COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, 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 Senate with the recommendation that Engrossed Senate Bill 523 be corrected as follows:

Page 3, line 4, delete "P.L.93-2010," and insert "SEA 537-2013, SECTION 12,".

Page 3, line 5, delete "SECTION 1,".

Page 3, line 9, delete "for delivery in Indiana." and insert ".".

Page 3, delete lines 19 through 20.

Page 3, line 21, delete "(4)" and insert "(3)".

Page 3, line 23, delete "for delivery in Indiana".

Page 3, line 30, delete "P.L.125-2012," and insert "SEA 538-2013, SECTION 16,".

Page 3, line 31, delete "SECTION 16,".

Page 3, line 33, after "navigate" insert "or otherwise be in actual physical control of".

Page 3, line 35, delete "use" and insert "be in actual physical control of".

Page 3, line 40, delete "P.L.125-2012," and insert "SEA 538-2013, SECTION 17,".

Page 3, line 41, delete "SECTION 17,".

Page 4, line 4, delete "is in actual physical control of" and insert "operates".

Page 5, line 19, delete "P.L.94-2006," and insert "SEA 85-2013, SECTION 34,".

Page 5, line 20, delete "SECTION 3,".

Page 5, between lines 31 and 32, begin a new line block indented and insert:

"(8) A gaming control officer employed by the gaming control division under IC 4-33-20.".

Page 15, delete lines 11 through 42.

Page 16, delete lines 1 through 32, begin a new paragraph and

insert:

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

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

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

(A) a road roller;

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

(C) a ditch digging apparatus;

(D) a well drilling apparatus; or

(E) a concrete mixer;

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

(3) A nonresident who:

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

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

(C) is lawfully admitted into the United States;

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

(4) A nonresident who:

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

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

(C) is lawfully admitted into the United States;

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

(5) A nonresident who:

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

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

public passenger carrying vehicle;

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

(6) An individual who is legally licensed to operate a motor vehicle in the state of the individual's residence and who is employed in Indiana, subject to the restrictions imposed by the state of the individual's residence.

(7) A new resident of Indiana who possesses a valid, unrestricted driver's license issued by the resident's former state of residence, for a period of sixty (60) days after becoming a resident of Indiana.

(8) An individual who is an engineer, a conductor, a brakeman, or another member of the crew of a locomotive or a train that is being operated upon rails, including the operation of the locomotive or the train on a crossing over a street or a highway. An individual described in this subdivision is not required to display a license to a law enforcement officer in connection with the operation of a locomotive or a train in Indiana.

(9) An individual while operating:

(A) a farm tractor;

(B) a farm wagon (as defined in IC 9-13-2-60(a)(2)); or

(C) an implement of agriculture designed to be operated primarily in a farm field or on farm premises;

that is being temporarily drawn, moved, or propelled on a public highway. However, to operate a farm wagon (as defined in IC 9-13-2-60(a)(2)) on a highway, other than to temporarily draw, move, or propel the farm wagon (as defined in IC 9-13-2-60(a)(2)), an individual must be at least fifteen (15) years of age.

(b) An ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a) must require that an individual who operates a golf cart **or off-road vehicle** in the city, county, or town hold a driver's license.".

Page 17, line 21, delete "P.L.109-2011," and insert "SEA 537-2013, SECTION 59,".

Page 17, line 22, delete "SECTION 29,".

Page 18, between lines 11 and 12, begin a new line block indented and insert:

"IC 9-29-17-1

IC 9-29-17-2

IC 9-29-17-3
IC 9-29-17-4.".

Page 18, between lines 25 and 26, begin a new line blocked left and insert:

"However, this subsection does not apply to a fee imposed under IC 9-29-5-14, IC 9-29-5-14.5, IC 9-29-5-15, or IC 9-29-5-39, which were repealed by legislation enacted in 2013.".

Page 18, line 26, after "IC 9-29-1-4" insert ", AS AMENDED BY SEA 537-2013, SECTION 60,".

Page 18, line 29, delete ",".

Page 18, line 30, delete "excluding" and insert "**(excluding**".

Page 18, line 30, delete "IC 9-18-2.5." and insert "**IC 9-18-2.5)** and IC 9-32.".

Page 18, line 34, delete "," and insert "under IC 8-14-1,".

Page 19, line 5, delete "P.L.93-2010," and insert "SEA 537-2013, SECTION 65,".

Page 19, line 6, delete "SECTION 15,".

Page 19, line 7, delete "(a)" and insert "**(a)**".

Page 19, line 8, delete "subsection (b), subsection (c)".

Page 19, line 11, delete "." and insert "under IC 8-14-1.".

Page 19, delete lines 12 through 22.

Page 19, line 23, delete "(d)" and insert "**(b)**".

(Reference is to ESB 523 as printed March 12, 2013.)

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Senator LONG, Chairperson

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Senator LANANE, R.M.M.

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Senator YODER