March 13, 2013

ENGROSSED
HOUSE BILL No. 1347

DIGEST OF HB 1347 (Updated March 12, 2013 11:30 am - DI 71)

Citations Affected: IC 9-13; IC 9-19.

Synopsis: Chaplain driving personal vehicle to emergency. Provides that a chaplain of a full-time police or fire department (chaplain) may display certain green and white lights (lights) on the privately owned vehicle of the chaplain while serving the duties of the department en route to scenes of emergencies. Requires a chaplain operating a vehicle displaying lights to obey all traffic rules. Provides that a person who is not a chaplain who displays lights commits a Class C infraction.

Effective: July 1, 2013.

Stemler, Kirchhofer, Frye R, Klinker

(SENATE SPONSORS — BANKS, KRUSE)

January 17, 2013, read first time and referred to Committee on Veterans Affairs and Public Safety.
February 12, 2013, amended, reported — Do Pass.
February 14, 2013, read second time, ordered engrossed. Engrossed.
February 18, 2013, read third time, passed. Yeas 98, nays 0.

SENATE ACTION

February 25, 2013, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.
March 12, 2013, reported favorably — Do Pass.

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March 13, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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ENGROSSED
HOUSE BILL No. 1347

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:

SECTION 1. IC 9-13-2-19.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 19.4. "Chaplain", for purposes of IC 9-19-14.5, has the meaning set forth in IC 9-19-14-0.5.**

SECTION 2. IC 9-19-14.5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 0.5. As used in this chapter, "chaplain" means an individual who is appointed or officially designated to serve, with or without compensation, as a chaplain of either of the following:**

(1) A full-time police department of a municipality (as defined by IC 36-1-2-11).

(2) A full-time fire department of a municipality (as defined by IC 36-1-2-11).

SECTION 3. IC 9-19-14.5-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 1.5. (a) A chaplain may display**

flashing green and white lights on a privately owned motor vehicle of the chaplain while serving the duties of the department en route to the scene of an emergency.

(b) If a motor vehicle displays lights for use under subsection (a), the motor vehicle must be equipped with either of the following:

(1) At least two (2) signal lamps capable of displaying a green beam and a white beam that meet the following requirements:

(A) The signal lamps are mounted as high and as widely spaced laterally as practicable or mounted in a manner that will make the lights visible to oncoming traffic one hundred eighty (180) degrees around the front of the vehicle.

(B) The signal lamps are capable of displaying to the front alternately flashing green and white lights.

(C) The signal lamp capable of displaying the green beam is located on the driver's side of the vehicle and the signal lamp capable of displaying the white beam is located on the passenger's side of the vehicle.

(2) One (1) signal lamp that is capable of displaying a green beam and a white beam in a manner that will make the light visible to oncoming traffic one hundred eighty (180) degrees in front of the vehicle.

(c) In order for a chaplain to display green and white lights on a private motor vehicle, the chaplain must:

(1) secure a written permit from the executive (as defined in IC 36-1-2-5) of the municipality in which the chaplain serves to use the green and white lights; and

(2) carry the permit at all times when the green and white lights are displayed.

(d) A permittee of the owner of a motor vehicle lawfully equipped with green and white lights as set forth in subsection (b) may operate the motor vehicle only if the green and white lights are not illuminated.

(e) This section does not grant a motor vehicle displaying green and white lights the right-of-way under IC 9-21-8-35 or an exemption from traffic rules under IC 9-21-1-8. A driver of a motor vehicle displaying green and white lights shall obey all traffic rules.

(f) This section may not be construed to include a motor vehicle:

(1) displaying green and white lights; and

(2) driven by a chaplain as an authorized emergency vehicle

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(as defined by IC 9-13-2-6).

SECTION 4. IC 9-19-14.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. **(a)** Except as provided in section 1 of this chapter, a person who displays on any public or private motor vehicle at any time flashing or revolving green lights of any size or shape commits a Class C infraction.

(b) Except as provided in section 1.5 of this chapter, a person who displays on any public or private motor vehicle at any time flashing green and white lights of any size or shape commits a Class C infraction.

SECTION 5. IC 9-19-14.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. **(a)** This chapter does not prohibit the operation of a vehicle lawfully equipped with a flashing or revolving green light from being operated as any other vehicle when the green light is not illuminated.

(b) This chapter does not prohibit the operation of a motor vehicle lawfully equipped with flashing green and white lights from being operated as any other motor vehicle when the green and white lights are not illuminated.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1347, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "IC 9-19-14" and insert "IC 9-19-14.5".

Page 1, line 5, delete "IC 9-19-14-0.5" and insert "IC 9-19-14.5-0.5".

Page 1, delete lines 14 through 17.

Page 2, delete lines 1 through 5.

Page 2, line 6, delete "IC 9-19-14-7" and insert "IC 9-19-14.5-1.5".

Page 2, line 8, delete "7. (a) A chaplain may display blue and white lights on" and insert "**1.5. (a) A chaplain may display flashing green and white lights on a privately owned motor vehicle of the chaplain while serving the duties of the department en route to the scene of an emergency.**

(b) If a motor vehicle displays lights for use under subsection (a), the motor vehicle must be equipped with either of the following:

(1) At least two (2) signal lamps capable of displaying a green beam and a white beam that meet the following requirements:

(A) The signal lamps are mounted as high and as widely spaced laterally as practicable or mounted in a manner that will make the lights visible to oncoming traffic one hundred eighty (180) degrees around the front of the vehicle.

(B) The signal lamps are capable of displaying to the front alternately flashing green and white lights.

(C) The signal lamp capable of displaying the green beam is located on the driver's side of the vehicle and the signal lamp capable of displaying the white beam is located on the passenger's side of the vehicle.

(2) One (1) signal lamp that is capable of displaying a green beam and a white beam in a manner that will make the light visible to oncoming traffic one hundred eighty (180) degrees in front of the vehicle.

(c) In order for a chaplain to display green and white lights on a private motor vehicle, the chaplain must:

(1) secure a written permit from the executive (as defined in IC 36-1-2-5) of the municipality in which the chaplain serves to use the green and white lights; and

(2) carry the permit at all times when the green and white

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lights are displayed.

(d) A permittee of the owner of a motor vehicle lawfully equipped with green and white lights as set forth in subsection (b) may operate the motor vehicle only if the green and white lights are not illuminated.

(e) This section does not grant a motor vehicle displaying green and white lights the right-of-way under IC 9-21-8-35 or an exemption from traffic rules under IC 9-21-1-8. A driver of a motor vehicle displaying green and white lights shall obey all traffic rules.

(f) This section may not be construed to include a motor vehicle:

(1) displaying green and white lights; and

(2) driven by a chaplain as an authorized emergency vehicle (as defined by IC 9-13-2-6).

SECTION 4. IC 9-19-14.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. **(a)** Except as provided in section 1 of this chapter, a person who displays on any public or private motor vehicle at any time flashing or revolving green lights of any size or shape commits a Class C infraction.

(b) Except as provided in section 1.5 of this chapter, a person who displays on any public or private motor vehicle at any time flashing green and white lights of any size or shape commits a Class C infraction.

SECTION 5. IC 9-19-14.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. **(a)** This chapter does not prohibit the operation of a vehicle lawfully equipped with a flashing or revolving green light from being operated as any other vehicle when the green light is not illuminated.

(b) This chapter does not prohibit the operation of a motor vehicle lawfully equipped with flashing green and white lights from being operated as any other motor vehicle when the green and white lights are not illuminated.".

Page 2, delete lines 9 through 42.

Delete page 3.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1347 as introduced.)

FRYE R, Chair

Committee Vote: yeas 13, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred House Bill No. 1347, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1347 as printed February 12, 2013.)

WYSS, Chairperson

Committee Vote: Yeas 8, Nays 0.

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