

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed Senate Bill 523 because it conflicts with SEA 85-2013, SEA 537-2013, and SEA 538-2013 without properly recognizing the existence of SEA 85-2013, SEA 537-2013, and SEA 538-2013, has had Engrossed Senate Bill 523 under consideration and begs leave to report back to the House with the recommendation that Engrossed Senate Bill 523 be corrected as follows:

- 1 Page 3, line 4, delete "P.L.93-2010," and insert "SEA 537-2013,
- 2 SECTION 12,".
- 3 Page 3, line 5, delete "SECTION 1,".
- 4 Page 3, line 9, delete "for delivery in Indiana." and insert ".".
- 5 Page 3, delete lines 19 through 20.
- 6 Page 3, line 21, delete "(4)" and insert "(3)".
- 7 Page 3, line 23, delete "for delivery in Indiana".
- 8 Page 3, line 30, delete "P.L.125-2012," and insert "SEA 538-2013,
- 9 SECTION 16,".
- 10 Page 3, line 31, delete "SECTION 16,".
- 11 Page 3, line 33, after "navigate" insert "or otherwise be in actual
- 12 physical control of".
- 13 Page 3, line 35, delete "use" and insert "be in actual physical control
- 14 of".
- 15 Page 3, line 40, delete "P.L.125-2012," and insert "SEA 538-2013,
- 16 SECTION 17,".
- 17 Page 3, line 41, delete "SECTION 17,".
- 18 Page 4, line 4, delete "is in actual physical control of" and insert
- 19 "operates".
- 20 Page 5, line 19, delete "P.L.94-2006," and insert "SEA 85-2013,
- 21 SECTION 34,".
- 22 Page 5, line 20, delete "SECTION 3,".
- 23 Page 5, between lines 31 and 32, begin a new line block indented
- 24 and insert:
- 25 "(8) A gaming control officer employed by the gaming control
- 26 division under IC 4-33-20.".
- 27 Page 15, delete lines 11 through 42.
- 28 Page 16, delete lines 1 through 32, begin a new paragraph and

1 insert:

2 "SECTION 21. IC 9-24-1-7, AS AMENDED BY SEA 538-2013,
3 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2013]: Sec. 7. (a) Sections 1 through 5 of this chapter do not
5 apply to the following individuals:

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

8 (2) An individual who is at least sixteen (16) years and one
9 hundred eighty (180) days of age, while operating:

10 (A) a road roller;

11 (B) road construction or maintenance machinery, except where
12 the road roller or machinery is required to be registered under
13 Indiana law;

14 (C) a ditch digging apparatus;

15 (D) a well drilling apparatus; or

16 (E) a concrete mixer;

17 that is being temporarily drawn, moved, or propelled on a public
18 highway.

19 (3) A nonresident who:

20 (A) is at least sixteen (16) years and one hundred eighty (180)
21 days of age;

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

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

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

28 (4) A nonresident who:

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

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

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

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

36 (5) A nonresident who:

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

38 (B) has in the nonresident's immediate possession a valid
39 license issued by the nonresident's home state for the operation
40 of any motor vehicle upon a public highway when in use as a

- 1 public passenger carrying vehicle;
 2 while operating a motor vehicle upon a public highway, either as
 3 an operator or a public passenger chauffeur.
- 4 (6) An individual who is legally licensed to operate a motor
 5 vehicle in the state of the individual's residence and who is
 6 employed in Indiana, subject to the restrictions imposed by the
 7 state of the individual's residence.
- 8 (7) A new resident of Indiana who possesses a valid, unrestricted
 9 driver's license issued by the resident's former state of residence,
 10 for a period of sixty (60) days after becoming a resident of
 11 Indiana.
- 12 (8) An individual who is an engineer, a conductor, a brakeman, or
 13 another member of the crew of a locomotive or a train that is
 14 being operated upon rails, including the operation of the
 15 locomotive or the train on a crossing over a street or a highway.
 16 An individual described in this subdivision is not required to
 17 display a license to a law enforcement officer in connection with
 18 the operation of a locomotive or a train in Indiana.
- 19 (9) An individual while operating:
- 20 (A) a farm tractor;
 21 (B) a farm wagon (as defined in IC 9-13-2-60(a)(2)); or
 22 (C) an implement of agriculture designed to be operated
 23 primarily in a farm field or on farm premises;
 24 that is being temporarily drawn, moved, or propelled on a public
 25 highway. However, to operate a farm wagon (as defined in
 26 IC 9-13-2-60(a)(2)) on a highway, other than to temporarily draw,
 27 move, or propel the farm wagon (as defined in
 28 IC 9-13-2-60(a)(2)), an individual must be at least fifteen (15)
 29 years of age.
- 30 (b) An ordinance adopted under IC 9-21-1-3(a)(14) or
 31 IC 9-21-1-3.3(a) must require that an individual who operates a golf
 32 cart **or off-road vehicle** in the city, county, or town hold a driver's
 33 license."
- 34 Page 17, line 21, delete "P.L.109-2011," and insert "SEA 537-2013,
 35 SECTION 59,".
- 36 Page 17, line 22, delete "SECTION 29,".
- 37 Page 18, between lines 11 and 12, begin a new line block indented
 38 and insert:
- 39 "IC 9-29-17-1
 40 IC 9-29-17-2

- 1 IC 9-29-17-3
 2 IC 9-29-17-4."
 3 Page 18, between lines 25 and 26, begin a new line blocked left and
 4 insert:
 5 "However, this subsection does not apply to a fee imposed under
 6 IC 9-29-5-14, IC 9-29-5-14.5, IC 9-29-5-15, or IC 9-29-5-39, which
 7 were repealed by legislation enacted in 2013."
 8 Page 18, line 26, after "IC 9-29-1-4" insert ", AS AMENDED BY
 9 SEA 537-2013, SECTION 60,".
 10 Page 18, line 29, delete ",".
 11 Page 18, line 30, delete "excluding" and insert "**(excluding)**".
 12 Page 18, line 30, delete "IC 9-18-2.5." and insert "**IC 9-18-2.5)** and
 13 IC 9-32."
 14 Page 18, line 34, delete "," and insert "under IC 8-14-1,".
 15 Page 19, line 5, delete "P.L.93-2010," and insert "SEA 537-2013,
 16 SECTION 65,".
 17 Page 19, line 6, delete "SECTION 15,".
 18 Page 19, line 7, delete "(a)" and insert "**(a)**".
 19 Page 19, line 8, delete "subsection (b), subsection (c)".
 20 Page 19, line 11, delete "." and insert "under IC 8-14-1."
 21 Page 19, delete lines 12 through 22.
 22 Page 19, line 23, delete "(d)" and insert "**(b)**".
 (Reference is to ESB 523 as printed March 12, 2013.)

Representative Torr, Chairperson

Representative Pierce, R.M.M.

Representative Eberhart, Sponsor