

Adopted	Rejected
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# COMMITTEE REPORT

<b>YES:</b>	<b>8</b>
<b>NO:</b>	<b>1</b>

## MR. SPEAKER:

*Your Committee on Natural Resources, to which was referred Senate Bill 523, 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:*

- 1 Page 12, between lines 4 and 5, begin a new paragraph and insert:
- 2 "SECTION 14. IC 9-19-1-1, AS AMENDED BY P.L.182-2009(ss),
- 3 SECTION 289, IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) Except as provided in
- 5 subsection (b) and as otherwise provided in this chapter, this article
- 6 does not apply to the following with respect to equipment on vehicles:
- 7 (1) Implements of agriculture designed to be operated primarily
- 8 in a farm field or on farm premises.
- 9 (2) Road machinery.
- 10 (3) Road rollers.
- 11 (4) Farm tractors.
- 12 (5) Vehicle chassis that:
- 13 (A) are a part of a vehicle manufacturer's work in process; and
- 14 (B) are driven under this subdivision only for a distance of less

1 than one (1) mile.

2 (6) Golf carts **and off-road vehicles** when operated in accordance  
3 with an ordinance adopted under IC 9-21-1-3(a)(14) or  
4 IC 9-21-1-3.3(a).

5 (b) A farm type dry or liquid fertilizer tank trailer or spreader that  
6 is drawn or towed on a highway by a motor vehicle other than a farm  
7 tractor at a speed greater than thirty (30) miles per hour is considered  
8 a trailer for equipment requirement purposes and all equipment  
9 requirements concerning trailers apply.

10 SECTION 15. IC 9-21-1-3, AS AMENDED BY P.L.182-2009(ss),  
11 SECTION 291, IS AMENDED TO READ AS FOLLOWS  
12 [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) A local authority, with respect  
13 to private roads and highways under the authority's jurisdiction, in  
14 accordance with sections 2 and 3.3(a) of this chapter, and within the  
15 reasonable exercise of the police power, may do the following:

- 16 (1) Regulate the standing or parking of vehicles.  
17 (2) Regulate traffic by means of police officers or traffic control  
18 signals.  
19 (3) Regulate or prohibit processions or assemblages on the  
20 highways.  
21 (4) Designate a highway as a one-way highway and require that  
22 all vehicles operated on the highway be moved in one (1) specific  
23 direction.  
24 (5) Regulate the speed of vehicles in public parks.  
25 (6) Designate a highway as a through highway and require that all  
26 vehicles stop before entering or crossing the highway.  
27 (7) Designate an intersection as a stop intersection and require all  
28 vehicles to stop at one (1) or more entrances to the intersection.  
29 (8) Restrict the use of highways as authorized in IC 9-21-4-7.  
30 (9) Regulate the operation of bicycles and require the registration  
31 and licensing of bicycles, including the requirement of a  
32 registration fee.  
33 (10) Regulate or prohibit the turning of vehicles at intersections.  
34 (11) Alter the prima facie speed limits authorized under  
35 IC 9-21-5.  
36 (12) Adopt other traffic regulations specifically authorized by this  
37 article.  
38 (13) Adopt traffic regulations governing traffic control on public

1 school grounds when requested by the governing body of the  
2 school corporations.

3 (14) Regulate or prohibit the operation of low speed vehicles, ~~or~~  
4 golf carts, **or off-road vehicles** on highways in accordance with  
5 section 3.3(a) of this chapter.

6 (b) An ordinance or regulation adopted under subsection (a)(4),  
7 (a)(5), (a)(6), (a)(7), (a)(8), (a)(10), (a)(11), (a)(12), (a)(13), or (a)(14),  
8 is effective when signs giving notice of the local traffic regulations are  
9 posted upon or at the entrances to the highway or part of the highway  
10 that is affected.

11 SECTION 16. IC 9-21-1-3.3, AS AMENDED BY P.L.60-2012,  
12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2013]: Sec. 3.3. (a) A city, county, or town may adopt by  
14 ordinance traffic regulations concerning the use of golf carts **or**  
15 **off-road vehicles, or both** on a highway under the jurisdiction of the  
16 city, county, or town. An ordinance adopted under this subsection may  
17 not:

18 (1) conflict with or duplicate another state law; or  
19 (2) conflict with a driver's licensing requirement of another  
20 provision of the Indiana Code.

21 (b) A fine assessed for a violation of a traffic ordinance adopted by  
22 a city, county, or town under this section shall be deposited into the  
23 general fund of the city, county, or town.

24 (c) Notwithstanding subsection (a), an ordinance adopted by a  
25 county under this section:

26 (1) may allow an operator of a golf cart **or off-road vehicle** to  
27 cross a highway in the state highway system, at right angles, in  
28 order to travel from one (1) highway under the jurisdiction of the  
29 county to another highway under the jurisdiction of the county  
30 when the operation can be done safely; and

31 (2) must set a limit as to the number of passengers (other than the  
32 operator) that may be permitted on a golf cart **or off-road**  
33 **vehicle.**

34 (d) A violation of an ordinance adopted under this section that is  
35 committed on a state highway by the operator of a golf cart **or off-road**  
36 **vehicle** is considered to be an ordinance violation.

37 SECTION 17. IC 9-21-8-57, AS ADDED BY P.L.182-2009(ss),  
38 SECTION 293, IS AMENDED TO READ AS FOLLOWS

1 [EFFECTIVE JULY 1, 2013]: Sec. 57. A golf cart **or off-road vehicle**  
2 may not be operated on a highway except in accordance with:

- 3 (1) an ordinance adopted under IC 9-21-1-3(a)(14) and  
4 IC 9-21-1-3.3(a) authorizing the operation of a golf cart **or an**  
5 **off-road vehicle** on the highway; **or**  
6 (2) **IC 14-16-1-20 authorizing an off-road vehicle to operate**  
7 **on a highway.**

8 SECTION 18. IC 9-21-9-0.5, AS AMENDED BY P.L.60-2012,  
9 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2013]: Sec. 0.5. (a) This chapter does not apply to the  
11 following:

- 12 (1) An electric personal assistive mobility device.  
13 (2) A low speed vehicle.  
14 (3) Except as provided in subsection (b), a golf cart **or off-road**  
15 **vehicle.**

16 (b) An ordinance adopted in accordance with IC 9-21-1-3(a)(14) or  
17 IC 9-21-1-3.3(a) may require a golf cart **or off-road vehicle** to display  
18 a slow moving vehicle emblem in accordance with section 3 of this  
19 chapter or a red or amber flashing lamp in accordance with section 4  
20 of this chapter. A fine assessed for a violation of an ordinance under  
21 this section shall be deposited in the general fund of the city, county,  
22 or town.

23 SECTION 19. IC 9-22-1-1, AS AMENDED BY P.L.150-2009,  
24 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JULY 1, 2013]: Sec. 1. This chapter does not apply to the following:

- 26 (1) A vehicle in operable condition specifically adapted or  
27 constructed for operation on privately owned raceways.  
28 (2) A vehicle stored as the property of a member of the armed  
29 forces of the United States who is on active duty assignment.  
30 (3) A vehicle located on a vehicle sale lot.  
31 (4) A vehicle located upon property licensed or zoned as an  
32 automobile scrapyard.  
33 (5) A vehicle registered and licensed under IC 9-18-12 as an  
34 antique vehicle.  
35 (6) A golf cart.  
36 (7) **An off-road vehicle."**

37 Page 12, between lines 11 and 12, begin a new paragraph and insert:  
38 "SECTION 21. IC 9-24-1-7, AS AMENDED BY P.L.125-2012,

1 SECTION 165, IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) Sections 1 through 5 of this  
3 chapter do not apply to the following individuals:

4 (1) An individual in the service of the armed forces of the United  
5 States while operating an official motor vehicle in that service.

6 (2) An individual while operating:

7 (A) a road roller;

8 (B) road construction or maintenance machinery, except where  
9 the road roller or machinery is required to be registered under  
10 Indiana law;

11 (C) a ditch digging apparatus;

12 (D) a well drilling apparatus;

13 (E) a concrete mixer; or

14 (F) a farm tractor, a farm wagon (as defined in  
15 IC 9-13-2-60(a)(2)), or an implement of agriculture designed  
16 to be operated primarily in a farm field or on farm premises;  
17 that is being temporarily drawn, moved, or propelled on a public  
18 highway. However, to operate a farm wagon (as defined in  
19 IC 9-13-2-60(a)(2)) on a highway, an individual must be at least  
20 fifteen (15) years of age.

21 (3) A nonresident who:

22 (A) is at least sixteen (16) years and one (1) month of age;

23 (B) has in the nonresident's immediate possession a valid  
24 driver's license that was issued to the nonresident in the  
25 nonresident's home state or country; and

26 (C) is lawfully admitted into the United States;

27 while operating a motor vehicle upon a public highway only as an  
28 operator.

29 (4) A nonresident who:

30 (A) is at least eighteen (18) years of age;

31 (B) has in the nonresident's immediate possession a valid  
32 chauffeur's license that was issued to the nonresident in the  
33 nonresident's home state or country; and

34 (C) is lawfully admitted into the United States;

35 while operating a motor vehicle upon a public highway, either as  
36 an operator or a chauffeur.

37 (5) A nonresident who:

38 (A) is at least eighteen (18) years of age; and

- 1 (B) has in the nonresident's immediate possession a valid  
 2 license issued by the nonresident's home state for the operation  
 3 of any motor vehicle upon a public highway when in use as a  
 4 public passenger carrying vehicle;  
 5 while operating a motor vehicle upon a public highway, either as  
 6 an operator or a public passenger chauffeur.
- 7 (6) An individual who is legally licensed to operate a motor  
 8 vehicle in the state of the individual's residence and who is  
 9 employed in Indiana, subject to the restrictions imposed by the  
 10 state of the individual's residence.
- 11 (7) A new resident of Indiana who possesses a valid, unrestricted  
 12 driver's license issued by the resident's former state of residence,  
 13 for a period of sixty (60) days after becoming a resident of  
 14 Indiana.
- 15 (8) An individual who is an engineer, a conductor, a brakeman, or  
 16 another member of the crew of a locomotive or a train that is  
 17 being operated upon rails, including the operation of the  
 18 locomotive or the train on a crossing over a street or a highway.  
 19 An individual described in this subdivision is not required to  
 20 display a license to a law enforcement officer in connection with  
 21 the operation of a locomotive or a train in Indiana.
- 22 (b) An ordinance adopted under IC 9-21-1-3(a)(14) or  
 23 IC 9-21-1-3.3(a) must require that an individual who operates a golf  
 24 cart **or off-road vehicle** in the city, county, or town hold a driver's  
 25 license."
- 26 Page 12, line 34, delete "This" and insert "**Except as provided in**  
 27 **section 0.5 of this chapter, this**".
- 28 Page 12, between lines 36 and 37, begin a new paragraph and insert:  
 29 "SECTION 22. IC 9-26-6-0.5, AS ADDED BY P.L.150-2009,  
 30 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2013]: Sec. 0.5. Section 1 of this chapter applies to a person  
 32 removing a wrecked or damaged golf cart **or off-road vehicle** from a  
 33 street or highway."
- 34 Page 15, line 31, delete "2013]." and insert "2013]:".
- 35 Page 20, line 17, after "(a)" insert "**Except as provided in**

- 1 **IC 9-21-1-3(a)(14) and IC 9-21-1-3.3,".**
- 2 Page 20, line 17, delete "An" and insert "an".
- 3 Renumber all SECTIONS consecutively.  
(Reference is to SB 523 as printed January 30, 2013.)

**and when so amended that said bill do pass.**

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Representative Eberhart