



February 18, 2013

HOUSE BILL No. 1523

DIGEST OF HB 1523 (Updated February 18, 2013 6:01 pm - DI 96)

Citations Affected: IC 2-5; IC 6-3.5; IC 6-6; IC 7.1-1; IC 9-13; IC 9-17; IC 9-18; IC 9-19; IC 9-21; IC 9-24; IC 9-25; IC 9-29; IC 9-30; IC 13-11; IC 14-19; noncode.

Synopsis: Moped and motor driven cycle operation and licensing. Repeals the term "motorized bicycle" and replaces the term with "moped". Defines "motor driven cycle". Authorizes the bureau of motor vehicles (bureau) to adopt rules concerning registration of mopeds and motor driven cycles and requires registration for mopeds and motor driven cycles, with a registration fee equal to that of a motorcycle. Requires that certain funds received from the registration of a moped and motor driven cycle be deposited in the motorcycle operator safety education fund. Provides that a motor driven cycle and moped are not required to be titled with the bureau. Provides that mopeds and motor driven cycles are subject to county motor vehicle excise surtax and motor vehicle excise tax. Provides that a moped may not be operated when carrying more persons than the moped is designed and equipped to carry. Requires the operator of a moped and motor driven cycle to obey all applicable motor vehicle laws, and that a moped may not be operated at a speed over 30 miles per hour. Provides that a moped and a motor driven cycle must be operated in the right-hand lane, except when making a left-hand turn. Requires the operator of a motor driven cycle to hold a driver's license to operate a motor driven cycle. Requires a dealer who sells at least 12 mopeds or motor driven cycles a year to register as a dealer with the secretary of state. Does not require the operator of a moped, but requires the operator of a motor driven cycle, to have proof of financial responsibility in effect on the motor vehicle. Repeals the term "motor scooter". Makes conforming changes. Makes technical corrections. Repeals outdated language concerning a study topic of the joint study committee on transportation and infrastructure assessment and solutions.

Effective: July 1, 2013.

**Smith M, Karickhoff, Riecken,
Neese**

January 22, 2013, read first time and referred to Committee on Roads and Transportation.
February 18, 2013, amended, reported — Do Pass.

HB 1523—LS 7380/DI 96+



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February 18, 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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HOUSE BILL No. 1523

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:

- 1 SECTION 1. IC 2-5-28.5-1.3 IS REPEALED [EFFECTIVE JULY
2 1, 2013]. ~~Sec. 1-3: As used in this chapter, "motor scooter" has the~~
3 ~~meaning set forth in IC 9-13-2-104.~~
- 4 SECTION 2. IC 2-5-28.5-1.5 IS REPEALED [EFFECTIVE JULY
5 1, 2013]. ~~Sec. 1-5: As used in this chapter, "motorized bicycle" has the~~
6 ~~meaning set forth in IC 9-13-2-109.~~
- 7 SECTION 3. IC 2-5-28.5-4.5 IS REPEALED [EFFECTIVE JULY
8 1, 2013]. ~~Sec. 4-5: In calendar year 2011, the committee shall study~~
9 ~~issues related to the use of motorized bicycles and motor scooters in~~
10 ~~Indiana, including the following topics:~~
- 11 (1) ~~Definitions of the following:~~
- 12 (A) ~~Motorized bicycle.~~
- 13 (B) ~~Motor scooter.~~
- 14 (C) ~~Moped.~~
- 15 (D) ~~Motor-driven cycle.~~

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- 1 (2) Issues related to:
- 2 (A) internal combustion power; and
- 3 (B) battery power;
- 4 of motor vehicles described in subdivision (1);
- 5 (3) Issues relating to:
- 6 (A) necessary equipment for;
- 7 (B) licensing of operators of;
- 8 (C) titling of;
- 9 (D) registration of;
- 10 (E) taxation of; and
- 11 (F) insurance requirements for;
- 12 motor vehicles described in subdivision (1);

13 SECTION 4. IC 6-3.5-4-0.5 IS ADDED TO THE INDIANA CODE
 14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 15 1, 2013]: **Sec. 0.5. This chapter applies to a motor driven cycle (as**
 16 **defined in IC 9-13-2-103.7) and a moped (as defined in**
 17 **IC 9-13-2-103.4) that is registered with the bureau of motor**
 18 **vehicles after December 31, 2013.**

19 SECTION 5. IC 6-6-5-1, AS AMENDED BY P.L.2-2007,
 20 SECTION 126, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) As used in this chapter,
 22 "vehicle" means a vehicle subject to annual registration as a condition
 23 of its operation on the public highways pursuant to the motor vehicle
 24 registration laws of the state. **After December 31, 2013, the term**
 25 **includes a:**

- 26 (1) motor driven cycle (as defined in IC 9-13-2-103.7); and
- 27 (2) moped (as defined in IC 9-13-2-103.4).

28 (b) As used in this chapter, "mobile home" means a
 29 nonself-propelled vehicle designed for occupancy as a dwelling or
 30 sleeping place.

31 (c) As used in this chapter, "bureau" means the bureau of motor
 32 vehicles.

33 (d) As used in this chapter, "license branch" means a branch office
 34 of the bureau authorized to register motor vehicles pursuant to the laws
 35 of the state.

36 (e) As used in this chapter, "owner" means the person in whose
 37 name the vehicle or trailer is registered (as defined in IC 9-13-2).

38 (f) As used in this chapter, "motor home" means a self-propelled
 39 vehicle having been designed and built as an integral part thereof
 40 having living and sleeping quarters, including that which is commonly
 41 referred to as a recreational vehicle.

42 (g) As used in this chapter, "last preceding annual excise tax

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- 1 liability" means either:
- 2 (1) the amount of excise tax liability to which the vehicle was
- 3 subject on the owner's last preceding regular annual registration
- 4 date; or
- 5 (2) the amount of excise tax liability to which a vehicle that was
- 6 registered after the owner's last preceding annual registration date
- 7 would have been subject if it had been registered on that date.
- 8 (h) As used in this chapter, "trailer" means a device having a gross
- 9 vehicle weight equal to or less than three thousand (3,000) pounds that
- 10 is pulled behind a vehicle and that is subject to annual registration as
- 11 a condition of its operation on the public highways pursuant to the
- 12 motor vehicle registration laws of the state. The term includes any
- 13 utility, boat, or other two (2) wheeled trailer.
- 14 (i) This chapter does not apply to the following:
- 15 (1) Vehicles owned, or leased and operated, by the United States,
- 16 the state, or political subdivisions of the state.
- 17 (2) Mobile homes and motor homes.
- 18 (3) Vehicles assessed under IC 6-1.1-8.
- 19 (4) Vehicles subject to registration as trucks under the motor
- 20 vehicle registration laws of the state, except trucks having a
- 21 declared gross weight not exceeding eleven thousand (11,000)
- 22 pounds, trailers, semitrailers, tractors, and buses.
- 23 (5) Vehicles owned, or leased and operated, by a postsecondary
- 24 educational institution described in IC 6-3-3-5(d).
- 25 (6) Vehicles owned, or leased and operated, by a volunteer fire
- 26 department (as defined in IC 36-8-12-2).
- 27 (7) Vehicles owned, or leased and operated, by a volunteer
- 28 emergency ambulance service that:
- 29 (A) meets the requirements of IC 16-31; and
- 30 (B) has only members that serve for no compensation or a
- 31 nominal annual compensation of not more than three thousand
- 32 five hundred dollars (\$3,500).
- 33 (8) Vehicles that are exempt from the payment of registration fees
- 34 under IC 9-18-3-1.
- 35 (9) Farm wagons.
- 36 SECTION 6. IC 7.1-1-3-26.3 IS AMENDED TO READ AS
- 37 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 26.3. (a) "Motor
- 38 vehicle" means a vehicle that is self-propelled.
- 39 (b) ~~The term does not include a motorized bicycle (as defined in~~
- 40 ~~IC 9-13-2-109).~~
- 41 SECTION 7. IC 9-13-1-5 IS ADDED TO THE INDIANA CODE
- 42 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

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1, 2013]: **Sec. 5. A reference to a motorized bicycle in any law, rule, or other document in effect on January 1, 2014, shall be treated after December 31, 2013, as a reference to a moped.**

SECTION 8. IC 9-13-2-42, AS AMENDED BY P.L.93-2010, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 42. (a) "Dealer" means, except as otherwise provided in this section, a person who sells to the general public, including a person who sells directly by the Internet or other computer network, at least twelve (12) vehicles each year for delivery in Indiana. The term includes a person who sells off-road vehicles, **motor driven cycles, or mopeds**. A dealer must have an established place of business that meets the minimum standards prescribed by the secretary of state under rules adopted under IC 4-22-2.

(b) The term does not include the following:

- (1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.
- (2) A public officer while performing official duties.
- (3) A person who is a dealer solely because of activities as a transfer dealer.
- (4) An automotive mobility dealer.

(c) "Dealer", for purposes of IC 9-31, means a person that sells to the general public for delivery in Indiana at least six (6):

- (1) boats; or
- (2) trailers:
 - (A) designed and used exclusively for the transportation of watercraft; and
 - (B) sold in general association with the sale of watercraft;

per year.

SECTION 9. IC 9-13-2-103 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 103. "Military vehicle" means a vehicle that:

- (1) was originally manufactured for military use;
- (2) is motorized or nonmotorized, including a motorcycle ~~motor scooter~~, and a trailer;
- (3) is at least twenty-five (25) years old; and
- (4) is privately owned.

SECTION 10. IC 9-13-2-103.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 103.4. "Moped" means a motor vehicle with motive power that:**

- (1) has a seat or saddle for the use of the rider;
- (2) is designed to travel on not more than three (3) wheels in



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1 **contact with the ground;**
 2 **(3) is not operated at a speed greater than thirty (30) miles per**
 3 **hour; and**
 4 **(4) does not meet the federal motor vehicle safety standards**
 5 **necessary to certify the motor vehicle as a motorcycle.**
 6 **The term does not include an electric personal assistive mobility**
 7 **device.**

8 SECTION 11. IC 9-13-2-103.7 IS ADDED TO THE INDIANA
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2013]: **Sec. 103.7. (a) This section applies**
 11 **after December 31, 2013.**

12 **(b) "Motor driven cycle" means a motor vehicle with motive**
 13 **power that:**
 14 **(1) has a seat or saddle for the use of the rider;**
 15 **(2) is designed to travel on not more than three (3) wheels in**
 16 **contact with the ground;**
 17 **(3) is intended to be driven at a speed that can exceed thirty**
 18 **(30) miles per hour; and**
 19 **(4) does not meet the federal motor vehicle safety standards**
 20 **necessary to certify the motor vehicle as a motorcycle.**

21 **The term does not include an electric personal assistive mobility**
 22 **device.**

23 SECTION 12. IC 9-13-2-104 IS REPEALED [EFFECTIVE JULY
 24 1, 2013]. ~~Sec. 104. "Motor scooter" means a vehicle that has the~~
 25 ~~following:~~

- 26 ~~(1) Motive power.~~
- 27 ~~(2) A seat, but not a saddle, for the driver.~~
- 28 ~~(3) Two (2) wheels.~~
- 29 ~~(4) A floor pad for the driver's feet.~~

30 SECTION 13. IC 9-13-2-105, AS AMENDED BY P.L.9-2010,
 31 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2013]: **Sec. 105. (a) "Motor vehicle" means, except as**
 33 **otherwise provided in this section, a vehicle that is self-propelled. The**
 34 **term does not include a farm tractor, an implement of agriculture**
 35 **designed to be operated primarily in a farm field or on farm premises,**
 36 **or an electric personal assistive mobility device.**

37 **(b) "Motor vehicle", for purposes of IC 9-21, means:**
 38 **(1) a vehicle ~~except a motorized bicycle~~ that is self-propelled; or**
 39 **(2) a vehicle that is propelled by electric power obtained from**
 40 **overhead trolley wires, but not operated upon rails.**

41 **(c) "Motor vehicle", for purposes of IC 9-19-10.5 and IC 9-25,**
 42 **means a vehicle that is self-propelled upon a highway in Indiana. The**

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1 term does not include a farm tractor.

2 (d) "Motor vehicle", for purposes of IC 9-30-10, does not include a
3 ~~motorized bicycle~~; **motor driven cycle or a moped.**

4 (e) "Motor vehicle", for purposes of IC 9-23-2 and IC 9-23-3,
5 includes a semitrailer.

6 (f) "Motor vehicle", for purposes of IC 9-24-6, has the meaning set
7 forth in 49 CFR 383.5 as in effect July 1, 2010.

8 SECTION 14. IC 9-13-2-108 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 108. "Motorcycle"
10 means a motor vehicle:

11 (1) with motive power having a seat or saddle for the use of the
12 rider; **and**

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

15 (3) **that meets federal motor vehicle safety standards for**
16 **certification as a motorcycle.**

17 The term does not include a farm tractor or a ~~motorized bicycle~~; **motor**
18 **driven cycle or moped.**

19 SECTION 15. IC 9-13-2-109 IS REPEALED [EFFECTIVE JULY
20 1, 2013]. Sec. ~~109~~: "Motorized bicycle" means a two (2) or three (3)
21 wheeled vehicle that is propelled by an internal combustion engine or
22 a battery powered motor, and if powered by an internal combustion
23 engine, has the following:

24 (1) An engine rating of not more than two (2) horsepower and a
25 cylinder capacity not exceeding fifty (50) cubic centimeters.

26 (2) An automatic transmission.

27 (3) A maximum design speed of not more than twenty-five (25)
28 miles per hour on a flat surface.

29 The term does not include an electric personal assistive mobility
30 device.

31 SECTION 16. IC 9-13-2-123, AS AMENDED BY P.L.214-2007,
32 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2013]: Sec. 123. "Passenger motor vehicle" means a motor
34 vehicle designed for carrying passengers. The term includes a low
35 speed vehicle but does not include a motorcycle, **a motor driven cycle,**
36 **a moped,** a bus, a school bus, or an off-road vehicle.

37 SECTION 17. IC 9-13-2-196, AS AMENDED BY P.L.9-2010,
38 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2013]: Sec. 196. (a) "Vehicle" means, except as otherwise
40 provided in this section, a device in, upon, or by which a person or
41 property is, or may be, transported or drawn upon a highway.

42 (b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not

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- 1 include the following:
- 2 (1) A device moved by human power.
- 3 (2) A vehicle that runs only on rails or tracks.
- 4 (3) A vehicle propelled by electric power obtained from overhead
- 5 trolley wires but not operated upon rails or tracks.
- 6 (4) A firetruck and apparatus owned by a person or municipal
- 7 division of the state and used for fire protection.
- 8 (5) A municipally owned ambulance.
- 9 (6) A police patrol wagon.
- 10 (7) A vehicle not designed for or employed in general highway
- 11 transportation of persons or property and occasionally operated or
- 12 moved over the highway, including the following:
- 13 (A) Road construction or maintenance machinery.
- 14 (B) A movable device designed, used, or maintained to alert
- 15 motorists of hazardous conditions on highways.
- 16 (C) Construction dust control machinery.
- 17 (D) Well boring apparatus.
- 18 (E) Ditch digging apparatus.
- 19 (F) An implement of agriculture designed to be operated
- 20 primarily in a farm field or on farm premises.
- 21 (G) An invalid chair.
- 22 (H) A yard tractor.
- 23 (8) An electric personal assistive mobility device.
- 24 (c) For purposes of IC 9-20 and IC 9-21, the term does not include
- 25 devices moved by human power or used exclusively upon stationary
- 26 rails or tracks.
- 27 (d) For purposes of IC 9-22, the term refers to an automobile, a
- 28 motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school
- 29 bus, a recreational vehicle, a trailer or semitrailer used in the
- 30 transportation of watercraft, **a motor driven cycle**, or a **motorized**
- 31 **bicycle. moped.**
- 32 (e) For purposes of IC 9-24-6, the term has the meaning set forth in
- 33 49 CFR 383.5 as in effect July 1, 2010.
- 34 (f) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9,
- 35 the term means a device for transportation by land or air. The term does
- 36 not include an electric personal assistive mobility device.
- 37 SECTION 18. IC 9-17-1-1, AS AMENDED BY P.L.125-2012,
- 38 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 39 JULY 1, 2013]: Sec. 1. This article does not apply to:
- 40 (1) special machinery;
- 41 (2) farm wagons;
- 42 (3) a golf cart when operated in accordance with an ordinance

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1 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a); ~~or~~
 2 (4) a motor vehicle that was designed to have a maximum design
 3 speed of not more than twenty-five (25) miles per hour and that
 4 was built, constructed, modified, or assembled by a person other
 5 than the manufacturer; ~~or~~

6 **(5) except as specifically provided otherwise, a motor driven**
 7 **cycle or a moped;**

8 or any other vehicle that is not registered in accordance with IC 9-18-2.

9 SECTION 19. IC 9-17-2-1.7 IS ADDED TO THE INDIANA CODE
 10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 11 1, 2013]: **Sec. 1.7. (a) Notwithstanding any other law, a person may**
 12 **apply to the bureau for a certificate of title for a motor driven cycle**
 13 **or moped. However, a person is not required to obtain a certificate**
 14 **of title from the bureau for a motor driven cycle or moped before**
 15 **the person may operate the motor driven cycle or moped on a**
 16 **highway.**

17 **(b) The bureau may adopt rules under IC 4-22-2 to determine**
 18 **the indication of ownership for a motor driven cycle or moped**
 19 **required for purposes of obtaining a certificate of title for the**
 20 **moped under this article.**

21 SECTION 20. IC 9-18-1-2 IS ADDED TO THE INDIANA CODE
 22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 23 1, 2013]: **Sec. 2. (a) After December 31, 2013, this article applies to**
 24 **motor driven cycles and mopeds.**

25 **(b) The bureau may adopt rules under IC 4-22-2 to determine**
 26 **the requirements for registering with the bureau a motor driven**
 27 **cycle or moped.**

28 SECTION 21. IC 9-18-2-8, AS AMENDED BY P.L.26-2011,
 29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2013]: **Sec. 8. (a) Except as provided in section 7(h) of this**
 31 **chapter and subsection (f), the bureau shall determine the schedule for**
 32 **registration for the following categories of vehicles:**

- 33 (1) Passenger motor vehicles.
 34 (2) Recreational vehicles.
 35 (3) Motorcycles, **motor driven cycles, and mopeds.**
 36 (4) Trucks that:
 37 (A) are regularly rented to others for not more than
 38 twenty-nine (29) days in the regular course of the corporation's
 39 business; and
 40 (B) have a declared gross weight of not more than eleven
 41 thousand (11,000) pounds.

42 (b) Except as provided in IC 9-18-12-2.5, a person that owns a

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1 vehicle shall receive a license plate, renewal tag, or other indicia upon
 2 registration of the vehicle. The bureau may determine the device
 3 required to be displayed.

4 (c) A corporation that owns a truck that has a declared gross weight
 5 of not more than eleven thousand (11,000) pounds that is regularly
 6 rented to others for periods of not more than twenty-nine (29) days in
 7 the regular course of the corporation's business must register the truck
 8 before March 1 of each year.

9 (d) A person that owns a vehicle in a category required to be
 10 registered under this section and desires to register the vehicle for the
 11 first time must apply to the bureau for a registration application form.
 12 The bureau shall do the following:

- 13 (1) Administer the registration application form.
- 14 (2) Issue the license plate.
- 15 (3) Collect the proper registration and service fees in accordance
 16 with the procedure established by the bureau.

17 (e) Except as provided in IC 9-18-12-2.5, the bureau shall issue a
 18 semipermanent plate under section 30 of this chapter, or:

- 19 (1) an annual renewal tag; or
- 20 (2) other indicia;

21 to be affixed on the semipermanent plate.

22 (f) After June 30, 2011, the registration of a vehicle under
 23 IC 9-18-16-1(1) or IC 9-18-16-1(2) expires on December 14 of each
 24 year. However, if a vehicle is registered under IC 9-18-16-1(1) or
 25 IC 9-18-16-1(2) and the registration of the vehicle is in effect on June
 26 30, 2011, the registration of the vehicle remains valid:

- 27 (1) throughout calendar year 2011; and
- 28 (2) during the period that:
 - 29 (A) begins January 1, 2012; and
 - 30 (B) ends on the date on which the vehicle was due for
 31 reregistration under the law in effect before this subsection
 32 took effect.

33 SECTION 22. IC 9-18-2-10 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. **(a) This section
 35 does not apply to a motor driven cycle or moped for which the
 36 owner has not applied for a certificate of title.**

37 **(b)** Except as provided in section 18 of this chapter, a certificate of
 38 registration of a motor vehicle, semitrailer, or recreational vehicle and
 39 a license plate for a motor vehicle, semitrailer, or recreational vehicle,
 40 whether original issues or duplicates, may not be issued or furnished by
 41 the bureau unless the person applying for the certificate of registration:

- 42 (1) applies at the same time for and is granted a certificate of title

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

5 SECTION 23. IC 9-18-2-26, AS AMENDED BY P.L.184-2011,
6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2013]: Sec. 26. (a) License plates shall be displayed as
8 follows:

9 (1) For a motorcycle, **motor driven cycle, moped,** trailer,
10 semitrailer, or recreational vehicle, upon the rear of the vehicle,
11 except as provided in subdivision (4).

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

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

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

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

20 (1) to prevent the license plate from swinging;

21 (2) at a height of at least twelve (12) inches from the ground,
22 measuring from the bottom of the license plate;

23 (3) in a place and position that are clearly visible;

24 (4) maintained free from foreign materials and in a condition to
25 be clearly legible; and

26 (5) not obstructed or obscured by tires, bumpers, accessories, or
27 other opaque objects.

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

31 SECTION 24. IC 9-18-2-29, AS AMENDED BY P.L.210-2005,
32 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2013]: Sec. 29. Except as otherwise provided, before:

34 (1) a motor vehicle;

35 (2) a motorcycle;

36 (3) a truck;

37 (4) a trailer;

38 (5) a semitrailer;

39 (6) a tractor;

40 (7) a bus;

41 (8) a school bus;

42 (9) a recreational vehicle; or

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1 (10) special machinery; **or**
 2 **(11) a motor driven cycle or moped, after December 31, 2013;**
 3 is operated or driven on a highway, the person who owns the vehicle
 4 must register the vehicle with the bureau and pay the applicable
 5 registration fee.

6 SECTION 25. IC 9-18-12-4 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) If a person who
 8 registers an antique motor vehicle under this chapter makes substantial
 9 alterations or changes to the vehicle after the date of the antique motor
 10 vehicle's registration, the registrant shall have the vehicle reinspected
 11 by the state police department.

12 (b) If the antique motor vehicle is not found to be in a mechanical
 13 condition that guarantees the vehicle's safe operation upon the
 14 highways, the mechanical condition shall be reported to the bureau.
 15 The bureau shall do the following:

- 16 (1) Immediately cancel the registration of the antique motor
 17 vehicle.
- 18 (2) Notify the person who registered the antique motor vehicle of
 19 the cancellation.

20 ~~(c) A motor scooter registered under this chapter is not required to~~
 21 ~~have equipment that was not original on the motor scooter.~~

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

33 SECTION 27. IC 9-19-3-2 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A motorcycle, ~~and~~
 35 a motor driven cycle, **or moped**, when operated upon a highway, must
 36 be equipped with at least one (1) brake, which may be operated by
 37 hand or foot.

38 SECTION 28. IC 9-19-3-4 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) Except as
 40 provided in subsections (b) through (c), a new motor vehicle, trailer, or
 41 semitrailer sold in Indiana and operated upon the highways must be
 42 equipped with service brakes upon all wheels of the vehicle.

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

- 3 (1) A motorcycle, ~~or~~ motor driven cycle, **or moped**.
- 4 (2) A semitrailer of less than three thousand (3,000) pounds gross
5 weight.

6 (c) A truck or truck-tractor having at least three (3) axles is not
7 required to have service brakes on the front wheels. If a truck or
8 truck-tractor is equipped with at least two (2) steerable axles, the
9 wheels of one (1) steerable axle are not required to have service brakes
10 although the truck or truck-tractor must be capable of complying with
11 the performance requirements of sections 7 through 8 of this chapter.

12 SECTION 29. IC 9-19-6-3 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) A motor vehicle
14 other than a motorcycle, ~~or~~ motor driven cycle **or moped** must be
15 equipped with at least two (2) head lamps, with at least one (1) of the
16 head lamps on each side of the front of the motor vehicle. The head
17 lamps must comply with this chapter.

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

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

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

30 SECTION 30. IC 9-19-6-5 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) Except as
32 provided in subsections (b) through (d), a new motor vehicle sold and
33 operated upon a highway, other than a truck-tractor, must carry on the
34 rear, either as a part of the tail lamps or separately, two (2) red
35 reflectors.

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

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

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

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

12 SECTION 31. IC 9-19-6-6 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) Except as
14 provided in subsection (b), a person may not:

- 15 (1) sell; or
 - 16 (2) drive on the highways;
- 17 in Indiana a motor vehicle, including a motorcycle, ~~or~~ motor driven
18 cycle, **or moped**, unless the vehicle is equipped with at least one (1)
19 stoplight meeting the requirements of section 17 of this chapter.

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

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

- 26 (1) sell;
 - 27 (2) offer for sale; or
 - 28 (3) operate on the highways;
- 29 a motor vehicle, trailer, or semitrailer registered in Indiana and
30 manufactured or assembled after January 1, 1956, unless the vehicle is
31 equipped with mechanical or electrical turn signals meeting the
32 requirements of section 17 of this chapter.

33 SECTION 32. IC 9-19-6-20 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 20. Except as otherwise
35 provided in this chapter, the head lamps, the auxiliary driving lamp, the
36 auxiliary passing lamp, or a combination of these lamps on motor
37 vehicles, other than motorcycles, ~~or~~ motor driven cycles, **or mopeds**,
38 must be arranged so that the driver may select between distributions of
39 light projected to different elevations. The lamps may, in addition, be
40 arranged so that the selection can be made automatically, subject to the
41 following limitations:

- 42 (1) There must be an uppermost distribution of light, or composite

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1 beam, aimed and of an intensity to reveal persons and vehicles at
 2 a distance of at least three hundred fifty (350) feet ahead for all
 3 conditions of loading.
 4 (2) There must be a lowermost distribution of light, or composite
 5 beam, aimed and of an intensity to reveal persons and vehicles at
 6 a distance of at least one hundred (100) feet ahead. On a straight
 7 level road, under any condition of loading, none of the
 8 high-intensity part of the beam may be directed to strike the eyes
 9 of an approaching driver.
 10 (3) A new motor vehicle, other than a motorcycle, ~~or motor driven~~
 11 ~~cycle, or moped that is~~ registered in Indiana ~~after January 1,~~
 12 ~~1956, and~~ that has multiple-beam road lighting equipment must
 13 be equipped with a beam indicator that must be lighted whenever
 14 the uppermost distribution of light from the head lamps is in use.
 15 The beam indicator must not otherwise be lighted. The beam
 16 indicator must be designed and located so that when lighted the
 17 indicator is readily visible without glare to the driver of the
 18 vehicle so equipped.
 19 SECTION 33. IC 9-19-6-22 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 22. (a) The head lamp
 21 or head lamps upon a **motorcycle**, motor driven cycle, **or moped** may
 22 be of the single-beam or multiple-beam type.
 23 (b) A head lamp on a **motorcycle**, motor driven cycle, **or moped**
 24 must be of sufficient intensity to reveal a person or a vehicle at a
 25 distance of not less than:
 26 (1) one hundred (100) feet when the **motorcycle**, motor driven
 27 cycle, **or moped** is operated at a speed of less than twenty-five
 28 (25) miles per hour;
 29 (2) two hundred (200) feet when the **motorcycle**, motor driven
 30 cycle, **or moped** is operated at a speed of at least twenty-five (25)
 31 miles per hour; and
 32 (3) three hundred (300) feet when the **motorcycle or** motor
 33 driven cycle is operated at a speed of at least thirty-five (35) miles
 34 per hour.
 35 (c) If a **motorcycle**, motor driven cycle, **or moped** is equipped with
 36 a multiple beam head lamp, the upper beam must meet the minimum
 37 requirements set forth in this section and must not exceed the
 38 limitations set forth in section 20(1) of this chapter and the lowermost
 39 distribution of light as set forth in section 20(2) of this chapter.
 40 (d) If a **motorcycle**, motor driven cycle, **or moped** is equipped with
 41 a single beam lamp, the lamp must be aimed so that when the vehicle
 42 is loaded none of the high-intensity part of the light will, at a distance

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1 of twenty-five (25) feet ahead, project higher than the level of the
2 center of the lamp from which the light comes.

3 SECTION 34. IC 9-19-7-1 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. An individual less
5 than eighteen (18) years of age who is operating or riding on a
6 motorcycle **or a motor driven cycle** on the streets or highways shall
7 do the following:

- 8 (1) Wear protective headgear meeting the minimum standards set
9 by the bureau.
- 10 (2) Wear protective glasses, goggles, or transparent face shields.

11 SECTION 35. IC 9-19-7-2, AS AMENDED BY P.L.87-2010,
12 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2013]: Sec. 2. (a) Except as provided in subsection (b), a
14 motorcycle **or motor driven cycle** operated on the streets or highways
15 by a resident of Indiana must meet the following requirements:

- 16 (1) Be equipped with handlebars that rise not higher than the
17 shoulders of the driver when the driver is seated in the driver's
18 seat or saddle.
- 19 (2) Be equipped with brakes in good working order on both front
20 and rear wheels.
- 21 (3) Be equipped with footrests or pegs for both operator and
22 passenger.
- 23 (4) Be equipped with lamps and reflectors meeting the standards
24 of the United States Department of Transportation.

25 (b) A motorcycle **or motor driven cycle** manufactured before
26 January 1, 1956, is not required to be equipped with lamps and other
27 illuminating devices under subsection (a) if the motorcycle **or motor**
28 **driven cycle** is not operated at the times when lighted head lamps and
29 other illuminating devices are required under IC 9-21-7-2.

30 SECTION 36. IC 9-19-7-2.5 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2.5. A motorcycle **or**
32 **motor driven cycle** manufactured before January 1, 1956, is not
33 required to be equipped with the following devices:

- 34 (1) A rear view mirror.
- 35 (2) A speedometer.
- 36 (3) Mechanical or electric turn signals.

37 SECTION 37. IC 9-19-19-2 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A motor vehicle,
39 except a motorcycle, ~~or a motor driven cycle~~, **or moped**, required to be
40 registered with the bureau must be equipped with a front windshield.

41 SECTION 38. IC 9-21-5-7 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) A person may not

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1 drive a motor vehicle at a slow speed that impedes or blocks the normal
2 and reasonable movement of traffic, except when reduced speed is
3 necessary for safe operation or in compliance with the law.

4 **(b) This subsection applies to the operation of a motor driven**
5 **cycle, a moped, other motor vehicles, and vehicles.** A person who is
6 driving at a slow speed so that three (3) or more other vehicles are
7 blocked and cannot pass on the left around the vehicle shall give
8 right-of-way to the other vehicles by pulling off to the right of the right
9 lane at the earliest reasonable opportunity and allowing the blocked
10 vehicles to pass.

11 SECTION 39. IC 9-21-5-8.3 IS ADDED TO THE INDIANA CODE
12 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
13 **1, 2013]: Sec. 8.3. A person may not drive a moped on a highway at**
14 **a speed exceeding thirty (30) miles per hour.**

15 SECTION 40. IC 9-21-7-3 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) This section does
17 not apply to a motorcycle, **motor driven cycle, or motorized bicycle-**
18 **moped.**

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

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

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

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

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

41 SECTION 41. IC 9-21-7-8 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. (a) This section

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1 applies to a vehicle that is parked or stopped upon a roadway or
2 shoulder adjacent to a roadway between thirty (30) minutes after sunset
3 and thirty (30) minutes before sunrise.

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

8 (c) This subsection does not apply to a motor driven cycle or
9 **moped**. This subsection applies whether a vehicle parked or stopped
10 is attended or unattended. If there is not sufficient light to reveal a
11 person or object within a distance of five hundred (500) feet upon the
12 highway upon which the vehicle is parked or stopped, the vehicle
13 parked or stopped shall be equipped with one (1) or more lamps that
14 meet the following requirements:

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

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

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

24 (d) Lighted head lamps upon a parked vehicle must be depressed or
25 dimmed.

26 SECTION 42. IC 9-21-8-2 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) Upon all
28 roadways of sufficient width, a vehicle shall be driven upon the right
29 half of the roadway except as follows:

30 (1) When overtaking and passing another vehicle proceeding in
31 the same direction under the rules governing overtaking and
32 passing.

33 (2) When the right half of a roadway is closed to traffic under
34 construction or repair.

35 (3) Upon a roadway divided into three (3) marked lanes for traffic
36 under the rules applicable to a roadway divided into three (3)
37 marked lanes.

38 (4) Upon a roadway designated and signposted for one-way
39 traffic.

40 (b) Upon all roadways, a vehicle proceeding at less than the normal
41 speed of traffic at the time and place under the conditions then existing
42 shall be driven:

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- 1 (1) in the right-hand lane ~~then~~ **when** available for traffic; or
- 2 (2) as close as practicable to the right-hand curb or edge of the
- 3 roadway;
- 4 except when overtaking and passing another vehicle proceeding in the
- 5 same direction or when preparing for a left turn at an intersection or
- 6 into a private road or driveway.

7 **(c) A motor driven cycle or moped shall be driven in the**
 8 **right-hand lane when available for traffic except when preparing**
 9 **for a left turn at an intersection or into a private road or driveway.**

10 SECTION 43. IC 9-21-8-20 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 20. The Indiana
 12 department of transportation may by resolution or order entered in its
 13 minutes, and local authorities may by ordinance, with respect to any
 14 freeway or interstate highway system under their respective
 15 jurisdictions, prohibit the use of a highway by pedestrians, bicycles, or
 16 other nonmotorized traffic or by a person operating a ~~motor-driven~~
 17 ~~cycle.~~ **moped.** The Indiana department of transportation or the local
 18 authority adopting a prohibiting regulation shall erect and maintain
 19 official signs on the freeway or interstate highway system on which the
 20 regulations are applicable. If signs are erected, a person may not
 21 disobey the restrictions stated on the signs.

22 SECTION 44. IC 9-21-11-2 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A person riding a
 24 bicycle, motor driven cycle, **or moped** upon a roadway has all the
 25 rights and duties under this article that are applicable to a person who
 26 drives a vehicle, except the following:

- 27 (1) Special regulations of this article.
- 28 (2) Those provisions of this article that by their nature have no
- 29 application.

30 SECTION 45. IC 9-21-11-12 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. A ~~motorized~~
 32 ~~bicycle~~ **moped** may not be operated under any of the following
 33 conditions:

- 34 (1) By a person less than fifteen (15) years of age.
- 35 (2) By a person who has not obtained an identification card under
- 36 IC 9-24, a permit under IC 9-24, an operator's license under
- 37 IC 9-24, a chauffeur's license under IC 9-24, ~~or~~ a public passenger
- 38 chauffeur's license under IC 9-24.
- 39 (3) On an interstate highway or a sidewalk.
- 40 (4) At a speed greater than ~~twenty-five (25)~~ **thirty (30)** miles per
- 41 hour.

42 SECTION 46. IC 9-21-11-13 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. A person less than
2 eighteen (18) years of age who operates or rides a ~~motorized bicycle~~
3 **moped** on a street or highway shall do the following:

4 (1) Wear protective headgear meeting the minimum standards set
5 by the bureau or a helmet that meets the standards established by
6 the United States Department of Transportation under 49 CFR
7 571.218 in effect January 1, 1979.

8 (2) Wear protective glasses, goggles, or a transparent face shield.

9 SECTION 47. IC 9-21-11-13.5 IS ADDED TO THE INDIANA
10 CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2013]: **Sec. 13.5. A person who operates or**
11 **rides on a moped when the moped is carrying more persons than**
12 **the number of persons the moped is designed and equipped to**
13 **carry at one (1) time violates this chapter.**

14 SECTION 48. IC 9-24-1-1, AS AMENDED BY P.L.125-2012,
15 SECTION 159, IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2013]: Sec. 1. Except as otherwise provided in
17 this chapter, an individual must have a valid Indiana:

- 18 (1) operator's license;
- 19 (2) chauffeur's license;
- 20 (3) public passenger chauffeur's license;
- 21 (4) commercial driver's license;
- 22 (5) driver's license listed in subdivision (1), (2), (3), or (4) with a
- 23 motorcycle endorsement;
- 24 (6) learner's permit; or
- 25 (7) motorcycle learner's permit;

26 issued to the individual by the bureau under this article to drive upon
27 an Indiana highway the type of motor vehicle for which the license or
28 permit was issued. **After December 31, 2013, the operator of a**
29 **motor driven cycle must hold a license or permit under any of**
30 **subdivisions (1) through (7) in order to operate the motor driven**
31 **cycle.**

32 SECTION 49. IC 9-25-1-7 IS ADDED TO THE INDIANA CODE
33 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY
34 1, 2013]: **Sec. 7. After December 31, 2013, this article applies to a**
35 **motor driven cycle that is operated or driven on a highway.**

36 SECTION 50. IC 9-29-5-2, AS AMENDED BY P.L.145-2011,
37 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2013]: Sec. 2. ~~(a) This subsection expires December 31, 2011.~~
39 ~~The fee for the registration of a motorcycle is seventeen dollars and~~
40 ~~thirty cents (\$17.30). The revenue from this fee shall be allocated as~~
41 ~~follows:~~



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- 1 (1) Seven dollars (\$7) to the motorcycle operator safety education
- 2 fund established by IC 20-30-13-11.
- 3 (2) An amount prescribed as a license branch service charge
- 4 under IC 9-29-3.
- 5 (3) Thirty cents (\$0.30) to the spinal cord and brain injury fund
- 6 under IC 16-41-42.2-3, as provided under section 0.5 of this
- 7 chapter.
- 8 (4) The balance to the state general fund for credit to the motor
- 9 vehicle highway account.
- 10 (b) This subsection applies after December 31, 2011. (a) The fee for
- 11 the registration of a motorcycle is seventeen dollars and thirty cents
- 12 (\$17.30). The revenue from this fee shall be allocated as follows:
- 13 (1) Seven dollars (\$7) to the motorcycle operator safety education
- 14 fund established by IC 9-27-7-7.
- 15 (2) An amount prescribed as a license branch service charge
- 16 under IC 9-29-3.
- 17 (3) Thirty cents (\$0.30) to the spinal cord and brain injury fund
- 18 under IC 16-41-42.2-3, as provided under section 0.5 of this
- 19 chapter.
- 20 (4) The balance to the state general fund for credit to the motor
- 21 vehicle highway account.
- 22 (b) This subsection applies after December 31, 2013. The fee for
- 23 the registration of a motor driven cycle or moped is seventeen
- 24 dollars and thirty cents (\$17.30). The revenue from this fee shall be
- 25 allocated as follows:
- 26 (1) Seven dollars (\$7) to the motorcycle operator safety
- 27 education fund established by IC 9-27-7-7.
- 28 (2) An amount prescribed as a license branch service charge
- 29 under IC 9-29-3.
- 30 (3) Thirty cents (\$0.30) to the spinal cord and brain injury
- 31 fund under IC 16-41-42.2-3, as provided under section 0.5 of
- 32 this chapter.
- 33 (4) The balance to the state general fund for credit to the
- 34 motor vehicle highway account.
- 35 SECTION 51. IC 9-30-10-13, AS AMENDED BY P.L.125-2012,
- 36 SECTION 355, IS AMENDED TO READ AS FOLLOWS
- 37 [EFFECTIVE JULY 1, 2013]: Sec. 13. (a) The bureau may issue
- 38 driving privileges to a habitual violator whose driving privileges were
- 39 suspended under section 5(b) of this chapter if the following conditions
- 40 exist:
- 41 (1) The time specified for the person's probation or the restriction
- 42 or suspension of the person's license has elapsed.

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- 1 (2) The person has met all the requirements of all applicable
- 2 statutes and rules relating to the licensing of motor vehicle
- 3 operators.
- 4 (3) The person files with the bureau and maintains, for three (3)
- 5 years after termination of suspension, proof of future financial
- 6 responsibility in accordance with IC 9-25.
- 7 (4) If the person has a prior conviction for operating while
- 8 intoxicated, the bureau places a restriction on the person's driver's
- 9 license and driving record that indicates the person is prohibited
- 10 from operating a motor vehicle, **motor driven cycle**, or **motorized**
- 11 **bicycle moped** with an alcohol concentration equivalent to at
- 12 least two-hundredths (0.02) gram of alcohol per:
- 13 (A) one hundred (100) milliliters of the person's blood; or
- 14 (B) two hundred ten (210) liters of the person's breath;
- 15 for three (3) years after the bureau issues the driver's license to the
- 16 person.
- 17 (5) The person signs a bureau form by which the person agrees
- 18 that as a condition to obtaining the driver's license the person will
- 19 submit to a chemical test at any time during the period three (3)
- 20 years after the bureau issues the driver's license to the person if a
- 21 law enforcement officer lawfully stops the person while operating
- 22 a motor vehicle, **motor driven cycle**, or **motorized bicycle moped**
- 23 and the law enforcement officer requests that the person submit
- 24 to a chemical test.
- 25 (b) The bureau may issue a license to operate a motor vehicle to a
- 26 habitual violator whose driving privileges have been suspended for life
- 27 if the following conditions exist:
- 28 (1) The bureau has received an order for rescission of suspension
- 29 and reinstatement issued under section 15 of this chapter.
- 30 (2) The person to whom the license is to be issued has never been
- 31 convicted of a violation described in section 4(a) or 17 of this
- 32 chapter.
- 33 (3) The person has not been convicted of an offense under section
- 34 16 of this chapter more than one (1) time.
- 35 (4) The person has met all the requirements of all applicable
- 36 statutes and rules relating to the licensing of motor vehicle
- 37 operators.
- 38 (5) The person:
- 39 (A) files with the bureau; and
- 40 (B) maintains for three (3) years after rescission of the
- 41 suspension;
- 42 proof of future financial responsibility in accordance with

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1 IC 9-25.
2 (6) If the person has a prior conviction for operating while
3 intoxicated, the bureau places a restriction on the person's driver's
4 license and driving record that indicates the person is prohibited
5 from operating a motor vehicle, **motor driven cycle**, or ~~motorized~~
6 ~~bicycle~~ **moped** with an alcohol concentration equivalent to at
7 least two-hundredths (0.02) gram of alcohol per:
8 (A) one hundred (100) milliliters of the person's blood; or
9 (B) two hundred ten (210) liters of the person's breath;
10 or while intoxicated (as defined under IC 9-13-2-86) for three (3)
11 years after the bureau issues the driver's license to the person.
12 (7) The person signs a bureau form by which the person agrees
13 that as a condition to obtaining the driver's license the person will
14 submit to a chemical test at any time during the period three (3)
15 years after the bureau issues the driver's license to the person if a
16 law enforcement officer lawfully stops the person while operating
17 a motor vehicle or motorized bicycle and the law enforcement
18 officer requests that the person submit to a chemical test.
19 (c) A habitual violator is not eligible for relief under the hardship
20 provisions of IC 9-24-15.
21 (d) The bureau shall not issue driving privileges to a person who
22 does not satisfy all of the requirements set forth in subsections (a) and
23 (b).
24 SECTION 52. IC 9-30-10-15, AS AMENDED BY P.L.125-2012,
25 SECTION 357, IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2013]: Sec. 15. (a) Upon receiving a petition
27 filed under section 14 of this chapter, a court shall set a date for hearing
28 the matter and direct the clerk of the court to provide notice of the
29 hearing date to the following:
30 (1) The petitioner.
31 (2) The prosecuting attorney of the county where the petitioner
32 resides.
33 (3) The bureau.
34 (b) A court may order the rescission of the order that required the
35 suspension of the petitioner's driving privileges for life and may order
36 the bureau to reinstate the driving privileges of a petitioner whose
37 driving privileges have been suspended for life if, after the hearing of
38 the matter, the court makes the following written findings and
39 conclusions, based on clear and convincing evidence:
40 (1) That the petitioner has never been convicted of a violation
41 described in section 4(a) of this chapter.
42 (2) That the petitioner has never been convicted of an offense

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- 1 under section 17 of this chapter.
- 2 (3) That the petitioner has not been convicted of an offense under
- 3 section 16 of this chapter more than one (1) time.
- 4 (4) If the person is petitioning the court under section 14(a) of this
- 5 chapter that ten (10) years have elapsed since the date on which
- 6 an order was issued that required the suspension of the petitioner's
- 7 driving privileges for life.
- 8 (5) That there has been a substantial change in the petitioner's
- 9 circumstances indicating the petitioner would no longer pose a
- 10 risk to the safety of others if the petitioner's driving privileges
- 11 were reinstated.
- 12 (6) That there has been a substantial change in the petitioner's
- 13 circumstances indicating that the suspension of the petitioner's
- 14 driving privileges for life has become unreasonable.
- 15 (7) That it is in the best interests of society for the petitioner's
- 16 driving privileges to be reinstated.
- 17 (8) If the person is petitioning the court under section 14(e) of this
- 18 chapter:
- 19 (A) that three (3) years have elapsed since the date the order
- 20 was issued that required the suspension of the petitioner's
- 21 driving privileges for life; and
- 22 (B) that the conditions listed under section 14(e) of this
- 23 chapter are satisfied.
- 24 (c) The petitioner has the burden of proof under this section and an
- 25 order issued under subsection (b) is a final order, appealable by any
- 26 party to the action.
- 27 (d) In an order for reinstatement of driving privileges issued under
- 28 this section, the court may require the bureau to issue the prevailing
- 29 petitioner:
- 30 (1) driving privileges under section 13(b) of this chapter; or
- 31 (2) restricted driving privileges for a time and subject to
- 32 conditions specified by the court, which must include one (1) or
- 33 more of the following conditions if the person was determined to
- 34 be a habitual violator under IC 9-30-10-4(a)(4) through
- 35 IC 9-30-10-4(a)(7) or IC 9-30-10-4(b)(1) through
- 36 IC 9-30-10-4(b)(4):
- 37 (A) Specified hours during which the person may drive.
- 38 (B) An order prohibiting the person from operating a motor
- 39 vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** with
- 40 an alcohol concentration equivalent to at least two-hundredths
- 41 (0.02) gram of alcohol per:
- 42 (i) one hundred (100) milliliters of the person's blood; or

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

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1 reinstatement.
 2 (2) Send a certified copy of the person's driving record to the
 3 prosecuting attorney.

4 The prosecuting attorney shall, in accordance with IC 35-38-1-15,
 5 petition the court to correct the court's order. If the bureau does not
 6 receive a corrected order within sixty (60) days, the bureau shall notify
 7 the attorney general, who shall, in accordance with IC 35-38-1-15,
 8 petition the court to correct the court's order.

9 SECTION 53. IC 9-30-10-17.5, AS AMENDED BY P.L.125-2012,
 10 SECTION 358, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 17.5. A person who operates a
 11 vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** in violation
 12 of conditions of restricted driving privileges ordered by a court under
 13 section 9(d)(6) or 15(d)(2) of this chapter commits a Class A
 14 misdemeanor.
 15

16 SECTION 54. IC 9-30-10-18, AS AMENDED BY P.L.28-2010,
 17 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2013]: Sec. 18. In a criminal action brought under section 16,
 19 17, or 17.5 of this chapter, it is a defense that the operation of a motor
 20 vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** was
 21 necessary to save life or limb in an extreme emergency. The defendant
 22 must bear the burden of proof by a preponderance of the evidence to
 23 establish this defense.

24 SECTION 55. IC 13-11-2-130.1, AS ADDED BY P.L.170-2006,
 25 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2013]: Sec. 130.1. (a) "Motor vehicle", for purposes of this
 27 chapter, means a vehicle that is self-propelled on a highway in Indiana.
 28 The term does not include a farm tractor, a **motor driven cycle**, or a
 29 ~~motorized bicycle~~. **moped**.

30 (b) This section expires on the date IC 13-20-17.7 expires under
 31 IC 13-20-17.7-9.

32 SECTION 56. IC 14-19-1-0.5, AS ADDED BY P.L.225-2005,
 33 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2013]: Sec. 0.5. (a) "Motorized cart" means a conveyance that
 35 is:

- 36 (1) motor driven, either by gas or electricity;
 37 (2) used to carry passengers or equipment; and
 38 (3) smaller than the types of motor vehicles required to be
 39 registered by the bureau of motor vehicles such as a:
 40 (A) passenger motor vehicle (as defined in IC 9-13-2-123);
 41 (B) recreational vehicle (as defined in IC 9-13-2-150); or
 42 (C) truck (as defined in IC 9-13-2-188).



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1 A motorized cart may be characterized as a golf cart, utility cart, or
2 similar form of motor vehicle.

- 3 (b) The term does not include:
- 4 (1) an electric personal assistive mobility device (as defined in
- 5 IC 9-13-2-49.3);
- 6 (2) a motorcycle (as defined in IC 9-13-2-108);
- 7 ~~(3) a motor scooter (as defined in IC 9-13-2-104);~~
- 8 ~~(4) (3) a motorized bicycle moped (as defined in IC 9-13-2-109);~~
- 9 **IC 9-13-2-103.4);**
- 10 **(4) a motor driven cycle (as defined in IC 9-13-2-103.7);** or
- 11 (5) an off-road vehicle.

12 SECTION 57. [EFFECTIVE JULY 1, 2013] **(a) The legislative**
13 **services agency shall prepare legislation for introduction in the**
14 **2014 regular session of the general assembly to make appropriate**
15 **changes in statutes as required by this act.**

16 **(b) This SECTION expires December 21, 2014.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1523, 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 3, delete lines 13 through 42, begin a new paragraph and insert:

"SECTION 4. IC 6-3.5-4-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2013]: **Sec. 0.5. This chapter applies to a motor driven cycle (as defined in IC 9-13-2-103.7) and a moped (as defined in IC 9-13-2-103.4) that is registered with the bureau of motor vehicles after December 31, 2013.**

SECTION 5. IC 6-6-5-1, AS AMENDED BY P.L.2-2007, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) As used in this chapter, "vehicle" means a vehicle subject to annual registration as a condition of its operation on the public highways pursuant to the motor vehicle registration laws of the state. **After December 31, 2013, the term includes a:**

- (1) motor driven cycle (as defined in IC 9-13-2-103.7); and**
- (2) moped (as defined in IC 9-13-2-103.4).**

(b) As used in this chapter, "mobile home" means a nonself-propelled vehicle designed for occupancy as a dwelling or sleeping place.

(c) As used in this chapter, "bureau" means the bureau of motor vehicles.

(d) As used in this chapter, "license branch" means a branch office of the bureau authorized to register motor vehicles pursuant to the laws of the state.

(e) As used in this chapter, "owner" means the person in whose name the vehicle or trailer is registered (as defined in IC 9-13-2).

(f) As used in this chapter, "motor home" means a self-propelled vehicle having been designed and built as an integral part thereof having living and sleeping quarters, including that which is commonly referred to as a recreational vehicle.

(g) As used in this chapter, "last preceding annual excise tax liability" means either:

- (1) the amount of excise tax liability to which the vehicle was subject on the owner's last preceding regular annual registration date; or

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(2) the amount of excise tax liability to which a vehicle that was registered after the owner's last preceding annual registration date would have been subject if it had been registered on that date.

(h) As used in this chapter, "trailer" means a device having a gross vehicle weight equal to or less than three thousand (3,000) pounds that is pulled behind a vehicle and that is subject to annual registration as a condition of its operation on the public highways pursuant to the motor vehicle registration laws of the state. The term includes any utility, boat, or other two (2) wheeled trailer.

(i) This chapter does not apply to the following:

- (1) Vehicles owned, or leased and operated, by the United States, the state, or political subdivisions of the state.
- (2) Mobile homes and motor homes.
- (3) Vehicles assessed under IC 6-1.1-8.
- (4) Vehicles subject to registration as trucks under the motor vehicle registration laws of the state, except trucks having a declared gross weight not exceeding eleven thousand (11,000) pounds, trailers, semitrailers, tractors, and buses.
- (5) Vehicles owned, or leased and operated, by a postsecondary educational institution described in IC 6-3-3-5(d).
- (6) Vehicles owned, or leased and operated, by a volunteer fire department (as defined in IC 36-8-12-2).
- (7) Vehicles owned, or leased and operated, by a volunteer emergency ambulance service that:
 - (A) meets the requirements of IC 16-3-1; 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).
- (8) Vehicles that are exempt from the payment of registration fees under IC 9-18-3-1.
- (9) Farm wagons.

SECTION 6. IC 7.1-1-3-26.3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 26.3. (a) "Motor vehicle" means a vehicle that is self-propelled.

(b) ~~The term does not include a motorized bicycle (as defined in IC 9-13-2-109).~~

SECTION 7. IC 9-13-1-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 5. A reference to a motorized bicycle in any law, rule, or other document in effect on January 1, 2014, shall be treated after December 31, 2013, as a reference to a moped.**

SECTION 8. IC 9-13-2-42, AS AMENDED BY P.L.93-2010,



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SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 42. (a) "Dealer" means, except as otherwise provided in this section, a person who sells to the general public, including a person who sells directly by the Internet or other computer network, at least twelve (12) vehicles each year for delivery in Indiana. The term includes a person who sells off-road vehicles, **motor driven cycles, or mopeds**. A dealer must have an established place of business that meets the minimum standards prescribed by the secretary of state under rules adopted under IC 4-22-2.

(b) The term does not include the following:

- (1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.
- (2) A public officer while performing official duties.
- (3) A person who is a dealer solely because of activities as a transfer dealer.
- (4) An automotive mobility dealer.

(c) "Dealer", for purposes of IC 9-31, means a person that sells to the general public for delivery in Indiana at least six (6):

- (1) boats; or
- (2) trailers:
 - (A) designed and used exclusively for the transportation of watercraft; and
 - (B) sold in general association with the sale of watercraft;

per year.

SECTION 9. IC 9-13-2-103 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 103. "Military vehicle" means a vehicle that:

- (1) was originally manufactured for military use;
- (2) is motorized or nonmotorized, including a motorcycle ~~motor scooter~~, and a trailer;
- (3) is at least twenty-five (25) years old; and
- (4) is privately owned.

SECTION 10. IC 9-13-2-103.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 103.4. "Moped" means a motor vehicle with motive power that:**

- (1) has a seat or saddle for the use of the rider;**
- (2) is designed to travel on not more than three (3) wheels in contact with the ground;**
- (3) is not operated at a speed greater than thirty (30) miles per hour; and**
- (4) does not meet the federal motor vehicle safety standards**



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necessary to certify the motor vehicle as a motorcycle.
The term does not include an electric personal assistive mobility device.

SECTION 11. IC 9-13-2-103.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 103.7. (a) This section applies after December 31, 2013.

(b) "Motor driven cycle" means a motor vehicle with motive power that:

- (1) has a seat or saddle for the use of the rider;
- (2) is designed to travel on not more than three (3) wheels in contact with the ground;
- (3) is intended to be driven at a speed that can exceed thirty (30) miles per hour; and
- (4) does not meet the federal motor vehicle safety standards necessary to certify the motor vehicle as a motorcycle.

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

SECTION 12. IC 9-13-2-104 IS REPEALED [EFFECTIVE JULY 1, 2013]. Sec. 104. "Motor scooter" means a vehicle that has the following:

- (1) Motive power.
- (2) A seat, but not a saddle, for the driver.
- (3) Two (2) wheels.
- (4) A floor pad for the driver's feet.

SECTION 13. IC 9-13-2-105, AS AMENDED BY P.L.9-2010, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 105. (a) "Motor vehicle" means, except as otherwise provided in this section, a vehicle that is self-propelled. The term does not include a farm tractor, an implement of agriculture designed to be operated primarily in a farm field or on farm premises, or an electric personal assistive mobility device.

(b) "Motor vehicle", for purposes of IC 9-21, means:

- (1) a vehicle ~~except a motorized bicycle~~ that is self-propelled; or
- (2) a vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(c) "Motor vehicle", for purposes of IC 9-19-10.5 and IC 9-25, means a vehicle that is self-propelled upon a highway in Indiana. The term does not include a farm tractor.

(d) "Motor vehicle", for purposes of IC 9-30-10, does not include a ~~motorized bicycle~~. **motor driven cycle or a moped.**

(e) "Motor vehicle", for purposes of IC 9-23-2 and IC 9-23-3,

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includes a semitrailer.

(f) "Motor vehicle", for purposes of IC 9-24-6, has the meaning set forth in 49 CFR 383.5 as in effect July 1, 2010.

SECTION 14. IC 9-13-2-108 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 108. "Motorcycle" means a motor vehicle:

- (1) with motive power having a seat or saddle for the use of the rider; ~~and~~
- (2) designed to travel on not more than three (3) wheels in contact with the ground; and
- (3) **that meets federal motor vehicle safety standards for certification as a motorcycle.**

The term does not include a farm tractor or a ~~motorized bicycle~~; **motor driven cycle or moped.**

SECTION 15. IC 9-13-2-109 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 109: "Motorized bicycle" means a two (2) or three (3) wheeled vehicle that is propelled by an internal combustion engine or a battery powered motor, and if powered by an internal combustion engine, has the following:~~

- ~~(1) An engine rating of not more than two (2) horsepower and a cylinder capacity not exceeding fifty (50) cubic centimeters.~~
- ~~(2) An automatic transmission.~~
- ~~(3) A maximum design speed of not more than twenty-five (25) miles per hour on a flat surface.~~

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

SECTION 16. IC 9-13-2-123, AS AMENDED BY P.L.214-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 123. "Passenger motor vehicle" means a motor vehicle designed for carrying passengers. The term includes a low speed vehicle but does not include a motorcycle, **a motor driven cycle, a moped**, a bus, a school bus, or an off-road vehicle.

SECTION 17. IC 9-13-2-196, AS AMENDED BY P.L.9-2010, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway.

(b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not include the following:

- (1) A device moved by human power.
- (2) A vehicle that runs only on rails or tracks.
- (3) A vehicle propelled by electric power obtained from overhead



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trolley wires but not operated upon rails or tracks.

(4) A firetruck and apparatus owned by a person or municipal division of the state and used for fire protection.

(5) A municipally owned ambulance.

(6) A police patrol wagon.

(7) A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated or moved over the highway, including the following:

(A) Road construction or maintenance machinery.

(B) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways.

(C) Construction dust control machinery.

(D) Well boring apparatus.

(E) Ditch digging apparatus.

(F) An implement of agriculture designed to be operated primarily in a farm field or on farm premises.

(G) An invalid chair.

(H) A yard tractor.

(8) An electric personal assistive mobility device.

(c) For purposes of IC 9-20 and IC 9-21, the term does not include devices moved by human power or used exclusively upon stationary rails or tracks.

(d) For purposes of IC 9-22, the term refers to an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, a trailer or semitrailer used in the transportation of watercraft, **a motor driven cycle**, or a ~~motorized bicycle~~ **moped**.

(e) For purposes of IC 9-24-6, the term has the meaning set forth in 49 CFR 383.5 as in effect July 1, 2010.

(f) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device.

SECTION 18. 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 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

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than the manufacturer; **or**

(5) except as specifically provided otherwise, a motor driven cycle or a moped;

or any other vehicle that is not registered in accordance with IC 9-18-2.

SECTION 19. IC 9-17-2-1.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2013]: **Sec. 1.7. (a) Notwithstanding any other law, a person may apply to the bureau for a certificate of title for a motor driven cycle or moped. However, a person is not required to obtain a certificate of title from the bureau for a motor driven cycle or moped before the person may operate the motor driven cycle or moped on a highway.**

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

SECTION 20. IC 9-18-1-2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2013]: **Sec. 2. (a) After December 31, 2013, this article applies to motor driven cycles and mopeds.**

(b) The bureau may adopt rules under IC 4-22-2 to determine the requirements for registering with the bureau a motor driven cycle or moped.

SECTION 21. 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.
- (2) Recreational vehicles.
- (3) Motorcycles, **motor driven cycles, and mopeds.**
- (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 required to be displayed.

(c) A corporation that owns a truck that has a declared gross weight

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

(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 registration application form. The bureau shall do the following:

- (1) Administer the registration application form.
- (2) Issue the license plate.
- (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) or IC 9-18-16-1(2) expires on December 14 of each year. However, if a vehicle is registered under IC 9-18-16-1(1) or IC 9-18-16-1(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 22. IC 9-18-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. **(a) This section does not apply to a motor driven cycle or moped for which the owner has not applied for a certificate of title.**

(b) Except as provided in section 18 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.



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SECTION 23. 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 shall be displayed as follows:

- (1) For a motorcycle, **motor driven cycle, moped**, 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;
- (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 24. IC 9-18-2-29, AS AMENDED BY P.L.210-2005, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 29. Except as otherwise provided, before:

- (1) a motor vehicle;
- (2) a motorcycle;
- (3) a truck;
- (4) a trailer;
- (5) a semitrailer;
- (6) a tractor;
- (7) a bus;
- (8) a school bus;
- (9) a recreational vehicle; **or**
- (10) special machinery; **or**

(11) a motor driven cycle or moped, after December 31, 2013; is operated or driven on a highway, the person who owns the vehicle must register the vehicle with the bureau and pay the applicable

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registration fee.

SECTION 25. IC 9-18-12-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) If a person who registers an antique motor vehicle under this chapter makes substantial alterations or changes to the vehicle after the date of the antique motor vehicle's registration, the registrant shall have the vehicle reinspected by the state police department.

(b) If the antique motor vehicle is not found to be in a mechanical condition that guarantees the vehicle's safe operation upon the highways, the mechanical condition shall be reported to the bureau. The bureau shall do the following:

- (1) Immediately cancel the registration of the antique motor vehicle.
- (2) Notify the person who registered the antique motor vehicle of the cancellation.

~~(c) A motor scooter registered under this chapter is not required to have equipment that was not original on the motor scooter.~~

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

SECTION 27. IC 9-19-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A motorcycle, ~~and~~ a motor driven cycle, **or moped**, when operated upon a highway, must be equipped with at least one (1) brake, which may be operated by hand or foot.

SECTION 28. IC 9-19-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) Except as provided in subsections (b) through (c), a new motor vehicle, trailer, or semitrailer sold in Indiana and operated upon the highways must be equipped with service brakes upon all wheels of the vehicle.

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

- (1) A motorcycle, ~~or~~ motor driven cycle, **or moped**.
- (2) A semitrailer of less than three thousand (3,000) pounds gross



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weight.

(c) A truck or truck-tractor having at least three (3) axles is not required to have service brakes on the front wheels. If a truck or truck-tractor is equipped with at least two (2) steerable axles, the wheels of one (1) steerable axle are not required to have service brakes although the truck or truck-tractor must be capable of complying with the performance requirements of sections 7 through 8 of this chapter.

SECTION 29. IC 9-19-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) A motor vehicle other than a motorcycle, ~~or~~ motor driven cycle **or moped** must be equipped with at least two (2) head lamps, with at least one (1) of the head lamps on each side of the front of the motor vehicle. The head lamps must comply with this chapter.

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

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

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

SECTION 30. IC 9-19-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) Except as provided in subsections (b) through (d), a new motor vehicle sold and operated upon a highway, other than a truck-tractor, must carry on the rear, either as a part of the tail lamps or separately, two (2) red reflectors.

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

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

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

(e) A reflector must be mounted on a vehicle at a height not less

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

SECTION 31. IC 9-19-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) Except as provided in subsection (b), a person may not:

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

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

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

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

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

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

SECTION 32. IC 9-19-6-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 20. Except as otherwise provided in this chapter, the head lamps, the auxiliary driving lamp, the auxiliary passing lamp, or a combination of these lamps on motor vehicles, other than motorcycles, ~~or~~ motor driven cycles, **or mopeds**, must be arranged so that the driver may select between distributions of light projected to different elevations. The lamps may, in addition, be arranged so that the selection can be made automatically, subject to the following limitations:

- (1) There must be an uppermost distribution of light, or composite beam, aimed and of an intensity to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading.
- (2) There must be a lowermost distribution of light, or composite



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beam, aimed and of an intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead. On a straight level road, under any condition of loading, none of the high-intensity part of the beam may be directed to strike the eyes of an approaching driver.

(3) A new motor vehicle, other than a motorcycle, ~~or~~ motor driven cycle, **or moped that is** registered in Indiana ~~after January 1, 1956, and~~ that has multiple-beam road lighting equipment must be equipped with a beam indicator that must be lighted whenever the uppermost distribution of light from the head lamps is in use. The beam indicator must not otherwise be lighted. The beam indicator must be designed and located so that when lighted the indicator is readily visible without glare to the driver of the vehicle so equipped.

SECTION 33. IC 9-19-6-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 22. (a) The head lamp or head lamps upon a **motorcycle**, motor driven cycle, **or moped** may be of the single-beam or multiple-beam type.

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

- (1) one hundred (100) feet when the **motorcycle**, motor driven cycle, **or moped** is operated at a speed of less than twenty-five (25) miles per hour;
- (2) two hundred (200) feet when the **motorcycle**, motor driven cycle, **or moped** is operated at a speed of at least twenty-five (25) miles per hour; and
- (3) three hundred (300) feet when the **motorcycle or** motor driven cycle is operated at a speed of at least thirty-five (35) miles per hour.

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

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

SECTION 34. IC 9-19-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. An individual less



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than eighteen (18) years of age who is operating or riding on a motorcycle **or a motor driven cycle** on the streets or highways shall do the following:

(1) Wear protective headgear meeting the minimum standards set by the bureau.

(2) Wear protective glasses, goggles, or transparent face shields.

SECTION 35. IC 9-19-7-2, AS AMENDED BY P.L.87-2010, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) Except as provided in subsection (b), a motorcycle **or motor driven cycle** operated on the streets or highways by a resident of Indiana must meet the following requirements:

(1) Be equipped with handlebars that rise not higher than the shoulders of the driver when the driver is seated in the driver's seat or saddle.

(2) Be equipped with brakes in good working order on both front and rear wheels.

(3) Be equipped with footrests or pegs for both operator and passenger.

(4) Be equipped with lamps and reflectors meeting the standards of the United States Department of Transportation.

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

SECTION 36. IC 9-19-7-2.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2.5. A motorcycle **or motor driven cycle** manufactured before January 1, 1956, is not required to be equipped with the following devices:

(1) A rear view mirror.

(2) A speedometer.

(3) Mechanical or electric turn signals.

SECTION 37. IC 9-19-19-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A motor vehicle, except a motorcycle, ~~or a motor driven cycle~~, **or moped**, required to be registered with the bureau must be equipped with a front windshield.

SECTION 38. IC 9-21-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) A person may not drive a motor vehicle at a slow speed that impedes or blocks the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law.

(b) **This subsection applies to the operation of a motor driven**

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cycle, a moped, other motor vehicles, and vehicles. A person who is driving at a slow speed so that three (3) or more other vehicles are blocked and cannot pass on the left around the vehicle shall give right-of-way to the other vehicles by pulling off to the right of the right lane at the earliest reasonable opportunity and allowing the blocked vehicles to pass.

SECTION 39. IC 9-21-5-8.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2013]: **Sec. 8.3. A person may not drive a moped on a highway at a speed exceeding thirty (30) miles per hour.**

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

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

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

(1) auxiliary lamps;

(2) a spot lamp; or

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

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

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

SECTION 41. IC 9-21-7-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. (a) This section applies to a vehicle that is parked or stopped upon a roadway or shoulder adjacent to a roadway between thirty (30) minutes after sunset and thirty (30) minutes before sunrise.

(b) If there is sufficient light to reveal a person or object within a

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distance of five hundred (500) feet upon the street or highway upon which the vehicle is parked, no lights need be displayed upon the parked vehicle.

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

- (1) At least one (1) lamp must display a white or amber light visible from a distance of five hundred (500) feet to the front of the vehicle.
- (2) The lamp described in subdivision (1) or at least one (1) other lamp must display a red light visible from a distance of five hundred (500) feet to the rear of the vehicle.
- (3) The lamp or lamps described in subdivisions (1) and (2) shall be installed as near as practicable on the side of the vehicle that is closest to passing traffic.

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

SECTION 42. IC 9-21-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway except as follows:

- (1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing overtaking and passing.
- (2) When the right half of a roadway is closed to traffic under construction or repair.
- (3) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable to a roadway divided into three (3) marked lanes.
- (4) Upon a roadway designated and signposted for one-way traffic.

(b) Upon all roadways, a vehicle proceeding at less than the normal speed of traffic at the time and place under the conditions then existing shall be driven:

- (1) in the right-hand lane ~~then~~ **when** available for traffic; or
- (2) as close as practicable to the right-hand curb or edge of the roadway;

except when overtaking and passing another vehicle proceeding in the

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same direction or when preparing for a left turn at an intersection or into a private road or driveway.

(c) A motor driven cycle or moped shall be driven in the right-hand lane when available for traffic except when preparing for a left turn at an intersection or into a private road or driveway.

SECTION 43. IC 9-21-8-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 20. The Indiana department of transportation may by resolution or order entered in its minutes, and local authorities may by ordinance, with respect to any freeway or interstate highway system under their respective jurisdictions, prohibit the use of a highway by pedestrians, bicycles, or other nonmotorized traffic or by a person operating a ~~motor-driven cycle~~ **moped**. The Indiana department of transportation or the local authority adopting a prohibiting regulation shall erect and maintain official signs on the freeway or interstate highway system on which the regulations are applicable. If signs are erected, a person may not disobey the restrictions stated on the signs.

SECTION 44. IC 9-21-11-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A person riding a bicycle, motor driven cycle, **or moped** upon a roadway has all the rights and duties under this article that are applicable to a person who drives a vehicle, except the following:

- (1) Special regulations of this article.
- (2) Those provisions of this article that by their nature have no application.

SECTION 45. IC 9-21-11-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. A ~~motorized bicycle~~ **moped** may not be operated under any of the following conditions:

- (1) By a person less than fifteen (15) years of age.
- (2) By a person who has not obtained an identification card under IC 9-24, a permit under IC 9-24, an operator's license under IC 9-24, a chauffeur's license under IC 9-24, ~~or~~ a public passenger chauffeur's license under IC 9-24.
- (3) On an interstate highway or a sidewalk.
- (4) At a speed greater than ~~twenty-five (25)~~ **thirty (30)** miles per hour.

SECTION 46. IC 9-21-11-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. A person less than eighteen (18) years of age who operates or rides a ~~motorized bicycle~~ **moped** on a street or highway shall do the following:

- (1) Wear protective headgear meeting the minimum standards set



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by the bureau or a helmet that meets the standards established by the United States Department of Transportation under 49 CFR 571.218 in effect January 1, 1979.

(2) Wear protective glasses, goggles, or a transparent face shield.

SECTION 47. IC 9-21-11-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 13.5. A person who operates or rides on a moped when the moped is carrying more persons than the number of persons the moped is designed and equipped to carry at one (1) time violates this chapter.**

SECTION 48. IC 9-24-1-1, AS AMENDED BY P.L.125-2012, SECTION 159, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. Except as otherwise provided in this chapter, an individual must have a valid Indiana:

- (1) operator's license;
- (2) chauffeur's license;
- (3) public passenger chauffeur's license;
- (4) commercial driver's license;
- (5) driver's license listed in subdivision (1), (2), (3), or (4) with a motorcycle endorsement;
- (6) learner's permit; or
- (7) motorcycle learner's permit;

issued to the individual by the bureau under this article to drive upon an Indiana highway the type of motor vehicle for which the license or permit was issued. **After December 31, 2013, the operator of a motor driven cycle must hold a license or permit under any of subdivisions (1) through (7) in order to operate the motor driven cycle.**

SECTION 49. IC 9-25-1-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 7. After December 31, 2013, this article applies to a motor driven cycle that is operated or driven on a highway.**

SECTION 50. IC 9-29-5-2, AS AMENDED BY P.L.145-2011, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. ~~(a) This subsection expires December 31, 2011. The fee for the registration of a motorcycle is seventeen dollars and thirty cents (\$17.30). The revenue from this fee shall be allocated as follows:~~

- ~~(1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 20-30-13-11.~~
- ~~(2) An amount prescribed as a license branch service charge under IC 9-29-3.~~

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(3) Thirty cents (\$0.30) to the spinal cord and brain injury fund under IC 16-41-42.2-3, as provided under section 0.5 of this chapter.

(4) The balance to the state general fund for credit to the motor vehicle highway account.

~~(b) This subsection applies after December 31, 2011.~~ (a) The fee for the registration of a motorcycle is seventeen dollars and thirty cents (\$17.30). The revenue from this fee shall be allocated as follows:

(1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 9-27-7-7.

(2) An amount prescribed as a license branch service charge under IC 9-29-3.

(3) Thirty cents (\$0.30) to the spinal cord and brain injury fund under IC 16-41-42.2-3, as provided under section 0.5 of this chapter.

(4) The balance to the state general fund for credit to the motor vehicle highway account.

(b) This subsection applies after December 31, 2013. The fee for the registration of a motor driven cycle or moped is seventeen dollars and thirty cents (\$17.30). The revenue from this fee shall be allocated as follows:

(1) Seven dollars (\$7) to the motorcycle operator safety education fund established by IC 9-27-7-7.

(2) An amount prescribed as a license branch service charge under IC 9-29-3.

(3) Thirty cents (\$0.30) to the spinal cord and brain injury fund under IC 16-41-42.2-3, as provided under section 0.5 of this chapter.

(4) The balance to the state general fund for credit to the motor vehicle highway account.

SECTION 51. IC 9-30-10-13, AS AMENDED BY P.L.125-2012, SECTION 355, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. (a) The bureau may issue driving privileges to a habitual violator whose driving privileges were suspended under section 5(b) of this chapter if the following conditions exist:

(1) The time specified for the person's probation or the restriction or suspension of the person's license has elapsed.

(2) The person has met all the requirements of all applicable statutes and rules relating to the licensing of motor vehicle operators.

(3) The person files with the bureau and maintains, for three (3)

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years after termination of suspension, proof of future financial responsibility in accordance with IC 9-25.

(4) If the person has a prior conviction for operating while intoxicated, the bureau places a restriction on the person's driver's license and driving record that indicates the person is prohibited from operating a motor vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** with an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath;

for three (3) years after the bureau issues the driver's license to the person.

(5) The person signs a bureau form by which the person agrees that as a condition to obtaining the driver's license the person will submit to a chemical test at any time during the period three (3) years after the bureau issues the driver's license to the person if a law enforcement officer lawfully stops the person while operating a motor vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** and the law enforcement officer requests that the person submit to a chemical test.

(b) The bureau may issue a license to operate a motor vehicle to a habitual violator whose driving privileges have been suspended for life if the following conditions exist:

(1) The bureau has received an order for rescission of suspension and reinstatement issued under section 15 of this chapter.

(2) The person to whom the license is to be issued has never been convicted of a violation described in section 4(a) or 17 of this chapter.

(3) The person has not been convicted of an offense under section 16 of this chapter more than one (1) time.

(4) The person has met all the requirements of all applicable statutes and rules relating to the licensing of motor vehicle operators.

(5) The person:

(A) files with the bureau; and

(B) maintains for three (3) years after rescission of the suspension;

proof of future financial responsibility in accordance with IC 9-25.

(6) If the person has a prior conviction for operating while intoxicated, the bureau places a restriction on the person's driver's license and driving record that indicates the person is prohibited

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from operating a motor vehicle, **motor driven cycle**, or **motorized bicycle moped** with an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath;

or while intoxicated (as defined under IC 9-13-2-86) for three (3) years after the bureau issues the driver's license to the person.

(7) The person signs a bureau form by which the person agrees that as a condition to obtaining the driver's license the person will submit to a chemical test at any time during the period three (3) years after the bureau issues the driver's license to the person if a law enforcement officer lawfully stops the person while operating a motor vehicle or motorized bicycle and the law enforcement officer requests that the person submit to a chemical test.

(c) A habitual violator is not eligible for relief under the hardship provisions of IC 9-24-15.

(d) The bureau shall not issue driving privileges to a person who does not satisfy all of the requirements set forth in subsections (a) and (b).

SECTION 53. IC 9-30-10-15, AS AMENDED BY P.L.125-2012, SECTION 357, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 15. (a) Upon receiving a petition filed under section 14 of this chapter, a court shall set a date for hearing the matter and direct the clerk of the court to provide notice of the hearing date to the following:

(1) The petitioner.

(2) The prosecuting attorney of the county where the petitioner resides.

(3) The bureau.

(b) A court may order the rescission of the order that required the suspension of the petitioner's driving privileges for life and may order the bureau to reinstate the driving privileges of a petitioner whose driving privileges have been suspended for life if, after the hearing of the matter, the court makes the following written findings and conclusions, based on clear and convincing evidence:

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

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

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

(4) If the person is petitioning the court under section 14(a) of this

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chapter that ten (10) years have elapsed since the date on which an order was issued that required the suspension of the petitioner's driving privileges for life.

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

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

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

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

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

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

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

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

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

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

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

(B) An order prohibiting the person from operating a motor vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** with an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:

(i) one hundred (100) milliliters of the person's blood; or

(ii) two hundred ten (210) liters of the person's breath;

or while intoxicated (as defined under IC 9-13-2-86).

(C) An order that the person submit to a method to monitor the person's compliance with the prohibition against operating a

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motor vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** with an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:

- (i) one hundred (100) milliliters of the person's blood; or
 - (ii) two hundred ten (210) liters of the person's breath;
- or while intoxicated (as defined under IC 9-13-2-86).
- (D) The court shall determine the appropriate monitoring method, which may include one (1) or more of the following:
- (i) The person may operate only a motor vehicle equipped with an ignition interlock device.
 - (ii) The person must submit to a chemical test if a law enforcement officer lawfully stops the person while operating a motor vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** and the law enforcement officer requests that the person submit to a chemical test.
 - (iii) The person must wear a device that detects and records the person's use of alcohol.
 - (iv) The person must submit to any other reasonable monitoring requirement as determined by the court.

(e) If a court orders the bureau to issue restricted or probationary driving privileges to a petitioner under subsection (d), the court shall specify the conditions under which the petitioner may be issued driving privileges to operate a motor vehicle under section 13(b) of this chapter. After the expiration date of the restricted or probationary driving privileges and upon:

- (1) fulfillment by the petitioner of the conditions specified by the court; and
- (2) the expiration of the restricted issued driving privileges under subsection (d)(2);

the bureau shall issue the petitioner driving privileges to operate a motor vehicle under section 13(b) of this chapter.

(f) If the bureau receives an order granting a rescission of the suspension order and reinstatement of driving privileges to a person who, according to the records of the bureau, does not qualify under this chapter, the bureau shall do the following:

- (1) Issue the person probationary driving privileges and notify the prosecuting attorney of the county from which the order was received that the person is not eligible for the rescission and reinstatement.
- (2) Send a certified copy of the person's driving record to the prosecuting attorney.

The prosecuting attorney shall, in accordance with IC 35-38-1-15,



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petition the court to correct the court's order. If the bureau does not receive a corrected order within sixty (60) days, the bureau shall notify the attorney general, who shall, in accordance with IC 35-38-1-15, petition the court to correct the court's order.

SECTION 54. IC 9-30-10-17.5, AS AMENDED BY P.L.125-2012, SECTION 358, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 17.5. A person who operates a vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** in violation of conditions of restricted driving privileges ordered by a court under section 9(d)(6) or 15(d)(2) of this chapter commits a Class A misdemeanor.

SECTION 55. IC 9-30-10-18, AS AMENDED BY P.L.28-2010, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 18. In a criminal action brought under section 16, 17, or 17.5 of this chapter, it is a defense that the operation of a motor vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** was necessary to save life or limb in an extreme emergency. The defendant must bear the burden of proof by a preponderance of the evidence to establish this defense.

SECTION 56. IC 13-11-2-130.1, AS ADDED BY P.L.170-2006, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 130.1. (a) "Motor vehicle", for purposes of this chapter, means a vehicle that is self-propelled on a highway in Indiana. The term does not include a farm tractor, **a motor driven cycle**, or a ~~motorized bicycle~~. **moped**.

(b) This section expires on the date IC 13-20-17.7 expires under IC 13-20-17.7-9.

SECTION 57. IC 14-19-1-0.5, AS ADDED BY P.L.225-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 0.5. (a) "Motorized cart" means a conveyance that is:

- (1) motor driven, either by gas or electricity;
- (2) used to carry passengers or equipment; and
- (3) smaller than the types of motor vehicles required to be registered by the bureau of motor vehicles such as a:
 - (A) passenger motor vehicle (as defined in IC 9-13-2-123);
 - (B) recreational vehicle (as defined in IC 9-13-2-150); or
 - (C) truck (as defined in IC 9-13-2-188).

A motorized cart may be characterized as a golf cart, utility cart, or similar form of motor vehicle.

(b) The term does not include:

- (1) an electric personal assistive mobility device (as defined in

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- IC 9-13-2-49.3);
- (2) a motorcycle (as defined in IC 9-13-2-108);
- ~~(3) a motor scooter (as defined in IC 9-13-2-104);~~
- ~~(4) (3) a motorized bicycle moped (as defined in IC 9-13-2-109);~~
IC 9-13-2-103.4);
- (4) a motor driven cycle (as defined in IC 9-13-2-103.7);** or
- (5) an off-road vehicle.

SECTION 58. [EFFECTIVE JULY 1, 2013] **(a) The legislative services agency shall prepare legislation for introduction in the 2014 regular session of the general assembly to make appropriate changes in statutes as required by this act.**

(b) This SECTION expires December 21, 2014."

Delete pages 4 through 44.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1523 as introduced.)

SOLIDAY, Chair

Committee Vote: yeas 10, nays 0.

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