48-2 or its metabolite in the person's blood;

25 commits a Class D felony.

26 (d) A person who violates subsection (a), (b), or (c) commits a
27 separate offense for each person or law enforcement animal whose
28 death is caused by the violation of subsection (a), (b), or (c).

29 (e) It is a defense under subsection (a)(2), (b)(2), or (c)(2) that the
30 accused person consumed the controlled substance under a valid
31 prescription or order of a practitioner (as defined in IC 35-48-1) who
32 acted in the course of the practitioner's professional practice.

33 SECTION 427. IC 9-30-5-6 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who
35 operates a vehicle in violation of any term of a probationary license
36 issued under this chapter, IC 9-30-6, or IC 9-30-9 commits a Class C
37 infraction.

38 (b) In addition to any other penalty imposed under this section, the
39 court may suspend the person's driving privileges for a period of not
40 more than one (1) year.

41 (c) ~~The bureau shall send notice of a judgment entered under this~~
42 ~~section to the court that granted the defendant probationary driving~~

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1 privileges.

2 SECTION 428. IC 9-30-5-9.5 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9.5. ~~After June 30,~~
4 ~~2005~~, Probationary driving privileges under this chapter do not apply
5 to a person who holds a commercial driver's license in accordance with
6 the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA)
7 (Public Law 106-159.113 Stat. 1748).

8 SECTION 429. IC 9-30-5-10, AS AMENDED BY P.L.126-2008,
9 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2012]: Sec. 10. (a) In addition to a criminal penalty imposed
11 for an offense under this chapter or IC 14-15-8, the court shall, after
12 reviewing the person's bureau driving record and other relevant
13 evidence, recommend the suspension of the person's driving privileges
14 for the fixed period of time specified under this section. The court may
15 require that a period of suspension recommended under this section be
16 imposed, if applicable, before a period of incarceration or after a period
17 of incarceration, or both before and after a period of incarceration, as
18 long as the suspension otherwise complies with the periods established
19 in this section.

20 (b) If the court finds that the person:
21 (1) does not have a previous conviction of operating a vehicle or
22 a motorboat while intoxicated; or
23 (2) has a previous conviction of operating a vehicle or a
24 motorboat while intoxicated that occurred at least ten (10) years
25 before the conviction under consideration by the court;

26 the court shall recommend the suspension of the person's driving
27 privileges for at least ninety (90) days but not more than two (2) years.

28 (c) If the court finds that the person has a previous conviction of
29 operating a vehicle or a motorboat while intoxicated and the previous
30 conviction occurred more than five (5) years but less than ten (10)
31 years before the conviction under consideration by the court, the court
32 shall recommend the suspension of the person's driving privileges for
33 at least one hundred eighty (180) days but not more than two (2) years.
34 The court may stay the execution of that part of the suspension that
35 exceeds the minimum period of suspension and grant the person
36 probationary driving privileges for a period of time equal to the length
37 of the stay.

38 (d) If the court finds that the person has a previous conviction of
39 operating a vehicle or a motorboat while intoxicated and the previous
40 conviction occurred less than five (5) years before the conviction under
41 consideration by the court, the court shall recommend the suspension
42 of the person's driving privileges for at least one (1) year but not more

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1 than two (2) years. The court may stay the execution of that part of the
 2 suspension that exceeds the minimum period of suspension and grant
 3 the person probationary driving privileges for a period of time equal to
 4 the length of the stay. If the court grants probationary driving privileges
 5 under this subsection, the court shall order that the probationary driving
 6 privileges include the requirement that the person may not operate a
 7 motor vehicle unless the motor vehicle is equipped with a functioning
 8 certified ignition interlock device under IC 9-30-8. However, the court
 9 may grant probationary driving privileges under this subsection without
 10 requiring the installation of an ignition interlock device if the person is
 11 successfully participating in a court supervised alcohol treatment
 12 program in which the person is taking disulfiram or a similar substance
 13 that the court determines is effective in treating alcohol abuse. The
 14 person granted probationary driving privileges under this subsection
 15 shall pay all costs associated with the installation of an ignition
 16 interlock device unless the sentencing court determines that the person
 17 is indigent.

18 (e) If the conviction under consideration by the court is for an
 19 offense under:

- 20 (1) section 4 of this chapter;
- 21 (2) section 5 of this chapter;
- 22 (3) IC 14-15-8-8(b); or
- 23 (4) IC 14-15-8-8(c);

24 the court shall recommend the suspension of the person's driving
 25 privileges for at least two (2) years but not more than five (5) years.

26 (f) If the conviction under consideration by the court is for an
 27 offense involving the use of a controlled substance listed in schedule
 28 I, II, III, IV, or V of IC 35-48-2, in which a vehicle was used in the
 29 offense, the court shall recommend the suspension or revocation of the
 30 person's driving privileges for at least six (6) months.

31 **(g) The bureau shall fix the period of suspension in accordance**
 32 **with the recommendation of the court under this section and in**
 33 **accordance with IC 9-30-6-9. If the court fails to recommend a**
 34 **fixed period of suspension, the bureau shall impose the minimum**
 35 **period of suspension required under this section.**

36 SECTION 430. IC 9-30-5-11, AS AMENDED BY P.L.153-2005,
 37 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2012]: Sec. 11. (a) If a court grants a person probationary
 39 driving privileges under section 12 of this chapter, the person may
 40 operate a vehicle only as follows:

- 41 (1) To and from the person's place of employment.
- 42 (2) For specific purposes in exceptional circumstances.

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1 (3) To and from a court-ordered treatment program.
 2 (b) If the court grants the person probationary driving privileges
 3 under section 12(a) of this chapter, that part of the court's order
 4 granting probationary driving privileges does not take effect until the
 5 person's driving privileges have been suspended for at least thirty (30)
 6 days under IC 9-30-6-9.

7 (c) The court shall notify a person who is granted probationary
 8 driving privileges of the following:

9 (1) That the probationary driving period commences when the
 10 bureau issues the probationary ~~license~~ **driving privileges**.

11 (2) That the bureau may not issue a probationary ~~license~~ **driving**
 12 **privileges** until the bureau receives a reinstatement fee from the
 13 person, if applicable, and the person otherwise qualifies for a
 14 ~~license~~ **valid driving privileges**.

15 SECTION 431. IC 9-30-5-13 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) An order for
 17 probationary driving privileges granted under this chapter must include
 18 the following:

19 (1) A requirement that the person may not violate a traffic law.

20 (2) A restriction of a person's driving privileges providing for
 21 automatic execution of the suspension of driving privileges if an
 22 order is issued under subsection (b).

23 (3) A written finding by the court that the court has reviewed the
 24 person's driving record and other relevant evidence and found that
 25 the person qualifies for a probationary ~~license~~ **driving privileges**
 26 under this chapter.

27 (4) Other reasonable terms of probation.

28 (b) If the court finds that the person has violated the terms of the
 29 order granting probationary driving privileges, the court shall order
 30 execution of that part of the sentence concerning the suspension of the
 31 person's driving privileges.

32 SECTION 432. IC 9-30-5-18 IS ADDED TO THE INDIANA
 33 CODE AS A NEW SECTION TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2012]: **Sec. 18. (a) If:**

35 (1) **a criminal proceeding for driving while intoxicated under**
 36 **IC 9-30-5 is deferred under IC 12-23-5-1 through**
 37 **IC 12-23-5-9; or**

38 (2) **a child alleged to be a delinquent child based upon the**
 39 **child's violation of IC 9-30-5 voluntarily attends or is ordered**
 40 **by the court under IC 31-37 to attend an alcohol and drug**
 41 **services program;**

42 **the court, within ten (10) days after the defendant or child begins**

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1 the program, shall forward to the bureau a certified abstract of
2 program enrollment.

- 3 (b) The abstract must state the following:
- 4 (1) The defendant's or child's name, address, date of birth,
- 5 and driver's license number.
- 6 (2) The name and location of the alcohol and drug services
- 7 program that the defendant or child is attending.

8 SECTION 433. IC 9-30-6-4.3, AS AMENDED BY P.L.1-2007,
9 SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2012]: Sec. 4.3. (a) This section applies only to a person
11 whose motor vehicle has been seized under IC 34-24-1-1(15).

12 (b) If the bureau receives an order from a court recommending that
13 the bureau not register a motor vehicle in the name of a person whose
14 motor vehicle has been seized under IC 34-24-1-1(15), the bureau may
15 not register a motor vehicle in the name of the person whose motor
16 vehicle has been seized until the person proves that the person
17 possesses a ~~current driving~~ **driver's license with valid driving**
18 **privileges.**

19 SECTION 434. IC 9-30-6-8 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Whenever a
21 judicial officer has determined that there was probable cause to believe
22 that a person has violated IC 9-30-5 or IC 14-15-8, the clerk of the
23 court shall forward:

- 24 (1) a copy of the affidavit; and
- 25 (2) a bureau certificate as described in section 16 of this chapter;
- 26 to the bureau.

27 (b) The probable cause affidavit required under section 7(b)(2) of
28 this chapter must do the following:

- 29 (1) Set forth the grounds for the arresting officer's belief that there
- 30 was probable cause that the arrested person was operating a
- 31 vehicle in violation of IC 9-30-5 or a motorboat in violation of
- 32 IC 14-15-8.
- 33 (2) State that the person was arrested for a violation of IC 9-30-5
- 34 or operating a motorboat in violation of IC 14-15-8.
- 35 (3) State whether the person:
- 36 (A) refused to submit to a chemical test when offered; or
- 37 (B) submitted to a chemical test that resulted in prima facie
- 38 evidence that the person was intoxicated.
- 39 (4) Be sworn to by the arresting officer.

40 (c) Except as provided in subsection (d), if it is determined under
41 subsection (a) that there was probable cause to believe that a person
42 has violated IC 9-30-5 or IC 14-15-8, at the initial hearing of the matter

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1 held under IC 35-33-7-1,
2 (1) the court shall recommend immediate suspension of the
3 person's driving privileges to take effect on the date the order is
4 entered,
5 (2) the court shall order the person to surrender all driver's
6 licenses, permits, and receipts; and
7 (3) the clerk shall forward the following to the bureau
8 (A) The person's license or permit surrendered under this
9 section or section 3 or 7 of this chapter.
10 (B) a copy of the order recommending immediate suspension
11 of driving privileges.
12 (d) If it is determined under subsection (a) that there is probable
13 cause to believe that a person violated IC 9-30-5, the court may, as an
14 alternative to a license suspension of the person's driving privileges
15 under subsection (c)(1), (c), issue an order recommending that the
16 person be prohibited from operating a motor vehicle unless the motor
17 vehicle is equipped with a functioning certified ignition interlock
18 device under IC 9-30-8 until the bureau is notified by a court that the
19 criminal charges against the person have been resolved.
20 SECTION 435. IC 9-30-6-9, AS AMENDED BY P.L.94-2006,
21 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 9. (a) This section does not apply if an ignition
23 interlock device order is issued under section 8(d) of this chapter.
24 (b) If the affidavit under section 8(b) of this chapter states that a
25 person refused to submit to a chemical test, the bureau shall suspend
26 the driving privileges of the person:
27 (1) for:
28 (A) one (1) year; or
29 (B) if the person has at least one (1) previous conviction for
30 operating while intoxicated, two (2) years; or
31 (2) until the suspension is ordered terminated under IC 9-30-5.
32 (c) If the affidavit under section 8(b) of this chapter states that a
33 chemical test resulted in prima facie evidence that a person was
34 intoxicated, the bureau shall suspend the driving privileges of the
35 person:
36 (1) for one hundred eighty (180) days; or
37 (2) until the bureau is notified by a court that the charges have
38 been disposed of;
39 whichever occurs first.
40 (d) Whenever the bureau is required to suspend a person's driving
41 privileges under this section, the bureau shall immediately do the
42 following:

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1 (1) Mail a notice to the person's last known address that must state
 2 that the person's driving privileges will be suspended for a
 3 specified period, commencing:
 4 (A) five (5) days after the date of the notice; or
 5 (B) on the date the court enters an order recommending
 6 suspension of the person's driving privileges under section 8(c)
 7 of this chapter;
 8 whichever occurs first.
 9 (2) Notify the person of the right to a judicial review under
 10 section 10 of this chapter.
 11 (e) Notwithstanding IC 4-21.5, an action that the bureau is required
 12 to take under this article is not subject to any administrative
 13 adjudication under IC 4-21.5.
 14 (f) If a person is granted probationary driving privileges under
 15 IC 9-30-5 and the bureau has not received the probable cause affidavit
 16 described in section 8(b) of this chapter, the bureau shall suspend the
 17 person's driving privileges for a period of thirty (30) days. After the
 18 thirty (30) day period has elapsed, the bureau shall, upon receiving a
 19 reinstatement fee, if applicable, from the person who was granted
 20 probationary driving privileges, issue the **person** probationary ~~license~~
 21 **driving privileges** if the person otherwise qualifies. ~~for a license.~~
 22 (g) If the bureau receives an order granting probationary driving
 23 privileges to a person who, **according to the records of the bureau,**
 24 has a prior conviction for operating while intoxicated, the bureau shall
 25 do the following:
 26 (1) Issue the person a ~~probationary license~~ **driving privileges** and
 27 notify the prosecuting attorney of the county from which the order
 28 was received that the person is not eligible for a probationary
 29 ~~license.~~ **driving privileges.**
 30 (2) Send a certified copy of the person's driving record to the
 31 prosecuting attorney.
 32 The prosecuting attorney shall, in accordance with IC 35-38-1-15,
 33 petition the court to correct the court's order. If the bureau does not
 34 receive a corrected order within sixty (60) days, the bureau shall notify
 35 the attorney general, who shall, in accordance with IC 35-38-1-15,
 36 petition the court to correct the court's order.
 37 SECTION 436. IC 9-30-6-12, AS AMENDED BY P.L.109-2011,
 38 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2012]: Sec. 12. (a) If a court recommends suspension of the
 40 driving privileges under this chapter, IC 9-30-5, or IC 9-30-9,
 41 ~~(+) the bureau shall comply~~ **fix the period of suspension in**
 42 **accordance** with the recommendation of ~~suspension; and the~~

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1 driving privileges of the person remain suspended for the period
 2 set by the court. and
 3 ~~(2) the person shall surrender to~~ If the court all licenses, permits,
 4 or receipts issued to the person, and the court shall immediately
 5 forward the licenses, permits, or receipts to ~~fails to recommend~~
 6 a fixed period of suspension, the bureau with shall impose the
 7 abstract minimum period of conviction or judgment. ~~suspension~~
 8 required by statute.

9 (b) Except as provided in subsection (c), during the three (3) years
 10 following the termination of the suspension the person's driving
 11 privileges remain suspended until the person provides proof of future
 12 financial responsibility in force under IC 9-25.

13 (c) If a court recommends suspension of a person's driving
 14 privileges for a conviction under IC 9-30-5, during the three (3) years
 15 following the termination of the suspension the person's driving
 16 privileges remain suspended until the person provides proof of future
 17 financial responsibility in force under IC 9-25. However, if a court
 18 recommends suspension of the driving privileges of a person who is
 19 arrested for or charged with an offense committed under IC 9-30-5, the
 20 person is not required to provide proof of future financial responsibility
 21 under IC 9-25 unless the person is convicted under IC 9-30-5.

22 (d) If at any time during the three (3) years following the
 23 termination of the suspension imposed under subsection (a) a person
 24 who has provided proof of future financial responsibility under IC 9-25
 25 fails to maintain the proof, the bureau shall suspend the person's
 26 driving privileges until the person again provides proof of future
 27 financial responsibility under IC 9-25.

28 (e) An agency action under this section is not subject to IC 4-21.5.

29 SECTION 437. IC 9-30-6-13, AS AMENDED BY P.L.42-2011,
 30 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2012]: Sec. 13. If a court orders the bureau to rescind an
 32 ignition interlock device requirement or reinstate a person's driving
 33 privileges under this article, the bureau shall comply with the order.
 34 Unless the order for reinstatement is issued under section 11(a)(2) of
 35 this chapter, the bureau shall also do the following:

36 (1) Remove any record of the ignition interlock device
 37 requirement or suspension from the ~~bureau's recordkeeping~~
 38 system. **official driving record of the person.**

39 (2) Reinstate the privileges without cost to the person.

40 SECTION 438. IC 9-30-10-2 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. As used in this
 42 chapter, "license" includes any type of license or permit to operate a

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1 ~~motor vehicle~~ issued by the bureau **to operate the type of vehicle**
2 **being driven.**

3 SECTION 439. IC 9-30-10-4, AS AMENDED BY P.L.28-2010,
4 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 4. (a) A person who has accumulated at least two
6 (2) judgments within a ten (10) year period for any of the following
7 violations, singularly or in combination, **and** not arising out of the same
8 incident, ~~and with at least one (1) violation occurring after March 31,~~
9 ~~1984,~~ is a habitual violator:

10 (1) Reckless homicide resulting from the operation of a motor
11 vehicle.

12 (2) Voluntary or involuntary manslaughter resulting from the
13 operation of a motor vehicle.

14 (3) Failure of the driver of a motor vehicle involved in an accident
15 resulting in death or injury to any person to stop at the scene of
16 the accident and give the required information and assistance.

17 (4) Operation of a vehicle while intoxicated resulting in death.

18 (5) Before July 1, 1997, operation of a vehicle with at least
19 ten-hundredths percent (0.10%) alcohol in the blood resulting in
20 death.

21 (6) After June 30, 1997, and before July 1, 2001, operation of a
22 vehicle with an alcohol concentration equivalent to at least
23 ten-hundredths (0.10) gram of alcohol per:

24 (A) one hundred (100) milliliters of the blood; or

25 (B) two hundred ten (210) liters of the breath;
26 resulting in death.

27 (7) After June 30, 2001, operation of a vehicle with an alcohol
28 concentration equivalent to at least eight-hundredths (0.08) gram
29 of alcohol per:

30 (A) one hundred (100) milliliters of the blood; or

31 (B) two hundred ten (210) liters of the breath;
32 resulting in death.

33 (b) A person who has accumulated at least three (3) judgments
34 within a ten (10) year period for any of the following violations,
35 singularly or in combination, **and** not arising out of the same incident,
36 ~~and with at least one (1) violation occurring after March 31, 1984,~~ is a
37 habitual violator:

38 (1) Operation of a vehicle while intoxicated.

39 (2) Before July 1, 1997, operation of a vehicle with at least
40 ten-hundredths percent (0.10%) alcohol in the blood.

41 (3) After June 30, 1997, and before July 1, 2001, operation of a
42 vehicle with an alcohol concentration equivalent to at least

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- 1 ten-hundredths (0.10) gram of alcohol per:
- 2 (A) one hundred (100) milliliters of the blood; or
- 3 (B) two hundred ten (210) liters of the breath.
- 4 (4) After June 30, 2001, operation of a vehicle with an alcohol
- 5 concentration equivalent to at least eight-hundredths (0.08) gram
- 6 of alcohol per:
- 7 (A) one hundred (100) milliliters of the blood; or
- 8 (B) two hundred ten (210) liters of the breath.
- 9 (5) Operating a motor vehicle while the person's license to do so
- 10 has been suspended or revoked as a result of the person's
- 11 conviction of an offense under IC 9-1-4-52 (repealed July 1,
- 12 1991), IC 9-24-18-5(b) (repealed July 1, 2000), **IC 9-24-19-2, or**
- 13 **IC 9-24-19-3. or IC 9-24-19-5.**
- 14 (6) Operating a motor vehicle without ever having obtained a
- 15 license to do so.
- 16 (7) Reckless driving.
- 17 (8) Criminal recklessness involving the operation of a motor
- 18 vehicle.
- 19 (9) Drag racing or engaging in a speed contest in violation of law.
- 20 (10) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46
- 21 (repealed July 1, 1991), IC 9-26-1-1(1), IC 9-26-1-1(2),
- 22 ~~IC 9-26-1-1(4)~~; IC 9-26-1-2(1), IC 9-26-1-2(2), IC 9-26-1-3, or
- 23 IC 9-26-1-4.
- 24 (11) Any felony under an Indiana motor vehicle statute or any
- 25 felony in the commission of which a motor vehicle is used.
- 26 A judgment for a violation enumerated in subsection (a) shall be added
- 27 to the violations described in this subsection for the purposes of this
- 28 subsection.
- 29 (c) A person who has accumulated at least ten (10) judgments
- 30 within a ten (10) year period for any traffic violation, except a parking
- 31 or an equipment violation, of the type required to be reported to the
- 32 bureau, singularly or in combination, **and** not arising out of the same
- 33 incident, **and with at least one (1) violation occurring after March 31,**
- 34 **1984,** is a habitual violator. However, at least one (1) of the judgments
- 35 must be for a violation enumerated in subsection (a) or (b). A judgment
- 36 for a violation enumerated in subsection (a) or (b) shall be added to the
- 37 judgments described in this subsection for the purposes of this
- 38 subsection.
- 39 (d) For purposes of this section, a judgment includes a judgment in
- 40 any other jurisdiction in which the elements of the offense for which
- 41 the conviction was entered are substantially similar to the elements of
- 42 the offenses described in subsections (a) and (b).

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1 (e) For purposes of this section, the offense date is used when
2 determining the number of judgments accumulated within a ten
3 (10) year period.

4 SECTION 440. IC 9-30-10-6 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) A person who has
6 received a notice under section 5 of this chapter may notify the bureau,
7 in writing, on forms provided by the bureau, that the bureau's records
8 contain a material error with respect to the person's driving record. If
9 a person so notifies the bureau, the bureau shall, within thirty (30) days
10 after the date the notice was received by the bureau, determine whether
11 a material error was made with respect to the person's driving record.

12 (b) If the bureau determines that a material error was made with
13 respect to the person's driving record, the bureau shall:

- 14 (1) prevent the suspension of; or
- 15 (2) reinstate;

16 the person's driving privileges.

17 (c) The bureau shall notify the prosecuting attorney of the county
18 where the record originated that the bureau has determined that a
19 material error exists. The prosecuting attorney is entitled to respond to
20 the bureau's determination.

21 (d) An action taken or a determination made by the bureau under
22 this chapter is not subject to IC 4-21.5. However, the person may file
23 a petition for judicial review under this chapter.

24 SECTION 441. IC 9-30-10-8 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) If a person files
26 a petition for judicial review under section 6 of this chapter, the court
27 shall promptly hold a hearing. The petition must be filed and the
28 hearing must be held in accordance with section 7 of this chapter.

29 (b) If the court finds that the petitioner is not a habitual violator, the
30 court shall order the bureau to reinstate the driving privileges of the
31 person.

32 (c) If the court finds that the petitioner is a habitual violator, the
33 person's driving privileges remain suspended, unless the court places
34 the person on probation under section 9 of this chapter.

35 (d) The findings of the court under this section constitute a final
36 judgment from which either party may appeal. An appeal does not
37 act as a stay of the findings and orders of the court.

38 SECTION 442. IC 9-30-10-9, AS AMENDED BY P.L.109-2011,
39 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2012]: Sec. 9. (a) After June 30, 2005; This section does not
41 apply to a person who:

- 42 (1) holds a commercial driver's license; and

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1 (2) has been charged with an offense involving the operation of
 2 a motor vehicle in accordance with the federal Motor Carrier
 3 Safety Improvement Act of 1999 (MCSIA) (Public Law
 4 106-159.113 Stat. 1748).

5 (b) If a court finds that a person:
 6 (1) is a habitual violator under section 4(c) of this chapter;
 7 (2) has not been previously placed on probation under this section
 8 by a court;
 9 (3) operates a vehicle for commercial or business purposes, and
 10 the person's mileage for commercial or business purposes:
 11 (A) is substantially in excess of the mileage of an average
 12 driver; and
 13 (B) may have been a factor that contributed to the person's
 14 poor driving record; and
 15 (4) does not have:
 16 (A) a judgment for a violation enumerated in section 4(a) of
 17 this chapter; or
 18 (B) at least three (3) judgments (singularly or in combination
 19 and not arising out of the same incident) of the violations
 20 enumerated in section 4(b) of this chapter;

21 the court may place the person on probation in accordance with
 22 subsection (d).

23 (c) If a court finds that a person:
 24 (1) is a habitual violator under section 4(b) of this chapter;
 25 (2) has not been previously placed on probation under this section
 26 by a court;
 27 (3) does not have a judgment for any violation listed in section
 28 4(a) of this chapter;
 29 (4) has had the person's driving privileges suspended under this
 30 chapter for at least five (5) consecutive years; and
 31 (5) has not violated the terms of the person's suspension by
 32 operating a vehicle;

33 the court may place the person on probation in accordance with
 34 subsection (d). However, if the person has any judgments for operation
 35 of a vehicle before July 1, 2001, while intoxicated or with an alcohol
 36 concentration equivalent to at least ten-hundredths (0.10) gram of
 37 alcohol per one hundred (100) milliliters of the blood or two hundred
 38 ten (210) liters of the breath, or for the operation of a vehicle after June
 39 30, 2001, while intoxicated or with an alcohol concentration equivalent
 40 to at least eight-hundredths (0.08) gram of alcohol per one hundred
 41 (100) milliliters of the blood or two hundred ten (210) liters of the
 42 breath, the court, before the court places a person on probation under

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1 subsection (d), must find that the person has successfully fulfilled the
 2 requirements of a rehabilitation program certified by ~~one (1) or both of~~
 3 ~~the following:~~

- 4 ~~(A)~~ the division of mental health and addiction ~~or~~
- 5 ~~(B)~~ the Indiana judicial center.

6 (d) Whenever a court places a habitual violator on probation, the
 7 court:

- 8 (1) shall record each of the court's findings under this section in
- 9 writing;
- 10 ~~(2) shall obtain the person's driver's license or permit and send the~~
- 11 ~~license or permit to the bureau;~~
- 12 ~~(3) shall direct the person to apply to the bureau for a restricted~~
- 13 ~~driver's license;~~
- 14 ~~(4) shall order the bureau to issue the person an appropriate~~
- 15 ~~license;~~
- 16 ~~(5) (2) shall place order the bureau to issue the person on~~
- 17 ~~probation probationary driving privileges for a fixed period of~~
- 18 ~~not less than three (3) years and not more than ten (10) years;~~
- 19 ~~(6) (3) shall attach restrictions to the person's driving privileges,~~
- 20 ~~including restrictions limiting the person's driving to:~~
 - 21 (A) commercial or business purposes or other employment
 - 22 related driving;
 - 23 (B) specific purposes in exceptional circumstances;
 - 24 (C) rehabilitation programs; and
 - 25 (D) specified hours during which the person may drive;
- 26 ~~(7) (4) shall require the person to submit to reasonable monitoring~~
- 27 ~~requirements;~~
- 28 ~~(8) (5) shall order the person to file proof of future financial~~
- 29 ~~responsibility for three (3) years following the date of being~~
- 30 ~~placed on probation; and~~
- 31 ~~(9) (6) shall impose other appropriate conditions of probation,~~
- 32 ~~which must include one (1) or more of the following conditions~~
- 33 ~~if the person was determined to be a habitual violator under~~
- 34 ~~IC 9-30-10-4(b)(1) through IC 9-30-10-4(b)(4): and at least one~~
- 35 ~~(1) of the offenses occurred within five (5) years prior to the~~
- 36 ~~granting of the probationary or restricted license:~~
 - 37 (A) An order prohibiting the person from operating a motor
 - 38 vehicle or motorized bicycle with an alcohol concentration
 - 39 equivalent to at least two-hundredths (0.02) gram of alcohol
 - 40 per:
 - 41 (i) one hundred (100) milliliters of the person's blood; or
 - 42 (ii) two hundred ten (210) liters of the person's breath;

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or while under the influence of any other intoxicating substance.

(B) An order that the person submit to a method to monitor the person's compliance with the prohibition against operating a motor vehicle or motorized bicycle with an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:

- (i) one hundred (100) milliliters of the person's blood; or
- (ii) two hundred ten (210) liters of the person's breath;

or while intoxicated (as defined under IC 9-13-2-86).

(C) The court shall determine the appropriate monitoring method, which may include one (1) or more of the following:

- (i) The person may operate only a motor vehicle equipped with an ignition interlock device.
- (ii) The person must submit to a chemical test if a law enforcement officer lawfully stops the person while operating a motor vehicle or motorized bicycle and the law enforcement officer requests that the person submit to a chemical test.
- (iii) The person must wear a device that detects and records the person's use of alcohol.
- (iv) The person must submit to any other reasonable monitoring requirement as determined by the court.

(e) If a court finds that a person:

- (1) is a habitual violator under section 4(b) or 4(c) of this chapter;
- (2) does not have any judgments for violations under section 4(a) of this chapter;
- (3) does not have any judgments or convictions for violations under section 4(b) of this chapter, except for judgments or convictions under section 4(b)(5) of this chapter that resulted from driving on a suspended license that was suspended for:
 - (A) the commission of infractions only; or
 - (B) previously driving on a suspended license;
- (4) has not been previously placed on probation under this section by a court; and
- (5) has had the person's driving privileges suspended under this chapter for at least three (3) consecutive years and has not violated the terms of the person's suspension by operating a vehicle for at least three (3) consecutive years;

the court may place the person on probation under **the conditions described in** subsection ~~(d)~~ **(d)(1) through (d)(5).**

(f) If the bureau receives an order granting probationary

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1 driving privileges to a person who, according to the records of the
2 bureau, does not qualify under this chapter, the bureau shall do the
3 following:

4 (1) Issue the person probationary driving privileges and notify
5 the prosecuting attorney of the county from which the order
6 was received that the person is not eligible for the rescission
7 and reinstatement.

8 (2) Send a certified copy of the person's driving record to the
9 prosecuting attorney.

10 The prosecuting attorney shall, in accordance with IC 35-38-1-15,
11 petition the court to correct the court's order. If the bureau does
12 not receive a corrected order within sixty (60) days, the bureau
13 shall notify the attorney general, who shall, in accordance with
14 IC 35-38-1-15, petition the court to correct the court's order.

15 SECTION 443. IC 9-30-10-10 IS REPEALED [EFFECTIVE JULY
16 1, 2012]. ~~Sec. 10: The court's findings under sections 8 and 9 of this
17 chapter constitute a final judgment from which either party may appeal.
18 An appeal does not act as a stay of the court's findings and orders.~~

19 SECTION 444. IC 9-30-10-12 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) Upon the filing
21 of a petition for revocation of probation, the court shall do the
22 following:

23 (1) Set a date for a hearing upon the petition that is not earlier
24 than twenty (20) days nor later than forty-five (45) days from the
25 date of the filing of the petition for review.

26 (2) Hold a hearing on the date set, unless the proceeding is
27 continued by order of the court.

28 (3) Cause notice of the hearing date to be sent to all parties.

29 (b) At the hearing, the prosecuting attorney must bear the burden of
30 proof by a preponderance of the evidence to prevail.

31 (c) If the court finds that the person has violated any terms of the
32 probation, the court shall do the following:

33 (1) Record each of its findings in writing.

34 (2) Obtain the person's **driver's** license.

35 (3) Order the bureau to suspend the person's driving privileges for
36 a period equal to the period of suspension originally imposed
37 under section 5 of this chapter.

38 (4) Not place the person on probation under section 9 of this
39 chapter.

40 (d) If the court finds that the person has not violated any of the
41 terms of the person's probation, the court shall do the following:

42 (1) Record each of the court's findings in writing.

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1 (2) Continue the person on probation for the remainder of the
 2 probationary period.
 3 (e) The court's findings under subsection (c) or (d) constitute a final
 4 judgment from which either party may appeal. An appeal does not act
 5 as a stay of the court's findings and orders.
 6 SECTION 445. IC 9-30-10-13, AS AMENDED BY P.L.109-2011,
 7 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2012]: Sec. 13. (a) The bureau may ~~issue a license to operate~~
 9 ~~a motor vehicle~~ **issue driving privileges** to a habitual violator whose
 10 driving privileges were suspended under section 5(b) of this chapter if
 11 the following conditions exist:
 12 (1) The time specified for the person's probation or the restriction
 13 or suspension of the person's license has elapsed.
 14 (2) The person has met all the requirements of all applicable
 15 statutes and rules relating to the licensing of motor vehicle
 16 operators.
 17 (3) The person files with the bureau and maintains, for three (3)
 18 years after ~~fining termination of suspension~~, proof of **future**
 19 financial responsibility in accordance with IC 9-25.
 20 (4) **If the person has a prior conviction for operating while**
 21 **intoxicated**, the bureau places a restriction on the person's
 22 driver's license and driving record that indicates the person is
 23 prohibited from operating a motor vehicle or motorized bicycle
 24 with an alcohol concentration equivalent to at least
 25 two-hundredths (0.02) gram of alcohol per:
 26 (A) one hundred (100) milliliters of the person's blood; or
 27 (B) two hundred ten (210) liters of the person's breath;
 28 ~~or while intoxicated (as defined under IC 9-13-2-86)~~ for three (3)
 29 years after the bureau issues the driver's license to the person.
 30 (5) The person signs a bureau form by which the person agrees
 31 that as a condition to obtaining the driver's license the person will
 32 submit to a chemical test at any time during the period three (3)
 33 years after the bureau issues the driver's license to the person if a
 34 law enforcement officer lawfully stops the person while operating
 35 a motor vehicle or motorized bicycle and the law enforcement
 36 officer requests that the person submit to a chemical test.
 37 (b) The bureau may issue a license to operate a motor vehicle to a
 38 habitual violator whose driving privileges have been suspended for life
 39 if the following conditions exist:
 40 (1) The bureau has received an order for rescission of suspension
 41 and reinstatement issued under section 15 of this chapter.
 42 (2) The person to whom the license is to be issued has never been

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- 1 convicted of a violation described in section 4(a) or 17 of this
 2 chapter.
- 3 (3) The person has not been convicted of an offense under section
 4 16 of this chapter more than one (1) time.
- 5 (4) The person has met all the requirements of all applicable
 6 statutes and rules relating to the licensing of motor vehicle
 7 operators.
- 8 (5) The person:
- 9 (A) files with the bureau; and
 10 (B) maintains for three (3) years after ~~filing~~; **rescission of the**
 11 **suspension;**
 12 proof of **future** financial responsibility in accordance with
 13 IC 9-25.
- 14 (6) **If the person has a prior conviction for operating while**
 15 **intoxicated,** the bureau places a restriction on the person's
 16 driver's license and driving record that indicates the person is
 17 prohibited from operating a motor vehicle or motorized bicycle
 18 with an alcohol concentration equivalent to at least
 19 two-hundredths (0.02) gram of alcohol per:
- 20 (A) one hundred (100) milliliters of the person's blood; or
 21 (B) two hundred ten (210) liters of the person's breath;
 22 or while intoxicated (as defined under IC 9-13-2-86) for three (3)
 23 years after the bureau issues the driver's license to the person.
- 24 (7) The person signs a bureau form by which the person agrees
 25 that as a condition to obtaining the driver's license the person will
 26 submit to a chemical test at any time during the period three (3)
 27 years after the bureau issues the driver's license to the person if a
 28 law enforcement officer lawfully stops the person while operating
 29 a motor vehicle or motorized bicycle and the law enforcement
 30 officer requests that the person submit to a chemical test.
- 31 (c) A habitual violator is not eligible for relief under the hardship
 32 provisions of IC 9-24-15.
- 33 **(d) The bureau shall not issue driving privileges to a person who**
 34 **does not satisfy all of the requirements set forth in subsections (a)**
 35 **and (b).**
- 36 SECTION 446. IC 9-30-10-14 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 14. (a) Except as
 38 provided in subsection (e), a person whose driving privileges have been
 39 suspended for life may petition a court in a civil action for a rescission
 40 of the suspension order and reinstatement of driving privileges if the
 41 following conditions exist:
- 42 (1) Ten (10) years have elapsed since the date on which an order

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- 1 for the lifetime suspension of the person's driving privileges was
- 2 issued.
- 3 (2) The person has never been convicted of a violation described
- 4 in section 4(a) of this chapter.
- 5 (3) The person has never been convicted of an offense under
- 6 section 17 of this chapter.
- 7 (4) The person has not been convicted of an offense under section
- 8 16 of this chapter more than one (1) time.
- 9 (b) A petition for rescission and reinstatement under this section
- 10 must meet the following conditions:
- 11 (1) Be verified by the petitioner.
- 12 (2) State the petitioner's age, date of birth, and place of residence.
- 13 (3) Describe the circumstances leading up to the lifetime
- 14 suspension of the petitioner's driving privileges.
- 15 (4) Aver a substantial change in the petitioner's circumstances of
- 16 the following:
- 17 (A) That indicates the petitioner would no longer pose a risk
- 18 to the safety of others if the petitioner's driving privileges are
- 19 reinstated.
- 20 (B) That makes the lifetime suspension of the petitioner's
- 21 driving privileges unreasonable.
- 22 (C) Indicates it is in the best interests of society for the
- 23 petitioner's driving privileges to be reinstated.
- 24 **(5) Aver that the requisite amount of time has elapsed since**
- 25 **the date on which the order for the lifetime suspension of the**
- 26 **person's driving privileges was issued as required under**
- 27 **subsections (a) and (e).**
- 28 ~~(5)~~ **(6)** Aver that the petitioner has never been convicted of an
- 29 offense under section 17 of this chapter.
- 30 ~~(6)~~ **(7)** Aver that the petitioner has not been convicted of an
- 31 offense under section 16 of this chapter more than one (1) time.
- 32 ~~(7)~~ **(8)** Aver that the petitioner has never been convicted of a
- 33 violation described in section 4(a) of this chapter.
- 34 ~~(8)~~ **(9)** Be filed in a circuit or superior court having jurisdiction in
- 35 the county where the petitioner resides.
- 36 ~~(9)~~ **(10)** If the petition is being filed under subsection (e), aver the
- 37 existence of the conditions listed in subsection (e)(1) through
- 38 (e)(3).
- 39 (c) The petitioner shall serve the prosecuting attorney of the county
- 40 where the petitioner resides and the bureau with a copy of the petition
- 41 described in subsection (b). A responsive pleading is not required.
- 42 (d) The prosecuting attorney of the county where the petitioner

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1 resides shall represent the state in the matter.

2 (e) A person whose driving privileges have been suspended for life
3 may petition a court in a civil action for a rescission of the suspension
4 order and reinstatement of driving privileges if all of the following
5 conditions exist:

6 (1) Three (3) years have elapsed since the date on which the order
7 for lifetime suspension of the petitioner's driving privileges was
8 issued.

9 (2) The petitioner's lifetime suspension was the result of driving
10 on a suspended license that was suspended for commission of
11 infractions only or for driving on a suspended license.

12 (3) The petitioner has never been convicted of a violation
13 described in section 4(a) or 4(b) of this chapter, with the
14 exception of a ~~judgement~~ **judgment** or conviction under section
15 4(b)(3) of this chapter.

16 (4) The petitioner has never been convicted of an offense under
17 section 17 of this chapter.

18 (5) The petitioner has not been convicted of an offense under
19 section 16 of this chapter more than one (1) time.

20 SECTION 447. IC 9-30-10-15, AS AMENDED BY P.L.28-2010,
21 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 15. (a) Upon receiving a petition filed under
23 section 14 of this chapter, a court shall set a date for hearing the matter
24 and direct the clerk of the court to provide notice of the hearing date to
25 the following:

26 (1) The petitioner.

27 (2) The prosecuting attorney of the county where the petitioner
28 resides.

29 (3) The bureau.

30 (b) A court may order the rescission of the order that required the
31 suspension of the petitioner's driving privileges for life and may order
32 the bureau to reinstate the driving privileges of a petitioner whose
33 driving privileges have been suspended for life if, after the hearing of
34 the matter, the court makes the following written findings and
35 conclusions, based on clear and convincing evidence:

36 (1) That the petitioner has never been convicted of a violation
37 described in section 4(a) of this chapter.

38 (2) That the petitioner has never been convicted of an offense
39 under section 17 of this chapter.

40 (3) That the petitioner has not been convicted of an offense under
41 section 16 of this chapter more than one (1) time.

42 (4) If the person is petitioning the court under section 14(a) of this

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- 1 chapter that ten (10) years have elapsed since the date on which
- 2 an order was issued that required the suspension of the petitioner's
- 3 driving privileges for life.
- 4 (5) That there has been a substantial change in the petitioner's
- 5 circumstances indicating the petitioner would no longer pose a
- 6 risk to the safety of others if the petitioner's driving privileges
- 7 were reinstated.
- 8 (6) That there has been a substantial change in the petitioner's
- 9 circumstances indicating that the suspension of the petitioner's
- 10 driving privileges for life has become unreasonable.
- 11 (7) That it is in the best interests of society for the petitioner's
- 12 driving privileges to be reinstated.
- 13 (8) If the person is petitioning the court under section 14(e) of this
- 14 chapter:
- 15 (A) that three (3) years have elapsed since the date the order
- 16 was issued that required the suspension of the petitioner's
- 17 driving privileges for life; and
- 18 (B) that the conditions listed under section 14(e) of this
- 19 chapter are satisfied.
- 20 (c) The petitioner has the burden of proof under this section and an
- 21 order issued under subsection (b) is a final order, appealable by any
- 22 party to the action.
- 23 (d) In an order for reinstatement of driving privileges issued under
- 24 this section, the court may require the bureau to issue to the prevailing
- 25 petitioner:
- 26 (1) ~~a license to operate a motor vehicle driving privileges~~ under
- 27 section 13(b) of this chapter; or
- 28 (2) a restricted driving ~~license privileges~~ for a time and subject to
- 29 conditions specified by the court, which must include one (1) or
- 30 more of the following conditions if the person was determined to
- 31 be a habitual violator under IC 9-30-10-4(a)(4) through
- 32 IC 9-30-10-4(a)(7) or IC 9-30-10-4(b)(1) through
- 33 IC 9-30-10-4(b)(4): ~~and at least one (1) of the offenses occurred~~
- 34 ~~within five (5) years prior to the granting of the probationary or~~
- 35 ~~restricted license:~~
- 36 (A) Specified hours during which the person may drive.
- 37 (B) An order prohibiting the person from operating a motor
- 38 vehicle or motorized bicycle with an alcohol concentration
- 39 equivalent to at least two-hundredths (0.02) gram of alcohol
- 40 per:
- 41 (i) one hundred (100) milliliters of the person's blood; or
- 42 (ii) two hundred ten (210) liters of the person's breath;

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1 or while intoxicated (as defined under IC 9-13-2-86).
 2 (C) 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 (D) 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 orders the bureau to issue a restricted **or probationary**
 24 **driving license privileges** to a petitioner under subsection (d), the court
 25 shall specify the conditions under which the petitioner may be issued
 26 a **license driving privileges** to operate a motor vehicle under section
 27 13(b) of this chapter. After the expiration date of the restricted **license**
 28 **or probationary driving 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** under subsection (d)(2);
 33 the bureau shall issue to the petitioner a **license driving privileges** to
 34 operate a motor vehicle under section 13(b) of this chapter.
 35 (f) **If the bureau receives an order granting a rescission of the**
 36 **suspension order and reinstatement of driving privileges to a**
 37 **person who, according to the records of the bureau, does not**
 38 **qualify under this chapter, the bureau shall do the following:**
 39 (1) **Issue the person probationary driving privileges and notify**
 40 **the prosecuting attorney of the county from which the order**
 41 **was received that the person is not eligible for the rescission**
 42 **and reinstatement.**

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1 **(2) Send a certified copy of the person's driving record to the**
 2 **prosecuting attorney.**
 3 **The prosecuting attorney shall, in accordance with IC 35-38-1-15,**
 4 **petition the court to correct the court's order. If the bureau does**
 5 **not receive a corrected order within sixty (60) days, the bureau**
 6 **shall notify the attorney general, who shall, in accordance with**
 7 **IC 35-38-1-15, petition the court to correct the court's order.**

8 SECTION 448. IC 9-30-10-17.5, AS ADDED BY P.L.28-2010,
 9 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2012]: Sec. 17.5. A person who operates a vehicle or
 11 motorized bicycle in violation of conditions of a restricted license
 12 **driving privileges** ordered by a court under ~~IC 9-30-10-9(d)(9)~~ **section**
 13 **9(d)(6)** or ~~IC 9-30-10-15(d)(2)~~ **15(d)(2) of this chapter** commits a
 14 Class A misdemeanor.

15 SECTION 449. IC 9-30-11-5 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. If the bureau
 17 receives a referral under section 4 of this chapter, the bureau shall
 18 suspend the registration of the motor vehicle and mail a notice to the
 19 person in whose name the vehicle is registered that does the following:

- 20 (1) Informs the person that the motor vehicle's registration has
- 21 been suspended and the reason for the suspension.
- 22 (2) ~~Informs the person that if the judgments are not paid within~~
 23 ~~fifteen (15) days, the motor vehicle's license plates will be~~
 24 ~~removed by a law enforcement officer.~~
- 25 (3) **(2)** Explains what the person is required to do to have the
 26 registration reinstated.

27 SECTION 450. IC 9-30-11-6, AS AMENDED BY P.L.153-2005,
 28 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2012]: Sec. 6. The bureau shall reinstate motor vehicle
 30 registration that is suspended under this chapter if the following occur:

- 31 (1) ~~Any person~~ **The court** presents the bureau ~~or a bureau license~~
 32 ~~branch~~ with adequate proof that all unpaid judgments with respect
 33 to the motor vehicle have been paid.
- 34 (2) A reinstatement fee under IC 9-29 is paid to the bureau, if
 35 applicable.

36 SECTION 451. IC 9-30-11-7 IS REPEALED [EFFECTIVE JULY
 37 1, 2012]. ~~Sec. 7. If the bureau suspends a motor vehicle registration~~
 38 ~~under section 5 of this chapter, the bureau shall send a notice of the~~
 39 ~~suspension to the clerk who sent the referral. Upon receipt of a notice,~~
 40 ~~a clerk shall inform each of the law enforcement agencies that are listed~~
 41 ~~on the referral of the following:~~

- 42 (1) ~~That the motor vehicle's registration has been suspended.~~



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1 (2) That any law enforcement agency may remove the license
2 plate of the motor vehicle fifteen (15) days after the motor
3 vehicle's registration was suspended unless the judgments have
4 been paid:

5 SECTION 452. IC 9-30-12-1 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) The bureau may
7 suspend or revoke the driver's license or permit driving privileges of
8 an individual who pays the fee required for makes payment to the
9 driver's license or permit bureau with a check funds that:

10 (1) is are not honored. by the financial institution on which the
11 check is drawn; or

12 (2) has had payment stopped by the maker of the check.

13 (b) In addition to the penalties in subsection (a), the bureau may
14 do the following:

15 (1) Revoke the driver's license or permit of an individual who
16 makes payment to the bureau for a driver's license or permit
17 with funds that are not honored.

18 (2) Invalidate the title or registration of an individual who
19 makes payment to the bureau for a driver's license or permit
20 with funds that are not honored.

21 SECTION 453. IC 9-30-12-2, AS AMENDED BY P.L.153-2005,
22 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2012]: Sec. 2. The bureau may:

24 (1) reinstate a license, or a permit, or driving privileges revoked
25 or suspended under section 1 of this chapter; or

26 (2) revalidate a title or registration that has been invalidated under
27 section 3 1 of this chapter;

28 if the obligation has been satisfied, including the payment of service,
29 collection, and reinstatement fees, if applicable.

30 SECTION 454. IC 9-30-12-3 IS REPEALED [EFFECTIVE JULY
31 1, 2012]. Sec. 3: The bureau may invalidate a title or registration that
32 has been issued by the bureau and the applicable fees have been paid
33 with a check that:

34 (1) is not honored by the financial institution on which the check
35 is drawn; or

36 (2) has had payment stopped by the maker of the check.

37 SECTION 455. IC 9-30-12-4 IS REPEALED [EFFECTIVE JULY
38 1, 2012]. Sec. 4: The bureau may suspend or revoke the driver's license
39 or permit of an individual who pays the fee required for a vehicle title
40 or registration with a check that:

41 (1) is not honored by the financial institution on which the check
42 is drawn; or

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1 (2) has had payment stopped by the maker of the check.

2 SECTION 456. IC 9-30-13-0.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2012]: **Sec. 0.5. (a) A court shall forward to**
5 **the bureau a certified abstract of the record of the conviction of a**
6 **person in the court for a violation of a law relating to motor**
7 **vehicles.**

8 **(b) If in the opinion of the court a defendant should be deprived**
9 **of the privilege to operate a motor vehicle upon a public highway,**
10 **the court shall recommend the suspension of the convicted person's**
11 **driving privileges for a fixed period established by the court not**
12 **exceeding one (1) year.**

13 **(c) The bureau shall comply with the court's recommendation.**

14 **(d) At the time of a conviction referred to in subsection (a) or**
15 **under IC 9-30-5-7, the court may obtain and destroy the**
16 **defendant's current driver's license.**

17 **(e) An abstract required by this section must be in the form**
18 **prescribed by the bureau and, when certified, shall be accepted by**
19 **an administrative agency or a court as prima facie evidence of the**
20 **conviction and all other action stated in the abstract.**

21 SECTION 457. IC 9-30-13-1 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. For a person who
23 uses a motor vehicle to commit recklessness under IC 35-42-2-2, the
24 judge of the court in which the person is convicted shall recommend
25 that the ~~current driver's license~~ **driving privileges** of the person be
26 suspended for not less than sixty (60) days and not more than two (2)
27 years. **If the court fails to recommend a fixed term of suspension,**
28 **the bureau shall impose the minimum period of suspension**
29 **required under this section.**

30 SECTION 458. IC 9-30-13-2 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. For a person who
32 uses a motor vehicle to commit obstruction of traffic under
33 IC 35-42-2-4, the judge of the court in which the person is convicted
34 may recommend that the ~~current driver's license~~ **driving privileges** of
35 the person be suspended for not less than sixty (60) days and not more
36 than two (2) years.

37 SECTION 459. IC 9-30-13-3 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. For a person who
39 uses a motor vehicle to commit criminal mischief under IC 35-43-1-2,
40 the judge of the court in which the person is convicted may recommend
41 that the ~~current driver's license~~ **driving privileges** of the person be
42 suspended for not less than sixty (60) days and not more than two (2)

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1 years.
 2 SECTION 460. IC 9-30-13-4 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. **(a)** If a person
 4 commits any of the following offenses, the court that convicted the
 5 person shall recommend the suspension of the person's driving
 6 privileges for a fixed period of at least two (2) years and not more than
 7 five (5) years:
 8 (1) Involuntary manslaughter resulting from the operation of a
 9 motor vehicle (IC 35-42-1-4).
 10 (2) Reckless homicide resulting from the operation of a motor
 11 vehicle (IC 35-42-1-5).
 12 **(b) If the court fails to recommend a fixed term of suspension,**
 13 **the bureau shall impose the minimum period of suspension**
 14 **required under this section.**
 15 SECTION 461. IC 9-30-13-5 IS REPEALED [EFFECTIVE JULY
 16 1, 2012]. Sec. 5: If a court fails to recommend a fixed term of
 17 suspension for an offense described under section 4 of this chapter, the
 18 bureau shall suspend the driver's license of the convicted person under
 19 ~~IC 9-30-4-6~~ for two (2) years.
 20 SECTION 462. IC 9-30-13-6 IS ADDED TO THE INDIANA
 21 CODE AS A NEW SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2012]: Sec. 6. **(a) The bureau shall, upon**
 23 **receiving an order of a court issued under IC 31-14-12-4 or**
 24 **IC 31-16-12-7, suspend the driving privileges of the person who is**
 25 **the subject of the order.**
 26 **(b) The bureau may not reinstate driving privileges suspended**
 27 **under this section until the bureau receives an order allowing**
 28 **reinstatement from the court that issued the order for suspension.**
 29 **(c) Upon receiving an order for suspension under subsection (a),**
 30 **the bureau shall promptly mail a notice to the last known address**
 31 **of the person who is the subject of the order, stating the following:**
 32 **(1) That the person's driving privileges are suspended,**
 33 **beginning five (5) business days after the date the notice is**
 34 **mailed, and that the suspension will terminate ten (10)**
 35 **business days after the bureau receives an order allowing**
 36 **reinstatement from the court that issued the suspension order.**
 37 **(2) That the person has the right to petition for reinstatement**
 38 **of driving privileges to the court that issued the order for**
 39 **suspension.**
 40 **(3) That the person may be granted restricted driving**
 41 **privileges under IC 9-24-15-6.7 if the person otherwise**
 42 **qualifies and can prove that public transportation is**

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unavailable for travel by the person:
(A) to and from the person's regular place of employment;
(B) in the course of the person's regular employment;
(C) to and from the person's place of worship; or
(D) to participate in parenting time with the petitioner's children consistent with a court order granting parenting time.

(d) A person who operates a motor vehicle in violation of this section commits a Class A infraction, unless:

- (1) the person's driving privileges are suspended under this section; and**
- (2) the person has been granted restricted driving privileges under IC 9-24-15 as a result of the suspension under this section.**

SECTION 463. IC 9-30-13-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) If the bureau is advised by the Title IV-D agency that the obligor (as defined in IC 31-25-4-4) either requested a hearing under IC 31-25-4-33 and failed to appear or appeared and was found to be delinquent, the bureau shall promptly mail a notice to the obligor stating the following:

(1) That the obligor's driving privileges are suspended, beginning eighteen (18) business days after the date the notice is mailed, and that the suspension will terminate after the bureau receives a notice from the Title IV-D agency that the obligor has:

- (A) paid the obligor's child support arrearage in full; or**
- (B) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.**

(2) That the obligor may be granted restricted driving privileges under IC 9-24-15-6.7 if the obligor can prove that public transportation is unavailable for travel by the obligor:

- (A) to and from the obligor's regular place of employment;**
- (B) in the course of the obligor's regular employment;**
- (C) to and from the obligor's place of worship; or**
- (D) to participate in parenting time with the petitioner's children consistent with a court order granting parenting time.**

(b) The bureau may not reinstate driving privileges suspended under this section until the bureau receives a notice from the Title IV-D agency that the obligor has:

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- 1 (1) paid the obligor's child support arrearage in full; or
- 2 (2) established a payment plan with the Title IV-D agency to
- 3 pay the arrearage, which includes an income withholding
- 4 order under IC 31-16-15-2 or IC 31-16-15-2.5.

5 (c) An obligor who operates a motor vehicle in violation of this
6 section commits a Class A infraction, unless:

- 7 (1) the obligor's driving privileges are suspended under this
- 8 section; and
- 9 (2) the obligor has been granted restricted driving privileges
- 10 under IC 9-24-15 as a result of the suspension under this
- 11 section.

12 SECTION 464. IC 9-30-13-8 IS ADDED TO THE INDIANA
13 CODE AS A NEW SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) Upon receiving an order
15 issued by a court under IC 35-43-4-8(b) concerning a person
16 convicted of fuel theft, the bureau shall do the following:

17 (1) Suspend under subsection (b) the driving privileges of the
18 person who is the subject of the order, whether or not the
19 person's current driving license accompanies the order.

20 (2) Mail to the last known address of the person who is the
21 subject of the order a notice:

22 (A) stating that the person's driving privileges are being
23 suspended for fuel theft;

24 (B) setting forth the date on which the suspension takes
25 effect and the date on which the suspension terminates;
26 and

27 (C) stating that the person may be granted restricted
28 driving privileges under IC 9-24-15-6.7 if the person meets
29 the conditions for obtaining restricted driving privileges.

30 (b) The suspension of the driving privileges of a person who is
31 the subject of an order issued under IC 35-43-4-8(b):

32 (1) begins five (5) business days after the date on which the
33 bureau mails the notice to the person under subsection (a)(2);
34 and

35 (2) terminates thirty (30) days after the suspension begins.

36 (c) A person who operates a motor vehicle during a suspension
37 of the person's driving privileges under this section commits a
38 Class A infraction unless the person's operation of the motor
39 vehicle is authorized by restricted driving privileges granted to the
40 person under IC 9-24-15-6.7.

41 SECTION 465. IC 9-30-14-1 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. As used in this

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chapter, "covered offense" means the following:

(1) An offense:

(A) for which the offender's ~~current~~ driving license **privileges** may be suspended under IC 9-30-13; and

(B) that involved the obstruction of traffic with or the operation of a motor vehicle with alcohol or a controlled substance listed in schedule I or II under IC 35-48-2 in the person's blood.

(2) An offense described under IC 9-30-5 that involved operation of a ~~motor~~ vehicle with alcohol or a controlled substance listed under schedule I or II under IC 35-48-2.

SECTION 466. IC 9-31-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The bureau shall receive payments of:

(1) the ~~use tax~~ **taxes** on watercraft that ~~is~~ **are** required by ~~IC 6-2.5-3-2 IC 6-2.5-3 and IC 6-6-11; and IC 6-2.5-3-6.~~

(2) **any other taxes applicable to watercraft as imposed by Indiana law.**

SECTION 467. IC 9-31-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. The bureau may utilize the services and facilities of license branches to carry out the bureau's responsibilities under this article. However, an additional charge may not be imposed for the services of license branches under this ~~article:~~ **chapter.**

SECTION 468. IC 9-31-1-7 IS REPEALED [EFFECTIVE JULY 1, 2012]. Sec. 7. (a) ~~On January 1, 1992, the employees of the department of natural resources who administer the watercraft registration and title programs are transferred to the bureau of motor vehicles.~~

(b) ~~The employees who are transferred under subsection (a) are entitled to have the employees' service with the department of natural resources included for the purpose of computing all applicable employment benefits and will not be adversely affected by the transfer.~~

SECTION 469. IC 9-31-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter does not apply to the following:

(1) A watercraft from a jurisdiction other than Indiana ~~temporarily~~ using the waters of Indiana **for less than sixty (60) consecutive days.**

(2) A ship's lifeboat.

(3) Watercraft other than motorboats unless the owner voluntarily desires to become subject to this chapter.

(4) A watercraft that is a Class 5 or lower motorboat or sailboat

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- 1 under ~~IC 6-6-11-11~~ **IC 6-6-11-10** (the boat excise tax), unless the
- 2 owner voluntarily desires to become subject to this chapter.
- 3 (5) A watercraft that is propelled by an internal combustion,
- 4 steam, or electrical inboard or outboard motor or engine or by any
- 5 mechanical means, including sailboats that are equipped with
- 6 such a motor or engine when the sailboat is in operation whether
- 7 or not the sails are hoisted, if:
- 8 (A) the watercraft was made by an individual for the use of the
- 9 individual and not for resale; and
- 10 (B) the owner does not voluntarily desire to become subject to
- 11 this chapter.

12 SECTION 470. IC 9-31-2-5 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) A manufacturer,
 14 importer, dealer, or other person may not sell or otherwise dispose of
 15 a new watercraft to a dealer, to be used by the dealer for purposes of
 16 display and resale, without delivering to the dealer a manufacturer's or
 17 importer's certificate executed under this section and with those
 18 assignments on the certificate as are necessary to show title in the
 19 purchaser of the watercraft. A dealer may not purchase or acquire a
 20 new watercraft without obtaining from the seller of the watercraft the
 21 manufacturer's or importer's certificate.

22 (b) A manufacturer's or importer's certificate of the origin of a
 23 watercraft must contain the following information along with ~~the any~~
 24 additional information the bureau requires:

- 25 (1) A description of the watercraft, including, if applicable, the
- 26 make, year, length, dry weight, series or model, horsepower
- 27 rating, hull type, and hull identification number.
- 28 (2) Certification of the date of transfer of the watercraft to a
- 29 distributor, dealer, or other transferee and the name and address
- 30 of the transferee.
- 31 (3) Certification that this is the first transfer of the new watercraft
- 32 in ordinary trade and commerce.
- 33 (4) The signature and address of a representative of the transferor.

34 (c) An assignment of a manufacturer's or importer's certificate shall
 35 be printed on the reverse side of the manufacturer's or importer's
 36 certificate. The assignment form must include the following:

- 37 (1) The name and address of the transferee.
- 38 (2) A certification that the watercraft is new.
- 39 (3) A warranty that the title at the time of delivery is subject only
- 40 to the liens and encumbrances that are set forth and described in
- 41 full in the assignment.

42 SECTION 471. IC 9-31-2-6, AS AMENDED BY P.L.83-2008,

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1 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2012]: Sec. 6. (a) Except as provided in subsection (b), an
3 application for a certificate of title shall be filed with the bureau within
4 thirty-one (31) days after the date of purchase or transfer. The
5 application must be accompanied by the fee prescribed in IC 9-29-15-1.

6 (b) This subsection applies only to a watercraft acquired by a
7 conveyance subject to section 30 of this chapter. An application for a
8 certificate of title shall be filed with the bureau within sixty (60) days
9 after the date of the transfer under section 30 of this chapter. The
10 application must be accompanied by the fee prescribed in IC 9-29-15-1
11 **and any other applicable fees and service charges.**

12 SECTION 472. IC 9-31-2-7 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. An application for
14 a certificate of title must be certified by the owner or purchaser of the
15 watercraft and must contain the following information, along with the
16 additional information the bureau requires:

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

18 ~~(2) A statement of how the watercraft was acquired.~~

19 ~~(3)~~ (2) The name and address of the previous owner.

20 ~~(4)~~ (3) A statement of liens, mortgages, or other encumbrances on
21 the watercraft and the name and address of the holder of the liens,
22 mortgages, or other encumbrances.

23 ~~(5)~~ (4) If a lien, mortgage, or other encumbrance is not
24 outstanding, a statement of that fact.

25 ~~(6)~~ (5) A description of the watercraft, including, if applicable,
26 the make, year, length, dry weight, series or model, horsepower
27 rating, hull type, and hull identification number.

28 (6) **Any other information that the bureau requires.**

29 SECTION 473. IC 9-31-2-8 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. If a watercraft
31 contains a permanent hull identification number placed on the
32 watercraft by the manufacturer of the watercraft, the number shall be
33 used as the hull identification number. If there is no manufacturer's hull
34 identification number or if the manufacturer's hull identification
35 number has been removed or obliterated, the bureau shall, upon a
36 prescribed application that includes information indicating proof of
37 ownership, assign a hull identification number to the watercraft. The
38 assigned hull identification number shall be permanently affixed to or
39 imprinted by the applicant at the place and in the manner designated by
40 the bureau upon the watercraft to which the hull identification number
41 is assigned. The fee prescribed under IC 9-29-15-2 **and any other**
42 **applicable fees and service charges** shall be paid to the bureau for

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assigning a hull identification number.
SECTION 474. IC 9-31-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. If a certificate of title was not previously issued in Indiana for the watercraft, the application must be accompanied by one (1) of the following:

- (1) A manufacturer's or importer's certificate.
- ~~(2) A sworn statement of ownership as prescribed by the bureau.~~
- ~~(3) (2)~~ A certificate of registration issued under IC 9-31-3, if purchased by the applicant before January 1, 1986.
- ~~(4) (3)~~ A certificate of title or bill of sale.
- ~~(5) (4)~~ Other evidence of ownership required by the law of another state from which the watercraft is brought into Indiana.

SECTION 475. IC 9-31-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. **(a)** The bureau shall:

- (1) retain the evidence of title presented by an applicant on a person upon which a the Indiana certificate of title is issued in accordance with applicable document and record retention requirements; and shall**
- (2) use reasonable diligence in ascertaining whether the facts in the application are true by checking the application and documents accompanying the application with the records of watercraft in the bureau.**

(b) An authorized employee of the bureau may inspect a watercraft to determine whether a certificate of title should be issued.

(c) The bureau may reject an application if the bureau is not satisfied:

- (1) of the genuineness, regularity, or legality of the application or the truth of a statement made on the application; or**
- (2) for any other reason authorized by law.**

SECTION 476. IC 9-31-2-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. ~~(a) The bureau shall file each application received.~~ If the bureau is satisfied:

- (1) of the genuineness and regularity of an application;
- (2) that no tax imposed by ~~IC 6-2.5~~ **Indiana law** is owed as evidenced by the receipt for payment or determination of exemption from the department of state revenue; and
- (3) that the applicant is entitled to the issuance of a certificate of title;

the bureau shall issue a certificate of title containing the information required in the application for a certificate of title, as prescribed by

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1 section 7 of this chapter, as well as space for the notation and
2 cancellation of a lien, a mortgage, or an encumbrance.

3 (b) A form for the assignment of the certificate of title must appear
4 on the reverse side of the certificate of title. The assignment form must
5 include a warranty that the signer is the owner of the watercraft and
6 that a mortgage, a lien, or an encumbrance is not on the watercraft
7 except as noted on the face of the certificate of title.

8 SECTION 477. IC 9-31-2-13 IS REPEALED [EFFECTIVE JULY
9 1, 2012]. ~~Sec. 13. The bureau shall do the following:~~

10 ~~(1) Prescribe a uniform method of numbering certificates of title.~~

11 ~~(2) Maintain in the office of the bureau indexes for the certificates
12 of title.~~

13 SECTION 478. IC 9-31-2-14 IS REPEALED [EFFECTIVE JULY
14 1, 2012]. ~~Sec. 14. The bureau may destroy a certificate of title or
15 supporting evidence of a certificate of title covering a watercraft that
16 was on file for ten (10) years after the date of filing.~~

17 SECTION 479. IC 9-31-2-16, AS AMENDED BY P.L.83-2008,
18 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2012]: Sec. 16. (a) If the transfer of ownership of a watercraft
20 is by operation of law (such as upon inheritance, devise, bequest,
21 transfer on death designation in accordance with section 30 of this
22 chapter, order in bankruptcy, insolvency, replevin, ~~or~~ execution of sale,
23 **or under an order of court**), if a watercraft is sold to satisfy a storage
24 or repair charge, or if repossession is had upon default in performance
25 of the terms of a security agreement, the bureau shall issue to the
26 applicant a certificate of title to the watercraft upon: ~~the following:~~

27 ~~(1) Compliance with any of the following:~~

28 ~~(A) The surrender of the prior certificate of title.~~

29 ~~(B) The surrender of the manufacturer's or importer's
30 certificate.~~

31 ~~(C) Both of the following:~~

32 ~~(i) The surrender of a certificate of title designating a
33 transfer on death beneficiary.~~

34 ~~(ii) The submission of proof of the death of the transferor.~~

35 ~~(D) the presentation of satisfactory proof to the bureau of
36 ownership and a right of possession ~~to~~ of the watercraft;~~

37 ~~(2) payment of the fee prescribed under IC 9-29-15-1 **and any**
38 **other applicable fees and service charges; and**~~

39 ~~(3) presentation of an application for certificate of title.~~

40 ~~(b) A certification by the person or agent of the person to whom
41 possession of the watercraft passed setting forth the facts entitling the
42 person to possession and ownership; together with a copy of the journal~~

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1 entry, court order, or instrument upon which the claim of possession
2 and ownership is founded; is satisfactory proof of ownership and right
3 of possession:

4 (c) (b) If an applicant cannot produce proof of ownership, the
5 applicant may apply to the bureau and submit evidence of ownership.
6 If the bureau finds the evidence sufficient, the bureau may issue a
7 certificate of title. If, from the records of the ~~department~~, **bureau**, a lien
8 appears to be on the watercraft, the certificate of title must contain a
9 statement of the lien, unless the application is accompanied by proper
10 evidence of the ~~extinction~~ **satisfaction** of the lien.

11 SECTION 480. IC 9-31-2-19 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 19. (a) If a watercraft
13 is dismantled, destroyed, or changed in a manner that the watercraft
14 loses the character of a watercraft or changed in a manner that the
15 watercraft is not the watercraft described in the certificate of title, an
16 owner of the watercraft ~~and a person mentioned as owner in the last~~
17 ~~certificate of title~~ shall surrender the certificate of title to the bureau.
18 The bureau shall, **with upon notification to the consent** of a holder of
19 a lien noted on the certificate of title, enter a cancellation upon the
20 lienholder's records.

21 (b) Upon the cancellation of a certificate of title in the manner
22 prescribed by subsection (a), the bureau may cancel and destroy the
23 certificates **of title**.

24 SECTION 481. IC 9-31-2-20 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 20. (a) If a certificate
26 of title is lost or mutilated or becomes illegible, the owner of the
27 watercraft shall apply to the bureau for a duplicate certificate of title
28 upon a form prescribed by the bureau and accompanied by the fee
29 prescribed by IC 9-29-15-1 **and any other applicable fees and service**
30 **charges**. The person making the application shall certify the
31 application **for the duplicate certificate of title**. Upon receipt of the
32 application, the bureau shall issue a duplicate certificate of title to the
33 person entitled to receive the certificate of title under this chapter.
34 Upon the issuance of a duplicate certificate of title, the previously
35 issued certificate of title becomes void.

36 (b) Each duplicate certificate of title ~~must contain~~ **shall have** the
37 ~~legend "This is a duplicate certificate."~~ **word "duplicate" printed or**
38 **stamped on the certificate of title**. The duplicate certificate of title
39 shall be delivered to the person entitled to possession **of the certificate**
40 **of title**.

41 (c) If an original certificate of title is recovered by the owner, the
42 owner shall immediately surrender the original certificate of title to the

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1 bureau for cancellation.

2 SECTION 482. IC 9-31-2-21 IS REPEALED [EFFECTIVE JULY
3 1, 2012]. Sec. 21: (a) The bureau may provide a commercial lookup
4 service of watercraft title records on a fee basis per transaction and use
5 fee revenues received from the service for necessary expenses.

6 (b) The bureau shall furnish information on a title without charge to
7 law enforcement and conservation officers when engaged in official
8 duties.

9 SECTION 483. IC 9-31-2-22 IS REPEALED [EFFECTIVE JULY
10 1, 2012]. Sec. 22: Manufacturers and importers shall appoint and
11 authorize agents to sign manufacturer's or importer's certificates. The
12 bureau may require that a certified copy of a list containing the names
13 and the facsimile signatures of authorized agents be furnished to the
14 bureau.

15 SECTION 484. IC 9-31-2-23 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 23. (a) Upon receiving
17 knowledge of a stolen watercraft, a law enforcement agency shall
18 immediately furnish the sheriff's department of the county from which
19 the watercraft was stolen, the department of natural resources, law
20 enforcement division, and the bureau with full information concerning
21 the theft.

22 (b) The bureau shall file the record in the numerical order of the
23 manufacturer's hull identification number or assigned hull
24 identification number with the index records of the watercraft. The
25 bureau shall prepare a list of watercraft stolen and recovered as
26 disclosed by the reports submitted to the bureau. The bureau shall
27 distribute the lists as the bureau considers advisable.

28 (c) (b) If a stolen or converted watercraft is recovered, the owner or
29 recovering agency shall immediately notify the law enforcement
30 agency that received the initial theft report. The law enforcement
31 agency shall immediately notify the bureau, the department of natural
32 resources, the sheriff of the county from which the watercraft was
33 stolen, and other law enforcement agencies in the county. The bureau
34 shall remove the record of the theft or conversion from the file in which
35 the report is recorded.

36 SECTION 485. IC 9-31-2-25 IS REPEALED [EFFECTIVE JULY
37 1, 2012]. Sec. 25: The bureau shall use due diligence in examining and
38 determining the genuineness, regularity, and legality of every
39 application for a certificate of title for a watercraft and may do the
40 following:

41 (1) Make the investigations that are determined necessary or
42 require additional information. An authorized employee of the

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1 bureau may inspect a watercraft to determine whether a certificate
 2 of title should be issued:
 3 (2) Reject an application:
 4 (A) if not satisfied of:
 5 (i) the application's genuineness, regularity, or legality; or
 6 (ii) the truth of a statement contained on the application; or
 7 (B) for any other reason authorized by law:
 8 SECTION 486. IC 9-31-3-3 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. Except as provided
 10 in sections 5 and 7 of this chapter, **and in addition to section 4 of this**
 11 **chapter**, a person may not operate or give permission for the operation
 12 of a motorboat on the waters of Indiana unless the motorboat is:
 13 (1) registered and numbered under this chapter;
 14 (2) in accordance with applicable federal law; **or**
 15 (3) legally registered in another state; **or**
 16 **(4) a boat for which any applicable taxes have been paid**
 17 **under IC 6-6-11.**
 18 SECTION 487. IC 9-31-3-4 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. Except as provided
 20 in sections 5 and 7 of this chapter, **and in addition to section 3 of this**
 21 **chapter**, a motorboat may only be operated on the waters of Indiana if
 22 the following conditions are met:
 23 (1) The registration number awarded to the motorboat is in full
 24 force and effect.
 25 (2) The identifying number set forth in the certificate of
 26 registration is displayed on each side of the bow of the motorboat.
 27 However, a motorboat that has a valid marine document issued by
 28 the United States Bureau of Customs is not required to display the
 29 registration number.
 30 (3) The decals indicating the year and month of expiration of
 31 registration and class of boat are attached to the motorboat as
 32 provided under IC 6-6-11.
 33 SECTION 488. IC 9-31-3-15 IS REPEALED [EFFECTIVE JULY
 34 1, 2012]. ~~Sec. 15: All records of the bureau made or kept under this~~
 35 ~~chapter are public records and open to inspection by the public and any~~
 36 ~~authorized law enforcement agency of the state.~~
 37 SECTION 489. IC 9-31-3-17 IS REPEALED [EFFECTIVE JULY
 38 1, 2012]. ~~Sec. 17: (a) The owner of a motorboat, within fifteen (15)~~
 39 ~~days, shall furnish the bureau notice of any of the following:~~
 40 ~~(1) The transfer of all or any part of the owner's interest, other~~
 41 ~~than the creation of a security interest in a motorboat registered in~~
 42 ~~Indiana under section 5 or 7 of this chapter.~~

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- 1 (2) The destruction or abandonment of a motorboat.
 2 (b) Except as provided in subsection (c), a transfer, destruction, or
 3 abandonment terminates the certificate of registration for the
 4 motorboat.
 5 (c) If a transfer of a part interest does not affect the owner's right to
 6 operate the motorboat, the transfer does not terminate the certificate of
 7 registration.
 8 SECTION 490. IC 10-11-2-26, AS AMENDED BY P.L.26-2010,
 9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2012]: Sec. 26. (a) The superintendent may assign qualified
 11 persons who are not state police officers to supervise or operate
 12 permanent or portable weigh stations. A person assigned under this
 13 section may stop, inspect, and issue citations to operators of trucks and
 14 trailers having a declared gross weight of at least ten thousand one
 15 (10,001) pounds and buses at a permanent or portable weigh station or
 16 while operating a clearly marked Indiana state police vehicle for
 17 violations of the following:
 18 (1) IC 6-1.1-7-10.
 19 (2) IC 6-6-1.1-1202.
 20 (3) IC 6-6-2.5.
 21 (4) IC 6-6-4.1-12.
 22 (5) IC 8-2.1.
 23 (6) IC 9-18.
 24 (7) IC 9-19.
 25 (8) IC 9-20.
 26 (9) IC 9-21-7-2 through IC 9-21-7-11.
 27 (10) IC 9-21-8-41 pertaining to the duty to obey an official traffic
 28 control device for a weigh station.
 29 (11) IC 9-21-8-45 through IC 9-21-8-48.
 30 (12) IC 9-21-9.
 31 (13) IC 9-21-15.
 32 (14) IC 9-21-21.
 33 (15) IC 9-24-1-1. ~~through IC 9-24-1-2.~~
 34 (16) IC 9-24-1-7.
 35 (17) Except as provided in subsection (c), IC 9-24-1-6,
 36 IC 9-24-6-16, IC 9-24-6-17, and IC 9-24-6-18, commercial
 37 driver's license.
 38 (18) IC 9-24-4.
 39 (19) IC 9-24-5.
 40 (20) IC 9-24-11-4.
 41 (21) IC 9-24-13-3.
 42 (22) IC 9-24-18-1 through IC 9-24-18-2.

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- 1 (23) IC 9-25-4-3.
 2 (24) IC 9-28-4.
 3 (25) IC 9-28-5.
 4 (26) IC 9-28-6.
 5 (27) IC 9-29-5-11 through IC 9-29-5-13.
 6 (28) IC 9-29-5-42.
 7 (29) IC 9-29-6-1.
 8 (30) IC 10-14-8.
 9 (31) IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or IC 13-17-5-4.
 10 (32) IC 13-30-2-1.
- 11 (b) For the purpose of enforcing this section, a person assigned
 12 under this section may detain a person in the same manner as a law
 13 enforcement officer under IC 34-28-5-3.
- 14 (c) A person assigned under this section may not enforce
 15 IC 9-24-6-14 or IC 9-24-6-15.
- 16 SECTION 491. IC 11-12-3.7-6 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. As used in this
 18 chapter, "violent offense" means one (1) or more of the following
 19 offenses:
- 20 (1) Murder (IC 35-42-1-1).
 21 (2) Attempted murder (IC 35-41-5-1).
 22 (3) Voluntary manslaughter (IC 35-42-1-3).
 23 (4) Involuntary manslaughter (IC 35-42-1-4).
 24 (5) Reckless homicide (IC 35-42-1-5).
 25 (6) Aggravated battery (IC 35-42-2-1.5).
 26 (7) Battery (IC 35-42-2-1) as a Class A felony, Class B felony, or
 27 Class C felony.
 28 (8) Kidnapping (IC 35-42-3-2).
 29 (9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8 that
 30 is a Class A felony, Class B felony, or Class C felony.
 31 (10) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A
 32 felony or Class B felony.
 33 (11) Incest (IC 35-46-1-3).
 34 (12) Robbery as a Class A felony or a Class B felony
 35 (IC 35-42-5-1).
 36 (13) Burglary as a Class A felony or a Class B felony
 37 (IC 35-43-2-1).
 38 (14) Carjacking (IC 35-42-5-2).
 39 (15) Assisting a criminal as a Class C felony (IC 35-44-3-2).
 40 (16) Escape (IC 35-44-3-5) as a Class B felony or Class C felony.
 41 (17) Trafficking with an inmate as a Class C felony
 42 (IC 35-44-3-9).

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- 1 (18) Causing death when operating a motor vehicle (IC 9-30-5-5).
 2 (19) Criminal confinement (IC 35-42-3-3) as a Class B felony.
 3 (20) Arson (IC 35-43-1-1) as a Class A or Class B felony.
 4 (21) Possession, use, or manufacture of a weapon of mass
 5 destruction (IC 35-47-12-1).
 6 (22) Terroristic mischief (IC 35-47-12-3) as a Class B felony.
 7 (23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
 8 (24) A violation of IC 35-47.5 (Controlled explosives) as a Class
 9 A or Class B felony.
 10 (25) A crime under the laws of another jurisdiction, including a
 11 military court, that is substantially similar to any of the offenses
 12 listed in this subdivision.
 13 (26) Any other crimes evidencing a propensity or history of
 14 violence.

15 SECTION 492. IC 14-15-11-4 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. As used in this
 17 chapter, "Indiana driver's license" means:

- 18 (1) an operator's license;
 19 (2) a chauffeur's license; or
 20 (3) a public passenger chauffeur's license;

21 that is issued to an individual by the bureau of motor vehicles under
 22 ~~IC 9-24-3~~. **IC 9-24.**

23 SECTION 493. IC 20-33-8-33, AS ADDED BY P.L.231-2005,
 24 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2012]: Sec. 33. Before February 1 and before October 1 of
 26 each year, except when a hearing has been requested to determine
 27 financial hardship under IC 9-24-2-1(a)(4), a principal shall submit to
 28 the bureau of motor vehicles the pertinent information concerning an
 29 individual's ineligibility under IC 9-24-2-1 to be issued a driver's
 30 license or learner's permit, or concerning the ~~invalidation~~ **suspension**
 31 of a ~~license or permit~~ **driving privileges** under IC 9-24-2-4.

32 SECTION 494. IC 27-7-5-2, AS AMENDED BY P.L.116-2011,
 33 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2012]: Sec. 2. (a) Except as provided in subsections (d) and
 35 (f), the insurer shall make available, in each automobile liability or
 36 motor vehicle liability policy of insurance which is delivered or issued
 37 for delivery in this state with respect to any motor vehicle registered or
 38 principally garaged in this state, insuring against loss resulting from
 39 liability imposed by law for bodily injury or death suffered by any
 40 person and for injury to or destruction of property to others arising from
 41 the ownership, maintenance, or use of a motor vehicle, or in a
 42 supplement to such a policy, the following types of coverage:

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1 (1) in limits for bodily injury or death and for injury to or
 2 destruction of property not less than those set forth in IC 9-25-4-5
 3 under policy provisions approved by the commissioner of
 4 insurance, for the protection of persons insured under the policy
 5 who are legally entitled to recover damages from owners or
 6 operators of uninsured or underinsured motor vehicles because of
 7 bodily injury, sickness or disease, including death, and for the
 8 protection of persons insured under the policy who are legally
 9 entitled to recover damages from owners or operators of
 10 uninsured motor vehicles for injury to or destruction of property
 11 resulting therefrom; or

12 (2) in limits for bodily injury or death not less than those set forth
 13 in IC 9-25-4-5 under policy provisions approved by the
 14 commissioner of insurance, for the protection of persons insured
 15 under the policy provisions who are legally entitled to recover
 16 damages from owners or operators of uninsured or underinsured
 17 motor vehicles because of bodily injury, sickness or disease,
 18 including death resulting therefrom.

19 The uninsured and underinsured motorist coverages must be provided
 20 by insurers for either a single premium or for separate premiums, in
 21 limits at least equal to the limits of liability specified in the bodily
 22 injury liability provisions of an insured's policy, unless such coverages
 23 have been rejected in writing by the insured. However, underinsured
 24 motorist coverage must be made available in limits of not less than fifty
 25 thousand dollars (\$50,000). At the insurer's option, the bodily injury
 26 liability provisions of the insured's policy may be required to be equal
 27 to the insured's underinsured motorist coverage. Insurers may not sell
 28 or provide underinsured motorist coverage in an amount less than fifty
 29 thousand dollars (\$50,000). Insurers must make underinsured motorist
 30 coverage available to all existing policyholders on the date of the first
 31 renewal of existing policies that occurs on or after January 1, 1995, and
 32 on any policies newly issued or delivered on or after January 1, 1995.
 33 Uninsured motorist coverage or underinsured motorist coverage may
 34 be offered by an insurer in an amount exceeding the limits of liability
 35 specified in the bodily injury and property damage liability provisions
 36 of the insured's policy.

37 (b) A named insured of an automobile or motor vehicle liability
 38 policy has the right, in writing, to:

- 39 (1) reject both the uninsured motorist coverage and the
 40 underinsured motorist coverage provided for in this section; or
 41 (2) reject either the uninsured motorist coverage alone or the
 42 underinsured motorist coverage alone, if the insurer provides the

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1 coverage not rejected separately from the coverage rejected.
 2 A rejection of coverage under this subsection by a named insured is a
 3 rejection on behalf of all other named insureds, all other insureds, and
 4 all other persons entitled to coverage under the policy. No insured may
 5 have uninsured motorist property damage liability insurance coverage
 6 under this section unless the insured also has uninsured motorist bodily
 7 injury liability insurance coverage under this section. Following
 8 rejection of either or both uninsured motorist coverage or underinsured
 9 motorist coverage, unless later requested in writing, the insurer need
 10 not offer uninsured motorist coverage or underinsured motorist
 11 coverage in or supplemental to a renewal or replacement policy issued
 12 to the same insured by the same insurer or a subsidiary or an affiliate
 13 of the originally issuing insurer. Renewals of policies issued or
 14 delivered in this state which have undergone interim policy
 15 endorsement or amendment do not constitute newly issued or delivered
 16 policies for which the insurer is required to provide the coverages
 17 described in this section.

18 (c) A rejection under subsection (b) must specify:

19 (1) that the named insured is rejecting:

20 (A) the uninsured motorist coverage;

21 (B) the underinsured motorist coverage; or

22 (C) both the uninsured motorist coverage and the underinsured
 23 motorist coverage;

24 that would otherwise be provided under the policy; and

25 (2) the date on which the rejection is effective.

26 (d) An insurer is not required to make available the coverage
 27 described in subsection (a) in a commercial umbrella or excess liability
 28 policy, including a commercial umbrella or excess liability policy that
 29 is issued or delivered to a motor carrier (as defined in IC 8-2.1-17-10)
 30 that is in compliance with the minimum levels of financial
 31 responsibility set forth in 49 CFR Part 387.

32 (e) A rejection under subsection (b) of uninsured motorist coverage
 33 or underinsured motorist coverage in an underlying commercial policy
 34 of insurance is also a rejection of uninsured motorist coverage or
 35 underinsured motorist coverage in a commercial umbrella or excess
 36 liability policy.

37 (f) An insurer is not required to make available the coverage
 38 described in subsection (a) in connection with coverage that:

39 (1) is related to or included in a commercial policy of property
 40 and casualty insurance described in Class 2 or Class 3 of
 41 IC 27-1-5-1; and

42 (2) covers a loss related to a motor vehicle:

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- 1 (A) of which the insured is not the owner; ~~(as defined in~~
- 2 ~~IC 9-13-2-121(a))~~; and
- 3 (B) that is used:
 - 4 (i) by the insured or an agent of the insured; and
 - 5 (ii) for purposes authorized by the insured.
- 6 **(g) For purposes of subsection (f), "owner" means:**
 - 7 **(1) a person who holds the legal title to a motor vehicle;**
 - 8 **(2) a person who rents or leases a motor vehicle and has**
 - 9 **exclusive use of the motor vehicle for more than thirty (30)**
 - 10 **days;**
 - 11 **(3) the conditional vendee or lessee under an agreement for**
 - 12 **the conditional sale or lease of a motor vehicle; or**
 - 13 **(4) the mortgagor under an agreement for the conditional sale**
 - 14 **or lease of a motor vehicle under which the mortgagor has:**
 - 15 **(A) the right to purchase; and**
 - 16 **(B) an immediate right of possession of;**
 - 17 **the motor vehicle upon the performance of the conditions**
 - 18 **stated in the agreement.**
- 19 SECTION 495. IC 31-37-4-3, AS AMENDED BY P.L.3-2008,
- 20 SECTION 240, IS AMENDED TO READ AS FOLLOWS
- 21 [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) This section applies if a child
- 22 is arrested or taken into custody for allegedly committing an act that
- 23 would be any of the following crimes if committed by an adult:
 - 24 (1) Murder (IC 35-42-1-1).
 - 25 (2) Attempted murder (IC 35-41-5-1).
 - 26 (3) Voluntary manslaughter (IC 35-42-1-3).
 - 27 (4) Involuntary manslaughter (IC 35-42-1-4).
 - 28 (5) Reckless homicide (IC 35-42-1-5).
 - 29 (6) Aggravated battery (IC 35-42-2-1.5).
 - 30 (7) Battery (IC 35-42-2-1).
 - 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.
 - 33 (10) Sexual misconduct with a minor (IC 35-42-4-9).
 - 34 (11) Incest (IC 35-46-1-3).
 - 35 (12) Robbery as a Class A felony or a Class B felony
 - 36 (IC 35-42-5-1).
 - 37 (13) Burglary as a Class A felony or a Class B felony
 - 38 (IC 35-43-2-1).
 - 39 (14) Carjacking (IC 35-42-5-2).
 - 40 (15) Assisting a criminal as a Class C felony (IC 35-44-3-2).
 - 41 (16) Escape (IC 35-44-3-5) as a Class B felony or Class C felony.
 - 42 (17) Trafficking with an inmate as a Class C felony

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- 1 (IC 35-44-3-9).
- 2 (18) Causing death when operating a ~~motor~~ vehicle (IC 9-30-5-5).
- 3 (19) Criminal confinement (IC 35-42-3-3) as a Class B felony.
- 4 (20) Arson (IC 35-43-1-1) as a Class A or Class B felony.
- 5 (21) Possession, use, or manufacture of a weapon of mass
- 6 destruction (IC 35-47-12-1).
- 7 (22) Terroristic mischief (IC 35-47-12-3) as a Class B felony.
- 8 (23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
- 9 (24) A violation of IC 35-47.5 (controlled explosives) as a Class
- 10 A or Class B felony.
- 11 (25) A controlled substances offense under IC 35-48.
- 12 (26) A criminal gang offense under IC 35-45-9.

13 (b) If a child is taken into custody under this chapter for a crime or
 14 act listed in subsection (a), the law enforcement agency that employs
 15 the law enforcement officer who takes the child into custody shall
 16 notify the chief administrative officer of the primary or secondary
 17 school, including a public or nonpublic school, in which the child is
 18 enrolled or, if the child is enrolled in a public school, the
 19 superintendent of the school district in which the child is enrolled:

- 20 (1) that the child was taken into custody; and
- 21 (2) of the reason why the child was taken into custody.

22 (c) The notification under subsection (b) must occur within
 23 forty-eight (48) hours after the child is taken into custody.

24 (d) A law enforcement agency may not disclose information that is
 25 confidential under state or federal law to a school or school district
 26 under this section.

27 SECTION 496. IC 31-37-19-17.2 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 17.2. (a) This section
 29 applies if a child is a delinquent child under IC 31-37-1 due to the
 30 commission of a delinquent act that, if committed by an adult, would
 31 be a theft or criminal conversion described in IC 35-43-4-8 (fuel theft).

32 (b) The juvenile court shall, in addition to any other order or decree
 33 the court makes under this chapter, order the bureau of motor vehicles
 34 to:

- 35 (1) suspend the child's ~~operator's license;~~ **driving privileges;** or
 - 36 (2) invalidate the child's ~~learner's permit;~~ **driving privileges;**
- 37 under ~~IC 9-25-6-21~~ **IC 9-30-13-8** in the same manner as the bureau of
 38 motor vehicles is required to suspend the driving privileges of a person
 39 convicted of fuel theft.

40 SECTION 497. IC 31-37-19-18, AS AMENDED BY P.L.109-2011,
 41 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2012]: Sec. 18. If the court orders invalidation or denial of

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1 issuance of a ~~driver's license or permit~~ **driving privileges** as described
 2 in IC 31-37-5-7 or section 4, 13, 14, 15, 16, 17, or 17.3 of this chapter
 3 (or IC 31-6-4-15.9(c), IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or
 4 IC 31-6-4-15.9(f) before the repeal of IC 31-6-4-15.9):

5 (1) the bureau of motor vehicles shall comply with the order for
 6 invalidation or denial of issuance; and

7 (2) the child shall surrender to the court all driver's licenses or
 8 permits of the child and the court shall immediately forward the
 9 licenses or permits to the bureau of motor vehicles.

10 If a juvenile court recommends suspension of driving privileges under
 11 section 17.3 of this chapter, IC 9-30-6-12(b), IC 9-30-6-12(c),
 12 IC 9-30-6-12(d), and IC 9-30-6-12(e) apply to the child's driving
 13 privileges.

14 SECTION 498. IC 31-40-2-1.7, AS ADDED BY P.L.2-2005,
 15 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2012]: Sec. 1.7. (a) A person may pay a monthly probation
 17 user's fee under section 1 or 1.5 of this chapter before the date the
 18 payment is required to be made without obtaining the prior approval of
 19 a court or a probation department. However, if a delinquent child is
 20 discharged from probation before the date the delinquent child was
 21 scheduled to be released from probation, any monthly probation user's
 22 fee paid in advance for the delinquent child may not be refunded.

23 (b) A probation department may petition a court to:

24 (1) impose a probation user's fee on a person; or

25 (2) increase a person's probation user's fee;

26 under section 1 or 1.5 of this chapter if the financial ability of the
 27 person to pay a probation user's fee changes while the person is on
 28 probation.

29 (c) An order to pay a probation user's fee under section 1 or 1.5 of
 30 this chapter:

31 (1) is a judgment lien that:

32 (A) attaches to the property of the person subject to the order;

33 (B) may be perfected;

34 (C) may be enforced to satisfy any payment that is delinquent
 35 under section 1 or 1.5 of this chapter; and

36 (D) expires;

37 in the same manner as a judgment lien created in a civil
 38 proceeding;

39 (2) is not discharged by the completion of the person's
 40 probationary period or other sentence imposed on the person; and

41 (3) is not discharged by the liquidation of a person's estate by a
 42 receiver under IC 32-30-5.

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1 (d) A delinquent child placed on probation for more than one (1)
2 delinquent act:

3 (1) may be required to pay more than one (1) initial probation
4 user's fee; and

5 (2) may not be required to pay more than one (1) monthly
6 probation user's fee per month;

7 to either the probation department or the clerk of the court.

8 (e) If a court orders a person to pay a probation user's fee under
9 section 1 or 1.5 of this chapter, the court may garnish the wages, salary,
10 and other income earned by the person to enforce the order.

11 (f) If:

12 (1) a person is delinquent in paying the person's probation user's
13 fees required under section 1 or 1.5 of this chapter; and

14 (2) the person's **driving privileges or** driver's license or permit
15 **has have** been suspended or revoked or the person has never been
16 issued a driver's license or permit;

17 the court may order the bureau of motor vehicles to not issue a driver's
18 license or permit to the person until the person has paid the person's
19 delinquent probation user's fees.

20 SECTION 499. IC 32-17-13-1, AS AMENDED BY P.L.36-2011,
21 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 1. (a) As used in this chapter, "nonprobate
23 transfer" means a valid transfer, effective at death, by a transferor:

24 (1) whose last domicile was in Indiana; and

25 (2) who immediately before death had the power, acting alone, to
26 prevent transfer of the property by revocation or withdrawal and:

27 (A) use the property for the benefit of the transferor; or

28 (B) apply the property to discharge claims against the
29 transferor's probate estate.

30 (b) The term does not include a transfer at death (other than a
31 transfer to or from the decedent's probate estate) of:

32 (1) a survivorship interest in a tenancy by the entireties real
33 estate;

34 (2) a life insurance policy or annuity;

35 (3) the death proceeds of a life insurance policy or annuity;

36 (4) an individual retirement account or a similar account or plan;

37 or

38 (5) benefits under an employee benefit plan.

39 (c) With respect to a nonprobate transfer involving a multiple party
40 account, a nonprobate transfer occurs if the last domicile of the
41 depositor whose interest is transferred under IC 32-17-11 was in
42 Indiana.



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1 (d) With respect to a motor vehicle or a watercraft, a nonprobate
 2 transfer occurs if the transferee obtains a certificate of title in Indiana
 3 for:

- 4 (1) the motor vehicle under IC 9-17-2-2(b); or
 5 (2) the watercraft as required by ~~IC 9-31-2-16(a)(1)(C)~~.
 6 **IC 9-31-2-16(a).**

7 (e) A transfer on death transfer completed under IC 32-17-14 is a
 8 nonprobate transfer.

9 SECTION 500. IC 32-33-10-10 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. This chapter may
 11 not be construed to repeal, modify, or amend ~~IC 9-22-5-14~~ **IC 9-22-6-1**
 12 or ~~IC 9-22-5-15~~. **IC 9-22-6-2.**

13 SECTION 501. IC 33-39-1-8, AS AMENDED BY P.L.101-2009,
 14 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2012]: Sec. 8. (a) After June 30, 2005, this section does not
 16 apply to a person who:

- 17 (1) holds a commercial driver's license; and
 18 (2) has been charged with an offense involving the operation of
 19 a motor vehicle in accordance with the federal Motor Carrier
 20 Safety Improvement Act of 1999 (MCSIA) (Public Law
 21 106-159.113 Stat. 1748).

22 (b) This section does not apply to a person arrested for or charged
 23 with:

- 24 (1) an offense under IC 9-30-5-1 through IC 9-30-5-5; or
 25 (2) if a person was arrested or charged with an offense under
 26 IC 9-30-5-1 through IC 9-30-5-5, an offense involving:
 27 (A) intoxication; or
 28 (B) the operation of a **motor** vehicle;

29 if the offense involving intoxication or the operation of a **motor** vehicle
 30 was part of the same episode of criminal conduct as the offense under
 31 IC 9-30-5-1 through IC 9-30-5-5.

32 (c) This section does not apply to a person:

- 33 (1) who is arrested for or charged with an offense under:
 34 (A) IC 7.1-5-7-7(a), if the alleged offense occurred while the
 35 person was operating a motor vehicle;
 36 (B) IC 9-30-4-8(a), if the alleged offense occurred while the
 37 person was operating a motor vehicle;
 38 (C) IC 35-42-2-2(c)(1);
 39 (D) IC 35-42-2-4(b)(1); or
 40 (E) IC 35-43-1-2(a), if the alleged offense occurred while the
 41 person was operating a motor vehicle; and
 42 (2) who held a probationary license (as defined in ~~IC 9-24-11-3(b)~~)



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- 1 or IC 9-24-11-3.3(b)) and was less than eighteen (18) years of age
- 2 at the time of the alleged offense.
- 3 (d) A prosecuting attorney may withhold prosecution against an
- 4 accused person if:
- 5 (1) the person is charged with a misdemeanor;
- 6 (2) the person agrees to conditions of a pretrial diversion program
- 7 offered by the prosecuting attorney;
- 8 (3) the terms of the agreement are recorded in an instrument
- 9 signed by the person and the prosecuting attorney and filed in the
- 10 court in which the charge is pending; and
- 11 (4) the prosecuting attorney electronically transmits information
- 12 required by the prosecuting attorneys council concerning the
- 13 withheld prosecution to the prosecuting attorneys council, in a
- 14 manner and format designated by the prosecuting attorneys
- 15 council.
- 16 (e) An agreement under subsection (d) may include conditions that
- 17 the person:
- 18 (1) pay to the clerk of the court an initial user's fee and monthly
- 19 user's fees in the amounts specified in IC 33-37-4-1;
- 20 (2) work faithfully at a suitable employment or faithfully pursue
- 21 a course of study or career and technical education that will equip
- 22 the person for suitable employment;
- 23 (3) undergo available medical treatment or counseling and remain
- 24 in a specified facility required for that purpose;
- 25 (4) support the person's dependents and meet other family
- 26 responsibilities;
- 27 (5) make restitution or reparation to the victim of the crime for the
- 28 damage or injury that was sustained;
- 29 (6) refrain from harassing, intimidating, threatening, or having
- 30 any direct or indirect contact with the victim or a witness;
- 31 (7) report to the prosecuting attorney at reasonable times;
- 32 (8) answer all reasonable inquiries by the prosecuting attorney
- 33 and promptly notify the prosecuting attorney of any change in
- 34 address or employment; and
- 35 (9) participate in dispute resolution either under IC 34-57-3 or a
- 36 program established by the prosecuting attorney.
- 37 (f) An agreement under subsection (d)(2) may include other
- 38 provisions reasonably related to the defendant's rehabilitation, if
- 39 approved by the court.
- 40 (g) The prosecuting attorney shall notify the victim when
- 41 prosecution is withheld under this section.
- 42 (h) All money collected by the clerk as user's fees under this section

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1 shall be deposited in the appropriate user fee fund under IC 33-37-8.

2 (i) If a court withholds prosecution under this section and the terms
3 of the agreement contain conditions described in subsection (e)(6):

4 (1) the clerk of the court shall comply with IC 5-2-9; and

5 (2) the prosecuting attorney shall file a confidential form
6 prescribed or approved by the division of state court
7 administration with the clerk.

8 SECTION 502. IC 34-24-1-1, AS AMENDED BY P.L.182-2011,
9 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2012]: Sec. 1. (a) The following may be seized:

11 (1) All vehicles (as defined by IC 35-41-1), if they are used or are
12 intended for use by the person or persons in possession of them to
13 transport or in any manner to facilitate the transportation of the
14 following:

15 (A) A controlled substance for the purpose of committing,
16 attempting to commit, or conspiring to commit any of the
17 following:

18 (i) Dealing in or manufacturing cocaine or a narcotic drug
19 (IC 35-48-4-1).

20 (ii) Dealing in methamphetamine (IC 35-48-4-1.1).

21 (iii) Dealing in a schedule I, II, or III controlled substance
22 (IC 35-48-4-2).

23 (iv) Dealing in a schedule IV controlled substance
24 (IC 35-48-4-3).

25 (v) Dealing in a schedule V controlled substance
26 (IC 35-48-4-4).

27 (vi) Dealing in a counterfeit substance (IC 35-48-4-5).

28 (vii) Possession of cocaine or a narcotic drug (IC 35-48-4-6).

29 (viii) Possession of methamphetamine (IC 35-48-4-6.1).

30 (ix) Dealing in paraphernalia (IC 35-48-4-8.5).

31 (x) Dealing in marijuana, hash oil, hashish, salvia, or a
32 synthetic cannabinoid (IC 35-48-4-10).

33 (B) Any stolen (IC 35-43-4-2) or converted property
34 (IC 35-43-4-3) if the retail or repurchase value of that property
35 is one hundred dollars (\$100) or more.

36 (C) Any hazardous waste in violation of IC 13-30-10-1.5.

37 (D) A bomb (as defined in IC 35-41-1-4.3) or weapon of mass
38 destruction (as defined in IC 35-41-1-29.4) used to commit,
39 used in an attempt to commit, or used in a conspiracy to
40 commit an offense under IC 35-47 as part of or in furtherance
41 of an act of terrorism (as defined by IC 35-41-1-26.5).

42 (2) All money, negotiable instruments, securities, weapons,

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1 communications devices, or any property used to commit, used in
 2 an attempt to commit, or used in a conspiracy to commit an
 3 offense under IC 35-47 as part of or in furtherance of an act of
 4 terrorism or commonly used as consideration for a violation of
 5 IC 35-48-4 (other than items subject to forfeiture under
 6 IC 16-42-20-5 or IC 16-6-8.5-5.1 before its repeal):

7 (A) furnished or intended to be furnished by any person in
 8 exchange for an act that is in violation of a criminal statute;

9 (B) used to facilitate any violation of a criminal statute; or

10 (C) traceable as proceeds of the violation of a criminal statute.

11 (3) Any portion of real or personal property purchased with
 12 money that is traceable as a proceed of a violation of a criminal
 13 statute.

14 (4) A vehicle that is used by a person to:

15 (A) commit, attempt to commit, or conspire to commit;

16 (B) facilitate the commission of; or

17 (C) escape from the commission of;

18 murder (IC 35-42-1-1), kidnapping (IC 35-42-3-2), criminal
 19 confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting
 20 (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense
 21 under IC 35-47 as part of or in furtherance of an act of terrorism.

22 (5) Real property owned by a person who uses it to commit any of
 23 the following as a Class A felony, a Class B felony, or a Class C
 24 felony:

25 (A) Dealing in or manufacturing cocaine or a narcotic drug
 26 (IC 35-48-4-1).

27 (B) Dealing in methamphetamine (IC 35-48-4-1.1).

28 (C) Dealing in a schedule I, II, or III controlled substance
 29 (IC 35-48-4-2).

30 (D) Dealing in a schedule IV controlled substance
 31 (IC 35-48-4-3).

32 (E) Dealing in marijuana, hash oil, hashish, salvia, or a
 33 synthetic cannabinoid (IC 35-48-4-10).

34 (6) Equipment and recordings used by a person to commit fraud
 35 under IC 35-43-5-4(10).

36 (7) Recordings sold, rented, transported, or possessed by a person
 37 in violation of IC 24-4-10.

38 (8) Property (as defined by IC 35-41-1-23) or an enterprise (as
 39 defined by IC 35-45-6-1) that is the object of a corrupt business
 40 influence violation (IC 35-45-6-2).

41 (9) Unlawful telecommunications devices (as defined in
 42 IC 35-45-13-6) and plans, instructions, or publications used to

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- 1 commit an offense under IC 35-45-13.
- 2 (10) Any equipment, including computer equipment and cellular
3 telephones, used for or intended for use in preparing,
4 photographing, recording, videotaping, digitizing, printing,
5 copying, or disseminating matter in violation of IC 35-42-4.
- 6 (11) Destructive devices used, possessed, transported, or sold in
7 violation of IC 35-47.5.
- 8 (12) Tobacco products that are sold in violation of IC 24-3-5,
9 tobacco products that a person attempts to sell in violation of
10 IC 24-3-5, and other personal property owned and used by a
11 person to facilitate a violation of IC 24-3-5.
- 12 (13) Property used by a person to commit counterfeiting or
13 forgery in violation of IC 35-43-5-2.
- 14 (14) After December 31, 2005, if a person is convicted of an
15 offense specified in IC 25-26-14-26(b) or IC 35-43-10, the
16 following real or personal property:
- 17 (A) Property used or intended to be used to commit, facilitate,
18 or promote the commission of the offense.
- 19 (B) Property constituting, derived from, or traceable to the
20 gross proceeds that the person obtained directly or indirectly
21 as a result of the offense.
- 22 (15) Except as provided in subsection (e), a ~~motor~~ vehicle used by
23 a person who operates the ~~motor~~ vehicle:
- 24 (A) while intoxicated, in violation of IC 9-30-5-1 through
25 IC 9-30-5-5, if in the previous five (5) years the person has two
26 (2) or more prior unrelated convictions:
- 27 (i) for operating a ~~motor~~ vehicle while intoxicated in
28 violation of IC 9-30-5-1 through IC 9-30-5-5; or
29 (ii) for an offense that is substantially similar to IC 9-30-5-1
30 through IC 9-30-5-5 in another jurisdiction; or
- 31 (B) on a highway while the person's ~~driver's license is driving~~
32 **privileges are** suspended in violation of IC 9-24-19-2 through
33 IC 9-24-19-4, if in the previous five (5) years the person has
34 two (2) or more prior unrelated convictions:
- 35 (i) for operating a ~~motor~~ vehicle while intoxicated in
36 violation of IC 9-30-5-1 through IC 9-30-5-5; or
37 (ii) for an offense that is substantially similar to IC 9-30-5-1
38 through IC 9-30-5-5 in another jurisdiction.
- 39 If a court orders the seizure of a ~~motor~~ vehicle under this
40 subdivision, the court shall transmit an order to the bureau of
41 motor vehicles recommending that the bureau not permit a ~~motor~~
42 vehicle to be registered in the name of the person whose ~~motor~~

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1 vehicle was seized until the person possesses a current driving
2 license (as defined in IC 9-13-2-41).

3 (16) The following real or personal property:

4 (A) Property used or intended to be used to commit, facilitate,
5 or promote the commission of an offense specified in
6 IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or
7 IC 30-2-13-38(f).

8 (B) Property constituting, derived from, or traceable to the
9 gross proceeds that a person obtains directly or indirectly as a
10 result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b),
11 IC 30-2-10-9(b), or IC 30-2-13-38(f).

12 (b) A vehicle used by any person as a common or contract carrier in
13 the transaction of business as a common or contract carrier is not
14 subject to seizure under this section, unless it can be proven by a
15 preponderance of the evidence that the owner of the vehicle knowingly
16 permitted the vehicle to be used to engage in conduct that subjects it to
17 seizure under subsection (a).

18 (c) Equipment under subsection (a)(10) may not be seized unless it
19 can be proven by a preponderance of the evidence that the owner of the
20 equipment knowingly permitted the equipment to be used to engage in
21 conduct that subjects it to seizure under subsection (a)(10).

22 (d) Money, negotiable instruments, securities, weapons,
23 communications devices, or any property commonly used as
24 consideration for a violation of IC 35-48-4 found near or on a person
25 who is committing, attempting to commit, or conspiring to commit any
26 of the following offenses shall be admitted into evidence in an action
27 under this chapter as prima facie evidence that the money, negotiable
28 instrument, security, or other thing of value is property that has been
29 used or was to have been used to facilitate the violation of a criminal
30 statute or is the proceeds of the violation of a criminal statute:

31 (1) IC 35-48-4-1 (dealing in or manufacturing cocaine or a
32 narcotic drug).

33 (2) IC 35-48-4-1.1 (dealing in methamphetamine).

34 (3) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled
35 substance).

36 (4) IC 35-48-4-3 (dealing in a schedule IV controlled substance).

37 (5) IC 35-48-4-4 (dealing in a schedule V controlled substance)
38 as a Class B felony.

39 (6) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a
40 Class A felony, Class B felony, or Class C felony.

41 (7) IC 35-48-4-6.1 (possession of methamphetamine) as a Class
42 A felony, Class B felony, or Class C felony.

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1 (8) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, salvia,
 2 or a synthetic cannabinoid) as a Class C felony.
 3 (e) A ~~motor~~ vehicle operated by a person who is not:
 4 (1) an owner of the ~~motor~~ vehicle; or
 5 (2) the spouse of the person who owns the ~~motor~~ vehicle;
 6 is not subject to seizure under subsection (a)(15) unless it can be
 7 proven by a preponderance of the evidence that the owner of the
 8 vehicle knowingly permitted the vehicle to be used to engage in
 9 conduct that subjects it to seizure under subsection (a)(15).
 10 SECTION 503. IC 34-28-5-1, AS AMENDED BY P.L.101-2009,
 11 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2012]: Sec. 1. (a) As used in this section, "probationary
 13 license" refers to a license described in ~~IC 9-24-11-3(b)~~ or
 14 IC 9-24-11-3.3(b).
 15 (b) An action to enforce a statute defining an infraction shall be
 16 brought in the name of the state of Indiana by the prosecuting attorney
 17 for the judicial circuit in which the infraction allegedly took place.
 18 However, if the infraction allegedly took place on a public highway (as
 19 defined in IC 9-25-2-4) that runs on and along a common boundary
 20 shared by two (2) or more judicial circuits, a prosecuting attorney for
 21 any judicial circuit sharing the common boundary may bring the action.
 22 (c) An action to enforce an ordinance shall be brought in the name
 23 of the municipal corporation. The municipal corporation need not
 24 prove that it or the ordinance is valid unless validity is controverted by
 25 affidavit.
 26 (d) Actions under this chapter (or IC 34-4-32 before its repeal):
 27 (1) shall be conducted in accordance with the Indiana Rules of
 28 Trial Procedure; and
 29 (2) must be brought within two (2) years after the alleged conduct
 30 or violation occurred.
 31 (e) The plaintiff in an action under this chapter must prove the
 32 commission of an infraction or ordinance violation by a preponderance
 33 of the evidence.
 34 (f) The complaint and summons described in IC 9-30-3-6 may be
 35 used for any infraction or ordinance violation.
 36 (g) Subsection (h) does not apply to an individual holding a
 37 probationary license who is alleged to have committed an infraction
 38 under any of the following when the individual was less than eighteen
 39 (18) years of age at the time of the alleged offense:
 40 IC 9-19
 41 IC 9-21
 42 IC 9-24

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1 IC 9-25
 2 IC 9-26
 3 IC 9-30-5
 4 IC 9-30-10
 5 IC 9-30-15.

6 (h) This subsection does not apply to an offense or violation under
 7 IC 9-24-6 involving the operation of a commercial motor vehicle. The
 8 prosecuting attorney or the attorney for a municipal corporation may
 9 establish a deferral program for deferring actions brought under this
 10 section. Actions may be deferred under this section if:

11 (1) the defendant in the action agrees to conditions of a deferral
 12 program offered by the prosecuting attorney or the attorney for a
 13 municipal corporation;

14 (2) the defendant in the action agrees to pay to the clerk of the
 15 court an initial user's fee and monthly user's fee set by the
 16 prosecuting attorney or the attorney for the municipal corporation
 17 in accordance with IC 33-37-4-2(e);

18 (3) the terms of the agreement are recorded in an instrument
 19 signed by the defendant and the prosecuting attorney or the
 20 attorney for the municipal corporation;

21 (4) the defendant in the action agrees to pay a fee of seventy
 22 dollars (\$70) to the clerk of court if the action involves a moving
 23 traffic offense (as defined in IC 9-13-2-110);

24 (5) the agreement is filed in the court in which the action is
 25 brought; and

26 (6) if the deferral program is offered by the prosecuting attorney,
 27 the prosecuting attorney electronically transmits information
 28 required by the prosecuting attorneys council concerning the
 29 withheld prosecution to the prosecuting attorneys council, in a
 30 manner and format designated by the prosecuting attorneys
 31 council.

32 When a defendant complies with the terms of an agreement filed under
 33 this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting
 34 attorney or the attorney for the municipal corporation shall request the
 35 court to dismiss the action. Upon receipt of a request to dismiss an
 36 action under this subsection, the court shall dismiss the action. An
 37 action dismissed under this subsection (or IC 34-4-32-1(f) before its
 38 repeal) may not be refiled.

39 (i) If a judgment is entered against a defendant in an action to
 40 enforce an ordinance, the defendant may perform community
 41 restitution or service (as defined in IC 35-41-1-4.6) instead of paying
 42 a monetary judgment for the ordinance violation as described in section

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- 1 4(e) of this chapter if:
- 2 (1) the:
- 3 (A) defendant; and
- 4 (B) attorney for the municipal corporation;
- 5 agree to the defendant's performance of community restitution or
- 6 service instead of the payment of a monetary judgment;
- 7 (2) the terms of the agreement described in subdivision (1):
- 8 (A) include the amount of the judgment the municipal
- 9 corporation requests that the defendant pay under section 4(e)
- 10 of this chapter for the ordinance violation if the defendant fails
- 11 to perform the community restitution or service provided for
- 12 in the agreement as approved by the court; and
- 13 (B) are recorded in a written instrument signed by the
- 14 defendant and the attorney for the municipal corporation;
- 15 (3) the agreement is filed in the court where the judgment was
- 16 entered; and
- 17 (4) the court approves the agreement.

18 If a defendant fails to comply with an agreement approved by a court
 19 under this subsection, the court shall require the defendant to pay up to
 20 the amount of the judgment requested in the action under section 4(e)
 21 of this chapter as if the defendant had not entered into an agreement
 22 under this subsection.

23 SECTION 504. IC 34-30-2-32.5, AS ADDED BY P.L.145-2011,
 24 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2012]: Sec. 32.5. (a) This section applies after December 31,
 26 2011.

27 (b) ~~IC 9-27-6-5(m)~~ **IC 9-27-6-5(h)** (Concerning members of the
 28 driver education advisory board).

29 SECTION 505. IC 35-43-4-8 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) A conviction for
 31 an offense under section 2 of this chapter or section 3 of this chapter
 32 that involves exerting unauthorized control over gasoline or motor
 33 vehicle fuel:

- 34 (1) by operation of a motor vehicle to leave the premises of an
- 35 establishment at which gasoline or motor vehicle fuel is offered
- 36 for sale after the gasoline or motor vehicle fuel has been
- 37 dispensed into the fuel tank of the motor vehicle; and
- 38 (2) without payment or authorization of payment by a credit card,
- 39 debit card, charge card, or similar method of payment;
- 40 shall result in the suspension of the driving privileges of the person.
- 41 (b) The court imposing a sentence for a violation under subsection
- 42 (a) shall issue an order to the bureau of motor vehicles:

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- 1 (1) stating that the person has been convicted of an offense under
- 2 section 2 of this chapter or section 3 of this chapter involving the
- 3 unauthorized taking of gasoline or motor vehicle fuel; and
- 4 (2) ordering the suspension of the person's driving privileges
- 5 under ~~IC 9-25-6-21~~ **IC 9-30-13-8**.

6 The suspension of a person's driving privileges under this section is in
 7 addition to other penalties prescribed by IC 35-50-3-2 for a Class A
 8 misdemeanor or by IC 35-50-2-7 for a Class D felony.

9 SECTION 506. IC 35-44-3-3, AS AMENDED BY P.L.42-2011,
 10 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2012]: Sec. 3. (a) A person who knowingly or intentionally:

- 12 (1) forcibly resists, obstructs, or interferes with a law enforcement
- 13 officer or a person assisting the officer while the officer is
- 14 lawfully engaged in the execution of the officer's duties;
- 15 (2) forcibly resists, obstructs, or interferes with the authorized
- 16 service or execution of a civil or criminal process or order of a
- 17 court; or
- 18 (3) flees from a law enforcement officer after the officer has, by
- 19 visible or audible means, including operation of the law
- 20 enforcement officer's siren or emergency lights, identified himself
- 21 or herself and ordered the person to stop;
- 22 commits resisting law enforcement, a Class A misdemeanor, except as
- 23 provided in subsection (b).

- 24 (b) The offense under subsection (a) is a:
- 25 (1) Class D felony if:
- 26 (A) the offense is described in subsection (a)(3) and the person
- 27 uses a vehicle to commit the offense; or
- 28 (B) while committing any offense described in subsection (a),
- 29 the person draws or uses a deadly weapon, inflicts bodily
- 30 injury on or otherwise causes bodily injury to another person,
- 31 or operates a vehicle in a manner that creates a substantial risk
- 32 of bodily injury to another person;
- 33 (2) Class C felony if, while committing any offense described in
- 34 subsection (a), the person operates a vehicle in a manner that
- 35 causes serious bodily injury to another person;
- 36 (3) Class B felony if, while committing any offense described in
- 37 subsection (a), the person operates a vehicle in a manner that
- 38 causes the death of another person; and
- 39 (4) Class A felony if, while committing any offense described in
- 40 subsection (a), the person operates a vehicle in a manner that
- 41 causes the death of a law enforcement officer while the law
- 42 enforcement officer is engaged in the officer's official duties.

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1 (c) For purposes of this section, a law enforcement officer includes
 2 an enforcement officer of the alcohol and tobacco commission and a
 3 conservation officer of the department of natural resources.

4 (d) If a person uses a vehicle to commit a felony offense under
 5 subsection (b)(1)(B), (b)(2), (b)(3), or (b)(4), as part of the criminal
 6 penalty imposed for the offense, the court shall impose a minimum
 7 executed sentence of at least:

8 (1) thirty (30) days, if the person does not have a prior unrelated
 9 conviction under this section;

10 (2) one hundred eighty (180) days, if the person has one (1) prior
 11 unrelated conviction under this section; or

12 (3) one (1) year, if the person has two (2) or more prior unrelated
 13 convictions under this section.

14 (e) Notwithstanding IC 35-50-2-2 and IC 35-50-3-1, the mandatory
 15 minimum sentence imposed under subsection (d) may not be
 16 suspended.

17 (f) If a person is convicted of an offense involving the use of a motor
 18 vehicle under:

19 (1) subsection (b)(1)(A), if the person exceeded the speed limit by
 20 at least twenty (20) miles per hour while committing the offense;

21 (2) subsection (b)(2); or

22 (3) subsection (b)(3);

23 the court may notify the bureau of motor vehicles to suspend or revoke
 24 the person's driver's license and all certificates of registration and
 25 license plates issued or registered in the person's name in accordance
 26 with IC 9-30-4-6(b)(3) for the period described in IC 9-30-4-6(d)(4) or
 27 IC 9-30-4-6(d)(5). The court shall inform the bureau whether the
 28 person has been sentenced to a term of incarceration. At the time of
 29 conviction, the court may obtain **and destroy** the person's current
 30 driver's license. ~~and return the license to the bureau of motor vehicles.~~

31 SECTION 507. IC 35-48-4-15 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 15. (a) If a person is
 33 convicted of an offense under section 1, 2, 3, 4, 5, 6, 7, 10, or 11 of this
 34 chapter, or conspiracy to commit an offense under section 1, 2, 3, 4, 5,
 35 6, 7, 10, or 11 of this chapter, and the court finds that a motor vehicle
 36 was used in the commission of the offense, the court shall, in addition
 37 to any other order the court enters, order that the person's:

38 (1) ~~operator's driver's~~ driver's license be suspended;

39 (2) existing motor vehicle registrations be suspended; and

40 (3) ability to register motor vehicles be suspended;

41 by the bureau of motor vehicles for a period specified by the court of
 42 at least six (6) months but not more than two (2) years.

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(b) If a person is convicted of an offense described in subsection (a) and the person does not hold ~~an operator's~~ **a driver's** license or a learner's permit, the court shall order that the person may not receive ~~an operator's~~ **a driver's** license or a learner's permit from the bureau of motor vehicles for a period of not less than six (6) months.

SECTION 508. IC 35-50-1-2, AS AMENDED BY P.L.126-2008, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) As used in this section, "crime of violence" means the following:

- (1) Murder (IC 35-42-1-1).
- (2) Attempted murder (IC 35-41-5-1).
- (3) Voluntary manslaughter (IC 35-42-1-3).
- (4) Involuntary manslaughter (IC 35-42-1-4).
- (5) Reckless homicide (IC 35-42-1-5).
- (6) Aggravated battery (IC 35-42-2-1.5).
- (7) Kidnapping (IC 35-42-3-2).
- (8) Rape (IC 35-42-4-1).
- (9) Criminal deviate conduct (IC 35-42-4-2).
- (10) Child molesting (IC 35-42-4-3).
- (11) Sexual misconduct with a minor as a Class A felony under IC 35-42-4-9(a)(2) or a Class B felony under IC 35-42-4-9(b)(2).
- (12) Robbery as a Class A felony or a Class B felony (IC 35-42-5-1).
- (13) Burglary as a Class A felony or a Class B felony (IC 35-43-2-1).
- (14) Operating a ~~motor~~ vehicle while intoxicated causing death (IC 9-30-5-5).
- (15) Operating a ~~motor~~ vehicle while intoxicated causing serious bodily injury to another person (IC 9-30-5-4).
- (16) Resisting law enforcement as a felony (IC 35-44-3-3).

(b) As used in this section, "episode of criminal conduct" means offenses or a connected series of offenses that are closely related in time, place, and circumstance.

(c) Except as provided in subsection (d) or (e), the court shall determine whether terms of imprisonment shall be served concurrently or consecutively. The court may consider the:

- (1) aggravating circumstances in IC 35-38-1-7.1(a); and
- (2) mitigating circumstances in IC 35-38-1-7.1(b);

in making a determination under this subsection. The court may order terms of imprisonment to be served consecutively even if the sentences are not imposed at the same time. However, except for crimes of violence, the total of the consecutive terms of imprisonment, exclusive

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1 of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10, to
 2 which the defendant is sentenced for felony convictions arising out of
 3 an episode of criminal conduct shall not exceed the advisory sentence
 4 for a felony which is one (1) class of felony higher than the most
 5 serious of the felonies for which the person has been convicted.

6 (d) If, after being arrested for one (1) crime, a person commits
 7 another crime:

8 (1) before the date the person is discharged from probation,
 9 parole, or a term of imprisonment imposed for the first crime; or

10 (2) while the person is released:

11 (A) upon the person's own recognizance; or

12 (B) on bond;

13 the terms of imprisonment for the crimes shall be served consecutively,
 14 regardless of the order in which the crimes are tried and sentences are
 15 imposed.

16 (e) If the factfinder determines under IC 35-50-2-11 that a person
 17 used a firearm in the commission of the offense for which the person
 18 was convicted, the term of imprisonment for the underlying offense and
 19 the additional term of imprisonment imposed under IC 35-50-2-11
 20 must be served consecutively.

21 SECTION 509. IC 35-51-9-1, AS ADDED BY P.L.70-2011,
 22 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2012]: Sec. 1. The following statutes define crimes in IC 9:

24 IC 9-14-3.5-15 (Concerning bureau of motor vehicles).

25 IC 9-14-5-9 (Concerning parking placards for persons with
 26 physical disabilities).

27 IC 9-17-2-15 (Concerning certificates of title).

28 IC 9-17-2-16 (Concerning certificates of title).

29 IC 9-17-3-3.2 (Concerning certificates of title).

30 IC 9-17-3-7 (Concerning certificates of title).

31 IC 9-17-4-6 (Concerning certificates of title).

32 IC 9-18-2-42 (Concerning motor vehicle registration and license
 33 plates).

34 IC 9-18-2-44 (Concerning motor vehicle registration and license
 35 plates).

36 IC 9-18-2-45 (Concerning motor vehicle registration and license
 37 plates).

38 IC 9-18-4-8 (Concerning motor vehicle registration and license
 39 plates).

40 IC 9-18-8-11 (Concerning motor vehicle registration and license
 41 plates).

42 IC 9-18-8-12 (Concerning motor vehicle registration and license

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- 1 plates).
- 2 IC 9-18-8-13 (Concerning motor vehicle registration and license
- 3 plates).
- 4 IC 9-18-8-14 (Concerning motor vehicle registration and license
- 5 plates).
- 6 IC 9-18-8-15 (Concerning motor vehicle registration and license
- 7 plates).
- 8 IC 9-18-13-9 (Concerning motor vehicle registration and license
- 9 plates).
- 10 IC 9-18-22-6 (Concerning motor vehicle registration and license
- 11 plates).
- 12 IC 9-18-26-11 (Concerning motor vehicle registration and license
- 13 plates).
- 14 IC 9-18-26-13 (Concerning motor vehicle registration and license
- 15 plates).
- 16 IC 9-18-27-9 (Concerning motor vehicle registration and license
- 17 plates).
- 18 IC 9-19-9-5 (Concerning motor vehicle equipment).
- 19 IC 9-19-10.5-4 (Concerning motor vehicle equipment).
- 20 IC 9-19-10.5-5 (Concerning motor vehicle equipment).
- 21 IC 9-20-18-4 (Concerning motor vehicle size and weight
- 22 regulation).
- 23 IC 9-21-5-13 (Concerning traffic regulation).
- 24 IC 9-21-6-3 (Concerning traffic regulation).
- 25 IC 9-21-8-50 (Concerning traffic regulation).
- 26 IC 9-21-8-52 (Concerning traffic regulation).
- 27 IC 9-21-8-55 (Concerning traffic regulation).
- 28 IC 9-21-8-56 (Concerning traffic regulation).
- 29 IC 9-21-8-58 (Concerning traffic regulation).
- 30 IC 9-21-12-9 (Concerning traffic regulation).
- 31 IC 9-21-12-11 (Concerning traffic regulation).
- 32 **IC 9-22-1-21.5 (Concerning liens on vehicles).**
- 33 IC 9-22-3-31 (Concerning abandoned, salvaged, and scrap
- 34 vehicles).
- 35 IC 9-22-3-32 (Concerning abandoned, salvaged, and scrap
- 36 vehicles).
- 37 IC 9-22-3-33 (Concerning abandoned, salvaged, and scrap
- 38 vehicles).
- 39 ~~IC 9-22-5-17 (Concerning abandoned, salvaged, and scrap~~
- 40 ~~vehicles).~~
- 41 **IC 9-22-6-3 (Concerning mechanic's liens for vehicles).**
- 42 IC 9-23-6-1 (Concerning vehicle manufacturers, distributors, and

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- 1 dealers).
- 2 IC 9-24-1-8 (Concerning driver's licenses).
- 3 IC 9-24-6-16 (Concerning driver's licenses).
- 4 IC 9-24-6-17 (Concerning driver's licenses).
- 5 IC 9-24-11-8 (Concerning driver's licenses).
- 6 IC 9-24-15-11 (Concerning driver's licenses).
- 7 IC 9-24-16-12 (Concerning driver's licenses).
- 8 IC 9-24-16-13 (Concerning driver's licenses).
- 9 IC 9-24-18-1 (Concerning driver's licenses).
- 10 IC 9-24-18-2 (Concerning driver's licenses).
- 11 IC 9-24-18-7 (Concerning driver's licenses).
- 12 IC 9-24-19-2 (Concerning driver's licenses).
- 13 IC 9-24-19-3 (Concerning driver's licenses).
- 14 IC 9-24-19-4 (Concerning driver's licenses).
- 15 IC 9-25-6-18 (Concerning financial responsibility).
- 16 IC 9-25-8-2 (Concerning financial responsibility).
- 17 IC 9-26-1-8 (Concerning accidents and accident reports).
- 18 IC 9-26-1-9 (Concerning accidents and accident reports).
- 19 IC 9-26-6-4 (Concerning accidents and accident reports).
- 20 IC 9-30-4-7 (Concerning licenses, **permits, driving privileges,**
- 21 **and registrations).**
- 22 IC 9-30-4-8 (Concerning **licenses driving privileges** and
- 23 **registrations).**
- 24 IC 9-30-4-13 (Concerning licenses, **permits, license plates,** and
- 25 **registrations).**
- 26 IC 9-30-5-1 (Concerning operating a vehicle while intoxicated).
- 27 IC 9-30-5-2 (Concerning operating a vehicle while intoxicated).
- 28 IC 9-30-5-3 (Concerning operating a vehicle while intoxicated).
- 29 IC 9-30-5-4 (Concerning operating a vehicle while intoxicated).
- 30 IC 9-30-5-5 (Concerning operating a vehicle while intoxicated).
- 31 IC 9-30-5-7 (Concerning operating a vehicle while intoxicated).
- 32 IC 9-30-5-8 (Concerning operating a vehicle while intoxicated).
- 33 IC 9-30-6-8.7 (Concerning implied consent).
- 34 IC 9-30-9-7.5 (Concerning alcohol abuse deterrent programs).
- 35 IC 9-30-10-16 (Concerning habitual violator of traffic laws).
- 36 IC 9-30-10-17 (Concerning habitual violator of traffic laws).
- 37 IC 9-30-10-17.5 (Concerning habitual violator of traffic laws).
- 38 IC 9-31-2-26 (Concerning watercraft titling and registration).
- 39 IC 9-31-2-27 (Concerning watercraft titling and registration).
- 40 IC 9-31-2-28 (Concerning watercraft titling and registration).
- 41 **SECTION 510. An emergency is declared for this act.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 257, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 4, between lines 34 and 35, begin a new paragraph and insert the following:

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

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

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

SECTION 14. IC 9-13-2-48.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 48.5. "Driving record" means a record:**

- (1) maintained by the bureau as required under IC 9-14-3-7; and**
- (2) established by the bureau under IC 9-24-18-9."**

Page 6, line 42, delete "sixteen (16)" and insert **"fifteen (15) individuals"**.

Page 6, line 42, delete "more" and insert **"more,"**.

Page 7, line 1, delete "passengers,".

Page 13, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 45. IC 9-14-3.5-5, AS AMENDED BY P.L.184-2007, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. As used in this chapter, "personal information" means information that identifies a person, including an individual's:

- (1) digital photograph or image;**
- (2) Social Security number;**
- (3) driver's license or identification document number;**



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- (4) name;
- (5) address (but not the 5-digit zip code);
- (6) telephone number; or
- (7) medical or disability information.

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

Page 29, line 25, after "who" insert "**obtained or**".

Page 31, line 17, delete "**IC 9-17-2-12(c);**" and insert "**IC 9-17-2-12;**".

Page 32, line 29, delete "prescribed in IC 9-29-4," and insert "**prescribed,**".

Page 33, line 8, delete "vehicles." and insert "**trailers.**".

Page 38, line 24, after "license" insert "**plate**".

Page 47, line 35, delete "." and insert "**or foreign country.**".

Page 57, line 11, strike "or decal".

Page 67, line 13, delete "If the properly identified" and insert "**The release under section 9.5 of this chapter must state the name, signature, and address of the person that owns or holds a lien on the vehicle, a description of the vehicle or parts, costs, and date of release. A towing service shall notify the appropriate public agency of all releases under section 9.5 of this chapter.**".

Page 67, delete lines 14 through 17.

Page 67, line 26, delete "The release under section 8.5" and insert "**If the properly identified person that owns or holds a lien on a vehicle appears at the site of storage before disposal of the vehicle or parts and pays all costs incurred against the vehicle or parts at that time, the vehicle or parts shall be released.**".

Page 67, delete lines 27 through 31.

Page 70, line 19, delete "who" and insert "**that**".

Page 70, line 19, delete "mechanic's".

Page 70, line 25, delete "who" and insert "**that**".

Page 70, line 32, delete "mechanic's".

Page 70, line 35, delete "mechanic's".

Page 70, line 36, after "4," insert "**16,**".

Page 71, line 24, delete "who" and insert "**that**".

Page 71, line 24, delete "mechanic's".

Page 71, line 25, delete "who" and insert "**that**".

Page 71, line 31, delete "IC 9-22-1-9;" and insert "**section 19 of this chapter;**".

Page 71, line 34, delete "who" and insert "**that**".

Page 71, line 34, delete "mechanic's".

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- Page 71, line 36, delete "who" and insert **"that"**.
- Page 71, line 37, delete "mechanic's".
- Page 71, line 39, delete "mechanic's".
- Page 71, line 41, delete "mechanic's".
- Page 72, line 1, delete "who" and insert **"that"**.
- Page 72, line 1, delete "mechanic's".
- Page 72, line 3, delete "who" and insert **"that"**.
- Page 72, line 3, delete "mechanic's".
- Page 72, line 4, delete "mechanic's".
- Page 72, line 7, delete "mechanic's".
- Page 72, line 13, delete "who" and insert **"that"**.
- Page 72, line 13, delete "mechanic's".
- Page 72, line 15, delete "who" and insert **"that"**.
- Page 72, line 15, delete "mechanic's".
- Page 72, between lines 26 and 27, begin a new paragraph and insert:
"(j) A person that knowingly, intentionally, or recklessly violates this section commits a Class A misdemeanor."
- Page 75, line 29, delete "salvage motor".
- Page 75, line 30, delete "salvage".
- Page 76, line 22, delete "salvage motor".
- Page 76, line 31, delete "salvage motor".
- Page 76, line 32, delete "salvage motor".
- Page 76, line 37, delete "salvage motor".
- Page 78, line 38, delete "salvage motor".
- Page 79, line 29, strike "motor".
- Page 79, between lines 40 and 41, begin a new paragraph and insert:
"SECTION 221. IC 9-22-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The application required under section 2 of this chapter must include the following information:
- (1) The name and address of the applicant.
 - (2) The year, make, model, and engine number of the **motor** vehicle, if ascertainable, together with any other identifying features.
 - (3) A concise statement of the facts surrounding the abandonment of the **motor** vehicle, that the title of the **motor** vehicle is lost or destroyed, or the reasons for the defect of title in the owner of the **motor** vehicle.
- (b) The person making the application required under section 2 of this chapter shall execute an affidavit stating that the facts alleged in the application are true and that no material fact has been withheld."
- Page 81, line 13, delete "abandoned".

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Page 81, line 14, strike "motor".
 Page 81, line 23, delete "abandoned".
 Page 81, line 24, strike "motor".
 Page 81, line 31, after "who" insert ":".
 Page 81, line 32, reset in roman "(1) owns a".
 Page 81, line 32, reset in roman "vehicle that has a title that is
 faulty, lost, or".
 Page 81, reset in roman line 33.
 Page 81, line 34, reset in roman "(2)".
 Page 81, line 34, reset in roman "the".
 Page 81, line 34, delete "an abandoned".
 Page 81, line 34, strike "motor".
 Page 81, line 38, reset in roman "not described in section 12 of this".
 Page 81, line 39, reset in roman "chapter".
 Page 81, line 39, strike "an abandoned motor" and insert "a".
 Page 82, line 4, strike "abandoned motor".
 Page 82, line 8, strike "abandoned motor".
 Page 82, line 9, strike "an abandoned motor" and insert "a".
 Page 85, line 24, delete "who" and insert "that".
 Page 85, line 27, delete "motor".
 Page 85, line 31, delete "motor".
 Page 85, line 32, delete "who" and insert "that".
 Page 86, line 3, delete "who" and insert "that".
 Page 86, line 9, delete "who" and insert "that".
 Page 86, line 40, delete "who" and insert "that".
 Page 86, line 40, delete "must:" and insert "must".
 Page 86, line 41, delete "(1)".
 Page 86, line 41, delete "who" and insert "that".
 Page 86, line 42, delete "who" and insert "that".
 Page 86, run in lines 40 through 41.
 Page 87, line 1, delete "requested; or" and insert "requested,".
 Page 87, delete lines 2 through 5.
 Page 87, run in lines 1 through 6.
 Page 87, line 8, delete "who" and insert "that".
 Page 87, line 10, delete "who" and insert "that".
 Page 87, line 14, delete "who" and insert "that".
 Page 87, line 17, delete "who" and insert "that".
 Page 87, line 19, delete "who" and insert "that".
 Page 87, line 25, delete "who" and insert "that".
 Page 87, line 27, delete "who" and insert "that".
 Page 87, line 29, delete "who" and insert "that".
 Page 87, line 31, delete "who" and insert "that".

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Page 87, line 32, delete "who" and insert **"that"**.

Page 87, between lines 40 and 41, begin a new line block indented and insert:

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

Page 88, line 2, delete "who" and insert **"that"**.

Page 99, line 33, after "commercial" insert **"motor"**.

Page 115, delete lines 5 through 42.

Page 116, delete lines 1 through 7.

Page 117, line 11, delete "a".

Page 117, line 12, delete "license and for the renewal of".

Page 117, delete lines 16 through 29, begin a new line block indented and insert:

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

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

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

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

Page 117, line 39, delete "(before its repeal)".

Page 117, line 39, strike "at midnight of the twenty-first birthday of".

Page 117, line 40, strike "the holder." and insert **"in accordance with IC 9-24-11-3(e)"**.

Page 124, line 34, after "permit" insert **"privileges"**.

Page 124, line 34, reset in roman "issued".

Page 124, line 34, delete "privileges granted".

Page 124, line 38, after "permit" insert **"privileges"**.

Page 124, line 38 reset in roman "issued".

Page 124, line 38, delete "privileges granted".

Page 125, line 3, reset in roman "issuing".

Page 125, line 4, delete "granting".

Page 125, line 38, reset in roman "issue".

Page 125, line 38, delete "grant".

Page 142, line 41, after "(a)" insert ",."

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Page 142, line 41, strike "or subsection".
 Page 142, line 41, after "(b)" insert ", or (c)".
 Page 143, line 38, reset in roman "in the future."
 Page 143, line 38, after "future" delete ".".
 Page 144, line 14, before "financial" insert "**future**".
 Page 144, line 26, reset in roman "in the".
 Page 144, line 27, reset in roman "future."
 Page 144, line 27, after "future" delete ".".
 Page 160, line 11, before "vehicle" insert "**motor**".
 Page 160, line 13, after "place" strike "in" and insert "**on**".
 Page 170, line 33, reset in roman "IC 9-24-11-3 or".
 Page 170, delete lines 35 through 42, begin a new paragraph and insert the following:

"(c) Notwithstanding subsection (a), the fee for the renewal of an operator's license issued under IC 9-24 that contains a 2012 expiration date is as follows:

- (1) If the license was previously issued or renewed after May 14, 2007, and before January 1, 2008, the fee is seven dollars and fifty cents (\$7.50).**
- (2) If the license was previously issued or renewed after December 31, 2007, and before January 1, 2009, the fee is nine dollars (\$9).**
- (3) If the license was previously issued or renewed after December 31, 2005, and before January 1, 2007, the fee is six dollars (\$6).**

This subsection does not apply to the renewal of an operator's license that contains an expiration date after 2012."

Page 171, delete lines 1 through 3.
 Page 174, line 35, reset in roman "driving".
 Page 174, line 35, delete "driver's".
 Page 174, line 35, strike "license" and insert "**privileges**".
 Page 178, line 17, delete ".".
 Page 178, line 17, reset in roman "in the future".
 Page 178, line 17, after "future" insert ".".
 Page 182, line 6, delete ":".
 Page 182, line 7, delete "(1)".
 Page 182, run in lines 6 through 7.
 Page 182, line 9, delete "person; or" and insert "**person**".
 Page 182, delete lines 10 through 11.
 Page 188, line 8, reset in roman "issues".
 Page 188, line 8, delete "grants".
 Page 188, line 9, reset in roman "issue".



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- Page 188, line 9, delete "grant".
- Page 191, line 18, reset in roman "issue".
- Page 191, line 18, delete "grant".
- Page 191, line 25, reset in roman "Issue".
- Page 191, line 25, delete "Grant".
- Page 197, line 15, delete "grant" and insert "**issue**".
- Page 199, line 3, delete "Grant" and insert "**Issue**".
- Page 200, line 8, delete "grant" and insert "**issue**".
- Page 201, line 32, delete "grant" and insert "**issue**".
- Page 204, line 23, reset in roman "issue".
- Page 204, line 23, delete "grant".
- Page 205, line 22, reset in roman "issue".
- Page 205, line 22, delete "grant".
- Page 205, line 25, reset in roman "issued".
- Page 205, line 25, delete "granted".
- Page 205, line 31, reset in roman "issued".
- Page 205, line 32, delete "granted".
- Page 205, line 33, reset in roman "issue".
- Page 205, line 33, delete "grant".
- Page 205, line 40, delete "Grant" and insert "**Issue**".
- Page 210, line 29, delete "agency:" and insert "**agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.**".
- Page 210, delete lines 30 through 32.
- Page 211, line 4, delete "agency:" and insert "**agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.**".
- Page 211, delete lines 5 through 7.
- Page 216, line 25, strike "or".
- Page 216, line 25, after "sale" insert ",".
- Page 217, line 32, after "IC 9-29-15-1" delete "and" and insert "**and**".
- Page 222, between lines 17 and 18, begin a new paragraph and insert:
 "SECTION 493. IC 14-15-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. As used in this chapter, "Indiana driver's license" means:
 (1) an operator's license;
 (2) a chauffeur's license; or
 (3) a public passenger chauffeur's license;
 that is issued to an individual by the bureau of motor vehicles under ~~IC 9-24-3~~. **IC 9-24.**".



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Page 226, line 30, strike "operator's license;" and insert "**driving privileges;**".

Page 226, line 31, strike "learner's permit;" and insert "**driving privileges;**".

Page 226, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 499. IC 31-37-19-18, AS AMENDED BY P.L.109-2011, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. If the court orders invalidation or denial of issuance of a ~~driver's license or permit~~ **driving privileges** as described in IC 31-37-5-7 or section 4, 13, 14, 15, 16, 17, or 17.3 of this chapter (or IC 31-6-4-15.9(c), IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before the repeal of IC 31-6-4-15.9):

- (1) the bureau of motor vehicles shall comply with the order for invalidation or denial of issuance; and
- (2) the child shall surrender to the court all driver's licenses or permits of the child and the court shall immediately forward the licenses or permits to the bureau of motor vehicles.

If a juvenile court recommends suspension of driving privileges under section 17.3 of this chapter, IC 9-30-6-12(b), IC 9-30-6-12(c), IC 9-30-6-12(d), and IC 9-30-6-12(e) apply to the child's driving privileges.

SECTION 500. IC 31-40-2-1.7, AS ADDED BY P.L.2-2005, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1.7. (a) A person may pay a monthly probation user's fee under section 1 or 1.5 of this chapter before the date the payment is required to be made without obtaining the prior approval of a court or a probation department. However, if a delinquent child is discharged from probation before the date the delinquent child was scheduled to be released from probation, any monthly probation user's fee paid in advance for the delinquent child may not be refunded.

(b) A probation department may petition a court to:

- (1) impose a probation user's fee on a person; or
- (2) increase a person's probation user's fee;

under section 1 or 1.5 of this chapter if the financial ability of the person to pay a probation user's fee changes while the person is on probation.

(c) An order to pay a probation user's fee under section 1 or 1.5 of this chapter:

- (1) is a judgment lien that:
 - (A) attaches to the property of the person subject to the order;



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- (B) may be perfected;
- (C) may be enforced to satisfy any payment that is delinquent under section 1 or 1.5 of this chapter; and
- (D) expires;

in the same manner as a judgment lien created in a civil proceeding;

- (2) is not discharged by the completion of the person's probationary period or other sentence imposed on the person; and
- (3) is not discharged by the liquidation of a person's estate by a receiver under IC 32-30-5.

(d) A delinquent child placed on probation for more than one (1) delinquent act:

- (1) may be required to pay more than one (1) initial probation user's fee; and
- (2) may not be required to pay more than one (1) monthly probation user's fee per month;

to either the probation department or the clerk of the court.

(e) If a court orders a person to pay a probation user's fee under section 1 or 1.5 of this chapter, the court may garnish the wages, salary, and other income earned by the person to enforce the order.

(f) If:

- (1) a person is delinquent in paying the person's probation user's fees required under section 1 or 1.5 of this chapter; and
- (2) the person's **driving privileges or** driver's license or permit **has have** been suspended or revoked or the person has never been issued a driver's license or permit;

the court may order the bureau of motor vehicles to not issue a driver's license or permit to the person until the person has paid the person's delinquent probation user's fees."

Page 232, line 4, strike "drivers' license is" and insert "**driving privileges are**".

Page 241, between lines 4 and 5, begin a new line block indented and insert:

"IC 9-22-1-21.5 (Concerning liens on vehicles)."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 257 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

SB 257—LS 6814/DI 96+



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