



Reprinted
February 21, 2013

HOUSE BILL No. 1523

DIGEST OF HB 1523 (Updated February 20, 2013 4:57 pm - DI 103)

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 9-29; IC 9-30; IC 13-11; IC 14-19; noncode.

Synopsis: Moped operation and licensing. Repeals the term "motorized bicycle" and replaces the term with "moped". Authorizes the bureau of motor vehicles (bureau) to adopt rules concerning registration of mopeds. Requires registration for mopeds, with a registration fee equal to that of a motorcycle. Requires that certain funds received from the registration of a moped be deposited in the motorcycle operator safety education fund. Provides that a moped is not required to be titled with the bureau. Provides that mopeds 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 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 must be operated in the right-hand lane, except when making a left-hand turn. Requires a dealer who sells at least 12 mopeds a year to register as a dealer with the secretary of state. Does not require the operator of a moped 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 Repeals outdated language concerning a study topic of the joint study committee on transportation and infrastructure assessment and solutions.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.
February 20, 2013, read second time, amended, ordered engrossed.

HB 1523—LS 7380/DI 96+



C
O
P
Y

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.

C
O
P
Y

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.~~

HB 1523—LS 7380/DI 96+



- 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 moped (as defined in**
 16 **IC 9-13-2-103.4) that is registered with the bureau of motor**
 17 **vehicles after December 31, 2013.**

18 SECTION 5. IC 6-6-5-1, AS AMENDED BY P.L.2-2007,
 19 SECTION 126, IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) As used in this chapter,
 21 "vehicle" means a vehicle subject to annual registration as a condition
 22 of its operation on the public highways pursuant to the motor vehicle
 23 registration laws of the state. **After December 31, 2013, the term**
 24 **includes a moped (as defined in IC 9-13-2-103.4).**

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

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

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

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

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

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

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

COPY



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

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

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

38 SECTION 7. IC 9-13-1-5 IS ADDED TO THE INDIANA CODE
 39 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 40 1, 2013]: **Sec. 5. A reference to a motorized bicycle in any law, rule,**
 41 **or other document in effect on January 1, 2014, shall be treated**
 42 **after December 31, 2013, as a reference to a moped.**

C
O
P
Y



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

11 (b) The term does not include the following:

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

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

- 20 (1) boats; or
 21 (2) trailers:
 22 (A) designed and used exclusively for the transportation of
 23 watercraft; and
 24 (B) sold in general association with the sale of watercraft;
 25 per year.

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

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

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

- 38 (1) **has a seat or saddle for the use of the rider;**
 39 (2) **is designed to travel on not more than three (3) wheels in**
 40 **contact with the ground;**
 41 (3) **is not operated at a speed greater than thirty (30) miles per**
 42 **hour; and**



C
o
p
y

1 **(4) does not meet the federal motor vehicle safety standards**
 2 **necessary to certify the motor vehicle as a motorcycle.**
 3 **The term does not include an electric personal assistive mobility**
 4 **device.**

5 SECTION 11. IC 9-13-2-104 IS REPEALED [EFFECTIVE JULY
 6 1, 2013]. ~~Sec. 104. "Motor scooter" means a vehicle that has the~~
 7 ~~following:~~

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

12 SECTION 12. IC 9-13-2-105, AS AMENDED BY P.L.9-2010,
 13 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2013]: Sec. 105. (a) "Motor vehicle" means, except as
 15 otherwise provided in this section, a vehicle that is self-propelled. The
 16 term does not include a farm tractor, an implement of agriculture
 17 designed to be operated primarily in a farm field or on farm premises,
 18 or an electric personal assistive mobility device.

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

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

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

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

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

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

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

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

41 The term does not include a farm tractor or a ~~motorized bicycle.~~
 42 **moped.**



C
O
P
Y

1 SECTION 14. IC 9-13-2-109 IS REPEALED [EFFECTIVE JULY
2 1, 2013]. Sec. 109: "Motorized bicycle" means a two (2) or three (3)
3 wheeled vehicle that is propelled by an internal combustion engine or
4 a battery powered motor, and if powered by an internal combustion
5 engine, has the following:

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

8 (2) An automatic transmission.

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

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

13 SECTION 15. IC 9-13-2-123, AS AMENDED BY P.L.214-2007,
14 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2013]: Sec. 123. "Passenger motor vehicle" means a motor
16 vehicle designed for carrying passengers. The term includes a low
17 speed vehicle but does not include a motorcycle, **a moped**, a bus, a
18 school bus, or an off-road vehicle.

19 SECTION 16. IC 9-13-2-196, AS AMENDED BY P.L.9-2010,
20 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2013]: Sec. 196. (a) "Vehicle" means, except as otherwise
22 provided in this section, a device in, upon, or by which a person or
23 property is, or may be, transported or drawn upon a highway.

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

26 (1) A device moved by human power.

27 (2) A vehicle that runs only on rails or tracks.

28 (3) A vehicle propelled by electric power obtained from overhead
29 trolley wires but not operated upon rails or tracks.

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

32 (5) A municipally owned ambulance.

33 (6) A police patrol wagon.

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

37 (A) Road construction or maintenance machinery.

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

40 (C) Construction dust control machinery.

41 (D) Well boring apparatus.

42 (E) Ditch digging apparatus.

C
O
P
Y



- 1 (F) An implement of agriculture designed to be operated
 2 primarily in a farm field or on farm premises.
 3 (G) An invalid chair.
 4 (H) A yard tractor.
 5 (8) An electric personal assistive mobility device.
 6 (c) For purposes of IC 9-20 and IC 9-21, the term does not include
 7 devices moved by human power or used exclusively upon stationary
 8 rails or tracks.
 9 (d) For purposes of IC 9-22, the term refers to an automobile, a
 10 motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school
 11 bus, a recreational vehicle, a trailer or semitrailer used in the
 12 transportation of watercraft or a ~~motorized bicycle~~. **moped.**
 13 (e) For purposes of IC 9-24-6, the term has the meaning set forth in
 14 49 CFR 383.5 as in effect July 1, 2010.
 15 (f) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9,
 16 the term means a device for transportation by land or air. The term does
 17 not include an electric personal assistive mobility device.
 18 SECTION 17. IC 9-17-1-1, AS AMENDED BY P.L.125-2012,
 19 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2013]: Sec. 1. This article does not apply to:
 21 (1) special machinery;
 22 (2) farm wagons;
 23 (3) a golf cart when operated in accordance with an ordinance
 24 adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a); ~~or~~
 25 (4) a motor vehicle that was designed to have a maximum design
 26 speed of not more than twenty-five (25) miles per hour and that
 27 was built, constructed, modified, or assembled by a person other
 28 than the manufacturer; ~~or~~
 29 **(5) except as specifically provided otherwise, a moped;**
 30 or any other vehicle that is not registered in accordance with IC 9-18-2.
 31 SECTION 18. IC 9-17-2-1.7 IS ADDED TO THE INDIANA CODE
 32 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 33 1, 2013]: **Sec. 1.7. (a) Notwithstanding any other law, a person may**
 34 **apply to the bureau for a certificate of title for a moped. However,**
 35 **a person is not required to obtain a certificate of title from the**
 36 **bureau for a moped before the person may operate the moped on**
 37 **a highway.**
 38 **(b) The bureau may adopt rules under IC 4-22-2 to determine**
 39 **the indication of ownership for a moped required for purposes of**
 40 **obtaining a certificate of title for the moped under this article.**
 41 SECTION 19. IC 9-18-1-2 IS ADDED TO THE INDIANA CODE
 42 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

C
o
p
y

1, 2013]: **Sec. 2. (a) After December 31, 2013, this article applies to mopeds.**

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

SECTION 20. 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 **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 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

C
O
P
Y



1 year. However, if a vehicle is registered under IC 9-18-16-1(1) or
 2 IC 9-18-16-1(2) and the registration of the vehicle is in effect on June
 3 30, 2011, the registration of the vehicle remains valid:

- 4 (1) throughout calendar year 2011; and
 5 (2) during the period that:
 6 (A) begins January 1, 2012; and
 7 (B) ends on the date on which the vehicle was due for
 8 reregistration under the law in effect before this subsection
 9 took effect.

10 SECTION 21. IC 9-18-2-10 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. **(a) This section**
 12 **does not apply to a moped for which the owner has not applied for**
 13 **a certificate of title.**

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

- 19 (1) applies at the same time for and is granted a certificate of title
 20 for the motor vehicle, semitrailer, or recreational vehicle; or
 21 (2) presents satisfactory evidence that a certificate of title has
 22 been previously issued to the person that covers the motor
 23 vehicle, semitrailer, or recreational vehicle.

24 SECTION 22. IC 9-18-2-26, AS AMENDED BY P.L.184-2011,
 25 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2013]: Sec. 26. (a) License plates shall be displayed as
 27 follows:

- 28 (1) For a motorcycle, **moped**, trailer, semitrailer, or recreational
 29 vehicle, upon the rear of the vehicle, except as provided in
 30 subdivision (4).
 31 (2) For a tractor or dump truck, upon the front of the vehicle.
 32 (3) For every other vehicle, upon the rear of the vehicle, except as
 33 provided in subdivision (4).
 34 (4) For a truck with a rear mounted forklift or a mechanism to
 35 carry a rear mounted forklift or implement, upon the front of the
 36 vehicle.

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

- 39 (1) to prevent the license plate from swinging;
 40 (2) at a height of at least twelve (12) inches from the ground,
 41 measuring from the bottom of the license plate;
 42 (3) in a place and position that are clearly visible;



C
o
p
y

- 1 (4) maintained free from foreign materials and in a condition to
- 2 be clearly legible; and
- 3 (5) not obstructed or obscured by tires, bumpers, accessories, or
- 4 other opaque objects.

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

8 SECTION 23. IC 9-18-2-29, AS AMENDED BY P.L.210-2005,
 9 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2013]: Sec. 29. Except as otherwise provided, before:

- 11 (1) a motor vehicle;
- 12 (2) a motorcycle;
- 13 (3) a truck;
- 14 (4) a trailer;
- 15 (5) a semitrailer;
- 16 (6) a tractor;
- 17 (7) a bus;
- 18 (8) a school bus;
- 19 (9) a recreational vehicle; or
- 20 (10) special machinery; or

21 **(11) a moped, after December 31, 2013;**
 22 is operated or driven on a highway, the person who owns the vehicle
 23 must register the vehicle with the bureau and pay the applicable
 24 registration fee.

25 SECTION 24. IC 9-18-12-4 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) If a person who
 27 registers an antique motor vehicle under this chapter makes substantial
 28 alterations or changes to the vehicle after the date of the antique motor
 29 vehicle's registration, the registrant shall have the vehicle reinspected
 30 by the state police department.

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

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

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

41 SECTION 25. IC 9-19-3-1 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. A motor vehicle

C
o
p
y



1 other than a motorcycle ~~or motor driven cycle~~, **or moped**, when
2 operated upon a highway, must be equipped with brakes adequate to
3 control the movement of and to stop and hold the vehicle. The brakes
4 must include two (2) separate means of applying the brakes, each of
5 which means must apply the brakes to at least two (2) wheels. If these
6 two (2) separate means of applying the brakes are connected in any
7 way, the means must be constructed so that failure of one (1) part of the
8 operating mechanism does not leave the motor vehicle without brakes
9 on at least two (2) wheels.

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

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

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

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

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

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

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

40 (c) A motorcycle manufactured before January 1, 1956, is not
41 required to be equipped with a head lamp if the motorcycle is not
42 operated at the times when lighted head lamps and other illuminating

C
o
p
y



1 devices are required under IC 9-21-7-2.

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

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

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

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

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

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

31 SECTION 30. IC 9-19-6-6 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) Except as
33 provided in subsection (b), a person may not:

34 (1) sell; or

35 (2) drive on the highways;

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

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



C
O
P
Y

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

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

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

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

- 19 (1) There must be an uppermost distribution of light, or composite
 20 beam, aimed and of an intensity to reveal persons and vehicles at
 21 a distance of at least three hundred fifty (350) feet ahead for all
 22 conditions of loading.
- 23 (2) There must be a lowermost distribution of light, or composite
 24 beam, aimed and of an intensity to reveal persons and vehicles at
 25 a distance of at least one hundred (100) feet ahead. On a straight
 26 level road, under any condition of loading, none of the
 27 high-intensity part of the beam may be directed to strike the eyes
 28 of an approaching driver.
- 29 (3) A new motor vehicle, other than a motorcycle or ~~motor driven~~
 30 ~~cycle, moped that is~~ registered in Indiana ~~after January 1, 1956,~~
 31 ~~and~~ that has multiple-beam road lighting equipment must be
 32 equipped with a beam indicator that must be lighted whenever the
 33 uppermost distribution of light from the head lamps is in use. The
 34 beam indicator must not otherwise be lighted. The beam indicator
 35 must be designed and located so that when lighted the indicator
 36 is readily visible without glare to the driver of the vehicle so
 37 equipped.

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

42 (b) A head lamp on a ~~motor driven cycle~~ **motorcycle or moped**

C
o
p
y



1 must be of sufficient intensity to reveal a person or a vehicle at a
2 distance of not less than:

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

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

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

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

26 SECTION 34. IC 9-21-5-7 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) A person may not
28 drive a motor vehicle at a slow speed that impedes or blocks the normal
29 and reasonable movement of traffic, except when reduced speed is
30 necessary for safe operation or in compliance with the law.

31 (b) **This subsection applies to the operation of a moped, other**
32 **motor vehicles, and vehicles.** A person who is driving at a slow speed
33 so that three (3) or more other vehicles are blocked and cannot pass on
34 the left around the vehicle shall give right-of-way to the other vehicles
35 by pulling off to the right of the right lane at the earliest reasonable
36 opportunity and allowing the blocked vehicles to pass.

37 SECTION 35. IC 9-21-5-8.3 IS ADDED TO THE INDIANA CODE
38 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
39 1, 2013]: **Sec. 8.3. A person may not drive a moped on a highway at**
40 **a speed exceeding thirty (30) miles per hour.**

41 SECTION 36. IC 9-21-7-3 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) This section does

C
o
p
y



1 not apply to a motorcycle or ~~motorized bicycle~~. **moped.**
 2 (b) A motor vehicle must display at least two (2) lighted lamps, one
 3 (1) on each side at the front of the motor vehicle.
 4 (c) Whenever a motor vehicle equipped with head lamps required
 5 under subsection (b) is also equipped with:
 6 (1) auxiliary lamps;
 7 (2) a spot lamp; or
 8 (3) any other lamp on the front of the motor vehicle projecting a
 9 beam of intensity greater than three hundred (300) candlepower;
 10 not more than a total of four (4) lamps described in this subsection on
 11 the front of a vehicle may be lighted at one (1) time when upon a
 12 highway.
 13 (d) Passenger buses, trucks, truck tractors, and certain trailers,
 14 semitrailers, and pole trailers must display clearance and marker lamps,
 15 reflectors, and stop lights as required under this title when operated
 16 upon a highway. Except as provided in subsection (e), all lamp
 17 equipment required on vehicles described in this subsection shall be
 18 lighted at the times specified in section 2 of this chapter.
 19 (e) Clearance and sidemarker lamps are not required to be lighted
 20 on a vehicle described in subsection (d) when the vehicle is operated
 21 within a municipality where there is sufficient light to render clearly
 22 discernible persons and vehicles on the highway at a distance of five
 23 hundred (500) feet.
 24 SECTION 37. IC 9-21-7-8 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. (a) This section
 26 applies to a vehicle that is parked or stopped upon a roadway or
 27 shoulder adjacent to a roadway between thirty (30) minutes after sunset
 28 and thirty (30) minutes before sunrise.
 29 (b) If there is sufficient light to reveal a person or object within a
 30 distance of five hundred (500) feet upon the street or highway upon
 31 which the vehicle is parked, no lights need be displayed upon the
 32 parked vehicle.
 33 (c) This subsection does not apply to a ~~motor driven cycle~~. **moped.**
 34 This subsection applies whether a vehicle parked or stopped is attended
 35 or unattended. If there is not sufficient light to reveal a person or object
 36 within a distance of five hundred (500) feet upon the highway upon
 37 which the vehicle is parked or stopped, the vehicle parked or stopped
 38 shall be equipped with one (1) or more lamps that meet the following
 39 requirements:
 40 (1) At least one (1) lamp must display a white or amber light
 41 visible from a distance of five hundred (500) feet to the front of
 42 the vehicle.

COPY



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

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

9 SECTION 38. IC 9-21-8-2 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) Upon all
11 roadways of sufficient width, a vehicle shall be driven upon the right
12 half of the roadway except as follows:

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

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

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

29 except when overtaking and passing another vehicle proceeding in the
30 same direction or when preparing for a left turn at an intersection or
31 into a private road or driveway.

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

35 SECTION 39. IC 9-21-8-20 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 20. The Indiana
37 department of transportation may by resolution or order entered in its
38 minutes, and local authorities may by ordinance, with respect to any
39 freeway or interstate highway system under their respective
40 jurisdictions, prohibit the use of a highway by pedestrians, bicycles, or
41 other nonmotorized traffic or by a person operating a ~~motor-driven~~
42 ~~cycle.~~ **moped.** The Indiana department of transportation or the local

C
O
P
Y



1 authority adopting a prohibiting regulation shall erect and maintain
2 official signs on the freeway or interstate highway system on which the
3 regulations are applicable. If signs are erected, a person may not
4 disobey the restrictions stated on the signs.

5 SECTION 40. IC 9-21-11-2 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. A person riding a
7 bicycle ~~motor driven cycle, or moped~~ upon a roadway has all the rights
8 and duties under this article that are applicable to a person who drives
9 a vehicle, except the following:

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

13 SECTION 41. IC 9-21-11-12 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. A ~~motorized~~
15 ~~bicycle~~ **moped** may not be operated under any of the following
16 conditions:

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

25 SECTION 42. IC 9-21-11-13 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. A person less than
27 eighteen (18) years of age who operates or rides a ~~motorized bicycle~~
28 **moped** on a street or highway shall do the following:

- 29 (1) Wear protective headgear meeting the minimum standards set
30 by the bureau or a helmet that meets the standards established by
31 the United States Department of Transportation under 49 CFR
32 571.218 in effect January 1, 1979.
- 33 (2) Wear protective glasses, goggles, or a transparent face shield.

34 SECTION 43. IC 9-21-11-13.5 IS ADDED TO THE INDIANA
35 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2013]: **Sec. 13.5. A person who operates or**
37 **rides on a moped when the moped is carrying more persons than**
38 **the number of persons the moped is designed and equipped to**
39 **carry at one (1) time violates this chapter.**

40 SECTION 44. IC 9-29-5-2, AS AMENDED BY P.L.145-2011,
41 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2013]: Sec. 2. ~~(a) This subsection expires December 31, 2011.~~

C
o
p
y



1 The fee for the registration of a motorcycle is seventeen dollars and
2 thirty cents (\$17.30). The revenue from this fee shall be allocated as
3 follows:

4 (1) Seven dollars (\$7) to the motorcycle operator safety education
5 fund established by IC 20-30-13-11.

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

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

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

13 (b) This subsection applies after December 31, 2011. (a) The fee for
14 the registration of a motorcycle is seventeen dollars and thirty cents
15 (\$17.30). The revenue from this fee shall be allocated as follows:

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

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

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

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

25 (b) This subsection applies after December 31, 2013. The fee for
26 the registration of a moped is seventeen dollars and thirty cents
27 (\$17.30). The revenue from this fee shall be allocated as follows:

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

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

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

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

37 SECTION 45. IC 9-30-10-13, AS AMENDED BY P.L.125-2012,
38 SECTION 355, IS AMENDED TO READ AS FOLLOWS
39 [EFFECTIVE JULY 1, 2013]: Sec. 13. (a) The bureau may issue
40 driving privileges to a habitual violator whose driving privileges were
41 suspended under section 5(b) of this chapter if the following conditions
42 exist:

C
o
p
y



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

COPY



1 suspension;
 2 proof of future financial responsibility in accordance with
 3 IC 9-25.
 4 (6) If the person has a prior conviction for operating while
 5 intoxicated, the bureau places a restriction on the person's driver's
 6 license and driving record that indicates the person is prohibited
 7 from operating a motor vehicle or ~~motorized bicycle~~ **moped** with
 8 an alcohol concentration equivalent to at least two-hundredths
 9 (0.02) gram of alcohol per:
 10 (A) one hundred (100) milliliters of the person's blood; or
 11 (B) two hundred ten (210) liters of the person's breath;
 12 or while intoxicated (as defined under IC 9-13-2-86) for three (3)
 13 years after the bureau issues the driver's license to the person.
 14 (7) The person signs a bureau form by which the person agrees
 15 that as a condition to obtaining the driver's license the person will
 16 submit to a chemical test at any time during the period three (3)
 17 years after the bureau issues the driver's license to the person if a
 18 law enforcement officer lawfully stops the person while operating
 19 a motor vehicle or motorized bicycle and the law enforcement
 20 officer requests that the person submit to a chemical test.
 21 (c) A habitual violator is not eligible for relief under the hardship
 22 provisions of IC 9-24-15.
 23 (d) The bureau shall not issue driving privileges to a person who
 24 does not satisfy all of the requirements set forth in subsections (a) and
 25 (b).
 26 SECTION 46. IC 9-30-10-15, AS AMENDED BY P.L.125-2012,
 27 SECTION 357, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2013]: Sec. 15. (a) Upon receiving a petition
 29 filed under section 14 of this chapter, a court shall set a date for hearing
 30 the matter and direct the clerk of the court to provide notice of the
 31 hearing date to the following:
 32 (1) The petitioner.
 33 (2) The prosecuting attorney of the county where the petitioner
 34 resides.
 35 (3) The bureau.
 36 (b) A court may order the rescission of the order that required the
 37 suspension of the petitioner's driving privileges for life and may order
 38 the bureau to reinstate the driving privileges of a petitioner whose
 39 driving privileges have been suspended for life if, after the hearing of
 40 the matter, the court makes the following written findings and
 41 conclusions, based on clear and convincing evidence:
 42 (1) That the petitioner has never been convicted of a violation

COPY



- 1 described in section 4(a) of this chapter.
- 2 (2) That the petitioner has never been convicted of an offense
- 3 under section 17 of this chapter.
- 4 (3) That the petitioner has not been convicted of an offense under
- 5 section 16 of this chapter more than one (1) time.
- 6 (4) If the person is petitioning the court under section 14(a) of this
- 7 chapter that ten (10) years have elapsed since the date on which
- 8 an order was issued that required the suspension of the petitioner's
- 9 driving privileges for life.
- 10 (5) That there has been a substantial change in the petitioner's
- 11 circumstances indicating the petitioner would no longer pose a
- 12 risk to the safety of others if the petitioner's driving privileges
- 13 were reinstated.
- 14 (6) That there has been a substantial change in the petitioner's
- 15 circumstances indicating that the suspension of the petitioner's
- 16 driving privileges for life has become unreasonable.
- 17 (7) That it is in the best interests of society for the petitioner's
- 18 driving privileges to be reinstated.
- 19 (8) If the person is petitioning the court under section 14(e) of this
- 20 chapter:
- 21 (A) that three (3) years have elapsed since the date the order
- 22 was issued that required the suspension of the petitioner's
- 23 driving privileges for life; and
- 24 (B) that the conditions listed under section 14(e) of this
- 25 chapter are satisfied.
- 26 (c) The petitioner has the burden of proof under this section and an
- 27 order issued under subsection (b) is a final order, appealable by any
- 28 party to the action.
- 29 (d) In an order for reinstatement of driving privileges issued under
- 30 this section, the court may require the bureau to issue the prevailing
- 31 petitioner:
- 32 (1) driving privileges under section 13(b) of this chapter; or
- 33 (2) restricted driving privileges for a time and subject to
- 34 conditions specified by the court, which must include one (1) or
- 35 more of the following conditions if the person was determined to
- 36 be a habitual violator under IC 9-30-10-4(a)(4) through
- 37 IC 9-30-10-4(a)(7) or IC 9-30-10-4(b)(1) through
- 38 IC 9-30-10-4(b)(4):
- 39 (A) Specified hours during which the person may drive.
- 40 (B) An order prohibiting the person from operating a motor
- 41 vehicle or ~~motorized bicycle~~ **moped** with an alcohol
- 42 concentration equivalent to at least two-hundredths (0.02)

COPY



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

COPY



1 prosecuting attorney of the county from which the order was
 2 received that the person is not eligible for the rescission and
 3 reinstatement.
 4 (2) Send a certified copy of the person's driving record to the
 5 prosecuting attorney.
 6 The prosecuting attorney shall, in accordance with IC 35-38-1-15,
 7 petition the court to correct the court's order. If the bureau does not
 8 receive a corrected order within sixty (60) days, the bureau shall notify
 9 the attorney general, who shall, in accordance with IC 35-38-1-15,
 10 petition the court to correct the court's order.
 11 SECTION 47. IC 9-30-10-17.5, AS AMENDED BY P.L.125-2012,
 12 SECTION 358, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2013]: Sec. 17.5. A person who operates a
 14 vehicle or ~~motorized bicycle~~ **moped** in violation of conditions of
 15 restricted driving privileges ordered by a court under section 9(d)(6) or
 16 15(d)(2) of this chapter commits a Class A misdemeanor.
 17 SECTION 48. IC 9-30-10-18, AS AMENDED BY P.L.28-2010,
 18 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2013]: Sec. 18. In a criminal action brought under section 16,
 20 17, or 17.5 of this chapter, it is a defense that the operation of a motor
 21 vehicle or ~~motorized bicycle~~ **moped** was necessary to save life or limb
 22 in an extreme emergency. The defendant must bear the burden of proof
 23 by a preponderance of the evidence to establish this defense.
 24 SECTION 49. 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 or a ~~motorized bicycle~~.
 29 **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 50. 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).

C
o
p
y



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) a motorized bicycle (as defined in IC 9-13-2-109); (3) a
9 moped (as defined in IC 9-13-2-103.4); or
10 (5) (4) an off-road vehicle.
11 SECTION 51. [EFFECTIVE JULY 1, 2013] (a) The legislative
12 services agency shall prepare legislation for introduction in the
13 2014 regular session of the general assembly to make appropriate
14 changes in statutes as required by this act.
15 (b) This SECTION expires December 21, 2014.

C
o
p
y



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

C
O
P
Y



(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,



C
O
P
Y

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**



C
O
P
Y

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,

C
O
P
Y



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



C
O
P
Y

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

C
O
P
Y



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

C
O
P
Y



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.



C
O
P
Y

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

C
O
P
Y



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

C
O
P
Y



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

C
O
P
Y



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



C
O
P
Y

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



C
o
p
y

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**

C
O
P
Y



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

C
O
P
Y



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

C
O
P
Y



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



C
O
P
Y

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.~~



C
O
P
Y

(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)

C
O
P
Y



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

C
O
P
Y



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

C
O
P
Y



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

C
O
P
Y



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,



C
O
P
Y

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

C
O
P
Y



- 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.

HOUSE MOTION

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

- Page 2, line 15, delete "a motor driven cycle (as".
- Page 2, line 16, delete "defined in IC 9-13-2-103.7) and".
- Page 2, line 25, delete ":".
- Page 2, delete line 26.
- Page 2, line 27, delete "(2)".
- Page 2, run in lines 25 through 27.
- Page 4, line 10, delete ", motor driven".
- Page 4, line 11, delete "cycles,".
- Page 5, delete lines 8 through 22.
- Page 6, line 3, delete "motor driven cycle or a".
- Page 6, line 17, delete "motor".
- Page 6, line 18, delete "driven cycle or".
- Page 6, line 35, delete "a motor driven cycle,".
- Page 7, line 30, delete ", a motor driven cycle,".
- Page 8, line 6, delete "a motor driven".
- Page 8, line 7, delete "cycle or".

HB 1523—LS 7380/DI 96+



C
O
P
Y

Page 8, delete lines 9 through 27, begin a new paragraph and insert:
 "SECTION 18. 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 moped. However, a person is not required to obtain a certificate of title from the bureau for a moped before the person may operate the moped on a highway.**

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

SECTION 19. 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 mopeds.**

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

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

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

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

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

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

"SECTION 25. 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 26. 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 27. 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

C
o
p
y



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 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 28. 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 29. 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

C
O
P
Y



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 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 30. 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~~, **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~~, **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 31. 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~~, **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



C
O
P
Y

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 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~~, **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 32. 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 ~~motor driven cycle~~ **motorcycle or moped** may be of the single-beam or multiple-beam type.

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

(c) If a ~~motor driven cycle~~ **motorcycle 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 ~~motor driven cycle~~ **motorcycle or moped** is equipped with

C
O
P
Y



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 33. 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."

Delete pages 12 through 14.

Page 15, delete lines 1 through 40.

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

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

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

"SECTION 36. 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 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 37. 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

C
O
P
Y



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 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~~: **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."

Page 17, delete lines 1 through 25.

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

Page 18, line 24, after "bicycle" delete ",".

Page 18, line 24, strike "motor driven cycle,".

Page 19, delete lines 15 through 36.

Page 20, line 23, delete "motor driven cycle or".

Page 20, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 47. 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

C
O
P
Y



operators.

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

C
O
P
Y



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 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 48. 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

C
O
P
Y



section 16 of this chapter more than one (1) time.

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



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

C
O
P
Y



prosecuting attorney.

The prosecuting attorney shall, in accordance with IC 35-38-1-15, 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 49. 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 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 50. 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 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 51. 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 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 52. 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

C
o
p
y



- 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) a motorized bicycle (as defined in IC 9-13-2-109);~~ **(3) a moped (as defined in IC 9-13-2-103.4);** or
- ~~(5)~~ **(4)** an off-road vehicle."

Delete pages 21 through 25.

Page 26, delete lines 1 through 11.

Renumber all SECTIONS consecutively.

(Reference is to HB 1523 as printed February 18, 2013.)

WOLKINS

C
o
p
y

