

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:

- 1 Page 4, between lines 34 and 35, begin a new paragraph and insert
2 the following:
3 "SECTION 12. IC 9-13-2-48, AS AMENDED BY P.L.184-2007,
4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 48. **(a) Except as provided in subsection (b),**
6 "driver's license" means any type of license issued by the state
7 authorizing an individual to operate a motor vehicle on public streets,
8 roads, or highways.
9 **(b) "Driver's license", for purposes of IC 9-28-2, has the**
10 **meaning set forth in IC 9-28-2-4.**
11 SECTION 13. IC 9-13-2-48.3 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2012]: **Sec. 48.3. "Driving privileges" means**
14 **the authority granted to an individual that allows the individual to**
15 **operate a vehicle of the type and in the manner for which the**
16 **authority was granted.**
17 SECTION 14. IC 9-13-2-48.5 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2012]: **Sec. 48.5. "Driving record" means a**
20 **record:**
21 **(1) maintained by the bureau as required under IC 9-14-3-7;**

- 1 **and**
- 2 **(2) established by the bureau under IC 9-24-18-9."**
- 3 Page 6, line 42, delete "sixteen (16)" and insert "**fifteen (15)**
- 4 **individuals"**.
- 5 Page 6, line 42, delete "more" and insert "**more**".
- 6 Page 7, line 1, delete "passengers".
- 7 Page 13, between lines 26 and 27, begin a new paragraph and insert:
- 8 "SECTION 45. IC 9-14-3.5-5, AS AMENDED BY P.L.184-2007,
- 9 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 JULY 1, 2012]: Sec. 5. As used in this chapter, "personal information"
- 11 means information that identifies a person, including an individual's:
- 12 (1) digital photograph **or image**;
- 13 (2) Social Security number;
- 14 (3) driver's license or identification document number;
- 15 (4) name;
- 16 (5) address (but not the 5-digit zip code);
- 17 (6) telephone number; or
- 18 (7) medical or disability information.
- 19 The term does not include information about vehicular accidents,
- 20 driving or equipment related violations, and ~~operator's~~ **driver's** license
- 21 or registration status."
- 22 Page 29, line 25, after "who" insert "**obtained or**".
- 23 Page 31, line 17, delete "**IC 9-17-2-12(c)**;" and insert "**IC**
- 24 **9-17-2-12**;".
- 25 Page 32, line 29, delete "prescribed in IC 9-29-4," and insert
- 26 "**prescribed**".
- 27 Page 33, line 8, delete "vehicles." and insert "**trailers**".
- 28 Page 38, line 24, after "license" insert "**plate**".
- 29 Page 47, line 35, delete "." and insert "**or foreign country**".
- 30 Page 57, line 11, strike "or decal".
- 31 Page 67, line 13, delete "If the properly identified" and insert "**The**
- 32 **release under section 9.5 of this chapter must state the name,**
- 33 **signature, and address of the person that owns or holds a lien on**
- 34 **the vehicle, a description of the vehicle or parts, costs, and date of**
- 35 **release. A towing service shall notify the appropriate public agency**
- 36 **of all releases under section 9.5 of this chapter."**
- 37 Page 67, delete lines 14 through 17.
- 38 Page 67, line 26, delete "The release under section 8.5" and insert
- 39 "**If the properly identified person that owns or holds a lien on a**
- 40 **vehicle appears at the site of storage before disposal of the vehicle**
- 41 **or parts and pays all costs incurred against the vehicle or parts at**
- 42 **that time, the vehicle or parts shall be released."**

- 1 Page 67, delete lines 27 through 31.
- 2 Page 70, line 19, delete "who" and insert **"that"**.
- 3 Page 70, line 19, delete "mechanic's".
- 4 Page 70, line 25, delete "who" and insert **"that"**.
- 5 Page 70, line 32, delete "mechanic's".
- 6 Page 70, line 35, delete "mechanic's".
- 7 Page 70, line 36, after "4," insert **"16,"**.
- 8 Page 71, line 24, delete "who" and insert **"that"**.
- 9 Page 71, line 24, delete "mechanic's".
- 10 Page 71, line 25, delete "who" and insert **"that"**.
- 11 Page 71, line 31, delete "IC 9-22-1-9;" and insert **"section 19 of this**
- 12 **chapter;"**.
- 13 Page 71, line 34, delete "who" and insert **"that"**.
- 14 Page 71, line 34, delete "mechanic's".
- 15 Page 71, line 36, delete "who" and insert **"that"**.
- 16 Page 71, line 37, delete "mechanic's".
- 17 Page 71, line 39, delete "mechanic's".
- 18 Page 71, line 41, delete "mechanic's".
- 19 Page 72, line 1, delete "who" and insert **"that"**.
- 20 Page 72, line 1, delete "mechanic's".
- 21 Page 72, line 3, delete "who" and insert **"that"**.
- 22 Page 72, line 3, delete "mechanic's".
- 23 Page 72, line 4, delete "mechanic's".
- 24 Page 72, line 7, delete "mechanic's".
- 25 Page 72, line 13, delete "who" and insert **"that"**.
- 26 Page 72, line 13, delete "mechanic's".
- 27 Page 72, line 15, delete "who" and insert **"that"**.
- 28 Page 72, line 15, delete "mechanic's".
- 29 Page 72, between lines 26 and 27, begin a new paragraph and insert:
- 30 **"(j) A person that knowingly, intentionally, or recklessly violates**
- 31 **this section commits a Class A misdemeanor."**
- 32 Page 75, line 29, delete "salvage motor".
- 33 Page 75, line 30, delete "salvage".
- 34 Page 76, line 22, delete "salvage motor".
- 35 Page 76, line 31, delete "salvage motor".
- 36 Page 76, line 32, delete "salvage motor".
- 37 Page 76, line 37, delete "salvage motor".
- 38 Page 78, line 38, delete "salvage motor".
- 39 Page 79, line 29, strike "motor".
- 40 Page 79, between lines 40 and 41, begin a new paragraph and insert:
- 41 "SECTION 221. IC 9-22-5-4 IS AMENDED TO READ AS
- 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The application

- 1 required under section 2 of this chapter must include the following
 2 information:
- 3 (1) The name and address of the applicant.
 - 4 (2) The year, make, model, and engine number of the ~~motor~~
 5 vehicle, if ascertainable, together with any other identifying
 6 features.
 - 7 (3) A concise statement of the facts surrounding the abandonment
 8 of the ~~motor~~ vehicle, that the title of the ~~motor~~ vehicle is lost or
 9 destroyed, or the reasons for the defect of title in the owner of the
 10 ~~motor~~ vehicle.
- 11 (b) The person making the application required under section 2 of
 12 this chapter shall execute an affidavit stating that the facts alleged in
 13 the application are true and that no material fact has been withheld."
- 14 Page 81, line 13, delete "abandoned".
 15 Page 81, line 14, strike "motor".
 16 Page 81, line 23, delete "abandoned".
 17 Page 81, line 24, strike "motor".
 18 Page 81, line 31, after "who" insert ":".
 19 Page 81, line 32, reset in roman "(1) owns a".
 20 Page 81, line 32, reset in roman "vehicle that has a title that is
 21 faulty, lost, or".
 22 Page 81, reset in roman line 33.
 23 Page 81, line 34, reset in roman "(2)".
 24 Page 81, line 34, reset in roman "the".
 25 Page 81, line 34, delete "an abandoned".
 26 Page 81, line 34, strike "motor".
 27 Page 81, line 38, reset in roman "not described in section 12 of this".
 28 Page 81, line 39, reset in roman "chapter".
 29 Page 81, line 39, strike "an abandoned motor" and insert "**a**".
 30 Page 82, line 4, strike "abandoned motor".
 31 Page 82, line 8, strike "abandoned motor".
 32 Page 82, line 9, strike "an abandoned motor" and insert "**a**".
 33 Page 85, line 24, delete "who" and insert "**that**".
 34 Page 85, line 27, delete "motor".
 35 Page 85, line 31, delete "motor".
 36 Page 85, line 32, delete "who" and insert "**that**".
 37 Page 86, line 3, delete "who" and insert "**that**".
 38 Page 86, line 9, delete "who" and insert "**that**".
 39 Page 86, line 40, delete "who" and insert "**that**".
 40 Page 86, line 40, delete "must:" and insert "**must**".
 41 Page 86, line 41, delete "(1)".
 42 Page 86, line 41, delete "who" and insert "**that**".

- 1 Page 86, line 42, delete "who" and insert **"that"**.
- 2 Page 86, run in lines 40 through 41.
- 3 Page 87, line 1, delete "requested; or" and insert **"requested,"**.
- 4 Page 87, delete lines 2 through 5.
- 5 Page 87, run in lines 1 through 6.
- 6 Page 87, line 8, delete "who" and insert **"that"**.
- 7 Page 87, line 10, delete "who" and insert **"that"**.
- 8 Page 87, line 14, delete "who" and insert **"that"**.
- 9 Page 87, line 17, delete "who" and insert **"that"**.
- 10 Page 87, line 19, delete "who" and insert **"that"**.
- 11 Page 87, line 25, delete "who" and insert **"that"**.
- 12 Page 87, line 27, delete "who" and insert **"that"**.
- 13 Page 87, line 29, delete "who" and insert **"that"**.
- 14 Page 87, line 31, delete "who" and insert **"that"**.
- 15 Page 87, line 32, delete "who" and insert **"that"**.
- 16 Page 87, between lines 40 and 41, begin a new line block indented
17 and insert:
- 18 **"(5) Any other information that the bureau requires."**
- 19 Page 88, line 2, delete "who" and insert **"that"**.
- 20 Page 99, line 33, after "commercial" insert **"motor"**.
- 21 Page 115, delete lines 5 through 42.
- 22 Page 116, delete lines 1 through 7.
- 23 Page 117, line 11, delete "a".
- 24 Page 117, line 12, delete "license and for the renewal of".
- 25 Page 117, delete lines 16 through 29, begin a new line block
26 indented and insert:
- 27 **"(1) If the license was previously issued or renewed after May**
28 **14, 2007, and before January 1, 2008, the license expires at**
29 **midnight on the birthday of the holder that occurs five (5)**
30 **years following the date of issuance.**
- 31 **(2) If the license was previously issued or renewed after**
32 **December 31, 2007, and before January 1, 2009, the license**
33 **expires at midnight on the birthday of the holder that occurs**
34 **six (6) years following the date of issuance.**
- 35 **(3) If the license was previously issued or renewed after**
36 **December 31, 2005, and before January 1, 2007, the license**
37 **expires at midnight on the birthday of the holder that occurs**
38 **four (4) years following the date of issuance.**
- 39 **This subsection does not apply to the issuance or renewal of an**
40 **operator's license that contains an expiration date after 2012."**
- 41 Page 117, line 39, delete "(before its repeal)".
- 42 Page 117, line 39, strike "at midnight of the twenty-first birthday

- 1 of".
- 2 Page 117, line 40, strike "the holder." and insert "**in accordance**
- 3 **with IC 9-24-11-3(e)**".
- 4 Page 124, line 34, after "permit" insert "**privileges**".
- 5 Page 124, line 34, reset in roman "issued".
- 6 Page 124, line 34, delete "privileges granted".
- 7 Page 124, line 38, after "permit" insert "**privileges**".
- 8 Page 124, line 38 reset in roman "issued".
- 9 Page 124, line 38, delete "privileges granted".
- 10 Page 125, line 3, reset in roman "issuing".
- 11 Page 125, line 4, delete "granting".
- 12 Page 125, line 38, reset in roman "issue".
- 13 Page 125, line 38, delete "grant".
- 14 Page 142, line 41, after "(a)" insert ",".
- 15 Page 142, line 41, strike "or subsection".
- 16 Page 142, line 41, after "(b)" insert ", **or (c)**".
- 17 Page 143, line 38, reset in roman "in the future.".
- 18 Page 143, line 38, after "future" delete ".".
- 19 Page 144, line 14, before "financial" insert "**future**".
- 20 Page 144, line 26, reset in roman "in the".
- 21 Page 144, line 27, reset in roman "future.".
- 22 Page 144, line 27, after "future" delete ".".
- 23 Page 160, line 11, before "vehicle" insert "**motor**".
- 24 Page 160, line 13, after "place" strike "in" and insert "**on**".
- 25 Page 170, line 33, reset in roman "IC 9-24-11-3 or".
- 26 Page 170, delete lines 35 through 42, begin a new paragraph and
- 27 insert the following:
- 28 "**(c) Notwithstanding subsection (a), the fee for the renewal of an**
- 29 **operator's license issued under IC 9-24 that contains a 2012**
- 30 **expiration date is as follows:**
- 31 **(1) If the license was previously issued or renewed after May**
- 32 **14, 2007, and before January 1, 2008, the fee is seven dollars**
- 33 **and fifty cents (\$7.50).**
- 34 **(2) If the license was previously issued or renewed after**
- 35 **December 31, 2007, and before January 1, 2009, the fee is nine**
- 36 **dollars (\$9).**
- 37 **(3) If the license was previously issued or renewed after**
- 38 **December 31, 2005, and before January 1, 2007, the fee is six**
- 39 **dollars (\$6).**
- 40 **This subsection does not apply to the renewal of an operator's**
- 41 **license that contains an expiration date after 2012.**".
- 42 Page 171, delete lines 1 through 3.

- 1 Page 174, line 35, reset in roman "driving".
- 2 Page 174, line 35, delete "driver's".
- 3 Page 174, line 35, strike "license" and insert "**privileges**".
- 4 Page 178, line 17, delete ".".
- 5 Page 178, line 17, reset in roman "in the future".
- 6 Page 178, line 17, after "future" insert ".".
- 7 Page 182, line 6, delete ":".
- 8 Page 182, line 7, delete "(1)".
- 9 Page 182, run in lines 6 through 7.
- 10 Page 182, line 9, delete "person; or" and insert "**person.**".
- 11 Page 182, delete lines 10 through 11.
- 12 Page 188, line 8, reset in roman "issues".
- 13 Page 188, line 8, delete "grants".
- 14 Page 188, line 9, reset in roman "issue".
- 15 Page 188, line 9, delete "grant".
- 16 Page 191, line 18, reset in roman "issue".
- 17 Page 191, line 18, delete "grant".
- 18 Page 191, line 25, reset in roman "Issue".
- 19 Page 191, line 25, delete "Grant".
- 20 Page 197, line 15, delete "grant" and insert "**issue**".
- 21 Page 199, line 3, delete "Grant" and insert "**Issue**".
- 22 Page 200, line 8, delete "grant" and insert "**issue**".
- 23 Page 201, line 32, delete "grant" and insert "**issue**".
- 24 Page 204, line 23, reset in roman "issue".
- 25 Page 204, line 23, delete "grant".
- 26 Page 205, line 22, reset in roman "issue".
- 27 Page 205, line 22, delete "grant".
- 28 Page 205, line 25, reset in roman "issued".
- 29 Page 205, line 25, delete "granted".
- 30 Page 205, line 31, reset in roman "issued".
- 31 Page 205, line 32, delete "granted".
- 32 Page 205, line 33, reset in roman "issue".
- 33 Page 205, line 33, delete "grant".
- 34 Page 205, line 40, delete "Grant" and insert "**Issue**".
- 35 Page 210, line 29, delete "agency:" and insert "**agency to pay the**
- 36 **arrearrage, which includes an income withholding order under**
- 37 **IC 31-16-15-2 or IC 31-16-15-2.5.**".
- 38 Page 210, delete lines 30 through 32.
- 39 Page 211, line 4, delete "agency:" and insert "**agency to pay the**
- 40 **arrearrage, which includes an income withholding order under**
- 41 **IC 31-16-15-2 or IC 31-16-15-2.5.**".
- 42 Page 211, delete lines 5 through 7.

1 Page 216, line 25, strike "or".

2 Page 216, line 25, after "sale" insert ",".

3 Page 217, line 32, after "IC 9-29-15-1" delete "and" and insert "
4 **and**".

5 Page 222, between lines 17 and 18, begin a new paragraph and
6 insert:

7 "SECTION 493. IC 14-15-11-4 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. As used in this
9 chapter, "Indiana driver's license" means:

10 (1) an operator's license;

11 (2) a chauffeur's license; or

12 (3) a public passenger chauffeur's license;

13 that is issued to an individual by the bureau of motor vehicles under
14 ~~IC 9-24-3. IC 9-24.~~"

15 Page 226, line 30, strike "operator's license;" and insert "**driving
16 privileges;**".

17 Page 226, line 31, strike "learner's permit;" and insert "**driving
18 privileges;**".

19 Page 226, between lines 34 and 35, begin a new paragraph and
20 insert:

21 "SECTION 499. IC 31-37-19-18, AS AMENDED BY
22 P.L.109-2011, SECTION 39, IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 18. If the court orders
24 invalidation or denial of issuance of a ~~driver's license or permit~~ **driving
25 privileges** as described in IC 31-37-5-7 or section 4, 13, 14, 15, 16, 17,
26 or 17.3 of this chapter (or IC 31-6-4-15.9(c), IC 31-6-4-15.9(d),
27 IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before the repeal of
28 IC 31-6-4-15.9):

29 (1) the bureau of motor vehicles shall comply with the order for
30 invalidation or denial of issuance; and

31 (2) the child shall surrender to the court all driver's licenses or
32 permits of the child and the court shall immediately forward the
33 licenses or permits to the bureau of motor vehicles.

34 If a juvenile court recommends suspension of driving privileges under
35 section 17.3 of this chapter, IC 9-30-6-12(b), IC 9-30-6-12(c),
36 IC 9-30-6-12(d), and IC 9-30-6-12(e) apply to the child's driving
37 privileges.

38 SECTION 500. IC 31-40-2-1.7, AS ADDED BY P.L.2-2005,
39 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2012]: Sec. 1.7. (a) A person may pay a monthly probation
41 user's fee under section 1 or 1.5 of this chapter before the date the
42 payment is required to be made without obtaining the prior approval of

1 a court or a probation department. However, if a delinquent child is
 2 discharged from probation before the date the delinquent child was
 3 scheduled to be released from probation, any monthly probation user's
 4 fee paid in advance for the delinquent child may not be refunded.

5 (b) A probation department may petition a court to:

6 (1) impose a probation user's fee on a person; or

7 (2) increase a person's probation user's fee;

8 under section 1 or 1.5 of this chapter if the financial ability of the
 9 person to pay a probation user's fee changes while the person is on
 10 probation.

11 (c) An order to pay a probation user's fee under section 1 or 1.5 of
 12 this chapter:

13 (1) is a judgment lien that:

14 (A) attaches to the property of the person subject to the order;

15 (B) may be perfected;

16 (C) may be enforced to satisfy any payment that is delinquent
 17 under section 1 or 1.5 of this chapter; and

18 (D) expires;

19 in the same manner as a judgment lien created in a civil
 20 proceeding;

21 (2) is not discharged by the completion of the person's
 22 probationary period or other sentence imposed on the person; and

23 (3) is not discharged by the liquidation of a person's estate by a
 24 receiver under IC 32-30-5.

25 (d) A delinquent child placed on probation for more than one (1)
 26 delinquent act:

27 (1) may be required to pay more than one (1) initial probation
 28 user's fee; and

29 (2) may not be required to pay more than one (1) monthly
 30 probation user's fee per month;

31 to either the probation department or the clerk of the court.

32 (e) If a court orders a person to pay a probation user's fee under
 33 section 1 or 1.5 of this chapter, the court may garnish the wages, salary,
 34 and other income earned by the person to enforce the order.

35 (f) If:

36 (1) a person is delinquent in paying the person's probation user's
 37 fees required under section 1 or 1.5 of this chapter; and

38 (2) the person's **driving privileges or** driver's license or permit
 39 **has have** been suspended or revoked or the person has never been
 40 issued a driver's license or permit;

41 the court may order the bureau of motor vehicles to not issue a driver's
 42 license or permit to the person until the person has paid the person's

- 1 delinquent probation user's fees."
- 2 Page 232, line 4, strike "drivers' license is" and insert "**driving**
- 3 **privileges are**".
- 4 Page 241, between lines 4 and 5, begin a new line block indented
- 5 and insert:
- 6 "**IC 9-22-1-21.5 (Concerning liens on vehicles)**".
- 7 Renumber all SECTIONS consecutively.
(Reference is to SB 257 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 9, Nays 0.

Senator Wyss, Chairperson