

IC 9-25-4

Chapter 4. Financial Responsibility

IC 9-25-4-1

Persons, generally, who must meet minimum standards; violation; suspension of license or vehicle registration

Sec. 1. (a) This section does not apply to an electric personal assistive mobility device.

(b) A person may not:

(1) register a vehicle; or

(2) operate a vehicle on a public highway;

in Indiana if financial responsibility is not in effect with respect to the motor vehicle under section 4 of this chapter.

(c) A person who violates this section is subject to the suspension of the person's current driving license or vehicle registration, or both, under this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.105-1991, SEC.1; P.L.59-1994, SEC.3; P.L.143-2002, SEC.8.

IC 9-25-4-2

Recovery vehicle operators; duty to meet minimum standards; registration of recovery vehicles; proof of financial responsibility; retention of records

Sec. 2. A person who operates a recovery vehicle must meet the minimum standards for financial responsibility that are set forth in section 6 of this chapter. A recovery vehicle may be registered only if proof of financial responsibility in amounts required under this section is produced at the time of registration. The bureau shall retain a record of that proof in the bureau's files.

As added by P.L.2-1991, SEC.13.

IC 9-25-4-3

Continuous maintenance

Sec. 3. Financial responsibility in one (1) of the forms required under this chapter must be continuously maintained as long as a motor vehicle is operated on a road, street, or highway in Indiana.

As added by P.L.2-1991, SEC.13.

IC 9-25-4-4

When financial responsibility in effect; necessary provisions in and approval of insurance policies

Sec. 4. (a) For the purposes of this article, financial responsibility is in effect with respect to a motor vehicle if:

(1) a motor vehicle liability insurance policy issued with respect to the vehicle;

(2) a bond executed with respect to the vehicle under section 7 of this chapter; or

(3) the status of the owner or operator of the vehicle as a self-insurer, as recognized by the bureau through the issuance of a certificate of self-insurance under section 11 of this

chapter;
provides the ability to respond in damages for liability arising out of the ownership, maintenance, or use of the motor vehicle in amounts at least equal to those set forth in section 5 or 6 of this chapter.

(b) A motor vehicle liability policy under this article must contain the terms, conditions, and provisions required by statute and must be approved by the state insurance commissioner.

As added by P.L.2-1991, SEC.13.

IC 9-25-4-5

Minimum amounts of financial responsibility

Sec. 5. Except as provided in section 6 of this chapter, the minimum amounts of financial responsibility are as follows:

- (1) Subject to the limit set forth in subdivision (2), twenty-five thousand dollars (\$25,000) for bodily injury to or the death of one (1) individual.
- (2) Fifty thousand dollars (\$50,000) for bodily injury to or the death of two (2) or more individuals in any one (1) accident.
- (3) Ten thousand dollars (\$10,000) for damage to or the destruction of property in one (1) accident.

As added by P.L.2-1991, SEC.13.

IC 9-25-4-6

Recovery vehicles; minimum amounts of financial responsibility

Sec. 6. (a) The minimum standards for financial responsibility for a Class A recovery vehicle are a combined single limit of seven hundred fifty thousand dollars (\$750,000) for bodily injury and property damage in any one (1) accident or as follows:

- (1) Subject to the limit set forth in subdivision (2), five hundred thousand dollars (\$500,000) for bodily injury to or the death of one (1) individual.
- (2) One million dollars (\$1,000,000) for bodily injury to or the death of two (2) or more individuals in any one (1) accident.
- (3) One hundred thousand dollars (\$100,000) for damage to or the destruction of property in one (1) accident.

(b) The minimum standards for financial responsibility for a Class B recovery vehicle are a combined single limit of three hundred thousand dollars (\$300,000) for bodily injury and property damage in any one (1) accident or as follows:

- (1) Subject to the limit set forth in subdivision (2), one hundred thousand dollars (\$100,000) for bodily injury to or the death of one (1) individual.
- (2) Three hundred thousand dollars (\$300,000) for bodily injury to or the death of two (2) or more individuals in any one (1) accident.
- (3) Fifty thousand dollars (\$50,000) for damage to or the destruction of property in one (1) accident.

As added by P.L.2-1991, SEC.13.

IC 9-25-4-7

Methods of proving financial responsibility

Sec. 7. Proof of financial responsibility when required under this article may be given by any of the following methods:

- (1) Proof that a policy or policies of motor vehicle liability insurance have been obtained and are in full force and effect.
- (2) Proof that a bond has been duly executed.
- (3) Proof that deposit has been made of money or securities.

As added by P.L.2-1991, SEC.13.

IC 9-25-4-8

Proof of financial responsibility; filing insurance policy certificate

Sec. 8. Proof of financial responsibility may be made by filing with the bureau the written certificate of an insurance carrier authorized to do business in Indiana certifying that the carrier has issued to or for the benefit of the person furnishing the proof and named as the insured a motor vehicle liability policy meeting the requirements of this chapter and having the terms, conditions, and specifications that the bureau requires.

As added by P.L.2-1991, SEC.13.

IC 9-25-4-9

Bonds as proof of financial responsibility; notice of bond cancellation; recovery on claims arising before cancellation

Sec. 9. (a) A person required to give proof of financial responsibility may file with the bureau a bond under this section. The bond shall be executed by the person giving the proof and by a surety company authorized to transact business in Indiana.

(b) The bureau may not accept a bond unless the bond is conditioned for payments in amounts and under the same circumstances as would be required in a motor vehicle liability policy furnished by the person giving proof of financial responsibility under this article.

(c) A bond filed under this section may not be canceled unless ten (10) days written notice of cancellation is given to the bureau. Cancellation of a bond under this subsection does not prevent recovery on the bond due to a right or cause of action arising before the date of cancellation.

As added by P.L.2-1991, SEC.13.

IC 9-25-4-10

Deposits with treasurer of state as proof of financial responsibility; grounds for and amount of limitations on execution; proof of absence of unsatisfied judgments

Sec. 10. (a) A person required to give proof of financial responsibility under this article may give proof of financial responsibility by delivering to the bureau a receipt from the treasurer of state showing a deposit with the treasurer of state of one (1) of the following:

- (1) Forty thousand dollars (\$40,000) in cash or securities that may legally be purchased by savings banks.

(2) Trust funds with a market value of forty thousand dollars (\$40,000).

(b) Money and securities deposited under this section are subject to execution to satisfy a judgment under this article within the limits of coverage and subject to the limits on amounts required by this chapter for motor vehicle liability policies. Money and securities deposited under this section are not subject to attachment or execution for a reason not listed under this article.

(c) The treasurer of state may not accept a deposit or issue a receipt for a deposit under this section, and the bureau may not accept a receipt for a deposit under this section, unless the person making the deposit provides evidence that there are no unsatisfied judgments against the person making the deposit registered in the office of the circuit court clerk of the county where the person making the deposit resides.

As added by P.L.2-1991, SEC.13.

IC 9-25-4-11

Certificate of self-insurance; cancellation

Sec. 11. (a) The bureau may, upon the application of a person, issue a certificate of self-insurance when the bureau is satisfied that the person making the application is possessed and will continue to be possessed of the ability to pay a judgment obtained against the person making the application. A certificate may be issued authorizing a person to act as a self-insurer for property damage, bodily injury, or death.

(b) After not less than five (5) days notice and a hearing concerning the notice, the department may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay a judgment within thirty (30) days after the judgment becomes final constitutes a reasonable ground for the cancellation of a certificate of self-insurance.

(c) The bureau may only issue a certificate of self-insurance under rules adopted to implement this section.

As added by P.L.2-1991, SEC.13.

IC 9-25-4-12

Repealed

(Repealed by P.L.59-1994, SEC.12.)