

IC 8-24-2

Chapter 2. Establishment

IC 8-24-2-1

Referenda on county membership

Sec. 1. (a) A public question on the creation of the northern Indiana regional transportation district and whether a county should be included as a member shall be submitted to the registered voters of each of the following counties at a special election held on November 3, 2009, in the form prescribed by IC 3-10-9-4:

- (1) Lake County.
- (2) LaPorte County.
- (3) Porter County.
- (4) St. Joseph County.

(b) The public question on the creation of the district must state the following:

"Shall there be created the northern Indiana regional transportation district under IC 8-24 to provide a regional rail system serving Lake, Porter, LaPorte, and St. Joseph counties and regional bus public transportation system serving Lake and Porter counties with (insert name of county) County becoming a member of the district?"

(c) If a majority of those voting on the public question in at least two (2) counties vote in favor of the creation of the district, the northern Indiana regional transportation district with a rail service division and a bus service division is established.

(d) The district consists of all the incorporated and unincorporated territory in those counties where the majority of those voting on the public question vote in favor of the creation of the district. Each of these counties is a member of the district. A county remains a member of the district so long as the district exists.

(e) If a majority of those voting on the public question in a county do not approve the creation of the district, the incorporated and unincorporated territory in the county is not part of the district and the county is not a member of the district.

(f) If a majority of those voting on the public question in fewer than two (2) counties approve the creation of the district, the district is not created and this article has no effect."

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-2-2

District established

Sec. 2. Subject to approval by the voters in a referendum under section 1 of this chapter, the northern Indiana regional transportation district is established to do the following:

- (1) Review the strategic plans of each service division and require modifications to the plans to the extent that the board determines necessary to eliminate duplication of services and to enhance the integration of public transportation throughout the district territory.

(2) Allocate revenues collected under IC 8-24-17 between the service divisions.

(3) Receive the reports from the service divisions determined by the board.

(4) Assist in the resolution of disputes between the service divisions brought to the board by either service division.

(5) Develop performance measures to evaluate and inform the public about the extent to which the provision of public transportation in the district territory meets the goals, objectives, and standards established by each service division.

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-2-3

Service division duties generally

Sec. 3. (a) Each service division of the district shall do the following with respect to public transportation the service division provides:

(1) Set goals, objectives, and standards for the division, as modified by the board for the district under section 2(1) of this chapter.

(2) Adopt strategic plans for the division that provide adequate, efficient, and coordinated public transportation in the district, as modified under section 2(1) of this chapter.

(3) Coordinate with the other service division the provision of public transportation and the investment in public transportation facilities to enhance the integration of public transportation throughout the district territory.

(4) Apply for and receive federal, state, county, and municipal funds, or private contributions and disburse them for the purposes of the service division.

(5) Use money received by the division to fund public transportation systems provided by the service division.

(6) Enter into financing arrangements to establish, improve, and maintain public transportation facilities operated by the service division.

(7) Employ and enter into employment agreements with the personnel that the service division determines necessary to carry out the responsibilities of the service division.

(8) On a continuing basis determine the level, nature, and kind of public transportation that should be provided within the district territory to meet the plans, goals, objectives, and standards adopted by the service division.

(9) Provide and operate public transportation systems within the scope of the responsibilities of the service division.

(b) The bus service board shall negotiate labor contracts with labor unions representing employees of the bus service division.

(c) The commuter rail service board shall negotiate labor contracts with labor unions representing employees of the commuter rail service division.

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-2-4

Commuter rail service division; merger

Sec. 4. The northern Indiana commuter transportation district established under IC 8-5-15 is the commuter rail service division of the district to carry out the purposes of the northern Indiana commuter transportation district.

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-2-5

Bus service division established

Sec. 5. A bus service division of the district is established to provide a public transportation system in Lake and Porter counties (if the county is a member county) with the primary objective of transporting passengers over public highways, streets, and roads. Except to the extent they are inconsistent with this article, IC 36-9-3 (including IC 36-9-3-22, IC 36-9-3-23, IC 36-9-3-24, IC 36-9-3-25, IC 36-9-3-26, and IC 36-9-3-27) applies to the bus service board, the bus service division, and employees of the bus service division.

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-2-6

Bus service division; consolidation of existing entity powers

Sec. 6. On January 1, 2010, subject to this article, the rights, powers, duties, personnel, liabilities, and obligations of the following entities operating in the incorporated or unincorporated areas of Lake County or Porter County (if the county is a member county) are transferred to the bus service division:

- (1) An automated transit district established under IC 8-9.5-7.
- (2) A regional transportation authority established under IC 36-9-3-2.
- (3) A regional bus authority under IC 36-9-3-2(c).
- (4) A public transportation corporation established under IC 36-9-4.

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-2-7

Bus service division; consolidation of municipal public transportation agency powers

Sec. 7. On January 1, 2010, subject to this article, the rights, powers, duties, personnel, liabilities, and obligations of a municipality in Lake County or Porter County (if the county is a member county) to:

- (1) provide a public transportation system in or outside the municipality to transport passengers or property over a public highway, street, or road; and
- (2) establish and fund a public transportation agency (as defined in IC 36-9-1-5.5);

are transferred to the bus service division.

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-2-8**Bus service division; authority to impose a property tax**

Sec. 8. A transfer of powers under section 6 or 7 of this chapter to the bus service division authorizes the bus service division to impose a property tax, including a property tax pledged before January 1, 2010, to pay for bonds, loans, other obligations, or lease rentals related to a public transportation system in Lake County or Porter County (if the county is a member county). The property tax may be imposed only in the area in which the property tax could have been imposed for property taxes first due and payable in 2010.

As added by P.L.182-2009(ss), SEC.282.

IC 8-24-2-9**Bus service division; right to receive certain delinquent property taxes**

Sec. 9. Any delinquent property taxes imposed by the entity before January 1, 2010, and collected after December 31, 2009, from levies attributable to an appropriation for a public transportation system transferred to the bus service division or for a public transportation agency (as defined in IC 36-9-1-5.5) shall be distributed to the bus service division.

As added by P.L.182-2009(ss), SEC.282.