March 22, 2013

ENGROSSED
SENATE BILL No. 563

DIGEST OF SB 563 (Updated March 20, 2013 12:22 pm - DI 96)

Citations Affected: IC 6-6; IC 9-13; IC 9-14; IC 9-17; IC 9-18; IC 9-19; IC 9-22; IC 9-29; IC 9-31; IC 35-51.

Synopsis: Various motor vehicle issues. Amends various provisions concerning certificates of title and registrations for motor vehicles and watercraft. Relocates chapter concerning special identification numbers. Amends various provisions concerning license plates. Provides that amateur radio license plates are issued on a semipermanent basis. Exempts recipients of Purple Heart license plates from parking fees and fines. Amends various provisions relating to abandoned vehicles and mobile homes.

Effective: July 1, 2013.

Arnold J, Wyss, Delph

(HOUSE SPONSORS — SOLIDAY, STEMLER)

January 14, 2013, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.
January 29, 2013, amended, reported favorably — Do Pass.
February 5, 2013, read second time, ordered engrossed.
February 6, 2013, engrossed.
February 11, 2013, read third time, call withdrawn. Returned to second reading.
February 18, 2013, re-read second time, amended, ordered engrossed.
February 19, 2013, re-engrossed. Read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2013, read first time and referred to Committee on Roads and Transportation.
March 21, 2013, amended, reported — Do Pass.

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March 22, 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
SENATE BILL No. 563

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 6-6-4.1-13, AS AMENDED BY P.L.182-2009(ss), SECTION 236, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. (a) A carrier may, in lieu of paying the tax imposed under this chapter that would otherwise result from the operation of a particular commercial motor vehicle, obtain from the department a trip permit authorizing the carrier to operate the commercial motor vehicle for a period of five (5) consecutive days. The department shall specify the beginning and ending days on the face of the permit. The fee for a trip permit for each commercial motor vehicle is fifty dollars ($50). The report otherwise required under section 10 of this chapter is not required with respect to a vehicle for which a trip permit has been issued under this subsection.

(b) The department may issue a temporary written authorization if unforeseen or uncertain circumstances require operations by a carrier of a commercial motor vehicle for which neither a trip permit described in subsection (a) nor an annual permit described in section 12 of this chapter has been obtained. A temporary authorization may be issued

only if the department finds that undue hardship would result if operation under a temporary authorization were prohibited. A carrier who receives a temporary authorization shall:

(1) pay the trip permit fee at the time the temporary authorization is issued; or

(2) subsequently apply for and obtain an annual permit.

(c) A carrier may obtain an International Fuel Tax Agreement (IFTA) repair and maintenance permit to:

(1) travel from another state into Indiana to repair or maintain any of the carrier's motor vehicles, semitrailers (as defined in IC 9-13-2-164), or trailers (as defined in IC 9-13-2-184); and

(2) return to the same state after the repair or maintenance is completed.

The permit allows the travel described in this section. In addition to any other fee established in this chapter, and instead of paying the quarterly motor fuel tax imposed under this chapter, a carrier may pay an annual IFTA repair and maintenance fee of forty dollars ($40) and receive an IFTA annual repair and maintenance permit. The IFTA annual repair and maintenance permit and fee applies to all of the motor vehicles operated by a carrier. The IFTA annual repair and maintenance permit is not transferable to another carrier. A carrier may not carry cargo or passengers under the IFTA annual repair and maintenance permit. All fees collected under this subsection shall be deposited in the motor carrier regulation fund (IC 8-2.1-23). The report otherwise required under section 10 of this chapter is not required with respect to a motor vehicle that is operated under an IFTA annual repair and maintenance permit.

(d) A carrier may obtain an International Registration Plan (IRP) repair and maintenance permit to:

(1) travel from another state into Indiana to repair or maintain any of the carrier's motor vehicles, semitrailers (as defined in IC 9-13-2-164), or trailers (as defined in IC 9-13-2-184); and

(2) return to the same state after the repair or maintenance is completed.

The permit allows the travel described in this section. In addition to any other fee established in this chapter, and instead of paying apportioned or temporary IRP fees under IC 9-18-2 or IC 9-18-7, a carrier may pay an annual IRP repair and maintenance fee of forty dollars ($40) and receive an IRP annual repair and maintenance permit. The IRP annual repair and maintenance permit and fee applies to all of the motor vehicles operated by a carrier. The IRP annual repair and maintenance permit is not transferable to another carrier. A carrier may not carry

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cargo or passengers under the IRP annual repair and maintenance permit. All fees collected under this subsection shall be deposited in the motor carrier regulation fund (IC 8-2.1-23).

(e) A person may obtain a repair and maintenance permit to:

(1) move an unregistered off-road vehicle from a quarry or mine to a maintenance or repair facility; and

(2) return the unregistered off-road vehicle to its place of origin.

The fee for the permit is forty dollars ($40). The permit is an annual permit and applies to all unregistered off-road vehicles from the same quarry or mine.

(f) A carrier may obtain a repair, maintenance, and relocation permit to:

(1) move a yard tractor from a terminal or loading or spotting facility to:

(A) a maintenance or repair facility; or

(B) another terminal or loading or spotting facility; and

(2) return the yard tractor to its place of origin.

The fee for the permit is forty dollars ($40). The permit is an annual permit and applies to all yard tractors operated by the carrier. The permit is not transferable to another carrier. A carrier may not carry cargo or transport or draw a semitrailer or other vehicle under the permit. A carrier may operate a yard tractor under the permit instead of paying the tax imposed under this chapter. ~~A yard tractor that is being operated on a public highway under this subsection must display a license plate issued under IC 9-18-32.~~ As used in this section, "yard tractor" has the meaning set forth under IC 9-13-2-201.

(g) The department shall establish procedures, by rules adopted under IC 4-22-2, for:

(1) the issuance and use of trip permits, temporary authorizations, and repair and maintenance permits; and

(2) the display in commercial motor vehicles of evidence of compliance with this chapter.

SECTION 2. IC 9-13-2-1, AS AMENDED BY P.L.54-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. "Abandoned vehicle" means the following:

(1) A vehicle located on public property illegally.

(2) A vehicle left on public property without being moved for twenty-four (24) hours.

(3) A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of-way.

(4) A vehicle that has remained on private property without the

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consent of the owner or person in control of that property for more than forty-eight (48) hours.

(5) A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property.

(6) A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within twenty (20) days after the vehicle's removal.

(7) A vehicle that is at least three (3) model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than twenty (20) days. For purposes of this subdivision, a vehicle covered by a tarpaulin or other plastic, vinyl, rubber, cloth, or textile covering is considered to be visible.

(8) A vehicle:

(A) that was repaired or stored at the request of the owner;

(B) that has not been claimed by the owner; and

(C) for which the reasonable value of the charges associated with the repair or storage remain unpaid more than thirty (30) days after the date on which the repair work is completed or the vehicle was first stored.

SECTION 3. IC 9-13-2-34 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 34. "Component part" means ~~an~~ **the** engine, ~~a~~ transmission, ~~a~~ body-chassis, ~~a~~ doghouse (front assembly), ~~a~~ rear-end, or ~~a~~ frame **of a vehicle.**

SECTION 4. IC 9-13-2-37 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 37. "Converter manufacturer" means a person who adds to, subtracts from, or modifies a previously assembled or manufactured ~~van~~ motor vehicle. The term does not include a person who manufactures recreational vehicles.

SECTION 5. IC 9-13-2-58 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 58. "Farm truck", "farm trailer", or "farm semitrailer and tractor" ~~shall be identified in accordance with a rule adopted by the bureau.~~ **means a truck, trailer, or semitrailer and tractor used:**

(1) directly in the conduct of a commercial enterprise related to farming or agriculture; or

(2) for the transportation of farm products after the farm products have entered the channels of commerce.

The term does not include an implement of agriculture.

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SECTION 6. IC 9-13-2-75, AS AMENDED BY P.L.125-2012, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 75. "Identification number", for purposes of ~~IC 9-18-8-15,~~ **IC 9-17-4-18,** has the meaning set forth in ~~IC 9-18-8-15(b).~~ **IC 9-17-4-18.**

SECTION 7. IC 9-13-2-77, AS AMENDED BY P.L.210-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 77. ~~(a)~~ "Implement of agriculture" means agricultural implements, pull type and self-propelled, used for the:

(1) transport;
(2) delivery; or
(3) application;

of crop inputs, including seed, fertilizers, and crop protection products, and vehicles designed to transport these types of agricultural implements.

~~(b) The bureau shall determine by rule under IC 4-22-2 whether a category of implement of agriculture was designed to be operated primarily:~~

~~(1) in a farm field or on farm premises; or~~
~~(2) on a highway.~~

SECTION 8. IC 9-13-2-92, AS AMENDED BY SEA 85-2013, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 92. (a) "Law enforcement officer", except as provided in subsection (b), includes the following:

(1) A state police officer.
(2) A city, town, or county police officer.
(3) A sheriff.
(4) A county coroner.
(5) A conservation officer.
(6) An individual assigned as a motor carrier inspector under IC 10-11-2-26(a).
(7) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.
(8) An excise police officer of the alcohol and tobacco commission.
(9) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a law enforcement officer having jurisdiction in Indiana, unless the context clearly refers to a law enforcement officer from another state or a territory or federal district of the United States.

(b) "Law enforcement officer", for purposes of IC 9-30-6 and

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IC 9-30-7, has the meaning set forth in IC 35-31.5-2-185.

SECTION 9. IC 9-13-2-94.4 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 94.4. "Low numbered motor vehicle registration plate", for purposes of IC 9-29-3-19, has the meaning set forth in IC 9-29-3-19.~~

SECTION 10. IC 9-13-2-94.5, AS AMENDED BY P.L.150-2009, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 94.5. "Low speed vehicle" means a four (4) wheeled electrically powered motor vehicle:

(1) with a maximum design speed of not more than thirty-five (35) miles per hour;

(2) with operational and equipment specifications described in 49 CFR 571.500;

(3) that is equipped with:

(A) headlamps;

(B) front and rear turn signal lamps, tail lamps, and stop lamps;

(C) reflex reflectors;

(D) exterior or interior mirrors;

(E) brakes as specified in IC 9-19-3-1;

(F) a windshield;

(G) a vehicle identification number; and

(H) a safety belt installed at each designated seating position; and

(4) that has not been privately assembled as described in IC 9-17-4-1.

The term does not include a golf cart **or an off-road vehicle.**

SECTION 11. IC 9-13-2-107 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 107. **(a) "Motor vehicle part", for purposes of IC 9-17-4, has the meaning set forth in IC 9-17-4-0.4.**

(b) "Motor vehicle part", for purposes of IC 19-18-8, has the meaning set forth in IC 19-18-8-1.

SECTION 12. IC 9-13-2-108 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 108. "Motorcycle" means a motor vehicle with motive power ~~having~~ **that:**

(1) has a seat or saddle for the use of the rider; ~~and~~

(2) is designed to travel on not more than three (3) wheels in contact with the ground; **and**

(3) satisfies the operational and equipment specifications described in 49 CFR 571 and IC 9-19.

The term does not include a farm tractor, **a motor scooter,** or a

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motorized bicycle.

SECTION 13. IC 9-13-2-125 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 125. "Personalized license plate" means a license plate that displays the registration number assigned to the vehicle and issued in a combination of letters or numbers, or both, requested by the owner or the lessee of the vehicle **and approved by the bureau.**

SECTION 14. IC 9-13-2-127, AS AMENDED BY SEA 85-2013, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 127. (a) "Police officer" means, except as provided in subsection (b), the following:

(1) A regular member of the state police department.

(2) A regular member of a city or town police department.

(3) A town marshal or town marshal deputy.

(4) A regular member of a county sheriff's department.

(5) A conservation officer of the department of natural resources.

(6) An individual assigned as a motor carrier inspector under IC 10-11-2-26(a).

(7) An excise police officer of the alcohol and tobacco commission.

(8) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a police officer having jurisdiction in Indiana, unless the context clearly refers to a police officer from another state or a territory or federal district of the United States.

(b) "Police officer", for purposes of IC 9-21, means an officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

SECTION 15. IC 9-13-2-149 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 149. "Rebuilt vehicle" means a vehicle:

(1) that has been restored to an operable condition; and

(2) for which a certificate of title has been issued:

(A) by the bureau under IC 9-22-3; or ~~for which a certificate of title has been issued~~

(B) by another state or jurisdiction under a similar procedure for the retitling of **restored** salvage motor vehicles.

SECTION 16. IC 9-13-2-170.3, AS AMENDED BY P.L.125-2012, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 170.3. **(a)** "Special machinery" includes but is not limited to any of the following:

(1) A portable saw mill.

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(2) Well drilling machinery.
(3) A utility service cable trailer.
(4) Any other vehicle that is
~~(A)~~ designed to perform a specific function. ~~and~~
~~(B) drawn by a motor vehicle.~~

(b) The term does not include **the following:**
(1) A vehicle that is designed to carry ~~persons.~~ **passengers.**
(2) Implements of agriculture designed to be operated primarily in a farm field or on farm premises.
(3) Machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, a county, or a municipality.

SECTION 17. IC 9-13-2-187, AS AMENDED BY P.L.125-2012, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 187. "Transport operator" means any of the following:
(1) A person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one (1) place to another by the drive away or tow away methods.
(2) A ~~nonresident~~ dealer or manufacturer engaged in the operation or business described in subdivision (1).
(3) A business that prepares newly purchased vehicles of the business and delivers the vehicles to the locations where the vehicles will be based, titled, and registered.

SECTION 18. IC 9-14-5-7, AS AMENDED BY P.L.87-2010, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: 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 a license plate for a person with a disability issued under IC 9-18-22, a disabled Hoosier veteran's license plate issued under IC 9-18-18, or an equivalent parking permit issued under the laws of another state. If a placard is lost, stolen, damaged, or destroyed, the bureau shall provide a duplicate placard upon the application of the person who was issued the placard.

SECTION 19. IC 9-17-1-1, AS AMENDED BY P.L.125-2012, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. This article does not apply to:
(1) special machinery;
(2) farm wagons;
(3) a golf cart when operated in accordance with an ordinance

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adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a); ~~or~~

(4) a motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer; or

(5) except as otherwise provided, any other vehicle that is not registered in accordance with IC 9-18-2.

SECTION 20. IC 9-17-2-1, AS AMENDED BY P.L.125-2012, SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) This section does not apply to an off-road vehicle that is at least five (5) model years old.

(b) A person must obtain a certificate of title for all vehicles owned by the person that:

(1) are subject to the motor vehicle excise tax under IC 6-6-5; or

(2) are off-road vehicles;

and that will be operated in Indiana.

(c) A person must obtain a certificate of title for all commercial vehicles owned by the person that:

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

(2) are not subject to proportional registration under the International Registration Plan; and

(3) will be operated in Indiana.

(d) A person must obtain a certificate of title for all recreational vehicles owned by the person that:

(1) are subject to the excise tax imposed under IC 6-6-5.1; and

(2) will be operated in Indiana.

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

SECTION 21. IC 9-17-2-9, AS AMENDED BY P.L.125-2012, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) This section does not apply to ~~an off-road~~ **a** vehicle requiring a certificate of title under this chapter **but that is not required to be registered under IC 9-18.**

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

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

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

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SECTION 22. IC 9-17-2-12, AS AMENDED BY P.L.109-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. (a) As used in this section, "dealer" refers to a dealer that has:

(1) been in business for not less than five (5) years; and

(2) sold not less than one hundred fifty (150) motor vehicles during the preceding calendar year.

(b) This section does not apply to the following:

(1) A new motor vehicle or recreational vehicle sold by a dealer licensed by the state.

(2) A motor vehicle or recreational vehicle transferred or assigned on a certificate of title issued by the bureau.

(3) A motor vehicle that is registered under the International Registration Plan.

(4) A motor vehicle that is titled in the name of a financial institution, lending institution, or insurance company in Canada and imported by a registered importer, if:

(A) the registered importer complies with section 12.5(a) of this chapter; and

(B) section 12.5(d) of this chapter does not apply to the motor vehicle.

(5) A motor vehicle that is titled in another state and is in the lawful possession of a financial institution, a lending institution, or an insurance company, if:

(A) the financial institution, lending institution, or insurance company complies with section 12.5(b) of this chapter; and

(B) section 12.5(d) of this chapter does not apply to the motor vehicle.

(c) **Subject to subsection (e),** an application for a certificate of title for a motor vehicle or recreational vehicle may not be accepted by the bureau unless the motor vehicle or recreational vehicle has been inspected by one (1) of the following:

(1) An employee of a dealer designated by the secretary of state to perform an inspection.

(2) A military ~~policeman~~ **police officer** assigned to a military post in Indiana.

(3) A police officer.

(4) A designated employee of the bureau.

(5) An employee of a qualified person operating under a contract with the commission under IC 9-16-1-4 for operation of a full service license branch.

(6) An employee of a qualified person operating under a contract

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with the commission under IC 9-16-1-4.5 for operation of a partial service license branch.

(d) A person described in subsection (c) inspecting a motor vehicle, semitrailer, or recreational vehicle shall do the following:

(1) Make a record of inspection upon the application form prepared by the bureau.

(2) Verify the facts set out in the application.

(e) The bureau may accept an inspection performed by a police officer from a jurisdiction outside Indiana if the bureau determines that an inspection performed by an individual described in subsection (c) is unavailable or otherwise insufficient to complete an application for a certificate of title.

SECTION 23. IC 9-17-3-3, AS AMENDED BY P.L.1-2009, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) If a vehicle for which a certificate of title has been issued is sold or if the ownership of the vehicle is transferred in any manner other than by a transfer on death conveyance under section 9 of this chapter, the person who holds the certificate of title must do the following:

(1) Endorse on the certificate of title an assignment of the certificate of title with warranty of title, in a form printed on the certificate of title, with a statement describing all liens or encumbrances on the vehicle.

(2) Except as provided in subdivisions (4) and (5), deliver the certificate of title to the purchaser or transferee at the time of the sale or delivery to the purchaser or transferee of the vehicle, if the purchaser or transferee has made all agreed upon initial payments for the vehicle, including delivery of a trade-in vehicle without hidden or undisclosed statutory liens.

(3) Unless the vehicle is being sold or transferred to a dealer licensed under IC 9-23-2, complete all information concerning the purchase on the certificate of title, including, but not limited to:

(A) the name and address of the purchaser; and

(B) the sale price of the vehicle.

~~(4) In the case of a sale or transfer between vehicle dealers licensed by this state or another state, deliver the certificate of title within twenty-one (21) days after the date of the sale or transfer.~~

~~(5) Deliver the certificate of title to the purchaser or transferee within twenty-one (21) days after the date of sale or transfer to the purchaser or transferee of the vehicle, if all of the following conditions exist:~~

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~~(A) The seller or transferor is a vehicle dealer licensed by the state under IC 9-23.~~

~~(B) The vehicle dealer is not able to deliver the certificate of title at the time of sale or transfer.~~

~~(C) The vehicle dealer reasonably believes that it will be able to deliver the certificate of title, without a lien or an encumbrance on the certificate of title, within the twenty-one (21) day period.~~

~~(D) The vehicle dealer provides the purchaser or transferee with an affidavit under section 3.1 of this chapter.~~

~~(E) The purchaser or transferee has made all agreed upon initial payments for the vehicle, including delivery of a trade-in vehicle without hidden or undisclosed statutory liens.~~

~~(b) A licensed dealer may offer for sale a vehicle for which the dealer does not possess a certificate of title, if the dealer can comply with subsection (a)(4) or (a)(5) at the time of the sale.~~

~~(c) A vehicle dealer who fails to deliver a certificate of title within the time specified under this section is subject to the following civil penalties:~~

~~(1) One hundred dollars ($100) for the first violation.~~

~~(2) Two hundred fifty dollars ($250) for the second violation.~~

~~(3) Five hundred dollars ($500) for all subsequent violations.~~

~~Payment shall be made to the secretary of state and deposited in the state general fund. In addition, if a purchaser or transferee does not receive a valid certificate of title within the time specified by this section, the purchaser or transferee shall have the right to return the vehicle to the vehicle dealer ten (10) days after giving the vehicle dealer written notice demanding delivery of a valid certificate of title and the dealer's failure to deliver a valid certificate of title within that ten (10) day period. Upon return of the vehicle to the dealer in the same or similar condition as delivered to the purchaser or transferee under this section, the vehicle dealer shall pay to the purchaser or transferee the purchase price plus sales taxes, finance expenses, insurance expenses, and any other amount paid to the dealer by the purchaser.~~

~~(d) For purposes of this subsection, "timely deliver", with respect to a third party, means to deliver to the purchaser or transferee with a postmark dated or hand delivered not more than ten (10) business days after there is no obligation secured by the vehicle. If the dealer's inability to timely deliver a valid certificate of title results from the acts or omissions of a third party who has failed to timely deliver a valid certificate of title to the dealer, the dealer is entitled to claim against the third party one hundred dollars ($100). If:~~

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~~(1) the dealer's inability to timely deliver a valid certificate of title results from the acts or omissions of a third party who has failed to timely deliver the certificate of title in the third party's possession to the dealer; and~~

~~(2) the failure continues for ten (10) business days after the dealer gives the third party written notice of the failure;~~

~~the dealer is entitled to claim against the third party all damages sustained by the dealer in rescinding the dealer's sale with the purchaser or transferee, including the dealer's reasonable attorney's fees.~~

~~(e)~~ **(b)** If a vehicle for which a certificate of title has been issued by another state is sold or delivered, the person selling or delivering the vehicle must deliver to the purchaser or receiver of the vehicle a proper certificate of title with an assignment of the certificate of title in a form prescribed by the bureau.

~~(f)~~ **(c)** The original certificate of title and all assignments and subsequent reissues of the certificate of title shall be retained by the bureau and appropriately classified and indexed in the most convenient manner to trace title to the vehicle described in the certificate of title.

~~(g)~~ **(d)** A dealer shall make payment to a third party to satisfy any obligation secured by the vehicle within five (5) days after the date of sale.

SECTION 24. IC 9-17-3-3.1 IS REPEALED [EFFECTIVE JULY 1, 2013]: ~~Sec. 3.1. The affidavit required by section 3(a)(5) of this chapter shall be printed in the following form:~~

~~STATE OF INDIANA)~~
~~) ss:~~
~~COUNTY OF _____)~~

~~I affirm under the penalties for perjury that all of the following are true:~~

~~(1) That I am a dealer licensed under IC 9-23.~~

~~(2) That I cannot deliver a valid certificate of title to the retail purchaser of the vehicle described in paragraph (3) at the time of sale of the vehicle to the retail purchaser. The identity of the previous seller or transferor is _____. Payoff of lien was made on (date)_____. I expect to deliver a valid and transferable certificate of title not later than (date)_____ from the (State of)_____ to the purchaser.~~

~~(3) That I will undertake reasonable commercial efforts to produce the valid certificate of title. The vehicle identification number is _____.~~

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~~Signed _____, Dealer~~
~~By_____~~
~~Dated _____, ____~~
~~CUSTOMER ACKNOWLEDGES RECEIPT OF A COPY OF THIS AFFIDAVIT.~~
~~_____~~
~~Customer Signature~~

~~NOTICE TO THE CUSTOMER~~

~~If you do not receive a valid certificate of title within the time specified by this affidavit, you have the right to return the vehicle to the vehicle dealer ten (10) days after giving the vehicle dealer written notice demanding delivery of a valid certificate of title and after the vehicle dealer's failure to deliver a valid certificate of title within that ten (10) day period. Upon return of the vehicle to the vehicle dealer in the same or similar condition as when it was delivered to you, the vehicle dealer shall pay you the purchase price plus sales taxes, finance expenses, insurance expenses, and any other amount that you paid to the vehicle dealer.~~

~~If a lien is present on the previous owner's certificate of title, it is the responsibility of the third party lienholder to timely deliver the certificate of title in the third party's possession to the dealer not more than ten (10) business days after there is no obligation secured by the vehicle. If the dealer's inability to deliver a valid certificate of title to you within the above-described ten (10) day period results from the acts or omissions of a third party who has failed to timely deliver the certificate of title in the third party's possession to the dealer, the dealer may be entitled to claim against the third party the damages allowed by law.~~

SECTION 25. IC 9-17-3-4, AS AMENDED BY P.L.125-2012, SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) A certificate of title for a vehicle held by an Indiana resident who is serving in the armed forces of the United States may be transferred by the Indiana resident to another person if the resident authorizes the transfer by ~~a valid power of attorney or~~ a letter signed by the Indiana resident. The ~~valid power of attorney or the~~ letter must be accompanied by proof that the Indiana resident is actively serving in the armed forces of the United States and is outside Indiana.

(b) When the bureau receives the ~~power of attorney or~~ letter and proof described in subsection (a), the bureau may make the transfer to the person named in the ~~power of attorney or~~ letter.

(c) Whenever a transfer described in subsection (a) is made, the ~~power of attorney or~~ letter:

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(1) must be attached to the certificate of title being transferred; and

(2) becomes a permanent record of the bureau.

(d) The bureau shall use reasonable diligence in determining if the signature of the person who signed the letter described in subsection (a) authorizing the transfer is the signature of the person.

(e) If the bureau is satisfied that the signature is the signature of the person who owns the vehicle described in the certificate of title, the bureau shall issue an appropriate certificate of title over the signature of the bureau and sealed with the seal of the bureau to the person named in the letter.

SECTION 26. IC 9-17-3-7, AS AMENDED BY P.L.131-2008, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) This section does not apply to section 5 of this chapter.

(b) Except as provided in subsection (c), a person who violates this chapter commits a Class C infraction.

(c) A person who knowingly or intentionally violates:

(1) section 3(a)(1) **or** 3(a)(2) ~~3(a)(4), or 3(a)(5)~~ of this chapter commits a Class B misdemeanor; or

(2) section 3(a)(3) of this chapter commits:

(A) a Class A misdemeanor for the first violation; or

(B) a Class D felony for the second violation or any subsequent violation.

SECTION 27. IC 9-17-3-8, AS AMENDED BY P.L.125-2012, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. The bureau shall:

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

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

(B) if the motor vehicle has previously been titled in Indiana, whether the title was issued as a salvage title under IC 9-22-3; and

(2) impose a service charge under ~~IC 9-29-3-19~~ **IC 9-29** for services performed by the bureau under this section.

SECTION 28. IC 9-17-4-0.3, AS AMENDED BY P.L.125-2012, SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 0.3. As used in this chapter, "assembled vehicle" means:

(1) a motor vehicle, excluding a motorcycle, that has had the:

(A) frame;

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(B) chassis;
(C) cab; or
(D) body;
modified from its original construction, replaced, or constructed; or
(2) a motorcycle that has had the:
(A) frame; or
(B) engine;
modified from its original construction, replaced, or constructed.

The term includes but is not limited to glider kits, fiberglass body kits, and vehicle reproductions or replicas and includes motor vehicles that have visible and original vehicle identification numbers.

SECTION 29. IC 9-17-4-0.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 0.4. As used in this chapter, "motor vehicle part" means the following:**

(1) For a motorcycle, the:
(A) frame; or
(B) engine.
(2) For a passenger motor vehicle; the:
(A) frame;
(B) chassis; or
(C) body.
(3) For a truck or tractor, the:
(A) frame;
(B) chassis;
(C) cab; or
(D) body.
(4) For a trailer, semitrailer, or recreational vehicle, the:
(A) chassis; or
(B) body.

SECTION 30. IC 9-17-4-4, AS AMENDED BY P.L.125-2012, SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. A certificate of title issued under this chapter must contain the following:

(1) A description and other evidence of identification of the motor vehicle, semitrailer, or recreational vehicle as required by the bureau.
(2) A statement of any liens or encumbrances that the application shows to be on the certificate of title.
(3) The appropriate notation prominently recorded on the front of

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the title as follows:

(A) For a vehicle assembled using all new **or used** vehicle parts, ~~excluding the vehicle frame,~~ "RECONSTRUCTED VEHICLE".

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

~~(C)~~ **(B)** For a vehicle assembled using a salvage vehicle or parts, "REBUILT". ~~SALVAGE".~~

SECTION 31. IC 9-17-4-6 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 6. (a) Except as provided under subsection (b), a person who violates this chapter commits a Class C infraction.~~

~~(b) A person who knowingly damages, removes, covers, or alters an identification number commits a Class C felony.~~

SECTION 32. IC 9-17-4-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 7. (a) Not more than twenty (20) days after a person becomes the owner, custodian, or possessor of a motor vehicle that:**

(1) was manufactured after December 31, 1954; and

(2) either:

(A) does not have a manufacturer's identification number installed on the motor vehicle; or

(B) has an original manufacturer's identification number that is altered, destroyed, obliterated, or defaced;

the person shall apply to the bureau for permission to make or stamp a special identification number on the motor vehicle.

(b) The bureau shall prescribe the form of an application under subsection (a). The application must contain the following:

(1) A description of the motor vehicle, including the make, style, and year of model of the motor vehicle.

(2) A description of:

(A) the original manufacturer's identification number, if possible; or

(B) any distinguishing marks on the engine or body of the motor vehicle.

(3) The name and address of the applicant.

(4) The date on which the applicant purchased or took possession of the motor vehicle.

(5) The name and address of the person from whom the applicant purchased or acquired the motor vehicle.

(6) Any application fee required under IC 9-29 for a special identification number.

(7) Any other information the bureau requires.

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SECTION 33. IC 9-17-4-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 8. (a) The bureau shall review an application submitted under section 7 of this chapter. If the bureau determines the application is complete, the bureau shall issue to the applicant written permission to make or stamp a special identification number on the motor vehicle. The bureau shall designate the special identification number and the location of the special identification number on the motor vehicle.**

(b) A new special identification number may not cover or otherwise obscure an original identification number that is visible on a motor vehicle.

(c) A new special identification number that is stamped or otherwise placed on a motor vehicle under this chapter becomes the lawful identification number of the motor vehicle for all purposes, including for purposes of selling or transferring the motor vehicle.

SECTION 34. IC 9-17-4-10 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 10. (a) The bureau shall designate special identification numbers under this chapter consecutively, beginning with the number one (1), preceded by the letters "MVIN", and followed by the letters "IND" in the order of the filing of applications.**

(b) This chapter does not affect the authority of a manufacturer or a manufacturer's agent, other than a dealer, to perform numbering on motor vehicles or parts that are removed or changed and then replaced with other numbered motor vehicle parts.

SECTION 35. IC 9-17-4-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 11. Except as specifically provided in this chapter, the bureau may not register or issue a certificate of title for a motor vehicle that does not have an identification number.**

SECTION 36. IC 9-17-4-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 12. (a) Before the bureau may issue a certificate of title for a vehicle that is required under this chapter to have a special identification number made or stamped on the motor vehicle, the bureau shall require the person applying for the certificate of title to sign a statement that the special identification number assigned to the motor vehicle by the bureau has been made or stamped on the motor vehicle in a workmanlike manner. The**

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statement must also be signed by the law enforcement officer who inspected the motor vehicle and determined that the special identification number was made or stamped in a workmanlike manner.

(b) This section does not affect the authority of a manufacturer or a manufacturer's agent, other than a dealer, to perform numbering on motor vehicles or parts that are removed or changed and then replaced with other numbered motor vehicle parts.

SECTION 37. IC 9-17-4-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 13. Except as otherwise provided in this chapter, a person who violates this chapter commits a Class C infraction.**

SECTION 38. IC 9-17-4-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 14. A person who owns or possesses a motor vehicle that the person knows violates section 7 or 8 of this chapter commits a Class D felony.**

SECTION 39. IC 9-17-4-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 15. (a) A person who knowingly:**

(1) damages;
(2) removes; or
(3) alters;

an original or a special identification number commits a Class C felony.

(b) A person who, with the intent to conceal evidence of the commission of a crime, covers an original or special identification number commits a Class C felony.

SECTION 40. IC 9-17-4-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 16. A person who knowingly sells or offers for sale a motor vehicle with an original or a special identification number that is:**

(1) destroyed;
(2) removed;
(3) altered;
(4) covered; or
(5) defaced;

commits a Class D felony.

SECTION 41. IC 9-17-4-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 17. A person who knowingly or intentionally sells or**

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offers for sale a motor vehicle part with an identification number that is:

(1) destroyed;

(2) removed;

(3) altered;

(4) covered; or

(5) defaced;

commits a Class D felony.

SECTION 42. IC 9-17-4-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 18. (a) For purposes of this section, "identification number" means a set of numbers, letters, or both numbers and letters that is assigned to a motor vehicle or motor vehicle part by:**

(1) a manufacturer of motor vehicles or motor vehicle parts; or

(2) a governmental entity to replace an original identification number that is destroyed, removed, altered, or defaced.

(b) Subsection (c) does not apply to a person who manufactures or installs a plate or label containing an identification number:

(1) in a program authorized by a manufacturer of motor vehicles or motor vehicle parts; or

(2) as authorized by the bureau under this chapter.

(c) A person who knowingly or intentionally possesses a plate or label that:

(1) contains an identification number; and

(2) is not attached to the motor vehicle or motor vehicle part to which the identification number was assigned by the manufacturer or a governmental entity;

commits a Class D felony.

(d) A person who knowingly or intentionally possesses a plate or label on which the identification number is altered or removed commits a Class D felony.

(e) A person who, with intent to defraud, possesses a plate or label containing a set of numbers, letters, or both numbers and letters that purports to be an identification number commits a Class D felony.

SECTION 43. IC 9-17-4-19 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 19. (a) A person who:**

(1) either:

(A) with the intent to conceal evidence of the commission of a crime, operates a motor vehicle with an identification

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number that is concealed; or

(B) operates a motor vehicle with an identification number that is removed, defaced, destroyed, or obliterated; and

(2) has not applied under section 7 of this chapter for a new special identification number;

commits a Class C infraction.

(b) If a person who violates subsection (a) cannot prove to the satisfaction of the court that the person owns the motor vehicle, the court shall confiscate and sell the motor vehicle. The proceeds from the sale shall be used to pay the fine and costs of prosecution, and the balance, if any, shall be deposited in the motor vehicle highway account fund.

(c) If the fine and costs are not paid within thirty (30) days after judgment is rendered under this section, the court shall proceed to advertise and sell the motor vehicle in the manner provided by law for the sale of personal property under execution.

(d) If at any time the motor vehicle remains in the custody of the court or the court's officers under this section, the owner appears and establishes the owner's title to the motor vehicle to the satisfaction of the court, the motor vehicle shall be returned to the owner. The owner shall then make application for and may obtain an identification number and a title as provided in this chapter. The owner may then use the motor vehicle upon proper registration.

SECTION 44. IC 9-17-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A person who holds a lien on a motor vehicle, semitrailer, or recreational vehicle who has repossessed the motor vehicle, semitrailer, or recreational vehicle and wants to obtain a certificate of title for the motor vehicle, semitrailer, or recreational vehicle in the person's name may obtain the certificate of title from the bureau if:

(1) the person from whom the motor vehicle, semitrailer, or recreational vehicle has been repossessed is shown by the records of the bureau to be the last registered owner of the motor vehicle, semitrailer, or recreational vehicle; and

(2) the person who holds the lien:

(A) has complied with this chapter; and

(B) establishes to the satisfaction of the bureau that the person is entitled to the certificate of title.

SECTION 45. IC 9-17-6-2, AS AMENDED BY P.L.106-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A person applying for a certificate of title under

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this chapter must submit an application on a form furnished by the bureau that contains the following information:

(1) A full description of the manufactured home.

(2) A statement of the person's title and of any lien or encumbrance upon the manufactured home.

(3) The following printed statement:

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

(4) The signature of the person applying for the certificate of title directly under the statement set forth in subdivision (3).

(5) The following numbers, if the numbers are available:

(A) A unique serial number assigned by the manufacturer to the manufactured home.

(B) The certification label number required by the United States Department of Housing and Urban Development for the manufactured home.

If neither the number described in clause (A) nor the number described in clause (B) is available, the bureau may issue a special identification number for the manufactured home **under this chapter.**

(6) Any other information required under rules adopted under IC 4-22-2 by the bureau.

SECTION 46. IC 9-17-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. **Except as otherwise provided in this article,** if a certificate of title:

(1) has been previously issued for a manufactured home in Indiana, an application for a certificate of title must be accompanied by the certificate of title; or

(2) has not previously been issued for a manufactured home in Indiana, the application must be accompanied by a manufacturer's certificate of origin as provided in IC 9-17-8.

SECTION 47. IC 9-17-6-15.1, AS AMENDED BY P.L.106-2007, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 15.1. (a) A person who:

(1) holds a certificate of title for;

(2) holds a certificate of origin for; or

(3) otherwise owns as an improvement;

a manufactured home that is attached to real estate by a permanent foundation may apply for an affidavit of transfer to real estate with the bureau. ~~However, a person described in this subsection is not required to apply for an affidavit of transfer to real estate to convert a~~

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~~manufactured home that is attached to real estate by a permanent foundation to an improvement upon the real estate upon which it is located.~~

(b) An application for an affidavit of transfer to real estate must contain the following:

(1) A full description of the manufactured home, including:

(A) a description; and

(B) the parcel number;

of the real estate to which the manufactured home is attached.

(2) One (1) or more of the following numbers:

(A) A unique serial number assigned by the manufacturer to the manufactured home.

(B) The certification label number required by the United States Department of Housing and Urban Development for the manufactured home.

(C) A special identification number issued by the bureau for the manufactured home.

(3) An attestation by the owner of the manufactured home that the manufactured home has been permanently attached to the real estate upon which it is located.

~~(c) The bureau shall adopt rules under IC 4-22-2 to implement this section.~~

~~(d)~~ **(c)** A certificate of title or a certificate of origin is not required for a person who applies for an affidavit of transfer to real estate under this section.

SECTION 48. IC 9-17-8-1, AS AMENDED BY P.L.147-2009, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. A ~~manufacturer, a converter manufacturer, an automotive mobility dealer, a dealer, or other~~ person may not sell or otherwise dispose of a new motor vehicle to another person, to be used by the other person for purposes of display or resale, without delivering to the other person a manufacturer's certificate of origin under this chapter that indicates the assignments of the certificate of origin necessary to show the ownership of the title to a person who purchases the motor vehicle.

SECTION 49. IC 9-17-8-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. ~~(a) If a dealer purchases or acquires ownership of a:~~

~~(1) motor vehicle;~~

~~(2) semitrailer; or~~

~~(3) recreational vehicle;~~

~~in a state that does not have a certificate of title law, the dealer shall~~

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~~apply for an Indiana certificate of title for the motor vehicle, semitrailer, or recreational vehicle not more than thirty-one (31) days from the date of purchase or the date ownership of the motor vehicle, semitrailer, or recreational vehicle was acquired.~~

~~(b)~~ The bureau shall collect a delinquent title fee as provided in IC 9-29 if a dealer fails to apply for certificate of title for a motor vehicle, semitrailer, or recreational vehicle as described under subsection (a).

SECTION 50. IC 9-18-1-1, AS AMENDED BY P.L.125-2012, SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. **(a)** 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, **including the incidental operation of an implement of agriculture on a highway or street to transport the implement from a farm field or premises to another farm field or premises for use on the farm field or 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.

(b) The bureau may not issue a license plate to or register a vehicle listed in subsection (a) unless otherwise specifically provided in this article.

SECTION 51. IC 9-18-2-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4.5. (a) Upon payment of the annual registration fee under IC 9-29-5, and any applicable commercial vehicle excise tax under IC 6-6-5.5, the bureau may issue a license plate for each commercial vehicle registered to the registered owner of at least twenty-five (25) commercial vehicles. The license plate issued under this section for a commercial vehicle is valid for five

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(5) years.

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

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

(1) sells;

(2) disposes of; or

(3) does not renew the registration of;

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

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

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

SECTION 52. IC 9-18-2-7, AS AMENDED BY P.L.26-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) A person who owns a vehicle **that is operated on Indiana roadways and** subject to registration shall register ~~each~~ **the** vehicle ~~owned by the person~~ as follows:

(1) A vehicle subject to section 8 of this chapter shall be registered under section 8 of this chapter.

(2) Subject to subsection (g) or (h), a vehicle not subject to section 8 or 8.5 of this chapter or to the International Registration Plan shall be registered before:

(A) March 1 of each year; or

(B) an earlier date subsequent to January 1 of each year as set by the bureau.

(3) School buses owned by a school corporation are exempt from annual registration but are subject to registration under IC 20-27-7.

(4) Subject to subsection (f), a vehicle subject to the International Registration Plan shall be registered before April 1 of each year.

(5) A school bus not owned by a school corporation shall be registered subject to section 8.5 of this chapter.

(b) Registrations and reregistrations under this section are for the calendar year. Registration and reregistration for school buses owned by a school corporation may be for more than a calendar year.

(c) License plates for a vehicle subject to this section may be

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displayed during:

(1) the calendar year for which the vehicle is registered; and

(2) the period of time:

(A) subsequent to the calendar year; and

(B) before the date that the vehicle must be reregistered.

(d) Except as provided in IC 9-18-12-2.5, a person who owns or operates a vehicle may not operate or permit the operation of a vehicle that:

(1) is required to be registered under this chapter; and

(2) has expired license plates.

(e) If a vehicle that is required to be registered under this chapter has:

(1) been operated on the highways; and

(2) not been properly registered under this chapter;

the bureau shall, before the vehicle is reregistered, collect the registration fee that the owner of the vehicle would have paid if the vehicle had been properly registered.

(f) The department of state revenue may adopt rules under IC 4-22-2 to issue staggered registration to motor vehicles subject to the International Registration Plan.

(g) Except as provided in section 8.5 of this chapter, the bureau may adopt rules under IC 4-22-2 to issue staggered registration to motor vehicles described in subsection (a)(2).

(h) After June 30, 2011, the registration of a vehicle under ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or ~~IC 9-18-16-1(2)~~ **IC 9-18-16-1(a)(2)** expires on December 14 of each year. However, if a vehicle is registered under ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or ~~IC 9-18-16-1(2)~~ **IC 9-18-16-1(a)(2)** and the registration of the vehicle is in effect on June 30, 2011, the registration of the vehicle remains valid:

(1) throughout calendar year 2011; and

(2) during the period that:

(A) begins January 1, 2012; and

(B) ends on the date on which the vehicle was due for reregistration under the law in effect before this subsection took effect.

SECTION 53. IC 9-18-2-8, AS AMENDED BY P.L.26-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. (a) Except as provided in section 7(h) of this chapter and subsection (f), the bureau shall determine the schedule for registration for the following categories of vehicles:

(1) Passenger motor vehicles.

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(2) Recreational vehicles.
(3) Motorcycles.
(4) Trucks that:
(A) are regularly rented to others for not more than twenty-nine (29) days in the regular course of the corporation's business; and
(B) have a declared gross weight of not more than eleven thousand (11,000) pounds.

(b) Except as provided in IC 9-18-12-2.5, a person that owns a vehicle shall receive a license plate, renewal tag, or other indicia upon registration of the vehicle. The bureau may determine the ~~device~~ **indicia** required to be displayed.

(c) A corporation that owns a ~~truck that has a declared gross weight of not more than eleven thousand (11,000) pounds~~ **vehicle** that is regularly rented to others for periods of not more than twenty-nine (29) days in the regular course of the corporation's business must register the ~~truck before March 1 of each year.~~ **vehicle on the date prescribed by the bureau.**

(d) A person that owns a vehicle in a category required to be registered under this section and desires to register the vehicle for the first time must apply to the bureau for a **certificate of** registration. ~~application form.~~ The bureau shall do the following:
(1) Administer the **certificate of** registration. ~~application form.~~
(2) Issue the license plate **according to the bureau's central fulfillment processes.**
(3) Collect the proper registration and service fees in accordance with the procedure established by the bureau.

(e) Except as provided in IC 9-18-12-2.5, the bureau shall issue a semipermanent plate under section 30 of this chapter, or:
(1) an annual renewal tag; or
(2) other indicia;
to be affixed on the semipermanent plate.

(f) After June 30, 2011, the registration of a vehicle under ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or ~~IC 9-18-16-1(2)~~ **IC 9-18-16-1(a)(2)** expires on December 14 of each year. However, if a vehicle is registered under ~~IC 9-18-16-1(1)~~ **IC 9-18-16-1(a)(1)** or ~~IC 9-18-16-1(2)~~ **IC 9-18-16-1(a)(2)** and the registration of the vehicle is in effect on June 30, 2011, the registration of the vehicle remains valid:
(1) throughout calendar year 2011; and
(2) during the period that:
(A) begins January 1, 2012; and

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(B) ends on the date on which the vehicle was due for reregistration under the law in effect before this subsection took effect.

SECTION 54. IC 9-18-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of the following:

(1) ~~An application~~ **Information provided by a person as part of a request** for **the** registration of a vehicle.

(2) ~~An application~~ **A request** for any type of license **plate** required under this title for the operation of a vehicle upon the highways.

(3) Any other application **or request** made to the bureau **under this article.**

(b) The bureau may:

(1) make investigations or require additional information; and

(2) reject an application **or request;**

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

SECTION 55. IC 9-18-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. **(a)** Except as provided in ~~section~~ **sections** 18, **23, and 29.5** of this chapter, a certificate of registration of a motor vehicle, semitrailer, or recreational vehicle and a license plate for a motor vehicle, semitrailer, or recreational vehicle, whether original issues or duplicates, may not be issued or furnished by the bureau unless the person applying for the certificate of registration:

(1) applies at the same time for and is granted a certificate of title for the motor vehicle, semitrailer, or recreational vehicle; or

(2) presents satisfactory evidence that a certificate of title has been previously issued to the person that covers the motor vehicle, semitrailer, or recreational vehicle.

(b) If the bureau at any time determines that a certificate of title for a motor vehicle cannot be issued or is invalid, the bureau:

(1) shall not issue or furnish; or

(2) may invalidate;

the certificate of registration for the vehicle.

SECTION 56. IC 9-18-2-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. The bureau may not register **the following motor vehicles:**

(1) A motor vehicle that:

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~~(1)~~ **(A)** is subject under rules adopted under air pollution control laws (as defined in IC 13-11-2-6) to:

~~(A)~~ **(i)** inspection of vehicle air pollution control equipment; and

~~(B)~~ **(ii)** testing of emission characteristics; and

~~(2)~~ **(B)** has not been:

~~(A)~~ **(i)** inspected; and

~~(B)~~ **(ii)** certified by an inspection station under IC 13-17-5-5.1(b) that the air pollution equipment is not in a tampered condition and the vehicle meets air emission control standards.

(2) A motor vehicle that does not comply with applicable motor vehicle equipment requirements under IC 9-19.

SECTION 57. IC 9-18-2-21, AS AMENDED BY P.L.125-2012, SECTION 100, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 21. (a) The person whose name appears on the certificate of registration, except a person who registers a vehicle under the International Registration Plan, shall sign the person's copy of the certificate of registration in ink in the space provided.

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

(1) in the vehicle to which the registration refers; or

(2) by the person driving or in control of the vehicle, who shall display the registration upon the demand of a police officer.

~~(c) A legible reproduction of the certificate of registration may be made by any photostatic or similar process.~~

SECTION 58. IC 9-18-2-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 23. (a) This section does not apply to a vehicle registered as a recovery vehicle under IC 9-18-13.

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

(1) A brief description of each style or type of motor vehicle transported.

(2) The name and address, including the county of residence, of the transport operator.

(3) Any other information the bureau requires.

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(c) The bureau, upon receiving:

(1) an application for a transport operator license plate; and

(2) the proper fee;

shall issue to the person who submitted the application and fee two (2) certificates of registration and the license plates with numbers corresponding to the numbers of the certificates of registration. A transport operator may obtain as many additional pairs of license plates as desired upon application and the payment to the bureau of the fee prescribed under IC 9-29 for each pair of additional license plates.

(d) A license plate or sign other than those furnished and approved by the bureau may not be used.

(e) A transport operator license plate may not be used on a vehicle used or operated on a highway, except for the purpose of transporting vehicles in transit. A person may haul other vehicles or parts of vehicles in transit in the same combination.

(f) A transport operator may not operate a vehicle or any combination of vehicles in excess of the size and weight limits specified by law.

(g) A license plate shall be displayed on the front and rear of each combination, and if only one (1) motor vehicle is transported, a license plate shall be displayed on both the front and rear of the motor vehicle.

(h) The bureau may ~~adopt rules to prescribe the conditions under which~~ **not issue** transport operator license plates ~~may be issued~~ to a transport operator who has been convicted of violating this section until the bureau ~~issues the transport operator a new license plate.~~ **is satisfied that the transport operator is able to comply with the requirements of this section.**

SECTION 59. IC 9-18-2-26, AS AMENDED BY P.L.184-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 26. (a) License plates, **including temporary license plates,** shall be displayed as follows:

(1) For a motorcycle, trailer, semitrailer, or recreational vehicle, upon the rear of the vehicle, except as provided in subdivision (4).

(2) For a tractor or dump truck, upon the front of the vehicle.

(3) For every other vehicle, upon the rear of the vehicle, except as provided in subdivision (4).

(4) For a truck with a rear mounted forklift or a mechanism to carry a rear mounted forklift or implement, upon the front of the vehicle.

(b) A license plate shall be securely fastened, in a horizontal position, to the vehicle for which the plate is issued:

(1) to prevent the license plate from swinging;

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(2) at a height of at least twelve (12) inches from the ground, measuring from the bottom of the license plate;
(3) in a place and position that are clearly visible;
(4) maintained free from foreign materials and in a condition to be clearly legible; and
(5) not obstructed or obscured by tires, bumpers, accessories, or other opaque objects.

(c) The bureau may adopt rules the bureau considers advisable to enforce the proper mounting and securing of license plates on vehicles consistent with this chapter.

SECTION 60. IC 9-18-2-28 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 28. Notwithstanding any other law, license plates for:~~
~~(1) passenger motor vehicles;~~
~~(2) recreational vehicles;~~
~~(3) motor vehicles registered to disabled veterans under IC 9-18-18; or~~
~~(4) motor vehicles registered to former prisoners of war under IC 9-18-17;~~
~~that contain any of the numerals 1 through 100 following the prefix numbers and letter shall be issued by the bureau.~~

SECTION 61. IC 9-18-2-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 30. **Except as otherwise provided,** the bureau shall issue to the owner of each vehicle subject to registration one (1) license plate upon the registration of the vehicle.

SECTION 62. IC 9-18-2-32 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 32. (a) Except as provided in subsection (b), a license plate issued under section 30 of this chapter:
(1) must be six (6) inches wide and twelve (12) inches long;
(2) must display
~~(A)~~ the registration number assigned to the vehicle for which the plate is issued;
~~(B) the letters "IN"; and~~
~~(C) the year for which the plate is issued;~~
(3) may have a prefix of at least one (1) letter of the alphabet to designate the type of vehicle registered; and
(4) shall be treated with special reflective material designed to increase the visibility and legibility of the license plate.

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

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SECTION 63. IC 9-18-2-34.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 34.1. Except as provided in IC 9-17-4, the bureau may not register or issue a certificate of title for the operation of a motor vehicle that does not have an identification number.**

SECTION 64. IC 9-18-2-35 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 35. The bureau, with the approval of the governor, may revise the vehicle identification name designated to be embossed on a given classification of license plates to reflect contemporary language that is used to describe vehicles that must be registered under this article.~~

SECTION 65. IC 9-18-2-38 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 38. A license plate issued under this chapter remains valid if the person who registered the passenger motor vehicle or recreational vehicle changes the person's county of residence during the term of the license plate. A person who registers a passenger motor vehicle or recreational vehicle and who changes the person's county of residence may, at the time of reregistration:

(1) retain the license plate originally issued; or

(2) request a new license plate ~~at no additional cost to the person,~~ indicating the person's new county of residence.

SECTION 66. IC 9-18-2-47, AS AMENDED BY P.L.87-2010, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 47. (a) The commissioner shall adopt rules under IC 4-22-2 prescribing the cycle for the issuance and replacement of license plates under this article. The rules adopted under this section shall provide that a license plate for a vehicle issued under this article is valid for five (5) years.

(b) The rules adopted under this section do not apply to:

(1) truck license plates issued under section 4.5 or 18 of this chapter; **and**

(2) general assembly and other state official license plates issued under IC 9-18-16. ~~and~~

~~(3) personalized license plates issued under IC 9-18-15.~~

SECTION 67. IC 9-18-2-49 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 49. (a) Notwithstanding ~~IC 9-18-2-32,~~ **section 32 of this chapter,** if a person is:

(1) initially registering a motor vehicle; or

(2) renewing the registration for a motor vehicle that needs a new license plate;

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the bureau may issue a temporary paper or cardboard license plate to the person for use on the motor vehicle.

(b) A temporary license plate issued under subsection (a) is valid for thirty (30) days after the date of its issuance.

SECTION 68. IC 9-18-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. ~~The bureau may accept an application by mail for a license plate for a:~~

~~(1) motor vehicle;~~

~~(2) semitrailer; or~~

~~(3) recreational vehicle;~~ **A person may register a vehicle and request a license plate by mail** if the person applying for the license plate has been issued a certificate of title for the motor vehicle, semitrailer, or recreational vehicle, unless excepted under IC 9-17-2-13 or IC 9-18-2-18.

SECTION 69. IC 9-18-4-2 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 2. An application made by mail under section 1 of this chapter must be for a license plate previously issued directly from the bureau to the applicant.~~

SECTION 70. IC 9-18-6-1 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 1. A replacement semipermanent license plate may be issued by the bureau for any of the following reasons:~~

~~(1) The original semipermanent license plate has been in service for at least three (3) years.~~

~~(2) The original semipermanent license plate has been lost or stolen.~~

~~(3) The bureau determines that the reflective material required by IC 9-18-2-32 is no longer effective and the material's ineffectiveness is a safety hazard.~~

~~(4) A person registering a replacement vehicle requests a new license plate at the time of purchasing the replacement vehicle.~~

~~(5) A person who registered a vehicle no longer resides in the county in which the vehicle was originally registered.~~

SECTION 71. IC 9-18-6-2, AS AMENDED BY P.L.109-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) Except as provided in ~~subsections~~ **subsection** (b), ~~and (c),~~ if a license plate is:

(1) lost **or stolen;**

(2) ~~mutilated;~~ **damaged as to not be legible;** or

(3) destroyed;

the person in whose name the license plate was issued may obtain from the bureau a duplicate or a replacement license plate by filing with the bureau an application on a form provided by the bureau duly sworn to

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as provided in IC 9-18-2.

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

(1) the Indiana law enforcement agency that has jurisdiction where the loss **or theft** occurred; or

(2) the law enforcement agency that has jurisdiction over the address listed on the registration;

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

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

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

~~(e) If a license plate for a commercial vehicle is lost, mutilated, or destroyed, the person in whose name the plate was issued shall notify:~~

~~(1) the Indiana law enforcement agency that has jurisdiction where the loss occurred; and~~

~~(2) the bureau;~~

~~that the original license plate has been lost, mutilated, or destroyed. In order to receive a duplicate or a replacement license plate, the person in whose name the license plate was issued must complete and submit to the bureau an application and affidavit designed by the bureau.~~

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

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

SECTION 72. IC 9-18-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) Upon the disposition by sale or other means of a motor vehicle, trailer, semitrailer, recreational vehicle, or motor home currently registered in Indiana, the license plate from the disposed motor vehicle, trailer, semitrailer, recreational vehicle, or motor home may be:

(1) transferred by the person who is the current registrant to any other vehicle of the same type acquired by the person; and

(2) operated in Indiana for not more than thirty-one (31) days after the date the person acquires ownership of the vehicle.

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

(1) manufacturer's certificate of origin;

(2) duly assigned certificate of title; or

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(3) ~~notarized~~ bill of sale;

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

SECTION 73. IC 9-18-7-1, AS AMENDED BY P.L.125-2012, SECTION 106, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) A person may apply for and receive a temporary registration permit for a motor vehicle, semitrailer, trailer designed to be used with a semitrailer, or recreational vehicle.

(b) A temporary registration permit is valid for a period of thirty (30) days from the date of issuance and authorizes the use of the motor vehicle, semitrailer, trailer designed to be used with a semitrailer, or recreational vehicle on the highways if any of the following conditions exist:

(1) The person has purchased or otherwise obtained the vehicle in Indiana and will be titling or registering the vehicle in another state or foreign country.

(2) The person is a resident of Indiana and is intending to move to another state and the current vehicle registration or temporary permit will expire before the person moves.

(3) The person is a resident of Indiana and the vehicle registration in another state has expired and the person has applied for an Indiana title for the vehicle.

~~(4) The person is a manufacturer of semitrailers or trailers designed to be used with a semitrailer that may be leased by the manufacturer to any person, including a motor carrier, for not more than the term of the special registration permit. This subdivision does not prohibit the transportation of property on a semitrailer or trailer operating under a temporary registration permit. A copy of the lease must accompany the semitrailer or trailer.~~

~~(5)~~ **(4)** The person owns and operates the vehicle and the person:

(A) does not operate the vehicle as a lessor; and

(B) moves the empty vehicle from one (1) lessee-carrier to another.

~~(6)~~ **(5)** The person owns a vehicle for which emissions testing is required and the vehicle will require further mechanical repairs in order to comply with the emissions testing requirements.

(c) The bureau shall prescribe the form of a temporary registration permit.

(d) A temporary registration permit shall be displayed on a vehicle in a manner determined by the bureau.

~~(e) The bureau may provide for the bulk issuance of temporary~~

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~~registration permits to manufacturers for the purpose of subsection (b)(4).~~

~~(f)~~ **(e)** Subject to IC 9-25-1-2, a temporary registration permit may be obtained under this section if the owner of the vehicle provides proof of financial responsibility in the amounts specified under IC 9-25 in a form required by the bureau.

SECTION 74. IC 9-18-8 IS REPEALED [EFFECTIVE JULY 1, 2013]. (Identification Numbers).

SECTION 75. IC 9-18-12-2, AS AMENDED BY P.L.79-2006, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) Except as provided in section 2.5 of this chapter, the bureau shall issue one (1) license plate to the person who owns an antique motor vehicle that is registered under this chapter.

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

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

(1) contain:

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

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

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

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

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

SECTION 76. IC 9-18-14-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. **(a)** If a person who owns a military vehicle registers the military vehicle under this chapter the

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

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

(b) A military vehicle registered under this chapter is not required to display a license plate in order to be operated on a public highway.

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SECTION 77. IC 9-18-15-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) A personalized license plate may be the same color and size and contain similar required information as regular license plates issued for the respective class of vehicle.

(b) A personalized license plate is limited to the:

(1) numerals 0 through 9; or

(2) letters A through Z;

in a continuous combination of numbers and letters with at least two (2) positions.

(c) A personalized license plate may not ~~be issued to~~ duplicate a regularly issued plate.

(d) Only one (1) personalized plate, without regard to classification of registration, may be issued by the bureau with the same configuration of numbers and letters.

SECTION 78. IC 9-18-15-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) A person who applies for:

(1) a personalized license plate; or

(2) the renewal of a personalized license plate in the subsequent period;

must file an application in the manner the bureau requires, indicating the combination of letters or numerals, or both, requested ~~as a registration number.~~ **by the person.**

(b) The bureau may refuse to issue a combination of letters or numerals, or both, that:

(1) carries a connotation offensive to good taste and decency; ~~or~~

(2) would be misleading; **or**

(3) the bureau otherwise considers improper for issuance.

SECTION 79. IC 9-18-15-5.5, AS ADDED BY P.L.103-2006, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5.5. ~~After December 31, 2006,~~ The bureau shall issue personalized license plates ~~annually.~~ **on the same schedule prescribed under IC 9-18-2-47.**

SECTION 80. IC 9-18-15-8, AS AMENDED BY P.L.2-2005, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. (a) If a person has registered a vehicle and has been issued a personalized license plate for use on a leased vehicle, and:

(1) the person cancels the lease; or

(2) the lease expires during the registration year;

the person may transfer the registration to another vehicle eligible to be

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registered under this chapter.

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

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

SECTION 81. IC 9-18-15-9 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 9. A person who has registered a vehicle with the current year's license plate and applies for a personalized license plate for the same vehicle shall surrender the regular license plate and registration to the bureau when the personalized license plate is delivered to the person.~~

SECTION 82. IC 9-18-15-10, AS AMENDED BY P.L.233-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. (a) In addition to the applicable excise tax imposed under IC 6-6-5, the regular registration fees, and any additional fee required to receive a special recognition license plate described in section 1(b) of this chapter, a person applying for or renewing the registration of a personalized license plate shall pay the personalized license plate fee under IC 9-29-5-32.5 upon an original application or registration renewal, as provided in this chapter.

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

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

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

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

SECTION 83. IC 9-18-15-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 11. If a person who applies for a personalized license plate with a given configuration of letters or numbers is not able to obtain the license plate requested or a satisfactory alternative configuration, ~~a license branch~~ **the bureau** shall refund the entire **personalized license plate** fee to the person. However, a refund of a personalized license plate fee may not be made when the person who applies for the personalized license plate cancels

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the request.

SECTION 84. IC 9-18-16-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. **(a)** License plates shall be issued to the following:

(1) Members of the general assembly.

(2) Spouses of members of the general assembly.

(3) Other state officials who receive special license plates on an annual basis.

(b) A license plate issued under this chapter may also be issued to a company or business owned by a person described in subsection (a).

SECTION 85. IC 9-18-18-4 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 4. Not more than two (2) disabled Hoosier veteran license plates may be issued to each eligible person.~~

SECTION 86. IC 9-18-19-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. **(a)** The bureau shall design ~~and issue a passenger vehicle~~ **a** license plate that will designate ~~the~~ **a** vehicle as being registered to a person who has received a Purple Heart decoration that is awarded to a person who suffers an injury while serving as a member of the armed forces of the United States.

(b) The bureau may issue a license plate designed under subsection (a) to the following types of vehicles:

(1) A passenger motor vehicle.

(2) A truck with a declared gross weight of at least seven thousand (7,000) pounds but less than eleven thousand (11,000) pounds.

(3) A recreational vehicle.

(4) A motorcycle.

SECTION 87. IC 9-18-19-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 2.5. (a) An individual who qualifies for a Purple Heart license plate under section 1 of this chapter may not be charged the following:**

(1) A fee for parking the individual's motor vehicle displaying the license plate issued under section 1 of this chapter in a metered space.

(2) A penalty for parking the individual's motor vehicle displaying the license plate issued under section 1 of this chapter in a metered space for longer than the time permitted.

(b) This section does not authorize parking of a motor vehicle in places where parking is not allowed at any time or at a specified time if the prohibition is posted and authorized by ordinances in

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cities and towns or by order of the Indiana department of transportation.

(c) A person other than the owner of the motor vehicle displaying a Purple Heart license plate authorized by this chapter is not entitled to the parking privileges authorized by this section.

SECTION 88. IC 9-18-20-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The bureau shall design and issue a vehicle license plate under IC 9-18-25 that will designate a vehicle as being registered by an active member of the ~~Indiana~~ National Guard.

SECTION 89. IC 9-18-20-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. ~~An Indiana~~ **A** National Guard license plate must display the following:

(1) An identification number.

(2) Any other information and design selected by the bureau.

SECTION 90. IC 9-18-20-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) A resident of Indiana who is an active member of the ~~Indiana~~ Army or Air National Guard may apply for and receive one (1) or more license plates under this chapter.

(b) A person applying for a National Guard license plate under this chapter must demonstrate the person's status as an active member of the ~~Indiana~~ Army or Air National Guard by presenting the following with the person's application:

(1) A current armed forces identification card.

(2) A letter signed by the person's commanding officer identifying the person as a current active member.

SECTION 91. IC 9-18-20-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. ~~An Indiana~~ **A** National Guard license plate must be displayed on a vehicle legally registered by the person described in section 3 of this chapter.

SECTION 92. IC 9-18-21 IS REPEALED [EFFECTIVE JULY 1, 2013]. (Indiana Guard Reserve License Plates).

SECTION 93. IC 9-18-22-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The bureau shall issue a license plate ~~or decal~~ for a person with a disability that designates a vehicle as a vehicle that is regularly used to transport a person who:

(1) has been issued a permanent parking placard under IC 9-14-5;

(2) has a permanent physical disability that requires the use of a wheelchair, walker, braces, or crutches, **as certified by a health care provider listed in subdivision (4);**

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(3) has permanently lost the use of one (1) or both legs;

(4) is certified ~~by a physician having an unlimited license to practice medicine in Indiana~~ to be severely and permanently restricted

~~(A)~~ in mobility

~~(B) by~~ **due to** a pulmonary or cardiovascular disability,

~~(C) by~~ an arthritic condition, or

~~(D) by~~ an orthopedic or a neurological impairment **by:**

(A) a physician having a valid, unrestricted license to practice medicine;

(B) a physician who is a commissioned medical officer of the armed forces of the United States or of the United States Public Health Service;

(C) a physician who is a medical officer of the United States Department of Veterans Affairs;

(D) a chiropractor with a valid, unrestricted license under IC 25-10-1;

(E) a podiatrist with a valid, unrestricted license under IC 25-29-1; or

(F) an advanced practice nurse with a valid, unrestricted license under IC 25-23; or

(5) is certified by an optometrist or ophthalmologist licensed to practice in Indiana to be:

(A) blind (as defined in IC 12-7-2-21(2)); or

(B) visually impaired (as defined in IC 12-7-2-198).

SECTION 94. IC 9-18-22-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. The license plate ~~or decal~~ for a person with a disability must bear:

(1) the official international wheelchair symbol;

(2) a reasonable facsimile of the international wheelchair symbol; or

(3) another symbol selected by the bureau;

to designate the vehicle as being used to transport a person with a disability.

SECTION 95. IC 9-18-22-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. The license plate ~~or decal~~ for a person with a disability may only be issued to the following:

(1) A person with a disability.

(2) A person who owns a vehicle that is:

(A) frequently operated by a person with a disability; or

(B) used to transport a person with a disability.

SECTION 96. IC 9-18-22-4 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. The license plate ~~or decal~~ for a person with a disability:

(1) shall be assigned to a vehicle subject to registration under Indiana law; and

(2) may be displayed only on a legally registered vehicle.

SECTION 97. IC 9-18-22-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. The motor vehicle bearing the license plate ~~or decal~~ for a person with a disability may only be used by the person who has registered the motor vehicle for private and personal purposes.

SECTION 98. IC 9-18-22-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) A person who knowingly and falsely professes to have the qualifications to obtain a license plate ~~or decal~~ for a person with a disability under this chapter commits a Class C misdemeanor.

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

SECTION 99. IC 9-18-23-6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 6. Beginning July 1, 2013, the bureau shall issue a license plate under this chapter on a semipermanent basis.**

SECTION 100. IC 9-18-26-8, AS AMENDED BY P.L.93-2010, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. ~~Dealer-new, dealer-used, and manufacturer license plates may be used~~ **(a) The bureau may design and issue a dealer designee license plate for use** without restriction by **the bureau or** a designee of a dealer or ~~a designee of a~~ manufacturer. ~~under rules adopted by the secretary of state. The rules must provide the following:~~

~~(1) The~~ **(b) A** dealer or manufacturer is to be assessed and pay the motor vehicle excise tax under IC 6-6-5 attributable to that part of the total year that the designee **of the dealer or manufacturer** operates the motor vehicle **for which the dealer designee license plate is issued.**

~~(2) The~~ **(c) A** dealer or manufacturer shall report to the ~~secretary of state~~ **bureau on a form issued by the bureau** the date of assignment to a designee, the designee's name and address, and the date of termination of the assignment. ~~within ten (10) days of the assignment or termination.~~

~~(3)~~ **(d)** The tax calculated in ~~subdivision (1)~~ **subsection (b)** shall be

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paid ~~within thirty (30) days of the termination of the assignment~~ to ~~the~~ **a** designee or at the time ~~the~~ **a** dealer or manufacturer purchases license plates under this chapter.

SECTION 101. IC 9-18-46.2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) This section applies with regard to a state educational institution trust license plate supporting a state educational institution in a year following a year:

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

(2) beginning after December 31, 1998.

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

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

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

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

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

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

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

SECTION 102. IC 9-18-50-5, AS ADDED BY P.L.58-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. A Hoosier veteran license plate issued under this chapter may be displayed on the following:

(1) A passenger motor vehicle.

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

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not more than eleven thousand (11,000) pounds.
(3) A recreational vehicle.
(4) A motorcycle.

SECTION 103. IC 9-18-50-6, AS ADDED BY P.L.58-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. A veteran who is a resident of Indiana and is eligible to register a motor vehicle under this title may apply for and receive a Hoosier veteran license plate for one (1) or more motor vehicles upon doing the following:

(1) Completing an application for a Hoosier veteran license plate.
(2) Presenting:
(A) a United States Uniformed Services Retiree Identification Card;
(B) a DD 214 **or DD 215** record;
(C) United States military discharge papers; or
(D) a current armed forces identification card;
to the bureau.
(3) Paying the fee under section 7 of this chapter.

SECTION 104. IC 9-18-51-3, AS ADDED BY P.L.58-2006, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. A support our troops license plate issued under this chapter may be displayed on the following:

(1) A passenger motor vehicle.
(2) A truck registered as a truck with a declared gross weight of not more than eleven thousand (11,000) pounds.
(3) A recreational vehicle.
(4) A motorcycle.

SECTION 105. IC 9-18-52-5, AS ADDED BY P.L.30-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. A license plate issued under this chapter may be displayed on the following:

(1) A passenger motor vehicle.
(2) A truck registered as a truck with a declared gross weight of not more than eleven thousand (11,000) pounds.
(3) A recreational vehicle.
(4) A motorcycle.

SECTION 106. IC 9-18-54-4, AS ADDED BY P.L.87-2010, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. An Indiana Gold Star family member license plate issued under this chapter may be displayed on the following:

(1) A passenger motor vehicle.
(2) A truck registered as a truck with a declared gross weight of

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not more than eleven thousand (11,000) pounds.

(3) A recreational vehicle.

(4) A motorcycle.

SECTION 107. IC 9-19-10-4 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 4. The bureau, in cooperation with the Indiana department of transportation, division of traffic safety, shall develop and administer educational programs for the purpose of informing the general public of the benefits that will inure to passengers using safety belts.~~

SECTION 108. IC 9-19-10-6 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 6. (a) A safety belt must be of a type and must be installed in a manner approved by the bureau.~~

~~(b) The bureau shall establish specifications and requirements for approved types of safety belts and attachments to the safety belts.~~

~~(c) The bureau shall accept, as approved, a seat belt installation and the belt and anchor meeting the Society of Automotive Engineers' specifications.~~

SECTION 109. IC 9-22-1-5, AS AMENDED BY P.L.125-2012, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. When an officer discovers a vehicle in the possession of a person other than the owner of the vehicle and the person cannot establish the right to possession of the vehicle, the vehicle shall be taken to and stored in a suitable place **determined by the officer.**

SECTION 110. IC 9-22-1-16, AS AMENDED BY P.L.54-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 16. (a) If after twenty-four (24) hours the person who owns a vehicle believed to be abandoned on private property ~~that the person owns or controls, including rental property,~~ has not removed the vehicle from the private property, the person who owns or controls the private property **on which the vehicle is believed to be abandoned** may have the vehicle towed from the private property.

(b) Notwithstanding subsection (a), in an emergency situation a vehicle **believed to be abandoned on private property** may be removed immediately. As used in this subsection, "emergency situation" means that the presence of the ~~abandoned~~ vehicle **believed to be abandoned** interferes physically with the conduct of normal business operations of the person who owns or controls the private property or poses a threat to the safety or security of persons or property, or both.

SECTION 111. IC 9-22-1-21.5, AS ADDED BY P.L.125-2012, SECTION 124, IS AMENDED TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2013]: Sec. 21.5. ~~(a) An individual, a firm, a limited liability company, or a corporation that performs labor, furnishes materials or storage, or does repair work on a motor vehicle, trailer, semitrailer, or recreational vehicle at the request of the person that owns the vehicle has a lien on the vehicle for the reasonable value of the charges for the labor, materials, storage, or repairs.~~

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

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

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

(3) in accordance with this chapter;

has a lien on the vehicle for the reasonable value of the charges for the towing services and other related costs **in accordance with IC 9-22-6.** An individual, a firm, a partnership, a limited liability company, or a corporation that obtains a lien for an abandoned vehicle under ~~subdivision (2)~~ **this section** must comply with sections 16, 17, and 19 of this chapter **and IC 9-22-6.**

~~(c) If:~~

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

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

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

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

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

~~(2) The amount of the unpaid charges.~~

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

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

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

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

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

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

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

~~(h) A person that holds a lien under this section may deduct and retain the amount of the lien and the cost of the advertisement required under subsection (d) from the purchase price received for a vehicle sold under this section. After deducting from the purchase price the amount of the lien and the cost of the advertisement, the person shall pay the surplus of the purchase price to the owner of the vehicle if the owner's address or whereabouts are known. If the address or whereabouts of the owner of the vehicle are not known, the surplus of the purchase price shall be paid over to the clerk of the circuit court of the county in which the person that holds the lien has a place of business for the use and benefit of the owner of the vehicle.~~

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

~~(1) The facts of the sale.~~

~~(2) The vehicle identification number.~~

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~~(3) The certificate of title if available.~~

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

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

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

SECTION 112. IC 9-22-1.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A private property owner who finds a mobile home that the person believes to be abandoned on property the person owns or controls, including rental property, may sell or salvage the mobile home if it has been left without permission on the owner's property for at least thirty (30) days. **The thirty (30) day period begins on the day the property owner sends notice under section 3 of this chapter to the owner of the mobile home.**

SECTION 113. IC 9-22-1.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) ~~The thirty (30) day period described in section 2 of this chapter begins the day written notice is sent by the~~ **A** property owner **shall send notice of a mobile home described in section 2 of this chapter as follows:**

(1) To ~~the last known address of~~ the owner of the mobile home **at the last known address of the owner** as shown by the records ~~in~~ **of** the bureau. ~~of motor vehicles or personally delivered to the owner of the mobile home.~~ If the property owner is unable to determine the address of the mobile home owner, the property owner may serve the mobile home owner by posting the notice on the mobile home.

(2) To:

(A) a lienholder with a perfected security interest in the mobile home; or

(B) any other person known to claim an interest in the mobile home;

as shown by the records of the bureau.

~~If the notice is mailed, the property owner shall send notice by certified mail, return receipt requested.~~ Notice ~~by mail or personally delivered,~~ **under this subsection** must include a description of the mobile home and a conspicuous statement that the mobile home is on the owner's property without the owner's permission. If the owner of a mobile home changes the owner's address from that maintained in the records of the bureau, the owner shall immediately notify the property owner of the

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new address.

(b) A property owner may provide notice under subsection (a) by the following methods:

(1) Certified mail, return receipt requested.

(2) Personal delivery.

(3) Electronic service under IC 9-22-1-19.

~~(b)~~ **(c)** If, before the thirty (30) day period described in section 2 of this chapter expires, the mobile home owner requests by certified mail, return receipt requested, additional time to remove the mobile home, the period described in section 2 of this chapter shall be extended by an additional thirty (30) days. The mobile home owner may only request one (1) thirty (30) day extension of time.

SECTION 114. IC 9-22-1.5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. After the purchaser, property owner, or donee:

(1) presents the bureau with the affidavit of sale;

(2) completes an application for title **with any other information the bureau requires;** and

(3) pays any applicable fee;

the bureau shall issue to the purchaser or property owner a certificate of title to the mobile home.

SECTION 115. IC 9-22-3-13, AS AMENDED BY P.L.125-2012, SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. A scrap metal processor or other appropriate facility that purchases or acquires a salvage motor vehicle that has been totally demolished or destroyed as a result of normal processing performed by a disposal facility is not required to apply for and receive a certificate of salvage title for the vehicle. The facility or processor that performed the processing that resulted in the vehicle being demolished or destroyed shall surrender the certificate of title, the certificate of authority, or the certificate of salvage title to the bureau. ~~The disposal facility shall maintain the records prescribed by the bureau for a totally demolished or destroyed vehicle.~~

SECTION 116. IC 9-22-3-16, AS AMENDED BY P.L.125-2012, SECTION 136, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 16. (a) Except as provided in subsection (b), a certificate of title issued under ~~section 8 or 15 of~~ this chapter and a certificate of title subsequently issued must conspicuously bear the designation:

(1) "REBUILT VEHICLE--MILEAGE NOT ACTUAL" if the motor vehicle is not a flood damaged vehicle; or

(2) "REBUILT FLOOD DAMAGED VEHICLE" if the motor

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vehicle is a flood damaged vehicle.

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

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

(1) "REBUILT VEHICLE" if the motor vehicle is not a flood damaged vehicle; or

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

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

SECTION 117. IC 9-22-3-17, AS AMENDED BY P.L.125-2012, SECTION 137, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 17. (a) Except as provided in subsection (b), whenever a certificate of title is issued for a vehicle that was previously titled in another state or jurisdiction and the certificate of title from the other state or jurisdiction contains a "REBUILT", "RECONDITIONED", "DISTRESSED VEHICLE", or similar designation, a new and subsequent certificate of title must conspicuously bear the designation "REBUILT VEHICLE".

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

SECTION 118. IC 9-22-5-1.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 1.1. A person who owns and has a certificate of title for a vehicle may sell, give away, or dispose of the vehicle for scrap metal without applying for a certificate of authority under this chapter. The person must sign and surrender the certificate of title to the scrap metal processor or other appropriate facility to dispose of the vehicle.**

SECTION 119. IC 9-22-5-4, AS AMENDED BY P.L.125-2012, SECTION 144, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) The application required

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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 vehicle identification number of the vehicle, if ascertainable, together with any other identifying features.

(3) A concise statement of the facts surrounding the abandonment of the vehicle, that the title of the vehicle is **faulty,** lost, or destroyed, or the reasons for ~~the defect of title in the owner~~ **disposal** of the 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.

SECTION 120. IC 9-22-5-12, AS AMENDED BY P.L.125-2012, SECTION 152, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. The person who:

(1) owns a vehicle ~~that has a title that is faulty, lost, or destroyed;~~ **described in this chapter;** and

(2) sells the vehicle; ~~under this chapter;~~

may retain the proceeds of the sale for the person's use and benefit.

SECTION 121. IC 9-22-6-1, AS ADDED BY P.L.125-2012, SECTION 158, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) An individual, a firm, a limited liability company, or a corporation engaged in the business of storing, furnishing supplies for, **providing towing services for,** or repairing motor vehicles, trailers, semitrailers, or recreational vehicles shall obtain the name and address of the person that owns a motor vehicle, trailer, semitrailer, or recreational vehicle that is left in the custody of the individual, firm, limited liability company, or corporation for storage, furnishing of supplies, or repairs at the time the vehicle is left.

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

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

(2) The license number of the vehicle.

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

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

(d) If a motor vehicle, trailer, semitrailer, or recreational vehicle is stored by the week or by the month, only one (1) entry on the book is

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required for the time during which the vehicle is stored.

SECTION 122. IC 9-29-3-19, AS AMENDED BY P.L.68-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 19. ~~(a) As used in this section, "low numbered motor vehicle registration plate" means any motor vehicle registration plate numbered from one (1) to one hundred (100) before or after the county designation number or letter series designation, or both.~~

~~(b)~~ **(a)** As used in this section, "pull service charge" refers to the charge that the commission may require for a requested ~~low numbered motor vehicle registration plate or a~~ special numbered motor vehicle registration plate.

~~(c)~~ **(b)** As used in this section, "special numbered motor vehicle registration plate" means any plate ~~other than a low numbered motor vehicle registration plate,~~ requested for issuance out of its established numerical sequence.

~~(d)~~ **(c)** Subject to ~~subsections (e) and (f)~~ **subsection (d)** and with the approval of the commission, the bureau may adopt rules under IC 4-22-2 to do the following:

(1) Increase or decrease any of the service charges listed in sections 1 through 18 of this chapter.

(2) Impose a service charge on any other license branch service that is not listed in sections 1 through 18 of this chapter.

(3) Increase or decrease a service charge imposed under subdivision (2).

~~(e)~~ **(d)** The bureau's authority to adopt rules under subsection ~~(d)~~ **(c)** is subject to the condition that a service charge must be uniform throughout all license branches and at all partial service locations in Indiana.

~~(f) The bureau may not impose a pull service charge for a requested passenger motor vehicle registration plate containing the numbers set forth in IC 9-18-2-28 for a motor vehicle:~~

~~(1) issued a license plate under IC 9-18-17 that designates the motor vehicle as being owned by a former prisoner of war or by the surviving spouse of a former prisoner of war; or~~

~~(2) after December 31, 2006, issued a license plate under IC 9-18-19 that designates the motor vehicle as being owned by a person who has received a Purple Heart decoration.~~

~~(g)~~ **(e)** The bureau may not impose a pull service charge of more than fifteen dollars ($15) for a requested motor vehicle registration plate issued under IC 9-18-25 for a special group recognition license plate that commemorates the bicentennial of the Lewis and Clark expedition.

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SECTION 123. IC 9-29-5-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 17. The fee for each duplicate **or replacement** license plate is three dollars ($3).

SECTION 124. IC 9-29-5-40 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 40. The fee for the issuance of an interim manufacturer transporter license plate under IC 9-18-27 is one dollar ($1).~~

SECTION 125. IC 9-31-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. The bureau ~~shall~~ **may** adopt rules under IC 4-22-2 to implement this article.

SECTION 126. IC 9-31-2-7, AS AMENDED BY P.L.125-2012, SECTION 381, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. An application for a certificate of title must be certified by the owner or purchaser of the watercraft and must contain the following information: ~~along with the additional information the bureau requires:~~

(1) The name and **residence** address of the applicant **and, if different from the residence address, the applicant's mailing address, and the Social Security number or federal identification number of the applicant.**

(2) The name and address of the previous owner.

(3) A statement of liens, mortgages, or other encumbrances on the watercraft and the name and address of the holder of the liens, mortgages, or other encumbrances.

~~(4) If a lien, mortgage, or other encumbrance is not outstanding, a statement of that fact.~~

(4) The former title number of the watercraft, if applicable.

(5) A description of the watercraft, including, if applicable, the make, year, length, dry weight, series or model, horsepower rating, hull type, and hull identification number.

(6) The purchase or acquisition date.

~~(6)~~ **(7)** Any other information that the bureau requires.

SECTION 127. IC 9-31-2-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 7.5. (a) This section does not apply to the following:**

(1) A new watercraft sold by a dealer that is licensed by the state under IC 9-31-4.

(2) A watercraft transferred or assigned on a certificate of title issued by the bureau.

(b) The bureau may not accept an application for a certificate of title under section 7 of this chapter for a watercraft unless the watercraft has been inspected by one (1) of the following:

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(1) An employee of a dealer designated by the secretary of state to perform an inspection.

(2) A military policeman assigned to a military post in Indiana.

(3) A police officer.

(4) A designated employee of the bureau.

(5) An employee of a qualified person operating under a contract with the commission under IC 9-16-1-4 for operation of a full service license branch.

(6) An employee of a qualified person operating under a contract with the commission under IC 9-16-1-4.5 for operation of a partial service license branch.

(c) A person who inspects a watercraft under subsection (b) shall do the following:

(1) Make a record of the inspection on the application.

(2) Verify the information contained in the application.

SECTION 128. IC 9-31-2-8, AS AMENDED BY P.L.125-2012, SECTION 382, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. **(a)** If a watercraft contains a permanent hull identification number placed on the watercraft by the manufacturer of the watercraft, the number shall be used as the hull identification number. If there is no manufacturer's hull identification number or if the manufacturer's hull identification number has been removed or obliterated, the bureau shall, upon a prescribed application, ~~that includes information indicating proof of ownership,~~ assign a hull identification number to the watercraft. The assigned hull identification number shall be permanently affixed to or imprinted by the applicant at the place and in the manner designated by the bureau upon the watercraft to which the hull identification number is assigned. The fee prescribed under IC 9-29-15-2 and any other applicable fees and service charges shall be paid to the bureau for assigning a hull identification number.

(b) An application under subsection (a) must contain the following:

(1) A description of the watercraft, including the make, year, length, series or model, and, if known, original identification number.

(2) The name and address of the applicant.

(3) The date on which the applicant purchased or obtained possession of the watercraft.

(4) The name and address of the person from whom the applicant purchased or obtained possession of the watercraft.

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(5) Any other information the bureau requires.

SECTION 129. IC 9-31-2-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 17. If a person fails to apply for a title within thirty-one (31) days after:

(1) obtaining ownership of a ~~boat,~~ **watercraft; or**

(2) otherwise being required to obtain a certificate of title for a watercraft;

the person shall pay a late title fee prescribed under IC 9-29-15-3.

SECTION 130. IC 9-31-2-20, AS AMENDED BY P.L.125-2012, SECTION 390, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 20. (a) If a certificate of title **for a watercraft:**

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

(2) is mutilated;

(3) is destroyed; or

(4) becomes illegible;

the owner of the watercraft, **or the owner's legal representative or successor in interest, as shown in the records of the bureau,** shall **immediately** apply to the bureau for a duplicate certificate of title. ~~upon a form prescribed by the bureau and accompanied by the fee prescribed by IC 9-29-15-1 and any other applicable fees and service charges. The person making the application shall certify the application for the duplicate certificate of title. Upon receipt of the application, the bureau shall issue a duplicate certificate of title to the person entitled to receive the certificate of title under this chapter. Upon the issuance of a duplicate certificate of title, the previously issued certificate of title becomes void.~~

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

(1) submit an application on a form prescribed by the bureau;

(2) furnish information satisfactory to the bureau concerning the loss, theft, mutilation, destruction, or illegibility of the certificate of title; and

(3) pay the applicable fee provided under IC 9-29.

~~(b) Each duplicate certificate of title shall have~~ **(c)** The word "duplicate" **must be** printed or stamped **in ink** on the **face of a** certificate of title ~~The duplicate certificate of title shall be delivered to the person entitled to possession of the certificate of title.~~ **issued under this section.**

~~(c) If an original certificate of title is recovered by the owner, the owner shall immediately surrender the original certificate of title to the bureau for cancellation.~~

C o p y

(d) When the bureau issues a duplicate certificate of title, the previously issued certificate of title becomes void.

SECTION 131. IC 9-31-2-23, AS AMENDED BY P.L.125-2012, SECTION 393, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 23. (a) Upon receiving knowledge of a stolen watercraft, a law enforcement agency shall immediately furnish the sheriff's department of the county from which the watercraft was stolen, the department of natural resources, law enforcement division, and the bureau with full information concerning the theft.

(b) If a stolen or converted watercraft is recovered, the owner or recovering agency shall immediately notify the law enforcement agency that received the initial theft report. The law enforcement agency shall immediately notify the bureau, the department of natural resources, the sheriff of the county from which the watercraft was stolen, and other law enforcement agencies in the county. ~~The bureau shall remove the record of the theft or conversion from the file in which the report is recorded.~~

SECTION 132. IC 9-31-2-31 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 31. (a) An Indiana resident who:**

(1) is serving in the armed forces of the United States; and

(2) holds a certificate of title for a watercraft;

may authorize transfer of the certificate of title to another person by submitting a signed letter to that effect to the bureau. The letter must be accompanied by proof that the Indiana resident is actively serving in the armed forces of the United States outside Indiana.

(b) When the bureau receives the letter and proof described in subsection (a), the bureau may transfer the certificate of title to the person named in the letter. The letter must be attached to the certificate of title being transferred and becomes a permanent record of the bureau.

(c) The bureau shall use reasonable diligence to determine if the signature on the letter authorizing the transfer is authentic. If the bureau is satisfied that the signature is authentic, the bureau shall issue to the person named in the letter an appropriate certificate of title over the signature of the bureau and sealed with the seal of the bureau.

SECTION 133. IC 9-31-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. The owner of a motorboat that is required to be registered and numbered by Indiana shall ~~file an application for registration~~ **request to register the motorboat** with the bureau. At the time of filing the ~~application,~~

C o p y

request, the ~~applicant~~ **requesting party** must provide proof of ownership and a hull identification number to the bureau. If there is not a manufacturer's hull identification number for the motorboat, the bureau shall assign a hull identification number at the time of registration in the same manner as a hull identification number is assigned under IC 9-31-2-8. The fee prescribed under IC 9-29-15-2 shall be paid to the bureau for assigning a hull identification number. For purposes of registering a motorboat or obtaining a hull identification number to register a motorboat, ownership may be established by any one (1) of the following:

(1) A manufacturer's or importer's certificate.

(2) A sworn statement of ownership as prescribed by the bureau. An affidavit executed, under penalties for perjury, by the person filing the application shall be accepted as proof of ownership for any motorboat or sailboat that:

(A) is a Class 5 or lower motorboat under IC 6-6-11-11 (the boat excise tax) and the motorboat is not titled under IC 9-31-2; or

(B) is propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means, including sailboats that are equipped with such a motor or engine when the sailboat is in operation whether or not the sails are hoisted, if:

(i) the motorboat was made by an individual for the use of the individual and not for resale; and

(ii) the motorboat is not titled under IC 9-31-2.

(3) A certificate of title or bill of sale.

(4) Other evidence of ownership required by the law of another state from which the motorboat is brought into Indiana.

SECTION 134. IC 9-31-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) Except as provided in subsection (b), ~~application~~ **a request for registration** under section 8 of this chapter must be signed by the owner of the motorboat and accompanied by the fee specified under IC 9-29-15-4.

(b) A motorboat that is owned by the United States, a state, or a subdivision of a state is exempt from the payment of a fee to register the motorboat.

(c) The bureau shall transfer the money derived from the fees collected under subsection (a) to the department of natural resources.

SECTION 135. IC 9-31-3-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 9.5. (a) The bureau shall use**

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reasonable diligence in examining and determining the genuineness, regularity, and legality of the following:

(1) Information provided from a person as part of a request for registration of a motorboat.

(2) A request for a license required under this article for operation of a motorboat upon the waters of Indiana.

(3) Any other application or request made to the bureau under this article.

(b) The bureau may:

(1) investigate or require additional information; or

(2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or request or the contents of an application or request, or for any other reason under this article.

SECTION 136. IC 9-31-3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. Upon receipt of a ~~completed application~~ **request for registration** under section 8 of this chapter and fee under section 9 of this chapter, the bureau shall enter the application upon the bureau's records and shall issue to the applicant a certificate of registration in which is stated the number awarded to the motorboat and the name and address of the owner. The registration certificate shall be available at all times for inspection on the motorboat for which the registration certificate is issued whenever the motorboat is in operation.

SECTION 137. IC 9-31-3-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. Upon the transfer of ownership of a motorboat, the owner shall provide proper ownership documents and the certificate of registration to the new owner at the time of delivering the motorboat. The new owner shall ~~file an application~~ **submit a request for registration,** along with the proper fee, with the bureau and a new registration certificate shall be issued in the same manner as an original issue of a registration certificate.

SECTION 138. IC 9-31-3-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 22. Every ~~peace~~ **law enforcement** officer of this state and its subdivisions, including an enforcement officer of the department of natural resources, may enforce this chapter and may stop and board a motorboat subject to this chapter.

SECTION 139. IC 9-31-3-25 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 25. A motorboat that is owned or leased and used for official business by the following must be**

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registered on a date selected by the bureau but is exempt from the payment of registration fees:

(1) The state.

(2) A municipal corporation (as defined in IC 36-1-2-10).

(3) A volunteer fire department (as defined in IC 36-8-12-2).

(4) A volunteer emergency ambulance service that:

(A) meets the requirements of IC 16-31; and

(B) has only members that serve for no compensation or a nominal annual compensation of not more than three thousand five hundred dollars ($3,500).

SECTION 140. IC 9-31-3-26 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 26. The bureau shall retain a record of the registration issued under this chapter.**

SECTION 141. IC 9-31-3-27 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 27. The bureau may issue a registration under this chapter for a motorboat owned by the United States government.**

SECTION 142. IC 9-31-3-28 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 28. (a) A motorboat that is owned by an entity that is exempt from the payment of registration fees under section 25 of this chapter may be assigned permanent registration certificates and accompanying permanent registration cards.**

(b) The permanent registration certificates and cards assigned under subsection (a) are in effect from the time the certificate of title for the motorboat is acquired by the person that owns the motorboat until the certificate of title is relinquished by the person, when the registration certificates and cards are subject to reassignment or destruction by the person.

SECTION 143. IC 9-31-3-29 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 29. (a) A confidential registration certificate for a watercraft for investigative purposes may be issued to a state agency upon the annual consent of the bureau or the Indiana department of administration.**

(b) Other investigative agencies may be issued confidential registration certificates for watercraft for investigative purposes upon the annual consent of the superintendent of the state police or the commissioner of the department of natural resources.

C o p y

SECTION 144. IC 9-31-4-6, AS AMENDED BY P.L.106-2008, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) A license **issued under this chapter** may be denied, suspended, or revoked for any of the following:

(1) A material misrepresentation in the application for a license or other information filed with the secretary of state.

(2) A lack of fitness under the standards set forth in this chapter or a rule adopted by the secretary of state under this chapter.

(3) A willful failure to comply with this chapter or any rule adopted by the secretary of state under this chapter.

(4) A willful violation of a federal or state law relating to the sale, distribution, financing, or insuring of boats.

(b) The procedures set forth in IC 9-22-4 governing the denial, suspension, or revocation of a license issued under IC 9-22-4 also apply to the denial, suspension, or revocation of a license issued under this chapter. If the secretary of state denies, suspends, or revokes a license issued or sought under this chapter, the affected person may file an action in the circuit court of the Indiana county in which the person's principal place of business is located seeking a judicial determination as to whether the action is proper. The secretary of state's action does not take effect until thirty (30) days after the secretary of state's determination has been made and a notice is served upon the affected person. The filing of an action as described in this section within the thirty (30) day period is an automatic stay of the secretary of state's determination.

(c) Revocation or suspension of a license of a dealer may be limited to one (1) or more locations, one (1) or more defined areas, or certain aspects of the business.

SECTION 145. IC 35-51-9-1, AS AMENDED BY P.L.125-2012, SECTION 417, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The following statutes define crimes in IC 9:

IC 9-14-3.5-15 (Concerning bureau of motor vehicles).

IC 9-14-5-9 (Concerning parking placards for persons with physical disabilities).

IC 9-17-2-15 (Concerning certificates of title).

IC 9-17-2-16 (Concerning certificates of title).

IC 9-17-3-3.2 (Concerning certificates of title).

IC 9-17-3-7 (Concerning certificates of title).

~~IC 9-17-4-6~~ **IC 9-17-4-14** (Concerning certificates of title).

IC 9-17-4-15 (Concerning special identification numbers).

IC 9-17-4-16 (Concerning special identification numbers).

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IC 9-17-4-17 (Concerning identification numbers).
IC 9-17-4-18 (Concerning identification numbers).
IC 9-18-2-42 (Concerning motor vehicle registration and license plates).
IC 9-18-2-44 (Concerning motor vehicle registration and license plates).
IC 9-18-2-45 (Concerning motor vehicle registration and license plates).
IC 9-18-4-8 (Concerning motor vehicle registration and license plates).
~~IC 9-18-8-11 (Concerning motor vehicle registration and license plates).~~
~~IC 9-18-8-12 (Concerning motor vehicle registration and license plates).~~
~~IC 9-18-8-13 (Concerning motor vehicle registration and license plates).~~
~~IC 9-18-8-14 (Concerning motor vehicle registration and license plates).~~
~~IC 9-18-8-15 (Concerning motor vehicle registration and license plates).~~
IC 9-18-13-9 (Concerning motor vehicle registration and license plates).
IC 9-18-22-6 (Concerning motor vehicle registration and license plates).
IC 9-18-26-11 (Concerning motor vehicle registration and license plates).
IC 9-18-26-13 (Concerning motor vehicle registration and license plates).
~~IC 9-18-27-9 (Concerning motor vehicle registration and license plates).~~
IC 9-19-9-5 (Concerning motor vehicle equipment).
IC 9-19-10.5-4 (Concerning motor vehicle equipment).
IC 9-19-10.5-5 (Concerning motor vehicle equipment).
IC 9-20-18-4 (Concerning motor vehicle size and weight regulation).
IC 9-21-5-13 (Concerning traffic regulation).
IC 9-21-6-3 (Concerning traffic regulation).
IC 9-21-8-50 (Concerning traffic regulation).
IC 9-21-8-52 (Concerning traffic regulation).
IC 9-21-8-55 (Concerning traffic regulation).
IC 9-21-8-56 (Concerning traffic regulation).
IC 9-21-8-58 (Concerning traffic regulation).

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IC 9-21-12-9 (Concerning traffic regulation).
IC 9-21-12-11 (Concerning traffic regulation).
~~IC 9-22-1-21.5 (Concerning liens for vehicles).~~
IC 9-22-3-31 (Concerning abandoned, salvaged, and scrap vehicles).
IC 9-22-3-32 (Concerning abandoned, salvaged, and scrap vehicles).
IC 9-22-3-33 (Concerning abandoned, salvaged, and scrap vehicles).
IC 9-22-6-3 (Concerning mechanic's liens for vehicles).
IC 9-23-6-1 (Concerning vehicle manufacturers, distributors, and dealers).
IC 9-24-1-8 (Concerning driver's licenses).
IC 9-24-6-16 (Concerning driver's licenses).
IC 9-24-6-17 (Concerning driver's licenses).
IC 9-24-11-8 (Concerning driver's licenses).
IC 9-24-15-11 (Concerning driver's licenses).
IC 9-24-16-12 (Concerning driver's licenses).
IC 9-24-16-13 (Concerning driver's licenses).
IC 9-24-18-1 (Concerning driver's licenses).
IC 9-24-18-2 (Concerning driver's licenses).
IC 9-24-18-7 (Concerning driver's licenses).
IC 9-24-19-2 (Concerning driver's licenses).
IC 9-24-19-3 (Concerning driver's licenses).
IC 9-24-19-4 (Concerning driver's licenses).
IC 9-25-6-18 (Concerning financial responsibility).
IC 9-25-8-2 (Concerning financial responsibility).
IC 9-26-1-8 (Concerning accidents and accident reports).
IC 9-26-1-9 (Concerning accidents and accident reports).
IC 9-26-6-4 (Concerning accidents and accident reports).
IC 9-30-4-7 (Concerning licenses and registrations).
IC 9-30-4-8 (Concerning licenses and registrations).
IC 9-30-4-13 (Concerning licenses and registrations).
IC 9-30-5-1 (Concerning operating a vehicle while intoxicated).
IC 9-30-5-2 (Concerning operating a vehicle while intoxicated).
IC 9-30-5-3 (Concerning operating a vehicle while intoxicated).
IC 9-30-5-4 (Concerning operating a vehicle while intoxicated).
IC 9-30-5-5 (Concerning operating a vehicle while intoxicated).
IC 9-30-5-7 (Concerning operating a vehicle while intoxicated).
IC 9-30-5-8 (Concerning operating a vehicle while intoxicated).
IC 9-30-6-8.7 (Concerning implied consent).
IC 9-30-9-7.5 (Concerning alcohol abuse deterrent programs).

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IC 9-30-10-16 (Concerning habitual violator of traffic laws).
IC 9-30-10-17 (Concerning habitual violator of traffic laws).
IC 9-30-10-17.5 (Concerning habitual violator of traffic laws).
IC 9-31-2-26 (Concerning watercraft titling and registration).
IC 9-31-2-27 (Concerning watercraft titling and registration).
IC 9-31-2-28 (Concerning watercraft titling and registration).

C o p y

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 563, 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 10, line 31, strike "policeman" and insert "**police officer**".
Page 13, line 31, after "altered" insert "**, destroyed, obliterated,**".
Page 18, line 8, delete "IC 9-17-5;" and insert "**this chapter;**".
Page 29, line 23, strike "subsections" and insert "**subsection**".
Page 29, line 23, after "(b)", insert ",".
Page 29, line 23, strike "and".
Page 29, line 24, strike "(e),".
Page 31, strike lines 30 through 32.
Page 31, line 33, strike "(f)" and insert "**(e)**".
Page 32, delete lines 31 through 42.
Delete page 33.
Page 34, delete lines 1 through 12.
Page 40, delete lines 16 through 32.
Page 48, line 36, after "for" strike "the".
Page 58, line 26, delete "IC 9-17-4-13" and insert "**IC 9-17-4-14**".
Page 58, delete line 27.
Page 58, delete line 32.
Page 59, strike lines 17 through 18.
Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 563 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 7, Nays 0.

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Report of the President
Pro Tempore

Madam President: I move that Engrossed Senate Bill 563, which is eligible for third reading, be returned to second reading for purposes of amendment.

ARNOLD J

SENATE MOTION

Madam President: I move that Senate Bill 563 be amended to read as follows:

Page 14, delete lines 27 through 36.

Page 15, line 39, after "15." insert "**(a)**".

Page 15, line 41, after "removes;" insert "**or**".

Page 15, delete line 42.

Page 16, line 1, delete "(4)" and insert "**(3)**".

Page 16, between lines 3 and 4, begin a new paragraph and insert:

"**(b) A person who, with the intent to conceal evidence of the commission of a crime, covers an original or special identification number commits a Class C felony.**".

Page 17, delete lines 15 through 16, begin a new line block indented and insert:

"**(1) either:**

(A) with the intent to conceal evidence of the commission of a crime, operates a motor vehicle with an identification number that is concealed; or

(B) operates a motor vehicle with an identification number that is removed, defaced, destroyed, or obliterated;".

Renumber all SECTIONS consecutively.

(Reference is to SB 563 as printed January 30, 2013.)

ARNOLD J

C o p y

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 563, 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 5, delete lines 21 through 41, begin a new paragraph and insert:

"SECTION 8. IC 9-13-2-92, AS AMENDED BY SEA 85-2013, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 92. (a) "Law enforcement officer", except as provided in subsection (b), includes the following:

(1) A state police officer.

(2) A city, town, or county police officer.

(3) A sheriff.

(4) A county coroner.

(5) A conservation officer.

(6) An individual assigned as a motor carrier inspector under IC 10-11-2-26(a).

(7) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.

(8) An excise police officer of the alcohol and tobacco commission.

(9) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a law enforcement officer having jurisdiction in Indiana, unless the context clearly refers to a law enforcement officer from another state or a territory or federal district of the United States.

(b) "Law enforcement officer", for purposes of IC 9-30-6 and IC 9-30-7, has the meaning set forth in IC 35-31.5-2-185.".

Page 7, delete lines 6 through 24, begin a new paragraph and insert:

"SECTION 14. IC 9-13-2-127, AS AMENDED BY SEA 85-2013, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 127. (a) "Police officer" means, except as provided in subsection (b), the following:

(1) A regular member of the state police department.

(2) A regular member of a city or town police department.

(3) A town marshal or town marshal deputy.

(4) A regular member of a county sheriff's department.

(5) A conservation officer of the department of natural resources.

(6) An individual assigned as a motor carrier inspector under

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IC 10-11-2-26(a).

(7) An excise police officer of the alcohol and tobacco commission.

(8) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a police officer having jurisdiction in Indiana, unless the context clearly refers to a police officer from another state or a territory or federal district of the United States.

(b) "Police officer", for purposes of IC 9-21, means an officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.".

Page 11, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 23. IC 9-17-3-3, AS AMENDED BY P.L.1-2009, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) If a vehicle for which a certificate of title has been issued is sold or if the ownership of the vehicle is transferred in any manner other than by a transfer on death conveyance under section 9 of this chapter, the person who holds the certificate of title must do the following:

(1) Endorse on the certificate of title an assignment of the certificate of title with warranty of title, in a form printed on the certificate of title, with a statement describing all liens or encumbrances on the vehicle.

(2) Except as provided in subdivisions (4) and (5), deliver the certificate of title to the purchaser or transferee at the time of the sale or delivery to the purchaser or transferee of the vehicle, if the purchaser or transferee has made all agreed upon initial payments for the vehicle, including delivery of a trade-in vehicle without hidden or undisclosed statutory liens.

(3) Unless the vehicle is being sold or transferred to a dealer licensed under IC 9-23-2, complete all information concerning the purchase on the certificate of title, including, but not limited to:

(A) the name and address of the purchaser; and

(B) the sale price of the vehicle.

~~(4) In the case of a sale or transfer between vehicle dealers licensed by this state or another state, deliver the certificate of title within twenty-one (21) days after the date of the sale or transfer.~~

~~(5) Deliver the certificate of title to the purchaser or transferee within twenty-one (21) days after the date of sale or transfer to the purchaser or transferee of the vehicle, if all of the following conditions exist:~~

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~~(A) The seller or transferor is a vehicle dealer licensed by the state under IC 9-23.~~

~~(B) The vehicle dealer is not able to deliver the certificate of title at the time of sale or transfer.~~

~~(C) The vehicle dealer reasonably believes that it will be able to deliver the certificate of title, without a lien or an encumbrance on the certificate of title, within the twenty-one (21) day period.~~

~~(D) The vehicle dealer provides the purchaser or transferee with an affidavit under section 3.1 of this chapter.~~

~~(E) The purchaser or transferee has made all agreed upon initial payments for the vehicle, including delivery of a trade-in vehicle without hidden or undisclosed statutory liens.~~

~~(b) A licensed dealer may offer for sale a vehicle for which the dealer does not possess a certificate of title, if the dealer can comply with subsection (a)(4) or (a)(5) at the time of the sale.~~

~~(c) A vehicle dealer who fails to deliver a certificate of title within the time specified under this section is subject to the following civil penalties:~~

~~(1) One hundred dollars ($100) for the first violation.~~

~~(2) Two hundred fifty dollars ($250) for the second violation.~~

~~(3) Five hundred dollars ($500) for all subsequent violations.~~

~~Payment shall be made to the secretary of state and deposited in the state general fund. In addition, if a purchaser or transferee does not receive a valid certificate of title within the time specified by this section, the purchaser or transferee shall have the right to return the vehicle to the vehicle dealer ten (10) days after giving the vehicle dealer written notice demanding delivery of a valid certificate of title and the dealer's failure to deliver a valid certificate of title within that ten (10) day period. Upon return of the vehicle to the dealer in the same or similar condition as delivered to the purchaser or transferee under this section, the vehicle dealer shall pay to the purchaser or transferee the purchase price plus sales taxes, finance expenses, insurance expenses, and any other amount paid to the dealer by the purchaser.~~

~~(d) For purposes of this subsection, "timely deliver", with respect to a third party, means to deliver to the purchaser or transferee with a postmark dated or hand delivered not more than ten (10) business days after there is no obligation secured by the vehicle. If the dealer's inability to timely deliver a valid certificate of title results from the acts or omissions of a third party who has failed to timely deliver a valid certificate of title to the dealer, the dealer is entitled to claim against the third party one hundred dollars ($100). If:~~

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~~(1) the dealer's inability to timely deliver a valid certificate of title results from the acts or omissions of a third party who has failed to timely deliver the certificate of title in the third party's possession to the dealer; and~~

~~(2) the failure continues for ten (10) business days after the dealer gives the third party written notice of the failure;~~

~~the dealer is entitled to claim against the third party all damages sustained by the dealer in rescinding the dealer's sale with the purchaser or transferee, including the dealer's reasonable attorney's fees.~~

~~(e)~~ **(b)** If a vehicle for which a certificate of title has been issued by another state is sold or delivered, the person selling or delivering the vehicle must deliver to the purchaser or receiver of the vehicle a proper certificate of title with an assignment of the certificate of title in a form prescribed by the bureau.

~~(f)~~ **(c)** The original certificate of title and all assignments and subsequent reissues of the certificate of title shall be retained by the bureau and appropriately classified and indexed in the most convenient manner to trace title to the vehicle described in the certificate of title.

~~(g)~~ **(d)** A dealer shall make payment to a third party to satisfy any obligation secured by the vehicle within five (5) days after the date of sale.

SECTION 24. IC 9-17-3-3.1 IS REPEALED [EFFECTIVE JULY 1, 2013]: ~~Sec. 3.1. The affidavit required by section 3(a)(5) of this chapter shall be printed in the following form:~~

~~STATE OF INDIANA)~~
~~) ss:~~
~~COUNTY OF _____)~~

~~I affirm under the penalties for perjury that all of the following are true:~~

~~(1) That I am a dealer licensed under IC 9-23.~~

~~(2) That I cannot deliver a valid certificate of title to the retail purchaser of the vehicle described in paragraph (3) at the time of sale of the vehicle to the retail purchaser. The identity of the previous seller or transferor is _____. Payoff of lien was made on (date)_____. I expect to deliver a valid and transferable certificate of title not later than (date)_____ from the (State of)_____ to the purchaser.~~

~~(3) That I will undertake reasonable commercial efforts to produce the valid certificate of title. The vehicle identification number is _____.~~

C o p y

~~Signed _____, Dealer~~
~~By_____~~
~~Dated _____, ____~~
~~CUSTOMER ACKNOWLEDGES RECEIPT OF A COPY OF THIS AFFIDAVIT.~~
_____
_____
~~Customer Signature~~

~~NOTICE TO THE CUSTOMER~~

~~If you do not receive a valid certificate of title within the time specified by this affidavit, you have the right to return the vehicle to the vehicle dealer ten (10) days after giving the vehicle dealer written notice demanding delivery of a valid certificate of title and after the vehicle dealer's failure to deliver a valid certificate of title within that ten (10) day period. Upon return of the vehicle to the vehicle dealer in the same or similar condition as when it was delivered to you, the vehicle dealer shall pay you the purchase price plus sales taxes, finance expenses, insurance expenses, and any other amount that you paid to the vehicle dealer.~~

~~If a lien is present on the previous owner's certificate of title, it is the responsibility of the third party lienholder to timely deliver the certificate of title in the third party's possession to the dealer not more than ten (10) business days after there is no obligation secured by the vehicle. If the dealer's inability to deliver a valid certificate of title to you within the above-described ten (10) day period results from the acts or omissions of a third party who has failed to timely deliver the certificate of title in the third party's possession to the dealer, the dealer may be entitled to claim against the third party the damages allowed by law.~~".

Page 11, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 26. IC 9-17-3-7, AS AMENDED BY P.L.131-2008, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) This section does not apply to section 5 of this chapter.

(b) Except as provided in subsection (c), a person who violates this chapter commits a Class C infraction.

(c) A person who knowingly or intentionally violates:

(1) section 3(a)(1) **or** 3(a)(2) ~~3(a)(4), or 3(a)(5)~~ of this chapter commits a Class B misdemeanor; or

(2) section 3(a)(3) of this chapter commits:

(A) a Class A misdemeanor for the first violation; or

(B) a Class D felony for the second violation or any subsequent violation.".

C o p y

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

"SECTION 48. IC 9-17-8-1, AS AMENDED BY P.L.147-2009, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. A ~~manufacturer, a converter manufacturer, an automotive mobility dealer, a dealer, or other~~ person may not sell or otherwise dispose of a new motor vehicle to another person, to be used by the other person for purposes of display or resale, without delivering to the other person a manufacturer's certificate of origin under this chapter that indicates the assignments of the certificate of origin necessary to show the ownership of the title to a person who purchases the motor vehicle.

SECTION 49. IC 9-17-8-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. ~~(a) If a dealer purchases or acquires ownership of a:~~

~~(1) motor vehicle;~~

~~(2) semitrailer; or~~

~~(3) recreational vehicle;~~

~~in a state that does not have a certificate of title law, the dealer shall apply for an Indiana certificate of title for the motor vehicle, semitrailer, or recreational vehicle not more than thirty-one (31) days from the date of purchase or the date ownership of the motor vehicle, semitrailer, or recreational vehicle was acquired.~~

~~(b)~~ The bureau shall collect a delinquent title fee as provided in IC 9-29 if a dealer fails to apply for certificate of title for a motor vehicle, semitrailer, or recreational vehicle as described under subsection (a).".

Page 41, line 20, strike "abandoned".

Page 41, line 20, after "vehicle" insert "**believed to be abandoned**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 563 as reprinted February 19, 2013.)

SOLIDAY, Chair

Committee Vote: yeas 8, nays 0.

C o p y