

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1523 be amended to read as follows:

- 1 Page 2, line 15, delete "a motor driven cycle (as".
- 2 Page 2, line 16, delete "defined in IC 9-13-2-103.7) and".
- 3 Page 2, line 25, delete ":".
- 4 Page 2, delete line 26.
- 5 Page 2, line 27, delete "(2)".
- 6 Page 2, run in lines 25 through 27.
- 7 Page 4, line 10, delete ", motor driven".
- 8 Page 4, line 11, delete "cycles,".
- 9 Page 5, delete lines 8 through 22.
- 10 Page 6, line 3, delete "motor driven cycle or a".
- 11 Page 6, line 17, delete "motor".
- 12 Page 6, line 18, delete "driven cycle or".
- 13 Page 6, line 35, delete "a motor driven cycle,".
- 14 Page 7, line 30, delete ", a motor driven cycle,".
- 15 Page 8, line 6, delete "a motor driven".
- 16 Page 8, line 7, delete "cycle or".
- 17 Page 8, delete lines 9 through 27, begin a new paragraph and insert:
- 18 "SECTION 18. IC 9-17-2-1.7 IS ADDED TO THE INDIANA
- 19 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 20 [EFFECTIVE JULY 1, 2013]: **Sec. 1.7. (a) Notwithstanding any**
- 21 **other law, a person may apply to the bureau for a certificate of title**
- 22 **for a moped. However, a person is not required to obtain a**

1 **certificate of title from the bureau for a moped before the person**
 2 **may operate the moped on a highway.**

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

6 SECTION 19. IC 9-18-1-2 IS ADDED TO THE INDIANA CODE
 7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 8 1, 2013]: **Sec. 2. (a) After December 31, 2013, this article applies to**
 9 **mopeds.**

10 **(b) The bureau may adopt rules under IC 4-22-2 to determine**
 11 **the requirements for registering a moped with the bureau."**

12 Page 8, line 35, delete ", motor driven cycles,".

13 Page 9, line 35, delete "motor driven cycle or".

14 Page 10, line 9, delete "motor driven cycle,".

15 Page 11, line 2, delete "motor driven cycle or".

16 Page 11, delete lines 22 through 42, begin a new paragraph and
 17 insert:

18 "SECTION 25. IC 9-19-3-1 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. A motor vehicle
 20 other than a motorcycle ~~or motor driven cycle, or moped~~, when
 21 operated upon a highway, must be equipped with brakes adequate to
 22 control the movement of and to stop and hold the vehicle. The brakes
 23 must include two (2) separate means of applying the brakes, each of
 24 which means must apply the brakes to at least two (2) wheels. If these
 25 two (2) separate means of applying the brakes are connected in any
 26 way, the means must be constructed so that failure of one (1) part of the
 27 operating mechanism does not leave the motor vehicle without brakes
 28 on at least two (2) wheels.

29 SECTION 26. IC 9-19-3-2 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A motorcycle ~~and a~~
 31 ~~motor driven cycle, or moped~~, when operated upon a highway, must
 32 be equipped with at least one (1) brake, which may be operated by
 33 hand or foot.

34 SECTION 27. IC 9-19-3-4 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) Except as
 36 provided in subsections (b) through (c), a new motor vehicle, trailer, or
 37 semitrailer sold in Indiana and operated upon the highways must be
 38 equipped with service brakes upon all wheels of the vehicle.

39 (b) The following are not required to be equipped with **service**
 40 **brakes:**

41 (1) A motorcycle ~~or motor driven eyele, or moped~~.

42 (2) A semitrailer of less than three thousand (3,000) pounds gross
 43 weight.

44 (c) A truck or truck-tractor having at least three (3) axles is not
 45 required to have service brakes on the front wheels. If a truck or
 46 truck-tractor is equipped with at least two (2) steerable axles, the

1 wheels of one (1) steerable axle are not required to have service brakes
 2 although the truck or truck-tractor must be capable of complying with
 3 the performance requirements of sections 7 through 8 of this chapter.

4 SECTION 28. IC 9-19-6-3 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) A motor vehicle
 6 other than a motorcycle ~~or motor driven cycle or moped~~ must be
 7 equipped with at least two (2) head lamps, with at least one (1) of the
 8 head lamps on each side of the front of the motor vehicle. The head
 9 lamps must comply with this chapter.

10 (b) Except as provided in subsection (c), a motorcycle ~~and motor~~
 11 ~~driven cycle, or moped~~ must be equipped with at least one (1) and not
 12 more than two (2) head lamps that comply with this chapter.

13 (c) A motorcycle manufactured before January 1, 1956, is not
 14 required to be equipped with a head lamp if the motorcycle is not
 15 operated at the times when lighted head lamps and other illuminating
 16 devices are required under IC 9-21-7-2.

17 (d) A head lamp upon a motor vehicle, including a motorcycle ~~and~~
 18 ~~motor driven cycle, or moped~~, must be located at a height measured
 19 from the center of the head lamp of not less than twenty-four (24)
 20 inches and not more than fifty-four (54) inches to be measured as set
 21 forth in section 2(b) of this chapter.

22 SECTION 29. IC 9-19-6-5 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) Except as
 24 provided in subsections (b) through (d), a new motor vehicle sold and
 25 operated upon a highway, other than a truck-tractor, must carry on the
 26 rear, either as a part of the tail lamps or separately, two (2) red
 27 reflectors.

28 (b) Except as provided in subsection (c), a motorcycle ~~and motor~~
 29 ~~driven cycle, or moped~~ must carry at least one (1) reflector meeting the
 30 requirements of this section.

31 (c) A motorcycle manufactured before January 1, 1956, is not
 32 required to carry a reflector under this section if the motorcycle is not
 33 operated at the times when lighted head lamps and other illuminating
 34 devices are required under IC 9-21-7-2.

35 (d) A vehicle of the type listed in section 7 of this chapter must be
 36 equipped with reflectors as required in those sections applicable to
 37 those vehicles.

38 (e) A reflector must be mounted on a vehicle at a height not less
 39 than twenty (20) inches and not more than sixty (60) inches as
 40 measured in the manner set forth in section 2(b) of this chapter. Except
 41 as otherwise provided, a reflector must be of the size and
 42 characteristics and mounted so as to be visible at night from all
 43 distances within three hundred fifty (350) feet to one hundred (100)
 44 feet from the vehicle when directly in front of lawful upper beams of
 45 head lamps.

46 SECTION 30. IC 9-19-6-6 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) Except as
2 provided in subsection (b), a person may not:

- 3 (1) sell; or
4 (2) drive on the highways;

5 in Indiana a motor vehicle, including a motorcycle or ~~motor driven~~
6 ~~cycle, moped~~, unless the vehicle is equipped with at least one (1)
7 stoplight meeting the requirements of section 17 of this chapter.

8 (b) A motorcycle manufactured before January 1, 1956, is not
9 required to be equipped with a stoplight under subsection (a) if the
10 motorcycle is not operated at the times when lighted head lamps and
11 other illuminating devices are required under IC 9-21-7-2.

12 (c) This subsection does not apply to a motorcycle or ~~motor driven~~
13 ~~cycle, moped~~. A person may not:

- 14 (1) sell;
15 (2) offer for sale; or
16 (3) operate on the highways;

17 a motor vehicle, trailer, or semitrailer registered in Indiana and
18 manufactured or assembled after January 1, 1956, unless the vehicle is
19 equipped with mechanical or electrical turn signals meeting the
20 requirements of section 17 of this chapter.

21 SECTION 31. IC 9-19-6-20 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 20. Except as otherwise
23 provided in this chapter, the head lamps, the auxiliary driving lamp, the
24 auxiliary passing lamp, or a combination of these lamps on motor
25 vehicles, other than motorcycles or ~~motor driven cycles, mopeds~~, must
26 be arranged so that the driver may select between distributions of light
27 projected to different elevations. The lamps may, in addition, be
28 arranged so that the selection can be made automatically, subject to the
29 following limitations:

- 30 (1) There must be an uppermost distribution of light, or composite
31 beam, aimed and of an intensity to reveal persons and vehicles at
32 a distance of at least three hundred fifty (350) feet ahead for all
33 conditions of loading.
34 (2) There must be a lowermost distribution of light, or composite
35 beam, aimed and of an intensity to reveal persons and vehicles at
36 a distance of at least one hundred (100) feet ahead. On a straight
37 level road, under any condition of loading, none of the
38 high-intensity part of the beam may be directed to strike the eyes
39 of an approaching driver.
40 (3) A new motor vehicle, other than a motorcycle or ~~motor driven~~
41 ~~cycle, moped that is~~ registered in Indiana ~~after January 1, 1956,~~
42 ~~and~~ that has multiple-beam road lighting equipment must be
43 equipped with a beam indicator that must be lighted whenever the
44 uppermost distribution of light from the head lamps is in use. The
45 beam indicator must not otherwise be lighted. The beam indicator
46 must be designed and located so that when lighted the indicator

1 is readily visible without glare to the driver of the vehicle so
2 equipped.

3 SECTION 32. IC 9-19-6-22 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 22. (a) The head lamp
5 or head lamps upon a ~~motor driven cycle~~ **motorcycle or moped** may
6 be of the single-beam or multiple-beam type.

7 (b) A head lamp on a ~~motor driven cycle~~ **motorcycle or moped**
8 must be of sufficient intensity to reveal a person or a vehicle at a
9 distance of not less than:

10 (1) one hundred (100) feet when the ~~motor driven cycle~~
11 **motorcycle or moped** is operated at a speed of less than
12 twenty-five (25) miles per hour;

13 (2) two hundred (200) feet when the ~~motor driven cycle~~
14 **motorcycle or moped** is operated at a speed of at least
15 twenty-five (25) miles per hour; and

16 (3) three hundred (300) feet when the ~~motor driven cycle~~
17 **motorcycle** is operated at a speed of at least thirty-five (35) miles
18 per hour.

19 (c) If a ~~motor driven cycle~~ **motorcycle or moped** is equipped with
20 a multiple beam head lamp, the upper beam must meet the minimum
21 requirements set forth in this section and must not exceed the
22 limitations set forth in section 20(1) of this chapter and the lowermost
23 distribution of light as set forth in section 20(2) of this chapter.

24 (d) If a ~~motor driven cycle~~ **motorcycle or moped** is equipped with
25 a single beam lamp, the lamp must be aimed so that when the vehicle
26 is loaded none of the high-intensity part of the light will, at a distance
27 of twenty-five (25) feet ahead, project higher than the level of the
28 center of the lamp from which the light comes.

29 SECTION 33. IC 9-19-19-2 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A motor vehicle,
31 except a motorcycle ~~or a motor driven cycle or moped~~, required to be
32 registered with the bureau must be equipped with a front windshield".

33 Delete pages 12 through 14.

34 Page 15, delete lines 1 through 40.

35 Page 16, line 4, delete "a motor driven".

36 Page 16, line 5, delete "cycle,".

37 Page 16, delete lines 15 through 42, begin a new paragraph and
38 insert:

39 "SECTION 36. IC 9-21-7-3 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) This section does
41 not apply to a motorcycle or ~~motorized bicycle~~ **moped**.

42 (b) A motor vehicle must display at least two (2) lighted lamps, one
43 (1) on each side at the front of the motor vehicle.

44 (c) Whenever a motor vehicle equipped with head lamps required
45 under subsection (b) is also equipped with:

46 (1) auxiliary lamps;

1 (2) a spot lamp; or
 2 (3) any other lamp on the front of the motor vehicle projecting a
 3 beam of intensity greater than three hundred (300) candlepower;
 4 not more than a total of four (4) lamps described in this subsection on
 5 the front of a vehicle may be lighted at one (1) time when upon a
 6 highway.

7 (d) Passenger buses, trucks, truck tractors, and certain trailers,
 8 semitrailers, and pole trailers must display clearance and marker lamps,
 9 reflectors, and stop lights as required under this title when operated
 10 upon a highway. Except as provided in subsection (e), all lamp
 11 equipment required on vehicles described in this subsection shall be
 12 lighted at the times specified in section 2 of this chapter.

13 (e) Clearance and sidemarker lamps are not required to be lighted
 14 on a vehicle described in subsection (d) when the vehicle is operated
 15 within a municipality where there is sufficient light to render clearly
 16 discernible persons and vehicles on the highway at a distance of five
 17 hundred (500) feet.

18 SECTION 37. IC 9-21-7-8 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. (a) This section
 20 applies to a vehicle that is parked or stopped upon a roadway or
 21 shoulder adjacent to a roadway between thirty (30) minutes after sunset
 22 and thirty (30) minutes before sunrise.

23 (b) If there is sufficient light to reveal a person or object within a
 24 distance of five hundred (500) feet upon the street or highway upon
 25 which the vehicle is parked, no lights need be displayed upon the
 26 parked vehicle.

27 (c) This subsection does not apply to a ~~motor driven cycle~~. **moped**.
 28 This subsection applies whether a vehicle parked or stopped is attended
 29 or unattended. If there is not sufficient light to reveal a person or object
 30 within a distance of five hundred (500) feet upon the highway upon
 31 which the vehicle is parked or stopped, the vehicle parked or stopped
 32 shall be equipped with one (1) or more lamps that meet the following
 33 requirements:

34 (1) At least one (1) lamp must display a white or amber light
 35 visible from a distance of five hundred (500) feet to the front of
 36 the vehicle.

37 (2) The lamp described in subdivision (1) or at least one (1) other
 38 lamp must display a red light visible from a distance of five
 39 hundred (500) feet to the rear of the vehicle.

40 (3) The lamp or lamps described in subdivisions (1) and (2) shall
 41 be installed as near as practicable on the side of the vehicle that
 42 is closest to passing traffic.

43 (d) Lighted head lamps upon a parked vehicle must be depressed or
 44 dimmed."

45 Page 17, delete lines 1 through 25.

46 Page 18, line 7, delete "motor driven cycle or".

- 1 Page 18, line 24, after "bicycle" delete ",".
- 2 Page 18, line 24, strike "motor driven cycle,".
- 3 Page 19, delete lines 15 through 36.
- 4 Page 20, line 23, delete "motor driven cycle or".
- 5 Page 20, delete lines 35 through 42, begin a new paragraph and
- 6 insert:
- 7 "SECTION 47. IC 9-30-10-13, AS AMENDED BY P.L.125-2012,
- 8 SECTION 355, IS AMENDED TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2013]: Sec. 13. (a) The bureau may issue
- 10 driving privileges to a habitual violator whose driving privileges were
- 11 suspended under section 5(b) of this chapter if the following conditions
- 12 exist:
- 13 (1) The time specified for the person's probation or the restriction
- 14 or suspension of the person's license has elapsed.
- 15 (2) The person has met all the requirements of all applicable
- 16 statutes and rules relating to the licensing of motor vehicle
- 17 operators.
- 18 (3) The person files with the bureau and maintains, for three (3)
- 19 years after termination of suspension, proof of future financial
- 20 responsibility in accordance with IC 9-25.
- 21 (4) If the person has a prior conviction for operating while
- 22 intoxicated, the bureau places a restriction on the person's driver's
- 23 license and driving record that indicates the person is prohibited
- 24 from operating a motor vehicle or ~~motorized bicycle~~ **moped** with
- 25 an alcohol concentration equivalent to at least two-hundredths
- 26 (0.02) gram of alcohol per:
- 27 (A) one hundred (100) milliliters of the person's blood; or
- 28 (B) two hundred ten (210) liters of the person's breath;
- 29 for three (3) years after the bureau issues the driver's license to the
- 30 person.
- 31 (5) The person signs a bureau form by which the person agrees
- 32 that as a condition to obtaining the driver's license the person will
- 33 submit to a chemical test at any time during the period three (3)
- 34 years after the bureau issues the driver's license to the person if a
- 35 law enforcement officer lawfully stops the person while operating
- 36 a motor vehicle or ~~motorized bicycle~~ **moped** and the law
- 37 enforcement officer requests that the person submit to a chemical
- 38 test.
- 39 (b) The bureau may issue a license to operate a motor vehicle to a
- 40 habitual violator whose driving privileges have been suspended for life
- 41 if the following conditions exist:
- 42 (1) The bureau has received an order for rescission of suspension
- 43 and reinstatement issued under section 15 of this chapter.
- 44 (2) The person to whom the license is to be issued has never been
- 45 convicted of a violation described in section 4(a) or 17 of this
- 46 chapter.

- 1 (3) The person has not been convicted of an offense under section
 2 16 of this chapter more than one (1) time.
- 3 (4) The person has met all the requirements of all applicable
 4 statutes and rules relating to the licensing of motor vehicle
 5 operators.
- 6 (5) The person:
 7 (A) files with the bureau; and
 8 (B) maintains for three (3) years after rescission of the
 9 suspension;
 10 proof of future financial responsibility in accordance with
 11 IC 9-25.
- 12 (6) If the person has a prior conviction for operating while
 13 intoxicated, the bureau places a restriction on the person's driver's
 14 license and driving record that indicates the person is prohibited
 15 from operating a motor vehicle or ~~motorized bicycle~~ **moped** with
 16 an alcohol concentration equivalent to at least two-hundredths
 17 (0.02) gram of alcohol per:
 18 (A) one hundred (100) milliliters of the person's blood; or
 19 (B) two hundred ten (210) liters of the person's breath;
 20 or while intoxicated (as defined under IC 9-13-2-86) for three (3)
 21 years after the bureau issues the driver's license to the person.
- 22 (7) The person signs a bureau form by which the person agrees
 23 that as a condition to obtaining the driver's license the person will
 24 submit to a chemical test at any time during the period three (3)
 25 years after the bureau issues the driver's license to the person if a
 26 law enforcement officer lawfully stops the person while operating
 27 a motor vehicle or motorized bicycle and the law enforcement
 28 officer requests that the person submit to a chemical test.
- 29 (c) A habitual violator is not eligible for relief under the hardship
 30 provisions of IC 9-24-15.
- 31 (d) The bureau shall not issue driving privileges to a person who
 32 does not satisfy all of the requirements set forth in subsections (a) and
 33 (b).
- 34 SECTION 48. IC 9-30-10-15, AS AMENDED BY P.L.125-2012,
 35 SECTION 357, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2013]: Sec. 15. (a) Upon receiving a petition
 37 filed under section 14 of this chapter, a court shall set a date for hearing
 38 the matter and direct the clerk of the court to provide notice of the
 39 hearing date to the following:
 40 (1) The petitioner.
 41 (2) The prosecuting attorney of the county where the petitioner
 42 resides.
 43 (3) The bureau.
- 44 (b) A court may order the rescission of the order that required the
 45 suspension of the petitioner's driving privileges for life and may order
 46 the bureau to reinstate the driving privileges of a petitioner whose

1 driving privileges have been suspended for life if, after the hearing of
 2 the matter, the court makes the following written findings and
 3 conclusions, based on clear and convincing evidence:

4 (1) That the petitioner has never been convicted of a violation
 5 described in section 4(a) of this chapter.

6 (2) That the petitioner has never been convicted of an offense
 7 under section 17 of this chapter.

8 (3) That the petitioner has not been convicted of an offense under
 9 section 16 of this chapter more than one (1) time.

10 (4) If the person is petitioning the court under section 14(a) of this
 11 chapter that ten (10) years have elapsed since the date on which
 12 an order was issued that required the suspension of the petitioner's
 13 driving privileges for life.

14 (5) That there has been a substantial change in the petitioner's
 15 circumstances indicating the petitioner would no longer pose a
 16 risk to the safety of others if the petitioner's driving privileges
 17 were reinstated.

18 (6) That there has been a substantial change in the petitioner's
 19 circumstances indicating that the suspension of the petitioner's
 20 driving privileges for life has become unreasonable.

21 (7) That it is in the best interests of society for the petitioner's
 22 driving privileges to be reinstated.

23 (8) If the person is petitioning the court under section 14(e) of this
 24 chapter:

25 (A) that three (3) years have elapsed since the date the order
 26 was issued that required the suspension of the petitioner's
 27 driving privileges for life; and

28 (B) that the conditions listed under section 14(e) of this
 29 chapter are satisfied.

30 (c) The petitioner has the burden of proof under this section and an
 31 order issued under subsection (b) is a final order, appealable by any
 32 party to the action.

33 (d) In an order for reinstatement of driving privileges issued under
 34 this section, the court may require the bureau to issue the prevailing
 35 petitioner:

36 (1) driving privileges under section 13(b) of this chapter; or

37 (2) restricted driving privileges for a time and subject to
 38 conditions specified by the court, which must include one (1) or
 39 more of the following conditions if the person was determined to
 40 be a habitual violator under IC 9-30-10-4(a)(4) through
 41 IC 9-30-10-4(a)(7) or IC 9-30-10-4(b)(1) through
 42 IC 9-30-10-4(b)(4):

43 (A) Specified hours during which the person may drive.

44 (B) An order prohibiting the person from operating a motor
 45 vehicle or ~~motorized bicycle~~ **moped** with an alcohol
 46 concentration equivalent to at least two-hundredths (0.02)

- 1 gram of alcohol per:
- 2 (i) one hundred (100) milliliters of the person's blood; or
- 3 (ii) two hundred ten (210) liters of the person's breath;
- 4 or while intoxicated (as defined under IC 9-13-2-86).
- 5 (C) An order that the person submit to a method to monitor the
- 6 person's compliance with the prohibition against operating a
- 7 motor vehicle or ~~motorized bicycle~~ **moped** with an alcohol
- 8 concentration equivalent to at least two-hundredths (0.02)
- 9 gram of alcohol per:
- 10 (i) one hundred (100) milliliters of the person's blood; or
- 11 (ii) two hundred ten (210) liters of the person's breath;
- 12 or while intoxicated (as defined under IC 9-13-2-86).
- 13 (D) The court shall determine the appropriate monitoring
- 14 method, which may include one (1) or more of the following:
- 15 (i) The person may operate only a motor vehicle equipped
- 16 with an ignition interlock device.
- 17 (ii) The person must submit to a chemical test if a law
- 18 enforcement officer lawfully stops the person while
- 19 operating a motor vehicle or ~~motorized bicycle~~ **moped** and
- 20 the law enforcement officer requests that the person submit
- 21 to a chemical test.
- 22 (iii) The person must wear a device that detects and records
- 23 the person's use of alcohol.
- 24 (iv) The person must submit to any other reasonable
- 25 monitoring requirement as determined by the court.
- 26 (e) If a court orders the bureau to issue restricted or probationary
- 27 driving privileges to a petitioner under subsection (d), the court shall
- 28 specify the conditions under which the petitioner may be issued driving
- 29 privileges to operate a motor vehicle under section 13(b) of this
- 30 chapter. After the expiration date of the restricted or probationary
- 31 driving privileges and upon:
- 32 (1) fulfillment by the petitioner of the conditions specified by the
- 33 court; and
- 34 (2) the expiration of the restricted issued driving privileges under
- 35 subsection (d)(2);
- 36 the bureau shall issue the petitioner driving privileges to operate a
- 37 motor vehicle under section 13(b) of this chapter.
- 38 (f) If the bureau receives an order granting a rescission of the
- 39 suspension order and reinstatement of driving privileges to a person
- 40 who, according to the records of the bureau, does not qualify under this
- 41 chapter, the bureau shall do the following:
- 42 (1) Issue the person probationary driving privileges and notify the
- 43 prosecuting attorney of the county from which the order was
- 44 received that the person is not eligible for the rescission and
- 45 reinstatement.
- 46 (2) Send a certified copy of the person's driving record to the

1 prosecuting attorney.
 2 The prosecuting attorney shall, in accordance with IC 35-38-1-15,
 3 petition the court to correct the court's order. If the bureau does not
 4 receive a corrected order within sixty (60) days, the bureau shall notify
 5 the attorney general, who shall, in accordance with IC 35-38-1-15,
 6 petition the court to correct the court's order.
 7 SECTION 49. IC 9-30-10-17.5, AS AMENDED BY P.L.125-2012,
 8 SECTION 358, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2013]: Sec. 17.5. A person who operates a
 10 vehicle or ~~motorized bicycle~~ **moped** in violation of conditions of
 11 restricted driving privileges ordered by a court under section 9(d)(6) or
 12 15(d)(2) of this chapter commits a Class A misdemeanor.
 13 SECTION 50. IC 9-30-10-18, AS AMENDED BY P.L.28-2010,
 14 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2013]: Sec. 18. In a criminal action brought under section 16,
 16 17, or 17.5 of this chapter, it is a defense that the operation of a motor
 17 vehicle or ~~motorized bicycle~~ **moped** was necessary to save life or limb
 18 in an extreme emergency. The defendant must bear the burden of proof
 19 by a preponderance of the evidence to establish this defense.
 20 SECTION 51. IC 13-11-2-130.1, AS ADDED BY P.L.170-2006,
 21 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2013]: Sec. 130.1. (a) "Motor vehicle", for purposes of this
 23 chapter, means a vehicle that is self-propelled on a highway in Indiana.
 24 The term does not include a farm tractor or a ~~motorized bicycle~~.
 25 **moped.**
 26 (b) This section expires on the date IC 13-20-17.7 expires under
 27 IC 13-20-17.7-9.
 28 SECTION 52. IC 14-19-1-0.5, AS ADDED BY P.L.225-2005,
 29 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2013]: Sec. 0.5. (a) "Motorized cart" means a conveyance that
 31 is:
 32 (1) motor driven, either by gas or electricity;
 33 (2) used to carry passengers or equipment; and
 34 (3) smaller than the types of motor vehicles required to be
 35 registered by the bureau of motor vehicles such as a:
 36 (A) passenger motor vehicle (as defined in IC 9-13-2-123);
 37 (B) recreational vehicle (as defined in IC 9-13-2-150); or
 38 (C) truck (as defined in IC 9-13-2-188).
 39 A motorized cart may be characterized as a golf cart, utility cart, or
 40 similar form of motor vehicle.
 41 (b) The term does not include:
 42 (1) an electric personal assistive mobility device (as defined in
 43 IC 9-13-2-49.3);
 44 (2) a motorcycle (as defined in IC 9-13-2-108);
 45 ~~(3) a motor scooter (as defined in IC 9-13-2-104);~~
 46 ~~(4) a motorized bicycle (as defined in IC 9-13-2-109);~~ (3) a

- 1 **moped (as defined in IC 9-13-2-103.4); or**
- 2 ~~(5)~~ **(4)** an off-road vehicle."
- 3 Delete pages 21 through 25.
- 4 Page 26, delete lines 1 through 11.
- 5 Renumber all SECTIONS consecutively.
(Reference is to HB 1523 as printed February 18, 2013.)

Representative Wolkins