

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred House Bill No. 1197, 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:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 2-5-28.5-1.3 IS REPEALED [EFFECTIVE
- 4 JANUARY 1, 2013]. Sec. 1.3. As used in this chapter, "motor scooter"
- 5 has the meaning set forth in IC 9-13-2-104."
- 6 Page 5, reset in roman line 22.
- 7 Page 5, line 23, after "bicycle." insert "**moped**".
- 8 Page 5, line 24, delete "(e) (d)" and insert "(e)".
- 9 Page 5, line 26, delete "(f) (e)" and insert "(f)".
- 10 Page 5, delete lines 34 through 42, begin a new paragraph and
- 11 insert:
- 12 "SECTION 14. IC 9-13-2-109 IS AMENDED TO READ AS
- 13 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 109. "**Motorized**
- 14 **bicycle**" "**Moped**" means a **two (2) or three (3) wheeled motor** vehicle
- 15 **that is propelled by an internal combustion engine or a battery powered**
- 16 **motor, and if powered by an internal combustion engine, has the**
- 17 **following: (1) An engine rating of not more than two (2) horsepower**
- 18 **and a cylinder capacity not exceeding fifty (50) cubic centimeters. (2)**
- 19 **An automatic transmission. (3) A maximum design speed of not more**
- 20 **than twenty-five (25) miles per hour on a flat surface. with motive**
- 21 **power that:**

- 1 **(1) has a seat or saddle for the use of the rider;**
 2 **(2) is designed to travel on not more than three (3) wheels in**
 3 **contact with the ground; and**
 4 **(3) is not capable of being operated at a speed greater than**
 5 **thirty (30) miles per hour on a flat surface.**

6 The term does not include an electric personal assistive mobility
 7 device."

8 Page 6, delete lines 1 through 4.

9 Page 7, delete lines 10 through 42, begin a new paragraph and
 10 insert:

11 "SECTION 16. IC 9-17-1-1, AS AMENDED BY P.L.182-2009(ss),
 12 SECTION 284, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JANUARY 1, 2013]: Sec. 1. This article does not apply
 14 to farm wagons, a golf cart when operated in accordance with an
 15 ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a), ~~or~~ a
 16 motor vehicle that was designed to have a maximum design speed of
 17 not more than twenty-five (25) miles per hour and that was built,
 18 constructed, modified, or assembled by a person other than the
 19 manufacturer, **or, except where specifically provided otherwise, a**
 20 **moped.**

21 SECTION 17. IC 9-17-2-1.7 IS ADDED TO THE INDIANA CODE
 22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 23 JANUARY 1, 2013]: Sec. 1.7. **(a) Notwithstanding any other law, a**
 24 **person may apply to the bureau for a certificate of title for a**
 25 **moped. However, a person is not required to obtain a certificate of**
 26 **title from the bureau for a moped before the person may operate**
 27 **the moped upon a highway.**

28 **(b) The bureau may adopt rules under IC 4-22-2 to determine**
 29 **the indication of ownership for a moped for purposes of obtaining**
 30 **a certificate of title for the moped under this article."**

31 Page 8, line 17, after "fee." insert "**The bureau may adopt rules**
 32 **under IC 4-22-2 to determine the requirements for registering a**
 33 **moped with the bureau."**

34 Page 14, line 10, strike "twenty-five (25)" and insert "**thirty (30)**".

35 Page 14, line 27, after "individual" insert "**driving or**".

36 Page 14, line 27, delete "under IC 9-21-11-12".

37 Page 14, line 37, reset in roman "permit".

38 Page 14, line 37, after "permit" insert "**or an**".

39 Page 14, line 38, delete "card" and insert "**card, as applicable,**".

40 Page 15, line 1, after "or the" insert "**identification card or**".

41 Page 15, line 1, delete "permit" and insert "**permit, as applicable,**".

42 Page 15, delete lines 4 through 7.

- 1 Renumber all SECTIONS consecutively.
 (Reference is to HB 1197 as printed January 27, 2012.)

and when so amended that said bill do pass .

Committee Vote: Yeas 6, Nays 2.

Senator Wyss, Chairperson