

IC 9-23-6

Chapter 6. Penalties and Remedies

IC 9-23-6-1

Classification of violations; exceptions

Sec. 1. A person who violates this article commits a Class B misdemeanor.

As added by P.L.2-1991, SEC.11. Amended by P.L.1-1992, SEC.51.

IC 9-23-6-2

Repealed

(Repealed by P.L.1-1992, SEC.52.)

IC 9-23-6-3

Repealed

(Repealed by P.L.1-1992, SEC.52.)

IC 9-23-6-4

Civil penalties; payment to state

Sec. 4. A person who violates this article or a rule or order of the secretary of state issued under this article is subject to a civil penalty of not less than fifty dollars (\$50) and not more than one thousand dollars (\$1,000) for each day of violation and for each act of violation, as determined by the court. All civil penalties recovered under this article shall be paid to the state and deposited into the securities division enforcement account established under IC 23-19-6-1(f).

As added by P.L.2-1991, SEC.11. Amended by P.L.184-2007, SEC.29; P.L.1-2009, SEC.82.

IC 9-23-6-5

Revocation of dealer permanent or interim license plate

Sec. 5. In addition to the penalty imposed under section 4 of this chapter, the bureau may revoke, upon request of the secretary of state, a dealer permanent or interim license plate that was issued to the violator.

As added by P.L.2-1991, SEC.11. Amended by P.L.176-2001, SEC.11; P.L.184-2007, SEC.30.

IC 9-23-6-6

Suspension of license of manufacturer, converter manufacturer, dealer, or automotive mobility dealer

Sec. 6. If a manufacturer, a converter manufacturer, an automotive mobility dealer, or a dealer violates or aids, induces, or causes a violation of this title, the manufacturer's, converter manufacturer's, automotive mobility dealer's, or dealer's license may be suspended or revoked in the manner provided for the suspension or revocation of licenses of persons operating motor vehicles.

As added by P.L.2-1991, SEC.11. Amended by P.L.147-2009, SEC.15.

IC 9-23-6-7**Civil actions by secretary of state; injunctive relief; assessment of civil penalties**

Sec. 7. Whenever a person violates this article or a rule or order of the secretary of state issued under this article, the secretary of state may institute a civil action in any circuit or superior court of Indiana for injunctive relief to restrain the person from continuing the activity or for the assessment and recovery of the civil penalty provided in section 4 of this chapter, or both.

As added by P.L.2-1991, SEC.11. Amended by P.L.184-2007, SEC.31.

IC 9-23-6-8**Action brought by attorney general**

Sec. 8. At the request of the secretary of state, the attorney general shall institute and conduct an action in the name of the state for:

- (1) injunctive relief or to recover the civil penalty provided by section 4 of this chapter;
- (2) the injunctive relief provided by section 6 of this chapter; or
- (3) both.

As added by P.L.2-1991, SEC.11. Amended by P.L.184-2007, SEC.32.

IC 9-23-6-9**Actions by dealers injured by unfair practices; relief; costs and attorney's fees**

Sec. 9. A dealer who is injured by an unfair practice set forth in IC 9-23-3 may sue for relief in a court of competent jurisdiction and may recover damages or may receive injunctive relief, or both, and may recover the cost of the suit, including reasonable attorney's fees.

As added by P.L.2-1991, SEC.11.