

Adopted	Rejected
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COMMITTEE REPORT

YES:	10
NO:	0

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:*

- 1 Page 3, delete lines 13 through 42, begin a new paragraph and
- 2 insert:
- 3 "SECTION 4. IC 6-3.5-4-0.5 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2013]: **Sec. 0.5. This chapter applies to a motor driven cycle (as**
- 6 **defined in IC 9-13-2-103.7) and a moped (as defined in**
- 7 **IC 9-13-2-103.4) that is registered with the bureau of motor**
- 8 **vehicles after December 31, 2013.**
- 9 SECTION 5. IC 6-6-5-1, AS AMENDED BY P.L.2-2007,
- 10 SECTION 126, IS AMENDED TO READ AS FOLLOWS
- 11 [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) As used in this chapter,
- 12 "vehicle" means a vehicle subject to annual registration as a condition
- 13 of its operation on the public highways pursuant to the motor vehicle
- 14 registration laws of the state. **After December 31, 2013, the term**

1 **includes a:**

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

3 **(2) moped (as defined in IC 9-13-2-103.4).**

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

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

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

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

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

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

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

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

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

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

33 (1) Vehicles owned, or leased and operated, by the United States,
34 the state, or political subdivisions of the state.

35 (2) Mobile homes and motor homes.

36 (3) Vehicles assessed under IC 6-1.1-8.

37 (4) Vehicles subject to registration as trucks under the motor
38 vehicle registration laws of the state, except trucks having a

- 1 declared gross weight not exceeding eleven thousand (11,000)
 2 pounds, trailers, semitrailers, tractors, and buses.
- 3 (5) Vehicles owned, or leased and operated, by a postsecondary
 4 educational institution described in IC 6-3-3-5(d).
- 5 (6) Vehicles owned, or leased and operated, by a volunteer fire
 6 department (as defined in IC 36-8-12-2).
- 7 (7) Vehicles owned, or leased and operated, by a volunteer
 8 emergency ambulance service that:
- 9 (A) meets the requirements of IC 16-31; and
- 10 (B) has only members that serve for no compensation or a
 11 nominal annual compensation of not more than three thousand
 12 five hundred dollars (\$3,500).
- 13 (8) Vehicles that are exempt from the payment of registration fees
 14 under IC 9-18-3-1.
- 15 (9) Farm wagons.
- 16 SECTION 6. IC 7.1-1-3-26.3 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 26.3. (a) "Motor
 18 vehicle" means a vehicle that is self-propelled.
- 19 (b) ~~The term does not include a motorized bicycle (as defined in~~
 20 ~~IC 9-13-2-109).~~
- 21 SECTION 7. IC 9-13-1-5 IS ADDED TO THE INDIANA CODE
 22 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
 23 1, 2013]: **Sec. 5. A reference to a motorized bicycle in any law, rule,**
 24 **or other document in effect on January 1, 2014, shall be treated**
 25 **after December 31, 2013, as a reference to a moped.**
- 26 SECTION 8. IC 9-13-2-42, AS AMENDED BY P.L.93-2010,
 27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2013]: Sec. 42. (a) "Dealer" means, except as otherwise
 29 provided in this section, a person who sells to the general public,
 30 including a person who sells directly by the Internet or other computer
 31 network, at least twelve (12) vehicles each year for delivery in Indiana.
 32 The term includes a person who sells off-road vehicles, **motor driven**
 33 **cycles, or mopeds.** A dealer must have an established place of business
 34 that meets the minimum standards prescribed by the secretary of state
 35 under rules adopted under IC 4-22-2.
- 36 (b) The term does not include the following:
- 37 (1) A receiver, trustee, or other person appointed by or acting
 38 under the judgment or order of a court.

- 1 (2) A public officer while performing official duties.
- 2 (3) A person who is a dealer solely because of activities as a
- 3 transfer dealer.
- 4 (4) An automotive mobility dealer.
- 5 (c) "Dealer", for purposes of IC 9-31, means a person that sells to
- 6 the general public for delivery in Indiana at least six (6):
- 7 (1) boats; or
- 8 (2) trailers:
- 9 (A) designed and used exclusively for the transportation of
- 10 watercraft; and
- 11 (B) sold in general association with the sale of watercraft;
- 12 per year.

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

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

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

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

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

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

- 38 **(b) "Motor driven cycle" means a motor vehicle with motive**

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

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

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

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

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

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

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

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

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

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

38 SECTION 14. IC 9-13-2-108 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 108. "Motorcycle"
2 means a motor vehicle:

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

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

11 SECTION 15. IC 9-13-2-109 IS REPEALED [EFFECTIVE JULY
12 1, 2013]. ~~Sec. 109: "Motorized bicycle" means a two (2) or three (3)~~
13 ~~wheeled vehicle that is propelled by an internal combustion engine or~~
14 ~~a battery powered motor; and if powered by an internal combustion~~
15 ~~engine; has the following:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 33 (1) Passenger motor vehicles.
- 34 (2) Recreational vehicles.
- 35 (3) Motorcycles, **motor driven cycles, and mopeds.**
- 36 (4) Trucks that:
 - 37 (A) are regularly rented to others for not more than
 - 38 twenty-nine (29) days in the regular course of the corporation's

1 business; and
 2 (B) have a declared gross weight of not more than eleven
 3 thousand (11,000) pounds.

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

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

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

- 17 (1) Administer the registration application form.
 18 (2) Issue the license plate.
 19 (3) Collect the proper registration and service fees in accordance
 20 with the procedure established by the bureau.

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

- 23 (1) an annual renewal tag; or
 24 (2) other indicia;
 25 to be affixed on the semipermanent plate.

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

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

37 SECTION 22. IC 9-18-2-10 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. (a) **This section**

1 **does not apply to a motor driven cycle or moped for which the**
2 **owner has not applied for a certificate of title.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 **(11) a motor driven cycle or moped, after December 31, 2013;**

15 is operated or driven on a highway, the person who owns the vehicle
16 must register the vehicle with the bureau and pay the applicable
17 registration fee.

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

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

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

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

34 SECTION 26. IC 9-19-3-1 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. A motor vehicle
36 other than a motorcycle, ~~or~~ motor driven cycle, **or moped**, when
37 operated upon a highway, must be equipped with brakes adequate to
38 control the movement of and to stop and hold the vehicle. The brakes

1 must include two (2) separate means of applying the brakes, each of
 2 which means must apply the brakes to at least two (2) wheels. If these
 3 two (2) separate means of applying the brakes are connected in any
 4 way, the means must be constructed so that failure of one (1) part of the
 5 operating mechanism does not leave the motor vehicle without brakes
 6 on at least two (2) wheels.

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

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

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

19 (1) A motorcycle, ~~or~~ motor driven cycle, **or moped**.

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

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

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

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

37 (c) A motorcycle manufactured before January 1, 1956, is not
 38 required to be equipped with a head lamp if the motorcycle is not

1 operated at the times when lighted head lamps and other illuminating
2 devices are required under IC 9-21-7-2.

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

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

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

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

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

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

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

- 35 (1) sell; or
 - 36 (2) drive on the highways;
- 37 in Indiana a motor vehicle, including a motorcycle, ~~or~~ motor driven
38 cycle, **or moped**, unless the vehicle is equipped with at least one (1)

- 1 stoplight meeting the requirements of section 17 of this chapter.
- 2 (b) A motorcycle manufactured before January 1, 1956, is not
- 3 required to be equipped with a stoplight under subsection (a) if the
- 4 motorcycle is not operated at the times when lighted head lamps and
- 5 other illuminating devices are required under IC 9-21-7-2.
- 6 (c) This subsection does not apply to a motorcycle, ~~or~~ motor driven
- 7 cycle, **or moped**. A person may not:
- 8 (1) sell;
- 9 (2) offer for sale; or
- 10 (3) operate on the highways;
- 11 a motor vehicle, trailer, or semitrailer registered in Indiana and
- 12 manufactured or assembled after January 1, 1956, unless the vehicle is
- 13 equipped with mechanical or electrical turn signals meeting the
- 14 requirements of section 17 of this chapter.

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

- 24 (1) There must be an uppermost distribution of light, or composite
- 25 beam, aimed and of an intensity to reveal persons and vehicles at
- 26 a distance of at least three hundred fifty (350) feet ahead for all
- 27 conditions of loading.
- 28 (2) There must be a lowermost distribution of light, or composite
- 29 beam, aimed and of an intensity to reveal persons and vehicles at
- 30 a distance of at least one hundred (100) feet ahead. On a straight
- 31 level road, under any condition of loading, none of the
- 32 high-intensity part of the beam may be directed to strike the eyes
- 33 of an approaching driver.
- 34 (3) A new motor vehicle, other than a motorcycle, ~~or~~ motor driven
- 35 cycle, **or moped that is** registered in Indiana ~~after January 1,~~
- 36 ~~1956,~~ **and** that has multiple-beam road lighting equipment must
- 37 be equipped with a beam indicator that must be lighted whenever
- 38 the uppermost distribution of light from the head lamps is in use.

1 The beam indicator must not otherwise be lighted. The beam
2 indicator must be designed and located so that when lighted the
3 indicator is readily visible without glare to the driver of the
4 vehicle so equipped.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (1) A rear view mirror.

25 (2) A speedometer.

26 (3) Mechanical or electric turn signals.

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

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

36 (b) **This subsection applies to the operation of a motor driven**
 37 **cycle, a moped, other motor vehicles, and vehicles.** A person who is
 38 driving at a slow speed so that three (3) or more other vehicles are

1 blocked and cannot pass on the left around the vehicle shall give
2 right-of-way to the other vehicles by pulling off to the right of the right
3 lane at the earliest reasonable opportunity and allowing the blocked
4 vehicles to pass.

5 SECTION 39. IC 9-21-5-8.3 IS ADDED TO THE INDIANA CODE
6 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2013]: **Sec. 8.3. A person may not drive a moped on a highway at
8 a speed exceeding thirty (30) miles per hour.**

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

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

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

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

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

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

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

1 and thirty (30) minutes before sunrise.

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

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

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

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

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

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

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

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

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

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

36 (4) Upon a roadway designated and signposted for one-way
37 traffic.

38 (b) Upon all roadways, a vehicle proceeding at less than the normal

1 speed of traffic at the time and place under the conditions then existing
2 shall be driven:

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

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

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

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

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

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

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

- 36 (1) By a person less than fifteen (15) years of age.
- 37 (2) By a person who has not obtained an identification card under
38 IC 9-24, a permit under IC 9-24, an operator's license under

1 IC 9-24, a chauffeur's license under IC 9-24, ~~or~~ a public passenger
2 chauffeur's license under IC 9-24.

3 (3) On an interstate highway or a sidewalk.

4 (4) At a speed greater than ~~twenty-five (25)~~ **thirty (30)** miles per
5 hour.

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

10 (1) Wear protective headgear meeting the minimum standards set
11 by the bureau or a helmet that meets the standards established by
12 the United States Department of Transportation under 49 CFR
13 571.218 in effect January 1, 1979.

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

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

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

- 25 (1) operator's license;
- 26 (2) chauffeur's license;
- 27 (3) public passenger chauffeur's license;
- 28 (4) commercial driver's license;
- 29 (5) driver's license listed in subdivision (1), (2), (3), or (4) with a
- 30 motorcycle endorsement;
- 31 (6) learner's permit; or
- 32 (7) motorcycle learner's permit;

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

1 SECTION 49. IC 9-25-1-7 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2013]: **Sec. 7. After December 31, 2013, this article applies to a
4 motor driven cycle that is operated or driven on a highway.**

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

- 11 (1) ~~Seven dollars (\$7) to the motorcycle operator safety education~~
12 ~~fund established by IC 20-30-13-11.~~
- 13 (2) ~~An amount prescribed as a license branch service charge~~
14 ~~under IC 9-29-3.~~
- 15 (3) ~~Thirty cents (\$0.30) to the spinal cord and brain injury fund~~
16 ~~under IC 16-41-42.2-3, as provided under section 0.5 of this~~
17 ~~chapter.~~
- 18 (4) ~~The balance to the state general fund for credit to the motor~~
19 ~~vehicle highway account.~~

20 ~~(b) This subsection applies after December 31, 2011.~~ (a) The fee for
21 the registration of a motorcycle is seventeen dollars and thirty cents
22 (\$17.30). The revenue from this fee shall be allocated as follows:

- 23 (1) Seven dollars (\$7) to the motorcycle operator safety education
24 fund established by IC 9-27-7-7.
- 25 (2) An amount prescribed as a license branch service charge
26 under IC 9-29-3.
- 27 (3) Thirty cents (\$0.30) to the spinal cord and brain injury fund
28 under IC 16-41-42.2-3, as provided under section 0.5 of this
29 chapter.
- 30 (4) The balance to the state general fund for credit to the motor
31 vehicle highway account.

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

- 36 (1) **Seven dollars (\$7) to the motorcycle operator safety**
37 **education fund established by IC 9-27-7-7.**
- 38 (2) **An amount prescribed as a license branch service charge**

- 1 **under IC 9-29-3.**
- 2 **(3) Thirty cents (\$0.30) to the spinal cord and brain injury**
- 3 **fund under IC 16-41-42.2-3, as provided under section 0.5 of**
- 4 **this chapter.**
- 5 **(4) The balance to the state general fund for credit to the**
- 6 **motor vehicle highway account.**

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

- 13 (1) The time specified for the person's probation or the restriction
- 14 or suspension of the person's license has elapsed.
- 15 (2) The person has met all the requirements of all applicable
- 16 statutes and rules relating to the licensing of motor vehicle
- 17 operators.
- 18 (3) The person files with the bureau and maintains, for three (3)
- 19 years after termination of suspension, proof of future financial
- 20 responsibility in accordance with IC 9-25.
- 21 (4) If the person has a prior conviction for operating while
- 22 intoxicated, the bureau places a restriction on the person's driver's
- 23 license and driving record that indicates the person is prohibited
- 24 from operating a motor vehicle, **motor driven cycle**, or ~~motorized~~
- 25 **bicycle moped** with an alcohol concentration equivalent to at
- 26 least two-hundredths (0.02) gram of alcohol per:
 - 27 (A) one hundred (100) milliliters of the person's blood; or
 - 28 (B) two hundred ten (210) liters of the person's breath;
- 29 for three (3) years after the bureau issues the driver's license to the
- 30 person.
- 31 (5) The person signs a bureau form by which the person agrees
- 32 that as a condition to obtaining the driver's license the person will
- 33 submit to a chemical test at any time during the period three (3)
- 34 years after the bureau issues the driver's license to the person if a
- 35 law enforcement officer lawfully stops the person while operating
- 36 a motor vehicle, **motor driven cycle**, or ~~motorized bicycle moped~~
- 37 and the law enforcement officer requests that the person submit
- 38 to a chemical test.

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

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

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

9 (3) The person has not been convicted of an offense under section
 10 16 of this chapter more than one (1) time.

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

14 (5) The person:

15 (A) files with the bureau; and

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

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

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

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

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

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

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

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

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

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

- 10 (1) The petitioner.
- 11 (2) The prosecuting attorney of the county where the petitioner
12 resides.
- 13 (3) The bureau.

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

- 20 (1) That the petitioner has never been convicted of a violation
21 described in section 4(a) of this chapter.
- 22 (2) That the petitioner has never been convicted of an offense
23 under section 17 of this chapter.
- 24 (3) That the petitioner has not been convicted of an offense under
25 section 16 of this chapter more than one (1) time.
- 26 (4) If the person is petitioning the court under section 14(a) of this
27 chapter that ten (10) years have elapsed since the date on which
28 an order was issued that required the suspension of the petitioner's
29 driving privileges for life.
- 30 (5) That there has been a substantial change in the petitioner's
31 circumstances indicating the petitioner would no longer pose a
32 risk to the safety of others if the petitioner's driving privileges
33 were reinstated.
- 34 (6) That there has been a substantial change in the petitioner's
35 circumstances indicating that the suspension of the petitioner's
36 driving privileges for life has become unreasonable.
- 37 (7) That it is in the best interests of society for the petitioner's
38 driving privileges to be reinstated.

- 1 (8) If the person is petitioning the court under section 14(e) of this
- 2 chapter:
- 3 (A) that three (3) years have elapsed since the date the order
- 4 was issued that required the suspension of the petitioner's
- 5 driving privileges for life; and
- 6 (B) that the conditions listed under section 14(e) of this
- 7 chapter are satisfied.
- 8 (c) The petitioner has the burden of proof under this section and an
- 9 order issued under subsection (b) is a final order, appealable by any
- 10 party to the action.
- 11 (d) In an order for reinstatement of driving privileges issued under
- 12 this section, the court may require the bureau to issue the prevailing
- 13 petitioner:
- 14 (1) driving privileges under section 13(b) of this chapter; or
- 15 (2) restricted driving privileges for a time and subject to
- 16 conditions specified by the court, which must include one (1) or
- 17 more of the following conditions if the person was determined to
- 18 be a habitual violator under IC 9-30-10-4(a)(4) through
- 19 IC 9-30-10-4(a)(7) or IC 9-30-10-4(b)(1) through
- 20 IC 9-30-10-4(b)(4):
- 21 (A) Specified hours during which the person may drive.
- 22 (B) An order prohibiting the person from operating a motor
- 23 vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** with
- 24 an alcohol concentration equivalent to at least two-hundredths
- 25 (0.02) gram of alcohol per:
- 26 (i) one hundred (100) milliliters of the person's blood; or
- 27 (ii) two hundred ten (210) liters of the person's breath;
- 28 or while intoxicated (as defined under IC 9-13-2-86).
- 29 (C) An order that the person submit to a method to monitor the
- 30 person's compliance with the prohibition against operating a
- 31 motor vehicle, **motor driven cycle**, or ~~motorized bicycle~~
- 32 **moped** with an alcohol concentration equivalent to at least
- 33 two-hundredths (0.02) gram of alcohol per:
- 34 (i) one hundred (100) milliliters of the person's blood; or
- 35 (ii) two hundred ten (210) liters of the person's breath;
- 36 or while intoxicated (as defined under IC 9-13-2-86).
- 37 (D) The court shall determine the appropriate monitoring
- 38 method, which may include one (1) or more of the following:

- 1 (i) The person may operate only a motor vehicle equipped
- 2 with an ignition interlock device.
- 3 (ii) The person must submit to a chemical test if a law
- 4 enforcement officer lawfully stops the person while
- 5 operating a motor vehicle, **motor driven cycle**, or **motorized**
- 6 **bicycle moped** and the law enforcement officer requests that
- 7 the person submit to a chemical test.
- 8 (iii) The person must wear a device that detects and records
- 9 the person's use of alcohol.
- 10 (iv) The person must submit to any other reasonable
- 11 monitoring requirement as determined by the court.

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

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

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

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

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

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

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

8 SECTION 55. IC 9-30-10-18, AS AMENDED BY P.L.28-2010,
 9 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2013]: Sec. 18. In a criminal action brought under section 16,
 11 17, or 17.5 of this chapter, it is a defense that the operation of a motor
 12 vehicle, **motor driven cycle**, or ~~motorized bicycle~~ **moped** was
 13 necessary to save life or limb in an extreme emergency. The defendant
 14 must bear the burden of proof by a preponderance of the evidence to
 15 establish this defense.

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

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

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

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

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

37 (b) The term does not include:

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

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

8 SECTION 58. [EFFECTIVE JULY 1, 2013] **(a) The legislative**
 9 **services agency shall prepare legislation for introduction in the**
 10 **2014 regular session of the general assembly to make appropriate**
 11 **changes in statutes as required by this act.**

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

13 Delete pages 4 through 44.

14 Renumber all SECTIONS consecutively.

(Reference is to HB 1523 as introduced.)

and when so amended that said bill do pass.

Representative Soliday