IC 9

TITLE 9. MOTOR VEHICLES

IC 9-1

ARTICLE 1. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

IC 9-1.5

ARTICLE 1.5. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

IC 9-2

ARTICLE 2. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

IC 9-3

ARTICLE 3. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

ARTICLE 4. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

IC 9-5

ARTICLE 5. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

IC 9-6

ARTICLE 6. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

IC 9-7

ARTICLE 7. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

IC 9-8

ARTICLE 8. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

IC 9-9

ARTICLE 9. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

ARTICLE 10. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

IC 9-11

ARTICLE 11. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

ARTICLE 12. REPEALED

(Repealed by P.L.2-1991, SEC.109.)

IC 9-13

ARTICLE 13. GENERAL PROVISIONS AND DEFINITIONS

IC 9-13-0.1

Chapter 0.1. Effect of 1991 Recodification

IC 9-13-0.1-1

P.L.2-1991 codification; no effect on rights, liabilities, penalties, violations, or proceedings; references

Sec. 1. (a) P.L.2-1991 is intended to be a codification and restatement of applicable or corresponding provisions repealed by P.L.2-1991, SECTION 109. If P.L.2-1991 repeals and replaces a provision in the same form or in a restated form, the substantive operation and effect of that provision continue uninterrupted.

(b) P.L.2-1991 does not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) violations committed; or

(4) proceedings begun;

before July 1, 1991. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if P.L.2-1991 had not been enacted.

(c) A reference in a statute or rule to a statute that is repealed and replaced in the same or a different form in P.L.2-1991 shall be treated after July 1, 1991, as a reference to the new provision.

As added by P.L.220-2011, SEC.208.

IC 9-13-0.1-2

Preservation of materials relating to codification

Sec. 2. The general assembly may, by concurrent resolution, preserve any of the background materials related to P.L.2-1991.

As added by P.L.220-2011, SEC.208.

IC 9-13-1

Chapter 1. Application

IC 9-13-1-1

Application of definitions

Sec. 1. Except as otherwise provided, the definitions in this article apply throughout this title.

As added by P.L.2-1991, SEC.1.

IC 9-13-1-2

Inapplication of article to IC 9-28

Sec. 2. The definitions in this article do not apply to IC 9-28.

As added by P.L.2-1991, SEC.1.

IC 9-13-1-3

Repealed

(Repealed by P.L.4-1996, SEC.105.)

IC 9-13-1-4

References to federal statutes or regulations relating to the National Voter Registration Act

Sec. 4. Except as otherwise provided in this title, a reference in this title to a federal statute or regulation relating to the National Voter Registration Act of 1993 (52 U.S.C. 20501) is a reference to the statute or regulation as in effect September 1, 2014.

As added by P.L.4-1996, SEC.96. Amended by P.L.122-2000, SEC.14; P.L.230-2005, SEC.68; P.L.128-2015, SEC.217.

IC 9-13-2
Chapter 2. Definitions

IC 9-13-2-0.1
Repealed
(As added by P.L.220-2011, SEC.209. Repealed by P.L.198-2016, SEC.73.)

IC 9-13-2-1
"Abandoned vehicle"
Sec. 1. "Abandoned vehicle" means the following:
(1) A vehicle located on public property illegally.
(2) A vehicle left on public property without being moved for twenty-four (24) hours.
(3) A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of-way.
(4) A vehicle that has remained on private property without the consent of the owner or person in control of that property for more than forty-eight (48) hours.
(5) A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property.
(6) A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within twenty (20) days after the vehicle's removal.
(7) A vehicle that is at least three (3) model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than twenty (20) days. For purposes of this subdivision, a vehicle covered by a tarpaulin or other plastic, vinyl, rubber, cloth, or textile covering is considered to be visible.
(8) A vehicle:
(A) that was repaired or stored at the request of the owner;
(B) that has not been claimed by the owner; and
(C) for which the reasonable value of the charges associated with the repair or storage remain unpaid more than thirty (30) days after the date on which the repair work is completed or the vehicle is first stored.
As added by P.L.2-1991, SEC.1. Amended by P.L.92-1997, SEC.1; P.L.54-2009, SEC.2; P.L.262-2013, SEC.2.

IC 9-13-2-1.1
Repealed
(As added by P.L.48-2004, SEC.1. Repealed by P.L.198-2016, SEC.74.)

IC 9-13-2-1.2
Repealed
(As added by P.L.83-2008, SEC.1. Repealed by P.L.198-2016, SEC.75.)

IC 9-13-2-1.3
Repealed
(As added by P.L.86-1996, SEC.1. Amended by P.L.92-2013, SEC.4. Repealed by P.L.151-2015, SEC.1.)

IC 9-13-2-1.4
"Adapted vehicle"
Sec. 1.4. "Adapted vehicle" means a new or used vehicle especially designed or modified for use by an individual who is disabled or aged.
As added by P.L.147-2009, SEC.1.

IC 9-13-2-1.5
Repealed
(As added by P.L.48-2004, SEC.2. Repealed by P.L.198-2016, SEC.76.)

IC 9-13-2-1.6
"Advisory board"
Sec. 1.6. "Advisory board", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-3.
As added by P.L.92-2013, SEC.5.

IC 9-13-2-1.7
"Aggressive driving"
Sec. 1.7. "Aggressive driving", for purposes of IC 9-21-8-55, has the meaning set forth in IC 9-21-8-55(b).
As added by P.L.75-2006, SEC.1.

IC 9-13-2-2
"Air conditioning equipment"
Sec. 2. "Air conditioning equipment" means mechanical vapor compression refrigeration equipment that is used to cool the driver's or passenger's compartment of a motor vehicle.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-2.2
Repealed
(As added by P.L.9-2010, SEC.4. Repealed by P.L.198-2016, SEC.77.)

IC 9-13-2-2.3

"Alcoholic beverage"

Sec. 2.3. "Alcoholic beverage", for purposes of IC 9-30-15, has the meaning set forth in IC 7.1-1-3-5.

As added by P.L.53-1994, SEC.3.

IC 9-13-2-2.4

"Alcohol concentration equivalent"

Sec. 2.4. "Alcohol concentration equivalent" means the alcohol concentration in a person's blood or breath determined from a test of a sample of the person's blood or breath.

As added by P.L.1-2000, SEC.2.

IC 9-13-2-2.5

"Alley"

Sec. 2.5. "Alley" means a public way in an urban district that meets the following qualifications:

(1) Is open to the public for vehicular traffic.

(2) Is publicly maintained.

(3) Is one (1) lane wide.

(4) Is designated as an alley by the local authorities on an official map of the urban district.

As added by P.L.92-1991, SEC.1.

IC 9-13-2-3

"Antique motor vehicle"

Sec. 3. "Antique motor vehicle" means a motor vehicle that is at least twenty-five (25) years old.

As added by P.L.2-1991, SEC.1. Amended by P.L.146-2009, SEC.1; P.L.125-2012, SEC.4; P.L.198-2016, SEC.78.

IC 9-13-2-4

"Approved driver education course"

Sec. 4. "Approved driver education course" means a course offered by a high school or driver education school that the bureau periodically designates as approved, after taking into consideration the standards and methods of instruction necessary to ensure adequate training for the operation of a motor vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.3.

IC 9-13-2-5

"Approved motorcycle driver education and training course"

Sec. 5. "Approved motorcycle driver education and training course" means:

(1) a course offered by a public or private secondary school, a new motorcycle dealer, or another driver education school offering motorcycle driver training as developed and approved by the bureau; or

(2) a course that is:

(A) offered by a commercial driving school or new motorcycle dealer; and
(B) approved by the bureau.

As added by P.L.2-1991, SEC.1. Amended by P.L.48-2004, SEC.3; P.L.145-2011, SEC.3; P.L.13-2013, SEC.32; P.L.85-2013, SEC.4.

IC 9-13-2-5.3
"Armed forces of the United States"

Sec. 5.3. "Armed forces of the United States" means the following:
(1) The United States Army.
(2) The United States Navy.
(3) The United States Air Force.
(4) The United States Marine Corps.
(5) The United States Coast Guard.

As added by P.L.198-2016, SEC.79.

IC 9-13-2-5.5
Repealed

(As added by P.L.268-2003, SEC.1. Repealed by P.L.198-2016, SEC.80.)

IC 9-13-2-6
"Authorized emergency vehicle"

Sec. 6. "Authorized emergency vehicle" means the following:
(1) The following vehicles:
(A) Fire department vehicles.
(B) Police department vehicles.
(C) Ambulances.
(D) Emergency vehicles operated by or for hospitals or health and hospital corporations under IC 16-22-8.
(2) Vehicles designated as emergency vehicles by the Indiana department of transportation under IC 9-21-20-1.
(3) Motor vehicles that, subject to IC 9-21-20-2, are approved by the Indiana emergency medical services commission that are:
(A) ambulances that are owned by persons, firms, limited liability companies, or corporations other than hospitals; or
(B) not ambulances and that provide emergency medical services, including extrication and rescue services (as defined in IC 16-18-2-110).
(4) Vehicles of the department of correction that, subject to IC 9-21-20-3, are:
(A) designated by the department of correction as emergency vehicles; and
(B) responding to an emergency.

As added by P.L.2-1991, SEC.1. Amended by P.L.1-1992, SEC.35; P.L.2-1993, SEC.64; P.L.8-1993, SEC.165.

IC 9-13-2-6.1
"Autocycle"

Sec. 6.1. "Autocycle" means a three (3) wheeled motor vehicle in which the operator and passenger ride in a completely or partially enclosed seating area that is equipped with:

(1) a rollcage or roll hoops;
(2) safety belts for each occupant; and
(3) antilock brakes;

and is designed to be controlled with a steering wheel and pedals.
As added by P.L.82-2015, SEC.1.

IC 9-13-2-6.3
"Automated traffic law enforcement system"

Sec. 6.3. "Automated traffic law enforcement system", for purposes of IC 9-21, has the meaning set forth in IC 9-21-3.5-2.
As added by P.L.47-2006, SEC.44.

IC 9-13-2-6.5
"Automated vehicle identifier"

Sec. 6.5. "Automated vehicle identifier" means an electronic tracking device approved by the commissioner of the department of state revenue for use in connection with special weight permits for extra heavy duty highways under IC 9-20-5.
As added by P.L.129-2001, SEC.29.

IC 9-13-2-7
Repealed

(As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.6. Repealed by P.L.174-2016, SEC.3.)

IC 9-13-2-8
"Automobile scrapyard"

Sec. 8. "Automobile scrapyard" means a business organized for the purpose of scrap metal processing, vehicle wrecking, or operating a junkyard.
As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.81.

IC 9-13-2-8.5
"Automotive mobility dealer"

Sec. 8.5. "Automotive mobility dealer" means a person that:

(1) engages exclusively in the business of selling, offering to sell, or soliciting or advertising the sale of adapted vehicles;
(2) possesses adapted vehicles exclusively for the purpose of resale, either on the automotive mobility dealer's own account or on behalf of another as the primary or incidental business of the automotive mobility dealer; or
(3) engages in the business of:
    (A) selling, installing, or servicing;

(B) offering to sell, install, or service; or
(C) soliciting or advertising the sale, installation, or servicing of;
equipment or modifications specifically designed to facilitate use or operation of a vehicle by an individual who is disabled or aged.
As added by P.L.147-2009, SEC.2.

IC 9-13-2-9
"Automotive salvage rebuilder"
Sec. 9. "Automotive salvage rebuilder" has the meaning set forth in IC 9-32-2-5.
As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993, SEC.166; P.L.92-2013, SEC.7; P.L.198-2016, SEC.82.

IC 9-13-2-10
"Automotive salvage recycler"
Sec. 10. "Automotive salvage recycler" means a person that:
(1) acquires damaged, inoperative, discarded, abandoned, or salvage vehicles, or their remains, as stock-in-trade;
(2) dismantles, shreds, compacts, crushes, or otherwise processes such vehicles or remains for the reclamation and sale of reusable components and parts;
(3) disposes of recyclable materials to a scrap metal processor or other appropriate facility; or
(4) performs any combination of these actions.
For purposes of this title, a recycling facility, a used parts dealer, and an automotive salvage rebuilder are all considered as an automotive salvage recycler.
As added by P.L.2-1991, SEC.1. Amended by P.L.151-2015, SEC.2; P.L.198-2016, SEC.83.

IC 9-13-2-10.2
Repealed
(As added by P.L.65-2010, SEC.1. Repealed by P.L.198-2016, SEC.84.)

IC 9-13-2-11
"Axle"
Sec. 11. "Axle" means the common axis of rotation of at least one (1) wheel or roller that is:
(1) power driven or freely rotating; and
(2) in at least one (1) segment.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-12
"Axle weight"
Sec. 12. "Axle weight" means the total weight concentrated on

one (1) or more axles spaced less than forty (40) inches from center to center.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-13
"B-train assembly"
Sec. 13. "B-train assembly" means a rigid frame extension attached to the rear frame of a first semitrailer that allows for a fifth wheel connection point for a second semitrailer.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-14
"Bicycle"
Sec. 14. "Bicycle" means any foot-propelled vehicle, irrespective of the number of wheels in contact with the ground.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-15
"Broker"
Sec. 15. "Broker", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-6.
As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.2; P.L.92-2013, SEC.8.

IC 9-13-2-16
"Bureau"
Sec. 16. "Bureau", unless otherwise indicated, refers to the bureau of motor vehicles.
As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.5.

IC 9-13-2-17
"Bus"
Sec. 17. "Bus" means a motor vehicle that is:
(1) designed for carrying more than ten (10) passengers exclusive of the driver; and
(2) used to transport passengers.
As added by P.L.2-1991, SEC.1. Amended by P.L.24-2006, SEC.1; P.L.198-2016, SEC.85.

IC 9-13-2-18
"Business district"
Sec. 18. "Business district" means the territory contiguous to and including a highway when at least fifty percent (50%) of the frontage of the territory for a distance of at least five hundred (500) feet is occupied by buildings in use for business.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-18.5

Repealed

(Repealed by P.L.118-1993, SEC.8.)

IC 9-13-2-18.6
Repealed

(As added by P.L.86-1996, SEC.2. Amended by P.L.92-2013, SEC.9. Repealed by P.L.151-2015, SEC.3.)

IC 9-13-2-18.7
Repealed

(As added by P.L.86-1996, SEC.3. Amended by P.L.92-2013, SEC.10. Repealed by P.L.151-2015, SEC.4.)

IC 9-13-2-19
"Certificate of compliance"

Sec. 19. "Certificate of compliance" means proof of financial responsibility presented to the bureau, in a manner prescribed by the bureau, in compliance with IC 9-25 or IC 9-26.

As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.5.

IC 9-13-2-19.2
Repealed

(As added by P.L.145-2011, SEC.4. Repealed by P.L.198-2016, SEC.86.)

IC 9-13-2-19.4
"Chaplain"

Sec. 19.4. "Chaplain", for purposes of IC 9-19-14.5, has the meaning set forth in IC 9-19-14.5-0.5.

As added by P.L.22-2013, SEC.1. Amended by P.L.2-2014, SEC.35.

IC 9-13-2-19.5
"Charge back"

Sec. 19.5. "Charge back", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-9.

As added by P.L.68-2011, SEC.1; P.L.226-2011, SEC.2. Amended by P.L.92-2013, SEC.11.

IC 9-13-2-20
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.45-2006, SEC.4.)

IC 9-13-2-21
"Chauffeur"

Sec. 21. (a) "Chauffeur", except as provided in subsection (b), means a person:

(1) operating a motor vehicle registered as having a gross

weight of at least sixteen thousand (16,000) pounds but not more than twenty-six thousand (26,000) pounds for the purpose of transporting property for hire; or

(2) operating a private bus.

(b) "Chauffeur", for purposes of IC 9-25, means a person:

(1) who is employed for hire for the principal purpose of operating a motor vehicle upon the highways;

(2) who operates a motor vehicle while in use as a carrier of passengers or property for hire; or

(3) who drives or operates a motor vehicle while in use as a school bus for the transportation of pupils to or from school.

As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.6; P.L.85-2013, SEC.6.

IC 9-13-2-22
"Chemical test"

Sec. 22. "Chemical test" means an analysis of a person's blood, breath, urine, or other bodily substance for the determination of the presence of alcohol, a controlled substance or its metabolite, or a drug or its metabolite.

As added by P.L.2-1991, SEC.1. Amended by P.L.94-2006, SEC.1.

IC 9-13-2-23
"Child restraint system"

Sec. 23. "Child restraint system" means a device that:

(1) is manufactured for the purpose of protecting children from injury during a motor vehicle accident; and

(2) meets the standards prescribed and definition contained in 49 CFR 571.213.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-2004, SEC.1.

IC 9-13-2-24
"Church bus"

Sec. 24. "Church bus" means a bus that is:

(1) owned and operated by a religious or nonprofit youth organization; and

(2) used:

(A) to transport individuals to religious services; or

(B) for the benefit of the members of the religious or nonprofit youth organization.

As added by P.L.2-1991, SEC.1. Amended by P.L.70-2009, SEC.1; P.L.198-2016, SEC.87.

IC 9-13-2-25
"Civic event"

Sec. 25. "Civic event" means an event that is staged by a private organization for the purpose of creating a tourist attraction in an Indiana community.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-25.8
"Class A motor driven cycle"

Sec. 25.8. "Class A motor driven cycle" means a motor vehicle that:

(1) has a seat or saddle for the use of the rider;

(2) is designed to travel on not more than three (3) wheels in contact with the ground;

(3) complies with applicable motor vehicle equipment requirements under IC 9-19 and 49 CFR 571; and

(4) is registered as a Class A motor driven cycle under IC 9-18.

The term does not include an electric personal assistive mobility device.

As added by P.L.221-2014, SEC.7.

IC 9-13-2-26
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.88.)

IC 9-13-2-26.5
"Class B motor driven cycle"

Sec. 26.5. "Class B motor driven cycle" means a motor vehicle that:

(1) has a seat or saddle for the use of the rider;

(2) is designed to travel on not more than three (3) wheels in contact with the ground;

(3) complies with applicable motor vehicle equipment requirements under IC 9-19 and 49 CFR 571;

(4) has a cylinder capacity not exceeding fifty (50) cubic centimeters; and

(5) is registered as a Class B motor driven cycle under IC 9-18.

The term does not include an electric personal assistive mobility device.

As added by P.L.221-2014, SEC.8.

IC 9-13-2-27
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.89.)

IC 9-13-2-27.5
Repealed

(As added by P.L.87-1996, SEC.1. Amended by P.L.107-2008, SEC.4. Repealed by P.L.1-2010, SEC.156.)

IC 9-13-2-28

Expired

(As added by P.L.2-1991, SEC.1. Amended by P.L.93-1997, SEC.1; P.L.107-2008, SEC.5; P.L.1-2010, SEC.45. Expired 12-31-2011 by P.L.145-2011, SEC.5.)

IC 9-13-2-28.3
Repealed

(As added by P.L.259-2013, SEC.2. Repealed by P.L.198-2016, SEC.90.)

IC 9-13-2-28.4
"Collector vehicle"

Sec. 28.4. "Collector vehicle" means a vehicle that is:

(1) at least twenty-five (25) years old;

(2) owned, operated, restored, maintained, or used as a collector's item, a leisure pursuit, or an investment; and

(3) not used primarily for transportation.

As added by P.L.198-2016, SEC.91.

IC 9-13-2-28.5
Repealed

(As added by P.L.145-2011, SEC.6. Repealed by P.L.85-2013, SEC.7.)

IC 9-13-2-29
Repealed

(As added by P.L.2-1991, SEC.1. Amended by P.L.9-2010, SEC.5. Repealed by P.L.198-2016, SEC.92.)

IC 9-13-2-29.5
Repealed

(As added by P.L.188-2006, SEC.1. Repealed by P.L.198-2016, SEC.93.)

IC 9-13-2-30
"Commercial enterprise"

Sec. 30. "Commercial enterprise" does not include the transportation of:

(1) a farm commodity from the place of production to the first point of delivery where the commodity is weighed and title to the commodity is transferred;

(2) seasonal or perishable fruit or vegetables to the first point of processing; or

(3) tomatoes or silage to the first point of processing.

As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.94.

IC 9-13-2-31
"Commercial motor vehicle"

Sec. 31. "Commercial motor vehicle" has the meaning set forth in 49 CFR 383.5.

As added by P.L.2-1991, SEC.1. Amended by P.L.66-1992, SEC.1; P.L.125-2012, SEC.8; P.L.13-2015, SEC.1; P.L.198-2016, SEC.95.

IC 9-13-2-31.5
"Commercial vehicle"

Sec. 31.5. (a) Before January 1, 2016, "commercial vehicle", for purposes of IC 9-18-2-4.5, means a motor vehicle or combination of motor vehicles used in commerce to transport property if the motor vehicle:

(1) has a gross combination weight rating of at least twenty-six thousand one (26,001) pounds, including a towed unit with a gross vehicle weight rating of more than ten thousand (10,000) pounds;

(2) has a gross vehicle weight rating of at least twenty-six thousand one (26,001) pounds; or

(3) meets both of the following requirements:

(A) The motor vehicle has a gross vehicle weight rating of at least seven thousand (7,000) pounds, but less than twenty-six thousand one (26,001) pounds.

(B) The motor vehicle is owned by a registered carrier holding a valid Indiana fuel tax permit under IC 6-6-4.1.

(b) After December 31, 2015, "commercial vehicle", for purposes of IC 9-18-2-4.6, means a motor vehicle used in commerce to transport property if the motor vehicle:

(1) has a declared gross vehicle weight of at least sixteen thousand (16,000) pounds; and

(2) is subject to the commercial motor vehicle excise tax under IC 6-6-5.5.

As added by P.L.150-2001, SEC.2. Amended by P.L.212-2014, SEC.10.

IC 9-13-2-32
"Commission"

Sec. 32. "Commission" refers to the bureau of motor vehicles commission.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-32.5
"Commission board"

Sec. 32.5. "Commission board" refers to the commission board of the bureau of motor vehicles.

As added by P.L.125-2012, SEC.9.

IC 9-13-2-32.7
"Commission fund"

Sec. 32.7. "Commission fund" refers to the bureau of motor

vehicles commission fund established by IC 9-14-14-1.
As added by P.L.216-2014, SEC.11. Amended by P.L.198-2016, SEC.96.

IC 9-13-2-33
"Commissioner"
Sec. 33. "Commissioner" refers to the commissioner of the bureau of motor vehicles.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-33.5
Repealed
(As added by P.L.53-2014, SEC.88. Repealed by P.L.198-2016, SEC.97.)

IC 9-13-2-34
"Component part"
Sec. 34. "Component part" means the engine, transmission, body-chassis, doghouse (front assembly), rear-end, or frame of a vehicle.
As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.3.

IC 9-13-2-34.3
"Compression release engine brake"
Sec. 34.3. "Compression release engine brake", for purposes of IC 9-21-8-44.5, has the meaning set forth in IC 9-21-8-44.5(a).
As added by P.L.1-2002, SEC.38.

IC 9-13-2-34.5
"Container"
Sec. 34.5. "Container", for purposes of IC 9-30-15, has the meaning set forth in IC 7.1-1-3-13.
As added by P.L.53-1994, SEC.4.

IC 9-13-2-35
"Controlled substance"
Sec. 35. "Controlled substance" has the meaning set forth in IC 35-48-1.
As added by P.L.2-1991, SEC.1. Amended by P.L.9-2010, SEC.6; P.L.198-2016, SEC.98.

IC 9-13-2-36
Repealed
(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.99.)

IC 9-13-2-37
Repealed

(As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.4. Repealed by P.L.174-2016, SEC.4.)

IC 9-13-2-38
"Conviction"

Sec. 38. "Conviction" includes the following:

(1) A conviction or judgment upon a plea of guilty or nolo contendere.

(2) A determination of guilt by a jury or a court, even if:

(A) no sentence is imposed; or

(B) a sentence is suspended.

(3) A forfeiture of bail, bond, or collateral deposited to secure the defendant's appearance for trial, unless the forfeiture is vacated.

(4) A payment of money as a penalty or as costs in accordance with an agreement between a moving traffic violator and a traffic violations bureau.

As added by P.L.2-1991, SEC.1. Amended by P.L.93-1991, SEC.1; P.L.9-2010, SEC.7; P.L.198-2016, SEC.100.

IC 9-13-2-39
"Court"

Sec. 39. "Court", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-39.5
"Covered offense"

Sec. 39.5. "Covered offense", for purposes of IC 9-30-14, has the meaning set forth in IC 9-30-14-1.

As added by P.L.94-1991, SEC.1.

IC 9-13-2-39.7
"Credential"

Sec. 39.7. "Credential" means the following forms of documentation issued by the bureau under IC 9-24:

(1) A driver's license.

(2) A learner's permit.

(3) An identification card.

(4) A photo exempt identification card.

As added by P.L.198-2016, SEC.101.

IC 9-13-2-39.8
"Crossroads 2000 fund"

Sec. 39.8. "Crossroads 2000 fund" refers to the crossroads 2000 fund established by IC 8-14-10-9.

As added by P.L.216-2014, SEC.12.

IC 9-13-2-40
"Crosswalk"

Sec. 40. "Crosswalk" means any of the following:

(1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway.

(2) A part of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-41
"Current driving license"

Sec. 41. "Current driving license" means every class and kind of license or permit that evidences the privilege to operate a motor vehicle upon the highways of Indiana. The term includes a privilege granted by the license.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-42
"Dealer"

Sec. 42. (a) "Dealer" means, except as otherwise provided in this section, a person that:

(1) sells;

(2) offers to sell; or

(3) advertises for sale;

including directly by the Internet or other computer network, at least twelve (12) vehicles within a twelve (12) month period. The term includes a person that sells off-road vehicles, snowmobiles, or mini-trucks. A dealer must have an established place of business that meets the minimum standards prescribed by the secretary of state under rules adopted under IC 4-22-2.

(b) The term does not include the following:

(1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.

(2) A public officer while performing official duties.

(c) "Dealer", for purposes of IC 9-31, means a person that sells, offers to sell, or advertises for sale at least six (6):

(1) watercraft; or

(2) trailers:

(A) designed and used exclusively for the transportation of watercraft; and

(B) sold in general association with the sale of watercraft;

within a twelve (12) month period.

(d) "Dealer", for purposes of IC 9-32, and unless otherwise provided, means:

(1) an automobile auction;

(2) an automotive mobility dealer;

(3) a converter manufacturer;
(4) a dealer;
(5) a distributor;
(6) a manufacturer;
(7) an automotive salvage recycler;
(8) a transfer dealer;
(9) a watercraft dealer; or
(10) before July 1, 2015, a wholesale dealer.

As added by P.L.2-1991, SEC.1. Amended by P.L.71-1991, SEC.4; P.L.66-1992, SEC.2; P.L.74-2001, SEC.1; P.L.219-2005, SEC.1; P.L.41-2006, SEC.1; P.L.107-2008, SEC.6; P.L.131-2008, SEC.34; P.L.147-2009, SEC.3; P.L.93-2010, SEC.1; P.L.92-2013, SEC.12; P.L.259-2013, SEC.3; P.L.62-2014, SEC.1; P.L.151-2015, SEC.5; P.L.180-2015, SEC.2; P.L.174-2016, SEC.5.

IC 9-13-2-43
"Designated family member"

Sec. 43. (a) "Designated family member" means a franchisee's spouse, child, grandchild, parent, or sibling who has been nominated as the franchisee's successor under a written document filed by the franchisee with the franchisor.

(b) If no such document has been filed, the term means a franchisee's spouse, child, grandchild, parent, or sibling who:

(1) if the franchisee is deceased, is entitled to inherit the franchisee's ownership interest in the franchisee's business under the franchisee's will or under the laws of intestate succession; or
(2) if the franchisee is incapacitated, is appointed by the court as the legal representative of the franchisee's property.

(c) If a franchisee is deceased, the term includes the appointed and qualified personal representative and testamentary trustee of the deceased franchisee.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-43.3
"Director"

Sec. 43.3. "Director", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-10.

As added by P.L.92-2013, SEC.13.

IC 9-13-2-43.5
Repealed

(As added by P.L.2-1997, SEC.24. Repealed by P.L.198-2016, SEC.102.)

IC 9-13-2-44
Repealed

(As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993,

SEC.167; P.L.125-2012, SEC.10; P.L.92-2013, SEC.14. Repealed by P.L.151-2015, SEC.6.)

IC 9-13-2-45
"Distributor"

Sec. 45. "Distributor" means a person, other than a manufacturer, that is engaged in the business of selling motor vehicles to dealers located in Indiana. The term includes a distributor's branch office. The term does not include a recreational vehicle manufacturer.
As added by P.L.2-1991, SEC.1. Amended by P.L.78-2002, SEC.1; P.L.151-2015, SEC.7; P.L.174-2016, SEC.6.

IC 9-13-2-45.2
"Distributor representative"

Sec. 45.2. "Distributor representative", for purposes of IC 9-32-11, has the meaning set forth in IC 9-32-2-10.5.
As added by P.L.151-2015, SEC.8.

IC 9-13-2-45.5
"Division"

Sec. 45.5. "Division", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-11.
As added by P.L.92-2013, SEC.15.

IC 9-13-2-45.7
Repealed

(As added by P.L.149-2015, SEC.23. Repealed by P.L.198-2016, SEC.103.)

IC 9-13-2-46
"Driveaway or towaway"

Sec. 46. "Driveaway or towaway", for purposes of IC 9-20-9-1, has the meaning set forth in IC 9-20-9-1(a).
As added by P.L.2-1991, SEC.1.

IC 9-13-2-47
"Driver"

Sec. 47. "Driver" means a person who drives or is in actual physical control of a vehicle.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-47.2
"Driver training school"

Sec. 47.2. "Driver training school", for purposes of IC 9-27-6, has the meaning set forth in IC 9-27-6-3.
As added by P.L.85-2013, SEC.8.

IC 9-13-2-48

"Driver's license"

Sec. 48. "Driver's license" means any type of license issued by the state authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on a highway. The term includes any endorsements added to the license under IC 9-24-8.5.

As added by P.L.2-1991, SEC.1. Amended by P.L.184-2007, SEC.6; P.L.125-2012, SEC.11; P.L.85-2013, SEC.9; P.L.198-2016, SEC.104.

IC 9-13-2-48.3

"Driving privileges"

Sec. 48.3. "Driving privileges" means the authority granted to an individual that allows the individual to operate a vehicle of the type and in the manner for which the authority was granted.

As added by P.L.125-2012, SEC.12.

IC 9-13-2-48.5

"Driving record"

Sec. 48.5. "Driving record" means the following:

(1) A record maintained by the bureau under IC 9-14-12-3.

(2) A record established by the bureau under IC 9-24-18-9.

As added by P.L.125-2012, SEC.13. Amended by P.L.85-2013, SEC.10; P.L.198-2016, SEC.105.

IC 9-13-2-49

"Driveway or private road"

Sec. 49. "Driveway" or "private road" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-49.1

"Drug"

Sec. 49.1. The term "drug" includes legend drug (as defined in IC 16-18-2-199), nitrous oxide, "model glue" (as defined in IC 35-46-6-1), and any substance listed in IC 35-46-6-2(2).

As added by P.L.33-1997, SEC.2.

IC 9-13-2-49.3

"Electric personal assistive mobility device"

Sec. 49.3. "Electric personal assistive mobility device" means a self-balancing, two (2) nontandem wheeled device that is designed to transport only one (1) person and that has the following:

(1) An electric propulsion system with average power of seven hundred fifty (750) watts or one (1) horsepower.

(2) A maximum speed of less than twenty (20) miles per hour

when operated on a paved level surface, when powered solely by the propulsion system referred to in subdivision (1), and when operated by an operator weighing one hundred seventy (170) pounds.

As added by P.L.143-2002, SEC.1.

IC 9-13-2-49.5
"Electronic traffic ticket"

Sec. 49.5. "Electronic traffic ticket", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-2.5.

As added by P.L.184-2007, SEC.7; P.L.206-2007, SEC.1.

IC 9-13-2-49.6
"Endorsement"

Sec. 49.6. "Endorsement" refers to an endorsement issued by the bureau under IC 9-24-8-4 (before its expiration) or IC 9-24-8.5.

As added by P.L.198-2016, SEC.106.

IC 9-13-2-49.7
"Entrapment"

Sec. 49.7. "Entrapment" means a confining circumstance from which escape or relief is difficult or impossible.

As added by P.L.126-2008, SEC.1.

IC 9-13-2-49.9
Expired

(As added by P.L.135-2013, SEC.2. Expired by P.L.135-2013, SEC.2.)

IC 9-13-2-50
"Established place of business"

Sec. 50. "Established place of business" means a permanent enclosed building or structure owned or leased for the purpose of offering for sale, trading, and selling motor vehicles. The term does not include a residence, tent, temporary stand, or permanent quarters temporarily occupied.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.16.

IC 9-13-2-50.5
"Executive"

Sec. 50.5. "Executive", for purposes of IC 9-32-11-11(f), has the meaning set forth in IC 9-32-11-11(f).

As added by P.L.92-2013, SEC.17.

IC 9-13-2-51
"Existing franchise"

Sec. 51. "Existing franchise", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-12.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.18.

IC 9-13-2-52
"Explosives"

Sec. 52. "Explosives" means a chemical compound or mechanical mixture that:

(1) is commonly used or intended for the purpose of producing an explosion; or

(2) contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-52.5
"Extra wide manufactured home rig"

Sec. 52.5. "Extra wide manufactured home rig", for purposes of IC 9-20-15-6, has the meaning set forth in IC 9-20-15-6(a).

As added by P.L.95-1991, SEC.1.

IC 9-13-2-53
"Fair market value"

Sec. 53. "Fair market value", for purposes of IC 9-22-3, has the meaning set forth in IC 9-22-3-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-54
"Farm product"

Sec. 54. "Farm product":

(1) includes agricultural products; and

(2) is used interchangeably with "farm commodity".

However, the term does not include logs, wood chips, bark, or sawdust.

As added by P.L.2-1991, SEC.1. Amended by P.L.215-2014, SEC.2.

IC 9-13-2-55
Repealed

(As added by P.L.2-1991,SEC.1. Repealed by P.L.210-2005, SEC.76.)

IC 9-13-2-56
"Farm tractor"

Sec. 56. "Farm tractor" means a self-propelled implement of agriculture designed and used primarily as a farm implement for drawing implements of agriculture used on a farm and, when using

the highways, in traveling from one (1) field or farm to another or to or from places of repairs.
As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.5; P.L.13-2015, SEC.2.

IC 9-13-2-57
Repealed
(As added by P.L.2-1991, SEC.1. Repealed by P.L.210-2005, SEC.76.)

IC 9-13-2-58
"Farm truck, farm trailer, farm semitrailer and tractor, or farm vehicles"
Sec. 58. "Farm truck", "farm trailer", or "farm semitrailer and tractor" means a truck, trailer, or semitrailer and tractor used for the transportation of farm products, livestock, or machinery or supplies to or from a farm or ranch. The term includes a covered farm vehicle (as defined in 49 CFR 390.5). The term does not include an implement of agriculture. The terms may be referred to collectively as "farm vehicles".
As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.5; P.L.215-2014, SEC.3.

IC 9-13-2-59
"Farm vehicle loaded with a farm product"
Sec. 59. "Farm vehicle loaded with a farm product" includes a truck hauling unprocessed leaf tobacco.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-60
"Farm wagon"
Sec. 60. (a) "Farm wagon" means any of the following:
(1) A wagon, other than an implement of agriculture, that is used primarily for transporting farm products and farm supplies in connection with a farming operation.
(2) A three (3), four (4), or six (6) wheeled motor vehicle with a folding hitch on the front of the motor vehicle, manufactured with seating for not more than four (4) individuals, that is used primarily:
(A) to transport an individual from one (1) farm field to another, whether or not the motor vehicle is operated on a highway in order to reach the other farm field;
(B) for the transportation of an individual upon farm premises; or
(C) for both purposes set forth in clauses (A) and (B).
(3) A three (3), four (4), or six (6) wheeled construction related motor vehicle, capable of cross-country travel:
(A) without the benefit of a road; and

(B) on or immediately over land, water, snow, ice, marsh, swampland, or other natural terrain;

that is used primarily for construction related purposes, including hauling building materials.

(b) The term includes a motor vehicle described in subsection (a)(2) that is used for the incidental transportation of farm supplies or farm implements at the same time it is used for the transportation of an individual.

As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.6; P.L.150-2009, SEC.1; P.L.86-2010, SEC.1.

IC 9-13-2-61
"Fatal accident"

Sec. 61. "Fatal accident", for purposes of IC 9-30-7, has the meaning set forth in IC 9-30-7-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-62
"Federal act"

Sec. 62. "Federal act", for purposes of IC 9-27-1, has the meaning set forth in IC 9-27-1-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-62.5
"Fire lane"

Sec. 62.5. (a) "Fire lane", for purposes of IC 9-21-16-5.5, means an area that is:

(1) located within twelve (12) feet of:

(A) a building that:

(i) is occupied for commercial, professional, religious, or any other purpose; and

(ii) is not a building that is intended for use as a dwelling for one (1) or two (2) families; or

(B) a sidewalk immediately adjacent to or attached to a building; and

(2) designated as a fire lane under IC 9-21-16-5.5(c).

(b) The term includes an alley.

As added by P.L.8-2003, SEC.1.

IC 9-13-2-63
"Fiscal body"

Sec. 63. "Fiscal body" means the following:

(1) County council, for a county not having a consolidated city.

(2) City-county council, for a consolidated city or county having a consolidated city.

(3) Common council, for a city other than a consolidated city.

(4) Town council, for a town.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-64
"Flagman"
Sec. 64. "Flagman" means an authorized person directing traffic in accordance with the provisions of this title at a worksite.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-65
"Flammable liquid"
Sec. 65. "Flammable liquid" means a liquid that has a flash point of seventy (70) degrees Fahrenheit, or less, as determined by a tabliabue or equivalent closed cup test device.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-66
Repealed
(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.107.)

IC 9-13-2-66.3
Repealed
(As added by P.L.12-2015, SEC.1. Repealed by P.L.198-2016, SEC.108.)

IC 9-13-2-66.5
Repealed
(As added by P.L.12-2015, SEC.2. Repealed by P.L.198-2016, SEC.109.)

IC 9-13-2-66.7
"For-hire bus"
Sec. 66.7. "For-hire bus" means a bus that is:
(1) used to carry passengers for hire; or
(2) operated for compensation.
The term does not include a bus that is a not-for-hire bus.
As added by P.L.198-2016, SEC.110.

IC 9-13-2-67
"Franchise"
Sec. 67. "Franchise", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-13.
As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.19.

IC 9-13-2-68
"Franchisee"
Sec. 68. "Franchisee", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-14.
As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.20.

IC 9-13-2-69
"Franchisor"

Sec. 69. "Franchisor", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-15.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.21.

IC 9-13-2-69.3
"Funeral escort vehicle"

Sec. 69.3. "Funeral escort vehicle" means a vehicle driven by a person who provides escort services for funeral processions. The term does not include an authorized emergency vehicle or a vehicle owned and operated by a funeral home (as defined in IC 25-15-2-15).

As added by P.L.236-2003, SEC.1. Amended by P.L.80-2012, SEC.1.

IC 9-13-2-69.5
"Funeral procession"

Sec. 69.5. "Funeral procession" means two (2) or more vehicles, including a lead vehicle or a funeral escort vehicle, accompanying human remains.

As added by P.L.236-2003, SEC.2. Amended by P.L.24-2006, SEC.2.

IC 9-13-2-69.7
"Golf cart"

Sec. 69.7. "Golf cart" means a four (4) wheeled motor vehicle originally and specifically designed and intended to transport one (1) or more individuals and golf clubs for the purpose of playing the game of golf on a golf course.

As added by P.L.150-2009, SEC.2.

IC 9-13-2-69.8
Repealed

(As added by P.L.87-2010, SEC.5. Repealed by P.L.198-2016, SEC.111.)

IC 9-13-2-70
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.85-2013, SEC.11.)

IC 9-13-2-70.1
Repealed

(As added by P.L.13-2015, SEC.3. Repealed by P.L.198-2016, SEC.112.)

IC 9-13-2-70.2
Repealed

(As added by P.L.13-2015, SEC.4. Repealed by P.L.198-2016, SEC.113.)

IC 9-13-2-71
"Gross vehicle weight" or "gross weight"
Sec. 71. "Gross vehicle weight" or "gross weight" means the weight of a vehicle without load, plus the weight of any load on the vehicle.
As added by P.L.2-1991, SEC.1. Amended by P.L.13-2015, SEC.5.

IC 9-13-2-71.4
"Gross vehicle weight rating"
Sec. 71.4. "Gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of a motor vehicle.
As added by P.L.13-2015, SEC.6.

IC 9-13-2-72
"Habitual violator"
Sec. 72. "Habitual violator", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-4.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-72.5
Repealed
(As added by P.L.65-2010, SEC.2. Repealed by P.L.198-2016, SEC.114.)

IC 9-13-2-72.7
Repealed
(As added by P.L.125-2012, SEC.14. Repealed by P.L.198-2016, SEC.115.)

IC 9-13-2-73
"Highway or street"
Sec. 73. "Highway" or "street" means the entire width between the boundary lines of every publicly maintained way when any part of the way is open to the use of the public for purposes of vehicular travel in Indiana. The term includes an alley in a city or town.
As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.116.

IC 9-13-2-73.3
"Highway, road and street fund"
Sec. 73.3. "Highway, road and street fund" refers to the highway, road and street fund established by IC 8-14-2-2.1.
As added by P.L.216-2014, SEC.13.

IC 9-13-2-74
"Hulk crusher"
Sec. 74. "Hulk crusher" means a person that engages in the

handling and flattening, compacting, or otherwise demolishing vehicles, or their remains, for economical delivery to an automotive salvage recycler.
As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.117.

IC 9-13-2-74.5
"Identification card"
Sec. 74.5. "Identification card" means an identification document issued by a state government for purposes of identification.
As added by P.L.184-2007, SEC.8.

IC 9-13-2-75
"Identification number"
Sec. 75. "Identification number" means a set of numbers, letters, or both numbers and letters that is assigned to a vehicle, watercraft, manufactured home, mobile home, or motor vehicle part by:
(1) a manufacturer; or
(2) a governmental entity to:
(A) replace an original identification number that is destroyed, removed, altered, or defaced; or
(B) serve as a special identification number under IC 9-17-4 or a similar law of another state.
As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.3; P.L.125-2012, SEC.15; P.L.262-2013, SEC.6; P.L.217-2014, SEC.6; P.L.198-2016, SEC.118.

IC 9-13-2-76
"Ignition interlock device"
Sec. 76. "Ignition interlock device" means a blood alcohol concentration equivalence measuring device that prevents a motor vehicle from being started without first determining the operator's equivalent breath alcohol concentration through the taking of a deep lung breath sample.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-77
"Implement of agriculture"
Sec. 77. "Implement of agriculture" means the following:
(1) Agricultural implements, pull type and self-propelled, that are used for the:
(A) transport;
(B) delivery;
(C) application; or
(D) harvest;
of crop inputs, including seed, fertilizers, and crop protection products.
(2) Vehicles that:

(A) are designed or adapted and used exclusively for agricultural, horticultural, or livestock raising operations; and

(B) are not primarily operated on or moved along a highway.

(3) Vehicles that are designed to lift, carry, or transport:

(A) an agricultural implement described in subdivision (1); or

(B) a vehicle described in subdivision (2).

As added by P.L.2-1991, SEC.1. Amended by P.L.81-1991, SEC.3; P.L.210-2005, SEC.7; P.L.262-2013, SEC.7; P.L.198-2016, SEC.119.

IC 9-13-2-77.5
Repealed

(As added by P.L.118-1998, SEC.2. Repealed by P.L.198-2016, SEC.120.)

IC 9-13-2-78
"Indiana resident"

Sec. 78. "Indiana resident" refers to a person that is one (1) of the following:

(1) An individual who lives in Indiana for at least one hundred eighty-three (183) days during a calendar year and who has a legal residence in another state. However, the term does not include an individual who lives in Indiana for any of the following purposes:

(A) Attending a postsecondary educational institution.

(B) Serving on active duty in the armed forces of the United States.

(C) Temporary employment.

(D) Other purposes, without the intent of making Indiana a permanent home.

(2) An individual who is living in Indiana if the individual has no other legal residence.

(3) An individual who is registered to vote in Indiana or who satisfies the standards for determining residency in Indiana under IC 3-5-5.

(4) An individual who has a dependent enrolled in an elementary or a secondary school located in Indiana.

(5) A person that maintains a:

(A) main office;

(B) branch office;

(C) warehouse; or

(D) business facility;

in Indiana.

(6) A person that bases and operates vehicles in Indiana.

(7) A person that operates vehicles in intrastate haulage in Indiana.

(8) A person that has more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) derived from sources in Indiana using the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person that is considered a resident under this subdivision is not a resident if the person proves by a preponderance of the evidence that the person is not a resident under subdivisions (1) through (7).

As added by P.L.2-1991, SEC.1. Amended by P.L.188-2006, SEC.2; P.L.2-2007, SEC.139; P.L.85-2013, SEC.12; P.L.149-2015, SEC.24; P.L.198-2016, SEC.121.

IC 9-13-2-79
"Individual owner"

Sec. 79. "Individual owner", for purposes of IC 9-20-15-4 and IC 9-20-18-13(b), has the meaning set forth in IC 9-20-15-4(a).

As added by P.L.2-1991, SEC.1. Amended by P.L.95-1991, SEC.2.

IC 9-13-2-79.5
Repealed

(As added by P.L.2-1997, SEC.25. Repealed by P.L.198-2016, SEC.122.)

IC 9-13-2-79.7
"Inflatable restraint system"

Sec. 79.7. "Inflatable restraint system", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-1.

As added by P.L.248-2003, SEC.1 and P.L.265-2003, SEC.1.

IC 9-13-2-80
Repealed

(As added by P.L.2-1991, SEC.1. Amended by P.L.107-2008, SEC.7. Repealed by P.L.1-2010, SEC.156.)

IC 9-13-2-80.5
"Instructor"

Sec. 80.5. "Instructor", for purposes of IC 9-27-6, has the meaning set forth in IC 9-27-6-4.

As added by P.L.145-2011, SEC.7.

IC 9-13-2-81
"Instructor of an approved driver education course"

Sec. 81. "Instructor of an approved driver education course" includes the following:

(1) A high school teacher who conducts a driver education course.

(2) The principal of a high school offering a driver education course.

(3) The authorized agent of an approved driver education school.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-82
"Insured"

Sec. 82. "Insured", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-82.5
"Integrated public safety communications fund"

Sec. 82.5. "Integrated public safety communications fund" refers to the integrated public safety communications fund established by IC 5-26-4-1.

As added by P.L.216-2014, SEC.14.

IC 9-13-2-83
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.123.)

IC 9-13-2-84
"Intersection"

Sec. 84. (a) "Intersection" means the area embraced within:

(1) the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two (2) highways that join at, or approximately at, right angles; or

(2) the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two (2) roadways at least thirty (30) feet apart, every crossing of each roadway of the divided highway by an intersecting highway is regarded as a separate intersection. If the intersecting highway also includes two (2) roadways at least thirty (30) feet apart, every crossing of two (2) roadways of the intersecting highway is regarded as a separate intersection.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-85
"Interstate highway"

Sec. 85. "Interstate highway" means a highway that is a part of the national system of interstate and defense highways (23 U.S.C. as in effect January 1, 1991).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-86
"Intoxicated"

Sec. 86. "Intoxicated" means under the influence of:

(1) alcohol;

(2) a controlled substance (as defined in IC 35-48-1);

(3) a drug other than alcohol or a controlled substance;

(4) a substance described in IC 35-46-6-2 or IC 35-46-6-3;

(5) a combination of substances described in subdivisions (1) through (4); or

(6) any other substance, not including food and food ingredients (as defined in IC 6-2.5-1-20), tobacco (as defined in IC 6-2.5-1-28), or a dietary supplement (as defined in IC 6-2.5-1-16);

so that there is an impaired condition of thought and action and the loss of normal control of a person's faculties.

As added by P.L.2-1991, SEC.1. Amended by P.L.175-2001, SEC.1; P.L.151-2006, SEC.4; P.L.196-2013, SEC.3.

IC 9-13-2-87

Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.124.)

IC 9-13-2-88

"Judge"

Sec. 88. "Judge", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-89

"Judgment"

Sec. 89. (a) "Judgment" means, except as provided in subsections (b), (c), and (d), any judgment, except a judgment rendered against the state or a political subdivision or a municipality of the state that becomes final by expiration without appeal of the time within which appeal might have been perfected, or by final affirmation on appeal, rendered by a court of any state of the United States.

(b) "Judgment", for purposes of IC 9-25-6-4, has the meaning set forth in IC 9-25-6-4(b).

(c) "Judgment", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-1.

(d) "Judgment", for purposes of IC 9-30-11, has the meaning set forth in IC 9-30-11-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-90

"Labor rate"

Sec. 90. "Labor rate", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-16.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.22.

IC 9-13-2-91
"Lamp"

Sec. 91. "Lamp" means a single bulb that emits light.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-92
"Law enforcement officer"

Sec. 92. (a) "Law enforcement officer", except as provided in subsection (b), includes the following:

(1) A state police officer.
(2) A city, town, or county police officer.
(3) A sheriff.
(4) A county coroner in accordance with IC 36-2-14-4.
(5) A conservation officer.
(6) An individual assigned duties and limitations under IC 10-11-2-26.
(7) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.
(8) An excise police officer of the alcohol and tobacco commission.
(9) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a law enforcement officer having jurisdiction in Indiana, unless the context clearly refers to a law enforcement officer from another state or a territory or federal district of the United States.

(b) "Law enforcement officer", for purposes of IC 9-30-6 and IC 9-30-7, has the meaning set forth in IC 35-31.5-2-185.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-1992, SEC.1; P.L.227-2005, SEC.8; P.L.210-2005, SEC.8; P.L.1-2006, SEC.157; P.L.94-2006, SEC.2; P.L.114-2012, SEC.19; P.L.13-2013, SEC.33; P.L.85-2013, SEC.13; P.L.262-2013, SEC.8.

IC 9-13-2-92.2
"Lawful intervention technique"

Sec. 92.2. "Lawful intervention technique", for purposes of IC 9-21-1, has the meaning set forth in IC 9-21-1-0.5.

As added by P.L.145-2009, SEC.1.

IC 9-13-2-92.5
Repealed

(As added by P.L.86-1996, SEC.4. Amended by P.L.92-2013, SEC.23. Repealed by P.L.151-2015, SEC.9.)

IC 9-13-2-92.7
Repealed

(As added by P.L.86-1996, SEC.5. Amended by P.L.92-2013, SEC.24. Repealed by P.L.151-2015, SEC.10.)

IC 9-13-2-93
"License"

Sec. 93. "License", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-93.2
"License branch"

Sec. 93.2. "License branch" does not include facilities of or a physical or virtual location at which services are provided by a full service provider (as defined in IC 9-14.1-1-2) or a partial services provider (as defined in IC 9-14.1-1-3).

As added by P.L.198-2016, SEC.125.

IC 9-13-2-93.3
Repealed

(As added by P.L.107-2013, SEC.2. Repealed by P.L.53-2014, SEC.89.)

IC 9-13-2-93.5
"Line make"

Sec. 93.5. "Line make" means the name given by a manufacturer to a line of motor vehicles to distinguish it as produced or sold by the manufacturer and that may be used and protected as a trademark.

As added by P.L.78-2002, SEC.2.

IC 9-13-2-94
"Local authorities"

Sec. 94. (a) "Local authorities" means, except as provided in subsection (b), all officers of counties, cities, or towns, as well as all boards and other public officials of counties, cities, or towns.

(b) "Local authorities", for purposes of IC 9-21, means every county, municipal, and other local board or body having authority to adopt local police regulations under the laws and the Constitution of the State of Indiana.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-94.2
Repealed

(As added by P.L.83-2008, SEC.2. Repealed by P.L.198-2016, SEC.126.)

IC 9-13-2-94.3
"Local road and street account"

Sec. 94.3. "Local road and street account" refers to the local road and street account established by IC 8-14-2-4.

As added by P.L.216-2014, SEC.15.

IC 9-13-2-94.4
Repealed
(As added by P.L.216-2003, SEC.1. Repealed by P.L.262-2013, SEC.9.)

IC 9-13-2-94.5
"Low speed vehicle"
Sec. 94.5. "Low speed vehicle" means a four (4) wheeled electrically powered motor vehicle:
(1) with a maximum design speed of not more than thirty-five (35) miles per hour;
(2) with operational and equipment specifications described in 49 CFR 571.500;
(3) that is equipped with:
(A) headlamps;
(B) front and rear turn signal lamps, tail lamps, and stop lamps;
(C) reflex reflectors;
(D) exterior or interior mirrors;
(E) brakes as specified in IC 9-19-3-1;
(F) a windshield;
(G) a vehicle identification number; and
(H) a safety belt installed at each designated seating position; and
(4) that has not been privately assembled as described in IC 9-17-4-1.
The term does not include a golf cart or an off-road vehicle.
As added by P.L.21-2003, SEC.1. Amended by P.L.9-2007, SEC.1; P.L.150-2009, SEC.3; P.L.262-2013, SEC.10.

IC 9-13-2-95
"Major component parts"
Sec. 95. "Major component parts" means those parts of vehicles normally having a manufacturer's vehicle identification number, a derivative of the identification number, or a number supplied by an authorized governmental agency, including doors, fenders, differentials, frames, transmissions, engines, doghouses (front assembly), rear clips, and additional parts as prescribed by the bureau.
As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.127.

IC 9-13-2-96
"Manufactured home"
Sec. 96. (a) "Manufactured home" means, except as provided in subsections (b) and (c), a structure that:
(1) is assembled in a factory;
(2) bears a seal certifying that it was built in compliance with

the federal Manufactured Housing Construction and Safety Standards Law (42 U.S.C. 5401 et seq.);

(3) is designed to be transported from the factory to another site in one (1) or more units;

(4) is suitable for use as a dwelling in any season; and

(5) is more than thirty-five (35) feet long.

The term does not include a vehicle described in section 150(2) of this chapter.

(b) "Manufactured home", for purposes of IC 9-17-6, means either of the following:

(1) A structure having the meaning set forth in the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

(2) A mobile home.

This subsection expires June 30, 2016.

(c) "Manufactured home", for purposes of IC 9-22-1.7, has the meaning set forth in IC 9-22-1.7-2.

As added by P.L.2-1991, SEC.1. Amended by P.L.106-2003, SEC.1; P.L.203-2013, SEC.13; P.L.198-2016, SEC.128.

IC 9-13-2-97
"Manufacturer"

Sec. 97. (a) "Manufacturer" means, except as provided in subsection (b), a person engaged in the business of constructing or assembling vehicles, of a type required to be registered under IC 9-18, at an established place of business. The term does not include a converter manufacturer, an automotive mobility dealer, or a recreational vehicle manufacturer.

(b) "Manufacturer", for purposes of IC 9-32, means a person who is engaged in the business of manufacturing or assembling new motor vehicles or major component parts of motor vehicles, or both, and sells new motor vehicles to dealers, wholesale dealers, distributors, or the general public. The term includes the following:

(1) A factory branch office of the manufacturer.

(2) A partnership, a firm, an association, a joint venture, a limited liability company, a corporation, or a trust, resident or nonresident, that is controlled by the manufacturer.

The term does not include a converter manufacturer, an automotive mobility dealer, or a recreational vehicle manufacturer.

As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993, SEC.168; P.L.78-2002, SEC.3; P.L.21-2003, SEC.2; P.L.147-2009, SEC.4; P.L.151-2015, SEC.11.

IC 9-13-2-97.5
Repealed

(As added by P.L.93-2010, SEC.2. Repealed by P.L.174-2016, SEC.7.)

IC 9-13-2-97.6
"Manufacturer representative"

Sec. 97.6. "Manufacturer representative", for purposes of IC 9-32-11, has the meaning set forth in IC 9-32-2-18.5.

As added by P.L.151-2015, SEC.12.

IC 9-13-2-98
"Marching band procession"

Sec. 98. "Marching band procession", for purposes of IC 9-21-14, has the meaning set forth in IC 9-21-14-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-99
"Maxi-cube"

Sec. 99. "Maxi-cube" vehicle means a truck tractor combined with a semitrailer and a separable cargo carrying unit that is designed to be loaded and unloaded through the vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-100
"Medical services vehicle"

Sec. 100. "Medical services vehicle" means any of the following:

(1) A vehicle that is used or intended to be used for the purpose of responding to emergency life-threatening situations and providing emergency transportation service.

(2) A vehicle that is routinely used to transport patients who are not acutely ill or injured in a life-threatening manner.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-101
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.129.)

IC 9-13-2-102
"Metal tire"

Sec. 102. "Metal tire" means a tire the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-102.3
"Metered space"

Sec. 102.3. "Metered space", for purposes of IC 9-18.5-5, IC 9-18.5-6, and IC 9-18.5-8, means a public parking space at which parking is regulated by:

(1) a parking meter; or

(2) an official traffic control device that imposes a maximum

parking time for the public parking space.

The term does not include parking spaces or areas regulated under IC 9-21-18.

As added by P.L.6-2009, SEC.1. Amended by P.L.216-2014, SEC.16; P.L.198-2016, SEC.130.

IC 9-13-2-103
"Military vehicle"

Sec. 103. "Military vehicle" means a vehicle that:

(1) was originally manufactured for military use;
(2) is at least twenty-five (25) years old; and
(3) is privately owned.

As added by P.L.2-1991, SEC.1. Amended by P.L.221-2014, SEC.9; P.L.198-2016, SEC.131.

IC 9-13-2-103.1
"Mini-truck"

Sec. 103.1. "Mini-truck" means a truck that:

(1) is powered by an internal combustion engine with a piston or rotary displacement of not less than six hundred sixty (660) cubic centimeters;
(2) is sixty (60) inches or less in width;
(3) has an unladen dry weight of one thousand six hundred (1,600) pounds or less;
(4) can achieve a top speed of not more than sixty (60) miles per hour;
(5) is manufactured with a locking enclosed cab and a heated interior; and
(6) is operated on a highway.

As added by P.L.180-2015, SEC.3.

IC 9-13-2-103.2
"Mobile home"

Sec. 103.2. "Mobile home" means a structure that:

(1) is assembled in a factory;
(2) is designed to be transported from the factory to another site in one (1) or more units;
(3) is suitable for use as a dwelling in any season;
(4) is more than thirty-five (35) feet long; and
(5) either:
    (A) bears a seal certifying that the structure was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law (42 U.S.C. 5401 et seq.); or
    (B) was manufactured before the effective date of the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

As added by P.L.108-2001, SEC.1. Amended by P.L.203-2013,

SEC.14; P.L.198-2016, SEC.132.

IC 9-13-2-103.5
"Motorboat"

Sec. 103.5. (a) "Motorboat" means a watercraft propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means.

(b) The term includes a sailboat that is equipped with a motor or an engine described in subsection (a) when the sailboat is in operation whether or not the sails are hoisted.

As added by P.L.71-1991, SEC.5.

IC 9-13-2-104
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.221-2014, SEC.10.)

IC 9-13-2-104.1
"Motor driven cycle"

Sec. 104.1. "Motor driven cycle" refers to both of the following:

(1) A Class A motor driven cycle.

(2) A Class B motor driven cycle.

As added by P.L.221-2014, SEC.11.

IC 9-13-2-105
"Motor vehicle"

Sec. 105. (a) "Motor vehicle" means, except as otherwise provided in this section, a vehicle that is self-propelled. The term does not include a farm tractor, an implement of agriculture designed to be operated primarily in a farm field or on farm premises, or an electric personal assistive mobility device.

(b) "Motor vehicle", for purposes of IC 9-21, means:

(1) a vehicle that is self-propelled; or

(2) a vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(c) "Motor vehicle", for purposes of IC 9-32, includes a semitrailer, trailer, or recreational vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.94-1997, SEC.1; P.L.143-2002, SEC.2; P.L.248-2003, SEC.2 and P.L.265-2003, SEC.2; P.L.210-2005, SEC.9; P.L.191-2007, SEC.1; P.L.9-2010, SEC.8; P.L.92-2013, SEC.25; P.L.221-2014, SEC.12; P.L.174-2016, SEC.8; P.L.198-2016, SEC.133.

IC 9-13-2-105.3
"Motor vehicle highway account"

Sec. 105.3. "Motor vehicle highway account" refers to the motor vehicle highway account as defined in IC 8-14-1-1(1).

As added by P.L.216-2014, SEC.17.

IC 9-13-2-106
"Motor vehicle liability policy"

Sec. 106. "Motor vehicle liability policy" means an owner's policy of liability insurance or an operator's policy of liability insurance that:

(1) is issued, except as provided in IC 9-25-5-10, by an insurance carrier duly authorized to transact business in Indiana to or for the benefit of the person named in the policy as insured; and

(2) insures against liability resulting from the ownership, maintenance, use, or operation of a motor vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.59-1994, SEC.1.

IC 9-13-2-107
Repealed

(As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.11. Repealed by P.L.198-2016, SEC.134.)

IC 9-13-2-107.5
Repealed

(As added by P.L.2-1997, SEC.26. Repealed by P.L.198-2016, SEC.135.)

IC 9-13-2-108
"Motorcycle"

Sec. 108. "Motorcycle" means a motor vehicle with motive power that:

(1) has a seat or saddle for the use of the rider;

(2) is designed to travel on not more than three (3) wheels in contact with the ground; and

(3) satisfies the operational and equipment specifications described in 49 CFR 571 and IC 9-19.

The term includes an autocycle, but does not include a farm tractor or a motor driven cycle.

As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.12; P.L.221-2014, SEC.13; P.L.82-2015, SEC.2.

IC 9-13-2-108.3
"Motorcycle operator safety education fund"

Sec. 108.3. "Motorcycle operator safety education fund" refers to the motorcycle operator safety education fund established by IC 9-27-7-7.

As added by P.L.216-2014, SEC.18.

IC 9-13-2-109
Repealed

(As added by P.L.2-1991, SEC.1. Amended by P.L.143-2002, SEC.3. Repealed by P.L.221-2014, SEC.14.)

IC 9-13-2-109.3
"Motorsports"

Sec. 109.3. "Motorsports" means the group of sports that are sanctioned by one (1) or more member clubs of the Automobile Competition Committee for the United States.

As added by P.L.12-2013, SEC.1.

IC 9-13-2-110
"Moving traffic offense"

Sec. 110. "Moving traffic offense" means a violation of a statute, an ordinance, a rule, or a regulation relating to the operation or use of a motor vehicle while the motor vehicle is in motion.

As added by P.L.2-1991, SEC.1. Amended by P.L.94-1997, SEC.2; P.L.1-2002, SEC.39; P.L.85-2013, SEC.14.

IC 9-13-2-110.5
"Municipal waste collection and transportation vehicle"

Sec. 110.5. (a) "Municipal waste collection and transportation vehicle" means a truck used to transport municipal waste (as defined in IC 13-11-2-133) from a solid waste generator or a solid waste processing facility (as defined in IC 13-11-2-212) to a:

(1) solid waste processing facility (as defined in IC 13-11-2-212) in Indiana; or

(2) solid waste disposal facility (as defined in IC 13-11-2-206) in Indiana.

(b) The term does not include a vehicle that is:

(1) used to transport municipal waste (as defined in IC 13-11-2-133) from a residence if the vehicle is:

(A) owned;

(B) leased; or

(C) operated;

by an individual who lives in the residence; or

(2) not used for commercial solid waste transportation.

As added by P.L.114-1993, SEC.1. Amended by P.L.1-1996, SEC.58; P.L.131-2006, SEC.1.

IC 9-13-2-111
"New motor vehicle"

Sec. 111. "New motor vehicle" means a motor vehicle:

(1) that has not been previously titled under IC 9-17 and carries a manufacturer's certificate of origin; or

(2) that has never been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.

As added by P.L.2-1991, SEC.1. Amended by P.L.10-1998, SEC.1.

IC 9-13-2-112
"Nonmoving traffic offense"

Sec. 112. "Nonmoving traffic offense" means a violation of a statute, an ordinance, or a regulation concerning the following:

(1) The parking or standing of motor vehicles.

(2) Motor vehicles that are not in motion.

As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.15.

IC 9-13-2-113
"Nonresident"

Sec. 113. "Nonresident" means a person that is not an Indiana resident.

As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.136.

IC 9-13-2-113.5
"Not-for-hire bus"

Sec. 113.5. "Not-for-hire bus" refers to the following:

(1) A school bus.

(2) A special purpose bus.

(3) A church bus.

(4) A private bus.

(5) A bus that is used to provide incidental transportation to a passenger at no additional charge to the passenger.

As added by P.L.198-2016, SEC.137.

IC 9-13-2-114
"Odometer"

Sec. 114. "Odometer" means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation. The term does not include an auxiliary odometer designed to be reset by the operator of the motor vehicle for the purpose of recording mileage on trips.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-114.5
"Offer to sell"

Sec. 114.5. "Offer to sell" means any attempt or offer to dispose of, or solicitation of an offer to purchase, a motor vehicle or interest in a motor vehicle for hire.

As added by P.L.92-2013, SEC.26.

IC 9-13-2-115
"Office"

Sec. 115. "Office", for purposes of IC 9-27-2, has the meaning set forth in IC 9-27-2-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-116
"Officer"

Sec. 116. "Officer", for purposes of IC 9-22-1 and IC 9-22-2, has the meaning set forth in IC 9-22-1-2.
As added by P.L.2-1991, SEC.1. Amended by P.L.66-1992, SEC.3.

IC 9-13-2-117
"Official traffic control devices"
Sec. 117. "Official traffic control devices" means a sign, signal, marking, and device, including a railroad advance warning sign, not inconsistent with this title placed or erected by authority of a public body or an official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-117.3
"Off-road vehicle"
Sec. 117.3. "Off-road vehicle" has the meaning set forth in IC 14-8-2-185.
As added by P.L.219-2005, SEC.2. Amended by P.L.1-2007, SEC.81.

IC 9-13-2-117.5
"Operate"
Sec. 117.5. "Operate" means to navigate or otherwise be in actual physical control of a vehicle, motorboat, off-road vehicle, or snowmobile.
As added by P.L.71-1991, SEC.6. Amended by P.L.125-2012, SEC.16; P.L.85-2013, SEC.16; P.L.259-2013, SEC.4; P.L.198-2016, SEC.138.

IC 9-13-2-117.7
"Operating crew member"
Sec. 117.7. "Operating crew member", for purposes of IC 9-19-6, has the meaning set forth in IC 9-19-6-1.5.
As added by P.L.183-2005, SEC.2.

IC 9-13-2-118
"Operator"
Sec. 118. Except as provided in IC 9-31, "operator" means an individual who operates a vehicle, motorboat, off-road vehicle, or snowmobile.
As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.17; P.L.85-2013, SEC.17; P.L.259-2013, SEC.5; P.L.12-2015, SEC.3; P.L.198-2016, SEC.139.

IC 9-13-2-119
"Operator of a special tractor mobile home rig"
Sec. 119. "Operator of a special tractor mobile home rig" means:
(1) a person employed by a mobile home or sectionalized building manufacturer, dealer, transport company, or individual

owner for the purpose of driving a vehicle transporting a mobile home or sectionalized building (as defined in section 163(b) of this chapter) on any public road or street; or

(2) an individual moving the individual's own mobile home or sectionalized building on the highways.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-120
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.140.)

IC 9-13-2-120.5
"Out-of-service order"

Sec. 120.5. "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation is out-of-service under:

(1) 49 CFR Parts 386.72, 392.5, 395.13, 396.9;

(2) Indiana law; or

(3) the North American Uniform Out-of-Service Criteria.

As added by P.L.88-1996, SEC.1.

IC 9-13-2-120.7
"Overweight divisible load"

Sec. 120.7. "Overweight divisible load" means a tractor-semitrailer and load that:

(1) can be traditionally separated or reduced to meet the specified regulatory limits for weight;

(2) are involved in hauling, delivering, or otherwise carrying metal or agricultural commodities;

(3) meet other requirements for height, length, and width; and

(4) weigh more than the eighty thousand (80,000) pound gross vehicle weight limit in IC 9-20-5 but weigh not more than:

(A) one hundred twenty thousand (120,000) pounds if hauling metal commodities; and

(B) ninety-seven thousand (97,000) pounds if hauling agricultural commodities.

As added by P.L.135-2013, SEC.3. Amended by P.L.198-2016, SEC.141.

IC 9-13-2-121
"Owner"

Sec. 121. Except as otherwise provided in IC 9-31, "owner" means a person, other than a lienholder, that:

(1) holds the property in or title to, as applicable, a vehicle, manufactured home, mobile home, off-road vehicle, snowmobile, or watercraft; or

(2) is entitled to the use or possession of, as applicable, a vehicle, manufactured home, off-road vehicle, snowmobile, or watercraft, through a lease or other agreement intended to operate as a security.

As added by P.L.2-1991, SEC.1. Amended by P.L.71-1991, SEC.7; P.L.125-2012, SEC.18; P.L.259-2013, SEC.6; P.L.198-2016, SEC.142.

IC 9-13-2-122
"Parts"

Sec. 122. "Parts" refers to all components of a vehicle that as assembled do not constitute a complete vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-123
"Passenger motor vehicle"

Sec. 123. "Passenger motor vehicle" means a motor vehicle designed for carrying passengers. The term does not include the following:

(1) A motorcycle.
(2) A bus.
(3) A snowmobile.
(4) An off-road vehicle.
(5) A motor driven cycle.

As added by P.L.2-1991, SEC.1. Amended by P.L.21-2003, SEC.3; P.L.219-2005, SEC.3; P.L.214-2007, SEC.5; P.L.259-2013, SEC.7; P.L.221-2014, SEC.15; P.L.198-2016, SEC.143.

IC 9-13-2-123.3
"Pedestrian hybrid beacon"

Sec. 123.3. "Pedestrian hybrid beacon" for purposes of IC 9-21-3, has the meaning set forth in IC 9-21-3-0.5.

As added by P.L.43-2011, SEC.1.

IC 9-13-2-123.5
"Permit"

Sec. 123.5. "Permit" means a permit issued by the state authorizing an individual to operate the type of vehicle for which the permit was issued on public streets, roads, or highways with certain restrictions. The term includes the following:

(1) A learner's permit.
(2) A motorcycle permit.
(3) A commercial learner's permit.

As added by P.L.184-2007, SEC.9. Amended by P.L.125-2012, SEC.19; P.L.198-2016, SEC.144.

IC 9-13-2-124
"Person"

Sec. 124. "Person" means an individual, a firm, a partnership, an association, a fiduciary, an executor or administrator, a governmental entity, a limited liability company, a corporation, a sole proprietorship, a trust, an estate, or another entity, except as defined in the following sections:

(1) IC 9-20-14-0.5.

(2) IC 9-20-15-0.5.

(3) IC 9-32-2-18.6.

As added by P.L.2-1991, SEC.1. Amended by P.L.95-1991, SEC.3; P.L.8-1993, SEC.169; P.L.89-1996, SEC.1; P.L.180-2015, SEC.4; P.L.151-2015, SEC.13; P.L.180-2015, SEC.5; P.L.198-2016, SEC.145.

IC 9-13-2-124.5
Repealed

(As added by P.L.2-1997, SEC.27. Repealed by P.L.198-2016, SEC.146.)

IC 9-13-2-125
"Personalized license plate"

Sec. 125. "Personalized license plate" means a license plate that displays the registration number assigned to the vehicle and issued in a combination of letters or numbers, or both, requested by the owner or the lessee of the vehicle and approved by the bureau.

As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.13.

IC 9-13-2-125.5
"Photo exempt identification card"

Sec. 125.5. "Photo exempt identification card" means an identification card issued by the bureau under IC 9-24-16.5.

As added by P.L.197-2015, SEC.1.

IC 9-13-2-126
"Pole trailer"

Sec. 126. "Pole trailer" means a vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, or structural members that are capable, generally, of sustaining themselves as beams between the supporting connections.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-127
"Police officer"

Sec. 127. (a) "Police officer" means, except as provided in subsection (b), the following:

(1) A regular member of the state police department.

(2) A regular member of a city or town police department.
(3) A town marshal or town marshal deputy.
(4) A regular member of a county sheriff's department.
(5) A conservation officer of the department of natural resources.
(6) An individual assigned as a motor carrier inspector under IC 10-11-2-26(a).
(7) An excise police officer of the alcohol and tobacco commission.
(8) A gaming control officer employed by the gaming control division under IC 4-33-20.

The term refers to a police officer having jurisdiction in Indiana, unless the context clearly refers to a police officer from another state or a territory or federal district of the United States.

(b) "Police officer", for purposes of IC 9-21, means an officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-1992, SEC.2; P.L.210-2005, SEC.10; P.L.94-2006, SEC.3; P.L.13-2013, SEC.34; P.L.259-2013, SEC.8; P.L.262-2013, SEC.14; P.L.198-2016, SEC.147.

IC 9-13-2-128
"Political subdivision"

Sec. 128. "Political subdivision" means a county, a township, a city, a town, a public school corporation, or any other subdivision of the state recognized in any law, including any special taxing district or entity and any public improvement district authority or entity authorized to levy taxes or assessments.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-128.3
Repealed

(As added by P.L.93-1997, SEC.2. Repealed by P.L.198-2016, SEC.148.)

IC 9-13-2-129
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.149.)

IC 9-13-2-130
"Previous conviction of operating while intoxicated"

Sec. 130. "Previous conviction of operating while intoxicated" means a previous conviction:

(1) in Indiana of:
(A) an alcohol related or drug related crime under Acts 1939, c.48, s.52, as amended, IC 9-4-1-54 (repealed

September 1, 1983), or IC 9-11-2 (repealed July 1, 1991); or
(B) a crime under IC 9-30-5-1 through IC 9-30-5-9; or
(2) in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a crime described in IC 9-30-5-1 through IC 9-30-5-9.

As added by P.L.2-1991, SEC.1. Amended by P.L.1-1992, SEC.36.

IC 9-13-2-131
"Prima facie evidence of intoxication"

Sec. 131. "Prima facie evidence of intoxication" includes evidence that at the time of an alleged violation the person had an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:
(1) one hundred (100) milliliters of the person's blood; or
(2) two hundred ten (210) liters of the person's breath.

As added by P.L.2-1991, SEC.1. Amended by P.L.33-1997, SEC.3; P.L.1-2000, SEC.3; P.L.175-2001, SEC.2.

IC 9-13-2-132
"Prisoner of war"

Sec. 132. "Prisoner of war" means an individual who, while serving in any capacity with the armed forces of the United States or their reserve components:
(1) was taken prisoner and held captive:
(A) while engaged in an action against an enemy of the United States;
(B) while engaged in military operations involving conflict with an opposing foreign force;
(C) while serving with friendly forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; or
(D) under circumstances comparable to those circumstances under which individuals have generally been held captive by enemy armed forces during periods of armed conflict; and
(2) either:
(A) is serving in; or
(B) under conditions other than dishonorable, was discharged or separated from service in;
the armed forces of the United States or their reserve components.

As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.150.

IC 9-13-2-133
"Private bus"

Sec. 133. (a) "Private bus" means a motor vehicle that is:
(1) designed to transport more than fourteen (14) passengers;

and
(2) used by any of the following:
(A) A religious, fraternal, charitable, or benevolent organization.
(B) A nonprofit youth organization.
(C) A public or private postsecondary educational institution.
(b) The term includes:
(1) the chassis;
(2) the body; or
(3) both the body and the chassis;
of the vehicle.
(c) The term does not include the following:
(1) A school bus.
(2) A for-hire bus.
As added by P.L.2-1991, SEC.1. Amended by P.L.2-2007, SEC.140; P.L.198-2016, SEC.151.

IC 9-13-2-134
"Private business property or shopping center"
Sec. 134. "Private business property" or "shopping center", for purposes of IC 9-21-18, has the meaning set forth in IC 9-21-18-2.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-135
"Private driveway"
Sec. 135. "Private driveway" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-136
"Private property"
Sec. 136. "Private property" means all property other than public property.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-137
"Private road"
Sec. 137. "Private road" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-138
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.152.)

IC 9-13-2-138.5
"Proof of discharge"

Sec. 138.5. "Proof of discharge" means a document that:

(1) is issued by the United States Department of Defense; and

(2) confirms a veteran's discharge from the armed forces of the United States.

The term includes a DD-214 form.
As added by P.L.118-2011, SEC.2.

IC 9-13-2-139
"Proof of financial responsibility"

Sec. 139. "Proof of financial responsibility", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-3.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-140
"Protocol"

Sec. 140. "Protocol" means a procedure for the withdrawal of blood and other bodily substance samples.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-141
"Public agency"

Sec. 141. "Public agency", for purposes of IC 9-22-1, has the meaning set forth in IC 9-22-1-3.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-142
"Public highway"

Sec. 142. "Public highway", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-4.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-143
"Public passenger chauffeur"

Sec. 143. (a) "Public passenger chauffeur" means a person who operates a motor vehicle designed to transport not more than fifteen (15) individuals, including the driver, while in use as a public passenger carrying vehicle for hire. The term does not include a person who operates a medical services vehicle.

(b) This section expires December 31, 2016.
As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.20; P.L.85-2013, SEC.18; P.L.198-2016, SEC.153.

IC 9-13-2-144

"Public property"

Sec. 144. "Public property" means a public right-of-way, street, highway, alley, park, or other state, county, or municipal property.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-144.5

Repealed

(As added by P.L.216-2003, SEC.2. Amended by P.L.216-2014, SEC.19. Repealed by P.L.198-2016, SEC.154.)

IC 9-13-2-145

Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.155.)

IC 9-13-2-146

Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.113-2014, SEC.16; P.L.217-2014, SEC.7.)

IC 9-13-2-146.5

"Railroad flagman"

Sec. 146.5. "Railroad flagman", for purposes of IC 9-21-8-41.7, has the meaning set forth in IC 9-21-8-41.7(a).

As added by P.L.8-2010, SEC.1.

IC 9-13-2-147

"Railroad sign or signal"

Sec. 147. "Railroad sign or signal" means a sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-148

Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.125-2012, SEC.21.)

IC 9-13-2-149

"Rebuilt vehicle"

Sec. 149. "Rebuilt vehicle" means a salvage vehicle that has been restored to an operable condition.

As added by P.L.2-1991, SEC.1. Amended by P.L.262-2013, SEC.15; P.L.198-2016, SEC.156.

IC 9-13-2-149.5

Repealed

(As added by P.L.2-1997, SEC.28. Amended by P.L.92-2013, SEC.27. Repealed by P.L.198-2016, SEC.157.)

IC 9-13-2-149.8
"Recovery vehicle"

Sec. 149.8. "Recovery vehicle" means a truck that is specifically designed for towing a disabled vehicle or a combination of vehicles.
As added by P.L.217-2014, SEC.8. Amended by P.L.198-2016, SEC.158.

IC 9-13-2-150
"Recreational vehicle"

Sec. 150. "Recreational vehicle" means a vehicle with or without motive power equipped exclusively for living quarters for persons traveling upon the highways. The term:

(1) does not include:
(A) a truck camper; or
(B) a mobile structure (as defined in IC 22-12-1-17); and

(2) does include a vehicle that:
(A) is designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use;
(B) is not permanently affixed to real property for use as a permanent dwelling;
(C) is built on a single chassis and mounted on wheels;
(D) does not exceed four hundred (400) square feet of gross area; and
(E) is certified by the manufacturer as complying with the American National Standards Institute A119.5 standard.

A vehicle described in this subdivision may commonly be referred to as a "park model RV".

As added by P.L.2-1991, SEC.1. Amended by P.L.216-2014, SEC.20; P.L.198-2016, SEC.159.

IC 9-13-2-150.3
"Recycling facility"

Sec. 150.3. (a) "Recycling facility" means a person, firm, limited liability company, corporation, or other legal entity that, in the course of business, engages in the acquisition and dismantling or demolition of vehicles, motorcycles, semitrailers, or recreational vehicles or their remains for the benefit of reusable components and parts or recyclable materials.

(b) The term includes the following enterprises:
(1) An automotive salvage recycler.
(2) A hulk crusher.
(3) A scrap metal processor that processes at least five (5) vehicles during a twelve (12) month period.

As added by P.L.151-2015, SEC.14.

IC 9-13-2-150.5
"Registered importer"

Sec. 150.5. "Registered importer" has the meaning set forth in IC 9-17-2-0.5.

As added by P.L.107-2008, SEC.8; P.L.131-2008, SEC.35.

IC 9-13-2-150.7
"Registration"

Sec. 150.7. "Registration", for purposes of IC 9-25-8, with respect to a vehicle, includes the license plate that is issued by the bureau in connection with the registration of the vehicle.

As added by P.L.10-2014, SEC.1.

IC 9-13-2-151
"Relevant evidence of intoxication"

Sec. 151. "Relevant evidence of intoxication" includes evidence that at the time of an alleged violation a person had an alcohol concentration equivalent to at least five-hundredths (0.05) gram, but less than eight-hundredths (0.08) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath.

As added by P.L.2-1991, SEC.1. Amended by P.L.33-1997, SEC.4; P.L.1-2000, SEC.4; P.L.175-2001, SEC.3.

IC 9-13-2-151.5
"Relevant market area"

Sec. 151.5. "Relevant market area", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-20.

As added by P.L.118-2001, SEC.1. Amended by P.L.37-2009, SEC.1; P.L.92-2013, SEC.28.

IC 9-13-2-151.7
"Rental company"

Sec. 151.7. "Rental company" has the meaning set forth in IC 24-4-9-7.

As added by P.L.268-2003, SEC.4.

IC 9-13-2-152
"Repair or replacement"

Sec. 152. "Repair or replacement" means the restoration of an odometer to a sound working condition by replacing the odometer or any part of the odometer or by correcting what is inoperative.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-152.5
Repealed

(As added by P.L.115-1993, SEC.1. Repealed by P.L.198-2016, SEC.160.)

IC 9-13-2-152.7
"Reserve components"

Sec. 152.7. "Reserve components" means the following:

(1) The United States Army National Guard.
(2) The United States Army Reserve.
(3) The United States Navy Reserve.
(4) The United States Marine Corps Reserve.
(5) The United States Air National Guard.
(6) The United States Air Force Reserve.
(7) The United States Coast Guard Reserve.
(8) The Indiana Army National Guard.
(9) The Indiana Air National Guard.

As added by P.L.198-2016, SEC.161.

IC 9-13-2-153
"Residence district"

Sec. 153. "Residence district" means the territory contiguous to and including a highway not comprising a business district, when the property on the highway for a distance of at least five hundred (500) feet is primarily improved with residences or residences and buildings in use for business.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-154
"Restricted license"

Sec. 154. "Restricted license" means any current driving license, on which the commission has designated restrictions.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-154.5
Repealed

(As added by P.L.86-1996, SEC.6. Amended by P.L.92-2013, SEC.29. Repealed by P.L.151-2015, SEC.15.)

IC 9-13-2-154.6
Repealed

(As added by P.L.86-1996, SEC.7. Amended by P.L.92-2013, SEC.30. Repealed by P.L.151-2015, SEC.16.)

IC 9-13-2-154.8
"Retractable tire studs"

Sec. 154.8. "Retractable tire studs", for purposes of IC 9-19-18, means tire studs that:

(1) are capable of being retracted; and
(2) otherwise satisfy the requirements of IC 9-19-18-3(d).

As added by P.L.35-2008, SEC.1.

IC 9-13-2-155
"Right-of-way"
Sec. 155. "Right-of-way" means the privilege of the immediate use of a highway.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-156
"Road tractor"
Sec. 156. "Road tractor" means a vehicle designed and used for drawing other vehicles and not constructed to carry any load independently or any part of the weight of a vehicle or load drawn independently.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-157
"Roadway"
Sec. 157. (a) Except as provided in subsection (b), "roadway" means that part of a highway improved, designed, or ordinarily used for vehicular travel.
(b) As used in IC 9-21-12-13, "roadway" means the part of a highway that is improved, designed, or ordinarily used for vehicular travel. The term does not include the sidewalk, berm, or shoulder, even if the sidewalk, berm, or shoulder is used by persons riding bicycles or other human powered vehicles.
As added by P.L.2-1991, SEC.1. Amended by P.L.42-2011, SEC.22.

IC 9-13-2-158
"Safety glazing materials"
Sec. 158. "Safety glazing materials", for purposes of IC 9-19-19, has the meaning set forth in IC 9-19-19-1.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-159
"Safety zone"
Sec. 159. "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and that is protected or is so marked or indicated by adequate signs as to be plainly visible at all times.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-159.5
"Sale"
Sec. 159.5. "Sale", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-23.
As added by P.L.92-2013, SEC.31.

IC 9-13-2-160
"Salvage vehicle"

Sec. 160. "Salvage vehicle" means any of the following:

(1) A vehicle that meets at least one (1) of the criteria set forth in IC 9-22-3-3.

(2) A vehicle, ownership of which is evidenced by a salvage title or by another ownership document of similar qualification and limitation issued by a state or jurisdiction other than the state of Indiana, and recognized by and acceptable to the bureau of motor vehicles.

As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.162.

IC 9-13-2-161
"School bus"

Sec. 161. (a) "School bus" means, except as provided in subsection (b), a bus used to transport preschool, elementary, or secondary school children to and from:

(1) school;

(2) school athletic games or contests; or

(3) other school functions.

(b) "School bus", for purposes of IC 9-21, means a motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, including project headstart, or privately owned and operated for compensation for the transportation of children to and from school, including project headstart.

As added by P.L.2-1991, SEC.1. Amended by P.L.54-1998, SEC.1; P.L.219-2003, SEC.2; P.L.146-2009, SEC.2; P.L.198-2016, SEC.163.

IC 9-13-2-161.3
"School crossing guard"

Sec. 161.3. "School crossing guard" means a person at least eighteen (18) years of age appointed by one (1) of the following:

(1) Safety board.

(2) Board of public works and safety.

(3) Town board.

(4) Board of public safety.

(5) Sheriff.

As added by P.L.116-1993, SEC.1.

IC 9-13-2-161.5
"School crossing zone"

Sec. 161.5. "School crossing zone" means a part of a roadway distinctly indicated for crossing by children on the way to or from school by lines or other markings on the surface of the roadway or by signs.

As added by P.L.116-1993, SEC.2.

IC 9-13-2-162
"Scrap metal processor"

Sec. 162. "Scrap metal processor" means a person:

(1) that engages in the acquisition of vehicles or the remains of vehicles;

(2) that has facilities for processing iron, steel, or nonferrous scrap; and

(3) whose principal product is scrap iron, scrap steel, or nonferrous scrap for sale for remelting purposes.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.32; P.L.198-2016, SEC.164.

IC 9-13-2-162.5
"Secretary"

Sec. 162.5. "Secretary", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-24.

As added by P.L.92-2013, SEC.33.

IC 9-13-2-163
"Sectionalized building"

Sec. 163. (a) "Sectionalized building" means, except as provided in subsection (b), any part of a finished structure.

(b) "Sectionalized building", for purposes of IC 9-20-15, means any part of a finished structure that has living quarters suitable for human use and that can be identified by a manufacturer's number sequence.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-164
"Semitrailer"

Sec. 164. (a) "Semitrailer", except as provided in subsection (b), means a vehicle without motive power, designed for carrying property and for being drawn by a motor vehicle, and so constructed that some part of the weight of the semitrailer and that of the semitrailer's load rests upon or is carried by another vehicle. The term does not include the following:

(1) A pole trailer.

(2) A two (2) wheeled homemade trailer.

(b) "Semitrailer", for purposes of IC 9-21, means a vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle. The term does not include a pole trailer.

As added by P.L.2-1991, SEC.1. Amended by P.L.198-2016, SEC.165.

IC 9-13-2-165
"Serious bodily injury"

Sec. 165. "Serious bodily injury" has the meaning set forth in IC 35-31.5-2-292.
As added by P.L.2-1991, SEC.1. Amended by P.L.114-2012, SEC.20.

IC 9-13-2-166
"Shopping center or private business property"
Sec. 166. "Shopping center" or "private business property", for purposes of IC 9-21-18, has the meaning set forth in IC 9-21-18-2.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-167
"Sidewalk"
Sec. 167. "Sidewalk" means the part of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-167.5
"Snowmobile"
Sec. 167.5. "Snowmobile" has the meaning set forth in IC 14-8-2-261.
As added by P.L.259-2013, SEC.9.

IC 9-13-2-168
"Solid tire"
Sec. 168. "Solid tire" means a tire of rubber or other resilient material that does not depend upon compressed air for the support of the load.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-168.3
"Solid waste hauler"
Sec. 168.3. "Solid waste hauler", for purposes of IC 9-21-8, has the meaning set forth in IC 9-21-8-0.4.
As added by P.L.188-2015, SEC.1.

IC 9-13-2-169
Repealed
(As added by P.L.2-1991, SEC.1. Repealed by P.L.210-2005, SEC.76.)

IC 9-13-2-170
"Special group"
Sec. 170. "Special group" means:
(1) a class or group of persons that the bureau finds:
(A) have made significant contributions to the United States, Indiana, or the group's community or are descendants of native or pioneer residents of Indiana;

(B) are organized as a nonprofit organization (as defined under Section 501(c) of the Internal Revenue Code);
(C) are organized for nonrecreational purposes; and
(D) are organized as a separate, unique organization or as a coalition of separate, unique organizations; or
(2) a National Football League franchised professional football team.

As added by P.L.2-1991, SEC.1. Amended by P.L.261-2001, SEC.1; P.L.214-2005, SEC.54.

IC 9-13-2-170.1
Repealed

(As added by P.L.125-2012, SEC.22. Repealed by P.L.198-2016, SEC.166.)

IC 9-13-2-170.3
"Special machinery"

Sec. 170.3. "Special machinery" means a vehicle:
(1) that is designed and used to perform a specific function that is unrelated to transporting people or property on a highway;
(2) on which is permanently mounted machinery or equipment used to perform operations unrelated to transportation on a highway; and
(3) that is incapable of, or would require substantial modification to be capable of, carrying a load.

As added by P.L.210-2005, SEC.11. Amended by P.L.125-2012, SEC.23; P.L.262-2013, SEC.16; P.L.198-2016, SEC.167.

IC 9-13-2-170.5
Repealed

(As added by P.L.216-2003, SEC.3. Repealed by P.L.216-2014, SEC.21.)

IC 9-13-2-170.7
"Special purpose bus"

Sec. 170.7. "Special purpose bus" has the meaning set forth in IC 20-27-2-10.

As added by P.L.107-2006, SEC.1.

IC 9-13-2-171
"Special tractor-mobile home rig"

Sec. 171. "Special tractor-mobile home rig" means any combination of a mobile home or sectionalized building and a towing vehicle having a width greater than one hundred forty-eight (148) inches and not greater than one hundred seventy-two (172) inches at the base and:
(1) of which the mobile home, including the hitch, is not more than eighty-five (85) feet and the tractor part is not less than

twelve (12) feet in length;

(2) a height not in excess of fourteen (14) feet, six (6) inches; or

(3) both of the dimensions in subdivisions (1) and (2).

As added by P.L.2-1991, SEC.1. Amended by P.L.61-1996, SEC.12; P.L.217-2003, SEC.1.

IC 9-13-2-172
"Speed contest"

Sec. 172. "Speed contest" means an unnecessary rapid acceleration by two (2) or more vehicles that creates a hazard to pedestrians, passengers, vehicles, or other property.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-173
"State"

Sec. 173. (a) "State" means, except as otherwise provided by this section and unless by the context some other state or territory or federal district of the United States is meant or intended, the state of Indiana.

(b) "State", for purposes of IC 9-27-1, means the state of Indiana, the governor of Indiana, an agency of the state of Indiana designated by the governor to receive federal aid, and any officer, board, bureau, commission, division, or department, any public body corporate and politic created by the state of Indiana for public purposes, or any state educational institution.

(c) "State", for purposes of IC 9-25, means any state in the United States, the District of Columbia, or any Province of the Dominion of Canada.

As added by P.L.2-1991, SEC.1. Amended by P.L.88-1996, SEC.2; P.L.2-2007, SEC.141; P.L.9-2010, SEC.9; P.L.198-2016, SEC.168.

IC 9-13-2-173.3
"State highway fund"

Sec. 173.3. "State highway fund" refers to the state highway fund established by IC 8-23-9-54. The term is synonymous with the primary highway system special account described in IC 8-14-2-1(1).

As added by P.L.216-2014, SEC.22.

IC 9-13-2-173.5
"State police building account"

Sec. 173.5. "State police building account" refers to the state police building account established by IC 9-14-14-4.

As added by P.L.216-2014, SEC.23. Amended by P.L.198-2016, SEC.169.

IC 9-13-2-173.7
"State motor vehicle technology fund"

Sec. 173.7. "State motor vehicle technology fund" refers to the state motor vehicle technology fund established by IC 9-14-14-3.
As added by P.L.216-2014, SEC.24. Amended by P.L.198-2016, SEC.170.

IC 9-13-2-174
"Stinger-steered vehicle"
Sec. 174. "Stinger-steered vehicle" means an automobile or a boat transporter configured as a semitrailer combination in which the fifth wheel is located as a drop frame located behind and below the rearmost axle of the power unit.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-174.5
"Storage yard"
Sec. 174.5. "Storage yard" for purposes of IC 9-22-1, has the meaning set forth in IC 9-22-1-3.5.
As added by P.L.104-2005, SEC.1.

IC 9-13-2-175
"Street or highway"
Sec. 175. "Street" or "highway" means the entire width between the boundary lines of every way publicly maintained when any part of the way is open to the use of the public for purposes of vehicular travel. The term includes an alley in a city or town.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-176
Repealed
(As added by P.L.2-1991, SEC.1. Repealed by P.L.113-2014, SEC.17; P.L.217-2014, SEC.9.)

IC 9-13-2-177
"Tandem axle group"
Sec. 177. "Tandem axle group" means two (2) or more axles spaced more than forty (40) inches and less than ninety-six (96) inches. For the purpose of enforcing the single axle weight limitation, the third axle of a tri-axle group of a truck shall be treated as if it were a single axle if it is independently suspended.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-177.3
"Telecommunications device"
Sec. 177.3. (a) "Telecommunications device", for purposes of IC 9-21-8, IC 9-25-4-7, IC 9-24-11-3.3 (before its repeal), and IC 9-24-11-3.7, means an electronic or digital telecommunications device. The term includes a:
(1) wireless telephone;

(2) personal digital assistant;
(3) pager; or
(4) text messaging device.
(b) The term does not include:
(1) amateur radio equipment that is being operated by a person licensed as an amateur radio operator by the Federal Communications Commission under 47 CFR Part 97; or
(2) a communications system installed in a commercial motor vehicle weighing more than ten thousand (10,000) pounds.
As added by P.L.101-2009, SEC.2. Amended by P.L.185-2011, SEC.1; P.L.59-2013, SEC.1; P.L.198-2016, SEC.171.

IC 9-13-2-177.4
"Text message"
Sec. 177.4. "Text message", for purposes of IC 9-21-8, has the meaning set forth in IC 9-21-8-0.5.
As added by P.L.185-2011, SEC.2.

IC 9-13-2-177.5
Repealed
(As added by P.L.268-2003, SEC.5. Repealed by P.L.198-2016, SEC.172.)

IC 9-13-2-178
"Through highway"
Sec. 178. "Through highway" means a highway or portion of a highway at the entrance to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on the through highway in obedience to either a stop sign or a yield sign.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-179
"Towing service"
Sec. 179. "Towing service" means a person that engages in moving or removing abandoned or disabled vehicles and, once the vehicles are moved or removed, stores or impounds the vehicles.
As added by P.L.2-1991, SEC.1. Amended by P.L.191-2007, SEC.2.

IC 9-13-2-180
"Tractor"
Sec. 180. "Tractor" means a motor vehicle designed and used primarily for drawing or propelling trailers, semitrailers, or vehicles of any kind. The term does not include a farm tractor.
As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.12.

IC 9-13-2-181
"Tractor-mobile home rig"
Sec. 181. "Tractor-mobile home rig" means a combination of a

mobile home or sectionalized building and a towing vehicle having either a combined overall length of more than sixty (60) feet and not more than one hundred ten (110) feet of which:

(1) the mobile home, including the hitch, is not more than eighty-five (85) feet; and

(2) the tractor part:

(A) is not less than twelve (12) feet in length;

(B) has a width of more than ninety-six (96) inches and not more than one hundred forty-eight (148) inches at the base;

(C) has a height of not more than fourteen (14) feet; or

(D) has at least two (2) of the dimensions in clauses (A) through (C).

As added by P.L.2-1991, SEC.1. Amended by P.L.217-2003, SEC.2.

IC 9-13-2-182
"Traffic"

Sec. 182. "Traffic" means pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.

As added by P.L.2-1991, SEC.1. Amended by P.L.113-2014, SEC.18; P.L.217-2014, SEC.10.

IC 9-13-2-183
"Traffic offense"

Sec. 183. "Traffic offense" means:

(1) a violation of a statute, an ordinance, a rule, or a regulation relating to the operation or use of motor vehicles; and

(2) any violation of a statute, an ordinance, a rule, or a regulation relating to the use of streets and highways by pedestrians or by the operation of any other vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.85-2013, SEC.19.

IC 9-13-2-184
"Trailer"

Sec. 184. (a) "Trailer" means, except as otherwise provided in this section, a vehicle:

(1) without motive power;

(2) designed for carrying persons or property;

(3) designed for being drawn by a motor vehicle; and

(4) so constructed that no part of the weight of the trailer rests upon the towing vehicle.

The term includes pole trailers and two (2) wheeled homemade trailers.

(b) "Trailer", for purposes of IC 9-21, means a vehicle:

(1) with or without motive power;

(2) designed for carrying persons or property;

(3) designed for being drawn by a motor vehicle; and

(4) so constructed that no part of the weight of the trailer rests

upon the towing vehicle.

The term does not include pole trailers or special machinery.

(c) "Trailer", for purposes of IC 9-21-8-12 through IC 9-21-8-13, means the combination of any motor vehicle towing another vehicle or trailer.

As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.24.

IC 9-13-2-185
"Transfer dealer"

Sec. 185. "Transfer dealer", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-25.

As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.6; P.L.92-2013, SEC.34.

IC 9-13-2-186
Repealed

(As added by P.L.2-1991, SEC.1. Repealed by P.L.198-2016, SEC.173.)

IC 9-13-2-187
"Transport operator"

Sec. 187. "Transport operator" means any of the following:

(1) An Indiana resident or business engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one (1) place to another by the drive away or tow away methods.

(2) An Indiana dealer or manufacturer engaged in the operation or business described in subdivision (1). An Indiana dealer described in this subdivision must hold a valid Indiana dealer license.

(3) An Indiana business that prepares newly purchased vehicles of the business and delivers the vehicles to the locations where the vehicles will be based, titled, and registered.

As added by P.L.2-1991, SEC.1. Amended by P.L.125-2012, SEC.25; P.L.262-2013, SEC.17; P.L.149-2015, SEC.25.

IC 9-13-2-187.5
Expired

(As added by P.L.147-2002, SEC.1. Amended by P.L.135-2013, SEC.4. Expired by P.L.135-2013, SEC.4.)

IC 9-13-2-188
"Truck"

Sec. 188. (a) "Truck" means a motor vehicle designed, used, or maintained primarily for the transportation of property.

(b) "Truck", for purposes of IC 9-21-8-3, includes the following:

(1) A motor vehicle designed and used primarily for drawing another vehicle and constructed to carry a load other than a part

of the weight of the vehicle and load drawn.

(2) A motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of agriculture.

As added by P.L.2-1991, SEC.1. Amended by P.L.210-2005, SEC.13.

IC 9-13-2-188.3
"Truck camper"

Sec. 188.3. "Truck camper" means a device without motive power that is installed in the bed of a truck to provide living quarters for persons traveling on a highway.

As added by P.L.198-2016, SEC.174.

IC 9-13-2-188.5
Repealed

(As added by P.L.188-2006, SEC.3. Amended by P.L.2-2007, SEC.142; P.L.145-2011, SEC.8; P.L.107-2012, SEC.1; P.L.125-2012, SEC.26; P.L.149-2015, SEC.26. Repealed by P.L.198-2016, SEC.175.)

IC 9-13-2-189
"Truck-tractor"

Sec. 189. (a) "Truck-tractor" means, except as provided in subsection (b), a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load so drawn.

(b) "Truck-tractor", for purposes of IC 9-20-13-2, means a noncargo carrying power unit designed to operate in combination with a semitrailer or trailer and includes a dromedary deck and plate.

As added by P.L.2-1991, SEC.1. Amended by P.L.91-1991, SEC.2.

IC 9-13-2-190
"Truck-tractor-semitrailer-semitrailer"

Sec. 190. "Truck-tractor-semitrailer-semitrailer" refers to a combination of vehicles containing two (2) trailing units connected with a B-train assembly.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-191
"Ultimate purchaser"

Sec. 191. "Ultimate purchaser" means the first person, other than a dealer purchasing in the dealer's capacity as a dealer, who in good faith purchases a motor vehicle for purposes other than resale.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-191.5
"Uniform time standards manual"

Sec. 191.5. "Uniform time standards manual", for purposes of

IC 9-32, has the meaning set forth in IC 9-32-2-26.
As added by P.L.78-2002, SEC.4. Amended by P.L.92-2013, SEC.35.

IC 9-13-2-192
"Unit"
Sec. 192. "Unit", for purposes of IC 9-21-18, IC 9-32-9-3, IC 9-32-11-2, IC 9-32-11-6, and IC 9-32-11-11.5, has the meaning set forth in IC 9-21-18-3.
As added by P.L.2-1991, SEC.1. Amended by P.L.151-2015, SEC.17.

IC 9-13-2-193
"Urban district"
Sec. 193. "Urban district" means the territory contiguous to and including any street that is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than two hundred (200) feet for a distance of at least one-fourth (1/4) mile.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-194
"Used major component part"
Sec. 194. "Used major component part" does not include a remanufactured part.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-195
"Used parts dealer"
Sec. 195. "Used parts dealer", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-27.
As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.36.

IC 9-13-2-196
"Vehicle"
Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway. The term does not include the following:
(1) A device moved by human power.
(2) A device that runs only on rails or tracks.
(3) A wheelchair.
(b) For purposes of IC 9-17, the term includes the following:
(1) Off-road vehicles.
(2) Manufactured homes or mobile homes that are:
(A) personal property not held for resale; and
(B) not attached to real estate by a permanent foundation.
(3) Watercraft.
(c) For purposes of IC 9-22 and IC 9-32, the term refers to a vehicle of a type that must be registered under IC 9-18-2 (before its

expiration) or IC 9-18.1, other than an off-road vehicle or a snowmobile under IC 9-18-2.5 (before its expiration) or IC 9-18.1-4.

(d) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device.

As added by P.L.2-1991, SEC.1. Amended by P.L.88-1998, SEC.2; P.L.143-2002, SEC.4; P.L.210-2005, SEC.14; P.L.41-2006, SEC.2; P.L.9-2010, SEC.10; P.L.221-2014, SEC.16; P.L.198-2016, SEC.176.

IC 9-13-2-196.3
"Vehicular substance offense"

Sec. 196.3. "Vehicular substance offense", for purposes of IC 9-30-15.5, has the meaning set forth in IC 9-30-15.5-1.

As added by P.L.217-2014, SEC.11.

IC 9-13-2-196.5
"Veteran"

Sec. 196.5. "Veteran" means an individual who:

(1) is serving in; or

(2) under conditions other than dishonorable, was discharged or separated from service in;

the armed forces of the United States or their reserve components.

As added by P.L.58-2006, SEC.1. Amended by P.L.198-2016, SEC.177.

IC 9-13-2-197
"Violation"

Sec. 197. "Violation", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-198
"Wagon"

Sec. 198. Except as provided in section 60(a)(2) or 60(a)(3) of this chapter, "wagon" means a vehicle that is:

(1) without motive power;

(2) designed to be pulled by a motor vehicle;

(3) constructed so that no part of the weight of the wagon rests upon the towing vehicle;

(4) equipped with a flexible tongue; and

(5) capable of being steered by the front two (2) wheels.

As added by P.L.2-1991, SEC.1. Amended by P.L.150-2009, SEC.4; P.L.198-2016, SEC.178.

IC 9-13-2-198.5
"Watercraft"

Sec. 198.5. "Watercraft" means a contrivance used or designed for navigation on water, including a vessel, boat, motor vessel, steam vessel, sailboat, vessel operated by machinery either permanently or temporarily affixed, scow, tugboat, or any marine equipment that is capable of carrying passengers, except a ferry.
As added by P.L.71-1991, SEC.8.

IC 9-13-2-198.7
"Waters of Indiana"

Sec. 198.7. (a) "Waters of Indiana" means all waters within the boundaries of Indiana.

(b) The term includes every lake, river, stream, canal, ditch, and body of water owned or controlled by a public utility that is subject to the jurisdiction of the state.
As added by P.L.71-1991, SEC.9.

IC 9-13-2-199
Repealed

(As added by P.L.2-1991, SEC.1. Amended by P.L.92-2013, SEC.37. Repealed by P.L.174-2016, SEC.9.)

IC 9-13-2-200
"Worksite"

Sec. 200. "Worksite" means a location or area upon which:

(1) a public purpose construction or maintenance activity; or
(2) a private purpose construction or maintenance activity that is authorized by a governmental agency;

is being performed on a highway. The term includes the lanes of a highway leading up to the area upon which an activity described in subdivision (1) or (2) is being performed, beginning at the point where appropriate signs directing vehicles to merge from one (1) lane into another lane are posted.
As added by P.L.2-1991, SEC.1. Amended by P.L.75-1999, SEC.1.

IC 9-13-2-201
Repealed

(As added by P.L.88-1998, SEC.3. Amended by P.L.150-2001, SEC.3; P.L.182-2009(ss), SEC.283. Repealed by P.L.198-2016, SEC.179.)

IC 9-14

ARTICLE 14. BUREAU OF MOTOR VEHICLES

IC 9-14-1

Repealed

(Repealed by P.L.198-2016, SEC.180.)

IC 9-14-2
Repealed

(Repealed by P.L.198-2016, SEC.181.)

IC 9-14-3
Repealed

(Repealed by P.L.198-2016, SEC.182.)

IC 9-14-3.5
Repealed

(Repealed by P.L.198-2016, SEC.183.)

IC 9-14-4
Repealed

(Repealed by P.L.198-2016, SEC.184.)

IC 9-14-5
Repealed

(Repealed by P.L.198-2016, SEC.185.)

IC 9-14-6
Chapter 6. Definitions

IC 9-14-6-1
Applicability of chapter
Sec. 1. The definitions in this chapter apply throughout this article.
As added by P.L.198-2016, SEC.186.

IC 9-14-6-2
"Disclose"
Sec. 2. "Disclose" means to engage in a practice or conduct to make available and make known personal information contained in a record about a person to another person by any means of communication.
As added by P.L.198-2016, SEC.186.

IC 9-14-6-3
"Electronic record"
Sec. 3. "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.
As added by P.L.198-2016, SEC.186.

IC 9-14-6-4
"Electronic signature"
Sec. 4. "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record.
As added by P.L.198-2016, SEC.186.

IC 9-14-6-5
"Highly restricted personal information"
Sec. 5. "Highly restricted personal information" means the following information that identifies an individual:
(1) Digital photograph or image.
(2) Social Security number.
(3) Medical or disability information.
As added by P.L.198-2016, SEC.186.

IC 9-14-6-6
"Personal information"
Sec. 6. "Personal information" means information that identifies an individual, including an individual's:
(1) digital photograph or image;
(2) Social Security number;
(3) driver's license or identification document number;
(4) name;

(5) address (but not the ZIP code);
(6) telephone number; or
(7) medical or disability information.

The term does not include information about vehicular accidents, driving or equipment related violations, and driver's license or registration status.

As added by P.L.198-2016, SEC.186.

IC 9-14-6-7
"Record"

Sec. 7. "Record" means any information, books, papers, photographs, photostats, cards, films, tapes, recordings, electronic data, printouts, or other documentary materials, regardless of medium, that are created or maintained by the bureau.

As added by P.L.198-2016, SEC.186.

IC 9-14-7

Chapter 7. Creation and Organization of Bureau of Motor Vehicles

IC 9-14-7-1

Creation of bureau

Sec. 1. The bureau of motor vehicles is created.

As added by P.L.198-2016, SEC.187.

IC 9-14-7-2

Appointment of commissioner of bureau

Sec. 2. The governor shall appoint a commissioner to administer the bureau. The commissioner serves at the pleasure of the governor. Subject to IC 4-12-1-13, the governor shall fix the salary of the commissioner at the time of appointment.

As added by P.L.198-2016, SEC.187.

IC 9-14-8

Chapter 8. Powers and Duties of the Bureau and the Commissioner

IC 9-14-8-1

Duties of commissioner

Sec. 1. The commissioner shall do the following:

(1) Administer and enforce:

(A) this title and other statutes concerning the bureau; and

(B) the policies and procedures of the bureau.

(2) Organize the bureau in the manner necessary to carry out the duties of the bureau, including by appointing and fixing the salaries of the deputies, subordinate officers, clerks, and other employees necessary to carry out this title, IC 6-6-5, IC 6-6-5.1, IC 6-6-5.5, and IC 6-6-11.

(3) Submit budget proposals for the bureau to the budget director before September 1 of each year.

(4) Not later than August 1 of each year, prepare for the interim study committee on roads and transportation a report that includes updates on the following:

(A) Significant policy changes, including changes in implementation.

(B) Contracts with third parties for performance of department responsibilities and functions.

(C) Projects or other undertakings required by law.

(D) Any other information requested by the study committee.

The report must be submitted in an electronic format under IC 5-14-6.

(5) Design and procure a seal of office for the bureau.

(6) Appoint members to the driver licensing medical advisory board under IC 9-14-11-3.

(7) Operate or be responsible for the administration of all license branches in Indiana under IC 9-14.1.

(8) Assign to license branches those functions that:

(A) the commission or the bureau is legally required or authorized to perform; and

(B) cannot be adequately performed by the commission or the bureau without assistance from the license branches.

(9) Perform other duties as required by the bureau.

As added by P.L.198-2016, SEC.188.

IC 9-14-8-2

Duties of bureau

Sec. 2. The bureau shall do the following:

(1) Prescribe and provide all forms necessary to carry out any laws or rules administered and enforced by the bureau.

(2) Maintain records under IC 9-14-12.

(3) At the close of the calendar year, make a final settlement for all the money in accounts administered by the bureau and make any necessary adjustments to meet the intent of IC 8-14-2.

As added by P.L.198-2016, SEC.188.

IC 9-14-8-3

Powers of bureau

Sec. 3. The bureau may do the following:

(1) Adopt and enforce rules under IC 4-22-2 that are necessary to carry out this title.

(2) Subject to the approval of the commission, request the necessary office space, storage space, and parking facilities for each license branch operated by the commission from the Indiana department of administration as provided in IC 4-20.5-5-5.

(3) Upon any reasonable ground appearing on the records of the bureau and subject to rules and guidelines of the bureau, suspend or revoke the following:

(A) The current driving privileges or driver's license of any individual.

(B) The certificate of registration and proof of registration for any vehicle.

(C) The certificate of registration and proof of registration for any watercraft, off-road vehicle, or snowmobile.

(4) With the approval of the commission, adopt rules under IC 4-22-2 to do the following:

(A) Increase or decrease any fee or charge imposed under this title.

(B) Impose a fee on any other service for which a fee is not imposed under this article.

(C) Increase or decrease a fee imposed under clause (B).

(D) Designate the fund or account in which a:

(i) fee increase under clause (A) or (C); or

(ii) new fee under clause (B);

shall be deposited.

As added by P.L.198-2016, SEC.188.

IC 9-14-8-4

Internal audit and review of bureau

Sec. 4. The bureau is subject to internal audit and review under IC 5-11-1-28.

As added by P.L.198-2016, SEC.188.

IC 9-14-9

Chapter 9. Creation and Organization of the Bureau of Motor Vehicles Commission

IC 9-14-9-1

Establishment of bureau of motor vehicles commission

Sec. 1. The bureau of motor vehicles commission is established. The commission is a body corporate and politic, and though separate from the state, the exercise by the commission of the commission's powers constitutes an essential governmental function. The commission may sue and be sued and plead and be impleaded.

As added by P.L.198-2016, SEC.189.

IC 9-14-9-2

Membership of commission board

Sec. 2. The commission board acts on behalf of the commission and consists of the following five (5) members:

(1) Four (4) individuals, not more than two (2) of whom may be members of the same political party, who are appointed by the governor. An individual appointed under this subdivision:

(A) serves for a term of four (4) years;

(B) may not hold any other public office or serve as a state or local employee while serving as a commission board member; and

(C) shall devote as much time as is needed to carry out the commission board's obligations, but is not required to devote full time to the commission board.

(2) The commissioner, who:

(A) shall serve as chair of the commission board; and

(B) is responsible for calling commission board meetings.

As added by P.L.198-2016, SEC.189.

IC 9-14-9-3

Membership of commission

Sec. 3. The commission consists of the following:

(1) All officers and employees of the license branches.

(2) Other officers and employees designated by the commission board as commission employees.

As added by P.L.198-2016, SEC.189.

IC 9-14-9-4

Quorum

Sec. 4. Three (3) commission board members constitute a quorum. The consent of three (3) commission board members is required before any action may be taken.

As added by P.L.198-2016, SEC.189.

IC 9-14-9-5

Salary per diem; reimbursement

Sec. 5. (a) Each member of the commission board appointed under section 2(1) of this chapter is entitled to:

(1) the minimum salary per diem provided by IC 4-10-11-2.1(b); and

(2) reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) The commissioner, in the capacity as chair of the commission board, is entitled to reimbursement as a state employee for traveling expenses and other expenses actually incurred in connection with the chair's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

As added by P.L.198-2016, SEC.189.

IC 9-14-9-6

Duties

Sec. 6. The commission shall:

(1) develop a statewide license branch budget; and

(2) on a date specified by the budget agency of each even-numbered year, submit to the budget agency a proposed budget.

As added by P.L.198-2016, SEC.189.

IC 9-14-9-7

Tort claim immunity

Sec. 7. IC 34-13-3 applies to a claim or suit in tort against any of the following:

(1) A member of the commission board.

(2) An employee of the commission.

As added by P.L.198-2016, SEC.189.

IC 9-14-9-8

Commission property

Sec. 8. Property of the commission is public property devoted to an essential public and governmental function and purpose and is exempt from all taxes and special assessments of the state or a political subdivision of the state.

As added by P.L.198-2016, SEC.189.

IC 9-14-9-9

Audit by state board of accounts

Sec. 9. The state board of accounts shall audit all accounts of the commission.

As added by P.L.198-2016, SEC.189.

IC 9-14-10

Chapter 10. Powers and Duties of the Commission Board

IC 9-14-10-1

Duties of commission board

Sec. 1. The commission board shall do the following:

(1) Recommend legislation needed to operate the license branches.

(2) Recommend rules needed to operate the license branches.

(3) Review budget proposals for the commission and the license branches operated under IC 9-14.1, including the budget required by IC 9-14.1-5-4 and IC 9-14.1-5-5.

(4) Establish the determination criteria and determine the number and location of license branches to be operated under IC 9-14.1.

(5) Establish and adopt minimum standards for the operation and maintenance of each physical or virtual location at which services are provided by a full service provider or partial services provider operated under IC 9-14.1.

(6) Administer the commission fund established under IC 9-14-14-1.

As added by P.L.198-2016, SEC.190.

IC 9-14-10-2

Powers of commission board

Sec. 2. The commission board may do the following:

(1) Procure insurance against any loss in connection with the commission's operations in the amount the commission board considers necessary or desirable.

(2) Contract with a qualified person:

(A) to serve as a full service provider under IC 9-14.1-3-1;

(B) to serve as a partial services provider under IC 9-14.1-3-2; or

(C) for other services to process specific transactions as outlined by the commission.

(3) Notwithstanding IC 5-16, IC 5-17-1, and IC 5-22, develop a system of procurement that applies only to procurement of equipment, materials, services, and goods required for the operation of license branches under IC 9-14.1.

(4) Either:

(A) develop a retirement program for managers and employees of license branches; or

(B) cause managers and employees of license branches to be members of the public employees' retirement fund (IC 5-10.3-7).

(5) Enter into lease agreements as necessary for office space, storage space, and parking facilities for license branches under IC 9-14.1.

(6) Take any other action necessary to achieve the commission's purpose.

As added by P.L.198-2016, SEC.190.

IC 9-14-10-3

Personnel system for commission employees

Sec. 3. The commission board may develop a separate personnel system for employees of the commission who are assigned to be managers and employees of license branches. The system may establish the rights, privileges, powers, and duties of these employees, including a license branch pay scale and benefit package. If the commission board does not develop and adopt a license branch personnel system, those employees are subject to the state personnel system under IC 4-15-2.2, except as provided in IC 9-14.1-2-5(d).

As added by P.L.198-2016, SEC.190.

IC 9-14-11

Chapter 11. Driver Licensing Medical Advisory Board

IC 9-14-11-1

"Board"

Sec. 1. As used in this chapter, "board" refers to the driver licensing medical advisory board established under section 2 of this chapter.

As added by P.L.198-2016, SEC.191.

IC 9-14-11-2

Establishment of driver licensing medical advisory board

Sec. 2. The driver licensing medical advisory board is established.

As added by P.L.198-2016, SEC.191.

IC 9-14-11-3

Membership

Sec. 3. The board consists of five (5) members, of whom:

(1) two (2) members must have unlimited licenses to practice medicine in Indiana, including one (1) neurologist with expertise in epilepsy; and

(2) one (1) member must be licensed as an optometrist.

The board members serve at the pleasure of the commissioner.

As added by P.L.198-2016, SEC.191.

IC 9-14-11-4

Reimbursement; salary per diem

Sec. 4. A board member is entitled to be reimbursed for travel expenses necessarily incurred in the performance of the member's duties and is also entitled to receive a salary per diem as prescribed by the budget agency.

As added by P.L.198-2016, SEC.191.

IC 9-14-11-5

Duties of board

Sec. 5. The board shall provide the commissioner and the office of traffic safety created by IC 9-27-2-2 with assistance in the administration of Indiana driver licensing laws, including:

(1) providing guidance to the commissioner in the area of licensing drivers with health or other problems that may adversely affect a driver's ability to operate a vehicle safely;

(2) recommending factors to be used in determining qualifications and ability for issuance and retention of a driver's license; and

(3) recommending and participating in the review of license suspension, restriction, or revocation appeal procedures, including reasonable investigation into the facts of the matter.

As added by P.L.198-2016, SEC.191.

IC 9-14-11-6
Request for assistance by commissioner

Sec. 6. The commissioner may request assistance from any of the board members at any time.

As added by P.L.198-2016, SEC.191.

IC 9-14-11-7
Exemption from civil actions

Sec. 7. A member of the board is exempt from a civil action arising or thought to arise from an action taken in good faith as a member of the board.

As added by P.L.198-2016, SEC.191.

IC 9-14-11-8
Practice of medicine

Sec. 8. The evaluation of medical reports for the commissioner by a member of the board does not constitute the practice of medicine. This chapter does not authorize a person to engage in the practice of the healing arts or the practice of medicine as defined by law.

As added by P.L.198-2016, SEC.191.

IC 9-14-12
Chapter 12. Records of the Bureau

IC 9-14-12-1
Records open to public inspection

Sec. 1. All records of the bureau, except:
(1) those declared by law to be confidential; or
(2) those containing personal information;
must be open to public inspection during office hours in accordance with IC 5-14.
As added by P.L.198-2016, SEC.192.

IC 9-14-12-2
Duties of bureau

Sec. 2. The bureau shall maintain the following records:
(1) All records related to or concerning certificates of title issued by the bureau under IC 9-17 and IC 9-31, including the following:
(A) An original certificate of title and all assignments and reissues of the certificate of title.
(B) All documents submitted in support of an application for a certificate of title.
(C) Any notations affixed to a certificate of title.
(D) A listing of all reported buyback vehicles in accordance with IC 9-17-3-3.5.
(E) Any inspection that is conducted:
(i) by an employee of the bureau or commission; and
(ii) with respect to a certificate of title issued by the bureau.
(2) All records related to or concerning registrations issued under IC 9-18 (before its expiration), IC 9-18.1, or IC 9-31, including the following:
(A) The distinctive registration number assigned to each vehicle registered under IC 9-18 (before its expiration) or IC 9-18.1 or each watercraft registered under IC 9-31.
(B) All documents submitted in support of applications for registration.
(3) All records related to or concerning credentials issued by the bureau under IC 9-24, including applications and information submitted by applicants.
(4) All driving records maintained by the bureau under section 3 of this chapter.
(5) A record of each individual that acknowledges making an anatomical gift as set forth in IC 9-24-17.
As added by P.L.198-2016, SEC.192.

IC 9-14-12-3
Driving record

Sec. 3. (a) For each individual licensed by the bureau to operate a motor vehicle, the bureau shall create and maintain a driving record that contains the following:

(1) The individual's convictions for any of the following:

(A) A moving traffic violation.

(B) Operating a vehicle without financial responsibility in violation of IC 9-25.

(2) Any administrative penalty imposed by the bureau.

(3) Any suspensions, revocations, or reinstatements of the individual's driving privileges, license, or permit.

(4) If the driving privileges of the individual have been suspended or revoked by the bureau, an entry in the record stating that a notice of suspension or revocation was mailed to the individual by the bureau and the date of the mailing of the notice.

(5) Any requirement that the individual may operate only a motor vehicle equipped with a certified ignition interlock device.

A driving record may not contain voter registration information.

(b) For an Indiana resident who does not hold any type of valid driving license, the bureau shall maintain a driving record as provided in IC 9-24-18-9.

As added by P.L.198-2016, SEC.192.

IC 9-14-12-4

Record requests

Sec. 4. All requests for records maintained under this chapter must be:

(1) submitted in writing; or

(2) made electronically through the computer gateway administered under IC 4-13.1-2-2(a)(5) by the office of technology;

to the bureau and, unless exempted by law, must be accompanied by the payment of the applicable fee prescribed in section 7 of this chapter.

As added by P.L.198-2016, SEC.192.

IC 9-14-12-5

Certified copies

Sec. 5. (a) Upon receiving a request that complies with section 4 of this chapter, the bureau shall prepare and deliver a certified copy of any record of the bureau that is not otherwise declared by law to be confidential.

(b) A certified copy of a record obtained under subsection (a) is admissible in a court proceeding as if the copy were the original. However, a driving record maintained under section 3 of this chapter is not admissible as evidence in any action for damages arising out of a motor vehicle accident.

(c) An electronic record of the bureau obtained from the bureau that bears an electronic signature is admissible in a court proceeding as if the copy were the original.
As added by P.L.198-2016, SEC.192.

IC 9-14-12-6
Requests by law enforcement and government agencies

Sec. 6. (a) The bureau shall give precedence to requests under this chapter from law enforcement agencies and agencies of government for certified copies of records.

(b) The bureau may not impose a fee on a law enforcement agency, an agency of government, or an operator (as defined in IC 9-21-3.5-4) for a request made under this chapter.
As added by P.L.198-2016, SEC.192.

IC 9-14-12-7
Fees for certified copies

Sec. 7. (a) The fee for a certified copy of a record maintained by the bureau under this chapter is as follows:

(1) For a record that is generated by the bureau's computer systems, including a driving record, four dollars ($4) for each certified copy requested.

(2) For a record that is not generated by the bureau's computer systems, eight dollars ($8) for each certified copy requested.

(b) A fee imposed under this section:

(1) is instead of the uniform copying fee established under IC 5-14-3-8; and

(2) shall be deposited in the motor vehicle highway account.
As added by P.L.198-2016, SEC.192.

IC 9-14-12-8
Specific written requests; fee; permissible uses; violation

Sec. 8. (a) Upon the submission to the bureau of a specific written request for a compilation of specific information requested for the purposes described in subsection (c), the bureau may contract with the requesting person to compile the requested information from the records of the bureau.

(b) The bureau may charge an amount agreeable to the parties for information compiled under subsection (a).

(c) A person that makes a request under this section must certify that the information compiled in response to the request will be used for one (1) of the following purposes:

(1) For notifying vehicle owners of vehicle defects and recalls.

(2) For research or statistical reporting purposes. Individual identities will be properly protected in the preparation of the research or reports and not ascertainable from the published reports or research results.

(3) For documenting the sale of motor vehicles in Indiana.

(4) For purposes of the federal Selective Service System.

(5) Solely for law enforcement purposes by police officers.

(6) For locating a parent described in IC 31-25-3-2(c) as provided under IC 31-25-3-2.

(d) A person that requests information under this section for a purpose not specified in subsection (c) commits a Class C infraction.
As added by P.L.198-2016, SEC.192.

IC 9-14-12-9
Destruction of disposal of records

Sec. 9. The bureau may destroy or otherwise dispose of any records of the bureau:

(1) in accordance with the bureau's record retention schedule; or

(2) with permission from the Indiana archives and record administration under IC 5-15-5.1-14.

As added by P.L.198-2016, SEC.192.

IC 9-14-13

Chapter 13. Privacy and Disclosure of Bureau Records

IC 9-14-13-1

Voter registration information

Sec. 1. (a) The bureau may not compile information concerning voter registration under this article.

(b) Voter registration information received or maintained by the bureau is confidential.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-2

Disclosure of certain information

Sec. 2. (a) The bureau shall not disclose:

(1) the Social Security number;

(2) the federal identification number;

(3) the driver's license number;

(4) the digital image of the driver's license, identification card, or photo exempt identification card applicant;

(5) a reproduction of the signature secured under IC 9-24-9-1, IC 9-24-16-2, or IC 9-24-16.5-2; or

(6) medical or disability information;

of any individual except as provided in subsection (b).

(b) The bureau may disclose any information listed in subsection (a):

(1) to a law enforcement officer;

(2) to an agent or a designee of the department of state revenue;

(3) for uses permitted under IC 9-14-13-7(1), IC 9-14-13-7(4), IC 9-14-13-7(6), and IC 9-14-13-7(9); or

(4) for voter registration and election purposes required under IC 3-7 or IC 9-24-2.5.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-3

Confidential records related to law enforcement

Sec. 3. (a) If the governor, the superintendent of the state police department, or the highest officer located in Indiana of the Federal Bureau of Investigation, the United States Secret Service, or the United States Treasury Department certifies to the bureau that:

(1) an individual named in the certification is an officer or employee of a state, county, or city department or bureau with police power;

(2) the nature of the individual's work or duties is of a secret or confidential nature; and

(3) in the course of the individual's work the individual uses the motor vehicle described in the certification;

the bureau shall regard all of the bureau's records concerning the certificate of title or certificate of registration of the motor vehicle

and the driver's license of the individual described in the certification as confidential.

(b) The bureau may disclose the records described in subsection (a) only upon one (1) of the following:

(1) An order of a court with jurisdiction made in a cause or matter pending before the court.

(2) The written request of the officer, employee, or a successor of the officer or employee making the certification.

(3) A request of the governor.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-4

Registrants under the International Registration Plan

Sec. 4. (a) The department of state revenue shall adopt rules under IC 4-22-2 providing for the release of a list of registrants under the International Registration Plan.

(b) The list must be limited to the following:

(1) The name of the registrant.

(2) The complete address of the registrant.

(3) The number of Indiana miles, total miles, and number of each type of vehicle registered by the registrant.

(c) The list described in this section is not confidential.

(d) Notwithstanding IC 5-14-3-8, the department of state revenue may charge for a list of registrants under this section an amount that is agreeable to the parties.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-5

Prohibition against disclosure of personal information

Sec. 5. Except as otherwise provided in this chapter:

(1) an officer or employee of the bureau;

(2) an officer or employee of the bureau of motor vehicles commission; or

(3) a contractor of the bureau or the bureau of motor vehicles commission (or an officer or employee of the contractor);

may not knowingly disclose or otherwise make available personal information, including highly restricted personal information.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-6

Disclosure of certain personal information for federal purposes

Sec. 6. Personal information related to:

(1) motor vehicle or driver safety and theft;

(2) motor vehicle emissions;

(3) motor vehicle product alterations, recalls, or advisories;

(4) performance monitoring of motor vehicles and dealers by motor vehicle manufacturers; and

(5) the removal of nonowner records from the original owner

records of motor vehicle manufacturers;

must be disclosed under this chapter to carry out the purposes of the federal Automobile Information Disclosure Act (15 U.S.C. 1231 et seq.), the Anti-Car Theft Act of 1992 (49 U.S.C. 33101 et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), and all federal regulations enacted or adopted under those acts.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-7

Disclosure of personal information other than highly restricted personal information for certain purposes

Sec. 7. The bureau may disclose certain personal information that is not highly restricted personal information if the person requesting the information provides proof of identity and represents that the use of the personal information will be strictly limited to at least one (1) of the following:

(1) For use by a government agency, including a court or law enforcement agency, in carrying out its functions, or a person acting on behalf of a government agency in carrying out its functions.

(2) For use in connection with matters concerning:

(A) motor vehicle or driver safety and theft;

(B) motor vehicle emissions;

(C) motor vehicle product alterations, recalls, or advisories;

(D) performance monitoring of motor vehicles, motor vehicle parts, and dealers;

(E) motor vehicle market research activities, including survey research;

(F) the removal of nonowner records from the original owner records of motor vehicle manufacturers; and

(G) motor fuel theft under IC 24-4.6-5.

(3) For use in the normal course of business by a business or its agents, employees, or contractors, but only:

(A) to verify the accuracy of personal information submitted by an individual to the business or its agents, employees, or contractors; and

(B) if information submitted to a business is not correct or is no longer correct, to obtain the correct information only for purposes of preventing fraud by pursuing legal remedies against, or recovering on a debt or security interest against, the individual.

(4) For use in connection with a civil, a criminal, an administrative, or an arbitration proceeding in a court or government agency or before a self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or under an order of a court.

(5) For use in research activities, and for use in producing

statistical reports, as long as the personal information is not published, redisclosed, or used to contact the individuals who are the subject of the personal information.

(6) For use by an insurer, an insurance support organization, or a self-insured entity, or the agents, employees, or contractors of an insurer, an insurance support organization, or a self-insured entity in connection with claims investigation activities, anti-fraud activities, rating, or underwriting.

(7) For use in providing notice to the owners of towed or impounded vehicles.

(8) For use by a licensed private investigative agency or licensed security service for a purpose allowed under this section.

(9) For use by an employer or its agent or insurer to obtain or verify information relating to a holder of a commercial driver's license that is required under the Commercial Motor Vehicle Safety Act of 1986 (49 U.S.C. 31131 et seq.).

(10) For use in connection with the operation of private toll transportation facilities.

(11) For any use in response to requests for individual motor vehicle records when the bureau has obtained the written consent of the person to whom the personal information pertains.

(12) For bulk distribution for surveys, marketing, or solicitations when the bureau has obtained the written consent of the person to whom the personal information pertains.

(13) For use by any person, when the person demonstrates, in a form and manner prescribed by the bureau, that written consent has been obtained from the individual who is the subject of the information.

(14) For any other use specifically authorized by law that is related to the operation of a motor vehicle or public safety.

However, this section does not affect the use of anatomical gift information on a person's driver's license or identification document issued by the bureau, nor does this section affect the administration of anatomical gift initiatives in Indiana.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-8

Disclosure of highly restricted personal information

Sec. 8. Highly restricted personal information may be disclosed only as follows:

(1) With the express written consent of the person to whom the highly restricted personal information pertains.

(2) In the absence of the express written consent of the person to whom the highly restricted personal information pertains, if the person requesting the information:

(A) provides proof of identity; and

(B) represents that the use of the highly restricted personal information will be strictly limited to at least one (1) of the uses set forth in section 7(1), 7(4), 7(6), and 7(9) of this chapter.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-9

Conditions for disclosure of personal information

Sec. 9. The bureau may, before disclosing personal information, require the requesting person to satisfy certain conditions for the purpose of ascertaining:

(1) the correct identity of the requesting person;

(2) that the use of the disclosed information will be only as authorized; or

(3) that the consent of the person who is the subject of the information has been obtained.

The conditions may include the making and filing of a written application on a form prescribed by the bureau and containing all information and certification requirements required by the bureau.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-10

Permissible uses of personal information by an authorized recipient

Sec. 10. (a) An authorized recipient of personal information, except a recipient under section 7(11) or 7(12) of this chapter, may resell or redisclose the information for any use allowed under section 7 of this chapter, except for a use under section 7(11) or 7(12) of this chapter.

(b) An authorized recipient of a record under section 7(11) of this chapter may resell or redisclose personal information for any purpose.

(c) An authorized recipient of personal information under IC 9-14-12-8 and section 7(12) of this chapter may resell or redisclose the personal information for use only in accordance with section 7(12) of this chapter.

(d) Except for a recipient under section 7(11) of this chapter, a recipient who resells or redisclosures personal information is required to maintain and make available for inspection to the bureau, upon request, for at least five (5) years, records concerning:

(1) each person that receives the information; and

(2) the permitted use for which the information was obtained.

As added by P.L.198-2016, SEC.193.

IC 9-14-13-11

Violation

Sec. 11. A person requesting the disclosure of personal information or highly restricted personal information from bureau

records who knowingly or intentionally misrepresents the person's identity or makes a false statement to the bureau on an application required to be submitted under this chapter commits a Class C misdemeanor.

As added by P.L.198-2016, SEC.193.

IC 9-14-14

Chapter 14. Funds

IC 9-14-14-1

Bureau of motor vehicles commission fund

Sec. 1. (a) The bureau of motor vehicles commission fund is established for the purpose of paying the expenses incurred in administering IC 9-14.1. The commission shall administer the fund.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(d) There is annually appropriated to the commission the money in the fund for its use in carrying out the purposes of IC 9-14.1, subject to the approval of the budget agency.

(e) The fund consists of the following:

(1) Money deposited in or distributed to the fund under this title.

(2) Money deposited in the fund under IC 9-29-14-5 (before its repeal).

(3) Money received from any other source, including appropriations.

As added by P.L.198-2016, SEC.194.

IC 9-14-14-2

Motor vehicle odometer fund

Sec. 2. (a) The motor vehicle odometer fund is established. The fund consists of the following:

(1) Amounts deposited in the fund under this title.

(2) Money deposited in the fund under IC 9-29-1-5 (before its repeal).

(3) Money deposited in the fund from any other source.

(b) All money in the motor vehicle odometer fund shall be allocated each July as follows:

(1) Forty percent (40%) is to be deposited in the motor vehicle highway account (IC 8-14-1).

(2) Thirty percent (30%) is to be appropriated to the bureau for use in enforcing odometer laws.

(3) Twenty percent (20%) is to be appropriated to the state police for use in enforcing odometer laws.

(4) Ten percent (10%) is to be appropriated to the attorney general for use in enforcing odometer laws.

As added by P.L.198-2016, SEC.194.

IC 9-14-14-3

State motor vehicle technology fund

Sec. 3. (a) The state motor vehicle technology fund is established

for the purpose of paying for new technology as it becomes available to carry out the functions of the bureau. The bureau shall administer the fund. This fund is in addition to normal budgetary appropriations.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(d) There is annually appropriated to the bureau the money in the fund to procure as the need arises:

(1) computer equipment and software;
(2) telephone equipment and software;
(3) electronic queue systems;
(4) other related devices; or
(5) technology services;

subject to the approval of the budget agency.

(e) The fund consists of the following:

(1) Money deposited in or distributed to the fund under this title.
(2) Money deposited in the fund under IC 9-29-16-5 (before its repeal).
(3) Money received from any other source, including appropriations.

As added by P.L.198-2016, SEC.194.

IC 9-14-14-4
State police building account

Sec. 4. (a) The state police building account is established. The account consists of amounts deposited in the account under this title, including amounts deposited under IC 9-29-14 (before its repeal). The state police department shall administer the account.

(b) Money in the account:

(1) does not revert to the state general fund or the motor vehicle highway account under IC 8-14-1, except as provided under subsection (c); and
(2) shall be expended for the following:
    (A) The construction, maintenance, leasing, and equipping of state police facilities.
    (B) Other projects provided for by law.

(c) At the end of each state fiscal year, the auditor of state shall transfer to the state general fund the balance in the state police building account that is in excess of appropriations made for the construction, maintenance, leasing, or equipping of state police facilities and other projects provided for by law.

(d) Transfers under subsection (c) shall be made until one million five hundred thousand dollars ($1,500,000) has been transferred to the state general fund.

As added by P.L.198-2016, SEC.194.

IC 9-14-14-5

Allocation of money in the highway, road and street fund

Sec. 5. Money distributed to or deposited in the highway, road and street fund under this title shall be allocated as follows:

(1) Fifty-five percent (55%) to the state highway fund as provided in IC 8-14-2-3.

(2) Forty-five percent (45%) to the local road and street account as provided in IC 8-14-2-4.

As added by P.L.198-2016, SEC.194.

IC 9-14.1

ARTICLE 14.1. LICENSE BRANCHES

IC 9-14.1-1

Chapter 1. Definitions

IC 9-14.1-1-1

Applicability of chapter

Sec. 1. The definitions in this chapter apply throughout this article.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-1-2

"Full service provider"

Sec. 2. "Full service provider" refers to a qualified person with whom the commission enters into a contract under IC 9-14.1-3-1.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-1-3

"Partial services provider"

Sec. 3. "Partial services provider" refers to a qualified person with whom the commission enters into a contract under IC 9-14.1-3-2.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-1-4

"Procurement"

Sec. 4. (a) "Procurement" includes buying, purchasing, renting, leasing, or otherwise acquiring.

(b) The term includes the following activities:

(1) Description of requirements.

(2) Solicitation or selection of sources.

(3) Preparation and award of contract.

(4) All phases of contract administration.

(5) All functions that pertain to purchasing or procuring.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-1-5

"Qualified person"

Sec. 5. "Qualified person" means any of the following:

(1) A motor club that is any of the following:

(A) A domestic corporation.

(B) A foreign corporation qualified to transact business in Indiana under IC 23-1 or IC 23-17.

(2) A financial institution (as defined in IC 28-1-1-3).

(3) A new motor vehicle dealer licensed under IC 9-32-11.

(4) Other persons, including persons licensed under IC 9-32-11 that are not covered by subdivision (3), that the commission determines can meet the requirements for contractors under

IC 9-14.1-3-2.
As added by P.L.198-2016, SEC.195.

IC 9-14.1-2

Chapter 2. Powers and Duties

IC 9-14.1-2-1

Number of license branches

Sec. 1. (a) There must be at least one (1) license branch in each county.

(b) The number of license branches may not be reduced in a county below the number in existence on January 1, 2001, unless the commission:

(1) holds a public hearing in the county; and

(2) receives unlimited public testimony before the commissioner on the merits of closing the branch that the commission proposes to close in the county.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-2-2

Powers and duties of license branches

Sec. 2. License branches have all the powers and duties assigned to license branches by statute and by the commissioner.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-2-3

Collection and remittance of service charges, fees, and excise taxes

Sec. 3. Each license branch shall:

(1) collect:

(A) the service charges and fees as set forth in this title and in policies and other documents of the bureau; and

(B) applicable excise taxes under IC 6-6; and

(2) remit the amounts collected to the bureau for deposit as set forth in this title and IC 6-6.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-2-4

Performance of transactions

Sec. 4. A transaction under this title that may be performed in a license branch may be performed in any license branch in any county.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-2-5

Election day services

Sec. 5. (a) This section does not apply to a license branch in a county if there are no precincts in the county in which an election is held on election day.

(b) On each general, municipal, primary, and special election day (as defined in IC 3-5-2-18), all license branches that provide state identification cards must remain open from 6:00 a.m., local time, to

6:00 p.m., local time, solely for the purpose of issuing driver's licenses and state identification cards under IC 9-24.

(c) On the day before each general, municipal, primary, and special election day (as defined in IC 3-5-2-18), all license branches that provide state identification cards must remain open from 8:30 a.m., local time, to 8:00 p.m., local time, solely for the purpose of issuing driver's licenses and state identification cards under IC 9-24.

(d) The commission shall:

(1) designate another day as time off; or

(2) authorize overtime pay;

for license branch personnel required to work on an election day.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-3

Chapter 3. Services Provided by Qualified Persons

IC 9-14.1-3-1

Contracts with qualified persons for full services

Sec. 1. The commission board may enter into a contract with a qualified person to provide full services at the qualified person's location, including a location within a facility used for other purposes. The contract must include the following provisions:

(1) The qualified person shall provide the following services:

(A) Vehicle title services.

(B) Vehicle registration and renewal services.

(C) Driver's licenses and related services.

(D) Voter registration services as imposed on the commission under IC 3-7.

(2) The qualified person shall provide personnel trained to properly process branch transactions.

(3) The qualified person shall do the following:

(A) With respect to transactions processed at the qualified person's location, impose and collect all fees and taxes applicable to the transaction.

(B) Deposit the fees and taxes with the bureau for deposit in the appropriate fund or account.

(4) The qualified person shall generate a transaction volume sufficient to justify the installation of bureau support systems.

(5) The qualified person shall provide fidelity bond coverage in an amount prescribed by the commission.

(6) The qualified person may provide full services within a facility used for other purposes.

(7) The qualified person shall pay the cost of any post audits conducted by the commission or the state board of accounts on an actual cost basis.

(8) The commission shall provide support systems to the qualified person on the same basis as to license branches.

(9) The commission must approve each location and physical facility based upon criteria developed by the commission board.

(10) The term of the contract must be for a fixed period.

(11) The qualified person shall agree to provide voter registration services and to perform the same duties imposed on the commission under IC 3-7.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-3-2

Contracts with qualified persons for partial services

Sec. 2. The commission may enter into a contract with a qualified person to provide partial services at the qualified person's location, including a location within a facility used for other purposes. The contract must include the following provisions:

(1) The qualified person must provide one (1) or more of the following services:
(A) Vehicle title services.
(B) Vehicle registration and renewal services.
(2) The qualified person must provide trained personnel to properly process branch transactions.
(3) The qualified person shall do the following:
(A) With respect to each transaction processed at the qualified person's location, impose and collect all fees and taxes applicable to the transaction.
(B) Deposit the fees and taxes with the bureau for deposit in the appropriate fund or account.
(4) The qualified person shall provide fidelity bond coverage in an amount prescribed by the commission.
(5) The qualified person shall provide:
(A) liability insurance coverage in an amount not to exceed two million dollars ($2,000,000) per occurrence, as prescribed by the commission; and
(B) indemnification of the commission for any liability in excess of the amount of coverage provided under clause (A), not to exceed five million dollars ($5,000,000) per occurrence.
(6) The qualified person shall pay the cost of any post audits conducted by the commission or the state board of accounts on an actual cost basis.
(7) The commission must approve each location and physical facility used by a qualified person.
(8) The term of the contract must be for a fixed period.
As added by P.L.198-2016, SEC.195.

IC 9-14.1-3-3
Convenience fees
Sec. 3. (a) A transaction processed by a full service provider or partial services provider is subject to the same fees and taxes as if the transaction were processed at a license branch.
(b) In addition to a fee or tax described in subsection (a), a full service provider or partial services provider may impose, collect, and retain a convenience fee for each transaction that is:
(1) related to:
(A) a title issued under IC 9-17; or
(B) a registration issued under IC 9-18 (before its expiration) or IC 9-18.1; and
(2) processed by the provider.
(c) The amount of a convenience fee described in subsection (b):
(1) is subject to the written approval of the commission; and
(2) may not exceed the following:
(A) For a transaction described in subsection (b)(1)(A), one hundred fifty percent (150%) of the fee imposed on the same

transaction processed at a license branch.

(B) For a transaction described in subsection (b)(1)(B), one hundred fifty percent (150%) of the fee imposed under IC 9-29-5-1 (before its repeal) or IC 9-18.1-5-2 for a transaction processed at a license branch.

(d) This subsection applies if a full service provider or partial services provider imposes a convenience fee under subsection (b). Before the full service provider or partial services provider may impose and collect the convenience fee, all of the following conditions must occur:

(1) Notice of the convenience fee must be provided, in writing or by electronic means, to the customer by:

(A) the full service provider;

(B) the partial services provider; or

(C) a dealer that interacts directly with the customer at the initial transaction level.

(2) The notice must disclose only the following:

(A) The amount of the convenience fee.

(B) That the convenience fee is not imposed on a transaction processed at a license branch.

(C) The address and hours of operation of the license branch located nearest to the full service location or partial services location.

(D) The distance between the license branch described in clause (C) and the full service location or partial services location.

(3) The customer must agree, in writing or by electronic means, to pay the convenience fee.

(e) A notice provided under subsection (d)(1) must be provided:

(1) in a single, discrete document or publication that contains no additional terms or conditions; or

(2) in combination only with an agreement described in subsection (d)(3).

(f) With respect to each transaction processed by a full service provider or partial services provider, the full service provider or partial services provider shall:

(1) collect all fees and taxes related to the transaction; and

(2) remit the amounts collected to the bureau for deposit as set forth in this title.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-3-4

Violation

Sec. 4. A person that violates section 3 of this chapter commits a Class C infraction.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-4

Chapter 4. Voter Registration and Election Day Services

IC 9-14.1-4-1

Applicability of chapter

Sec. 1. This chapter applies to a license branch.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-4-2

Voter registration services at license branches

Sec. 2. License branches shall offer voter registration services under this chapter, in addition to providing a voter registration application as a part of an application for a motor vehicle driver's license, permit, or identification card under IC 9-24-2.5 and 52 U.S.C. 20504.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-4-3

Availability of voter registration forms

Sec. 3. Each license branch shall provide copies of voter registration forms. The registration forms must be:

(1) prescribed by the Indiana election commission to permit the NVRA official to fulfill the NVRA official's reporting duties under 52 U.S.C. 20508(a)(3) and IC 3-7-11-2; and

(2) placed in an easily accessible location within the branch, so that members of the public may obtain the forms without further assistance from the commission.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-4-4

Notice to public

Sec. 4. Each license branch shall post a notice in a prominent location easily visible to members of the public. The notice must state substantially the following:

"VOTER REGISTRATION FORMS
AVAILABLE HERE

This office has forms that you can fill out so that you can register to vote in Indiana.

If you live in Indiana and are not registered to vote where you live now, and you want to register (or change your registration record), please take one of the forms.

If you cannot find a blank voter registration form in this office, ask us to give you a form.

You must take the form with you and mail or deliver the form to the voter registration office.

Applying to register or declining to register to vote will not affect the assistance or service that you will be provided by this office.".

As added by P.L.198-2016, SEC.195.

IC 9-14.1-4-5
Confidentiality of voter registration information

Sec. 5. Voter registration information received or maintained under this chapter is confidential.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-5

Chapter 5. Audits, Budgets, and Procurement

IC 9-14.1-5-1

Audit of license branch accounts by state board of accounts; public record

Sec. 1. (a) The state board of accounts shall audit each account of each license branch operated under this article.

(b) Each audit must be:

(1) completed not more than ninety (90) days after commencement of the audit; and

(2) filed with the legislative services agency in an electronic format under IC 5-14-6 not more than thirty (30) days after completion of the audit.

(c) An audit prepared under this section is a public record.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-5-2

Procurement system

Sec. 2. (a) Notwithstanding IC 5-16, IC 5-17-1, and IC 5-22, the commission may develop a system of procurement that applies only to procurement of equipment, materials, services, and goods required for the operation of license branches.

(b) A system of procurement adopted under this section must provide that whenever:

(1) a contract is awarded by acceptance of bids, proposals, or quotations; and

(2) a trust (as defined in IC 30-4-1-1(a)) submits a bid, proposal, or quotation;

the bid, proposal, or quotation must identify each beneficiary of the trust and each settlor empowered to revoke or modify the trust.

(c) This section does not apply to the purchasing, leasing, or disposal of real property.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-5-3

Appraisals

Sec. 3. The value of all:

(1) purchases of supplies, fixtures, and equipment;

(2) purchases of real property; and

(3) lease agreements and contracts;

shall be appraised by the Indiana department of administration or by an independent appraiser, at the discretion of the Indiana department of administration. The cost of a purchase, lease agreement, or contract may not exceed the appraised value.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-5-4

Statewide license branch budget

Sec. 4. The commission shall develop a statewide license branch budget. If the commission board determines that the total of:

(1) revenues from license branch operations; and

(2) appropriations received by the commission;

are insufficient to support license branch operations, the commission may increase fees by rule under IC 9-14-8-3(4).

As added by P.L.198-2016, SEC.195.

IC 9-14.1-5-5

Submission of statewide license branch budget to budget agency

Sec. 5. (a) On a date specified by the budget agency of each even-numbered year, the commission shall submit to the budget agency a proposed statewide license branch budget. The commission shall include, at a minimum, the following information on a county by county basis:

(1) Total estimated revenue.

(2) Total estimated expenditures for salaries and fringe benefits.

(3) Total estimated expenditures for other personal services.

(4) Total estimated expenditures for nonpersonal services.

(5) Total estimated expenditures for contractual services.

(6) Total estimated expenditures for supplies and materials.

(7) All other estimated expenditures.

(8) The number of full-time and part-time employees.

(9) Other information the budget agency requires.

(b) The budget agency shall provide the information received under subsection (a) to the budget committee for the committee's review.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-6

Chapter 6. Political Activities and Contributions

IC 9-14.1-6-1

Prohibition against mandatory political activity or contributions by license branch employees

Sec. 1. An employee who is employed under this article may not be forced to contribute to a political party or participate in a political activity.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-6-2

Voluntary political activity or contributions by license branch employees

Sec. 2. Section 1 of this chapter may not be interpreted to prohibit the following:

(1) The voluntary contribution of an employee to a political party.

(2) The voluntary participation of an employee in a political activity, unless the participation interferes with the employee's performance or responsibility of the employee's job.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-6-3

Use of license branch equipment or facilities for political purposes; violation

Sec. 3. (a) Equipment or facilities of a license branch operated under this article may not be used for political purposes.

(b) A person who violates this section commits a Class C infraction.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-6-4

Political displays in license branches; violation

Sec. 4. A person that:

(1) collects;

(2) displays;

(3) distributes; or

(4) stores;

paraphernalia, brochures, or displays for a political party or organization in a license branch commits a Class C infraction.

As added by P.L.198-2016, SEC.195.

IC 9-14.1-6-5

Permissible uses of license branch equipment and facilities

Sec. 5. This chapter does not prohibit an employee from using the equipment or facilities of a license branch or full service location operated under this article or engaging in activity permitted or

required under:

(1) IC 3-7;

(2) IC 9-14.1-4;

(3) IC 9-24-2.5; or

(4) the National Voter Registration Act of 1993 (52 U.S.C. 20501).

As added by P.L.198-2016, SEC.195.

IC 9-15

ARTICLE 15. REPEALED

(Repealed by P.L.198-2016, SEC.196.)

IC 9-16

ARTICLE 16. REPEALED

(Repealed by P.L.198-2016, SEC.197.)

IC 9-17

ARTICLE 17. CERTIFICATES OF TITLE

IC 9-17-1

Chapter 1. Application

IC 9-17-1-0.5

Applicability of article

Sec. 0.5. The following are required to be titled under this article:

(1) Off-road vehicles.

(2) Watercraft.

(3) Manufactured or mobile homes that are:

(A) personal property not held for resale; or

(B) not attached to real estate by a permanent foundation.

As added by P.L.198-2016, SEC.198.

IC 9-17-1-1

Applicability

Sec. 1. (a) This article does not apply to the following:

(1) A vehicle that is not required to be registered under IC 9-18-2 (before its expiration) or IC 9-18.1.

(2) Special machinery.

(3) A motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer.

(4) Motor driven cycles.

(5) An off-road vehicle that was purchased or otherwise acquired before January 1, 2010.

(6) Snowmobiles.

(7) A watercraft that is not required to be registered under IC 9-31-3.

(b) Notwithstanding subsection (a), a person may apply for:

(1) a certificate of title under IC 9-17-2-2; or

(2) a special identification number under IC 9-17-4;

for a vehicle listed in subsection (a).

(c) If the bureau issues a certificate of title under subsection (b)(1), the vehicle remains subject to this article until the titleholder surrenders the title to the bureau.

As added by P.L.2-1991, SEC.5. Amended by P.L.21-2003, SEC.4; P.L.150-2009, SEC.5; P.L.182-2009(ss), SEC.284; P.L.125-2012, SEC.70; P.L.259-2013, SEC.10; P.L.262-2013, SEC.19; P.L.221-2014, SEC.17; P.L.149-2015, SEC.31; P.L.180-2015, SEC.6; P.L.198-2016, SEC.199.

IC 9-17-1-2

Repealed

(As added by P.L.180-2015, SEC.7. Repealed by P.L.198-2016,

SEC.200.)

IC 9-17-2

Chapter 2. General Procedures for Obtaining Certificates of Title

IC 9-17-2-0.5

"Registered importer"

Sec. 0.5. As used in this chapter, "registered importer" means a person that is:

(1) registered as an importer with the National Highway Traffic Safety Administration;

(2) a licensed dealer currently in good standing with the state; and

(3) a validated member of the United States Department of Homeland Security's Customs-Trade Partnership Against Terrorism (C-TPAT) administered by the United States Customs and Border Protection.

As added by P.L.107-2008, SEC.9; P.L.131-2008, SEC.37.

IC 9-17-2-1

Vehicles requiring certificates of title; proof of residency; violation

Sec. 1. (a) Except as provided in IC 9-17-1-1 and subsection (b), a person must obtain a certificate of title under this article for all vehicles that are:

(1) owned by the person; and

(2) either:

(A) titled under this article by application of IC 9-17-1-0.5 or IC 9-17-1-1(c); or

(B) registered under IC 9-18 (before its expiration) or IC 9-18.1.

(b) A nonresident that owns a vehicle may declare Indiana as the nonresident's base without obtaining a certificate of title for the vehicle if:

(1) the nonresident's state of residence is not a member of the International Registration Plan; and

(2) the nonresident presents to the bureau satisfactory proof of ownership of the vehicle from the originating state.

(c) A person that obtains a certificate of title for a type of vehicle that must be registered under IC 9-18 (before its expiration) or IC 9-18.1 shall register the vehicle in Indiana under IC 9-18 (before its expiration) or IC 9-18.1.

(d) A person must obtain a certificate of title for all vehicles owned by the person not later than sixty (60) days after becoming an Indiana resident. Upon request by the bureau, a person must produce evidence concerning the date on which the person became an Indiana resident.

(e) Except as provided in subsection (b), an individual who operates a vehicle without a certificate of title commits a Class C infraction.

As added by P.L.2-1991, SEC.5. Amended by P.L.181-1999, SEC.10; P.L.219-2005, SEC.4; P.L.131-2008, SEC.38; P.L.125-2012, SEC.71; P.L.262-2013, SEC.20; P.L.188-2015, SEC.4; P.L.198-2016, SEC.201.

IC 9-17-2-1.5
Repealed

(As added by P.L.219-2005, SEC.5. Amended by P.L.188-2015, SEC.5. Repealed by P.L.198-2016, SEC.202.)

IC 9-17-2-2
Application; contents

Sec. 2. (a) A person applying for a certificate of title for a vehicle must submit an application in the form and manner prescribed by the bureau and provide the following information:

(1) A full description of the vehicle, including the make, model, and year of manufacture of the vehicle.

(2) A statement of any liens, mortgages, or other encumbrances on the vehicle.

(3) The vehicle identification number or special identification number of the vehicle.

(4) The former title number, if applicable.

(5) The purchase or acquisition date.

(6) The name and Social Security number or federal identification number of the person.

(7) Any other information that the bureau requires, including a valid permit to transfer title issued under IC 6-1.1-7-10, if applicable.

(b) This subsection applies only to a person that receives an interest in a vehicle under IC 9-17-3-9. To obtain a certificate of title for the vehicle, the person must do the following:

(1) Surrender the certificate of title designating the person as a transfer on death beneficiary.

(2) Submit proof of the transferor's death.

(3) Submit an application for a certificate of title in the form and manner prescribed by the bureau.

As added by P.L.2-1991, SEC.5. Amended by P.L.83-2008, SEC.3; P.L.125-2012, SEC.72; P.L.81-2015, SEC.1; P.L.198-2016, SEC.203.

IC 9-17-2-3
Oath and affirmation; signature; transfer statement

Sec. 3. (a) The application described under section 2 of this chapter must include the following printed statement:

"I swear or affirm that the information I have entered on this form is correct. I understand that making a false statement on this form may constitute the crime of perjury.".

(b) The person applying for the certificate of title must sign the

form directly below the printed statement.
As added by P.L.2-1991, SEC.5. Amended by P.L.131-2008, SEC.39; P.L.125-2012, SEC.73.

IC 9-17-2-4
Information accompanying application for certificate of title

Sec. 4. (a) An application for a certificate of title for a vehicle for which a certificate of title has been issued previously must be accompanied by the previously issued certificate of title.

(b) An application for a certificate of title for a vehicle for which a certificate of title has not been issued previously must be accompanied by the following:

(1) If the vehicle is in Indiana, a manufacturer's certificate of origin as provided in IC 9-32-5-3.

(2) If the vehicle is brought into Indiana from another state, the following:

(A) A sworn bill of sale or dealer's invoice fully describing the vehicle.

(B) The most recent registration receipt issued for the vehicle.

(C) Any other information that the bureau requires to establish ownership.

As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.74; P.L.92-2013, SEC.39; P.L.198-2016, SEC.204.

IC 9-17-2-5
Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.219-2005, SEC.6. Repealed by P.L.198-2016, SEC.205.)

IC 9-17-2-6
Odometer reading; false information; bureau immunity; violation

Sec. 6. (a) An application for a certificate of title for a vehicle must contain the odometer reading of the vehicle in miles or kilometers as of the date of sale or transfer of the vehicle to the applicant.

(b) Subsection (a) does not apply to the following:

(1) A vehicle described in IC 9-17-1-1(b)(1).

(2) A vehicle described in IC 9-17-1-1(c).

(3) A manufactured or mobile home.

(4) An off-road vehicle.

(5) A watercraft.

(6) A vehicle that is required to be registered under this title at a declared gross weight of more than sixteen thousand (16,000) pounds.

(c) A person shall not knowingly furnish to the bureau odometer information that does not accurately indicate the total recorded miles or kilometers on the vehicle.

(d) The bureau and its license branches are not subject to a criminal or civil action by a person for an invalid odometer reading on a certificate of title.

(e) A person that:

(1) fails to provide an odometer reading as required under subsection (a); or

(2) knowingly provides an erroneous odometer reading for purposes of subsection (c);

commits a Class B infraction.

As added by P.L.2-1991, SEC.5. Amended by P.L.95-1997, SEC.1; P.L.219-2005, SEC.7; P.L.188-2015, SEC.6; P.L.198-2016, SEC.206.

IC 9-17-2-7

Evidence of title; retention by bureau

Sec. 7. The bureau shall retain the evidence of title presented by a person upon which the Indiana certificate of title is issued in accordance with applicable document and record retention requirements.

As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.75.

IC 9-17-2-8

Repealed

(As added by P.L.2-1991, SEC.5. Repealed by P.L.198-2016, SEC.207.)

IC 9-17-2-9

Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.219-2005, SEC.8; P.L.1-2007, SEC.82; P.L.125-2012, SEC.76; P.L.262-2013, SEC.21; P.L.188-2015, SEC.7. Repealed by P.L.198-2016, SEC.208.)

IC 9-17-2-10

Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.77; P.L.149-2015, SEC.32. Repealed by P.L.198-2016, SEC.209.)

IC 9-17-2-11

Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.78. Repealed by P.L.198-2016, SEC.210.)

IC 9-17-2-12

Inspection of vehicle; fee charged by inspecting police officer

Sec. 12. (a) This section does not apply to the following:

(1) A trailer or semitrailer.

(2) A new motor vehicle or recreational vehicle sold by a dealer

licensed under IC 9-32.

(3) A vehicle transferred or assigned on a certificate of title issued by the bureau.

(4) A vehicle that is registered under the International Registration Plan.

(5) A vehicle that is titled in the name of a financial institution, lending institution, or insurance company in Canada and imported by a registered importer, if the registered importer provides:

(A) a copy of the registered importer's validation agreement issued by the United States customs and border protection;

(B) a copy of the entry summary issued by the United States customs and border protection (CBP form 7501); and

(C) a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's title information, odometer readings, and number of owners.

(6) A vehicle that is titled in another state and is in the lawful possession of a financial institution, a lending institution, an insurance company, a vehicle rental company, a vehicle leasing company, or a lessee of a vehicle leasing company if the financial institution, lending institution, insurance company, vehicle rental company, vehicle leasing company, or lessee of a vehicle leasing company:

(A) provides a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's:

(i) title information;

(ii) odometer readings; and

(iii) number of owners; and

(B) maintains a copy of all documentation required under this subsection for at least ten (10) years.

(7) A vehicle that is purchased in another state and titled in Indiana by a vehicle rental company or a vehicle leasing company if the vehicle rental company or vehicle leasing company:

(A) provides a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's:

(i) title information;

(ii) odometer readings; and

(iii) number of owners; and

(B) maintains a copy of all documentation required under this subsection for at least ten (10) years.

(b) Subject to subsection (d), an application for a certificate of title for a vehicle may not be accepted by the bureau unless the vehicle has been inspected by one (1) of the following:

(1) An employee of a dealer licensed under IC 9-32.

(2) A military police officer assigned to a military post in Indiana.

(3) A police officer.

(4) A designated employee of the bureau.

(5) An employee of a qualified person operating under a contract with the commission.

(c) A person described in subsection (b) inspecting a vehicle shall do the following:

(1) Make a record of inspection upon the application form prepared by the bureau.

(2) Verify the facts set out in the application.

(d) The bureau may accept an inspection performed by a police officer from a jurisdiction outside Indiana if the bureau determines that an inspection performed by an individual described in subsection (b) is unavailable or otherwise insufficient to complete an application for a certificate of title.

(e) A police officer who makes an inspection under this section may charge a fee, subject to the following:

(1) The fee must be established by ordinance adopted by the unit (as defined in IC 36-1-2-23) that employs the police officer.

(2) The fee may not exceed five dollars ($5).

(3) The revenue from the fee shall be deposited in the following manner:

(A) A special vehicle inspection fund if the police officer making the inspection is a member of the county sheriff's department. The fiscal body of the unit must appropriate the money from the inspection fund only for law enforcement purposes.

(B) A local law enforcement continuing education fund established by IC 5-2-8-2 if the police officer making the inspection is a member of a city or town police department, a town marshal, or a town marshal deputy.

As added by P.L.2-1991, SEC.5. Amended by P.L.81-1991, SEC.4; P.L.117-1993, SEC.1; P.L.113-1995, SEC.1; P.L.2-1996, SEC.222; P.L.106-2008, SEC.3; P.L.107-2008, SEC.10; P.L.131-2008, SEC.40; P.L.1-2009, SEC.78; P.L.109-2011, SEC.2; P.L.262-2013, SEC.22; P.L.198-2016, SEC.211.

IC 9-17-2-12.5
Repealed

(As added by P.L.107-2008, SEC.11; P.L.131-2008, SEC.41. Repealed by P.L.198-2016, SEC.212.)

IC 9-17-2-13
Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.188-2015, SEC.8. Repealed by P.L.198-2016, SEC.213.)

IC 9-17-2-13.5
Speed title fee

Sec. 13.5. (a) The bureau may impose an additional fee of twenty-five dollars ($25) if the bureau processes a vehicle title in a period of time that is substantially shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.

(b) A fee imposed under this section is in addition to any other fee imposed under this article.

As added by P.L.198-2016, SEC.214.

IC 9-17-2-14
Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.217-2014, SEC.12. Repealed by P.L.188-2015, SEC.9.)

IC 9-17-2-14.5
Determination of genuineness, regularity, or legality of application; fee; delivery of certificate of title

Sec. 14.5. (a) The bureau may:

(1) make investigations or require additional information; and

(2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement in an application, or for any other reason.

(b) If the bureau is satisfied that the person applying for a certificate of title for a vehicle is the owner of the vehicle, the bureau shall issue a certificate of title for the vehicle after the person pays the applicable fee under subsection (c) or (d).

(c) The fee for a certificate of title for a vehicle other than a watercraft is fifteen dollars ($15). Except as provided in subsection (e), the fee shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) To the motor vehicle highway account as follows:

(A) For a title issued before January 1, 2017, one dollar ($1).

(B) For a title issued after December 31, 2016, three dollars and twenty-five cents ($3.25).

(3) For a title issued before January 1, 2017, three dollars ($3) to the highway, road and street fund.

(4) Five dollars ($5) to the crossroads 2000 fund.

(5) For a title issued before July 1, 2019, one dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(6) To the commission fund as follows:

(A) For a title issued before January 1, 2017, four dollars and twenty-five cents ($4.25).

(B) For a title issued after December 31, 2016, and before July 1, 2019, five dollars ($5).

(C) For a title issued after June 30, 2019, six dollars and twenty-five cents ($6.25).

(d) The fee for a certificate of title for a watercraft is as follows:

(1) For a certificate of title issued before January 1, 2017, fifteen dollars and fifty cents ($15.50). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) Two dollars ($2) to the crossroads 2000 fund.

(C) For a certificate of title issued before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Four dollars and seventy-five cents ($4.75) to the commission fund.

(D) For a certificate of title issued after June 30, 2019, six dollars ($6) to the commission fund.

(E) Seven dollars ($7) to the department of natural resources.

(2) For a certificate of title issued after December 31, 2016, fifteen dollars ($15). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) Three dollars and twenty-five cents ($3.25) to the motor vehicle highway account.

(C) Five dollars ($5) to the crossroads 2000 fund.

(D) For a title issued before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Five dollars ($5) to the commission fund.

(E) For a title issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(e) Fees paid by dealers under this section shall be deposited in the motor vehicle odometer fund.

(f) The bureau shall deliver a certificate of title:

(1) to the person that owns the vehicle for which the certificate of title was issued, if no lien or encumbrance appears on the certificate of title; or

(2) if a lien or an encumbrance appears on the certificate of title, to the person that holds the lien or encumbrance as set forth in the application for the certificate of title.

As added by P.L.198-2016, SEC.215.

IC 9-17-2-14.7

Delinquent titles; administrative penalty

Sec. 14.7. (a) This section does not apply to a mobile home or a manufactured home.

(b) Except as provided in subsection (c), a person must apply for

a certificate of title for a vehicle within forty-five (45) days after the date on which the person acquires the vehicle.

(c) A person that acquires a vehicle through a transfer on death conveyance under IC 9-17-3-9 must apply for a certificate of title for the vehicle within sixty (60) days after the date on which the person acquires the vehicle.

(d) A person that owns a vehicle and becomes an Indiana resident must apply for a certificate of title for the vehicle within sixty (60) days after the date on which the person becomes an Indiana resident.

(e) A person that violates this section with respect to a certificate of title for a vehicle other than a watercraft shall pay to the bureau an administrative penalty as follows:

(1) For a violation that occurs before January 1, 2017, an administrative penalty of twenty-one dollars and fifty cents ($21.50). The administrative penalty shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the crossroads 2000 fund.

(B) Fifty cents ($0.50) to the state motor vehicle technology fund.

(C) Three dollars ($3) to the highway, road and street fund.

(D) Five dollars ($5) to the motor vehicle highway account.

(E) One dollar and fifty cents ($1.50) to the integrated public safety communications fund.

(F) Eleven dollars and twenty-five cents ($11.25) to the commission fund.

(2) For a violation that occurs after December 31, 2016, and before July 1, 2019, an administrative penalty of thirty dollars ($30). The administrative penalty shall be distributed as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Twenty-eight dollars and seventy-five cents ($28.75) to the commission fund.

(3) For a violation that occurs after June 30, 2019, an administrative penalty of thirty dollars ($30) to be deposited in the commission fund.

(f) A person that violates this section with respect to a certificate of title for a watercraft shall pay to the bureau an administrative penalty as follows:

(1) For a violation that occurs before January 1, 2017, an administrative penalty of twenty dollars ($20). The administrative penalty shall be distributed as follows:

(A) Three dollars ($3) to the crossroads 2000 fund.

(B) Eight dollars ($8) to the department of natural resources.

(C) Nine dollars ($9) to the commission fund.

(2) For a violation that occurs after December 31, 2016, an administrative penalty of thirty dollars ($30). The administrative penalty shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the state police building account.
(B) Two dollars and fifty cents ($2.50) to the commission fund.
(C) Twenty-seven dollars and twenty-five cents ($27.25) to the department of natural resources.

As added by P.L.198-2016, SEC.216.

IC 9-17-2-15
Sale, purchase, or possession of certificate not issued by bureau; Class C misdemeanor

Sec. 15. A person that knowingly sells, offers to sell, buys, possesses, or offers as genuine a certificate of title for a vehicle that is required to be issued by the bureau and has not been issued by the:
(1) bureau under this article; or
(2) appropriate governmental authority of another state;
commits a Class C misdemeanor.

As added by P.L.2-1991, SEC.5. Amended by P.L.198-2016, SEC.217.

IC 9-17-2-16
Repealed

(As added by P.L.2-1991, SEC.5. Repealed by P.L.217-2014, SEC.13.)

IC 9-17-2-17
Repealed

(As added by P.L.219-2005, SEC.9. Repealed by P.L.198-2016, SEC.218.)

IC 9-17-2-18
Watercraft certificate of title; failure to surrender; violation

Sec. 18. A person that owns a watercraft commits a Class A infraction if the person does any of the following:
(1) Allows the watercraft to be operated in Indiana without having a certificate of title as required under this title.
(2) Fails to surrender the certificate of title for the watercraft to the bureau if the bureau cancels the certificate of title.
(3) Fails to surrender the certificate of title for the watercraft to the bureau if the watercraft is:
(A) destroyed;
(B) dismantled; or
(C) changed in a manner that the watercraft is no longer the watercraft described in the certificate of title.

As added by P.L.198-2016, SEC.219.

IC 9-17-2-19
Validity of certificate of title issued for manufactured or mobile

home

Sec. 19. A certificate of title issued for a manufactured or mobile home is valid for the life of the manufactured or mobile home:

(1) as long as the manufactured or mobile home is owned or held by the original holder of the certificate of title or a legal transferee of the certificate of title; or

(2) until the manufactured or mobile home is transferred to real estate under section 15.1 of this chapter.

As added by P.L.198-2016, SEC.220.

IC 9-17-3

Chapter 3. Expiration, Replacement, and Transfer of Certificates of Title

IC 9-17-3-0.5

"Third party"

Sec. 0.5. As used in this chapter, "third party" means a person having possession of a certificate of title for a vehicle because the person has a lien or an encumbrance indicated on the certificate of title.

As added by P.L.268-2003, SEC.7. Amended by P.L.198-2016, SEC.221.

IC 9-17-3-1

Validity of title; renewal

Sec. 1. (a) A certificate of title is valid for as long as the vehicle for which the certificate of title has been issued is owned or held by the person who originally held the certificate of title.

(b) A certificate of title does not have to be renewed except as otherwise provided.

As added by P.L.2-1991, SEC.5.

IC 9-17-3-2

Duplicate certificate of title; fee

Sec. 2. (a) If a certificate of title:

(1) is lost or stolen;

(2) is mutilated;

(3) is destroyed; or

(4) becomes illegible;

the person that owns the vehicle or the legal representative or legal successor in interest of the person that owns the vehicle for which the certificate of title was issued, as shown by the records of the bureau, shall apply for and may obtain a duplicate certificate of title.

(b) To obtain a duplicate certificate of title under subsection (a), a person must:

(1) furnish information satisfactory to the bureau concerning the loss, theft, mutilation, destruction, or illegibility of the certificate of title; and

(2) pay the applicable fee under subsection (e) or (f).

(c) The word "duplicate" shall be printed or stamped in ink on the face of a certificate of title issued under this section.

(d) When a duplicate certificate of title is issued, the previous certificate of title becomes void.

(e) The fee for a duplicate certificate of title issued before January 1, 2017, for a vehicle other than a watercraft is eight dollars ($8). The fee shall be distributed as follows:

(1) One dollar ($1) to the motor vehicle highway account.

(2) One dollar ($1) to the highway, road and street fund.

(3) Six dollars ($6) to the commission fund.

(f) The fee for a duplicate certificate of title issued before January 1, 2017, for a watercraft is fifteen dollars and fifty cents ($15.50). The fee shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) Two dollars ($2) to the crossroads 2000 fund.

(3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(4) Four dollars and seventy-five cents ($4.75) to the commission fund.

(5) Seven dollars ($7) to the department of natural resources.

(g) The fee for a duplicate certificate of title issued after December 31, 2016, is fifteen dollars ($15). The fee shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) One dollar and twenty-five cents ($1.25) to the department of natural resources.

(3) Three dollars and twenty-five cents ($3.25) to the motor vehicle highway account.

(4) Five dollars ($5) to the crossroads 2000 fund.

(5) For a duplicate title issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and seventy-five cents ($3.75) to the commission fund.

(6) For a duplicate title issued after June 30, 2019, five dollars ($5) to the commission fund.

As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.79; P.L.198-2016, SEC.222.

IC 9-17-3-3
Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.60-1994, SEC.1; P.L.2-1995, SEC.42; P.L.59-1998, SEC.1; P.L.268-2003, SEC.8; P.L.97-2004, SEC.37; P.L.106-2008, SEC.4; P.L.83-2008, SEC.4; P.L.131-2008, SEC.42; P.L.1-2009, SEC.79. Repealed by P.L.92-2013, SEC.40.)

IC 9-17-3-3.1
Repealed

(As added by P.L.60-1994, SEC.2. Amended by P.L.268-2003, SEC.9; P.L.131-2008, SEC.43; P.L.42-2011, SEC.23; P.L.197-2011, SEC.35. Repealed by P.L.92-2013, SEC.41.)

IC 9-17-3-3.2
Transfer statement language for certificate of title applications

Sec. 3.2. (a) When a certificate of title is available and a vehicle is sold or transferred to a person other than a dealer licensed under IC 9-32, the seller or transferor shall fill in all blanks on the certificate of title relating to buyer information, including the sale price.

(b) The failure of the seller or transferor to fill in all buyer information is a Class B infraction.

As added by P.L.131-2008, SEC.44. Amended by P.L.125-2012, SEC.80; P.L.158-2013, SEC.137; P.L.217-2014, SEC.14; P.L.226-2014(ts), SEC.14; P.L.198-2016, SEC.223.

IC 9-17-3-3.4

Sale or transfer of ownership of vehicle; requirements to transfer certificate of title

Revisor's Note: P.L.226-2014(ts), SECTION 14 made the effective date of this section 7-1-2014, and not 1-1-2015.

Sec. 3.4. (a) If a vehicle for which a certificate of title has been issued is sold or if the ownership of the vehicle is transferred in any manner other than by a transfer on death conveyance under section 9 of this chapter, the person who holds the certificate of title must do the following:

(1) Endorse on the certificate of title an assignment of the certificate of title with warranty of title, in a form printed on the certificate of title, with a statement describing all liens or encumbrances on the vehicle.

(2) Deliver the certificate of title to the purchaser or transferee at the time of the sale or delivery to the purchaser or transferee of the vehicle, if the purchaser or transferee has made all agreed upon initial payments for the vehicle, including delivery of a trade-in vehicle without hidden or undisclosed statutory liens.

(3) Unless the vehicle is being sold or transferred to a dealer licensed under IC 9-32, complete all information concerning the purchase on the certificate of title, including, but not limited to:

(A) the name and address of the purchaser; and

(B) the sale price of the vehicle.

(b) If a vehicle for which a certificate of title has been issued by another state is sold or delivered, the person selling or delivering the vehicle must deliver to the purchaser or receiver of the vehicle a proper certificate of title with an assignment of the certificate of title in a form prescribed by the bureau.

(c) The original certificate of title and all assignments and subsequent reissues of the certificate of title shall be retained by the bureau and appropriately classified and indexed in the most convenient manner to trace title to the vehicle described in the certificate of title.

(d) A person who violates subsection (a)(1) or (a)(3) commits a Class B infraction.

As added by P.L.262-2013, SEC.23. Amended by P.L.217-2014,

SEC.15; P.L.226-2014(ts), SEC.14.

IC 9-17-3-3.5
Buyback vehicles; certificate of title

Sec. 3.5. (a) This section applies to a vehicle for which a certificate of title is required to be obtained under IC 24-5-13.5-12.

(b) The bureau shall do the following:

(1) For a subsequent request for a new certificate of title for a buyback vehicle, whether titled in Indiana or any other state, cause the words "Manufacturer Buyback – Disclosure on File" to appear on the face of the new certificate of title.

(2) Maintain a listing of all reported buyback vehicles in accordance with this section, maintain a record of the disclosure document required by IC 24-5-13.5-10(3), and allow access to the listing and disclosure document upon written application.

As added by P.L.65-1992, SEC.2. Amended by P.L.1-1993, SEC.53; P.L.118-1993, SEC.1; P.L.1-1994, SEC.39.

IC 9-17-3-4
Members of armed forces; transfer of title; procedure

Sec. 4. (a) A certificate of title for a vehicle held by an Indiana resident who is serving in the armed forces of the United States may be transferred by the Indiana resident to another person if the Indiana resident authorizes the transfer by a letter signed by the Indiana resident. The letter must be accompanied by proof that the Indiana resident is actively serving in the armed forces of the United States and is outside Indiana.

(b) When the bureau receives the letter and proof described in subsection (a), the bureau may make the transfer to the person named in the letter.

(c) Whenever a transfer described in subsection (a) is made, the letter:

(1) must be attached to the certificate of title being transferred; and

(2) becomes a permanent record of the bureau.

(d) The bureau shall use reasonable diligence in determining if the signature of the person that signed the letter described in subsection (a) authorizing the transfer is the signature of the person.

(e) If the bureau is satisfied that the signature is the signature of the person that owns the vehicle described in the certificate of title, the bureau shall issue an appropriate certificate of title over the signature of the bureau and sealed with the seal of the bureau to the person named in the letter.

As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.81; P.L.262-2013, SEC.24; P.L.198-2016, SEC.224.

IC 9-17-3-5
Sale or transfer of vehicle under court order or by law

Sec. 5. (a) Whenever a vehicle for which a certificate of title is required by this article is sold or transferred:

(1) under an order or a process of an Indiana court;

(2) under any provision of an Indiana statute; or

(3) by operation of law;

the person that obtains the vehicle may obtain a certificate of title for the vehicle by filing an application for the certificate of title with the bureau and attaching to the application written evidence showing the order, process, operation, or statute under which the person obtained ownership of the vehicle.

(b) The bureau shall use due diligence to ascertain that the sale was in conformity with the order, process, operation, or statute under which the sale or transfer occurred and, if the bureau is satisfied, the bureau shall issue a certificate of title to the person that obtained the vehicle.

(c) An order or a process of an Indiana court described in subsection (a) must include the:

(1) year of manufacture of;

(2) make and model of;

(3) vehicle identification number of; and

(4) name and address of the person that is entitled to;

the vehicle.

As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.82; P.L.198-2016, SEC.225.

IC 9-17-3-6

Cancellation of record of certificate of title

Sec. 6. If the bureau:

(1) determines that a certificate of title is issued in error; or

(2) receives notification from another state or country that a certificate of title for a vehicle that was issued by the bureau has been surrendered by the person that owns the vehicle in conformity with the laws of the other state or country;

the bureau may cancel the record of certificate of title in Indiana.

As added by P.L.2-1991, SEC.5. Amended by P.L.61-1998, SEC.1; P.L.125-2012, SEC.83; P.L.198-2016, SEC.226.

IC 9-17-3-7

Violation of chapter; penalties

Sec. 7. (a) This section does not apply to section 5 of this chapter.

(b) Except as provided in sections 3.2(b) and 3.4(d) of this chapter, a person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.5. Amended by P.L.131-2008, SEC.45; P.L.92-2013, SEC.42; P.L.262-2013, SEC.25; P.L.158-2013, SEC.138; P.L.217-2014, SEC.16; P.L.226-2014(ts), SEC.2.

IC 9-17-3-8

Determination of previous title

Sec. 8. The bureau shall enable the owner of a motor vehicle titled in Indiana to determine:

(1) whether that motor vehicle has previously been titled in Indiana; and

(2) if the motor vehicle has previously been titled in Indiana, whether the title was issued as a salvage title under IC 9-22-3.

As added by P.L.61-1998, SEC.2. Amended by P.L.125-2012, SEC.84; P.L.262-2013, SEC.26; P.L.216-2014, SEC.31.

IC 9-17-3-9

Transfer on death conveyance; requirements

Sec. 9. (a) The owner or owners of a vehicle may create an interest in the vehicle that is transferrable on the death of the owner or owners by obtaining a certificate of title conveying the interest in the vehicle to one (1) or more persons as transfer on death beneficiaries.

(b) Subject to subsection (e), an interest in a vehicle transferred under this section vests upon the death of the owner or owners.

(c) A certificate of title that is:

(1) worded in substance as "A.B. transfers on death to C.D." or "A.B. and C.D. transfer on death to E.F."; and

(2) signed by the owner or owners;

is a good and sufficient conveyance on the death of the owner or owners to the transferee or transferees.

(d) A certificate of title obtained under this section is not required to be:

(1) supported by consideration; or

(2) delivered to the named transfer on death beneficiary or beneficiaries;

to be effective.

(e) Upon the death of the owner or owners conveying an interest in a vehicle in a certificate of title obtained under this section, the interest in the vehicle is transferred to each beneficiary who is described by either of the following:

(1) The beneficiary:

(A) is named in the certificate; and

(B) survives the transferor.

(2) The beneficiary:

(A) survives the transferor; and

(B) is entitled to an interest in the vehicle under IC 32-17-14-22 following the death of a beneficiary who:

(i) is named in the certificate; and

(ii) did not survive the transferor.

(f) A transfer of an interest in a vehicle under this section is subject to IC 6-4.1.

(g) A certificate of title designating a transfer on death beneficiary is not testamentary.

(h) In general, IC 32-17-14 applies to a certificate of title designating a transfer on death beneficiary. However, a particular provision of IC 32-17-14 does not apply if it is inconsistent with the requirements of this section or IC 9-17-2-2(b).

As added by P.L.83-2008, SEC.5. Amended by P.L.143-2009, SEC.3; P.L.6-2010, SEC.4; P.L.36-2011, SEC.1; P.L.81-2015, SEC.2.

IC 9-17-4

Chapter 4. Private Assembly of Vehicles; Engine Identification Numbers

IC 9-17-4-0.3

"Assembled vehicle"

Sec. 0.3. As used in this chapter, "assembled vehicle" means:

(1) a vehicle, excluding a motorcycle, that has had the:

(A) frame;

(B) chassis;

(C) cab; or

(D) body;

modified from its original construction, replaced, or constructed; or

(2) a motorcycle that has had the:

(A) frame; or

(B) engine;

modified from its original construction, replaced, or constructed.

The term includes but is not limited to glider kits, fiberglass body kits, and vehicle reproductions or replicas and includes vehicles that have visible and original vehicle identification numbers.

As added by P.L.268-2003, SEC.10. Amended by P.L.125-2012, SEC.85; P.L.262-2013, SEC.27; P.L.198-2016, SEC.227.

IC 9-17-4-0.4

"Motor vehicle part"

Sec. 0.4. As used in this chapter, "motor vehicle part" means the following:

(1) For a motorcycle, the:

(A) frame; or

(B) engine.

(2) For a passenger motor vehicle; the:

(A) frame;

(B) chassis; or

(C) body.

(3) For a truck or tractor, the:

(A) frame;

(B) chassis;

(C) cab; or

(D) body.

(4) For a trailer, semitrailer, or recreational vehicle, the:

(A) chassis; or

(B) body.

As added by P.L.262-2013, SEC.28.

IC 9-17-4-0.5

Special identification number

Sec. 0.5. As used in this chapter, "special identification number" means a distinguishing number assigned by the bureau to a privately assembled vehicle.
As added by P.L.268-2003, SEC.11. Amended by P.L.125-2012, SEC.86; P.L.198-2016, SEC.228.

IC 9-17-4-1
Assembly of vehicle by owner; procedure

Sec. 1. If a vehicle has been built, constructed, or assembled by the person that owns the vehicle, the person shall:

(1) indicate on a form provided by the bureau the major component parts that have been used to assemble the vehicle;

(2) make application through the bureau for a special identification number for the vehicle;

(3) after receipt of the special identification number described in subdivision (2), stamp or attach the special identification number received from the bureau in the manner provided in section 2(3) of this chapter; and

(4) apply for a certificate of title for the vehicle from the bureau.

As added by P.L.2-1991, SEC.5. Amended by P.L.268-2003, SEC.12; P.L.125-2012, SEC.87; P.L.198-2016, SEC.229.

IC 9-17-4-2
Special identification number; placement on vehicle

Sec. 2. (a) A certificate of title may not be issued for a manufactured or privately assembled vehicle that does not have a special identification number stamped on the vehicle or permanently attached to the vehicle until the person that owns the vehicle has:

(1) an inspection performed under IC 9-17-2-12;

(2) obtained from the bureau a special identification number designated by the bureau; and

(3) stamped or permanently attached the special identification number in a conspicuous place on the frame of the vehicle.

(b) A special identification number obtained from the bureau under subsection (a) for a manufactured or mobile home must be the same identification number used on the certificate of title for the manufactured or mobile home.
As added by P.L.2-1991, SEC.5. Amended by P.L.268-2003, SEC.13; P.L.125-2012, SEC.88; P.L.198-2016, SEC.230.

IC 9-17-4-3
Repealed

(As added by P.L.2-1991, SEC.5. Repealed by P.L.125-2012, SEC.89.)

IC 9-17-4-4
Contents of certificate of title

Sec. 4. A certificate of title issued under this chapter must contain the following:

(1) A description and other evidence of identification of the vehicle as required by the bureau.

(2) A statement of any liens or encumbrances that the application shows to be on the certificate of title.

(3) The appropriate notation prominently recorded on the front of the title as follows:

(A) For a vehicle assembled using all new or used vehicle parts, "RECONSTRUCTED VEHICLE".

(B) For a vehicle assembled using a salvage vehicle or parts, "REBUILT".

As added by P.L.2-1991, SEC.5. Amended by P.L.268-2003, SEC.14; P.L.125-2012, SEC.90; P.L.262-2013, SEC.29; P.L.198-2016, SEC.231.

IC 9-17-4-4.5
Body change title; requirements; violation

Sec. 4.5. (a) A person must obtain a body change title whenever a vehicle is altered so that the alteration changes the type of the vehicle, as noted on the:

(1) current title; or

(2) certificate of origin;

of the vehicle.

(b) To receive a body change title, an applicant must provide:

(1) the former title or certificate of origin;

(2) a properly completed body change affidavit using a form prescribed by the bureau; and

(3) proof of a vehicle inspection.

(c) An assembled vehicle and a vehicle that is altered such that the vehicle type is changed must meet all applicable federal and state highway safety requirements before the vehicle may be titled and registered for operation on highways.

(d) A person that fails to obtain an updated certificate of title as required under subsection (a) commits a Class C infraction.

As added by P.L.125-2012, SEC.91. Amended by P.L.188-2015, SEC.10; P.L.198-2016, SEC.232.

IC 9-17-4-5
Repealed

(As added by P.L.2-1991, SEC.5. Repealed by P.L.268-2003, SEC.33.)

IC 9-17-4-6
Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.268-2003, SEC.15. Repealed by P.L.262-2013, SEC.30; P.L.262-2013, SEC.144.)

IC 9-17-4-7

Application for special or hull identification number; fees

Sec. 7. (a) Not more than twenty (20) days after a person becomes the owner, custodian, or possessor of a vehicle that:

(1) does not have a manufacturer's identification number installed on the vehicle; or

(2) has an original manufacturer's identification number that is altered, destroyed, obliterated, or defaced;

the person shall apply to the bureau for permission to make or stamp a special identification number on the vehicle.

(b) The bureau shall prescribe the form and manner of an application under subsection (a). The application must contain the following:

(1) A description of the vehicle, including the make, style, and year of model of the vehicle.

(2) A description of:

(A) the original manufacturer's identification number, if possible; or

(B) any distinguishing marks on the engine or body of the vehicle.

(3) The name and address of the applicant.

(4) The date on which the applicant purchased or took possession of the vehicle.

(5) The name and address of the person from whom the applicant purchased or acquired the vehicle.

(6) An application fee in an amount under subsection (c) or (d), as applicable.

(7) Any other information the bureau requires.

(c) The fee for an application for an identification number other than a hull identification number that is submitted before January 1, 2017, is thirteen dollars ($13). The fee shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) One dollar ($1) to the highway, road and street fund.

(3) One dollar ($1) to the motor vehicle highway account.

(4) One dollar and fifty cents ($1.50) to the integrated public safety communications fund.

(5) Four dollars ($4) to the crossroads 2000 fund.

(6) Five dollars ($5) to the commission fund.

(d) The fee for an application for a hull identification number that is submitted before January 1, 2017, is ten dollars and fifty cents ($10.50). The fee shall be distributed as follows:

(1) Two dollars and fifty cents ($2.50) to the department of natural resources.

(2) Four dollars ($4) to the crossroads 2000 fund.

(3) Four dollars ($4) to the commission fund.

(e) The fee for an application for an identification number that is submitted after December 31, 2016, is ten dollars ($10). The fee shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology account.

(2) Three dollars and twenty-five cents ($3.25) to the motor vehicle highway account.

(3) For an application submitted before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For an application submitted after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(f) A person that owns or possesses a vehicle described in subsection (a) and fails to comply with this section commits a Class B infraction.

As added by P.L.262-2013, SEC.31. Amended by P.L.217-2014, SEC.17; P.L.198-2016, SEC.233.

IC 9-17-4-8

Permission for special identification number; violation

Sec. 8. (a) The bureau shall review an application submitted under section 7 of this chapter. If the bureau determines the application is complete, the bureau shall issue to the applicant written permission to make or stamp a special identification number on the vehicle. The bureau shall designate the special identification number and the location of the special identification number on the vehicle.

(b) A new special identification number may not cover or otherwise obscure an original identification number that is visible on a vehicle.

(c) A new special identification number that is stamped or otherwise placed on a vehicle under this chapter becomes the lawful identification number of the vehicle for all purposes, including for purposes of selling or transferring the vehicle.

(d) A person that covers or obscures an original or special identification number as described in subsection (b) commits a Class B infraction.

As added by P.L.262-2013, SEC.32. Amended by P.L.217-2014, SEC.18; P.L.198-2016, SEC.234.

IC 9-17-4-10

Designation of special identification number; authority of manufacturer to perform numbering on vehicles or parts

Sec. 10. (a) The bureau shall designate special identification numbers under this chapter consecutively, beginning with the number one (1), preceded by the letters "MVIN", and followed by the letters "IND" in the order of the filing of applications.

(b) This chapter does not affect the authority of a manufacturer or

a manufacturer's agent, other than a dealer, to perform numbering on vehicles or motor vehicle parts that are removed or changed and then replaced with other numbered motor vehicle parts.
As added by P.L.262-2013, SEC.33. Amended by P.L.198-2016, SEC.235.

IC 9-17-4-11
Bureau prohibited from issuing a certificate of title for vehicle without identification number

Sec. 11. The bureau may not issue a certificate of title for a vehicle that does not have an identification number.
As added by P.L.262-2013, SEC.34. Amended by P.L.198-2016, SEC.236.

IC 9-17-4-12
Statement by applicant and law enforcement officer concerning special identification number

Sec. 12. (a) Before the bureau may issue a certificate of title for a vehicle that is required under this chapter to have a special identification number made or stamped on the vehicle, the bureau shall require the person applying for the certificate of title to sign a statement that the special identification number assigned to the vehicle by the bureau has been made or stamped on the vehicle in a workmanlike manner. The statement must also be signed by the law enforcement officer who inspected the vehicle and determined that the special identification number was made or stamped in a workmanlike manner.

(b) This section does not affect the authority of a manufacturer or a manufacturer's agent, other than a dealer licensed under IC 9-32, to perform numbering on vehicles or motor vehicle parts that are removed or changed and then replaced with other numbered motor vehicle parts.
As added by P.L.262-2013, SEC.35. Amended by P.L.198-2016, SEC.237.

IC 9-17-4-13
Repealed

(As added by P.L.262-2013, SEC.36. Repealed by P.L.188-2015, SEC.11.)

IC 9-17-4-14
Repealed

(As added by P.L.262-2013, SEC.37. Amended by P.L.168-2014, SEC.12. Repealed by P.L.217-2014, SEC.19.)

IC 9-17-4-15
Repealed

(As added by P.L.262-2013, SEC.38. Amended by P.L.168-2014,

SEC.13. Repealed by P.L.217-2014, SEC.20.)

IC 9-17-4-16
Repealed

(As added by P.L.262-2013, SEC.39. Amended by P.L.168-2014, SEC.14. Repealed by P.L.217-2014, SEC.21.)

IC 9-17-4-17
Repealed

(As added by P.L.262-2013, SEC.40. Amended by P.L.168-2014, SEC.15. Repealed by P.L.217-2014, SEC.22.)

IC 9-17-4-18
Repealed

(As added by P.L.262-2013, SEC.41. Amended by P.L.168-2014, SEC.16. Repealed by P.L.217-2014, SEC.23.)

IC 9-17-4-19
Operation of motor vehicle with concealed, removed, defaced, destroyed, or obliterated special identification number; confiscation and return of motor vehicle upon proof of owner's title

Sec. 19. (a) A person that:

(1) either:

(A) with the intent to conceal evidence of the commission of a crime, operates a vehicle with an identification number that is concealed; or

(B) operates a vehicle with an identification number that is removed, defaced, destroyed, or obliterated; and

(2) has not applied under section 7 of this chapter for a new special identification number;

commits a Class C infraction.

(b) If a person that violates subsection (a) cannot prove to the satisfaction of the court that the person owns the vehicle, the court shall confiscate and sell the vehicle. The proceeds from the sale shall be used to pay the fine and costs of prosecution, and the balance, if any, shall be deposited in the motor vehicle highway account.

(c) If the fine and costs are not paid not later than thirty (30) days after judgment is rendered under this section, the court shall proceed to advertise and sell the vehicle in the manner provided by law for the sale of personal property under execution.

(d) If at any time at which the vehicle remains in the custody of the court or the court's officers under this section, the owner appears and establishes the owner's title to the vehicle to the satisfaction of the court, the vehicle shall be returned to the owner. The owner shall then make application for and may obtain an identification number and a title as provided in this chapter. The owner may then use the vehicle upon proper registration.

As added by P.L.262-2013, SEC.42. Amended by P.L.198-2016,

SEC.238.

IC 9-17-5

Chapter 5. Liens

IC 9-17-5-1

Satisfaction or discharge of lien; delivery of certificate of title; violation

Sec. 1. (a) A person having possession of a certificate of title for a vehicle because the person has a lien or an encumbrance on the vehicle must deliver not more than ten (10) business days after receipt of the payment the satisfaction or discharge of the lien or encumbrance indicated upon the certificate of title to the person that:

(1) is listed on the certificate of title as owner of the vehicle; or

(2) is acting as an agent of the owner and that holds power of attorney for the owner of the vehicle.

(b) A person that:

(1) fails to remove a lien or encumbrance; or

(2) fails to deliver a certificate of title to the owner of a vehicle;

as required under subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.5. Amended by P.L.268-2003, SEC.16; P.L.188-2015, SEC.12; P.L.198-2016, SEC.239.

IC 9-17-5-2

Lienholder; repossession of vehicle; application for certificate of title; procedure

Sec. 2. A person that holds a lien on a vehicle, has repossessed the vehicle, and wants to obtain a certificate of title for the vehicle in the person's name may obtain the certificate of title from the bureau if:

(1) the person from whom the vehicle has been repossessed is shown by the records of the bureau to be the last registered owner of the vehicle; and

(2) the person that holds the lien:

(A) has complied with this chapter; and

(B) establishes to the satisfaction of the bureau that the person is entitled to the certificate of title.

As added by P.L.2-1991, SEC.5. Amended by P.L.262-2013, SEC.43; P.L.198-2016, SEC.240.

IC 9-17-5-3

Repealed

(As added by P.L.2-1991, SEC.5. Repealed by P.L.188-2015, SEC.13.)

IC 9-17-5-4

Security interest not created by rental agreement

Sec. 4. Notwithstanding any other law, a rental transaction agreement does not create a sale or security interest in a vehicle solely because the transaction agreement provides that the rental price may be adjusted upon the termination of the agreement based

upon the amount received for the vehicle upon sale or other disposition.
As added by P.L.123-1995, SEC.1. Amended by P.L.198-2016, SEC.241.

IC 9-17-5-5
Security agreements; notation of lien on certificate of title

Sec. 5. (a) A security agreement covering a security interest in a vehicle that is not inventory held for sale can be perfected only if the bureau indicates the security interest on the certificate of title or duplicate. Except as otherwise provided in subsections (b) and (c), IC 26-1-9.1 applies to security interests in vehicles.

(b) The secured party, upon presentation to the bureau of a properly completed application for certificate of title together with the fee prescribed, may have a notation of the lien made on the face of the certificate of title to be issued by the bureau. The bureau shall:

(1) enter the notation and the date of the notation; and

(2) note the lien and date of lien in the bureau's files.

(c) Whenever a lien is discharged, the holder shall note the discharge on the certificate of title over the signature of the holder.
As added by P.L.125-2012, SEC.92.

IC 9-17-6

Chapter 6. Manufactured Homes

IC 9-17-6-0.5

Applicability to mobile homes

Sec. 0.5. For purposes of this chapter, a reference to a manufactured home must be construed to also refer to a mobile home.

As added by P.L.203-2013, SEC.15.

IC 9-17-6-1

Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.106-2007, SEC.1; P.L.188-2015, SEC.14. Repealed by P.L.198-2016, SEC.242.)

IC 9-17-6-2

Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.106-2007, SEC.2; P.L.262-2013, SEC.44. Repealed by P.L.198-2016, SEC.243.)

IC 9-17-6-3

Repealed

(As added by P.L.2-1991, SEC.5. Repealed by P.L.106-2007, SEC.7.)

IC 9-17-6-4

Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.92-2013, SEC.43; P.L.262-2013, SEC.45. Repealed by P.L.198-2016, SEC.244.)

IC 9-17-6-5

Repealed

(As added by P.L.2-1991, SEC.5. Repealed by P.L.198-2016, SEC.245.)

IC 9-17-6-6

Repealed

(As added by P.L.2-1991, SEC.5. Amended by P.L.57-2000, SEC.4. Repealed by P.L.198-2016, SEC.246.)

IC 9-17-6-7

Repealed

(As added by P.L.2-1991, SEC.5. Repealed by P.L.198-2016, SEC.247.)

IC 9-17-6-8

Repealed

(As added by P.L.2-1991, SEC.5. Repealed by P.L.198-2016, SEC.248.)

IC 9-17-6-9
Repealed
(As added by P.L.2-1991, SEC.5. Repealed by P.L.198-2016, SEC.249.)

IC 9-17-6-10
Repealed
(As added by P.L.2-1991, SEC.5. Repealed by P.L.198-2016, SEC.250.)

IC 9-17-6-11
Repealed
(As added by P.L.2-1991, SEC.5. Repealed by P.L.198-2016, SEC.251.)

IC 9-17-6-12
Repealed
(As added by P.L.2-1991, SEC.5. Amended by P.L.125-2012, SEC.93. Repealed by P.L.198-2016, SEC.252.)

IC 9-17-6-13
Repealed
(As added by P.L.2-1991, SEC.5. Repealed by P.L.198-2016, SEC.253.)

IC 9-17-6-14
Repealed
(As added by P.L.2-1991, SEC.5. Repealed by P.L.198-2016, SEC.254.)

IC 9-17-6-15
Repealed
(As added by P.L.2-1991, SEC.5. Repealed by P.L.198-2016, SEC.255.)

IC 9-17-6-15.1
Affidavit of transfer to real estate; application; fee
Sec. 15.1. (a) A person that:
(1) holds a certificate of title for;
(2) holds a certificate of origin for; or
(3) otherwise owns as an improvement;
a manufactured home that is attached to real estate by a permanent foundation may apply for an affidavit of transfer to real estate with the bureau. The application must be accompanied by the fee set forth in subsection (d).

(b) An application for an affidavit of transfer to real estate must contain the following:

(1) A full description of the manufactured home, including:

(A) a description; and

(B) the parcel number;

of the real estate to which the manufactured home is attached.

(2) One (1) or more of the following numbers:

(A) A unique serial number assigned by the manufacturer to the manufactured home.

(B) The certification label number required by the United States Department of Housing and Urban Development for the manufactured home.

(C) A special identification number issued by the bureau for the manufactured home.

(3) An attestation by the owner of the manufactured home that the manufactured home has been permanently attached to the real estate upon which it is located.

(c) A certificate of title or a certificate of origin is not required for a person who applies for an affidavit of transfer to real estate under this section.

(d) The fee for an affidavit of transfer to real estate is as follows:

(1) For an application made before January 1, 2017, twenty dollars ($20). The fee shall be distributed as follows:

(A) Ten dollars ($10) to the motor vehicle highway account.

(B) Ten dollars ($10) to the commission fund.

(2) For an application made after December 31, 2017, fifteen dollars ($15). The fee shall be distributed as follows:

(A) Five dollars ($5) to the motor vehicle highway account.

(B) Ten dollars ($10) to the commission fund.

As added by P.L.106-2003, SEC.2. Amended by P.L.106-2007, SEC.3; P.L.262-2013, SEC.46; P.L.198-2016, SEC.256.

IC 9-17-6-15.3

Recording of affidavit of transfer to real estate

Sec. 15.3. Upon receipt from the person filing the affidavit of transfer to real estate, with the accompanying retired certificate of title, if available, the recorder of the county in which the manufactured home is located shall record the affidavit in the manner required by IC 36-2-11-8, if the auditor of the county has performed the endorsement required by IC 36-2-9-18.

As added by P.L.106-2003, SEC.3. Amended by P.L.106-2007, SEC.4; P.L.198-2016, SEC.257.

IC 9-17-6-15.5

Application of transfer to real estate; conversion of manufactured home to real estate

Sec. 15.5. The filing in the appropriate county recorder's office of the affidavit of transfer to real estate with the retired certificate of

title, if available, is deemed a conversion of the manufactured home that is attached to real estate by a permanent foundation to an improvement upon the real estate upon which it is located. However, a filing under this section is not required for a person who converts a manufactured home that is attached to real estate by a permanent foundation to an improvement upon the real estate upon which it is located.

As added by P.L.106-2003, SEC.4. Amended by P.L.106-2007, SEC.5.

IC 9-17-6-16

Repealed

(As added by P.L.2-1991, SEC.5. Repealed by P.L.188-2015, SEC.15.)

IC 9-17-6-17

Requirements concerning purchase contracts

Sec. 17. A purchase contract for a mobile or manufactured home that is required to be titled under IC 9-17-1-0.5 is subject to the following terms and conditions:

(1) The seller must provide a copy of the title to the mobile or manufactured home.

(2) The contract must specify whether the seller or buyer is responsible for the payment of property taxes assessed against the mobile or manufactured home under IC 6-1.1-7.

(3) The buyer of the mobile or manufactured home must record the contract in the county recorder's office.

As added by P.L.203-2013, SEC.16. Amended by P.L.198-2016, SEC.258.

IC 9-17-6-18

Immunity from civil liability

Sec. 18. The bureau, the commissioner of the bureau, and employees of the bureau are not liable in a civil action for any false information that is:

(1) provided to the bureau by an applicant for a certificate of title;

(2) reasonably relied upon by the bureau in making a determination to issue a certificate of title to the applicant; and

(3) included in the certificate of title to a manufactured home under this chapter.

As added by P.L.198-2016, SEC.259.

IC 9-17-7
Repealed

(Repealed by P.L.198-2016, SEC.260.)

IC 9-17-8
Repealed

(Repealed by P.L.92-2013, SEC.44.)

IC 9-18

ARTICLE 18. MOTOR VEHICLE REGISTRATION AND LICENSE PLATES

IC 9-18-1

Chapter 1. Application

IC 9-18-1-1

Applicability

Sec. 1. (a) This article does not apply to the following:

(1) Farm wagons.

(2) Farm tractors.

(3) A new motor vehicle if the new motor vehicle is being operated in Indiana solely to remove it from an accident site to a storage location because:

(A) the new motor vehicle was being transported on a railroad car or semitrailer; and

(B) the railroad car or semitrailer was involved in an accident that required the unloading of the new motor vehicle to preserve or prevent further damage to it.

(4) An implement of agriculture designed to be operated primarily in a farm field or on farm premises, including the incidental operation of an implement of agriculture on a highway or street to transport the implement from a farm field or premises to another farm field or premises for use on the farm field or premises.

(5) Before January 1, 2014, off-road vehicles.

(6) Golf carts when operated in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).

(7) Vehicles that are not issued a certificate of title under IC 9-17, unless otherwise provided in this article.

(b) After December 31, 2013, this article applies to off-road vehicles and snowmobiles.

(c) The bureau may not issue a license plate to or register a vehicle listed in subsection (a) unless otherwise specifically provided in this article.

As added by P.L.2-1991, SEC.6. Amended by P.L.124-1995, SEC.1; P.L.210-2005, SEC.20; P.L.219-2005, SEC.11; P.L.1-2006, SEC.160; P.L.150-2009, SEC.6; P.L.182-2009(ss), SEC.285; P.L.125-2012, SEC.95; P.L.259-2013, SEC.11; P.L.262-2013, SEC.47.

IC 9-18-1-2

Mini-trucks; exceptions

Sec. 2. This article applies to a mini-truck with the exception of the following:

(1) IC 9-18-7.

(2) IC 9-18-9 through IC 9-18-11.
(3) IC 9-18-13 through IC 9-18-14.

As added by P.L.180-2015, SEC.8. Amended by P.L.174-2016, SEC.10; P.L.198-2016, SEC.261.

IC 9-18-1-3
Expiration of article

Sec. 3. This article expires December 31, 2016.

As added by P.L.198-2016, SEC.262.

IC 9-18-2

Chapter 2. General Procedures for Registering Motor Vehicles and Obtaining License Plates

IC 9-18-2-0.5

Registration

Sec. 0.5. After December 31, 2013, the registration of off-road vehicles and snowmobiles shall be performed by the bureau under IC 9-18-2.5.

As added by P.L.259-2013, SEC.12.

IC 9-18-2-1

Registration; state residents; violation

Sec. 1. (a) A person must register all motor vehicles owned by the person that:

(1) are subject to the motor vehicle excise tax under IC 6-6-5; and

(2) will be operated in Indiana.

(b) A person must register all commercial vehicles owned by the person that:

(1) are subject to the commercial vehicle excise tax under IC 6-6-5.5;

(2) are not subject to proportional registration under the International Registration Plan; and

(3) will be operated in Indiana.

(c) A person must register all recreational vehicles owned by the person that:

(1) are subject to the excise tax imposed under IC 6-6-5.1; and

(2) will be operated in Indiana.

(d) A person must register all vehicles owned by the person not later than sixty (60) days after becoming an Indiana resident.

(e) Except as provided in subsection (f), an Indiana resident must register all motor vehicles operated in Indiana.

(f) An Indiana resident who has a legal residence in a state that is not contiguous to Indiana may operate a motor vehicle in Indiana for not more than sixty (60) days without registering the motor vehicle in Indiana.

(g) An Indiana resident who has registered a motor vehicle in Indiana in any previous registration year is not required to register the motor vehicle, is not required to pay motor vehicle excise tax under IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5 on the motor vehicle, and is exempt from property tax on the motor vehicle for any registration year in which:

(1) the Indiana resident is:

(A) an active member of the armed forces of the United States; and

(B) assigned to a duty station outside Indiana; and

(2) the motor vehicle is not operated inside or outside Indiana.

This subsection may not be construed as granting the bureau authority to require the registration of any vehicle that is not operated in Indiana.

(h) When an Indiana resident registers a motor vehicle in Indiana after the period of exemption described in subsection (g), the Indiana resident may submit an affidavit that:

(1) states facts demonstrating that the motor vehicle is a motor vehicle described in subsection (g); and

(2) is signed by the owner of the motor vehicle under penalties of perjury;

as sufficient proof that the owner of the motor vehicle is not required to register the motor vehicle during a registration year described in subsection (g). The commission or bureau may not require the Indiana resident to pay any civil penalty or any reinstatement or other fee that is not also charged to other motor vehicles being registered in the same registration year.

(i) Notwithstanding IC 9-18-1-1(a)(7), a person shall register all motor driven cycles owned by the person that:

(1) are subject to the motor vehicle excise tax under IC 6-6-5; and

(2) will be operated in Indiana.

(j) A person who fails to register a motor vehicle as required under:

(1) subsections (a) through (e); or

(2) subsection (i);

commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.90-1996, SEC.1; P.L.181-1999, SEC.11; P.L.3-2008, SEC.76; P.L.131-2008, SEC.46; P.L.1-2009, SEC.80; P.L.125-2012, SEC.96; P.L.221-2014, SEC.18; P.L.188-2015, SEC.18.

IC 9-18-2-2

Registration; nonresidents

Sec. 2. (a) Except as otherwise provided in this section, a nonresident who owns a vehicle required to be registered under this article may:

(1) operate; or

(2) permit the operation of;

the vehicle in Indiana without registering the vehicle or paying any fees if the vehicle is properly registered in the jurisdiction in which the nonresident is a resident.

(b) An exemption granted to nonresident owners under this section applies only to the extent that Indiana residents are granted exemptions in the jurisdiction that is the residence of the nonresident.

As added by P.L.2-1991, SEC.6.

IC 9-18-2-3

Reciprocity

Sec. 3. An officer of the state charged with the enforcement of this article shall grant to a person who is a nonresident owner of a vehicle privileges of vehicle operation in Indiana equal to the privileges granted to an Indiana resident who owns or operates a vehicle in the person's state of residence.

As added by P.L.2-1991, SEC.6.

IC 9-18-2-4

Commercial vehicles

Sec. 4. A person who owns a vehicle that is required to be registered under this article and that is:

(1) operated upon the highways for the transportation of persons or property for compensation; or

(2) carrying on intrastate business within Indiana and owning and regularly operating in the business a vehicle:

(A) required to be registered under this article in Indiana; or

(B) operated over a regularly scheduled route or having a fixed terminus;

shall register the vehicle and pay the same fees required by this chapter and IC 9-29.

As added by P.L.2-1991, SEC.6.

IC 9-18-2-4.5

Expired

(As added by P.L.150-2001, SEC.4. Amended by P.L.293-2013(ts), SEC.38; P.L.212-2014, SEC.11. Expired 1-1-2016 by P.L.212-2014, SEC.11.)

IC 9-18-2-4.6

License plates and registration for a commercial vehicle fleet of at least 25 commercial vehicles

Sec. 4.6. (a) This section applies to registrations in a calendar year beginning after December 31, 2015.

(b) Upon payment of the annual registration fee under IC 9-29-5 and any applicable commercial vehicle excise tax under IC 6-6-5.5, the department of state revenue may issue a license plate for each commercial vehicle registered to the owner of at least twenty-five (25) commercial vehicles. The license plate issued under this section for a commercial vehicle is permanently valid.

(c) The application of registration for the commercial vehicles must be on an aggregate basis by electronic means. If the application is approved, the department of state revenue shall issue a certificate of registration that shall be carried at all times in the vehicle for which it is issued.

(d) The registration for a commercial vehicle is void when the registered owner:

(1) sells (and does not replace);

(2) disposes of; or

(3) does not renew the registration of;

the commercial vehicle or the commercial vehicle is destroyed.

(e) This section does not relieve the owner of a vehicle from payment of any applicable commercial vehicle excise tax under IC 6-6-5.5 on a yearly basis.

(f) A registered license plate issued under subsection (b) may be transferred to another vehicle in a fleet of the same weight and plate type, with a new certificate of registration issued under subsection (c), upon application to the department of state revenue. A commercial vehicle excise tax credit may be applied to any plate transfer of the same vehicle type and same weight category.

(g) The department of state revenue shall adopt rules under IC 4-22-2 necessary to administer this section.

(h) The following apply to rules adopted by the bureau before January 1, 2014, under section 4.5(f) of this chapter (before its expiration):

(1) The rules are transferred to the department of state revenue and are considered rules of the department of state revenue.

(2) The rules are treated as if they had been adopted by the department of state revenue.

(i) Upon qualification under this section, a vehicle subject to the commercial vehicle excise tax under IC 6-6-5.5, including trailers and semi-trailers, must be registered with the department of state revenue and issued a permanent license plate.

(j) A registered owner may continue to register commercial vehicles under this section even after a reduction in the registered owner's fleet to fewer than twenty-five (25) commercial vehicles.

As added by P.L.212-2014, SEC.12.

IC 9-18-2-5

Trailers and semitrailers

Sec. 5. A person may operate intrastate, or combined interstate and intrastate, in Indiana a trailer or semitrailer that is properly registered and licensed in another state if the trailer or semitrailer:

(1) does not have a fixed terminus or permanent base in Indiana; and

(2) is at the time being drawn or propelled by a tractor or truck that is properly registered and licensed in Indiana if the trailer or semitrailer is:

(A) properly registered and licensed in a jurisdiction other than Indiana; and

(B) is exempt from registration under this chapter if the owner has complied with the laws of the jurisdiction in which the trailer or semitrailer is registered to the extent that the jurisdiction in which the vehicle is registered grants the exemptions and privileges to vehicles owned by Indiana residents and registered under Indiana law.

As added by P.L.2-1991, SEC.6. Amended by P.L.198-2016, SEC.263.

IC 9-18-2-6
Repealed

(As added by P.L.2-1991, SEC.6. Amended by P.L.188-2015, SEC.19. Repealed by P.L.198-2016, SEC.264.)

IC 9-18-2-7
Registration; unregistered operation prohibited; fee collection; staggered registration

Sec. 7. (a) A person that owns a vehicle that is operated on a highway and subject to registration shall register each vehicle owned by the person as follows:

(1) A vehicle subject to section 8 of this chapter shall be registered under section 8 of this chapter.

(2) Subject to subsection (e) or (f), a vehicle not subject to section 8 or 8.5 of this chapter or to the International Registration Plan shall be registered before:

(A) March 1 of each year;

(B) February 1 or later dates each year, if:

(i) the vehicle is being registered with the department of state revenue; and

(ii) staggered registration has been adopted by the department of state revenue; or

(C) an earlier date subsequent to January 1 of each year as set by the bureau, if the vehicle is being registered with the bureau.

(3) School and special purpose buses owned by a school corporation are exempt from annual registration but are subject to registration under IC 20-27-7.

(4) A school or special purpose bus not owned by a school corporation shall be registered subject to section 8.5 of this chapter.

(b) Except as provided in IC 9-18-12-2.5, a person that owns or operates a vehicle may not operate or permit the operation of a vehicle that:

(1) is required to be registered under this chapter; and

(2) has expired license plates.

(c) If a vehicle that is required to be registered under this chapter has:

(1) been operated on the highways; and

(2) not been properly registered under this chapter;

the bureau shall, before the vehicle is reregistered, collect the registration fee that the owner of the vehicle would have paid if the vehicle had been properly registered.

(d) The department of state revenue may adopt rules under IC 4-22-2 to issue staggered registration to motor vehicles subject to

registration under any of the following:

(1) The International Registration Plan.

(2) IC 9-18-2-4.6.

(3) IC 9-18.1-13-3.

(e) Except as provided in section 8.5 of this chapter, the bureau may adopt rules under IC 4-22-2 to issue staggered registration to motor vehicles described in subsection (a)(2).

(f) The registration of a vehicle to:

(1) a member of the general assembly;

(2) the spouse of a member of the general assembly; or

(3) a state official who receives a special license plate on an annual basis;

expires on December 14 of each year.

(g) A person that fails to register or reregister a motor vehicle as required under subsection (a) or (b) commits a Class C infraction.

(h) A person that operates or permits the operation of a motor vehicle in violation of subsection (b) commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.125-1995, SEC.1; P.L.93-1997, SEC.3; P.L.1-2005, SEC.99; P.L.147-2005, SEC.1; P.L.79-2006, SEC.1; P.L.31-2008, SEC.1; P.L.26-2011, SEC.1; P.L.262-2013, SEC.48; P.L.203-2013, SEC.17; P.L.293-2013(ts), SEC.39; P.L.2-2014, SEC.37; P.L.149-2015, SEC.34; P.L.188-2015, SEC.20; P.L.198-2016, SEC.265.

IC 9-18-2-8

Registration schedule; license plate or renewal sticker; certificate of inspection of private bus

Sec. 8. (a) Except as provided in section 7(f) of this chapter, the bureau shall determine the schedule for registration for the following categories of vehicles:

(1) Passenger motor vehicles.

(2) Recreational vehicles.

(3) Motorcycles.

(4) Trucks that:

(A) are regularly rented to others for not more than twenty-nine (29) days in the regular course of the corporation's business; and

(B) have a declared gross weight of not more than eleven thousand (11,000) pounds.

(5) Motor driven cycles.

(6) Trailers that have a declared gross weight of not more than three thousand (3,000) pounds.

(b) Except as provided in IC 9-18-12-2.5, a person that owns a vehicle shall receive a license plate, renewal sticker, or other proof upon registration of the vehicle. The bureau may determine the proof of registration required to be displayed.

(c) A corporation that owns a vehicle that is regularly rented to others for periods of not more than twenty-nine (29) days in the

regular course of the corporation's business must register the vehicle on the date prescribed by the bureau.

(d) A person that owns a vehicle in a category required to be registered under this section and desires to register the vehicle for the first time must apply to the bureau for a certificate of registration. The bureau shall do the following:

(1) Administer the certificate of registration.

(2) Issue the license plate according to the bureau's central fulfillment processes.

(3) Collect the proper fee in accordance with the procedure established by the bureau.

(e) Except as provided in IC 9-18-12-2.5, the bureau shall issue a semipermanent plate under section 30 of this chapter, or:

(1) an annual renewal sticker; or

(2) other indicia;

to be affixed on the semipermanent plate.

(f) A person that:

(1) owns a private bus; and

(2) desires to:

(A) register for the first time; or

(B) reregister;

the private bus;

must present to the bureau an unexpired certificate indicating compliance with an inspection program established under IC 9-19-22-3, in addition to any other information required by the bureau.

As added by P.L.2-1991, SEC.6. Amended by P.L.125-1995, SEC.2; P.L.176-2001, SEC.3; P.L.210-2005, SEC.21; P.L.79-2006, SEC.2; P.L.107-2008, SEC.12; P.L.26-2011, SEC.2; P.L.262-2013, SEC.49; P.L.160-2014, SEC.1; P.L.221-2014, SEC.19; P.L.216-2014, SEC.32; P.L.149-2015, SEC.35; P.L.198-2016, SEC.266.

IC 9-18-2-8.5

Registration of school or special purpose buses owned by a person other than a school corporation

Sec. 8.5. (a) Notwithstanding section 8 of this chapter, a school bus or a special purpose bus owned by a person other than a school corporation shall be registered before September 28 of each year.

(b) Registration and reregistration for a school or special purpose bus under this section is for one (1) year.

(c) A certificate of inspection as described under IC 20-27-7-3 must accompany a registration and reregistration application of a school or special purpose bus under this section.

(d) A person registering a school bus or a special purpose bus under this section shall pay the annual registration fee required under IC 9-29-5-8 and any other applicable fees.

(e) Upon registration of a school or special purpose bus under this section, the bureau shall issue a license plate under section 30 of this

chapter, including:

(1) an annual renewal sticker; or

(2) other indicia;

to be attached on the semipermanent plate.

(f) A license plate with a renewal sticker or other indicia of registration issued under this section may be displayed during:

(1) the calendar year for which the school or special purpose bus is registered; and

(2) the period:

(A) after the calendar year; and

(B) before September 28 of the subsequent year.

As added by P.L.31-2008, SEC.2. Amended by P.L.286-2013, SEC.7; P.L.216-2014, SEC.33; P.L.149-2015, SEC.36.

IC 9-18-2-9

Applications; determination of genuineness, regularity, and legality; rejection

Sec. 9. (a) The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of the following:

(1) Information provided by a person as part of a request for the registration of a vehicle.

(2) A request for any type of license plate required under this title for the operation of a vehicle upon the highways.

(3) Any other application or request made to the bureau under this article.

(b) The bureau may:

(1) make investigations or require additional information; and

(2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement contained in an application or request, or for any other reason.

As added by P.L.2-1991, SEC.6. Amended by P.L.262-2013, SEC.50.

IC 9-18-2-10

Certificate of title required for registration; exception

Sec. 10. (a) Except as provided in sections 18, 23, and 29.5 of this chapter, a certificate of registration of a motor vehicle, semitrailer, or recreational vehicle and a license plate for a motor vehicle, semitrailer, or recreational vehicle, whether original issues or duplicates, may not be issued or furnished by the bureau unless the person applying for the certificate of registration:

(1) applies at the same time for and is granted a certificate of title for the motor vehicle, semitrailer, or recreational vehicle; or

(2) presents satisfactory evidence that a certificate of title has been previously issued to the person that covers the motor vehicle, semitrailer, or recreational vehicle.

(b) If the bureau at any time determines that a certificate of title for a motor vehicle cannot be issued or is invalid, the bureau:

(1) shall not issue or furnish; or

(2) may invalidate;

the certificate of registration for the vehicle.

(c) This section does not apply to a vehicle for which a certificate of title is not required under IC 9-17.

As added by P.L.2-1991, SEC.6. Amended by P.L.262-2013, SEC.51; P.L.149-2015, SEC.37.

IC 9-18-2-11

Proof of financial responsibility required

Sec. 11. A person registering a motor vehicle in Indiana must have proof of financial responsibility that is in effect in the amounts specified in IC 9-25 available for inspection at the time the person's application for registration is made.

As added by P.L.2-1991, SEC.6. Amended by P.L.125-2012, SEC.97.

IC 9-18-2-12

Air emission control inspection and certification required for registration; motor vehicle equipment required for registration

Sec. 12. The bureau may not register the following motor vehicles:

(1) A motor vehicle that:

(A) is subject under rules adopted under air pollution control laws (as defined in IC 13-11-2-6) to:

(i) inspection of vehicle air pollution control equipment; and

(ii) testing of emission characteristics; and

(B) has not been:

(i) inspected; and

(ii) certified by an inspection station under IC 13-17-5-5.1(b) that the air pollution equipment is not in a tampered condition and the vehicle meets air emission control standards.

(2) A motor vehicle that does not comply with applicable motor vehicle equipment requirements under IC 9-19.

(3) A motor vehicle that does not comply with applicable operational and equipment specifications described in 49 CFR 571.

As added by P.L.2-1991, SEC.6. Amended by P.L.1-1996, SEC.59; P.L.229-1999, SEC.1; P.L.262-2013, SEC.52; P.L.221-2014, SEC.20.

IC 9-18-2-13

Applications; leased and privately owned vehicles

Sec. 13. Except as provided in sections 14 and 15 of this chapter, a person who:

(1) has leased; or
(2) is the owner of;
a vehicle that is required to be registered under this chapter may apply for and obtain the registration in any county.
As added by P.L.2-1991, SEC.6. Amended by P.L.62-1996, SEC.8; P.L.176-2001, SEC.4.

IC 9-18-2-14
Applications; buses; International Registration Plan registrants
Sec. 14. (a) A:
(1) government agency, dealer, or person who owns a bus shall apply directly to the bureau in the state central office to register a vehicle; and
(2) person who is registered under the International Registration Plan shall apply to the department of state revenue under rules adopted under IC 4-22-2.
(b) A person who registers a vehicle under subsection (a)(1) shall file with the bureau or a license branch an application for the registration of the vehicle upon an appropriate form furnished by the bureau.
(c) A person who registers a vehicle under subsection (a)(2) shall file electronically with the department of state revenue an application for the registration of the vehicle.
As added by P.L.2-1991, SEC.6. Amended by P.L.61-1996, SEC.14; P.L.293-2013(ts), SEC.40.

IC 9-18-2-15
Registration sites
Sec. 15. (a) Except as provided in subsection (b), a person who:
(1) owns a vehicle that is subject to the motor vehicle excise tax under IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5;
(2) is leasing the vehicle to another person; and
(3) has agreed to register the vehicle as a condition of the lease;
may apply for and obtain the registration in any county.
(b) If a vehicle is being registered subject to the International Registration Plan, the vehicle shall be registered at the department of state revenue under rules adopted under IC 4-22-2.
(c) A vehicle that is being leased and is not subject to the motor vehicle excise tax under IC 6-6-5 may be registered in any county.
As added by P.L.2-1991, SEC.6. Amended by P.L.62-1996, SEC.9; P.L.61-1996, SEC.15; P.L.181-1999, SEC.12; P.L.176-2001, SEC.5.

IC 9-18-2-16
Applications; content; audits
Sec. 16. (a) A person that desires to register a vehicle with the bureau must provide the following:
(1) The:

(A) name, bona fide residence, and mailing address, including the name of the county, of the person that owns the vehicle; or

(B) business address, including the name of the county, of the person that owns the vehicle if the person is a firm, a partnership, an association, a corporation, a limited liability company, or a unit of government.

If the vehicle that is being registered has been leased and is subject to the motor vehicle excise tax under IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5, the address of the person that is leasing the vehicle must be provided. If the vehicle that is being registered has been leased and is not subject to the motor vehicle excise tax under IC 6-6-5 or the commercial vehicle excise tax under IC 6-6-5.5, the address of the person that owns the vehicle, the person that is the lessor of the vehicle, or the person that is the lessee of the vehicle must be provided. If a leased vehicle is to be registered under the International Registration Plan, the registration procedures are governed by the terms of the plan.

(2) A brief description of the vehicle to be registered, including the following information if available:

(A) The name of the manufacturer of the vehicle.

(B) The vehicle or special identification number.

(C) The manufacturer's rated capacity if the vehicle is a truck, tractor, trailer, or semitrailer.

(D) The type of body of the vehicle.

(E) The model year of the vehicle.

(F) The color of the vehicle.

(G) Any other information reasonably required by the bureau to enable the bureau to determine if the vehicle may be registered. The bureau may request the person applying for registration to provide the vehicle's odometer reading.

(3) The person registering the vehicle may indicate the person's desire to donate money to organizations that promote the procurement of organs for anatomical gifts. The bureau must:

(A) allow the person registering the vehicle to indicate the amount the person desires to donate; and

(B) provide that the minimum amount a person may donate is one dollar ($1).

Funds collected under this subdivision shall be deposited with the treasurer of state in a special account. The bureau shall monthly distribute the money in the special account to the anatomical gift promotion fund established by IC 16-19-3-26. The bureau may deduct from the funds collected under this subdivision the costs incurred by the bureau in implementing and administering this subdivision.

(b) The department of state revenue may audit records of persons that register trucks, trailers, semitrailers, buses, and rental cars under

the International Registration Plan, IC 9-18-2-4.6, or IC 9-18.1-13-3 to verify the accuracy of the application and collect or refund fees due.

As added by P.L.2-1991, SEC.6. Amended by P.L.8-1993, SEC.172; P.L.125-1995, SEC.3; P.L.61-1996, SEC.16; P.L.96-1997, SEC.1; P.L.5-1999, SEC.1; P.L.181-1999, SEC.13; P.L.63-2000, SEC.1; P.L.125-2012, SEC.98; P.L.149-2015, SEC.38; P.L.198-2016, SEC.267.

IC 9-18-2-17

Records; withholding of registration; rules

Sec. 17. (a) Upon receiving the information under section 16 of this chapter, the bureau shall:

(1) determine:

(A) the genuineness and regularity of the information; and

(B) that the person applying for registration is entitled to register the vehicle;

(2) subject to subsection (b), register the vehicle described in the application; and

(3) keep a record of the registration of the vehicle under a distinctive registration number assigned to the vehicle in a manner the bureau considers desirable for the convenience of the bureau.

(b) Upon receiving notice, as described in IC 9-21-3.5-10(c), of the failure of an owner of a vehicle to pay a fine, charge, or other assessment for a toll violation documented under IC 9-21-3.5-12, the bureau shall withhold the annual registration of the vehicle that was used in the commission of the toll violation until the owner pays the fine, charge, or other assessment, plus any applicable fees, to:

(1) the bureau; or

(2) the appropriate authority under IC 9-21-3.5 that is responsible for the collection of fines, charges, or other assessments for toll violations under IC 9-21-3.5.

If the owner pays the fine, charge, or assessment, plus any applicable fees, to the bureau as described in subdivision (1), the bureau shall remit the appropriate amount to the appropriate authority under IC 9-21-3.5 that is responsible for the collection of fines, charges, assessments, or fees for toll violations under IC 9-21-3.5.

(c) Upon receiving notice, as described in IC 9-21-3.5-15(d), of the failure of an owner of a vehicle to pay a fine, charge, or other assessment for a toll violation documented under IC 9-21-3.5-12 or IC 9-21-3.5-14, the bureau shall withhold the annual registration of the vehicle that was used in the commission of the toll violation until the owner pays the fine, charge, or other assessment, plus any applicable fees, to:

(1) the operator of the private toll facility; or

(2) a person designated by the operator of the private toll facility to collect fines, charges, or other assessments for toll

violations under IC 9-21-3.5;

as applicable. The bureau may impose a fee to reinstate an annual registration that was withheld under this subsection.

(d) Not later than July 1, 2016, the bureau shall adopt emergency rules in the manner provided under IC 4-22-2-37.1 or rules under IC 4-22-2 to implement this section, including a rule to establish the amount of any fee imposed under subsection (c).

As added by P.L.2-1991, SEC.6. Amended by P.L.163-2011, SEC.19; P.L.125-2012, SEC.99; P.L.152-2015, SEC.1.

IC 9-18-2-18

International Registration Plan vehicles; certificates of registration and plates; issuance for out-of-state vehicles

Sec. 18. The department of state revenue may issue a certificate of registration or a license plate for a vehicle that is:

(1) subject to registration under apportioned registration of the International Registration Plan; and

(2) based and titled in a state other than Indiana subject to the conditions of the plan.

As added by P.L.2-1991, SEC.6. Amended by P.L.61-1996, SEC.17.

IC 9-18-2-19

International Registration Plan vehicles; apportioned plates and cab cards

Sec. 19. (a) A person who owns or leases a vehicle required to be registered under the International Registration Plan shall receive an apportioned plate and cab card as determined by the department of state revenue. The department of state revenue may accept applications on a schedule to be set under rules adopted under IC 4-22-2.

(b) A distinctive cab card:

(1) shall be issued for a vehicle registered under the International Registration Plan; and

(2) must be carried in the vehicle.

As added by P.L.2-1991, SEC.6. Amended by P.L.61-1996, SEC.18.

IC 9-18-2-20

Certificates of registration; issuance; contents; duplicates

Sec. 20. (a) The bureau, upon registering a vehicle required to be registered by this chapter, shall issue a certificate of registration.

(b) The certificate of registration shall be delivered to the person leasing the vehicle or to the person who owns the vehicle and shall contain upon the face of the card the following information:

(1) The name and address of the person leasing the vehicle or the person who owns the vehicle.

(2) The date the card was issued.

(3) The registration number assigned to the vehicle.

(4) A description of the vehicle as determined by the bureau.

If any of the information on the card is or becomes incorrect or obsolete, the person to whom the certificate of registration was delivered shall apply for an amended certificate of registration within thirty (30) days after the information becomes incorrect or obsolete. The application must contain the correct or new information and must be accompanied by the fee prescribed under IC 9-29-5.

(c) If a certificate of registration is mutilated, destroyed, or lost, a duplicate certificate of registration must be purchased. The application for a duplicate certificate of registration must be accompanied by the fee prescribed under IC 9-29.

As added by P.L.2-1991, SEC.6. Amended by P.L.216-2014, SEC.34; P.L.149-2015, SEC.39.

IC 9-18-2-21

Certificate of registration; possession required; violation

Sec. 21. (a) A certificate of registration or a legible reproduction of the certificate of registration must be carried:

(1) in the vehicle to which the registration refers; or

(2) by the person driving or in control of the vehicle, who shall display the registration upon the demand of a police officer.

(b) A person who fails to carry a certificate of registration or a legible reproduction of a certificate of registration as required under subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.125-2012, SEC.100; P.L.37-2013, SEC.1; P.L.262-2013, SEC.53; P.L.188-2015, SEC.21.

IC 9-18-2-22

Additional fees, licenses, permits, and numbers prohibited; exception

Sec. 22. A person that:

(1) owns a motor vehicle, except a person that owns a truck or motor vehicle used in transporting passengers or property for hire; and

(2) has obtained a certificate of registration under this title;

is not required to pay another license fee, obtain any other license or permit to use or operate the motor vehicle on the highways, or display upon the motor vehicle any other number other than the number issued by the bureau.

As added by P.L.2-1991, SEC.6. Amended by P.L.198-2016, SEC.268.

IC 9-18-2-23

Transport operators

Sec. 23. (a) This section does not apply to a vehicle registered as a recovery vehicle under IC 9-18-13.

(b) A transport operator may, instead of registering each motor vehicle transported, make a verified application upon a form

prescribed by the bureau and furnished by the bureau for a general distinctive registration number for all motor vehicles transported by the transport operator and used and operated for the purposes provided. The application must contain the following:

(1) A brief description of each style or type of motor vehicle transported.

(2) The name and address, including the county of residence, of the transport operator.

(3) Any other information the bureau requires.

(c) The bureau, upon receiving:

(1) an application for a transport operator license plate; and

(2) the proper fee;

shall issue to the person who submitted the application and fee two (2) certificates of registration and the license plates with numbers corresponding to the numbers of the certificates of registration. A transport operator may obtain as many additional pairs of license plates as desired upon application and the payment to the bureau of the fee prescribed under IC 9-29 for each pair of additional license plates.

(d) A license plate or sign other than those furnished and approved by the bureau may not be used.

(e) A transport operator license plate may not be used on a vehicle used or operated on a highway, except for the purpose of transporting vehicles in transit. A person may haul other vehicles or parts of vehicles in transit in the same combination.

(f) A transport operator may not operate a vehicle or any combination of vehicles in excess of the size and weight limits specified by law.

(g) A license plate shall be displayed on the front and rear of each combination, and if only one (1) motor vehicle is transported, a license plate shall be displayed on both the front and rear of the motor vehicle.

(h) The bureau may not issue transport operator license plates to a transport operator who has been convicted of violating this section until the bureau is satisfied that the transport operator is able to comply with the requirements of this section.

As added by P.L.2-1991, SEC.6. Amended by P.L.262-2013, SEC.54.

IC 9-18-2-24
Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.125-2012, SEC.101.)

IC 9-18-2-25
Alternate plates

Sec. 25. (a) If the bureau is not able to comply with the provisions of this title relating to the furnishing of license plates because of a:

(1) materials shortage; or

(2) regulation of a board or an agency of the United States government;

the bureau may adopt rules under IC 4-22-2 to provide the type and number of license plates that will be furnished and displayed and the manner in which the plates must be displayed.

(b) Compliance with a rule adopted under this section satisfies the provisions of this chapter relating to the display of license plates.

As added by P.L.2-1991, SEC.6. Amended by P.L.176-2001, SEC.6.

IC 9-18-2-26

License plates; display; violation

Sec. 26. (a) License plates, including temporary license plates, shall be displayed as follows:

(1) For a motorcycle, motor driven cycle, trailer, semitrailer, or recreational vehicle, upon the rear of the vehicle, except as provided in subdivision (4).

(2) For a tractor or dump truck, upon the front of the vehicle.

(3) For every other vehicle, upon the rear of the vehicle, except as provided in subdivision (4).

(4) For a truck with a rear mounted forklift or a mechanism to carry a rear mounted forklift or implement, upon the front of the vehicle.

(b) A license plate shall be securely fastened, in a horizontal position, to the vehicle for which the plate is issued:

(1) to prevent the license plate from swinging;

(2) at a height of at least twelve (12) inches from the ground, measuring from the bottom of the license plate;

(3) in a place and position that are clearly visible;

(4) maintained free from foreign materials and in a condition to be clearly legible; and

(5) not obstructed or obscured by tires, bumpers, accessories, or other opaque objects.

(c) An interim license plate must be displayed in the manner required by IC 9-32-6-11(f).

(d) The bureau may adopt rules the bureau considers advisable to enforce the proper mounting and securing of license plates on vehicles consistent with this chapter.

(e) A person who fails to display:

(1) a license plate as specified under subsection (a) or (b); or

(2) an interim license plate as required by IC 9-32-6-11(f);

commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.210-2005, SEC.22; P.L.42-2007, SEC.18; P.L.184-2011, SEC.1; P.L.92-2013, SEC.45; P.L.262-2013, SEC.55; P.L.221-2014, SEC.21; P.L.188-2015, SEC.22.

IC 9-18-2-27

Prohibited displays; display of lawful additional information;

violation

Sec. 27. (a) Except as provided in subsections (b) and (c), a vehicle required to be registered under this chapter may not be used or operated upon the highways if the motor vehicle displays any of the following:

(1) A registration number belonging to any other vehicle.

(2) A fictitious registration number.

(3) A sign or placard bearing the words "license applied for" or "in transit" or other similar signs.

(b) Any other number may be displayed for any lawful purpose upon a:

(1) motor vehicle;

(2) trailer;

(3) semitrailer; or

(4) recreational vehicle;

in addition to the license plates issued by the bureau under this chapter.

(c) After December 31, 2007, if a vehicle is registered as an antique motor vehicle under IC 9-18-12, an authentic Indiana license plate from the antique vehicle's model year may be displayed on the vehicle under IC 9-18-12-2.5.

(d) A person who operates a motor vehicle in violation of subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.79-2006, SEC.3; P.L.188-2015, SEC.23.

IC 9-18-2-28

Repealed

(As added by P.L.2-1991, SEC.6. Amended by P.L.210-2005, SEC.23; P.L.103-2006, SEC.2; P.L.87-2010, SEC.7. Repealed by P.L.262-2013, SEC.56.)

IC 9-18-2-29

Vehicles subject to registration; violation

Sec. 29. (a) Except as otherwise provided, before:

(1) a motor vehicle;

(2) a motorcycle;

(3) a truck;

(4) a trailer;

(5) a semitrailer;

(6) a tractor;

(7) a bus;

(8) a school bus;

(9) a recreational vehicle;

(10) special machinery; or

(11) a motor driven cycle;

is operated or driven on a highway, the person who owns the vehicle must register the vehicle with the bureau and pay the applicable

registration fee.

(b) A person who operates a motor vehicle in violation of subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.210-2005, SEC.24; P.L.221-2014, SEC.22; P.L.188-2015, SEC.24.

IC 9-18-2-29.5

Registration of special machinery; violation

Sec. 29.5. (a) Before a piece of special machinery is operated off a highway or in a farm field, the person who owns the piece of special machinery must:

(1) register the piece of special machinery with the bureau; and

(2) pay the applicable special machinery registration fee.

(b) A person who operates a piece of special machinery off a highway or in a farm field without first:

(1) registering the piece of special machinery with the bureau; or

(2) paying any applicable registration fees;

commits a Class C infraction.

As added by P.L.210-2005, SEC.25. Amended by P.L.125-2012, SEC.102; P.L.188-2015, SEC.25.

IC 9-18-2-30

License plates; issuance

Sec. 30. Except as otherwise provided, the bureau shall issue to the owner of each vehicle subject to registration one (1) license plate upon the registration of the vehicle.

As added by P.L.2-1991, SEC.6. Amended by P.L.262-2013, SEC.57.

IC 9-18-2-31

License plates; revocation, cancellation, and repossession

Sec. 31. A license plate issued by the bureau under section 30 of this chapter:

(1) remains the property of the bureau; and

(2) may be revoked, canceled, or repossessed as provided by law.

As added by P.L.2-1991, SEC.6.

IC 9-18-2-32

License plates; specifications

Sec. 32. (a) Except as provided in subsection (b), a license plate issued under section 30 of this chapter:

(1) must be six (6) inches wide and twelve (12) inches long;

(2) must display the registration number assigned to the vehicle for which the plate is issued;

(3) may have a prefix of at least one (1) letter of the alphabet to designate the type of vehicle registered; and

(4) shall be treated with special reflective material designed to

increase the visibility and legibility of the license plate.

(b) The bureau may issue license plates in a different size or character if the bureau determines that the change is appropriate to effect the proper display of the license plates.

As added by P.L.2-1991, SEC.6. Amended by P.L.262-2013, SEC.58.

IC 9-18-2-33

License plates; trucks and trailers; classification designations

Sec. 33. (a) When issuing a license plate for a truck or trailer, the bureau shall issue a letter or other suitable designation as determined by the bureau to each applicant for registration of the truck or trailer that indicates the following:

(1) The type of vehicle that is registered.

(2) The gross weight of the load that may be hauled by the vehicle, including the unladen weight of the vehicle fully equipped for service.

(b) The letter or other designation shall be displayed on the license plate or on the truck or trailer, as determined by the bureau, in accordance with the display of license plates as provided in this chapter.

As added by P.L.2-1991, SEC.6.

IC 9-18-2-34

Repealed

(Repealed by P.L.125-1995, SEC.12.)

IC 9-18-2-34.1

Identification number for motor vehicle required for registration or certificate of title

Sec. 34.1. Except as provided in IC 9-17-4, the bureau may not register or issue a certificate of title for the operation of a motor vehicle that does not have an identification number.

As added by P.L.262-2013, SEC.59.

IC 9-18-2-35

Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.262-2013, SEC.60.)

IC 9-18-2-36

License plates; passenger cars; county of registration; display

Sec. 36. A license plate issued for a passenger car must display a numeral that indicates the county in which the passenger car was registered.

As added by P.L.2-1991, SEC.6. Amended by P.L.115-1993, SEC.2.

IC 9-18-2-37

Repealed

(Repealed by P.L.115-1993, SEC.9.)

IC 9-18-2-38
License plates; change of residence

Sec. 38. A license plate issued under this chapter remains valid if the person who registered the passenger motor vehicle or recreational vehicle changes the person's county of residence during the term of the license plate. A person who registers a passenger motor vehicle or recreational vehicle and who changes the person's county of residence may, at the time of reregistration:

(1) retain the license plate originally issued; or

(2) request a new license plate indicating the person's new county of residence.

As added by P.L.2-1991, SEC.6. Amended by P.L.115-1993, SEC.3; P.L.262-2013, SEC.61.

IC 9-18-2-39
Suspension of registration

Sec. 39. (a) Except as provided in subsection (b), upon receipt of written notice under IC 13-17-5-8 of a violation of IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or IC 13-17-5-4, the bureau shall suspend the registration of the vehicle identified in the notice.

(b) The bureau may decline to suspend the registration of the vehicle pending verification of the statements set forth in the written notice.

(c) The bureau shall promptly notify a vehicle's owner of the suspension of the vehicle's registration under this section.

(d) Except as provided in subsection (e), upon the:

(1) receipt of written notice under IC 13-17-5-8 that the violation of IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or IC 13-17-5-4 has been corrected; or

(2) presentation of evidence to the bureau establishing that the violation of IC 13-17-5-1, IC 13-17-5-2, IC 13-17-5-3, or IC 13-17-5-4 has been corrected;

the bureau shall reinstate the registration of the vehicle.

(e) The bureau may decline to reinstate the registration of the vehicle pending verification of the statements set forth in a written notice provided under subsection (d)(1).

As added by P.L.2-1991, SEC.6. Amended by P.L.1-1996, SEC.60; P.L.149-2015, SEC.40.

IC 9-18-2-40
Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.188-2015, SEC.26.)

IC 9-18-2-41
Judgments; distribution

Sec. 41. (a) In addition to:

(1) the penalty described under sections 1, 7, 21, 26, 27, 29, and 29.5 of this chapter; and

(2) any judgment assessed under IC 34-28-5 (or IC 34-4-32 before its repeal);

a person that violates section 1 of this chapter shall be assessed a judgment equal to the amount of excise tax due under IC 6-6-5 or IC 6-6-5.5 on the vehicle involved in the violation.

(b) The clerk of the court shall do the following:

(1) Collect the additional judgment described under subsection (a) in an amount specified by a court order.

(2) Transfer the additional judgment to the county auditor on a calendar year basis.

(c) The auditor shall distribute the judgments described under subsection (b) to law enforcement agencies, including the state police department, responsible for issuing citations to enforce section 1 of this chapter.

(d) The percentage of funds distributed to a law enforcement agency under subsection (c):

(1) must equal the percentage of the total number of citations issued by the law enforcement agency for the purpose of enforcing section 1 of this chapter during the applicable year; and

(2) may be used for the following:

(A) Any law enforcement purpose.

(B) Contributions to the pension fund of the law enforcement agency.

As added by P.L.2-1991, SEC.6. Amended by P.L.4-1994, SEC.3; P.L.1-1998, SEC.94; P.L.181-1999, SEC.14; P.L.188-2015, SEC.27; P.L.198-2016, SEC.269.

IC 9-18-2-42
Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.217-2014, SEC.24.)

IC 9-18-2-43
Impounding vehicles; improper certificates of registration and plates

Sec. 43. (a) Notwithstanding any law to the contrary but except as provided in subsection (b), a law enforcement officer authorized to enforce motor vehicle laws who discovers a vehicle required to be registered under this article that does not have the proper certificate of registration or license plate:

(1) shall take the vehicle into the officer's custody; and

(2) may cause the vehicle to be taken to and stored in a suitable place until:

(A) the legal owner of the vehicle can be found; or

(B) the proper certificate of registration and license plates have been procured.

(b) Except as provided in IC 9-21-21-7(b), a law enforcement officer who discovers a vehicle in violation of the registration provisions of this article has discretion in the impoundment of any of the following:

(1) Perishable commodities.

(2) Livestock.

As added by P.L.2-1991, SEC.6. Amended by P.L.81-1991, SEC.5; P.L.210-2005, SEC.26.

IC 9-18-2-44

Certificates of registration; sale of false certificates; misdemeanor

Sec. 44. A person who knowingly sells, offers to sell, buys, possesses, or offers as genuine a certificate of registration for a motor vehicle, semitrailer, or recreational vehicle that is required to be issued by the bureau and has not been issued by the:

(1) bureau under this article; or

(2) appropriate governmental authority of another state;

commits a Class C misdemeanor.

As added by P.L.2-1991, SEC.6.

IC 9-18-2-45

Improperly registered vehicles; misdemeanor

Sec. 45. A person who knowingly or intentionally owns a motor vehicle that is registered outside Indiana but that is required to be registered in Indiana commits a Class B misdemeanor.

As added by P.L.2-1991, SEC.6.

IC 9-18-2-47

Rules for issuance and replacement of license plates

Sec. 47. (a) The bureau shall adopt rules under IC 4-22-2 prescribing the cycle for the issuance and replacement of license plates under this article. The rules adopted under this section shall provide that a license plate for a vehicle issued under this article is valid for:

(1) not less than five (5) years; and

(2) not more than ten (10) years.

(b) The rules adopted under this section do not apply to:

(1) truck license plates issued under section 4.5 (before its expiration), 4.6, or 18 of this chapter; and

(2) general assembly and other state official license plates issued under IC 9-18-16 (before its expiration) or IC 9-18.5-3.

As added by P.L.115-1993, SEC.4. Amended by P.L.125-1995, SEC.4; P.L.150-2001, SEC.5; P.L.182-2002, SEC.1; P.L.103-2006, SEC.3; P.L.87-2010, SEC.8; P.L.262-2013, SEC.62; P.L.212-2014, SEC.13; P.L.26-2015, SEC.1; P.L.198-2016, SEC.270.

IC 9-18-2-48
License plate reproductions

Sec. 48. (a) The commissioner may enter into a contract or an agreement authorizing a person to create and use a reproduction of a license plate issued under this article.

(b) A person may not create or use a reproduction of a license plate issued under this article unless the creation or use of the reproduction is expressly authorized in writing by the commissioner. The commissioner may impose under IC 4-21.5 a civil penalty upon a person who violates this subsection. The amount of a civil penalty imposed under this subsection:

(1) shall be determined by the commissioner; and
(2) may not exceed ten thousand dollars ($10,000).

(c) Money paid to the bureau as:

(1) compensation to the state under a contract or an agreement entered into under subsection (a); or
(2) a civil penalty imposed under subsection (b);

shall be collected and deposited in the motor vehicle highway account.

As added by P.L.115-1993, SEC.5. Amended by P.L.216-2014, SEC.35.

IC 9-18-2-49
Temporary license plates

Sec. 49. (a) Notwithstanding section 32 of this chapter, if a person is:

(1) initially registering a motor vehicle; or
(2) renewing the registration for a motor vehicle that needs a new license plate;

the bureau may issue a temporary paper or cardboard license plate to the person for use on the motor vehicle.

(b) A temporary license plate issued under subsection (a) is valid for thirty (30) days after the date of its issuance.

As added by P.L.97-1997, SEC.1. Amended by P.L.262-2013, SEC.63.

IC 9-18-2-50
Expiration date of registration if all license branches are closed

Sec. 50. If the date on which the registration of a vehicle expires is a day on which all license branches located in the county in which the vehicle is registered are closed, including:

(1) a Sunday; or
(2) a legal holiday listed in IC 1-1-9-1;

the registration expires at midnight on the date following the next day on which a license branch located in the county in which the vehicle is registered is open for business.

As added by P.L.149-2015, SEC.41.

IC 9-18-2.5

Chapter 2.5. Registration of Off-Road Vehicles and Snowmobiles

IC 9-18-2.5-1

Applicability

Sec. 1. This chapter applies after December 31, 2013.

As added by P.L.259-2013, SEC.13.

IC 9-18-2.5-2

"Collector snowmobile"

Sec. 2. As used in this chapter, "collector snowmobile" means a snowmobile that is:

(1) at least twenty-five (25) years old; and

(2) owned and operated for participation in special events of limited duration, including races, parades, and other group events.

As added by P.L.259-2013, SEC.13.

IC 9-18-2.5-3

Operation on highway; registration; exceptions; violation

Sec. 3. (a) The following may not be operated on a highway, in accordance with IC 14-16-1-20:

(1) An off-road vehicle.

(2) A snowmobile (including a collector snowmobile).

(b) Except as provided under subsections (c) and (d), the following must be registered under this chapter:

(1) An off-road vehicle.

(2) A snowmobile.

(c) Registration is not required for the following vehicles:

(1) An off-road vehicle or snowmobile that is exclusively operated in a special event of limited duration that is conducted according to a prearranged schedule under a permit from the governmental unit having jurisdiction.

(2) An off-road vehicle or snowmobile being operated by a nonresident of Indiana as authorized under IC 14-16-1-19.

(3) An off-road vehicle or snowmobile that is being operated for purposes of testing or demonstration and on which certificate numbers have been placed under section 11 of this chapter.

(4) An off-road vehicle or snowmobile, the operator of which has in the operator's possession a bill of sale from a dealer or private individual that includes the following:

(A) The purchaser's name and address.

(B) A date of purchase, which may not be more than thirty-one (31) days before the date on which the operator is required to show the bill of sale.

(C) The make, model, and vehicle number of the off-road vehicle or snowmobile provided by the manufacturer, as

required by section 12 of this chapter.

(5) An off-road vehicle or snowmobile that is owned or leased and used for official business by:

(A) the state;

(B) a municipal corporation (as defined in IC 36-1-2-10);

(C) a volunteer fire department (as defined in IC 36-8-12-2); or

(D) the United States government or an agency of the United States government.

(d) The owner of an off-road vehicle or a snowmobile that was properly registered under IC 14-16-1 is not required to register the off-road vehicle or snowmobile under this chapter until the date on which the registration expires under IC 14-16-1-11(c).

(e) A person that:

(1) operates an off-road vehicle or snowmobile on a public roadway; or

(2) fails to register an off-road vehicle or snowmobile as required by this section;

commits a Class C infraction.

As added by P.L.259-2013, SEC.13. Amended by P.L.188-2015, SEC.28; P.L.198-2016, SEC.271.

IC 9-18-2.5-4

Registration renewal; requirements; issuance of certificate; violation

Sec. 4. (a) The owner of each off-road vehicle or snowmobile required to be registered under this chapter must do the following every three (3) years:

(1) Provide:

(A) either:

(i) the name, bona fide residence address, and mailing address, including the name of the county, of the person who owns the off-road vehicle or snowmobile, if the person is an individual; or

(ii) the business address, including the name of the county, of the person that owns the off-road vehicle or snowmobile, if the person is a firm, a partnership, an association, a corporation, a limited liability company, or a unit of government; and

(B) a brief description of the off-road vehicle or snowmobile to be registered, including the following information, if available:

(i) The name of the manufacturer of the off-road vehicle or snowmobile.

(ii) The vehicle identification number.

(iii) The type of body of the off-road vehicle or snowmobile.

(iv) The model year of the off-road vehicle or snowmobile.

(v) The color of the off-road vehicle or snowmobile.
(vi) Any other information reasonably required by the bureau to enable the bureau to determine whether the off-road vehicle or snowmobile may be registered.
(2) File an application for registration or renewal of registration with the bureau on forms provided by the bureau.
(3) Sign the application.
(4) Include a signed affidavit in which the applicant swears or affirms that the information set forth in the application by the applicant is correct.
(5) Pay the fee set forth in IC 9-29-5-44(b) or IC 9-29-5-44(c).

(b) Upon receipt of an application in approved form, the bureau shall enter the application in the records of the bureau and issue to the applicant the following:
(1) A certificate of registration containing the following:
(A) The registration number awarded to the off-road vehicle or snowmobile.
(B) The name and address of the owner.
(C) The vehicle number as described in section 12 of this chapter.
(D) Other information that the bureau requires.
(2) Two (2) decals indicating the off-road vehicle's or snowmobile's registration number and the year in which the registration will expire, which must be attached to the off-road vehicle or snowmobile as provided in section 7 of this chapter.

(c) A certificate of registration issued under this section must:
(1) be pocket size;
(2) accompany the off-road vehicle or snowmobile; and
(3) be made available for inspection upon demand by a police officer.

(d) A person who:
(1) fails to maintain registration for an off-road vehicle or snowmobile under subsection (a); or
(2) fails to carry or produce an off-road vehicle's or snowmobile's registration under subsection (c);
commits a Class C infraction.

As added by P.L.259-2013, SEC.13. Amended by P.L.188-2015, SEC.29.

IC 9-18-2.5-5
Title required

Sec. 5. Registration under this chapter does not relieve the owner of an off-road vehicle from any requirement to obtain a certificate of title for the off-road vehicle under IC 9-17-2.

As added by P.L.259-2013, SEC.13.

IC 9-18-2.5-6
Decals; expiration date; forms

Sec. 6. (a) The bureau may adopt rules under IC 4-22-2 concerning the size and placement of registration decals on off-road vehicles and snowmobiles other than as set forth in section 7 of this chapter.

(b) An initial certificate of registration issued under this chapter or a renewal of a certificate of registration issued under this chapter expires three (3) years after the date on which it was issued unless the certificate is canceled.

(c) The bureau shall prescribe the form of the certificate of registration and the form of the application for the certificate of registration for purposes of this chapter.

As added by P.L.259-2013, SEC.13.

IC 9-18-2.5-7

Registration decals; replacement; violation

Sec. 7. (a) The owner of an off-road vehicle or snowmobile shall attach the registration decals issued under section 4 of this chapter on the forward half of the off-road vehicle or snowmobile. All decals shall be maintained in a legible condition and displayed only for the period for which the registration is valid.

(b) If a registration decal is lost or destroyed, the owner may apply for a duplicate registration decal. An application submitted under this subsection must be accompanied by the fee set forth in IC 9-29-5-44(d) for each decal. Upon receipt of a proper application and the required fee, the bureau shall issue a duplicate registration decal to the owner.

(c) A person who fails to properly display a registration decal as prescribed under subsection (a) commits a Class C infraction.

As added by P.L.259-2013, SEC.13. Amended by P.L.188-2015, SEC.30.

IC 9-18-2.5-8

Application by owner; violation

Sec. 8. (a) The owner of an off-road vehicle or snowmobile that must be registered under this chapter must, within thirty-one (31) days after acquiring the vehicle, make application to the bureau for a certificate of registration to be issued for the off-road vehicle or snowmobile and pay the fee set forth in IC 9-29-5-44(b). Upon receipt of the application and fee, the bureau shall issue a certificate of registration to the owner. Unless the application is made and the fee paid within thirty-one (31) days after the owner acquires it, the off-road vehicle or snowmobile is considered to be without a certificate of registration and a person may not operate the off-road vehicle or snowmobile until a certificate of registration is issued for it.

(b) A person who operates an off-road vehicle or snowmobile without a certificate of registration as described in subsection (a) commits a Class C infraction.

As added by P.L.259-2013, SEC.13. Amended by P.L.188-2015, SEC.31.

IC 9-18-2.5-9
Application by transferee

Sec. 9. The transferee of an off-road vehicle or snowmobile registered under this chapter or under IC 14-16 must, within thirty-one (31) days after acquiring the vehicle, make application to the bureau for the transfer to the transferee of the certificate of registration issued for the off-road vehicle or snowmobile. The transferee must provide the transferee's name and address and the registration number of the off-road vehicle or snowmobile and must pay the fee set forth in IC 9-29-5-44(e). Upon receipt of the application and fee, the bureau shall transfer the certificate of registration issued for the off-road vehicle or snowmobile to the transferee. Unless the application is made and the fee paid within thirty-one (31) days after the transferee acquires it, the off-road vehicle or snowmobile is considered to be without a certificate of registration and a person may not operate the off-road vehicle or snowmobile until a certificate of registration is issued for it.
As added by P.L.259-2013, SEC.13.

IC 9-18-2.5-10
Duplicate certificate; violation

Sec. 10. (a) If a certificate of registration is lost, mutilated, or becomes illegible, the owner of the off-road vehicle or snowmobile may obtain a duplicate of the certificate upon application and payment of the fee set forth in IC 9-29-5-44(f).

(b) If any of the information on a certificate of registration changes, the owner of the off-road vehicle or snowmobile shall obtain an amended certificate of registration from the bureau bearing the amended information upon application and payment of the fee set forth in IC 9-29-5-44(f).

(c) A person who fails to replace or update a certificate of registration under subsection (b) commits a Class C infraction.
As added by P.L.259-2013, SEC.13. Amended by P.L.188-2015, SEC.32.

IC 9-18-2.5-11
Dealer and manufacturer certificate

Sec. 11. (a) A dealer or manufacturer may obtain certificates of registration for use in the testing or demonstrating of off-road vehicles or snowmobiles upon the following:

(1) Application to the bureau on forms provided by the bureau.
(2) Payment of the fee set forth in IC 9-29-5-44(g) for each of the first two (2) registration certificates. Additional certificates that the dealer requires may be issued for the fee set forth in IC 9-29-5-44(h).

(b) A dealer or manufacturer may use a certificate issued under this section only in the testing or demonstrating of off-road vehicles and snowmobiles by temporarily placing the numbers of the certificate on the off-road vehicle or snowmobile being tested or demonstrated. A certificate issued under this section may be used on only one (1) off-road vehicle or snowmobile at any given time. The temporary placement of numbers must conform to the requirements of this chapter or rules adopted under this chapter.

(c) A certificate of registration issued under this section is valid as determined by the bureau.

As added by P.L.259-2013, SEC.13.

IC 9-18-2.5-12
Identifying vehicle number

Sec. 12. (a) A manufacturer of an off-road vehicle or snowmobile shall stamp an identifying vehicle number into the frame of the off-road vehicle or snowmobile. A manufacturer that violates this subsection commits a Class A infraction.

(b) The vehicle number shall be stamped where the number may be easily seen with a minimum of physical effort. A manufacturer that violates this subsection commits a Class A infraction.

(c) Upon request, a manufacturer shall furnish information as to the location of vehicle numbers on off-road vehicles and snowmobiles the manufacturer produces to a police officer or the bureau. A manufacturer that violates this subsection commits a Class A infraction.

(d) A person may not possess an off-road vehicle or snowmobile with an altered, defaced, or obliterated vehicle number. A person who knowingly or intentionally violates this subsection commits a Class B misdemeanor.

As added by P.L.259-2013, SEC.13. Amended by P.L.217-2014, SEC.25.

IC 9-18-2.5-13
Repealed

(As added by P.L.259-2013, SEC.13. Repealed by P.L.198-2016, SEC.272.)

IC 9-18-2.5-14
Enforcement

Sec. 14. (a) All police officers in Indiana shall enforce this chapter.

(b) The attorney general and prosecuting attorneys have concurrent power to approve, file, and initiate an enforcement action through the filing of an affidavit charging a violation of this chapter.

As added by P.L.259-2013, SEC.13.

IC 9-18-2.5-15

Repealed

(As added by P.L.259-2013, SEC.13. Repealed by P.L.198-2016, SEC.273.)

IC 9-18-2.5-16

Repealed

(As added by P.L.259-2013, SEC.13. Amended by P.L.217-2014, SEC.26. Repealed by P.L.188-2015, SEC.33.)

IC 9-18-3

Chapter 3. Motor Vehicles Used for Official Business

IC 9-18-3-1

Registration fee exemption; vehicles exempted

Sec. 1. A vehicle that is owned or leased and used for official business by the following must be registered on a date selected by the bureau but is exempt from the payment of registration fees:

(1) The state.

(2) A municipal corporation (as defined in IC 36-1-2-10).

(3) A volunteer fire department (as defined in IC 36-8-12-2).

(4) A volunteer emergency ambulance service that:

(A) meets the requirements of IC 16-31; and

(B) has only members that serve for no compensation or a nominal annual compensation of not more than three thousand five hundred dollars ($3,500).

(5) A rehabilitation center funded under IC 12-12.

(6) A community action agency (IC 12-14-23).

(7) An area agency of aging and the aged (IC 12-10-1-6) and a county council on aging that is funded through an area agency.

(8) A community mental health center (IC 12-29-2).

As added by P.L.2-1991, SEC.6. Amended by P.L.2-1992, SEC.84; P.L.2-1993, SEC.65; P.L.119-1993, SEC.1; P.L.1-1999, SEC.25.

IC 9-18-3-2

License plate records

Sec. 2. The bureau shall retain a record of the license plates issued under this chapter.

As added by P.L.2-1991, SEC.6.

IC 9-18-3-3

United States government vehicles

Sec. 3. The bureau may issue a license plate under this chapter for a vehicle owned by the United States government.

As added by P.L.2-1991, SEC.6.

IC 9-18-3-4

Permanent plates and registration cards

Sec. 4. (a) A vehicle that is owned by an entity that is exempt from the payment of registration fees under section 1 of this chapter may be assigned permanent license plates and accompanying permanent registration cards.

(b) The permanent license plates and permanent registration cards assigned under subsection (a) are in effect from the time the certificate of title for the vehicle is acquired by the person that owns the vehicle until the certificate of title is relinquished by the person, when the license plate removed is subject to reassignment or destruction by the person.

As added by P.L.2-1991, SEC.6.

IC 9-18-3-5
Confidential plates

Sec. 5. (a) A confidential license plate for investigative purposes may be issued to a state agency upon the annual consent of the bureau or the Indiana department of administration.

(b) Other investigative agencies may be issued confidential license plates for investigative purposes upon the annual consent of the superintendent of the state police.

As added by P.L.2-1991, SEC.6.

IC 9-18-3-6
Distinctive permanent plates

Sec. 6. The bureau may issue distinctive permanent plates under this chapter to each of the following:

(1) The state police department.
(2) The department of natural resources.
(3) County police departments.
(4) City police departments.
(5) The department of correction, for designated departmental vehicles used by correctional police officers appointed under IC 11-8-9-1.
(6) A township for the use of the constable for a small claims court elected under IC 33-34-6-4. However, each eligible township may be issued only one (1) distinctive permanent plate under this subdivision.

As added by P.L.2-1991, SEC.6. Amended by P.L.109-2011, SEC.3; P.L.149-2015, SEC.42.

IC 9-18-3-6.5
Exemption during term of employment by exempt agency; violation

Sec. 6.5. (a) An employee of an agency that is exempt from the payment of registration fees under section 1(5) through 1(7) of this chapter is exempt from the payment of any fees for licensing under IC 9-24-6.1 while employed by the exempt agency if the director of the agency notifies the bureau in writing that the employee's duties include driving a commercial motor vehicle for the agency.

(b) The director of an agency that is exempt from the payment of registration fees under section 1(5) through 1(7) of this chapter shall notify the bureau if an individual who received a license without the payment of fees under subsection (a) ceases to be employed by the exempt agency.

(c) Not later than thirty (30) days following the day on which an individual ceases to be employed by an exempt agency, the individual must do the following:

(1) Renew the individual's license.

(2) Pay the appropriate fee for licensing under IC 9-24-6.1.

(d) A person who fails to:

(1) renew the person's license; and

(2) pay an appropriate license fee under IC 9-24-6.1;

subsequent to ending employment with an exempt agency commits a Class C infraction.

As added by P.L.96-1991, SEC.1. Amended by P.L.188-2015, SEC.34; P.L.198-2016, SEC.274.

IC 9-18-3-7

Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.188-2015, SEC.35.)

IC 9-18-4

Chapter 4. Vehicle Registration by Mail

IC 9-18-4-1

Registration of vehicle; request of license plate by mail

Sec. 1. A person may register a vehicle and request a license plate by mail if the person applying for the license plate has been issued a certificate of title for the motor vehicle, semitrailer, or recreational vehicle, unless excepted under IC 9-17-2-1(b) or IC 9-18-2-18.

As added by P.L.2-1991, SEC.6. Amended by P.L.262-2013, SEC.64; P.L.198-2016, SEC.275.

IC 9-18-4-2

Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.262-2013, SEC.65.)

IC 9-18-4-3

Place of mailing

Sec. 3. An application made under section 1 of this chapter must be mailed to:

(1) the preprinted return address contained on the registration application form provided by the bureau; or

(2) if registered under the International Registration Plan, to the department of state revenue under rules adopted under IC 4-22-2.

As added by P.L.2-1991, SEC.6. Amended by P.L.62-1996, SEC.10; P.L.61-1996, SEC.19.

IC 9-18-4-4

Change of registration; refunds, credits, and adjustments

Sec. 4. The bureau may establish administrative procedures to provide for:

(1) a refund;

(2) a credit; or

(3) an adjustment;

if a person who has registered a vehicle finds it necessary to change the vehicle registration from registration under any other law to registration under the International Registration Plan.

As added by P.L.2-1991, SEC.6.

IC 9-18-4-5

Applications; swearing and notarizing; false statements

Sec. 5. (a) An application made through the United States mail is not required to be sworn to or notarized.

(b) A person applying for a license plate by mail may not make a false statement in the application for the license plate.

As added by P.L.2-1991, SEC.6.

IC 9-18-4-6
Postal service; agency

Sec. 6. In all proceedings under this chapter, the United States Postal Service is considered to be the agent of the applicant and not the agent of the:

(1) bureau; or

(2) commissioner.

As added by P.L.2-1991, SEC.6.

IC 9-18-4-7
Forms

Sec. 7. (a) The bureau may prescribe forms to implement this chapter.

(b) A form prescribed under this section must include the information described in IC 9-18-2-16(a)(3).

As added by P.L.2-1991, SEC.6. Amended by P.L.126-1995, SEC.1; P.L.2-1996, SEC.223; P.L.96-1997, SEC.2; P.L.29-2000, SEC.1; P.L.125-2012, SEC.103; P.L.198-2016, SEC.276.

IC 9-18-4-8
Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.217-2014, SEC.27.)

IC 9-18-5

Chapter 5. Armed Forces

IC 9-18-5-1

Application on behalf of titleholder

Sec. 1. An individual:

(1) serving in the armed forces of the United States; and

(2) who holds an Indiana certificate of title for a vehicle that has not been registered in Indiana;

may extend authority by a letter to an Indiana resident who is at least eighteen (18) years of age to apply for, on behalf of the holder of the certificate of title, a certificate of registration for the motor vehicle described in the certificate of title.

As added by P.L.2-1991, SEC.6. Amended by P.L.198-2016, SEC.277.

IC 9-18-5-2

Request for registration; statutes governing; signatures

Sec. 2. A request for registration under this chapter must be:

(1) made under the laws governing applications; and

(2) signed for, on behalf of the holder, by the person named in the letter.

As added by P.L.2-1991, SEC.6. Amended by P.L.125-2012, SEC.104.

IC 9-18-5-3

Signatures; determination of authenticity

Sec. 3. Upon receiving a letter of authorization, the bureau shall determine if the signature on the letter is that of the person who holds the certificate of title for the motor vehicle by comparing the signature on the letter with the signature on the certificate of title.

As added by P.L.2-1991, SEC.6. Amended by P.L.125-2012, SEC.105.

IC 9-18-5-4

Certificates of registration; issuance

Sec. 4. When the bureau is satisfied that the signature on the letter is genuine, the bureau shall issue the certificate of registration.

As added by P.L.2-1991, SEC.6.

IC 9-18-5-5

Fees

Sec. 5. The fees for and other conditions of registration under this chapter are the same as if the person who holds the certificate of title has been issued the certificate of registration.

As added by P.L.2-1991, SEC.6.

IC 9-18-5-6

Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.188-2015, SEC.36.)

IC 9-18-6

Chapter 6. Expiration, Replacement, and Transfer of Registrations and License Plates

IC 9-18-6-1

Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.262-2013, SEC.66.)

IC 9-18-6-2

Lost, stolen, damaged, or destroyed license plate; duplicate or replacement

Sec. 2. (a) Except as provided in subsection (b), if a license plate is:

(1) lost or stolen;

(2) damaged as to not be legible; or

(3) destroyed;

the person in whose name the license plate was issued may obtain from the bureau a duplicate or replacement license plate by filing with the bureau an application on a form provided by the bureau duly sworn to as provided in IC 9-18-2.

(b) If a license plate is lost or stolen, the bureau may not issue a duplicate or replacement license plate until the person in whose name the plate was issued has first notified:

(1) the Indiana law enforcement agency that has jurisdiction where the loss or theft occurred; or

(2) the law enforcement agency that has jurisdiction over the address listed on the registration;

that the original license plate has been lost or stolen.

(c) A law enforcement agency to whom a loss or theft is reported shall complete and present to the person reporting the loss or theft a form provided by the bureau indicating that the loss or theft has been reported.

(d) The person must present the form described under subsection (c) to the bureau before a duplicate or replacement license plate may be obtained.

(e) The bureau shall charge a fee for a duplicate or replacement license plate as set forth in IC 9-29-5-17.

(f) A duplicate or replacement license plate must be displayed in the same manner as the original license plate was displayed.

As added by P.L.2-1991, SEC.6. Amended by P.L.150-2001, SEC.6; P.L.109-2011, SEC.4; P.L.262-2013, SEC.67; P.L.216-2014, SEC.36.

IC 9-18-6-2.1

Lost, stolen, damaged, or destroyed certificate of registration; duplicate or replacement

Sec. 2.1. (a) Except as provided in subsection (b), if a certificate

of registration:

(1) is lost or stolen;

(2) is damaged as to not be legible;

(3) is destroyed; or

(4) requires changes to the information included on the certificate;

the person to whom the certificate is issued may obtain from the bureau a duplicate, an amended, or a replacement certificate by filing with the bureau an application on a form provided by the bureau duly sworn to as provided in IC 9-18-2.

(b) If a certificate of registration is lost or stolen, the bureau may not issue a duplicate or replacement certificate of registration until the person to whom the lost or stolen certificate was issued has first notified:

(1) the Indiana law enforcement agency that has jurisdiction where the loss or theft occurred; or

(2) the law enforcement agency that has jurisdiction over the address listed on the registration;

that the original certificate of registration has been lost or stolen.

(c) A law enforcement agency to which a loss or theft is reported shall complete and present to the person reporting the loss or theft a form provided by the bureau indicating that the loss or theft has been reported.

(d) The person must present the form described under subsection (c) to the bureau before a duplicate or replacement certificate of registration may be obtained.

(e) The bureau shall charge a fee for a duplicate, an amended, or a replacement certificate of registration as set forth in IC 9-29-5-17.1.

(f) A duplicate, an amended, or a replacement certificate of registration must be carried in the manner required by IC 9-18-2-21.

As added by P.L.216-2014, SEC.37.

IC 9-18-6-3
Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.109-2011, SEC.40.)

IC 9-18-6-4
Transfers of ownership

Sec. 4. (a) If the ownership of a vehicle registered under this article is transferred, except a transfer from a manufacturer or dealer:

(1) the registration of the vehicle expires; and

(2) the person transferring the vehicle shall remove the license plates and certificate of registration from the vehicle.

(b) A person who transfers to another person the ownership of a registered vehicle owned by the person, upon the filing of an application for the transfer of the registration and the payment of a fee under IC 9-29-5-23, may have another vehicle registered in the

person's name either individually or jointly with another for the remainder of the registration year if the vehicle to which the registration and license plate are transferred is:

(1) of the same type; and

(2) in the same fee class;

as the vehicle for which the registration and license plate were originally issued.

(c) If a vehicle to which the registration and license plate are transferred is in a different fee class than the vehicle for which the registration and license plate were originally issued, the person applying for the transfer shall pay the transfer fee under IC 9-29-5-23(b). If the vehicle to which the registration and license plate are transferred is in a higher fee class than the vehicle for which the registration and license plate were originally issued, the person shall also pay the difference between the fee paid for the registration of the vehicle to which the registration is transferred.

(d) If a person who owns a vehicle wants to change the ownership of the vehicle by the addition of another person as owner, the person shall be issued a certificate of registration with the name of the other person included after the person who owns the vehicle has complied with IC 9-17.

(e) If at least one (1) person who is a joint owner transfers the person's ownership interest in a vehicle to at least one (1) remaining joint owner, the certification of registration shall be issued to the remaining joint owner or owners if the transferring owner or owners relinquish any interest in the use of the registration.

(f) If a person who owns a vehicle wants to display on the vehicle a license plate that is different from the license plate that was issued upon registration of the vehicle, the person shall:

(1) apply to the bureau on a form prescribed by the bureau;

(2) pay the fee under IC 9-29-5-23(c); and

(3) comply with any other requirements, including payment of fees under IC 9-29, associated with the license plate.

As added by P.L.2-1991, SEC.6. Amended by P.L.216-2014, SEC.38.

IC 9-18-6-5

Transfer of plates; violation

Sec. 5. (a) Upon the disposition by sale or other means of a motor vehicle, trailer, semitrailer, recreational vehicle, or motor home currently registered in Indiana, the license plate from the disposed motor vehicle, trailer, semitrailer, recreational vehicle, or motor home may be:

(1) transferred by the person who is the current registrant to any other vehicle of the same type acquired by the person; and

(2) operated in Indiana for not more than thirty-one (31) days after the date the person acquires ownership of the vehicle.

(b) The person who is the registrant must have in the person's possession a:

(1) manufacturer's certificate of origin;
(2) duly assigned certificate of title; or
(3) bill of sale;

indicating that the person is the owner of the vehicle to which the unexpired license plates are affixed.

(c) A person who operates a motor vehicle, trailer, semitrailer, recreational vehicle, or motor home in violation of subsection (b) commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.262-2013, SEC.68; P.L.188-2015, SEC.37.

IC 9-18-6-6
Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.188-2015, SEC.38.)

IC 9-18-7

Chapter 7. Temporary Registration and Trip Permits

IC 9-18-7-1

Temporary registration permits

Sec. 1. (a) A person may apply for and receive a temporary registration permit for a motor vehicle, semitrailer, trailer designed to be used with a semitrailer, or recreational vehicle.

(b) A temporary registration permit is valid for a period of thirty (30) days from the date of issuance and authorizes the use of the motor vehicle, semitrailer, trailer designed to be used with a semitrailer, or recreational vehicle on the highways if any of the following conditions exist:

(1) The person has purchased or otherwise obtained the vehicle in Indiana and will be titling or registering the vehicle in another state or foreign country.

(2) The person is an Indiana resident and is intending to move to another state and the current vehicle registration or temporary permit will expire before the person moves.

(3) The person is an Indiana resident and the vehicle registration in another state has expired and the person has applied for an Indiana title for the vehicle.

(4) The person owns and operates the vehicle and the person:

(A) does not operate the vehicle as a lessor; and

(B) moves the empty vehicle from one (1) lessee-carrier to another.

(5) The person owns a vehicle for which emissions testing is required and the vehicle will require further mechanical repairs in order to comply with the emissions testing requirements.

(c) The bureau shall prescribe the form of a temporary registration permit.

(d) A temporary registration permit shall be displayed on a vehicle in a manner determined by the bureau.

(e) Subject to IC 9-25-1-2, a temporary registration permit may be obtained under this section if the owner of the vehicle provides proof of financial responsibility in the amounts specified under IC 9-25 in a form required by the bureau.

As added by P.L.2-1991, SEC.6. Amended by P.L.61-1994, SEC.1; P.L.93-1997, SEC.4; P.L.125-2012, SEC.106; P.L.262-2013, SEC.69; P.L.198-2016, SEC.278.

IC 9-18-7-1.5

Repealed

(As added by P.L.61-1994, SEC.2. Amended by P.L.93-1997, SEC.5. Repealed by P.L.125-2012, SEC.107.)

IC 9-18-7-2

Trip permits; violation

Sec. 2. (a) A trip permit may be issued for:

(1) a vehicle that could be operated in Indiana for a period of seventy-two (72) hours instead of full registration; and

(2) both interstate and intrastate travel.

(b) A trip permit may not be used to evade full registration.

(c) The department of state revenue or agents for the department of state revenue may issue trip permits under rules adopted under IC 4-22-2.

(d) A person who uses a trip permit:

(1) for a period greater than seventy-two (72) hours; or

(2) to evade full registration;

commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.93-1997, SEC.6; P.L.188-2015, SEC.39.

IC 9-18-7-3

International Registration Plan applicants; temporary registration authorizations

Sec. 3. (a) A document shall be issued to a person applying for registration under the International Registration Plan.

(b) The document described under subsection (a) serves as a temporary registration authorization pending issuance of a permanent registration plate and cab card.

(c) The document must be carried in the vehicle for which the document is issued.

(d) The department of state revenue shall issue the temporary registration authorization under rules adopted by the department of state revenue under IC 4-22-2.

As added by P.L.2-1991, SEC.6. Amended by P.L.61-1996, SEC.20; P.L.93-1997, SEC.7.

IC 9-18-7-4

Delivery permits; violation

Sec. 4. (a) An Indiana resident who owns a vehicle required to be registered under this title may, for the purpose of delivering or having delivered the vehicle to the residence or place of business of the resident, apply for and obtain a temporary permit that allows the person or the person's agent or employee to operate the vehicle upon the highways without obtaining a certificate of title or registration for the vehicle. The permit is valid for not more than ninety-six (96) hours.

(b) A person must do the following to obtain a permit under this section:

(1) Pay the required fee with the application.

(2) Provide proof of financial responsibility in the amounts specified under IC 9-25 in the form required by the bureau.

(c) A person who uses a temporary permit:

(1) for a period greater than ninety-six (96) hours; or

(2) for a purpose not specified in subsection (a);

commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.118-2001, SEC.2; P.L.188-2015, SEC.40.

IC 9-18-7-5

Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.188-2015, SEC.41.)

IC 9-18-7-6

Hunter's permits

Sec. 6. (a) When a hunter's permit is applied for under this section, the department of state revenue shall issue a hunter's permit to a common carrier (as defined under IC 8-2.1-17-4) that contracts for common carrier services from an individual who owns and operates a motor vehicle subject to the International Registration Plan.

(b) If a motor vehicle under subsection (a) is registered in the name of the common carrier that contracts for services from the person who is the owner and operator of the motor vehicle, when the person no longer provides services to the common carrier, the common carrier shall transfer a hunter's permit issued to the common carrier under subsection (a) to the person upon the person's request. The common carrier may charge the person receiving the hunter's permit an amount that does not exceed the amount the common carrier paid for the hunter's permit under subsection (a).

(c) A hunter's permit transferred to a person under subsection (b) allows the person to move the motor vehicle under subsection (a) within Indiana for thirty (30) days to search for a new independent contract for services with a common carrier without first registering the motor vehicle.

(d) The department of state revenue shall adopt rules under IC 4-22-2 to implement this section.

As added by P.L.93-1997, SEC.8.

IC 9-18-8
Repealed

(Repealed by P.L.262-2013, SEC.70; P.L.262-2013, SEC.145.)

IC 9-18-9
Chapter 9. Trailers

IC 9-18-9-1
Registration required; violation

Sec. 1. (a) A trailer used on the highways must be registered with the bureau.

(b) A person that:

(1) uses or operates a trailer; and

(2) fails to register the trailer with the bureau;

commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.93-1997, SEC.9; P.L.188-2015, SEC.42; P.L.198-2016, SEC.279.

IC 9-18-9-2
Annual registration; violation

Sec. 2. (a) A person who owns a trailer required to be registered under this chapter must register the trailer on an annual basis under IC 9-18-2-7.

(b) A person who fails to annually renew a trailer registration as prescribed in subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.181-1999, SEC.15; P.L.188-2015, SEC.43.

IC 9-18-9-3
Registration cards and license plates

Sec. 3. The bureau shall issue to a person who owns a trailer a distinctive registration card and license plate for each trailer registered.

As added by P.L.2-1991, SEC.6.

IC 9-18-9-4
Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.81-2004, SEC.61.)

IC 9-18-9-5
Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.188-2015, SEC.44.)

IC 9-18-10
Chapter 10. Semitrailers

IC 9-18-10-1
Registration required; violation

Sec. 1. (a) A semitrailer used on the highways must be registered with the bureau.

(b) A person who fails to register with the bureau a semitrailer used or operated on a highway commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.188-2015, SEC.45.

IC 9-18-10-2
Annual registration; renewals; violation

Sec. 2. (a) A person who owns a semitrailer required to be registered under this chapter may register the semitrailer:

(1) on an annual basis under IC 9-18-2-7;

(2) on a five (5) year basis as provided in section 3 of this chapter; or

(3) permanently under section 3 of this chapter.

(b) The registration of a semitrailer permanently registered under section 3 of this chapter must be renewed on an annual basis.

(c) A person who fails to register a semitrailer or renew a semitrailer registration as required under subsection (a) or (b) commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.117-1993, SEC.2; P.L.63-2007, SEC.1; P.L.188-2015, SEC.46.

IC 9-18-10-3
Registration system; development and registration; rules

Sec. 3. (a) The bureau shall adopt rules under IC 4-22-2 to develop and implement a system of:

(1) registration for semitrailers for a period of five (5) years; and

(2) permanent registration for semitrailers.

(b) The bureau shall adopt rules to prescribe the manner and form in which a person must annually renew the registration of a semitrailer permanently registered under this section.

As added by P.L.2-1991, SEC.6. Amended by P.L.117-1993, SEC.3; P.L.63-2007, SEC.2.

IC 9-18-10-3.5
Implementation of rule or policy adopted before January 1, 2007; implementation considered compliance with sections 2 and 3 of chapter

Sec. 3.5. (a) The bureau and the department of state revenue may continue to implement any rule or policy adopted before July 1, 2007, requiring a person that owns a semitrailer that is permanently registered under section 3 of this chapter to annually renew the

registration.

(b) The continued implementation of a rule or policy described in subsection (a) is considered compliance with the requirements of sections 2 and 3 of this chapter.

As added by P.L.16-2009, SEC.15.

IC 9-18-10-4

License plates; transfer or replacement

Sec. 4. A five (5) year semitrailer license plate may be transferred or replaced.

As added by P.L.2-1991, SEC.6.

IC 9-18-10-5

Converted semitrailers; licensing

Sec. 5. A semitrailer converted to a full trailer through the use of a converter dolly shall be licensed as a semitrailer.

As added by P.L.2-1991, SEC.6.

IC 9-18-10-6

Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.188-2015, SEC.47.)

IC 9-18-11
Chapter 11. Intercity Buses

IC 9-18-11-1
Application of chapter
Sec. 1. This chapter does not apply to the following:
(1) The regulation of motor buses operated in interstate commerce under IC 8-2.1.
(2) Special and charter bus operations when the buses:
(A) are operating in interstate commerce; and
(B) have been granted reciprocity under reciprocal agreements entered into by Indiana and the state in which the buses are domiciled or based.
As added by P.L.2-1991, SEC.6.

IC 9-18-11-2
Preceding year defined
Sec. 2. As used in this chapter, "preceding year" means a period of twelve (12) consecutive months fixed by the bureau that is within the sixteen (16) months immediately preceding the commencement of the registration year for which proportional registration is sought.
As added by P.L.2-1991, SEC.6.

IC 9-18-11-3
Repealed
(As added by P.L.2-1991, SEC.6. Repealed by P.L.125-2012, SEC.108.)

IC 9-18-11-4
Registration and licensing
Sec. 4. The bureau shall:
(1) register the intercity buses described and identified; and
(2) issue:
(A) a license plate;
(B) a distinctive sticker; or
(C) another suitable identification device;
for each bus described in the application;
upon payment of the appropriate fees for the application and for the license plates, stickers, or devices issued.
As added by P.L.2-1991, SEC.6.

IC 9-18-11-5
Certificates of registration
Sec. 5. (a) A certificate of registration shall be issued for each proportionally registered intercity bus.
(b) A certificate of registration:
(1) must, in addition to the information required by IC 9-18-2-20, bear upon the certificate's face the number of the:

(A) license;
(B) sticker; or
(C) other device;
issued for a proportionally registered bus; and
(2) shall be carried in the intercity bus for which the card was issued at all times.
As added by P.L.2-1991, SEC.6.

IC 9-18-11-6
Full registration; exception
Sec. 6. A fleet intercity bus registered and identified is considered to be fully registered in Indiana for any type of movement or operation, except in those instances in which a grant of authority is required for intrastate movement or operation.
As added by P.L.2-1991, SEC.6.

IC 9-18-11-7
Out-of-state registration required
Sec. 7. Proportional registration of fleet intercity buses under this chapter is subject to the condition that each fleet intercity bus proportionally registered under this chapter is also proportionally or otherwise properly registered in at least one (1) other state during the period for which the intercity bus is proportionally registered in Indiana.
As added by P.L.2-1991, SEC.6.

IC 9-18-11-8
Additional buses; registration formula
Sec. 8. A person who acquires ownership of an intercity bus after the commencement of the registration year and subsequently adds to a proportionally registered fleet shall be proportionally registered by applying the mileage percentage used in the original application for the fleet for the registration period to the regular registration fees due with respect to the intercity bus for the remainder of the registration year.
As added by P.L.2-1991, SEC.6.

IC 9-18-11-9
Withdrawal of buses; notification; surrender of registration cards and identification devices
Sec. 9. (a) If an intercity bus is withdrawn from a proportionally registered fleet during the period for which the bus is registered under this chapter, the person who owns the fleet shall notify the bureau on forms prescribed by the bureau.
(b) The bureau may require the person to surrender proportional registration cards and other identification devices that have been issued with respect to an intercity bus that the bureau considers advisable.

As added by P.L.2-1991, SEC.6.

IC 9-18-11-10
Initial applications

Sec. 10. (a) The initial application for proportional registration of a fleet must state the mileage data with respect to the fleet for the preceding year in Indiana and other states.

(b) If operations were not conducted with a fleet during the preceding year, the application must contain a full statement of the proposed method of operation and estimates of annual mileage in Indiana and other states.

(c) The bureau may deny the application if the bureau is not satisfied with the correctness of the application.

As added by P.L.2-1991, SEC.6.

IC 9-18-11-11
Records; preservation; audits

Sec. 11. (a) A person who owns an intercity bus whose application for proportional registration has been accepted shall preserve the records on which the application is based for a period of four (4) years following the year or period upon which the application is based.

(b) Upon request of the bureau, the person shall make the records available to the bureau at the bureau's office for audit as to accuracy of computations and payments or to pay the reasonable costs of an audit at the home office of the person by an appointed representative of the bureau.

(c) The bureau may make arrangements with agencies of other states administering motor vehicle registration laws for joint audits of any owner.

As added by P.L.2-1991, SEC.6.

IC 9-18-11-12
Authority for registration

Sec. 12. This chapter constitutes complete authority for the registration of fleet buses upon a proportional registration basis without reference to or application of any other statutes, except as provided.

As added by P.L.2-1991, SEC.6.

IC 9-18-11-13
Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.198-2016, SEC.280.)

IC 9-18-11-14
Buses operated in International Registration Plan states; registration

Sec. 14. Intercity buses, except charter buses, that operate in states that are members of the International Registration Plan are subject to registration under the plan.
As added by P.L.2-1991, SEC.6.

IC 9-18-12

Chapter 12. Antique Motor Vehicle Registration

IC 9-18-12-1

Registration; fee; display of authentic license plate; violation

Sec. 1. (a) An antique motor vehicle must be registered annually. The fee to register an antique motor vehicle is the fee under IC 9-29-5-28, IC 9-29-5-28.1, or IC 9-29-5-28.2, as appropriate.

(b) The bureau may adopt a:

(1) registration form; and

(2) certificate of registration;

to implement this chapter.

(c) A person that:

(1) registers an antique motor vehicle under this chapter; and

(2) wishes to display on the antique motor vehicle an authentic license plate from the model year of the antique motor vehicle under section 2.5 of this chapter;

must pay the required fee under section 2.5(e) of this chapter.

(d) A person that fails to register an antique motor vehicle as required under subsection (a) or (c) commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.79-2006, SEC.4; P.L.188-2015, SEC.48; P.L.198-2016, SEC.281.

IC 9-18-12-2

Antique motor vehicle license plate

Sec. 2. (a) Except as provided in section 2.5 of this chapter, the bureau shall issue one (1) license plate to the person that owns an antique motor vehicle that is registered under this chapter.

(b) Subject to subsection (c), a license plate for an antique motor vehicle shall be manufactured according to the bureau's specifications.

(c) A license plate issued under this chapter shall:

(1) contain:

(A) the registration number assigned to the registration certificate by the bureau; and

(B) a designation that the vehicle is historic; and

(2) indicate the year for which the antique motor vehicle has been registered.

(d) Instead of issuing a new license plate each time that an antique motor vehicle is registered, the bureau may issue to the person who owns the antique motor vehicle a tag or sticker that indicates the year for which the motor vehicle has been registered.

(e) A license plate issued under this chapter shall be securely attached to the rear of an antique motor vehicle.

As added by P.L.2-1991, SEC.6. Amended by P.L.79-2006, SEC.5; P.L.262-2013, SEC.71; P.L.198-2016, SEC.282.

IC 9-18-12-2.5

Use of authentic license plate; fee

Sec. 2.5. (a) A person that registers an antique motor vehicle under this chapter may:

(1) furnish; and

(2) display on the antique motor vehicle;

an Indiana license plate from the model year of the antique motor vehicle.

(b) A license plate furnished and displayed under this section must be an authentic license plate from the model year of the antique motor vehicle.

(c) Before a license plate is mounted on an antique motor vehicle under this section, the license plate must be inspected by the bureau to determine whether the license plate:

(1) complies with this section;

(2) is in suitable condition to be displayed; and

(3) bears a unique plate number at the time of the registration of the antique motor vehicle.

The bureau shall authorize the display of a restored or refurbished authentic license plate, but may prohibit the display of an authentic license plate under this section if the authentic license plate is not in conformance with this subsection.

(d) If an Indiana license plate from the model year of the antique motor vehicle is displayed on a motor vehicle registered as an antique motor vehicle under this chapter, the current certificate of registration of the antique motor vehicle shall be:

(1) kept at all times in the vehicle; and

(2) made available for inspection upon the demand of a law enforcement officer.

Notwithstanding IC 9-18-2-21, this subsection is not satisfied by keeping a reproduction of the certificate of registration in the vehicle or making a reproduction of the certificate of registration available for inspection.

(e) The fee to register and display an authentic license plate from the model year of an antique motor vehicle is thirty-seven dollars ($37). The fee shall be distributed as follows:

(1) Seven dollars ($7) to the motor vehicle highway account.

(2) Thirty dollars ($30) to the commission fund.

As added by P.L.79-2006, SEC.6. Amended by P.L.87-2010, SEC.9; P.L.198-2016, SEC.283.

IC 9-18-12-3
Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.125-2012, SEC.109.)

IC 9-18-12-4
Repealed

(As added by P.L.2-1991, SEC.6. Amended by P.L.221-2014,

SEC.23; P.L.188-2015, SEC.49. Repealed by P.L.198-2016, SEC.284.)

IC 9-18-12-5
Repealed
(As added by P.L.2-1991, SEC.6. Amended by P.L.83-2008, SEC.6. Repealed by P.L.198-2016, SEC.285.)

IC 9-18-12-6
Repealed
(As added by P.L.2-1991, SEC.6. Repealed by P.L.198-2016, SEC.286.)

IC 9-18-12-7
Repealed
(As added by P.L.2-1991, SEC.6. Repealed by P.L.188-2015, SEC.50.)

IC 9-18-12-8
Validity of registration or license plate
Sec. 8. A registration or license plate issued under this chapter before January 1, 2017, remains valid until the registration or license plate expires or is suspended or revoked.
As added by P.L.198-2016, SEC.287.

IC 9-18-12.5

Chapter 12.5. Fleet Vehicle Registration

IC 9-18-12.5-1

"Fleet operator"

Sec. 1. As used in this chapter, "fleet operator" means an operator who participates in the program.

As added by P.L.12-2015, SEC.4.

IC 9-18-12.5-2

"Fleet vehicle"

Sec. 2. As used in this chapter, "fleet vehicle" means a passenger motor vehicle or a truck with a declared gross weight of not more than eleven thousand (11,000) pounds that is:

(1) owned or leased by a fleet operator; and

(2) registered in the program under this chapter.

As added by P.L.12-2015, SEC.4.

IC 9-18-12.5-3

"Operator"

Sec. 3. As used in this chapter, "operator" means an Indiana resident who owns or leases one thousand (1,000) or more fleet vehicles.

As added by P.L.12-2015, SEC.4.

IC 9-18-12.5-4

"Program"

Sec. 4. As used in this chapter, "program" refers to the fleet registration program established under section 6 of this chapter.

As added by P.L.12-2015, SEC.4.

IC 9-18-12.5-5

Applicability

Sec. 5. This chapter does not apply to a vehicle that is registered under:

(1) a reciprocal agreement between the state of Indiana and another governmental entity;

(2) the International Registration Program; or

(3) IC 9-18-2 with the department of state revenue.

As added by P.L.12-2015, SEC.4.

IC 9-18-12.5-6

Fleet registration program established

Sec. 6. (a) The fleet registration program is established to accommodate requests from fleet operators for common registration dates for all fleet vehicles.

(b) The bureau shall administer the program.

As added by P.L.12-2015, SEC.4. Amended by P.L.198-2016,

SEC.288.

IC 9-18-12.5-7
Application to participate in program

Sec. 7. (a) An operator may apply to the bureau to participate in the program.

(b) An application must be in the form and manner prescribed by the bureau and must contain the following information:

(1) The name and business address of the operator.
(2) The preferred expiration month requested by the operator.
(3) All counties in which the fleet vehicles are registered.
(4) Any other information required by the bureau.

The bureau may designate an expiration month that differs from the preferred expiration month requested by the operator under subdivision (2).

(c) The bureau shall approve an application if the bureau is satisfied that the application is complete and accurate. Upon approval of the application, the bureau shall assign the fleet operator a fleet number.

(d) If an application does not contain a preferred expiration month, the bureau may:

(1) deny the application; or
(2) designate an expiration month and approve the application.

(e) An operator may not register a vehicle as a fleet vehicle in a county that is not designated in the application.

As added by P.L.12-2015, SEC.4. Amended by P.L.180-2015, SEC.9.

IC 9-18-12.5-8
Termination of participation

Sec. 8. (a) The bureau shall terminate the participation in the program of a fleet operator with fewer than one thousand (1,000) fleet vehicles.

(b) A fleet operator whose participation is terminated under subsection (a) may reapply for participation in the program in the manner determined by the bureau.

As added by P.L.12-2015, SEC.4.

IC 9-18-12.5-9
Certificate of registration

Sec. 9. A certificate of registration as a fleet vehicle under this chapter is valid for the twelve (12) month period designated on the certificate.

As added by P.L.12-2015, SEC.4.

IC 9-18-12.5-10
Fee

Sec. 10. The fee to register a vehicle as a fleet vehicle under this chapter is the applicable fee for the vehicle under IC 9-29-5.

As added by P.L.12-2015, SEC.4.

IC 9-18-12.5-11
Fleet vehicle license plate; design

Sec. 11. The bureau shall design a fleet vehicle license plate. The design must include distinctive colors and graphics and the fleet number assigned under section 7(c) of this chapter. The design may not include years, months, or other indications of calendar dates. The design may indicate that the fleet license plate does not expire.
As added by P.L.12-2015, SEC.4.

IC 9-18-12.5-12
Applicability of other motor vehicle laws to fleet vehicles

Sec. 12. A fleet vehicle is subject to all applicable laws, rules, and regulations for vehicles of the same type or class.
As added by P.L.12-2015, SEC.4.

IC 9-18-13

Chapter 13. Recovery Vehicle Registration

IC 9-18-13-1

License plates; design and issuance

Sec. 1. The bureau shall design and issue a license plate that will designate a registered vehicle as a recovery vehicle.

As added by P.L.2-1991, SEC.6.

IC 9-18-13-2

Transport operator plates; display

Sec. 2. A vehicle registered as a recovery vehicle is not required to display a transport operator license plate on either:

(1) the recovery vehicle; or

(2) the vehicle being towed by the recovery vehicle.

As added by P.L.2-1991, SEC.6.

IC 9-18-13-3

Registration; highway operation; violation

Sec. 3. (a) A person shall register a vehicle as a recovery vehicle if the following conditions are satisfied:

(1) The vehicle is capable of lifting and pulling a disabled, a wrecked, an abandoned, an improperly parked, or a burnt vehicle by attaching a pickup bar with an adequate chain or steel structured lifting apparatus to the vehicle in lift.

(2) The vehicle is equipped with a power driven winch.

(3) The vehicle is equipped with proper emergency lighting for the recovery vehicle and the vehicle in lift.

(4) The vehicle is capable of attaching safety chains on the vehicle in lift.

(5) The vehicle is capable of traveling the highways safely at least at the minimum speed limit.

(b) A person may not operate a recovery vehicle on a highway unless the vehicle is registered as a recovery vehicle under this chapter.

(c) A person that violates this section commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.198-2016, SEC.289.

IC 9-18-13-4

Repealed

(As added by P.L.2-1991, SEC.6. Amended by P.L.217-2014, SEC.28. Repealed by P.L.198-2016, SEC.290.)

IC 9-18-13-5

Exemption of certain vehicles

Sec. 5. A truck registered as a vehicle having a declared gross

weight greater than sixteen thousand (16,000) pounds, or a tractor having a declared gross weight greater than twenty thousand (20,000) pounds, that is owned by a person and used to lift or pull a vehicle or combination of vehicles is exempt from this chapter if the vehicle or combination of vehicles being pulled are:

(1) owned by the same person who owns or operates the truck or tractor used as the pulling vehicle;

(2) leased by the same person who owns or operates the truck or tractor used as the pulling vehicle; or

(3) owned or leased to a subsidiary or other related corporation of the person owning or operating the truck or tractor used as the pulling vehicle.

As added by P.L.2-1991, SEC.6.

IC 9-18-13-6

International Registration Plan registration

Sec. 6. A recovery vehicle registered under this chapter may be registered under the International Registration Plan and be issued an apportioned license plate.

As added by P.L.2-1991, SEC.6.

IC 9-18-13-7

Operation of unqualified vehicle; infraction

Sec. 7. (a) A person may not operate a vehicle:

(1) that is not qualified to register as a recovery vehicle under this chapter;

(2) for the purpose of lifting and pulling:

(A) a disabled;

(B) a wrecked;

(C) an abandoned;

(D) an improperly parked; or

(E) a burnt;

vehicle; and

(3) on a highway.

(b) A person that violates this section commits a Class C infraction.

As added by P.L.2-1991, SEC.6. Amended by P.L.217-2014, SEC.29; P.L.198-2016, SEC.291.

IC 9-18-13-8

Registration and highway operation violations; infraction; detention of vehicle

Sec. 8. (a) A person who violates section 3 of this chapter commits a Class C infraction.

(b) A vehicle that is:

(1) in violation of section 3 of this chapter; and

(2) used on a highway to tow a disabled or an improperly parked vehicle;

shall be detained by the law enforcement officer until the person who owns the recovery vehicle shows the law enforcement officer proof of proper registration.
As added by P.L.2-1991, SEC.6.

IC 9-18-13-9
Repealed
(As added by P.L.2-1991, SEC.6. Repealed by P.L.217-2014, SEC.30.)

IC 9-18-13-10
Repealed
(As added by P.L.2-1991, SEC.6. Repealed by P.L.217-2014, SEC.31.)

IC 9-18-14

Chapter 14. Military Vehicle Registration

IC 9-18-14-1

Alternative registration

Sec. 1. A person who owns a military vehicle may register the military vehicle under this chapter instead of registering for a license plate issued for:

(1) a vehicle under IC 9-18-2; or

(2) an antique motor vehicle under IC 9-18-12.

As added by P.L.2-1991, SEC.6.

IC 9-18-14-2

Permanent registration

Sec. 2. If a person who owns a military vehicle registers the military vehicle under this chapter, the registration of the military vehicle is for the life of the military vehicle. A person who owns a military vehicle shall also pay any applicable excise taxes under IC 6-6-5 and IC 6-6-5.5.

As added by P.L.2-1991, SEC.6. Amended by P.L.125-2012, SEC.110.

IC 9-18-14-3

Registration number for military vehicle; operation on public highway

Sec. 3. (a) If a person who owns a military vehicle registers the military vehicle under this chapter the bureau shall authorize as a registration number the military vehicle identification number stenciled on the military vehicle in white or yellow letters and numbers in accordance with all pertinent military regulations.

(b) A military vehicle registered under this chapter is not required to display a license plate in order to be operated on a public highway.

As added by P.L.2-1991, SEC.6. Amended by P.L.262-2013, SEC.72.

IC 9-18-14-4

Registration form and certificates

Sec. 4. The bureau shall adopt a:

(1) registration form; and

(2) certificate of registration;

to implement this chapter.

As added by P.L.2-1991, SEC.6.

IC 9-18-14-5

Repealed

(As added by P.L.2-1991, SEC.6. Repealed by P.L.125-2012, SEC.111.)

IC 9-18-15
Repealed
(Repealed by P.L.198-2016, SEC.292.)

IC 9-18-16
Repealed
(Repealed by P.L.198-2016, SEC.293.)

IC 9-18-17
Repealed
(Repealed by P.L.198-2016, SEC.294.)

IC 9-18-18
Repealed
(Repealed by P.L.198-2016, SEC.295.)

IC 9-18-19
Repealed
(Repealed by P.L.198-2016, SEC.296.)

IC 9-18-20
Repealed
(Repealed by P.L.198-2016, SEC.297.)

IC 9-18-21
Repealed
(Repealed by P.L.262-2013, SEC.84.)

IC 9-18-22
Repealed
(Repealed by P.L.198-2016, SEC.298.)

IC 9-18-23
Repealed
(Repealed by P.L.198-2016, SEC.299.)

IC 9-18-24
Repealed
(Repealed by P.L.198-2016, SEC.300.)

IC 9-18-24.5
Repealed

(Repealed by P.L.198-2016, SEC.301.)

IC 9-18-25
Repealed
(Repealed by P.L.198-2016, SEC.302.)

IC 9-18-26
Repealed
(Repealed by P.L.92-2013, SEC.46.)

IC 9-18-27
Repealed

(Repealed by P.L.174-2016, SEC.11; P.L.198-2016, SEC.303.)

IC 9-18-28
Repealed
(Repealed by P.L.198-2016, SEC.304.)

IC 9-18-29
Repealed
(Repealed by P.L.198-2016, SEC.305.)

IC 9-18-30
Repealed

(Repealed by P.L.198-2016, SEC.306.)

IC 9-18-31
Repealed

(Repealed by P.L.198-2016, SEC.307.)

IC 9-18-32
Repealed

(Repealed by P.L.149-2015, SEC.48.)

IC 9-18-32.2
Repealed

(Repealed by P.L.149-2015, SEC.49.)

IC 9-18-33
Repealed

(Repealed by P.L.198-2016, SEC.308.)

IC 9-18-34
Repealed

(Repealed by P.L.198-2016, SEC.309.)

IC 9-18-35
Repealed
(Repealed by P.L.149-2015, SEC.50.)

IC 9-18-36
Repealed

(Repealed by P.L.149-2015, SEC.51.)

IC 9-18-37
Repealed
(Repealed by P.L.198-2016, SEC.310.)

IC 9-18-38
Repealed

(Repealed by P.L.149-2015, SEC.52.)

IC 9-18-39
Repealed

(Repealed by P.L.149-2015, SEC.53.)

IC 9-18-40
Repealed

(Repealed by P.L.198-2016, SEC.311.)

IC 9-18-41
Repealed

(Repealed by P.L.198-2016, SEC.312.)

IC 9-18-42
Repealed

(Repealed by P.L.198-2016, SEC.313.)

IC 9-18-43
Repealed

(Repealed by P.L.149-2015, SEC.54.)

IC 9-18-44
Repealed

(Repealed by P.L.198-2016, SEC.314.)

IC 9-18-45
Repealed

(Repealed by P.L.198-2016, SEC.315.)

IC 9-18-45.8
Repealed

(Repealed by P.L.198-2016, SEC.316.)

IC 9-18-46.2
Repealed

(Repealed by P.L.198-2016, SEC.317.)

IC 9-18-47
Repealed
(Repealed by P.L.198-2016, SEC.318.)

IC 9-18-48
Repealed
(Repealed by P.L.198-2016, SEC.319.)

IC 9-18-49
Repealed
(Repealed by P.L.198-2016, SEC.320.)

IC 9-18-50
Repealed

(Repealed by P.L.198-2016, SEC.321.)

IC 9-18-51
Repealed

(Repealed by P.L.198-2016, SEC.322.)

IC 9-18-52
Repealed

(Repealed by P.L.198-2016, SEC.323.)

IC 9-18-53
Repealed

(Repealed by P.L.198-2016, SEC.324.)

IC 9-18-54
Repealed

(Repealed by P.L.198-2016, SEC.325.)

IC 9-18.1

ARTICLE 18.1. MOTOR VEHICLE REGISTRATION

IC 9-18.1-1

Chapter 1. Definitions

IC 9-18.1-1-1

Applicability of chapter

Sec. 1. The following definitions apply throughout this article.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-1-2

"Declared gross weight"

Sec. 2. "Declared gross weight" means the following:

(1) For a for-hire bus, the sum of:

(A) the empty weight of the bus; plus

(B) the product of:

(i) the number of seats on the bus; multiplied by

(ii) two hundred (200) pounds.

(2) For a trailer, the empty weight of the trailer plus the weight of the heaviest load the trailer will carry during a registration year.

(3) For a truck, the empty weight of the truck plus the weight of the heaviest load the truck will carry during a registration year. The term includes a truck camper that is installed on a truck. The term does not include the weight of a vehicle towed by a truck.

(4) For a tractor used with a semitrailer, the declared gross combination weight, which is the sum of the following:

(A) The empty weight of the tractor.

(B) The empty weight of the heaviest semitrailer, or set of semitrailers, that the tractor will tow during a registration year.

(C) The heaviest load that the tractor will carry during a registration year.

(D) The heaviest load that will be carried by a semitrailer, or set of semitrailers, that the tractor will tow during a registration year.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-1-3

"Distinctive license plate"

Sec. 3. "Distinctive license plate" refers to a license plate designed and issued under IC 9-18.5.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-1-4

"License plate"

Sec. 4. "License plate" includes the following:

(1) A license plate issued under this article for display on a vehicle.

(2) A distinctive license plate designed and issued under IC 9-18.5.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-1-5
"Proof of registration"

Sec. 5. "Proof of registration" includes the following:

(1) A license plate.

(2) A decal or sticker issued by the bureau to indicate registration.

(3) A certificate of registration.

(4) Any other indication of registration issued by the bureau or the motor carrier services division of the department of state revenue.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-2

Chapter 2. Application

IC 9-18.1-2-1

Applicability of article; validity of certificate or proof of registration issued under IC 9-18 (before its expiration)

Sec. 1. (a) This article applies after December 31, 2016.

(b) A certificate of registration or proof of registration issued under IC 9-18 (before its expiration on December 31, 2016) remains valid until it expires or is revoked, suspended, or canceled.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-2

Vehicles not required to be registered

Sec. 2. The following vehicles are not required to be registered under this article:

(1) A vehicle that is propelled by electric power obtained from overhead trolley wires but is not operated on rails or tracks.

(2) A firetruck and apparatus used for fire protection.

(3) A new motor vehicle if the new motor vehicle is being operated in Indiana solely to remove it from an accident site to a storage location because:

(A) the new motor vehicle was being transported on a railroad car or semitrailer; and

(B) the railroad car or semitrailer was involved in an accident that required the unloading of the new motor vehicle to preserve or prevent further damage to it.

(4) A vehicle that is:

(A) owned or leased; and

(B) used;

by the United States government for official government purposes.

(5) A school bus or special purpose bus that is:

(A) owned by a school corporation; and

(B) registered under IC 20-27-7.

(6) Golf carts when operated in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).

(7) A vehicle that is not designed for or employed in general highway transportation of persons or property and is occasionally operated or moved over the highway, including the following:

(A) An electric personal assistive mobility device.

(B) Road construction or maintenance machinery.

(C) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways.

(D) Construction dust control machinery.

(E) A well boring apparatus.

(F) A ditch digging apparatus.

(G) An implement of agriculture designed to be operated primarily in a farm field or on farm premises.
(H) A farm tractor.
(I) A farm wagon.
(J) A tractor:
(i) that is used to move semitrailers around a terminal or a loading or spotting facility; and
(ii) for which a permit is issued under IC 6-6-4.1-13(f).
(8) An off-road vehicle or a snowmobile.
(9) A vehicle that is operated and displays a license plate in accordance with IC 9-32.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-3
Registration required for operation on highway
Sec. 3. Except as provided in sections 4 through 9 of this chapter, a vehicle may not be operated on a highway unless the vehicle:
(1) is registered under this article; and
(2) displays proof of registration in accordance with this article.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-4
Semitrailer or trailer used with apportionable vehicle; exception
Sec. 4. A semitrailer or trailer that is used in combination with a vehicle that is an apportionable vehicle under the terms of the International Registration Plan may be operated on a highway if the semitrailer or trailer is registered in accordance with the laws of a jurisdiction that participates in the International Registration Plan.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-5
Vehicle operated by nonresident; exception
Sec. 5. (a) A nonresident that owns a vehicle that:
(1) is required to be registered under this article; and
(2) is not subject to registration under the International Registration Plan;
may operate, or permit the operation of, the vehicle on a highway without registering the vehicle under this article if the vehicle is registered in accordance with the laws of the jurisdiction in which the nonresident is a resident.
(b) The exemption granted by subsection (a) applies only to the extent that Indiana residents are granted an equivalent exemption in the jurisdiction in which the nonresident is a resident.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-6
Operation of vehicle on highway by nonresident
Sec. 6. A nonresident that becomes an Indiana resident may

operate a vehicle on a highway for not more than sixty (60) days after becoming an Indiana resident without registering the vehicle under this article if the vehicle is registered in accordance with the laws of the jurisdiction in which the nonresident was a resident.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-7
Vehicle registered in another state; exception

Sec. 7. An Indiana resident that:

(1) has a legal residence in a state that is not contiguous to Indiana; and

(2) owns or operates a vehicle that is registered in accordance with the laws of the other state of legal residence;

may operate the vehicle on a highway for not more than sixty (60) days without registering the vehicle under this article.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-8
Newly acquired vehicle; exception

Sec. 8. A person that acquires a vehicle may operate the vehicle on a highway without registering the vehicle under this article under the following conditions:

(1) For the length of a temporary permit issued under the following:

(A) IC 9-18-7-1 (before its expiration on December 31, 2016).

(B) IC 9-18-7-4 (before its expiration on December 31, 2016).

(C) IC 9-18.1-12-2.

(D) IC 9-18.1-12-3.

(2) For not more than forty-five (45) days after the date on which the person acquires the vehicle, if the person displays on the newly acquired vehicle a valid and unexpired license plate transferred from another vehicle that the person disposes of by sale or other means. While operating the newly acquired vehicle, the person must have in the person's possession a:

(A) manufacturer's certificate of origin;

(B) certificate of title; or

(C) bill of sale;

indicating that the person owns the vehicle to which the unexpired license plates are affixed.

(3) For not more than forty-five (45) days after the date on which the person acquires the vehicle from a dealer licensed under IC 9-32, if the person displays on the newly acquired vehicle a valid and unexpired interim plate issued under IC 9-32-6-11.

(4) If the person acquires the vehicle from a person other than a dealer licensed under IC 9-32, for:

(A) not more than seventy-two (72) hours after the date of acquisition; and

(B) the sole purpose of transporting the vehicle by the most direct route from the place of acquisition to:

(i) a place of storage, including the person's residence or place of business;

(ii) an inspection station for purposes of emissions testing under IC 13-17-5-5.1(b); or

(iii) a license branch or a location operated by a full service provider (as defined in IC 9-14.1-1-2) or a partial services provider (as defined in IC 9-14.1-1-3) to register the vehicle under this article.

While operating the vehicle, the person must have in the person's possession a certificate of title indicating that the person owns the vehicle.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-9

Apportionable vehicle; exception

Sec. 9. A person may operate a vehicle that is an apportionable vehicle under the terms of the International Registration Plan upon a highway if the vehicle is registered under the International Registration Plan with a valid and unexpired cab card.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-10

Actions by law enforcement officers

Sec. 10. (a) Subject to subsection (b), a law enforcement officer authorized to enforce motor vehicle laws who discovers a vehicle that is operated in violation of this chapter may:

(1) take the license plate displayed on the vehicle into the officer's custody;

(2) take the vehicle into the officer's custody;

(3) cause the vehicle to be taken to and stored in a suitable place; or

(4) take any combination of the actions described in subdivisions (1), (2), and (3);

until the proper certificate of registration and license plates for the vehicle are procured or the legal owner of the vehicle is found.

(b) A farm vehicle that is carrying perishable fruits or vegetables or livestock may not be impounded, and the operator may proceed to the point of destination after having been stopped by a law enforcement officer under this section.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-11

Failure to register; violation

Sec. 11. A person that fails to register a vehicle that is required to

be registered under this chapter commits a Class C infraction.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-2-12
Registration in other state; violation

Sec. 12. A person that knowingly or intentionally owns a motor vehicle that is registered outside Indiana but that is required to be registered in Indiana commits a Class B misdemeanor.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-3
Chapter 3. General Procedures

IC 9-18.1-3-1
Application; violation

Sec. 1. (a) A person that desires to register a vehicle under this article must provide, in the form and manner prescribed by the bureau, the following information:

(1) The name of the person that owns the vehicle, or if the vehicle has been leased and is being registered in the name of the lessee instead of the owner, the name of the lessee.

(2) The person's address in Indiana, including the county and township, on the date of the application, as follows:

(A) If the person is an individual, the person's residence address. However, if the person participates in the address confidentiality program under IC 5-26.5, the address may be a substitute address designated by the office of the attorney general under IC 5-26.5.

(B) If the person is not an individual, the person's principal office in Indiana.

(C) If the person does not have a physical residence or office in Indiana, the county and township in Indiana where the vehicle will be primarily operated.

(3) A brief description of the vehicle to be registered, including the identification number and the color of the vehicle.

(4) Any other information required by the bureau, including:

(A) the manufacturer's rated capacity for the vehicle;

(B) a statement of the vehicle's intended use;

(C) the vehicle's odometer reading; and

(D) the declared gross weight of the vehicle.

(b) An application to register a vehicle that is made through the United States mail or by electronic means is not required to be sworn to or notarized.

(c) A person may apply on behalf of another person to register a vehicle under this article. However, the application must be signed and verified by the person in whose name the vehicle is to be registered.

(d) A person that makes a false statement in an application to register a vehicle under this article commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-3-2
Certificate of title required; violation

Sec. 2. (a) This section does not apply to the following:

(1) Special machinery.

(2) A motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a

person other than the manufacturer.
(3) Snowmobiles.
(4) Motor driven cycles.

(b) The bureau may not register a vehicle unless the person applying for the certificate of registration:
(1) applies at the same time or within the immediately preceding forty-five (45) days for a certificate of title for the vehicle; or
(2) presents satisfactory evidence that a certificate of title has been previously issued to the person that covers the vehicle.

(c) If the bureau at any time determines that a certificate of title for a vehicle cannot be issued or is invalid, the bureau:
(1) shall not issue or furnish; or
(2) may invalidate;
the certificate of registration for the vehicle.

(d) A person that operates a vehicle for which a certificate of registration is required without a valid certificate of registration commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-3-3
Identification number required

Sec. 3. The bureau may not register a vehicle that does not have an identification number.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-3-4
Payment of or exemption from excise tax

Sec. 4. The bureau may not register a vehicle unless the registrant:
(1) pays the applicable excise tax for the vehicle under IC 6-6; or
(2) provides proof in a manner acceptable to the bureau that the vehicle is exempt from excise taxes under IC 6-6.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-3-5
Proof of financial responsibility required

Sec. 5. The bureau may not register a motor vehicle unless the person applying for registration provides proof of financial responsibility that is in effect in the amounts specified in IC 9-25 at the time the application for registration is made.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-3-6
Vehicles bureau may not register

Sec. 6. The bureau may not register the following vehicles:
(1) A vehicle that:
(A) is subject under rules adopted under air pollution control

laws (as defined in IC 13-11-2-6) to:

(i) inspection of vehicle air pollution control equipment; and

(ii) testing of emission characteristics; and

(B) has not been:

(i) inspected; and

(ii) certified by an inspection station under IC 13-17-5-5.1(b) that the air pollution equipment is not in a tampered condition and the vehicle meets air emission control standards.

(2) A motor vehicle that does not comply with applicable motor vehicle equipment requirements under IC 9-19.

(3) A motor vehicle that does not comply with applicable operational and equipment specifications described in 49 CFR 571.

(4) A private bus that does not have an unexpired certificate indicating compliance with an inspection program established under IC 9-19-22-3.

(5) A school bus or special purpose bus that does not have an unexpired certificate of inspection under IC 20-27-7-3.

(6) A farm wagon.

(7) A farm tractor.

(8) A golf cart.

(9) An implement of agriculture designed to be operated primarily in a farm field or on farm premises.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-3-7

Withholding registration of vehicle used in commission of toll violation; reinstatement; fee

Sec. 7. (a) Upon receiving notice, as described in IC 9-21-3.5-10(c), of the failure of an owner of a vehicle to pay a fine, charge, or other assessment for a toll violation documented under IC 9-21-3.5-12, the bureau shall withhold the annual registration of the vehicle that was used in the commission of the toll violation until the owner pays the fine, charge, or other assessment, plus any applicable fees, to:

(1) the bureau; or

(2) the appropriate authority under IC 9-21-3.5 that is responsible for the collection of fines, charges, or other assessments for toll violations under IC 9-21-3.5.

If the owner pays the fine, charge, or assessment, plus any applicable fees, to the bureau as described in subdivision (1), the bureau shall remit the appropriate amount to the appropriate authority under IC 9-21-3.5 that is responsible for the collection of fines, charges, assessments, or fees for toll violations under IC 9-21-3.5.

(b) Upon receiving notice, as described in IC 9-21-3.5-15(d), of the failure of an owner of a vehicle to pay a fine, charge, or other

assessment for a toll violation documented under IC 9-21-3.5-12 or IC 9-21-3.5-14, the bureau shall withhold the annual registration of the vehicle that was used in the commission of the toll violation until the owner pays the fine, charge, or other assessment, plus any applicable fees, to:

(1) the operator of the private toll facility; or

(2) a person designated by the operator of the private toll facility to collect fines, charges, or other assessments for toll violations under IC 9-21-3.5;

as applicable. The bureau may impose a fee to reinstate an annual registration that was withheld under this subsection.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-3-8

Suspension of registration; notice; reinstatement

Sec. 8. (a) Except as provided in subsection (b), upon receipt of written notice under IC 13-17-5-8 of a violation of IC 13-17-5-1, IC 13-17-5-3, or IC 13-17-5-4, the bureau shall suspend the registration of the vehicle identified in the notice.

(b) The bureau may decline to suspend the registration of the vehicle pending verification of the statements set forth in the written notice.

(c) The bureau shall promptly notify a vehicle's owner of the suspension of the vehicle's registration under this section.

(d) Except as provided in subsection (e), upon the:

(1) receipt of written notice under IC 13-17-5-8 that the violation of IC 13-17-5-1, IC 13-17-5-3, or IC 13-17-5-4 has been corrected; or

(2) presentation of evidence to the bureau establishing that the violation of IC 13-17-5-1, IC 13-17-5-3, or IC 13-17-5-4 has been corrected;

the bureau shall reinstate the registration of the vehicle.

(e) The bureau may decline to reinstate the registration of the vehicle pending verification of the statements set forth in a written notice provided under subsection (d)(1).

As added by P.L.198-2016, SEC.326.

IC 9-18.1-3-9

Donations to anatomical gift promotion fund

Sec. 9. A person that registers a vehicle may indicate the person's desire to donate money to organizations that promote the procurement of organs for anatomical gifts. The bureau must:

(1) allow the person registering the vehicle to indicate the amount the person desires to donate; and

(2) provide that the minimum amount a person may donate is one dollar ($1).

Funds collected under this section shall be deposited with the treasurer of state in a special account. The auditor of state shall

monthly distribute the money in the special account to the anatomical gift promotion fund established by IC 16-19-3-26. The bureau may deduct from the funds collected under this subdivision the costs incurred by the bureau in implementing and administering this subdivision.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-3-10
Genuineness, regularity, and legality of application

Sec. 10. (a) The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of the following:

(1) Information provided by a person as part of a request for the registration of a vehicle.

(2) A request for any type of license plate required under this title for the operation of a vehicle upon a highway.

(3) Any other application or request made to the bureau under this article or IC 9-18.5.

(b) The bureau may:

(1) make investigations or require additional information; and

(2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement contained in an application or request, or for any other reason.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-4

Chapter 4. Proof of Registration

IC 9-18.1-4-1

Registration; proof of registration

Sec. 1. (a) If the bureau determines that a person applying for registration is entitled to register the vehicle, the bureau shall:

(1) register the vehicle described in the application;

(2) issue the person a certificate of registration; and

(3) issue proof of registration for display on the vehicle.

(b) The bureau may issue under subsection (a)(3):

(1) a regular license plate under this article; or

(2) if the person satisfies the applicable requirements under IC 9-18.5, a distinctive license plate designed and issued under IC 9-18.5.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-4-2

Requirement to carry certificate of registration; violation

Sec. 2. (a) The bureau shall adopt rules under IC 4-22-2 regarding the size, character, and content of a certificate of registration.

(b) A certificate of registration or a legible reproduction of the certificate of registration must be carried:

(1) in the vehicle to which the registration refers; or

(2) by the individual operating or in control of the vehicle, who shall display the registration upon the demand of a police officer.

(c) An individual who fails to carry a certificate of registration or a legible reproduction of a certificate of registration as required under subsection (b) commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-4-3

Display of proof of registration; rules

Sec. 3. The bureau shall adopt rules under IC 4-22-2 regarding the size, character, display, mounting, securing, content, issuance, replacement, and life cycle of license plates, temporary license plates, renewal stickers, and other proof of registration.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-4-4

Display of license plates; violation

Sec. 4. (a) License plates, including temporary license plates, shall be displayed as follows:

(1) For a tractor, a dump truck, or a truck with a rear-mounted forklift or a mechanism to carry a rear-mounted forklift or implement, upon the front of the vehicle.

(2) For every other vehicle, upon the rear of the vehicle.

(b) A license plate shall be:

(1) securely fastened, in a horizontal position, to the vehicle for which the plate is issued:

(A) to prevent the license plate from swinging;

(B) at a height of at least twelve (12) inches from the ground, measuring from the bottom of the license plate; and

(C) in a place and position that are clearly visible;

(2) maintained free from foreign materials and in a condition to be clearly legible; and

(3) not obstructed or obscured by tires, bumpers, accessories, or other opaque objects.

(c) An interim license plate issued or used by a dealer licensed under IC 9-32 or used by a manufacturer must be displayed:

(1) in the manner required under subsection (a) for the type of vehicle on which the interim license plate is displayed; or

(2) in a location on the left side of a window that is:

(A) facing the rear of the motor vehicle; and

(B) clearly visible and unobstructed.

A plate displayed under subdivision (2) must be affixed to the window of the motor vehicle.

(d) A person that violates this section commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-4-5

Operation of vehicle on highway without proper proof of registration; violation

Sec. 5. (a) A vehicle required to be registered under this article may not be used or operated on a highway if the vehicle displays any of the following:

(1) A license plate belonging to any other vehicle.

(2) A fictitious registration number.

(3) A sign or placard bearing the words "license applied for" or "in transit" or other similar signs.

(b) A person that operates a vehicle in violation of subsection (a) commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-4-6

Transfer of ownership of vehicle; expiration of registration

Sec. 6. If the ownership of a vehicle registered under this article is transferred, except a transfer from a manufacturer or a dealer licensed under IC 9-32:

(1) the registration of the vehicle expires; and

(2) the person transferring the vehicle shall remove the license plates and certificate of registration from the vehicle.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-4-7
Proof of registration remains property of bureau

Sec. 7. A license plate or other proof of registration issued by the bureau under this article or IC 9-18.5:

(1) remains the property of the bureau; and

(2) may be revoked, canceled, or repossessed as provided by law.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-4-8
Sale of false certificate of registration; violation

Sec. 8. A person that knowingly sells, offers to sell, buys, possesses, or offers as genuine a certificate of registration for a vehicle that is required to be issued by the bureau and has not been issued by the:

(1) bureau under this article; or

(2) appropriate governmental authority of another state;

commits a Class C misdemeanor.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5

Chapter 5. Vehicle Classification and Registration Fees

IC 9-18.1-5-1

Classification of vehicles by bureau

Sec. 1. (a) The bureau shall classify each vehicle that is eligible to be registered under this title based on:

(1) the application submitted under IC 9-18.1-3;

(2) this title; and

(3) rules adopted by the bureau under IC 4-22-2.

(b) If the bureau is unable to classify a motor vehicle that is eligible to be registered under this title, the bureau shall classify the vehicle as a truck.

(c) If the bureau is unable to classify a vehicle without motive power that is eligible to be registered under this title, the bureau shall classify the vehicle as a trailer.

(d) The bureau shall classify a tractor that is not used with a semitrailer as a truck.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5-2

Passenger motor vehicles; fee

Sec. 2. (a) The bureau shall classify the following as a passenger motor vehicle, regardless of the vehicle's gross vehicle weight rating:

(1) A low speed vehicle.

(2) A hearse.

(3) A motor vehicle that is funeral equipment and used in the operation of funeral services (as defined in IC 25-15-2-17).

(4) A medical services vehicle.

(b) The fee to register a passenger motor vehicle is twenty-one dollars and thirty-five cents ($21.35). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Thirty cents ($0.30) to the spinal cord and brain injury fund.

(3) Fifty cents ($0.50) to the state motor vehicle technology fund.

(4) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(5) Three dollars ($3) to the crossroads 2000 fund.

(6) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(7) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(8) Any remaining amount to the motor vehicle highway

account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5-3

Motor cycle or motor driven cycle; fee

Sec. 3. The fee to register a motorcycle or motor driven cycle is twenty-six dollars and thirty-five cents ($26.35). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Thirty cents ($0.30) to the spinal cord and brain injury fund.

(3) Fifty cents ($0.50) to the state motor vehicle technology fund.

(4) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(5) Four dollars ($4) to the crossroads 2000 fund.

(6) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(7) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(8) Seven dollars ($7) to the motorcycle operator safety education fund.

(9) Any remaining amount to the motor vehicle highway account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5-4

Not-for-hire bus; fee

Sec. 4. The fee to register a not-for-hire bus is sixteen dollars and thirty-five cents ($16.35). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(4) Four dollars ($4) to the crossroads 2000 fund.

(5) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(6) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(7) Any remaining amount to the motor vehicle highway

account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5-5

Collector vehicle; fee

Sec. 5. The fee to register a collector vehicle is sixteen dollars and thirty-five cents ($16.35). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building fund.

(2) Fifty cents ($0.50) to the state motor vehicle technology account.

(3) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(4) Four dollars ($4) to the crossroads 2000 fund.

(5) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(6) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(7) Any remaining amount to the motor vehicle highway account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5-6

Recreational vehicle; fee

Sec. 6. The fee to register a recreational vehicle is twenty-nine dollars and thirty-five cents ($29.35). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(4) Four dollars ($4) to the crossroads 2000 fund.

(5) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(6) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(7) Any remaining amount to the motor vehicle highway account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5-7

Special machinery; fee

Sec. 7. The fee to register special machinery is sixteen dollars and thirty-five cents ($16.35). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(4) Four dollars ($4) to the crossroads 2000 fund.

(5) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(6) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(7) Any remaining amount to the motor vehicle highway account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5-8

Trailer; fee

Sec. 8. (a) Except as provided in section 11 of this chapter, the fee to register a trailer is as follows:

Declared Gross Weight (Pounds)		Fee ($)
Greater than	Equal to or less than	
0	3,000	$ 16.35
3,000	9,000	25.35
9,000	12,000	72
12,000	16,000	108
16,000	22,000	168
22,000		228

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(4) Four dollars ($4) to the crossroads 2000 fund.

(5) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(6) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(7) Any remaining amount to the motor vehicle highway account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5-9

Truck, tractor used with semitrailer, or for-hire bus; fee

Sec. 9. (a) Except as provided in section 11 of this chapter, the fee to register a truck, a tractor used with a semitrailer, or a for-hire bus is determined as follows:

Declared Gross Weight (Pounds)		Fee ($)
Greater than	Equal to or less than	
0	11,000	$ 30.35
11,000	16,000	144
16,000	26,000	180
26,000	36,000	300
36,000	48,000	504
48,000	66,000	720
66,000	78,000	960
78,000		1,356

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) For a truck with a declared gross weight of eleven thousand (11,000) pounds or less, thirty cents ($0.30) to the spinal cord and brain injury fund.

(3) Fifty cents ($0.50) to the state motor vehicle technology fund.

(4) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(5) Four dollars ($4) to the crossroads 2000 fund.

(6) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(7) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(8) Any remaining amount to the motor vehicle highway account.

(c) A trailer that is towed by a truck must be registered separately, and the appropriate fee must be paid under this chapter.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5-10

Semitrailers; fee; permanent registration

Sec. 10. (a) The following vehicles shall be registered as semitrailers:

(1) A semitrailer converted to a full trailer through the use of a converter dolly.

(2) A trailer drawn behind a semitrailer.

(3) A trailer drawn by a vehicle registered under the International Registration Plan.

(b) The fee for a permanent registration of a semitrailer is eighty-two dollars ($82). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(4) Twelve dollars ($12) to the crossroads 2000 fund.

(5) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(6) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(7) Any remaining amount to the motor vehicle highway account.

(c) A permanent registration under subsection (b) must be renewed on an annual basis. The fee to renew a permanent registration is eight dollars and seventy-five cents ($8.75). The fee is in addition to any applicable excise tax and shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Three dollars ($3) to the crossroads 2000 fund.

(4) Three dollars and ten cents ($3.10) to the commission fund.

(5) Any remaining amount to the motor vehicle highway account.

(d) A permanent registration under subsection (b) may be transferred under IC 9-18.1-11.

(e) A semitrailer that is registered under IC 9-18-10-2(a)(2) (before its expiration) or IC 9-18-10-2(a)(3) (before its expiration) remains valid until its expiration and is not subject to renewal under subsection (c). This subsection expires July 1, 2020.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-5-11

Partial year registration

Sec. 11. (a) This section applies to the following vehicles:

(1) A trailer with a declared gross weight greater than nine thousand (9,000) pounds.

(2) A truck with a declared gross weight greater than eleven thousand (11,000) pounds.

(3) A tractor used with a semitrailer with a declared gross weight greater than eleven thousand (11,000) pounds.

(4) A for-hire bus with a declared gross weight greater than eleven thousand (11,000) pounds.

(b) The fee to register a vehicle listed in subsection (a) for a period other than twelve (12) months is the amount determined under the following formula:

STEP ONE: Determine the number of months remaining until the vehicle's next registration date under IC 9-18.1-11-3. A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the STEP TWO product by the applicable registration fee under this chapter for the vehicle.

(c) A fee described in subsection (b) shall be distributed in the same manner as the applicable registration fee under this chapter for the vehicle.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-6

Chapter 6. Recovery Vehicles

IC 9-18.1-6-1

Conditions for registration as recovery vehicle

Sec. 1. A vehicle that satisfies the following conditions may be registered as a recovery vehicle:

(1) The vehicle is capable of lifting and pulling a disabled, a wrecked, an abandoned, an improperly parked, or a burnt vehicle by attaching a pickup bar with an adequate chain or steel structured lifting apparatus to the vehicle in lift.

(2) The vehicle is equipped with a power driven winch.

(3) The vehicle is equipped with proper emergency lighting for the recovery vehicle and the vehicle in lift.

(4) The vehicle is capable of attaching safety chains on the vehicle in lift.

(5) The vehicle is capable of traveling the highways safely at least at the minimum speed limit.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-6-2

Registration as recovery vehicle required to operate recovery vehicle; violation

Sec. 2. A person may not operate a recovery vehicle unless the vehicle is registered as a recovery vehicle under this chapter. A person that violates this section commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-6-3

Use of vehicle not qualified to register as recovery vehicle; violation

Sec. 3. A person may not operate a vehicle on a highway:

(1) that is not qualified to register as a recovery vehicle under this chapter; and

(2) for the purpose of lifting and pulling:

(A) a disabled;

(B) a wrecked;

(C) an abandoned;

(D) an improperly parked; or

(E) a burnt;

vehicle.

A person that violates this section commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-6-4

Registration fee

Sec. 4. (a) Except as provided in subsection (d), the fee to register a recovery vehicle with a gross vehicle weight rating greater than

sixteen thousand (16,000) pounds is five hundred four dollars ($504).

(b) Except as provided in subsection (d), the fee to register a recovery vehicle with a gross vehicle weight rating equal to or less than sixteen thousand (16,000) pounds is seventy-two dollars ($72).

(c) A fee imposed and collected under subsection (a) or (b) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(4) Four dollars ($4) to the crossroads 2000 fund.

(5) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(6) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(7) Any remaining amount to the motor vehicle highway account.

(d) The fee to register a recovery vehicle for a period other than twelve (12) months is the amount determined under the following formula:

STEP ONE: Determine the number of months remaining until the vehicle's next registration date under IC 9-18.1-11. A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the STEP TWO product by the applicable registration fee under subsection (a) or (b) for the vehicle.

A fee imposed and collected under this subsection shall be distributed under subsection (c).

As added by P.L.198-2016, SEC.326.

IC 9-18.1-6-5

Applicability; exception

Sec. 5. This chapter does not apply to a truck or tractor with a declared gross weight of more than sixteen thousand (16,000) pounds that is used to lift or pull a vehicle or combination of vehicles if:

(1) the same person that owns or operates the truck or tractor also owns or leases the vehicle or combination of vehicles; or

(2) the vehicle or combination of vehicles are owned by or leased to a subsidiary or related corporation of the person that owns or operates the truck or tractor.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-7

Chapter 7. Farm Vehicles

IC 9-18.1-7-1

Conditions for registration as farm vehicle

Sec. 1. A vehicle that satisfies the following conditions may be registered as a farm vehicle:

(1) The vehicle must be one (1) of the following:

(A) A truck with a declared gross weight of more than eleven thousand (11,000) pounds.

(B) A tractor used with a semitrailer that has a declared gross weight of more than eleven thousand (11,000) pounds.

(C) A trailer with a declared gross weight of more than nine thousand (9,000) pounds.

(D) A semitrailer.

(2) The owner of the vehicle or a guest occupant uses the vehicle in connection with agricultural pursuits usual and normal to the user's farming operations.

(3) The vehicle is used to transport farm products, livestock, machinery, or supplies to or from a farm or ranch.

(4) The vehicle is not used:

(A) in the conduct of a commercial enterprise; or

(B) to transport farm products anywhere other than to the first point of processing.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-7-2

Personal use permitted

Sec. 2. A farm vehicle may be used for personal purposes if the vehicle otherwise qualifies for registration as a farm vehicle.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-7-3

Fee to register farm vehicle that is a trailer with a declared gross weight of more than 9,000 pounds

Sec. 3. Except as provided in section 7 of this chapter, the fee to register a farm vehicle that is a trailer with a declared gross weight of more than nine thousand (9,000) pounds is fifty percent (50%) of the fee listed in IC 9-18.1-5-8 for a trailer of the same declared gross weight.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-7-4

Fee to register farm vehicle that is a truck or tractor used with a semitrailer

Sec. 4. Except as provided in section 7 of this chapter, the fee to register a farm vehicle that is:

(1) a truck; or

(2) a tractor used with a semitrailer;

with a declared gross weight of more than eleven thousand (11,000) pounds is fifty percent (50%) of the fee listed in IC 9-18.1-5-9 for a vehicle of the same declared gross weight.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-7-5

Distribution of registration fees

Sec. 5. A fee to register a farm vehicle under section 3 or 4 of this chapter shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars ($2) to the crossroads 2000 fund.

(4) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(5) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(6) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(7) Any remaining amount to the motor vehicle highway account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-7-6

Fee for permanent registration of farm vehicle that is semitrailer; annual renewal

Sec. 6. (a) The fee for permanent registration of a farm vehicle that is a semitrailer is forty-one dollars ($41). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars and ninety cents ($2.90) to the highway, road and street fund.

(4) For a vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and ten cents ($3.10) to the commission fund.

(5) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.

(6) Six dollars ($6) to the crossroads 2000 fund.

(7) Any remaining amount to the motor vehicle highway account.

(b) A permanent registration under subsection (a) must be renewed on an annual basis. The fee to renew a permanent registration is eight dollars and seventy-five cents ($8.75). The fee is in addition to any applicable excise tax and shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Three dollars ($3) to the crossroads 2000 fund.

(4) Three dollars and ten cents ($3.10) to the commission fund.

(5) Any remaining amount to the motor vehicle highway account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-7-7

Partial year registration; fee

Sec. 7. The fee to register a farm vehicle for a period of other than twelve (12) months is fifty percent (50%) of the applicable registration fee determined under IC 9-18.1-5-11 for the vehicle. The fee shall be distributed in the same manner as the applicable fee under section 5 of this chapter.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-7-8

Change of registration from farm vehicle; amended certificate of registration; fee

Sec. 8. (a) If a person has registered a vehicle as a farm vehicle and the person:

(1) desires to register the vehicle as a vehicle other than a farm vehicle; or

(2) operates the vehicle in the conduct of a commercial enterprise;

the person shall apply to the bureau to change the registration from registration as a farm vehicle to the applicable registration for the vehicle under IC 9-18.1-5.

(b) The bureau shall issue to a person described in subsection (a) an amended certificate of registration and the appropriate license plate after the person pays the following:

(1) A fee of nine dollars and fifty cents ($9.50). The fee shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the state police building account.

(B) Fifty cents ($0.50) to the state motor vehicle technology fund.

(C) One dollar ($1) to the crossroads 2000 fund.

(D) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(E) For a registration transferred before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Five dollars ($5) to the commission fund.

(F) For a registration transferred after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(2) Any additional excise taxes owed under IC 6-6 on the vehicle to which the registration is transferred.

(3) If the vehicle was registered as a farm semitrailer, a fee of forty-one dollars ($41). The fee shall be distributed to the motor vehicle highway account.

(4) If the vehicle was registered as a farm vehicle other than a farm semitrailer, the amount determined under the following formula:

STEP ONE: Determine the number of months between:

(i) the date on which the farm vehicle is registered as a vehicle other than a farm vehicle or is operated in the conduct of a commercial enterprise; and

(ii) the next registration date under IC 9-18.1-11 of the farm vehicle.

A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Determine the product of:

(i) the STEP TWO result; multiplied by

(ii) the applicable fee under IC 9-18.1-5 for the classification to which the vehicle's registration is changed.

The amount determined under this subdivision shall be deposited in the motor vehicle highway account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-7-9

Operation of farm vehicle in conduct of commercial enterprise; violation

Sec. 9. A person that operates a farm vehicle:

(1) in the conduct of a commercial enterprise; or

(2) to transport farm products anywhere other than to the first point of processing;

commits a Class C infraction. However, the offense is a Class B infraction if, within the three (3) years preceding the commission of the offense, the person had a prior unrelated judgment under this section.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-7-10

Improper operation of farm vehicle is continuing offense

Sec. 10. The operation of a vehicle in violation of section 9 of this chapter is a continuing offense, and the venue for prosecution lies in a county in which the unlawful operation occurred. However, a:

(1) judgment against; or

(2) finding by the court for;

the owner or operator of the vehicle bars a prosecution in another county.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-8
Chapter 8. Military Vehicles

IC 9-18.1-8-1
Registration of vehicle as military vehicle
Sec. 1. A person that owns a military vehicle may register the military vehicle under this chapter instead of under IC 9-18.1-5.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-8-2
Display of license plate not required
Sec. 2. A military vehicle that is registered under this chapter is not required to display a license plate on the military vehicle.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-8-3
Military vehicle identification number
Sec. 3. The registration number for a military vehicle registered under this chapter is the military vehicle identification number stenciled on the military vehicle in white or yellow letters and numbers in accordance with applicable military regulations.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-8-4
Permanent registration; fee
Sec. 4. The registration of a military vehicle under this chapter is permanent. The fee for the permanent registration of a military vehicle is twelve dollars ($12). The fee shall be distributed as follows:
(1) Twenty-five cents ($0.25) to the state police building account.
(2) Fifty cents ($0.50) to the state motor vehicle technology fund.
(3) Two dollars and ninety cents ($2.90) to the highway, road and street fund.
(4) Four dollars ($4) to the crossroads 2000 fund.
(5) For a vehicle registered before July 1, 2019, as follows:
(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(B) Three dollars and ten cents ($3.10) to the commission fund.
(6) For a vehicle registered after June 30, 2019, four dollars and thirty-five cents ($4.35) to the commission fund.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-8-5
Annual renewal of permanent registration
Sec. 5. A permanent registration under section 4 of this chapter

must be renewed on an annual basis. There is no fee to renew the permanent registration. However, the military vehicle remains subject to all applicable excise taxes.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-9

Chapter 9. Vehicles Used for Official Business

IC 9-18.1-9-1

Exemption from registration fees

Sec. 1. (a) A vehicle that is owned or leased and used for official business by the following is exempt from the payment of registration fees under this article:

(1) The state.

(2) A municipal corporation (as defined in IC 36-1-2-10).

(3) A volunteer fire department (as defined in IC 36-8-12-2).

(4) A volunteer emergency ambulance service that:

(A) meets the requirements of IC 16-31; and

(B) has only members that serve for no compensation or a nominal annual compensation of not more than three thousand five hundred dollars ($3,500).

(5) A rehabilitation center funded under IC 12-12.

(6) A community action agency (IC 12-14-23).

(7) An area agency on aging (IC 12-10-1-6) and a county council on aging that is funded through an area agency.

(8) A community mental health center (IC 12-29-2).

As added by P.L.198-2016, SEC.326.

IC 9-18.1-9-2

Issuance of license plate

Sec. 2. The bureau may issue a license plate under this chapter for a vehicle owned by or leased by the United States government.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-9-3

Assignment of permanent license plates and registration cards; rules

Sec. 3. The bureau may adopt rules under IC 4-22-2 to assign permanent license plates and accompanying permanent registration cards to vehicles owned or leased by an entity listed in section 1 of this chapter.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-9-4

Confidential license plate for investigative purposes

Sec. 4. The bureau may issue a confidential license plate for investigative purposes to the following:

(1) A state agency upon the annual consent of the bureau or the Indiana department of administration.

(2) Other investigative agencies upon the annual consent of the superintendent of the state police.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-10

Chapter 10. Fleet Registration Program

IC 9-18.1-10-1

"Fleet operator"

Sec. 1. As used in this chapter, "fleet operator" means an operator who participates in the program.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-2

"Fleet vehicle"

Sec. 2. As used in this chapter, "fleet vehicle" means a passenger motor vehicle or a truck with a declared gross weight of not more than eleven thousand (11,000) pounds that is:

(1) owned or leased by a fleet operator; and

(2) registered in the program under this chapter.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-3

"Operator"

Sec. 3. As used in this chapter, "operator" means an Indiana resident that owns or leases one thousand (1,000) or more fleet vehicles.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-4

"Program"

Sec. 4. As used in this chapter, "program" refers to the fleet registration program established under section 6 of this chapter.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-5

Applicability of chapter

Sec. 5. This chapter does not apply to a vehicle that is registered under:

(1) a reciprocal agreement between the state of Indiana and another governmental entity;

(2) the International Registration Plan; or

(3) IC 9-18.1-13 with the department of state revenue.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-6

Fleet registration program established

Sec. 6. (a) The fleet registration program is established to accommodate requests from fleet operators for common registration dates for all fleet vehicles.

(b) The bureau shall administer the program.

(c) The bureau may adopt rules under IC 4-22-2 to administer the

program.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-7
Application; form and manner; expiration

Sec. 7. (a) An operator may apply to the bureau to participate in the program.

(b) An application must be in the form and manner prescribed by the bureau and must contain the following information:

(1) The name and business address of the operator.
(2) The preferred expiration month requested by the operator.
(3) All counties in which the fleet vehicles are registered.
(4) Any other information required by the bureau.

The bureau may designate an expiration month that differs from the preferred expiration month requested by the operator under subdivision (2).

(c) The bureau shall approve an application if the bureau is satisfied that the application is complete and accurate. Upon approval of the application, the bureau shall assign the fleet operator a fleet number.

(d) If an application does not contain a preferred expiration month, the bureau may:

(1) deny the application; or
(2) designate an expiration month and approve the application.

(e) An operator may not register a vehicle as a fleet vehicle in a county that is not designated in the application.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-8
Termination of participation

Sec. 8. (a) The bureau shall terminate the participation in the program of a fleet operator with fewer than one thousand (1,000) fleet vehicles.

(b) A fleet operator whose participation is terminated under subsection (a) may reapply for participation in the program in the manner determined by the bureau.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-9
Validity of certificate of registration

Sec. 9. A certificate of registration as a fleet vehicle under this chapter is valid for the twelve (12) month period designated on the certificate.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-10
Fee

Sec. 10. The fee to register a vehicle as a fleet vehicle under this

chapter is the applicable fee for the vehicle under IC 9-18.1-5.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-11
Fleet vehicle license plate

Sec. 11. The bureau shall design a fleet vehicle license plate. The design must include distinctive colors and graphics and the fleet number assigned under section 7(c) of this chapter. The design may not include years, months, or other indications of calendar dates. The design may indicate that the fleet license plate does not expire.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-10-12
Applicability of laws, rules, and regulations to fleet vehicles

Sec. 12. A fleet vehicle is subject to all applicable laws, rules, and regulations for vehicles of the same type or class.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-11

Chapter 11. Expiration, Replacement, and Transfer of Registrations

IC 9-18.1-11-1

Schedule of expiration dates

Sec. 1. The bureau shall establish and publish a schedule of expiration dates for vehicle registrations.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-11-2

Operation of vehicle with expired license plates; violation

Sec. 2. (a) If the date on which the registration of a vehicle expires is a day on which all license branches located in the county in which the vehicle is registered are closed, including:

(1) a Sunday; or

(2) a legal holiday listed in IC 1-1-9-1;

the registration expires at midnight on the date following the next day on which a license branch located in the county in which the vehicle is registered is open for business.

(b) Except as provided in subsection (a) and IC 9-18.5-34-3, a person that owns or operates a vehicle may not operate or permit the operation of a vehicle that:

(1) is required to be registered under this chapter; and

(2) has expired license plates.

(c) A person that operates or permits the operation of a motor vehicle in violation of subsection (b) commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-11-3

Registration period; renewal

Sec. 3. (a) Upon becoming subject to registration under this article, a vehicle must be registered for a period that is not:

(1) less than three (3) months; or

(2) greater than twenty-four (24) months.

(b) A registration under this article may be renewed for a period of twelve (12) months from the date on which the registration expires.

(c) Subject to subsection (a), the registration year for a registration, other than a renewal described in subsection (b), begins on the date on which the vehicle becomes subject to registration as determined under section 4 of this chapter and ends on the following date selected by the person registering the vehicle:

(1) The date on which the vehicle's registration expires, as determined under the schedule established under section 1 of this chapter.

(2) Twelve (12) months after the date described in subdivision (1).

As added by P.L.198-2016, SEC.326.

IC 9-18.1-11-4
Vehicle subject to continuous registration; affidavit of nonuse

Sec. 4. (a) Except as provided in subsection (b), a vehicle:

(1) becomes subject to registration under this article:

(A) on the date the vehicle is acquired; or

(B) for a vehicle owned by a person described in IC 9-18.1-2-7, on the earlier of:

(i) sixty (60) days after the person becomes an Indiana resident; or

(ii) the date on which the person registers the vehicle under this article; and

(2) remains subject to continuous registration under this article until:

(A) the vehicle is sold or otherwise disposed of; or

(B) the person that registered the vehicle becomes a nonresident.

(b) A person is not required to register a vehicle under this article if the person submits an affidavit demonstrating that the vehicle will not be used upon a highway for a period of at least ninety (90) consecutive days.

(c) A vehicle described in subsection (b) becomes subject to registration on the date on which the vehicle is used upon a highway.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-11-5
Delinquent registration; administrative penalty; violation

Sec. 5. (a) A person that fails to:

(1) apply for the registration of, or transfer a registration to, a vehicle;

(2) provide full payment for the registration of a vehicle; or

(3) both:

(A) apply for the registration of, or transfer a registration to; and

(B) provide full payment for the registration of;

a vehicle;

as required under this article is subject to an administrative penalty of fifteen dollars ($15) to be collected by the bureau. An administrative penalty under this subsection is in addition to a civil judgment imposed under subsection (c).

(b) An administrative penalty collected under subsection (a) shall be deposited in the commission fund.

(c) A person that violates this section commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-11-6

Transfer of registration and license plate; fee

Sec. 6. (a) A person that sells or otherwise disposes of a vehicle owned by the person before the date on which the vehicle's registration expires may apply to the bureau to transfer the registration and license plates to another vehicle acquired by the person.

(b) This subsection applies if the vehicle to which the registration and license plate are transferred is of the same type and in the same weight class as the vehicle for which the registration and license plate were originally issued. The bureau shall transfer the registration and license plate and issue an amended certificate of registration to the person applying for the transfer after the person pays the following:

(1) A fee of nine dollars and fifty cents ($9.50). The fee shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the state police building account.

(B) Fifty cents ($0.50) to the state motor vehicle technology fund.

(C) One dollar ($1) to the crossroads 2000 fund.

(D) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(E) For a registration transferred before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Five dollars ($5) to the commission fund.

(F) For a registration transferred after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(2) Any additional excise taxes owed under IC 6-6 on the vehicle to which the registration is transferred.

(c) This subsection applies if a vehicle to which the registration is transferred is of a different type or in a different weight class than the vehicle for which the registration and license plate were originally issued. The bureau shall transfer the registration and license plate and issue to the person applying for the transfer an amended certificate of registration and, if necessary, a new license plate or other proof of registration under this article or IC 9-18.5 after the person pays the following:

(1) A fee of nine dollars and fifty cents ($9.50). The fee shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the state police building account.

(B) Fifty cents ($0.50) to the state motor vehicle technology fund.

(C) One dollar ($1) to the crossroads 2000 fund.

(D) One dollar and fifty cents ($1.50) to the motor vehicle

highway account.

(E) For a registration transferred before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Five dollars ($5) to the commission fund.

(F) For a registration transferred after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(2) Any additional excise taxes owed under IC 6-6 on the vehicle to which the registration is transferred.

(3) If the fee to register the vehicle to which the registration is transferred exceeds by more than ten dollars ($10) the fee to register the vehicle for which the registration was originally issued, the amount determined under the following formula:

STEP ONE: Determine the number of months between:

(i) the date on which the vehicle to which the registration is transferred was acquired; and

(ii) the next registration date under this chapter for a vehicle registered by the person.

A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Determine the difference between:

(i) the registration fee for the vehicle to which the registration is transferred; minus

(ii) the registration fee for the vehicle for which the registration was originally issued.

STEP FOUR: Determine the product of:

(i) the STEP TWO result; multiplied by

(ii) the STEP THREE result.

A fee collected under this subdivision shall be deposited in the motor vehicle highway account.

(d) A person may register a vehicle to which a registration is transferred under this section:

(1) individually; or

(2) with one (1) or more other persons.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-11-7

Refund of unused registration fees prohibited; exceptions

Sec. 7. (a) Except as provided in IC 9-33-3 and subsection (b), a person is not entitled to a refund of any unused registration fees.

(b) The bureau may establish administrative procedures to provide for:

(1) a refund; or

(2) a credit;

of registration fees imposed under this article if a person that has

registered a vehicle changes the vehicle registration from registration under any other law to registration under the International Registration Plan.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-11-8
Duplicate or replacement license plate or other proof of registration; notice to law enforcement fee

Sec. 8. (a) If a license plate or other proof of registration is lost or stolen, the person in whose name the license plate or other proof of registration was issued shall notify:

(1) the Indiana law enforcement agency that has jurisdiction where the loss or theft occurred; or

(2) the law enforcement agency that has jurisdiction over the address listed on the registration for the vehicle for which the license plate or other proof of registration was issued;

that the original license plate or other proof of registration has been lost or stolen.

(b) A person may apply to the bureau to replace a license plate or other proof of registration that is lost, stolen, destroyed, or damaged. The bureau shall issue a duplicate or replacement license plate or other proof of registration after the person does the following:

(1) Pays a fee of nine dollars and fifty cents ($9.50). The fee shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the state police building account.

(B) Fifty cents ($0.50) to the state motor vehicle technology fund.

(C) One dollar ($1) to the crossroads 2000 fund.

(D) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(E) For proof of registration issued before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Five dollars ($5) to the commission fund.

(F) For proof of registration issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

However, the bureau may waive the fee under this subsection for a duplicate certificate of registration that is processed on the Internet web site of the bureau.

(2) If the proof of registration was lost or stolen, provides proof of compliance with subsection (a) in a manner and form prescribed by the bureau.

(c) A replacement proof of registration must be kept or displayed in the same manner as the original proof of registration.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-11-9

Change of ownership of vehicle; amended certificate of registration; fee

Sec. 9. (a) A person that owns a vehicle may apply to the bureau to change the ownership of the vehicle:

(1) by adding at least one (1) other person as a joint owner; or

(2) if the person is a joint owner of the vehicle, by transferring the person's ownership interest in a vehicle to at least one (1) remaining joint owner.

(b) The bureau shall issue an amended certificate of registration to a person that applies under subsection (a) after the person does the following:

(1) Complies with IC 9-17.

(2) Pays a fee of nine dollars and fifty cents ($9.50).

(c) A person may apply to the bureau to amend any obsolete or incorrect information contained in a certificate of registration. The bureau shall issue an amended certificate of registration after the person pays a fee of nine dollars and fifty cents ($9.50).

(d) The bureau may not impose or collect a fee for a duplicate, an amended, or a replacement certificate of registration that is issued as a result of an error on the part of the bureau.

(e) A fee described in subsection (b)(2) or (c) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar ($1) to the crossroads 2000 fund.

(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(5) For a registration transferred before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(6) For a registration transferred after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-11-10

Application to display different license plate; fee

Sec. 10. (a) A person that owns a vehicle may apply to the bureau in a manner and form prescribed by the bureau to display on the vehicle a license plate that is different from the license plate that is displayed on the vehicle at the time of application. The bureau shall issue the different license plate and an amended certificate of registration after the person pays the following:

(1) Any fees required under IC 9-18.5 to obtain the different license plate.

(2) If the application is not part of the person's registration or renewal process, an additional plate change fee of nine dollars and fifty cents ($9.50).

(b) The fee described in subsection (a)(2) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar ($1) to the crossroads 2000 fund.

(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(5) For a plate change before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(6) For a plate change after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-12
Chapter 12. Temporary Permits

IC 9-18.1-12-1
Mini-trucks; exception
Sec. 1. This chapter does not apply to mini-trucks.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-12-2
Application; fee; period of validity; display
Sec. 2. (a) A person may apply to the bureau for a temporary registration permit for a vehicle. The bureau shall issue the person a temporary registration permit after the person does the following:
(1) Provides proof of financial responsibility in effect with respect to the vehicle in the amounts specified under IC 9-25.
(2) Pays a fee of eighteen dollars ($18). The fee shall be distributed as follows:
(A) Twenty-five cents ($0.25) to the state police building account.
(B) Fifty cents ($0.50) to the state motor vehicle technology fund.
(C) For a temporary registration permit issued before July 1, 2019, as follows:
(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(ii) Five dollars ($5) to the commission fund.
(D) For a temporary registration permit issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.
(E) Any remaining amount to the motor vehicle highway account.
(b) A temporary registration permit is valid for a period of thirty (30) days from the date of issuance and authorizes the use of the vehicle on a highway if any of the following conditions exist:
(1) The person has purchased or otherwise obtained the vehicle in Indiana and will be titling or registering the vehicle in another state or foreign country.
(2) The person is an Indiana resident and is intending to move to another state and the current vehicle registration or temporary permit will expire before the person moves.
(3) The person is an Indiana resident and the vehicle registration in another state has expired and the person has applied under IC 9-17 for a title for the vehicle.
(4) The person owns and operates the vehicle and the person:
(A) does not operate the vehicle as a lessor; and
(B) moves the empty vehicle from one (1) lessee-carrier to another.
(5) The person owns a vehicle for which emissions testing is

required and the vehicle will require further mechanical repairs in order to comply with the emissions testing requirements.

(c) A temporary registration permit shall be displayed on a vehicle in a manner determined by the bureau.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-12-3

Operation of vehicle without certificate of title or registration; period of validity; violation

Sec. 3. (a) A person that owns a vehicle may apply to the bureau for a temporary delivery permit to operate the vehicle without obtaining a certificate of title or registration for the vehicle as set forth in subsection (b). The bureau shall issue the person a temporary delivery permit after the person does the following:

(1) Provides proof of financial responsibility in effect with respect to the vehicle in the amounts specified under this article in the form required by the bureau.

(2) Pays a fee of eighteen dollars ($18). The fee shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the state police building account.

(B) Fifty cents ($0.50) to the state motor vehicle technology fund.

(C) For a temporary registration permit issued before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Five dollars ($5) to the commission fund.

(D) For a temporary registration permit issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(E) Any remaining amount to the motor vehicle highway account.

(b) A temporary delivery permit issued under subsection (a) is valid for a period of ninety-six (96) hours beginning with the time of issuance and authorizes the person or the person's agent or employee to operate the vehicle upon a highway for the purpose of delivering, or having delivered, the vehicle to any of the following locations:

(1) A place of storage, including the person's residence or place of business.

(2) An inspection station for purposes of emissions testing under IC 13-17-5-5.1(b).

(3) A license branch or a location operated by a full service provider (as defined in IC 9-14.1-1-2) or a partial services provider (as defined in IC 9-14.1-1-3) to register the vehicle under this article.

(c) A person that uses a temporary permit:

(1) for a period greater than ninety-six (96) hours; or

(2) for a purpose not specified in subsection (b);
commits a Class C infraction.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-12-4
Application by transport operator for general distinctive registration number; license plates; display; fees

Sec. 4. (a) This section does not apply to a vehicle registered as a recovery vehicle under IC 9-18.1-6.

(b) A transport operator may, instead of registering each motor vehicle transported, make a verified application upon a form prescribed by the bureau and furnished by the bureau for a general distinctive registration number for all motor vehicles transported by the transport operator and used and operated for the purposes provided. The application must contain the following:

(1) A brief description of each style or type of motor vehicle transported.

(2) The name and address, including the county of residence, of the transport operator.

(3) Any other information the bureau requires.

(c) The bureau, upon receiving:

(1) an application for a transport operator license plate; and

(2) the fee under subsection (i);

shall issue to the person that submitted the application and fee two (2) certificates of registration and the license plates with numbers corresponding to the numbers of the certificates of registration. A transport operator may obtain as many additional pairs of license plates as desired upon application and the payment to the bureau of the fee under subsection (k) for each pair of additional license plates.

(d) A license plate or sign other than those furnished and approved by the bureau may not be used.

(e) A transport operator license plate may not be used on a vehicle used or operated on a highway, except for the purpose of transporting vehicles in transit. A person may haul other vehicles or parts of vehicles in transit in the same combination.

(f) A transport operator may not operate a vehicle or any combination of vehicles in excess of the size and weight limits specified by law.

(g) A license plate issued under this section shall be displayed on the front and rear of each combination, and if only one (1) motor vehicle is transported, a license plate shall be displayed on both the front and rear of the motor vehicle.

(h) The bureau may not issue transport operator license plates to a transport operator that has been convicted of violating this section until the bureau is satisfied that the transport operator is able to comply with the requirements of this section.

(i) The fee for one (1) set of license plates for each transport operator is one hundred thirty-nine dollars and twenty-five cents

($139.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Five dollars ($5) to the crossroads 2000 fund.

(3) Nine dollars ($9) to the commission fund.

(4) Thirty dollars ($30) to the highway, road and street fund.

(5) Ninety-five dollars ($95) to the motor vehicle highway account.

(j) The fee for the first two (2) sets of license plates for each transport operator is one hundred fifty-eight dollars and twenty-five cents ($158.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifteen dollars ($15) to the crossroads 2000 fund.

(3) Eighteen dollars ($18) to the commission fund.

(4) Thirty dollars ($30) to the highway, road and street fund.

(5) Ninety-five dollars ($95) to the motor vehicle highway account.

(k) The fee for each additional set of license plates for a transport operator is thirty-four dollars and twenty-five cents ($34.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Nine dollars ($9) to the commission fund.

(3) Ten dollars ($10) to the crossroads 2000 fund.

(4) Fifteen dollars ($15) to the motor vehicle highway account.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-13

Chapter 13. Department of State Revenue Registrations and Permits

IC 9-18.1-13-1

"Commercial vehicle"

Sec. 1. As used in this chapter, "commercial vehicle" means a motor vehicle used in commerce to transport property if the motor vehicle:

(1) has a declared gross vehicle weight of at least sixteen thousand (16,000) pounds; and

(2) is subject to the commercial motor vehicle excise tax under IC 6-6-5.5.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-13-2

Authority of department of state revenue

Sec. 2. (a) The authority granted to the bureau throughout this article extends to the department of state revenue when the department administers transactions under IC 9-17-2, IC 9-17-3, IC 9-18, or IC 9-18.1. The department's authority includes the following:

(1) Registering vehicles (IC 9-18.1-3 and IC 9-18.1-4).

(2) Withholding registration of a vehicle when the vehicle was used in the commission of a toll violation (IC 9-18.1-3).

(3) Determining the size, character, display, mounting, securing, content, issuance, replacement, and life cycle of license plates, temporary license plates, renewal stickers, and other proof of registration issued by the department (IC 9-18.1-4).

(4) Publishing a schedule of expiration dates (IC 9-18.1-11).

(5) Transferring registration and license plates (IC 9-18.1-11).

(6) Issuing a duplicate license plate that is lost, stolen, or destroyed (IC 9-18.1-11).

(7) Changing ownership information (IC 9-18.1-11).

(8) Issuing temporary permits (IC 9-18.1-12).

(9) Issuing certificates of title (IC 9-17-2).

(b) Plates issued by the department of state revenue remain the property of the department (IC 9-18.1-4).

(c) The department of state revenue may adopt rules under IC 4-22-2 to administer this chapter.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-13-3

Registration; license plates; transfers

Sec. 3. (a) Upon payment of the annual registration fee under IC 9-29-5 and any applicable commercial vehicle excise tax under IC 6-6-5.5, the department of state revenue may issue a license plate for each commercial vehicle registered to the owner of at least

twenty-five (25) commercial vehicles. The license plate issued under this section for a commercial vehicle is permanently valid.

(b) The application of registration for the commercial vehicles must be on an aggregate basis by electronic means. If the application is approved, the department of state revenue shall issue a certificate of registration that shall be carried at all times in the vehicle for which it is issued.

(c) The registration for a commercial vehicle is void when the registered owner:

(1) sells (and does not replace);

(2) disposes of; or

(3) does not renew the registration of;

the commercial vehicle or the commercial vehicle is destroyed.

(d) This section does not relieve the owner of a vehicle from payment of any applicable commercial vehicle excise tax under IC 6-6-5.5 on a yearly basis.

(e) A registered license plate issued under subsection (a) may be transferred to another vehicle in a fleet of the same weight and plate type, with a new certificate of registration issued under subsection (b), upon application to the department of state revenue. A commercial vehicle excise tax credit may be applied to any plate transfer of the same vehicle type and same weight category.

(f) The following apply to rules adopted by the bureau before January 1, 2014, under IC 9-18-2-4.5(f) (before its expiration):

(1) The rules are transferred to the department of state revenue and are considered rules of the department of state revenue.

(2) The rules are treated as if they had been adopted by the department of state revenue.

(g) Upon qualification under this section, a vehicle subject to the commercial vehicle excise tax under IC 6-6-5.5, including trailers and semi-trailers, must be registered with the department of state revenue and issued a permanent license plate.

(h) A registered owner may continue to register commercial vehicles under this section even after a reduction in the registered owner's fleet to fewer than twenty-five (25) commercial vehicles.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-13-4

Vehicle registrations subject to International Registration Plan; distinctive cab card; fee

Sec. 4. (a) The department of state revenue shall administer vehicle registrations that are subject to the International Registration Plan according to the terms of the International Registration Plan and rules adopted by the department of state revenue under IC 4-22-2.

(b) A person that registers a vehicle under the International Registration Plan shall file electronically with the department of state revenue an application for the registration of the vehicle.

(c) The department of state revenue may audit records of persons

that register trucks, trailers, semitrailers, buses, and rental cars under the International Registration Plan to verify the accuracy of the application and collect or refund fees due.

(d) The department of state revenue may issue a certificate of registration or a license plate for a vehicle that is:

(1) subject to registration under apportioned registration of the International Registration Plan; and

(2) based and titled in a state other than Indiana subject to the conditions of the plan.

(e) A person that owns or leases a vehicle required to be registered under the International Registration Plan shall receive an apportioned plate and cab card as determined by the department of state revenue.

(f) A distinctive cab card:

(1) shall be issued for a vehicle registered under the International Registration Plan; and

(2) must be carried in the vehicle.

(g) The fee for a cab card issued under subsection (f) is five dollars ($5). The fee for a duplicate cab card is one dollar ($1). However, the department of state revenue may waive the fee for a duplicate cab card processed on the Internet web site of the department.

(h) A recovery vehicle may be registered under the International Registration Plan and be issued an apportioned license plate.

(i) The department of state revenue shall issue a document to a person applying for registration under the International Registration Plan to serve as a temporary registration authorization pending issuance of a permanent registration plate and cab card. The document must be carried in the vehicle for which the document is issued.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-13-5

Trip permit; violation

Sec. 5. (a) A trip permit may be issued for:

(1) a vehicle that could be operated in Indiana for a period of seventy-two (72) hours instead of full registration; and

(2) both interstate and intrastate travel.

(b) A trip permit may not be used to evade full registration.

(c) The department of state revenue or agents for the department of state revenue may issue trip permits under rules adopted under IC 4-22-2.

(d) A person that uses a trip permit:

(1) for a period greater than seventy-two (72) hours; or

(2) to evade full registration;

commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-13-6
Hunter's permit; transfer

Sec. 6. (a) When a hunter's permit is applied for under this section, the department of state revenue shall issue a hunter's permit to a common carrier (as defined under IC 8-2.1-17-4) that contracts for common carrier services from an individual who owns and operates a motor vehicle subject to the International Registration Plan.

(b) If a motor vehicle under subsection (a) is registered in the name of the common carrier that contracts for services from the person that is the owner and operator of the motor vehicle, when the person no longer provides services to the common carrier, the common carrier shall transfer a hunter's permit issued to the common carrier under subsection (a) to the person upon the person's request. The common carrier may charge the person receiving the hunter's permit an amount that does not exceed the amount the common carrier paid for the hunter's permit under subsection (a).

(c) A hunter's permit transferred to a person under subsection (b) allows the person to move the motor vehicle under subsection (a) within Indiana for thirty (30) days to search for a new independent contract for services with a common carrier without first registering the motor vehicle.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-13-7
Delinquent registration; administrative penalty

Sec. 7. (a) Except as provided in subsection (b), a person that fails to:

(1) apply for the registration of, or transfer a registration to, a vehicle;
(2) provide full payment for the registration of a vehicle; or
(3) both:
(A) apply for the registration of, or transfer a registration to, a vehicle; and
(B) provide full payment for the registration of a vehicle;

as required under this chapter is subject to the penalties and interest imposed under IC 6-8.1-10.

(b) A person that fails to:

(1) apply for the registration of, or transfer a registration to, a vehicle;
(2) provide full payment for the registration of a vehicle; or
(3) both:
(A) apply for the registration of, or transfer a registration to, a vehicle; and
(B) provide full payment for the registration of a vehicle;

as required under IC 9-18-2-4.6 or IC 9-18.1-13-3 is subject to the administrative penalty imposed under IC 9-18.1-11-5.

(c) An administrative penalty collected under subsection (b) shall

be deposited in the commission fund.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-14

Chapter 14. Off-Road Vehicles and Snowmobiles

IC 9-18.1-14-1

Registration; exceptions

Sec. 1. (a) Except as provided under subsections (b) and (c), an off-road vehicle or a snowmobile must be registered under this chapter to be operated in Indiana.

(b) Registration is not required for the following vehicles:

(1) An off-road vehicle or snowmobile that is exclusively operated in a special event of limited duration that is conducted according to a prearranged schedule under a permit from the governmental unit having jurisdiction.

(2) An off-road vehicle or snowmobile that is registered in another state or country and being operated by a nonresident of Indiana for a period not to exceed twenty (20) days in one (1) calendar year.

(3) An off-road vehicle or snowmobile that is being operated for purposes of testing or demonstration and on which certificate numbers have been placed under section 9 of this chapter.

(4) An off-road vehicle or snowmobile, the operator of which has in the operator's possession a bill of sale from a dealer licensed under IC 9-32 or a private individual that includes the following:

(A) The purchaser's name and address.

(B) A date of purchase, which may not be more than forty-five (45) days before the date on which the operator is required to show the bill of sale.

(C) The make, model, and vehicle number of the off-road vehicle or snowmobile provided by the manufacturer.

(5) An off-road vehicle or snowmobile that is owned or leased and used for official business by:

(A) the state;

(B) a municipal corporation (as defined in IC 36-1-2-10);

(C) a volunteer fire department (as defined in IC 36-8-12-2); or

(D) the United States government or an agency of the United States government.

(c) The owner of an off-road vehicle or a snowmobile that was properly registered under IC 14-16-1 or IC 9-18-2.5 (before its expiration) is not required to register the off-road vehicle or snowmobile under this chapter until the date on which the previous registration expires.

(d) A person that:

(1) operates an off-road vehicle or snowmobile on a public roadway; or

(2) fails to register an off-road vehicle or snowmobile as required by this section;

commits a Class C infraction.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-14-2
Application; false statement; violation

Sec. 2. (a) A person that desires to register an off-road vehicle or a snowmobile must submit an application, in a form and manner prescribed by the bureau, that contains the following:

(1) The name of the owner of the off-road vehicle or snowmobile and, if the off-road vehicle or snowmobile is leased, the name of the lessee.

(2) The person's address in Indiana, including the county and township, on the date of the application, as follows:

(A) If the person is an individual, the person's residence address. However, if the person participates in the address confidentiality program under IC 5-26.5, the address may be a substitute address designated by the office of the attorney general under IC 5-26.5.

(B) If the person is not an individual, the person's principal office in Indiana.

(C) If the person does not have a physical residence or office in Indiana, the county and township in Indiana where the off-road vehicle or snowmobile will be primarily operated.

(3) A description of the off-road vehicle or snowmobile to be registered, including the identification number and color of the off-road vehicle or snowmobile.

(4) Any other information required by the bureau.

The bureau may not register an off-road vehicle or a snowmobile that does not have an identification number.

(b) An application made online or through the United States mail is not required to be sworn or notarized.

(c) A person may apply on behalf of another person to register an off-road vehicle or a snowmobile under this chapter. However, the person in whose name the off-road vehicle or snowmobile will be registered must sign and verify the application.

(d) A person that makes a false statement in an application under this section commits a Class C infraction.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-14-3
Determination of genuineness, regularity, and legality; certificates of registration and decals

Sec. 3. (a) The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of the information provided by a person as part of a request to register an off-road vehicle or a snowmobile under this chapter.

(b) The bureau may:

(1) make investigations or require additional information; and

(2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement contained in an application or request, or for any other reason.

(c) If the bureau determines that a person applying to register an off-road vehicle or a snowmobile is entitled to register the off-road vehicle or snowmobile, the bureau shall register the off-road vehicle or snowmobile and issue to the applicant the following:

(1) A certificate of registration.

(2) Two (2) decals.

A person that fails to maintain registration for an off-road vehicle or snowmobile under this section commits a Class C infraction.

(d) Certificates of registration and decals issued under this section:

(1) remain the property of the bureau; and

(2) may be revoked, canceled, or repossessed as provided by law.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-14-4

Fee; term of validity

Sec. 4. (a) The fee to register an off-road vehicle or snowmobile is thirty dollars ($30). The fee shall be deposited in the off-road vehicle and snowmobile fund established by IC 14-16-1-30.

(b) The registration of an off-road vehicle or a snowmobile under this chapter is valid until the earlier of the following:

(1) Three (3) years from the date of registration under this chapter.

(2) The date on which the off-road vehicle or snowmobile is sold or transferred to another person.

(c) If a person sells or otherwise disposes of an off-road vehicle or snowmobile:

(1) the certificate of registration and decals for the off-road vehicle or snowmobile are canceled; and

(2) except as provided in IC 9-33-3, the person is not entitled to a refund of any unused part of a fee paid by the person under this section.

(d) A person that acquires an off-road vehicle or a snowmobile that is registered under this chapter must apply to the bureau under this chapter to register the off-road vehicle or snowmobile.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-14-5

Certificate of registration; decals; display; violation

Sec. 5. (a) The bureau may adopt rules under IC 4-22-2 concerning the size, character, and content of a certificate of registration or decals issued under this chapter.

(b) A certificate of registration issued under this chapter, or a

legible reproduction of the certificate of registration, must:

(1) be pocket size;

(2) accompany the off-road vehicle or snowmobile; and

(3) be made available for inspection upon demand by a law enforcement officer.

(c) A person that fails to carry or produce an off-road vehicle's or snowmobile's registration under subsection (b) commits a Class C infraction.

(d) Decals issued under section 3(c)(2) of this chapter shall be attached and displayed on the forward half of the off-road vehicle or snowmobile or as prescribed in rules adopted by the bureau. All decals shall be maintained in a legible condition and displayed only for the period for which the registration is valid.

(e) A person that fails to properly display a decal as prescribed under subsection (d) commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-14-6

Delinquent registration or renewal; administration penalty; violation

Sec. 6. (a) The bureau shall collect an administrative penalty of fifteen dollars ($15) from the following:

(1) A person that fails to:

(A) register; or

(B) provide full payment for the registration of;

an off-road vehicle or a snowmobile within forty-five (45) days after the date on which the person acquires the off-road vehicle or snowmobile.

(2) A person that fails to:

(A) renew; or

(B) provide full payment for the renewal of;

the registration of an off-road vehicle or a snowmobile by the date on which the registration expires.

(3) A person that:

(A) owns an off-road vehicle or a snowmobile;

(B) becomes an Indiana resident; and

(C) fails to:

(i) register; or

(ii) provide full payment for the registration of;

the off-road vehicle or snowmobile within sixty (60) days after the person becomes an Indiana resident.

(b) A penalty collected under subsection (a) shall be deposited in the commission fund.

(c) A person described in subsection (a) commits a Class C infraction.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-14-7

Replacement certificate of registration or decal; notice to law enforcement; fee

Sec. 7. (a) If a certificate of registration or decal issued for an off-road vehicle or a snowmobile that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the off-road vehicle or snowmobile may apply to the bureau for a replacement certificate of registration or decal. If the certificate of registration or decal is lost or stolen, the owner shall provide notice of the loss or theft to a law enforcement agency with jurisdiction over:

(1) the site of the loss or theft; or

(2) the address listed on the certificate of registration.

(b) The bureau shall issue a replacement certificate of registration or decal to the owner of an off-road vehicle or a snowmobile after the owner:

(1) pays a fee of nine dollars and fifty cents ($9.50); and

(2) provides notice as required under subsection (a), if applicable.

(c) The fee imposed under subsection (b) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar ($1) to the crossroads 2000 fund.

(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(5) For a certificate of registration or decal issued before July 1, 2019:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(6) For a certificate of registration or decal issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-14-8

Change of ownership; amended certificate of registration; fee

Sec. 8. (a) A person that owns an off-road vehicle or a snowmobile that is registered under this chapter may apply to the bureau to change the ownership of the off-road vehicle or snowmobile:

(1) by adding at least one (1) other person as a joint owner; or

(2) if the person is a joint owner of the off-road vehicle or snowmobile, by transferring the person's ownership interest in

the off-road vehicle or snowmobile to at least one (1) remaining joint owner.

(b) The bureau shall issue an amended certificate of registration to a person that applies under subsection (a) after the person does the following:

(1) Complies with IC 9-17.

(2) Pays a fee of nine dollars and fifty cents ($9.50).

(c) A person may apply to the bureau to amend any obsolete or incorrect information contained in the certificate of registration issued with respect to the off-road vehicle or snowmobile. The bureau shall issue an amended certificate of registration after the person pays a fee of nine dollars and fifty cents ($9.50).

(d) The bureau may not impose or collect a fee for a duplicate, an amended, or a replacement certificate of registration that is issued as a result of an error on the part of the bureau.

(e) A fee described in subsection (b)(2) or (c) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar ($1) to the crossroads 2000 fund.

(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(5) For a certificate of registration or decal issued before July 1, 2019:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(6) For a certificate of registration or decal issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

As added by P.L.198-2016, SEC.326.

IC 9-18.1-14-9

Additional certificates of registration for certain off-road vehicles and snowmobiles; fee

Sec. 9. (a) A manufacturer or person engaged in the commercial sale of off-road vehicles or snowmobiles may apply to the bureau to obtain certificates of registration for use in the testing or demonstrating of off-road vehicles or snowmobiles.

(b) A manufacturer or person engaged in the commercial sale of off-road vehicles or snowmobiles may use a certificate of registration issued under this section only in the testing or demonstrating of off-road vehicles and snowmobiles by temporarily placing the numbers of the certificate of registration on the off-road vehicle or snowmobile being tested or demonstrated. The temporary placement of numbers must conform to the requirements of this chapter or rules

adopted under this chapter.

(c) A certificate of registration issued under this section may be used on only one (1) off-road vehicle or snowmobile at any given time.

(d) The fee for each certificate of registration issued under this section is thirty dollars ($30). The fee shall be deposited in the off-road vehicle and snowmobile fund established by IC 14-16-1-30.
As added by P.L.198-2016, SEC.326.

IC 9-18.1-14-10
Identifying vehicle number; violations

Sec. 10. (a) A manufacturer of an off-road vehicle or snowmobile shall stamp an identifying vehicle number into the frame of the off-road vehicle or snowmobile. The vehicle number shall be stamped where the number may be easily seen with a minimum of physical effort. A manufacturer that violates this subsection commits a Class A infraction.

(b) Upon request, a manufacturer shall furnish information as to the location of vehicle numbers on off-road vehicles and snowmobiles the manufacturer produces to a police officer or the bureau. A manufacturer that violates this subsection commits a Class A infraction.

(c) A person may not possess an off-road vehicle or snowmobile with an altered, defaced, or obliterated vehicle number. A person that knowingly or intentionally violates this subsection commits a Class B misdemeanor.
As added by P.L.198-2016, SEC.326.

IC 9-18.5

ARTICLE 18.5. DISTINCTIVE LICENSE PLATES

IC 9-18.5-1

Chapter 1. Application

IC 9-18.5-1-1

Applicability of chapter

Sec. 1. This chapter applies to a person that:

(1) is the registered owner or lessee of a vehicle; or

(2) applies to register or renew the registration of a vehicle;

that is eligible to display a license plate under this article.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-1-2

Eligibility for license plate

Sec. 2. The bureau may not issue a license plate under this article to a person that is not eligible to be issued a license plate under IC 9-18 (before its expiration) or IC 9-18.1.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-1-3

Vehicles on which license plates may be displayed

Sec. 3. Except as otherwise provided, the following vehicles may display any license plate designed under this article:

(1) A passenger motor vehicle.

(2) A motorcycle.

(3) A recreational vehicle.

(4) A truck with a declared gross weight of not more than eleven thousand (11,000) pounds.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-1-4

No dual registration fees or excise taxes; period of validity

Sec. 4. (a) A vehicle that displays a license plate issued under this article is not subject to dual registration fees or dual excise taxes.

(b) A fee for a license plate issued under this article covers the entire registration period for which the license plate is issued.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-2

Chapter 2. Personalized License Plates

IC 9-18.5-2-1

Application for personalized license plate; eligible license plates

Sec. 1. (a) A person may apply to the bureau for a personalized license plate to display on the person's vehicle.

(b) The following license plates may be designed as a personalized license plate under this chapter:

(1) IC 9-18.5-4 (prisoner of war license plates).
(2) IC 9-18.5-5 (disabled Hoosier veteran license plates).
(3) IC 9-18.5-6 (Purple Heart license plates).
(4) IC 9-18.5-7 (National Guard license plates).
(5) IC 9-18.5-8 (license plates for persons with disabilities).
(6) IC 9-18.5-9 (amateur radio operator license plates).
(7) IC 9-18.5-10 (civic event license plates).
(8) IC 9-18.5-11 (In God We Trust license plates).
(9) IC 9-18.5-12 (special group recognition license plates).
(10) IC 9-18.5-13 (environmental license plates).
(11) IC 9-18.5-14 (kids first trust license plates).
(12) IC 9-18.5-15 (education license plates).
(13) IC 9-18.5-16 (Indiana FFA trust license plates).
(14) IC 9-18.5-17 (Indiana firefighter license plates).
(15) IC 9-18.5-18 (Indiana boy scouts trust license plates).
(16) IC 9-18.5-19 (D.A.R.E. Indiana trust license plates).
(17) IC 9-18.5-20 (Indiana arts trust license plates).
(18) IC 9-18.5-21 (Indiana health trust license plates).
(19) IC 9-18.5-22 (Indiana Native American trust license plates).
(20) IC 9-18.5-24 (Pearl Harbor survivor license plates).
(21) IC 9-18.5-25 (Indiana state educational institution trust license plates).
(22) IC 9-18.5-26 (Lewis and Clark expedition license plates).
(23) IC 9-18.5-27 (Riley Children's Foundation license plates).
(24) IC 9-18.5-28 (National Football League franchised professional football team license plates).
(25) IC 9-18.5-29 (Hoosier veteran license plates).
(26) IC 9-18.5-30 (support our troops license plates).
(27) IC 9-18.5-31 (Abraham Lincoln bicentennial license plates).
(28) IC 9-18.5-32 (Earlham College Trust license plates).
(29) IC 9-18.5-33 (Indiana Gold Star family member license plates).
(30) A license plate issued under IC 9-18 (before its expiration) or IC 9-18.1.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-2-2

Appearance and contents of personalized license plates

Sec. 2. (a) A personalized license plate may be the same color and size and contain similar required information as regular license plates issued under IC 9-18 (before its expiration) or IC 9-18.1 for the respective class of vehicle.

(b) A personalized license plate is limited to the:

(1) numerals 0 through 9; or

(2) letters A through Z;

in a continuous combination of numbers and letters with at least two (2) positions.

(c) A personalized license plate may not duplicate a regularly issued plate.

(d) Only one (1) personalized plate, without regard to classification of registration, may be issued by the bureau with the same configuration of numbers and letters.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-2-3

Personalized license plate issued only to owner or lessee of vehicle

Sec. 3. A personalized license plate may be issued only to the person registered as the owner or lessee of the vehicle on which the license plate will be displayed.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-2-4

Application; refusal by bureau to issue personalized license plate

Sec. 4. (a) A person that applies for:

(1) a personalized license plate; or

(2) the renewal of a personalized license plate in the subsequent period;

must file an application in the manner the bureau requires, indicating the combination of letters or numerals, or both, requested by the person.

(b) The bureau may refuse to issue a combination of letters or numerals, or both, that:

(1) carries a connotation offensive to good taste and decency;

(2) would be misleading; or

(3) the bureau otherwise considers improper for issuance.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-2-5

Reservation of configuration of letters, numbers, or both letters and numbers

Sec. 5. If a person that has been issued a personalized license plate reserves the same configuration of letters or numbers, or both, for the next plate cycle, that configuration of letters or numbers, or both, is not available to another person until the following plate cycle.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-2-6
Availability of personalized license plate upon change of ownership of vehicle

Sec. 6. If a person that has been issued a personalized license plate for a registered vehicle releases ownership of the registered vehicle without transferring the registration to another vehicle, the combination of numbers or letters, or both, becomes available in the next registration year to any person.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-2-7
Transfer of personalized license plate from leased vehicle

Sec. 7. If a person has been issued a personalized license plate for use on a leased vehicle and:

(1) the person cancels the lease; or

(2) the lease expires during the registration year;

the person may transfer the license plate to another vehicle registered under IC 9-18 (before its expiration) or under IC 9-18.1-11.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-2-8
Conditions for issuance of personalized license plate; fee

Sec. 8. The bureau shall issue a personalized license plate under this chapter to a person that does the following:

(1) Complies with IC 9-18 (before its expiration) or IC 9-18.1.

(2) Pays any additional fee associated with a license plate described in section 1(b) of this chapter.

(3) Pays a fee of forty-five dollars ($45). The fee shall be distributed as follows:

(A) Four dollars ($4) to the crossroads 2000 fund.

(B) Seven dollars ($7) to the motor vehicle highway account.

(C) Thirty-four dollars ($34) to the commission fund.

Upon the payment of the fee, the bureau shall issue a receipt.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-2-9
Refund of personalized license plate fee

Sec. 9. If a person that applies for a personalized license plate with a given configuration of letters or numbers is not able to obtain the license plate requested or a satisfactory alternative configuration, the bureau shall refund the entire personalized license plate fee under section 8(3) of this chapter to the person. However, a refund of a personalized license plate fee may not be made when the person that applies for the personalized license plate cancels the request.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-3

Chapter 3. General Assembly and Other State Officials License Plates

IC 9-18.5-3-1

License plates issued to members of the general assembly and other state officials

Sec. 1. (a) License plates shall be issued to the following:

(1) Members of the general assembly.

(2) Spouses of members of the general assembly.

(3) Other state officials who receive special license plates on an annual basis.

(b) A license plate issued under this chapter may also be issued to a company or business owned by a person described in subsection (a).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-4

Chapter 4. Prisoner of War License Plates

IC 9-18.5-4-1

Prisoner of war license plate

Sec. 1. (a) Except as provided in subsection (b), the bureau shall issue license plates for a vehicle that designate the vehicle as being owned or leased by a former prisoner of war.

(b) The bureau may issue one (1) or more former prisoner of war license plates to the surviving spouse of a former prisoner of war.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-4-2

Contents of prisoner of war license plate

Sec. 2. A former prisoner of war license plate must display the following:

(1) An identification number.

(2) The legend "Ex-POW".

(3) Any other information and design selected by the bureau.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-4-3

Vehicles eligible to display prisoner of war license plate

Sec. 3. A former prisoner of war license plate may only be:

(1) assigned to; and

(2) displayed on;

a vehicle registered under IC 9-18 (before its expiration) or IC 9-18.1.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-4-4

Vehicle displaying prisoner of war license plate exempt from parking fees and certain penalties

Sec. 4. (a) An individual who has been issued under this chapter a license plate designating the individual's vehicle as being owned or leased by a former prisoner of war may not be:

(1) charged a fee for parking the vehicle displaying the license plate in a metered space; or

(2) assessed a penalty for parking the vehicle displaying the license plate in a metered space for longer than the time permitted.

(b) This section does not authorize parking of a vehicle in a parking place during a time when parking in the space is prohibited if the prohibition is:

(1) posted; and

(2) authorized:

(A) by ordinance in a city or town; or

(B) by order of the Indiana department of transportation.

(c) An individual other than the owner or lessee of a vehicle displaying a former prisoner of war license plate authorized by this chapter is not entitled to the parking privileges established by this section.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-4-5

Exemption from registration fees; service charge

Sec. 5. (a) A vehicle for a which a license plate is issued under section 1 of this chapter is exempt from the applicable registration fee for the vehicle under IC 9-18 (before its expiration), IC 9-29-5 (before its repeal), or IC 9-18.1-5.

(b) A vehicle described in subsection (a) is subject to a service charge as follows:

(1) For a license plate issued before January 1, 2017, five dollars and seventy-five cents ($5.75). The service charge shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the state police building account.

(B) Fifty cents ($0.50) to the state motor vehicle technology fund.

(C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(D) Three dollars and seventy-five cents ($3.75) to the commission fund.

(2) For a license plate issued after December 31, 2016, five dollars ($5). The service charge shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the state police building account.

(B) Fifty cents ($0.50) to the state motor vehicle technology fund.

(C) For a vehicle registered before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Three dollars ($3) to the commission fund.

(D) For a vehicle registered after June 30, 2019, four dollars and twenty-five cents ($4.25) to the commission fund.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-5

Chapter 5. Disabled Hoosier Veteran License Plates

IC 9-18.5-5-1

Conditions for application and display of disabled Hoosier veteran license plate

Sec. 1. (a) An individual may apply for, receive, and display a disabled Hoosier veteran license plate on the individual's vehicle for private and personal use if the individual, as the result of having served in the armed forces of the United States, has:

(1) lost sight in both eyes or suffered permanent impairment of vision in both eyes to the extent of being eligible for service connected compensation for the loss;

(2) suffered the loss of one (1) or both feet or the permanent loss of use of one (1) or both feet;

(3) suffered the loss of one (1) or both hands or the permanent loss of use of one (1) or both hands;

(4) a United States Department of Veterans Affairs disability rating for a physical condition that precludes the individual from walking without pain or difficulty; or

(5) been rated by the United States Department of Veterans Affairs as being at least fifty percent (50%) disabled and is receiving service related compensation from the United States Department of Veterans Affairs. At least sixty percent (60%) of the disability rating under this subdivision must be attributable to a mobility disability.

(b) An application for a disabled Hoosier veteran license plate must be accompanied by a certificate from the:

(1) United States Department of Veterans Affairs; or

(2) appropriate branch of the armed forces of the United States;

confirming the eligibility of the individual submitting the application for the disabled Hoosier veteran license plate.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-5-2

Qualifying vehicle exempt from parking fees and certain penalties

Sec. 2. (a) An individual qualifying under section 1 of this chapter may not be:

(1) charged a fee for parking in a metered space; or

(2) assessed a penalty for parking in a metered space for longer than the time permitted.

(b) This section does not authorize parking of a vehicle in a parking space during a time when parking in the space is prohibited if the prohibition is:

(1) posted; and

(2) authorized:

(A) by ordinances in cities and towns; or

(B) by order of the Indiana department of transportation.

(c) An individual other than the owner of the vehicle displaying a disabled Hoosier veteran license plate authorized by this chapter is not entitled to the parking privileges authorized by this section.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-5-3
Design and administration of disabled Hoosier veteran license plate
Sec. 3. The bureau:
(1) may design and issue disabled Hoosier veteran license plates to implement this chapter; and
(2) shall administer this chapter relating to proper certification for a person applying for a disabled Hoosier veteran license plate.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-5-4
Vehicles eligible to display disabled Hoosier veteran license plate
Sec. 4. The disabled Hoosier veteran license plates authorized under this chapter shall be issued by the bureau for any classification of vehicle required to be registered under Indiana law, but the license plate may not be used for commercial vehicles.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-5-5
Content of disabled Hoosier veteran license plate
Sec. 5. A disabled Hoosier veteran license plate must be gold in color with blue lettering and contain the following:
(1) Identification numerals.
(2) The words "Disabled Hoosier Veteran".
As added by P.L.198-2016, SEC.327.

IC 9-18.5-5-6
Disabled Hoosier veteran license plate exempt from fees
Sec. 6. There is no additional fee for a disabled Hoosier veteran license plate issued under this chapter.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-6

Chapter 6. Purple Heart License Plates

IC 9-18.5-6-1

Purple Heart license plate; design; violation

Sec. 1. (a) The bureau shall design a license plate that will designate a vehicle as being registered to an individual who has been awarded a Purple Heart decoration.

(b) Upon proper application, the bureau may modify a license plate designed under subsection (a) to designate a vehicle as being registered to an individual who is:

(1) described in subsection (a); and

(2) eligible to be issued:

(A) a placard under IC 9-14-5 (before its repeal) or IC 9-18.5-8; or

(B) a person with a disability registration plate under IC 9-18.5-8.

(c) An individual who:

(1) knowingly; or

(2) intentionally;

falsely professes to have the qualifications to obtain a license plate under subsection (b) commits a Class C misdemeanor.

(d) An individual who owns a vehicle bearing a license plate issued under subsection (b) and knows that the individual is not entitled to a license plate issued under subsection (b) commits a Class C misdemeanor.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-6-2

Application

Sec. 2. An Indiana resident who is a recipient of a Purple Heart decoration may apply for and receive one (1) or more Purple Heart plates.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-6-3

Vehicle displaying Purple Heart license plate exempt from parking fees and certain penalties

Sec. 3. (a) An individual who qualifies for a Purple Heart license plate under section 1 of this chapter may not be charged the following:

(1) A fee for parking the individual's vehicle displaying the license plate issued under section 1 of this chapter in a metered space.

(2) A penalty for parking the individual's vehicle displaying the license plate issued under section 1 of this chapter in a metered space for longer than the time permitted.

(b) This section does not authorize parking of a vehicle in places

where parking is not allowed at any time or at a specified time if the prohibition is posted and authorized by ordinances in cities and towns or by order of the Indiana department of transportation.

(c) An individual other than the owner of the vehicle displaying a Purple Heart license plate authorized by this chapter is not entitled to the parking privileges authorized by this section.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-6-4

Display of Purple Heart license plate

Sec. 4. A Purple Heart license plate must be displayed on a vehicle registered by an individual described in section 2 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-7

Chapter 7. Indiana National Guard License Plates

IC 9-18.5-7-1

National Guard license plate

Sec. 1. The bureau shall design and issue a vehicle license plate under IC 9-18.5-12 that will designate a vehicle as being registered under IC 9-18 (before its expiration) or IC 9-18.1 by an active member of the National Guard.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-7-2

Contents of National Guard license plate

Sec. 2. A National Guard license plate must display the following:

(1) An identification number.

(2) Any other information and design selected by the bureau.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-7-3

Application

Sec. 3. (a) An Indiana resident who is an active member of the Army or Air National Guard may apply for and receive one (1) or more license plates under this chapter.

(b) An individual applying for a National Guard license plate under this chapter must demonstrate the individual's status as an active member of the Army or Air National Guard by presenting the following with the person's application:

(1) A current United States armed forces identification card.

(2) A letter signed by the individual's commanding officer identifying the individual as a current active member.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-7-4

Display of National Guard license plate

Sec. 4. A National Guard license plate must be displayed on a vehicle legally registered under IC 9-18 (before its expiration) or IC 9-18.1 by the individual described in section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-8

Chapter 8. License Plates for Persons With Disabilities

IC 9-18.5-8-1

License plate for persons with disabilities

Sec. 1. The bureau shall issue a license plate for a person with a disability that designates a vehicle as a vehicle that is regularly used to transport a person who:

(1) has been issued a permanent parking placard under IC 9-14-5 (before its repeal) or section 4 of this chapter; or

(2) is eligible to receive, but has not been issued, a permanent parking placard under section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-8-2

Design and content of license plate or placard for persons with disabilities

Sec. 2. The bureau shall design a license plate and placard for display in or on a vehicle used to transport a person with a disability. A license plate or placard must bear the following:

(1) The official international wheelchair symbol, a reasonable facsimile of the international wheelchair symbol, or another symbol selected by the bureau to designate the vehicle as being used to transport a person with a disability.

(2) An expiration date.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-8-3

False profession of qualifications for license plate for persons with disabilities; violation

Sec. 3. (a) A person that knowingly and falsely professes to have the qualifications to obtain a license plate for a person with a disability under this chapter commits a Class C misdemeanor.

(b) A person that owns a vehicle bearing a license plate for a person with a disability when the person knows the person is not entitled to the license plate for a person with a disability under this chapter commits a Class C misdemeanor.

(c) A person that knowingly and falsely professes to have the qualifications to obtain a placard under section 4 of this chapter commits a Class C misdemeanor.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-8-4

Permanent parking placard

Sec. 4. (a) The bureau shall issue a permanent parking placard to an individual who:

(1) is certified by a health care provider listed in subsection (b) as having:

(A) a permanent physical disability that requires the use of a wheelchair, a walker, braces, or crutches;
(B) permanently lost the use of one (1) or both legs; or
(C) a permanent and severe restriction in mobility due to a pulmonary or cardiovascular disability, an arthritic condition, or an orthopedic or neurological impairment; or
(2) is certified to be permanently:
(A) blind (as defined in IC 12-7-2-21(2)); or
(B) visually impaired (as defined in IC 12-7-2-198);
by an optometrist or ophthalmologist who has a valid unrestricted license to practice optometry or ophthalmology in Indiana.

The certification must be provided in a manner and form prescribed by the bureau.

(b) A certification required under subsection (a)(1) may be provided by the following:
(1) A physician having a valid and unrestricted license to practice medicine.
(2) A physician who is a commissioned medical officer of:
(A) the armed forces of the United States; or
(B) the United States Public Health Service.
(3) A physician who is a medical officer of the United States Department of Veterans Affairs.
(4) A chiropractor with a valid and unrestricted license under IC 25-10-1.
(5) A podiatrist with a valid and unrestricted license under IC 25-29-1.
(6) An advanced practice nurse with a valid and unrestricted license under IC 25-23.

(c) A permanent placard issued under this section remains in effect until:
(1) a health care provider listed in subsection (b); or
(2) an optometrist or ophthalmologist that has a valid unrestricted license to practice optometry or ophthalmology in Indiana;
certifies that the recipient's disability is no longer considered to be permanent.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-8-5
Temporary parking placard

Sec. 5. (a) The bureau shall issue a temporary placard to an individual who is certified by:
(1) a health care provider listed in section 4(b) of this chapter as having:
(A) a temporary physical disability that requires the temporary use of a wheelchair, a walker, braces, or crutches;
(B) temporarily lost the use of one (1) or both legs; or

(C) a temporary and severe restriction in mobility due to a pulmonary or cardiovascular disability, an arthritic condition, or an orthopedic or neurological impairment; or

(2) an optometrist or ophthalmologist who has a valid unrestricted license to practice optometry or ophthalmology in Indiana to be temporarily:

(A) blind (as defined in IC 12-7-2-21(2)); or

(B) visually impaired (as defined in IC 12-7-2-198).

(b) A certification under this section must:

(1) be in a manner and form prescribed by the bureau; and

(2) state the expected duration, including an end date, of the condition on which the certification is based.

(c) A temporary placard issued under this section expires on the earlier of the following:

(1) Six (6) months after the date on which the placard is issued.

(2) The end date set forth in the certification under subsection (b).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-8-6

Placard issued to entity authorized to provide transportation for persons with disabilities; expiration

Sec. 6. (a) The bureau shall issue a placard to any corporation, limited liability company, partnership, unincorporated association, or any legal successor of a corporation, limited liability company, partnership, or unincorporated association, that is authorized by the state or a political subdivision to operate programs, including the provision of transportation, or facilities for individuals with disabilities.

(b) A placard issued under subsection (a) expires on the earlier of the following:

(1) January 1 of the fourth year after the year in which the placard is issued.

(2) The date on which the corporation, limited liability company, partnership, or unincorporated association ceases to operate programs or facilities for individuals with disabilities.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-8-7

Duplicate placard; fee for original or duplicate temporary parking placard

Sec. 7. (a) If a placard issued under this chapter is lost, stolen, damaged, or destroyed, the bureau shall issue a duplicate placard upon application by the individual to whom the placard was issued.

(b) There is no fee to issue an original or a duplicate placard under section 4 of this chapter.

(c) The fee to issue an original or a duplicate placard under section 5 of this chapter is five dollars ($5). The fee shall be

deposited in the commission fund.

(d) There is no additional fee for a license plate issued under this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-9

Chapter 9. Amateur Radio Operator License Plates

IC 9-18.5-9-1

Eligibility

Sec. 1. The bureau shall issue a license plate to a person that:

(1) is an Indiana resident; and

(2) holds an unrevoked and unexpired official amateur radio station and operator's license issued by the Federal Communications Commission;

upon receiving an application accompanied by proof of ownership of the amateur radio station and operator's license.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-9-2

Plate design

Sec. 2. (a) The bureau shall design and issue amateur radio operator license plates as needed to administer this chapter.

(b) A license plate issued under this chapter shall be imprinted with the official amateur radio call letters assigned to the applicant by the Federal Communications Commission.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-9-3

Motorcycle ineligible to display plate

Sec. 3. A license plate designed under section 2 of this chapter may not be displayed on a motorcycle.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-9-4

Applicant liable for excise taxes and registration fees

Sec. 4. This chapter does not exempt an applicant from the motor vehicle excise tax under IC 6-6-5 or any fee or requirement for registration under this title.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-9-5

Semipermanent issuance

Sec. 5. The bureau shall issue a license plate under this chapter on a semipermanent basis.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-9-6

Fee

Sec. 6. (a) The fee for a license plate issued under this chapter is eight dollars ($8).

(b) A fee collected under subsection (a) before January 1, 2017, shall be distributed as follows:

(1) Two dollars ($2) to the motor vehicle highway account.

(2) Two dollars ($2) to the crossroads 2000 fund.

(3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(4) Two dollars and seventy-five cents ($2.75) to the commission fund.

This subsection expires January 1, 2017.

(c) A fee collected under subsection (a) after December 31, 2016, shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a license plate issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a license plate issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) Any remaining amount to the motor vehicle highway account.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-10

Chapter 10. Civic Event License Plates

IC 9-18.5-10-1

Issuance

Sec. 1. The bureau may issue a civic event license plate for use in promoting civic events that the bureau finds beneficial to the state or to a unit (as defined in IC 36-1-2-23).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-10-2

Supplemental plates; proof of registration or ownership

Sec. 2. (a) A civic event license plate issued under this chapter is supplemental to a license plate displayed on a vehicle otherwise registered or in the inventory of a dealer licensed under IC 9-32 or a manufacturer.

(b) Proof:

(1) of registration; or

(2) for a manufacturer or a dealer licensed under IC 9-32, of ownership;

must be in the vehicle at all times.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-10-3

Rules

Sec. 3. The bureau may adopt rules under IC 4-22-2 to establish the following:

(1) The term of a civic event license plate.

(2) The qualifications of a person applying for a civic event license plate.

(3) The conditions that apply to the use of a civic event license plate.

(4) The fee to display a civic event license plate.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-10-4

Violation

Sec. 4. An individual who operates a vehicle that displays a civic event license plate without proof of registration or ownership commits a Class C infraction.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-10-5

Fee

Sec. 5. The bureau shall set the fee for a license plate issued under this chapter by rule.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-11

Chapter 11. In God We Trust License Plates

IC 9-18.5-11-1

Design and issuance

Sec. 1. The bureau shall design an In God We Trust license plate.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-11-2

Design

Sec. 2. An In God We Trust license plate must include the following:

(1) A basic design for the plate with consecutive numbers or letters, or both, to properly identify the vehicle.

(2) A background design, an emblem, or colors that designate the license plate as an In God We Trust license plate.

(3) Any other information the bureau considers necessary.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-11-3

Motorcycle ineligible to display plate

Sec. 3. A license plate issued under this chapter may not be displayed on a motorcycle.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-11-4

Eligibility; no additional fee for plate

Sec. 4. A person that is a resident of Indiana and that is eligible to register and display a license plate on a vehicle under this title may apply for and receive an In God We Trust license plate for one (1) or more vehicles after completing an application for an In God We Trust license plate. There is no additional fee for an In God We Trust license plate.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12

Chapter 12. Special Group Recognition License Plates

IC 9-18.5-12-1

"Committee"

Sec. 1. As used in this chapter, "committee" means the interim study committee on roads and transportation established by IC 2-5-1.3-4.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-2

Exemptions from chapter

Sec. 2. This chapter does not apply to the following:

(1) Historic vehicle license plates (IC 9-18.5-34).

(2) Personalized license plates (IC 9-18.5-2).

(3) Disabled Hoosier veteran license plates (IC 9-18.5-5).

(4) Purple Heart license plates (IC 9-18.5-6).

(5) National Guard license plates (IC 9-18.5-7).

(6) Person with a disability license plates (IC 9-18.5-8).

(7) Amateur radio operator license plates (IC 9-18.5-9).

(8) In God We Trust license plates (IC 9-18.5-11).

(9) Pearl Harbor survivor license plates (IC 9-18.5-24).

(10) Hoosier veteran license plates (IC 9-18.5-29).

(11) Support our troops license plates (IC 9-18.5-30).

(12) Abraham Lincoln bicentennial license plates (IC 9-18.5-31).

(13) Indiana Gold Star family member license plates (IC 9-18.5-33).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-3

Application; review

Sec. 3. (a) A special group that seeks initial participation in the special group recognition license plate program must submit a completed application to the bureau not later than April 1 for potential issuance in the following year. The application must contain the following:

(1) The name and address of the resident agent of the special group.

(2) Evidence of governance by a board of directors consisting of at least five (5) members, a majority of whom are outside directors, who meet at least semiannually to establish policy for the special group and review the accomplishments of the special group.

(3) A copy of the:

(A) ethics statement;

(B) constitution and bylaws; and

(C) articles of incorporation as an entity that is exempt from

federal income taxation under Section 501(c) of the Internal Revenue Code;

of the special group.

(4) Copies of the last three (3) consecutive:

(A) annual reports; and

(B) annual generally accepted auditing standards or government auditing standards audits;

of the special group.

(5) Evidence of appropriate use of resources and compliance with federal and state laws, including evidence of appropriate management and internal controls in order to ensure:

(A) compliance with law;

(B) that finances are used in compliance with the purpose statement of the special group; and

(C) maintenance as an entity that is exempt from taxation under Section 501(c) of the Internal Revenue Code.

(6) Evidence of transparency of financial and operational activities to include availability of current financial statements at any time upon the request of the bureau or a donor to the special group.

(7) Evidence of internal controls to prevent conflict of interest by board members and employees.

(8) A petition with the signatures of at least five hundred (500) residents of Indiana who pledge to purchase the special group recognition license plate.

(9) A statement of the designated use of any annual fee to be collected by the bureau.

(10) A copy of a certified motion passed by the board of directors of the special group requesting that the special group recognition license plate be issued by the bureau and stating the designated use of any annual fee to be collected by the bureau.

(11) Evidence of statewide public benefit from the special group.

(12) Evidence of statewide public benefit from the use of the annual fee collected by the bureau.

(13) Evidence that the special group's use of the annual fee to be collected by the bureau and the organizational purpose statement of the special group conform with at least one (1) of the following categories:

(A) Direct health care or medical research.

(B) Fraternal or service organizations.

(C) Government and quasi-government. For purposes of this clause, a special group that designates the use of the fees collected for deposit in the capital projects fund established by IC 9-18.5-28-5(a) is considered to have a quasi-government purpose.

(D) Military and veterans' affairs.

(E) Public and transportation safety.

(F) A state educational institution (as defined in IC 21-7-13-32) or an approved postsecondary educational institution (as defined in IC 21-7-13-6) for scholarships for Indiana residents.

(G) Agriculture, animals, and environment.

(14) Evidence that the organization has prohibitions and internal controls prohibiting advocacy of the following:

(A) Violation of federal or state law.

(B) Violation of generally accepted ethical standards or societal behavioral standards.

(C) Individual political candidates.

(b) The bureau shall review the application for a special group recognition license plate that has been submitted to the bureau under subsection (a). Upon satisfaction to the bureau of the completeness of the information in the application, the bureau shall forward the application to the executive director of the legislative services agency in an electronic format under IC 5-14-6 for review by the committee.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-4

New special group recognition plates; review by legislative committee; limitations

Sec. 4. (a) The committee shall review applications for special group recognition license plates that have been forwarded to the committee by the bureau under section 3 of this chapter.

(b) After reviewing the applications, the committee shall:

(1) compile a list recommending new special group recognition license plates; and

(2) forward to the bureau by written means the list of recommended special groups that meet the suitability for issuance of a special group recognition license plate.

The committee may not recommend more than five (5) new special group recognition license plates to the bureau under this subsection in a calendar year.

(c) After receiving the list forwarded under subsection (b)(2), the bureau shall conduct an independent review of the applications, taking into consideration the recommendations of the committee. The bureau may issue a special group recognition license plate in the absence of a positive recommendation from the committee. However, the bureau may not issue a special group recognition license plate unless the license plate has first been reviewed by the committee and has been given a positive or negative recommendation to the bureau regarding that special group.

(d) The bureau may not issue more than five (5) special group recognition license plates for the first time in a year.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-5

Periodic review of previously issued special group recognition plates

Sec. 5. (a) The bureau shall forward to the executive director of the legislative services agency in an electronic format under IC 5-14-6 for review by the committee the name of a special group:

(1) that was awarded initially a special group recognition license plate by the bureau more than ten (10) years in the past; and

(2) whose special group recognition license plate has not been reviewed by the special group recognition license plate committee established by IC 2-5-36.2-4 (repealed) or the committee during the ten (10) year period following the initial or subsequent award of the special group recognition license plate.

Upon receipt of the name of a special group, the committee shall require the special group to submit to the committee evidence of the criteria set forth in section 3 of this chapter. Upon submission of the criteria, the committee shall review the suitability of the special group to continue participating in the special group recognition license plate program. In the review, the committee shall consider the criteria set forth in section 3 of this chapter and may seek additional evidence of the criteria from a special group. The committee shall recommend to the bureau that participation in the special group recognition license plate program be terminated if the committee finds that termination is appropriate because the special group is not suitable for inclusion in the special group license plate program.

(b) Upon receiving a recommendation of termination for a special group under subsection (a), the bureau may:

(1) terminate the special group from participation in the special group recognition license plate program; or

(2) allow the special group to continue participating in the special group recognition license plate program for a period of not more than eighteen (18) months.

(c) If the bureau terminates the participation of a special group under subsection (b)(1):

(1) the bureau may not issue additional special group recognition license plates of the special group to plateholders; and

(2) a plateholder may not renew a special group recognition license plate of the special group.

If the special group desires to continue participating in the special group recognition license plate program, the special group must submit an application to the bureau containing the criteria set forth in section 3 of this chapter. The bureau shall then follow the procedure set forth in section 3 of this chapter.

(d) If the bureau allows a special group to continue participating in the special group recognition license plate program for a period

under subsection (b)(2), the bureau shall:

(1) establish the duration of the set period under subsection (b)(2); and

(2) require the special group to submit to the bureau:

(A) evidence of the criteria set forth in section 3 of this chapter; and

(B) any additional information the bureau determines is necessary.

(e) The bureau shall:

(1) review the evidence and additional information submitted by a special group under subsection (d)(2); and

(2) determine whether to terminate or continue the participation of the special group in the special group recognition license plate program.

(f) After the review under subsection (e), if the bureau terminates the participation of the special group and the special group desires to continue participating, the special group must submit an application to the bureau containing the criteria set forth in section 3 of this chapter. The bureau shall then follow the procedure set forth in section 3 of this chapter.

(g) After the review under subsection (e), if the bureau continues the participation of the special group in the special group recognition license plate program, the bureau may do one (1) or more of the following:

(1) Allow the special group to remedy the defect or the violation that caused the special group to not be suitable for inclusion in the special group recognition license plate program.

(2) Place restrictions on or temporarily suspend the sales of special group recognition license plates for the special group.

(3) Require the special group to appear before the commission for review or reinstatement, or both.

(h) The bureau may suspend the issuance of a special group recognition license plate for a special group if the bureau, upon investigation, has determined that the special group has advocated or committed a violation of federal or state law.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-6

Total number of special group recognition license plates in circulation

Sec. 6. The total number of special group recognition license plate designs in circulation each year may not exceed one hundred fifty (150).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-7

Design and emblem

Sec. 7. The design of a special group recognition license plate

issued under this chapter must be a distinct design and include an emblem that identifies the vehicle as being registered to a person who is a member of a special group.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-8
Special group representatives; design conference; group membership list

Sec. 8. The bureau:

(1) shall require representatives of a special group to confer with the bureau concerning the design of the emblem that identifies the vehicle as being registered to a person that is a member of a special group; and

(2) may request a list of the names and addresses of the persons that are:

(A) members of the special group; and

(B) eligible for a special group recognition license plate.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-9
Issuance only to qualified persons

Sec. 9. The bureau may issue a license plate under this chapter only to a person that qualifies for a special group recognition license plate.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-10
Transfer of plates

Sec. 10. A person that owns a vehicle on which is displayed a special group recognition license plate may transfer the special group recognition license plate from the vehicle to another vehicle that is registered to the person under this title.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-11
Vehicle use restricted; display by unqualified persons prohibited

Sec. 11. (a) Except as provided in subsection (c), a vehicle bearing a special group recognition license plate issued under this chapter may be used only for private and personal purposes.

(b) A person that does not qualify for the special group recognition license plate may not display a special group recognition license plate on a vehicle the person is required to register under this title.

(c) A vehicle:

(1) owned by a corporation (as defined in IC 6-5.5-1-6), a municipal corporation (as defined in IC 36-1-2-10), a partnership (as defined in IC 6-3-1-19), or a sole proprietor; and

(2) bearing an environmental license plate issued under

IC 9-18.5-13;
may be used for any lawful purpose.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-12
Violation

Sec. 12. A person that violates this chapter commits a Class C infraction.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-13
Sales requirement for continued participation and issuance of plates; termination

Sec. 13. (a) In order to continue participation in the special group recognition license plate program, a special group must:

(1) sell at least five hundred (500) special group recognition license plates of the special group in the first two (2) years in which the license plate is offered for sale; and

(2) maintain the sale or renewal of at least five hundred (500) special group recognition license plates during each subsequent year after the initial two (2) year period of sale.

(b) If the special group fails to sell or renew special group recognition license plates in the manner provided in subsection (a), the bureau shall place the issuance of the special group recognition license plates for the special group on probation for the subsequent year. If, in that subsequent year on probation, the special group fails to sell or renew at least five hundred (500) special group recognition license plates, the bureau shall terminate the participation of the special group in the special group recognition license plate program. If the special group sells or renews at least five hundred (500) special group recognition license plates in the year on probation, the participation of the special group in the special group recognition license plate program is continued. A special group shall be afforded only one (1) probationary period under this subsection.

(c) Notwithstanding subsection (b), an independent college of Indiana (listed in IC 21-7-13-6) that fails to sell or renew five hundred (500) special group recognition license plates as required by subsection (a)(2) is placed on a probationary period until December 31, 2017. If an independent college placed on a probationary period under this subsection fails to sell or renew at least five hundred (500) special group recognition license plates before December 31, 2017, the bureau shall terminate the participation of the independent college in the special group recognition license plate program. If an independent college placed on a probationary period under this subsection sells or renews at least five hundred (500) special group recognition license plates before December 31, 2017, the independent college's participation in the special group recognition license plate program is continued.

(d) The bureau may terminate the participation of a special group in the special group recognition license plate program if the special group:

(1) ceases operations; or

(2) fails to use the annual fee collected by the bureau in a manner consistent with the statement submitted by the special group under section 3(a)(9) of this chapter.

(e) A special group that desires to participate in the special group recognition license plate program after termination by the bureau under this section must follow the procedure set forth in section 3 of this chapter.

(f) Upon termination under this section of a special group's participation in the special group recognition license plate program, the bureau shall distribute any money remaining in the trust fund established under section 14 of this chapter for the special group to the state general fund.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-14

Sales of special group plates in excess of 5,000; fees and trust funds

Sec. 14. (a) This section applies to a special group if at least five thousand (5,000) of the special group's license plates are issued under this chapter during one (1) calendar year beginning after December 31, 2004.

(b) The representatives of the special group may petition the bureau to design a distinctive license plate that identifies a vehicle as being registered to a person who is a member of the special group.

(c) The design of the special group license plate must include a basic design for the special group recognition license plate, with consecutive numerals or letters, or both, to properly identify the vehicle.

(d) Beginning with the calendar year following the year in which the representatives petition the bureau under subsection (b), the bureau shall issue the special group's license plate to a person that is eligible to register a vehicle under this title and does the following:

(1) Completes an application for the license plate.

(2) Pays an annual special group recognition license plate fee of twenty-five dollars ($25).

(e) The annual fee referred to in subsection (d)(2) and any other amounts remitted to the bureau as required under law shall be collected by the bureau and deposited in a trust fund for the special group established under subsection (f). However, the bureau shall retain two dollars ($2) for each license plate issued until the cost of designing and issuing the special group license plate is recovered by the bureau.

(f) The treasurer of state shall establish a trust fund for each special group for which the bureau collects fees under this section.

(g) The treasurer of state shall invest the money in the fund not

currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund is continuously appropriated for the purposes of this section. Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(h) The bureau shall administer the fund. Expenses of administering the fund shall be paid from money in the fund.

(i) On June 30 of each year, the bureau shall distribute the money from the fund to the special group for which the bureau has:

(1) collected fees under this section; or

(2) received and deposited amounts as required by law.

(j) The bureau may not disclose information that identifies the persons to whom special group license plates have been issued under this section.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-15

Special group plates; collection of annual fee by bureau

Sec. 15. (a) Notwithstanding any other law, representatives of a special group that participates in the special group recognition plate program may request that the bureau collect an annual fee of twenty-five dollars ($25) or less on behalf of the special group.

(b) If a request is made under subsection (a), the bureau shall collect an annual fee of twenty-five dollars ($25) or less, as requested by the special group.

(c) The annual fee referred to in subsection (b) shall be collected by the bureau and deposited in a trust fund for the special group established under subsection (d).

(d) The treasurer of state shall establish a trust fund for each special group for which the bureau collects fees under this section.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund is continuously appropriated for the purposes of this section. Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) The bureau shall administer the fund. Expenses of administering the fund shall be paid from money in the fund.

(g) Before June 30 of each year, the bureau shall distribute the money from the fund to the special group for which the bureau has collected fees under this section.

(h) Subject to section 16 of this chapter, the bureau may not disclose information that identifies the persons to whom special group license plates have been issued under this section.

(i) If:

(1) representatives of a special group have collected an annual

fee as set forth in subsection (a) from purchasers of the special group recognition license plates that was paid directly to the special group; and

(2) the representatives of the special group request the bureau to collect the annual fee on behalf of the special group as set forth in subsection (a);

representatives of the special group may request the bureau to change the method of collection of the annual fee for the following calendar year. The representatives of the special group must make a request under this subsection by July 1 of the year preceding the year for which the change has been requested. The group may request only one (1) change in the method of collection in a plate cycle.

(j) If:

(1) the bureau collects an annual fee as set forth in subsection (a) on behalf of a special group; and

(2) representatives of the special group request the bureau to cease collection of the annual fee as set forth in subsection (a) on behalf of the special group, as the annual fee will be paid directly to the special group by purchasers of the special group recognition license plates;

representatives of the special group may request the bureau to change the method of collection of the annual fee for the following calendar year. The representatives of the special group must make a request under this subsection by July 1 of the year preceding the year for which the change has been requested. The group may request only one (1) change in the method of collection in a plate cycle.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-16

Collection of annual supplemental fee by bureau

Sec. 16. (a) Except as provided in IC 9-18.5-28, the bureau shall collect an annual supplemental fee of fifteen dollars ($15) with respect to each special group recognition license plate issued under this article. The annual supplemental fee is in addition to a fee imposed under section 14(d)(2) or 15(b) of this chapter.

(b) An annual supplemental fee collected under subsection (a) before January 1, 2017, shall be distributed as follows:

(1) Five dollars ($5) to the motor vehicle highway account.

(2) Five dollars ($5) to the commission fund.

(3) One dollar ($1) to the crossroads 2000 fund.

(4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(5) Two dollars and seventy-five cents ($2.75) to the commission fund.

This subsection expires January 1, 2017.

(c) An annual supplemental fee collected under subsection (a) after December 31, 2016, shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology

fund.

(2) One dollar ($1) to the crossroads 2000 fund.

(3) For a license plate issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a license plate issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) Any remaining amount to the motor vehicle highway account.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-17

Disclosure to special group of personal information on application

Sec. 17. (a) This section applies to an application form for a special group recognition license plate that:

(1) is subject to an annual special group fee; and

(2) does not require an applicant to obtain authorization from the special group that sponsors the license plate.

(b) The application form must include a box for the applicant to check that states the following:

"By checking the above box, I am authorizing the bureau of motor vehicles to disclose my personal information included on this application form to the special group that sponsors the license plate for which I am applying. I understand that:

(1) the special group may contact me with information about its activities but may not use my personal information primarily for fundraising or solicitation purposes;

(2) the bureau will not disclose my personal information to any other person or group; and

(3) the special group will not disclose my personal information to any other person or group without my written consent.".

(c) If an applicant checks the box described in subsection (b), the bureau may disclose personal information about the applicant included on the application form only to the special group that sponsors the license plate.

(d) If a special group receives personal information disclosed under subsection (c), the special group:

(1) may contact the applicant with information about the special group's activities;

(2) may not contact the applicant primarily for fundraising or solicitation purposes; and

(3) may not disclose the applicant's personal information to any other person or group without the applicant's written consent.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-18

Agreements between bureau and special groups

Sec. 18. The bureau and a special group may enter into agreements to do the following:

(1) Restrict the issuance of the special group's license plates to individuals authorized by the special group.

(2) Restrict the issuance of the special group's license plates with numbers one (1) through one hundred (100) to individuals authorized by the special group.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-12-19

Disclosure of personal information; permissible uses

Sec. 19. (a) Notwithstanding section 17 of this chapter, the bureau shall disclose personal information included on the application form for a special group recognition license plate from a special group described in section 3(a)(13)(F) of this chapter unless the applicant makes an affirmative statement against the disclosure.

(b) If the applicant does not make an affirmative statement against disclosure as described in subsection (a), the bureau shall disclose personal information about the applicant included on the application form only to the special group that sponsors the license plate.

(c) If a special group receives personal information disclosed under subsection (a), the special group may:

(1) contact the applicant with information about activities of the special group;

(2) not contact the applicant primarily for fundraising or solicitation purposes; and

(3) not disclose the personal information of the applicant to any other person or group without the written consent of the applicant.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-13

Chapter 13. Environmental License Plates

IC 9-18.5-13-1

Design and issuance; contents

Sec. 1. The bureau shall design and issue an environmental license plate. The environmental license plate shall be designed and issued as a special group recognition license plate under IC 9-18.5-12 and must include the following:

(1) A basic design for the plate with consecutive numbers or letters, or both, to properly identify the vehicle.

(2) A background design, an emblem, or colors that designate the license plate as an environmental license plate.

(3) Any other information the bureau considers necessary.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-13-2

Eligibility

Sec. 2. A person is eligible to receive an environmental license plate under this chapter upon doing the following:

(1) Completing an application for an environmental license plate.

(2) Paying the appropriate fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-13-3

Annual fees; special fund

Sec. 3. (a) The fees for an environmental license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited with the treasurer of state in a special fund. The bureau shall distribute monthly the money in the special fund to the President Benjamin Harrison conservation trust fund established by IC 14-12-2-25.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-13-4

Corporations, partnerships, and proprietorships

Sec. 4. (a) A corporation (as defined in IC 6-5.5-1-6), a municipal corporation (as defined in IC 36-1-2-10), a partnership (as defined in IC 6-3-1-19), or a sole proprietor that registers a vehicle under this title is eligible to receive an environmental license plate under this chapter.

(b) A corporation, partnership, or sole proprietor must comply

with section 3 of this chapter to receive an environmental license plate.

(c) This subsection applies only to a license plate issued under IC 9-18-3-5(b) (before its expiration) or IC 9-18.1-9-4. If an officer or employee of a municipal corporation requests an environmental license plate for a vehicle that is assigned to or customarily used by the officer or employee, the officer or employee is responsible for paying all fees associated with the environmental license plate under this chapter and all annual registration fees under IC 9-18 (before its expiration), IC 9-18.1, and, if applicable, IC 9-29 for the vehicle on which the environmental license plate is displayed.

(d) Notwithstanding subsection (c):

(1) an environmental license plate that is issued under this section; and

(2) all fees and taxes that have been paid to have the plate issued;

are considered issued to and paid by the corporation, municipal corporation, partnership, or sole proprietor that registered the vehicle for which the plate was issued, and the corporation, municipal corporation, partnership, or sole proprietor is entitled to retain possession of the plate.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-14

Chapter 14. Kids First Trust License Plates

IC 9-18.5-14-1

Design and issuance

Sec. 1. The bureau shall design and issue a kids first trust license plate. The kids first trust license plate shall be designed and issued as a special group recognition license plate under IC 9-18.5-12. The final design of the plate must be approved by the board (as defined in IC 31-26-4-2).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-14-2

Contents

Sec. 2. A kids first trust license plate designed under IC 9-18.5-12 must include the following:

(1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle.

(2) A background design, an emblem, or colors that designate the license plate as a children's trust license plate.

(3) Any other information the bureau considers necessary.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-14-3

Eligibility

Sec. 3. A person that is eligible to register a vehicle under this title is eligible to receive a kids first trust license plate under this chapter upon doing the following:

(1) Completing an application for a kids first trust license plate.

(2) Paying the appropriate fees under section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-14-4

Annual fees; disposition

Sec. 4. (a) The fees for a kids first trust license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the commission and deposited with the treasurer of state in a special account. The bureau shall distribute monthly the money in the special account to the Indiana kids first trust fund established by IC 31-26-4-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-14-5

Municipal vehicles

Sec. 5. (a) This section applies only to a license plate issued under IC 9-18-3-5(b) (before its expiration) or IC 9-18.1-9-4.

(b) A municipal corporation (as defined in IC 36-1-2-10) that registers a vehicle under this title is eligible to receive a kids first trust license plate under this chapter.

(c) If an officer or employee of a municipal corporation requests a kids first trust license plate for a vehicle that is assigned to or customarily used by the officer or employee, the officer or employee is responsible for paying the annual fee for the kids first trust license plate under section 4(a)(2) of this chapter, the annual supplemental fee under section 4(a)(1) of this chapter, and all applicable annual registration fees under IC 9-18 (before its expiration), IC 9-18.1, or IC 9-29, as applicable.

(d) Notwithstanding subsection (c):

(1) a kids first trust license plate that is issued under this section; and

(2) all fees and taxes that have been paid to have the plate issued;

are considered issued to and paid by the municipal corporation that registered the vehicle for which the license plate was issued, and the municipal corporation is entitled to retain possession of the license plate.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-15

Chapter 15. Education License Plates

IC 9-18.5-15-1

"School corporation"

Sec. 1. As used in this chapter, "school corporation" has the meaning set forth in IC 36-1-2-17.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-15-2

Design and issuance

Sec. 2. The bureau shall design and issue an education license plate. The education license plate shall be designed and issued as a special group recognition license plate under IC 9-18.5-12 and must include the following:

(1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle.

(2) A background design, an emblem, or colors that designate the license plate as an education license plate.

(3) Any other information the bureau considers necessary.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-15-3

Eligibility

Sec. 3. A person that is eligible to register a vehicle under this title is eligible to receive an education license plate upon doing the following:

(1) Completing an application for an education license plate.

(2) Paying the appropriate fees under section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-15-4

Fees; designation

Sec. 4. (a) The fees for an education license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau.

(c) The bureau shall require a person that purchases an education license plate under this chapter to designate the Indiana school corporation the person wants to receive the fee that the person pays under subsection (a)(2).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-15-5

Distribution of fees

Sec. 5. The fees collected under this chapter shall be distributed as follows:

(1) Twenty-five percent (25%) to the state superintendent of public instruction to administer the school intervention and career counseling development program and fund under IC 20-20-17.

(2) Seventy-five percent (75%) as provided under section 6 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-15-6

Duties of school corporations receiving fees; distribution and report to county auditor; distribution and notice to school corporations identifying recipient educational foundation

Sec. 6. (a) If an educational foundation that is exempt from federal income taxation under Internal Revenue Code Section 501(c)(3) is established as an Indiana nonprofit corporation for the benefit of a school corporation designated to receive a fee under section 4(c) of this chapter, fees designated to go to the school corporation shall be distributed to an educational foundation that provides benefit to the designated school corporation. A school corporation that receives benefit from an educational foundation that meets the requirements of this section shall:

(1) obtain a certificate from the educational foundation that certifies to the school corporation and the county auditor that the educational foundation:

(A) is exempt from federal income taxation under Internal Revenue Code Section 501(c)(3); and

(B) is established as an Indiana nonprofit corporation to provide benefit to the school corporation; and

(2) provide a copy of the certificate described in subdivision (1) to the county auditor.

(b) If a school corporation designated to receive a fee under section 4(c) of this chapter does not receive benefit from an educational foundation described under subsection (a), the fees designated to go to the school corporation shall be distributed to the school corporation and may be used only for purposes other than salaries and related fringe benefits.

(c) Before the twentieth day of the calendar month following the calendar month in which a fee was collected, the bureau shall distribute the fees collected under this chapter to the county auditor of the county in which the designated school corporation's administration office is located. Each monthly distribution under this subsection shall be accompanied by a report to the auditor that shows:

(1) the total amount of the monthly distribution for all school corporations in the county that were designated to receive an education license plate fee under this chapter; and

(2) the amount of the fees that are to be distributed to each designated school corporation in the county.

(d) Within thirty (30) days of receipt of a distribution from the bureau under subsection (c), the county auditor shall distribute the fees received to:

(1) an educational foundation under subsection (a), if the school corporation has provided a copy of the certificate described in subsection (a); or

(2) the school corporation under subsection (b);

whichever subsection is applicable. The county auditor shall designate which school corporation is to receive benefit in connection with a distribution to an educational foundation under this subsection. If the school corporation receives benefit from more than one (1) educational foundation, the superintendent of the benefited school corporation shall determine, and inform the auditor in writing, how fees received are to be distributed to the educational foundations. The county auditor shall, simultaneously with a distribution to an educational foundation, send the school corporation to receive benefit a notice of the distribution that identifies the recipient educational foundation and the date and the amount of the distribution.

(e) Funds received by an educational foundation under this chapter must be used to provide benefit to the designated school corporation.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-16

Chapter 16. Indiana FFA Trust License Plates

IC 9-18.5-16-1

Design and issuance

Sec. 1. The bureau shall design and issue an Indiana FFA trust license plate. The Indiana FFA trust license plate shall be designed and issued as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-16-2

Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Indiana FFA trust license plate under this chapter upon doing the following:

(1) Completing an application for an Indiana FFA trust license plate.

(2) Paying the fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-16-3

Fees

Sec. 3. (a) The fees for an Indiana FFA trust license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The bureau shall collect the annual fee referred to in subsection (a)(2) and deposit the fee in the fund established by section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-16-4

FFA trust fund

Sec. 4. (a) The Indiana FFA trust fund is established.

(b) The treasurer of state shall invest the money in the Indiana FFA trust fund not currently needed to meet the obligations of the Indiana FFA trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Indiana FFA trust fund.

(c) The bureau shall administer the Indiana FFA trust fund. Expenses of administering the Indiana FFA trust fund shall be paid from money in the Indiana FFA trust fund.

(d) On June 30 of each year, the bureau shall distribute the money from the fund to the FFA Foundation that is located within Indiana.

(e) Money in the fund at the end of a state fiscal year does not

revert to the state general fund.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-17

Chapter 17. Indiana Firefighter License Plates

IC 9-18.5-17-1

"Indiana firefighter"

Sec. 1. As used in this chapter, "Indiana firefighter" means an individual who is:

(1) a full-time, salaried firefighter; or

(2) a volunteer firefighter (as defined in IC 36-8-12-2).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-17-2

Design and issuance

Sec. 2. (a) The bureau shall design and issue an Indiana firefighter license plate as a special group recognition license plate under IC 9-18.5-12.

(b) The bureau shall confer with representatives of the Professional Firefighters Union of Indiana and the Indiana Firefighters Association concerning a design for the emblem that identifies the vehicle as being registered to a firefighter as prescribed under IC 9-18.5-12-8.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-17-3

Eligibility

Sec. 3. An individual who is an Indiana firefighter and who is eligible to register a vehicle under this title is eligible to receive at least one (1) Indiana firefighter license plate upon doing the following:

(1) Completing an application for an Indiana firefighter license plate.

(2) Paying an annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(3) Paying an annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-18

Chapter 18. Indiana Boy Scouts Trust License Plates

IC 9-18.5-18-1

Design and issuance

Sec. 1. The bureau shall design and issue an Indiana boy scouts trust license plate as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-18-2

Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Indiana boy scouts trust license plate under this chapter upon doing the following:

(1) Completing an application for an Indiana boy scouts trust license plate.

(2) Paying the fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-18-3

Fees

Sec. 3. (a) The fees for an Indiana boy scouts trust license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited in the fund established by section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-18-4

Indiana boy scouts trust fund

Sec. 4. (a) The Indiana boy scouts trust fund is established.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(c) The bureau shall administer the fund. Expenses of administering the fund shall be paid from money in the fund.

(d) On June 30 of each year, the bureau shall distribute money from the fund to the organization established under section 5 of this chapter.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-18-5

Distribution of money by charitable organization

Sec. 5. (a) The representatives of the councils of the Boy Scouts of America that are located entirely or partially within Indiana shall establish an organization that:

(1) is a charitable organization under Section 501(c) of the Internal Revenue Code;

(2) is registered to do business in Indiana;

(3) is located in Indiana; and

(4) exists for the purpose of raising funds on the behalf of all of the councils of the Boy Scouts of America that are located entirely or partially within Indiana.

(b) The organization shall distribute the money received under section 4 of this chapter to each council of the Boy Scouts of America that is located entirely or partially within Indiana.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-19

Chapter 19. D.A.R.E. Indiana Trust License Plates

IC 9-18.5-19-1

Design and issuance

Sec. 1. The bureau shall design and issue a D.A.R.E. Indiana trust license plate as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-19-2

Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive a D.A.R.E. Indiana trust license plate under this chapter upon doing the following:

(1) Completing an application for a D.A.R.E. Indiana trust license plate.

(2) Paying the fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-19-3

Fees

Sec. 3. (a) The fees for a D.A.R.E. Indiana trust license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited in the fund established by section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-19-4

D.A.R.E. Indiana trust fund

Sec. 4. (a) The D.A.R.E. Indiana trust fund is established.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(c) The bureau shall administer the fund. Expenses of administering the fund shall be paid from money in the fund.

(d) On June 30 of each year, the bureau shall distribute the money from the fund to D.A.R.E. Indiana, Inc.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-20

Chapter 20. Indiana Arts Trust License Plates

IC 9-18.5-20-1

Design and issuance

Sec. 1. The bureau shall design and issue an Indiana arts trust license plate as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-20-2

Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Indiana arts trust license plate under this chapter upon doing the following:

(1) Completing an application for an Indiana arts trust license plate.

(2) Paying the fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-20-3

Fees

Sec. 3. (a) The fees for an Indiana arts trust license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) must be collected by the bureau and deposited in the Indiana arts commission trust fund established under IC 4-23-2.5-4.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-21

Chapter 21. Indiana Health Trust License Plates

IC 9-18.5-21-1

Design and issuance

Sec. 1. The bureau shall design and issue an Indiana health trust license plate as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-21-2

Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Indiana health trust license plate under this chapter upon doing the following:

(1) Completing an application for an Indiana health trust license plate.

(2) Paying the fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-21-3

Fees

Sec. 3. (a) The fees for an Indiana health trust license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) must be collected by the bureau and deposited in the fund established by section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-21-4

Indiana health trust fund

Sec. 4. (a) The Indiana health trust fund is established.

(b) The treasurer of state shall invest the money in the Indiana health trust fund not currently needed to meet the obligations of the Indiana health trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Indiana health trust fund.

(c) The bureau shall administer the Indiana health trust fund. Expenses of administering the Indiana health trust fund shall be paid from money in the Indiana health trust fund.

(d) On June 30 of each year, the bureau shall distribute the money from the fund to the organization established under section 5 of this chapter.

(e) Money in the fund at the end of a state fiscal year does not

revert to the state general fund.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-21-5
Distribution of money by charitable organization

Sec. 5. (a) Representatives of the following nonprofit health organizations shall establish an organization that meets the requirements of subsection (b) for the purpose of receiving money from the Indiana health trust fund:

(1) AIDServe Indiana.
(2) American Cancer Society.
(3) American Heart Association, Indiana Affiliate.
(4) American Lung Association of Indiana.
(5) American Red Cross.
(6) Arthritis Foundation, Indiana Chapter.
(7) Hemophilia of Indiana.
(8) Indiana AIDS Fund.
(9) National Kidney Foundation of Indiana.

(b) An organization established for the purpose of receiving money from the Indiana health trust fund must:

(1) be a charitable organization under Section 501(c) of the Internal Revenue Code;
(2) be registered to do business in Indiana;
(3) be located in Indiana; and
(4) exist for the purpose of raising funds on the behalf of all of the organizations described in subsection (a).

(c) The organization shall distribute the money received under section 4 of this chapter to each of the organizations described in subsection (a).
As added by P.L.198-2016, SEC.327.

IC 9-18.5-22

Chapter 22. Indiana Native American Trust License Plates

IC 9-18.5-22-1

Design and issuance

Sec. 1. The bureau shall, with the advice of the Native American Indian affairs commission established under IC 4-23-32, design and issue an Indiana Native American trust license plate as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-22-2

Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive an Indiana Native American trust license plate under this chapter upon doing the following:

(1) Completing an application for an Indiana Native American trust license plate.

(2) Paying the fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-22-3

Fees

Sec. 3. (a) The fees for an Indiana Native American trust license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) must be collected by the bureau and deposited in the fund established by section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-22-4

Indiana Native American trust fund

Sec. 4. (a) The Indiana Native American trust fund is established.

(b) The treasurer of state shall invest the money in the Indiana Native American trust fund not currently needed to meet the obligations of the Indiana Native American trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Indiana Native American trust fund.

(c) The bureau shall administer the Indiana Native American trust fund. Expenses of administering the Indiana Native American trust fund shall be paid from money in the Indiana Native American trust fund.

(d) On June 30 of each year, the bureau shall distribute the money

from the fund to the Native American Indian affairs commission established under IC 4-23-32.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) The Native American Indian affairs commission may use money received under this section for any lawful purpose of the Native American Indian affairs commission.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-23

Chapter 23. Safety First License Plates

IC 9-18.5-23-1

Design and issuance

Sec. 1. The bureau shall design and issue a safety first license plate. The safety first license plate shall:

(1) be designed and issued as a special group recognition license plate under IC 9-18.5-12; and

(2) replace the emergency medical services license plate issued by the bureau.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-23-2

Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive a safety first license plate under this chapter upon doing the following:

(1) Completing an application for a safety first license plate.

(2) Paying the fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-23-3

Fees

Sec. 3. (a) The fees for a safety first license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited in the fund established under IC 10-15-3-1.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-24

Chapter 24. Pearl Harbor Survivor License Plates

IC 9-18.5-24-1

"Pearl Harbor survivor"

Sec. 1. As used in this chapter, "Pearl Harbor survivor" means an individual who was an active member of the armed forces of the United States serving at Pearl Harbor at the time of the Pearl Harbor attack.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-24-2

Design and issuance

Sec. 2. The bureau shall design and issue license plates for a vehicle that designates the vehicle as being registered to a Pearl Harbor survivor.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-24-3

Eligibility

Sec. 3. (a) A resident of Indiana who is a Pearl Harbor survivor may apply for and receive one (1) or more Pearl Harbor survivor license plates.

(b) The bureau may issue one (1) or more Pearl Harbor survivor license plates to the surviving spouse of a Pearl Harbor survivor.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-24-4

Display

Sec. 4. A Pearl Harbor survivor license plate may be assigned only to and displayed only on a vehicle registered under this title.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-25

Chapter 25. Indiana State Educational Institution Trust License Plates

IC 9-18.5-25-1

Design and issuance

Sec. 1. At the request of a state educational institution, the bureau shall design and issue a state educational institution trust license plate as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-25-2

Contents

Sec. 2. A state educational institution trust license plate designed under IC 9-18.5-12 must include the following:

(1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle.

(2) A background design, an emblem, or colors that designate the license plate as an education license plate.

(3) Any other information the bureau considers necessary.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-25-3

Eligibility

Sec. 3. A person that is eligible to register a vehicle under this title is eligible to receive a state educational institution trust license plate upon doing the following:

(1) Completing an application for a state educational institution trust license plate.

(2) Designating the state educational institution trust special group license plate desired.

(3) Paying the fees under section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-25-4

Fees

Sec. 4. The fee for a state educational institution trust license plate is as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-25-5

Special account within a trust fund for each state educational institution

Sec. 5. (a) This section applies with regard to a state educational

institution trust license plate supporting a state educational institution in a year following a year in which at least ten thousand (10,000) of the state educational institution trust license plates are sold or renewed.

(b) The treasurer of state shall establish a special account within a trust fund for each state educational institution described in subsection (a).

(c) The bureau shall require a person that purchases a state educational institution trust license plate under this section to designate the state educational institution the person chooses to receive the annual fee that the person pays under section 4(2) of this chapter as the corresponding state educational institution designated in section 3 of this chapter.

(d) The treasurer of state shall deposit the annual fee collected under section 4(2) of this chapter into a special account within a trust fund for the state educational institution designated by the purchaser in subsection (c).

(e) The treasurer of state shall invest the money in the special account not distributed in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the special account.

(f) The bureau shall monthly distribute the money from the special account to the state educational institution's authorized alumni association.

(g) Money in the special account at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-26

Chapter 26. Lewis and Clark Expedition License Plates

IC 9-18.5-26-1

Design and issuance

Sec. 1. The bureau shall design and issue a Lewis and Clark expedition license plate as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-26-2

Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive a Lewis and Clark expedition license plate under this chapter upon doing the following:

(1) Completing an application for a Lewis and Clark expedition license plate.

(2) Paying the fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-26-3

Fees

Sec. 3. (a) The fees for a Lewis and Clark expedition license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee described in subsection (a)(2) shall be collected by the bureau and deposited in the Lewis and Clark expedition fund established by section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-26-4

Lewis and Clark expedition fund

Sec. 4. (a) The Lewis and Clark expedition fund is established.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund is continuously appropriated for the purposes of this section.

(c) The bureau shall administer the fund. Expenses of administering the fund shall be paid from money in the fund.

(d) The bureau shall monthly distribute the money from the fund to the Lewis and Clark expedition commission established by IC 14-20-15.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-27

Chapter 27. Riley Children's Foundation License Plates

IC 9-18.5-27-1

Design and issuance

Sec. 1. The bureau shall design and issue a Riley Children's Foundation license plate as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-27-2

Eligibility

Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive a Riley Children's Foundation license plate under this chapter upon doing the following:

(1) Completing an application for a Riley Children's Foundation license plate.

(2) Paying the fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-27-3

Fees

Sec. 3. (a) The fees for a Riley Children's Foundation license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee described in subsection (a)(2) shall be collected by the bureau and deposited in the Riley Children's Foundation trust fund established by section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-27-4

Riley Children's Foundation trust fund

Sec. 4. (a) The Riley Children's Foundation trust fund is established.

(b) The treasurer of state shall invest the money in the Riley Children's Foundation trust fund not currently needed to meet the obligations of the Riley Children's Foundation trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Riley Children's Foundation trust fund. Money in the fund is continuously appropriated for the purposes of this section.

(c) The bureau shall administer the Riley Children's Foundation trust fund. Expenses of administering the Riley Children's Foundation trust fund shall be paid from money in the Riley Children's Foundation trust fund.

(d) On June 30 of each year, the bureau shall distribute the money from the Riley Children's Foundation trust fund to the Riley Children's Foundation.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-28

Chapter 28. National Football League Franchised Professional Football Team License Plates

IC 9-18.5-28-1

Design and issuance

Sec. 1. The bureau shall design and issue a National Football League franchised football team license plate for a National Football League franchised football team from which the bureau secures an agreement for the production and sale of license plates. A National Football League franchised football team license plate shall be designed and issued as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-28-2

License agreements

Sec. 2. The bureau shall:

(1) negotiate for the purpose of entering; or

(2) delegate the authority to enter;

into license agreements with a professional sports franchise in order to design and issue a National Football League franchised football team license plate authorized under section 1 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-28-3

Eligibility

Sec. 3. A person that is eligible to register a vehicle under this title is eligible to receive a specified National Football League franchised football team license plate issued under a licensing agreement entered into under section 2 of this chapter with a specified National Football League franchised football team upon doing the following:

(1) Completing an application for a specified National Football League franchised football team license plate.

(2) Paying the fees under section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-28-4

Fees

Sec. 4. The fees for a National Football League franchised football team license plate are as follows:

(1) An annual supplemental fee of ten dollars ($10). The fee shall be distributed as follows:

(A) Five dollars ($5) to the commission fund.

(B) Five dollars ($5) to the motor vehicle highway account.

(2) An annual fee of twenty dollars ($20) for deposit in the capital projects fund established by section 5 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-28-5
Capital projects fund

Sec. 5. (a) The capital projects fund is established.

(b) The treasurer of state shall invest the money in the capital projects fund not currently needed to meet the obligations of the capital projects fund in the same manner as other public funds are invested. Money in the fund is continuously appropriated for the purposes of this section.

(c) The budget director shall administer the capital projects fund. Expenses of administering the capital projects fund shall be paid from money in the capital projects fund.

(d) On:

(1) June 30 of every year; or

(2) any other date designated by the budget director;

an amount designated by the budget director shall be transferred from the fund to the state general fund, a capital improvement board of managers created by IC 36-10-9, or the designee chosen by the budget director under IC 5-1-17-28.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-28-6
Rules

Sec. 6. The budget agency shall adopt rules under IC 4-22-2 to implement this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-29

Chapter 29. Hoosier Veteran License Plates

IC 9-18.5-29-1

Design

Sec. 1. The bureau shall design a Hoosier veteran license plate that includes the following:

(1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle.

(2) A background design or colors that designate the license plate as a Hoosier veteran license plate.

(3) An area on the plate for display of an emblem denoting the branch of service or conflict in which the veteran served.

(4) Any other information the bureau considers necessary.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-29-2

Design; consultation with members of armed forces retiree organizations

Sec. 2. The bureau shall confer with members of armed forces retiree organizations concerning the design of the Hoosier veteran license plate and the emblems denoting the branch of service or conflict in which the veteran served.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-29-3

Eligibility

Sec. 3. (a) An individual who registers a vehicle under this title may apply for and receive a Hoosier veteran license plate for one (1) or more vehicles upon doing the following:

(1) Completing an application for a Hoosier veteran license plate.

(2) Presenting one (1) of the following to the bureau:

(A) A United States Uniformed Services Retiree Identification Card.

(B) A DD 214 or DD 215 record.

(C) United States military discharge papers.

(D) A current armed forces identification card.

(E) A credential issued to the individual that contains an indication of veteran status under IC 9-24-11-5.5.

(3) Paying a fee in an amount of fifteen dollars ($15).

(b) The bureau shall distribute the fee described in subsection (a)(3) to the director of veterans' affairs for deposit in the military family relief fund established under IC 10-17-12-8.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-30

Chapter 30. Support Our Troops License Plates

IC 9-18.5-30-1

Design and issuance

Sec. 1. The bureau shall design and issue a support our troops license plate that includes the following:

(1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle.

(2) A background design, an emblem, or colors that designate the license plate as a support our troops license plate.

(3) Any other information the bureau considers necessary.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-30-2

Eligibility; fee

Sec. 2. A person may receive a support our troops license plate under this chapter upon doing the following:

(1) Completing an application for a support our troops license plate.

(2) Paying an annual fee of twenty dollars ($20).

The bureau shall distribute the fee described in subdivision (2) to the director of veterans' affairs for deposit in the military family relief fund established under IC 10-17-12-8.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-31

Chapter 31. Abraham Lincoln Bicentennial License Plates

IC 9-18.5-31-1

Design

Sec. 1. The bureau shall design an Abraham Lincoln bicentennial license plate.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-31-2

Issuance

Sec. 2. An Abraham Lincoln bicentennial license plate shall be available for issuance through December 31, 2013.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-31-3

Renewal cycle; display

Sec. 3. The renewal of the registration of an Abraham Lincoln bicentennial license plate must be available through the renewal cycle in 2016, subject to IC 9-18-2-8(a) (before its expiration) or IC 9-18.1-11. A vehicle may display an Abraham Lincoln bicentennial license plate in 2017, subject to IC 9-18-2-8(a) (before its expiration) or IC 9-18.1-11.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-31-4

Contents

Sec. 4. An Abraham Lincoln bicentennial license plate must include the following:

(1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle.

(2) A background design, an emblem, or colors that designate the license plate as an Abraham Lincoln bicentennial license plate.

(3) Any other information the bureau considers necessary.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-31-5

Eligibility

Sec. 5. A person that is a resident of Indiana may apply for and receive an Abraham Lincoln bicentennial license plate for one (1) or more vehicles after doing the following:

(1) Completing an application for an Abraham Lincoln bicentennial license plate.

(2) Paying the fees under section 6 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-31-6

Fee

Sec. 6. (a) The fee for an Abraham Lincoln bicentennial license plate is twenty-five dollars ($25).

(b) The fee described in subsection (a) shall be collected by the bureau and deposited in the Indiana State Museum Foundation trust fund established by section 7 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-31-7

Indiana State Museum Foundation trust fund

Sec. 7. (a) The Indiana State Museum Foundation trust fund is established.

(b) The treasurer of state shall invest the money in the Indiana State Museum Foundation trust fund not currently needed to meet the obligations of the Indiana State Museum Foundation trust fund in the same manner as other public funds are invested. Interest that accrues from these investments shall be deposited in the Indiana State Museum Foundation trust fund. Money in the Indiana State Museum Foundation trust fund is continuously appropriated for the purposes of this section.

(c) The bureau shall administer the Indiana State Museum Foundation trust fund. Expenses of administering the Indiana State Museum Foundation trust fund shall be paid from money in the fund.

(d) On June 30 of each year, the bureau shall distribute the money from the Indiana State Museum Foundation trust fund to the Indiana State Museum Foundation, Inc. for use concerning the Lincoln collection.

(e) Money in the Indiana State Museum Foundation trust fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-31-8

Expiration

Sec. 8. This chapter expires December 31, 2017.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-32

Chapter 32. Earlham College Trust License Plates

IC 9-18.5-32-1

Design and issuance

Sec. 1. The bureau shall design and issue an Earlham College trust license plate as a special group recognition license plate under IC 9-18.5-12.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-32-2

Eligibility

Sec. 2. A person may receive an Earlham College trust license plate under this chapter upon doing the following:

(1) Completing an application for an Earlham College trust license plate.

(2) Paying the fees under section 3 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-32-3

Fees

Sec. 3. (a) The fees for an Earlham College trust license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The bureau shall collect the annual fee described in subsection (a)(2) and deposit the fee in the Earlham College trust fund established by section 4 of this chapter.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-32-4

Earlham College trust fund

Sec. 4. (a) The Earlham College trust fund is established.

(b) The treasurer of state shall invest the money in the Earlham College trust fund not currently needed to meet the obligations of the Earlham College trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Earlham College trust fund. Money in the fund is continuously appropriated for the purposes of this section.

(c) The bureau shall administer the Earlham College trust fund. Expenses of administering the Earlham College trust fund shall be paid from money in the Earlham College trust fund.

(d) On June 30 of each year, the bureau shall distribute the money from the Earlham College trust fund to Earlham College.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-33

Chapter 33. Indiana Gold Star Family Member License Plates

IC 9-18.5-33-1

"Gold Star family member"

Sec. 1. As used in this chapter, "Gold Star family member" means:

(1) a biological parent;
(2) an adoptive parent;
(3) a stepparent;
(4) a biological child;
(5) an adopted child;
(6) a stepchild;
(7) a sibling by blood;
(8) a sibling by half blood;
(9) a sibling by adoption;
(10) a stepsibling;
(11) a grandparent;
(12) a great-grandparent; or
(13) the spouse;

of an individual who has died while serving on active duty, or dies as a result of injuries sustained while serving on active duty, as a member of the armed forces of the United States or the national guard (as defined in IC 10-16-1-13).

As added by P.L.198-2016, SEC.327.

IC 9-18.5-33-2

Design and issuance

Sec. 2. The bureau shall design and issue an Indiana Gold Star family member license plate that includes the following:

(1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle.
(2) A background design, an emblem, or colors that designate the license plate as an Indiana Gold Star family member license plate.
(3) Any other information that the bureau considers necessary.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-33-3

Eligibility

Sec. 3. An individual who is an Indiana Gold Star family member may receive an Indiana Gold Star family member license plate for one (1) or more vehicles after doing the following:

(1) Completing an application for an Indiana Gold Star family member license plate.
(2) Providing the bureau with appropriate documentation as defined by the bureau to establish eligibility as an Indiana Gold Star family member.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-33-4
No additional fee

Sec. 4. There is no additional fee for an Indiana Gold Star family member license plate.

As added by P.L.198-2016, SEC.327.

IC 9-18.5-34
Chapter 34. Historic Vehicles

IC 9-18.5-34-1
Applicability
Sec. 1. This chapter applies after December 31, 2016.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-34-2
Design and issuance; display; no fee
Sec. 2. (a) The bureau shall design and issue a license plate that designates a vehicle as a historic vehicle.
(b) A license plate issued under this section may be displayed on the following vehicles:
(1) A collector vehicle registered under IC 9-18.1-5-5.
(2) A military vehicle registered under IC 9-18.1-8.
(3) Any other vehicle that is:
(A) registered under IC 9-18-12.5 (before its expiration) or IC 9-18.1; and
(B) more than twenty-five (25) years old.
(c) There is no fee for a license plate issued under this section.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-34-3
Display of authentic model year license plate; fee
Sec. 3. (a) A person that:
(1) registers a collector vehicle under IC 9-18.1-5-5; and
(2) wishes to display on the collector vehicle an authentic license plate from the model year of the collector vehicle under section 4 of this chapter;
must pay the required fee under subsection (b).
(b) The fee to display an authentic license plate under subsection (a) is thirty-seven dollars ($37). The fee shall be distributed as follows:
(1) Fifty cents ($0.50) to the state motor vehicle technology fund.
(2) Six dollars and fifty cents ($6.50) to the motor vehicle highway account.
(3) Thirty dollars ($30) to the commission fund.
As added by P.L.198-2016, SEC.327.

IC 9-18.5-34-4
Registration of collector vehicle; display of authentic model year license plate
Sec. 4. (a) A person that registers a collector vehicle under IC 9-18.1-5-5 may:
(1) furnish; and
(2) display on the collector vehicle;

an Indiana license plate from the model year of the collector vehicle.

(b) A license plate furnished and displayed under this section must be an authentic license plate from the model year of the collector vehicle.

(c) Before a license plate is mounted on a collector vehicle under this section, the license plate must be inspected by the bureau to determine whether the license plate:

(1) complies with this section;

(2) is in suitable condition to be displayed; and

(3) bears a unique plate number at the time of the registration of the collector vehicle.

The bureau shall authorize the display of a restored or refurbished authentic license plate, but may prohibit the display of an authentic license plate under this section if the authentic license plate is not in conformance with this subsection.

(d) If an Indiana license plate from the model year of the collector vehicle is displayed on a collector vehicle under this chapter, the current certificate of registration of the collector vehicle shall be:

(1) kept at all times in the collector vehicle; and

(2) made available for inspection upon the demand of a law enforcement officer.

Notwithstanding IC 9-18.1-4-2(b), this subsection is not satisfied by keeping a reproduction of the certificate of registration in the collector vehicle or making a reproduction of the certificate of registration available for inspection.

As added by P.L.198-2016, SEC.327.

IC 9-19

ARTICLE 19. MOTOR VEHICLE EQUIPMENT

IC 9-19-1

Chapter 1. General Provisions and Exemptions

IC 9-19-1-1

Application of article generally

Sec. 1. (a) Except as provided in subsection (b) and as otherwise provided in this chapter, this article does not apply to the following with respect to equipment on vehicles:

(1) Implements of agriculture designed to be operated primarily in a farm field or on farm premises.

(2) Road machinery.

(3) Road rollers.

(4) Farm tractors.

(5) Vehicle chassis that:

(A) are a part of a vehicle manufacturer's work in process; and

(B) are driven under this subdivision only for a distance of less than one (1) mile.

(6) Golf carts and off-road vehicles when operated in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).

(b) A farm type dry or liquid fertilizer tank trailer or spreader that is drawn or towed on a highway by a motor vehicle other than a farm tractor at a speed greater than thirty (30) miles per hour is considered a trailer for equipment requirement purposes and all equipment requirements concerning trailers apply.

As added by P.L.2-1991, SEC.7. Amended by P.L.98-1991, SEC.1; P.L.210-2005, SEC.27; P.L.150-2009, SEC.7; P.L.182-2009(ss), SEC.289; P.L.259-2013, SEC.14.

IC 9-19-1-2

Application of chapter and IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7; exceptions to equipment requirements; notice; permits

Sec. 2. (a) Except as provided in subsections (b) and (c), sections 4 through 5 of this chapter and IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7 do not apply to vehicles:

(1) while engaged in the construction of highways; and

(2) when the movement of the vehicles is confined wholly to highways or roads or sections of highways or roads that are under construction and not yet open to unlimited public use.

(b) If the authority having jurisdiction over the construction of the public highway gives written notice to the owner or operator of a vehicle that the vehicle may not be operated in violation of sections 4 through 5 of this chapter and IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7 without a permit issued by the authority, the owner or

operator must obtain a permit from the authority before the vehicle is operated within the highway construction area.

(c) If written notice is given under subsection (b) and a permit is not obtained by the owner or operator, sections 4 through 5 of this chapter and IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7 apply to the owner's or operator's vehicle while engaged in the construction of a public highway.

(d) The written notice that this section requires from the authority having jurisdiction to the owner or operator may be in the form of any one (1) of the following documents:

(1) A letter.
(2) A specifications document.
(3) A contract document.
(4) A written agreement.
(5) A written document that pertains to the construction work being performed by the owner or operator.

As added by P.L.2-1991, SEC.7. Amended by P.L.12-1991, SEC.2.

IC 9-19-1-3
Exceptions to applicability of chapter

Sec. 3. Sections 4 through 5 of this chapter and IC 9-19-4-3, IC 9-19-4-4, and IC 9-19-5-7:

(1) do not apply to:
(A) machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities;
(B) farm drainage machinery;
(C) implements of agriculture when used during farming operations or when constructed so that they can be moved without material damage to the highways; or
(D) firefighting apparatus owned or operated by a political subdivision or a volunteer fire department (as defined in IC 36-8-12-2); and
(2) do not limit the width or height of farm vehicles when loaded with farm products.

As added by P.L.2-1991, SEC.7. Amended by P.L.81-1991, SEC.6; P.L.1-1999, SEC.29; P.L.210-2005, SEC.28.

IC 9-19-1-4
Operation of noncomplying vehicle

Sec. 4. Except as otherwise provided in this article, a person may not operate or move upon a highway a vehicle or combination of vehicles that are not constructed or equipped in compliance with this article.

As added by P.L.2-1991, SEC.7. Amended by P.L.198-2016, SEC.328.

IC 9-19-1-5

Owner operating or permitting operation of noncomplying vehicle

Sec. 5. Except as otherwise provided in this article, an owner of a vehicle may not cause or knowingly permit to be operated or moved upon a highway a vehicle or combination of vehicles that is not constructed or equipped in compliance with this article.

As added by P.L.2-1991, SEC.7. Amended by P.L.198-2016, SEC.329.

IC 9-19-1-6

United States Department of Transportation regulations; classification of violations

Sec. 6. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-1-7

Interstate compacts and agreements; equipment violations convictions and citations

Sec. 7. The following are subject to IC 9-28:

(1) A:

(A) conviction for a crime; or

(B) judgment for an offense or ordinance violation;

under this article related to the use or operation of a motor vehicle.

(2) The issuance of a citation (as defined in IC 9-28-2-1) under this article.

As added by P.L.2-1991, SEC.7.

IC 9-19-2

Chapter 2. Air Conditioning

IC 9-19-2-1

Manufacture, installation and maintenance; safety requirements

Sec. 1. Air conditioning equipment shall be manufactured, installed, and maintained with due regard for the safety of the occupants of the vehicle and the public and may not contain a refrigerant that is toxic to individuals or that is flammable, unless the refrigerant is included in the list published by the United States Environmental Protection Agency as a safe alternative motor vehicle air conditioning substitute for chlorofluorocarbon-12 under 42 U.S.C. 7671k(c).

As added by P.L.2-1991, SEC.7. Amended by P.L.54-2009, SEC.3.

IC 9-19-2-2

Selling or equipping vehicle with noncomplying equipment

Sec. 2. A person may not:

(1) have for sale;

(2) offer for sale; or

(3) sell or equip;

a motor vehicle with air conditioning equipment unless the equipment complies with this chapter.

As added by P.L.2-1991, SEC.7.

IC 9-19-2-3

Operation of vehicle with noncomplying equipment

Sec. 3. A person may not operate on a highway a motor vehicle equipped with air conditioning equipment unless the air conditioning equipment complies with this chapter.

As added by P.L.2-1991, SEC.7.

IC 9-19-2-4

United States Department of Transportation regulations; classification of violations

Sec. 4. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-3

Chapter 3. Brakes

IC 9-19-3-1

Safety requirements; means of applying brakes

Sec. 1. (a) Subject to section 4 of this chapter, a motor vehicle, when operated upon a highway, must be equipped with brakes adequate to control the movement of and to stop and hold the vehicle.

(b) A motor vehicle other than a motorcycle or motor driven cycle must be equipped with brakes that include two (2) separate means of applying the brakes, each of which means must apply the brakes to at least two (2) wheels. If these two (2) separate means of applying the brakes are connected in any way, the means must be constructed so that failure of one (1) part of the operating mechanism does not leave the motor vehicle without brakes on at least two (2) wheels.

As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.24.

IC 9-19-3-2

Motorcycles

Sec. 2. Subject to section 4 of this chapter, a motorcycle and a motor driven cycle, when operated upon a highway, must be equipped with at least one (1) brake, which may be operated by hand or foot.

As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.25.

IC 9-19-3-3

Trailers and semitrailers of gross weight of 3,000 pounds or more

Sec. 3. Subject to section 4 of this chapter, a trailer or semitrailer of a gross weight of at least three thousand (3,000) pounds, when operated upon a highway, must be equipped with brakes adequate to control the movement of and to stop and to hold the vehicle. The brakes must be designed so that the driver of the towing motor vehicle can apply the brakes from the cab, and must be designed and connected so that the brakes will be automatically applied in an accidental breakaway of the towed vehicle.

As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.26.

IC 9-19-3-4

New vehicle requirements; exceptions

Sec. 4. (a) Except as provided in subsections (b) through (c), a new motor vehicle, trailer, or semitrailer sold in Indiana and operated upon the highways must be equipped with service brakes upon all wheels of the vehicle.

(b) A semitrailer of less than three thousand (3,000) pounds gross weight is not required to be equipped with brakes.

(c) A truck or truck-tractor having at least three (3) axles is not required to have service brakes on the front wheels. If a truck or

truck-tractor is equipped with at least two (2) steerable axles, the wheels of one (1) steerable axle are not required to have service brakes although the truck or truck-tractor must be capable of complying with the performance requirements of sections 7 through 8 of this chapter.
As added by P.L.2-1991, SEC.7. Amended by P.L.81-1991, SEC.7; P.L.221-2014, SEC.27.

IC 9-19-3-5
Mechanical connection from operating lever to brake shoes or bands

Sec. 5. One (1) of the two (2) means of brake operation under section 1 of this chapter must consist of a mechanical connection from the operating lever to the brake shoes or bands. The brake must be capable of holding the vehicle or a combination of vehicles stationary under any condition of loading on any upgrade or downgrade upon which the vehicle is operated.
As added by P.L.2-1991, SEC.7.

IC 9-19-3-6
Brake shoes; service and hand operation

Sec. 6. The brake shoes operating within or upon the drums on the vehicle wheels of a motor vehicle may be used for both service and hand operation.
As added by P.L.2-1991, SEC.7.

IC 9-19-3-7
Deceleration and stopping distance requirements

Sec. 7. A motor vehicle or combination of vehicles, at all times and under all conditions of loading, must, upon application of the service (foot) brake, be capable of decelerating and developing a braking force equivalent to the deceleration according to the minimum requirements set forth in this section and must be capable of stopping within the distances set forth in the following table:

	Stopping distance in feet	Deceleration in feet per second per second	Equivalent braking force in percentage of vehicle or combination weight
Passenger vehicles, not including buses	25	17	53.0%
Single-unit vehicles with a manufacturer's gross vehicle			

weight rating of less than 10,000 pounds	30	14	43.5%
Single-unit, 2-axle vehicles with a manufacturer's gross vehicle weight rating of 10,000 or more pounds	40	14	43.5%
All other vehicles and combinations with a manufacturer's gross vehicle weight rating of 10,000 or more pounds	50	14	43.5%

As added by P.L.2-1991, SEC.7. Amended by P.L.42-2011, SEC.24.

IC 9-19-3-8
Determination of compliance with deceleration and stopping distance requirements

Sec. 8. Compliance with standards set forth in section 7 of this chapter must be determined by one (1) of the following:

(1) Actual road tests conducted on a substantially level (not to exceed a plus or minus one per cent (1%) grade), dry, smooth, hard-surfaced road that is free from loose material, and with stopping distance measured from the actual instant braking controls are moved and from an initial speed of twenty (20) miles per hour.

(2) Suitable mechanical tests in a testing lane that recreates the same conditions.

(3) A combination of the methods described in subdivisions (1) through (2).

As added by P.L.2-1991, SEC.7.

IC 9-19-3-9
Maintenance and adjustment

Sec. 9. All brakes must be maintained in good working order and must be adjusted so as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle.

As added by P.L.2-1991, SEC.7.

IC 9-19-3-10
United States Department of Transportation regulations; classification of violations

Sec. 10. (a) This section does not apply to a person who owns or

operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-4

Chapter 4. Bumpers

IC 9-19-4-1

Passenger cars originally equipped with bumpers; bumper height

Sec. 1. When operated upon a highway, a motor vehicle registered as a passenger car that was originally equipped with bumpers as standard equipment must be so equipped. The bumper height may not vary more than three (3) inches from the original manufactured bumper height for the vehicle.

As added by P.L.2-1991, SEC.7.

IC 9-19-4-2

Trucks with declared gross weight of not more than 11,000 pounds

Sec. 2. When operated upon a highway, a motor vehicle registered as a truck with a declared gross weight of not more than eleven thousand (11,000) pounds must be equipped with bumpers of substantial construction on the extreme front and the extreme rear of the vehicle. The height of the front and rear bumpers may not exceed thirty (30) inches when measured from level pavement to the bottom of the bumper.

As added by P.L.2-1991, SEC.7.

IC 9-19-4-3

Frame or body 60 inches beyond rear axle and 42 inches above roadway

Sec. 3. A vehicle with a frame or body that extends more than sixty (60) inches beyond the rear of the rear axle and is more than forty-two (42) inches above the roadway may not be operated on a highway unless the vehicle is equipped with a bumper on the extreme rear of the frame or body. The bumper must extend downward from the rear of the frame or body to within thirty (30) inches of the roadway and must be of substantial construction.

As added by P.L.2-1991, SEC.7. Amended by P.L.198-2016, SEC.330.

IC 9-19-4-4

United States Department of Transportation regulations; classification of violations

Sec. 4. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-5

Chapter 5. Horns and Emergency Warning Signals

IC 9-19-5-1

Necessity of horn; audibility

Sec. 1. A motor vehicle, when operated upon a highway, must be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet. However, a horn or other warning device may not emit an unreasonably loud or harsh sound or a whistle.

As added by P.L.2-1991, SEC.7.

IC 9-19-5-2

Use of horn during operation of vehicle

Sec. 2. The driver of a motor vehicle shall, when reasonably necessary to ensure safe operation, give audible warning with the horn on the motor vehicle but may not otherwise use the horn when upon a highway.

As added by P.L.2-1991, SEC.7.

IC 9-19-5-3

Equipping vehicle with sirens, whistles, or bells; exemption

Sec. 3. (a) Except as provided in subsection (b):

(1) a vehicle may not be equipped with; and

(2) a person may not use upon a vehicle;

a siren, whistle, or bell.

(b) An authorized emergency vehicle may be equipped with a siren, whistle, or bell that is capable of emitting sound audible under normal conditions from a distance of not less than five hundred (500) feet and of a type approved by the department. A siren authorized under this section may not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violation of the law. The person who drives a vehicle equipped with a siren under this section shall sound the siren when reasonably necessary to warn pedestrians and other persons who are driving vehicles of the approach of the authorized vehicle.

As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.85.

IC 9-19-5-4

Repealed

(Repealed by P.L.1-1991, SEC.86.)

IC 9-19-5-5

Theft alarms

Sec. 5. A commercial vehicle may be equipped with a theft alarm signal device that cannot be used by the driver as an ordinary

warning signal.
As added by P.L.2-1991, SEC.7.

IC 9-19-5-6
Emergency warning signals

Sec. 6. (a) A person may not operate a motor truck, passenger bus, or truck-tractor upon a highway outside the corporate limits of a municipality from a half hour after sunset to a half hour before sunrise unless the vehicle carries the following equipment:

(1) At least three (3):

(A) flares (liquid-burning pot torches);

(B) red electric lanterns; or

(C) portable red emergency reflectors;

each of which must be capable of being seen and distinguished at a distance of not less than six hundred (600) feet under normal atmospheric conditions at nighttime.

(2) At least three (3) red-burning fuses unless red electric lanterns or red portable emergency reflectors are carried.

(3) At least two (2) red-cloth flags, not less than twelve (12) inches square, with standards to support the flags.

(b) A flare (liquid-burning pot torch), fusee, electric lantern, or cloth warning flag may not be used to comply with this section unless the equipment has been submitted to and approved by the director of traffic safety.

(c) A portable reflector unit may not be used to comply with this section unless the unit:

(1) is designed and constructed to include two (2) reflecting elements, one (1) above the other, each of which must be capable of reflecting red light clearly visible from all distances within six hundred (600) feet to one hundred (100) feet under normal atmospheric conditions at night when directly in front of lawful upper beams of head lamps; and

(2) has been submitted to and approved by the director of traffic safety.

(d) A person may not operate at the time and under conditions stated in subsection (a) a:

(1) motor vehicle used for the transportation of explosives; or

(2) cargo tank truck used for the transportation of flammable liquids or compressed gases;

unless three (3) red electric lanterns or three (3) portable red emergency reflectors are carried in the vehicle that meet the requirements of subsection (a). A person may not carry in such a vehicle a flare, fusee, or signal produced by flame.
As added by P.L.2-1991, SEC.7. Amended by P.L.212-2014, SEC.14.

IC 9-19-5-7
United States Department of Transportation regulations; classification of violations

Sec. 7. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-6

Chapter 6. Lights, Reflectors, and Turn Signals

IC 9-19-6-1

Repealed

(Repealed by P.L.1-1991, SEC.87.)

IC 9-19-6-1.5

"Operating crew member"

Sec. 1.5. As used in this chapter, "operating crew member" has the meaning set forth in IC 8-9-12-2.

As added by P.L.183-2005, SEC.3. Amended by P.L.1-2007, SEC.85.

IC 9-19-6-2

Application of illumination and visibility requirements; measurement of mounted height of lamps

Sec. 2. (a) The requirements in this chapter setting forth the distance from which certain lamps and devices are required to render objects visible or within which the lamps or devices are required to be visible apply:

(1) during the times stated in IC 9-21-7-2;

(2) with respect to a vehicle without load; and

(3) when upon a straight, level, unlighted highway under normal atmospheric conditions;

unless a different time or condition is expressly stated.

(b) The mounted heights of lamps or devices required in this chapter are measured from the center of the lamp or device to the level ground upon which the vehicle stands when the vehicle is without a load.

As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.88.

IC 9-19-6-3

Number, location, and height of head lamps

Sec. 3. (a) A motor vehicle other than a motorcycle or motor driven cycle must be equipped with at least two (2) head lamps, with at least one (1) of the head lamps on each side of the front of the motor vehicle. The head lamps must comply with this chapter.

(b) Except as provided in subsection (c), a motorcycle and motor driven cycle must be equipped with at least one (1) and not more than two (2) head lamps that comply with this chapter.

(c) A motorcycle manufactured before January 1, 1956, is not required to be equipped with a head lamp if the motorcycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

(d) A head lamp upon a motor vehicle, including a motorcycle and motor driven cycle, must be located at a height measured from the center of the head lamp of not less than twenty-four (24) inches and not more than fifty-four (54) inches to be measured as set forth in

section 2(b) of this chapter.
As added by P.L.2-1991, SEC.7. Amended by P.L.63-1994, SEC.2; P.L.221-2014, SEC.28.

IC 9-19-6-4
Tail lamps

Sec. 4. (a) Except as otherwise provided in this section:

(1) a motor vehicle, trailer, semitrailer, and pole trailer; and

(2) any other vehicle that is drawn at the end of a train of vehicles;

must be equipped with at least one (1) tail lamp mounted on the rear that when lighted as required in this chapter, emits a red light plainly visible from a distance of five hundred (500) feet to the rear.

(b) Only the tail lamp on the rear-most vehicle of a train of vehicles is required to be seen from the distance specified.

(c) Excluding a truck-tractor semitrailer-semitrailer combination equipped with a B-train assembly (as defined in IC 9-13-2-13) governed by section 7 of this chapter, truck-tractor, motorcycle, or motor driven cycle:

(1) a motor vehicle, trailer, semitrailer, and pole trailer; and

(2) any other vehicle drawn at the end of a train of vehicles;

that is registered in Indiana and manufactured or assembled after January 1, 1956, must be equipped with at least two (2) tail lamps mounted on the rear that, when lighted, complies with this section.

(d) A tail lamp upon a vehicle shall be located at a height of not less than twenty (20) inches and not more than seventy-two (72) inches.

(e) Either a tail lamp or a separate lamp must be placed and constructed so as to illuminate the rear registration plate with a white light and make the plate clearly legible from a distance of fifty (50) feet to the rear. A tail lamp or tail lamps, together with a separate lamp for illuminating the rear registration plate, must be wired so as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.
As added by P.L.2-1991, SEC.7. Amended by P.L.34-2010, SEC.2; P.L.221-2014, SEC.29.

IC 9-19-6-5
New vehicles; rear reflectors

Sec. 5. (a) Except as provided in subsections (b) through (d), a new motor vehicle sold and operated upon a highway, other than a truck-tractor, must carry on the rear, either as a part of the tail lamps or separately, two (2) red reflectors.

(b) Except as provided in subsection (c), a motorcycle and motor driven cycle must carry at least one (1) reflector meeting the requirements of this section.

(c) A motorcycle manufactured before January 1, 1956, is not required to carry a reflector under this section if the motorcycle is

not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

(d) A vehicle of the type listed in section 7 of this chapter must be equipped with reflectors as required in those sections applicable to those vehicles.

(e) A reflector must be mounted on a vehicle at a height not less than twenty (20) inches and not more than sixty (60) inches as measured in the manner set forth in section 2(b) of this chapter. Except as otherwise provided, a reflector must be of the size and characteristics and mounted so as to be visible at night from all distances within three hundred fifty (350) feet to one hundred (100) feet from the vehicle when directly in front of lawful upper beams of head lamps.

As added by P.L.2-1991, SEC.7. Amended by P.L.63-1994, SEC.3; P.L.221-2014, SEC.30.

IC 9-19-6-6

Selling or operating vehicles without turn signals or stoplights

Sec. 6. (a) Except as provided in subsection (b), a person may not:

(1) sell; or

(2) drive on the highways;

in Indiana a motor vehicle, including a motorcycle or motor driven cycle unless the vehicle is equipped with at least one (1) stoplight meeting the requirements of section 17 of this chapter.

(b) A motorcycle manufactured before January 1, 1956, is not required to be equipped with a stoplight under subsection (a) if the motorcycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

(c) This subsection does not apply to a motorcycle or motor driven cycle. A person may not:

(1) sell;

(2) offer for sale; or

(3) operate on the highways;

a motor vehicle, trailer, or semitrailer registered in Indiana and manufactured or assembled after January 1, 1956, unless the vehicle is equipped with mechanical or electrical turn signals meeting the requirements of section 17 of this chapter.

As added by P.L.2-1991, SEC.7. Amended by P.L.63-1994, SEC.4; P.L.221-2014, SEC.31.

IC 9-19-6-7

Buses, trucks, truck-tractors, trailers, and semitrailers

Sec. 7. In addition to other equipment required in this chapter, the following vehicles must be equipped as follows, under the conditions stated in IC 9-21-7-2(b):

(1) On a bus or truck the following:

(A) On the rear, two (2) reflectors, one (1) at each side.

(B) On the rear, one (1) stoplight.

(2) On a bus or truck that is at least eighty (80) inches in overall width, in addition to the requirements in subdivision (1), the following:

(A) On the front, two (2) clearance lamps, one (1) at each side.

(B) On the rear, two (2) clearance lamps, one (1) at each side.

(C) On each side, two (2) side marker lamps, one (1) at or near the front end and one (1) at or near the rear.

(D) On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear.

(3) On a truck-tractor, the following:

(A) On the front, two (2) clearance lamps, one (1) at each side.

(B) On the rear, one (1) stoplight.

(4) On a trailer or semitrailer having a gross weight greater than three thousand (3,000) pounds, the following:

(A) On the front, two (2) clearance lamps, one (1) at each side.

(B) On each side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear.

(C) On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear.

(D) On the rear, two (2) clearance lamps, one (1) at each side.

(E) On the rear, two (2) reflectors, one (1) at each side.

(F) On the rear, one (1) stoplight.

(5) On a pole trailer greater than three thousand (3,000) pounds gross weight, the following:

(A) On each side, one (1) side marker lamp and one (1) clearance lamp, which may be in combination, to show to the front, side, and rear.

(B) On the rear of the pole trailer or load, two (2) reflectors, one (1) at each side.

(6) On a trailer, semitrailer, or pole trailer weighing not more than three thousand (3,000) pounds gross weight, the following:

(A) On the rear, two (2) reflectors, one (1) on each side.

(B) If a trailer or semitrailer is loaded or is of the dimensions that obscure the stoplight on the towing vehicle, one (1) stoplight.

(7) On a truck-tractor semitrailer-semitrailer combination equipped with a B-train assembly (as defined in IC 9-13-2-13), the assembly must have at least the following:

(A) On the rear, two (2) reflectors.

(B) On the rear, one (1) operable tail lamp.

(C) On the rear, one (1) operable brake lamp.

As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.89.

IC 9-19-6-8

Clearance and marker lamps and reflectors; color displayed or reflected

Sec. 8. (a) A front clearance lamp, marker lamp, and reflector mounted on the front or on the side near the front of a vehicle must display or reflect an amber color.

(b) A rear clearance lamp, marker lamp, and reflector mounted on the rear or on the sides near the rear of a vehicle must display or reflect a red color.

(c) A lighting device and reflector mounted on the rear of a vehicle must display or reflect a red color, except as follows:

(1) The stoplight or other signal device may be red, amber, or yellow.

(2) The light illuminating the license plate must be white.

(3) The light emitted by a back-up lamp must be white or amber.

As added by P.L.2-1991, SEC.7.

IC 9-19-6-9

Clearance and marker lamps; height and location

Sec. 9. (a) A reflector required by section 7 of this chapter must be mounted at a height not less than twenty-four (24) inches and not more than sixty (60) inches above the ground on which the vehicle stands. However, if the highest part of the permanent structure of the vehicle is less than twenty-four (24) inches, the reflector must be mounted as high as that part of the permanent structure will permit. The rear reflectors on a pole trailer may be mounted on each side of the bolster or load. A required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but the reflector must meet all the other reflector requirements of this chapter.

(b) A clearance lamp must be mounted on the permanent structure of a vehicle in such a manner as to indicate the vehicle's extreme width and as near the top of the vehicle as practicable. A clearance lamp and side marker lamp may be mounted in combination, provided illumination is given as required in this chapter with reference to both lamps.

As added by P.L.2-1991, SEC.7.

IC 9-19-6-10

Clearance and marker lamps and reflectors; illumination and visibility

Sec. 10. (a) A reflector upon a vehicle referred to in section 7 of this chapter must be of the size and characteristics and maintained so as to be readily visible at nighttime from all distances within six hundred (600) feet to one hundred (100) feet from the vehicle when directly in front of the lawful upper beams of head lamps. A reflector required to be mounted on the side of a vehicle must reflect the required color of light to the sides, and a reflector mounted on the

rear must reflect a red color to the rear.

(b) A front or rear clearance lamp must be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required under IC 9-21-7-2 at a distance of five hundred (500) feet from the front and rear, respectively, of the vehicle.

(c) A side marker lamp must be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required under IC 9-21-7-2 at a distance of five hundred (500) feet from the side of the vehicle on which the side marker lamps are mounted.

As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.90.

IC 9-19-6-11

Farm equipment and tractors manufactured before July 1, 2006

Sec. 11. (a) This section does not apply to:

(1) an implement of husbandry; or

(2) a farm tractor;

manufactured after June 30, 2006.

(b) A farm tractor and a self-propelled farm equipment unit or an implement of agriculture designed to be operated primarily in a farm field or on farm premises, if operated on a highway and not equipped with an electric lighting system, must at all times required by IC 9-21-7-2 be equipped with the following:

(1) At least one (1) lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of the vehicle.

(2) At least one (1) lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear of the vehicle.

(3) Two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The lights required by this subsection must be positioned so that one (1) lamp showing to the front and one (1) lamp or reflector showing to the rear will indicate the furthest projection of the tractor, unit, or implement on the side of the road used in passing the vehicle.

(c) A combination of farm tractor and towed unit of farm equipment or implement of agriculture designed to be operated primarily in a farm field or on farm premises, if operated on a highway and not equipped with an electric lighting system, must at all times required by IC 9-21-7-2 be equipped with two (2) red reflectors that meet the following requirements:

(1) Are visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

(2) Are mounted in a manner so as to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway.

(d) A farm tractor and a self-propelled unit of farm equipment or an implement of agriculture designed to be operated primarily in a farm field or on farm premises, if operated on a highway and equipped with an electric lighting system, must at all times required by IC 9-21-7-2 be equipped with the following:

(1) Two (2) single-beam or multiple-beam head lamps meeting the requirements of section 20 or 21 of this chapter or IC 9-21-7-9.

(2) Two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or in the alternative one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The red lamps or reflectors must be mounted in the rear of the farm tractor or self-propelled implement of agriculture so as to indicate as nearly as practicable the extreme left and right projections of the vehicle on the highways.

(e) A combination of farm tractor and towed farm equipment or towed implement of agriculture designed to be operated primarily in a farm field or on farm premises, if operated on a highway and equipped with an electric lighting system, must at all times required by IC 9-21-7-2 be equipped as follows:

(1) The farm tractor element of each combination must be equipped with two (2) single-beam or multiple-beam head lamps meeting the requirements of section 20 or 21 of this chapter or IC 9-21-7-9.

(2) The towed unit of farm equipment or implement of agriculture element of each combination must be equipped with the following:

(A) Two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or as an alternative one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear.

(B) Two (2) red reflectors visible from a distance of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

The red lamps or reflectors must be located so as to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway.

(3) A combination of farm tractor and towed farm equipment or towed implement of agriculture equipped with an electric lighting system must be equipped with the following:

(A) A lamp displaying a white or an amber light, or any shade of color between white and amber visible from a distance of not less than five hundred (500) feet to the front.

(B) A lamp displaying a red light visible from a distance of not less than five hundred (500) feet to the rear.

The lamps must be installed or capable of being positioned so as to indicate to the front and rear the furthest projection of that combination on the side of the road used by other vehicles in passing that combination.

(f) A farm tractor, a self-propelled farm equipment unit, or an implement of agriculture must not display blinding field or flood lights when operated on a highway.

(g) All rear lighting requirements may be satisfied by having a vehicle with flashing lights immediately trail farm equipment in accordance with IC 9-21-7-11.

As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.91; P.L.127-1995, SEC.1; P.L.148-2005, SEC.1; P.L.210-2005, SEC.29; P.L.1-2006, SEC.161.

IC 9-19-6-11.3

Implements of husbandry and farm tractors; required equipment when manufactured after June 30, 2006, and operated on a highway

Sec. 11.3. (a) This section applies to the following items manufactured after June 30, 2006, when operated on a highway:

(1) An implement of husbandry.

(2) A farm tractor.

(b) An implement of husbandry or a farm tractor listed in subsection (a) must be equipped with:

(1) head lamps;

(2) tail lamps;

(3) work lamps;

(4) warning lamps;

(5) extremity lamps;

(6) turn indicators;

(7) rear reflectors;

(8) front and rear conspicuity material; and

(9) front, rear, and side retroreflective material;

that comply with the standards contained in the American Society of Agricultural Engineers (ASAE) Standard S279.11 DEC01 or any subsequent standards developed by ASAE at the time the vehicle was manufactured.

As added by P.L.148-2005, SEC.2.

IC 9-19-6-12

Rear reflectors; vehicles not otherwise specifically required to have lamps or lighting devices

Sec. 12. (a) This section does not apply to:

(1) an implement of husbandry; or

(2) a farm tractor;

manufactured after June 30, 2006.

(b) A vehicle, including an animal-drawn vehicle and a vehicle referred to in IC 9-19-1-1 not specifically required by this article to

be equipped with lamps or other lighting devices, must at all times required by IC 9-21-7-2 be equipped with at least two (2) red reflectors visible from distances of one hundred (100) feet to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.
As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.92; P.L.148-2005, SEC.3.

IC 9-19-6-13
Spot lamps
Sec. 13. A motor vehicle may be equipped with not more than two (2) spot lamps. A lighted spot lamp must be aimed and used when approaching another vehicle so that no part of the high intensity part of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle or more than one hundred (100) feet ahead of the vehicle.
As added by P.L.2-1991, SEC.7.

IC 9-19-6-14
Fog lamps
Sec. 14. A motor vehicle may be equipped with not more than two (2) fog lamps mounted on the front at a height not less than twelve (12) inches and not more than thirty (30) inches above the level surface upon which the vehicle stands. The fog lamps must be aimed so that when the vehicle is not loaded, none of the high-intensity part of the light to the left of the center of the vehicle will at a distance of twenty-five (25) feet ahead project higher than a level of four (4) inches below the level of the center of the lamp from which the light comes. Lighted fog lamps meeting these requirements may be used with lower head lamp beams as specified in section 20(2) of this chapter.
As added by P.L.2-1991, SEC.7.

IC 9-19-6-15
Auxiliary passing lamps
Sec. 15. A motor vehicle may be equipped with not more than one (1) auxiliary passing lamp mounted on the front at a height not less than twenty-four (24) inches and not more than forty-two (42) inches above the level surface upon which the vehicle stands. Section 20 of this chapter applies to any combination of head lamps and auxiliary passing lamp.
As added by P.L.2-1991, SEC.7.

IC 9-19-6-16
Auxiliary driving lamps
Sec. 16. A motor vehicle may be equipped with not more than one (1) auxiliary driving lamp mounted on the front at a height not less than sixteen (16) inches and not more than forty-two (42) inches

above the level surface upon which the vehicle stands. Section 20 of this chapter applies to any combination of head lamps and auxiliary driving lamp.
As added by P.L.2-1991, SEC.7.

IC 9-19-6-17
Stop lamps and turn signals; color, visibility, and operation

Sec. 17. (a) A motor vehicle may be equipped, and when required under this chapter must be equipped, with a stop lamp or lamps on the rear of the vehicle that:

(1) displays a red or an amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight;

(2) will be actuated upon application of the service (foot) brake; and

(3) may be incorporated with at least one (1) other rear lamp.

(b) A motor vehicle may be equipped and when required under this chapter must be equipped with lamps or mechanical signal devices showing to the front and rear for the purpose of indicating an intention to turn either to the right or left. If lamps are used for this purpose, the lamps showing to the front must be located on the same level and as widely spaced laterally as practicable and when in use must display a white or an amber light, or any shade of color between white and amber, visible from a distance of not less than one hundred (100) feet to the front in normal sunlight. The lamps showing to the rear must be located at the same level and as widely spaced laterally as practicable and when in use must display a red or an amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight. When actuated the lamps must indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which the turn is made. If mechanical signal devices are used for this purpose, the devices must be self-illuminated when in use at the times required by IC 9-21-7-2.

(c) A stop lamp or signal lamp or device may not project a glaring light.
As added by P.L.2-1991, SEC.7. Amended by P.L.1-1991, SEC.93.

IC 9-19-6-18
Fender lamps; running-board courtesy lamps; back-up lamps

Sec. 18. (a) A motor vehicle may be equipped with not more than two (2) side cowl or fender lamps that emit an amber or a white light without glare.

(b) A motor vehicle may be equipped with not more than one (1) running-board courtesy lamp on each side that emits a white or an amber light without glare.

(c) A motor vehicle may be equipped with not more than two (2) back-up lamps either separately or in combination with other lamps.

However, a back-up lamp must not be lighted when the motor vehicle is in forward motion.
As added by P.L.2-1991, SEC.7.

IC 9-19-6-19
Flashing warning lights

Sec. 19. (a) A vehicle may be equipped with lamps that may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking, or passing. The vehicles, when so equipped, may display the warning in addition to any other warning signals required by this article.

(b) A lamp used to display a warning to the front must be mounted at the same level and as widely spaced laterally as practicable, and must display simultaneously flashing white or amber lights or any shade of color between white and amber.

(c) A lamp used to display a warning to the rear must be mounted at the same level and as widely spaced laterally as practicable, and must show simultaneously flashing amber or red lights or any shade of color between red and amber.

(d) A warning light must be visible from a distance of not less than five hundred (500) feet under normal atmospheric conditions at night.

(e) A motor vehicle used to transport operating crew members may display a lamp placed on the top of the motor vehicle with simultaneously flashing yellow or amber lights that must be visible as set forth in subsection (d).
As added by P.L.2-1991, SEC.7. Amended by P.L.183-2005, SEC.4.

IC 9-19-6-20
Multiple-beam road lighting equipment

Sec. 20. Except as otherwise provided in this chapter, the head lamps, the auxiliary driving lamp, the auxiliary passing lamp, or a combination of these lamps on motor vehicles, other than motorcycles or motor driven cycles, must be arranged so that the driver may select between distributions of light projected to different elevations. The lamps may, in addition, be arranged so that the selection can be made automatically, subject to the following limitations:

(1) There must be an uppermost distribution of light, or composite beam, aimed and of an intensity to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading.

(2) There must be a lowermost distribution of light, or composite beam, aimed and of an intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead. On a straight level road, under any condition of loading, none of the high-intensity part of the beam may be directed to

strike the eyes of an approaching driver.

(3) A new motor vehicle, other than a motorcycle or motor driven cycle, registered in Indiana after January 1, 1956, that has multiple-beam road lighting equipment must be equipped with a beam indicator that must be lighted whenever the uppermost distribution of light from the head lamps is in use. The beam indicator must not otherwise be lighted. The beam indicator must be designed and located so that when lighted the indicator is readily visible without glare to the driver of the vehicle so equipped.

As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.32.

IC 9-19-6-21

Single-beam road lighting equipment

Sec. 21. Head lamps arranged to provide a single distribution of light are permitted on motor vehicles manufactured and sold before March 9, 1956, instead of the multiple-beam road-lighting equipment specified in this chapter, if the single distribution of light meets the following requirements:

(1) The head lamps must be aimed so that when the vehicle is not loaded none of the high-intensity part of the light will:

(A) at a distance of twenty-five (25) feet ahead, project higher than a level of five (5) inches below the level of the center of the lamp from which light comes; and

(B) at a distance of seventy-five (75) feet ahead, project higher than forty-two (42) inches above the level on which the vehicle stands.

(2) The intensity must be sufficient to reveal persons and vehicles at a distance of at least two hundred (200) feet.

As added by P.L.2-1991, SEC.7.

IC 9-19-6-22

Motorcycles; head lamps

Sec. 22. (a) The head lamp or head lamps upon a motorcycle or motor driven cycle may be of the single-beam or multiple-beam type.

(b) A head lamp on a motorcycle or motor driven cycle must be of sufficient intensity to reveal a person or a vehicle at a distance of not less than:

(1) one hundred (100) feet when the motorcycle or motor driven cycle is operated at a speed of less than twenty-five (25) miles per hour;

(2) two hundred (200) feet when the motorcycle or motor driven cycle is operated at a speed of at least twenty-five (25) miles per hour; and

(3) for a motorcycle or Class A motor driven cycle, three hundred (300) feet when the motorcycle or motor driven cycle is operated at a speed of at least thirty-five (35) miles per hour.

(c) If a motorcycle or motor driven cycle is equipped with a

multiple beam head lamp, the upper beam must meet the minimum requirements set forth in this section and must not exceed the limitations set forth in section 20(1) of this chapter and the lowermost distribution of light as set forth in section 20(2) of this chapter.

(d) If a motorcycle or motor driven cycle is equipped with a single beam lamp, the lamp must be aimed so that when the vehicle is loaded none of the high-intensity part of the light will, at a distance of twenty-five (25) feet ahead, project higher than the level of the center of the lamp from which the light comes.

As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.33.

IC 9-19-6-23

Standards and specifications

Sec. 23. (a) The Indiana department of transportation shall adopt standards and specifications applicable to:

(1) head lamps;
(2) clearance lamps;
(3) identification lamps; and
(4) other lamps;

on snow removal equipment when operated on highways instead of the lamps otherwise required on motor vehicles by this chapter.

(b) The standards and specifications adopted under subsection (a) may permit the use of flashing lights for purposes of identification on snow removal equipment when in service upon the highways.

(c) The standards and specifications for lamps referred to in this section must correlate with and, so far as possible, conform with those approved by the American Association of State Highway Officials.

(d) A person may not operate snow-removal equipment on a highway unless the lamps on the equipment comply with and are lighted when and as required by the standards and specifications adopted under this section.

As added by P.L.2-1991, SEC.7. Amended by P.L.198-2016, SEC.331.

IC 9-19-6-24

United States Department of Transportation regulations; classification of violations

Sec. 24. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and
(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-7

Chapter 7. Motorcycle Equipment

IC 9-19-7-1

Minors; protective headgear and face shields; exception for autocycles

Sec. 1. (a) This section does not apply to an individual who is operating or riding in an autocycle.

(b) An individual less than eighteen (18) years of age who is operating or riding on a motorcycle or motor driven cycle on the streets or highways shall do the following:

(1) Wear a helmet that meets the standards established by the United States Department of Transportation under 49 CFR 571.218 as in effect January 1, 1979.

(2) Wear protective glasses, goggles, or transparent face shields.

As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.34; P.L.82-2015, SEC.3.

IC 9-19-7-2

Brakes; footrests; lamps and reflectors; exception for autocycles

Sec. 2. (a) Except as provided in subsections (b) and (c), a motorcycle or motor driven cycle operated on the streets or highways by an Indiana resident must meet the following requirements:

(1) Be equipped with brakes in good working order on both front and rear wheels.

(2) Be equipped with footrests or pegs for both operator and passenger.

(3) Be equipped with lamps and reflectors meeting the standards of the United States Department of Transportation.

(b) A motorcycle or motor driven cycle manufactured before January 1, 1956, is not required to be equipped with lamps and other illuminating devices under subsection (a) if the motorcycle or motor driven cycle is not operated at the times when lighted head lamps and other illuminating devices are required under IC 9-21-7-2.

(c) An autocycle is not required to be equipped with footrests or pegs under subsection (a).

As added by P.L.2-1991, SEC.7. Amended by P.L.1-1992, SEC.49; P.L.63-1994, SEC.1; P.L.2-2010, SEC.1; P.L.87-2010, SEC.28; P.L.221-2014, SEC.35; P.L.82-2015, SEC.4; P.L.198-2016, SEC.332.

IC 9-19-7-2.5

Rear view mirrors; speedometers; turn signals

Sec. 2.5. A motorcycle or motor driven cycle manufactured before January 1, 1956, is not required to be equipped with the following devices:

(1) A rear view mirror.

(2) A speedometer.

(3) Mechanical or electric turn signals.

As added by P.L.63-1994, SEC.5. Amended by P.L.221-2014, SEC.36.

IC 9-19-7-3

Classification of violations

Sec. 3. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-8

Chapter 8. Mufflers and Noise Limits

IC 9-19-8-0.5

Catalytic converter; when not required as equipment

Sec. 0.5. A motor vehicle that is at least twenty-five (25) years old is not required to have a catalytic converter installed as equipment on the motor vehicle unless a catalytic converter on the motor vehicle is required by rules adopted under IC 13-17-5.

As added by P.L.262-2013, SEC.99.

IC 9-19-8-1

Application of chapter

Sec. 1. This chapter applies to every motor vehicle, except a vehicle that is at least twenty-five (25) years old.

As added by P.L.2-1991, SEC.7. Amended by P.L.198-2016, SEC.333.

IC 9-19-8-2

Muffler leaks, alteration, or deterioration

Sec. 2. A motor vehicle must be equipped with a muffler free from the following visually discernible conditions:

(1) Exhaust gas leaks.

(2) Alteration of muffler elements.

(3) Deterioration of muffler elements.

As added by P.L.2-1991, SEC.7.

IC 9-19-8-3

Operation of muffler or noise dissipative device

Sec. 3. A motor vehicle must be equipped with a muffler or other noise dissipative device that meets the following conditions:

(1) Is in good working order.

(2) Is in constant operation to prevent excessive noise.

As added by P.L.2-1991, SEC.7.

IC 9-19-8-4

Muffler cutouts and bypasses

Sec. 4. A motor vehicle may not be equipped with any of the following:

(1) A muffler cutout.

(2) A bypass.

(3) Any similar device.

As added by P.L.2-1991, SEC.7.

IC 9-19-8-5

Excessive fumes or smoke

Sec. 5. The engine and power mechanism of a motor vehicle must be equipped and adjusted so as to prevent the escape of excessive

fumes or smoke.
As added by P.L.2-1991, SEC.7.

IC 9-19-8-6
United States Department of Transportation regulations; classification of violations

Sec. 6. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates this chapter commits a Class C infraction.
As added by P.L.2-1991, SEC.7.

IC 9-19-9

Chapter 9. Odometers

IC 9-19-9-1

Repealed

(As added by P.L.2-1991, SEC.7. Repealed by P.L.217-2014, SEC.32.)

IC 9-19-9-2

Repealed

(As added by P.L.2-1991, SEC.7. Repealed by P.L.217-2014, SEC.33.)

IC 9-19-9-3

Repealed

(As added by P.L.2-1991, SEC.7. Repealed by P.L.217-2014, SEC.34.)

IC 9-19-9-4

Service, repair, or replacement of odometer

Sec. 4. (a) This chapter does not prohibit the service, repair, or replacement of an odometer if the mileage indicated on the odometer remains the same as before the service, repair, or replacement.

(b) If the odometer is incapable of registering the same mileage as before the service, repair, or replacement, the odometer shall be adjusted to read zero (0) and a notice in writing shall be attached to the left door frame of the vehicle by the owner or the owner's agent specifying the mileage before repair or replacement of the odometer and the date on which the odometer was repaired or replaced.

As added by P.L.2-1991, SEC.7. Amended by P.L.217-2014, SEC.35.

IC 9-19-9-5

Repealed

(As added by P.L.2-1991, SEC.7. Amended by P.L.158-2013, SEC.145. Repealed by P.L.217-2014, SEC.36.)

IC 9-19-9-6

Corporate directors, officers, or agents; criminal liability

Sec. 6. An individual director, officer, or agent of a corporation who authorizes, orders, or performs any of the acts or practices prohibited by this chapter is subject to criminal liability in accordance with IC 35-41-2-4.

As added by P.L.2-1991, SEC.7.

IC 9-19-9-7

Deceptive acts; civil penalties; recovery by attorney general

Sec. 7. A person who violates 49 U.S.C. 32709 (as in effect January 1, 1995) commits a deceptive act and is subject to a civil

penalty of not more than one thousand five hundred dollars ($1,500) for each violation in addition to other remedies available under this chapter and IC 24-5-0.5. The attorney general, acting in the name of the state, has the exclusive right to petition for recovery of such a penalty, and the penalty may be recovered only in an action brought under IC 24-5-0.5-4(c).

As added by P.L.2-1991, SEC.7. Amended by P.L.54-2009, SEC.4; P.L.217-2014, SEC.37.

IC 9-19-10

Chapter 10. Passenger Restraint Systems

IC 9-19-10-0.1

Application of certain amendments to chapter

Sec. 0.1. The amendments made to section 7 of this chapter by P.L.121-1993 apply to a product liability action that arises after June 30, 1993.

As added by P.L.220-2011, SEC.213.

IC 9-19-10-1

Application of chapter

Sec. 1. This chapter does not apply to an occupant of a motor vehicle who meets any of the following conditions:

(1) For medical reasons should not wear safety belts, provided the occupant has written documentation of the medical reasons from a physician.

(2) Is a child required to be restrained by a child restraint system under IC 9-19-11.

(3) Is traveling in a commercial or a United States Postal Service vehicle that makes frequent stops for the purpose of pickup or delivery of goods or services.

(4) Is a rural carrier of the United States Postal Service and is operating a vehicle while serving a rural postal route.

(5) Is a newspaper motor route carrier or newspaper bundle hauler who stops to make deliveries from a vehicle.

(6) Is a driver examiner designated and appointed by the bureau and is conducting an examination of an applicant for a permit or license under IC 9-24-10.

(7) Is an occupant of a farm truck being used on a farm in connection with agricultural pursuits that are usual and normal to the farming operation.

(8) Is an occupant of a motor vehicle participating in a parade.

(9) Is an occupant of the living quarters area of a recreational vehicle.

(10) Is an occupant of the treatment area of an ambulance (as defined in IC 16-18-2-13).

(11) Is an occupant of the sleeping area of a tractor.

(12) Is an occupant other than the operator of a vehicle described in IC 9-20-11-1(1).

(13) Is an occupant other than the operator of a truck on a construction site.

(14) Is a passenger other than the operator in a cab of a recovery vehicle who is being transported in the cab because the vehicle of the passenger is being towed by the recovery vehicle.

(15) Is an occupant other than the operator of a motor vehicle being used by a public utility in an emergency as set forth in IC 9-20-6-5.

As added by P.L.2-1991, SEC.7. Amended by P.L.67-2004, SEC.2; P.L.214-2007, SEC.6; P.L.216-2014, SEC.49; P.L.198-2016, SEC.334.

IC 9-19-10-2
Use of safety belt by motor vehicle occupants; safety belt standards

Sec. 2. Each occupant of a motor vehicle equipped with a safety belt that:

(1) meets the standards stated in the Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208); and

(2) is standard equipment installed by the manufacturer;

shall have a safety belt properly fastened about the occupant's body at all times when the vehicle is in forward motion.

As added by P.L.2-1991, SEC.7. Amended by P.L.214-2007, SEC.7.

IC 9-19-10-2.5
Repealed

(As added by P.L.57-1998, SEC.1 and P.L.116-1998, SEC.1. Repealed by P.L.67-2004, SEC.14.)

IC 9-19-10-3
Repealed

(As added by P.L.2-1991, SEC.7. Amended by P.L.57-1998, SEC.2; P.L.116-1998, SEC.2. Repealed by P.L.214-2007, SEC.10.)

IC 9-19-10-3.1
Stopping, inspecting, or detaining vehicle; checkpoints

Sec. 3.1. (a) Except as provided in subsection (b), a vehicle may be stopped to determine compliance with this chapter. However, a vehicle, the contents of a vehicle, the driver of a vehicle, or a passenger in a vehicle may not be inspected, searched, or detained solely because of a violation of this chapter.

(b) A law enforcement agency may not use a safety belt checkpoint to detect and issue a citation for a person's failure to comply with this chapter.

As added by P.L.214-2007, SEC.8.

IC 9-19-10-4
Repealed

(As added by P.L.2-1991, SEC.7. Repealed by P.L.262-2013, SEC.100.)

IC 9-19-10-5
Retail sales, leases, trades, and transfers

Sec. 5. A person may not buy, sell, lease, trade, or transfer from or to Indiana residents at retail an automobile that is manufactured or assembled, commencing with the 1964 models, unless the automobile is equipped with safety belts installed for use in the front

seat.
As added by P.L.2-1991, SEC.7.

IC 9-19-10-6
Repealed
(As added by P.L.2-1991, SEC.7. Repealed by P.L.262-2013, SEC.101.)

IC 9-19-10-7
Failure to comply; fault; liability of insurer; mitigation of damages
Sec. 7. (a) Failure to comply with section 1, 2, or 3.1(a) of this chapter does not constitute fault under IC 34-51-2 and does not limit the liability of an insurer.
(b) Except as provided in subsection (c), evidence of the failure to comply with section 1, 2, or 3.1(a) of this chapter may not be admitted in a civil action to mitigate damages.
(c) Evidence of a failure to comply with this chapter may be admitted in a civil action as to mitigation of damages in a product liability action involving a motor vehicle restraint or supplemental restraint system. The defendant in such an action has the burden of proving noncompliance with this chapter and that compliance with this chapter would have reduced injuries, and the extent of the reduction.
As added by P.L.2-1991, SEC.7. Amended by P.L.121-1993, SEC.1; P.L.1-1998, SEC.95; P.L.214-2007, SEC.9; P.L.262-2013, SEC.102.

IC 9-19-10-8
Failure of front seat occupant to use belt; violation; classification; assessment of points
Sec. 8. (a) A person who:
(1) is at least sixteen (16) years of age; and
(2) violates section 2 of this chapter;
commits a Class D infraction.
(b) The bureau may not assess points under the point system for Class D infractions under this section.
As added by P.L.2-1991, SEC.7. Amended by P.L.57-1998, SEC.3; P.L.116-1998, SEC.3.

IC 9-19-10-9
Retail transfer of vehicle; violation; classification
Sec. 9. A person who violates section 5 of this chapter commits a Class C infraction.
As added by P.L.2-1991, SEC.7. Amended by P.L.262-2013, SEC.103.

IC 9-19-10.5

Chapter 10.5. Inflatable Restraint Systems

IC 9-19-10.5-0.1

Repealed

(As added by P.L.220-2011, SEC.214. Repealed by P.L.63-2012, SEC.10.)

IC 9-19-10.5-1

"Inflatable restraint system"

Sec. 1. As used in this chapter, "inflatable restraint system" means an air bag that is activated in a crash.

As added by P.L.248-2003, SEC.3 and P.L.265-2003, SEC.3.

IC 9-19-10.5-2

Installation of object in place of complying inflatable restraint system; penalty

Sec. 2. (a) A person may not knowingly or intentionally install in a motor vehicle, as part of the motor vehicle's inflatable restraint system, an object that does not comply with Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) for the make, model, and year of the motor vehicle.

(b) A person who knowingly or intentionally violates this section commits a Class A misdemeanor. However, the offense is a Level 6 felony if a person in a motor vehicle is injured or dies as a result of the violation of subsection (a).

As added by P.L.248-2003, SEC.3 and P.L.265-2003, SEC.3. Amended by P.L.217-2014, SEC.38.

IC 9-19-10.5-3

Sale, lease, trade, or transfer of motor vehicle with object in place of complying inflatable restraint system; penalty

Sec. 3. (a) A person may not knowingly or intentionally:

(1) sell;

(2) lease;

(3) trade; or

(4) transfer;

a motor vehicle in which is installed, as part of the motor vehicle's inflatable restraint system, an object that does not comply with Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) for the make, model, and year of the motor vehicle to an Indiana resident.

(b) A person who knowingly or intentionally violates this section commits a Level 6 felony.

As added by P.L.248-2003, SEC.3 and P.L.265-2003, SEC.3. Amended by P.L.217-2014, SEC.39.

IC 9-19-10.5-4

Repealed

(As added by P.L.248-2003, SEC.3 and P.L.265-2003, SEC.3. Amended by P.L.158-2013, SEC.146. Repealed by P.L.217-2014, SEC.40.)

IC 9-19-10.5-5

Repealed

(As added by P.L.248-2003, SEC.3 and P.L.265-2003, SEC.3. Amended by P.L.158-2013, SEC.147. Repealed by P.L.217-2014, SEC.41.)

IC 9-19-11
Chapter 11. Passenger Restraint Systems for Children

IC 9-19-11-1
Application of chapter

Sec. 1. This chapter does not apply to a person who operates any of the following vehicles:

(1) A bus.

(2) A taxicab.

(3) A medical services vehicle.

(4) A passenger motor vehicle or truck that was manufactured without a safety belt as a part of the standard equipment installed by the manufacturer at each designated seating position, before the requirement of the installation of safety belts in the motor vehicle according to the standards stated in the Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208).

(5) A motorcycle.

(6) A motor driven cycle.

(7) A motor vehicle that is owned or leased by a governmental unit and is being used in the performance of official law enforcement duties.

(8) A motor vehicle that is being used in an emergency.

(9) A motor vehicle that is funeral equipment used in the operation of funeral services when used in:

(A) a funeral procession;

(B) the return trip to a funeral home (as defined in IC 25-15-2-15); or

(C) both the funeral procession and return trip.

(10) A motor vehicle used to provide prearranged rides (as defined in IC 8-2.1-17-13.5).

As added by P.L.2-1991, SEC.7. Amended by P.L.67-2004, SEC.3; P.L.24-2006, SEC.3; P.L.175-2015, SEC.11; P.L.198-2016, SEC.335.

IC 9-19-11-2
Child less than eight years of age; child restraint system; penalty; medical exceptions; child restraint system account

Sec. 2. (a) A person who operates a motor vehicle in which there is a child less than eight (8) years of age who is not properly fastened and restrained according to the child restraint system manufacturer's instructions by a child restraint system commits a Class D infraction. A person may not be found to have violated this subsection if the person carries a certificate from a physician, physician's assistant, or advanced practice nurse stating that it would be impractical to require that a child be fastened and restrained by a child restraint system because of:

(1) a physical condition, including physical deformity; or

(2) a medical condition;

of the child and presents the certificate to the police officer or the court.

(b) Notwithstanding IC 34-28-5-5(c), funds collected as judgments for violations under this section shall be deposited in the child restraint system account established by section 9 of this chapter.

As added by P.L.2-1991, SEC.7. Amended by P.L.57-1998, SEC.4; P.L.116-1998, SEC.4; P.L.67-2004, SEC.4; P.L.2-2005, SEC.33; P.L.146-2009, SEC.3.

IC 9-19-11-3

Repealed

(As added by P.L.2-1991, SEC.7. Amended by P.L.57-1998, SEC.5; P.L.116-1998, SEC.5; P.L.67-2004, SEC.5. Repealed by P.L.146-2009, SEC.7.)

IC 9-19-11-3.3

Repealed

(As added by P.L.67-2004, SEC.6. Repealed by P.L.146-2009, SEC.7.)

IC 9-19-11-3.6

Safety belt standards; child between eight and 16 years of age; child restraint system or safety belt

Sec. 3.6. (a) A person who operates a motor vehicle in which there is a child and that is equipped with a safety belt meeting the standards stated in the Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) commits a Class D infraction if:

(1) the child is at least eight (8) years of age but less than sixteen (16) years of age; and

(2) the child is not properly fastened and restrained according to the child restraint system manufacturer's instructions by a:

(A) child restraint system; or

(B) safety belt.

(b) Notwithstanding IC 34-28-5-5(c), funds collected as judgments for violations under this section shall be deposited in the child restraint system account established by section 9 of this chapter.

As added by P.L.67-2004, SEC.7.

IC 9-19-11-3.7

Exception; child over 40 pounds; lap safety belt

Sec. 3.7. Notwithstanding sections 2 and 3.6 of this chapter, a person may operate a motor vehicle in which there is a child who weighs more than forty (40) pounds and who is properly restrained and fastened by a lap safety belt if:

(1) the motor vehicle is not equipped with lap and shoulder

safety belts; or

(2) not including the operator's seat and the front passenger seat:

(A) the motor vehicle is equipped with one (1) or more lap and shoulder safety belts; and

(B) all the lap and shoulder safety belts are being used to properly restrain other children who are less than sixteen (16) years of age.

As added by P.L.67-2004, SEC.8. Amended by P.L.146-2009, SEC.4.

IC 9-19-11-4

Designation of violations as being within authority of violations clerk

Sec. 4. Notwithstanding IC 34-28-5-9(1), a court may not designate violations of this chapter as being within the authority of the violations clerk.

As added by P.L.2-1991, SEC.7. Amended by P.L.1-1998, SEC.96.

IC 9-19-11-5

Enforcement proceedings; acquisition by violator of restraint system; costs; money judgments

Sec. 5. If at a proceeding to enforce section 2 of this chapter the court finds that the person:

(1) has violated this chapter; and

(2) possesses or has acquired a child restraint system;

the court shall enter judgment against the person. However, notwithstanding IC 34-28-5-4, the person is not liable for any costs or monetary judgment if the person has no previous judgments of violation of this chapter against the person.

As added by P.L.2-1991, SEC.7. Amended by P.L.1-1998, SEC.97; P.L.67-2004, SEC.9.

IC 9-19-11-6

Enforcement proceedings; absence of possession by violator of restraint system; costs; money judgments

Sec. 6. (a) If at a proceeding to enforce section 2 of this chapter the court finds that the person:

(1) has violated this chapter; and

(2) does not possess or has not acquired a child restraint system;

the court shall enter judgment against the person and shall order the person to provide proof of possession or acquisition within thirty (30) days.

(b) Notwithstanding IC 34-28-5-4, if the person:

(1) complies with a court order under this section; and

(2) has no previous judgments of violation of this chapter against the person;

the person is not liable for any costs or a monetary judgment.

As added by P.L.2-1991, SEC.7. Amended by P.L.1-1998, SEC.98;

P.L.67-2004, SEC.10.

IC 9-19-11-7
Forwarding to bureau of motor vehicles certified abstract of record of judgment

Sec. 7. A court shall forward to the bureau of motor vehicles a certified abstract of the record of judgment of any person in the court for a violation of this chapter in the manner provided by IC 9-25-6.
As added by P.L.2-1991, SEC.7.

IC 9-19-11-8
Contributory negligence

Sec. 8. Failure to comply with this chapter does not constitute contributory negligence.
As added by P.L.2-1991, SEC.7.

IC 9-19-11-9
Child restraint system account

Sec. 9. (a) The child restraint system account is established within the state general fund to make grants under subsection (d).

(b) The account consists of the following:

(1) Funds collected as judgments for violations under this chapter.

(2) Appropriations to the account from the general assembly.

(3) Grants, gifts, and donations intended for deposit in the account.

(4) Interest that accrues from money in the account.

(c) The account shall be administered by the criminal justice institute.

(d) The criminal justice institute, upon the recommendation of the governor's council on impaired and dangerous driving, shall use money in the account to make grants to private and public organizations to:

(1) purchase child restraint systems; and

(2) distribute the child restraint systems:

(A) without charge; or

(B) for a minimal charge;

to persons who are not otherwise able to afford to purchase child restraint systems.

The criminal justice institute shall adopt rules under IC 4-22-2 to implement this section.

(e) Money in the account is appropriated continuously to the criminal justice institute for the purposes stated in subsection (a).

(f) The expenses of administering the account shall be paid from money in the account.

(g) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues

from these investments shall be deposited in the account.

(h) Money in the account at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.67-2004, SEC.11.

IC 9-19-11-10

Violation; no assessment of points

Sec. 10. The bureau may not assess points under the point system for a violation of this chapter.

As added by P.L.67-2004, SEC.12.

IC 9-19-11-11

Violation; not basis for habitual offender determination

Sec. 11. A violation of this chapter may not be included in a determination of habitual violator status under IC 9-30-10-4.

As added by P.L.67-2004, SEC.13.

IC 9-19-12

Chapter 12. Rear View Mirrors

IC 9-19-12-1

Safety requirements

Sec. 1. A motor vehicle that is constructed or loaded so as to obstruct the driver's view to the rear from the driver's position must be equipped with a mirror located so as to reflect to the driver a view of the highway for a distance of at least two hundred (200) feet to the rear of the vehicle.

As added by P.L.2-1991, SEC.7.

IC 9-19-12-2

United States Department of Transportation regulations; classification of violations

Sec. 2. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contain parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-13

Chapter 13. School Bus Design and Equipment

IC 9-19-13-1

State school bus committee rules; contracts for pupil transportation; school district officers and employees

Sec. 1. The state school bus committee established by IC 20-27-3-1 shall adopt and enforce rules under IC 4-22-2 not inconsistent with this chapter to govern the design and operation of all school buses used for the transportation of school children when owned and operated by a school corporation or privately owned and operated under contract with an Indiana school corporation. The rules must by reference be made a part of such a contract with a school corporation. Each school corporation, officer and employee of the school corporation, and person employed under contract by a school district is subject to those rules.

As added by P.L.2-1991, SEC.7. Amended by P.L.1-2005, SEC.101.

IC 9-19-13-2

Misconduct of school corporation officers or employees

Sec. 2. An officer or employee of a school corporation who:

(1) violates any of the rules, including those required by IC 20-27-3-6.5, adopted by the state school bus committee concerning the design and operation of school buses; or

(2) fails to include an obligation to comply with those rules in a contract executed by the officer or employee on behalf of a school corporation;

is guilty of misconduct and subject to removal from office or employment.

As added by P.L.2-1991, SEC.7. Amended by P.L.192-2013, SEC.1.

IC 9-19-13-3

Failure by contract operators to comply with rules; breach of contract

Sec. 3. A person operating a school bus under contract with a school corporation who fails to comply with any of the rules, including those required by IC 20-27-3-6.5, adopted by the state school bus committee concerning the design and operation of school buses is guilty of breach of contract. The contract may be canceled after notice and hearing by responsible officers of the school corporation.

As added by P.L.2-1991, SEC.7. Amended by P.L.192-2013, SEC.2.

IC 9-19-13-4

Equipment required

Sec. 4. A bus used to transport school children must be equipped as follows:

(1) At least two (2) signal lamps mounted as high and as widely

spaced laterally as practicable, capable of displaying the front two (2) alternately flashing red lights located at the same level, and having sufficient intensity to be visible at five hundred (500) feet in normal sunlight.

(2) As required by the state school bus committee under IC 20-27-3-4.

(3) As required by IC 20-27-9.

As added by P.L.2-1991, SEC.7. Amended by P.L.1-2005, SEC.102.

IC 9-19-13-4.5

Red lamps; prohibited vehicles

Sec. 4.5. (a) Except for a vehicle utilized in a funeral procession, a vehicle that is not described by section 4 of this chapter may not display a red lamp.

(b) Except as provided in subsection (c), a person who:

(1) purchases or otherwise acquires a vehicle with equipment described by section 4 of this chapter; and

(2) is not authorized to display a red lamp upon the vehicle;

shall immediately remove the red lamp from the vehicle.

(c) A person who:

(1) purchases or otherwise acquires a vehicle with equipment described by section 4 of this chapter; and

(2) uses the vehicle as a church bus;

is not required to remove the red lamp from the vehicle if the person renders the red lamp inoperable.

As added by P.L.99-1991, SEC.1. Amended by P.L.70-2009, SEC.2.

IC 9-19-13-5

United States Department of Transportation regulations; classification of violations

Sec. 5. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates section 4(1) of this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-14

Chapter 14. Special Equipment for Emergency Vehicles

IC 9-19-14-1

Siren, exhaust whistle, or bell

Sec. 1. An authorized emergency vehicle must, in addition to any other equipment and distinctive markings required by this article, be equipped with a siren, exhaust whistle, or bell capable of giving an audible signal.

As added by P.L.2-1991, SEC.7.

IC 9-19-14-2

Signal lamps; visibility

Sec. 2. Except as provided in section 5 of this chapter, an authorized emergency vehicle must, in addition to other equipment required by this article, be equipped with signal lamps that are capable of displaying flashing, rotating, or oscillating beams of red or red and white light. The lights must be visible to oncoming traffic one hundred eighty (180) degrees around the front of the vehicle.

As added by P.L.2-1991, SEC.7.

IC 9-19-14-3

Audibility requirements for sirens, whistles, and bells; use of siren

Sec. 3. An authorized emergency vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred (500) feet and of a type approved by the state police department. The siren may not be used except when the vehicle is operated as follows:

(1) In response to an emergency call.

(2) In the immediate pursuit of an actual or suspected violation of the law. In this case, the driver of the vehicle shall sound the vehicle's siren when reasonably necessary to warn pedestrians and other drivers of the vehicle's approach.

As added by P.L.2-1991, SEC.7.

IC 9-19-14-4

Right-of-way; violation

Sec. 4. (a) The use of signal equipment described in this chapter imposes upon a driver of another vehicle the duty to yield right-of-way and stop as prescribed in IC 9-21-8-35.

(b) A driver who fails to yield right-of-way to and stop as prescribed in IC 9-21-8-35 for an emergency vehicle operating in an official capacity commits a Class C infraction.

As added by P.L.2-1991, SEC.7. Amended by P.L.188-2015, SEC.59.

IC 9-19-14-5

Police vehicles used as emergency vehicles

Sec. 5. A police vehicle, when used as an authorized emergency

vehicle, must be equipped with either of the following:

(1) At least two (2) signal lamps capable of displaying a red beam and a blue beam that meet the following requirements:

(A) The signal lamps are mounted as high and as widely spaced laterally as practicable or mounted in a manner that will make the lights visible to oncoming traffic one hundred eighty (180) degrees around the front of the vehicle.

(B) The signal lamps are capable of displaying to the front alternately flashing red and blue lights.

(C) The signal lamp capable of displaying the red beam is located on the driver's side of the vehicle and the signal lamp capable of displaying the blue beam is located on the passenger's side of the vehicle.

(2) One (1) signal lamp that is capable of displaying a red beam and a blue beam in a manner that will make the light visible to oncoming traffic one hundred eighty (180) degrees in front of the vehicle.

As added by P.L.2-1991, SEC.7.

IC 9-19-14-5.5

Red and white, red and blue, red, or amber lights; violation

Sec. 5.5. (a) Except for a:

(1) vehicle utilized in a funeral procession; or

(2) funeral escort vehicle bearing markings as described in IC 9-21-13-0.7;

a vehicle that is not described by sections 2 or 5 of this chapter may not display a red and white lamp or a red and blue lamp.

(b) A person who:

(1) possesses a vehicle with equipment described by sections 2 or 5 of this chapter; and

(2) is not authorized to display a red and white or red and blue lamp upon the vehicle;

shall immediately remove the red and white or red and blue lamp from the vehicle.

(c) A funeral escort vehicle, other than an authorized emergency vehicle used in a funeral procession or as a funeral escort vehicle, may display only red and white, red, or amber lights.

(d) Except as provided in subsection (e), a person who fails to comply with subsection (b) or (c) commits a Class C misdemeanor.

(e) Subsection (d) does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

As added by P.L.99-1991, SEC.2. Amended by P.L.80-2012, SEC.2; P.L.188-2015, SEC.60.

IC 9-19-14-6
Repealed

(As added by P.L.2-1991, SEC.7. Amended by P.L.80-2012, SEC.3. Repealed by P.L.188-2015, SEC.61.)

IC 9-19-14.5

Chapter 14.5. Special Equipment for Private Emergency Vehicles

IC 9-19-14.5-0.5

"Chaplain"

Sec. 0.5. As used in this chapter, "chaplain" means an individual who is appointed or officially designated to serve, with or without compensation, as a chaplain of either of the following:

(1) A full-time police department of a municipality (as defined by IC 36-1-2-11).

(2) A full-time fire department of a municipality (as defined by IC 36-1-2-11).

As added by P.L.22-2013, SEC.2.

IC 9-19-14.5-1

Display of green lights on privately owned vehicles in line of duty

Sec. 1. A privately owned vehicle belonging to a licensed paramedic, certified advanced emergency medical technician, certified emergency medical technician, certified emergency medical service driver, or certified emergency medical responder while traveling in the line of duty in connection with emergency medical services activities may display flashing or revolving green lights, subject to the following restrictions and conditions:

(1) The lights may not have a light source less than fifty (50) candlepower.

(2) All lights must be prominently displayed on the top of the vehicle.

(3) Not more than two (2) green lights may be displayed on a vehicle, and each light must be of the flashing or revolving type and visible at three hundred sixty (360) degrees.

(4) The lights must consist of:

(A) a lamp with a green lens; or

(B) a green light emitting diode (LED).

However, the revolving lights may contain multiple bulbs.

(5) The green lights may not be a part of the regular head lamps displayed on the vehicle.

(6) For a person to be authorized under this chapter to display a flashing or revolving green light on the person's vehicle, the person must first secure a written permit from the executive director of the department of homeland security to use the light. The permit must be carried by the person when the light is displayed.

As added by P.L.2-1993, SEC.66. Amended by P.L.205-2003, SEC.2; P.L.236-2003, SEC.3; P.L.97-2004, SEC.38; P.L.1-2006, SEC.162; P.L.138-2009, SEC.1; P.L.77-2012, SEC.2.

IC 9-19-14.5-1.5

Display of green and white lights on public safety chaplain's vehicle

Sec. 1.5. (a) A chaplain may display flashing green and white lights on a privately owned motor vehicle of the chaplain while serving the duties of the department en route to the scene of an emergency.

(b) If a motor vehicle displays lights for use under subsection (a), the motor vehicle must be equipped with either of the following:

(1) At least two (2) signal lamps capable of displaying a green beam and a white beam that meet the following requirements:

(A) The signal lamps are mounted as high and as widely spaced laterally as practicable or mounted in a manner that will make the lights visible to oncoming traffic one hundred eighty (180) degrees around the front of the vehicle.

(B) The signal lamps are capable of displaying to the front alternately flashing green and white lights.

(C) The signal lamp capable of displaying the green beam is located on the driver's side of the vehicle and the signal lamp capable of displaying the white beam is located on the passenger's side of the vehicle.

(2) One (1) signal lamp that is capable of displaying a green beam and a white beam in a manner that will make the light visible to oncoming traffic one hundred eighty (180) degrees in front of the vehicle.

(c) In order for a chaplain to display green and white lights on a private motor vehicle, the chaplain must:

(1) secure a written permit from the executive (as defined in IC 36-1-2-5) of the municipality in which the chaplain serves to use the green and white lights; and

(2) carry the permit at all times when the green and white lights are displayed.

(d) A permittee of the owner of a motor vehicle lawfully equipped with green and white lights as set forth in subsection (b) may operate the motor vehicle only if the green and white lights are not illuminated.

(e) This section does not grant a motor vehicle displaying green and white lights the right-of-way under IC 9-21-8-35 or an exemption from traffic rules under IC 9-21-1-8. A driver of a motor vehicle displaying green and white lights shall obey all traffic rules.

(f) This section may not be construed to include a motor vehicle:

(1) displaying green and white lights; and

(2) driven by a chaplain as an authorized emergency vehicle (as defined by IC 9-13-2-6).

As added by P.L.22-2013, SEC.3.

IC 9-19-14.5-2

Unlawful display of green or green and white lights; violations

Sec. 2. (a) Except as provided in section 1 of this chapter, a person who displays on any public or private motor vehicle at any

time flashing or revolving green lights of any size or shape commits a Class C infraction.

(b) Except as provided in section 1.5 of this chapter, a person who displays on any public or private motor vehicle at any time flashing green and white lights of any size or shape commits a Class C infraction.

As added by P.L.2-1993, SEC.66. Amended by P.L.236-2003, SEC.4; P.L.22-2013, SEC.4.

IC 9-19-14.5-3

Operation of vehicle when green or green and white lights illuminated

Sec. 3. (a) This chapter does not prohibit the operation of a vehicle lawfully equipped with a flashing or revolving green light from being operated as any other vehicle when the green light is not illuminated.

(b) This chapter does not prohibit the operation of a motor vehicle lawfully equipped with flashing green and white lights from being operated as any other motor vehicle when the green and white lights are not illuminated.

As added by P.L.2-1993, SEC.66. Amended by P.L.236-2003, SEC.5; P.L.22-2013, SEC.5.

IC 9-19-15

Chapter 15. Special Equipment for Transporting Explosives

IC 9-19-15-1

Emergency warning signals

Sec. 1. A person may not operate a motor vehicle for the transportation of explosives unless the motor vehicle is equipped with the equipment required under IC 9-19-5-6(d).

As added by P.L.2-1991, SEC.7.

IC 9-19-15-2

Compliance with chapter; federal regulation

Sec. 2. A person operating a vehicle transporting an explosive as a cargo or part of a cargo upon a highway shall comply with this chapter. This chapter does not apply to a vehicle transporting an interstate shipment or shipments that is otherwise in compliance with the regulations of the Interstate Commerce Commission or other federal agency governing the transportation of explosives and other dangerous articles, including requirements for placarding.

As added by P.L.2-1991, SEC.7.

IC 9-19-15-3

Placarding and danger flags

Sec. 3. A vehicle transporting explosives must meet one (1) of the following requirements:

(1) Be marked or placarded on each side and the rear with the word "explosives" in letters not less than eight (8) inches high.

(2) Have displayed on the rear of the vehicle a red flag not less than twenty-four (24) inches square marked with the word "danger" in white letters six (6) inches high.

As added by P.L.2-1991, SEC.7.

IC 9-19-15-4

Fire extinguishers

Sec. 4. A vehicle transporting explosives must be equipped with not less than two (2) fire extinguishers, filled and ready for immediate use and placed at a convenient point on the vehicle.

As added by P.L.2-1991, SEC.7.

IC 9-19-15-5

United States Department of Transportation regulations; classification of violations

Sec. 5. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-16
Repealed
(Repealed by P.L.1-1993, SEC.54.)

IC 9-19-17

Chapter 17. Television Sets

IC 9-19-17-1

Television screen visible to driver

Sec. 1. A person may not:

(1) own a motor vehicle; or

(2) operate upon a highway a motor vehicle;

that has a television set installed so that the screen of the television set can be seen by a person sitting in the driver's seat.

As added by P.L.2-1991, SEC.7.

IC 9-19-17-2

Classification of violations

Sec. 2. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-18
Chapter 18. Tires

IC 9-19-18-1
Solid rubber tires

Sec. 1. A solid tire made of rubber on a vehicle must have rubber on the tire's entire traction surface at least one (1) inch thick above the edge of the flange of the entire periphery.
As added by P.L.2-1991, SEC.7.

IC 9-19-18-2
Metal tires

Sec. 2. A person may not operate or move on a highway a motor vehicle, trailer, or semitrailer having a metal tire in contact with the roadway.
As added by P.L.2-1991, SEC.7.

IC 9-19-18-3
Protuberances on tires

Sec. 3. (a) Except as provided in subsections (b) through (e), a tire on a vehicle moved on a highway may not have on the tire's periphery a block, stud, flange, cleat, or spike or any other protuberance of any material other than rubber that projects beyond the tread of the traction surface of the tire.

(b) Implements of agriculture may use tires having protuberances that will not injure the highway.

(c) Tire chains of reasonable proportions may be used upon a vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.

(d) From October 1 to the following May 1, a vehicle may use tires in which have been inserted ice grips or tire studs, including retractable tire studs, that:

(1) are of wear-resisting material;

(2) are installed in a manner that provides resiliency upon contact with the road;

(3) have projections that do not exceed three thirty-seconds (3/32) of an inch beyond the tread of the traction surface of the tire; and

(4) are constructed to prevent any appreciable damage to the road surface.

(e) Notwithstanding subsection (d), a vehicle may be equipped year-round with tires that have retractable tire studs if the tire studs remain retracted from May 2 to September 30 of each year.
As added by P.L.2-1991, SEC.7. Amended by P.L.210-2005, SEC.30; P.L.35-2008, SEC.2.

IC 9-19-18-4
Special permits

Sec. 4. The Indiana department of transportation and local authorities in their respective jurisdictions may in their discretion issue special permits authorizing the operation upon a highway of:

(1) traction engines;

(2) tractors having movable tracks with transverse corrugations upon the periphery of movable tracks; or

(3) farm tractors or implements of agriculture designed to be operated primarily in a farm field or on farm premises;

the operation of which upon a highway would otherwise be prohibited under this chapter.

As added by P.L.2-1991, SEC.7. Amended by P.L.210-2005, SEC.31.

IC 9-19-18-5

United States Department of Transportation regulations; classification of violations

Sec. 5. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and

(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.7.

IC 9-19-19

Chapter 19. Windows and Windshield Wipers

IC 9-19-19-1

Safety glazing materials defined

Sec. 1. As used in this chapter, "safety glazing materials" means glazing materials constructed, treated, or combined with other materials to reduce substantially, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by the safety glazing materials when the materials are cracked or broken.

As added by P.L.2-1991, SEC.7.

IC 9-19-19-2

Front windshield

Sec. 2. A motor vehicle, except a motorcycle or a motor driven cycle, required to be registered with the bureau must be equipped with a front windshield.

As added by P.L.2-1991, SEC.7. Amended by P.L.221-2014, SEC.37.

IC 9-19-19-3

Decals, signs, posters, sunscreens, or other nontransparent material

Sec. 3. (a) This section does not apply to the display of a decal required by the United States Department of Defense on the following:

(1) A military vehicle.

(2) A motor vehicle owned by a person in the service of the armed forces of the United States.

(3) A motor vehicle owned by a person employed by the armed forces of the United States.

(4) A motor vehicle authorized to display the decal by the military police of the armed forces of the United States.

(b) A person may not drive a motor vehicle with a sign, poster, sunscreening material, or other nontransparent material upon the front windshield, side wings, or side or rear windows of the vehicle that obstructs the driver's clear view of the highway or an intersecting highway. However, signs, posters, or other nontransparent material not larger than four (4) inches square may be placed upon the front windshield, side wings, or side or rear windows in the lower corner farthest removed from the driver's position.

As added by P.L.2-1991, SEC.7.

IC 9-19-19-4

Tinting, glazing, or sunscreening vehicle windows

Sec. 4. (a) This section does not apply to a manufacturer's tinting or glazing of motor vehicle windows or windshields that is otherwise in compliance with or permitted by FMVSS205 as promulgated in 49

CFR 571.205. Proof from the manufacturer, supplier, or installer that the tinting or glazing is in compliance with or permitted by FMVSS205 must be carried in the vehicle.

(b) This section does not apply to the driver of a vehicle:

(1) that is owned by an individual required for medical reasons to be shielded from the direct rays of the sun; or

(2) in which an individual required for medical reasons to be shielded from the direct rays of the sun is a habitual passenger.

The medical reasons must be attested to by a physician or optometrist licensed to practice in Indiana, and the physician's or optometrist's certification of that condition must be carried in the vehicle. The physician's or optometrist's certificate must be renewed annually.

(c) A person may not drive a motor vehicle that has a:

(1) windshield;

(2) side wing;

(3) side window that is part of a front door; or

(4) rear back window;

that is covered by or treated with sunscreening material or is tinted with material that has a total solar reflectance of visible light of more than twenty-five percent (25%) as measured on the nonfilm side and light transmittance of less than thirty percent (30%) in the visible light range.

(d) A person may not tint or otherwise cover or treat with sunscreening the parts of a vehicle described in subsection (c) so that operation of the vehicle after the tinting or sunscreening is performed is a violation of subsection (c). However, it is not a violation of this chapter if this work is performed for a person who submits a physician's or optometrist's statement as described in subsection (b) to the person who is to perform the work.

(e) A vehicle may be stopped to determine compliance with this section. However, a vehicle, the contents of a vehicle, the driver of a vehicle, or a passenger in a vehicle may not be inspected, searched, or detained solely because of a violation of this section.

As added by P.L.2-1991, SEC.7. Amended by P.L.128-1995, SEC.1; P.L.12-2003, SEC.1; P.L.217-2014, SEC.42.

IC 9-19-19-5

Sale or registration of new vehicles not equipped with approved safety glazing; application of section

Sec. 5. (a) This section applies to all passenger-type motor vehicles, including passenger buses and school buses. With respect to trucks, including truck-tractors, the requirements for safety glazing material in this section apply to all glazing material used in doors, windows, and windshields in the driver's compartment of a vehicle.

(b) A person may not sell a new motor vehicle and a new motor vehicle may not be registered unless the vehicle is equipped with safety glazing material of a type approved by the director of traffic safety wherever glazing material is used in doors, windows, and

windshields.
As added by P.L.2-1991, SEC.7.

IC 9-19-19-6
Windshield wipers

Sec. 6. (a) The windshield on a motor vehicle must be equipped with a device for cleaning rain, snow, or other moisture from the windshield. The device must be constructed to be controlled or operated by the driver of the vehicle.

(b) A windshield wiper upon a motor vehicle must be maintained in good working order.
As added by P.L.2-1991, SEC.7.

IC 9-19-19-7
United States Department of Transportation regulations; classification of violations

Sec. 7. (a) This section does not apply to a person who owns or operates a vehicle or combination of vehicles that:

(1) contains parts and accessories; and
(2) is equipped;

as required under regulations of the United States Department of Transportation.

(b) Except as provided in section 8 of this chapter, a person who violates this chapter commits a Class C infraction.
As added by P.L.2-1991, SEC.7. Amended by P.L.12-2003, SEC.2.

IC 9-19-19-8
Action of tinting or applying sunscreening so vehicle occupants not easily identified; classification of offense

Sec. 8. A person who violates section 4(d) of this chapter commits a Class A infraction.
As added by P.L.12-2003, SEC.3.

IC 9-19-20

Chapter 20. Motor Vehicles Used for Government Funded Transportation of Passengers

IC 9-19-20-1

Application of chapter

Sec. 1. (a) Except as provided by subsection (b), this chapter applies to a motor vehicle that is used to provide transportation of passengers by a profit or nonprofit corporation if the corporation receives revenue for the transportation service from federal, state, or local governments.

(b) This section does not apply to the following:

(1) A motor vehicle that is manufactured to transport less than six (6) passengers.

(2) A private bus (as defined in IC 9-13-2-133(a)).

As added by P.L.2-1992, SEC.86.

IC 9-19-20-2

Inspection by state police department

Sec. 2. (a) The state police department may inspect a vehicle subject to this chapter.

(b) In the inspection, the department may determine the existence and condition of the following:

(1) The vehicle's brakes.

(2) The vehicle's lights as follows:

(A) Headlamps.

(B) Taillamps.

(C) Brake lights.

(D) Clearance lights.

(E) Turn signals.

(3) The vehicle's steering and suspension.

(4) The vehicle's exhaust systems.

(5) The vehicle's body in general.

(6) The vehicle's tires.

As added by P.L.2-1992, SEC.86.

IC 9-19-20-3

Rules

Sec. 3. The state police superintendent shall adopt rules under IC 4-22-2 to prescribe safety requirements for the construction and equipment of motor vehicles subject to this chapter.

As added by P.L.2-1992, SEC.86.

IC 9-19-20-4

Vehicles meeting safety requirements; certificate

Sec. 4. If the inspection under section 2 of this chapter reveals that a vehicle meets the safety requirements prescribed under this chapter, the inspecting officer shall issue to the owner of the vehicle a

certificate stating that the vehicle was inspected and met the prescribed safety requirements.
As added by P.L.2-1992, SEC.86.

IC 9-19-21

Chapter 21. Special Equipment for Municipal Waste Collection and Transportation Vehicles

IC 9-19-21-1

Applicability of chapter

Sec. 1. This chapter applies to a municipal waste collection and transportation vehicle that is:

(1) purchased after June 30, 1993; and

(2) used to collect municipal solid waste from residences.

As added by P.L.114-1993, SEC.2.

IC 9-19-21-2

Yellow strobe light equipment

Sec. 2. A municipal waste collection and transportation vehicle must be equipped with a yellow strobe light that meets Society of Automotive Engineers (SAE) standards.

As added by P.L.114-1993, SEC.2.

IC 9-19-21-3

Lighting capabilities of strobe

Sec. 3. The strobe light required under section 2 of this chapter must have a candlepower of at least two million (2,000,000) on a horizontal plane and be capable of producing not less than eighty (80) double flashes during one (1) minute, or must meet the photometric requirements for class one 360 degree gaseous discharge warning lamps as prescribed by Society of Automotive Engineers (SAE) standards.

As added by P.L.114-1993, SEC.2.

IC 9-19-21-4

Required use and display of strobe light

Sec. 4. The strobe light required under section 2 of this chapter must be used whenever the municipal waste collection and transportation vehicle is making frequent stops to collect municipal solid waste.

As added by P.L.114-1993, SEC.2.

IC 9-19-22

Chapter 22. Inspection of Equipment for Private Buses

IC 9-19-22-1

Application

Sec. 1. This chapter applies to a private bus that is registered or reregistered with the bureau after December 31, 2015.

As added by P.L.160-2014, SEC.2.

IC 9-19-22-2

"Program"

Sec. 2. As used in this chapter, "program" refers to a program to inspect private buses established under section 3 of this chapter.

As added by P.L.160-2014, SEC.2.

IC 9-19-22-3

Inspection program; fee

Sec. 3. (a) The superintendent of the state police department shall establish a program to inspect private buses under this chapter. The superintendent may, but is not required to, adopt rules under IC 4-22-2 to establish the program.

(b) A program established under subsection (a) must do the following:

(1) Identify categories of individuals who may conduct an inspection under the program.

(2) Prescribe safety requirements for the construction and equipment of private buses subject to this chapter, including requiring a determination of the existence and condition of a private bus's:

(A) brakes;

(B) lights;

(C) steering and suspension;

(D) exhaust systems;

(E) body; and

(F) tires.

(3) If an inspection under the program reveals that a private bus meets the safety requirements prescribed under subdivision (2), require the individual who inspected the private bus to issue to the owner of the private bus a certificate stating that the private bus was inspected and met the prescribed safety requirements.

(c) A program established under subsection (a) may impose a fee for conducting an inspection and issuing a certificate. The fee:

(1) may be sufficient to defray; and

(2) may not exceed;

actual inspection and administrative costs.

As added by P.L.160-2014, SEC.2.

IC 9-19-22-4

Compliance of federal inspection with program

Sec. 4. An inspection that complies with 49 CFR Part 396 satisfies the requirements of this chapter.

As added by P.L.160-2014, SEC.2.

IC 9-19-22-5

State police not required to conduct inspections

Sec. 5. This chapter does not require the state police department to inspect private buses under this chapter.

As added by P.L.160-2014, SEC.2.

IC 9-20

ARTICLE 20. SIZE AND WEIGHT REGULATION

IC 9-20-1

Chapter 1. General

IC 9-20-1-1

Operation of vehicles exceeding size and weight limitations; prohibition

Sec. 1. Except as otherwise provided in this article, a person, including a transport operator, may not operate or move upon a highway a vehicle or combination of vehicles of a size or weight exceeding the limitations provided in this article.

As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.336.

IC 9-20-1-2

Owners of motor vehicles; causing or permitting operation of vehicles exceeding size and weight limitations; prohibition

Sec. 2. Except as otherwise provided in this article, an owner of a vehicle may not cause or knowingly permit to be operated or moved upon a highway a vehicle or combination of vehicles of a size or weight exceeding the limitations provided in this article.

As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.337.

IC 9-20-1-3

Local authorities; adoption of ordinances; erection of signs; department of transportation; weight restrictions

Sec. 3. (a) This subsection does not apply to any highway or street in the state highway system. Except as provided in subsection (e), local authorities, with respect to highways under their jurisdiction, may by ordinance:

(1) prohibit the operation of vehicles upon any highway; or

(2) impose restrictions as to the weight of vehicles to be operated upon any highway;

for a total period not to exceed ninety (90) days in any one (1) year, whenever any highway by reason of deterioration, rain, snow, or other climatic conditions will be seriously damaged or destroyed without the regulation of vehicles.

(b) A local authority adopting an ordinance under subsection (a) shall erect or cause to be erected and maintained signs specifying the terms of the ordinance at each end of that part of any highway affected by the ordinance and at intersecting highways. The ordinance may not be enforced until the signs are erected and maintained.

(c) Except as provided in subsection (e), local authorities with respect to highways under their jurisdiction, except highways in the

state highway system and state maintained routes through cities and towns, may by ordinance do the following:

(1) Prohibit the operation of trucks or other commercial vehicles.

(2) Impose limitations as to the weight, size, or use of those vehicles on designated highways.

The prohibitions and limitations must be designated by appropriate signs placed on the highways.

(d) The Indiana department of transportation has the same authority granted to local authorities in subsections (a) and (c) to determine by executive order and to impose restrictions as to weight, size, and use of vehicles operated upon a highway in the state highway system, including state maintained routes through cities and towns. These restrictions may not be enforced until signs giving notice of the restrictions are erected upon the highway or part of the highway affected by the order.

(e) The commissioner of the Indiana department of transportation may designate an order adopted under subsection (d) as an emergency rule and adopt the order in the same manner as emergency rules are adopted under IC 4-22-2-37.1.

(f) A local authority may not, in an ordinance passed under subsection (a) or (c), prohibit the operation of buses that are not more than forty-five (45) feet in length on any segment of the primary system (as defined in IC 8-23-1-33) that was in existence on June 1, 1991.

As added by P.L.2-1991, SEC.8. Amended by P.L.100-1991, SEC.1; P.L.122-1993, SEC.1; P.L.140-2013, SEC.10.

IC 9-20-1-4

Violation of restrictions; Class C infraction

Sec. 4. A person who violates a restriction imposed under section 3(d) of this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.8.

IC 9-20-1-5

Rules concerning fee structures for permits

Sec. 5. The Indiana department of transportation shall adopt emergency rules in the manner provided under IC 4-22-2-37.1 for the:

(1) issuance, fee structure, and enforcement of permits for overweight divisible loads;

(2) fee structure of permits for loads on extra heavy duty highways; and

(3) fee structure of permits for overweight loads.

A rule adopted under this section expires only with the adoption of a new superseding rule.

As added by P.L.198-2016, SEC.338.

IC 9-20-2

Chapter 2. Exemptions

IC 9-20-2-1

Application of article; exceptions to size and weight requirements; notice; permits

Sec. 1. (a) Except as provided in subsections (b) and (c), this article does not apply to a vehicle:

(1) while engaged in the construction of highways; and

(2) when the movement of the vehicle is confined wholly to highways or roads or sections of highways or roads that are under construction and not yet open to unlimited public use.

(b) If the authority having jurisdiction over the construction of the public highway gives written notice to the owner or operator of a vehicle that the vehicle may not be operated in violation of this article without a permit issued by the authority, the owner or operator must obtain a permit from the authority before the vehicle is operated within the highway construction area.

(c) If written notice is given under subsection (b) and a permit is not obtained by the owner or operator, this article applies to the owner's or operator's vehicle while engaged in the construction of a public highway.

(d) The written notice that this section requires from the authority having jurisdiction to the owner or operator may be in the form of any one (1) of the following documents:

(1) A letter.

(2) A specifications document.

(3) A contract document.

(4) A written agreement.

(5) A written document that pertains to the construction work being performed by the owner or operator.

As added by P.L.2-1991, SEC.8. Amended by P.L.12-1991, SEC.3.

IC 9-20-2-2

"Farm vehicle loaded with a farm product" defined; application of article

Sec. 2. (a) As used in this section, "farm vehicle loaded with a farm product" includes a truck hauling unprocessed leaf tobacco.

(b) Except for interstate highway travel, this article does not apply to the following:

(1) Machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities.

(2) Implements of agriculture when used during farming operations or when constructed so that the implements can be moved without material damage to the highways.

(3) Farm drainage machinery.

(c) This article does not apply to firefighting apparatus owned or

operated by a political subdivision or volunteer fire department (as defined in IC 36-8-12-2).

(d) Except for interstate highway travel, this article does not limit the width or height of a farm vehicle loaded with a farm product.

As added by P.L.2-1991, SEC.8. Amended by P.L.81-1991, SEC.8; P.L.64-1994, SEC.1; P.L.1-1999, SEC.30; P.L.210-2005, SEC.32; P.L.25-2007, SEC.1.

IC 9-20-2-3

Disabled vehicles; exemption

Sec. 3. The movement of a disabled vehicle or combination of vehicles for a distance that does not exceed fifty (50) highway miles by a registered recovery vehicle or by a vehicle described in IC 9-18-13-5 is exempt from the dimension and weight limits under this article.

As added by P.L.2-1991, SEC.8.

IC 9-20-3

Chapter 3. General Size Restrictions

IC 9-20-3-1

Vehicle and load restrictions

Sec. 1. Except as otherwise provided by law, the maximum limitations on width, length, and height of vehicles imposed by this chapter apply to the vehicle and load.

As added by P.L.2-1991, SEC.8.

IC 9-20-3-2

Maximum width limitations; exemptions

Sec. 2. (a) The maximum width limitation, except width exclusive devices in accordance with 23 CFR 658.15 or United States Public Law 98-17, is eight (8) feet, six (6) inches.

(b) The width limits in subsection (a) do not apply to the following:

(1) Machinery or equipment used in utility construction or maintenance if the violation is the result of oversize tires.

(2) A recreational vehicle with appurtenances that make the vehicle wider than the maximum width limitation described in subsection (a), if:

(A) the appurtenances do not extend beyond the width of the manufacturer installed exterior rear view mirrors of the recreational vehicle or the motor vehicle providing motive power; and

(B) the manufacturer installed exterior rear view mirrors extend to only the distance necessary to afford the required field of view for the vehicle.

As added by P.L.2-1991, SEC.8. Amended by P.L.79-2000, SEC.1.

IC 9-20-3-3

Maximum height limitations

Sec. 3. (a) A vehicle may not exceed a total maximum height of thirteen (13) feet, six (6) inches.

(b) The height limitations in subsection (a) do not require a clearance of that height and do not relieve the owners of vehicles not exceeding the limitations from liability for damage.

As added by P.L.2-1991, SEC.8.

IC 9-20-3-4

Maximum length limitations

Sec. 4. A single vehicle operated under the vehicle's own motive power may not exceed a length of forty (40) feet, except length exclusive devices in accordance with 23 CFR 658.13. However:

(1) a recreational vehicle may not exceed forty-five (45) feet;

(2) a vehicle used by railroad companies to transport steel rails in connection with a railroad construction, reconstruction, or

maintenance project may not exceed forty (40) feet;

(3) a bus is subject to IC 9-20-8-2; and

(4) a single vehicle equipped with permanently installed specialized equipment used for lifting, reaching, pumping, or spraying is allowed an additional five (5) feet for overhang of the equipment. An allowable overhang may not be used to transport cargo.

As added by P.L.2-1991, SEC.8. Amended by P.L.91-1991, SEC.3; P.L.79-2000, SEC.2.

IC 9-20-3-5

Width of load; limitations

Sec. 5. A vehicle may not carry a load extending beyond the line of fenders on the left side of the vehicle or extending more than six (6) inches beyond the line of the fenders on the right side of the vehicle.

As added by P.L.2-1991, SEC.8.

IC 9-20-3-6

Administration by department of state revenue

Sec. 6. The department of state revenue shall administer this chapter.

As added by P.L.61-1996, SEC.21.

IC 9-20-4

Chapter 4. General Weight Restrictions

IC 9-20-4-1

Maximum weight restrictions; enforcement of limits

Sec. 1. (a) Except as provided in subsections (b) and (c), a person may not operate or cause to be operated upon a highway a vehicle or combination of vehicles having weight in excess of one (1) or more of the following limitations:

(1) The total gross weight, with load, in pounds of any vehicle or combination of vehicles may not exceed an overall gross weight on a group of two (2) or more consecutive axles produced by application of the following formula:

$$W = 500 \{ [(LN) \div (N-1)] + 12N + 36 \}$$

where W equals the overall gross weight on any group of two (2) or more consecutive axles to the nearest five hundred (500) pounds, L equals the distance in feet between the extreme of any group of two (2) or more consecutive axles, and N equals the number of axles in the group under consideration, except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing the overall distance between the first and last axles of the consecutive sets of tandem axles is thirty-six (36) feet or more. The overall gross weight limit, calculated under this subdivision, may not exceed eighty thousand (80,000) pounds.

(2) The weight concentrated on the roadway surface from any tandem axle group may not exceed the following:

(A) Thirty-four thousand (34,000) pounds total weight.

(B) Twenty thousand (20,000) pounds on an individual axle in a tandem group.

(3) A vehicle may not have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch width of tire, measured between the flanges of the rim or an axle weight in excess of twenty thousand (20,000) pounds.

(b) The enforcement of weight limits under this section is subject to the following:

(1) It is lawful to operate within the scope of a permit, under weight limitations established by the Indiana department of transportation and in effect on July 1, 1956, as provided in IC 9-20-6.

(2) It is lawful to operate or cause to be operated a vehicle or combination of vehicles on a heavy duty highway or an extra heavy duty highway designated by the Indiana department of transportation if operated within the imposed limitations.

(3) Subsection (a) does not apply to any highway, road, street, or bridge for which a lesser weight limit is imposed by local authorities under IC 9-20-1-3 or IC 9-20-7-2. However, the local authority may by appropriate action establish and designate a

county or city highway, road, or street or part of a highway, road, or street as a heavy duty highway subject to the weight limitations established under IC 9-20-5.

(4) Vehicles operated on toll road facilities are subject to rules of weight adopted for toll road facilities by the Indiana department of transportation under IC 8-15-2 and are not subject to subsection (a) when operated on a toll road facility.

(5) For purposes of a heavy duty vehicle that is equipped with an auxiliary power unit, the weight limitations provided in subsection (a) are increased by four hundred (400) pounds.

(6) For purposes of a vehicle that uses natural gas as a motor fuel, the weight limitations provided in subsection (a) are increased by two thousand (2,000) pounds.

(c) The greater of the weight limits imposed under subsection (a) or this subsection applies to vehicles operated upon a highway. The weight limits in effect on January 4, 1975, for any highway that is not designated as a heavy duty highway under IC 9-20-5 are the following:

(1) The total gross weight, with load, in pounds of a vehicle or combination of vehicles may not exceed seventy-three thousand two hundred eighty (73,280) pounds.

(2) The total weight concentrated on the roadway surface from a tandem axle group may not exceed sixteen thousand (16,000) pounds for each axle of a tandem assembly.

(3) A vehicle may not have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch width of tire, measured between the flanges of the rim, or an axle weight greater than eighteen thousand (18,000) pounds.

(d) For purposes of this section, "auxiliary power unit" means an integrated system that:

(1) provides heat, air conditioning, engine warming, or electricity to components on a heavy duty vehicle; and

(2) is certified by the administrator of the United States Environmental Protection Agency under 40 CFR 89 as meeting applicable emission standards.

(e) For purposes of this section, "heavy duty vehicle" means a vehicle that:

(1) has a gross vehicle weight rating greater than eight thousand five hundred (8,500) pounds; and

(2) is powered by a diesel engine.

As added by P.L.2-1991, SEC.8. Amended by P.L.65-2010, SEC.3; P.L.277-2013, SEC.16; P.L.5-2015, SEC.25; P.L.198-2016, SEC.339.

IC 9-20-4-2

Transportation of farm commodities and logs, wood chips, bark and sawdust

Sec. 2. (a) Section 1 of this chapter relating to vehicle weight,

section 3 of this chapter assessing a penalty for transporting a load in excess of the registered limit of the load for the transporting vehicle, and section 3 of this chapter prohibiting a person from moving a transported vehicle with an excess load until a penalty is paid do not apply to a vehicle or combination of vehicles that transports:

(1) farm commodities from the place of production to the first point of delivery where the commodities are weighed and title to the commodities is transferred if the weight of the vehicle with load or combination of vehicles with load does not exceed the gross weight limit by more than ten percent (10%); or

(2) logs, wood chips, bark, and sawdust if the weight of the vehicle with load does not exceed either:

(A) the gross weight limit; or

(B) the axle weight limit;

by more than ten percent (10%).

(b) The exemptions in subsection (a) do not apply to the following:

(1) Weight limits imposed for bridges or sections of highways under IC 9-20-1-3.

(2) A vehicle operated on any part of an interstate highway.

As added by P.L.2-1991, SEC.8. Amended by P.L.100-1991, SEC.2; P.L.215-2014, SEC.4; P.L.5-2015, SEC.26; P.L.13-2015, SEC.7.

IC 9-20-4-3

Violation of load limitations; registered weight of vehicle; assessment of penalty; Class C infraction

Sec. 3. (a) The gross weight declared by an applicant in an application for registration under this title determines and fixes the limit of the load, including the unladen weight of the vehicle or combination of vehicles fully equipped for service, that may be transported by a vehicle or combination of vehicles on the highways for the period for which the registration or license is granted. Except as provided in subsection (b), the transportation of a load on a registered and licensed vehicle or combination of vehicles in excess of the limit fixed in the application for registration subjects the person violating a provision of this title to the penalty provisions in this title or to the revocation of the license for the vehicle, or both.

(b) Because of the various types of scales used and the variance in scale weights, a penalty may not be assessed if the actual scale weight of a vehicle or combination of vehicles with load does not exceed one and one-half percent (1 1/2%) of the registered weight of the vehicle or combination of vehicles, including load.

(c) A person who violates this section commits a Class C infraction. In addition, the person shall pay the difference between the fee paid for registration of the vehicle and the fee for the registration of the vehicle plus a maximum load of a weight equal to the excess load being transported. Until the fee is paid, the person

transporting the excess load is not permitted to move the transporting vehicle.
As added by P.L.2-1991, SEC.8.

IC 9-20-4-4
Administration by department of state revenue

Sec. 4. The department of state revenue shall administer this chapter.
As added by P.L.61-1996, SEC.22.

IC 9-20-5

Chapter 5. Heavy Duty Highways and Extra Heavy Duty Highways

IC 9-20-5-1

Establishment and designation of heavy duty and extra heavy duty highways; removal of designation; publication of map

Sec. 1. (a) The Indiana department of transportation may adopt rules under IC 4-22-2 to do the following:

(1) Establish and designate a highway as a heavy duty highway.

(2) Remove the designation of a highway or part of a highway as a heavy duty highway.

(b) The Indiana department of transportation shall adopt rules under IC 4-22-2 to do the following:

(1) Establish and designate a highway as an extra heavy duty highway.

(2) Remove the designation of a highway or part of a highway as an extra heavy duty highway.

(c) Rules described in subsection (b)(1) must do the following:

(1) Designate the highways listed in section 4 of this chapter (before its expiration) as extra heavy duty highways.

(2) Establish maximum size and weight limits for vehicles operated with a special weight permit on an extra heavy duty highway as set forth in section 5 of this chapter (before its expiration).

(d) The Indiana department of transportation shall periodically publish a map showing all highways designated by the department at the time as heavy duty or extra heavy duty highways.

As added by P.L.2-1991, SEC.8. Amended by P.L.66-2012, SEC.1.

IC 9-20-5-2

Maximum weight limitations; heavy duty highways

Sec. 2. Whenever the Indiana department of transportation designates a heavy duty highway, the department shall also fix the maximum weights of vehicles that may be transported on the highway. The maximum weights may not exceed the following limitations:

(1) A vehicle may not have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch width of tire, measured between the flanges of the rim, or an axle weight in excess of twenty-two thousand four hundred (22,400) pounds.

(2) The total weight concentrated on the roadway surface from any tandem axle group may not exceed eighteen thousand (18,000) pounds for each axle of the assembly.

(3) The total gross weight, with load, in pounds of a vehicle or combination of vehicles may not exceed eighty thousand (80,000) pounds.

As added by P.L.2-1991, SEC.8.

IC 9-20-5-3
Designation of heavy duty highways; conditions

Sec. 3. The Indiana department of transportation may not designate a highway as a heavy duty highway unless the department finds that the highway is:

(1) so constructed and can be so maintained; or

(2) in such condition;

that the use of the highway as a heavy duty highway will not materially decrease or contribute materially to the decrease of the ordinary useful life of the highway.

As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.340.

IC 9-20-5-4
Extra heavy duty highways; listing; expiration

Sec. 4. (a) In addition to the highways established and designated as heavy duty highways under section 1 of this chapter, the following highways are designated as extra heavy duty highways:

(1) Highway 41, from 129th Street in Hammond to Highway 312.

(2) Highway 312, from Highway 41 to State Road 912.

(3) Highway 912, from Riley Road in East Chicago to the U.S. 20 interchange.

(4) Highway 20, from Clark Road in Gary to Highway 39.

(5) Highway 12, from one-fourth (1/4) mile west of the Midwest Steel entrance to Highway 249.

(6) Highway 249, from Highway 12 to Highway 20.

(7) Highway 12, from one and one-half (1 1/2) miles east of the Bethlehem Steel entrance to Highway 149.

(8) Highway 149, from Highway 12 to a point thirty-six hundredths (.36) of a mile south of Highway 20.

(9) Highway 39, from Highway 20 to the Michigan state line.

(10) Highway 20, from Highway 39 to Highway 2.

(11) Highway 2, from Highway 20 to Highway 31.

(12) Highway 31, from the Michigan state line to Highway 23.

(13) Highway 23, from Highway 31 to Olive Street in South Bend.

(14) Highway 35, from South Motts Parkway thirty-four hundredths (.34) of a mile southeast to the point where Highway 35 intersects with the overpass for Highway 20/Highway 212.

(15) State Road 249 from U.S. 12 to the point where State Road 249 intersects with Nelson Drive at the Port of Indiana.

(16) State Road 912 from the 15th Avenue and 169th Street interchange one and six hundredths (1.06) miles north to the U.S. 20 interchange.

(17) U.S. 20 from the State Road 912 interchange three and seventeen hundredths (3.17) miles east to U.S. 12.
(18) U.S. 6 from the Ohio state line to State Road 9.
(19) U.S. 30 from Allen County/Whitley County Line Road (also known as County Road 800 East) to State Road 9.
(20) State Road 9 from U.S. 30 to U.S. 6.
(21) State Road 39 from Interstate 80 to U.S. 20.
(22) State Road 3 north from U.S. 6 to U.S. 20, U.S. 20 west from State Road 3 to State Road 9, State Road 9 north from U.S. 20 to the Michigan state line. However, the total gross weight, with load, of a vehicle or combination of vehicles operated with a special weight permit on these highways may not exceed ninety thousand (90,000) pounds.
(23) Highway 912, at an intersection approximately thirty hundredths (.30) of a mile southwest of the intersection of Dickey Road and Riley Road in East Chicago. The total gross weight, with load, of a vehicle or combination of vehicles operated with a special weight permit on this highway may not exceed two hundred sixty-four thousand (264,000) pounds.

(b) This section expires on the later of the following dates:
(1) The date on which rules described in section 1(c)(1) of this chapter are finally adopted.
(2) December 31, 2014.

As added by P.L.2-1991, SEC.8. Amended by P.L.12-1991, SEC.4; P.L.123-1993, SEC.1; P.L.124-1993, SEC.1; P.L.119-1995, SEC.2; P.L.45-1999, SEC.1; P.L.79-2000, SEC.3; P.L.147-2002, SEC.2; P.L.10-2004, SEC.1; P.L.17-2006, SEC.1; P.L.134-2007, SEC.1; P.L.120-2011, SEC.1; P.L.66-2012, SEC.2.

IC 9-20-5-4.5
Repealed

(Repealed by P.L.123-1993, SEC.2.)

IC 9-20-5-5
Maximum size and weight limitations; extra heavy duty highways; expiration

Sec. 5. (a) Except as provided in subsection (b), the maximum size and weight limits for vehicles operated with a special weight permit on an extra heavy duty highway are as follows:
(1) A vehicle may not have a maximum wheel weight, unladen or with load, in excess of eight hundred (800) pounds per inch width of tire, measured between the flanges of the rim.
(2) A single axle weight may not exceed eighteen thousand (18,000) pounds.
(3) An axle in an axle combination may not exceed thirteen thousand (13,000) pounds per axle, with the exception of one (1) tandem group that may weigh sixteen thousand (16,000) pounds per axle or a total of thirty-two thousand (32,000)

pounds.

(4) Except as provided in section 4(a)(22) of this chapter, the total gross weight, with load, of any vehicle or combination of vehicles may not exceed one hundred thirty-four thousand (134,000) pounds.

(5) Axle spacings may not be less than three (3) feet, six (6) inches, between each axle in an axle combination.

(6) Axle spacings may not be less than eight (8) feet between each axle or axle combination.

(b) A vehicle operated in accordance with section 4(a)(23) of this chapter may not have a:

(1) maximum wheel weight, unladen or with load, in excess of one thousand six hundred fifty (1,650) pounds per inch width of tire, measured between the flanges of the rim; or

(2) single axle weight that exceeds sixty-five thousand (65,000) pounds.

(c) This section expires on the later of the following dates:

(1) The date on which rules described in section 1(c)(2) of this chapter are finally adopted.

(2) December 31, 2014.

As added by P.L.2-1991, SEC.8. Amended by P.L.134-2007, SEC.2; P.L.120-2011, SEC.2; P.L.66-2012, SEC.3; P.L.13-2013, SEC.35.

IC 9-20-5-6

Safety procedures; implementation

Sec. 6. The Indiana department of transportation shall implement procedures that, in cooperation with the state police department and local police departments, enhance the safety of citizens along and near extra heavy duty highways listed in section 4 of this chapter (before its expiration) or described in rules adopted by the Indiana department of transportation under section 1 of this chapter.

As added by P.L.2-1991, SEC.8. Amended by P.L.66-2012, SEC.4.

IC 9-20-5-7

Special weight permits; extra heavy duty highways; fee; additional permit fee

Sec. 7. (a) The owner or operator of a vehicle or combination of vehicles having a total gross weight in excess of eighty thousand (80,000) pounds but less than two hundred sixty-four thousand (264,000) pounds must:

(1) obtain a special weight registration permit;

(2) register annually and pay annually a registration fee to the department of state revenue; and

(3) install an approved automated vehicle identifier in each vehicle operating with a special weight permit;

to travel on an extra heavy duty highway.

(b) The fee for an annual registration under subsection (a) is twenty-five dollars ($25). The fee imposed under this section must

be deposited in the motor carrier regulation fund established under IC 8-2.1-23.

(c) The department of state revenue may impose an additional permit fee in an amount that may not exceed one dollar ($1) on each trip permitted for a vehicle registered under subsection (a). This additional fee is for the use and maintenance of an automated vehicle identifier. The fee imposed under this section must be deposited in the motor carrier regulation fund established under IC 8-2.1-23.

As added by P.L.2-1991, SEC.8. Amended by P.L.122-1993, SEC.2; P.L.129-2001, SEC.30; P.L.120-2011, SEC.3; P.L.198-2016, SEC.341.

IC 9-20-5-8

Conditions under which permits not to be issued

Sec. 8. The Indiana department of transportation may not issue a permit under this chapter for the operation of a vehicle if any of the following conditions apply:

(1) The owner or operator of the vehicle has not complied with IC 8-2.1-24.

(2) The owner or operator of the vehicle has not provided the Indiana department of transportation with the owner's or operator's Social Security number or federal identification number.

(3) The owner or operator of the vehicle has not registered the vehicle with the bureau, if the vehicle is required to be registered under IC 9-18.

As added by P.L.122-1993, SEC.3. Amended by P.L.110-1995, SEC.30.

IC 9-20-6

Chapter 6. Special and Emergency Permits

IC 9-20-6-1

Application of chapter

Sec. 1. (a) This chapter applies to the issuance of the following permits:

(1) A permit for the transportation of oversized or overweight vehicles and loads under section 2 of this chapter.

(2) A toll road gate permit under section 3 of this chapter.

(3) An emergency permit issued under section 4 of this chapter.

(4) A permit for oversized semitrailers or trailers used with semitrailers under section 6 of this chapter.

(5) An overweight permit for transportation of raw milk under section 7 of this chapter.

(b) IC 9-20-2-1 applies to the issuance of a permit to operate machinery or equipment for the construction of highways.

(c) IC 9-20-9 applies to the issuance of a special towing permit for the operation of a combination of vehicles on a highway.

(d) IC 9-20-14 applies to the issuance of the following permits:

(1) A general permit for the operation of a tractor-mobile home rig.

(2) A special permit for the operation of a tractor-mobile home rig.

(e) IC 9-20-15 applies to the issuance of the following permits:

(1) A general permit for the operation of a special tractor-mobile home rig.

(2) A special permit for the operation of a special tractor-mobile home rig.

As added by P.L.2-1991, SEC.8.

IC 9-20-6-2

Transportation of heavy vehicles or loads not conforming to this article; special permit; conditions; limitations

Sec. 2. (a) The Indiana department of transportation or local authority that:

(1) has jurisdiction over a highway or street; and

(2) is responsible for the repair and maintenance of the highway or street;

may, upon proper application in writing and upon good cause shown, grant a permit for transporting heavy vehicles and loads or other objects not conforming to this article, including a vehicle transporting an ocean going container, if the department or authority finds that other traffic will not be seriously affected and the highway or bridge will not be seriously damaged.

(b) The permit granted under subsection (a) must authorize the operation of a tractor-semitrailer and load that:

(1) exceeds the maximum length limitation under this chapter;

and

(2) is subject to regulation under this chapter;

from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

(c) A permit may be issued under this section for the following:

(1) A single trip.

(2) A definite time not exceeding thirty (30) days.

(3) A ninety (90) day period.

(4) A one (1) year period.

(d) This subsection applies to the transportation of ocean going containers that:

(1) have been sealed at the place of origin and have not been opened except by an agent of the federal government that may inspect the contents; and

(2) are being transported to or from a distribution facility.

The total gross weight, with load of a vehicle or combination of vehicles transporting an ocean going container may not exceed ninety-five thousand (95,000) pounds. A permit issued under this section must be issued on an annual basis. A permit issued under this subsection may not impose a limit on the number of movements generated by the applicant or operator of a vehicle granted a permit under this subsection.

As added by P.L.2-1991, SEC.8. Amended by P.L.119-1995, SEC.3; P.L.36-2006, SEC.1; P.L.134-2007, SEC.3; P.L.3-2008, SEC.77; P.L.182-2009(ss), SEC.290.

IC 9-20-6-2.5

Indiana department of transportation or local authority to grant permits for transporting overweight divisible loads

Sec. 2.5. The Indiana department of transportation or local authority that:

(1) has jurisdiction over a state highway, an interstate highway, or a local street; and

(2) is responsible for the repair and maintenance of the state highway, interstate highway, or local street;

may, upon proper application in writing and upon good cause shown, grant a permit for transporting overweight divisible loads.

As added by P.L.135-2013, SEC.5.

IC 9-20-6-3

Annual toll road gate permit; issuance; limitations; fee

Sec. 3. (a) An annual toll road gate permit also may be issued by the Indiana department of transportation to a commercial motor vehicle for the pulling of a combination unit that meets the size and weight standards for Indiana toll roads, prescribed by the Indiana department of transportation. The annual permit may not be issued for a distance greater than fifteen (15) total miles to or from a gate of the toll road and is valid only when used in conjunction with toll

road travel.

(b) The fee for an annual toll road gate permit issued under subsection (a) in conjunction with travel on the Indiana toll road is twenty dollars ($20).

As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.342.

IC 9-20-6-4

Emergency permit; issuance; conditions; regulation of movement

Sec. 4. (a) The Indiana department of transportation or an agency or a political subdivision authorized by this article to grant permits to operate tractor-mobile home rigs or permits for transporting heavy or oversize vehicles, loads, or other objects not conforming to this article may issue emergency permits to operate in or through Indiana without regard to IC 9-20-14-2 to a person during the period that the following conditions exist:

(1) A state of disaster emergency has been declared by the governor under IC 10-14-3-12.

(2) A state of emergency has been declared by the federal government for an area outside Indiana.

(3) The granting of emergency permits reasonably can be expected to provide relief of the conditions causing the declaration of the state of emergency.

(b) The Indiana department of transportation, an agency, or a political subdivision shall regulate movements by emergency permits to avoid undue hazards.

As added by P.L.2-1991, SEC.8. Amended by P.L.2-2003, SEC.39.

IC 9-20-6-5

Public utility facilities; transportation of materials reasonably necessary to restore facility; reporting requirements; fees

Sec. 5. (a) If a breakdown or threatened breakdown of electric, gas, water, or telephone public utility facilities occurs in Indiana, the public utility whose services to the public are or may be affected may in the emergency, without securing a permit, transport over highways or streets heavy vehicles and loads or other objects not conforming to this article if it is reasonably necessary to do so to restore utility service at the earliest practicable time or to prevent the interruption of utility service. The public utility shall, not later than the second succeeding day that is not a Sunday or holiday, report the fact of the transportation to the public authority from whom a permit would otherwise have been required.

(b) The public utility shall pay to the public authority an amount equal to the fee that would have been due for a permit under this article. The making of the report and payment of the fee satisfies all requirements of this chapter concerning the securing of a permit for the trip required by the emergency.

As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016,

SEC.343.

IC 9-20-6-6
Oversized semitrailers, trailers, and recreational vehicles; transportation from manufacturer to buyer; route designation; issuance; term; limitations; fee

Sec. 6. (a) The Indiana department of transportation or local unit authorized to issue permits under this chapter may issue permits for transporting:

(1) semitrailers or trailers designed to be used with semitrailers that exceed the width and length limitations imposed under this article; and

(2) recreational vehicles that exceed the maximum width limitation set forth in IC 9-20-3-2;

from the manufacturing facility to the person taking title to the vehicle, including any other destination in the marketing cycle.

(b) A permit issued under this section may designate the route to be traversed and may contain any other restrictions or conditions required for the safe movement of the vehicle.

(c) A permit issued to the manufacturer under this section must be applied for and reissued annually after the permit's initial issuance.

(d) A limit is not imposed on the number of movements generated by a manufacturer that is issued an annual permit under this section.

(e) The fee for an annual permit issued under this section is two hundred dollars ($200). The fee may be paid in quarterly installments.

As added by P.L.2-1991, SEC.8. Amended by P.L.79-2000, SEC.4; P.L.198-2016, SEC.344.

IC 9-20-6-7
Repealed

(Repealed by P.L.100-1991, SEC.3.)

IC 9-20-6-8
Permit; route designation; safety restrictions

Sec. 8. A permit issued under this article may designate the route to be traversed and contain any other restrictions or conditions necessary for the proper protection of the traffic, highway, or bridge.

As added by P.L.2-1991, SEC.8.

IC 9-20-6-9
Violation of permit regulations; permit not construed as defense to holder

Sec. 9. A permit issued under this article may not be construed as protection to or as a defense by a holder of a permit if the restrictions and rules to which the permit is subject are violated.

As added by P.L.2-1991, SEC.8.

IC 9-20-6-10
Damages to highway; proof of ability to satisfy; bond or security

Sec. 10. Before a permit is issued under this article, an applicant must satisfy the officer or body issuing the permit of the applicant's responsibility to respond in damages for damage to the highway or bridge or furnish satisfactory bond or other security to the satisfaction of the issuing officer or body.

As added by P.L.2-1991, SEC.8.

IC 9-20-6-11
Inspection of permits; violations of terms and conditions; liability for damages to highway; additional registration and licensing

Sec. 11. (a) A permit issued under this chapter shall:

(1) be carried in or on the vehicle or other object to which the permit refers; and

(2) be open to inspection by a police officer.

(b) A person may not violate the terms or conditions of a special permit.

(c) The issuance of a special permit under this chapter:

(1) does not relieve the responsibility for damages to a highway imposed by this article; and

(2) does not, for:

(A) the use of a vehicle already registered and licensed;

(B) the use of a vehicle not subject to registration and licensing under IC 9-18; or

(C) the moving of objects other than vehicles under the special permit;

require further registration and licensing to authorize the issuance of the special permit.

As added by P.L.2-1991, SEC.8.

IC 9-20-6-12
Conditions under which permits may not be issued

Sec. 12. The Indiana department of transportation may not issue a permit under this chapter for the operation of a vehicle if any of the following conditions apply:

(1) The owner or operator of the vehicle has not complied with IC 8-2.1-24.

(2) The owner or operator of the vehicle has not provided the Indiana department of transportation with the owner's or operator's Social Security number or federal identification number.

(3) The owner or operator of the vehicle has not registered the vehicle with the bureau, if the vehicle is required to be registered under IC 9-18.

As added by P.L.122-1993, SEC.4. Amended by P.L.110-1995, SEC.31.

IC 9-20-6-13
Fee for special permit

Sec. 13. (a) The fees for a special permit issued under this chapter to exceed the legal length, width, or height limit for vehicles, loaded or unloaded, are as follows:

(1) A permit not subject to subdivision (2) or (3), twenty dollars ($20).

(2) A permit issued to exceed ninety-five (95) feet overall length, one hundred forty-eight (148) inches overall width, or the height limit, thirty dollars ($30).

(3) The ninety (90) day permit issued under this chapter, one hundred dollars ($100).

(4) The one (1) year permit issued under this chapter, four hundred five dollars ($405).

(b) Whenever a permit is issued by the Indiana department of transportation under this chapter, the Indiana department of transportation shall fix the fee to be paid. Upon payment of the fee, the Indiana department of transportation shall validate the permit. The revenue from the fee shall be credited to the state highway fund.
As added by P.L.198-2016, SEC.345.

IC 9-20-7

Chapter 7. Special Restrictions Concerning Bridges, Causeways, and Viaducts

IC 9-20-7-1

Operation of vehicles over bridges; prohibitions

Sec. 1. A vehicle may not be operated or moved over a bridge, causeway, or viaduct on a highway if the weight of the vehicle is greater than the maximum load that can be carried with safety to the bridge, causeway, or viaduct.

As added by P.L.2-1991, SEC.8.

IC 9-20-7-2

Repair and maintenances of bridges; reduction of weight allowed

Sec. 2. The Indiana department of transportation or local authority, when charged with the repair or maintenance of a bridge, causeway, or viaduct, may reduce the gross load weight allowed on the structure below the maximum load prescribed in IC 9-20-4-1 and IC 9-20-5 if the authority determines that the maximum load is greater than the bridge, causeway, or viaduct can sustain without serious damage or with safety to the vehicle.

As added by P.L.2-1991, SEC.8.

IC 9-20-7-3

Orders, resolutions, and ordinances; content; effect; posting of signs

Sec. 3. The order, resolution, or ordinance shall fix the gross weight allowed in percentage or maximum load prescribed in IC 9-20-4-1 and IC 9-20-5. An order, a resolution, or an ordinance does not take effect until signs indicating the gross weight allowed on a bridge, causeway, or viaduct are posted in a conspicuous place at each end of the structure to which the order, resolution, or ordinance applies. The signs must be legible from a distance of fifty (50) feet and must be maintained during the time the reduction is in force.

As added by P.L.2-1991, SEC.8.

IC 9-20-7-4

Vehicle weight in excess of weight allowed on bridge; prohibition on movement

Sec. 4. A vehicle may not be moved over a bridge, causeway, or viaduct when the vehicle's gross weight is greater than the gross weight allowed on the bridge, causeway, or viaduct.

As added by P.L.2-1991, SEC.8.

IC 9-20-7-5

Administrative rule provisions; inapplication to restrictions local in nature

Sec. 5. IC 4-22-2 does not apply to a restriction or traffic control determination under this chapter that is by order of the Indiana department of transportation and entirely local in nature, applying to at least one (1) described bridge, causeway, or viaduct.
As added by P.L.2-1991, SEC.8.

IC 9-20-8

Chapter 8. Special Restrictions Concerning Buses and School Buses

IC 9-20-8-1

Buses in excess of eight feet wide; operation; limitations

Sec. 1. (a) This section applies to a motor vehicle designed and used to carry more than seven (7) persons, operated either:

(1) wholly within the boundaries of cities and towns; or

(2) between contiguous cities and towns;

located in counties having a population of at least one hundred sixty thousand (160,000).

(b) If federal statutes and regulations permit the operation of passenger buses of widths greater than eight (8) feet on an interstate highway, the Indiana department of transportation may, by adopting rules consistent with the federal statute or regulation, permit the operation of passenger buses of a total outside width, exclusive of safety equipment, of not more than eight (8) feet, six (6) inches, on a highway.

As added by P.L.2-1991, SEC.8.

IC 9-20-8-2

Maximum length limitations

Sec. 2. The maximum length limitations for buses are as follows:

(1) For an articulating bus used for public transportation purposes, sixty-five (65) feet.

(2) For a school bus, forty-two (42) feet.

(3) For all others, forty-five (45) feet.

As added by P.L.2-1991, SEC.8. Amended by P.L.122-1993, SEC.5; P.L.110-1995, SEC.32; P.L.114-2007, SEC.1; P.L.198-2016, SEC.346.

IC 9-20-9

Chapter 9. Special Restrictions Concerning Combined Vehicles and Towing Permits

IC 9-20-9-1

"Drive away or tow away" defined; combinations of two vehicles; length limitations; exemptions

Sec. 1. (a) As used in this section, "drive away or tow away" means the delivery service performed by a transport operator by which motor vehicles in transit are delivered by driving singly or in combination by the towbar, saddlemount, or fullmount methods or any lawful combination of those methods, including coupling equipment or where a truck or tractor draws or tows a semitrailer or trailer in transit.

(b) A combination of two (2) vehicles coupled together, including load, may not exceed a total length of sixty (60) feet, except for the following:

(1) A combination of two (2) vehicles coupled together that are especially constructed to transport other vehicles or boats. This exception includes any combination of a truck, tractor, semitrailer, and trailer if the combination is used exclusively or primarily in connection with motorsports.

(2) A combination of two (2) vehicles coupled together being transported in a drive away or tow away service.

(3) A pole trailer owned by or operated for a public utility (as defined in IC 8-1-2-1), while the pole trailer is being used in connection with the utility services of the public utility.

(4) Trailers used in transporting oil field equipment or pipe for the transmission of oil or gas.

As added by P.L.2-1991, SEC.8. Amended by P.L.12-2013, SEC.2.

IC 9-20-9-2

Combinations of three or more coupled vehicles; length limitations

Sec. 2. A combination of three (3) or more vehicles coupled together, including load, may not exceed a total length of sixty-five (65) feet.

As added by P.L.2-1991, SEC.8.

IC 9-20-9-3

Transport of vehicles or boats by tow bar, saddle mount, or full mount methods; maximum length

Sec. 3. Any number of vehicles in a combination coupled together:

(1) that are especially constructed to transport other vehicles or boats; and

(2) by the tow bar, saddle mount, or full mount methods;

may not exceed a total length of seventy-five (75) feet.

As added by P.L.2-1991, SEC.8. Amended by P.L.91-1991, SEC.4.

IC 9-20-9-4
Hauling of vehicles or parts of vehicles

Sec. 4. This chapter does not prohibit the hauling of other vehicles or parts of vehicles in transit.

As added by P.L.2-1991, SEC.8.

IC 9-20-9-5
Loads on vehicles or combinations of vehicles; length limitations

Sec. 5. A load on a vehicle or combination of vehicles may not extend more than:

(1) three (3) feet beyond the front bumper; and

(2) four (4) feet beyond the rear;

of a combination of vehicles especially constructed to transport other vehicles or boats. This limit is in addition to any other length limit set forth in this article.

As added by P.L.2-1991, SEC.8.

IC 9-20-9-6
Transport of vehicles or boats by stinger-steered vehicle; length limitations

Sec. 6. Notwithstanding IC 9-20-1, and except for length exclusive devices in accordance with 23 CFR 658.13, the maximum length of a combination of two (2) coupled vehicles that is:

(1) especially constructed to transport other vehicles or boats; and

(2) a stinger-steered vehicle;

is seventy-five (75) feet.

As added by P.L.2-1991, SEC.8.

IC 9-20-9-7
Transportation of loads consisting of equipment designed to convert trucks into vehicles equipped with living quarters; width limitations

Sec. 7. Notwithstanding IC 9-20-3, a motor vehicle designed and used for hauling other motor vehicles may transport loads consisting of equipment designed to convert trucks, the weight of which does not exceed eleven thousand (11,000) pounds, into vehicles equipped with living quarters for persons traveling upon the highways. However, the transporting motor vehicle, including load, may not exceed a total maximum width of eight (8) feet, six (6) inches.

As added by P.L.2-1991, SEC.8. Amended by P.L.1-1993, SEC.55.

IC 9-20-9-8
Draw bar or other couplers; length limitations; safety devices; compliance requirements

Sec. 8. (a) This section does not apply to farm wagons (as defined in IC 9-13-2-60(a)(1)). However, a farm wagon (as defined in IC 9-13-2-60(a)(2)) that is operated on a highway may not be used to

tow another vehicle.

(b) The draw bar or other connection between any two (2) vehicles, one (1) of which is towing or drawing the other upon a highway, may not exceed fifteen (15) feet in length from one (1) vehicle to the other.

(c) Each trailer and semitrailer hauled by a motor propelled vehicle must be attached to the vehicle and to each other with the forms of coupling devices that will prevent the trailer or semitrailer from being deflected more than six (6) inches from the path of the towing vehicle or to each other, by suitable safety chains or devices, one (1) on each side of the coupling and at the extreme outer edge of the vehicle. Each chain or device and connection used must be of sufficient strength to haul the trailer when loaded.

(d) A vehicle, including a combination of vehicles engaged in interstate commerce, and any safety equipment on the vehicle, including safety chains, cables, or other devices, that is otherwise in compliance with:

(1) the United States Department of Transportation Federal Highway Administration motor carrier safety regulations;

(2) the motor vehicle safety standards of the National Highway Safety Bureau of the United States Department of Transportation; or

(3) the successor of either or both of those agencies;

is considered to be in compliance with this section.

As added by P.L.2-1991, SEC.8. Amended by P.L.150-2009, SEC.8.

IC 9-20-9-9

Combinations of vehicles exceeding dimensional and weight restrictions; conditions for operation

Sec. 9. A combination of vehicles, including a towing vehicle and a disabled vehicle or disabled combination of vehicles, that exceeds the dimensional and weight restrictions imposed by this article may be operated on a highway upon the following conditions and in accordance with the rules that the Indiana department of transportation prescribes:

(1) The towing vehicle must be:

(A) specifically designed for such operations;

(B) equipped with amber flashing lights; and

(C) capable of utilizing the lighting and braking systems of the disabled vehicle or combination of vehicles if the systems are operational.

(2) The disabled vehicle or disabled combination of vehicles may not exceed the dimensional or weight restrictions imposed by this article unless a permit for operation in excess of those restrictions has been granted to the disabled vehicle or disabled combination of vehicles under this article. However, an owner or operator of a towing vehicle that is assisting a disabled vehicle or disabled combination of vehicles is not subject to the

penalties imposed by IC 9-20-18-1 through IC 9-20-18-10 and IC 9-20-18-12 if the disabled vehicle or disabled combination of vehicles exceeds the dimensional or weight restrictions imposed by IC 9-20-3 or IC 9-20-4 and a permit for the excess has not been granted.

As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.347.

IC 9-20-9-10

Combinations of vehicles exceeding dimensional and weight restrictions; conditions for operation; fee

Sec. 10. (a) Instead of complying with the requirements of section 9 of this chapter, a special towing permit allowing the operation of a combination of vehicles on a highway may be granted by the Indiana department of transportation or local authorities having jurisdiction over a highway or street and responsible for the repair and maintenance of the highway or street.

(b) A permit may be granted under this section upon good cause shown if the Indiana department of transportation or local authority finds the public interest will be served, considering public safety and the protection of public and private property.

(c) A permit issued under this section may designate the route to be traversed by the combination of vehicles and may contain other restrictions or conditions considered necessary by the Indiana department of transportation or local authority granting the permit.

(d) The Indiana department of transportation may allow a vehicle or load permitted in accordance with IC 9-20-6-2 to tow a light passenger vehicle with a manufacturer designed seating capacity of not more than ten (10) passengers including the driver. However, the light passenger vehicle may not cause the combination to exceed the maximum allowable size and weight limitations set forth in IC 9-20-4 and this chapter.

(e) The fee for a special towing permit issued under this chapter is ten dollars ($10). The fee must be paid not later than thirty (30) days after the permit was issued.

As added by P.L.2-1991, SEC.8. Amended by P.L.93-1997, SEC.10; P.L.198-2016, SEC.348.

IC 9-20-9-11

Combinations of vehicles traveling less than 50 miles; exemption from permit

Sec. 11. The movement of a disabled vehicle or combination of vehicles for a distance that does not exceed fifty (50) highway miles by a registered recovery vehicle or by a vehicle described in IC 9-18-13-5 is exempt from the requirements for permits under this chapter.

As added by P.L.2-1991, SEC.8.

IC 9-20-10

Chapter 10. Special Restrictions Concerning Farm Vehicles and Machinery

IC 9-20-10-1

Farm tractors; trailers in tow; restrictions

Sec. 1. A farm tractor may draw not more than two (2) wagons or farm implements upon a highway. The wagons or implements must conform with all other laws respecting the use of highways.

As added by P.L.2-1991, SEC.8.

IC 9-20-10-2

Farm wagons; trailers in tow; exemption

Sec. 2. (a) A farm wagon (as defined in IC 9-13-2-60(a)(1)) is not subject to IC 9-20-9-8 with regard to trailers in tow.

(b) A farm wagon (as defined in IC 9-13-2-60(a)(2)) may not be used to tow a trailer.

As added by P.L.2-1991, SEC.8. Amended by P.L.150-2009, SEC.9.

IC 9-20-11

Chapter 11. Special Restrictions Concerning Garbage Trucks

IC 9-20-11-1

Application of chapter

Sec. 1. This chapter applies to a truck, a truck-trailer combination, or a truck-wagon combination that is either:

(1) a municipal waste collection and transportation vehicle:

(A) specially designed and equipped with a self-compactor or detachable container;

(B) used exclusively for garbage, refuse, or recycling operations; and

(C) laden with garbage, refuse, or recyclables; or

(2) a disposal plant transporting vehicle certified under IC 15-17-11 that is laden with dead animals or animal parts.

As added by P.L.2-1991, SEC.8. Amended by P.L.79-1991, SEC.3; P.L.129-1995, SEC.1; P.L.157-2001, SEC.1; P.L.2-2008, SEC.27.

IC 9-20-11-2

Weight limitations

Sec. 2. A vehicle described in section 1 of this chapter may transmit to the surface of a highway, except an interstate highway, a gross weight of not more than:

(1) twenty-four thousand (24,000) pounds upon a single axle; and

(2) forty-two thousand (42,000) pounds upon a tandem axle group.

As added by P.L.2-1991, SEC.8. Amended by P.L.157-2001, SEC.2.

IC 9-20-11-3

Axle limitations

Sec. 3. When unladen, a vehicle described in section 1 of this chapter must comply with the axle limitations applicable to all other trucks.

As added by P.L.2-1991, SEC.8. Amended by P.L.157-2001, SEC.3.

IC 9-20-11-4

Wheel weight limitations; compliance requirements

Sec. 4. This chapter does not exempt a vehicle described in section 1 of this chapter, laden or unladen, from the limitations on wheel weights imposed by IC 9-20-4-1(c).

As added by P.L.2-1991, SEC.8. Amended by P.L.157-2001, SEC.4.

IC 9-20-11-5

Length limitations

Sec. 5. In addition to the limits and requirements set forth in sections 2 through 4 of this chapter, the maximum length of a:

(1) truck-trailer combination; or

(2) truck-wagon combination;

and its load, used in intrastate transportation, designed and utilized as set forth in section 1(1)(A) and 1(1)(B) of this chapter, is sixty-eight (68) feet.

As added by P.L.157-2001, SEC.5 and P.L.216-2001, SEC.1. Amended by P.L.1-2002, SEC.41.

IC 9-20-12

Chapter 12. Special Restrictions Concerning Mobile Homes

IC 9-20-12-1

Axle restrictions

Sec. 1. The distance between mobile home axle centers manufactured after September 30, 1955, may not be less than thirty-four (34) inches.

As added by P.L.2-1991, SEC.8.

IC 9-20-13

Chapter 13. Special Restrictions Concerning Semitrailers

IC 9-20-13-1

Maximum length limitations; truck-tractor-semitrailer-semitrailer combinations

Sec. 1. Notwithstanding IC 9-20-1-1 through IC 9-20-1-2, and except for length exclusive devices in accordance with 23 CFR 658.13, the following are the maximum limitations on length of a truck-tractor-semitrailer-semitrailer combination:

(1) The maximum length of each semitrailer unit operating in a truck-tractor-semitrailer-semitrailer combination is twenty-eight (28) feet, six (6) inches.

(2) A maximum length limit is not imposed on a truck-tractor-semitrailer-semitrailer combination.

As added by P.L.2-1991, SEC.8.

IC 9-20-13-2

Maximum length limitation; truck-tractor, semitrailer, truck-tractor-semitrailer, or truck-tractor-semitrailer-trailer combinations

Sec. 2. (a) Notwithstanding IC 9-20-3 and IC 9-20-9, and except for length exclusive devices in accordance with 23 CFR 658.13, the following are the maximum limitations on length of a truck-tractor, semitrailer, truck-tractor-semitrailer combination, or truck-tractor-semitrailer-trailer combination:

(1) The maximum length of the semitrailer unit operating in a truck-tractor-semitrailer combination is fifty-three (53) feet, including the vehicle and the load.

(2) The maximum length of the semitrailer unit or trailer operating in a truck-tractor-semitrailer-trailer combination is twenty-eight (28) feet, six (6) inches.

(3) A maximum overall length limit is not imposed on a truck-tractor-semitrailer or truck-tractor-semitrailer-trailer combination.

(4) The maximum length of a maxi-cube vehicle combination is sixty-five (65) feet, and the maximum length of the separable cargo carrying unit is thirty-four (34) feet.

(5) If the combination is used exclusively or primarily in connection with motorsports:

(A) the maximum distance between the kingpin and the rearmost axle of the semitrailer operating in the combination is forty-six (46) feet; and

(B) the maximum length of the semitrailer is fifty-seven (57) feet.

(b) This section does not prohibit the transportation of a motor vehicle or boat on part of a truck-tractor.

As added by P.L.2-1991, SEC.8. Amended by P.L.216-2001, SEC.2;

P.L.12-2013, SEC.3.

IC 9-20-13-3
Width or length exclusive devices; prohibition on use

Sec. 3. A width or length exclusive device described in IC 9-20-3, IC 9-20-9, or section 2 of this chapter must not be designed or used to support cargo.

As added by P.L.2-1991, SEC.8.

IC 9-20-13-4
Semitrailers in excess of 48 feet, 6 inches; restrictions on operation

Sec. 4. Notwithstanding section 2 of this chapter, a semitrailer longer than forty-eight (48) feet, six (6) inches, may be operated on a highway designated as part of the state highway system under IC 8-23-4 only if the distance between the kingpin and the rearmost axle of the semitrailer is not more than:

(1) forty-six (46) feet, if the semitrailer is used exclusively or primarily in connection with motorsports; or

(2) for all other semitrailers, forty-three (43) feet.

As added by P.L.2-1991, SEC.8. Amended by P.L.157-2001, SEC.6; P.L.12-2013, SEC.4.

IC 9-20-14

Chapter 14. Special Restrictions Concerning Tractor-Mobile Home Rigs and Required Permits

IC 9-20-14-0.5

"Person"

Sec. 0.5. As used in this chapter, "person" means:

(1) a mobile home or sectionalized building transport company;

(2) a mobile home or sectionalized building manufacturer;

(3) a mobile home or sectionalized building dealer; or

(4) a mobile home or sectionalized building owner.

As added by P.L.198-2016, SEC.349.

IC 9-20-14-1

Permit requirement

Sec. 1. Except as otherwise provided in section 4 of this chapter, a person may not operate a tractor-mobile home rig on a highway unless the person has a permit to operate the rig from:

(1) the Indiana department of transportation; or

(2) an agency or a political subdivision of the state designated by the Indiana department of transportation to issue permits.

As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.350.

IC 9-20-14-2

Conditions for granting permits; local authorities; jurisdiction; fees

Sec. 2. (a) The Indiana department of transportation or any agency or political subdivision of the state designated by the Indiana Department of Transportation shall grant a permit to operate a tractor-mobile home rig on a highway to a person upon the following conditions and upon the rules that the Indiana Department of Transportation prescribes:

(1) The tractor-mobile home rig must be operated in a manner that will not impede traffic or increase the hazard to traffic.

(2) The tractor-mobile home rig may be operated only on days other than Sunday and the legal holidays that the Indiana department of transportation prescribes. The tractor-mobile home rig may be operated between one-half (1/2) hour before sunrise and one-half (1/2) hour after sunset on any weekday, and between one-half (1/2) hour before sunrise and noon on Saturday.

(3) The tractor-mobile home rig may be operated only over the roads or highways in the state highway system, including, except to the extent provided in section 5 of this chapter, the routes designated as federal highways and the state maintained routes through cities and towns. The tractor-mobile home rig may not extend past the center line of those roads and

highways.

(4) The person to whom the permit is granted shall present satisfactory evidence of the person's financial responsibility, as provided in IC 9-25, to the granting authority.

(5) If in use as a towing vehicle component of a tractor-mobile home rig, the towing vehicle for which the permit is granted must have a wheelbase of not less than one hundred twenty (120) inches.

(6) A permit granted for the towing vehicle component of a tractor-mobile home rig may be suspended or revoked by the Indiana department of transportation for violation of any of the conditions of the permit set forth in this section.

(7) The towing vehicle may be operated only over the roads or highways approved by the authority granting the permits.

(b) Except as provided in section 5 of this chapter, this section does not prevent a local authority with respect to highways and roads under the authority's jurisdiction from granting permission to operate a tractor-mobile home rig on roads and highways under the authority's jurisdiction that are not highways in the state highway system or state maintained routes through cities and towns.

(c) Except as provided in subsections (d) and (e), the fee for a person that is not a mobile home or sectionalized building retail dealer to move a tractor-mobile home rig under this section is ten dollars ($10) per trip.

(d) Notwithstanding subsection (c), a person that is not a mobile home or sectionalized building retail dealer may purchase a quarterly permit for unlimited trips during the quarter to move a tractor-mobile home rig under this section. The fee for a quarterly permit is two hundred fifty dollars ($250).

(e) Notwithstanding subsection (c), a person that is not a mobile home or sectionalized building retail dealer may purchase an annual permit for unlimited trips during the year to move a tractor-mobile home rig under this section. The fee for an annual permit is one thousand dollars ($1,000).

(f) The fee for a person that is a mobile home or sectionalized building retail dealer to move tractor-mobile home rigs under this section is forty dollars ($40). The fee shall be paid annually.

As added by P.L.2-1991, SEC.8. Amended by P.L.125-1993, SEC.1; P.L.119-1995, SEC.4; P.L.198-2016, SEC.351.

IC 9-20-14-3

General permits; special permits

Sec. 3. (a) An authority granting permits to operate tractor-mobile home rigs shall grant permits of two (2) general classes, as follows:

(1) General permits, for the operation of tractor-mobile home rigs by a person, except a mobile home or sectionalized building owner, in the ordinary course of the person's business.

(2) Special permits, for the operation of a tractor-mobile home

rig by a mobile home or sectionalized building owner for the express purpose of moving mobile homes or sectionalized buildings.

(b) General permits shall be issued annually. One (1) permit shall be issued for each towing vehicle to be used as a component of a tractor-mobile home rig. The holder of a general permit may make, during the period of the permit, any number of mobile home or sectionalized building movements with the towing vehicle component of the tractor-mobile home rig for which the permit was granted.

(c) Special permits shall be limited to the particular movement of the mobile home or sectionalized building for which the special permit is issued. A person purchasing a mobile home or sectionalized building, but who does not have a legal title to the mobile home or sectionalized building, is considered the owner of the mobile home or sectionalized building for the purposes of this chapter if the person has a contract with the seller or the seller's assignee. However, such a person shall present to the granting authority a statement by the holder of the legal title to the mobile home or sectionalized building granting permission for the movement of the mobile home or sectionalized building.

As added by P.L.2-1991, SEC.8.

IC 9-20-14-4

Size and weight limitations

Sec. 4. A person may operate a vehicle towing a mobile home that has:

(1) a combined overall length not greater than sixty (60) feet;

(2) a width not greater than ninety-six (96) inches; and

(3) a height not greater than thirteen (13) feet, six (6) inches;

without having to obtain a permit under this chapter.

As added by P.L.2-1991, SEC.8.

IC 9-20-14-5

Interstate highways; federal funds

Sec. 5. This chapter does not apply to interstate highways to the extent that the application of this chapter to those highways would cause the state to be deprived of any federal funds for highway purposes.

As added by P.L.2-1991, SEC.8.

IC 9-20-14-6

Quarterly or annual permit

Sec. 6. (a) This section applies to a person that purchases a quarterly or an annual permit under section 2 of this chapter to move a tractor-mobile home rig.

(b) A person described in subsection (a) shall use only the permissible routes for moving a tractor-mobile home rig. The person

must check the daily detour and restriction bulletin before choosing a route to travel. If the person moves a tractor-mobile home rig on a route that is restricted or prohibited, the person's quarterly or annual permit may be revoked.

(c) If a person's quarterly or annual permit is revoked under subsection (b), the person may not obtain a new quarterly or annual permit for a period of ninety (90) days. The person may move a tractor-mobile home rig under a single trip permit until the person is eligible to obtain a new quarterly or annual permit.

As added by P.L.217-2003, SEC.3. Amended by P.L.198-2016, SEC.352.

IC 9-20-15

Chapter 15. Special Restrictions Concerning Special Tractor-Mobile Home Rigs and Required Permits

IC 9-20-15-0.5

"Person"

Sec. 0.5. As used in this chapter, "person" means:

(1) a mobile home or sectionalized building transport company;

(2) a mobile home or sectionalized building manufacturer;

(3) a mobile home or sectionalized building dealer; or

(4) a mobile home or sectionalized building owner.

As added by P.L.198-2016, SEC.353.

IC 9-20-15-1

Permit requirement; fee

Sec. 1. (a) A person may not operate a special tractor-mobile home rig on a highway unless the person first secures a permit to operate the rig from:

(1) the Indiana department of transportation; or

(2) an agency or a political subdivision of the state designated by the department to issue the permits.

(b) Except as provided in subsections (c) and (d), the fee for a person to move a special tractor-mobile home rig under subsection (a) is eighteen dollars ($18) per trip.

(c) Notwithstanding subsection (b), a person may purchase a quarterly permit for unlimited trips during the quarter to move a special tractor-mobile home rig under subsection (a). The fee for a quarterly permit is five hundred dollars ($500).

(d) Notwithstanding subsection (b), a person may purchase an annual permit for unlimited trips during the year to move a special tractor-mobile home rig under subsection (a). The fee for an annual permit is two thousand dollars ($2,000).

As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.354.

IC 9-20-15-2

Conditions for granting permit; local authorities; jurisdiction

Sec. 2. (a) The Indiana department of transportation may grant a permit to operate a special tractor-mobile home rig on a highway to a person upon the following conditions and in accordance with the rules that the department prescribes:

(1) The special tractor-mobile home rig must be operated in a manner that will not unduly impede traffic or increase the hazard to traffic.

(2) The special tractor-mobile home rig may be operated only over the highways in the state highway system, including, except as provided in section 5 of this chapter, the routes designated as federal highways and the state maintained routes

through cities and towns. However, the special tractor-mobile home rig may not extend over the lines delineating highway lanes into another lane except when passing.

(3) The special tractor-mobile home rig may be operated on the roads and highways only after sunrise and before sunset. However, the Indiana Department of Transportation may restrict hours of operation in first and second class cities if the department determines that rush hour traffic would cause an undue hazard to the motoring public.

(4) The special tractor-mobile home rig may be operated only on days other than Sunday and the legal holidays that the Indiana Department of Transportation designates. The special tractor-mobile home rig may be operated between one-half (1/2) hour before sunrise and one-half (1/2) hour after sunset on any weekday and between one-half (1/2) hour before sunrise and noon on Saturday.

(5) The special tractor-mobile home rig may be accompanied by a distinctively marked escort vehicle.

(6) The operator of the special tractor-mobile home rig must be at least eighteen (18) years of age.

(7) The low beam headlights of the towing vehicle for which the permit is granted must be on while the vehicle is in use as a towing vehicle component of a special tractor-mobile home rig.

(8) The special tractor-mobile home rig may not be operated closer than one thousand (1,000) feet to any other special tractor-mobile home rig traveling in the same direction.

(9) Whenever there may be a clear roadway ahead of the special tractor-mobile home rig and more than three (3) vehicles immediately behind the tractor-mobile home rig, the operator of a special tractor-mobile home rig shall pull over to the right of the traveled portion of the road or highway at the first opportunity to do so safely, so as to allow following vehicles to pass.

(10) The special tractor-mobile home rig may not be operated at a speed in excess of fifty-five (55) miles per hour on roads and highways, other than divided highways of at least four (4) lanes, except as otherwise provided by law.

(11) The special tractor-mobile home rig may not be operated as follows:

(A) During the existence of hazardous weather conditions causing visibility to be less than five hundred (500) feet.

(B) During times when the steady wind velocity exceeds twenty-five (25) miles per hour.

(C) At other times and under other conditions that the Indiana Department of Transportation by rule or emergency notice prescribes.

(12) The person to whom the permit is granted shall present

satisfactory evidence of the person's financial responsibility as provided in IC 9-25 to the granting authority.

(13) When in use as a towing vehicle component of a special tractor-mobile home rig, the towing vehicle for which the permit is granted must have an overall length of not less than twelve (12) feet.

(14) A permit granted for the towing vehicle component of a special tractor-mobile home rig may be suspended or revoked by the Indiana Department of Transportation for violation of any of the conditions of the permit set forth in this section or for violation of a rule or notice as provided for in this chapter.

(15) The special tractor-mobile home rig may be operated only over roads or highways approved by the authority granting the permits.

(16) The rules pertaining to special tractor-mobile home rigs do not apply to other vehicles.

(b) This section may not be construed to prevent a local authority with respect to highways and roads under the authority's jurisdiction from granting permission to operate a special tractor-mobile home rig on roads and highways under the authority's jurisdiction that are not highways in the state highway system or state maintained routes through cities and towns.

As added by P.L.2-1991, SEC.8. Amended by P.L.125-1993, SEC.2; P.L.119-1995, SEC.5; P.L.217-2003, SEC.4; P.L.198-2016, SEC.355.

IC 9-20-15-2.1

Transport from manufacturing facility to storage lot; fee

Sec. 2.1. (a) Notwithstanding IC 9-20-14 or this chapter, a manufacturer of mobile homes or an agent of a manufacturer of mobile homes may transport a tractor-mobile home rig of any size permitted under IC 9-20-14 or this chapter from the manufacturing facility to a storage lot if:

(1) before transporting a tractor-mobile home rig the manufacturer or agent:

(A) receives a permit from the motor carrier service division of the department of state revenue; and

(B) complies with the requirements of IC 9-20-14-2; and

(2) the distance between the manufacturing facility and the storage lot is less than fifteen (15) miles.

(b) The fee for an annual permit to move tractor-mobile home rigs under subsection (a) is forty dollars ($40) for each three (3) mile increment that a tractor-mobile home rig is transported up to a maximum of fifteen (15) miles. A fee imposed under this section may not exceed two hundred dollars ($200).

As added by P.L.82-1999, SEC.1. Amended by P.L.198-2016, SEC.356.

IC 9-20-15-3
Special tractor-mobile home rigs subject to permit provisions; escort vehicles

Sec. 3. A special tractor-mobile home rig that is:

(1) more than thirteen (13) feet, six (6) inches, in height, but less than fourteen (14) feet, six (6) inches, in height; and

(2) not wider than one hundred forty-eight (148) inches at the base;

is subject to section 2 of this chapter. However, the rig is not subject to the requirement of an escort vehicle as specified in section 2(a)5 of this chapter.

As added by P.L.2-1991, SEC.8.

IC 9-20-15-4
"Individual owner"; general permits; special permits

Sec. 4. (a) As used in this section, "individual owner" means the owner of a mobile home or sectionalized building who bought the mobile home or sectionalized building for the owner's personal or business use and not for immediate resale.

(b) The Indiana department of transportation shall grant permits to operate special tractor-mobile home rigs of two (2) general classes as follows:

(1) General permits, for the operation of a special tractor-mobile home rig by a person, except an individual owner, in the ordinary course of the person's business.

(2) Special permits, for the operation of a special tractor-mobile home rig for an individual owner for the express purpose of moving mobile homes or sectionalized buildings by a qualified mover.

(c) General permits shall be issued annually. One (1) permit shall be issued for each towing vehicle to be used as a component of a special tractor-mobile home rig. The holder of a general permit may make, during the period of the permit, any number of mobile home or sectionalized building movements with the towing vehicle component of the special tractor-mobile home rig for which the permit was granted. However, the Indiana department of transportation may adopt rules requiring the obtaining of a movement authorization for each movement.

(d) A special permit is limited to the particular movement of the mobile home or sectionalized building for which the special permit is issued. A person purchasing a mobile home or sectionalized building, but who does not have a legal title to the mobile home or sectionalized building, is considered the owner of the mobile home or sectionalized building for the purposes of this chapter if the person has a contract with the seller or the seller's assignee. However, the person shall present to the granting authority a statement by the holder of the legal title to the mobile home or sectionalized building granting permission for the movement of the mobile home or

sectionalized building.
As added by P.L.2-1991, SEC.8.

IC 9-20-15-5
Interstate highways; federal funds

Sec. 5. This chapter does not apply to interstate highways to the extent that the application of this chapter to those highways would cause the state to be deprived of any federal funds for highway purposes.
As added by P.L.2-1991, SEC.8.

IC 9-20-15-6
"Extra wide manufactured home rig"

Sec. 6. (a) As used in this section, "extra wide manufactured home rig" means any combination of a manufactured home or sectionalized building and a towing vehicle having all of the following dimensions:

(1) Some part of the combination with a width greater than one hundred seventy-two (172) inches but not greater than one hundred ninety-two (192) inches.

(2) The:

(A) manufactured home part of the combination, including the hitch; or

(B) sectionalized building part of the combination, including the hitch;

with a length that does not exceed eighty-five (85) feet.

(3) The tractor part of the combination with a length not less than twelve (12) feet.

(4) None of the combination with a height greater than fourteen (14) feet six (6) inches.

(b) The Indiana department of transportation may adopt rules under IC 4-22-2 to implement a permit system regulating the transportation of extra wide manufactured home rigs.

(c) Rules adopted by the Indiana department of transportation under this section must address the following:

(1) The competitive nature of Indiana's manufactured housing industry.

(2) The safety of persons who use the highways.

(d) If the Indiana department of transportation adopts rules under this section to issue permits for extra wide manufactured home rigs, the fee for a permit is thirty dollars ($30).
As added by P.L.95-1991, SEC.4. Amended by P.L.93-1997, SEC.11; P.L.217-2003, SEC.5; P.L.198-2016, SEC.357.

IC 9-20-15-7
Quarterly or annual permit

Sec. 7. (a) This section applies to a person that purchases a quarterly or an annual permit under section 1 of this chapter to move a special tractor-mobile home rig.

(b) A person described in subsection (a) shall use only the permissible routes for moving a special tractor-mobile home rig. The person must check the daily detour and restriction bulletin before choosing a route to travel. If the person moves a special tractor-mobile home rig on a route that is restricted or prohibited, the person's quarterly or annual permit may be revoked.

(c) If a person's quarterly or annual permit is revoked under subsection (b), the person may not obtain a new quarterly or annual permit for a period of ninety (90) days. The person may move a special tractor-mobile home rig under a single trip permit until the person is eligible to obtain a new quarterly or annual permit.

As added by P.L.217-2003, SEC.6. Amended by P.L.198-2016, SEC.358.

IC 9-20-16

Chapter 16. Study of Indiana Roads

IC 9-20-16-1

Report on condition of Indiana roads

Sec. 1. Before August 1 of each year, the Civil Engineering School at Purdue University shall report in an electronic format under IC 5-14-6 to the interim study committee on roads and transportation the results of a continuing study of the condition of Indiana's roads and streets as the condition may be affected by trucks and tractor-semitrailer combinations.

As added by P.L.2-1991, SEC.8. Amended by P.L.28-2004, SEC.77; P.L.16-2014, SEC.6; P.L.53-2014, SEC.95.

IC 9-20-17

Chapter 17. Weigh Stations and Weight Checks

IC 9-20-17-1

State police; average number of checks per week

Sec. 1. The state police department shall make at least an average of twenty-five (25) weight checks per week for each patrolman of the department. The department may utilize the services of civilian employees in accomplishing the weight checks.

As added by P.L.2-1991, SEC.8.

IC 9-20-17-2

Heavy commercial truck traffic; permanent stations; staffing; portable scales

Sec. 2. To the degree possible, all permanent weigh stations must be staffed during the hours of heavy commercial truck traffic. Enforcement crews shall operate portable scales frequently enough to discourage heavy truck traffic on Indiana secondary highways.

As added by P.L.2-1991, SEC.8.

IC 9-20-17-3

Enforcement procedures

Sec. 3. (a) A police officer who has reason to believe that a vehicle or the load on a vehicle is unlawful may do the following:

(1) Stop, measure, and weigh the vehicle or load on a highway by means of portable or stationary scales.

(2) Require the vehicle to be driven to the nearest scales if the nearest scales are within five (5) miles. However, a vehicle carrying a load of asphalt or concrete in the plastic stage may not be required to be driven more than two (2) miles to the nearest scales.

(b) If an officer finds that a vehicle is loaded in violation of this article, the officer may cause the excess load to be removed from the vehicle. Material or goods that are removed shall be removed and cared for at the risk of the person who owns or operates the vehicle.

As added by P.L.2-1991, SEC.8.

IC 9-20-17-4

Equipment necessary for enforcement; purchase; costs

Sec. 4. (a) Scales and other equipment necessary for the proper enforcement of this article may be purchased by the authority having charge of the maintenance of the highways on which the scales are or equipment is to be used.

(b) The cost of scales and equipment described under subsection (a) shall be charged to the maintenance of the highway on which the scale or equipment is used.

As added by P.L.2-1991, SEC.8.

IC 9-20-18

Chapter 18. Penalties and Enforcement

IC 9-20-18-1

Venue

Sec. 1. For the purposes of this chapter, the operation of a vehicle or combination of vehicles in violation of a limitation in IC 9-20-4, IC 9-20-5, or IC 9-20-11 is a continuing offense and the venue for prosecution lies in a county in which the unlawful operation occurred. However, a conviction or acquittal in one (1) county bars a prosecution in another county.

As added by P.L.2-1991, SEC.8.

IC 9-20-18-2

Repealed

(Repealed by P.L.100-1991, SEC.3.)

IC 9-20-18-3

Detention of vehicles; bond; impoundment of property

Sec. 3. (a) If a person is apprehended operating or causing to be operated a vehicle or combination of vehicles on a highway with a weight in excess of a limitation under IC 9-20-4, IC 9-20-5, or IC 9-20-11, the vehicle or combination of vehicles shall be detained until the weight of the vehicle or combination of vehicles is reduced or distributed to comply with the limitation.

(b) While a vehicle or combination of vehicles is detained, the vehicle or combination of vehicles shall be kept in the custody of the apprehending officer and shall be moved only as directed by the officer or by direction of a court.

(c) A person who is apprehended may post a bond in a court. If a bond is posted and the weight is reduced to within the lawful limits, the vehicle or combination of vehicles shall be released by order of the court.

(d) If a bond is not posted, the court may have the apprehending officer impound the property until a bond is posted or until all fines and costs are paid or stayed.

As added by P.L.2-1991, SEC.8.

IC 9-20-18-4

Movement of vehicle following impoundment; Class A infraction

Sec. 4. A person who moves a vehicle or combination of vehicles after the vehicle or combination of vehicles is impounded commits a Class A infraction.

As added by P.L.2-1991, SEC.8. Amended by P.L.217-2014, SEC.43.

IC 9-20-18-5

Impoundment of cargo

Sec. 5. This chapter does not authorize the impounding of a part

of the cargo of an impounded vehicle or combination of vehicles.
As added by P.L.2-1991, SEC.8.

IC 9-20-18-6
Notification of location of cargo to shipper

Sec. 6. The driver of an impounded vehicle or combination of vehicles shall notify the shipper or a person having a monetary interest in the cargo or vehicle or combination of vehicles of the location of the cargo. The impounding officer shall give the driver reasonable opportunity to make the notification.
As added by P.L.2-1991, SEC.8.

IC 9-20-18-7
Criminal liability; defenses; knowledge of violation; fine; payment; sale of property

Sec. 7. (a) A court shall determine the extent of liability of the driver, carrier, shipper, or other party shown to be liable.

(b) It is a defense if a party can show that the party:

(1) could not reasonably have known the actual weight of the load involved;

(2) had no access to or control of the loading of an overweighted load;

(3) reasonably relied upon the representation of another party regarding the validity, scope, or allowable weight of a permit issued to the other party under this article; or

(4) received written confirmation from a carrier that the carrier:

(A) had a valid permit for the load; or

(B) was not required to have a permit for the load.

(c) If a person who is an owner, a driver, a carrier or a shipper specifically or directly orders or assigns a particular shipment to be loaded:

(1) the person shall be considered to have had control of the loading within the meaning of this section; and

(2) a showing of knowledge of the overweighted load affixes liability to the person.

(d) The person who has loaded a shipment has control of the loading within the meaning of this section and a showing of knowledge of the overweighted load affixes liability to the person if the person is self-employed. If the person loading a shipment is not self-employed, then liability affixes to the person's employer jointly and severally with the driver of an overweight vehicle.

(e) If a court determines that the owner of a vehicle or combination of vehicles involved in a case is jointly or severally liable, the owner shall be given ninety (90) days to pay the liability assessed by the court. During the ninety (90) days the court may continue the impounding of the equipment until all fines and costs are paid. If the fines and costs are not paid within the ninety (90) days after the court determination, the court may order the property

sold to pay the fines and costs.

(f) The court shall determine the liabilities, rights, and remedies of all of the parties involved.

As added by P.L.2-1991, SEC.8. Amended by P.L.54-2009, SEC.5.

IC 9-20-18-8

Order for sale of property; procedure; expenses; bill of sale; certificate of title; liens

Sec. 8. (a) An order for sale may do the following:

(1) Include an apportionment of fines and costs among the parties.

(2) Establish a civil right of recovery by the owner of the property to be sold against any other parties the court also finds liable for apportioned shares.

(b) The procedure for the sale is the same as though the property was abandoned, and the impounding officer shall initiate the action necessary for the sale of the impounded property under the laws concerning the sale of abandoned vehicles.

(c) Expenses that are incurred in the storage and selling of a vehicle or combination of vehicles shall be deducted from the proceeds received from the sale, and any amount remaining shall be forwarded to the owner by registered mail to the address to which original notice was given.

(d) A person conducting a sale may give a bill of sale to a purchaser. The bureau may issue a certificate of title based on the bill of sale.

(e) A sale under this chapter is subject to liens of record or recorded on the title and to mechanic's possessory liens.

As added by P.L.2-1991, SEC.8.

IC 9-20-18-9

Penalties based on number of convictions; certified copy of judgment; notice to appear before department of revenue; proceedings; suspension

Sec. 9. (a) A person who owns a motor vehicle and is convicted the following number of times is subject to the following penalties:

(1) For five (5) times in a year of violating IC 9-20-4-1(a), suspension for five (5) days from the use of the highways, and if subject to the jurisdiction of the department of state revenue, the person's permit, registration, certificate, or certificate of authority issued by the department shall be suspended for the same period of time on receipt by the department of certified copies of the five (5) convictions. The suspension of the permit, registration, certificate, or certificate of authority runs concurrently.

(2) For ten (10) times in a year of violating IC 9-20-4-1(a), suspension for ten (10) days from the use of the highways and the person's permit, registration, certificate, or certificate of

authority issued by the department of state revenue under IC 8-2.1 shall be suspended for the same period of time upon receipt by the department of certified copies of the ten (10) convictions. The suspension of the permit, registration, certificate, or certificate of authority runs concurrently.

(3) For fifteen (15) times in a year of violating IC 9-20-4-1(a), suspension for thirty (30) days from the use of the highways and the person's permit, registration, certificate, or certificate of authority issued by the department of state revenue under IC 8-2.1 shall be suspended for the same period of time upon receipt by the department of certified copies of the fifteen (15) convictions. The suspension of the permit, registration, certificate, or certificate of authority runs concurrently.

(4) For more than fifteen (15) times in a year of violating IC 9-20-4-1(a), for each additional five (5) convictions in excess of fifteen (15), suspension for five (5) days from the use of the highways and the person's permit, registration, certificate, or certificate of authority issued by the department of state revenue under IC 8-2.1 shall be suspended for the same period of time upon receipt by the department of certified copies of the additional convictions. The suspension of the permit, registration, certificate, or certificate of authority runs concurrently.

(b) A court shall immediately, upon conviction of a person who owns or operates a motor vehicle of violating IC 9-20-4-1(a), send the bureau of the department of state revenue a certified copy of the judgment of the court setting forth the following:

(1) The name of the person who owns the vehicle.

(2) The date of the violation.

(3) The amount of fine levied.

The bureau shall keep a record of all convictions in the bureau's office.

(c) After the number of convictions has been certified to the bureau of the department of state revenue, the bureau shall send by certified mail to the person against whom the convictions have accumulated a notice to appear before the department of state revenue for the following purposes:

(1) To show cause why a suspension should not be assessed.

(2) To advise the person of a date on which the department will conduct the hearing. The date must not be less than twenty (20) days from the date of the sending of the certified letter.

The department shall conduct the proceeding in accordance with IC 8-2.1.

(d) If after the proceeding the department of state revenue finds that the permit, registration, certificate, or certificate of authority should be suspended, the department shall do the following:

(1) Issue an order within thirty (30) days from the date of the conclusion of the proceeding.

(2) Serve upon the person a certified copy of the order of suspension by certified mail.

If the department finds that a suspension is not justified, the department shall serve an order upon the person affected. All rights of appeal from the orders of the department are subject to appeal as provided by IC 8-2.1.

(e) If a private carrier not under the jurisdiction of the department of state revenue is convicted under this article, the court shall immediately certify the convictions to the bureau. The bureau shall keep a record of the convictions in the same manner as provided for the department of state revenue.

(f) After the number of convictions on a person operating as a private carrier not under the jurisdiction of the department of state revenue has been certified to the bureau, the bureau shall send by certified mail to the person a notice to appear before the department to show cause why the person should not have the suspensions assessed. All provisions for the notice of the citation proceedings, together with the rights of compelling the attendance of witnesses, swearing of witnesses, taking testimony of witnesses, and of issuing an order, are the same before the bureau for private carriers as are provided before the department for public carriers, but the procedure to govern the hearings is the same as other similar hearings.

As added by P.L.2-1991, SEC.8.

IC 9-20-18-10

Maintenance personnel; assistance in enforcement; powers and duties; compensation

Sec. 10. (a) The department of transportation may deputize and appoint the department's regularly employed maintenance personnel to assist in the enforcement of this article.

(b) Maintenance personnel delegated and appointed under this section shall report to the proper officers any violations of this article for prosecution by the proper officers.

(c) For the purpose of enforcing this article, an employee who is designated:

(1) has the power of a police officer anywhere in Indiana;

(2) must subscribe an oath; and

(3) must furnish a bond of one thousand dollars ($1,000):

(A) for faithful performance of the employee's duties as a special officer running to the state; and

(B) approved and filed in the office of the secretary of state.

(d) An employee described under this section may not receive additional salary or wages due to the employee's services under this section.

As added by P.L.2-1991, SEC.8.

IC 9-20-18-11

Damage to highways and bridges; liability; civil action

Sec. 11. (a) A person who owns or operates a vehicle, an object, or a contrivance unlawfully operated or moved on a highway or bridge is jointly and severally responsible for all damages to the highway or bridge as a result of a violation of this article.

(b) The:

(1) attorney general on behalf of the state, for state highways; and

(2) proper legal officer on behalf of the county, township, or municipality affected;

shall bring a civil action against the person involved to recover the damages sustained.

(c) All funds recovered shall be credited to the proper highway fund to be used for the reimbursement of the cost of repairing the damaged highways and bridges.

As added by P.L.2-1991, SEC.8.

IC 9-20-18-12

Violation of article; Class C infraction; violation of weight limitations; Class B infraction; Class A infraction; defenses; suspension; funds; disbursement

Sec. 12. (a) Except as provided in subsection (b), a person who violates this article commits a Class C infraction.

(b) A violation of a weight limitation in IC 9-20-4, IC 9-20-5, IC 9-20-11, or IC 9-20-7-1 is:

(1) a Class B infraction if the total of all excesses of weight under those limitations is more than five thousand (5,000) pounds but not more than ten thousand (10,000) pounds; and

(2) a Class A infraction if the total of all excesses of weight under those limitations is more than ten thousand (10,000) pounds.

(c) This subsection does not apply to violations that occur on an interstate highway. It is a defense to a charge of violating a weight limitation in IC 9-20-4, IC 9-20-5, or IC 9-20-11 that the total of all excesses of weight under those limitations is less than one thousand (1,000) pounds.

(d) The court may suspend the registration of a vehicle used in violating this article for not more than ninety (90) days.

(e) Upon the conviction of a person for a violation of a law regarding the weight limit of vehicles operated upon a highway, the court may recommend suspension of the person's current chauffeur's license if the violation was committed knowingly.

(f) Notwithstanding IC 34-28-5-4, funds collected as judgments, except for costs, for violations under subsection (a) or (b) shall be deposited in the state highway fund.

As added by P.L.2-1991, SEC.8. Amended by P.L.122-1993, SEC.6; P.L.1-1998, SEC.99.

IC 9-20-18-13

Special tractor-mobile home rig moving violations; extra wide manufactured home rig rules violations; penalties

Sec. 13. (a) A person who operates a special tractor-mobile home rig who violates IC 9-20-15 is considered to be committing a moving violation and is subject to the penalties provided under rules adopted under IC 9-25.

(b) A person (as defined in IC 9-20-15-0.5) or an individual owner who violates a rule adopted under IC 9-20-15-6 commits a Class C infraction.

As added by P.L.2-1991, SEC.8. Amended by P.L.95-1991, SEC.5; P.L.198-2016, SEC.359.

IC 9-20-18-14

Loads not securely fastened; Class C infraction

Sec. 14. (a) This section does not apply to a vehicle that has sides that extend above the load unless the load is not safely secured.

(b) A person who operates or permits the operation of a vehicle:

(1) on which:

(A) logs, lumber, pipe, poles, tanks, boilers, or similar objects are carried and not securely fastened by:

(i) metal chains;

(ii) wire cables;

(iii) steel strapping; or

(iv) logistic webbing of synthetic fibers;

identified as to strength and equipped with compatible hardware, that are of sufficient strength to hold the load in place under ordinary traffic or road conditions; and

(B) a load or part of a load more than ten (10) feet in length is not fastened by at least three (3) of the devices listed under subdivision (1), one (1) of which must be near each end and the other at the approximate center of the load; and

(2) on a public street or highway;

commits a Class C infraction.

As added by P.L.2-1991, SEC.8.

IC 9-20-18-14.5

Civil penalties

Sec. 14.5. (a) The civil penalties imposed under this section are in addition to the other civil penalties that may be imposed under IC 8 and IC 9. Notwithstanding section 12 of this chapter, a civil penalty imposed under this section:

(1) is imposed on the person whose United States Department of Transportation number is registered on the vehicle transporting the load;

(2) shall be deposited in the motor carrier regulation fund established by IC 8-2.1-23-1; and

(3) is in addition to any fines imposed by a court.

(b) A person who violates IC 9-20-5-7 is subject to a civil penalty

of not more than five hundred dollars ($500) for each violation.

(c) A person who obtains a permit under this article and violates this article is subject to a civil penalty of not more than five hundred dollars ($500) for the first violation and not more than one thousand dollars ($1,000) for each subsequent violation.

(d) A person who transports heavy vehicles or loads subject to this article and fails to obtain a permit required under this article is subject to a civil penalty of not more than five thousand dollars ($5,000) for each violation.

(e) A civil penalty imposed under this section may be assessed against a person only after an administrative hearing has been conducted at which the person has an opportunity to present information as to why the civil penalty should not be assessed.

As added by P.L.129-2001, SEC.31. Amended by P.L.176-2006, SEC.12; P.L.45-2011, SEC.5.

IC 9-20-18-15

Enforcement of size and weight restrictions; cooperation among departments

Sec. 15. The Indiana state police board, the state police department, and the Indiana department of transportation shall cooperate in enforcement of Indiana laws relating to the height, width, length, gross weights, and load weights of vehicles or combinations of vehicles, with or without motive power, being operated, drawn, driven, moved, or transported on or over highways.

As added by P.L.2-1991, SEC.8. Amended by P.L.198-2016, SEC.360.

IC 9-20-18-16

Interstate compacts and agreements; violations subject to IC 9-28

Sec. 16. The following are subject to IC 9-28:

(1) A:

(A) conviction for a crime; or

(B) judgment for an offense or ordinance violation;

under this article related to the use or operation of a motor vehicle.

(2) The issuance of a citation (as defined in IC 9-28-2-1) under this article.

As added by P.L.2-1991, SEC.8.

IC 9-21

ARTICLE 21. TRAFFIC REGULATION

IC 9-21-1

Chapter 1. Application

IC 9-21-1-0.5

"Lawful intervention technique"

Sec. 0.5. As used in this chapter, "lawful intervention technique" means a method by which a pursuing motor vehicle causes, or attempts to cause, a fleeing motor vehicle to stop. The term includes a precision immobilization technique (PIT) maneuver.

As added by P.L.145-2009, SEC.2.

IC 9-21-1-1

Application of article

Sec. 1. Except as provided in sections 2, 3, and 3.3 of this chapter, this article applies throughout Indiana.

As added by P.L.2-1991, SEC.9. Amended by P.L.150-2009, SEC.10.

IC 9-21-1-2

Local authorities; adoption of additional regulations; conflict of law; fines; disbursement

Sec. 2. (a) Except as provided in section 3.5 of this chapter, a local authority may adopt by ordinance additional traffic regulations with respect to highways under the authority's jurisdiction. An ordinance adopted under this subsection may not conflict with or duplicate a statute.

(b) After a request has been made at a public meeting or by certified mail to the legislative body (as defined in IC 36-1-2-9) from the property owner, a local authority may adopt by ordinance additional traffic regulations with respect to a private road within the authority's jurisdiction. The ordinance:

(1) must require a contractual agreement between the local authority and property owner of the private road setting forth the terms and responsibilities of the additional traffic regulations;

(2) must require the contractual agreement required under subdivision (1) to be recorded after passage of the ordinance in the office of the recorder of the county in which the private road is located; and

(3) may not conflict with or duplicate state law.

(c) A fine assessed for a violation of a traffic ordinance adopted by a local authority may be deposited into the general fund of the appropriate political subdivision.

As added by P.L.2-1991, SEC.9. Amended by P.L.128-2002, SEC.1; P.L.143-2002, SEC.5; P.L.1-2003, SEC.50.

IC 9-21-1-3
Powers of local authorities; effective date of ordinances

Sec. 3. (a) A local authority, with respect to private roads and highways under the authority's jurisdiction, in accordance with sections 2 and 3.3(a) of this chapter, and within the reasonable exercise of the police power, may do the following:

(1) Regulate the standing or parking of vehicles.

(2) Regulate traffic by means of police officers or traffic control signals.

(3) Regulate or prohibit processions or assemblages on the highways.

(4) Designate a highway as a one-way highway and require that all vehicles operated on the highway be moved in one (1) specific direction.

(5) Regulate the speed of vehicles in public parks.

(6) Designate a highway as a through highway and require that all vehicles stop before entering or crossing the highway.

(7) Designate an intersection as a stop intersection and require all vehicles to stop at one (1) or more entrances to the intersection.

(8) Restrict the use of highways as authorized in IC 9-21-4-7.

(9) Regulate the operation of bicycles and require the registration and licensing of bicycles, including the requirement of a registration fee.

(10) Regulate or prohibit the turning of vehicles at intersections.

(11) Alter the prima facie speed limits authorized under IC 9-21-5.

(12) Adopt other traffic regulations specifically authorized by this article.

(13) Adopt traffic regulations governing traffic control on public school grounds when requested by the governing body of the school corporations.

(14) Regulate or prohibit the operation of low speed vehicles, golf carts, or off-road vehicles on highways in accordance with section 3.3(a) of this chapter.

(b) An ordinance or regulation adopted under subsection (a)(4), (a)(5), (a)(6), (a)(7), (a)(8), (a)(10), (a)(11), (a)(12), (a)(13), or (a)(14), is effective when signs giving notice of the local traffic regulations are posted upon or at the entrances to the highway or part of the highway that is affected.

As added by P.L.2-1991, SEC.9. Amended by P.L.128-2002, SEC.2; P.L.21-2003, SEC.6; P.L.150-2009, SEC.11; P.L.182-2009(ss), SEC.291; P.L.259-2013, SEC.15.

IC 9-21-1-3.3
Ordinances regarding use of golf carts on highway

Sec. 3.3. (a) A city, county, or town may adopt by ordinance traffic regulations concerning the use of golf carts or off-road

vehicles, or both on a highway under the jurisdiction of the city, county, or town. An ordinance adopted under this subsection may not:

(1) conflict with or duplicate another state law; or

(2) conflict with a driver's licensing requirement of another provision of the Indiana Code.

(b) A fine assessed for a violation of a traffic ordinance adopted by a city, county, or town under this section shall be deposited into the general fund of the city, county, or town.

(c) Notwithstanding subsection (a), an ordinance adopted by a county under this section:

(1) may allow an operator of a golf cart or off-road vehicle to cross a highway in the state highway system, at right angles, in order to travel from one (1) highway under the jurisdiction of the county to another highway under the jurisdiction of the county when the operation can be done safely; and

(2) must set a limit as to the number of passengers (other than the operator) that may be permitted on a golf cart or off-road vehicle.

(d) A violation of an ordinance adopted under this section that is committed on a state highway by the operator of a golf cart or off-road vehicle is considered to be an ordinance violation.

As added by P.L.150-2009, SEC.12. Amended by P.L.182-2009(ss), SEC.292; P.L.60-2012, SEC.1; P.L.259-2013, SEC.16.

IC 9-21-1-3.5

Local authority; prohibition against or restriction on use of electric personal assistive mobility device

Sec. 3.5. A local authority may not adopt by ordinance any prohibition against or restriction on the use of an electric personal assistive mobility device operated on a path set aside for the exclusive use of bicycles as set forth in IC 9-21-11-1(b).

As added by P.L.143-2002, SEC.6.

IC 9-21-1-4

Posting of signs on state highways by local authorities; conditions; prohibitions

Sec. 4. (a) Notwithstanding IC 8-23-20, IC 9-21-5, and section 5 of this chapter, a city or town may, by ordinance, authorize and pay for signs to be erected along the routes of state highways if the following conditions are met:

(1) The sign is an information sign stating only that a famous person is or was a resident of that city or town.

(2) The sign conforms to the manual on traffic control devices standards for historical signs.

(3) A copy of the sign ordinance is sent to the bureau of the Indiana department of transportation.

(b) The commissioner of the Indiana department of transportation

may, within sixty (60) days after the effective date of an ordinance adopted under subsection (a), prohibit the erection of or cause removal of the sign if the bureau finds that the sign:

(1) creates a traffic hazard; or

(2) expresses a commercial or partisan political message.

As added by P.L.2-1991, SEC.9.

IC 9-21-1-5

Local control of state highways; enforcement powers

Sec. 5. Local control of the routes of state highways in cities and towns includes only the power of enforcement of this article and of the regulations passed by the Indiana department of transportation.

As added by P.L.2-1991, SEC.9.

IC 9-21-1-6

Drivers of vehicles; application of chapter

Sec. 6. Except as provided in sections 7 and 8 of this chapter, this article applies to the drivers of vehicles owned or operated by the United States, this state, or a political subdivision of the state.

As added by P.L.2-1991, SEC.9.

IC 9-21-1-7

Highway construction vehicles; application of article

Sec. 7. Unless specifically made applicable, this article does not apply to a person, team, motor vehicle, and other equipment actually engaged in work on the surface of a highway. This article applies to a person and vehicle when traveling to or from work on the surface of a highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-1-8

Emergency vehicles

Sec. 8. (a) This section applies to the person who drives an authorized emergency vehicle when:

(1) responding to an emergency call;

(2) in the pursuit of an actual or suspected violator of the law; or

(3) responding to, but not upon returning from, a fire alarm.

(b) The person who drives an authorized emergency vehicle may do the following:

(1) Park or stand, notwithstanding other provisions of this article.

(2) Proceed past a red or stop signal or stop sign, but only after slowing down as necessary for safe operation.

(3) Exceed the maximum speed limits if the person who drives the vehicle does not endanger life or property.

(4) Disregard regulations governing direction of movement or turning in specified directions.

(5) Execute a lawful intervention technique if the person has completed a training course that instructs participants in the proper execution of lawful intervention techniques.

(c) This section applies to an authorized emergency vehicle only when the vehicle is using audible or visual signals as required by law. An authorized emergency vehicle operated as a police vehicle is not required to be equipped with or display red and blue lights visible from in front of the vehicle.

(d) This section does not do the following:

(1) Relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons.

(2) Protect the person who drives an authorized emergency vehicle from the consequences of the person's reckless disregard for the safety of others.

As added by P.L.2-1991, SEC.9. Amended by P.L.145-2009, SEC.3.

IC 9-21-1-9
Private roads

Sec. 9. Except when a different place is specifically referred to, this article applies to the operation of vehicles upon highways and private roads of a residential subdivision, regardless of who maintains them.

As added by P.L.2-1991, SEC.9. Amended by P.L.128-2002, SEC.3.

IC 9-21-1-10
Animals; vehicles drawn by animals

Sec. 10. A person who rides an animal or drives an animal drawing a vehicle upon a roadway is:

(1) subject to the provisions of this article applicable to the person who drives a vehicle; and

(2) is not subject to the provisions of this article that by their nature have no application.

As added by P.L.2-1991, SEC.9.

IC 9-21-1-11
Interstate compacts and agreements; application to crimes and offenses under this article

Sec. 11. The following are subject to IC 9-28:

(1) A:

(A) conviction for a crime; or

(B) judgment for an offense or ordinance violation;

under this article related to the use or operation of a motor vehicle.

(2) The issuance of a citation (as defined in IC 9-28-2-1) under this article.

As added by P.L.2-1991, SEC.9.

IC 9-21-2

Chapter 2. Indiana Manual on Uniform Traffic Control Devices for Streets and Highways

IC 9-21-2-1

Creation

Sec. 1. The Indiana department of transportation shall adopt the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways by order of the commissioner of the Indiana department of transportation with a letter of concurrence from the Federal Highway Administration.

As added by P.L.2-1991, SEC.9. Amended by P.L.36-2008, SEC.1.

IC 9-21-2-1.3

Expiration of rule adopted under section 1 of this chapter

Sec. 1.3. A rule adopted under section 1 of this chapter, before its amendment by P.L.36-2008, expires on the date on which the commissioner of the Indiana department of transportation issues an order under section 1 of this chapter, as amended by P.L.36-2008.

As added by P.L.220-2011, SEC.215.

IC 9-21-2-2

Conformance with other state and federally approved manuals

Sec. 2. The Indiana Manual on Uniform Traffic Control Devices for Streets and Highways must substantially conform with the Manual on Uniform Traffic Control Devices for Streets and Highways, 1961 Edition, and the Manual for Signing and Pavement Marking for the National System for Interstate and Defense Highways, 1962 Edition, and all other manuals and revisions to the manuals that have the approval of the Federal Highway Administrator.

As added by P.L.2-1991, SEC.9.

IC 9-21-2-3

Revisions to manual; approval by department of transportation

Sec. 3. All manuals (including revisions to the manuals) described in section 2 of this chapter may be considered to become a part of the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways if the following conditions exist:

(1) The Indiana department of transportation concurs in the revisions.

(2) The Indiana department of transportation adopts the manuals (including revisions) by order of the commissioner of the Indiana department of transportation.

As added by P.L.2-1991, SEC.9. Amended by P.L.36-2008, SEC.2.

IC 9-21-2-4

Adoption of control devices where federal standards are silent

Sec. 4. The Indiana department of transportation may add control devices to the state manual in those areas where the federal standards are silent.

As added by P.L.2-1991, SEC.9.

IC 9-21-3

Chapter 3. Traffic Control Signals

IC 9-21-3-0.5

"Pedestrian hybrid beacon"

Sec. 0.5. As used in this chapter, "pedestrian hybrid beacon" means a traffic control signal used to warn and control traffic in order to assist pedestrians in crossing a roadway at a crosswalk distinctly indicated for pedestrian crossing by lines or other markings.

As added by P.L.43-2011, SEC.2.

IC 9-21-3-1

Standards and specifications

Sec. 1. Each traffic control signal on a street or highway within Indiana must conform with the standards, specifications, and warrants set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways.

As added by P.L.2-1991, SEC.9.

IC 9-21-3-2

Installation; traffic engineering studies; vicinity of schools; special hearing

Sec. 2. (a) Each traffic signal installation on a street or highway within Indiana may be erected only after the completion of traffic engineering studies that verify that the traffic signal control is necessary as set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways.

(b) If:

(1) the proposed installation is in the immediate vicinity of a school; and

(2) the installation does not meet the requirements of this section;

the governmental unit responsible for the control of traffic at the location shall grant a special hearing on the question to a person who has properly petitioned for the installation of a traffic signal.

As added by P.L.2-1991, SEC.9.

IC 9-21-3-3

Removal of nonconforming signals

Sec. 3. Each traffic signal upon a highway that does not conform to this chapter shall be removed by the governmental agency having jurisdiction over the highway.

As added by P.L.2-1991, SEC.9. Amended by P.L.198-2016, SEC.361.

IC 9-21-3-4

Department of transportation; duties

Sec. 4. The Indiana department of transportation is responsible for the control of all traffic signals on the state highway system.
As added by P.L.2-1991, SEC.9.

IC 9-21-3-5
Property of department of transportation

Sec. 5. A traffic signal installation on a state route is the property of the Indiana department of transportation.
As added by P.L.2-1991, SEC.9.

IC 9-21-3-6
Public or private agencies; erection of signs; written permission

Sec. 6. (a) Except as provided in subsection (b), a public or private agency may not erect a traffic control device on a state maintained highway without the written permission of the Indiana department of transportation.

(b) This subsection applies to the installation of traffic signals on a state highway in a city or town. The Indiana department of transportation shall:

(1) install any signal that meets the standards, specifications, and warrants set forth in the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways; or

(2) grant written permission to a city or town to erect the signal if it is not possible for the state immediately to install the signal.

As added by P.L.2-1991, SEC.9.

IC 9-21-3-7
Signals exhibiting colored lights or arrows; requirements; explanation of colors

Sec. 7. (a) Whenever traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows successively, one (1) at a time or in combination, only the colors green, red, or yellow may be used, except for special pedestrian signals under IC 9-21-18.

(b) The lights indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication means the following:

(A) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left, unless a sign at the place prohibits either turn.

(B) Vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent sidewalk at the time the signal is exhibited.

(C) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by the green arrow or other movement permitted

by other indications shown at the same time.

(D) Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(E) Unless otherwise directed by a pedestrian control signal, pedestrians facing a green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within a marked or unmarked crosswalk.

(2) Steady yellow indication means the following:

(A) Vehicular traffic facing a steady circular yellow or yellow arrow signal is warned that the related green movement is being terminated and that a red indication will be exhibited immediately thereafter.

(B) A pedestrian facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian control signal, is advised that there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian may not start to cross the roadway at that time.

(3) Steady red indication means the following:

(A) Except as provided in clauses (B) and (D), vehicular traffic facing a steady circular red or red arrow signal shall stop at a clearly marked stop line. However, if there is no clearly marked stop line, vehicular traffic shall stop before entering the crosswalk on the near side of the intersection. If there is no crosswalk, vehicular traffic shall stop before entering the intersection and shall remain standing until an indication to proceed is shown.

(B) Except when a sign is in place prohibiting a turn described in this subdivision, vehicular traffic facing a steady red signal, after coming to a complete stop, may cautiously enter the intersection to do the following:

(i) Make a right turn.

(ii) Make a left turn if turning from the left lane of a one-way street into another one-way street with the flow of traffic.

Vehicular traffic making a turn described in this subdivision shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic using the intersection.

(C) Unless otherwise directed by a pedestrian control signal pedestrians facing a steady circular red or red arrow signal may not enter the roadway.

(D) This clause does not apply to the operation of an autocycle. If the operator of a motorcycle, motor driven cycle, or bicycle approaches an intersection that is controlled by a traffic control signal, the operator may proceed through the intersection on a steady red signal only if the operator:

(i) comes to a complete stop at the intersection for at least one hundred twenty (120) seconds; and

(ii) exercises due caution as provided by law, otherwise treats the traffic control signal as a stop sign, and determines that it is safe to proceed.

(4) No indication or conflicting indications means the following:

(A) Except as provided in clause (C), vehicular traffic facing an intersection having a signal that displays no indication or conflicting indications, where no other control is present, shall stop before entering the intersection.

(B) After stopping, vehicular traffic may proceed with caution through the intersection and shall yield the right-of-way to traffic within the intersection or approaching so closely as to constitute an immediate hazard.

(C) Vehicular traffic entering an intersection or crosswalk facing a pedestrian hybrid beacon may proceed without stopping if no indication is displayed on the pedestrian hybrid beacon.

(5) This section applies to traffic control signals located at a place other than an intersection. A stop required under this subdivision must be made at the signal, except when the signal is supplemented by a sign or pavement marking indicating where the stop must be made.

As added by P.L.2-1991, SEC.9. Amended by P.L.8-2010, SEC.2; P.L.43-2011, SEC.3; P.L.206-2014, SEC.1; P.L.82-2015, SEC.5; P.L.149-2015, SEC.55.

IC 9-21-3-8

Red or yellow flashing signals

Sec. 8. (a) This section does not apply at railroad grade crossings.

(b) Whenever an illuminated flashing red or yellow light is used in a traffic signal or with a traffic sign, vehicular traffic shall obey the signal in the following manner:

(1) Flashing red (stop signal) means the following:

(A) When a red lens is illuminated by rapid intermittent flashes, a person who drives a vehicle shall stop at a clearly marked stop line before entering the crosswalk on the near side of the intersection.

(B) If no line exists, the person shall stop at the point nearest the intersecting roadway where the person has a view of approaching traffic on the intersecting roadway before entering the roadway.

(C) The right to proceed is subject to the rules applicable after making a stop at a stop sign.

(2) Except as provided in subdivision (3), flashing yellow (caution signal) means that when a yellow lens is illuminated with rapid intermittent flashes, a person who drives a vehicle may proceed through the intersection or past the signal only with caution.

(3) When a yellow lens with an arrow is illuminated with rapid intermittent flashes, a person who operates a vehicle may turn only after yielding to oncoming traffic.

As added by P.L.2-1991, SEC.9. Amended by P.L.43-2011, SEC.4.

IC 9-21-3-9

Individual lane use control signals

Sec. 9. When lane use control signals are placed over individual lanes, the signals apply to vehicular traffic as follows:

(1) Green indication (downward green arrows) means vehicular traffic may travel in any lane over which a green signal is shown.

(2) Steady yellow indication (yellow X symbol) means vehicular traffic is warned that a lane control change is being made.

(3) Steady red indication (red X symbol) means vehicular traffic may not enter or travel in a lane over which a red signal is shown.

(4) Flashing yellow indication (yellow X symbol) means vehicular traffic may use the lane only for the purpose of approaching and making a left turn.

As added by P.L.2-1991, SEC.9.

IC 9-21-3-10

Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.113-2014, SEC.19; P.L.217-2014, SEC.44.)

IC 9-21-3-11

Violations; Class C infraction

Sec. 11. A person who violates section 7, 8, or 9 of this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.113-2014, SEC.20; P.L.217-2014, SEC.45.

IC 9-21-3.5

Chapter 3.5. Automated Traffic Law Enforcement System

IC 9-21-3.5-1

"Authority"

Sec. 1. As used in this chapter, "authority" refers to the Indiana finance authority.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-2

"Automated traffic law enforcement system"

Sec. 2. As used in this chapter, "automated traffic law enforcement system" means a device that:

(1) has one (1) or more motor vehicle sensors; and

(2) is capable of producing a photographically recorded image of a motor vehicle, including an image of the vehicle's front or rear license plate, as the vehicle proceeds through a tollgate, toll zone, or other area on a tollway, qualifying project, private toll facility, or toll road that is marked as required by the department, the authority, or an operator as a place where a person using the tollway, qualifying project, private toll facility, or toll road must pay a toll.

As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015, SEC.2.

IC 9-21-3.5-3

"Department"

Sec. 3. As used in this chapter, "department" refers to the Indiana department of transportation.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-3.5

"Fee"

Sec. 3.5. As used in this chapter, "fee" means an amount assessed or imposed under:

(1) rules adopted under section 10(a)(4) of this chapter; or

(2) section 14(a)(2) of this chapter;

with respect to a toll violation.

As added by P.L.152-2015, SEC.3.

IC 9-21-3.5-4

"Operator"

Sec. 4. As used in this chapter, "operator" means:

(1) with respect to a tollway, qualifying project, or toll road, an operator (as defined in IC 8-15.5-2-5 or IC 8-15.7-2-11); or

(2) with respect to a private toll facility, a private entity that owns or operates the private toll facility.

As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015,

SEC.4.

IC 9-21-3.5-5
"Owner"

Sec. 5. As used in this chapter, "owner" means a person in whose name a motor vehicle is registered under:

(1) IC 9-18;
(2) the laws of another state;
(3) the laws of a foreign country; or
(4) the International Registration Plan.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-5.5
"Private toll facility"

Sec. 5.5. As used in this chapter, "private toll facility" means any new or existing highway, street, motorway, road, or bridge owned or operated by a private entity, including all tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, tollhouses, service stations, and administration, storage, and other buildings and facilities necessary or desirable for the operation of the private toll facility, together with all property, rights, easements, and interests which may be acquired by the private entity for the construction or operation of the facility. "Private toll facility" includes any subsequent improvement, betterment, enlargement, extension, or reconstruction of an existing private toll facility.

As added by P.L.152-2015, SEC.5.

IC 9-21-3.5-6
"Qualifying project"

Sec. 6. As used in this chapter, "qualifying project" has the meaning set forth in IC 8-15.7-2-16.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-7
"Toll road"

Sec. 7. As used in this chapter, "toll road" has the meaning set forth for "toll road project" in IC 8-15-2-4(4).

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-7.5
"Toll violation"

Sec. 7.5. As used in this chapter, "toll violation" refers to the failure to pay a toll or user fee required under section 9 or 9.1 of this chapter.

As added by P.L.152-2015, SEC.6.

IC 9-21-3.5-8
"Tollway"

Sec. 8. As used in this chapter, "tollway" has the meaning set forth in IC 8-15-3-7.
As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-9
Payment of toll by owner required

Sec. 9. (a) The owner of a motor vehicle, other than an authorized emergency vehicle, that is driven or towed through a toll collection facility on a toll road, tollway, or qualifying project shall pay the proper toll or user fee.

(b) A person who violates subsection (a) commits a moving violation, a Class C infraction.
As added by P.L.47-2006, SEC.45. Amended by P.L.163-2011, SEC.20.

IC 9-21-3.5-9.1
Payment of toll or user fee on private toll facility

Sec. 9.1. The owner of a motor vehicle, other than an authorized emergency vehicle, that is driven or towed through or on a private toll facility shall pay the proper toll or user fee.
As added by P.L.152-2015, SEC.7.

IC 9-21-3.5-10
Rules concerning automated traffic law enforcement systems at facilities other than private toll facilities

Sec. 10. (a) The department or the authority may adopt and enforce rules concerning:

(1) the placement and use of automated traffic law enforcement systems to enforce collection of user fees;

(2) required notification in the form of a citation to the owner of a vehicle used in the commission of a moving violation under section 9 of this chapter;

(3) the process for notification, collection, and enforcement of unpaid amounts;

(4) the amount of fines, charges, and assessments for toll violations, including, with respect to amounts unpaid by violators who are not subject to IC 9-18-2-17(b):

(A) contracting with a collection agency; and

(B) authorizing the collection agency in the contract for collection services to impose on and collect from the violator an additional collection fee; and

(5) other matters relating to automated traffic law enforcement systems that the department or the authority considers appropriate.

(b) A rule adopted under subsection (a)(2) must establish:

(1) a deadline for the department, authority, or operator, as applicable, to issue a citation to an owner of a vehicle used in the commission of a moving violation under section 9 of this

chapter; and

(2) a deadline, not to exceed thirty (30) days following receipt of the citation as determined under section 12(2) of this chapter, for the owner to pay a fine, charge, or other assessment for the toll violation.

(c) The department or the authority shall establish a process by which the department, authority, or operator, as applicable, shall notify the bureau of an owner's failure to pay a fine, charge, or other assessment for a toll violation following the expiration of the deadline described in subsection (b)(2).

(d) This section does not apply with respect to a private toll facility.

As added by P.L.47-2006, SEC.45. Amended by P.L.163-2011, SEC.21; P.L.152-2015, SEC.8.

IC 9-21-3.5-11

Advance warning signs

Sec. 11. (a) Before enforcing a rule adopted under section 10 of this chapter, the department, the authority, or an operator must install advance warning signs along the tollways, toll roads, or qualifying projects proceeding to the location at which an automated traffic law enforcement system is located.

(b) Before imposing or collecting a toll or fee under section 14 of this chapter, an operator must install advance warning signs along the private toll facility proceeding to the location at which an automated traffic law enforcement system is located.

As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015, SEC.9.

IC 9-21-3.5-12

Enforcement of toll violations

Sec. 12. In the enforcement of a toll violation, including the collection of fees:

(1) proof that the motor vehicle was driven or towed through the toll collection or private toll facility without payment of the proper toll or user fee may be shown by a video recording, a photograph, an electronic recording, or other appropriate evidence, including evidence obtained by an automated traffic law enforcement system;

(2) it is presumed that any notice of nonpayment was received on the fifth day after the date of mailing; and

(3) a computer record of the department, the authority, or the operator regarding the registered owner of the vehicle is prima facie evidence of its contents and that the toll violator was the registered owner of the vehicle at the time of the underlying event of nonpayment.

As added by P.L.47-2006, SEC.45. Amended by P.L.152-2015, SEC.10.

IC 9-21-3.5-13
Seizure of transponders

Sec. 13. (a) For purposes of this section, "transponder" means a device, placed on or within a motor vehicle, that is capable of transmitting information used to assess or collect tolls. A transponder is "insufficiently funded" when there are no remaining funds in the account in connection with which the transponder was issued.

(b) Any police officer of Indiana may seize a stolen or insufficiently funded transponder and return it to the department, the authority, or an operator, except that an insufficiently funded transponder may not be seized from the holder of an account sooner than the thirtieth day after the date the department, the authority, or an operator has sent a notice of delinquency to the holder of the account.

(c) The department or the authority may enter into an agreement with one (1) or more persons to market and sell transponders for use on tollways, toll roads, or qualifying projects.

(d) The department, the authority, or an operator may charge reasonable fees for initiating, administering, and maintaining electronic toll collection customer accounts.

(e) Electronic toll collection customer account information, including contact and payment information and trip data, is confidential and not subject to disclosure under IC 5-14-3. A contract for the acquisition, construction, maintenance, or operation of a tollway, toll road, or qualifying project must ensure the confidentiality of all electronic toll collection customer account information.

As added by P.L.47-2006, SEC.45.

IC 9-21-3.5-14
Powers of operator of private toll facility

Sec. 14. (a) The operator of a private toll facility may do the following:

(1) Fix, revise, charge, and collect tolls for the use of a private toll facility by any person, partnership, association, limited liability company, or corporation desiring the use of any part of the private toll facility, including the right of way adjoining the paved portion of the private toll facility. For purposes of this subdivision, the use of a private toll facility includes the placement of telephone, telegraph, electric, or power lines on any part of the private toll facility.

(2) Fix the terms, conditions, and rates of charge for use of the private toll facility, including fees for nonpayment of required tolls. However, a fee imposed for nonpayment of a required toll may not exceed fifty dollars ($50) for each unpaid toll.

(3) Collect tolls and fees through manual or nonmanual methods, including automated traffic law enforcement systems, automatic vehicle identification systems, electronic toll

collection systems, global positioning systems, and photo or video based toll collection or toll collection enforcement systems.

(b) The operator of a private toll facility may not impose a fee under subsection (a)(2) for nonpayment of a required toll until the operator has provided notice of the unpaid toll to the toll violator in accordance with notice requirements published on the Internet web site of the private toll facility. The operator shall include with the notice of the unpaid toll a summary of the notice requirements published on the Internet web site of the private toll facility.

As added by P.L.152-2015, SEC.11.

IC 9-21-3.5-15

Agreement between operator and bureau

Sec. 15. (a) The operator of a private toll facility may enter into an agreement with the bureau to obtain information under IC 9-14-12 necessary to enforce violations of section 9.1 of this chapter, including information regarding the registered owner of a vehicle operated in violation of section 9.1 of this chapter.

(b) The bureau may use any reciprocal arrangement that applies to the bureau to obtain information for purposes of subsection (a).

(c) An operator may use information provided under this section only for the purposes of this section.

(d) The operator of a private toll facility shall inform the bureau of the operator's process to notify the bureau of an owner's failure to pay a fine, charge, fee, or other assessment for a toll violation following the expiration of the deadline for payment of the fine, charge, fee, or other assessment as set forth in the operator's notice requirements published on the Internet web site of the private toll facility under section 14(b) of this chapter.

As added by P.L.152-2015, SEC.12. Amended by P.L.198-2016, SEC.362.

IC 9-21-4
Chapter 4. Traffic Control Devices

IC 9-21-4-1
Signing, marking, and erection; guidelines

Sec. 1. A governmental agency in Indiana that is responsible for the signing, marking, and erection of traffic control devices on streets and highways within Indiana shall follow the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-2
Placement and maintenance; department of transportation; local authorities; unnecessary signals; removal

Sec. 2. (a) The Indiana department of transportation shall place and, except as otherwise provided in this section and IC 8-23-2-15, maintain traffic control devices conforming to the state manual and specifications upon all state highways, including the state maintained routes through a city or town, as necessary to indicate and to carry out this article or to regulate, warn, or guide traffic.

(b) A local authority may not place or maintain a traffic control device upon a highway in the state highway system or the state maintained routes through a city or town until the authority has received written permission from the Indiana department of transportation.

(c) If the department determines, upon the basis of an engineering and traffic investigation, that any traffic control signal is not necessary for the safe, convenient, economical, and orderly movement of traffic, the signal shall be removed by the Indiana department of transportation and be returned to the authority responsible for the signal's erection. If the Indiana department of transportation determines, based on an engineering and traffic investigation, that a traffic control signal now in place is necessary for the safe, convenient, economical, and orderly movement of traffic, the signal must remain in place, and the Indiana department of transportation shall affix a tag or seal to the signal showing that the signal has been approved by the Indiana department of transportation.

As added by P.L.2-1991, SEC.9. Amended by P.L.217-2014, SEC.46.

IC 9-21-4-3
Local authorities; jurisdiction; duties; traffic calming devices

Sec. 3. (a) As used in this section, "traffic calming device" means a device erected to slow traffic on residential streets, including the following:

(1) traffic circles;
(2) curb extensions;
(3) neck downs;

(4) diagonal diverters;
(5) truncated diagonal diverters; or
(6) chicanes.

(b) A local authority shall place and maintain traffic control devices upon highways under the authority's jurisdiction, not including state highways, the authority considers necessary to indicate and to carry out this article or local traffic ordinances or to regulate, warn, or guide traffic. All traffic control devices, except traffic calming devices, erected under this section after June 30, 1939, must conform to the Indiana manual on uniform traffic control devices for streets and highways, ("the state manual") and design specifications. However, the design and use of traffic calming devices shall conform to generally accepted engineering principles of road design, and shall not affect the requirements of the state manual and design specifications as regards any other traffic control device, as used in this chapter.

As added by P.L.2-1991, SEC.9. Amended by P.L.93-1996, SEC.1.

IC 9-21-4-4

Unauthorized traffic control devices; prohibition

Sec. 4. A person may not place, maintain, or display upon or in view of a highway an unauthorized sign, signal, marking, or device that:

(1) purports to be, is an imitation of, or resembles an official traffic control device or a railroad sign or signal;
(2) attempts to direct the movement of traffic; or
(3) hides from view or interferes with the effectiveness of an official traffic control device or a railroad sign or signal.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-5

Commercial advertising; placement on traffic control devices; prohibition; exceptions; tourist attraction signage; lights maintained on private property; restrictions

Sec. 5. (a) Except as provided in subsection (b), a person may not place or maintain upon a highway a traffic sign or signal bearing commercial advertising. A public authority may not permit the placement of a traffic sign or signal that bears a commercial message.

(b) Under criteria to be jointly established by the Indiana department of transportation and the office of tourism development, the Indiana department of transportation may authorize the posting of any of the following:

(1) Limited tourist attraction signage.
(2) Business signs on specific information panels on the interstate system of highways and other freeways.

All costs of manufacturing, installation, and maintenance to the Indiana department of transportation for a business sign posted under this subsection shall be paid by the business.

(c) Criteria established under subsection (b) for tourist attraction signage must include a category for a tourist attraction that:

(1) is a trademarked destination brand; and

(2) encompasses buildings, structures, sites, or other facilities that are:

(A) listed on the National Register of Historic Places established under 16 U.S.C. 470 et seq.; or

(B) listed on the register of Indiana historic sites and historic structures established under IC 14-21-1;

regardless of the distance of the tourist attraction from the highway on which the tourist attraction signage is placed.

(d) Criteria established under subsection (b) for tourist attraction signage must include a category for a tourist attraction that is an establishment issued a brewer's permit under IC 7.1-3-2-2(b).

(e) A person may not place, maintain, or display a flashing, a rotating, or an alternating light, beacon, or other lighted device that:

(1) is visible from a highway; and

(2) may be mistaken for or confused with a traffic control device or for an authorized warning device on an emergency vehicle.

(f) This section does not prohibit the erection, upon private property adjacent to highways, of signs giving useful directional information and of a type that cannot be mistaken for official signs.

As added by P.L.2-1991, SEC.9. Amended by P.L.229-2005, SEC.8; P.L.30-2007, SEC.1; P.L.94-2008, SEC.59; P.L.79-2015, SEC.15.

IC 9-21-4-6

Advertising signs, signals, and devices; placement on or over roadway; prohibition; removal

Sec. 6. (a) A person may not place, maintain, or display an advertising sign, signal, or device on or over the roadway of a highway.

(b) A person may not place, maintain, or display an advertising sign, signal, or device on a highway in a city between the curb and sidewalk. If the curb and sidewalk join, a person may not place, maintain, or display on the sidewalk an advertising sign, signal, or device closer than ten (10) feet from the curb line. Overhanging signs may not overhang the curb.

(c) A person may not place, maintain, or display an advertising sign or device of any character within one hundred (100) feet of a highway outside the corporate limits of an incorporated city or town that obstructs the view of:

(1) the highway; or

(2) an intersecting highway, street, alley, or private driveway;

of a person traveling the highway for a distance of five hundred (500) feet or less from the sign or device as the person approaches the highway or intersecting highway.

(d) A person may not place, maintain, or display an advertising

sign or a device of a permanent or semipermanent character on a highway right-of-way.

(e) Each sign, signal, or marking prohibited under this section is declared to be a public nuisance. The authority having jurisdiction over the highway may remove or cause to be removed the prohibited sign, signal, or marking without notice.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-7

Designation or determination of the location of, necessity for, and extent of traffic control devices; order of department of transportation; violation; trial; certification of order; permits

Sec. 7. (a) Whenever, under this article, the Indiana department of transportation designates or determines the location of, necessity for, and extent of:

(1) traffic control devices;
(2) state speed limits, other than maximum limits;
(3) speed limits on elevated structures;
(4) no passing zones;
(5) one-way roadways;
(6) certain lanes for slow moving traffic;
(7) course of turning movements at intersections;
(8) dangerous railroad crossings requiring stops;
(9) through highways and stop intersections;
(10) angle parking; or
(11) restrictions on the use of highways for certain periods or for certain vehicles, including low speed vehicles;

the designation or determination shall be by order of the commissioner of the Indiana department of transportation and shall, except for subdivision (1), be evidenced by official signs or markings under this article. The commissioner of the Indiana department of transportation may designate an order adopted under this subsection as an emergency rule and adopt the order in the same manner as emergency rules are adopted under IC 4-22-2-37.1.

(b) At a trial of a person charged with a violation of the restrictions imposed by subsection (a) and in all civil actions, oral evidence of the location and content of the signs or markings is prima facie evidence of the adoption and application of the restriction by the Indiana department of transportation and the validity of the adoption and application of the restriction. The Indiana department of transportation shall, upon request by a party in an action at law, furnish, under the seal of the Indiana department of transportation, a certification of the order establishing the restriction in question. A certification under this subsection shall be accepted by any court as conclusive proof of the designation or determination by the commissioner of the Indiana department of transportation. Certified copies shall be furnished without cost to the parties to a court action involving the restriction upon request.

(c) Whenever, under this article, a permit or permission of the Indiana department of transportation is required, the permit must be in writing and under the seal of the Indiana department of transportation.
As added by P.L.2-1991, SEC.9. Amended by P.L.21-2003, SEC.7; P.L.140-2013, SEC.11.

IC 9-21-4-8
Rules of statewide application not evidenced by official signs and not authorized by this article; adoption; use of administrative rules

Sec. 8. The rules for construction of private drives and controlling the cutting of curbs in cities and any other rules of statewide application that are:

(1) not evidenced by official signs or markings;
(2) made by the Indiana department of transportation; and
(3) not authorized by this article but authorized by other statutes;

shall be adopted under IC 4-22-2.
As added by P.L.2-1991, SEC.9.

IC 9-21-4-9
Administrative rules; adoption of rules of statewide application; exceptions

Sec. 9. (a) Except as provided in subsections (b) and (c), all rules of statewide application shall be adopted under IC 4-22-2.

(b) Traffic regulations carrying a penalty for violation and requiring the use of signs or markers to make them effective need not be adopted under IC 4-22-2.

(c) Traffic regulations, except maximum speed limits and worksite speed limits, shall be officially adopted by order of the Indiana department of transportation.
As added by P.L.2-1991, SEC.9.

IC 9-21-4-10
Emergency rules; adoption under administrative rules provisions

Sec. 10. If the Indiana department of transportation designates a rule under section 8 or 9 of this chapter as an emergency rule, the department may adopt the rule under IC 4-22-2-37.1.
As added by P.L.2-1991, SEC.9.

IC 9-21-4-11
Through highways; stop or yield intersections; designation; erection of signs

Sec. 11. The Indiana department of transportation, with reference to state highways and highway routes through cities, and local authorities, with reference to other highways under their jurisdiction, may, upon an engineering and traffic investigation, designate:

(1) through highways and erect stop or yield signs at specified

entrances to the highways; or

(2) an intersection as a stop or yield intersection and erect stop or yield signs at one (1) or more entrances to the intersection.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-12

No passing zones and narrow bridges on state highways; designation; erection of signs

Sec. 12. (a) The Indiana department of transportation may determine by an engineering and traffic investigation those parts of a state highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and may, by appropriate signs or marks on the roadway, indicate the beginning and end of the zones.

(b) The Indiana department of transportation may determine that a bridge, a culvert, or an approach to a bridge or culvert on a state highway does not have sufficient clear roadway width to safely permit the passing of two (2) vehicles. A bridge or culvert described in this subsection shall be designated a one-lane bridge or a narrow bridge.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-13

No passing zones; designation by local authorities; erection of signs

Sec. 13. A local unit that has responsibility for roads and streets may determine by an engineering and traffic investigation those parts of a road or street, including bridges, under the unit's jurisdiction where overtaking and passing or driving to the left of the roadway would be especially hazardous. Upon making that determination, the local unit may, by ordinance, designate no-passing zones by appropriate signs or marks on the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-14

One-way highways and streets; designation; erection of signs

Sec. 14. The Indiana department of transportation may designate a highway or separate roadway under the department's jurisdiction for one-way traffic and shall erect appropriate signs giving notice of the designation.

As added by P.L.2-1991, SEC.9.

IC 9-21-4-15

Repealed

(Repealed by P.L.81-1996, SEC.12.)

IC 9-21-4-16

Stopping at railroad crossings; procedure

Sec. 16. When a stop sign is erected at a railroad crossing, the

driver of a vehicle shall stop within fifty (50) feet but not less than ten (10) feet from the nearest track of the grade crossing and shall proceed only upon exercising due care.
As added by P.L.2-1991, SEC.9.

IC 9-21-4-17
Preferential right-of-way at intersections; signs
Sec. 17. Whenever traffic at an intersection is controlled by signs, preferential right-of-way may be indicated by stop signs or yield signs under this chapter.
As added by P.L.2-1991, SEC.9.

IC 9-21-4-18
Operation of motor vehicle; obeyance of markings or signs
Sec. 18. A person who drives a vehicle must obey the markings or signs posted under this chapter.
As added by P.L.2-1991, SEC.9.

IC 9-21-4-19
Violations; Class C infraction
Sec. 19. A person who violates section 4, 5, 6, 16, 17, or 18 of this chapter commits a Class C infraction.
As added by P.L.2-1991, SEC.9.

IC 9-21-4-20
Highway work zones; signage; penalties
Sec. 20. (a) For purposes of this section, "highway work zone" has the meaning set forth in IC 8-23-2-15.
(b) The Indiana department of transportation shall design and manufacture or have manufactured signs that inform vehicle operators of the offenses and penalties under:
(1) IC 9-21-5-11; and
(2) IC 9-21-8-56.
(c) A sign described in subsection (b) shall be posted at a reasonable distance before a highway work zone by:
(1) the Indiana department of transportation;
(2) a political subdivision; or
(3) a contractor of the:
(A) Indiana department of transportation; or
(B) political subdivision;
that is working at the highway work zone.
A sign that is posted before a highway work zone must be posted in accordance with the Indiana Manual on Uniform Traffic Control Devices or the Indiana Work Site Traffic Control Manual.
As added by P.L.40-2007, SEC.1.

IC 9-21-5

Chapter 5. Speed Limits

IC 9-21-5-0.1

Application of certain amendments to chapter

Sec. 0.1. The amendments made to section 11 of this chapter by P.L.40-2007 apply to civil judgments entered for infractions committed after June 30, 2007.

As added by P.L.220-2011, SEC.216.

IC 9-21-5-1

General restrictions; violation

Sec. 1. (a) A person may not drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions, having regard to the actual and potential hazards then existing. Speed shall be restricted as necessary to avoid colliding with a person, vehicle, or other conveyance on, near, or entering a highway in compliance with legal requirements and with the duty of all persons to use due care.

(b) A person who drives at a speed greater than is reasonable and prudent for the given weather or road conditions commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.62.

IC 9-21-5-2

Maximum speed limits; violation

Sec. 2. (a) Except when a special hazard exists that requires lower speed for compliance with section 1 of this chapter, the slower speed limit specified in this section or established as authorized by section 3 of this chapter is the maximum lawful speed. A person may not drive a vehicle on a highway at a speed in excess of the following maximum limits:

(1) Thirty (30) miles per hour in an urban district.

(2) Fifty-five (55) miles per hour, except as provided in subdivisions (1), (3), (4), (5), (6), and (7).

(3) Seventy (70) miles per hour on a highway on the national system of interstate and defense highways located outside of an urbanized area (as defined in 23 U.S.C. 101) with a population of at least fifty thousand (50,000), except as provided in subdivision (4).

(4) Sixty-five (65) miles per hour for a vehicle (other than a bus) having a declared gross weight greater than twenty-six thousand (26,000) pounds on a highway on the national system of interstate and defense highways located outside an urbanized area (as defined in 23 U.S.C. 101) with a population of at least fifty thousand (50,000).

(5) Sixty-five (65) miles per hour on:

(A) U.S. 20 from the intersection of U.S. 20 and County

Road 17 in Elkhart County to the intersection of U.S. 20 and U.S. 31 in St. Joseph County;

(B) U.S. 31 from the intersection of U.S. 31 and U.S. 20 in St. Joseph County to the boundary line between Indiana and Michigan; and

(C) a highway classified by the Indiana department of transportation as an INDOT Freeway.

(6) On a highway that is the responsibility of the Indiana finance authority established by IC 4-4-11:

(A) seventy (70) miles per hour for:

(i) a motor vehicle having a declared gross weight of not more than twenty-six thousand (26,000) pounds; or

(ii) a bus; or

(B) sixty-five (65) miles per hour for a motor vehicle having a declared gross weight greater than twenty-six thousand (26,000) pounds.

(7) Sixty (60) miles per hour on a highway that:

(A) is not designated as a part of the national system of interstate and defense highways;

(B) has four (4) or more lanes;

(C) is divided into two (2) or more roadways by:

(i) an intervening space that is unimproved and not intended for vehicular travel;

(ii) a physical barrier; or

(iii) a dividing section constructed to impede vehicular traffic; and

(D) is located outside an urbanized area (as defined in 23 U.S.C. 101) with a population of at least fifty thousand (50,000).

(8) Fifteen (15) miles per hour in an alley.

(b) A person who violates subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.92-1991, SEC.2; P.L.1-1993, SEC.56; P.L.151-2005, SEC.2; P.L.1-2006, SEC.163; P.L.188-2015, SEC.63.

IC 9-21-5-3

Alteration of maximum speed limits; authorities; procedures

Sec. 3. The maximum speed limits set forth in section 2 of this chapter may be altered as follows:

(1) By local jurisdictions under section 6 of this chapter.

(2) By the Indiana department of transportation under section 12 of this chapter.

(3) For the purposes of speed limits on a highway on the national system of interstate and defense highways, by order of the commissioner of the Indiana department of transportation to conform to any federal regulation concerning state speed limit laws.

(4) In worksites, by all jurisdictions under section 11 of this chapter.

As added by P.L.2-1991, SEC.9. Amended by P.L.235-2005, SEC.124; P.L.151-2005, SEC.3; P.L.1-2006, SEC.164.

IC 9-21-5-4

Reduction of speed; conditions where required; violation

Sec. 4. (a) The driver of each vehicle shall, consistent with section 1 of this chapter, drive at an appropriate reduced speed as follows:

(1) When approaching and crossing an intersection or railway grade crossing.

(2) When approaching and going around a curve.

(3) When approaching a hill crest.

(4) When traveling upon a narrow or winding roadway.

(5) When special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

(b) A person who fails to drive at a reduced speed as required under subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.64.

IC 9-21-5-5

Oversized vehicles; violation

Sec. 5. (a) In addition to the other limitations in this chapter, and in any oversize vehicle permit issued under IC 9-20, a vehicle that exceeds:

(1) a width of ten (10) feet, six (6) inches;

(2) a height of thirteen (13) feet, six (6) inches; or

(3) a length of eighty-five (85) feet;

may not be operated at a speed greater than fifty-five (55) miles per hour.

(b) A person who operates a vehicle to which subsection (a) applies at a speed greater than fifty-five (55) miles per hour commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.85-1997, SEC.2; P.L.217-2003, SEC.7; P.L.188-2015, SEC.65.

IC 9-21-5-6

Speed limits greater or lesser than reasonable; alteration by local authority; engineering and traffic investigations; validity of speed limits; conditions; violation

Sec. 6. (a) Except as provided in subsections (e) and (f), whenever a local authority in the authority's jurisdiction determines that the maximum speed permitted under this chapter is greater or less than reasonable and safe under the conditions found to exist on a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit on the highway. The maximum limit declared under this section may do any of the following:

(1) Decrease the limit within urban districts, but not to less than

twenty (20) miles per hour.

(2) Increase the limit within an urban district, but not to more than fifty-five (55) miles per hour during daytime and fifty (50) miles per hour during nighttime.

(3) Decrease the limit outside an urban district, but not to less than thirty (30) miles per hour.

(4) Decrease the limit in an alley, but to not less than five (5) miles per hour.

(5) Increase the limit in an alley, but to not more than thirty (30) miles per hour.

The local authority must perform an engineering and traffic investigation before a determination may be made to change a speed limit under subdivision (2), (3), (4), or (5) or before the speed limit within an urban district may be decreased to less than twenty-five (25) miles per hour under subdivision (1).

(b) Except as provided in subsection (f), a local authority in the authority's jurisdiction shall determine by an engineering and traffic investigation the proper maximum speed for all local streets and shall declare a reasonable and safe maximum speed permitted under this chapter for an urban district. However, an engineering and traffic study is not required to be performed for the local streets in an urban district under this subsection if the local authority determines that the proper maximum speed in the urban district is not less than twenty-five (25) miles per hour.

(c) An altered limit established under this section is effective at all times or during hours of darkness or at other times as may be determined when appropriate signs giving notice of the altered limit are erected on the street or highway.

(d) Except as provided in this subsection, a local authority may not alter a speed limit on a highway or extension of a highway in the state highway system. A city or town may establish speed limits on state highways upon which a school is located. A person who violates the speed limit in a reduced speed zone commits a Class B infraction. However, a speed limit established under this subsection is valid only if the following conditions exist:

(1) The limit is not less than twenty (20) miles per hour.

(2) The limit is imposed only in the immediate vicinity of the school.

(3) Children are present.

(4) The speed zone is properly signed.There must be:

(A) a sign located:

(i) where the reduced speed zone begins; or

(ii) as near as practical to the point where the reduced speed zone begins;

indicating the reduced speed limit; and

(B) a sign located at the end of the reduced speed zone indicating:

(i) the speed limit for the section of highway that follows;

or

(ii) the end of the reduced speed zone.

(5) The Indiana department of transportation has been notified of the limit imposed by certified mail.

(e) A local authority may decrease a limit on a street to not less than fifteen (15) miles per hour if the following conditions exist:

(1) The street is located within a park or playground established under IC 36-10.

(2) The:

(A) board established under IC 36-10-3;

(B) board established under IC 36-10-4; or

(C) park authority established under IC 36-10-5;

requests the local authority to decrease the limit.

(3) The speed zone is properly signed.

(f) A city, town, or county may establish speed limits on a street or highway upon which a school is located if the street or highway is under the jurisdiction of the city, town, or county, respectively. However, a speed limit established under this subsection is valid only if the following conditions exist:

(1) The limit is not less than twenty (20) miles per hour.

(2) The limit is imposed only in the immediate vicinity of the school.

(3) Children are present.

(4) The speed zone is properly signed. There must be:

(A) a sign located where the reduced speed zone begins or as near as practical to the point where the reduced speed zone begins indicating the reduced speed limit and a sign located at the end of the reduced speed zone indicating the end of the reduced speed zone; and

(B) if the school operates on a twelve (12) month schedule, a sign indicating that the school is an all year school.

As added by P.L.2-1991, SEC.9. Amended by P.L.92-1991, SEC.3; P.L.1-1992, SEC.50; P.L.126-1993, SEC.1; P.L.169-2006, SEC.32; P.L.138-2009, SEC.2; P.L.52-2011, SEC.1; P.L.29-2015, SEC.1; P.L.188-2015, SEC.66.

IC 9-21-5-7

Reduction of speed; impeding normal and reasonable movement; right-of-way to other vehicles; violation

Sec. 7. (a) A person may not drive a motor vehicle at a slow speed that impedes or blocks the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law. A person who is driving:

(1) on a roadway that has not more than one (1) lane of traffic in each direction; and

(2) at a slow speed so that three (3) or more other vehicles are blocked and cannot pass on the left around the vehicle;

shall give right-of-way to the other vehicles by pulling off to the right

of the right lane at the earliest reasonable opportunity and allowing the blocked vehicles to pass.

(b) A person who fails to give right-of-way as required by subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.67.

IC 9-21-5-8

Minimum speed limits

Sec. 8. Whenever the Indiana department of transportation within the department's jurisdiction or a local authority within the authority's jurisdiction determines, based on an engineering and traffic investigation, that slow speeds on a part of a highway consistently impede the normal and reasonable movement of traffic, the Indiana department of transportation or local authority may determine and declare a minimum speed limit below which a person may not drive a vehicle except when necessary for safe operation or in compliance with law. A limit determined under this subsection and declared by appropriate resolution, regulation, or ordinance becomes effective when appropriate sign or signals giving notice of the limit of speed are erected along the affected part of a highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-5-8.5

Low speed vehicles; violation

Sec. 8.5. (a) A person may not operate a low speed vehicle on a highway that has a speed limit in excess of thirty-five (35) miles per hour.

(b) A person who operates a low speed vehicle on a highway that has a speed limit in excess of thirty-five (35) miles per hour commits a Class C infraction.

As added by P.L.21-2003, SEC.8. Amended by P.L.221-2014, SEC.38; P.L.188-2015, SEC.68.

IC 9-21-5-9

Vehicles traveling at reduced speeds; use of right lane; prohibited operation in left most lane; violation

Sec. 9. (a) A vehicle that travels at a speed less than the established maximum shall travel in the right lanes to provide for better flow of traffic on the interstate highways.

(b) This subsection applies to the operation of a vehicle:

(1) on a roadway that has two (2) or more lanes of traffic in each direction; and

(2) in the left most lane, other than a lane designated for high occupancy vehicles.

Except as provided in subsection (c), a person who knows, or should reasonably know, that another vehicle is overtaking from the rear the vehicle that the person is operating may not continue to operate the vehicle in the left most lane.

(c) Subsection (b) does not apply:

(1) when traffic conditions or congestion make it necessary to operate a vehicle in the left most lane;

(2) when inclement weather, obstructions, or hazards make it necessary to operate a vehicle in the left most lane;

(3) when compliance with a law, a regulation, an ordinance, or a traffic control device makes it necessary to operate a vehicle in the left most lane;

(4) when exiting a roadway or turning to the left;

(5) when paying a toll or user fee at a toll collection facility;

(6) to an authorized emergency vehicle operated in the course of duty; or

(7) to vehicles operated or used in the course of highway maintenance or construction.

(d) A person who violates this section commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.69.

IC 9-21-5-10

Bridges and elevated structures; maximum speed; safety investigation; posting of signs; violations; conclusive evidence; violation

Sec. 10. (a) A person may not drive a vehicle over a bridge or other elevated structure constituting a part of a highway at a speed that is greater than the maximum speed that can be maintained with safety to the bridge or structure, when the structure is signposted as provided in this section.

(b) The Indiana department of transportation may conduct an investigation of a bridge or other elevated structure constituting a part of a highway. If the Indiana department of transportation finds that the structure cannot with safety to the structure withstand vehicles traveling at the speed otherwise permissible under this chapter, the Indiana department of transportation shall determine and declare the maximum speed of vehicles that the structure can withstand. The Indiana department of transportation shall cause or permit suitable signs stating the maximum speed to be erected and maintained at a distance of one hundred (100) feet or as near as practicable before each end of the structure.

(c) Upon the trial of a person charged with a violation of this section, proof of the determination of the maximum speed by the Indiana department of transportation and the existence of signs erected under subsection (b) constitutes conclusive evidence of the maximum speed that can be maintained with safety to the bridge or structure.

(d) A person who exceeds the speed limit sign posted on a bridge or other elevated structure under this section commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.188-2015, SEC.70.

IC 9-21-5-11

Temporary maximum speed limits; worksite speed limits; violation; penalties

Sec. 11. (a) Subject to subsection (b), the Indiana department of transportation, the Indiana finance authority, or a local authority may establish temporary maximum speed limits in their respective jurisdictions and in the vicinity of a worksite without conducting an engineering study and investigation required under this article. The establishing authority shall post signs notifying the traveling public of the temporary maximum speed limits established under this section.

(b) Worksite speed limits set under this section must be at least ten (10) miles per hour below the maximum established speed limit.

(c) A worksite speed limit set under this section may be enforced only if:

(1) workers are present in the immediate vicinity of the worksite; or

(2) if workers are not present in the immediate vicinity of the worksite, the establishing authority determines that the safety of the traveling public requires enforcement of the worksite speed limit.

(d) Notwithstanding IC 34-28-5-4(b), a judgment for the infraction of violating a speed limit set under this section must be entered as follows:

(1) If the person has not previously committed the infraction of violating a speed limit set under this section, a judgment for a Class B infraction and a fine of at least three hundred dollars ($300) shall be imposed.

(2) If the person has committed one (1) infraction of violating a speed limit set under this section in the previous three (3) years, a judgment for a Class B infraction and a fine of at least five hundred dollars ($500) shall be imposed.

(3) If the person has committed two (2) or more infractions of violating a speed limit set under this section in the previous three (3) years, a judgment for a Class B infraction and a fine of one thousand dollars ($1,000) shall be imposed.

(e) Notwithstanding IC 34-28-5-5(c), the funds collected as judgments for the infraction of violating a speed limit set under this section shall be transferred to the Indiana department of transportation to pay the costs of hiring off duty police officers to perform the duties described in IC 8-23-2-15(b).

(f) If judgment has been imposed for committing two (2) infractions under this section within one (1) year, an additional penalty of the suspension of the driving privileges of the person who committed the infractions may be imposed by the court imposing the sentence for the second violation. If the court suspends a person's driving privileges under this subsection, the court shall issue an order to the bureau:

(1) stating that judgment against the person has been entered for committing the infraction of exceeding a worksite speed limit under this section for the second time in one (1) year; and

(2) ordering the suspension of the person's driving privileges by the bureau under IC 9-30-13-9.

The suspension of a person's driving privileges under this section is in addition to any other penalties imposed under this section and any fee imposed under IC 33-37-5-14.

As added by P.L.2-1991, SEC.9. Amended by P.L.116-2001, SEC.1; P.L.235-2005, SEC.125; P.L.40-2007, SEC.2; P.L.66-2011, SEC.1; P.L.188-2015, SEC.71; P.L.41-2016, SEC.1.

IC 9-21-5-12

Maximum speeds greater or less than what is reasonably safe; declaration of new limit; variable limits based on time of day, types of vehicles, weather, and other factors

Sec. 12. (a) Whenever the Indiana department of transportation determines on the basis of an engineering and traffic investigation that a maximum speed set forth in this chapter is greater or less than is reasonable or safe under the conditions found to exist at an intersection or other place or on part of the state highway system, the Indiana department of transportation may determine and declare a reasonable and safe maximum limit at the intersection or on the part of the state highway system. The differing limit is effective when appropriate signs giving notice of the limit are erected.

(b) A maximum speed limit under this section may be declared to be effective at all times or at times indicated on the signs. Differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds. The differing limits are effective when posted on appropriate fixed or variable signs.

As added by P.L.2-1991, SEC.9.

IC 9-21-5-13

Repealed

(As added by P.L.2-1991, SEC.9. Amended by P.L.42-2000, SEC.1; P.L.116-2001, SEC.2; P.L.1-2005, SEC.23; P.L.231-2005, SEC.2. Repealed by P.L.188-2015, SEC.72.)

IC 9-21-5-14

Maximum speed of school buses and special purpose buses; violation

Sec. 14. (a) A person may not operate a school bus or a special purpose bus at a speed greater than:

(1) sixty (60) miles per hour on a federal or state highway; or

(2) forty (40) miles per hour on a county or township highway.

(b) If the posted speed limit is lower than the absolute limits set in this section or if the absolute limits do not apply, the maximum

lawful speed of a bus is the posted speed limit.

(c) A person who knowingly or intentionally exceeds a speed limit set forth in subsection (a) or (b) commits a Class C misdemeanor.

As added by P.L.1-2005, SEC.24. Amended by P.L.107-2006, SEC.2; P.L.114-2007, SEC.2; P.L.188-2015, SEC.73.

IC 9-21-6

Chapter 6. Speed Contests

IC 9-21-6-1

Speed contests; prohibition

Sec. 1. A person may not engage in a motor vehicle speed contest on a highway or street.

As added by P.L.2-1991, SEC.9.

IC 9-21-6-2

Obstruction of highways or streets

Sec. 2. A person may not obstruct or place a barricade or an obstacle across a highway or street:

(1) to facilitate or aid; or

(2) as an incident to;

a motor vehicle speed contest.

As added by P.L.2-1991, SEC.9.

IC 9-21-6-3

Violations; Class B misdemeanor; exceptions to penalty

Sec. 3. A person who violates this chapter commits a Class B misdemeanor, except as provided in IC 9-21-8-56(d), IC 9-21-8-56(f), IC 9-21-8-56(g), and IC 9-21-8-56(h).

As added by P.L.2-1991, SEC.9. Amended by P.L.40-2007, SEC.3; P.L.3-2008, SEC.78.

IC 9-21-7
Chapter 7. Vehicle Equipment

IC 9-21-7-1
Good working order and adjustment; safe mechanical condition

Sec. 1. A person may not drive or move on a highway a:

(1) motor vehicle;
(2) trailer;
(3) semitrailer;
(4) pole trailer; or
(5) combination of a motor vehicle, trailer, semitrailer, or pole trailer;

unless the equipment upon the vehicle is in good working order and adjustment, as required in this article, and the vehicle is in a safe mechanical condition that does not endanger the person who drives the vehicle, another occupant of the vehicle, or a person upon the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-2
Lights; time for display; exception

Sec. 2. (a) Except as provided in subsection (b) and section 8 of this chapter, each vehicle upon a highway:

(1) between the time from sunset to sunrise; and
(2) at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred (500) feet ahead;

must display lighted head lamps and other illuminating devices as required for different classes of vehicles under this chapter.

(b) All lamp equipment required for vehicles described in IC 9-19-6, including each tail lamp required by law, shall be lighted at the times mentioned in subsection (a), except that clearance and sidemarker lamps are not required to be lighted on a vehicle when the vehicle is operated within a municipality if there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet.

As added by P.L.2-1991, SEC.9. Amended by P.L.1-1991, SEC.94; P.L.34-2010, SEC.3; P.L.198-2016, SEC.363.

IC 9-21-7-3
Lights; requirements and restrictions

Sec. 3. (a) This section does not apply to a motorcycle or motor driven cycle.

(b) A motor vehicle must display at least two (2) lighted lamps, one (1) on each side at the front of the motor vehicle.

(c) Whenever a motor vehicle equipped with head lamps required under subsection (b) is also equipped with:

(1) auxiliary lamps;
(2) a spot lamp; or
(3) any other lamp on the front of the motor vehicle projecting a beam of intensity greater than three hundred (300) candlepower;

not more than a total of four (4) lamps described in this subsection on the front of a vehicle may be lighted at one (1) time when upon a highway.

(d) Passenger buses, trucks, truck tractors, and certain trailers, semitrailers, and pole trailers must display clearance and marker lamps, reflectors, and stop lights as required under this title when operated upon a highway. Except as provided in subsection (e), all lamp equipment required on vehicles described in this subsection shall be lighted at the times specified in section 2 of this chapter.

(e) Clearance and sidemarker lamps are not required to be lighted on a vehicle described in subsection (d) when the vehicle is operated within a municipality where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.39.

IC 9-21-7-4

High intensity beams

Sec. 4. (a) This section does not apply to head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps, and school bus warning lamps.

(b) A lighted lamp or illuminating device upon a motor vehicle that projects a beam of light of an intensity greater than three hundred (300) candlepower shall be directed so that no part of the high intensity part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five (75) feet from the vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-5

Lights; distribution of beam; direction; illumination of objects; reduction of glare

Sec. 5. (a) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent to a roadway during the times specified in section 2 of this chapter, the person who drives the motor vehicle shall use a distribution of light or composite beam directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle.

(b) Whenever a person who drives a vehicle described in subsection (a) approaches an oncoming vehicle within five hundred (500) feet, the person shall use a distribution of light or composite beam aimed so that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light or

composite beam specified in IC 9-19-6-20 is considered to avoid glare at all times, regardless of road contour and loading.

(c) Except when overtaking and passing another vehicle, whenever the person who drives a vehicle described in subsection (a) follows another vehicle within two hundred (200) feet to the rear of the other vehicle, the person shall use a distribution of light permissible under this title other than the uppermost distribution of light specified in IC 9-19-6-20.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-6

Combinations of vehicles; operation; lights; clearance lamps

Sec. 6. (a) Whenever motor and other vehicles are operated in combination during the time that lights are required under section 2 of this chapter, the person who drives the vehicles operated in combination is not required to light any lamp (except tail lamps) that, because of the lamp's location on a vehicle of the combination, would be obscured by another vehicle of the combination.

(b) Lighted clearance lamps shall be displayed on the front of the foremost vehicle of the combination described in subsection (a) required to have clearance lamps. All lights required on the rear of the rearmost vehicle of a combination shall be lighted.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-7

Loads extending beyond body of vehicle; display of red light and flag

Sec. 7. (a) This subsection applies during the times specified in section 2 of this chapter. Whenever the load upon a vehicle extends to the rear four (4) feet or more beyond the bed or body of the vehicle, there shall be displayed at the extreme rear end of the load a red light or lantern plainly visible from a distance of at least five hundred (500) feet to the sides and rear. The red light or lantern required under this section is in addition to the red rear light required upon every vehicle. Clearance lights or reflectors on vehicles that are being transported may be used to delineate the extension of the load in lieu of other lights required in this section.

(b) This subsection applies during all times not specified in section 2 of this chapter. A vehicle described in subsection (a) shall display at the extreme rear end of the vehicle's load a red flag or cloth not less than twelve (12) inches square, displayed in a manner in which the entire area is of the flag or cloth visible to the person who drives a vehicle approaching from the rear.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-8

Parked vehicles; lights; requirements; exempted vehicles

Sec. 8. (a) This section applies to a vehicle that is parked or

stopped upon a roadway or shoulder adjacent to a roadway between thirty (30) minutes after sunset and thirty (30) minutes before sunrise.

(b) If there is sufficient light to reveal a person or object within a distance of five hundred (500) feet upon the street or highway upon which the vehicle is parked, no lights need be displayed upon the parked vehicle.

(c) This subsection does not apply to a motor driven cycle. This subsection applies whether a vehicle parked or stopped is attended or unattended. If there is not sufficient light to reveal a person or object within a distance of five hundred (500) feet upon the highway upon which the vehicle is parked or stopped, the vehicle parked or stopped shall be equipped with one (1) or more lamps that meet the following requirements:

(1) At least one (1) lamp must display a white or amber light visible from a distance of five hundred (500) feet to the front of the vehicle.

(2) The lamp described in subdivision (1) or at least one (1) other lamp must display a red light visible from a distance of five hundred (500) feet to the rear of the vehicle.

(3) The lamp or lamps described in subdivisions (1) and (2) shall be installed as near as practicable on the side of the vehicle that is closest to passing traffic.

(d) Lighted head lamps upon a parked vehicle must be depressed or dimmed.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.40.

IC 9-21-7-9

Head lamps

Sec. 9. A motor vehicle may be operated under the conditions specified in section 2 of this chapter when equipped with two (2) lighted lamps upon the front of the motor vehicle capable of revealing persons and objects seventy-five (75) feet ahead instead of the lamps required under section 3 of this chapter. A vehicle equipped under this section may not be operated at a speed in excess of twenty (20) miles per hour.

As added by P.L.2-1991, SEC.9.

IC 9-21-7-10

Lights visible from front of vehicle; prohibition

Sec. 10. This section does not apply to a vehicle required or authorized under this title to display a red, red and white, or red and blue light that is visible from the front of the vehicle. A person may not drive or move a vehicle or equipment upon a highway with a lamp or device on the vehicle or equipment displaying a red, red and white, or red and blue light visible from directly in front of the center of the vehicle or equipment.

As added by P.L.2-1991, SEC.9. Amended by P.L.99-1991, SEC.3.

IC 9-21-7-11
Flashing lights

Sec. 11. (a) Except as provided in subsection (b), a vehicle may not display flashing lights.

(b) Flashing lights may be displayed on a vehicle as follows:

(1) On an authorized emergency vehicle.

(2) On a school bus.

(3) On snow-removal equipment.

(4) As a means of indicating a right or left turn.

(5) As a means of indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking, or passing.

(6) On a vehicle used in a funeral procession.

As added by P.L.2-1991, SEC.9. Amended by P.L.80-2012, SEC.4.

IC 9-21-7-12
Repealed

(Repealed by P.L.1-1991, SEC.95.)

IC 9-21-7-13
Violation; Class C infraction

Sec. 13. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-8
Chapter 8. Vehicle Operation

IC 9-21-8-0.1
Repealed
(As added by P.L.220-2011, SEC.217. Repealed by P.L.63-2012, SEC.11.)

IC 9-21-8-0.4
"Solid waste hauler"
Sec. 0.4. As used in this chapter, "solid waste hauler" means a vehicle in which solid waste or recyclable materials are transported to a:
(1) transfer station for further transport to a final disposal facility;
(2) final disposal facility; or
(3) materials recovery facility.
As added by P.L.188-2015, SEC.74.

IC 9-21-8-0.5
Text message
Sec. 0.5. As used in this chapter, "text message" means a communication in the form of electronic text sent from a telecommunications device.
As added by P.L.185-2011, SEC.3.

IC 9-21-8-1
Failure to comply with lawful order or law enforcement officer
Sec. 1. It is unlawful for a person to knowingly fail to comply with a lawful order or direction of a law enforcement officer invested by law with authority to direct, control, or regulate traffic.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-2
Roadways; use of right half; exceptions; traveling at reduced speeds
Sec. 2. (a) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway except as follows:
(1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing overtaking and passing.
(2) When the right half of a roadway is closed to traffic under construction or repair.
(3) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable to a roadway divided into three (3) marked lanes.
(4) Upon a roadway designated and signposted for one-way traffic.

(b) Upon all roadways, a vehicle proceeding at less than the normal speed of traffic at the time and place under the conditions then existing shall be driven:

(1) in the right-hand lane then available for traffic; or

(2) as close as practicable to the right-hand curb or edge of the roadway;

except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

(c) Upon all roadways, a motor driven cycle shall be driven as close as practicable to the right-hand curb or edge of the roadway except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.41.

IC 9-21-8-3

Lane use restrictions

Sec. 3. (a) The Indiana department of transportation may adopt rules to restrict the operation of a truck to a certain lane or lanes of a state maintained highway and to a certain lane or lanes of a street of a city or town that is a part of the state highway system and is maintained by the state.

(b) The Indiana department of transportation may post a state highway or a city or town street that is a part of the state highway system with appropriate directional signs and signals.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-4

Vehicles proceeding in opposite directions; single lane roadways; passing

Sec. 4. The persons who drive vehicles proceeding in opposite directions shall pass each other to the right. Upon roadways having width for not more than one (1) lane of traffic in each direction, each person who drives a vehicle subject to this section shall give to the other person who drives a vehicle at least one-half (1/2) of the main traveled part of the roadway as nearly as possible.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-5

Overtaking and passing; limitations; exceptions

Sec. 5. The following rules govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations, exceptions, and special rules stated:

(1) A person who drives a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left of the other vehicle at a safe distance and may not again drive to the right side of the roadway until safely clear of the overtaken

vehicle.

(2) Except when overtaking and passing on the right is permitted, a person who drives an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and may not increase the speed of the overtaken vehicle until completely passed by the overtaking vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-6

Overtaking and passing on the right; conditions

Sec. 6. (a) A person who drives a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(1) When the vehicle overtaken is making or about to make a left turn.

(2) Upon a roadway with unobstructed pavement of sufficient width for two (2) or more lanes of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.

(b) A person who drives a vehicle may overtake and pass another vehicle upon the right only under conditions that permit overtaking upon the right in safety. Overtaking upon the right may not be made by driving off the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-7

Overtaking and passing on the left; conditions

Sec. 7. A vehicle may not be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless the left side of the roadway is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completely made without interfering with the safe operation of a vehicle approaching from the opposite direction or a vehicle overtaken. The overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred (100) feet of a vehicle approaching from the opposite direction.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-7.5

Overtaking and passing; worksite no passing zones

Sec. 7.5. (a) This section applies to a worksite:

(1) upon a highway divided into two (2) or more marked lanes for traffic moving in the same direction; and

(2) for which vehicles are instructed to merge from one (1) lane into another lane by an appropriate sign.

(b) A person who drives a vehicle may not pass another vehicle that is in the lane into which traffic is directed to merge within the posted no passing zone established by the Indiana department of

transportation.
As added by P.L.75-1999, SEC.2.

IC 9-21-8-8
Driving to the left side of the roadway; conditions

Sec. 8. (a) This section does not apply to a one-way roadway.

(b) A vehicle may not be driven to the left side of the roadway under the following conditions:

(1) When approaching the crest of a grade or upon a curve in the highway where the view of the person who drives the vehicle is obstructed within a distance that creates a hazard if another vehicle might approach from the opposite direction.

(2) When approaching within one hundred (100) feet of or traversing an intersection or a railroad grade crossing.

(3) When the view is obstructed upon approaching within one hundred (100) feet of a bridge, viaduct, or tunnel.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-9
One-way streets

Sec. 9. A vehicle shall be driven upon a roadway designated and signposted for one-way traffic only in the direction designated.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-10
Rotary traffic islands

Sec. 10. A vehicle passing around a rotary traffic island shall be driven only to the right of the rotary traffic island.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-11
Roadways divided into three or more clearly marked lanes; rules

Sec. 11. Whenever a roadway has been divided into three (3) or more clearly marked lanes for traffic, the following rules apply:

(1) A vehicle shall be driven as nearly as practicable entirely within a single lane and may not be moved from the lane until the person who drives the vehicle has first ascertained that the movement can be made with safety.

(2) Upon a roadway that is divided into three (3) lanes, a vehicle may not be driven in the center lane except under any of the following conditions:

(A) When overtaking and passing another vehicle where the roadway is clearly visible and the center lane is clear of traffic within a safe distance.

(B) In preparation for a left turn.

(C) Where the center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of the allocation.

(3) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction. A person who drives a vehicle shall obey the directions of each sign.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-12

Interstate highways; lane use restrictions for trucks

Sec. 12. Except when passing a slower vehicle, entering or leaving a highway, or where a special hazard exists that requires, for safety reasons, the use of an alternate lane, a person may not operate a truck, truck tractor, road tractor, trailer, semitrailer, or pole trailer on an interstate highway in any lane except the far right lane.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-13

Interstate highways consisting of at least three lanes; lane use restrictions for trucks

Sec. 13. Except when entering or leaving a highway or where a special hazard exists that requires, for safety reasons, the use of an alternate lane, a person may not operate a truck, truck tractor, road tractor, trailer, semitrailer, or pole trailer on an interstate highway consisting of at least three (3) lanes in one (1) direction in any lane other than the two (2) far right lanes.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-14

Following other vehicles; distance restrictions

Sec. 14. A person who drives a motor vehicle may not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of both vehicles, the time interval between vehicles, and the condition of the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-15

Trucks and tractor-trailers; following other trucks; distance restrictions

Sec. 15. Except when overtaking and passing, a person who drives a motor truck, motor truck drawing another vehicle, or tractor-trailer combination, when traveling upon a roadway outside of a business or residence district or upon a roadway that is a part of the interstate highway system, whether within or without a business or residence district, may not follow within three hundred (300) feet of another motor truck, motor truck drawing another vehicle, or a tractor-trailer combination.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-16

Caravans and motorcades; distance between vehicles; exceptions

Sec. 16. (a) This section does not apply to funeral or marching band processions.

(b) Motor vehicles being driven upon a roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, must be operated to allow sufficient space between each vehicle or combination of vehicles to enable another vehicle to enter and occupy the space without danger.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-17

Divided highways; restrictions

Sec. 17. Whenever a highway has been divided into two (2) roadways by:

(1) leaving an intervening space;

(2) a physical barrier; or

(3) a clearly indicated dividing section constructed to impede vehicular traffic;

a vehicle shall be driven only upon the right-hand roadway. A vehicle may not be driven over, across, or within a dividing space, barrier, or section, except through an opening in the physical barrier, dividing section, or space or at a crossover or an intersection established by public authority.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-18

Limited access facilities; entrance and exit to and from

Sec. 18. A person may not drive a vehicle onto or from a limited access facility except at entrances and exits that are established by the public authority in control of the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-19

Freeways and interstate highways; entrance and exit to and from; special crossovers; "U" turns

Sec. 19. A person may not drive a vehicle onto or from a freeway or the interstate highway system except at entrances and exits that are established by the public authority in control of the highway. Whenever special crossovers between the main roadways of a freeway or the interstate highway system are provided for emergency vehicles or maintenance equipment only, the freeway or interstate highway system shall be posted prohibiting "U" turns. A person who drives a vehicle, except an emergency vehicle or maintenance equipment, may not use the crossovers or make a "U" turn anywhere on the freeway or interstate highway system.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-20

Pedestrians, bicycles, and other nonmotorized traffic; prohibition on use of highways

Sec. 20. The Indiana department of transportation may by resolution or order entered in its minutes, and local authorities may by ordinance, with respect to any freeway or interstate highway system under their respective jurisdictions, prohibit the use of a highway by pedestrians, bicycles, or other nonmotorized traffic or by a person operating a motor driven cycle. The Indiana department of transportation or the local authority adopting a prohibiting regulation shall erect and maintain official signs on the freeway or interstate highway system on which the regulations are applicable. If signs are erected, a person may not disobey the restrictions stated on the signs.
As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.42.

IC 9-21-8-21
Intersections; right and left turns

Sec. 21. (a) A person who drives a vehicle intending to turn at an intersection must do the following:

(1) Make both the approach for a right turn and a right turn as close as practical to the right-hand curb or edge of the roadway.

(2) Make an approach for a left turn in that part of the right half of the roadway nearest the center line of the roadway. After entering the intersection, the person who drives a vehicle must make the left turn so as to leave the intersection to the right of the center line of the roadway being entered.

(3) Make an approach for a left turn from a two-way street into a one-way street in that part of the right half of the roadway nearest the center line of the roadway and pass to the right of the center line where the center line enters the intersection.

(4) Make a left turn from a one-way street into a two-way street by passing to the right of the center line of the street being entered upon leaving the intersection.

(5) Where both streets or roadways are one way, make both the approach for a left turn and a left turn as close as practicable to the left-hand curb or edge of the roadway.

(b) The Indiana department of transportation and local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections requiring and directing that a different course from that specified in this section be traveled by vehicles turning at an intersection. When markers, buttons, or signs are placed under this subsection, a person who drives a vehicle may not turn the vehicle at an intersection other than as directed and required by the markers, buttons, or signs.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-22
Grades; proceeding in opposite direction on approach to crest

Sec. 22. A vehicle may not be turned so as to proceed in the

opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where the vehicle cannot be seen by the person who drives any other vehicle approaching from either direction within seven hundred fifty (750) feet.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-23
Starting a vehicle that is stopped, standing, or parked
Sec. 23. A person may not start a vehicle that is stopped, standing, or parked until the movement can be made with reasonable safety.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-24
Slowing down, turning from a direct course, and changing lanes; performance with reasonable safety; signal
Sec. 24. A person may not:
(1) slow down or stop a vehicle;
(2) turn a vehicle from a direct course upon a highway; or
(3) change from one (1) traffic lane to another;
unless the movement can be made with reasonable safety. Before making a movement described in this section, a person shall give a clearly audible signal by sounding the horn if any pedestrian may be affected by the movement and give an appropriate stop or turn signal in the manner provided in sections 27 through 28 of this chapter if any other vehicle may be affected by the movement.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-25
Turn signals
Sec. 25. A signal of intention to turn right or left shall be given continuously during not less than the last two hundred (200) feet traveled by a vehicle before turning or changing lanes. A vehicle traveling in a speed zone of at least fifty (50) miles per hour shall give a signal continuously for not less than the last three hundred (300) feet traveled by the vehicle before turning or changing lanes.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-26
Stopping or sudden decrease in speed; signal
Sec. 26. A person may not stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to a person who drives a vehicle immediately to the rear when there is opportunity to give a signal.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-27
Stop or turn signals; hand or arm signals; signal lamps; exception for farm equipment; highway travel

Sec. 27. (a) Except as provided in subsection (b), a stop or turn signal required under this chapter may be given by means of the hand and arm or by a signal lamp or lamps or mechanical signal device.

(b) This subsection does not apply to farm tractors and implements of agriculture designed to be operated primarily in a farm field or on farm premises. A motor vehicle in use on a highway must be equipped with and a required signal shall be given by a signal lamp or lamps or mechanical signal device when either of the following conditions exist:

(1) The distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of the motor vehicle exceeds twenty-four (24) inches.

(2) The distance from the center of the top of the steering post to the rear limit of the body or load of the motor vehicle exceeds fourteen (14) feet. This measurement applies to a single vehicle and a combination of vehicles.

As added by P.L.2-1991, SEC.9. Amended by P.L.210-2005, SEC.33.

IC 9-21-8-28

Hand and arm signals; left turn; right turn; decrease in speed

Sec. 28. All signals required under this chapter may be given by hand and arm. A signal given under this section shall be given from the left side of the vehicle in the following manner:

(1) A left turn is indicated by extending the hand and arm horizontally.

(2) A right turn is indicated by extending the hand and arm upward.

(3) A stop or decreased speed is indicated by extending the hand and arm downward.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-29

Intersections; vehicles approaching from different highways; yield of right-of-way

Sec. 29. Except when approaching through highways and areas in which signs are posted giving other instructions, when two (2) vehicles approach or enter an intersection from different highways at approximately the same time, the person who drives the vehicle on the left shall yield the right-of-way to the vehicle on the right.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-30

Intersections; vehicles approaching from opposite directions; yield of right-of-way

Sec. 30. A person who drives a vehicle within an intersection intending to turn to the left shall yield the right-of-way to a vehicle approaching from the opposite direction that is within the intersection or so close to the intersection as to constitute an

immediate hazard. After yielding and giving a signal as required by this chapter, the person who drives the vehicle may make the left turn, and the persons who drive other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-31
Entrance to through highways; stopping; yield of right-of-way

Sec. 31. (a) A person who drives a vehicle shall do the following:

(1) Stop as required under this article at the entrance to a through highway.

(2) Yield the right-of-way to other vehicles that have entered the intersection from the through highway or that are approaching so closely on the through highway as to constitute an immediate hazard.

(b) After yielding as described in subsection (a)(2), the person who drives a vehicle may proceed and persons who drive other vehicles approaching the intersection on the through highway shall yield the right-of-way to the vehicle proceeding into or across the through highway.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-32
Stop signs at intersections; duty to obey

Sec. 32. A person who drives a vehicle shall stop at an intersection where a stop sign is erected at one (1) or more entrances to a through highway that are not a part of the through highway and proceed cautiously, yielding to vehicles that are not required to stop.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-33
Yield signs; collision with pedestrian or vehicle

Sec. 33. (a) A person who drives a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions or stop if necessary. The person shall yield the right-of-way to a pedestrian legally crossing the roadway and to a vehicle in the intersection or approaching on another highway so closely as to present an immediate hazard. After yielding, the person may proceed, and all other vehicles approaching the intersection shall yield to the vehicle proceeding.

(b) If a person who drives a vehicle is involved in a collision with a pedestrian in a crosswalk or a vehicle in the intersection after driving past a yield sign without stopping, the collision is considered prima facie evidence of the person's failure to yield the right-of-way.
As added by P.L.2-1991, SEC.9.

IC 9-21-8-34

Entrance to highway from private road or driveway; yield of right-of-way

Sec. 34. A person who drives a vehicle that is about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-35

Vehicles displaying flashing lights; yield right-of-way; violation

Sec. 35. (a) Upon the immediate approach of an authorized emergency vehicle, when the person who drives the authorized emergency vehicle is giving audible signal by siren or displaying alternately flashing red, red and white, or red and blue lights, a person who drives another vehicle shall do the following unless otherwise directed by a law enforcement officer:

(1) Yield the right-of-way.

(2) Immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection.

(3) Stop and remain in the position until the authorized emergency vehicle has passed.

(b) Upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, or red and blue lights, a person who drives an approaching vehicle shall:

(1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or

(2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

A person who violates this subsection commits a Class A infraction.

(c) Upon approaching a stationary recovery vehicle, a stationary utility service vehicle (as defined in IC 8-1-8.3-5), a stationary solid waste hauler, or a stationary road, street, or highway maintenance vehicle, when the vehicle is giving a signal by displaying alternately flashing amber lights, a person who drives an approaching vehicle shall:

(1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the recovery vehicle, utility service vehicle, solid waste hauler, or road, street, or highway maintenance vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes

proceeding in the same direction as the approaching vehicle; or (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

A person who violates this section commits a Class B infraction.

(d) This section does not operate to relieve the person who drives an authorized emergency vehicle, a recovery vehicle, a utility service vehicle, solid waste hauler, or a road, street, or highway maintenance vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway.

As added by P.L.2-1991, SEC.9. Amended by P.L.18-1999, SEC.1; P.L.39-2000, SEC.7; P.L.1-2001, SEC.6; P.L.14-2010, SEC.1; P.L.188-2015, SEC.75.

IC 9-21-8-36

Traffic control signals not in operation

Sec. 36. Except as provided in IC 9-21-17-8 and IC 9-21-3-7(b)(4)(C), when traffic control signals are not in place or not in operation, a person who drives a vehicle shall yield the right-of-way, slowing down or stopping if necessary to yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching closely from the opposite half of the roadway.

As added by P.L.2-1991, SEC.9. Amended by P.L.43-2011, SEC.5.

IC 9-21-8-37

Pedestrians and children; due care; caution

Sec. 37. Notwithstanding other provisions of this article or a local ordinance, a person who drives a vehicle shall do the following:

(1) Exercise due care to avoid colliding with a pedestrian or a person propelling a human powered vehicle, giving an audible signal when necessary.

(2) Exercise proper caution upon observing a child or an obviously confused, incapacitated, or intoxicated person.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-38

Safety zones

Sec. 38. A vehicle may not be driven through or within a safety zone.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-39

Railroad grade crossings

Sec. 39. Whenever a person who drives a vehicle approaches a railroad grade crossing, the person shall stop within fifty (50) feet

but not less than fifteen (15) feet from the nearest track of the railroad and may not proceed until the person can do so safely under the following circumstances:

(1) When a clearly visible electric or mechanical signal device gives warning of the immediate approach of a train or other on-track equipment.

(2) When a crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a train or other on-track equipment.

(3) When a railroad train or other on-track equipment approaching within one thousand five hundred (1,500) feet of a highway crossing emits an audible signal and because of speed or nearness to the crossing is an immediate hazard.

(4) When an approaching train or other on-track equipment is plainly visible and is in hazardous proximity to the crossing.

As added by P.L.2-1991, SEC.9. Amended by P.L.119-1995, SEC.6; P.L.8-2010, SEC.3.

IC 9-21-8-40

Heavy equipment or structures; railroad grade crossings; notice; procedure

Sec. 40. (a) A person may not operate or move a caterpillar tractor, steam shovel, derrick, roller, or any equipment or structure weighing more than ten (10) tons and having a normal operating speed of not more than six (6) miles per hour or a vertical body or load clearance of less than nine (9) inches above the level surface of a roadway upon or across tracks at a railroad grade crossing without first complying with this section.

(b) Notice of an intended crossing under this section shall be given to a superintendent of the railroad, and a reasonable time shall be given to the railroad to provide proper protection at the crossing.

(c) Before making a crossing under this section, the person operating or moving a vehicle or equipment described in subsection (a) shall first stop the vehicle or equipment not less than ten (10) feet and not more than fifty (50) feet from the nearest rail or the railway. While stopped, the person shall listen and look in both directions along the track for an approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment. The person shall not proceed until the crossing can be made safely.

(d) A crossing may not be made when warning is given by automatic signal, crossing gates, a flagman, or otherwise of the immediate approach of a railroad train or other on-track equipment.

As added by P.L.2-1991, SEC.9. Amended by P.L.8-2010, SEC.4.

IC 9-21-8-41

Traffic control devices; obeyance of instructions; highway worksites; extraordinary care; safety controls

Sec. 41. (a) A person who drives a vehicle may not disobey the instructions of an official traffic control device placed in accordance with this article unless otherwise directed by a police officer.

(b) When a traffic control device or flagman is utilized at a worksite on a highway for traffic control, a person who drives a vehicle shall exercise extraordinary care to secure the mutual safety of all persons and vehicles at the worksite.

(c) All traffic shall observe and obey traffic control devices including signals, signs, and warnings, and all directions, signs, or warning devices that may be given or displayed by a police officer or flagman to safely control traffic movement at a worksite and promote safety at a worksite.

As added by P.L.2-1991, SEC.9. Amended by P.L.113-2014, SEC.21; P.L.217-2014, SEC.47.

IC 9-21-8-41.5

Vehicle entering school crossing zone; obeyance of instructions

Sec. 41.5. (a) A person who drives a vehicle shall obey the instructions of a school crossing guard to stop the vehicle before entering a school crossing zone.

(b) Whenever a person who drives a vehicle approaches a school crossing zone, the person shall exercise extraordinary caution to secure the safety of children in the school crossing zone.

As added by P.L.116-1993, SEC.3.

IC 9-21-8-41.7

Duty of vehicle operator to obey instructions of railroad flagman

Sec. 41.7. (a) For purposes of this section, "railroad flagman" means a person who furnishes flag protection as prescribed by rules of the carrier.

(b) A person who operates a vehicle shall obey the instructions of a railroad flagman to stop the vehicle before approaching a location in which a train or other on-track equipment is or may be located.

As added by P.L.8-2010, SEC.5. Amended by P.L.50-2011, SEC.4.

IC 9-21-8-42

Sidewalks; approaching from an alley, driveway, or building

Sec. 42. A person who drives a vehicle within a business or residence district that is emerging from an alley, a driveway, or a building shall stop the vehicle immediately before driving onto a sidewalk or into the sidewalk area extending across an alleyway or a private driveway.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-43

Loaded vehicles; passengers; obstruction of view; interference with control of vehicle

Sec. 43. (a) A person may not drive a vehicle when any of the

following conditions exist:

(1) The vehicle:

(A) is loaded in a manner; or

(B) has more than three (3) persons in the front seat;

so as to obstruct the view of the person who drives the vehicle to the front or sides of the vehicle.

(2) The vehicle:

(A) is loaded in a manner; or

(B) has more than three (3) persons in the front seat;

so as to interfere with the person's control over the driving mechanism of the vehicle.

(b) A passenger in a vehicle may not do the following:

(1) Ride in a position that interferes with the view ahead or to the sides of the person who drives the vehicle.

(2) Interfere with the person's control over the driving mechanism of the vehicle.

As added by P.L.2-1991, SEC.9. Amended by P.L.1-1991, SEC.96; P.L.113-2014, SEC.22; P.L.217-2014, SEC.48.

IC 9-21-8-44

Coasting in neutral when traveling upon a down grade; prohibition

Sec. 44. (a) A person who drives a motor vehicle may not coast with the gears of the vehicle in neutral when traveling upon a down grade.

(b) A person who drives a commercial motor vehicle may not coast with the clutch disengaged when traveling upon a down grade.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-44.5

Compression release engine brakes

Sec. 44.5. (a) As used in this section, "compression release engine brake" means a hydraulically operated device that converts a power producing diesel engine into a power absorbing retarding mechanism.

(b) A person who drives a motor vehicle equipped with compression release engine brakes on the Indiana toll road in a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000) may not use the motor vehicle's compression release engine brakes instead of the service brake system, except in the case of failure of the service brake system.

(c) This subsection does not apply to a motor vehicle that has compression release engine brakes with a factory installed muffler or an equivalent after market muffler. A person may not drive a motor vehicle equipped with compression release engine brakes unless the motor vehicle is equipped with a muffler in good working condition so that excessive noise is prevented.

As added by P.L.23-2001, SEC.2. Amended by P.L.1-2002, SEC.42;

P.L.119-2012, SEC.104; P.L.168-2015, SEC.1.

IC 9-21-8-45
Farm wagons; interstate and state highways; prohibitions

Sec. 45. (a) A farm wagon may not be operated on an interstate highway.

(b) In addition to the prohibition set forth in subsection (a), a farm wagon (as defined in IC 9-13-2-60(a)(2)) may not be operated on a highway designated as a part of the state highway system under IC 8-23-4-2, except that a farm wagon may cross a state highway, other than a limited access highway, at right angles for the purpose of getting from one (1) farm field to another when the operation can be done safely. The operator shall bring the farm wagon to a complete stop before proceeding across the state highway and shall yield the right-of-way to all traffic.

As added by P.L.2-1991, SEC.9. Amended by P.L.150-2009, SEC.13.

IC 9-21-8-46
Implements of agriculture on interstate highways

Sec. 46. A person may not drive or operate:

(1) an implement of agriculture designed to be operated primarily in a farm field or on farm premises;
(2) a piece of special machinery; or
(3) a mini-truck;

upon any part of an interstate highway.

As added by P.L.2-1991, SEC.9. Amended by P.L.210-2005, SEC.34; P.L.180-2015, SEC.10.

IC 9-21-8-47
Vehicles that must be operated to avoid damage to highways or interference with traffic

Sec. 47. The following vehicles must be moved or operated so as to avoid any material damage to the highway or unreasonable interference with other highway traffic:

(1) Machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities.
(2) Farm drainage machinery.
(3) Implements of agriculture.
(4) Firefighting apparatus owned or operated by a political subdivision or a volunteer fire department (as defined in IC 36-8-12-2).
(5) Farm vehicles loaded with farm products.

As added by P.L.2-1991, SEC.9. Amended by P.L.1-1999, SEC.31; P.L.210-2005, SEC.35.

IC 9-21-8-48
Vehicles with contents escaping; prohibition from operation;

exceptions

Sec. 48. A vehicle, except:

(1) a vehicle containing poultry or livestock being transported to market; or

(2) a highway maintenance vehicle engaged in spreading sand or deicing chemicals;

may not be driven or moved on a highway if the vehicle's contents are dripping, sifting, leaking, or otherwise escaping from the vehicle.

As added by P.L.2-1991, SEC.9. Amended by P.L.79-1991, SEC.4.

IC 9-21-8-49

Violations; Class C infraction; exceptions

Sec. 49. Except as provided in sections 35, 50, 51, 52, 55, 56, and 58 of this chapter, a person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9. Amended by P.L.18-1999, SEC.2; P.L.40-2007, SEC.4; P.L.65-2010, SEC.4; P.L.188-2015, SEC.76.

IC 9-21-8-50

Reckless operation of a tractor-trailer combination; Class B misdemeanor

Sec. 50. A person who operates a tractor-trailer combination in a reckless or deliberate attempt to:

(1) endanger the safety or property of others; or

(2) block the proper flow of traffic;

commits a Class B misdemeanor.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-51

Blinding lights; failure to dim; Class B infraction

Sec. 51. A person who:

(1) operates a vehicle; and

(2) fails to dim bright or blinding lights when meeting another vehicle or pedestrian;

commits a Class B infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-52

Reckless driving; passing a school bus with extended stop arm; penalty; license suspension

Sec. 52. (a) A person who operates a vehicle and who recklessly:

(1) drives at such an unreasonably high rate of speed or at such an unreasonably low rate of speed under the circumstances as to:

(A) endanger the safety or the property of others; or

(B) block the proper flow of traffic;

(2) passes another vehicle from the rear while on a slope or on a curve where vision is obstructed for a distance of less than

five hundred (500) feet ahead;

(3) drives in and out of a line of traffic, except as otherwise permitted; or

(4) speeds up or refuses to give one-half (1/2) of the roadway to a driver overtaking and desiring to pass;

commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if it causes bodily injury to a person.

(b) A person who operates a vehicle and who recklessly passes a school bus stopped on a roadway when the arm signal device specified in IC 9-21-12-13 is in the device's extended position commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if it causes bodily injury to a person.

(c) If an offense under subsection (a) or (b) results in damage to the property of another person, it is a Class B misdemeanor and the court may recommend the suspension of the current driving license of the person convicted of the offense described in this subsection for a fixed period of not more than one (1) year.

(d) If an offense under subsection (a) or (b) causes bodily injury to a person, the court may recommend the suspension of the driving privileges of the person convicted of the offense described in this subsection for a fixed period of not more than one (1) year.

As added by P.L.2-1991, SEC.9. Amended by P.L.127-1993, SEC.1; P.L.1-2005, SEC.103; P.L.70-2009, SEC.3; P.L.217-2014, SEC.49; P.L.188-2015, SEC.77; P.L.198-2016, SEC.364.

IC 9-21-8-53

Speed violations; complaint or affidavit; summons, warrant, or notice; contents; negligence

Sec. 53. (a) In every charge of violation of a speed regulation under this article, the complaint or affidavit and the summons, warrant, or notice to appear must specify the following:

(1) The speed at which the defendant is alleged to have driven.

(2) The prima facie or fixed speed applicable within the district or at the location.

(b) The provisions of this article declaring or providing for fixed and prima facie speed limitations may not be construed to relieve the plaintiff in a civil action from the burden of proving negligence on the part of the defendant as the proximate cause of the damage alleged.

As added by P.L.2-1991, SEC.9.

IC 9-21-8-54

Repealed

(As added by P.L.18-1999, SEC.3. Amended by P.L.39-2000, SEC.8. Repealed by P.L.188-2015, SEC.78.)

IC 9-21-8-55

Aggressive driving

Sec. 55. (a) This section does not apply to a law enforcement official engaged in the law enforcement official's official duties.

(b) For purposes of this section, a person engages in aggressive driving if, during one (1) episode of continuous driving of a vehicle, the person does or commits at least three (3) of the following:

(1) Following a vehicle too closely in violation of IC 9-21-8-14.

(2) Unsafe operation of a vehicle in violation of IC 9-21-8-24.

(3) Overtaking another vehicle on the right by driving off the roadway in violation of IC 9-21-8-6.

(4) Unsafe stopping or slowing a vehicle in violation of IC 9-21-8-26.

(5) Unnecessary sounding of the horn in violation of IC 9-19-5-2.

(6) Failure to yield in violation of IC 9-21-8-29 through IC 9-21-8-34.

(7) Failure to obey a traffic control device in violation of IC 9-21-8-41.

(8) Driving at an unsafe speed in violation of IC 9-21-5.

(9) Repeatedly flashing the vehicle's headlights.

(c) A person who, with the intent to harass or intimidate a person in another vehicle, knowingly or intentionally engages in aggressive driving commits aggressive driving, a Class A misdemeanor, except as provided in IC 9-21-8-56(d), (f), (g), and (h).

As added by P.L.75-2006, SEC.2. Amended by P.L.40-2007, SEC.5.

IC 9-21-8-56

Highway work zones; penalties for violations

Sec. 56. (a) For purposes of this section, "highway work zone" has the meaning set forth in IC 8-23-2-15.

(b) Except as provided in subsections (f) through (h), a person who recklessly operates a vehicle in the immediate vicinity of a highway work zone when workers are present commits a Class A misdemeanor.

(c) Except as provided in subsections (f) through (h), a person who knowingly or intentionally operates a motor vehicle in the immediate vicinity of a highway work zone when workers are present with the intent to:

(1) damage traffic control devices; or

(2) inflict bodily injury on a worker;

commits a Class A misdemeanor.

(d) Except as provided in subsections (f) through (h), a person who knowingly, intentionally, or recklessly engages in:

(1) aggressive driving, as defined in section 55 of this chapter; or

(2) a speed contest, as prohibited under IC 9-21-6-1;

in the immediate vicinity of a highway work zone when workers are present commits a Class A misdemeanor.

(e) Except as provided in subsections (f) through (h), a person

who recklessly fails to obey a traffic control device or flagman, as prohibited under section 41 of this chapter, in the immediate vicinity of a highway work zone when workers are present commits a Class A misdemeanor.

(f) An offense under subsection (b), (c), (d), or (e) is a Level 6 felony if the person who commits the offense:

(1) has a prior unrelated conviction under this section in the previous five (5) years; or

(2) is operating the vehicle in violation of IC 9-30-5-1 or IC 9-30-5-2.

(g) An offense under subsection (b), (c), (d), or (e) is a Level 6 felony if the offense results in bodily injury to a worker in the worksite.

(h) An offense under subsection (b), (c), (d), or (e) is a Level 5 felony if the offense results in the death of a worker in the worksite.

(i) A person who knowingly, intentionally, or recklessly engages in an act described in section 55(b)(1), 55(b)(2), 55(b)(3), 55(b)(4), 55(b)(5), or 55(b)(6) of this chapter in the immediate vicinity of a highway work zone when workers are present commits a Class B infraction. Notwithstanding IC 34-28-5-5(c), the funds collected as judgments for an infraction under this subsection shall be transferred to the Indiana department of transportation to pay the costs of hiring off duty police officers to perform the duties described in IC 8-23-2-15(b).

As added by P.L.40-2007, SEC.6. Amended by P.L.66-2011, SEC.2; P.L.158-2013, SEC.148; P.L.217-2014, SEC.50.

IC 9-21-8-57

Operation of golf cart on highway

Sec. 57. A golf cart or off-road vehicle may not be operated on a highway except in accordance with:

(1) an ordinance adopted under IC 9-21-1-3(a)(14) and IC 9-21-1-3.3(a) authorizing the operation of a golf cart or an off-road vehicle on the highway; or

(2) IC 14-16-1-20 authorizing an off-road vehicle to operate on a highway.

As added by P.L.182-2009(ss), SEC.293. Amended by P.L.259-2013, SEC.17.

IC 9-21-8-58

Intrastate carriers of metal coils; certification

Sec. 58. (a) This section applies only to intrastate carriers of metal coils.

(b) 49 CFR 393.120 is adopted as Indiana law.

(c) A motor carrier (as defined in IC 8-2.1-17-10) may not initiate or terminate the commercial transport within Indiana by commercial motor vehicle of one (1) or more metal coils that, individually or grouped together, weigh at least two thousand two hundred

sixty-eight (2,268) kilograms (five thousand (5,000) pounds), as provided in 49 CFR 393.120, unless the operator of the commercial motor vehicle transporting the metal coil or coils is certified in proper load securement as provided in 49 CFR 393.120.

(d) An operator of a commercial motor vehicle may not initiate or terminate the commercial transport within Indiana by the commercial motor vehicle of one (1) or more metal coils that, individually or grouped together, weigh at least two thousand two hundred sixty-eight (2,268) kilograms (five thousand (5,000) pounds), as provided in 49 CFR 393.120, unless the operator of the commercial motor vehicle transporting the metal coil or coils is certified in proper load securement as provided in 49 CFR 393.120.

(e) The department of revenue shall adopt and enforce rules under IC 4-22-2 concerning the certification in proper load securement (as provided in 49 CFR 393.120) of operators of commercial motor vehicles engaged in the commercial transport of one (1) or more metal coils, as provided in 49 CFR 393.120. The rules adopted under this subsection must recognize metal coil shipping certificates issued by other states.

(f) A person who knowingly or intentionally violates subsection (c) or (d) commits a Class A misdemeanor.

As added by P.L.65-2010, SEC.5.

IC 9-21-8-59

Use of telecommunications device while operating a moving motor vehicle

Sec. 59. (a) A person may not use a telecommunications device to:

(1) type a text message or an electronic mail message;

(2) transmit a text message or an electronic mail message; or

(3) read a text message or an electronic mail message;

while operating a moving motor vehicle unless the device is used in conjunction with hands free or voice operated technology, or unless the device is used to call 911 to report a bona fide emergency.

(b) A police officer may not, without the consent of the person:

(1) confiscate a telecommunications device for the purpose of determining compliance with this section;

(2) confiscate a telecommunications device and retain it as evidence pending trial for a violation of this section; or

(3) extract or otherwise download information from a telecommunications device for a violation of this section unless:

(A) the police officer has probable cause to believe that the telecommunications device has been used in the commission of a crime;

(B) the information is extracted or otherwise downloaded under a valid search warrant; or

(C) otherwise authorized by law.

As added by P.L.185-2011, SEC.4. Amended by P.L.191-2014, SEC.1.

IC 9-21-9

Chapter 9. Slow Moving Vehicles

IC 9-21-9-0.5

Applicability

Sec. 0.5. (a) This chapter does not apply to the following:

(1) An electric personal assistive mobility device.

(2) A low speed vehicle.

(3) Except as provided in subsection (b), a golf cart or off-road vehicle.

(4) A motor driven cycle.

(b) An ordinance adopted in accordance with IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a) may require a golf cart or off-road vehicle to display a slow moving vehicle emblem in accordance with section 3 of this chapter or a red or amber flashing lamp in accordance with section 4 of this chapter. A fine assessed for a violation of an ordinance under this section shall be deposited in the general fund of the city, county, or town.

As added by P.L.143-2002, SEC.7. Amended by P.L.21-2003, SEC.9; P.L.150-2009, SEC.14; P.L.60-2012, SEC.2; P.L.259-2013, SEC.18; P.L.221-2014, SEC.43.

IC 9-21-9-1

Application of chapter

Sec. 1. This chapter applies to a vehicle that is:

(1) pulled;

(2) towed;

(3) self-propelled; or

(4) animal-drawn;

that is not under ordinary circumstances moved, operated, or driven at a speed greater than twenty-five (25) miles per hour.

As added by P.L.2-1991, SEC.9.

IC 9-21-9-2

Slow moving vehicle emblem; display

Sec. 2. Whenever a vehicle is moved, operated, or driven on a highway that is open for vehicular travel, the vehicle shall display a triangular slow moving vehicle emblem mounted as near as is practicable to the center of mass and at an approximate height of not less than three (3) and not more than five (5) feet from level ground or pavement surface. The emblem shall be mounted so as to be entirely visible from the rear, day or night. The emblem and the emblem's position of mounting on the vehicle must meet the specifications established by rules adopted by the Indiana criminal justice institute.

As added by P.L.2-1991, SEC.9. Amended by P.L.39-1993, SEC.6.

IC 9-21-9-3

Slow moving vehicle emblem; restrictions on use

Sec. 3. The use of the slow moving vehicle emblem described in section 2 of this chapter is restricted to the slow moving vehicles described in section 1 of this chapter. The use of the emblem on any other type of vehicle or stationary object on or along a highway is prohibited.

As added by P.L.2-1991, SEC.9.

IC 9-21-9-4

Flashing lamps; requirements

Sec. 4. When a slow moving vehicle described in section 1 of this chapter is moved, operated, or driven on a highway at a time or under circumstances during which the use of lighted lamps on vehicles is required under this article, the slow moving vehicle must display, in addition to the slow moving vehicle emblem, a red or an amber flashing lamp mounted at a height as low as practicable that is visible from a distance of not less than five hundred (500) feet to the rear. The red or amber flashing lamp may be used at times other than when lighted lamps are required. A double-faced flashing lamp may be used, displaying amber light to the front and red or amber light to the rear.

As added by P.L.2-1991, SEC.9.

IC 9-21-9-5

Design, materials, and mounting of emblems; adoption of rules; considerations

Sec. 5. (a) The Indiana criminal justice institute shall adopt rules under IC 4-22-2 establishing standards and specifications for the design, materials, and mounting of a standard slow moving vehicle emblem for the uniform identification of slow moving vehicles.

(b) In adopting rules under subsection (a), the Indiana criminal justice institute shall substantially adhere to the current recommendations of the American Society of Agricultural Engineers, the American National Standards Institute, and the Society of Automotive Engineers so that the slow moving vehicle emblem may be more universally recognizable and of adequate quality.

(c) The Indiana criminal justice institute shall adopt revisions to the standards and specifications adopted as required under subsection (a) as amendments are made to the recommendations of the American Society of Agricultural Engineers, the American National Standards Institute, and the Society of Automotive Engineers regarding the slow moving vehicle emblem.

As added by P.L.2-1991, SEC.9. Amended by P.L.39-1993, SEC.7; P.L.148-2005, SEC.4.

IC 9-21-9-6

Red flags

Sec. 6. This chapter may not be construed to prohibit the use of

red flags in addition to the slow moving vehicle emblem on slow moving vehicles.
As added by P.L.2-1991, SEC.9.

IC 9-21-9-7
Violations; Class C infraction

Sec. 7. A person who violates this chapter commits a Class C infraction.
As added by P.L.2-1991, SEC.9.

IC 9-21-10

Chapter 10. Motorcycles

IC 9-21-10-1

Passengers; number; seating restrictions

Sec. 1. (a) In addition to the person who operates a motorcycle or a Class A motor driven cycle, one (1) person may be carried on the motorcycle or Class A motor driven cycle. A passenger may be carried only on a firmly attached and regular seat designed for passenger use.

(b) A passenger may not be carried on a Class B motor driven cycle.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.44.

IC 9-21-10-2

Passengers; interference with operation and control; obstruction of view

Sec. 2. A passenger may not be carried on a motorcycle or Class A motor driven cycle in a position that interferes with the operation or control of the motorcycle or Class A motor driven cycle or the view of the person who operates the motorcycle or Class A motor driven cycle.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.45.

IC 9-21-10-3

Packages, bundles, or other articles preventing proper use of handlebars or steering wheel

Sec. 3. A person who operates a motorcycle or motor driven cycle may not carry a package, bundle, or other article that prevents the person from keeping both hands on the handlebars or steering wheel.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.46; P.L.82-2015, SEC.6.

IC 9-21-10-4

Seating restrictions

Sec. 4. (a) Except as provided in subsection (b), a person may not drive, operate, or ride as a passenger on a motorcycle or Class A motor driven cycle in a position other than astride the seat or saddle provided.

(b) A person may not drive, operate, or ride as a passenger in an autocycle in a position other than on a seat.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.47; P.L.82-2015, SEC.7.

IC 9-21-10-5

Headlamps; illumination during operation

Sec. 5. Headlamps shall be illuminated at all times when a motorcycle or motor driven cycle is in operation.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.48.

IC 9-21-10-6
Traffic lanes; restrictions on use

Sec. 6. A motorcycle is entitled to the full use of a traffic lane and a vehicle may not be driven or operated in a manner that deprives another vehicle of the full use of a traffic lane. Motorcycles, other than autocycles, may, with the consent of both persons who operate the motorcycles, be operated with not more than two (2) abreast in a single traffic lane.

As added by P.L.2-1991, SEC.9. Amended by P.L.82-2015, SEC.8.

IC 9-21-10-7
Applicability of traffic regulations

Sec. 7. (a) Subject to subsection (b), all traffic regulations and all rights and duties inured from the traffic regulations that apply to a person who drives or operates a motor vehicle apply to a person who operates a motorcycle or motor driven cycle except the following:

(1) Regulations that expressly do not apply to motorcycles or motor driven cycles.

(2) Regulations that by their nature have no application.

(b) IC 9-21-3-7(b)(3)(D) applies to the operation of a motorcycle.

As added by P.L.2-1991, SEC.9. Amended by P.L.206-2014, SEC.2; P.L.221-2014, SEC.49.

IC 9-21-10-8
Motor driven cycles prohibited from operation on highways

Sec. 8. A motor driven cycle may not be operated on an interstate highway.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.50.

IC 9-21-10-9
Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.221-2014, SEC.51.)

IC 9-21-10-10
Renting or furnishing a motorcycle or Class A motor driven cycle to unlicensed driver

Sec. 10. A person may not rent, lease, or furnish a motorcycle or Class A motor driven cycle to another person for use on the streets and highways who is not regularly licensed to operate a motor vehicle by the state in which the other person is a resident.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.52.

IC 9-21-10-11
Authorizing use of motorcycle or Class A motor driven cycle by unlicensed driver

Sec. 11. A person to whom a motorcycle or Class A motor driven cycle is rented, leased, or furnished may not rent, sublease, or otherwise authorize the use of the motorcycle or Class A motor driven cycle on the streets and highways to a person who is not licensed to operate a vehicle in Indiana.
As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.53.

IC 9-21-10-12
Renting, leasing, or furnishing unsafe motorcycle or motor driven cycle

Sec. 12. A person may not rent, lease, or furnish a motorcycle or motor driven cycle that is not in safe operating condition.
As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.54.

IC 9-21-10-13
Violations; Class C infraction

Sec. 13. A person who violates this chapter commits a Class C infraction.
As added by P.L.2-1991, SEC.9.

IC 9-21-11

Chapter 11. Bicycles and Motorized Bicycles

IC 9-21-11-1

Parents and guardians; authorizing or permitting violation of chapter; bicycles; application of chapter

Sec. 1. (a) The parent of a child and the guardian of a protected person may not authorize or knowingly permit the child or protected person to violate this chapter.

(b) Subject to the exceptions stated, the provisions of this chapter applicable to bicycles apply whenever a bicycle is operated upon a highway or a path set aside for the exclusive use of bicycles.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-2

Roadways; rights and duties

Sec. 2. A person riding a bicycle or operating a Class B motor driven cycle upon a roadway has all the rights and duties under this article that are applicable to a person who drives a vehicle, except the following:

(1) Special regulations of this article.

(2) Those provisions of this article that by their nature have no application.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.55.

IC 9-21-11-3

Operation; seats; passengers

Sec. 3. (a) A person propelling a bicycle may not:

(1) ride other than upon the permanent and regular seat attached to the bicycle; or

(2) carry any other person upon the bicycle who is not seated upon a firmly attached and regular seat on the bicycle.

(b) A person may not ride upon a bicycle unless seated under this section.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-4

Number of passengers

Sec. 4. A bicycle may not be used to carry more persons at one (1) time than the number for which the bicycle is designed and equipped.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-5

Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.217-2014, SEC.51.)

IC 9-21-11-6

Lane use restrictions; riding two abreast

Sec. 6. A person riding a bicycle upon a roadway may not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-7

Packages, bundles, or other articles preventing proper use of handlebars

Sec. 7. A person who rides a bicycle may not carry a package, a bundle, or an article that prevents the person from keeping both hands upon the handlebars.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-8

Use of siren or whistle prohibited

Sec. 8. A bicycle may not be equipped with and a person may not use upon a bicycle a siren or whistle.

As added by P.L.2-1991, SEC.9. Amended by P.L.198-2016, SEC.365.

IC 9-21-11-9

Lamps and reflectors

Sec. 9. A bicycle operated on a highway from one-half (1/2) hour after sunset until one-half (1/2) hour before sunrise must be equipped with the following:

(1) A lamp on the front exhibiting a white light visible from a distance of at least five hundred (500) feet to the front.

(2) A lamp on the rear exhibiting a red light visible from a distance of five hundred (500) feet to the rear or a red reflector visible from a distance of five hundred (500) feet to the rear.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-10

Brakes

Sec. 10. A bicycle must be equipped with a brake that will enable the person who operates the bicycle to make the braked wheels skid on dry, level, clean pavement.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-11

Highways; regulations and requirements

Sec. 11. A person who operates a bicycle upon a highway shall observe the regulations and requirements of this article.

As added by P.L.2-1991, SEC.9.

IC 9-21-11-12

Class B motor driven cycles; prohibitions on operation; conditions

Sec. 12. A Class B motor driven cycle may not be operated under any of the following conditions:

(1) By an individual less than fifteen (15) years of age.

(2) By an individual who does not have:

(A) an unexpired identification card with a Class B motor driven cycle endorsement issued to the individual by the bureau under IC 9-24-16;

(B) a valid driver's license; or

(C) a valid learner's permit.

(3) On an interstate highway or a sidewalk.

(4) At a speed greater than thirty-five (35) miles per hour.

As added by P.L.2-1991, SEC.9. Amended by P.L.221-2014, SEC.56; P.L.198-2016, SEC.366.

IC 9-21-11-13
Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.221-2014, SEC.57.)

IC 9-21-11-13.5
Repealed

(As added by P.L.206-2014, SEC.3. Repealed by P.L.198-2016, SEC.367.)

IC 9-21-11-14
Violations; Class C infraction

Sec. 14. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-12

Chapter 12. School Buses; Fire and Emergency Vehicles

IC 9-21-12-1

Arm signal device; duty to obey; presumption

Sec. 1. (a) A person who drives a vehicle that:

(1) meets or overtakes from any direction a school bus stopped on a roadway and is not stopped before reaching the school bus when the arm signal device specified in IC 9-21-12-13 is in the device's extended position; or

(2) proceeds before the arm signal device is no longer extended;

commits a Class A infraction.

(b) This section is applicable only if the school bus is in substantial compliance with the markings required by the state school bus committee.

(c) There is a rebuttable presumption that the owner of the vehicle involved in the violation of this section committed the violation. This presumption does not apply to the owner of a vehicle involved in the violation of this section if the owner routinely engages in the business of renting the vehicle for periods of thirty (30) days or less.

As added by P.L.2-1991, SEC.9. Amended by P.L.127-1993, SEC.2; P.L.1-2005, SEC.104; P.L.217-2014, SEC.52.

IC 9-21-12-2

Repealed

(As added by P.L.2-1991, SEC.9. Repealed by P.L.113-2014, SEC.23; P.L.217-2014, SEC.53.)

IC 9-21-12-3

Divided highways; vehicles approaching school bus; duty to use caution

Sec. 3. On a highway divided into two (2) or more roadways by:

(1) leaving an intervening space that is unimproved and not intended for vehicular travel;

(2) a physical barrier; or

(3) a dividing section constructed to impede vehicular traffic; and

if the school bus is on the opposite side of the traffic barrier, the person who drives an approaching vehicle need not stop and may proceed with due caution for the safety of children boarding or leaving the school bus.

As added by P.L.2-1991, SEC.9.

IC 9-21-12-4

Design and operation of school buses; rules; adoption

Sec. 4. (a) The state school bus committee established by IC 20-27-3-1 shall adopt and enforce rules that are consistent with this chapter to govern the design and operation of all school buses

used for the transportation of school children that are:

(1) owned and operated by a school corporation; or

(2) privately owned and operated under contract with a school corporation;

in Indiana. Rules adopted under this section shall by reference be made a part of a contract between a private school bus company and a school corporation.

(b) Each school corporation, the school corporation's officers and employees, and every person employed under contract by a school district is subject to the rules adopted under this section.

As added by P.L.2-1991, SEC.9. Amended by P.L.1-2005, SEC.105.

IC 9-21-12-5

Railroad crossings; duty to stop

Sec. 5. (a) This section does not apply to the following:

(1) A street railway grade crossing within a business or residence district.

(2) Abandoned or unused railroad grade crossings that are:

(A) designated by the Indiana department of transportation under IC 8-6-15-2; and

(B) marked with a "tracks out of service" sign that complies with the requirements of IC 8-6-15-3.

(b) A person who drives:

(1) a motor vehicle, not including a school or private bus, carrying passengers for hire;

(2) a school or private bus that is carrying passengers; or

(3) a vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo;

shall, before crossing at grade a track of a railroad, stop the vehicle not more than fifty (50) feet and not less than fifteen (15) feet from the nearest rail of the railroad.

(c) While stopped in accordance with subsection (b), the person shall do the following:

(1) Listen through an open window or door.

(2) Look in both directions along the track for an approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment.

(3) Not proceed until the person can proceed safely.

After stopping, the person shall cross only in a gear of the vehicle so there will be no necessity for changing gears while traversing the crossing. The person who drives the vehicle may not shift gears while crossing the track or tracks.

(d) If a police officer or traffic control signal directs traffic to proceed at a railroad crossing, the person who drives a vehicle subject to this section shall proceed in accordance with the instructions of the police officer or traffic control signal.

(e) Except as provided in subsection (f), a person who violates this section commits a Class C infraction.

(f) A person who knowingly or intentionally violates subsection (b)(2) commits a Class B misdemeanor.
As added by P.L.2-1991, SEC.9. Amended by P.L.119-1995, SEC.7; P.L.87-2003, SEC.2; P.L.8-2010, SEC.6; P.L.217-2014, SEC.54.

IC 9-21-12-6
Repealed
(As added by P.L.2-1991, SEC.9. Repealed by P.L.113-2014, SEC.24; P.L.217-2014, SEC.55.)

IC 9-21-12-7
Fire apparatus responding to alarm; following or driving into same block; prohibited vehicles
Sec. 7. (a) A person who drives a vehicle that is not on official business for the state, a unit of government, a fire department, including a volunteer fire department, a law enforcement agency, or an emergency ambulance service may not do any of the following:
(1) Follow any fire apparatus traveling in response to a fire alarm at a distance closer than five hundred (500) feet.
(2) Drive into or park a vehicle within the block where fire apparatus has stopped in answer to a fire alarm.
(b) A person who violates this section commits a Class C infraction.
As added by P.L.2-1991, SEC.9. Amended by P.L.217-2014, SEC.56.

IC 9-21-12-8
Violation of duty to stop at railroad crossings; fine; suspension of driving privileges
Sec. 8. A person who is convicted of a violation of section 5 of this chapter shall, in addition to the fine and costs that are assessed against the person, have the person's driving privileges suspended for a period of not less than sixty (60) days.
As added by P.L.2-1991, SEC.9.

IC 9-21-12-9
Repealed
(As added by P.L.2-1991, SEC.9. Amended by P.L.127-1993, SEC.3; P.L.113-2014, SEC.25. Repealed by P.L.217-2014, SEC.57; P.L.109-2015, SEC.26.)

IC 9-21-12-10
Violation of provisions relating to design and operation of school buses; breach of contract
Sec. 10. A person who violates section 4 of this chapter commits breach of contract.
As added by P.L.2-1991, SEC.9.

IC 9-21-12-11

Repealed

(As added by P.L.2-1991, SEC.9. Amended by P.L.1-2005, SEC.25; P.L.231-2005, SEC.3; P.L.107-2006, SEC.3; P.L.39-2009, SEC.1; P.L.113-2014, SEC.26. Repealed by P.L.217-2014, SEC.58; P.L.109-2015, SEC.27.)

IC 9-21-12-12

Repealed

(As added by P.L.1-2005, SEC.26. Repealed by P.L.217-2014, SEC.59.)

IC 9-21-12-13

School bus; arm signal device

Sec. 13. (a) Except:

(1) as provided in subsection (b); or

(2) when a school bus is stopped at an intersection or another place where traffic is controlled by a traffic control device or a police officer;

whenever a school bus is stopped on a roadway to load or unload a student, the driver shall use an arm signal device, which must be extended while the bus is stopped.

(b) The governing body of a public school may authorize a school bus driver to load or unload a student at a location off the roadway that the governing body designates as a special school bus loading area. The driver is not required to extend the arm signal device when loading or unloading a student in the designated area.

(c) A school bus driver who knowingly or intentionally violates subsection (a) commits a Class C misdemeanor.

As added by P.L.1-2005, SEC.27. Amended by P.L.217-2014, SEC.60.

IC 9-21-12-14

School bus; directional signal

Sec. 14. Before a driver changes the direction of a school bus, the driver shall use a directional signal to indicate the change at least one hundred (100) feet before the driver turns. A school bus driver who knowingly or intentionally violates this section commits a Class C misdemeanor.

As added by P.L.1-2005, SEC.28. Amended by P.L.217-2014, SEC.61.

IC 9-21-12-15

School bus; flashing lights

Sec. 15. (a) The driver of a school bus shall use flashing lights as prescribed by the state school bus committee to give adequate warning that the school bus is stopped or about to stop on the roadway to load or unload a student.

(b) A school bus driver who knowingly or intentionally violates

subsection (a) commits a Class C misdemeanor.
As added by P.L.1-2005, SEC.29. Amended by P.L.217-2014, SEC.62.

IC 9-21-12-16
Forward area of school bus off limits to children

Sec. 16. (a) When a school bus is in motion, students are prohibited from occupying any space forward of a vertical plane drawn through the rear of the driver's seat and perpendicular to the longitudinal axis of the bus. Every school bus must:

(1) be marked with a line or otherwise equipped in order to indicate the prohibited area to students; and

(2) have clearly posted, at or near the front of the bus, a sign stating that it is a violation of Indiana law for a school bus to be operated with any students occupying the prohibited area.

(b) A school bus driver who knowingly or intentionally violates this section commits a Class C misdemeanor.
As added by P.L.1-2005, SEC.30. Amended by P.L.217-2014, SEC.63.

IC 9-21-12-17
Repealed

(As added by P.L.1-2005, SEC.31. Amended by P.L.107-2006, SEC.4; P.L.145-2009, SEC.4; P.L.8-2010, SEC.7. Repealed by P.L.113-2014, SEC.27; P.L.217-2014, SEC.64.)

IC 9-21-12-18
School bus and special purpose bus; obstruction of emergency exits and doors; driver penalties; employer penalties

Sec. 18. (a) Whenever a school bus or special purpose bus is transporting passengers, the school bus or special purpose bus emergency escape exits, doors, emergency exit windows, roof exits, and service doors must be free of any obstruction that:

(1) inhibits or obstructs an exit; or

(2) renders the means of exit hazardous.

(b) A driver who knowingly operates a school bus or special purpose bus in violation of subsection (a) commits a Class C misdemeanor.

(c) A person who knowingly directs a driver to operate a school bus or special purpose bus in violation of subsection (a) commits a Class C misdemeanor.
As added by P.L.107-2006, SEC.5. Amended by P.L.113-2014, SEC.28; P.L.217-2014, SEC.65; P.L.109-2015, SEC.28.

IC 9-21-12-19
School bus and special purpose bus; end of trip inspection

Sec. 19. (a) A person who operates a school bus or a special purpose bus shall visually inspect each seat within the interior of the

school bus or special purpose bus at the end of a trip during which students or passengers are transported to determine that no student or passenger has remained on the school bus or special purpose bus.

(b) The visual inspection required under subsection (a) must be conducted:

(1) at the conclusion of each trip during which students or passengers are transported; and

(2) before the operator exits the school bus or special purpose bus.

(c) A student or passenger is considered to have been left on a school bus or special purpose bus if:

(1) the operator has reached the end of a trip during which students or passengers are transported and exited the school bus or special purpose bus; and

(2) the student or passenger remains inside the school bus or special purpose bus.

(d) A school bus or special purpose bus owner shall report all instances of a student or passenger being left on the school bus or special purpose bus to the superintendent or the superintendent's designee immediately after the incident occurred.

(e) The superintendent or the superintendent's designee shall report all instances of a student or passenger being left on the school bus or special purpose bus to the department of education not later than five (5) working days after the incident occurred.

As added by P.L.39-2009, SEC.2.

IC 9-21-13

Chapter 13. Funeral Processions

IC 9-21-13-0.3

Repealed

(As added by P.L.236-2003, SEC.6. Repealed by P.L.80-2012, SEC.5.)

IC 9-21-13-0.5

Repealed

(As added by P.L.236-2003, SEC.7. Repealed by P.L.24-2006, SEC.4.)

IC 9-21-13-0.7

Markings for funeral escort vehicle

Sec. 0.7. (a) Except as provided in subsection (b), a funeral escort vehicle must be clearly marked with the words "funeral escort" on both the right and left sides of the vehicle in letters that are at least five (5) inches in height.

(b) A motorcycle that is a funeral escort vehicle must be clearly marked with the words "funeral escort" on both the right and left sides of the vehicle in letters that are at least two (2) inches in height.

(c) A funeral escort vehicle may not bear:

(1) markings similar to the markings used by a law enforcement agency of the state or the federal government;

(2) words, emblems, seals, or other insignia that could cause a reasonable person to confuse the funeral escort vehicle with a police vehicle; or

(3) the words "sheriff", "police", "deputy", "marshal", "agent", "patrolman", "officer", or another word that could cause a reasonable person to confuse the operator of the funeral escort vehicle with a law enforcement officer.

As added by P.L.80-2012, SEC.6.

IC 9-21-13-1

Right-of-way at intersections; conditions; exceptions

Sec. 1. (a) A vehicle with lighted headlights in a funeral procession has the right-of-way at an intersection and may proceed through the intersection if the procession is headed by a lead or funeral escort vehicle displaying alternately flashing red and white, flashing red, or flashing amber lights or an authorized emergency vehicle, except if either of the following conditions exist:

(1) When the right-of-way is required by an authorized emergency vehicle giving an audible signal.

(2) When the vehicles in procession are directed otherwise by a police officer.

(b) Before assuming the right-of-way, a person who drives a vehicle in the funeral procession must exercise due caution with

regard to crossing traffic.
As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.8; P.L.80-2012, SEC.7.

IC 9-21-13-2
Driving between vehicles of a funeral procession; prohibition; exceptions

Sec. 2. A person who drives a vehicle that is not in a funeral procession may not drive the vehicle between the vehicles of the funeral procession, except when:

(1) authorized to do so by a traffic officer; or
(2) the vehicle is an authorized emergency vehicle giving audible signal by siren.

As added by P.L.2-1991, SEC.9.

IC 9-21-13-3
Formation of procession and lighting headlights for purpose of securing right-of-way; prohibition

Sec. 3. A person who drives a vehicle that is not a part of a funeral procession may not join the procession or form a procession and have headlights lighted for the purpose of securing the right-of-way granted by this chapter to funeral processions.
As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.9.

IC 9-21-13-4
Lead and escort vehicles; flashing lights; restrictions on use

Sec. 4. (a) The lead and funeral escort vehicles in a funeral procession may be equipped with flashing amber lights that may be used only when the vehicles are used in a funeral procession.

(b) Notwithstanding any other provisions in this article that govern emergency vehicles, the lead and funeral escort vehicles in a funeral procession may be equipped with flashing red lights that may be used only when the vehicles are used in a funeral procession. The flashing red lights may only be used to gain the right-of-way at intersections and to protect a funeral procession while crossing an intersection.
As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.10.

IC 9-21-13-4.5
Funeral procession; duty to exercise due caution; required lights

Sec. 4.5. (a) A person operating a vehicle in a funeral procession:

(1) must exercise due caution while in the funeral procession; and
(2) must follow the preceding vehicle in the funeral procession as closely as is practical and safe.

(b) A vehicle that is part of a funeral procession:

(1) must have its headlights and taillights illuminated; and
(2) may display flashing amber lights.

(c) The operator of:

(1) a vehicle immediately following the lead vehicle in a funeral procession; and

(2) the last vehicle in the funeral procession;

may illuminate the vehicle's hazard warning lights while in the funeral procession.

As added by P.L.236-2003, SEC.11.

IC 9-21-13-5

Vehicle in procession; pennants, flags, or windshield stickers; lights

Sec. 5. A vehicle that is a part of a funeral procession may use:

(1) funeral pennants or flags;

(2) windshield stickers; or

(3) an amber light as described in section 4.5(b) of this chapter;

to identify the vehicle as a part of the procession.

As added by P.L.2-1991, SEC.9. Amended by P.L.236-2003, SEC.12.

IC 9-21-13-6

Passing of funeral processions; multiple lane highways

Sec. 6. A person who drives a vehicle may pass a funeral procession on the procession's left side on a multiple lane highway if the passing can be done safely.

As added by P.L.2-1991, SEC.9.

IC 9-21-13-7

Violations; Class C infraction

Sec. 7. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-14

Chapter 14. Marching Bands

IC 9-21-14-1

Application of chapter

Sec. 1. This chapter applies to an officially recognized performing organization, including bands, dance units, drill teams, color guards, flag corps, or rifle squads of the following:

(1) A public school.

(2) A private school.

(3) A state supported college or university.

(4) A private college or university located in Indiana accredited by a recognized regional accrediting agency.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-2

Marching band procession

Sec. 2. As used in this chapter, "marching band procession" means an officially recognized performing organization, including a band, dance unit, drill team, color guard, flag corps, or rifle squad performing together or separately on a local road or street.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-3

Right-of-way; requirements; exceptions

Sec. 3. (a) A marching band procession has the right-of-way on a local road or street and at an intersection and may proceed on the local road or street and through the intersection if the procession is headed by a person wearing a fluorescent jacket or a lead or escort vehicle displaying a revolving amber light with three hundred sixty (360) degree visibility, except under either of the following conditions:

(1) When the right-of-way is required by an authorized emergency vehicle.

(2) When the procession is directed otherwise by a police officer.

(b) A vehicle on the local road or street at the time the marching band procession is proceeding must pull over on the local road or street and yield the right-of-way until the procession has passed the vehicle.

(c) A pedestrian may not physically interfere with a marching band procession or the individuals in the procession.

(d) Before assuming the right-of-way, the marching band procession must exercise due caution with regard to crossing traffic.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-4

Driving between vehicles of marching band procession;

authorization

Sec. 4. A person who drives a vehicle that is not in a marching band procession may not drive the vehicle between the vehicles of the marching band procession, except when:

(1) authorized to do so by a traffic officer; or

(2) the vehicle is an authorized emergency vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-5

Formation of procession for purpose of securing right-of-way; prohibition

Sec. 5. A pedestrian and a person who drives a vehicle that is not a part of a marching band procession may not form a procession for the purpose of securing the right-of-way granted by this section to marching band processions.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-6

Lead and escort vehicles; flashing amber lights

Sec. 6. The lead and escort vehicles in a marching band procession may be equipped with flashing amber lights. The revolving amber lights may be used to gain the right-of-way on a local road or street and at intersections and to protect a marching band procession while crossing an intersection.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-7

Ordinances regulating band processions

Sec. 7. Local units of government with jurisdiction over local roads and streets may adopt ordinances regulating marching band processions.

As added by P.L.2-1991, SEC.9.

IC 9-21-14-8

Violations; Class C infraction

Sec. 8. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-15
Chapter 15. Disabled Vehicles

IC 9-21-15-1
Application of chapter

Sec. 1. This chapter applies to the following vehicles:

(1) A motor truck.
(2) A passenger bus.
(3) A truck tractor.
(4) A trailer.
(5) A semitrailer.
(6) A pole trailer.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-2
Traveled portion of highway or shoulder during time when lights are required; warning devices; requirements

Sec. 2. Except as provided in section 6 of this chapter, whenever a vehicle is disabled upon the traveled portion of a highway or the shoulder of a highway outside of a municipality at a time when lighted lamps are required on vehicles, the person who drives the vehicle shall display the following warning devices upon the highway during the time the vehicle is disabled on the highway:

(1) A lighted fusee, a lighted red electric lantern, or a portable red emergency reflector must be immediately placed at the traffic side of the vehicle in the direction of the nearest approaching traffic.

(2) As soon as possible within the burning period of a fusee (fifteen (15) minutes), the person shall place three (3) liquid-burning flares (pot torches), three (3) lighted red electric lanterns, or three (3) portable red emergency reflectors on the traveled part of the highway in the following order:

(A) One (1) device approximately one hundred (100) feet from the disabled vehicle in the center of the lane occupied by the vehicle and toward traffic approaching in that lane.

(B) One (1) device approximately one hundred (100) feet in the opposite direction from the disabled vehicle and in the center of the traffic lane occupied by the vehicle.

(C) One (1) device at the traffic side of the disabled vehicle not less than ten (10) feet behind and not more than ten (10) feet in front of the vehicle in the direction of the nearest approaching traffic. If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side of the vehicle under subdivision (1), the lantern or reflector may be used for this purpose.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-3

Vehicle within 500 feet of a curve, hillcrest, or other obstruction; warning signals; requirements

Sec. 3. If a vehicle is disabled within five hundred (500) feet of a curve, hillcrest, or other obstruction to view, the warning signal in that direction shall be placed to afford ample warning to other users of the highway. The warning signal may not be placed less than five hundred (500) feet from the disabled vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-4

Divided highways during time when lights are required; warning devices; requirements

Sec. 4. Whenever a vehicle is disabled upon a roadway of a divided highway during the time that lights are required, the warning devices prescribed in sections 2 and 6 of this chapter shall be placed as follows:

(1) One (1) device at a distance of approximately two hundred (200) feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane.

(2) One (1) device at a distance of approximately one hundred (100) feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching that lane.

(3) One (1) device at the traffic side of the vehicle and approximately ten (10) feet from the vehicle in the direction of the nearest approaching traffic.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-5

Traveled portion of highway or shoulder during time when lights are not required; warning devices; requirements

Sec. 5. Whenever a vehicle is disabled upon the traveled part of the highway or the shoulder of the highway outside of a municipality at a time when the display of fusees, flares, red electric lanterns, or portable red emergency reflectors is not required under this chapter, the person who drives the vehicle shall display two (2) red flags upon the roadway in the lane of traffic occupied by the disabled vehicle as follows:

(1) One (1) flag at a distance of approximately one hundred (100) feet in advance of the vehicle.

(2) One (1) flag at a distance of approximately one hundred (100) feet to the rear of the vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-6

Vehicles used in transportation of flammable materials or vehicles using such materials as fuel; warning devices; requirements; prohibited devices

Sec. 6. (a) This section applies to the following:

(1) A motor vehicle used in the transportation of explosives.

(2) A cargo truck used for the transportation of a flammable liquid or compressed flammable gas.

(3) A motor vehicle that uses compressed gas as a fuel.

(b) Whenever a motor vehicle is disabled upon a highway at a time or place described in section 2 of this chapter, the person who drives the vehicle shall immediately display the following warning devices:

(1) One (1) red electric lantern or portable red emergency reflector placed on the roadway at the traffic side of the vehicle.

(2) One (1) red electric lantern or portable red reflector placed approximately one hundred (100) feet to the front and one (1) placed approximately one hundred (100) feet to the rear of the disabled vehicle in the center of the traffic lane occupied by the vehicle.

(c) A flare, fusee, or signal produced by flame may not be used as a warning device for a disabled vehicle under this section.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-7

Warning devices; rules and regulations; law governing

Sec. 7. A flare, fusee, red electric lantern, portable red emergency reflector, and flag to be displayed under this chapter must conform with the requirements of IC 9-19.

As added by P.L.2-1991, SEC.9.

IC 9-21-15-8

Violations; Class C infraction

Sec. 8. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-16

Chapter 16. Parking

IC 9-21-16-1

Stopping or parking a vehicle upon a highway; restrictions; exceptions

Sec. 1. (a) This section does not apply to a person who drives a vehicle that is disabled while on the paved, improved, or main traveled part of a highway in a manner and to the extent that it is impossible to avoid stopping and temporarily leaving the disabled vehicle on the highway.

(b) A person may not stop, park, or leave standing an attended or unattended vehicle upon the paved or main traveled part of a highway outside of a business or residence district, if it is practicable to stop, park, or leave the vehicle off the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-16-2

Unobstructed passage of vehicles and clear view of stopped vehicle

Sec. 2. A person who stops, parks, or leaves a vehicle shall leave a sufficient unobstructed width of the roadway opposite the vehicle for the free passage of other vehicles and a clear view of the stopped vehicle from a distance of two hundred (200) feet in each direction upon the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-16-3

Removal of vehicle from traveled portion of highway

Sec. 3. Whenever a police officer finds a vehicle standing upon a highway in violation of this chapter, the officer may require the person driving the vehicle or other person in charge of the vehicle to move the vehicle to a position off the paved, improved, or main traveled part of the highway. If:

(1) a person directed by an officer fails or refuses to move the vehicle; or

(2) the vehicle is unattended;

the officer may provide for the removal of the vehicle to the nearest available garage or other place of safety.

As added by P.L.2-1991, SEC.9.

IC 9-21-16-4

Obstruction of a bridge, causeway, or tunnel; removal of vehicle

Sec. 4. Whenever a police officer finds a vehicle unattended upon a bridge or causeway or in a tunnel where the vehicle constitutes an obstruction to traffic, the officer may provide for the removal of the vehicle to the nearest available garage or other place of safety.

As added by P.L.2-1991, SEC.9.

IC 9-21-16-5

Avoiding conflict with traffic or law enforcement officers; directions of police officers or traffic control devices

Sec. 5. A person may not stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or to avoid conflict with law or the directions of a police officer or traffic control device, in any of the following places:

(1) On a sidewalk.

(2) In front of a public or private driveway.

(3) Within an intersection.

(4) Within fifteen (15) feet of a fire hydrant.

(5) On a crosswalk.

(6) Within twenty (20) feet of a crosswalk at an intersection.

(7) Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway.

(8) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings.

(9) Within fifty (50) feet of the nearest rail of a railroad crossing.

(10) Within twenty (20) feet of the driveway entrance to a fire station and, on the side of a street opposite the entrance to a fire station, within seventy-five (75) feet of the entrance (when properly sign posted).

(11) Alongside or opposite a street excavation or obstruction if stopping, standing, or parking would obstruct traffic.

(12) On the roadway side of a vehicle stopped or parked at the edge or curb of a street.

(13) Upon a bridge or other elevated structure upon a highway or within a highway tunnel.

(14) At any place where official signs prohibit stopping.

As added by P.L.2-1991, SEC.9.

IC 9-21-16-5.5

Stopping or parking in fire lane; local ordinances; complaints; summons; volunteers

Sec. 5.5. (a) This section applies to a fire lane that is located on property that is privately or publicly owned.

(b) A person may not stop, stand, or park a vehicle in a fire lane.

(c) A fire lane must be marked with the words "No Parking Fire Lane" in white letters and a stripe of at least four (4) inches in width, in conformance with the Indiana Manual on Uniform Traffic Control Devices. The words and stripe must be placed twelve (12) feet from the sidewalk, curb, or building. The words "No Parking Fire Lane" must be positioned between the stripe and the sidewalk, curb, or building.

(d) This section does not prohibit a county, city, or town from adopting and enforcing an ordinance that regulates stopping, standing, and parking motor vehicles in a fire lane.

(e) An ordinance adopted under subsection (d) may not conflict with this section.

(f) A law enforcement agency authorized to enforce:

(1) subsection (b); or

(2) an ordinance adopted under subsection (d);

may appoint volunteers to issue complaints and summonses for violations of subsection (b) or an ordinance adopted under subsection (d).

(g) To issue complaints and summonses, a volunteer appointed under subsection (f) must:

(1) be at least twenty-one (21) years of age;

(2) complete a course of instruction concerning the enforcement of this chapter that is conducted by the appointing law enforcement agency;

(3) after successfully completing the course of instruction, obtain a certificate from the executive authority of the appointing law enforcement agency; and

(4) satisfy any other qualifications established by the law enforcement agency.

(h) The executive authority of a law enforcement agency that appoints volunteers under subsection (f) shall file a copy of each certificate issued under subsection (g)(3) with the prosecuting attorney having jurisdiction over the area served by the law enforcement agency.

(i) A complaint and summons issued by a volunteer appointed under subsection (f) has the same force and effect as a complaint and summons issued by a law enforcement officer for the same violation.

(j) A volunteer appointed under subsection (f) does not have powers of a law enforcement officer, except those powers granted under this section.

(k) The executive authority of a law enforcement authority that appoints a volunteer under subsection (f) may, at any time, revoke the certificate issued to the volunteer under subsection (g)(3). If a certificate is revoked under this subsection:

(1) the executive authority shall notify the prosecuting attorney with whom the certificate was filed under subsection (h) of the revocation; and

(2) the volunteer's powers under this section terminate immediately upon the revocation.

(l) A volunteer appointed under subsection (f) may not issue a complaint and summons upon private property unless the law enforcement agency that appointed the volunteer first receives permission from the property owner or the property manager.

(m) A property owner is not liable for property damage or personal injury resulting from the actions of a volunteer appointed

under subsection (f) issuing a complaint and summons.
As added by P.L.59-1993, SEC.3. Amended by P.L.8-2003, SEC.2.

IC 9-21-16-5.7
Complaints; summons; forms

Sec. 5.7. A person enforcing this chapter may issue a complaint and summons for a violation of section 5.5(b) of this chapter or an ordinance adopted under section 5.5(d) of this chapter on a form other than the forms described in IC 9-30-3-6. However, the complaint must comply with the Indiana Rules of Trial Procedure.
As added by P.L.8-2003, SEC.3.

IC 9-21-16-6
Movement of vehicle by nonowner

Sec. 6. A person may not move a vehicle not owned by the person into a prohibited area or away from a curb to a distance that is unlawful.
As added by P.L.2-1991, SEC.9.

IC 9-21-16-7
Parallel parking; roadways with adjacent curbs; regulations; motorcycles

Sec. 7. (a) Except as provided in subsection (b) and except where angle parking is permitted by local ordinance for streets under local control and by order of the Indiana department of transportation on streets and highways in the state highway system, including routes through cities and towns, a vehicle stopped or parked upon a roadway where there is an adjacent curb must be stopped or parked with the right-hand wheels of the vehicle parallel with and within twelve (12) inches of the right-hand curb.

(b) This subsection does not apply to an autocycle. A motorcycle stopped or parked upon a roadway where there is an adjacent curb may be stopped or parked with the rear wheel of the motorcycle to the curb and with the front tire facing the flow of traffic.
As added by P.L.2-1991, SEC.9. Amended by P.L.60-1998, SEC.1; P.L.82-2015, SEC.9.

IC 9-21-16-8
Signs prohibiting or restricting stopping, standing, or parking; posting

Sec. 8. The Indiana department of transportation may, with respect to highways under the department's jurisdiction, place signs prohibiting or restricting the stopping, standing, or parking of vehicles on a highway where an engineering investigation has revealed the need for a restriction. The signs must be official signs. A person may not stop, stand, or park a vehicle in violation of the restrictions stated on the signs.
As added by P.L.2-1991, SEC.9.

IC 9-21-16-9
Violations; Class C infraction

Sec. 9. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-17

Chapter 17. Pedestrians

IC 9-21-17-1

Traffic and pedestrian control signals

Sec. 1. (a) Pedestrians are subject to traffic and pedestrian control signals under this chapter.

(b) At all places that are not marked with pedestrian control signals, pedestrians are accorded the privileges and subject to the restrictions of this article.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-2

"Walk" and "don't walk" signals

Sec. 2. Whenever special pedestrian control signals exhibiting the words "walk" or "don't walk" are in place, the signals must indicate as follows:

(1) Flashing or steady "walk" means a pedestrian facing the signal may proceed across the roadway in the direction of the signal and a person who drives a vehicle shall yield the right-of-way to the pedestrian.

(2) Steady "don't walk" means a pedestrian may not start to cross the roadway in the direction of the signal. A pedestrian who has partially completed crossing on the "walk" signal shall proceed to a sidewalk or safety island while the "don't walk" signal is showing.

(3) Flashing "don't walk" means a pedestrian may not start to cross the roadway in the direction of the signal. A pedestrian who has already started to cross on the "walk" signal shall proceed to a sidewalk or safety island. If a countdown pedestrian signal indication is also shown, a pedestrian may cross if the pedestrian is able to proceed to the sidewalk or safety island by the time the steady "don't walk" signal is shown, and a person who drives a vehicle shall yield the right-of-way to the pedestrian.

As added by P.L.2-1991, SEC.9. Amended by P.L.8-2010, SEC.8.

IC 9-21-17-3

Duty to obey traffic control device; exception

Sec. 3. A pedestrian shall obey the instructions of an official traffic control device specifically applicable to the pedestrian, unless otherwise directed by a police officer.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-4

Crosswalks; local authorities; designation by ordinance

Sec. 4. A local authority:

(1) may, by ordinance, prohibit pedestrians from crossing a

roadway in a business district or a designated highway except in a crosswalk, which may be established by the ordinance; and (2) shall mark the crosswalks in a manner conforming to the uniform system of traffic control devices created under IC 9-21-3.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-5

Walking or running into the path of a vehicle; prohibition

Sec. 5. A pedestrian may not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close as to constitute an immediate hazard.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-6

Overtaking and passing a vehicle stopped at a crosswalk; prohibition

Sec. 6. Whenever a vehicle is stopped at a marked crosswalk or at an unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, a person who drives another vehicle approaching from the rear may not overtake and pass the stopped vehicle.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-7

Crossing roadway at point not marked as a crosswalk; yield of right-of-way to traffic

Sec. 7. A pedestrian crossing a roadway at a point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-8

Pedestrian tunnel or overhead crossing; yield of right-of-way to traffic

Sec. 8. A pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-9

Marked crosswalks; adjacent intersections; duty to obey

Sec. 9. Between adjacent intersections at which traffic control signals are in operation, pedestrians may not cross at any place except in a marked crosswalk.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-10

Diagonal crossing at intersections

Sec. 10. A pedestrian may not cross a roadway intersection diagonally unless authorized by official traffic control devices. When authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to diagonal crossing movements.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-11

Crosswalks; movement along right half

Sec. 11. Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-12

Sidewalk available; prohibition on walking along or upon roadway

Sec. 12. If a sidewalk is provided and the sidewalk's use is practicable, a pedestrian may not walk along and upon an adjacent roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-13

Sidewalk unavailable; use of shoulder

Sec. 13. If a sidewalk is not available, a pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-14

Sidewalk or shoulder unavailable; use of outside edge of roadway

Sec. 14. If neither a sidewalk nor a shoulder is available, a pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway. If the roadway is two-way, the pedestrian shall walk only on the left side of the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-15

Yield of right-of-way to all vehicles on roadway

Sec. 15. Except as otherwise provided in this chapter, a pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-16

Solicitation of rides; restrictions; emergency

Sec. 16. A person may not stand in a roadway for the purpose of soliciting a ride from a person who drives a vehicle unless the person

soliciting a ride is faced with an emergency on the roadway, in which case the person may secure a ride to obtain assistance.
As added by P.L.2-1991, SEC.9.

IC 9-21-17-17
Solicitation of employment or business on highway; prohibition

Sec. 17. A person may not stand on a highway for the purpose of soliciting employment or business from the occupant of a vehicle.
As added by P.L.2-1991, SEC.9.

IC 9-21-17-18
Soliciting the watching or guarding of a vehicle; prohibition

Sec. 18. A person may not stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of a vehicle that is parked or about to be parked on a street or highway.
As added by P.L.2-1991, SEC.9.

IC 9-21-17-19
Driving through safety zones and across sidewalks; restrictions; right-of-way

Sec. 19. (a) A vehicle may not at any time be driven through or within a safety zone.

(b) A person who drives a vehicle crossing a sidewalk shall yield the right-of-way to a pedestrian and all other traffic on the sidewalk.
As added by P.L.2-1991, SEC.9.

IC 9-21-17-20
Emergency or police vehicles; use of audible and visual signals; yield of right-of-way

Sec. 20. (a) Upon the immediate approach of:

(1) an authorized emergency vehicle making use of an audible signal and visual signals; or

(2) a police vehicle properly and lawfully making use of an audible signal only;

a pedestrian shall yield the right-of-way to the authorized emergency vehicle.

(b) This section does not relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway or from the duty to exercise due care to avoid colliding with a pedestrian.
As added by P.L.2-1991, SEC.9.

IC 9-21-17-21
Blind pedestrians; yield of right-of-way

Sec. 21. A person who drives a vehicle shall yield the right-of-way to a blind pedestrian carrying a clearly visible white cane or accompanied by a guide dog.
As added by P.L.2-1991, SEC.9.

IC 9-21-17-22
Bridges; entering or remaining beyond signal or gate

Sec. 22. A pedestrian may not enter or remain upon a bridge or an approach to a bridge beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-23
Railroad crossings; passing beyond gate or barrier in operation

Sec. 23. A pedestrian may not pass through, around, over, or under a crossing gate or barrier at a railroad grade crossing or bridge while the gate or barrier is closed or is being opened or closed.

As added by P.L.2-1991, SEC.9.

IC 9-21-17-24
Violations; Class C infraction

Sec. 24. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-18

Chapter 18. Regulation of Traffic on Private Property

IC 9-21-18-1

Application of chapter

Sec. 1. This chapter applies to privately owned real property on which the public is invited to travel for business or, before January 1, 2021, residential purposes.

As added by P.L.2-1991, SEC.9. Amended by P.L.38-2016, SEC.1.

IC 9-21-18-2

"Private business property" or "shopping center" defined

Sec. 2. As used in this chapter, "private business property" or "shopping center" may be defined by ordinance of the unit entering into a contract under this chapter.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-3

Unit

Sec. 3. As used in this chapter, "unit" means a county, city, or town.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-4

Contract to empower unit to regulate parking and traffic by ordinance

Sec. 4. A unit and the owner or lessee of a shopping center or private business property located within the unit may contract to empower the unit to regulate by ordinance the parking of vehicles and the traffic at the shopping center or private business property, subject to approval by the fiscal body of the unit by ordinance.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-4.1

Residential complex traffic ordinances; requirements for adoption and enforcement; expiration

Sec. 4.1. (a) As used in this section, "electronic traffic ticket" has the meaning set forth in IC 9-30-3-2.5.

(b) As used in this section, "legislative body" has the meaning set forth in IC 36-1-2-9.

(c) As used in this section, "moving traffic ordinance" refers to an ordinance regulating the operation of a motor vehicle only while the motor vehicle is in motion.

(d) As used in this section, "residential complex traffic ordinance" refers to an ordinance adopted under subsection (e).

(e) A unit may enforce a residential complex traffic ordinance on the property of a residential complex if all the following conditions are met:

(1) The unit's legislative body adopts the ordinance under this section.

(2) The owner of the residential complex requests in writing from the unit's executive that the unit enforce the residential complex traffic ordinance adopted under subdivision (1) on the property of the residential complex.

(3) The owner of the residential complex enters into an enforcement contract with the unit.

(f) A residential complex traffic ordinance must satisfy the following:

(1) The ordinance must be a moving traffic ordinance.

(2) The ordinance may not duplicate or conflict with Indiana law that is otherwise enforceable on the property of a residential complex.

(3) The ordinance must be reasonably consistent with other ordinances adopted by the unit.

(4) The ordinance must require the owner of the residential complex to enter into an enforcement contract with the unit as provided in subsection (h).

(5) If the unit's law enforcement agency (as defined in IC 35-47-15-2) issues electronic traffic tickets, the ordinance must require the unit's law enforcement agency to issue an electronic traffic ticket for a violation of the unit's ordinance on the property of a residential complex.

(g) A residential complex traffic ordinance may do the following:

(1) Incorporate by reference other moving traffic ordinances of the unit if those other ordinances do not conflict with this section.

(2) Define the term "residential complex" for purposes of the ordinance.

(3) Require the unit's executive to report to the legislative body regarding enforcement contracts entered into with the unit and any other information required by the legislative body regarding the residential complex traffic ordinance.

(h) An enforcement contract must satisfy the following:

(1) The contract must require the owner of the residential complex to install signs notifying residents of and visitors to the residential complex of the relevant provisions of the residential complex traffic ordinance. Signs installed under this subdivision must be placed in a sufficient number of locations to clearly mark where the relevant provisions of the ordinance applies. A sign placed at the entrance to the residential complex does not satisfy this subdivision.

(2) The unit may not charge the owner of the residential complex a fee for enforcing the residential complex traffic ordinance on the property of the residential complex.

(3) Enforcement of the residential complex traffic ordinance in the residential complex may not begin until both of the

following have occurred:

(A) The enforcement contract is signed by the unit and the residential complex.

(B) The residential complex has complied with subdivision (1), as determined by the unit.

(i) If the owner of a residential complex enters into an enforcement contract with a unit, then neither the owner nor the residential complex is subject to or incurs any liability, sanction, or adverse legal consequence for any loss or injury resulting from the manner in which the unit's law enforcement agency discharged its duties under the enforcement contract.

(j) Neither a residential complex nor its owner is subject to or incurs any liability, sanction, or adverse legal consequence for the owner's decision not to enter into an enforcement contract with a unit. The failure to enter into an enforcement contract with a unit is not admissible in any legal proceeding brought against a residential complex or its owner.

(k) This section expires December 31, 2020.

As added by P.L.38-2016, SEC.2.

IC 9-21-18-5

Contracts; provisions

Sec. 5. A contract entered into under section 4 of this chapter may provide for the following:

(1) The erection by the unit of the stop signs, flashing signals, or yield signs at specified locations in a parking area and the adoption of appropriate regulations, or the designation of an intersection in the parking area as a stop intersection or as a yield intersection and the ordering of signs or signals at one (1) or more entrances to that intersection.

(2) The prohibition or regulation of the turning of vehicles or specified types of vehicles at intersections or other designated locations in the parking areas.

(3) The regulation of a crossing of a roadway in the parking area by pedestrians.

(4) The designation of a separate roadway in the parking area for one-way traffic.

(5) The establishment and regulation of loading zones.

(6) The prohibition, regulation, restriction, or limitation of the stopping, standing, or parking of vehicles in specified areas of the parking area.

(7) The designation of safety zones in the parking area and fire lanes.

(8) The removal and storage of vehicles parked or abandoned in the parking area during snowstorms, floods, fires, or other public emergencies, or found unattended in the parking area where the vehicles constitute an obstruction to traffic, or where stopping, standing, or parking is prohibited, and for the payment

of reasonable charges for the removal and storage by the person who owns or operates the vehicle.

(9) The cost of planning, installation, maintenance, and enforcement of parking and traffic regulations to be paid by the unit, by the property owner or lessee, or for a percentage of that cost to be shared by both the unit and the property owner or lessee.

(10) The installation of parking meters on the shopping center or private business property parking area. The contract may establish whether the expense of installing those parking meters and maintenance of the parking meters is that of the unit or that of the shopping center or private business property owner or lessee, and whether any money obtained from those parking meters belongs to the unit or to the shopping center or private business property owner or lessee.

(11) Additional reasonable regulations with respect to traffic and parking in a parking area as local conditions may require for the safety and convenience of the public or of the users of the parking area.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-6

Contract period; restrictions on length

Sec. 6. A contract entered into between a unit and a shopping center or private business property owner under this chapter may not exceed twenty (20) years. A lessee of a shopping center or private business property may not enter into a contract under this chapter for a longer period of time than the length of the lease.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-7

Recording contract; effect of regulations; posting of notice

Sec. 7. A contract entered into between a unit and a shopping center or private business property owner or lessee under this chapter shall be recorded with the county recorder in the county in which the unit is located. No regulation made under the contract may take effect until three (3) days after the contract is recorded. Signs shall be posted within the shopping center or private business property not later than three (3) days after the contract is recorded stating that shopping center or private business property parking and traffic regulations are enforceable by local law enforcement officials.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-8

Violations of parking and traffic regulations; punishment; adoption

Sec. 8. The unit may adopt an ordinance providing for punishment of violations of the parking and traffic regulations in effect at a

shopping center or private business property under the contract.
As added by P.L.2-1991, SEC.9.

IC 9-21-18-9
Stop signs installed after July 1, 1990; requirements

Sec. 9. A stop sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

(1) The face of the sign must have a red background with white letters and a white border.

(2) The sign must be an octagon.

(3) The sign must measure at least twenty-four (24) inches wide and twenty-four (24) inches high.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-10
Yield signs installed after July 1, 1990; requirements

Sec. 10. A yield sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

(1) The face of the sign must have a red border band and a white interior with the word "yield" in red inside the border band.

(2) The sign must be a downward pointing equilateral triangle.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-11
Do not enter signs installed after July 1, 1990; requirements

Sec. 11. A do not enter sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

(1) The face of the sign must have a white background with a red circle containing the words "do not enter" in white letters with a horizontal white bar.

(2) The sign must be a square.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-12
Wrong way signs installed after July 1, 1990; requirements

Sec. 12. A wrong way sign that is installed after July 1, 1990, to control the movement of vehicular traffic in an area subject to this chapter must meet the following requirements:

(1) The face of the sign must have a red background with a white border containing the words "wrong way" in white letters.

(2) The sign must be a rectangle.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-13

Pedestrian crossing signs installed after July 1, 1990; requirements

Sec. 13. A pedestrian crossing sign that is installed after July 1, 1990, to control the movement of vehicular and pedestrian traffic in an area subject to this chapter must meet the following requirements:

(1) The face of the sign must have a white background with black legend and a black border.

(2) The sign must be either rectangular or square.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-14

Owners of property; regulation of property use; powers

Sec. 14. Except as provided in sections 9 through 13 of this chapter, nothing in this chapter may be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as a matter of right from:

(1) prohibiting the property's use;

(2) requiring other, different, or additional conditions than those specified in this chapter; or

(3) otherwise regulating the property's use as determined best to the owner.

As added by P.L.2-1991, SEC.9.

IC 9-21-18-15

Violations; Class C infraction

Sec. 15. A person who installs a sign that violates section 9, 10, 11, 12, or 13 of this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.

IC 9-21-19

Chapter 19. Entrances to State Highways From Private Property

IC 9-21-19-1

Permit requirements

Sec. 1. A person may not:

(1) construct a private entrance, driveway, or approach connecting with a highway in the state highway system or the state maintained route through a city or town; or

(2) cut or remove a curb along a highway;

without a written permit from the Indiana department of transportation. The action must be in accordance with the rules and requirements of the department.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-2

Rules and requirements for entrances; adoption

Sec. 2. The Indiana department of transportation shall adopt rules and requirements for private entrances, driveways, and approaches necessary to provide for drainage of the highway, preservation of the highway, and the safety and convenience of traffic on the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-3

Structures connected to entrances; minimum distance from highway; requirements

Sec. 3. The rules and requirements adopted under section 2 of this chapter may include the minimum distance that gasoline pumps, buildings, and other structures to which private entrances, driveways, or approaches make a connection may be placed next to the property line of the state highway or next to the outside edge of sidewalks along routes through incorporated cities and towns.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-4

Supervision of work by department of transportation; construction expenses

Sec. 4. All work on private entrances, driveways, and approaches shall be done under the supervision and to the satisfaction of the Indiana department of transportation. The entire expense of constructing private entrances, driveways, and approaches shall be paid by the person to whom a permit is given.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-5

Bond or cash deposit

Sec. 5. The Indiana department of transportation may require,

before granting a permit, that a sufficient bond be given or cash deposit be made with the Indiana department of transportation to ensure the carrying out of the terms of the permit. The bond or deposit shall be returned when the requirements of the permit have been met.
As added by P.L.2-1991, SEC.9.

IC 9-21-19-6
Maintenance and repair of entrances; removal of entrances at owner's expense

Sec. 6. The owners or occupants of property abutting a state highway shall maintain and keep in repair all private entrances, driveways, and approaches. Private entrances, driveways, and approaches may not be constructed or maintained in a manner that obstructs or interferes with the highway, traffic, or a drain or ditch that has been constructed on or that serves the highway. An owner or occupant of abutting property shall remove private entrances, driveways, and approaches at the owner's expense when requested to do so by the Indiana department of transportation.
As added by P.L.2-1991, SEC.9.

IC 9-21-19-7
Construction or reconstruction of state highways; inclusion of construction of public and existing private approaches and drainage structures in improvement; location of drives; duties of owner

Sec. 7. When a highway in the state highway system or the state maintained route through a city or town is constructed or reconstructed, the construction of all public road approaches and existing private approaches, together with the drainage structures required for the road's protection, shall be included as a part of the improvement of the highway or state maintained route. The Indiana department of transportation may require the changing of the location of existing drives, in the interest of safety to the motoring public, when the highway is constructed or reconstructed. The owner or occupant of the abutting property shall make a change in location under the direction of the Indiana department of transportation. Upon the completion of the highway, the owners or occupants of adjoining lands shall keep in repair all private entrances, driveways, and approaches from highways.
As added by P.L.2-1991, SEC.9.

IC 9-21-19-8
Violations; Class C infraction

Sec. 8. A person who violates this chapter commits a Class C infraction.
As added by P.L.2-1991, SEC.9.

IC 9-21-20

Chapter 20. Designation of Authorized Emergency Vehicles

IC 9-21-20-1

Emergency vehicle; designation; prohibited vehicles

Sec. 1. (a) The Indiana department of transportation may designate as an authorized emergency vehicle a vehicle:

(1) other than an ambulance that is owned by a person other than a hospital; and

(2) that is used in emergency service.

(b) The Indiana department of transportation may designate and authorize other emergency vehicles under the rules the department prescribes.

As added by P.L.2-1991, SEC.9.

IC 9-21-20-2

Vehicles not affiliated with a hospital, law enforcement agency, or fire department; prohibition on withholding approval

Sec. 2. The Indiana emergency medical services commission may not withhold approval of a motor vehicle as an authorized emergency vehicle because the motor vehicle is not affiliated with a hospital, law enforcement agency, or fire department.

As added by P.L.2-1991, SEC.9.

IC 9-21-20-3

Department of correction; department vehicles; policies and procedures

Sec. 3. The department of correction shall establish policies and procedures for the designation of departmental vehicles as authorized emergency vehicles.

As added by P.L.2-1991, SEC.9.

IC 9-21-21

Chapter 21. Farm Vehicles Involved in Commercial Enterprises

IC 9-21-21-0.5

Expiration

Sec. 0.5. This chapter expires December 31, 2016.

As added by P.L.198-2016, SEC.368.

IC 9-21-21-1

Repealed

(As added by P.L.210-2005, SEC.36. Repealed by P.L.215-2014, SEC.5.)

IC 9-21-21-2

Farm trucks used for personal purposes

Sec. 2. A farm truck may be used for personal purposes if the vehicle otherwise qualifies for that class of registration.

As added by P.L.210-2005, SEC.36. Amended by P.L.215-2014, SEC.6.

IC 9-21-21-3

Farm vehicles in commercial usage

Sec. 3. Except as provided in section 4.3 of this chapter, if the owner of a farm truck, farm trailer, or farm semitrailer and tractor begins to operate the farm truck, farm trailer, or farm semitrailer and tractor or permits the farm truck, farm trailer, or farm semitrailer and tractor to be operated:

(1) in the conduct of a commercial enterprise; or

(2) for the transportation of farm products after the commodities have entered the channels of commerce during a registration year for which the applicable registration fee under IC 9-29-5 has been paid;

the owner shall pay the amount computed under IC 9-29-5-13.5(b) due for the remainder of the registration year for the license fee.

As added by P.L.210-2005, SEC.36. Amended by P.L.21-2007, SEC.2; P.L.191-2007, SEC.3; P.L.215-2014, SEC.7; P.L.216-2014, SEC.50.

IC 9-21-21-4

Repealed

(As added by P.L.210-2005, SEC.36. Repealed by P.L.21-2007, SEC.5.)

IC 9-21-21-4.3

Intrastate operation for perishable crop transportation; extension of license

Sec. 4.3. (a) Notwithstanding section 3 of this chapter, subsection

(b), and IC 9-18-2-4, a farm truck, farm trailer, or farm semitrailer and tractor may be operated intrastate for the transportation of seasonal, perishable, fruit or vegetables to the first point of processing for not more than one (1) thirty (30) day period in a registration year established by IC 9-18-2-7. Before a vehicle may be operated as provided in this subsection, the owner shall pay to the bureau:

(1) the applicable license fee due under IC 9-29-5; and

(2) eight and one-half percent (8.5%) of the applicable license fee paid under IC 9-29-5;

for the farm truck, farm trailer, or farm semitrailer and tractor.

(b) Notwithstanding section 3 of this chapter, subsection (a), and IC 9-18-2-4, a farm truck, farm trailer, or farm semitrailer and tractor may be operated intrastate for the transportation of tomatoes or silage to the first point of processing for a period of not more than one (1) seventy-one (71) day period in a registration year established by IC 9-18-2-7. Before a vehicle may be operated as provided in this subsection, the owner shall pay to the bureau:

(1) the applicable license fee due under IC 9-29-5; and

(2) seventeen percent (17%) of the applicable license fee paid under IC 9-29-5;

for the farm truck, farm trailer, or farm semitrailer and tractor.

(c) The bureau shall adopt rules under IC 4-22-2 to authorize the operation of a farm truck, farm trailer, or farm semitrailer and tractor in the manner provided in this section.

As added by P.L.191-2007, SEC.4. Amended by P.L.215-2014, SEC.8; P.L.216-2014, SEC.51.

IC 9-21-21-5

Penalties for improper use of farm vehicle

Sec. 5. In addition to the penalty provided in section 7 of this chapter, and except as provided in section 4.3 of this chapter, a person that operates a vehicle or allows a vehicle that the person owns to be operated when the vehicle is:

(1) registered under this chapter as a farm truck, farm trailer, or farm semitrailer and tractor; and

(2) operated as set forth in section 3 of this chapter;

commits a Class C infraction. However, the offense is a Class B infraction if, within the three (3) years preceding the commission of the offense, the person had a prior unrelated judgment under this section.

As added by P.L.210-2005, SEC.36. Amended by P.L.191-2007, SEC.5.

IC 9-21-21-6

Venue for prosecution

Sec. 6. For purposes of this chapter, the operation of a vehicle in violation of section 3 of this chapter is a continuing offense and the

venue for prosecution lies in a county in which the unlawful operation occurred. However, a:

(1) judgment against; or

(2) finding by the court for;

the owner or operator bars a prosecution in another county.

As added by P.L.210-2005, SEC.36.

IC 9-21-21-7

Impoundment of farm vehicle operated improperly

Sec. 7. (a) Except as provided in subsection (b), a police officer who discovers a vehicle registered under this chapter as a farm truck, farm trailer, or farm semitrailer and tractor that is being operated as set forth in section 3 of this chapter:

(1) may take the vehicle into the police officer's custody; and

(2) may cause the vehicle to be taken to and stored in a suitable place until:

(A) the legal owner of the vehicle can be found; or

(B) the proper certificate of registration and license plates have been procured and the amount computed under IC 9-29-5-13.5 has been paid.

(b) A vehicle being operated in violation of section 3 of this chapter that is carrying perishable fruits or vegetables or livestock may not be impounded, and the operator may proceed to the point of destination after having been stopped by a police officer under subsection (a).

As added by P.L.210-2005, SEC.36.

IC 9-22

ARTICLE 22. ABANDONED, SALVAGED, AND SCRAP VEHICLES

IC 9-22-1

Chapter 1. Abandoned Vehicles

IC 9-22-1-0.3

Placement of notice tags for abandoned vehicles; required information on notice tag; towing service recovery of costs

Sec. 0.3. (a) This section applies to an abandoned vehicle:

(1) that was towed by a towing service from private property before May 2, 2001;

(2) that is in possession of a towing service company on May 2, 2001;

(3) that could have been removed from private property under sections 15 and 16 of this chapter, both as amended by P.L.108-2001, if P.L.108-2001 were in effect at the time that the towing service removed the abandoned vehicle from the private property; and

(4) for which the towing service has not received payment for the towing charges accruing from removal of the vehicle from private property.

(b) The towing service may post the notice tag required by section 15 of this chapter, as amended by P.L.108-2001, on a picture of the abandoned vehicle and place the notice tag and picture in a prominent place on the private property from which the abandoned vehicle was towed for the time required by section 15 of this chapter, as amended by P.L.108-2001. The name and address on the notice tag may be the name and address of the owner of the private property or the name and address of the towing service. The notice tag must state the address where the vehicle is located. Compliance with this subsection shall be treated as compliance with section 15 of this chapter, as amended by P.L.108-2001.

(c) A towing service may recover costs incidental to the removal and storage of an abandoned vehicle that accrued before May 2, 2001, to the same extent as if the costs were accrued after May 2, 2001.

As added by P.L.220-2011, SEC.218.

IC 9-22-1-1

Application of chapter

Sec. 1. This chapter does not apply to the following:

(1) A vehicle in operable condition specifically adapted or constructed for operation on privately owned raceways.

(2) A vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.

(3) A vehicle located on a vehicle sale lot.

(4) A vehicle located upon property licensed or zoned as an automobile scrapyard.
(5) A vehicle registered and licensed under IC 9-18-12 as an antique vehicle.
(6) A golf cart.
(7) An off-road vehicle.

As added by P.L.2-1991, SEC.10. Amended by P.L.108-2001, SEC.2; P.L.150-2009, SEC.15; P.L.259-2013, SEC.19.

IC 9-22-1-2
Officer defined

Sec. 2. As used in this chapter, "officer" means the following:
(1) A regular member of the state police department.
(2) A regular member of a city or town police department.
(3) A town marshal or town marshal deputy.
(4) A regular member of the county police force.
(5) An individual of an agency designated by ordinance of the fiscal body.

As added by P.L.2-1991, SEC.10.

IC 9-22-1-3
Public agency defined

Sec. 3. As used in this chapter, "public agency" means a local agency given the responsibility by statute or ordinance for the removal, storage, and disposal of abandoned vehicles.

As added by P.L.2-1991, SEC.10. Amended by P.L.191-2007, SEC.6.

IC 9-22-1-3.5
Storage yard defined

Sec. 3.5. As used in this chapter, "storage yard" means a storage facility or a towing service used for the removal and storage of abandoned vehicles or parts.

As added by P.L.104-2005, SEC.2.

IC 9-22-1-4
Responsibility and liability of owner of abandoned vehicle or parts; limitation of costs for storage

Sec. 4. (a) Except as provided in subsection (c), the owner of an abandoned vehicle or parts is:
(1) responsible for the abandonment; and
(2) liable for all of the costs incidental to the removal, storage, and disposal;

of the vehicle or the parts under this chapter.

(b) The costs for storage of an abandoned vehicle may not exceed one thousand five hundred dollars ($1,500).

(c) If an abandoned vehicle is sold by a person who removed, towed, or stored the vehicle, the person who previously owned the vehicle is not responsible for storage fees.

(d) If an abandoned vehicle is sold by a person who removed, towed, or stored the vehicle, and proceeds from the sale of the vehicle covered the removal, towing, and storage expenses, any remaining proceeds from the sale of the vehicle shall be returned to the previous owner of the vehicle if the previous owner is known.
As added by P.L.2-1991, SEC.10. Amended by P.L.104-2005, SEC.3; P.L.191-2007, SEC.7; P.L.125-2012, SEC.113.

IC 9-22-1-5
Discovery of possession by person other than vehicle owner
Sec. 5. When an officer discovers a vehicle in the possession of a person other than the owner of the vehicle and the person cannot establish the right to possession of the vehicle, the vehicle shall be taken to and stored in a suitable place determined by the officer.
As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.114; P.L.262-2013, SEC.104.

IC 9-22-1-6
Repealed
(As added by P.L.2-1991, SEC.10. Amended by P.L.191-2007, SEC.8. Repealed by P.L.125-2012, SEC.115.)

IC 9-22-1-7
Inability to determine ownership; declaring vehicle abandoned
Sec. 7. If:
(1) the owner or lienholder under section 8 of this chapter does not appear and pay all costs; or
(2) the owner of a vehicle cannot be determined by a search conducted under section 19 of this chapter;
the vehicle is considered abandoned and must be disposed of under this chapter.
As added by P.L.2-1991, SEC.10. Amended by P.L.191-2007, SEC.9; P.L.125-2012, SEC.116.

IC 9-22-1-8
Release to owner or lienholder of stored vehicle; required notification
Sec. 8. If the properly identified person who owns or holds a lien on a vehicle appears at the site of storage before disposal of the vehicle or parts and pays all costs incurred against the vehicle or parts at that time, the vehicle or parts shall be released. A towing service shall notify the appropriate public agency of all releases under this section. The notification must include the name, signature, and address of the person that owns or holds a lien on the vehicle, a description of the vehicle or parts, costs, and the date of release.
As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.117.

IC 9-22-1-9
Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.4; P.L.191-2007, SEC.10. Repealed by P.L.125-2012, SEC.118.)

IC 9-22-1-10
Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.191-2007, SEC.21.)

IC 9-22-1-11
Tagging abandoned vehicle or parts

Sec. 11. An officer who finds or is notified of a vehicle or parts believed to be abandoned shall attach in a prominent place a notice tag containing the following information:

(1) The date, time, officer's name, public agency, and address and telephone number to contact for information.

(2) That the vehicle or parts are considered abandoned.

(3) That the vehicle or parts will be removed after:

(A) twenty-four (24) hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or

(B) seventy-two (72) hours, for any other vehicle.

(4) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle.

(5) That the person who owns the vehicle may avoid costs by removal of the vehicle or parts within:

(A) twenty-four (24) hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or

(B) seventy-two (72) hours, for any other vehicle.

As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.5; P.L.131-2008, SEC.47; P.L.54-2009, SEC.6.

IC 9-22-1-12
Officer's abandoned vehicle report; photographs

Sec. 12. If a vehicle or a part tagged under section 11 of this chapter is not removed within the applicable period, the officer shall prepare a written abandoned vehicle report of the vehicle or parts, including information on the condition and missing parts. Photographs may be taken to describe the condition of the vehicle or parts.

As added by P.L.2-1991, SEC.10. Amended by P.L.131-2008, SEC.48; P.L.125-2012, SEC.119.

IC 9-22-1-13
Disposal of vehicle or parts; retention of records and photographs by bureau

Sec. 13. (a) If the vehicle is a junk vehicle and the market value of an abandoned vehicle or parts is less than:

(1) one thousand dollars ($1,000); or

(2) in a municipality that has adopted an ordinance under subsection (b), the amount established by the ordinance;

the towing service shall immediately transfer the vehicle to a storage yard. A copy of the abandoned vehicle report and photographs, if applicable, relating to the abandoned vehicle shall be provided to the storage yard. A towing service or storage yard may dispose of an abandoned vehicle not less than thirty (30) days after the date on which the towing service removed the abandoned vehicle. A city, county, or town that operates a storage yard under IC 36-9-30-3 may dispose of an abandoned vehicle to an automobile scrapyard or an automotive salvage recycler upon removal of the abandoned vehicle. The public agency or storage yard disposing of the vehicle shall retain the original records and photographs for at least two (2) years. If the vehicle is demolished, a copy of the abandoned vehicle report shall be forwarded to the bureau by the automobile scrap yard after the vehicle has been demolished.

(b) The legislative body of a municipality (as defined in IC 36-1-2-11) may adopt an ordinance that establishes the market value below which an officer may dispose of a vehicle or parts under subsection (a). However, the market value established by the ordinance may not be more than seven hundred fifty dollars ($750).

(c) When the bureau receives the report described in subsection (a), the bureau shall note the status of the vehicle in the records of the bureau.

As added by P.L.2-1991, SEC.10. Amended by P.L.92-1997, SEC.2; P.L.104-2005, SEC.4; P.L.191-2007, SEC.11; P.L.125-2012, SEC.120.

IC 9-22-1-14
Duties of tagging officer; towing and storage of vehicle or parts

Sec. 14. (a) If in the opinion of the officer the market value of the abandoned vehicle or parts is at least:

(1) one thousand dollars ($1,000); or

(2) in a municipality that has adopted an ordinance under section 13(b) of this chapter, the amount established by the ordinance;

the officer, before placing a notice tag on the vehicle or parts, shall make a reasonable effort to ascertain the person who owns the vehicle or parts or who may be in control of the vehicle or parts.

(b) After seventy-two (72) hours, the officer shall require the vehicle or parts to be towed to a storage yard or towing service.

As added by P.L.2-1991, SEC.10. Amended by P.L.92-1997, SEC.3;

P.L.104-2005, SEC.5; P.L.125-2012, SEC.121.

IC 9-22-1-15
Discovery of vehicle abandoned on private property

Sec. 15. (a) A person who finds a vehicle believed to be abandoned on private property that the person owns or controls, including rental property, may:

(1) obtain the assistance of an officer under section 18 of this chapter to have the vehicle removed; or

(2) personally arrange for the removal of the vehicle by complying with subsection (b) and section 16 of this chapter.

(b) If the person wishes to personally arrange for the removal of the vehicle, the person shall attach in a prominent place a notice tag containing the following information:

(1) The date, time, name, and address of the person who owns or controls the private property and a telephone number to contact for information.

(2) That the vehicle is considered abandoned.

(3) That the vehicle will be removed after twenty-four (24) hours.

(4) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle.

(5) That the person who owns the vehicle may avoid costs by removal of the vehicle or parts within twenty-four (24) hours.

As added by P.L.2-1991, SEC.10. Amended by P.L.130-1995, SEC.1; P.L.108-2001, SEC.3; P.L.54-2009, SEC.7.

IC 9-22-1-16
Towing vehicle from private property

Sec. 16. (a) If after twenty-four (24) hours the person who owns a vehicle believed to be abandoned on private property has not removed the vehicle from the private property, the person who owns or controls the private property on which the vehicle is believed to be abandoned may have the vehicle towed from the private property.

(b) Notwithstanding subsection (a), in an emergency situation a vehicle believed to be abandoned on private property may be removed immediately. As used in this subsection, "emergency situation" means that the presence of the vehicle believed to be abandoned interferes physically with the conduct of normal business operations of the person who owns or controls the private property or poses a threat to the safety or security of persons or property, or both.

As added by P.L.2-1991, SEC.10. Amended by P.L.130-1995, SEC.2; P.L.108-2001, SEC.4; P.L.104-2005, SEC.6; P.L.191-2007, SEC.12; P.L.54-2009, SEC.8; P.L.262-2013, SEC.105.

IC 9-22-1-17

Notice to bureau given by service towing vehicle from rental property

Sec. 17. A towing service that tows a vehicle under section 16 of this chapter shall give notice to the public agency that the abandoned vehicle is in the possession of the towing service.

As added by P.L.2-1991, SEC.10. Amended by P.L.191-2007, SEC.13; P.L.125-2012, SEC.122.

IC 9-22-1-18

Complaint by person owning or controlling private property

Sec. 18. Upon complaint of a person who owns or controls private property that a vehicle has been left on the property for at least forty-eight (48) hours without the consent of the person who owns or controls the property, an officer shall follow the procedures set forth in sections 11 through 14 of this chapter.

As added by P.L.2-1991, SEC.10.

IC 9-22-1-19

National data base search; notification; storage costs

Sec. 19. (a) Within seventy-two (72) hours after removal of a vehicle to a storage yard or towing service under section 13, 14, or 16 of this chapter, the public agency or towing service shall conduct a search of national data bases, including a data base of vehicle identification numbers, to attempt to obtain the last state of record of the vehicle in order to attempt to ascertain the name and address of the person who owns or holds a lien on the vehicle.

(b) A public agency or towing service that obtains the name and address of the owner of or lienholder on a vehicle shall, not later than seventy-two (72) hours after obtaining the name and address, notify the person who owns or holds a lien on the vehicle of the:

(1) name;
(2) address; and
(3) telephone number;

of the public agency or towing service. The notice must be made by certified mail or a certificate of mailing or by means of an electronic service approved by the bureau. Notwithstanding section 4 of this chapter, a public agency or towing service that fails to notify the owner of or lienholder on the vehicle as set forth in this subsection may not collect additional storage costs incurred after the date of receipt of the name and address obtained.

As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.6; P.L.78-2003, SEC.1; P.L.104-2005, SEC.7; P.L.191-2007, SEC.14; P.L.125-2012, SEC.123; P.L.62-2014, SEC.2.

IC 9-22-1-20

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.92-1997, SEC.4. Repealed by P.L.191-2007, SEC.21.)

IC 9-22-1-21
Means of vehicle identification not available; disposal without notice

Sec. 21. If a vehicle or parts are in such a condition that vehicle identification numbers or other means of identification are not available to determine the person who owns or holds a lien on the vehicle, the vehicle may be disposed of without notice.
As added by P.L.2-1991, SEC.10.

IC 9-22-1-21.5
Liens on vehicles for towing services

Sec. 21.5. A person that provides towing services for a vehicle:

(1) at the request of the person that owns the vehicle;

(2) at the request of a person on whose property an abandoned vehicle is located; or

(3) in accordance with this chapter;

has a lien on the vehicle for the reasonable value of the charges for the towing services and other related costs in accordance with IC 9-22-6. A person that obtains a lien for an abandoned vehicle under this section must comply with sections 16, 17, and 19 of this chapter and IC 9-22-6.
As added by P.L.125-2012, SEC.124. Amended by P.L.262-2013, SEC.106; P.L.198-2016, SEC.369.

IC 9-22-1-22
Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.92-1997, SEC.5. Repealed by P.L.191-2007, SEC.21.)

IC 9-22-1-23
Public sale by city, town, or county; notice

Sec. 23. (a) This section applies to a city, town, or county.

(b) Except as provided in subsection (c), if the person who owns or holds a lien upon a vehicle does not appear within twenty (20) days after the mailing of a notice or the notification made by electronic service under section 19 of this chapter, the unit may sell the vehicle or parts by either of the following methods:

(1) The unit may sell the vehicle or parts to the highest bidder at a public sale. Notice of the sale shall be given under IC 5-3-1, except that only one (1) insertion in an appropriate publication one (1) week before the public sale is required.

(2) The unit may sell the vehicle or part as unclaimed property under IC 36-1-11. The twenty (20) day period for the property to remain unclaimed is sufficient for a sale under this subdivision.

(c) This subsection applies to a consolidated city or county containing a consolidated city. If the person who owns or holds a lien

upon a vehicle does not appear within fifteen (15) days after the mailing of a notice or the notification made by electronic service under section 19 of this chapter, the unit may sell the vehicle or parts by either of the following methods:

(1) The unit may sell the vehicle or parts to the highest bidder at a public sale. Notice of the sale shall be given under IC 5-3-1, except that only one (1) newspaper insertion one (1) week before the public sale is required.

(2) The unit may sell the vehicle or part as unclaimed property under IC 36-1-11. The fifteen (15) day period for the property to remain unclaimed is sufficient for a sale under this subdivision.

As added by P.L.2-1991, SEC.10. Amended by P.L.92-1997, SEC.6; P.L.191-2007, SEC.15; P.L.125-2012, SEC.125; P.L.147-2016, SEC.6.

IC 9-22-1-24

Purchasers at public sales; bill of sale; fees; roadworthiness of vehicle

Sec. 24. A person that purchases a vehicle under section 23 of this chapter shall be furnished a bill of sale for each abandoned vehicle sold by the public agency upon paying the fee for a bill of sale imposed by the public agency. The fee may not exceed six dollars ($6) for each bill of sale. A person that purchases a vehicle under section 23 of this chapter must:

(1) present evidence from a law enforcement agency that the vehicle purchased is roadworthy, if applicable; and

(2) comply with the applicable requirements under IC 9-17;

to obtain a certificate of title for the vehicle.

As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.7; P.L.191-2007, SEC.16; P.L.198-2016, SEC.370.

IC 9-22-1-25

Payment of removal, storage, and disposition costs; cost limits

Sec. 25. The costs for removal and storage of an abandoned vehicle or parts not claimed by the person who owns or holds a lien on a vehicle shall be paid from the abandoned vehicle account established under section 30 of this chapter. The charge payable by the person who owns or holds a lien on a vehicle for towing, storing, or removing an abandoned vehicle or parts may not exceed the limits established by ordinance adopted under section 30 of this chapter.

As added by P.L.2-1991, SEC.10.

IC 9-22-1-26

Sale proceeds credited against removal, storage, and disposition costs

Sec. 26. The proceeds of sale of an abandoned vehicle or parts under section 23 of this chapter shall be credited against the costs of

the removal, storage, and disposal of the vehicle.
As added by P.L.2-1991, SEC.10. Amended by P.L.191-2007, SEC.17.

IC 9-22-1-27
Sales by city, county, or town; deposit of proceeds; payment of public agency costs; appropriations

Sec. 27. (a) This section applies to sales of abandoned vehicles or parts by a city, county, or town.

(b) The proceeds from the sale of abandoned vehicles or parts, including:

(1) charges for bills of sale; and

(2) money received from persons who own or hold liens on vehicles for the cost of removal or storage of vehicles;

shall be deposited in the city's, county's, or town's abandoned vehicle fund by the fiscal officer of the city, county, or town.

(c) The costs incurred by a public agency in administering this chapter shall be paid from the abandoned vehicle fund.

(d) The fiscal body shall annually appropriate sufficient money to the fund to carry out this chapter. Money remaining in the fund at the end of a year remains in the fund and does not revert to the general fund.

(e) Notwithstanding subsection (d), the fiscal body of a consolidated city may transfer money from the fund.
As added by P.L.2-1991, SEC.10. Amended by P.L.85-1995, SEC.39; P.L.191-2007, SEC.18.

IC 9-22-1-28
Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.8. Repealed by P.L.191-2007, SEC.21.)

IC 9-22-1-29
Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.191-2007, SEC.21.)

IC 9-22-1-30
Fiscal body procedures established by ordinance; abandoned vehicle fund

Sec. 30. (a) The fiscal body shall, by ordinance, establish procedures to carry out this chapter, including the following:

(1) The charges allowed for towing and storage of abandoned vehicles, which shall be filed with the bureau.

(2) The means of disposition of vehicles.

(b) The fiscal body shall establish an abandoned vehicle fund for the purposes of this chapter.
As added by P.L.2-1991, SEC.10.

IC 9-22-1-31
Public agencies; personnel, property, and towing contracts; fiscal body ordinances

Sec. 31. To facilitate the removal of abandoned vehicles or parts, a public agency may:

(1) employ personnel;
(2) acquire equipment, property, and facilities; and
(3) enter into towing contracts;

for the removal, storage, and disposition of abandoned vehicles and parts. The fiscal body may, by ordinance, establish procedures to carry out this section.

As added by P.L.2-1991, SEC.10.

IC 9-22-1-32
Liability for loss or damage to vehicle or vehicle parts

Sec. 32. The following are not liable for loss or damage to a vehicle or parts occurring during the removal or storage of a vehicle or parts under this chapter:

(1) A person who owns, leases, or occupies property from which an abandoned vehicle or its contents or parts are removed.
(2) A public agency.
(3) A towing service.
(4) An automobile scrapyard.
(5) A storage yard.
(6) An agent of a person or entity listed in subdivisions (1) through (5).

As added by P.L.2-1991, SEC.10. Amended by P.L.104-2005, SEC.8; P.L.54-2009, SEC.9.

IC 9-22-1.5

Chapter 1.5. Abandoned Mobile Homes

IC 9-22-1.5-1

"Mobile home"

Sec. 1. As used in this chapter, "mobile home" has the meaning set forth in IC 6-6-5-1.

As added by P.L.108-2001, SEC.5.

IC 9-22-1.5-1.3

Exception

Sec. 1.3. This chapter does not apply to a mobile home that is located in a mobile home community (as defined in IC 16-41-27-5).

As added by P.L.71-2015, SEC.3.

IC 9-22-1.5-1.5

"Abandoned"

Sec. 1.5. For purposes of this chapter, a mobile home is considered "abandoned" if three (3) or more of the conditions set forth in IC 32-30-10.6-5(a) exist with respect to the mobile home.

As added by P.L.71-2015, SEC.4.

IC 9-22-1.5-2

Private landowner may sell or salvage mobile home

Sec. 2. A private landowner who finds a mobile home that the person believes to be abandoned on real estate the person owns or controls, including rental property, may sell or salvage the mobile home if it was built at least fifteen (15) years ago and has been left without permission on the landowner's real estate for at least sixty (60) days. The sixty (60) day period begins on the day the landowner sends notice under section 3 of this chapter to the owner of the mobile home.

As added by P.L.108-2001, SEC.5. Amended by P.L.262-2013, SEC.107; P.L.71-2015, SEC.5; P.L.198-2016, SEC.371.

IC 9-22-1.5-3

Notice of proposed sale or salvage of mobile home to owner by landowner

Sec. 3. (a) A landowner shall send notice of a mobile home described in section 2 of this chapter as follows:

(1) To the owner of the mobile home at the last known address of the owner as shown by:

(A) the records of the bureau; or

(B) if the unique serial number or special identification number assigned to the mobile home is removed or otherwise illegible, the records of the assessor of the county in which the mobile home is located.

If the landowner is unable to determine the address of the

mobile home owner, the landowner may serve the mobile home owner by posting the notice on the mobile home.

(2) To:

(A) a lienholder with a perfected security interest in the mobile home; or

(B) any other person known to claim an interest in the mobile home;

as shown by the records of the bureau.

Notice under this subsection must include a description of the mobile home, the location of the mobile home, and a conspicuous statement that the mobile home is on the landowner's real estate without the owner's permission. If the owner of a mobile home changes the owner's address from that maintained in the records of the bureau, the owner shall immediately notify the landowner of the new address.

(b) A landowner may provide notice under subsection (a) by the following methods:

(1) Certified mail, return receipt requested.

(2) Personal delivery.

(3) Electronic service under IC 9-22-1-19.

(c) If, before the sixty (60) day period described in section 2 of this chapter expires, the mobile home owner requests by certified mail, return receipt requested, additional time to remove the mobile home, the period described in section 2 of this chapter shall be extended by an additional thirty (30) days. The mobile home owner may only request one (1) thirty (30) day extension of time.

As added by P.L.108-2001, SEC.5. Amended by P.L.262-2013, SEC.108; P.L.71-2015, SEC.6; P.L.198-2016, SEC.372.

IC 9-22-1.5-4

Landowner may hold auction

Sec. 4. The landowner shall:

(1) request that a search be performed in the records of the bureau or the county assessor, in accordance with section 3(a)(1) of this chapter, for the name and address of the owner of the mobile home and the name and address of any person holding a lien or security interest on the mobile home;

(2) after receiving the results of the search required by subdivision (1), give notice by certified mail, return receipt requested, or in person, to:

(A) the last known address of the owner of the mobile home;

(B) any lien holder with a perfected security interest in the mobile home;

(C) all other persons known to claim an interest in the mobile home; and

(D) the county treasurer of the county in which the mobile home is located.

The notice must include a description of the mobile home, the

location of the mobile home, a demand that the owner remove the mobile home within a specified time not less than ten (10) days after receipt of the notice, and a conspicuous statement that unless the mobile home is removed within that time, the mobile home will be advertised for sale and offered for sale by auction at a specified time and place;

(3) advertise that the mobile home will be offered for sale at public auction. The advertisement of sale must be published once a week for two (2) consecutive weeks in a newspaper of general circulation in the county where the mobile home has been left without permission. The advertisement must include a description of the mobile home, the name of the owner of the mobile home, if ascertainable, and the time and place of the sale. The sale must take place at least fifteen (15) days after the first publication. If there is no newspaper of general circulation where the sale is to be held, the advertisement must be posted at least ten (10) days before the sale in not less than six (6) conspicuous places in the neighborhood of the proposed sale;

(4) provide a reasonable time before the sale for prospective purchasers to examine the mobile home;

(5) sell the mobile home to the highest bidder, if any; and

(6) immediately after the auction, execute an affidavit of sale or disposal on a form prescribed by the bureau stating:

(A) that the requirements of this section have been met;

(B) the length of time that the mobile home was left on the real estate without permission;

(C) any expenses incurred by the landowner, including the expenses of the sale;

(D) the name and address of the purchaser of the mobile home at the auction, if any; and

(E) the amount of the winning bid, if any.

If the auction produces no purchaser, the landowner shall note that fact on the affidavit. The landowner shall list the landowner or any donee as the purchaser on the affidavit of sale or disposal.

As added by P.L.108-2001, SEC.5. Amended by P.L.125-2012, SEC.126; P.L.71-2015, SEC.7; P.L.198-2016, SEC.373.

IC 9-22-1.5-5

Results of auction

Sec. 5. (a) Upon payment of the bid price by the purchaser, the landowner shall provide the purchaser with the affidavit of sale or disposal described in this chapter.

(b) If the auction produces a purchaser, notwithstanding IC 6-1.1-23, the landowner shall distribute the amount of the bid price received from the purchaser in the following order of priority:

(1) Reasonable attorney's fees incurred by the landowner for the sale of the mobile home.

(2) Amounts owed to creditors known to have a lien or security interest on the mobile home, according to the priorities of the creditors' respective security interests.

(3) Delinquent taxes, including any associated penalties, interest, or collection expenses, that are attributable to the mobile home as of the date of sale.

If the amount of the bid price received from the purchaser exceeds the sum of the items described in subdivisions (1) through (3), the landowner may retain the remaining amount.

(c) If the auction produces no purchaser, the mobile home becomes the property of the landowner, and the landowner shall note that fact on the affidavit of sale or disposal.

(d) If the landowner wishes to donate the mobile home to any willing donee, a landowner who has obtained ownership of a mobile home under this section may transfer ownership to a willing donee by listing the donee as the purchaser on the affidavit of sale or disposal.

(e) If the auction produces no purchaser and the landowner does not intend to sell or transfer the mobile home to another person, the landowner may, without further administrative application, dismantle the unit for salvage or disposal.

(f) A landowner or willing donee who obtains ownership of a mobile home under this section has the same right of ownership as a purchaser who was the highest bidder at auction.

(g) Within thirty (30) days after the auction is held, the landowner shall submit the following to the county treasurer:

(1) A copy of the affidavit of sale or disposal.

(2) The amount, if any, to be distributed under subsection (b)(3), if the auction produced a purchaser.

As added by P.L.108-2001, SEC.5. Amended by P.L.71-2015, SEC.8; P.L.198-2016, SEC.374.

IC 9-22-1.5-6
Affidavit of sale or disposal

Sec. 6. The affidavit of sale or disposal under this chapter constitutes proof of ownership and right to have the mobile home titled in the purchaser's, landowner's, or donee's name under section 7 of this chapter.

As added by P.L.108-2001, SEC.5. Amended by P.L.198-2016, SEC.375.

IC 9-22-1.5-7
Certificate of title

Sec. 7. After the purchaser, landowner, or donee:

(1) presents the bureau with the affidavit of sale;

(2) completes an application for title under IC 9-17 with any other information the bureau requires; and

(3) pays any applicable fee;

the bureau shall issue to the purchaser, landowner, or donee a certificate of title to the mobile home.

As added by P.L.108-2001, SEC.5. Amended by P.L.262-2013, SEC.109; P.L.198-2016, SEC.376.

IC 9-22-1.7

Chapter 1.7. Abandoned Manufactured Homes in Mobile Home Communities

IC 9-22-1.7-1

Applicability

Sec. 1. This chapter applies to a manufactured home that is located in a mobile home community (as defined in IC 16-41-27-5).

As added by P.L.198-2016, SEC.377.

IC 9-22-1.7-2

"Manufactured home"

Sec. 2. As used in this chapter, "manufactured home" means either of the following:

(1) A nonself-propelled vehicle designed for occupancy as a dwelling or sleeping place.

(2) A dwelling, including the equipment sold as a part of the dwelling, that:

(A) is factory assembled;

(B) is transportable;

(C) is intended for year-round occupancy;

(D) is designed for transportation on its own chassis; and

(E) was manufactured before the effective date of the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

As added by P.L.198-2016, SEC.377.

IC 9-22-1.7-3

Landowner may sell or salvage manufactured home

Sec. 3. A landowner who finds a manufactured home that the landowner believes to be abandoned on property the landowner owns or controls, including:

(1) a mobile home community (as defined in IC 16-41-27-5); or

(2) rental property;

may sell or salvage the manufactured home if the manufactured home has been left without permission on the landowner's property for at least thirty (30) days. The thirty (30) day period begins on the day the landowner sends notice under section 4 of this chapter to the manufactured home owner.

As added by P.L.198-2016, SEC.377.

IC 9-22-1.7-4

Notice of proposed sale or salvage by landowner

Sec. 4. (a) A landowner shall send notice of a manufactured home described in section 3 of this chapter as follows:

(1) To the manufactured home owner at the last known address of the manufactured home owner as shown by the records of the bureau. However, if the landowner is unable to determine the

address of the manufactured home owner, the landowner may serve the manufactured home owner by posting notice on the manufactured home.

(2) To:

(A) a lienholder with a perfected security interest in the manufactured home; or

(B) any other person known to claim an interest in the manufactured home;

as shown by the records of the bureau.

Notice under this section must include a description of the manufactured home and a conspicuous statement that the manufactured home is on the landowner's property without the landowner's permission. If the manufactured home owner changes the manufactured home owner's address from that maintained in the records of the bureau, the manufactured home owner shall immediately notify the landowner of the new address.

(b) A landowner may provide notice under subsection (a) by the following methods:

(1) Certified mail, return receipt requested.

(2) Personal delivery.

(3) Electronic service under IC 9-22-1-19.

(4) Posting of the notice on the manufactured home, if the landowner is unable to determine the manufactured home owner's address.

(c) If, before the thirty (30) day period described in section 3 of this chapter expires, the manufactured home owner requests by certified mail, return receipt requested, additional time to remove the manufactured home, the period described in section 3 of this chapter shall be extended by an additional thirty (30) days. The manufactured home owner may request only one (1) thirty (30) day extension of time.

As added by P.L.198-2016, SEC.377.

IC 9-22-1.7-5

Search for owner; notice; advertisement of auction

Sec. 5. A landowner shall do the following:

(1) Request that a search be performed in the records of the bureau for the name and address of the manufactured home owner and the name and address of any person holding a lien or security interest on the manufactured home.

(2) After receiving the results of the search required by subdivision (1) and after the expiration of the thirty (30) day period described in sections 3 and 4 of this chapter, give notice to all the following:

(A) The manufactured home owner:

(i) by certified mail, return receipt requested, to the last known address of the manufactured home owner; or

(ii) in person to the manufactured home owner; or

(iii) if the landowner is unable to determine the manufactured home owner's address or provide notice to the manufactured home owner in person, the landowner may satisfy the notice requirement under this subdivision by posting of the notice to the manufactured home owner on the manufactured home.

(B) Any lien holder (other than the landowner) with a perfected security interest in the manufactured home either by certified mail, return receipt requested, or in person.

(C) All other persons known to claim an interest in the manufactured home either by certified mail, return receipt requested, or in person.

(D) The county treasurer of the county in which the manufactured home is located, by certified mail, return receipt requested, or in person.

The notice must include a description of the manufactured home, a demand that the owner remove the manufactured home within a specified time not less than ten (10) days after receipt of the notice, a conspicuous statement that unless the manufactured home is removed within that time, the manufactured home will be advertised for sale by auction at a specified time and place, and a conspicuous statement that, in the case of a sale by auction of the manufactured home, a person or lienholder other than the county treasurer that fails to appear at the auction, or otherwise participate in the auction, waives any right the person may have as a lien holder in the manufactured home and any other rights that the person may have regarding the sale of the manufactured home. In addition, the notice must include a statement that, if the manufactured home is removed before the auction takes place, all statutory liens against the manufactured home under IC 16-41-27-29 and all debts owed to the landowner that are associated with the placement of the manufactured home on the landowner's property must be paid.

(3) After the expiration of the ten (10) day period in subdivision (2), advertise that the manufactured home will be offered for sale at public auction in conformity with IC 26-1-2-328 and IC 26-1-7-210. The advertisement of sale must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in the county where the manufactured home has been left without permission. The advertisement must include a description of the manufactured home, the name of the owner of the manufactured home, if ascertainable, and the time and place of the sale. The sale must take place at least fifteen (15) days after the first publication. If there is no newspaper of general circulation in the county where the sale is to be held, the advertisement must be posted at least ten (10) days before the sale in not less than six (6) conspicuous places

in the neighborhood of the proposed sale.

(4) Provide a reasonable time before the sale for prospective purchasers to examine the manufactured home.

(5) Sell the manufactured home to the highest bidder, if any.

(6) Immediately after the auction, execute an affidavit of sale of disposal on a form prescribed by the bureau stating:

(A) that the requirements of this section have been met;

(B) the length of time that the manufactured home was left on the property without permission;

(C) any expenses incurred by the landowner, including the expenses of the sale and any lien of the landowner;

(D) the name and address of the purchaser of the manufactured home at the auction, if any; and

(E) the amount of the winning bid, if any.

If the manufactured home is not purchased by a bidder at the auction, the landowner shall note that fact on the affidavit and shall list the landowner, or any donee, as the purchaser on the affidavit of sale or disposal.

As added by P.L.198-2016, SEC.377.

IC 9-22-1.7-6
Results of auction

Sec. 6. (a) Upon payment of the bid price by the purchaser, the landowner shall provide the purchaser with the affidavit of sale or disposal described in this chapter.

(b) If the manufactured home is not purchased by a bidder at the auction, the manufactured home becomes the property of the landowner, and the landowner shall note that fact on the affidavit of sale or disposal.

(c) If the landowner wishes to donate the manufactured home to any willing donee, a landowner who has obtained ownership of a manufactured home under this section may transfer ownership to a willing donee by listing the donee as the purchaser on the affidavit of sale or disposal.

(d) If the manufactured home is not purchased by a bidder at the auction and the landowner does not intend to sell or transfer the manufactured home to another person, the landowner may, upon submitting an affidavit of sale or disposal to the bureau, dismantle the manufactured home for salvage or disposal, or transport the manufactured home to a licensed solid waste landfill.

(e) A landowner or willing donee who obtains ownership of a manufactured home under this section has the same right of ownership as a purchaser who was the highest bidder at auction.

(f) If the manufactured home is purchased by a bidder at the auction under this chapter, the landowner shall distribute the amount of the bid price received from the purchaser in the following order of priority:

(1) Reasonable attorney's fees incurred by the landowner for the

sale of the manufactured home.

(2) Amounts owed to persons known to have a lien or security interest on the manufactured home, including any lien or secured amounts due the landowner under IC 16-41-27-29, and according to the priority of the creditor's secured interest in the manufactured home.

(3) Delinquent property taxes that were assessed on the manufactured home and that were due and payable at the time of the sale of the manufactured home at auction, including any special assessments, interest, penalties, judgments, and costs that are attributable to the delinquent property taxes.

If the amount of the bid price received from the purchaser exceeds the sum of the items described in subdivisions (1) through (3), the landowner may retain the remaining amount.

As added by P.L.198-2016, SEC.377.

IC 9-22-1.7-7

Affidavit of sale or disposal

Sec. 7. The affidavit of sale or disposal under this chapter constitutes proof of ownership and right to have the manufactured home titled in the purchaser's, landowner's, or donee's name under IC 9-17-6-12.

As added by P.L.198-2016, SEC.377.

IC 9-22-1.7-8

Waiver of liens; certificate of title

Sec. 8. (a) All liens and security interests of any person or entity, other than the county treasurer, that fails to appear or otherwise participate in the auction under this chapter are waived and are void as of the date of the sale of the manufactured home at the auction.

(b) After the purchaser, landowner, or donee:

(1) presents the bureau with the affidavit of sale or disposal;

(2) completes an application for title with any other information the bureau requires;

(3) pays any applicable fee; and

(4) provides evidence of the payment of any delinquent property taxes and any associated interest and penalties as provided under section 6(f)(3) of this chapter;

the bureau shall issue to the purchaser, landowner, or donee a certificate of title to the manufactured home.

As added by P.L.198-2016, SEC.377.

IC 9-22-2

Chapter 2. Unauthorized Storage of Motor Vehicles

IC 9-22-2-1

Application of chapter

Sec. 1. This chapter applies to a motor vehicle that is:

(1) subject to registration under IC 9-18; and

(2) stored, parked, or left in a garage, trailer park, or other storage or parking lot for more than fifteen (15) days.

As added by P.L.2-1991, SEC.10.

IC 9-22-2-2

Exception to application of chapter

Sec. 2. This chapter does not apply to a motor vehicle described in section 1 of this chapter if:

(1) the person who owns the motor vehicle is personally known to the person who owns the property on which the motor vehicle is stored or parked; and

(2) the person who owns the motor vehicle has made arrangements for the continuous storage or parking of the motor vehicle on the property.

As added by P.L.2-1991, SEC.10.

IC 9-22-2-3

Notice by owner or operator of property that vehicle has been left on property; report

Sec. 3. The person who owns or operates property on which a motor vehicle described in section 1 of this chapter has been left shall immediately give notice to an officer by filing a written report on forms prepared by the officer containing a description of the motor vehicle.

As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.9.

IC 9-22-2-4

Report; contents

Sec. 4. The report required under section 3 of this chapter must include the following information about the motor vehicle:

(1) The license plate number.

(2) The make.

(3) The vehicle identification number.

As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.378.

IC 9-22-2-5

Failure to file report; storage charges

Sec. 5. If the report required under section 3 of this chapter is not filed with an officer, the person who owns or operates the property may not charge for the storage of the motor vehicle for a period of

more than fifteen (15) days.
As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.10.

IC 9-22-3

Chapter 3. Salvage Motor Vehicles

IC 9-22-3-0.5

Repealed

(As added by P.L.219-2005, SEC.12. Amended by P.L.150-2009, SEC.16; P.L.259-2013, SEC.20. Repealed by P.L.198-2016, SEC.379.)

IC 9-22-3-1

Guidelines for applicability of chapter

Sec. 1. The bureau shall establish guidelines for determining the applicability of model year effective dates for each year.

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.2; P.L.125-2012, SEC.127; P.L.198-2016, SEC.380.

IC 9-22-3-2

"Fair market value"

Sec. 2. As used in this chapter, "fair market value" means:

(1) the average trade-in value found in the National Automobile Dealers Association (NADA) Official Used Car Guide, vehicle valuations determined by CCC Information Services, Inc. (CCC), or valuations determined by such other authorities as are approved by the bureau; or

(2) the fair market value determined by the bureau upon request.

As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.381.

IC 9-22-3-2.5

"Flood damaged vehicle"

Sec. 2.5. (a) As used in this chapter, "flood damaged vehicle" means a passenger motor vehicle that satisfies either of the following:

(1) The vehicle has been acquired by an insurance company as part of a damage settlement due to water damage.

(2) The vehicle has been submerged in water to the point that rising water has reached over the door sill, has entered the passenger or trunk compartment, and has exposed any electrical, computerized, or mechanical component to water.

(b) The term does not include a passenger motor vehicle that an inspection conducted by an insurance adjuster or estimator, a motor vehicle repairer, or a dealer licensed under IC 9-32 determines:

(1) has no electrical, computerized, or mechanical components that were damaged by water; or

(2) has one (1) or more electrical, computerized, or mechanical components that were damaged by water and all such damaged components have been repaired or replaced.

As added by P.L.59-1998, SEC.3. Amended by P.L.258-1999, SEC.1; P.L.198-2016, SEC.382.

IC 9-22-3-3
Certificate of salvage title required; violation

Sec. 3. (a) A certificate of salvage title is required for a vehicle that is manufactured within the last seven (7) model years and meets any of the following criteria:

(1) An insurance company has determined that it is economically impractical to repair the wrecked, destroyed, or damaged vehicle and has made an agreed settlement with the insured or claimant.

(2) If the owner of the vehicle:

(A) is a business that insures its own vehicles; or

(B) acquired the vehicle after the vehicle was wrecked, destroyed, or damaged;

the cost of repairing the wrecked, destroyed, or damaged vehicle exceeds seventy percent (70%) of the fair market value immediately before the vehicle was wrecked, destroyed, or damaged.

(3) The vehicle is a flood damaged vehicle.

(b) The bureau may issue a salvage title to a vehicle that is subject to IC 9-17 upon the request of the owner of the vehicle.

(c) A person that knowingly or intentionally fails to apply for a salvage title as required by subsection (a) commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.4; P.L.110-2006, SEC.1; P.L.188-2015, SEC.79; P.L.198-2016, SEC.383.

IC 9-22-3-4
Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.128; P.L.151-2015, SEC.18. Repealed by P.L.198-2016, SEC.384.)

IC 9-22-3-4.1
Assignment of certificate of title by lienholder to insurance company; certificate of salvage title; fee; violation

Sec. 4.1. (a) This section applies to a vehicle:

(1) for which an insurance company has made and paid an agreed settlement; and

(2) that meets at least one (1) of the criteria set forth in section 3 of this chapter.

(b) A person that owns or holds a lien upon a vehicle described in subsection (a) shall assign the certificate of title to the insurance company described in subsection (a) not more than thirty (30) days after the date of settlement.

(c) The insurance company shall:

(1) apply to the bureau within forty-five (45) days after receipt of the certificate of title for a certificate of salvage title for each vehicle subject to this chapter; and

(2) surrender the certificate of title or other proof of ownership to the bureau and pay a salvage title fee of four dollars ($4). The fee shall be deposited in the motor vehicle highway account.

(d) After the bureau has received the items set forth in subsection (c)(2), the bureau shall issue a certificate of salvage title for a vehicle to:

(1) the owner, if the owner retains possession of the vehicle as part of an agreed settlement with an insurance company for the vehicle; or

(2) the insurance company, if the owner does not retain possession.

(e) Except as provided in section 4.4 of this chapter, a person that violates this section commits a Class D infraction.

As added by P.L.198-2016, SEC.385.

IC 9-22-3-4.2

Self-insured entity; certificate of salvage title; fee

Sec. 4.2. (a) A self-insured entity that owns a vehicle that meets at least one (1) of the criteria set forth in section 3 of this chapter shall apply to the bureau within forty-five (45) days after the date of loss for a certificate of salvage title in the name of the self-insured entity's name.

(b) Any other person acquiring a wrecked or damaged vehicle that meets at least one (1) of the criteria set forth in section 3 of this chapter, which acquisition is not evidenced by a certificate of salvage title, shall apply to the bureau within forty-five (45) days after acquiring the vehicle for a certificate of salvage title.

(c) The bureau shall issue a certificate of salvage title as proof of ownership for a salvage vehicle when the acquiring person does the following:

(1) Makes a proper application in the manner and form prescribed by the bureau.

(2) Pays a salvage title fee of four dollars ($4). The fee shall be deposited in the motor vehicle highway account.

(3) Surrenders the vehicle's original certificate of title or other proof of ownership as determined by the bureau.

(d) Except as provided in section 4.4 of this chapter, a person that violates this section commits a Class D infraction.

As added by P.L.198-2016, SEC.386.

IC 9-22-3-4.3

Delinquent certificate of salvage title; administrative penalty

Sec. 4.3. (a) The bureau shall collect an administrative penalty of

ten dollars ($10) if:

(1) a purchaser or transferee of a salvage vehicle fails to apply for a certificate of salvage title or a transfer of title, by assignment, not later than forty-five (45) days after the salvage vehicle is purchased or otherwise acquired; or

(2) the owner of a salvage vehicle retains possession of the salvage vehicle and the owner fails to apply for a certificate of salvage title not later than forty-five (45) days after the settlement of loss with the insurance company.

The fee shall be deposited in the motor vehicle highway account.

(b) Except as provided in section 4.4 of this chapter, a person that violates this section commits a Class D infraction.

As added by P.L.198-2016, SEC.387.

IC 9-22-3-4.4

"Other proof of ownership"; fraudulent document or affidavit; violation

Sec. 4.4. (a) For purposes of sections 4.1, 4.2, and 4.3 of this chapter, "other proof of ownership" with respect to a vehicle includes the following items that contain the electronic signature of the owner without notarization:

(1) A document granting an insurance company a limited power of attorney.

(2) An affidavit transferring title to an insurance company.

(3) Another document authorizing an insurance company to assign ownership of the motor vehicle.

(b) A person that violates section 4.1, 4.2, or 4.3 of this chapter by knowingly or intentionally submitting a fraudulent document or affidavit described in subsection (a) commits a Class A infraction.

As added by P.L.198-2016, SEC.388.

IC 9-22-3-5

Certificate of salvage title; contents

Sec. 5. A certificate of salvage title issued under this chapter must contain the following information:

(1) The same vehicle information as a certificate of title issued by the bureau.

(2) The notation "SALVAGE TITLE" prominently recorded on the front of the title.

(3) If the motor vehicle is a flood damaged vehicle, the notation "FLOOD DAMAGED" prominently recorded on the front of the title.

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.5; P.L.6-2012, SEC.66; P.L.125-2012, SEC.129; P.L.198-2016, SEC.389.

IC 9-22-3-6

Certificate of salvage title; assignment by owner of salvage vehicle

Sec. 6. A certificate of salvage title issued under this chapter may be assigned by the person who owns the salvage vehicle to another buyer.

As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.390.

IC 9-22-3-7

Certificate of salvage title; assignment by dealer

Sec. 7. (a) A dealer licensed under IC 9-32 may reassign a certificate of salvage title one (1) time without applying to the bureau for the issuance of a new certificate of salvage title.

(b) A dealer that violates this section commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.93-2010, SEC.7; P.L.217-2014, SEC.66; P.L.198-2016, SEC.391.

IC 9-22-3-7.5

Affidavit regarding flood damage to vehicle; violation

Sec. 7.5. (a) A dealer licensed under IC 9-32 shall secure an affidavit from the person that holds the certificate of title on the date of receiving a title by sale or transfer. The affidavit must state whether the vehicle is a flood damaged vehicle.

(b) The dealer shall file the affidavit secured under subsection (a) with the bureau upon receiving the affidavit and shall retain a copy of the affidavit with the records of the dealer.

(c) Submission of a fraudulent affidavit under subsection (a) will subject the affiant to civil liability for all damages incurred by a dealer subsequent purchaser or transferee of the title, including reasonable attorney's fees and court costs (including fees).

(d) A dealer that knowingly or intentionally fails to comply with subsection (a) or (b) commits a Class B misdemeanor.

(e) A person that knowingly or intentionally submits a fraudulent affidavit under subsection (a) commits a Class A infraction.

As added by P.L.258-1999, SEC.2. Amended by P.L.106-2010, SEC.1; P.L.188-2015, SEC.80; P.L.198-2016, SEC.392.

IC 9-22-3-8

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.6; P.L.217-2014, SEC.67. Repealed by P.L.198-2016, SEC.393.)

IC 9-22-3-9

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.7. Repealed by P.L.125-2012, SEC.130.)

IC 9-22-3-10

Duplicate certificate of salvage title; fee

Sec. 10. (a) If a certificate of salvage title is lost, mutilated, or destroyed or becomes illegible, the person that owns the vehicle or the legal representative or legal successor in interest of the person that owns the vehicle for which the certificate of salvage title was issued, as shown by the records of the bureau, shall apply for a duplicate certificate of salvage title.

(b) A person described in subsection (a) may obtain a duplicate certificate of salvage title when the person furnishes information concerning the loss, mutilation, destruction, or illegibility satisfactory to the bureau and pays a salvage title fee of four dollars ($4). The fee shall be deposited in the motor vehicle highway account.

(c) Upon the issuance of a duplicate certificate of salvage title, the most recent certificate of salvage title issued is considered void by the bureau.

(d) A certificate of salvage title issued under this section must have recorded upon the title's front the words "DUPLICATE SALVAGE TITLE".

(e) If the lost, mutilated, destroyed, or illegible certificate of salvage title contained the notation "FLOOD DAMAGED", the duplicate certificate of salvage title must have recorded upon the title's front the words "FLOOD DAMAGED".

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.8; P.L.125-2012, SEC.131; P.L.198-2016, SEC.394.

IC 9-22-3-11
Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.268-2003, SEC.24; P.L.110-2006, SEC.2; P.L.125-2012, SEC.132. Repealed by P.L.198-2016, SEC.395.)

IC 9-22-3-12
Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.125-2012, SEC.133.)

IC 9-22-3-13
Demolished or destroyed vehicles

Sec. 13. A scrap metal processor or other appropriate facility that purchases or acquires a salvage motor vehicle that has been totally demolished or destroyed as a result of normal processing performed by a recycling facility is not required to apply for and receive a certificate of salvage title for the vehicle. The facility or processor that performed the processing that resulted in the vehicle being demolished or destroyed shall surrender the certificate of title, the certificate of authority, or the certificate of salvage title to the bureau.

As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.11;

P.L.125-2012, SEC.134; P.L.262-2013, SEC.110; P.L.151-2015, SEC.19.

IC 9-22-3-14
Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.66-1992, SEC.12. Repealed by P.L.125-2012, SEC.135.)

IC 9-22-3-15
Rebuilt salvage motor vehicles; issuance of certificate of title

Sec. 15. (a) If a salvage vehicle is rebuilt for operation upon the highways and ownership is evidenced by a certificate of salvage title, the person that owns the vehicle shall apply to the bureau for a certificate of title with a rebuilt designation. The bureau shall issue a certificate of title under IC 9-17 with a rebuilt designation, subject to the following conditions:

(1) A state police officer inspects the vehicle and verifies proof of ownership of major component parts used and the source of the major component parts.

(2) The person that owns the vehicle submits, on a form prescribed by the bureau, a properly executed affidavit from the person that restored the motor vehicle. The affidavit must:

(A) include the name, identification number, and source of all component parts that were included in the restoration of the vehicle; and

(B) be attached to the certificate of salvage title.

(3) The person that owns the vehicle surrenders the certificate of salvage title.

A condition under this subsection is in addition to any requirements under IC 9-17.

(b) Except as provided in subsection (c), a certificate of title issued under this section must conspicuously bear the designation:

(1) "REBUILT VEHICLE" if the vehicle is not a flood damaged vehicle; or

(2) "REBUILT FLOOD DAMAGED VEHICLE" if the vehicle is a flood damaged vehicle.

(c) An insurance company authorized to do business in Indiana may obtain a certificate of title that does not bear the rebuilt designation if the company submits to the bureau, in the form and manner the bureau requires, satisfactory evidence that the damage, if any, to a recovered stolen vehicle did not meet the criteria set forth in section 3 of this chapter.

(d) A person that knowingly or intentionally violates this section commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.198-2016, SEC.396.

IC 9-22-3-16

Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.9; P.L.125-2012, SEC.136; P.L.262-2013, SEC.111; P.L.188-2015, SEC.81. Repealed by P.L.198-2016, SEC.397.)

IC 9-22-3-17

Rebuilt vehicle or rebuilt flood damaged vehicle designation on certificates of title issued by other jurisdictions; designation on new or subsequent certificates of title

Sec. 17. (a) Except as provided in subsection (b), whenever a certificate of title is issued for a vehicle that was previously titled in another state or jurisdiction and the certificate of title from the other state or jurisdiction contains a "REBUILT", "RECONDITIONED", "DISTRESSED VEHICLE", or similar designation, a new and subsequent certificate of title must conspicuously bear the designation "REBUILT VEHICLE".

(b) Whenever a certificate of title is issued for a vehicle described in subsection (a) that was previously titled in another state or jurisdiction and the certificate of title from the other state or jurisdiction contains a designation that indicates that the vehicle is a flood damaged vehicle, a new and subsequent certificate of title must conspicuously bear the designation "FLOOD DAMAGED VEHICLE".

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.10; P.L.125-2012, SEC.137; P.L.262-2013, SEC.112.

IC 9-22-3-18

Vehicles designated as junk or similar designation

Sec. 18. A vehicle that has been designated "JUNK", "DISMANTLED", "SCRAP", "DESTROYED", or any similar designation in another state or jurisdiction shall not be titled in Indiana.

As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.138.

IC 9-22-3-18.5

Rebuilt vehicles; sales, exchange, transfer; violation

Sec. 18.5. (a) A person may not sell, exchange, or transfer a rebuilt vehicle without disclosing in writing to the purchaser, customer, or transferee before consummating the sale, exchange, or transfer, the fact that the vehicle is a rebuilt vehicle if the person knows or should reasonably know the vehicle is a rebuilt vehicle.

(b) A person that knowingly or intentionally sells, exchanges, or transfers a rebuilt vehicle without disclosing in writing under subsection (a) the fact that the vehicle is a rebuilt vehicle commits a Class A misdemeanor.

As added by P.L.125-2012, SEC.139. Amended by P.L.188-2015, SEC.82; P.L.198-2016, SEC.398.

IC 9-22-3-19
Recordkeeping forms; violation

Sec. 19. (a) The secretary of state shall prescribe recordkeeping forms to be used by an automotive salvage recycler licensed under IC 9-32 to preserve information about salvage vehicles or major component parts acquired or sold by the business.

(b) The recordkeeping forms required under subsection (a) must contain the following information:

(1) For each new or used vehicle acquired or disposed of or for the major component parts of a new or used vehicle, the following:

(A) A description of the vehicle or major component part, including numbers or other marks identifying the vehicle or major component part.

(B) The date the vehicle or major component part was acquired and disposed of.

(C) The name and address of the person from whom the vehicle or major component part was acquired.

(D) Verification of the purchaser of the vehicle or major component part by driver's license, state identification card, or other reliable means.

(2) For vehicles acquired or disposed of, in addition to the information required by subdivision (1), the following:

(A) The vehicle's trade name.

(B) The vehicle's manufacturer.

(C) The vehicle's type.

(D) The model year and vehicle identification number.

(E) A statement of whether any number has been defaced, destroyed, or changed.

(3) For wrecked, dismantled, or rebuilt vehicles, the date the vehicle was dismantled or rebuilt.

(c) Separate records for each vehicle or major component part must be maintained.

(d) The recordkeeping requirements of this section do not apply to hulk crushers or to scrap metal processors when purchasing scrap from a person that is licensed under IC 9-32 and that is required to keep records under this section.

(e) An automotive salvage recycler licensed under IC 9-32 that knowingly or intentionally fails to:

(1) maintain records regarding salvage vehicles or major component parts acquired or sold by the business; or

(2) maintain records regarding salvage vehicles or major component parts on forms that comply with subsection (b);

commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.106-2008, SEC.17; P.L.92-2013, SEC.47; P.L.151-2015, SEC.20; P.L.188-2015, SEC.83; P.L.198-2016, SEC.399.

IC 9-22-3-20
Retention of records; violation

Sec. 20. (a) Unless otherwise specified or required, the records required under section 19 of this chapter shall be retained for a period of five (5) years from the date the vehicle or major component part was acquired, in the form prescribed by the secretary of state.

(b) An automotive salvage recycler that knowingly or intentionally fails to comply with subsection (a) commits a Class B misdemeanor.

As added by P.L.2-1991, SEC.10. Amended by P.L.93-2010, SEC.8; P.L.188-2015, SEC.84; P.L.198-2016, SEC.400.

IC 9-22-3-21
Availability and production of records; violation

Sec. 21. (a) The records required under section 19 of this chapter must be available to and produced at the request of a police officer or an authorized agent of the secretary of state under this chapter.

(b) An automotive salvage recycler that fails to make available or produce the records described under section 19 of this chapter for a police officer or an authorized agent of the secretary of the state commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.93-2010, SEC.9; P.L.188-2015, SEC.85; P.L.198-2016, SEC.401.

IC 9-22-3-22
Late model vehicles purchased by disposal facilities or automotive salvage rebuilders; completion of recordkeeping forms; violation

Sec. 22. (a) This section applies to vehicles and their component parts that are in either their current model year or in the immediately preceding six (6) model years when purchased by a recycling facility or automotive salvage rebuilder.

(b) A recycling facility and automotive salvage rebuilder licensed under IC 9-32-9 must complete the recordkeeping forms developed under section 19 of this chapter for the purchase of a salvage motor vehicle or major component part.

(c) A recycling facility or automotive salvage rebuilder that fails to comply with subsection (a) or (b) commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.59-1998, SEC.12; P.L.92-2013, SEC.48; P.L.151-2015, SEC.21; P.L.188-2015, SEC.86.

IC 9-22-3-23
Inspection of records by police officers; examination of business premises; violation

Sec. 23. (a) A record required to be maintained under this chapter is subject to inspection by a police officer during normal business hours. In addition to the inspections authorized under section 24 of this chapter, an inspection under this section may include an

examination of the premises of the licensee's established place of business for the purpose of determining the accuracy of the required records.

(b) A recycling facility, automotive salvage rebuilder, or used parts dealer that knowingly or intentionally fails to:

(1) maintain records as required under this chapter; or

(2) allow an inspection of a licensee's established place of business for the purpose of determining the accuracy of required records;

commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.188-2015, SEC.87.

IC 9-22-3-24

Entry onto premises to inspect vehicles, parts, records, or certificates of title; violation

Sec. 24. (a) The secretary of state, a police officer, or an agent of the secretary of state or a police officer may enter upon the premises of an automotive salvage recycler during normal business hours to inspect a vehicle, major component part, records, certificate of title, and other ownership documents to determine compliance with this chapter.

(b) A person that knowingly or intentionally prevents the secretary of state, a police officer, or agent of the secretary of state from inspecting a vehicle, a major component part, a record, a certificate of title, or another ownership document during normal business hours commits a Class A infraction.

As added by P.L.2-1991, SEC.10. Amended by P.L.93-2010, SEC.10; P.L.151-2015, SEC.22; P.L.188-2015, SEC.88; P.L.198-2016, SEC.402.

IC 9-22-3-25

Releasing or providing evidence or information; immunity from civil and criminal liability

Sec. 25. In the absence of fraud or bad faith, a person who releases or provides evidence or information under this chapter to any of the following is immune from civil or criminal liability for providing that evidence or information:

(1) The superintendent of the state police or the superintendent's designee.

(2) The attorney general or the attorney general's designee.

(3) The city police chief or the city police chief's designee.

(4) The county sheriff or the county sheriff's designee.

(5) The prosecuting attorney or the prosecuting attorney's designee responsible for prosecutions in the county that has jurisdiction of the auto theft.

As added by P.L.2-1991, SEC.10.

IC 9-22-3-26
Issuance of search warrant

Sec. 26. A court may issue a warrant to search the premises of an automotive salvage rebuilder, an automotive salvage recycler, a recycling facility, or a used parts dealer for any major component parts being possessed, kept, sold, bartered, given away, used, or transported in violation of this chapter.
As added by P.L.2-1991, SEC.10. Amended by P.L.151-2015, SEC.23.

IC 9-22-3-27
Search warrant; service and return

Sec. 27. A warrant issued under section 26 of this chapter shall be directed to a police officer who has the power of criminal process. The person to whom the warrant was issued shall serve the warrant and make the return within twenty (20) days after the date of issue.
As added by P.L.2-1991, SEC.10.

IC 9-22-3-28
Search warrant; articles to be seized; disposition ordered by court

Sec. 28. The police officer who serves a warrant issued under section 26 of this chapter shall seize any article described in the warrant and any other article the police officer finds during the search that is held in violation of this chapter. The police officer shall hold the articles pending the disposition ordered by the court in which a prosecution may be instituted for a violation of this chapter.
As added by P.L.2-1991, SEC.10.

IC 9-22-3-29
Articles seized under warrant; replevin and other process

Sec. 29. A major component part seized under this chapter and any other article found on the searched premises and taken under a warrant issued under section 26 of this chapter may not be taken from the custody of the person who served the warrant by a writ of replevin or other process while proceedings are pending.
As added by P.L.2-1991, SEC.10.

IC 9-22-3-30
Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.2-2014, SEC.38.)

IC 9-22-3-31
Sale or offer to sell manufacturer's identification plate or serial plate removed from vehicle that is total loss or salvage; classification of offense

Sec. 31. A person that knowingly or intentionally possesses, buys, sells, exchanges, gives away, or offers to buy, sell, exchange or give

away a manufacturer's identification plate or serial plate that has been removed from a vehicle that is a total loss or salvage commits a Level 6 felony.
As added by P.L.2-1991, SEC.10. Amended by P.L.158-2013, SEC.149; P.L.217-2014, SEC.68; P.L.198-2016, SEC.403.

IC 9-22-3-32
Nontitle state certificates of title or ownership papers; violations; classification of offense

Sec. 32. A person that knowingly possesses, buys, sells, exchanges, gives away, or offers to buy, sell, exchange, or give away a certificate of title or ownership papers from a nontitle state of a vehicle that is a total loss or salvage commits a Level 6 felony.
As added by P.L.2-1991, SEC.10. Amended by P.L.158-2013, SEC.150; P.L.198-2016, SEC.404.

IC 9-22-3-33
Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.140; P.L.92-2013, SEC.49; P.L.158-2013, SEC.151; P.L.168-2014, SEC.17. Repealed by P.L.217-2014, SEC.69.)

IC 9-22-3-34
Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.188-2015, SEC.89.)

IC 9-22-3-35
Commencement of prosecution; indictment or information

Sec. 35. The prosecution of a recycling facility, automotive salvage rebuilder, insurance company, or individual suspected of having violated this section may be instituted by the filing of an information or indictment in the same manner as other criminal cases are commenced.
As added by P.L.2-1991, SEC.10. Amended by P.L.151-2015, SEC.24.

IC 9-22-3-36
Civil remedies for violations; actual damages; treble damages; costs and attorney's fees

Sec. 36. A person aggrieved by a violation of this chapter may recover the actual damages sustained, together with costs and reasonable attorney's fees. In the court's discretion the court may increase the award of damages to:

(1) an amount not to exceed three (3) times the actual damages sustained; or

(2) two thousand five hundred dollars ($2,500);

whichever is greater.

As added by P.L.2-1991, SEC.10.

IC 9-22-3-37
Violations as deceptive acts; action by attorney general; remedies and penalties

Sec. 37. A person who violates this chapter (other than section 4 of this chapter) commits a deceptive act that is actionable by the attorney general and is subject to the remedies and penalties under IC 24-5-0.5.

As added by P.L.2-1991, SEC.10. Amended by P.L.110-2006, SEC.3; P.L.109-2015, SEC.29; P.L.198-2016, SEC.405.

IC 9-22-4
Repealed

(Repealed by P.L.92-2013, SEC.50.)

IC 9-22-5

Chapter 5. Scrapping Motor Vehicles

IC 9-22-5-1

Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.125-2012, SEC.141.)

IC 9-22-5-1.1

Sale, giving away of, or disposing of vehicle for scrap metal with certificate of title; no certificate of authority required

Sec. 1.1. A person that owns and has a certificate of title for a vehicle may sell, give away, or dispose of the vehicle for scrap metal without applying for a certificate of authority under this chapter. The person must sign and surrender the certificate of title to the automotive salvage recycler to dispose of the vehicle.

As added by P.L.262-2013, SEC.113. Amended by P.L.198-2016, SEC.406.

IC 9-22-5-2

Application for authority to dispose of vehicle for scrap metal

Sec. 2. A person:

(1) upon whose property or in whose possession is found an abandoned vehicle; or

(2) that owns a vehicle that has a title that is faulty, lost, or destroyed;

may apply in accordance with this chapter for authority to sell, give away, or dispose of the vehicle to an automotive salvage recycler for scrap metal.

As added by P.L.2-1991, SEC.10. Amended by P.L.8-1993, SEC.173; P.L.125-2012, SEC.142; P.L.198-2016, SEC.407.

IC 9-22-5-3

Application filed with bureau; contents; fee; certificate of authority; contents

Sec. 3. (a) The application required under section 2 of this chapter shall be made in a manner prescribed by the bureau and filed with the bureau.

(b) The application required by section 2 of this chapter must include the following:

(1) The name and address of the applicant.

(2) The year, make, model, and vehicle identification number of the vehicle, if ascertainable, together with any other identifying features.

(3) A concise statement of the facts surrounding the abandonment of the vehicle, that the title of the vehicle is faulty, lost, or destroyed, or the reasons for disposal of the vehicle.

(4) An affidavit executed by the applicant stating that the facts alleged in the application are true and that no material fact has been withheld.

(c) The bureau shall issue a certificate of authority if:

(1) the bureau determines that the application satisfies the requirements of this chapter; and

(2) the applicant pays a fee of four dollars ($4) for each certificate of authority.

The fee under subdivision (2) shall be deposited in the motor vehicle highway account.

(d) A certificate of authority issued under this chapter must contain the following information:

(1) The name and address of the person that filed the application required under section 2 of this chapter.

(2) The year, make, model, and vehicle identification number, if ascertainable, together with any other identifying features of the vehicle that has been authorized to be sold for scrap metal.

As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.143; P.L.198-2016, SEC.408.

IC 9-22-5-4
Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.144; P.L.262-2013, SEC.114. Repealed by P.L.198-2016, SEC.409.)

IC 9-22-5-5
Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.125-2012, SEC.145.)

IC 9-22-5-6
Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.125-2012, SEC.146.)

IC 9-22-5-7
Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.125-2012, SEC.147.)

IC 9-22-5-8
Repealed

(As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.148. Repealed by P.L.198-2016, SEC.410.)

IC 9-22-5-9
Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.125-2012, SEC.149.)

IC 9-22-5-10
Certificate of title not issued after delivery to bureau of certificate of authority

Sec. 10. After a certificate of authority required under this chapter has been delivered to the bureau by an automotive salvage recycler, a certificate of title may not be issued for the vehicle that is described in the certificate of authority. The vehicle shall be noted in the records of the bureau as "junk".

As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.150; P.L.198-2016, SEC.411.

IC 9-22-5-11
Repealed

(As added by P.L.2-1991, SEC.10. Repealed by P.L.125-2012, SEC.151.)

IC 9-22-5-12
Sales for scrap metal by owners of vehicles

Sec. 12. The person who:

(1) owns a vehicle described in this chapter; and

(2) sells the vehicle;

may retain the proceeds of the sale for the person's use and benefit.

As added by P.L.2-1991, SEC.10. Amended by P.L.125-2012, SEC.152; P.L.262-2013, SEC.115.

IC 9-22-5-13
Sales by persons other than owners; proceeds; payment to circuit court clerk; claim by vehicle owner; escheat to state general fund

Sec. 13. (a) A person not described in section 12 of this chapter that sells a vehicle under this chapter may retain from the proceeds of sale the cost of publication of notice and the cost of preserving the vehicle during the period of the vehicle's abandonment. The person shall pay the remaining balance of the proceeds of the sale to the circuit court clerk of the county in which the vehicle is located.

(b) At any time within ten (10) years after the money is paid to the clerk, the person that owns the vehicle sold under this chapter may make a claim with the clerk for the sale proceeds deposited with the clerk. If ownership of the proceeds is established to the satisfaction of the clerk, the clerk shall pay the proceeds to the person that owns the vehicle.

(c) If a claim for the proceeds of the sale of a vehicle under subsection (b) is not made within ten (10) years, claims for the proceeds are barred. The clerk shall notify the attorney general and upon demand pay the proceeds to the attorney general. The attorney general shall turn the proceeds over to the treasurer of state. The

proceeds vest in and escheat to the state general fund.
As added by P.L.2-1991, SEC.10. Amended by P.L.246-2005, SEC.87; P.L.125-2012, SEC.153; P.L.198-2016, SEC.412.

IC 9-22-5-14
(As added by P.L.2-1991, SEC.10. Amended by P.L.8-1993, SEC.174. Repealed by P.L.125-2012, SEC.154.)

IC 9-22-5-15
Repealed
(As added by P.L.2-1991, SEC.10. Amended by P.L.8-1993, SEC.175; P.L.104-2005, SEC.9; P.L.191-2007, SEC.19. Repealed by P.L.125-2012, SEC.155.)

IC 9-22-5-16
Repealed
(As added by P.L.2-1991, SEC.10. Amended by P.L.150-2009, SEC.17. Repealed by P.L.125-2012, SEC.156.)

IC 9-22-5-17
Repealed
(As added by P.L.2-1991, SEC.10. Repealed by P.L.125-2012, SEC.157.)

IC 9-22-5-18
Sale, giving, or disposing of vehicle to automobile salvage recycler; documents required; penalty
Sec. 18. (a) Before a person sells a vehicle to, gives a vehicle to, or disposes of a vehicle with an automotive salvage recycler, the person shall give the automotive salvage recycler:
(1) a certificate of authority for the vehicle that:
(A) is issued by the bureau under this chapter; and
(B) authorizes the scrapping or dismantling of the vehicle; or
(2) a certificate of title for the vehicle issued by the bureau under IC 9-17-3.
(b) A person that knowingly or intentionally violates this section commits a Class C misdemeanor.
As added by P.L.224-2013, SEC.1. Amended by P.L.217-2014, SEC.70; P.L.198-2016, SEC.413.

IC 9-22-5-18.2
Purchase of motor vehicle for scrap metal or parts; records of purchase; penalty
Sec. 18.2. (a) An automotive salvage recycler or an agent of an automotive salvage recycler may purchase a vehicle without a certificate of title for the vehicle if:
(1) the vehicle is at least fifteen (15) model years old;
(2) the purchase is solely for the purpose of dismantling or

wrecking the vehicle for the recovery of scrap metal or the sale of parts; and

(3) the automotive salvage recycler records all purchase transactions of vehicles as required in subsection (b).

(b) An automotive salvage recycler shall maintain the following information with respect to each vehicle purchase transaction to which the automotive salvage recycler is a party for at least five (5) years following the date of the purchase transaction:

(1) The name and address of any scrap metal processor or automobile scrapyard.

(2) The name of the person entering the information.

(3) The date and time of the purchase transaction.

(4) A description of the vehicle that is the subject of the purchase transaction, including the make and model of the vehicle, if practicable.

(5) The vehicle identification number of the vehicle, to the extent practicable.

(6) The amount of consideration given for the vehicle.

(7) A written statement signed by the seller or the seller's agent certifying the following:

(A) The seller or the seller's agent has the lawful right to sell and dispose of the vehicle.

(B) The vehicle is not subject to a security interest or lien.

(C) The vehicle will not be titled again and will be dismantled or destroyed.

(8) The name, date of birth, and address of the person from whom the vehicle is being purchased.

(9) A photocopy or electronic scan of one (1) of the following valid and unexpired forms of identification issued to the seller or the seller's agent:

(A) A driver's license.

(B) An identification card issued under IC 9-24-16-1, a photo exempt identification card issued under IC 9-24-16.5, or a similar card issued under the laws of another state or the federal government.

(C) A government issued document bearing an image of the seller or seller's agent, as applicable.

For purposes of complying with this subdivision, an automotive salvage recycler is not required to make a separate copy of the seller's or seller's agent's identification for each purchase transaction involving the seller or seller's agent but may instead refer to a copy maintained in reference to a particular purchase transaction.

(10) The license plate number, make, model, and color of the vehicle that is used to deliver the purchased vehicle to the automotive salvage recycler.

(11) The signature of the person receiving consideration from the seller or the seller's agent.

(12) A photographic or videographic image, taken when the vehicle is purchased, of the following:

(A) A frontal view of the facial features of the seller or the seller's agent.

(B) The vehicle that is the subject of the purchase transaction.

(c) An automotive salvage recycler may not complete a purchase transaction in the absence of the information required under subsection (b)(9).

(d) An automotive salvage recycler or an agent of an automotive salvage recycler that knowingly or intentionally buys a vehicle that is less than fifteen (15) model years old without a certificate of title or certificate of authority for the vehicle commits a Level 6 felony.

As added by P.L.92-2013, SEC.51. Amended by P.L.217-2014, SEC.71; P.L.151-2015, SEC.25; P.L.197-2015, SEC.3; P.L.174-2016, SEC.12.

IC 9-22-5-19
Repealed

(As added by P.L.224-2013, SEC.2. Amended by P.L.217-2014, SEC.72. Repealed by P.L.198-2016, SEC.414.)

IC 9-22-6

Chapter 6. Mechanic's Liens for Vehicles

IC 9-22-6-1

Storing, furnishing of supplies for, providing towing services for, or repairing vehicles

Sec. 1. (a) A person engaged in the business of storing, furnishing supplies for, providing towing services for, or repairing vehicles shall obtain the name and address of the owner of a vehicle that is left in the custody of the person for storage, furnishing of supplies, or repairs at the time the vehicle is left.

(b) The person described in subsection (a) shall record in a book the following information concerning the vehicle described in subsection (a):

(1) The name and address of the owner of the vehicle.

(2) The license number of the vehicle.

(3) The date on which the vehicle was left.

(c) The book shall be provided and kept by the person and must be open for inspection by an authorized police officer of the state, a city, or a town or by the county sheriff.

(d) If a vehicle is stored by the week or by the month, only one (1) entry on the book is required for the time during which the vehicle is stored.

(e) A person that violates this section commits a Class A infraction.

As added by P.L.125-2012, SEC.158. Amended by P.L.262-2013, SEC.116; P.L.217-2014, SEC.73; P.L.198-2016, SEC.415.

IC 9-22-6-2

Lien for labor on, materials for, storage of, towing of, or repair of vehicles

Sec. 2. (a) A person that performs labor, furnishes materials or storage, or does repair work on a vehicle at the request of the owner of the vehicle has a mechanic's lien on the vehicle for the reasonable value of the charges for the labor, materials, storage, or repairs.

(b) A person that provides towing services for a vehicle at the request of the owner of the vehicle has a mechanic's lien on the vehicle for the reasonable value of the charges for the towing services and other related costs.

(c) A person that has a mechanic's lien on a vehicle under subsection (a) or (b) may advertise the vehicle for sale if:

(1) the charges made under subsection (a) or (b) are not paid; and

(2) the vehicle is not claimed;

within thirty (30) days after the date on which the vehicle is left in or comes into the possession of the person for repairs, storage, towing, or the furnishing of materials. The vehicle may not be sold until the later of fifteen (15) days after the date the advertisement required by

subsection (d) has been placed or fifteen (15) days after notice required by subsection (e) has been sent.

(d) Before a vehicle may be sold under subsection (c), an advertisement must be placed in a newspaper that is printed in English and of general circulation in the city or town in which the lienholder's place of business is located. If the lienholder is located outside the corporate limits of a city or a town, the advertisement must be placed in a newspaper of general circulation in the county in which the place of business of the lienholder is located. The advertisement must contain at least the following information:

(1) A description of the vehicle, including make, type, and manufacturer's identification number.

(2) The amount of the unpaid charges.

(3) The time, place, and date of the sale.

(e) In addition to the advertisement required under subsection (d), the person that holds the mechanic's lien must notify the owner of the vehicle and any other person that holds a lien of record by certified mail, return receipt requested, at the last known address of the owner or person, as applicable, that the vehicle will be sold at public auction on a specified date to satisfy the mechanic's lien imposed by this section.

(f) A person that holds a mechanic's lien of record on a vehicle subject to sale under this section may pay the storage, repair, towing, or service charges due. If the person that holds the mechanic's lien of record elects to pay the charges due, the person is entitled to possession of the vehicle and becomes the holder of the mechanic's lien imposed by this section.

(g) If the person that owns a vehicle subject to sale under this section does not claim the vehicle and satisfy the mechanic's lien on the vehicle, the vehicle may be sold at public auction to the highest and best bidder. A person that holds a mechanic's lien under this section may purchase a vehicle subject to sale under this section.

(h) A person that holds a mechanic's lien under this section may deduct and retain the amount of the mechanic's lien and the cost of the advertisement required under subsection (d) from the purchase price received for a vehicle sold under this section. After deducting from the purchase price the amount of the mechanic's lien and the cost of the advertisement, the person shall pay the surplus of the purchase price to the owner of the vehicle if the owner's address or whereabouts are known. If the address or whereabouts of the owner of the vehicle are not known, the surplus of the purchase price shall be paid over to the clerk of the circuit court of the county in which the person that holds the mechanic's lien has a place of business for the use and benefit of the owner of the vehicle.

(i) A person that holds a mechanic's lien under this section shall execute and deliver to the purchaser of a vehicle under this section a sales certificate in the form designated by the bureau, setting forth the following information:

(1) The facts of the sale.
(2) The vehicle identification number.
(3) The certificate of title if available.
(4) A certification from the newspaper showing that the advertisement was made as required under subsection (d).
(5) Any other information that the bureau requires.

Whenever the bureau receives from the purchaser an application for certificate of title accompanied by these items, the bureau shall issue a certificate of title for the vehicle under IC 9-17.

(j) A person that violates this section commits a Class A infraction.

As added by P.L.125-2012, SEC.158. Amended by P.L.217-2014, SEC.74; P.L.198-2016, SEC.416.

IC 9-22-6-3
Repealed

(As added by P.L.125-2012, SEC.158. Repealed by P.L.217-2014, SEC.75.)

IC 9-23

ARTICLE 23. VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS

IC 9-23-0.5

Chapter 0.5. Application

IC 9-23-0.5-1

Repealed

(As added by P.L.219-2005, SEC.13. Repealed by P.L.107-2008, SEC.21; P.L.131-2008, SEC.57.)

IC 9-23-0.7
Repealed
(Repealed by P.L.92-2013, SEC.52.)

IC 9-23-1
Repealed

(Repealed by P.L.197-2011, SEC.153.)

IC 9-23-2
Repealed

(Repealed by P.L.92-2013, SEC.53; P.L.92-2013, SEC.86.)

IC 9-23-2.5
Repealed

(Repealed by P.L.92-2013, SEC.54.)

IC 9-23-3
Repealed

(Repealed by P.L.92-2013, SEC.55.)

IC 9-23-4
Repealed

(Repealed by P.L.92-2013, SEC.56.)

IC 9-23-5
Repealed

(Repealed by P.L.92-2013, SEC.57.)

IC 9-23-6
Repealed

(Repealed by P.L.92-2013, SEC.58.)

IC 9-24

ARTICLE 24. DRIVERS LICENSES

IC 9-24-1

Chapter 1. Individuals Required to Obtain a License or Permit

IC 9-24-1-1

License required; violation

Sec. 1. (a) Except as provided in section 7 of this chapter, an individual must have a valid:

(1) driver's license; or

(2) permit;

including any necessary endorsements, issued to the individual by the bureau to operate upon a highway the type of motor vehicle for which the driver's license, endorsement, or permit was issued.

(b) An individual must have:

(1) an unexpired identification card with a Class B motor driven cycle endorsement issued to the individual by the bureau under IC 9-24-16;

(2) a valid driver's license; or

(3) a valid learner's permit;

to operate a Class B motor driven cycle upon a highway.

(c) An individual who violates this section commits a Class C infraction.

As added by P.L.2-1991, SEC.12. Amended by P.L.156-2006, SEC.3; P.L.109-2011, SEC.5; P.L.125-2012, SEC.159; P.L.221-2014, SEC.58; P.L.188-2015, SEC.90; P.L.198-2016, SEC.417.

IC 9-24-1-1.5

Repealed

(As added by P.L.14-2004, SEC.186. Amended by P.L.125-2012, SEC.160; P.L.85-2013, SEC.21. Repealed by P.L.198-2016, SEC.418.)

IC 9-24-1-2

Repealed

(As added by P.L.2-1991, SEC.12. Repealed by P.L.125-2012, SEC.161.)

IC 9-24-1-3

Repealed

(As added by P.L.2-1991, SEC.12. Repealed by P.L.156-2006, SEC.25.)

IC 9-24-1-4

Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012,

SEC.162; P.L.188-2015, SEC.91. Repealed by P.L.198-2016, SEC.419.)

IC 9-24-1-5
Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.109-2011, SEC.6; P.L.125-2012, SEC.163; P.L.85-2013, SEC.22; P.L.221-2014, SEC.59; P.L.188-2015, SEC.92. Repealed by P.L.198-2016, SEC.420.)

IC 9-24-1-6
Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.164; P.L.217-2014, SEC.76. Repealed by P.L.198-2016, SEC.421.)

IC 9-24-1-7
Exempt operators

Sec. 7. (a) Section 1 of this chapter does 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) road construction or maintenance machinery;

(B) a ditch digging apparatus;

(C) a well drilling apparatus; or

(D) a concrete mixer;

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

(3) A nonresident who:

(A) is:

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

(ii) employed in Indiana;

(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 on a highway the type of motor vehicle for which the driver's license was issued, subject to the restrictions imposed by the home state or country of the individual's residence.

(4) A new Indiana resident who:

(A) possesses a valid driver's license issued by the state or country of the individual's former residence; and

(B) is lawfully admitted in the United States;

for a period of sixty (60) days after becoming an Indiana resident, and subject to the restrictions imposed by the state or country of the individual's former residence while operating upon a highway the type of motor vehicle for which the driver's license was issued.

(5) An individual while operating a farm wagon that is being temporarily drawn, moved, or propelled on a public highway. However, to operate the farm wagon on a highway, other than to temporarily draw, move, or propel it, the 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.

As added by P.L.2-1991, SEC.12. Amended by P.L.128-1993, SEC.1; P.L.210-2005, SEC.38; P.L.150-2009, SEC.18; P.L.87-2010, SEC.29; P.L.60-2012, SEC.3; P.L.125-2012, SEC.165; P.L.85-2013, SEC.23; P.L.259-2013, SEC.21; P.L.198-2016, SEC.422.

IC 9-24-1-8
Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.217-2014, SEC.77. Repealed by P.L.188-2015, SEC.93.)

IC 9-24-2

Chapter 2. Individuals Prohibited From Obtaining a License or Permit

IC 9-24-2-1

Truants, suspended and expelled students, and dropouts

Sec. 1. (a) The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual less than eighteen (18) years of age who meets any of the following conditions:

(1) Is a habitual truant under IC 20-33-2-11.

(2) Is under at least a second suspension from school for the school year under IC 20-33-8-14 or IC 20-33-8-15.

(3) Is under an expulsion from school under IC 20-33-8-14, IC 20-33-8-15, or IC 20-33-8-16.

(4) Is considered a dropout under IC 20-33-2-28.5.

(b) At least five (5) days before holding an exit interview under IC 20-33-2-28.5, the school corporation shall give notice by certified mail or personal delivery to the student, the student's parent, or the student's guardian that the student's failure to attend an exit interview under IC 20-33-2-28.5 or return to school if the student does not meet the requirements to withdraw from school under IC 20-33-2-28.5 will result in the revocation or denial of the student's:

(1) driver's license or learner's permit; and

(2) employment certificate.

As added by P.L.2-1991, SEC.12. Amended by P.L.131-1995, SEC.1; P.L.132-1995, SEC.1; P.L.1-2005, SEC.106; P.L.242-2005, SEC.1; P.L.1-2006, SEC.165; P.L.125-2012, SEC.166.

IC 9-24-2-2

Juveniles under court orders concerning controlled substance violations

Sec. 2. The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual less than eighteen (18) years of age who is under an order entered by a juvenile court under IC 31-37-19-13 through IC 31-37-19-17 (or IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before their repeal).

As added by P.L.2-1991, SEC.12. Amended by P.L.94-1996, SEC.1; P.L.1-1997, SEC.39; P.L.125-2012, SEC.167.

IC 9-24-2-2.5 Version a

Persons under court orders concerning controlled substance violations or criminal mischief

Note: This version of section amended by P.L.76-2016, SEC.3. See also following version of this section amended by P.L.198-2016, SEC.423.

Sec. 2.5. (a) The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual who is under an order entered by a court under IC 35-43-1-2(d).

(b) The bureau shall suspend the driving privileges or invalidate the learner's permit of a person who is the subject of an order issued under IC 31-37-19-17 (or IC 31-6-4-15.9(f) before its repeal) or IC 35-43-1-2(d).

As added by P.L.94-1996, SEC.2. Amended by P.L.1-1997, SEC.40; P.L.3-2008, SEC.79; P.L.125-2012, SEC.168; P.L.76-2016, SEC.3.

IC 9-24-2-2.5 Version b

Individuals under court orders concerning controlled substance violations or criminal mischief

Note: This version of section amended by P.L.198-2016, SEC.423. See also preceding version of this section amended by P.L.76-2016, SEC.3.

Sec. 2.5. (a) The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual who is under an order entered by a court under IC 35-43-1-2(c).

(b) The bureau shall suspend the driving privileges or invalidate the learner's permit of an individual who is the subject of an order issued under IC 31-37-19-17 (or IC 31-6-4-15.9(f) before its repeal) or IC 35-43-1-2(c).

As added by P.L.94-1996, SEC.2. Amended by P.L.1-1997, SEC.40; P.L.3-2008, SEC.79; P.L.125-2012, SEC.168; P.L.198-2016, SEC.423.

IC 9-24-2-3

Individuals to whom bureau may not issue license or permit

Sec. 3. (a) The bureau may not issue a driver's license or learner's permit or grant driving privileges to the following individuals:

(1) An individual whose driving privileges have been suspended, during the period for which the driving privileges are suspended, or to an individual whose driver's license has been revoked, until the time the bureau is authorized under Indiana law to issue the individual a new driver's license.

(2) An individual whose learner's permit has been suspended or revoked until the time the bureau is authorized under Indiana law to issue the individual a new learner's permit.

(3) An individual who, in the opinion of the bureau, is afflicted with or suffering from a physical or mental disability or disease that prevents the individual from exercising reasonable and ordinary control over a motor vehicle while operating the motor vehicle on a highway.

(4) An individual who is unable to understand highway warnings or direction signs written in the English language.

(5) An individual who is required under this article to take an examination unless:

(A) the individual successfully passes the examination; or

(B) the bureau waives the examination requirement.

(6) An individual who is required under IC 9-25 or any other

statute to deposit or provide proof of financial responsibility and who has not deposited or provided that proof.

(7) An individual when the bureau has good cause to believe that the operation of a motor vehicle on a highway by the individual would be inimical to public safety or welfare.

(8) An individual who is the subject of an order issued by:

(A) a court under IC 31-16-12-7 (or IC 31-1-11.5-13, IC 31-6-6.1-16, or IC 31-14-12-4 before their repeal); or

(B) the Title IV-D agency;

ordering that a driver's license or permit not be issued to the individual.

(9) An individual who has not presented valid documentary evidence to the bureau of the individual's legal status in the United States, as required by IC 9-24-9-2.5.

(10) An individual who does not otherwise satisfy the requirements of this article.

(b) An individual subject to epileptic seizures may not be denied a driver's license or permit under this section if the individual presents a statement from a licensed physician, on a form prescribed by the bureau, that the individual is under medication and is free from seizures while under medication.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-1995, SEC.9; P.L.133-1995, SEC.1; P.L.2-1996, SEC.224; P.L.1-1997, SEC.41; P.L.184-2007, SEC.33; P.L.125-2012, SEC.169; P.L.207-2013, SEC.7; P.L.85-2013, SEC.24; P.L.207-2013, SEC.8; P.L.2-2014, SEC.39; P.L.198-2016, SEC.424.

IC 9-24-2-3.1

Conditional driving privileges; termination and renewal; suspension

Sec. 3.1. (a) If a petitioner named in an order issued under section 3(a)(8) of this chapter has a valid commercial driver's license, the bureau shall not immediately suspend the individual's commercial driving privileges but shall indicate on the individual's driving record that the individual has conditional driving privileges to operate a motor vehicle to and from the individual's place of employment and in the course of the individual's employment.

(b) Conditional driving privileges described in subsection (a) are valid for thirty (30) days from the date of the notice sent by the bureau. If the individual obtains an order for conditional driving privileges within the thirty (30) days, the individual may continue to operate a motor vehicle with the conditional driving privileges beyond the thirty (30) day period.

(c) If the individual does not obtain an amended order within the thirty (30) day period, the bureau shall suspend the individual's driving privileges.

As added by P.L.133-1995, SEC.2. Amended by P.L.14-2000, SEC.26; P.L.125-2012, SEC.170; P.L.85-2013, SEC.25;

P.L.198-2016, SEC.425.

IC 9-24-2-4

Invalidation and revalidation of license; truant, suspended and expelled, and withdrawn students

Sec. 4. (a) If an individual is less than eighteen (18) years of age and is a habitual truant, is under a suspension or an expulsion or has withdrawn from school as described in section 1 of this chapter, the bureau shall, upon notification by an authorized representative of the individual's school corporation, suspend the individual's driving privileges until the earliest of the following:

(1) The individual becomes eighteen (18) years of age.

(2) One hundred twenty (120) days after the individual is suspended.

(3) The suspension, expulsion, or exclusion is reversed after the individual has had a hearing under IC 20-33-8.

(b) The bureau shall promptly mail a notice to the individual's last known address that states the following:

(1) That the individual's driving privileges will be suspended for a specified period commencing five (5) days after the date of the notice.

(2) That the individual has the right to appeal the suspension of the driving privileges.

(c) If an aggrieved individual believes that:

(1) the information provided was technically incorrect; or

(2) the bureau committed a technical or procedural error;

the aggrieved individual may appeal the invalidation of a driver's license under section 5 of this chapter.

(d) If an individual satisfies the conditions for reinstatement of a driver's license under this section, the individual may submit to the bureau for review the necessary information certifying that at least one (1) of the events described in subsection (a) has occurred.

(e) Upon reviewing and certifying the information received under subsection (d), the bureau shall reinstate the individual's driving privileges.

(f) An individual may not operate a motor vehicle in violation of this section.

(g) An individual whose driving privileges are suspended under this section is eligible to apply for specialized driving privileges under IC 9-30-16.

(h) The bureau shall reinstate the driving privileges of an individual whose driving privileges were suspended under this section if the individual does the following:

(1) Establishes to the satisfaction of the principal of the school where the action occurred that caused the suspension of the driving privileges that the individual has:

(A) enrolled in a full-time or part-time program of education; and

(B) participated for thirty (30) or more days in the program of education.

(2) Submits to the bureau a form developed by the bureau that contains:

(A) the verified signature of the principal or the president of the governing body of the school described in subdivision (1); and

(B) notification to the bureau that the person has complied with subdivision (1).

An individual may appeal the decision of a principal under subdivision (1) to the governing body of the school corporation where the principal's school is located.

As added by P.L.2-1991, SEC.12. Amended by P.L.131-1995, SEC.2; P.L.132-1995, SEC.2; P.L.1-2005, SEC.107; P.L.125-2012, SEC.171; P.L.85-2013, SEC.26; P.L.217-2014, SEC.78; P.L.149-2015, SEC.56; P.L.198-2016, SEC.426.

IC 9-24-2-5

Hearings

Sec. 5. (a) An individual whose driving privileges have been suspended under section 4 of this chapter is entitled to a prompt judicial hearing. The individual may file a petition that requests a hearing in a circuit, superior, county, or municipal court in the county where:

(1) the individual resides; or

(2) the school attended by the individual is located.

(b) The petition for review must:

(1) be in writing; and

(2) be verified by the individual seeking review and:

(A) allege specific facts that indicate the suspension or expulsion was improper; or

(B) allege that, due to the individual's emancipation or dependents, an undue hardship exists that requires the granting of a restricted driving permit.

(c) The hearing conducted by the court under this section shall be limited to the following issues:

(1) Whether the school followed proper procedures when suspending or expelling the individual from school, including affording the individual due process under IC 20-33-8.

(2) Whether the bureau followed proper procedures in suspending the individual's driving privileges.

(d) If the court finds:

(1) that the school failed to follow proper procedures when suspending or expelling the individual from school; or

(2) that the bureau failed to follow proper procedures in suspending the individual's driving privileges;

the court may order the bureau to reinstate the individual's driving privileges.

(e) The prosecuting attorney of the county in which a petition has been filed under this section shall represent the state on behalf of the bureau with respect to the petition. A school that is made a party to an action filed under this section is responsible for the school's own representation.

(f) In an action under this section, the petitioner has the burden of proof by a preponderance of the evidence.

(g) The court's order is a final judgment appealable in the manner of civil actions by either party. The attorney general shall represent the state on behalf of the bureau with respect to the appeal.

As added by P.L.2-1991, SEC.12. Amended by P.L.131-1995, SEC.3; P.L.1-2005, SEC.108; P.L.125-2012, SEC.172; P.L.217-2014, SEC.79; P.L.198-2016, SEC.427.

IC 9-24-2-6

Violations

Sec. 6. An individual who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.428.

IC 9-24-2.5

Chapter 2.5. Voter Registration Services and Driver's License Applications

IC 9-24-2.5-1

Purpose of chapter

Sec. 1. This chapter prescribes the procedures to be followed by the commission in processing voter registration applications under 52 U.S.C. 20504, IC 3-7-14, and IC 3-7-26.7.

As added by P.L.12-1995, SEC.115. Amended by P.L.120-2009, SEC.12; P.L.128-2015, SEC.222.

IC 9-24-2.5-2

Designated individual

Sec. 2. The manager of each license branch may designate an employee of the license branch as the individual responsible for performing the voter registration duties of the commission under this chapter at that license branch. The employee designated under this section shall supervise the registration of voters by other employees of the license branch and shall perform any other registration duty required to be performed by the license branch under this chapter. Notwithstanding this designation, any employee of the license branch may perform registration duties in accordance with this chapter.

As added by P.L.12-1995, SEC.115.

IC 9-24-2.5-3

Manager responsible if no designated individual

Sec. 3. If the manager does not designate an employee under section 2 of this chapter, the manager is the individual responsible for performing the voter registration duties of the commission under this chapter at that license branch. The manager shall supervise the registration of voters by other employees of the license branch and shall perform any other registration duty required to be performed by the license branch under this chapter. Notwithstanding the designation of the manager under this section, any employee of the license branch may perform registration duties in accordance with this chapter.

As added by P.L.12-1995, SEC.115.

IC 9-24-2.5-4

Transmittal of voter registration application forms

Sec. 4. (a) As required under 52 U.S.C. 20504(e)(1), the manager or designated license branch employee shall transmit a copy of the completed voter registration portion of each application for a driver's license or an identification card for nondrivers issued under this article to the county voter registration office of the county in which the individual's residential address (as indicated on the application) is located.

(b) The voter registration application shall be transmitted to the county voter registration office in an electronic format and on an expedited basis (as defined by IC 3-5-2-23.2) using the computerized list established under IC 3-7-26.3. Except in the case of applications submitted online under IC 3-7-26.7, the paper copy of the application shall be transmitted under subsection (a) to the county voter registration office not later than five (5) days after the application is accepted at the license branch.

As added by P.L.12-1995, SEC.115. Amended by P.L.3-1995, SEC.143; P.L.164-2006, SEC.137; P.L.120-2009, SEC.13; P.L.128-2015, SEC.223.

IC 9-24-2.5-5
Repealed

(Repealed by P.L.3-1995, SEC.155.)

IC 9-24-2.5-6
Methods for transmittal of paper copies of applications; paper copy not needed for clerk to process application; scanning application image into computerized list

Sec. 6. (a) A manager or an employee may use any of the following methods to transmit paper copies of voter registration applications under section 4 of this chapter:

(1) Hand delivery to the county voter registration office.

(2) Delivery by the United States Postal Service, using first class mail.

(b) A county voter registration office:

(1) shall process a voter registration application transmitted in electronic format from a license branch; and

(2) is not required to receive the paper copy of a voter registration application from a license branch before:

(A) approving or denying the application; and

(B) mailing a notice of approval or denial to the applicant.

(c) After January 1, 2015, a county voter registration office shall scan an image of the paper copy of the registration application form into the computerized list established under IC 3-7-26.3.

As added by P.L.12-1995, SEC.115. Amended by P.L.164-2006, SEC.138; P.L.225-2011, SEC.88; P.L.64-2014, SEC.74.

IC 9-24-2.5-7
Hand delivery

Sec. 7. If a manager or an employee transmits paper copies of registration applications by hand delivery under section 6(1) of this chapter, the county voter registration office shall provide the manager or employee with a receipt for the forms. The receipt must state the date and time of delivery, and the printed name and signature of the person who received the forms.

As added by P.L.12-1995, SEC.115. Amended by P.L.164-2006,

SEC.139.

IC 9-24-2.5-8
County addresses and telephone numbers to be provided

Sec. 8. The election division shall provide the commission with a list of the current addresses and telephone numbers of the offices of the county voter registration office in each county. The commission shall promptly forward the list and each revision of the list to each license branch.

As added by P.L.12-1995, SEC.115. Amended by P.L.2-1996, SEC.225; P.L.3-1997, SEC.427; P.L.225-2011, SEC.89.

IC 9-24-2.5-9
Confidentiality of information

Sec. 9. Voter registration information received or maintained under this chapter is confidential.

As added by P.L.12-1995, SEC.115.

IC 9-24-2.5-10
Notice regarding elections

Sec. 10. The co-directors of the election division shall notify the commission of the following:

(1) The scheduled date of each primary, general, municipal, and special election.

(2) The jurisdiction in which the election will be held.

(3) The date when registration ceases under IC 3-7-13-10 before each primary, general, municipal, and special election.

As added by P.L.12-1995, SEC.115. Amended by P.L.2-1996, SEC.226; P.L.3-1997, SEC.428.

IC 9-24-2.5-11
License branch information to be provided

Sec. 11. The commission shall provide the co-directors of the election division with a list stating the following:

(1) The address and telephone number of each license branch.

(2) The name of the manager of the license branch and any employee designated by the manager to be responsible for performing voter registration duties under this chapter.

As added by P.L.12-1995, SEC.115. Amended by P.L.2-1996, SEC.227; P.L.3-1997, SEC.429.

IC 9-24-2.5-12
Commission and secretary of state agreement to share information to verify voter registration applications

Sec. 12. As required under 52 U.S.C. 21083, the secretary of state (with the consent of the co-directors of the election division) and the commission shall enter into an agreement to match information in the computerized list established under IC 3-7-26.3 with information in

the data base of the commission to enable the election division and the commission to verify the accuracy of the information provided on voter registration applications.

As added by P.L.209-2003, SEC.198. Amended by P.L.128-2015, SEC.224.

IC 9-24-2.5-13

Commission agreement with commissioner of Social Security to verify voter registration information; cancellation of registration of deceased voter

Sec. 13. (a) As required under 52 U.S.C. 21083, the commission shall enter into an agreement with the Commissioner of Social Security under 42 U.S.C. 405(r)(8)(A) to verify information set forth on voter registration applications.

(b) The information subject to verification under this section is the following:

(1) Whether the name (including the first name and any family forename or surname), date of birth (including month, day, and year), and Social Security number of an individual provided to the Commissioner of Social Security match the information contained in the Commissioner's records.

(2) Whether the individual is shown in the records of the Commissioner of Social Security as deceased.

(c) The agreement under subsection (b) must comply with 52 U.S.C. 21081 and IC 3-7-26.3.

(d) If an individual shown in the records of the Commissioner of Social Security is deceased, the county voter registration office shall cancel the individual's registration under IC 3-7-45-4, unless the county voter registration office determines that additional information is necessary to sufficiently document the individual's death.

As added by P.L.209-2003, SEC.199. Amended by P.L.128-2015, SEC.225; P.L.169-2015, SEC.164.

IC 9-24-3

Chapter 3. Operator's License

IC 9-24-3-1

Issuance; conditions; fee

Sec. 1. (a) Except as otherwise provided in this article, the bureau shall issue an operator's license to an individual who meets the following conditions:

(1) Satisfies the age requirements set forth in section 2.5 of this chapter.

(2) Makes proper application to the bureau under IC 9-24-9 upon a form prescribed by the bureau. The form must include an attestation concerning the number of hours of supervised driving practice that the individual has completed if the individual is required under section 2.5 of this chapter to complete a certain number of hours of supervised driving practice in order to receive an operator's license. The:

(A) parent or guardian of an applicant less than eighteen (18) years of age; or

(B) applicant, if the applicant is at least eighteen (18) years of age;

shall attest in writing under penalty of perjury to the time logged in practice driving.

(3) Satisfactorily passes the examination and tests required for issuance of an operator's license under IC 9-24-10.

(4) Pays the following applicable fee:

(A) For an individual who is less than seventy-five (75) years of age, seventeen dollars and fifty cents ($17.50).

(B) For an individual who is at least seventy-five (75) years of age but less than eighty-five (85) years of age, eleven dollars ($11).

(C) For an individual who is at least eighty-five (85) years of age, seven dollars ($7).

(b) A fee described in subsection (a)(4)(A) shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) Two dollars ($2) to the crossroads 2000 fund.

(3) Four dollars and fifty cents ($4.50) to the motor vehicle highway account.

(4) For an operator's license issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Nine dollars and twenty-five cents ($9.25) to the commission fund.

(5) For an operator's license issued after June 30, 2019, ten dollars and fifty cents ($10.50) to the commission fund.

(c) A fee described in subsection (a)(4)(B) shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) One dollar and fifty cents ($1.50) to the crossroads 2000 fund.

(3) Three dollars ($3) to the motor vehicle highway account.

(4) For an operator's license issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Four dollars and seventy-five cents ($4.75) to the commission fund.

(5) For an operator's license issued after June 30, 2019, six dollars ($6) to the commission fund.

(d) A fee described in subsection (a)(4)(C) shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) One dollar ($1) to the crossroads 2000 fund.

(3) Two dollars ($2) to the motor vehicle highway account.

(4) For an operator's license issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Two dollars and twenty-five cents ($2.25) to the commission fund.

(5) For an operator's license issued after June 30, 2019, three dollars and fifty cents ($3.50) to the commission fund.

As added by P.L.2-1991, SEC.12. Amended by P.L.101-2009, SEC.3; P.L.145-2011, SEC.11; P.L.125-2012, SEC.173; P.L.198-2016, SEC.429.

IC 9-24-3-2
Expired

(As added by P.L.2-1991, SEC.12. Amended by P.L.156-2006, SEC.4; P.L.101-2009, SEC.4. Expired 6-30-2010 by P.L.101-2009, SEC.4.)

IC 9-24-3-2.5
Age, experience, and examination requirements

Sec. 2.5. (a) Except as provided in section 3 of this chapter, an individual must satisfy the requirements set forth in one (1) of the following subdivisions to receive an operator's license:

(1) The individual meets the following conditions:

(A) Is at least sixteen (16) years and ninety (90) days of age.

(B) Has held a valid learner's permit for at least one hundred eighty (180) days.

(C) Obtains an instructor's certification that the individual has satisfactorily completed an approved driver education course.

(D) Passes the required examinations.

(E) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, as provided in subsection (b).

(2) The individual meets the following conditions:

(A) Is at least sixteen (16) years and two hundred seventy (270) days of age.

(B) Has held a valid learner's permit for at least one hundred eighty (180) days.

(C) Passes the required examinations.

(D) Completes at least fifty (50) hours of supervised driving practice, of which at least ten (10) hours are nighttime driving, as provided in subsection (b).

(3) The individual meets the following conditions:

(A) Is at least sixteen (16) years and one hundred eighty (180) days of age but less than eighteen (18) years of age.

(B) Has previously been a nonresident of Indiana, but, at the time of application, qualifies as an Indiana resident.

(C) Has held for at least one hundred eighty (180) days a valid driver's license, excluding a learner's permit or the equivalent, in the state or a combination of states in which the individual formerly resided.

(D) Passes the required examinations.

(4) The individual meets the following conditions:

(A) Is at least eighteen (18) years of age.

(B) Has previously been a nonresident but, at the time of application, qualifies as an Indiana resident.

(C) Held a valid driver's license, excluding a learner's permit or the equivalent, from the state or country of prior residence.

(D) Passes the required examinations.

(5) The individual meets the following conditions:

(A) Is at least eighteen (18) years of age.

(B) Is a person with a disability.

(C) Has successfully completed driver rehabilitation training by a certified driver rehabilitation specialist recognized by the bureau.

(D) Passes the required examinations.

(b) An applicant who is required to complete at least fifty (50) hours of supervised practice driving under subsection (a)(1)(E) or (a)(2)(D) must do the following:

(1) If the applicant is less than eighteen (18) years of age, complete the practice driving with:

(A) a licensed driver, with valid driving privileges, who is:

(i) at least twenty-five (25) years of age; and

(ii) related to the applicant by blood, marriage, or legal status;

(B) the spouse of the applicant who is:

(i) a licensed driver with valid driving privileges; and

(ii) at least twenty-one (21) years of age; or

(C) an individual with valid driving privileges who:

(i) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or

(ii) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.

(2) If the applicant is at least eighteen (18) years of age, complete the driving practice with:

(A) a licensed driver, with valid driving privileges, who is at least twenty-five (25) years of age; or

(B) the spouse of the applicant who is:

(i) a licensed driver with valid driving privileges; and

(ii) at least twenty-one (21) years of age.

(3) Submit to the commission under IC 9-24-9-2(c) evidence of the time logged in practice driving.

As added by P.L.101-2009, SEC.5. Amended by P.L.145-2011, SEC.12; P.L.125-2012, SEC.174; P.L.85-2013, SEC.27; P.L.150-2015, SEC.1; P.L.198-2016, SEC.430.

IC 9-24-3-3

Age and experience requirements; hardship waiver

Sec. 3. (a) The bureau may waive up to six (6) months of the age and experience requirements for an individual making an application for the individual's initial operator's license due to hardship conditions.

(b) The bureau shall adopt rules under IC 4-22-2 to state the conditions under which the age and experience requirement may be waived under subsection (a).

As added by P.L.2-1991, SEC.12. Amended by P.L.149-2015, SEC.57.

IC 9-24-3-4

Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.175; P.L.217-2014, SEC.80; P.L.197-2015, SEC.4. Repealed by P.L.198-2016, SEC.431.)

IC 9-24-3-4.5

Licenses; permitted operations

Sec. 4.5. (a) This section applies after December 31, 2016.

(b) The holder of an operator's license is entitled to operate a motor vehicle on a highway. An operator's license does not entitle

the holder to operate the following:

(1) A commercial motor vehicle.

(2) A motorcycle, other than an autocycle.

(3) A Class A motor driven cycle.

(4) A vehicle that is operated for hire.

(c) A commercial driver's license or commercial learner's permit is required to operate a commercial motor vehicle.

(d) A motorcycle endorsement under IC 9-24-8.5 or a motorcycle learner's permit is required to operate the following:

(1) A motorcycle, other than an autocycle.

(2) A Class A motor driven cycle.

(e) A for-hire endorsement under IC 9-24-8.5 entitles the holder to operate the following:

(1) A motor vehicle that is:

(A) registered as having a gross weight of at least sixteen thousand (16,000) pounds; and

(B) used to transport property for hire.

(2) A motor vehicle that is used to transport passengers for hire.

(f) The following are not considered transporting for hire:

(1) Operating a medical services vehicle.

(2) Transporting a recreational vehicle before the first retail sale of the recreational vehicle when:

(A) the gross weight of the recreational vehicle is not more than twenty-six thousand (26,000) pounds; or

(B) the gross combination weight of the recreational vehicle and towing vehicle is not greater than twenty-six thousand (26,000) pounds, including the gross weight of the towed recreational vehicle, and the weight of the towed recreational vehicle is not greater than ten thousand (10,000) pounds.

(3) Operating a motor vehicle that is:

(A) registered as having a gross weight of less than sixteen thousand (16,000) pounds; and

(B) used to transport property for hire.

As added by P.L.198-2016, SEC.432.

IC 9-24-3-5

Violations

Sec. 5. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.12.

IC 9-24-4

Chapter 4. Chauffeur's License

IC 9-24-4-0.5

Expiration; validity of chauffeur's licenses

Sec. 0.5. (a) The bureau may not issue a chauffeur's license after December 31, 2016.

(b) Notwithstanding subsection (a), a chauffeur's license issued before January 1, 2017, remains valid, unless otherwise suspended or revoked, until the expiration date printed on the chauffeur's license.

(c) This chapter expires July 1, 2024.

As added by P.L.198-2016, SEC.433.

IC 9-24-4-1

Issuance; conditions; fee; expiration

Sec. 1. (a) Except as otherwise provided in this article, the bureau shall issue a chauffeur's license to an individual who meets the following conditions:

(1) Satisfies the age requirements described in section 2 of this chapter.

(2) Has operated a motor vehicle, excluding operation under a learner's permit, for more than one (1) year.

(3) Makes proper application to the bureau under IC 9-24-9 upon a form prescribed by the bureau.

(4) Satisfactorily passes the examination and tests required for issuance of a chauffeur's license under IC 9-24-10.

(5) Pays the following applicable fee:

(A) For an individual who is less than seventy-five (75) years of age, twenty-two dollars and fifty cents ($22.50).

(B) For an individual who is at least seventy-five (75) years of age, eighteen dollars and fifty cents ($18.50).

(b) A fee described in subsection (a)(5)(A) shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) Four dollars ($4) to the crossroads 2000 fund.

(3) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(4) Seven dollars and seventy-five cents ($7.75) to the commission fund.

(5) Nine dollars ($9) to the motor vehicle highway account.

(c) A fee described in subsection (a)(5)(B) shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) Four dollars ($4) to the crossroads 2000 fund.

(3) Six dollars ($6) to the motor vehicle highway account.

(4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(5) Six dollars and seventy-five cents ($6.75) to the commission fund.

(d) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.176; P.L.198-2016, SEC.434.

IC 9-24-4-2

Age requirement; hardship waiver; expiration

Sec. 2. (a) Except as provided in subsection (b), an individual must be at least eighteen (18) years of age to receive a chauffeur's license.

(b) The bureau may waive up to six (6) months of the age and experience requirements for an individual making an application for the individual's initial chauffeur's license due to hardship conditions.

(c) The bureau shall adopt rules under IC 4-22-2 to state the conditions under which the age requirements may be waived.

(d) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.435.

IC 9-24-4-3

Surrender of driver's license; expiration

Sec. 3. (a) To receive a chauffeur's license, an individual must surrender to the bureau all driver's licenses issued to the individual by Indiana or any other jurisdiction.

(b) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.177; P.L.198-2016, SEC.436.

IC 9-24-4-4

Operating privileges; expiration

Sec. 4. (a) A chauffeur's license entitles the licensee to operate a motor vehicle, except a motorcycle, Class A motor driven cycle, or commercial motor vehicle without a proper permit or endorsement, upon a public highway. A chauffeur's license does not entitle the licensee to operate a motor vehicle as a public passenger chauffeur.

(b) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.178; P.L.221-2014, SEC.60; P.L.198-2016, SEC.437.

IC 9-24-4-4.1

Applicability; driving privileges

Sec. 4.1. (a) This section applies after December 31, 2016.

(b) The holder of a valid chauffeur's license is entitled to the same driving privileges as the holder of an operator's license with a for-hire endorsement under IC 9-24-8.5.

As added by P.L.198-2016, SEC.438.

IC 9-24-4-4.5
Repealed

(As added by P.L.85-2013, SEC.28. Repealed by P.L.2-2014, SEC.40.)

IC 9-24-4-5
Employment as chauffeur; expiration

Sec. 5. (a) A person may not employ another person as a chauffeur to operate a motor vehicle unless the other person is licensed as chauffeur under this chapter.

(b) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.439.

IC 9-24-4-5.3
Transport of recreational vehicle prior to first retail sale; expiration

Sec. 5.3. (a) An individual is not required to hold a chauffeur's license in order to transport a recreational vehicle prior to the first retail sale of the recreational vehicle if:

(1) the gross weight of the recreational vehicle is not more than twenty-six thousand (26,000) pounds; or

(2) the gross combination weight of the combination of recreational vehicle and towing vehicle is not more than twenty-six thousand (26,000) pounds, including a towed recreational vehicle with a gross weight of not more than ten thousand (10,000) pounds.

(b) This section expires December 31, 2016.

As added by P.L.76-2015, SEC.1. Amended by P.L.198-2016, SEC.440.

IC 9-24-4-5.5
Repealed

(As added by P.L.96-1991, SEC.2. Amended by P.L.125-2012, SEC.179. Repealed by P.L.198-2016, SEC.441.)

IC 9-24-4-6
Violations; expiration

Sec. 6. (a) A person that violates this chapter commits a Class C infraction.

(b) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.442.

IC 9-24-5

Chapter 5. Public Passenger Chauffeur's License

IC 9-24-5-0.5

Expiration; validity of public passenger chauffeur's licenses

Sec. 0.5. (a) The bureau may not issue a public passenger chauffeur's license after December 31, 2016.

(b) Notwithstanding subsection (a), a public passenger chauffeur's license issued before January 1, 2017, remains valid, unless otherwise suspended or revoked, until the expiration date printed on the public passenger chauffeur's license.

(c) This chapter expires July 1, 2022.

As added by P.L.198-2016, SEC.443.

IC 9-24-5-1

Issuance; conditions; fee; expiration

Sec. 1. (a) Except as otherwise provided in this article, the bureau shall issue a public passenger chauffeur's license to an individual who meets the following conditions:

(1) Is at least eighteen (18) years of age.

(2) Makes proper application to the bureau under IC 9-24-9, upon a form prescribed by the bureau.

(3) Successfully passes the physical examination given by a practicing physician licensed to practice medicine in Indiana.

(4) Has operated a motor vehicle, excluding operation under a learner's permit, for at least two (2) years.

(5) Satisfactorily passes the examination and tests for a public passenger chauffeur's license.

(6) Pays a fee of eighteen dollars and fifty cents ($18.50). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) Four dollars ($4) to the crossroads 2000 fund.

(C) Six dollars ($6) to the motor vehicle highway account.

(D) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(E) Six dollars and seventy-five cents ($6.75) to the commission fund.

(b) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.156-2006, SEC.5; P.L.125-2012, SEC.180; P.L.198-2016, SEC.444.

IC 9-24-5-2

Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.156-2006, SEC.6. Repealed by P.L.125-2012, SEC.181.)

IC 9-24-5-3

Operating privileges; expiration

Sec. 3. (a) A public passenger chauffeur's license entitles the licensee to:

(1) transport persons for hire; and

(2) operate a motor vehicle, except a commercial motor vehicle, a Class A motor driven cycle, or a motorcycle without the proper permit or endorsement;

upon a public highway.

(b) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.156-2006, SEC.7; P.L.125-2012, SEC.182; P.L.85-2013, SEC.29; P.L.221-2014, SEC.61; P.L.198-2016, SEC.445.

IC 9-24-5-3.1

Applicability; driving privileges

Sec. 3.1. (a) This section applies after December 31, 2016.

(b) The holder of a valid public passenger chauffeur's license is entitled to the same driving privileges as the holder of an operator's license with a for-hire endorsement under IC 9-24-8.5.

As added by P.L.198-2016, SEC.446.

IC 9-24-5-4

Surrender of current licenses; expiration

Sec. 4. (a) To receive a public passenger chauffeur's license, an individual must surrender all driver's licenses issued to the individual by Indiana or any other jurisdiction.

(b) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.183; P.L.198-2016, SEC.447.

IC 9-24-5-5

Employment as public passenger chauffeur; expiration

Sec. 5. (a) A person may not employ another person as a public passenger chauffeur to operate a motor vehicle unless the other person is licensed as a public passenger chauffeur under this chapter.

(b) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.448.

IC 9-24-5-5.5

Renewal or issuance of license after June 30, 1991; operation of commercial motor vehicle; expiration

Sec. 5.5. (a) Notwithstanding any other law, a person holding a public passenger chauffeur's license that is renewed or issued after June 30, 1991, is not entitled by that license to operate a commercial motor vehicle.

(b) This section expires December 31, 2016.

As added by P.L.96-1991, SEC.3. Amended by P.L.125-2012,

SEC.184; P.L.198-2016, SEC.449.

IC 9-24-5-6
Violations; expiration

Sec. 6. (a) A person that violates this chapter commits a Class C infraction.

(b) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.450.

IC 9-24-6
Repealed

(Repealed by P.L.198-2016, SEC.451.)

IC 9-24-6.1

Chapter 6.1. Commercial Driver's License Program

IC 9-24-6.1-1

Applicability

Sec. 1. This chapter, including any rules adopted by the bureau to implement this chapter, applies to the following:

(1) The holder of a commercial driver's license or commercial learner's permit.

(2) The operator of a commercial motor vehicle.

(3) A person that employs an operator of a commercial motor vehicle.

(4) A person that:

(A) educates or trains an individual; or

(B) prepares an individual for:

(i) an examination given by the bureau; or

(ii) testing described in section 5 of this chapter;

to operate a commercial motor vehicle as a vocation.

(5) A student of a person described in subdivision (4).

As added by P.L.198-2016, SEC.452.

IC 9-24-6.1-2

Development and implementation of program; emergency rules

Sec. 2. (a) The bureau shall develop and implement a commercial driver's license program to:

(1) issue commercial driver's licenses, commercial learner's permits, and related endorsements; and

(2) regulate persons required to hold a commercial driver's license.

(b) Subject to IC 8-2.1-24-18, the program under subsection (a) must include procedures required to comply with 49 CFR 383 through 49 CFR 399.

(c) The bureau may adopt emergency rules in the manner provided under IC 4-22-2-37.1 to implement this chapter.

As added by P.L.198-2016, SEC.452.

IC 9-24-6.1-3

Valid commercial driver's license or commercial learner's permit required to operate commercial motor vehicle; violation

Sec. 3. (a) An individual may not operate a commercial motor vehicle unless the individual holds a valid commercial driver's license or commercial learner's permit issued by the bureau or another jurisdiction.

(b) An individual who violates this section commits a Class C infraction.

As added by P.L.198-2016, SEC.452.

IC 9-24-6.1-4

Fees

Sec. 4. (a) The fee for a commercial driver's license issued before January 1, 2017, is thirty-six dollars ($36). The fee shall be distributed as follows:

(1) One dollar and fifty cents ($1.50) to the state motor vehicle technology fund.

(2) Fifteen dollars ($15) to the motor vehicle highway account.

(3) Five dollars ($5) to the integrated public safety communications fund.

(4) Fourteen dollars and fifty cents ($14.50) to the commission fund.

(b) The fee for a commercial driver's license issued after December 31, 2016, is thirty-five dollars ($35). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars ($2) to the crossroads 2000 fund.

(4) For a commercial driver's license issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Four dollars and seventy-five cents ($4.75) to the commission fund.

(5) For a commercial driver's license issued after June 30, 2019, six dollars ($6) to the commission fund.

(6) Any remaining amount to the motor vehicle highway account.

(c) The fee for a commercial learner's permit is seventeen dollars ($17). The fee shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) Two dollars ($2) to the crossroads 2000 fund.

(3) For a commercial learner's permit issued before July 1, 2019, one dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(4) To the commission fund as follows:

(A) For a commercial learner's permit issued before January 1, 2017, twelve dollars and seventy-five cents ($12.75).

(B) For a commercial learner's permit issued after December 31, 2016, and before July 1, 2019, five dollars ($5).

(C) For a commercial learner's permit issued after June 30, 2019, six dollars and twenty-five cents ($6.25).

(5) To the motor vehicle highway account as follows:

(A) For a commercial learner's permit issued before January 1, 2017, fifty cents ($0.50).

(B) For a commercial learner's permit issued after December

31, 2016, eight dollars and twenty-five cents ($8.25).

(d) The payment of a fee imposed under this section does not relieve the holder of a commercial driver's license or commercial learner's permit of responsibility for the following fees, as applicable:

(1) The fee to issue an amended or a replacement license or permit.

(2) A fee to add or remove an endorsement to a license or permit.

(3) The administrative penalty for the delinquent renewal of a license or permit.

As added by P.L.198-2016, SEC.452.

IC 9-24-6.1-5

Contracts to conduct testing

Sec. 5. The bureau may contract with public and private institutions, agencies, businesses, and organizations to conduct testing required to implement the program. A person that conducts testing under this section may impose, collect, and retain fees for conducting the testing.

As added by P.L.198-2016, SEC.452.

IC 9-24-6.1-6

Individual with elevated alcohol concentration operating commercial motor vehicle; violation

Sec. 6. An individual may not operate a commercial motor vehicle with an alcohol concentration equivalent to at least four-hundredths (0.04) gram but less than eight-hundredths (0.08) gram of alcohol per:

(1) one hundred (100) milliliters of the individual's blood; or

(2) two hundred ten (210) liters of the individual's breath.

An individual who violates this section commits a Class C infraction.

As added by P.L.198-2016, SEC.452.

IC 9-24-6.1-7

Disqualified individual operating commercial motor vehicle; violation

Sec. 7. An individual who:

(1) is:

(A) disqualified from operating a commercial motor vehicle by the bureau or the appropriate authority from another jurisdiction; or

(B) subject to an out-of-service order; and

(2) operates a commercial motor vehicle;

commits a Class C misdemeanor.

As added by P.L.198-2016, SEC.452.

IC 9-24-6.1-8

Authorizing operation of commercial motor vehicle by disqualified individual; violation

Sec. 8. A person that knowingly allows, requires, permits, or authorizes an individual to operate a commercial motor vehicle during a period in which:

(1) the individual is disqualified from operating a commercial motor vehicle by the bureau or the appropriate authority from another jurisdiction; or

(2) the individual, the commercial motor vehicle, or the motor carrier operation is subject to an out-of-service order;

commits a Class C misdemeanor.

As added by P.L.198-2016, SEC.452.

IC 9-24-6.1-9

Failure to comply with out-of-service order; civil penalty

Sec. 9. (a) A person that violates or fails to comply with an out-of-service order is subject to a civil penalty in accordance with federal law.

(b) A civil penalty assessed under this section:

(1) must be collected by the clerk of the court and transferred:

(A) to the motor vehicle highway account; or

(B) to the bureau for deposit in the motor vehicle highway account; and

(2) is a judgment subject to proceedings supplemental by the bureau.

As added by P.L.198-2016, SEC.452.

IC 9-24-6.5
Repealed

(Repealed by P.L.198-2016, SEC.453.)

IC 9-24-7

Chapter 7. Learner's Permit

IC 9-24-7-1

Issuance; conditions; fee

Sec. 1. (a) The bureau shall issue a learner's permit to an individual who satisfies the following conditions:

(1) Makes a proper application in the form and manner prescribed by the bureau.

(2) Pays a fee under subsection (b) or (c), as applicable.

(3) If less than eighteen (18) years of age, is not ineligible under IC 9-24-2-1.

(4) Has passed a written examination as required under IC 9-24-10.

(5) Either:

(A) is at least sixteen (16) years of age; or

(B) if at least fifteen (15) years of age but less than sixteen (16) years of age, is enrolled in an approved driver education course.

(b) The fee for a learner's permit issued before January 1, 2017, is nine dollars and fifty cents ($9.50). The fee shall be distributed as follows:

(1) Fifty cents ($0.50) to the motor vehicle highway account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars ($2) to the crossroads 2000 fund.

(4) One dollar and seventy-five cents ($1.75) to the integrated public safety communications fund.

(5) Four dollars and seventy-five cents ($4.75) to the commission fund.

(c) The fee for a learner's permit issued after December 31, 2016, is nine dollars ($9). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the motor vehicle highway account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Two dollars ($2) to the crossroads 2000 fund.

(4) For a learner's permit issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For a learner's permit issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

As added by P.L.2-1991, SEC.12. Amended by P.L.101-2009, SEC.6; P.L.145-2011, SEC.15; P.L.125-2012, SEC.196; P.L.198-2016, SEC.454.

IC 9-24-7-2

Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.197. Repealed by P.L.198-2016, SEC.455.)

IC 9-24-7-3

Repealed

(As added by P.L.2-1991, SEC.12. Repealed by P.L.125-2012, SEC.198.)

IC 9-24-7-4

Operating privileges

Sec. 4. A learner's permit authorizes the holder to operate a motor vehicle, except a motorcycle, a Class A motor driven cycle, or a commercial motor vehicle, upon a highway under the following conditions:

(1) While the holder is participating in practice driving in an approved driver education course and is accompanied in the front seat of the motor vehicle by an individual with valid driving privileges who:

(A) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or

(B) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.

(2) While the holder is participating in practice driving after having commenced an approved driver education course and is accompanied in the front seat of the motor vehicle by an individual with valid driving privileges who is at least:

(A) twenty-five (25) years of age and related to the applicant by blood, marriage, or legal status; or

(B) if the licensed individual is the holder's spouse, twenty-one (21) years of age.

(3) If the holder is not participating in an approved driver education course, and is less than eighteen (18) years of age, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is:

(A) a licensed driver, with valid driving privileges, who is:

(i) at least twenty-five (25) years of age; and

(ii) related to the applicant by blood, marriage, or legal status;

(B) the spouse of the applicant who is:

(i) a licensed driver with valid driving privileges; and

(ii) at least twenty-one (21) years of age; or

(C) an individual with valid driving privileges who:

(i) is licensed as a driver education instructor under IC 9-27-6-8 and is working under the direction of a driver training school described in IC 9-27-6-3(a)(2); or

(ii) is a certified driver rehabilitation specialist recognized by the bureau who is employed through a driver rehabilitation program.

(4) If the holder is not participating in an approved driver education course, and is at least eighteen (18) years of age, the holder may participate in practice driving if accompanied in the front seat of the motor vehicle by an individual who is:

(A) a licensed driver, with valid driving privileges, who is at least twenty-five (25) years of age; or

(B) the spouse of the applicant who is:

(i) a licensed driver with valid driving privileges; and

(ii) at least twenty-one (21) years of age.

As added by P.L.2-1991, SEC.12. Amended by P.L.95-1996, SEC.1; P.L.93-1997, SEC.12; P.L.48-2004, SEC.7; P.L.156-2006, SEC.8; P.L.125-2012, SEC.199; P.L.85-2013, SEC.32; P.L.150-2015, SEC.2; P.L.198-2016, SEC.456.

IC 9-24-7-5
Operator's license examinations

Sec. 5. A holder of a learner's permit may take the skills examination for an operator's license not later than the expiration date of the learner's permit. A holder who does not pass the skills examination after a third attempt is not eligible to take the examination until two (2) months after the date of the last failed examination.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.200.

IC 9-24-7-6
Violations

Sec. 6. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.12.

IC 9-24-7-7
Online driving guide and log

Sec. 7. The bureau shall publish the following:

(1) An online driving guide that may be used by the holder of a learner's permit and the parent of the holder of a learner's permit, if applicable.

(2) An online log that must be completed to show evidence of the completion of the hours of supervised practice driving required under IC 9-24-3-2.5(a)(1)(E) or IC 9-24-3-2.5(a)(2)(D).

As added by P.L.145-2011, SEC.16. Amended by P.L.85-2013, SEC.33.

IC 9-24-8

Chapter 8. Motorcycle License Endorsement or Learner's Permit

IC 9-24-8-0.5

Operator of autocycle not required to hold motorcycle learner's permit

Sec. 0.5. The operator of an autocycle is not required to hold a motorcycle learner's permit.

As added by P.L.82-2015, SEC.10. Amended by P.L.198-2016, SEC.457.

IC 9-24-8-1

Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.109-2011, SEC.7. Repealed by P.L.198-2016, SEC.458.)

IC 9-24-8-2

Repealed

(As added by P.L.2-1991, SEC.12. Repealed by P.L.109-2011, SEC.40.)

IC 9-24-8-3

Motorcycle learner's permit; fee

Sec. 3. (a) The bureau shall issue a motorcycle learner's permit to an individual who meets the following conditions:

(1) The individual holds a valid driver's license issued under this article.

(2) The individual passes a written examination developed by the bureau concerning the safe operation of a motorcycle.

(3) The individual makes a proper application in the form and manner prescribed by the bureau.

(4) The individual pays the appropriate fee under subsection (c) or (d).

(b) A motorcycle learner's permit authorizes the holder to operate a motorcycle or Class A motor driven cycle upon a highway under the following conditions:

(1) The holder wears a helmet that meets the standards described in 49 CFR 571.218 as in effect January 1, 2000.

(2) The motorcycle or Class A motor driven cycle is operated only during the period from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

(3) The motorcycle or Class A motor driven cycle does not carry passengers other than the operator.

(c) The fee for a motorcycle learner's permit issued before January 1, 2017, is nine dollars and fifty cents ($9.50). The fee shall be distributed as follows:

(1) One dollar ($1) to the state motor vehicle technology fund.

(2) One dollar ($1) to the motor vehicle highway account.
(3) Two dollars ($2) to the crossroads 2000 fund.
(4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(5) Four dollars and twenty-five cents ($4.25) to the commission fund.

(d) The fee for a motorcycle learner's permit issued after December 31, 2016, is nine dollars ($9). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the motor vehicle highway account.
(2) Fifty cents ($0.50) to the state motor vehicle technology fund.
(3) Two dollars ($2) to the crossroads 2000 fund.
(4) For a motorcycle learner's permit issued before July 1, 2019, as follows:
(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(B) Five dollars ($5) to the commission fund.
(5) For a motorcycle learner's permit issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(e) The fee for a motorcycle operational skills test administered under this chapter is as follows:

(1) For tests given by state employees, the fee is five dollars ($5) and shall be deposited in the motor vehicle highway account under IC 8-14-1.
(2) For tests given by a contractor approved by the bureau, the fee is:
(A) determined under rules adopted by the bureau under IC 4-22-2 to cover the direct costs of administering the test; and
(B) paid to the contractor.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.201; P.L.221-2014, SEC.62; P.L.198-2016, SEC.459.

IC 9-24-8-4

Motorcycle operator's license by endorsement; motorcycle endorsement with a Class A motor driven cycle restriction; fee; expiration

Sec. 4. (a) Except as provided in subsections (b) and (c), the bureau shall validate an operator's, a chauffeur's, a public passenger chauffeur's, or a commercial driver's license for motorcycle operation upon a highway by endorsement to a person who:

(1) satisfactorily completes the written and approved operational skills tests;
(2) satisfactorily completes a motorcycle operator safety education course approved by the bureau as set forth in

IC 9-27-7; or

(3) holds a current motorcycle operator endorsement or motorcycle operator's license from any other jurisdiction and successfully completes the written test.

The bureau may waive the testing requirements for an individual who has completed a course described in subdivision (2).

(b) The bureau may not issue a motorcycle endorsement or a motorcycle endorsement with a Class A motor driven cycle restriction to an individual less than sixteen (16) years and one hundred eighty (180) days of age.

(c) If an applicant for a motorcycle license endorsement or a motorcycle endorsement with a Class A motor driven cycle restriction is less than eighteen (18) years of age, the bureau may not issue a license endorsement described in subsection (a) or (g), as applicable, if the applicant is ineligible under IC 9-24-2-1.

(d) The bureau shall develop and implement both a written test and an operational skills test to determine whether an applicant for a motorcycle endorsement or a motorcycle endorsement with a Class A motor driven cycle restriction demonstrates the necessary knowledge and skills to operate a motorcycle upon a highway. The written test must be made available at license branch locations approved by the bureau. The operational skills test must be given at locations designated by the bureau. The bureau may adopt rules under IC 4-22-2 to establish standards for persons administering operational skills tests and the provisions of the operational skills test. An individual applying for a motorcycle endorsement or a motorcycle endorsement with a Class A motor driven cycle restriction must pass the written exam before taking the operational skills test. If an applicant fails to satisfactorily complete either the written or operational tests, the applicant may reapply for and must be offered the examination upon the same terms and conditions as applicants may reapply for and be offered examinations for an operator's license. The bureau shall publish and make available at all locations where an individual may apply for an operator's license information concerning a motorcycle endorsement or a motorcycle endorsement with a Class A motor driven cycle restriction.

(e) An individual may apply for a motorcycle endorsement or a motorcycle endorsement with a Class A motor driven cycle restriction not later than the expiration date of the permit. However, an individual who holds a learner's permit and does not pass the operating skills examination after a third attempt is not eligible to take the examination until two (2) months after the date of the last failed examination.

(f) An individual who held a valid Indiana motorcycle operator's license on December 31, 2011, may be issued a motorcycle operator's endorsement after December 31, 2011, on a valid Indiana operator's, chauffeur's, public passenger chauffeur's, or commercial driver's license after:

(1) making the appropriate application for endorsement;
(2) passing the appropriate examinations; and
(3) paying the following appropriate fee:

(A) For validation of a motorcycle endorsement or motorcycle endorsement with a Class A motor driven cycle restriction of an operator's or commercial driver's license issued to an individual who is less than seventy-five (75) years of age, twelve dollars ($12). The fee shall be distributed as follows:

(i) One dollar ($1) to the crossroads 2000 fund.
(ii) Two dollars and twenty-five cents ($2.25) to the motor vehicle highway account.
(iii) One dollar ($1) to the state motor vehicle technology fund.
(iv) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(v) Six dollars and fifty cents ($6.50) to the commission fund.

(B) For validation of a motorcycle endorsement or motorcycle endorsement with a Class A motor driven cycle restriction of an operator's or commercial driver's license issued to an individual who is at least seventy-five (75) years of age, ten dollars and fifty cents ($10.50). The fee shall be distributed as follows:

(i) Seventy-five cents ($0.75) to the motor vehicle highway account.
(ii) One dollar ($1) to the state motor vehicle technology fund.
(iii) One dollar ($1) to the crossroads 2000 fund.
(iv) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(v) Six dollars and fifty cents ($6.50) to the commission fund.

(C) For validation of a motorcycle endorsement or motorcycle endorsement with a Class A motor driven cycle restriction under this section and IC 9-24-12-7 of a chauffeur's license issued to an individual who is less than seventy-five (75) years of age, twelve dollars ($12). The fee shall be distributed as follows:

(i) One dollar ($1) to the crossroads 2000 fund.
(ii) Two dollars and twenty-five cents ($2.25) to the motor vehicle highway account.
(iii) Fifty cents ($0.50) to the state motor vehicle technology fund.
(iv) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(v) Seven dollars ($7) to the commission fund.

(D) For validation of a motorcycle endorsement or

motorcycle endorsement with a Class A motor driven cycle restriction under this section and IC 9-24-12-7 of a chauffeur's license issued to an individual who is at least seventy-five (75) years of age, ten dollars and fifty cents ($10.50). The fee shall be distributed as follows:

(i) Seventy-five cents ($0.75) to the motor vehicle highway account.

(ii) One dollar ($1) to the crossroads 2000 fund.

(iii) One dollar ($1) to the state motor vehicle technology fund.

(iv) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(v) Six dollars and fifty cents ($6.50) to the commission fund.

(E) For validation of a motorcycle endorsement or motorcycle endorsement with a Class A motor driven cycle restriction under this section and IC 9-24-12-7 of a public passenger chauffeur's license, eight dollars and fifty cents ($8.50). The fee shall be distributed as follows:

(i) Fifty cents ($0.50) to the state motor vehicle technology fund.

(ii) One dollar ($1) to the crossroads 2000 fund.

(iii) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(iv) Five dollars and fifty cents ($5.50) to the commission fund.

(g) Except as provided in subsections (b) and (c), the bureau may validate a driver's license described in subsection (a) for Class A motor driven cycle operation upon a highway by endorsement with a Class A motor driven cycle restriction to a person who:

(1) makes the appropriate application for endorsement;

(2) satisfactorily completes:

(A) the written and approved operational skills tests described in subsection (a)(1); or

(B) a motorcycle operator safety education course described in IC 9-27-7; and

(3) pays the following applicable fee:

(A) For an individual who is less than seventy-five (75) years of age, twelve dollars ($12). The fee shall be distributed as follows:

(i) One dollar ($1) to the crossroads 2000 fund.

(ii) Two dollars and twenty-five cents ($2.25) to the motor vehicle highway account.

(iii) One dollar ($1) to the state motor vehicle technology fund.

(iv) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(v) Six dollars and fifty cents ($6.50) to the commission

fund.

(B) For an individual who is at least seventy-five (75) years of age, ten dollars and fifty cents ($10.50). The fee shall be distributed as follows:

(i) Seventy-five cents ($0.75) to the motor vehicle highway account.

(ii) One dollar ($1) to the state motor vehicle technology fund.

(iii) One dollar ($1) to the crossroads 2000 fund.

(iv) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(v) Six dollars and fifty cents ($6.50) to the commission fund.

(h) This section expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.45-2006, SEC.1; P.L.156-2006, SEC.9; P.L.109-2011, SEC.8; P.L.125-2012, SEC.202; P.L.85-2013, SEC.34; P.L.221-2014, SEC.63; P.L.149-2015, SEC.64; P.L.198-2016, SEC.460.

IC 9-24-8-5
Violations

Sec. 5. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.12.

IC 9-24-8-6
Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.85-2013, SEC.35. Repealed by P.L.113-2014, SEC.29; P.L.217-2014, SEC.82.)

IC 9-24-8.5

Chapter 8.5. Endorsements

IC 9-24-8.5-1

Applicability

Sec. 1. This chapter applies to an operator's license or a commercial driver's license that is issued or renewed after December 31, 2016.

As added by P.L.198-2016, SEC.461.

IC 9-24-8.5-2

Licenses eligible for endorsement

Sec. 2. (a) An operator's license may include one (1) or more of the following:

(1) A motorcycle endorsement under IC 9-24-8-4 (before its expiration) or section 3 of this chapter.

(2) A for-hire endorsement under section 5 of this chapter.

(b) A commercial driver's license may include one (1) or more of the following:

(1) A motorcycle endorsement under IC 9-24-8-4 (before its expiration) or section 3 of this chapter.

(2) An endorsement under IC 9-24-6.1, including under any rules adopted under IC 9-24-6.1.

As added by P.L.198-2016, SEC.461.

IC 9-24-8.5-3

Motorcycle endorsement; conditions; waivers; fee

Sec. 3. (a) The bureau shall add a motorcycle endorsement to a driver's license if the holder meets the following conditions:

(1) Is at least sixteen (16) years and one hundred eighty (180) days of age.

(2) Makes a proper application in the form and manner prescribed by the bureau.

(3) Has passed a written examination developed by the bureau concerning the safe operation of a motorcycle.

(4) Satisfactorily completes an operational skills test at a location approved by the bureau.

(5) Pays a fee of nineteen dollars ($19). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) One dollar and twenty-five cents ($1.25) to the motor vehicle highway account.

(C) For an endorsement issued before July 1, 2019:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Sixteen dollars ($16) to the commission fund.

(D) For an endorsement issued after June 30, 2019,

seventeen dollars and twenty-five cents ($17.25) to the commission fund.

(b) The bureau may waive the testing requirements under subsection (a)(3) and (a)(4) for an individual who satisfactorily completes a motorcycle operator safety course approved by the bureau as set forth in IC 9-27-7.

(c) The bureau may waive the operational skills test under subsection (a)(4) for an individual who holds a valid motorcycle endorsement or motorcycle license from any other jurisdiction.

(d) An individual who fails the operational skills test under subsection (a)(4) three (3) consecutive times is not eligible to retake the test until two (2) months after the date of the most recent failed test.

(e) The fee for a motorcycle operational skills test administered under this chapter is as follows:

(1) For tests given by state employees, the fee is five dollars ($5) and shall be deposited in the motor vehicle highway account under IC 8-14-1.

(2) For tests given by a contractor approved by the bureau, the fee is:

(A) determined under rules adopted by the bureau under IC 4-22-2 to cover the direct costs of administering the test; and

(B) paid to the contractor.

As added by P.L.198-2016, SEC.461.

IC 9-24-8.5-4

Operating privileges granted with motorcycle endorsement

Sec. 4. (a) In addition to the operating privileges granted to the holder of an operator's license, the holder of an operator's license with a motorcycle endorsement is entitled to operate a motorcycle or a Class A motor driven cycle on a highway.

(b) In addition to the operating privileges granted to the holder of an operator's license, the holder of an operator's license with a motorcycle endorsement with a Class A motor driven cycle restriction is entitled to operate a Class A motor driven cycle upon a highway.

(c) A motorcycle endorsement is not required to operate an autocycle.

As added by P.L.198-2016, SEC.461.

IC 9-24-8.5-5

For-hire endorsement; conditions; fee

Sec. 5. The bureau shall add a for-hire endorsement to an operator's license if the holder meets the following conditions:

(1) Is at least eighteen (18) years of age.

(2) Has held a valid driver's license for more than one (1) year.

(3) Makes a proper application in a form and manner prescribed

by the bureau.

(4) Satisfactorily passes a written test approved by the bureau.

(5) Pays a fee of nineteen dollars ($19). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) One dollar and twenty-five cents ($1.25) to the motor vehicle highway account.

(C) For an endorsement issued before July 1, 2019:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Sixteen dollars ($16) to the commission fund.

(D) For an endorsement issued after June 30, 2019, seventeen dollars and twenty-five cents ($17.25) to the commission fund.

As added by P.L.198-2016, SEC.461.

IC 9-24-8.5-6

Operating privileges granted with for-hire endorsement

Sec. 6. (a) In addition to the operating privileges granted to the holder of an operator's license, an operator's license with a for-hire endorsement entitles the holder to operate the following:

(1) A motor vehicle that is:

(A) registered as having a gross weight of at least sixteen thousand (16,000) pounds but not more than twenty-six thousand (26,000) pounds; and

(B) operated for the purpose of transporting property for hire.

(2) A motor vehicle that is:

(A) designed to transport fewer than sixteen (16) passengers, including the driver; and

(B) operated for the purpose of transporting passengers for hire.

(b) The holder of an operator's license with a for-hire endorsement is not entitled to operate a commercial motor vehicle.

As added by P.L.198-2016, SEC.461.

IC 9-24-8.5-7

Employment of for-hire operator

Sec. 7. A person may not employ an individual to operate a motor vehicle in a manner for which a for-hire endorsement is required unless the individual holds one (1) of the following:

(1) A valid operator's license with a for-hire endorsement.

(2) A valid commercial driver's license.

(3) A valid chauffeur's license issued under IC 9-24-4 (before its expiration).

(4) A valid public passenger chauffeur's license issued under IC 9-24-5 (before its expiration).

As added by P.L.198-2016, SEC.461.

IC 9-24-8.5-8
Violation

Sec. 8. A person that violates this chapter commits a Class C infraction.

As added by P.L.198-2016, SEC.461.

IC 9-24-9

Chapter 9. Application for License or Permit

IC 9-24-9-1

Forms; affidavits

Sec. 1. (a) Each application for a permit or driver's license under this chapter must:

(1) be made upon the approved form for the application furnished by the bureau;

(2) include a signed affidavit in which the applicant swears or affirms that the information set forth in the application by the applicant is correct; and

(3) include a voter registration form as provided in IC 3-7-14 and 52 U.S.C. 20504(c)(1).

However, an online application does not have to include a voter registration form under subdivision (3).

(b) The Indiana election commission may prescribe a voter registration form for use under subsection (a) that is a separate document from the remaining portions of the application described in subsection (a)(1) and (a)(2) if the voter registration form remains a part of the application, as required under 52 U.S.C. 20504(c)(1).

As added by P.L.2-1991, SEC.12. Amended by P.L.12-1995, SEC.116; P.L.2-1996, SEC.228; P.L.85-2013, SEC.36; P.L.128-2015, SEC.226; P.L.198-2016, SEC.462.

IC 9-24-9-2

Information required by application for license or permit

Sec. 2. (a) Except as provided in subsection (b), each application for a driver's license or permit under this chapter must require the following information:

(1) The full legal name of the applicant.

(2) The applicant's date of birth.

(3) The gender of the applicant.

(4) The applicant's height, weight, hair color, and eye color.

(5) The principal address and mailing address of the applicant.

(6) A:

(A) valid Social Security number; or

(B) verification of an applicant's:

(i) ineligibility to be issued a Social Security number; and

(ii) identity and lawful status.

(7) Whether the applicant has been subject to fainting spells or seizures.

(8) Whether the applicant has been issued a driver's license or has been the holder of a permit, and if so, when and by what jurisdiction.

(9) Whether the applicant's driver's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.

(10) Whether the applicant has been convicted of:

(A) a crime punishable as a felony under Indiana motor vehicle law; or

(B) any other felony in the commission of which a motor vehicle was used;

that has not been expunged by a court.

(11) Whether the applicant has a physical or mental disability, and if so, the nature of the disability.

(12) The signature of the applicant showing the applicant's legal name as it appears or will appear on the driver's license or permit.

(13) A digital photograph of the applicant.

(14) Any other information the bureau requires.

(b) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address.

(c) In addition to the information required by subsection (a), an applicant who is required to complete at least fifty (50) hours of supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or IC 9-24-3-2.5(a)(2)(D) must submit to the bureau evidence of the time logged in practice driving.

As added by P.L.2-1991, SEC.12. Amended by P.L.39-2000, SEC.10; P.L.138-2001, SEC.1; P.L.176-2001, SEC.12; P.L.1-2002, SEC.44; P.L.123-2005, SEC.2; P.L.184-2007, SEC.34; P.L.145-2011, SEC.17; P.L.118-2011, SEC.3; P.L.6-2012, SEC.68; P.L.125-2012, SEC.203; P.L.85-2013, SEC.37; P.L.77-2015, SEC.1; P.L.149-2015, SEC.65; P.L.198-2016, SEC.463.

IC 9-24-9-2.3

Indication of veteran status or medical condition

Sec. 2.3. (a) An application for a driver's license or permit to be issued under this article must enable the applicant to indicate the following:

(1) The applicant is a veteran and wishes to have an indication of the applicant's veteran status appear on the driver's license or permit.

(2) The applicant has a medical condition of note and wishes to have an identifying symbol and a brief description of the medical condition appear on the driver's license or permit.

(b) The bureau shall inform an applicant that submission of information under this section is voluntary.

As added by P.L.198-2016, SEC.464.

IC 9-24-9-2.5

Documentary evidence; status of legal presence in the United States

Sec. 2.5. In addition to the information required from the applicant for a driver's license or permit under sections 1 and 2 of this chapter, the bureau shall require an applicant to present to the bureau valid documentary evidence that the applicant:

(1) is a citizen or national of the United States;

(2) is an alien lawfully admitted for permanent residence in the United States;

(3) has conditional permanent resident status in the United States;

(4) has an approved application for asylum in the United States or has entered into the United States in refugee status;

(5) is an alien lawfully admitted for temporary residence in the United States;

(6) has a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;

(7) has a pending application for asylum in the United States;

(8) has a pending or approved application for temporary protected status in the United States;

(9) has approved deferred action status; or

(10) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States.

As added by P.L.184-2007, SEC.35. Amended by P.L.76-2009, SEC.3; P.L.162-2009, SEC.1; P.L.198-2016, SEC.465.

IC 9-24-9-3

Applications of minors; signing and swearing by parents, guardians, custodians, employers, or responsible individuals

Sec. 3. (a) The application of an individual less than eighteen (18) years of age for a permit or driver's license under this chapter must be signed and sworn to or affirmed by one (1) of the following in order of preference:

(1) The parent having custody of the minor applicant or a designee of the custodial parent specified by the custodial parent.

(2) The noncustodial parent (as defined in IC 31-9-2-83) of the minor applicant or a designee of the noncustodial parent specified by the noncustodial parent.

(3) The guardian having custody of the minor applicant.

(4) In the absence of a person described in subdivisions (1) through (3), any other adult who is willing to assume the obligations imposed by the provisions of this chapter.

(b) The bureau shall require an individual signing an application under subsection (a) to present a valid form of identification in a manner prescribed by the bureau.

As added by P.L.2-1991, SEC.12. Amended by P.L.156-2006, SEC.10; P.L.198-2016, SEC.466.

IC 9-24-9-4
Minor applicants; liability of signers; cancellation of licenses and permits

Sec. 4. (a) An individual who signs an application for a permit or driver's license under this chapter agrees to be responsible jointly and severally with the minor applicant for any injury or damage that the minor applicant causes by reason of the operation of a motor vehicle if the minor applicant is liable in damages.

(b) An individual who has signed the application of a minor applicant for a permit or driver's license may subsequently file with the bureau a verified written request that the permit or driver's license be canceled. The bureau shall cancel the permit or driver's license, and the individual who signed the application of the minor applicant shall be relieved from the liability that is imposed under this chapter by reason of having signed the application and that is subsequently incurred by the minor applicant in operating a motor vehicle.

(c) When a minor applicant becomes eighteen (18) years of age, the individual who signed the minor's application is relieved from the liability imposed under this chapter and subsequently incurred by the applicant operating a motor vehicle.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.467.

IC 9-24-9-5
Minor applicants; death of signers; replacement; cancellation of licenses and permits

Sec. 5. (a) If the individual who signs an application of a minor applicant dies, the minor permittee or licensee shall notify the bureau of the death and obtain a new signer.

(b) The bureau, upon:

(1) receipt of satisfactory evidence of the death of the individual who signed an application of a minor applicant for a permit or driver's license; and

(2) the failure of the minor permittee or licensee to obtain a new signer;

shall cancel the minor's permit or driver's license and may not issue a new permit or driver's license until the time that a new application is signed and an affidavit described in section 1 of this chapter is made.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.468.

IC 9-24-9-5.5
Authorization for registration with Selective Service System

Sec. 5.5. (a) Any male who:

(1) applies for issuance or renewal of a driver's license;

(2) is less than twenty-six (26) years of age; and

(3) is or will be required to register under 50 U.S.C. App. 453(a);

may authorize the bureau to register him with the Selective Service System in compliance with the requirements of the federal Military Selective Service Act under 50 U.S.C. App. 451 et seq.

(b) The application form for a driver's license or driver's license renewal must include a box that an applicant can check to:

(1) identify the applicant as a male who is less than twenty-six (26) years of age; and

(2) indicate the applicant's intention to authorize the bureau to submit the necessary information to the Selective Service System to register the applicant with the Selective Service System in compliance with federal law.

(c) The application form for a driver's license or driver's license renewal shall contain the following statement beneath the box described in subsection (b):

"Failure to register with the Selective Service System in compliance with the requirements of the federal Military Selective Service Act, 50 U.S.C. App. 451 et seq., is a felony and is punishable by up to five (5) years imprisonment and a two hundred fifty thousand dollar ($250,000) fine. Failure to register may also render you ineligible for certain federal benefits, including student financial aid, job training, and United States citizenship for male immigrants. By checking the above box, I am consenting to registration with the Selective Service System. If I am less than eighteen (18) years of age, I understand that I am consenting to registration with the Selective Service System when I become eighteen (18) years of age.".

(d) When authorized by the applicant in conformity with this section, the bureau shall forward the necessary registration information provided by the applicant to the Selective Service System in the electronic format or other format approved by the Selective Service System.

(e) Failure of an applicant to authorize the bureau to register the applicant with the Selective Service System is not a basis for denying the applicant driving privileges.

As added by P.L.62-2007, SEC.1. Amended by P.L.198-2016, SEC.469.

IC 9-24-9-6

Violations

Sec. 6. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.12.

IC 9-24-9-7

Repealed

(As added by P.L.149-2015, SEC.66. Repealed by P.L.198-2016, SEC.470.)

IC 9-24-10

Chapter 10. Examination for License or Permit

IC 9-24-10-1

Examination required

Sec. 1. An individual who applies under this chapter for a permit or driver's license and who is required by this chapter to take an examination shall:

(1) appear before a member of the bureau or commission; or

(2) appear before an instructor having an endorsement under IC 9-27-6-8 who did not instruct the individual applying for the license or permit in driver education;

and be examined concerning the applicant's qualifications and ability to operate a motor vehicle upon a highway.

As added by P.L.2-1991, SEC.12. Amended by P.L.145-2011, SEC.18; P.L.85-2013, SEC.38; P.L.198-2016, SEC.471.

IC 9-24-10-2

Repealed

(As added by P.L.2-1991, SEC.12. Repealed by P.L.198-2016, SEC.472.)

IC 9-24-10-3

Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.210-2005, SEC.39; P.L.145-2011, SEC.19; P.L.125-2012, SEC.204. Repealed by P.L.198-2016, SEC.473.)

IC 9-24-10-4

Examination components; no civil or criminal liability for certain reports made concerning fitness of applicant to operate a motor vehicle

Sec. 4. (a) Except as provided in subsection (c), an examination for a learner's permit or driver's license must include the following:

(1) A test of the following of the applicant:

(A) Eyesight.

(B) Ability to read and understand highway signs regulating, warning, and directing traffic.

(C) Knowledge of Indiana traffic laws, including IC 9-26-1-1.5.

(2) An actual demonstration of the applicant's skill in exercising ordinary and reasonable control in the operation of a motor vehicle under the type of permit or driver's license applied for.

(b) The examination may include further physical and mental examination that the bureau finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon a highway. The applicant must provide the motor vehicle used in the examination. An autocycle may not be used as the motor vehicle

provided for the examination.

(c) The bureau:

(1) may waive the actual demonstration required under subsection (a)(2) for an individual who has passed:

(A) a driver's education class and a skills test given by a driver training school; or

(B) a driver education program given by an entity licensed under IC 9-27; and

(2) may waive the testing, other than eyesight testing under subsection (a)(1)(A), of an applicant who has passed:

(A) an examination concerning:

(i) subsection (a)(1)(B); and

(ii) subsection (a)(1)(C); and

(B) a skills test;

given by a driver training school or an entity licensed under IC 9-27.

(d) An instructor having a license under IC 9-27-6-8 who did not instruct the applicant for the driver's license or permit in driver education is not civilly or criminally liable for a report made in good faith to the:

(1) bureau;

(2) commission; or

(3) driver licensing medical advisory board;

concerning the fitness of the applicant to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property.

As added by P.L.2-1991, SEC.12. Amended by P.L.93-1997, SEC.13; P.L.126-2008, SEC.2; P.L.145-2011, SEC.20; P.L.125-2012, SEC.205; P.L.85-2013, SEC.39; P.L.82-2015, SEC.11; P.L.149-2015, SEC.67; P.L.198-2016, SEC.474.

IC 9-24-10-5

Uniform rules and requirements

Sec. 5. The bureau shall make available, for the mandatory use of individuals conducting the examinations, the rules and requirements that must be uniformly and impartially followed in making the examinations.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.206.

IC 9-24-10-6

Examinations and investigations

Sec. 6. (a) The bureau, before issuing an initial or a renewal driver's license, permit, or endorsement, may require an applicant to submit to an examination, an investigation, or both an examination and investigation, under section 7 of this chapter. The bureau may cause the examination or investigation to be made whenever it appears from:

(1) the face of the application;
(2) the apparent physical or mental condition of the applicant;
(3) the records of the bureau; or
(4) any information that has come to the attention of the bureau;

that the applicant does not apparently possess the physical, mental, or other qualifications to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property.

(b) Upon the conclusion of all examinations or investigations under this section, the bureau shall take appropriate action and may:

(1) refuse to issue or reissue the driver's license, permit, endorsement, or driving privileges;
(2) suspend or revoke the driver's license, permit, endorsement, or driving privileges;
(3) issue restricted driving privileges subject to restrictions the bureau considers necessary in the interest of public safety; or
(4) permit the applicant to retain or obtain the driver's license, permit, endorsement, or driving privileges.

(c) An applicant may appeal an action taken by the bureau under this section to the circuit or superior court of the county in which the applicant resides.

As added by P.L.2-1991, SEC.12. Amended by P.L.85-2013, SEC.40; P.L.198-2016, SEC.475.

IC 9-24-10-7

Incompetent or unfit drivers; examinations and investigations; bureau actions; appeal

Sec. 7. (a) If the bureau has good cause to believe that a licensed driver is:

(1) incompetent; or
(2) otherwise unfit to operate a motor vehicle;

the bureau may, upon written notice of at least five (5) days, require the licensed driver to submit to an examination, an investigation of the driver's continued fitness to operate a motor vehicle safely, including requesting medical information from the driver or the driver's health care sources, or both an examination and an investigation.

(b) Upon the conclusion of all examinations and investigations of a driver under this section, the bureau:

(1) shall take appropriate action; and
(2) may:
    (A) suspend or revoke the driver's license or driving privileges of the licensed driver;
    (B) permit the licensed driver to retain the driver's license or driving privileges of the licensed driver; or
    (C) issue restricted driving privileges subject to restrictions the bureau considers necessary in the interest of public safety.

(c) If a licensed driver refuses or neglects to submit to an

examination or investigation under this section, the bureau may suspend or revoke the driver's license or driving privileges of the licensed driver. The bureau may not suspend or revoke the driver's license or driving privileges of the licensed driver until a reasonable investigation of the driver's continued fitness to operate a motor vehicle safely has been made by the bureau.

(d) A licensed driver may appeal an action taken by the bureau under this section to the circuit court or superior court of the county in which the licensed driver resides.

As added by P.L.2-1991, SEC.12. Amended by P.L.210-2005, SEC.40; P.L.85-2013, SEC.41; P.L.198-2016, SEC.476.

IC 9-24-10-7.5

Physician, optometrist, or advanced practice nurse immunity

Sec. 7.5. A physician licensed to practice medicine under IC 25-22.5, an optometrist licensed to practice optometry under IC 25-24, or an advanced practice nurse licensed under IC 25-23 who has personally examined the patient not more than thirty (30) days before making a report concerning the patient's fitness to operate a motor vehicle is not civilly or criminally liable for a report made in good faith to the:

(1) bureau;

(2) commission; or

(3) driver licensing medical advisory board;

concerning the fitness of a patient of the physician, optometrist, or advanced practice nurse to operate a motor vehicle in a manner that does not jeopardize the safety of individuals or property.

As added by P.L.210-2005, SEC.41.

IC 9-24-10-8

Violations

Sec. 8. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.12.

IC 9-24-11

Chapter 11. Issuance of License or Permit

IC 9-24-11-0.5

Repealed

(As added by P.L.101-2009, SEC.7. Repealed by P.L.185-2011, SEC.5.)

IC 9-24-11-1

Conditions

Sec. 1. The bureau shall issue a permit or driver's license to every applicant who meets the following conditions:

(1) Qualifies as required.

(2) Makes the proper application.

(3) Pays the required fee.

(4) Passes the required examinations.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.207; P.L.198-2016, SEC.477.

IC 9-24-11-2

Manner of issuance

Sec. 2. The bureau may issue all permits and driver's licenses required by law for the operation of a motor vehicle in a manner the bureau considers necessary and prudent.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.478.

IC 9-24-11-3

Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.57-1998, SEC.6; P.L.225-1999, SEC.3; P.L.79-2001, SEC.1; P.L.156-2006, SEC.11; P.L.184-2007, SEC.36; P.L.101-2009, SEC.8; P.L.76-2009, SEC.4; P.L.162-2009, SEC.2; P.L.145-2009, SEC.5; P.L.1-2010, SEC.46. Repealed by P.L.150-2015, SEC.3.)

IC 9-24-11-3.3

Repealed

(As added by P.L.101-2009, SEC.9; P.L.145-2009, SEC.6. Amended by P.L.1-2010, SEC.47; P.L.85-2013, SEC.42; P.L.150-2015, SEC.4. Repealed by P.L.198-2016, SEC.479.)

IC 9-24-11-3.5

Operation of vehicle during probationary period

Sec. 3.5. (a) This section applies:

(1) to an individual who is less than twenty-one (21) years of age; and

(2) during the period ending one hundred eighty (180) days after the individual is issued a driver's license under this article.

(b) An individual may not operate a motor vehicle:
(1) from 10 p.m. until 5 a.m. of the following morning, unless the individual is:
(A) participating in, going to, or returning from:
(i) lawful employment;
(ii) a school sanctioned activity; or
(iii) a religious event; or
(B) accompanied in the front seat of the motor vehicle by a licensed driver with valid driving privileges who is:
(i) at least twenty-five (25) years of age; or
(ii) if the licensed driver is the individual's spouse, at least twenty-one (21) years of age; or
(2) in which there are passengers, unless:
(A) each passenger in the motor vehicle is:
(i) a child or stepchild of the individual;
(ii) a sibling of the individual, including step or half siblings;
(iii) the spouse of the individual; or
(iv) any combination of individuals described in items (i) through (iii); or
(B) the individual is accompanied in the front seat of the motor vehicle by a licensed driver with valid driving privileges who is:
(i) at least twenty-five (25) years of age; or
(ii) if the licensed driver is the individual's spouse, at least twenty-one (21) years of age.

As added by P.L.198-2016, SEC.480.

IC 9-24-11-3.6

Certain operations by individual less than 18 years of age prohibited

Sec. 3.6. (a) This section applies to an individual who is less than eighteen (18) years of age.
(b) An individual may not operate at any time:
(1) a medical services vehicle; or
(2) a vehicle transporting passengers for hire.
(c) Except as provided in subsection (d), an individual may not operate a motor vehicle during the following periods:
(1) Between 1 a.m. and 5 a.m. on a Saturday or Sunday.
(2) After 11 p.m. on Sunday, Monday, Tuesday, Wednesday, or Thursday.
(3) Before 5 a.m. on Monday, Tuesday, Wednesday, Thursday, or Friday.
(d) An individual may operate a motor vehicle during a period described in subsection (c) if the individual is:
(1) participating in, going to, or returning from:
(A) lawful employment;
(B) a school sanctioned activity; or

(C) a religious event; or

(2) accompanied in the front seat of the motor vehicle by a licensed driver with valid driving privileges who is:

(A) at least twenty-five (25) years of age; or

(B) if the licensed driver is the individual's spouse, at least twenty-one (21) years of age.

As added by P.L.198-2016, SEC.481.

IC 9-24-11-3.7

Operation of motor vehicle by individual less than 21 years of age while using a telecommunications device prohibited

Sec. 3.7. An individual who is less than twenty-one (21) years of age may not operate a motor vehicle while using a telecommunications device, unless the individual is using the telecommunications device to make a 911 emergency call.

As added by P.L.198-2016, SEC.482.

IC 9-24-11-4

Only one license or identification card at the same time; violation

Sec. 4. (a) An individual may not hold or possess more than one (1) credential at a time.

(b) An individual may not hold or possess:

(1) a credential; and

(2) a driver's license or identification card issued by a government authority that issues driver's licenses and identification cards from another state, territory, federal district, commonwealth, or possession of the United States.

(c) An individual shall destroy or surrender to the bureau any and all credentials, driver's licenses, or identification cards that would cause the individual to violate subsection (a) or (b).

(d) An individual who violates this section commits a Class C infraction.

As added by P.L.2-1991, SEC.12. Amended by P.L.184-2007, SEC.37; P.L.85-2013, SEC.43; P.L.217-2014, SEC.83; P.L.149-2015, SEC.68; P.L.188-2015, SEC.94; P.L.197-2015, SEC.5; P.L.198-2016, SEC.483.

IC 9-24-11-5

Permit and license contents; acceptance for federal purposes; temporary status; address confidentiality program participants

Sec. 5. (a) Except as provided in subsection (h), a learner's permit or driver's license issued under this article must contain the following information:

(1) The full legal name of the permittee or licensee.

(2) The date of birth of the permittee or licensee.

(3) The address of the principal residence of the permittee or licensee.

(4) The hair color and eye color of the permittee or licensee.

(5) The date of issue and expiration date of the permit or license.
(6) The gender of the permittee or licensee.
(7) The unique identifying number of the permit or license.
(8) The weight of the permittee or licensee.
(9) The height of the permittee or licensee.
(10) A reproduction of the signature of the permittee or licensee.
(11) If the permittee or licensee is less than eighteen (18) years of age at the time of issuance, the dates, printed prominently, on which the permittee or licensee will become:
(A) eighteen (18) years of age; and
(B) twenty-one (21) years of age.
(12) If the permittee or licensee is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date, printed prominently, on which the permittee or licensee will become twenty-one (21) years of age.
(13) Except as provided in subsection (b), a digital photograph of the permittee or licensee.

(b) The bureau may provide for the omission of a photograph or computerized image from any driver's license or learner's permit if there is good cause for the omission. However, a driver's license or learner's permit issued without a digital photograph must include a statement that indicates that the driver's license or learner's permit may not be accepted by a federal agency for federal identification or any other federal purpose.

(c) A driver's license or learner's permit issued to an individual who:
(1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;
(2) has a pending application for asylum in the United States;
(3) has a pending or approved application for temporary protected status in the United States;
(4) has approved deferred action status; or
(5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;
must be clearly identified as a temporary driver's license or learner's permit. A temporary driver's license or learner's permit issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the licensee's or permittee's temporary status has been extended.

(d) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the

individual's principal residence.
As added by P.L.2-1991, SEC.12. Amended by P.L.39-2000, SEC.11; P.L.42-2001, SEC.1; P.L.176-2001, SEC.13; P.L.1-2002, SEC.45; P.L.34-2003, SEC.2; P.L.86-2005, SEC.1; P.L.123-2005, SEC.3; P.L.37-2006, SEC.1; P.L.184-2007, SEC.38; P.L.76-2009, SEC.5; P.L.162-2009, SEC.3; P.L.1-2010, SEC.48; P.L.109-2011, SEC.9; P.L.85-2013, SEC.44; P.L.216-2014, SEC.52; P.L.149-2015, SEC.69; P.L.198-2016, SEC.484.

IC 9-24-11-5.5
Indication of veteran status or medical condition

Sec. 5.5. (a) If an individual has:

(1) indicated on the application for a driver's license or learner's permit that the individual is a veteran and wishes to have an indication of the individual's veteran status appear on the driver's license or learner's permit; and

(2) provided proof at the time of application of the individual's veteran status;

an indication of the individual's veteran status shall be shown on the driver's license or learner's permit.

(b) If an individual submits information concerning the individual's medical condition in conjunction with the individual's application for a driver's license or learner's permit, the bureau shall place an identifying symbol on the face of the driver's license or learner's permit to indicate that the individual has a medical condition of note. The bureau shall include information on the individual's driver's license or learner's permit that briefly describes the individual's medical condition. The information must be printed in a manner that alerts an individual reading the driver's license or learner's permit to the existence of the medical condition. The individual submitting the information concerning the medical condition is responsible for its accuracy.
As added by P.L.118-2011, SEC.4. Amended by P.L.6-2012, SEC.69; P.L.85-2013, SEC.45; P.L.2-2014, SEC.41; P.L.77-2015, SEC.2; P.L.198-2016, SEC.485.

IC 9-24-11-6
Repealed

(As added by P.L.2-1991, SEC.12. Repealed by P.L.34-2003, SEC.4.)

IC 9-24-11-7
Restrictions

Sec. 7. The bureau, when issuing a permit or driver's license, may, whenever good cause appears, impose restrictions suitable to the licensee's or permittee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle that the licensee operates. The bureau may impose other restrictions

applicable to the licensee or permittee that the bureau determines are appropriate to assure the safe operation of a motor vehicle by the licensee or permittee, including a requirement to take prescribed medication. When the restrictions are imposed, the bureau may issue either a special restricted license or shall set forth the restrictions upon the usual license form.

As added by P.L.2-1991, SEC.12. Amended by P.L.208-2003, SEC.10; P.L.198-2016, SEC.486.

IC 9-24-11-8

Violations; license suspension

Sec. 8. (a) Except as provided in subsections (b) and (c), an individual who violates this chapter commits a Class C infraction.

(b) An individual who:

(1) has been issued a permit or driver's license on which there is a printed or stamped restriction as provided under section 7 of this chapter; and

(2) operates a motor vehicle in violation of the restriction;

commits a Class C infraction.

(c) An individual who causes serious bodily injury to or the death of another individual when operating a motor vehicle after knowingly or intentionally failing to take prescribed medication, the taking of which was a condition of the issuance of the restricted driver's license under section 7 of this chapter, commits a Class A misdemeanor. However, the offense is a Level 6 felony if, within the five (5) years preceding the commission of the offense, the individual had a prior unrelated conviction under this subsection.

(d) An individual who violates subsection (c) commits a separate offense for each individual whose serious bodily injury or death is caused by the violation of subsection (c).

As added by P.L.2-1991, SEC.12. Amended by P.L.208-2003, SEC.11; P.L.158-2013, SEC.153; P.L.217-2014, SEC.84; P.L.188-2015, SEC.95; P.L.198-2016, SEC.487.

IC 9-24-11-9

Individuals with medical condition causing appearance of intoxication

Sec. 9. (a) This section applies to an individual who has an existing medical condition that causes the individual to appear intoxicated.

(b) An operator's, a chauffeur's, or a public passenger chauffeur's permit or license issued to an individual under this section must bear a restriction on the permit or license.

(c) An individual who wishes to have an operator's, a chauffeur's, or a public passenger chauffeur's permit or license issued under this section must provide a verified certificate from a physician licensed to practice in Indiana attesting to the individual's medical condition. The physician's certificate must be:

(1) provided to the bureau at the time the individual applies for the permit or license under this section;
(2) carried in any vehicle that the individual operates; and
(3) renewed each time the individual's license is renewed.

As added by P.L.134-1995, SEC.1. Amended by P.L.125-2012, SEC.208; P.L.85-2013, SEC.46.

IC 9-24-11-10
Court recommendation for suspension following conviction; failure to take prescribed medication

Sec. 10. (a) In addition to any other penalty imposed for a conviction under section 8(b) of this chapter, the court may recommend that the individual's driving privileges be suspended for a fixed period of not more than two (2) years and the court may also order specialized driving privileges under IC 9-30-16.

(b) The court shall specify:
(1) the length of the fixed period of suspension; and
(2) the date the fixed period of suspension begins;

whenever the court issues an order under subsection (a).

As added by P.L.208-2003, SEC.12. Amended by P.L.125-2012, SEC.209; P.L.85-2013, SEC.47; P.L.217-2014, SEC.85; P.L.198-2016, SEC.488.

IC 9-24-11-11
Repealed

(As added by P.L.208-2003, SEC.13. Amended by P.L.125-2012, SEC.210; P.L.85-2013, SEC.48. Repealed by P.L.217-2014, SEC.86.)

IC 9-24-12

Chapter 12. Expiration and Renewal

IC 9-24-12-0.5

Permits; expiration

Sec. 0.5. (a) A learner's permit expires two (2) years after the date of issuance.

(b) A motorcycle permit expires one (1) year after the date of issuance. A motorcycle permit may be renewed one (1) time for a period of one (1) year. An individual who does not obtain a motorcycle endorsement under IC 9-24-8.5 before the expiration of the renewed motorcycle permit may not reapply for a new motorcycle permit for a period of one (1) year after the date of expiration of the renewed motorcycle permit.

(c) A commercial learner's permit expires one hundred eighty (180) days after the date of issuance. The bureau may issue not more than three (3) commercial learner's permits to an individual within a twenty-four (24) month period.

(d) The fee to renew a permit that expires under this section is the applicable fee to issue the permit under this article.

As added by P.L.101-2009, SEC.10. Amended by P.L.198-2016, SEC.489.

IC 9-24-12-1

Operator's license; expiration

Sec. 1. (a) Notwithstanding subsection (c) and except as provided in subsection (b) and sections 10 and 11 of this chapter, the expiration date of an operator's license that is the renewal license for an operator's license that contains a 2012 expiration date is as follows:

(1) If the operator's license was previously issued or renewed after May 14, 2007, and before January 1, 2008, the renewal operator's license expires at midnight on the birthday of the holder that occurs in 2017.

(2) If the operator's license was previously issued or renewed after December 31, 2007, and before January 1, 2009, the renewal operator's license expires at midnight on the birthday of the holder that occurs in 2018.

(3) If the operator's license was previously issued or renewed after December 31, 2005, and before January 1, 2007, the renewal operator's license expires at midnight on the birthday of the holder that occurs in 2016.

This subsection expires January 1, 2019.

(b) Except as provided in sections 10 and 11 of this chapter, an operator's license issued to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(c) Except as provided in subsections (a), (b), and (d) and sections

10 and 11 of this chapter, an operator's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(d) An operator's license issued to an individual who is less than twenty-one (21) years of age expires at midnight of the date thirty (30) days after the twenty-first birthday of the holder. However, if the individual complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9), the operator's license expires:

(1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or

(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:

(A) At midnight of the date the authorization to remain in the United States expires.

(B) At midnight of the date thirty (30) days after the twenty-first birthday of the holder.

As added by P.L.2-1991, SEC.12. Amended by P.L.62-1996, SEC.11; P.L.210-2005, SEC.42; P.L.41-2006, SEC.3; P.L.156-2006, SEC.12; P.L.184-2007, SEC.39; P.L.101-2009, SEC.11; P.L.87-2010, SEC.30; P.L.103-2012, SEC.1; P.L.150-2015, SEC.5; P.L.198-2016, SEC.490.

IC 9-24-12-2

Chauffeur's license; expiration

Sec. 2. (a) Except as provided in subsection (b) and sections 10 and 11 of this chapter, a chauffeur's license issued under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(b) Except as provided in sections 10 and 11 of this chapter, a chauffeur's license issued to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(c) This section expires July 1, 2023.

As added by P.L.2-1991, SEC.12. Amended by P.L.62-1996, SEC.12; P.L.210-2005, SEC.43; P.L.41-2006, SEC.4; P.L.156-2006, SEC.13; P.L.184-2007, SEC.40; P.L.125-2012, SEC.211; P.L.198-2016, SEC.491.

IC 9-24-12-3

Public passenger chauffeur's license; expiration

Sec. 3. (a) Except as provided in section 11 of this chapter, a public passenger chauffeur's license issued under this article expires at midnight of the birthday of the holder that occurs four (4) years following the date of issuance.

(b) Except as provided in sections 10 and 11 of this chapter, a public passenger chauffeur's license issued under this article to an

applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs two (2) years following the date of issuance.

(c) This section expires July 1, 2021.

As added by P.L.2-1991, SEC.12. Amended by P.L.62-1996, SEC.13; P.L.41-2006, SEC.5; P.L.184-2007, SEC.41; P.L.206-2007, SEC.2; P.L.3-2008, SEC.81; P.L.85-2013, SEC.49; P.L.198-2016, SEC.492.

IC 9-24-12-4

Renewal applications; filing requirements for certain individuals

Sec. 4. (a) Except as provided in subsections (b) and (c), the application for renewal of:

(1) an operator's license;

(2) a chauffeur's license (before the expiration of IC 9-24-4 on July 1, 2024);

(3) a public passenger chauffeur's license (before the expiration of IC 9-24-5 on July 1, 2022);

(4) an identification card; or

(5) a photo exempt identification card;

under this article may be filed not more than twelve (12) months before the expiration date of the license, identification card, or photo exempt identification card held by the applicant.

(b) When the applicant complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(10), an application for renewal of a driver's license in subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1) month before the expiration date of the license held by the applicant.

(c) When the applicant complies with IC 9-24-16-3.5(1)(E) through IC 9-24-16-3.5(1)(J), an application for renewal of an identification card under subsection (a)(4) may be filed not more than one (1) month before the expiration date of the identification card held by the applicant.

As added by P.L.2-1991, SEC.12. Amended by P.L.176-2001, SEC.14; P.L.1-2002, SEC.46; P.L.184-2007, SEC.42; P.L.76-2009, SEC.6; P.L.162-2009, SEC.4; P.L.109-2011, SEC.10; P.L.2-2014, SEC.42; P.L.197-2015, SEC.6; P.L.198-2016, SEC.493.

IC 9-24-12-5

Renewal requirements; fees

Sec. 5. (a) Except as provided in subsection (b), and subject to subsection (d), an individual applying for renewal of an operator's, a chauffeur's, or a public passenger chauffeur's license, including any endorsements in effect with respect to the license, must apply in person at a license branch and do the following:

(1) Pass an eyesight examination.

(2) Pass a written examination if:

(A) the applicant has at least six (6) active points on the applicant's driving record maintained by the bureau;

(B) the applicant has not reached the applicant's twenty-first

birthday and has active points on the applicant's driving record maintained by the bureau; or

(C) the applicant is in possession of a driver's license that is expired beyond one hundred eighty (180) days.

(b) The bureau may adopt rules under IC 4-22-2 concerning the ability of a holder of an operator's, a chauffeur's, or a public passenger chauffeur's license to renew the license, including any endorsements in effect with respect to the license, by mail or by electronic service. If rules are adopted under this subsection, the rules must provide that an individual's renewal by mail or by electronic service is subject to the following conditions:

(1) A valid computerized image of the individual must exist within the records of the bureau.

(2) The previous renewal of the individual's operator's, chauffeur's, or public passenger chauffeur's license must not have been by mail or by electronic service.

(3) The application for or previous renewal of the individual's license must have included a test of the individual's eyesight approved by the bureau.

(4) If the individual were applying for the license renewal in person at a license branch, the individual would not be required under subsection (a)(2) to submit to a written examination.

(5) The individual must be a citizen of the United States, as shown in the records of the bureau.

(6) There must not have been any change in the:

(A) address; or

(B) name;

of the individual since the issuance or previous renewal of the individual's operator's, chauffeur's, or public passenger chauffeur's license.

(7) The operator's, chauffeur's, or public passenger chauffeur's license of the individual must not be:

(A) suspended; or

(B) expired more than one hundred eighty (180) days;

at the time of the application for renewal.

(8) The individual must be less than seventy-five (75) years of age at the time of the application for renewal.

(c) An individual applying for the renewal of an operator's, a chauffeur's, or a public passenger chauffeur's license, including any endorsements in effect with respect to the license, must apply in person at a license branch under subsection (a) if the individual is not entitled to apply by mail or by electronic service under rules adopted under subsection (b).

(d) The bureau may not issue or renew a chauffeur's or a public passenger chauffeur's license after December 31, 2016. If a holder of a chauffeur's or a public passenger chauffeur's license applies after December 31, 2016, for renewal of the chauffeur's or public passenger chauffeur's license, the bureau shall issue to the holder an

operator's license with a for-hire endorsement if the holder:

(1) applies in a form and manner prescribed by the bureau; and

(2) satisfies the requirements for renewal of an operator's license, including the fee and examination requirements under this section.

(e) An individual applying for the renewal of an operator's license shall pay the following applicable fee:

(1) If the individual is less than seventy-five (75) years of age, seventeen dollars and fifty cents ($17.50). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) Two dollars ($2) to the crossroads 2000 fund.

(C) Four dollars and fifty cents ($4.50) to the motor vehicle highway account.

(D) For an operator's license renewed before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Nine dollars and twenty-five cents ($9.25) to the commission fund.

(E) For an operator's license renewed after June 30, 2019, ten dollars and fifty cents ($10.50) to the commission fund.

(2) If the individual is at least seventy-five (75) years of age and less than eighty-five (85) years of age, eleven dollars ($11). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) One dollar and fifty cents ($1.50) to the crossroads 2000 fund.

(C) Three dollars ($3) to the motor vehicle highway account.

(D) For an operator's license renewed before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(ii) Four dollars and seventy-five cents ($4.75) to the commission fund.

(E) For an operator's license renewed after June 30, 2019, six dollars ($6) to the commission fund.

(3) If the individual is at least eighty-five (85) years of age, seven dollars ($7). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) One dollar ($1) to the crossroads 2000 fund.

(C) Two dollars ($2) to the motor vehicle highway account.

(D) For an operator's license renewed before July 1, 2019, as follows:

(i) One dollar and twenty-five cents ($1.25) to the

integrated public safety communications fund.

(ii) Two dollars and twenty-five cents ($2.25) to the commission fund.

(E) For an operator's license renewed after June 30, 2019, three dollars and fifty cents ($3.50) to the commission fund.

A fee paid under this subsection after December 31, 2016, includes the renewal of any endorsements that are in effect with respect to the operator's license at the time of renewal.

(f) An individual applying for the renewal of a chauffeur's license shall pay the following applicable fee:

(1) For an individual who is less than seventy-five (75) years of age, twenty-two dollars and fifty cents ($22.50). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) Four dollars ($4) to the crossroads 2000 fund.

(C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(D) Seven dollars and seventy-five cents ($7.75) to the commission fund.

(E) Nine dollars ($9) to the motor vehicle highway account.

(2) For an individual who is at least seventy-five (75) years of age, eighteen dollars and fifty cents ($18.50). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) Four dollars ($4) to the crossroads 2000 fund.

(C) Six dollars ($6) to the motor vehicle highway account.

(D) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(E) Six dollars and seventy-five cents ($6.75) to the commission fund.

This subsection expires December 31, 2016.

(g) An individual applying for the renewal of a public passenger chauffeur's license shall pay a fee of eighteen dollars and fifty cents ($18.50). The fee shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) Four dollars ($4) to the crossroads 2000 fund.

(3) Six dollars ($6) to the motor vehicle highway account.

(4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(5) Six dollars and seventy-five cents ($6.75) to the commission fund.

This subsection expires December 31, 2016.

As added by P.L.2-1991, SEC.12. Amended by P.L.176-2001, SEC.15; P.L.210-2005, SEC.44; P.L.156-2006, SEC.14; P.L.76-2009, SEC.2; P.L.162-2009, SEC.5; P.L.87-2010, SEC.31;

P.L.109-2011, SEC.11; P.L.125-2012, SEC.212; P.L.85-2013, SEC.50; P.L.198-2016, SEC.494.

IC 9-24-12-6
Individuals temporarily residing outside Indiana; renewal

Sec. 6. (a) When the Indiana driver's license of an individual who is temporarily residing outside Indiana because of service in the armed forces of the United States has expired, the driver's license remains valid for ninety (90) days following the individual's discharge from service in the armed forces or postdeployment in the armed forces. To obtain a renewed driver's license, the individual must do the following:

(1) Apply for a renewal of the driver's license during the ninety (90) day period following the individual's discharge or postdeployment in the armed forces.

(2) Show proof of the individual's discharge from service in the armed forces or status as postdeployment in the armed forces to the bureau when applying for the renewal.

An individual who held a commercial driver's license that expired during the individual's service in the armed forces may renew the commercial driver's license as if the commercial driver's license had not expired but had remained valid during the period of service in the armed forces of the United States.

(b) When the Indiana driver's license of an individual who is temporarily residing outside Indiana because of the service of a spouse, parent, or guardian in the armed forces of the United States has expired, the driver's license remains valid for ninety (90) days following the discharge from service in the armed forces or end of deployment in the armed forces of the individual's spouse, parent, or guardian. To obtain a renewed driver's license, the individual must do the following:

(1) Apply for a renewal of the driver's license during the ninety (90) day period following the discharge from or end of deployment in the armed forces of the individual's spouse, parent, or guardian.

(2) Show proof to the bureau of the discharge from or end of deployment in the armed forces of the individual's spouse, parent, or guardian when applying for the renewal.

As added by P.L.2-1991, SEC.12. Amended by P.L.184-2007, SEC.43; P.L.76-2009, SEC.7; P.L.85-2013, SEC.51.

IC 9-24-12-7
Expiration of endorsements

Sec. 7. (a) An endorsement added to a driver's license remains in effect for the same term as the driver's license being endorsed and is subject to renewal at and after the expiration of the driver's license in accordance with this chapter.

(b) After December 31, 2016, there is no fee to renew an

endorsement that is in effect with respect to a driver's license.
As added by P.L.2-1991, SEC.12. Amended by P.L.62-1996, SEC.14; P.L.210-2005, SEC.45; P.L.41-2006, SEC.6; P.L.156-2006, SEC.15; P.L.184-2007, SEC.44; P.L.109-2011, SEC.12; P.L.221-2014, SEC.65; P.L.198-2016, SEC.495.

IC 9-24-12-8
Repealed
(As added by P.L.2-1991, SEC.12. Repealed by P.L.156-2006, SEC.25.)

IC 9-24-12-9
Repealed
(As added by P.L.2-1991, SEC.12. Repealed by P.L.176-2001, SEC.34.)

IC 9-24-12-10
Driver at least 85 years of age; renewal
Sec. 10. Except as provided in section 11 of this chapter, a driver's license issued to or renewed by a driver who is at least eighty-five (85) years of age expires at midnight of the birthday of the holder that occurs two (2) years following the date of issuance.
As added by P.L.210-2005, SEC.46. Amended by P.L.41-2006, SEC.7; P.L.109-2011, SEC.13; P.L.85-2013, SEC.52; P.L.198-2016, SEC.496.

IC 9-24-12-11
Expiration of licenses under certain conditions
Sec. 11. (a) This section applies to a driver's license other than a commercial driver's license.
(b) If the birthday of a holder on which the holder's driver's license would otherwise expire falls on:
(1) Sunday;
(2) a legal holiday (as set forth in IC 1-1-9-1); or
(3) a weekday when all license branches in the county of residence of the holder are closed;
the driver's license of the holder does not expire until midnight of the first day after the birthday on which a license branch is open for business in the county of residence of the holder.
(c) A driver's license issued to an applicant who complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(10) expires:
(1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or
(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:
(A) At midnight of the date the authorization of the holder

to be a legal permanent resident or conditional resident alien of the United States expires.

(B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance.

As added by P.L.41-2006, SEC.8. Amended by P.L.109-2011, SEC.14; P.L.149-2015, SEC.70; P.L.198-2016, SEC.497.

IC 9-24-12-12

Repealed

(As added by P.L.184-2007, SEC.45. Amended by P.L.76-2009, SEC.8; P.L.162-2009, SEC.6; P.L.109-2011, SEC.15. Repealed by P.L.198-2016, SEC.498.)

IC 9-24-12-13

Failure to renew driver's license; administrative penalty

Sec. 13. An individual who fails to renew the individual's driver's license on or before the driver's license expiration date shall pay to the bureau an administrative penalty as follows:

(1) Before January 1, 2017, an administrative penalty of five dollars ($5).

(2) After December 31, 2016, an administrative penalty of six dollars ($6).

An administrative penalty shall be deposited in the commission fund.

As added by P.L.198-2016, SEC.499.

IC 9-24-13

Chapter 13. Rights and Duties of Licensees and Permittees

IC 9-24-13-1

Statewide privileges; local licenses not required

Sec. 1. An individual holding a driver's license issued under this article may exercise the privilege granted by the driver's license upon all highways and is not required to obtain any other driver's license to exercise the privilege by a county, municipal, or local board or by any body having authority to adopt local police regulations.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.500.

IC 9-24-13-2

Repealed

(As added by P.L.2-1991, SEC.12. Repealed by P.L.34-2003, SEC.4.)

IC 9-24-13-3

Possession and display of licenses and permits

Sec. 3. An individual holding a permit or driver's license issued under this article must have the permit or driver's license in the individual's immediate possession when driving or operating a motor vehicle. The individual shall display the driver's license or permit upon demand of a court or a police officer authorized by law to enforce motor vehicle rules.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.501.

IC 9-24-13-4

Application for amended license or permit due to change in residence or name

Sec. 4. If:

(1) an individual holding a driver's license or permit issued under this article changes the address shown on the driver's license or permit application; or

(2) the name of a licensee or permittee is changed by marriage or otherwise;

the licensee or permittee shall make application for an amended driver's license or permit under IC 9-24-9 containing the correct information within thirty (30) days of the change.

As added by P.L.2-1991, SEC.12. Amended by P.L.39-2000, SEC.12; P.L.184-2007, SEC.46; P.L.109-2011, SEC.16; P.L.198-2016, SEC.502.

IC 9-24-13-5

Violations

Sec. 5. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.12.

IC 9-24-13-6

Validity of licenses and permits; burden of proof; production of evidence

Sec. 6. (a) Subject to subsection (b), in a proceeding to enforce section 3 of this chapter, the burden is on the defendant to prove by a preponderance of the evidence that the defendant had been issued a driver's license or permit that was valid at the time of the alleged violation.

(b) An individual may not be convicted of violating section 3 of this chapter if the individual, within five (5) days from the time of apprehension, produces to the apprehending officer or headquarters of the apprehending officer satisfactory evidence of a permit or driver's license issued to the individual that was valid at the time of the individual's apprehension.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.503.

IC 9-24-14

Chapter 14. Replacement License

IC 9-24-14-1

Replacement permit or license; fee

Sec. 1. If a permit or driver's license issued under this article is lost or destroyed, and as provided in section 3.5 of this chapter, the individual to whom the permit or driver's license was issued may obtain a replacement if the individual pays a fee as follows:

(1) For a replacement permit or driver's license, other than a commercial driver's license, issued before January 1, 2017, ten dollars and fifty cents ($10.50). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) One dollar and fifty cents ($1.50) to the crossroads 2000 fund.

(C) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(D) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(E) Five dollars and seventy-five cents ($5.75) to the commission fund.

(2) For a replacement commercial driver's license issued before January 1, 2017, five dollars and fifty cents ($5.50). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) One dollar ($1) to the crossroads 2000 fund.

(C) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(D) Two dollars and fifty cents ($2.50) to the commission fund.

(3) For a replacement permit or driver's license issued after December 31, 2016, nine dollars ($9). The fee shall be distributed as follows:

(A) Twenty-five cents ($0.25) to the motor vehicle highway account.

(B) Fifty cents ($0.50) to the state motor vehicle technology fund.

(C) One dollar and twenty-five cents ($1.25) as follows:

(i) For a replacement issued before July 1, 2019, to the integrated public safety communications fund.

(ii) For a replacement issued after June 30, 2019, to the commission fund.

(D) Two dollars ($2) to the crossroads 2000 fund.

(E) Five dollars ($5) to the commission fund.

As added by P.L.2-1991, SEC.12. Amended by P.L.87-2010, SEC.32;

P.L.125-2012, SEC.213; P.L.198-2016, SEC.504.

IC 9-24-14-2
Repealed

(As added by P.L.2-1991, SEC.12. Repealed by P.L.125-2012, SEC.214.)

IC 9-24-14-3
Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.39-2000, SEC.13. Repealed by P.L.109-2011, SEC.40.)

IC 9-24-14-3.5
Replacement license or permit by electronic service

Sec. 3.5. (a) The bureau may adopt rules under IC 4-22-2 concerning the ability of an individual to apply for a replacement of a driver's license or learner's permit by electronic service. If rules are adopted under this subsection, the rules must provide that issuance of a replacement driver's license or learner's permit by electronic service is subject to the following conditions:

(1) A valid computerized image or digital photograph of the individual must exist within the records of the bureau.

(2) The individual must be a citizen of the United States, as shown in the records of the bureau.

(b) An individual applying for a replacement of a driver's license or a learner's permit must apply in person at a license branch if the individual is not entitled to apply by mail or by electronic service under rules adopted under subsection (a).

As added by P.L.87-2010, SEC.33. Amended by P.L.109-2011, SEC.17; P.L.198-2016, SEC.505.

IC 9-24-14-4
Violations

Sec. 4. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.12.

IC 9-24-14-5
Operator's license with for-hire endorsement issued to replace chauffeur's license after December 31, 2016

Sec. 5. (a) If a holder of a chauffeur's license applies after December 31, 2016, for a replacement of the chauffeur's license, the bureau shall issue to the holder an operator's license with a for-hire endorsement if the holder:

(1) applies in a form and manner prescribed by the bureau; and

(2) satisfies the requirements for replacement of an operator's license, including the fee requirements under this chapter.

(b) An operator's license with a for-hire endorsement issued under

this section remains valid until the date on which the chauffeur's license that was replaced expires.

(c) This section expires July 1, 2023.

As added by P.L.198-2016, SEC.506.

IC 9-24-14-6

Operator's license with for-hire endorsement issued to replace public passenger chauffeur's license after December 31, 2016

Sec. 6. (a) If a holder of a public passenger chauffeur's license applies after December 31, 2016, for a replacement of the public passenger chauffeur's license, the bureau shall issue to the holder an operator's license with a for-hire endorsement if the holder:

(1) applies in a form and manner prescribed by the bureau; and

(2) satisfies the requirements for replacement of an operator's license, including the fee requirements under this chapter.

(b) An operator's license with a for-hire endorsement issued under this section remains valid until the date on which the public passenger chauffeur's license that was replaced expires.

(c) This section expires July 1, 2021.

As added by P.L.198-2016, SEC.507.

IC 9-24-15
Repealed
(Repealed by P.L.217-2014, SEC.87.)

IC 9-24-16

Chapter 16. Identification Cards for Nondrivers

IC 9-24-16-0.5

Chapter not applicable to photo exempt identification cards

Sec. 0.5. This chapter does not apply to photo exempt identification cards.

As added by P.L.197-2015, SEC.7.

IC 9-24-16-1

Issuance; conditions; documentary evidence of status of legal presence in the United States

Sec. 1. The bureau shall issue an identification card to an individual who meets the following conditions:

(1) Makes an application.

(2) Is an Indiana resident.

(3) Has presented valid documentary evidence to the bureau of the individual's legal status in the United States, as required by section 3.5 of this chapter.

As added by P.L.2-1991, SEC.12. Amended by P.L.127-1993, SEC.4; P.L.184-2007, SEC.47; P.L.198-2016, SEC.508.

IC 9-24-16-1.5

Repealed

(As added by P.L.221-2014, SEC.66. Repealed by P.L.198-2016, SEC.509.)

IC 9-24-16-2

Application; conditions; required information; invalidation; veteran status; address confidentiality program participants

Sec. 2. (a) An application for an identification card issued under this chapter must require the following information concerning an applicant:

(1) The full legal name of the applicant.

(2) The applicant's date of birth.

(3) The gender of the applicant.

(4) The applicant's height, weight, hair color, and eye color.

(5) The principal address and mailing address of the applicant.

(6) A:

(A) valid Social Security number; or

(B) verification of an applicant's:

(i) ineligibility to be issued a Social Security number; and

(ii) identity and lawful status.

(7) A digital photograph of the applicant.

(8) The signature of the applicant showing the applicant's legal name as it will appear on the identification card.

(9) If the applicant is also applying for a Class B motor driven cycle endorsement, verification that the applicant has

satisfactorily completed the test required under section 3.6 of this chapter.

(b) The bureau may invalidate an identification card that the bureau believes to have been issued as a result of fraudulent documentation.

(c) The bureau:

(1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity and lawful status; and

(2) may adopt rules to establish a procedure to temporarily invalidate an identification card that it believes to have been issued based on fraudulent documentation.

(d) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address.

(e) In addition to the information required under subsection (a), an application for an identification card to be issued under this chapter must enable the applicant to indicate that the applicant is a veteran and wishes to have an indication of the applicant's veteran status appear on the identification card. An applicant who wishes to have an indication of the applicant's veteran status appear on the identification card must:

(1) indicate on the application that the applicant:

(A) is a veteran; and

(B) wishes to have an indication of the applicant's veteran status appear on the identification card; and

(2) provide proof at the time of application of the applicant's veteran status.

As added by P.L.2-1991, SEC.12. Amended by P.L.39-2000, SEC.14; P.L.184-2007, SEC.48; P.L.118-2011, SEC.5; P.L.125-2012, SEC.226; P.L.85-2013, SEC.59; P.L.221-2014, SEC.67; P.L.77-2015, SEC.3; P.L.198-2016, SEC.510.

IC 9-24-16-3

Appearance and contents; medical condition designation; veteran status; temporary identification cards; address confidentiality program participants

Sec. 3. (a) An identification card must have the same dimensions and shape as a driver's license, but the card must have markings sufficient to distinguish the card from a driver's license.

(b) Except as provided in subsection (g), the front side of an identification card must contain the expiration date of the identification card and the following information about the individual to whom the card is being issued:

(1) Full legal name.

(2) The address of the principal residence.

(3) Date of birth.
(4) Date of issue and date of expiration.
(5) Unique identification number.
(6) Gender.
(7) Weight.
(8) Height.
(9) Color of eyes and hair.
(10) Reproduction of the signature of the individual identified.
(11) Whether the individual is blind (as defined in IC 12-7-2-21(1)).
(12) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become:
(A) eighteen (18) years of age; and
(B) twenty-one (21) years of age.
(13) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.
(14) Digital photograph of the individual.

(c) The information contained on the identification card as required by subsection (b)(12) or (b)(13) for an individual who is less than twenty-one (21) years of age at the time of issuance shall be printed prominently on the identification card.

(d) If the individual complies with section 2(e) of this chapter, an indication of the individual's veteran status shall be shown on the identification card.

(e) If the applicant for an identification card submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the identification card to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card that briefly describes the medical condition of the holder of the card. The information must be printed in a manner that alerts a person reading the card to the existence of the medical condition. The applicant for an identification card is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.

(f) An identification card issued by the state to an individual who:
(1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;
(2) has a pending application for asylum in the United States;
(3) has a pending or approved application for temporary protected status in the United States;
(4) has approved deferred action status; or
(5) has a pending application for adjustment of status to that of

an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary identification card. A temporary identification card issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the holder of the identification card's temporary status has been extended.

(g) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

(h) The bureau shall validate an identification card for Class B motor driven cycle operation upon a highway by endorsement to an individual who:

(1) applies for or has previously been issued an identification card under this chapter;

(2) makes the appropriate application for endorsement; and

(3) satisfactorily completes the test required under section 3.6 of this chapter.

The bureau shall place a designation on the face of the identification card to indicate that the individual has received a Class B motor driven cycle endorsement.

As added by P.L.2-1991, SEC.12. Amended by P.L.2-1992, SEC.88; P.L.39-2000, SEC.15; P.L.42-2001, SEC.2; P.L.176-2001, SEC.16; P.L.1-2002, SEC.47; P.L.34-2003, SEC.3; P.L.86-2005, SEC.2; P.L.123-2005, SEC.4; P.L.37-2006, SEC.2; P.L.184-2007, SEC.49; P.L.76-2009, SEC.9; P.L.162-2009, SEC.7; P.L.118-2011, SEC.6; P.L.125-2012, SEC.227; P.L.85-2013, SEC.60; P.L.2-2014, SEC.43; P.L.221-2014, SEC.68; P.L.77-2015, SEC.4; P.L.198-2016, SEC.511.

IC 9-24-16-3.5

Documentary evidence; status of legal presence in the United States; Social Security number

Sec. 3.5. In addition to the information required for the applicant for an identification card under section 3 of this chapter, the bureau shall require an applicant to present to the bureau:

(1) valid documentary evidence that the applicant:

(A) is a citizen or national of the United States;

(B) is an alien lawfully admitted for permanent residence in the United States;

(C) has conditional permanent resident status in the United States;

(D) has an approved application for asylum in the United States or has entered into the United States in refugee status;

(E) is an alien lawfully admitted for temporary residence in the United States;

(F) has a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;

(G) has a pending application for asylum in the United States;

(H) has a pending or approved application for temporary protected status in the United States;

(I) has approved deferred action status; or

(J) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States; and

(2) evidence of the Social Security number of the applicant. If federal law prohibits the issuance of a Social Security number to the applicant, the applicant must provide verification of the applicant's ineligibility to be issued a Social Security number.

As added by P.L.184-2007, SEC.50. Amended by P.L.76-2009, SEC.10; P.L.162-2009, SEC.8.

IC 9-24-16-3.6

Class B motor driven cycle endorsement; knowledge test; accommodation for individuals with disabilities

Sec. 3.6. The bureau shall develop and implement a test to determine whether an applicant for a Class B motor driven cycle endorsement demonstrates the necessary knowledge of traffic control devices to operate a Class B motor driven cycle upon a highway. Upon the request of an individual with a disability, or of a representative of an individual with a disability, the bureau shall make available to the individual a test that:

(1) complies with this section; and

(2) accommodates the individual's disability.

As added by P.L.221-2014, SEC.69.

IC 9-24-16-4

Expiration

Sec. 4. (a) Except as provided in subsection (b), an identification card expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(b) An identification card issued under this article to an applicant who complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter expires:

(1) at midnight one (1) year after issuance, if there is no expiration date on the authorization granted to the individual to remain in the United States; or

(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:

(A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires.

(B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance.

As added by P.L.2-1991, SEC.12. Amended by P.L.210-2005, SEC.47; P.L.184-2007, SEC.51; P.L.76-2009, SEC.11; P.L.162-2009, SEC.9; P.L.125-2012, SEC.228.

IC 9-24-16-4.5

Renewal or replacement identification card by electronic service

Sec. 4.5. (a) The bureau may adopt rules under IC 4-22-2 concerning the ability of an individual to renew an identification card under section 5 of this chapter, apply for a replacement identification card under section 9 of this chapter, or apply for a replacement identification card under section 6 of this chapter by electronic service. If rules are adopted under this subsection, the rules must provide that an individual's renewal, amendment, or replacement of an identification card by electronic service is subject to the following conditions:

(1) A valid computerized image or digital photograph of the individual must exist within the records of the bureau.

(2) The individual must be a citizen of the United States, as shown in the records of the bureau.

(3) There must not have been any change in the:

(A) legal address; or

(B) name;

of the individual since the issuance or previous renewal of the identification card of the individual.

(4) The identification card of the individual must not be expired more than one hundred eighty (180) days at the time of the application for renewal.

(b) An individual applying for:

(1) the renewal of an identification card; or

(2) a replacement identification card;

must apply in person if the individual is not entitled to apply by mail or by electronic service under rules adopted under subsection (a).

As added by P.L.87-2010, SEC.34. Amended by P.L.109-2011, SEC.22; P.L.125-2012, SEC.229; P.L.198-2016, SEC.512.

IC 9-24-16-5

Renewal; expiration of renewed identification card of individuals present in United States with certain status

Sec. 5. (a) An application for renewal of an identification card may be made not more than twelve (12) months before the expiration date of the card. However, when the applicant complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter, an application for renewal of an identification card may be filed not more than one (1) month

before the expiration date of the identification card held by the applicant.

(b) Except as provided in subsection (d), a renewed card is valid on the birth date of the holder and remains valid for six (6) years.

(c) Renewal may not be granted if the cardholder was issued a driver's license subsequent to the last issuance of an identification card.

(d) A renewed identification card issued under this article to an applicant who complies with section 3.5(1)(E) through 3.5(1)(J) of this chapter expires:

(1) at midnight one (1) year after issuance, if there is no expiration date on the authorization granted to the individual to remain in the United States; or

(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:

(A) At midnight of the date the authorization of the holder to be a legal permanent resident or conditional resident alien of the United States expires.

(B) At midnight of the birthday of the holder that occurs six (6) years after the date of issuance.

As added by P.L.2-1991, SEC.12. Amended by P.L.176-2001, SEC.17; P.L.210-2005, SEC.48; P.L.184-2007, SEC.52; P.L.76-2009, SEC.12; P.L.162-2009, SEC.10; P.L.87-2010, SEC.35; P.L.125-2012, SEC.230.

IC 9-24-16-6

Amended or replacement identification card

Sec. 6. (a) The bureau shall issue:

(1) an amended identification card if any information contained on the card becomes invalid or obsolete; or

(2) a replacement identification card if the card is lost, stolen, damaged, or destroyed.

As added by P.L.2-1991, SEC.12. Amended by P.L.109-2011, SEC.23.

IC 9-24-16-7

Amended identification card due to invalid or obsolete information

Sec. 7. If information on an identification card becomes invalid or obsolete, the holder shall, within thirty (30) days, apply for an amended card containing correct information.

As added by P.L.2-1991, SEC.12. Amended by P.L.109-2011, SEC.24.

IC 9-24-16-8

Repealed

(As added by P.L.2-1991, SEC.12. Repealed by P.L.109-2011, SEC.40.)

IC 9-24-16-9
Replacement for destroyed or damaged identification card

Sec. 9. If an identification card is destroyed or damaged, the holder may apply for a replacement card.

As added by P.L.2-1991, SEC.12. Amended by P.L.109-2011, SEC.25.

IC 9-24-16-10
Rules; no fee for identification used for voter identification purposes; fees

Sec. 10. (a) The bureau may:

(1) adopt rules under IC 4-22-2, including rules to:

(A) verify an applicant's identity, lawful status, and residence; and

(B) invalidate on a temporary basis a license or permit that was issued based on fraudulent documentation; and

(2) prescribe all forms necessary;

to implement this chapter.

(b) The bureau may not impose a fee for the issuance of:

(1) an original;

(2) a renewal of an;

(3) a replacement; or

(4) an amended;

identification card to an individual described in subsection (c). For purposes of this subsection, the amendment of an identification card includes the addition of a Class B motor driven cycle endorsement to the identification card.

(c) An identification card must be issued without the payment of a fee or charge to an individual who:

(1) does not have a valid Indiana driver's license; and

(2) will be at least eighteen (18) years of age and eligible to vote in the next general, municipal, or special election.

(d) The fee to issue, renew, replace, or amend an identification card issued before January 1, 2017, is as follows:

(1) To an individual who is less than sixty-five (65) years of age, eleven dollars and fifty cents ($11.50). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(C) Two dollars and seventy-five cents ($2.75) to the motor vehicle highway account.

(D) Seven dollars ($7) to the commission fund.

(2) To an individual who is at least sixty-five (65) years of age or to an individual with a physical disability who is not entitled to obtain a driver's license, nine dollars ($9). The fee shall be

distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(D) Five dollars and seventy-five cents ($5.75) to the commission fund.

(e) The fee to issue, renew, replace, or amend an identification card issued after December 31, 2016, is nine dollars ($9). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the motor vehicle highway account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar and twenty-five cents ($1.25) as follows:

(A) For a replacement issued before July 1, 2019, to the integrated public safety communications fund.

(B) For a replacement issued after June 30, 2019, to the commission fund.

(4) Two dollars ($2) to the crossroads 2000 fund.

(5) Five dollars ($5) to the commission fund.

As added by P.L.2-1991, SEC.12. Amended by P.L.109-2005, SEC.15; P.L.109-2011, SEC.26; P.L.125-2012, SEC.231; P.L.85-2013, SEC.61; P.L.221-2014, SEC.70; P.L.149-2015, SEC.71; P.L.198-2016, SEC.513.

IC 9-24-16-11

Civil responsibility; disclaimer

Sec. 11. The commissioner and the employees or agents of the bureau are not civilly responsible for the validity of information contained on an identification card issued under this chapter. The bureau may adopt rules to place an appropriate disclaimer on an identification card.

As added by P.L.2-1991, SEC.12.

IC 9-24-16-11.4

Identification card acceptability for purposes of identification

Sec. 11.4. A person, a business, a financial institution, or an organization that accepts a driver's license issued under this article as identification of the person who holds the license shall accept an identification card issued under this chapter as identification of the person who holds the card.

As added by P.L.81-1991, SEC.9.

IC 9-24-16-11.6

Identification card use to identify holder as operator of motor

vehicle

Sec. 11.6. An identification card issued under this chapter may not be used to identify the person who holds the identification card as the operator of a motor vehicle.

As added by P.L.81-1991, SEC.10.

IC 9-24-16-12

Misuse of card

Sec. 12. A person who:

(1) knowingly permits the use of an identification card issued under this chapter by a person other than the person to whom the card was issued;

(2) knowingly displays or represents as the person's own identification card issued under this chapter an identification card that was not issued to the person displaying the card; or

(3) does not surrender, upon demand of the proper official, an identification card issued under this chapter that has become invalid or expired;

commits a Class C misdemeanor.

As added by P.L.2-1991, SEC.12. Amended by P.L.98-1996, SEC.1; P.L.106-2006, SEC.1; P.L.109-2011, SEC.27; P.L.158-2013, SEC.155; P.L.217-2014, SEC.88.

IC 9-24-16-12.5

Inauthentic cards; use of false information

Sec. 12.5. (a) A person who knowingly sells, offers to sell, buys, produces, forges, counterfeits, or offers a false identification card that could reasonably be mistaken for a valid identification card required by this chapter to be issued by the bureau but that has not been issued by the bureau commits a Class B misdemeanor.

(b) A person who:

(1) knowingly or intentionally uses false information in an application:

(A) for an identification card issued under this chapter; or

(B) for a renewal, amendment, or replacement of an identification card issued under this chapter; or

(2) knowingly or intentionally makes a false statement or otherwise commits fraud in an application for an identification card issued under this chapter;

commits application fraud, a Level 6 felony.

As added by P.L.217-2014, SEC.89.

IC 9-24-16-13

Repealed

(As added by P.L.2-1991, SEC.12. Repealed by P.L.217-2014, SEC.90.)

IC 9-24-16-14

Repealed

(As added by P.L.197-2015, SEC.8. Repealed by P.L.198-2016, SEC.514.)

IC 9-24-16.5

Chapter 16.5. Photo Exempt Identification Cards

IC 9-24-16.5-1

Bureau to issue photo exempt identification cards

Sec. 1. The bureau shall issue a photo exempt identification card to an individual who meets the following conditions:

(1) Makes an application.

(2) Is an Indiana resident.

(3) Has provided valid documentary evidence to the bureau of the lawful status in the United States of the individual, as required by section 2(a)(10) of this chapter.

As added by P.L.197-2015, SEC.9. Amended by P.L.198-2016, SEC.515.

IC 9-24-16.5-2

Required information for application for photo exempt identification card

Sec. 2. (a) An application for a photo exempt identification card issued under this chapter must require the following information concerning an applicant:

(1) The full legal name of the applicant.

(2) The applicant's date of birth.

(3) The gender of the applicant.

(4) The applicant's height, weight, hair color, and eye color.

(5) The principal address and mailing address of the applicant.

(6) A:

(A) valid Social Security number;

(B) verification of the applicant's ineligibility to be issued a Social Security number; or

(C) statement from the applicant in which the applicant swears or affirms that the applicant has a sincerely held religious belief against the issuance of a Social Security number to the applicant and a copy of Form 4029 from the United States Internal Revenue Service concerning the applicant.

(7) A digital image of the applicant.

(8) A statement:

(A) from the applicant in which the applicant swears or affirms that the applicant has a sincerely held religious belief against the taking of a photograph of the applicant; and

(B) from a member of the clergy of the religious organization of which the applicant is a member regarding the prohibition of photography of members of the religious organization.

(9) The signature of the applicant.

(10) Valid documentary evidence that the applicant is a citizen or national of the United States. The bureau shall maintain

records of the information provided under this subdivision.

(b) The image required under subsection (a)(7) is a confidential public record in accordance with IC 5-14-3-4(a) and IC 9-14-13-2.

(c) The bureau may invalidate a photo exempt identification card that the bureau believes to have been issued as a result of fraudulent documentation.

(d) The bureau:

(1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity; and

(2) may adopt rules to establish a procedure to temporarily invalidate a photo exempt identification card that the bureau believes to have been issued based on fraudulent documentation.

As added by P.L.197-2015, SEC.9. Amended by P.L.198-2016, SEC.516.

IC 9-24-16.5-3

Information required on photo exempt identification card

Sec. 3. (a) A photo exempt identification card must have the same dimensions and shape as a driver's license and an identification card issued under IC 9-24-16, but the photo exempt identification card must have markings sufficient to distinguish the card from a driver's license or an identification card.

(b) The front side of a photo exempt identification card must contain the following information about the individual to whom the card is being issued:

(1) Full legal name.

(2) The address of the principal residence.

(3) Date of birth.

(4) Date of issue and date of expiration.

(5) Unique identification number.

(6) Gender.

(7) Weight.

(8) Height.

(9) Color of eyes and hair.

(10) A reproduction of the signature of the individual identified.

(11) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become:

(A) eighteen (18) years of age; and

(B) twenty-one (21) years of age.

(12) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.

(c) The front side of a photo exempt identification card may not bear an image of the holder of the photo exempt identification card.

(d) The information contained on the photo exempt identification

card as required by subsection (b)(11) or (b)(12) for an individual who is less than twenty-one (21) years of age at the time of issuance must be printed prominently on the photo exempt identification card.
As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-4
Photo exempt identification card not accepted by federal agency

Sec. 4. A photo exempt identification card must include a statement on the card that indicates that the photo exempt identification card may not be accepted by any federal agency for federal identification or any other federal purpose.
As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-5
Photo exempt identification card; expiration; renewal

Sec. 5. (a) A photo exempt identification card expires at midnight on the birth date of the holder that occurs six (6) years following the date of issuance.

(b) An application for renewal of a photo exempt identification card may be made not more than twelve (12) months before the expiration date of the card.

(c) A renewed photo exempt identification card is valid on the birth date of the holder and remains valid for six (6) years.

(d) A photo exempt identification card may not be renewed if the holder was issued a driver's license or an identification card after the last issuance of a photo exempt identification card.

(e) An application for the renewal of a photo exempt identification card may not be made by mail or by electronic service.
As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-6
Photo exempt identification card; amended card; replacement card

Sec. 6. (a) The bureau shall issue:

(1) an amended photo exempt identification card if any information contained on the photo exempt identification card becomes invalid or obsolete; or

(2) a replacement photo exempt identification card if the card is lost, stolen, damaged, or destroyed.

(b) If information on a photo exempt identification card becomes invalid or obsolete, the holder shall, within thirty (30) days after the card becomes invalid or obsolete, apply for an amended card containing correct information.

(c) If a photo exempt identification card is lost, stolen, damaged, or destroyed, the holder may apply for a replacement card.

(d) An application for an amended or replacement photo exempt identification card may not be made by mail or by electronic service.
As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-7
Repealed

(As added by P.L.197-2015, SEC.9. Repealed by P.L.198-2016, SEC.517.)

IC 9-24-16.5-8
Photo exempt identification card; not to be used by operator of motor vehicle

Sec. 8. A photo exempt identification card issued under this chapter may not be used to identify the individual who holds the photo exempt identification card as the operator of a motor vehicle.
As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-9
Photo exempt identification card and identification card may not be held at the same time

Sec. 9. (a) An individual may not hold a photo exempt identification card and an identification card issued under IC 9-24-16 at the same time.

(b) An individual who violates this section commits a Class C infraction.
As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-10
False use of photo exempt identification card; penalty

Sec. 10. A person who:

(1) knowingly permits the use of a photo exempt identification card issued under this chapter by a person other than the person to whom the card was issued;

(2) knowingly displays or represents as the person's own photo exempt identification card issued under this chapter a photo exempt identification card that was not issued to the person displaying the card or representing that the card is the person's card;

(3) knowingly or intentionally does not surrender, upon demand of the proper official, a photo exempt identification card issued under this chapter that has become invalid or expired; or

(4) knowingly sells, offers to sell, buys, possesses, or offers a false photo exempt identification card that could reasonably be mistaken for a valid photo exempt identification card required by this chapter to be issued by the bureau but that has not been issued by the bureau;

commits a Class B misdemeanor.
As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-11
Forging of photo exempt identification card; penalty

Sec. 11. A person who forges or reproduces a photo exempt

identification card issued under this chapter:

(1) with intent to use the photo exempt identification card; or

(2) with intent that the photo exempt identification card may be used by another person;

commits a Class B misdemeanor.

As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-12

Commissioner and employees or agents of the bureau not civilly responsible for validity of information on photo exempt identification card

Sec. 12. The commissioner and the employees or agents of the bureau are not civilly responsible for the validity of information contained on a photo exempt identification card issued under this chapter. The bureau may adopt rules under IC 4-22-2 to place an appropriate disclaimer on a photo exempt identification card.

As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-13

Retailer or employee; immunity from civil liability after accepting photo exempt identification card

Sec. 13. Except for gross misconduct, if a retailer, or an employee of a retailer, in good faith accepts a photo exempt identification card issued under this chapter as proof of identification for purposes of a retail transaction, the retailer or employee is immune from any civil liability that may occur as a result of the acceptance.

As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-14

Fee

Sec. 14. (a) The fee to issue, renew, replace, or amend a photo exempt identification card issued before January 1, 2017, is as follows:

(1) To an individual who is less than sixty-five (65) years of age, eleven dollars and fifty cents ($11.50). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology fund.

(B) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(C) Two dollars and seventy-five cents ($2.75) to the motor vehicle highway account.

(D) Seven dollars ($7) to the commission fund.

(2) To an individual who is at least sixty-five (65) years of age or to an individual with a physical disability who is not entitled to obtain a driver's license, nine dollars ($9). The fee shall be distributed as follows:

(A) Fifty cents ($0.50) to the state motor vehicle technology

fund.

(B) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(C) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(D) Five dollars and seventy-five cents ($5.75) to the commission fund.

(b) The fee to issue, renew, replace, or amend a photo exempt identification card issued after December 31, 2016, is nine dollars ($9). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the motor vehicle highway account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar and twenty-five cents ($1.25) as follows:

(A) For a replacement issued before July 1, 2019, to the integrated public safety communications fund.

(B) For a replacement issued after June 30, 2019, to the commission fund.

(4) Two dollars ($2) to the crossroads 2000 fund.

(5) Five dollars ($5) to the commission fund.

As added by P.L.198-2016, SEC.518.

IC 9-24-17

Chapter 17. Anatomical Gifts

IC 9-24-17-1

Forms

Sec. 1. The application form for a credential must allow an applicant to acknowledge the making of an anatomical gift under IC 29-2-16.1-4.

As added by P.L.2-1991, SEC.12. Amended by P.L.29-2000, SEC.2; P.L.94-2002, SEC.2; P.L.147-2007, SEC.1; P.L.197-2015, SEC.10; P.L.198-2016, SEC.519.

IC 9-24-17-2

Inquiries; completion of form

Sec. 2. (a) The bureau shall inquire of every individual who applies for a credential whether the individual desires to make an anatomical gift.

(b) If the individual does desire to make an anatomical gift, the bureau shall provide the individual the form by which the individual makes the gift.

As added by P.L.2-1991, SEC.12. Amended by P.L.104-1991, SEC.1; P.L.29-2000, SEC.3; P.L.125-2012, SEC.232; P.L.197-2015, SEC.11; P.L.198-2016, SEC.520.

IC 9-24-17-3

Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.104-1991, SEC.2; P.L.125-2012, SEC.233. Repealed by P.L.198-2016, SEC.521.)

IC 9-24-17-4

Repealed

(Repealed by P.L.104-1991, SEC.11.)

IC 9-24-17-5

Repealed

(Repealed by P.L.104-1991, SEC.11.)

IC 9-24-17-6

Repealed

(As added by P.L.104-1991, SEC.3. Amended by P.L.147-2007, SEC.2. Repealed by P.L.198-2016, SEC.522.)

IC 9-24-17-7

Anatomical gift cards; persons less than 18 years of age

Sec. 7. Before an individual who is less than eighteen (18) years of age may make an anatomical gift, the bureau must obtain and document the consent of the individual required under section 8 of

this chapter and the consent of the individual's parent or guardian.
As added by P.L.104-1991, SEC.4. Amended by P.L.1-1992, SEC.54; P.L.29-2000, SEC.4; P.L.198-2016, SEC.523.

IC 9-24-17-8
Signature of donor; symbol on license or identification card

Sec. 8. (a) Each anatomical gift made under this chapter must be made by the donor by acknowledging the making of the anatomical gift by signing the application form for the credential under section 1 of this chapter. If the donor cannot sign, the application form may be signed for the donor:

(1) at the donor's direction and in the donor's presence; and
(2) in the presence of two (2) witnesses who must sign the document in the donor's and each other's presence.

(b) The bureau shall place an identifying symbol on the face of the credential to indicate that the person to whom the credential is issued has acknowledged the making of an anatomical gift on the application form for the credential as set forth in subsection (a).

(c) Revocation, suspension, cancellation, or expiration of the credential does not invalidate the anatomical gift.

(d) An anatomical gift is valid if the individual acknowledges the making of the anatomical gift by signing the application form for a credential under subsection (a). No other acknowledgment is required to make an anatomical gift.
As added by P.L.104-1991, SEC.5. Amended by P.L.1-1992, SEC.55; P.L.135-1995, SEC.1; P.L.126-1995, SEC.2; P.L.29-2000, SEC.5; P.L.94-2002, SEC.3; P.L.125-2012, SEC.234; P.L.197-2015, SEC.12; P.L.198-2016, SEC.524.

IC 9-24-17-9
Repealed

(As added by P.L.104-1991, SEC.6. Amended by P.L.1-1992, SEC.56. Repealed by P.L.198-2016, SEC.525.)

IC 9-24-17-10
Liability; state and health care providers

Sec. 10. The state and any health care provider (as defined by IC 34-18-2-14) are not liable for damages alleged to have occurred as a result of an individual making an anatomical gift under this chapter.
As added by P.L.104-1991, SEC.7. Amended by P.L.2-1993, SEC.67; P.L.1-1998, SEC.100; P.L.97-2004, SEC.39.

IC 9-24-17-11
Repealed

(As added by P.L.104-1991, SEC.8. Repealed by P.L.29-2000, SEC.9.)

IC 9-24-18

Chapter 18. General Penalty Provisions

IC 9-24-18-0.5

Court reports of suspension or revocation of driving privileges

Sec. 0.5. If a court suspends or revokes an individual's driving privileges under this title, the court shall inform the bureau of the action in a format designated by the bureau.

As added by P.L.217-2014, SEC.91. Amended by P.L.198-2016, SEC.526.

IC 9-24-18-1

Driving without a license

Sec. 1. (a) An individual, except an individual exempted under IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle upon a highway and has never received a valid driver's license commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the individual has a prior unrelated conviction under this section.

(b) In a prosecution under this section, the burden is on the defendant to prove by a preponderance of the evidence that the defendant:

(1) had been issued a driver's license or permit that was valid; or

(2) was operating a Class B motor driven cycle;

at the time of the alleged offense. However, it is not a defense under subdivision (2) if the defendant was operating the Class B motor driven cycle in violation of IC 9-21-11-12.

As added by P.L.2-1991, SEC.12. Amended by P.L.100-2010, SEC.3; P.L.125-2012, SEC.235; P.L.85-2013, SEC.62; P.L.217-2014, SEC.92; P.L.221-2014, SEC.71; P.L.198-2016, SEC.527.

IC 9-24-18-2

Misuse of licenses and permits; use of false information; inauthentic licenses and permits

Sec. 2. (a) A person may not do any of the following:

(1) Display, cause or allow to be displayed, or possess a driver's license or permit issued under this article knowing that the driver's license or permit is fictitious or has been canceled, revoked, suspended, or altered.

(2) Lend to an individual or knowingly permit the use by an individual not entitled to use a driver's license or permit a driver's license or permit issued under this article.

(3) Display or represent as the individual's driver's license or permit issued under this article a driver's license or permit not issued to the individual.

(4) Fail or refuse to surrender, upon demand of the proper official, a driver's license or permit issued under this article that

has been suspended, canceled, or revoked as provided by law.

(5) Knowingly sell, offer to sell, buy, possess, or offer as genuine, a driver's license or permit required by this article to be issued by the bureau that has not been issued by the bureau under this article or by the appropriate authority of any other state or country.

A person that knowingly or intentionally violates this subsection commits a Class C misdemeanor.

(b) An individual who:

(1) knowingly or intentionally uses a false or fictitious name or gives a false or fictitious address in an application:

(A) for a driver's license or permit issued under this article; or

(B) for a renewal, amendment, or replacement of a driver's license or permit issued under this article; or

(2) knowingly or intentionally makes a false statement or conceals a material fact or otherwise commits a fraud in an application for a driver's license or permit issued under this article;

commits application fraud, a Level 6 felony.

As added by P.L.2-1991, SEC.12. Amended by P.L.106-2006, SEC.2; P.L.109-2011, SEC.28; P.L.158-2013, SEC.156; P.L.198-2016, SEC.528.

IC 9-24-18-3
Permitting unlicensed individual to drive

Sec. 3. (a) A person that has a motor vehicle in the person's custody may not cause or knowingly permit an individual to operate the vehicle upon a highway unless the individual holds a valid driver's license or permit under this article for the type of motor vehicle that the individual is operating.

(b) A person that violates this section commits a Class C infraction.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.236; P.L.85-2013, SEC.63; P.L.198-2016, SEC.529.

IC 9-24-18-4
Permitting unlawful operation of vehicle

Sec. 4. (a) A person may not authorize or knowingly permit a motor vehicle owned by the person or under the person's control to be operated by a person who does not have a legal right to do so or in violation of this title.

(b) A person who violates this section commits a Class C infraction.

As added by P.L.2-1991, SEC.12. Amended by P.L.85-2013, SEC.64.

IC 9-24-18-5
Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.1-1993, SEC.58; P.L.133-1995, SEC.4; P.L.94-1997, SEC.3. Repealed by P.L.32-2000, SEC.27.)

IC 9-24-18-6
Required licenses; enforcement proceedings; burden of proof

Sec. 6. In a proceeding to enforce IC 9-24-1 requiring the operator of a motor vehicle to have a certain type of driver's license, the burden is on the defendant to prove by a preponderance of the evidence that the defendant had been issued the applicable driver's license or permit and that the driver's license was valid at the time of the alleged offense.

As added by P.L.2-1991, SEC.12. Amended by P.L.198-2016, SEC.530.

IC 9-24-18-7
Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.237. Repealed by P.L.217-2014, SEC.93.)

IC 9-24-18-7.5
Counterfeiting or false reproduction of driver's license

Sec. 7.5. A person that knowingly or intentionally counterfeits or falsely reproduces a driver's license:

(1) with intent to use the driver's license; or

(2) to permit an individual to use the driver's license;

commits a Class B misdemeanor.

As added by P.L.188-2015, SEC.96. Amended by P.L.198-2016, SEC.531.

IC 9-24-18-8
Repealed

(As added by P.L.2-1991, SEC.12. Amended by P.L.1-1993, SEC.59. Repealed by P.L.159-2014, SEC.103; P.L.217-2014, SEC.94.)

IC 9-24-18-9
Driving records; unlicensed persons

Sec. 9. (a) The bureau may establish a driving record for an Indiana resident who does not hold any type of valid driving license. The driving record shall be established for an unlicensed driver when the bureau receives an abstract of court conviction for the type of conviction that would appear on an official driver's record.

(b) If an unlicensed driver applies for and receives any type of driver's license in Indiana, the individual's driving record as an unlicensed driver shall be recorded on the permanent record file.

(c) The bureau shall also certify traffic violation convictions on the driving record of an unlicensed driver who subsequently receives

an Indiana driver's license.

(d) A driving record established under this section must include the following:

(1) The individual's convictions for any of the following:

(A) A moving traffic violation.

(B) Operating a vehicle without financial responsibility in violation of IC 9-25.

(2) Any administrative penalty imposed by the bureau.

(3) Any suspensions, revocations, or reinstatements of the individual's driving privileges, license, or permit.

(4) If the driving privileges of the individual have been suspended or revoked by the bureau, an entry in the record stating that a notice of suspension or revocation was mailed to the individual by the bureau and the date of the mailing of the notice.

(5) Any requirement that the individual may operate only a motor vehicle equipped with a certified ignition interlock device.

A driving record may not contain voter registration information.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.238; P.L.85-2013, SEC.65; P.L.217-2014, SEC.95; P.L.198-2016, SEC.532.

IC 9-24-18-10

Interstate compacts and agreements; offenses subject to IC 9-28

Sec. 10. The following are subject to IC 9-28:

(1) A:

(A) conviction for a crime; or

(B) judgment for an offense or ordinance violation;

under this article related to the use or operation of a motor vehicle.

(2) The issuance of a citation (as defined in IC 9-28-2-1) under this article.

As added by P.L.2-1991, SEC.12.

IC 9-24-18-11

Repealed

(As added by P.L.115-1993, SEC.8. Amended by P.L.216-2014, SEC.53. Repealed by P.L.198-2016, SEC.533.)

IC 9-24-18-12

Repealed

(As added by P.L.53-1994, SEC.2. Amended by P.L.33-1997, SEC.6; P.L.125-2012, SEC.239; P.L.85-2013, SEC.66. Repealed by P.L.217-2014, SEC.96.)

IC 9-24-18-12.2

Bureau shall suspend minor's driving privileges upon receipt of

court order; period of suspension

Sec. 12.2. Upon receipt of a court order under IC 7.1-5-7-7 (minor consuming or transporting alcohol), the bureau shall suspend the minor's driving privileges for the period ordered by the court. If the court fails to recommend a fixed term of suspension, or recommends a fixed term that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension required under IC 7.1-5-7.

As added by P.L.159-2014, SEC.104.

IC 9-24-19

Chapter 19. Penalty Provisions for Operating a Motor Vehicle With Suspended or Revoked Driving Privileges, Licenses, or Permits

IC 9-24-19-1

Class A infraction

Sec. 1. Except as provided in sections 2 and 3 of this chapter, an individual who operates a motor vehicle upon a highway while the individual's driving privileges, driver's license, or permit is suspended or revoked commits a Class A infraction.

As added by P.L.32-2000, SEC.1. Amended by P.L.42-2011, SEC.26; P.L.217-2014, SEC.97; P.L.198-2016, SEC.534.

IC 9-24-19-2

Class A misdemeanor; commission within ten years of prior similar infraction

Sec. 2. An individual who:

(1) knows that the individual's driving privileges, driver's license, or permit is suspended or revoked; and

(2) operates a motor vehicle upon a highway less than ten (10) years after the date on which judgment was entered against the individual for a prior unrelated violation of section 1 of this chapter, this section, IC 9-1-4-52 (repealed July 1, 1991), or IC 9-24-18-5(a) (repealed July 1, 2000);

commits a Class A misdemeanor.

As added by P.L.32-2000, SEC.1. Amended by P.L.6-2012, SEC.70; P.L.33-2012, SEC.1; P.L.198-2016, SEC.535.

IC 9-24-19-3

Level 6 or Level 5 felony; Class A misdemeanor; commission while under suspension or revocation for offense

Sec. 3. (a) An individual who operates a motor vehicle upon a highway when:

(1) the individual knows that the individual's driving privileges, driver's license, or permit is suspended or revoked; and

(2) the individual's suspension or revocation was a result of the individual's conviction of an offense (as defined in IC 35-31.5-2-215);

commits a Class A misdemeanor.

(b) However, the offense described in subsection (a) is a:

(1) Level 6 felony if the operation of the motor vehicle results in bodily injury; or

(2) Level 5 felony if the operation of the motor vehicle results in the death of another person.

As added by P.L.32-2000, SEC.1. Amended by P.L.114-2012, SEC.21; P.L.217-2014, SEC.98; P.L.198-2016, SEC.536.

IC 9-24-19-4
Repealed
(As added by P.L.32-2000, SEC.1. Amended by P.L.158-2013, SEC.157. Repealed by P.L.217-2014, SEC.99.)

IC 9-24-19-5
Repealed
(As added by P.L.32-2000, SEC.1. Amended by P.L.125-2012, SEC.240; P.L.85-2013, SEC.67. Repealed by P.L.217-2014, SEC.100.)

IC 9-24-19-6
Repealed
(As added by P.L.32-2000, SEC.1. Amended by P.L.3-2008, SEC.80. Repealed by P.L.125-2012, SEC.241.)

IC 9-24-19-7
Burden of proof of issuance of license or permit
Sec. 7. In a prosecution under this chapter, the burden is on the defendant to prove by a preponderance of the evidence that the defendant:
(1) had been issued a driver's license or permit that was valid; or
(2) was operating a Class B motor driven cycle;
at the time of the alleged offense. However, it is not a defense under subdivision (2) if the defendant was operating the Class B motor driven cycle in violation of IC 9-21-11-12.
As added by P.L.32-2000, SEC.1. Amended by P.L.85-2013, SEC.68; P.L.221-2014, SEC.72.

IC 9-24-19-8
Rebuttable presumption of knowledge of suspension or revocation
Sec. 8. Service by the bureau of motor vehicles of a notice of an order or an order suspending or revoking an individual's driving privileges by mailing the notice or order by first class mail to the individual under this chapter at the last address shown for the individual in the records of the bureau establishes a rebuttable presumption that the individual knows that the individual's driving privileges are suspended or revoked, as applicable.
As added by P.L.32-2000, SEC.1. Amended by P.L.198-2016, SEC.537.

IC 9-25

ARTICLE 25. FINANCIAL RESPONSIBILITY

IC 9-25-1

Chapter 1. Applicability

IC 9-25-1-1

Repealed

(As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.242. Repealed by P.L.59-2013, SEC.2.)

IC 9-25-1-2

Motor carriers; certificates of exemption

Sec. 2. This article does not apply to a person engaged, under regulation by the department of state revenue, in the business of common carrier of persons or property by motor vehicle. If involved in a reportable motor vehicle accident, a common or contract carrier of persons or property by motor vehicle may be required, in the discretion of the bureau, to file a certificate of exemption on a form the bureau prescribes.

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

IC 9-25-1-3

Motor carriers; exemption from certificate of compliance filing requirements

Sec. 3. Notwithstanding the provisions of this article, a driver of a motor vehicle that is:

(1) operated by a motor carrier (as defined in IC 8-2.1-17-10); or

(2) registered for more than twenty-six thousand (26,000) pounds;

is not required to file a certificate of compliance with the bureau.

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

IC 9-25-1-4

Self-insured persons; exemption; certificate

Sec. 4. The provisions of this article relating to financial responsibility do not apply to a person who has registered a motor vehicle in Indiana if the person obtains a certificate of self-insurance from the bureau under IC 9-25-4-11.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.3.

IC 9-25-1-5

Post office trucks

Sec. 5. This article does not apply to an operator of a government owned post office truck on official assignment.

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

IC 9-25-1-6
Nonresidents

Sec. 6. This article applies to a person that is a nonresident under the same conditions as this article applies to an Indiana resident.

As added by P.L.2-1991, SEC.13. Amended by P.L.198-2016, SEC.538.

IC 9-25-1-7
Applicability

Sec. 7. This article does not apply to:

(1) off-road vehicles;
(2) snowmobiles; or
(3) Class B motor driven cycles.

As added by P.L.259-2013, SEC.22. Amended by P.L.198-2016, SEC.539.

IC 9-25-2
Chapter 2. Definitions

IC 9-25-2-1
Application
Sec. 1. The definitions in this chapter apply throughout this article.
As added by P.L.2-1991, SEC.13.

IC 9-25-2-2
"Insured"
Sec. 2. "Insured" means a person in whose name a motor vehicle liability policy is issued and any other person insured under the terms of the policy.
As added by P.L.2-1991, SEC.13.

IC 9-25-2-3
"Proof of financial responsibility"
Sec. 3. "Proof of financial responsibility" means proof of ability to respond in damages for each motor vehicle registered by a person for liability that arises out of the ownership, maintenance, or use of the motor vehicle in the following amounts:
(1) Twenty-five thousand dollars ($25,000) because of bodily injury to or death of any one (1) person.
(2) Subject to the limit in subdivision (1), fifty thousand dollars ($50,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident.
(3) Twenty-five thousand dollars ($25,000) because of injury to or destruction of property in any one (1) accident.
As added by P.L.2-1991, SEC.13. Amended by P.L.124-2016, SEC.1.

IC 9-25-2-4
"Public highway"
Sec. 4. "Public highway" means a street, an alley, a road, a highway, or a thoroughfare in Indiana, including a privately owned business parking lot and drive, that is used by the public or open to use by the public.
As added by P.L.2-1991, SEC.13.

IC 9-25-3

Chapter 3. General Provisions

IC 9-25-3-1

Access to accident reports

Sec. 1. The bureau shall have access to all reports of motor vehicle accidents filed with the state police department to administer this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.4.

IC 9-25-3-2

Suspension or revocation of nonresident operator's license; forbidding operation by nonresident; transmission of records to other states

Sec. 2. (a) Whenever under Indiana law the bureau may suspend or revoke a driver's license or driving privileges if the operator of a motor vehicle is an Indiana resident, the bureau may suspend or revoke the driver's license or driving privileges of or forbid the operation of a motor vehicle in Indiana by an operator who is a nonresident.

(b) Whenever under Indiana law the bureau may suspend or revoke the registration certificate and registration plates of a motor vehicle if the owner of the motor vehicle is an Indiana resident, the bureau may forbid the operation within Indiana of a motor vehicle if the owner of the motor vehicle is a nonresident.

(c) The bureau shall transmit to the motor vehicle bureau or state officer performing the functions of a bureau in the state in which a nonresident resides a certified copy of the following:

(1) A conviction of, or an administrative action concerning, the nonresident that has resulted in the suspension of the nonresident's driving privilege in Indiana.

(2) An unsatisfied judgment rendered against a nonresident that has resulted in the suspension of the nonresident's driving privilege in Indiana.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.5; P.L.198-2016, SEC.540.

IC 9-25-3-3

Substitution and acceptance of other adequate proof of financial responsibility; bond cancellation; return of insurance certificate; return of money or securities

Sec. 3. (a) The bureau shall:

(1) cancel a bond;

(2) return a certificate of insurance; or

(3) direct the treasurer of state to return money or securities to the person entitled to the money or securities;

upon the substitution and acceptance of other adequate proof of financial responsibility under this article.

(b) The treasurer of state shall return the money or securities requested when directed to return the money or securities under subsection (a).
As added by P.L.2-1991, SEC.13.

IC 9-25-3-4
Proof of financial responsibility failing to fulfill purpose; suspension of driving privileges or motor vehicle registration

Sec. 4. Whenever the proof of financial responsibility filed by a person under this article no longer fulfills the purpose for which the proof was required, the bureau shall require from the person other proof of financial responsibility under this article. If the person does not provide other proof of financial responsibility under this article, the bureau shall suspend the driving privileges or motor vehicle registration, or both, as determined by the bureau, of the person.
As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.243; P.L.59-2013, SEC.6.

IC 9-25-3-5
Rules

Sec. 5. The bureau may adopt rules under IC 4-22-2 to establish procedures, conditions, and requirements concerning the filing of proof of financial responsibility necessary to promote and ensure the effective enforcement of this article.
As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.7.

IC 9-25-3-6
Plaintiffs; other processes provided by law

Sec. 6. This article may not be construed to prevent the plaintiff in an action at law from relying for security upon the other processes provided by law.
As added by P.L.2-1991, SEC.13.

IC 9-25-3-7
Interstate agreements and compacts; convictions; judgments for offenses or violations and issuance of citations

Sec. 7. The following are subject to IC 9-28:

(1) A:

(A) conviction for a crime; or

(B) judgment for an offense or ordinance violation;

under this article related to the use or operation of a motor vehicle.

(2) The issuance of a citation (as defined in IC 9-28-2-1) under this article.

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

IC 9-25-4

Chapter 4. Financial Responsibility

IC 9-25-4-1

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

Sec. 1. (a) This section does not apply to:

(1) an electric personal assistive mobility device;

(2) an off-road vehicle; or

(3) a snowmobile.

(b) A person may not:

(1) register a motor vehicle; or

(2) operate a motor 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, or the person is not otherwise insured in order to operate the motor vehicle.

(c) A person who violates this section is subject to the suspension of the person's current driving privileges or motor 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; P.L.125-2012, SEC.244; P.L.259-2013, SEC.23.

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; verification; suspension; third party contract

Sec. 3. (a) 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 public highway in Indiana.

(b) The bureau may, at any time, verify that a person has financial responsibility in effect as required under this article.

(c) The bureau shall suspend the driving privileges or motor vehicle registration, or both, of a person who fails to maintain financial responsibility as required under this article.

(d) In order to comply with this section, the bureau may contract with a third party to request proof of financial responsibility from a

person as required under this article. The third party must comply with the requirements of this article and any rules adopted by the bureau.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.245; P.L.59-2013, SEC.8.

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 motor vehicle or operator under IC 9-25-5-7;

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

(3) the status of the owner or operator of the motor 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. Amended by P.L.125-2012, SEC.246.

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) Twenty-five thousand dollars ($25,000) for damage to or the destruction of property in one (1) accident.

As added by P.L.2-1991, SEC.13. Amended by P.L.124-2016, SEC.2.

IC 9-25-4-6

Recovery vehicles; minimum amounts of financial responsibility; violation

Sec. 6. (a) The minimum standards for financial responsibility for a recovery vehicle with a gross vehicle weight rating greater than sixteen thousand (16,000) pounds 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 recovery vehicle with a gross vehicle weight rating equal to or less than sixteen thousand (16,000) pounds 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.

(c) A person that operates a recovery vehicle in violation of this section commits a Class B infraction.

As added by P.L.2-1991, SEC.13. Amended by P.L.198-2016, SEC.541.

IC 9-25-4-7

Methods of proving financial responsibility

Sec. 7. (a) Proof of financial responsibility as requested by the bureau:

(1) must be in effect on the date of the request; and

(2) may be given by any of the following methods:

(A) Proof that a policy or policies of operator or motor vehicle liability insurance, as applicable, have been obtained and are in full force and effect.

(B) Proof that a bond has been duly executed.

(C) Proof that deposit has been made of money or securities.

(b) Proof of financial responsibility as requested by a law enforcement officer:

(1) must be in effect on the date of the request; and

(2) may be provided in a paper or electronic format. For purposes of this subdivision, electronic formats include the display of an electronic image on a telecommunications device.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.9.

IC 9-25-4-8

Proof of financial responsibility

Sec. 8. Proof of financial responsibility meeting the requirements

set forth in this article must be filed in a manner prescribed by the bureau by an insurance carrier of the person for whom proof is required.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.247; P.L.59-2013, SEC.10.

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) Fifty thousand dollars ($50,000) in cash or securities that may legally be purchased by savings banks.

(2) Trust funds with a market value of fifty thousand dollars ($50,000).

(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. Amended by P.L.124-2016, SEC.3.

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.)

IC 9-25-5

Chapter 5. Proof of Financial Responsibility

IC 9-25-5-0.1

Application of certain amendments to chapter

Sec. 0.1. The amendments made to section 4 of this chapter by P.L.75-2001 apply to evidence admitted in any civil proceeding after June 30, 2001, to prove that a motor vehicle liability policy was in effect with respect to a motor vehicle on any date before, on, or after June 30, 2001.

As added by P.L.220-2011, SEC.223.

IC 9-25-5-1

Traffic offense conviction requiring court appearance; failure to prove financial responsibility; suspension of driving privileges or vehicle registration

Sec. 1. (a) If a person is convicted of a traffic offense that requires a court appearance, the court shall require the person to show proof that financial responsibility was in force on the date of the violation in one (1) of the forms described in IC 9-25-4-4 or in the form of a certificate of self-insurance issued under IC 9-25-4-11.

(b) If a person fails to provide proof of financial responsibility as required by this section, the court shall suspend the person's current driving privileges or motor vehicle registration, or both. If the court fails to recommend a fixed term of suspension, or recommends a fixed term that is less than the minimum term of suspension required under this article, the bureau shall impose the applicable minimum term of suspension required under this article.

(c) A suspension under this section is subject to the same provisions concerning procedure for suspension, duration of suspension, and reinstatement applicable to other suspensions under this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.248; P.L.59-2013, SEC.11.

IC 9-25-5-2

Receipt by bureau of accident report; request for evidence of financial responsibility

Sec. 2. Not more than forty-five (45) days after the bureau receives a copy of an accident report under IC 9-26, the bureau shall send to each person identified in the report as an operator of a motor vehicle involved in the accident a request for evidence of financial responsibility under section 3 of this chapter, unless the evidence has already been filed with the bureau. The request for evidence of financial responsibility shall be sent to each person identified in the report as an operator of a motor vehicle involved in the accident regardless of fault.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012,

SEC.249.

IC 9-25-5-3
Request for evidence of financial responsibility; requirements; mailing request

Sec. 3. (a) A request for evidence of financial responsibility must do the following:

(1) Direct the person to provide the bureau with evidence that financial responsibility was in effect with respect to the motor vehicle, or the operation of the motor vehicle, operated by the person on the date requested.

(2) Instruct the person on how to furnish the bureau with evidence of financial responsibility in compliance with this article.

(3) Inform the person that failure to furnish evidence of financial responsibility to the bureau, if not already provided, will result in suspension of the person's current driving privileges or motor vehicle registration, or both, under this article.

(b) The bureau shall mail a request for evidence of financial responsibility to a person by first class mail to the mailing address of the person appearing in the records of the bureau.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.250; P.L.59-2013, SEC.12; P.L.149-2015, SEC.72.

IC 9-25-5-4
Persons identified in accident reports; certificate of compliance

Sec. 4. (a) To avoid suspension of driving privileges or motor vehicle registration suspension, or both, under this article, a person identified under section 2 of this chapter who receives a request for evidence of financial responsibility must ensure that the insurance company of the person provides the bureau with a certificate of compliance indicating that financial responsibility required by IC 9-25-4-1 was in effect with respect to the motor vehicle, or the operation of the motor vehicle, on the date of the accident described in the accident report. It is the responsibility of the person who receives a request for evidence of financial responsibility to ensure that the insurance company of the person has provided a certificate of compliance.

(b) Proof that the bureau:

(1) did not receive a certificate of compliance for a person presented with a request for evidence of financial responsibility under section 2 of this chapter within forty (40) days after the date on which the person was presented with the request;

(2) received a certificate of compliance that did not indicate that financial responsibility was in effect with respect to the motor vehicle that the person was operating on the date of the accident described in the accident report; or

(3) suspended the driving privileges or motor vehicle registration, or both, under IC 9-25-6-3 after presenting a person with a request for evidence of financial responsibility under section 2 of this chapter;

is prima facie evidence in a civil action that the person presented with the request for evidence of financial responsibility did not have an operator's or a motor vehicle liability policy in effect with respect to the motor vehicle that the person was operating on the date of the accident described in the accident report.

As added by P.L.2-1991, SEC.13. Amended by P.L.75-2001, SEC.1; P.L.125-2012, SEC.251.

IC 9-25-5-5

Certificate of compliance; required information; reason for requesting information

Sec. 5. (a) A person who receives a request for evidence of financial responsibility under section 3 of this chapter shall ensure that the insurance company of the person set forth in the certificate of compliance provides to the bureau the following information concerning the form of financial responsibility that was in effect on the date in question:

(1) If an operator's or a motor vehicle liability policy was in effect, the following:

(A) The name of the insurer.

(B) The identification number applying to the policy.

(C) Dates of coverage of the policy.

(D) Confirmation that financial responsibility covering the motor vehicle or operator, as applicable, was in effect on the date in question.

(E) Other information requested by the bureau.

(2) If a bond was in effect, the following:

(A) The name and address of the bond company or surety.

(B) The face amount of the bond.

(C) Dates the bond was in effect.

(D) Other information requested by the bureau.

(3) If self-insurance was in effect under IC 9-25-4-11, the following:

(A) The date on which the certificate of self-insurance was issued by the bureau.

(B) The name of the person to whom the certificate of self-insurance was issued.

(C) Other information requested by the bureau.

(b) A person who requests information or verification of coverage to complete a certificate of compliance under subsection (a) from:

(1) an insurance company; or

(2) an insurance producer;

is not required to give the company or the producer a reason for requesting the information unless the person has been involved in an

accident.
As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.4; P.L.178-2003, SEC.2; P.L.125-2012, SEC.252; P.L.59-2013, SEC.13.

IC 9-25-5-6
Certification of compliance; execution

Sec. 6. A certificate of compliance that reports the existence of an insurance policy must be executed by an officer or agent of the insurer. A certificate of compliance that reports the existence of a bond must be executed by an officer of the bond company or surety.
As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.253.

IC 9-25-5-7
Proof of financial responsibility required to be given by person other than vehicle owner

Sec. 7. Whenever a person required to give proof of financial responsibility under this article is not the owner of a motor vehicle, the following apply:

(1) If the person seeks only to reinstate the person's suspended driver's license or driving privileges, the person is not required to give proof of financial responsibility.

(2) If subdivision (1) does not apply, an operator's policy of liability insurance is sufficient proof of financial responsibility.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.14; P.L.10-2014, SEC.2.

IC 9-25-5-8
Request that insurer issue certificate; certificate as conclusive evidence of conforming policy

Sec. 8. (a) An insurance carrier that has issued a motor vehicle liability policy or policies meeting the requirements of this article shall, upon request of the named insured, file with the bureau an appropriate certificate of compliance that meets the requirements of this article and shows that a policy or policies were in effect on the date requested.

(b) The issuance of a certificate of compliance to serve as proof of financial responsibility under this article is conclusive evidence that a motor vehicle liability policy in the certificate of compliance cited conforms to all the requirements of this article.
As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.254; P.L.59-2013, SEC.15.

IC 9-25-5-9
Certificate of motor vehicle liability policy; cancellation of policy; notice to bureau

Sec. 9. Whenever an insurance carrier has certified a motor

vehicle liability policy under this chapter for the purpose of furnishing evidence of future financial responsibility, the insurance carrier shall give ten (10) days written notice to the bureau before cancellation of the policy. The policy continues in full force and effect until the date of cancellation specified in the notice or until the policy's expiration.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.255; P.L.59-2013, SEC.16.

IC 9-25-5-10

Nonresidents; proof of financial responsibility

Sec. 10. (a) A nonresident must give proof of financial responsibility by having an insurance carrier file a certificate of compliance with the bureau.

(b) A certificate of compliance filed under subsection (a) must conform to this chapter.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.256; P.L.59-2013, SEC.17.

IC 9-25-6

Chapter 6. Suspension of Driving Privileges and Vehicle Registrations

IC 9-25-6-0.5

Bureau compliance with court orders

Sec. 0.5. If a court orders the suspension of a person's driving privileges, the bureau shall suspend the person's driving privileges in accordance with the court order, even if the court's order conflicts with a previous bureau action.

As added by P.L.217-2014, SEC.101.

IC 9-25-6-1

Certificate of compliance received from person identified in accident report

Sec. 1. (a) If:

(1) the bureau receives a certificate of compliance for a person identified under IC 9-25-5-2 within forty (40) days after the date on which the bureau mailed the request for evidence of financial responsibility to the person; and

(2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle at the time of the accident described in the accident report;

the bureau may not suspend the person's driving privileges.

(b) If:

(1) the bureau receives a certificate of compliance from a person presented with a request for evidence of financial responsibility under IC 9-25-9-1 within forty (40) days after the date on which the person was presented with the request; and

(2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract received by the bureau under IC 9-25-9-1;

the bureau may not suspend the person's driving privileges.

(c) If:

(1) the bureau receives a certificate of compliance for a person identified under IC 9-25-10 (before its repeal) within forty (40) days after the date on which the bureau mailed the request for evidence of financial responsibility to the person; and

(2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle for the date requested;

the bureau may not suspend the driving privileges of the person.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.5; P.L.125-2012, SEC.257; P.L.59-2013, SEC.18.

IC 9-25-6-2

Certificate of compliance received from person identified in accident report; false statements

Sec. 2. (a) If the bureau finds that a statement as to the existence of financial responsibility in a certificate of compliance received for a person identified under IC 9-25 is materially false, the bureau shall take action under subsection (b).

(b) Upon finding that the statement referred to in subsection (a) is false, the bureau shall immediately suspend the person's driving privileges or motor vehicle registration, or both, as determined by the bureau, for at least ninety (90) days and not more than one (1) year.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.6; P.L.125-2012, SEC.258; P.L.59-2013, SEC.19.

IC 9-25-6-3

Certificate of compliance not received from person identified in accident report; receipt of certificate not indicating financial responsibility in effect; suspension of license; exceptions

Sec. 3. (a) If the bureau:

(1) does not receive a certificate of compliance for a person identified under IC 9-25-5-2 within forty (40) days after the date on which the bureau mailed the request for evidence of financial responsibility to the person; or

(2) receives a certificate that does not indicate that financial responsibility was in effect with respect to the motor vehicle operated by the person or operation of the motor vehicle by the person on the date of the accident referred to in IC 9-25-5-2;

the bureau shall take action under subsection (d).

(b) If the bureau:

(1) does not receive a certificate of compliance for a person presented with a request for evidence of financial responsibility under IC 9-25-9-1 within forty (40) days after the date on which the person was presented with the request; or

(2) receives a certificate that does not indicate that financial responsibility was in effect with respect to the motor vehicle or operation of the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract received by the bureau under IC 9-25-9-1;

the bureau shall take action under subsection (d).

(c) If the bureau:

(1) does not receive a certificate of compliance for a person presented with a request under IC 9-25-10 (before its repeal) not later than forty (40) days after the date on which the person was presented with the request; or

(2) receives a certificate that does not indicate that financial responsibility was in effect on the date requested;

the bureau shall take action under subsection (d).

(d) Under the conditions set forth in subsection (a), (b), or (c), the

bureau shall immediately suspend the person's driving privileges or motor vehicle registration, or both, as determined by the bureau, for at least ninety (90) days and not more than one (1) year. The suspension of a person's driving privileges or motor vehicle registration, or both, may be imposed only one (1) time under this subsection or IC 9-25-8-2 for the same incident.

(e) Except as provided in subsection (f), if subsection (a), (b), or (c) applies to a person, the bureau shall suspend the driving privileges of the person irrespective of the following:

(1) The sale or other disposition of the motor vehicle by the owner.

(2) The cancellation or expiration of the registration of the motor vehicle.

(3) An assertion by the person that the person did not own the motor vehicle and therefore had no control over whether financial responsibility was in effect with respect to the motor vehicle.

(f) The bureau shall not suspend the driving privileges of a person to which subsection (a), (b), or (c) applies if the person, through a certificate of compliance or another communication with the bureau, establishes to the satisfaction of the bureau that the motor vehicle that the person was operating when the accident referred to in subsection (a) took place or when the violation referred to in subsection (b) or (c) was committed was:

(1) rented from a rental company; or

(2) owned by the person's employer and operated by the person in the normal course of the person's employment.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.7; P.L.268-2003, SEC.31; P.L.125-2012, SEC.259; P.L.59-2013, SEC.20; P.L.188-2015, SEC.97.

IC 9-25-6-3.5

Multiple violations; suspension of driving privileges or registration

Sec. 3.5. If a person violates:

(1) IC 9-25-4;

(2) IC 9-25-5;

(3) section 2 or 3 of this chapter; or

(4) IC 9-25-10 (before its repeal);

more than one (1) time within a three (3) year period, the person's driving privileges shall be suspended for one (1) year.

As added by P.L.105-1991, SEC.2. Amended by P.L.125-2012, SEC.260; P.L.59-2013, SEC.21; P.L.198-2016, SEC.542.

IC 9-25-6-4

Failure to satisfy judgment; suspension of driving privileges

Sec. 4. (a) This section does not apply to judgments entered by a court at least seven (7) years after the date of the accident.

(b) "Judgment", as used in this section, means a judgment in

excess of two hundred dollars ($200) for bodily injury, death, or property damages arising out of the use of a motor vehicle upon a public highway.

(c) The bureau shall suspend for a period of not more than seven (7) years from the date of judgment the driving privileges of a person upon receiving a verified report that the person has failed for a period of ninety (90) days to satisfy a judgment.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.261; P.L.59-2013, SEC.22.

IC 9-25-6-5

Conditions for satisfaction of judgment

Sec. 5. (a) A judgment referred to in this chapter is considered satisfied only when the following conditions are fulfilled as appropriate:

(1) Subject to the limit in subdivision (2), twenty-five thousand dollars ($25,000) has been credited upon a judgment rendered in excess of that amount because of bodily injury to or death of one (1) person as the result of one (1) accident.

(2) Fifty thousand dollars ($50,000) has been credited upon a judgment rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one (1) accident.

(3) Twenty-five thousand dollars ($25,000) has been credited upon a judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one (1) accident.

(4) The judgment is satisfied by payment accepted by the judgment creditor in full satisfaction of all claims arising from bodily injury, death, or property damage arising from the motor vehicle accident involved in the judgment.

(b) A payment made in settlement of a claim because of bodily injury, death, or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.

As added by P.L.2-1991, SEC.13. Amended by P.L.124-2016, SEC.4.

IC 9-25-6-6

Payment of judgment in installments; allowing driving privileges and registration to judgment debtor on consent of judgment creditor

Sec. 6. (a) The bureau may not suspend the driving privileges of a person and shall reinstate the driving privileges of a person following nonpayment of a judgment whenever a judgment debtor does the following:

(1) Gives proof that the judgment debtor will maintain financial responsibility in the future for at least three (3) years following reinstatement.

(2) Obtains an order from the trial court in which the judgment was rendered permitting the payment of the judgment in installments, unless the payment of an installment is in default.

(b) A judgment debtor, upon five (5) days notice to the judgment creditor, may apply to the trial court in which the judgment was obtained for the privilege of paying the judgment in installments. The court, in the court's discretion and without prejudice to other legal remedies the judgment creditor may have, may order the payment of the judgment in installments, fixing the amounts and times of payment of the installments.

(c) Except as provided in subsection (d), if the judgment debtor fails to pay an installment as permitted by the order of the court, upon notice of the default the bureau shall suspend the driving privileges of the judgment debtor. The bureau may not take action for failure to make installment payments for judgments entered at least seven (7) years after the date of the accident. Suspended driving privileges may not be reinstated until evidence of proof of future financial responsibility is presented.

(d) Notwithstanding a default by the judgment debtor in the payment of a judgment or the payment of an installment under subsection (b), whenever the judgment creditor consents in writing, in the form the bureau prescribes, that the judgment debtor be allowed driving privileges and registration, the driving privileges and registration may be allowed by the bureau at the bureau's discretion. The driving privileges and registration may be renewed until the consent is revoked in writing if the judgment debtor furnishes proof under this article that the judgment debtor will maintain financial responsibility in the future for at least three (3) years following reinstatement.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.262.

IC 9-25-6-7

Duration of suspension for failure to satisfy judgment

Sec. 7. Except as provided in sections 5 and 6 of this chapter, a suspension required in sections 4 and 6 of this chapter remains in effect and no other motor vehicle may be registered in the name of the judgment debtor or a new license issued to the judgment debtor, until the following occur:

(1) The judgment is satisfied or stayed.

(2) The judgment debtor gives proof of future financial responsibility for three (3) years, as provided in this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.263.

IC 9-25-6-8

Repealed

(As added by P.L.2-1991, SEC.13. Repealed by P.L.125-2012,

SEC.264.)

IC 9-25-6-9
Certified abstract of record of judgment for damages

Sec. 9. The court shall forward to the bureau a certified abstract of the record of a judgment for damages if the rendering and nonpayment of the judgment requires the bureau to suspend or revoke the driving privileges of the judgment debtor under this article. The abstract shall be forwarded to the bureau immediately upon the expiration of thirty (30) days after the judgment becomes final and has not been stayed or satisfied, as shown by the records of the court.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.265.

IC 9-25-6-10
Repealed

(As added by P.L.2-1991, SEC.13. Amended by P.L.2-1992, SEC.89; P.L.1-1997, SEC.42. Repealed by P.L.125-2012, SEC.266.)

IC 9-25-6-11
Repealed

(As added by P.L.2-1991, SEC.13. Repealed by P.L.125-2012, SEC.267.)

IC 9-25-6-12
Proof of financial responsibility indicating insured not covered when operating vehicle not owned by insured

Sec. 12. Whenever proof of financial responsibility is filed showing that a policy has been issued covering all motor vehicles owned by an insured but not insuring the person when operating a motor vehicle not owned by the person, it is unlawful for the person to operate a motor vehicle not owned by the person or not covered by the certificate.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.268.

IC 9-25-6-13
Nonresidents; ownership or operation of vehicles; compliance with article

Sec. 13. A:

(1) nonresident may not operate a motor vehicle in Indiana; and
(2) motor vehicle owned by the nonresident may not be operated in Indiana;

until the nonresident or the owner of the motor vehicle has complied with the requirements of this article with respect to proof of financial responsibility.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012,

SEC.269.

IC 9-25-6-14
Renewal of driving privileges or registration

Sec. 14. (a) The bureau shall reinstate the driving privileges or motor vehicle registration, or both:

(1) subject to section 15 of this chapter, after expiration of the imposed period of suspension if the person has furnished the bureau with proof of future financial responsibility; or

(2) if financial responsibility was in effect with respect to a motor vehicle on the date requested but the bureau does not receive a certificate of compliance indicating this fact until after the person's driving privileges are suspended under this article, the person's driving privileges shall be reinstated when the bureau receives the certificate of compliance.

(b) Upon receipt of a certificate of compliance under this section, the bureau shall remove from the person's driving record the administrative suspension caused by the failure to notify the bureau that the person had financial responsibility in effect on the date of the violation.

As added by P.L.2-1991, SEC.13. Amended by P.L.105-1991, SEC.3; P.L.1-1992, SEC.57; P.L.94-1997, SEC.4; P.L.117-2001, SEC.2; P.L.210-2005, SEC.49; P.L.125-2012, SEC.270; P.L.59-2013, SEC.23.

IC 9-25-6-15
Driving privileges reinstatement fee

Sec. 15. (a) An individual:

(1) whose driving privileges are suspended under this article; and

(2) who seeks the reinstatement of the driving privileges;

must pay a reinstatement fee to the bureau as provided in subsection (b).

(b) The reinstatement fee under subsection (a) is as follows:

(1) For a first suspension, two hundred fifty dollars ($250).

(2) For a second suspension, five hundred dollars ($500).

(3) For a third or subsequent suspension, one thousand dollars ($1,000).

(c) Each fee paid under this section shall be deposited in the financial responsibility compliance verification fund established by IC 9-25-9-7 as follows:

(1) One hundred twenty dollars ($120) for a fee paid after a first suspension.

(2) One hundred ninety-five dollars ($195) for a fee paid after a second suspension.

(3) Two hundred seventy dollars ($270) for a fee paid after a third or subsequent suspension.

The remaining amount of each fee paid under this section must be

deposited in the motor vehicle highway account.

(d) If:

(1) a person's driving privileges are suspended for registering or operating a vehicle in violation of IC 9-25-4-1;

(2) the person is required to pay a fee for the reinstatement of the person's license under this section; and

(3) the person later establishes that the person did not register or operate a vehicle in violation of IC 9-25-4-1;

the fee paid by the person under this section shall be refunded.

As added by P.L.2-1991, SEC.13. Amended by P.L.80-2010, SEC.13; P.L.125-2012, SEC.271; P.L.198-2016, SEC.543.

IC 9-25-6-15.1

Petition for waiver of reinstatement fee

Sec. 15.1. (a) An individual who is liable for a reinstatement fee imposed under section 15 of this chapter may file a petition for waiver of the reinstatement fee in a criminal court of record in the person's county of residence.

(b) The clerk of the court shall forward a copy of the petition to the prosecuting attorney of the county and to the bureau. The prosecuting attorney may appear and be heard on the petition.

(c) The bureau is not a party in a proceeding under this chapter.

(d) Upon its own motion, or upon a petition filed by an individual under this section, a court may waive a reinstatement fee imposed under section 15 of this chapter if the court finds that:

(1) the individual who owes the fee:

(A) is indigent; and

(B) has presented proof of future financial responsibility; and

(2) waiver of the fee is appropriate in light of the individual's character and the circumstances surrounding the suspension.

(e) If a court waives a reinstatement fee under this section for an individual, the court may impose other reasonable conditions on the individual.

(f) If a court waives a reinstatement fee under this section, the clerk shall forward a copy of the court's order to the bureau.

As added by P.L.198-2016, SEC.544.

IC 9-25-6-16

Repealed

(As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.272; P.L.59-2013, SEC.24. Repealed by P.L.149-2015, SEC.73.)

IC 9-25-6-17

Repealed

(As added by P.L.2-1991, SEC.13. Repealed by P.L.125-2012, SEC.273.)

IC 9-25-6-18
Repealed

(As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.274. Repealed by P.L.217-2014, SEC.102.)

IC 9-25-6-19
Repealed

(As added by P.L.133-1995, SEC.5. Amended by P.L.1-1997, SEC.43; P.L.68-2005, SEC.2. Repealed by P.L.125-2012, SEC.275.)

IC 9-25-6-19.2
False evidence of financial responsibility

Sec. 19.2. The bureau may suspend the driving privileges or registration of a motor vehicle, or both, of a person who provides the bureau with false evidence of financial responsibility under this article.

As added by P.L.125-1995, SEC.10. Amended by P.L.125-2012, SEC.276; P.L.59-2013, SEC.25.

IC 9-25-6-20
Repealed

(As added by P.L.133-1995, SEC.6. Amended by P.L.1-1997, SEC.44; P.L.86-2002, SEC.1; P.L.68-2005, SEC.3; P.L.145-2006, SEC.25; P.L.103-2007, SEC.5. Repealed by P.L.125-2012, SEC.277.)

IC 9-25-6-21
Repealed

(As added by P.L.117-2001, SEC.3. Repealed by P.L.125-2012, SEC.278.)

IC 9-25-7

Chapter 7. Miscellaneous Provisions

IC 9-25-7-1

Insolvency of insurer formerly authorized and qualified to do business in Indiana

Sec. 1. The bureau may not suspend or revoke the driver's license, driving privileges, or registration plates of the owner or operator of a motor vehicle who has been involved in a motor vehicle accident resulting in bodily injury or death or in damage to property in excess of one thousand dollars ($1,000) solely because of failure to provide evidence of financial responsibility whenever the:

(1) owner or operator was insured by an insurance company for public liability and property damage at the time of the accident; and

(2) insurance company becomes insolvent after the accident or within fifteen (15) days before the accident;

if the insurance company was authorized and qualified to do business in Indiana on the effective date of the policy.

As added by P.L.2-1991, SEC.13. Amended by P.L.157-2003, SEC.1; P.L.59-2013, SEC.26.

IC 9-25-7-2

Transfer of vehicle registration or registration in another name; good faith requirement; repossessed vehicles

Sec. 2. (a) This section does not apply to or affect the registration of a motor vehicle sold by a person who, under the terms or conditions of a written instrument giving a right of repossession, has exercised the right and has repossessed a motor vehicle from a person whose certificate of registration has been suspended under this article.

(b) If an owner's registration has been suspended under this article, the registration may not be transferred or the motor vehicle registered in another name until the bureau is satisfied that the transfer or registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this article. A transfer or registration shall be permitted when the transferee furnishes proof of financial responsibility to the bureau.

(c) A transfer or registration made or obtained in violation of this section is void for the purposes of this article.

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

IC 9-25-7-3

Cancellation, return, or waiver of proof of financial responsibility

Sec. 3. (a) The bureau shall, upon request, cancel a bond or return a certificate of insurance, direct the treasurer of state to return to the person entitled any money or securities deposited under this article as proof of financial responsibility, or waive the requirement of filing

proof of financial responsibility in any of the following circumstances:

(1) At any time after three (3) years from the date the proof was required, if during the three (3) year period preceding the request the person furnishing the proof has not been convicted of an offense referred to in IC 9-30-4-6.1.

(2) If the person on whose behalf the proof was filed dies or the person becomes permanently incapable of operating a motor vehicle.

(3) If the person who has given proof of financial responsibility surrenders the person's driver's license, registration certificates, and registration plates to the bureau. The bureau may not release the proof if an action for damages upon a liability referred to in this article is pending, a judgment upon a liability is outstanding and unsatisfied, or the bureau has received notice that the person has, within the period of three (3) months immediately preceding, been involved as a driver in a motor vehicle accident. An affidavit of the applicant of the nonexistence of the facts referred to in this subdivision is sufficient evidence of the nonexistence of the facts in the absence of evidence to the contrary in the records of the department.

(b) Whenever a person to whom proof has been surrendered under subsection (a)(3) applies for an operator's or chauffeur's license or the registration of a motor vehicle within a period of three (3) years from the date the proof of financial responsibility was originally required, the bureau shall reject the application unless the applicant reestablishes the proof for the remainder of the period.

As added by P.L.2-1991, SEC.13. Amended by P.L.1-2001, SEC.7; P.L.59-2013, SEC.27; P.L.198-2016, SEC.545.

IC 9-25-7-4

Failure to pay under surety bond after entry of judgment; action in name of state against company executing bond

Sec. 4. If a judgment is rendered against the principal of a surety bond upon a liability covered by the conditions of the bond and the judgment is not satisfied within sixty (60) days after the judgment becomes final, the judgment creditor may, for the judgment creditor's own use and benefit and at the judgment creditor's sole expense, bring an action in the name of the state against the company that executed the bond.

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

IC 9-25-7-5

Repealed

(As added by P.L.2-1991, SEC.13. Repealed by P.L.59-2013, SEC.28.)

IC 9-25-7-6

Temporary reinstatement of nonresident's driver's license, driving privileges, or registration

Sec. 6. (a) This section does not apply to an Indiana resident or an individual who operates a motor vehicle in Indiana.

(b) Subject to subsection (c), an individual:

(1) whose driver's license, driving privileges, or registration was suspended and who is required to prove financial responsibility extending into the future in order to have the individual's driving privileges reinstated; and

(2) who no longer operates a motor vehicle in Indiana and has become a nonresident;

is not required to prove financial responsibility into the future in order to have the individual's driver's license, driving privileges, or registration temporarily reinstated to allow licensing or registration in the other state or foreign jurisdiction.

(c) An individual described in subsection (b) who, during the three (3) year period following the suspension described in subsection (b)(1), applies to the bureau for a driver's license or registers a motor vehicle in Indiana must maintain proof of future financial responsibility for the unexpired portion of the three (3) year period as required under this article.

As added by P.L.88-1996, SEC.6. Amended by P.L.125-2012, SEC.279; P.L.59-2013, SEC.29; P.L.198-2016, SEC.546.

IC 9-25-8
Chapter 8. Penalties

IC 9-25-8-0.1
Repealed
(As added by P.L.220-2011, SEC.224. Repealed by P.L.63-2012, SEC.12.)

IC 9-25-8-1
Application of chapter
Sec. 1. This chapter does not apply to the following:
(1) Persons who have obtained a certificate of self-insurance under IC 9-25-4-11.
(2) Operators of government owned vehicles.
(3) Persons who are exempt under IC 9-25-1-2.
As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.280.

IC 9-25-8-2
Operating or permitting operation without financial responsibility; court recommendation; suspension
Sec. 2. (a) A person that knowingly:
(1) operates; or
(2) permits the operation of;
a motor vehicle on a public highway in Indiana without financial responsibility in effect as set forth in IC 9-25-4-4 commits a Class A infraction. However, the offense is a Class C misdemeanor if the person knowingly or intentionally violates this section and has a prior unrelated conviction or judgment under this section.
(b) Subsection (a)(2) applies to:
(1) the owner of a rental company under IC 9-25-6-3(f)(1); and
(2) an employer under IC 9-25-6-3(f)(2).
(c) In addition to any other penalty imposed on a person for violating this section, the court shall recommend the suspension of the person's driving privileges for at least ninety (90) days but not more than one (1) year. However, if, within the five (5) years preceding the conviction under this section, the person had a prior unrelated conviction under this section, the court shall recommend the suspension of the person's driving privileges and motor vehicle registration for one (1) year.
(d) Upon receiving the recommendation of the court under subsection (c), the bureau shall suspend the person's driving privileges and motor vehicle registration, as applicable, for the period recommended by the court. If no suspension is recommended by the court, or if the court recommends a fixed term that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension required under this article. The suspension of a person's driving privileges or motor vehicle

registration, or both, may be imposed only one (1) time under this subsection or IC 9-25-6 for the same incident.
As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.8; P.L.100-1997, SEC.1; P.L.157-2003, SEC.2; P.L.125-2012, SEC.281; P.L.59-2013, SEC.30; P.L.10-2014, SEC.3; P.L.188-2015, SEC.98; P.L.198-2016, SEC.547.

IC 9-25-8-3
Repealed
(As added by P.L.2-1991, SEC.13. Repealed by P.L.198-2016, SEC.548.)

IC 9-25-8-4
Notification to prosecuting attorney of driving privileges suspension not required
Sec. 4. The commissioner is not required to notify the prosecuting attorney of a driver who has had driving privileges suspended for failure to prove financial responsibility under this article.
As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.282.

IC 9-25-8-5
Financial responsibility violations; assessment of points by bureau
Sec. 5. (a) For purposes of the point system for Indiana traffic convictions operated by the bureau under 140 IAC 1-4.5, the bureau shall assess points against a person who registers or operates a motor vehicle in violation of IC 9-25-4-1. The bureau shall assess points against a person under this subsection for each violation of IC 9-25-4-1 committed by the person.
(b) The number of points assessed for each violation of IC 9-25-4-1 shall be determined by the point study committee appointed by the commissioner based on the evaluation by the committee of the harm done to Indiana and the citizens of Indiana through the violation of IC 9-25-4-1.
As added by P.L.59-1994, SEC.9.

IC 9-25-8-6
Proof of future financial responsibility
Sec. 6. (a) This section applies to a person:
(1) who is convicted of;
(2) against whom a judgment is entered for;
(3) against whom the bureau has taken administrative action for; or
(4) who the bureau otherwise determines was;
operating a motor vehicle without financial responsibility in violation of this article.
(b) A person described in subsection (a) must provide proof of future financial responsibility:

(1) for a first or second offense, for a period of three (3) years; or

(2) for a third or subsequent offense, for a period of five (5) years;

beginning on the date on which the suspension of the person's driving privileges terminates.

As added by P.L.59-2013, SEC.31. Amended by P.L.10-2014, SEC.4.

IC 9-25-9

Chapter 9. Post-Conviction Financial Responsibility Verification

IC 9-25-9-1

Receipt of abstract or judgment of conviction; request for evidence of financial responsibility

Sec. 1. (a) After the bureau receives:

(1) a certified abstract under IC 9-30-13-0.5 of the record of conviction of a person for a violation of a law relating to motor vehicles;

(2) a judgment or an abstract under IC 9-30-3-11 of a case resulting in a conviction, judgment, or forfeiture of security deposit; or

(3) a judgment, abstract, or other court order indicating the conviction of a person for a violation of a law relating to motor vehicles;

the bureau shall determine whether the bureau is required under subsection (b) to send to the person named in the judgment, abstract, or other court order a request for evidence of financial responsibility.

(b) The bureau shall send a request for evidence of financial responsibility to a person referred to in subsection (a) if at least one (1) of the following applies to the person:

(1) The judgment, abstract, or other court order referred to in subsection (a) reports that the person committed a moving traffic violation for which points are assessed by the bureau under the point system, and, during a twelve (12) month period including the date of the violation referred to in the judgment, abstract, or other court order, the person committed at least two (2) additional moving traffic violations for which points are assessed by the bureau under the point system.

(2) The judgment, abstract, or other court order referred to in subsection (a) reports that the person was convicted of:

(A) a misdemeanor; or

(B) a felony;

involving a motor vehicle.

(3) The judgment, abstract, or other court order referred to in subsection (a) reports that the person committed a moving traffic violation for which points are assessed by the bureau under the point system and the driving privileges of the person were previously suspended for violation of the financial responsibility requirements of IC 9-25.

(c) The expungement or other removal from a person's record of an underlying judgment or conviction for which the bureau sends to the person a request for evidence of financial responsibility under this section does not alter or otherwise affect a penalty imposed by the bureau on the person for the person's failure to provide evidence of financial responsibility under this article.

As added by P.L.59-1994, SEC.10. Amended by P.L.94-1997, SEC.5; P.L.125-2012, SEC.283; P.L.59-2013, SEC.32; P.L.149-2015, SEC.74.

IC 9-25-9-2
Request for evidence of financial responsibility; instructions

Sec. 2. The request for evidence of financial responsibility presented to a person under section 1 of this chapter must do the following:

(1) Direct the person to ensure that the insurance company of the person provide the bureau with evidence that financial responsibility was in effect with respect to the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract.

(2) Instruct the person on how to furnish the bureau with evidence of financial responsibility as specified in this article.

(3) Inform the person that failure of the insurance company of the person to provide evidence of financial responsibility to the bureau, if not already provided, will result in suspension of the person's current driving privileges or motor vehicle registration, or both, under this article.

As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.284; P.L.149-2015, SEC.75.

IC 9-25-9-3
Request for evidence of financial responsibility; compliance

Sec. 3. To avoid suspension of driving privileges or motor vehicle registration suspension under this article, a person presented with a request for evidence of financial responsibility under section 1 of this chapter must ensure that the insurance company of the person provides the bureau with a certificate of compliance indicating that financial responsibility as required by IC 9-25-4-1 was in effect when the person committed the violation described in the judgment or abstract.

As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.285.

IC 9-25-9-4
Request for evidence of financial responsibility; required information

Sec. 4. A person who is presented with a request for evidence of financial responsibility under this chapter shall direct the insurance company of the person to set forth in the certificate of compliance the following information concerning the form of financial responsibility that was in effect on the date in question:

(1) If a motor vehicle liability policy was in effect, the following:

(A) The name of the insurer.

(B) The identification number applying to the policy.
(C) Dates of coverage of the policy.
(D) Confirmation that financial responsibility covering the motor vehicle or operator, as applicable, was in effect on the date in question.
(E) Other information requested by the bureau.
(2) If a bond was in effect, the following:
(A) The name and address of the bond company or surety.
(B) The face amount of the bond.
(C) Dates the bond was in effect.
(D) Other information requested by the bureau.
(3) If self-insurance was in effect under IC 9-25-4-11, the following:
(A) The date on which the certificate of self-insurance was issued by the bureau.
(B) The name of the person to whom the certificate of self-insurance was issued.
(C) Other information requested by the bureau.

As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.286; P.L.59-2013, SEC.33.

IC 9-25-9-5
Signatures on certificate of compliance; information concerning violations

Sec. 5. (a) A certificate of compliance that is provided to the bureau under this article and that reports the existence of an insurance policy must be signed by an officer or agent of the insurer.

(b) The portion of a request for evidence of financial responsibility that is presented to an officer or agent of an insurer to obtain a certificate of compliance under subsection (a) may not contain information concerning the violation that resulted in the request for evidence of financial responsibility.

(c) An officer or agent of an insurer may not request information concerning a violation that results in a request for evidence of financial responsibility under this article.

(d) A certificate of compliance that is provided to the bureau under this article and that reports the existence of a bond must be signed by an officer of the bond company or surety.

As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.287.

IC 9-25-9-6
Responsibilities of bureau

Sec. 6. The bureau shall respond to:
(1) a certificate of compliance provided to the bureau under this chapter; or
(2) the failure of a person under this chapter to provide the bureau with a certificate of compliance;

in the appropriate manner provided under this article.
As added by P.L.59-1994, SEC.10. Amended by P.L.59-2013, SEC.34.

IC 9-25-9-7
Financial responsibility compliance verification fund

Sec. 7. (a) The financial responsibility compliance verification fund is established to defray expenses incurred by the bureau in verifying compliance with financial responsibility requirements under this chapter.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The sources of money for the fund are as follows:

(1) The portion of the driving license reinstatement fee that is to be deposited in the fund under IC 9-25-6-15.

(2) Accrued interest and other investment earnings of the fund.

(3) Appropriations made by the general assembly.

(4) Gifts and donations from any person to the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.
As added by P.L.59-1994, SEC.10. Amended by P.L.198-2016, SEC.549.

IC 9-25-10
Repealed
(Repealed by P.L.59-2013, SEC.35.)

IC 9-26

ARTICLE 26. ACCIDENTS AND ACCIDENT REPORTS

IC 9-26-1

Chapter 1. Duties of Drivers, Owners, and Passengers and Accident Reports

IC 9-26-1-0.1

Repealed

(As added by P.L.220-2011, SEC.225. Repealed by P.L.63-2012, SEC.13.)

IC 9-26-1-0.3

Applicability

Sec. 0.3. Except as provided in section 0.5 of this chapter, this article does not apply to off-road vehicles or snowmobiles, which are subject to IC 14-16-1-24 and IC 14-16-1-26.

As added by P.L.259-2013, SEC.24.

IC 9-26-1-0.5

Proof if accident involves serious bodily injury

Sec. 0.5. For purposes of this chapter, an accident does not require proof of a collision between a driver's motor vehicle and another vehicle or another person if the accident involves serious bodily injury to or the death of a person.

As added by P.L.94-2006, SEC.4. Amended by P.L.125-2012, SEC.291.

IC 9-26-1-1

Repealed

(As added by P.L.2-1991, SEC.14. Amended by P.L.210-2005, SEC.50; P.L.126-2008, SEC.3; P.L.1-2009, SEC.88; P.L.125-2012, SEC.292. Repealed by P.L.217-2014, SEC.103.)

IC 9-26-1-1.1

Duties of driver of motor vehicle involved in an accident

Sec. 1.1. (a) The operator of a motor vehicle involved in an accident shall do the following:

(1) Except as provided in section 1.2 of this chapter, the operator shall immediately stop the operator's motor vehicle:

(A) at the scene of the accident; or

(B) as close to the accident as possible;

in a manner that does not obstruct traffic more than is necessary.

(2) Remain at the scene of the accident until the operator does the following:

(A) Gives the operator's name and address and the

registration number of the motor vehicle the operator was driving to any person involved in the accident.

(B) Exhibits the operator's driver's license to any person involved in the accident or occupant of or any person attending to any vehicle involved in the accident.

(3) If the accident results in the injury or death of another person, the operator shall, in addition to the requirements of subdivisions (1) and (2):

(A) provide reasonable assistance to each person injured in or entrapped by the accident, as directed by a law enforcement officer, medical personnel, or a 911 telephone operator; and

(B) as soon as possible after the accident, immediately give notice of the accident, or ensure that another person gives notice of the accident, by the quickest means of communication to one (1) of the following:

(i) The local police department, if the accident occurs within a municipality.

(ii) The office of the county sheriff or the nearest state police post, if the accident occurs outside a municipality.

(iii) A 911 telephone operator.

(4) If the accident involves a collision with an unattended vehicle or damage to property other than a vehicle, the operator shall, in addition to the requirements of subdivisions (1) and (2):

(A) take reasonable steps to locate and notify the owner or person in charge of the damaged vehicle or property of the damage; and

(B) if after reasonable inquiry the operator cannot find the owner or person in charge of the damaged vehicle or property, the operator must contact a law enforcement officer or agency and provide the information required by this section.

(b) An operator of a motor vehicle who knowingly or intentionally fails to comply with subsection (a) commits leaving the scene of an accident, a Class B misdemeanor. However, the offense is:

(1) a Class A misdemeanor if the accident results in bodily injury to another person;

(2) a Level 6 felony if:

(A) the accident results in serious bodily injury to another person; or

(B) within the five (5) years preceding the commission of the offense, the operator had a previous conviction of any of the offenses listed in IC 9-30-10-4(a);

(3) a Level 5 felony if the accident results in the death of another person; and

(4) a Level 3 felony if the operator knowingly or intentionally fails to stop or comply with subsection (a) during or after the

commission of the offense of operating while intoxicated causing serious bodily injury (IC 9-30-5-4) or operating while intoxicated causing death (IC 9-30-5-5).

As added by P.L.217-2014, SEC.104. Amended by P.L.188-2015, SEC.99; P.L.63-2016, SEC.1.

IC 9-26-1-1.2

Duties of driver of motor vehicle involved in an accident resulting in traffic obstruction; violation

Sec. 1.2. (a) If, after an operator of a motor vehicle is involved in an accident, the operator's motor vehicle comes to a stop in the traveled portion of a highway, the operator shall, as soon as safely possible, move the motor vehicle off the traveled portion of the highway and to a location as close to the accident as possible. However, the operator shall not move the motor vehicle if the accident:

(1) involves the transportation of hazardous materials; or

(2) results in injury or death of a person or the entrapment of a person in a vehicle.

A person who violates this subsection commits a Class C infraction.

(b) An operator of a motor vehicle to whom subsection (a) applies, is also subject to section 1.1(a)(2), 1.1(a)(3), and 1.1(a)(4) of this chapter. An operator who knowingly or intentionally fails to comply with section 1.1(a)(2), 1.1(a)(3), or 1.1(a)(4) of this chapter commits leaving the scene of an accident, a Class B misdemeanor, and is subject to the penalties in section 1.1(b) of this chapter.

As added by P.L.63-2016, SEC.2.

IC 9-26-1-1.5

Duties of passenger of vehicle involved in accident resulting in injury or entrapment; violation

Sec. 1.5. (a) If:

(1) the operator of a motor vehicle is physically incapable of determining the need for or rendering assistance to any injured or entrapped person as required under section 1.1(a)(3) of this chapter;

(2) there is another occupant in the motor vehicle at the time of the accident who is:

(A) at least:

(i) fifteen (15) years of age and holds a learner's permit issued under IC 9-24-7-1 or a driver's license issued under IC 9-24-11; or

(ii) eighteen (18) years of age; and

(B) capable of determining the need for and rendering reasonable assistance to injured or entrapped persons as provided in section 1.1(a)(3) of this chapter; and

(3) the other occupant in the motor vehicle knows that the operator of the motor vehicle is physically incapable of

determining the need for or rendering assistance to any injured or entrapped person;

the motor vehicle occupant referred to in subdivisions (2) and (3) shall immediately determine the need for and render reasonable assistance to each person injured or entrapped in the accident as provided in section 1.1(a)(3) of this chapter.

(b) If there is more than one (1) motor vehicle occupant to whom subsection (a) applies, it is a defense to a prosecution of one (1) motor vehicle occupant under subsection (a) that the defendant reasonably believed that another occupant of the motor vehicle determined the need for and rendered reasonable assistance as required under subsection (a).

(c) A person who knowingly or intentionally violates this section commits a Class C misdemeanor.

As added by P.L.126-2008, SEC.4. Amended by P.L.125-2012, SEC.293; P.L.217-2014, SEC.105; P.L.188-2015, SEC.100.

IC 9-26-1-2
Repealed

(As added by P.L.2-1991, SEC.14. Amended by P.L.157-2003, SEC.3; P.L.210-2005, SEC.51; P.L.126-2008, SEC.5; P.L.54-2009, SEC.10; P.L.125-2012, SEC.294. Repealed by P.L.217-2014, SEC.106.)

IC 9-26-1-2.5
Repealed

(As added by P.L.106-1991, SEC.1. Repealed by P.L.125-2012, SEC.295.)

IC 9-26-1-3
Repealed

(As added by P.L.2-1991, SEC.14. Amended by P.L.125-2012, SEC.296. Repealed by P.L.217-2014, SEC.107.)

IC 9-26-1-4
Repealed

(As added by P.L.2-1991, SEC.14. Amended by P.L.125-2012, SEC.297. Repealed by P.L.217-2014, SEC.108.)

IC 9-26-1-5
State police department; requiring reports from witnesses

Sec. 5. The state police department may require witnesses of accidents to submit reports to the state police department.

As added by P.L.2-1991, SEC.14. Amended by P.L.210-2005, SEC.52.

IC 9-26-1-6
Repealed

(As added by P.L.2-1991, SEC.14. Amended by P.L.126-2008, SEC.6. Repealed by P.L.125-2012, SEC.298.)

IC 9-26-1-7
City or town ordinances; accident reports; confidentiality

Sec. 7. (a) A city or town may by ordinance require that the driver of a motor vehicle involved in an accident file with a designated city or town department a report of the accident.

(b) An accident report required to be filed under subsection (a) is for the confidential use of the designated city or town department and subject to IC 9-26-3-4.

As added by P.L.2-1991, SEC.14. Amended by P.L.210-2005, SEC.53; P.L.125-2012, SEC.299.

IC 9-26-1-8
Repealed

(As added by P.L.2-1991, SEC.14. Amended by P.L.96-1996, SEC.2; P.L.97-1996, SEC.2; P.L.126-2008, SEC.7; P.L.158-2013, SEC.158. Repealed by P.L.217-2014, SEC.109.)

IC 9-26-1-9
Repealed

(As added by P.L.2-1991, SEC.14. Amended by P.L.126-2008, SEC.8. Repealed by P.L.217-2014, SEC.110.)

IC 9-26-1-10
Repealed

(As added by P.L.2-1991, SEC.14. Repealed by P.L.125-2012, SEC.300.)

IC 9-26-2

Chapter 2. Duties of Law Enforcement Officers and Accident Reports

IC 9-26-2-1

Investigation of accidents resulting in injury, death, or property damage of at least $1,000

Sec. 1. A law enforcement officer shall investigate each motor vehicle accident that results in any of the following:

(1) The injury or death of a person.

(2) Total property damage to an apparent extent of at least one thousand dollars ($1,000).

As added by P.L.2-1991, SEC.14. Amended by P.L.157-2003, SEC.4.

IC 9-26-2-2

Accident reports

Sec. 2. A law enforcement officer shall forward a written report of each accident investigated under section 1 of this chapter to the state police department within twenty-four (24) hours after completing the investigation. The report must contain, if possible, the following information:

(1) The name and address of the owner and operator of each vehicle involved in the accident.

(2) The license number and description of each vehicle involved in the accident.

(3) The time and place the accident occurred.

(4) The name and address of each person injured or killed in the accident.

(5) The name and address of each witness to the accident.

As added by P.L.2-1991, SEC.14.

IC 9-26-2-3

Accident report not confidential record

Sec. 3. A report filed by a law enforcement officer under section 2 of this chapter is not a confidential record and shall be made available for inspection and copying under IC 5-14-3.

As added by P.L.2-1991, SEC.14.

IC 9-26-2-4

Enforcement of traffic regulations and financial responsibility provisions against parties to accidents on private property

Sec. 4. (a) A law enforcement officer shall enforce IC 9-21 and IC 9-25 against the parties to a motor vehicle accident on private property if the accident:

(1) occurs on commercial or other private property that is open to the public; and

(2) results in:

(A) personal injury or death; or

(B) property damage to an apparent extent greater than one thousand dollars ($1,000).

(b) This section does not affect the power of a local government unit to contract with the owner or lessee of a shopping center or private business property under IC 9-21-18-4.

As added by P.L.2-1991, SEC.14. Amended by P.L.157-2003, SEC.5.

IC 9-26-3

Chapter 3. Duties of State Police Department and Accident Reports

IC 9-26-3-1

Accident report forms

Sec. 1. (a) The state police department shall prepare and, upon request, supply to police departments, coroners, sheriffs, and other appropriate agencies or individuals forms for accident reports required under this article.

(b) The forms must be appropriate with respect to the persons required to make the reports and the purposes to be served. The written reports to be made by persons involved in accidents and by investigating officers must require sufficiently detailed information to disclose with reference to a traffic accident the causes, locations, and conditions then existing and the persons and vehicles involved.

As added by P.L.2-1991, SEC.14.

IC 9-26-3-2

Use of approved form; sufficiency of information given in report

Sec. 2. An accident report required to be made in writing must be made on the appropriate form approved by the state police department and must contain all of the required information unless the information is not available.

As added by P.L.2-1991, SEC.14.

IC 9-26-3-3

Transmission of accident reports to bureau

Sec. 3. The state police department shall transmit to the bureau each accident report or copy of an accident report filed with the state police department under this chapter.

As added by P.L.2-1991, SEC.14.

IC 9-26-3-4

Confidentiality and use of reports; disclosure of identity of person; use as evidence at trial; certificate that report has or has not been made

Sec. 4. (a) This section does not apply to an accident report filed by a law enforcement officer or filed by a coroner or similar officer under IC 9-26-4-2.

(b) Except as provided in subsection (c), each required accident report and supplemental report is without prejudice to the reporting individual and is for the confidential use of the state police department or other state agencies having use of the records for accident prevention purposes.

(c) The state police department may disclose the identity of a person involved in an accident when the person's identity is not otherwise known or when the person denies being present at the

accident.

(d) A report may not be used as evidence in a trial, civil or criminal, arising out of an accident. However, the state police department shall, upon the demand of a:

(1) person who has, or claims to have, made a report; or

(2) court;

furnish a certificate showing that a specified accident report has or has not been made to the state police department solely to prove a compliance or a failure to comply with the requirement that a report be made to the state police department.

As added by P.L.2-1991, SEC.14.

IC 9-26-3-5

Gathering, publication, and distribution of statistical information

Sec. 5. (a) The state police department shall tabulate and may analyze all accident reports and shall publish annually or at more frequent intervals statistical information based on the reports as to the number and circumstances of traffic accidents, including:

(1) the total number of accidents;

(2) the total number of fatalities resulting from traffic accidents;

(3) the total number of accidents and fatalities involving a person less than nineteen (19) years of age; and

(4) if possible, whether the accident or fatality occurred on a highway that:

(A) is part of the national system of interstate and defense highways;

(B) has four (4) or more lanes; or

(C) is divided into two (2) or more roadways.

(b) Beginning April 30, 2006, and on April 30 of each year thereafter, if the number of fatalities reported in subsection (a) exceeds the average annual number of fatalities in traffic accidents from the previous five (5) years by at least seven percent (7%), the state police department shall submit the report to the legislative council and to the chairpersons of the committees of the house of representatives and the senate that consider transportation issues. The reports required under this subsection must be in an electronic format under IC 5-14-6.

(c) Beginning April 30, 2006, and on April 30 of each year thereafter, the state police department shall submit a report describing:

(1) the total number of accidents and fatalities involving a person less than nineteen (19) years of age; and

(2) if possible, whether the accident or fatality described in subdivision (1) occurred on a highway that:

(A) is part of the national system of interstate and defense highways;

(B) has four (4) or more lanes; or

(C) is divided into two (2) or more roadways;

to the legislative council and to the chairpersons of the committees of the house of representatives and the senate that consider transportation issues. The reports required under this subsection must be in an electronic format under IC 5-14-6.

As added by P.L.2-1991, SEC.14. Amended by P.L.151-2005, SEC.4.

IC 9-26-4

Chapter 4. Duties of Coroners

IC 9-26-4-1

Death resulting from traffic accident; duty to notify state police department

Sec. 1. The coroner or other official performing similar functions shall immediately notify the state police department upon learning of the death of an individual in the coroner's jurisdiction as the result of a traffic accident.

As added by P.L.2-1991, SEC.14.

IC 9-26-4-2

Monthly reports

Sec. 2. In addition to the notification required by section 1 of this chapter, the coroner or other official performing similar functions shall report in writing to the state police department, on or before the tenth day of each month, the following:

(1) The death of an individual within the coroner's jurisdiction during the preceding month as the result of an accident involving a motor vehicle.

(2) The circumstances of the accident.

As added by P.L.2-1991, SEC.14.

IC 9-26-5

Chapter 5. Duties of Garages and Repair Shops

IC 9-26-5-1

Vehicle showing evidence of having been struck by bullet; duty to make report

Sec. 1. The person in charge of a garage or repair shop to which a motor vehicle that shows evidence of having been struck by a bullet is brought shall report to the state police department, within twenty-four (24) hours after the motor vehicle is received, the following information:

(1) The engine number of the motor vehicle.

(2) The registration number of the motor vehicle.

(3) The name and address of the owner or operator of the motor vehicle.

As added by P.L.2-1991, SEC.14. Amended by P.L.125-2012, SEC.301.

IC 9-26-5-2

Violation of chapter; classification

Sec. 2. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.14.

IC 9-26-6

Chapter 6. Removal of Damaged Vehicles

IC 9-26-6-0.5

Repealed

(As added by P.L.150-2009, SEC.19. Amended by P.L.259-2013, SEC.25. Repealed by P.L.217-2014, SEC.111.)

IC 9-26-6-1

Duty to remove glass or other foreign material; violation

Sec. 1. (a) A person removing a wrecked or damaged motor vehicle, including a wrecked or damaged golf cart or off-road vehicle, from a street or highway must remove any glass or other foreign material dropped upon the street or highway from the motor vehicle.

(b) A person who fails to comply with subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.14. Amended by P.L.125-2012, SEC.302; P.L.217-2014, SEC.112; P.L.188-2015, SEC.101.

IC 9-26-6-2

Notification required following accident resulting in damage to property; application of section

Sec. 2. (a) This section does not apply to the removal of a motor vehicle that constitutes a traffic hazard.

(b) The operator of a motor vehicle that is used to remove a motor vehicle that caused damage to real or personal property, except a motor vehicle of another person as described in IC 9-26-1-1.1, shall give the notification required by IC 9-26-1-1.1 before removing the motor vehicle that caused the damage.

(c) A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

As added by P.L.2-1991, SEC.14. Amended by P.L.125-2012, SEC.303; P.L.217-2014, SEC.113.

IC 9-26-6-3

Repealed

(As added by P.L.2-1991, SEC.14. Repealed by P.L.188-2015, SEC.102.)

IC 9-26-6-4

Repealed

(As added by P.L.2-1991, SEC.14. Repealed by P.L.217-2014, SEC.114.)

IC 9-26-7

Chapter 7. Damage to Fences

IC 9-26-7-1

Duty of fence owner to give notice of damage

Sec. 1. If a fence adjacent to a highway maintained by the state is damaged or destroyed as the result of a traffic accident occurring on the state highway, the owner of the damaged fence shall notify the Indiana department of transportation of the occurrence of the accident and damage to the fence within ten (10) days after the accident.

As added by P.L.2-1991, SEC.14.

IC 9-26-7-2

Repair or replacement of fence; labor and materials

Sec. 2. The Indiana department of transportation shall furnish the labor used in the repair or replacement of the fence. The owner of the fence shall furnish the materials or money to cover the cost of materials for the repair or replacement of the fence.

As added by P.L.2-1991, SEC.14.

IC 9-26-7-3

Liability of person causing damage

Sec. 3. This chapter does not mitigate or extinguish the liability of a person causing or responsible for damage to respond in damages.

As added by P.L.2-1991, SEC.14.

IC 9-26-7-4

Compliance with article; effect of chapter

Sec. 4. This chapter does not relieve the owner or operator of a motor vehicle involved in an accident subject to this chapter of compliance with this article.

As added by P.L.2-1991, SEC.14.

IC 9-26-8

Chapter 8. Enforcement

IC 9-26-8-1

Arrest and prosecution; exclusivity of procedures

Sec. 1. The procedure prescribed in this chapter is not the exclusive method for the arrest and prosecution of a person for a similar offense.

As added by P.L.2-1991, SEC.14.

IC 9-26-8-2

Violations of IC 9-26-1-1.1; arrest without warrant

Sec. 2. A law enforcement officer may, without a warrant, arrest a person for a violation of IC 9-26-1-1.1 if the law enforcement officer has probable cause to believe that the violation was committed by the person.

As added by P.L.2-1991, SEC.14. Amended by P.L.1-1992, SEC.58; P.L.217-2014, SEC.115.

IC 9-26-9

Chapter 9. Accident Reports and Fees

IC 9-26-9-1

"Accident response service fee"

Sec. 1. As used in this chapter, "accident response service fee" means a fee imposed for any of the following:

(1) The response by a local law enforcement agency to a motor vehicle accident.

(2) The investigation by a local law enforcement agency of a motor vehicle accident.

As added by P.L.198-2016, SEC.550.

IC 9-26-9-2

"Local law enforcement agency"

Sec. 2. As used in this chapter, "local law enforcement agency" means a political subdivision's department or agency whose principal function is the apprehension of criminal offenders.

As added by P.L.198-2016, SEC.550.

IC 9-26-9-3

Carrying out of law enforcement officer's duties; reports; copying; fees

Sec. 3. (a) Except as provided in subsection (c), the main department, office, agency, or other person under whose supervision a law enforcement officer carries out the law enforcement officer's duties may charge a fee that is fixed by ordinance of the fiscal body and is at least five dollars ($5) for each report.

(b) The fee collected under subsection (a) or (c) shall be deposited in the following manner:

(1) If the department supplying a copy of the accident report is the state police department, in a separate account known as the "accident report account". The account may be expended at the discretion of the state police superintendent for a purpose reasonably related to the keeping of accident reports and records or the prevention of street and highway accidents.

(2) If the department supplying a copy of the accident report is the sheriff, county police, or county coroner, in a separate account known as the "accident report account". The account may be expended at the discretion of the chief administrative officer of the entity that charged the fee for any purpose reasonably related to the keeping of accident reports and records or the prevention of street and highway accidents.

(3) If the department supplying a copy of the accident report is a city or town police department, in the local law enforcement continuing education fund established by IC 5-2-8-2.

(c) The superintendent of the state police department may charge a fee in an amount that is at least five dollars ($5) for:

(1) each report; and

(2) the inspection and copying of other report related data maintained by the department.

As added by P.L.198-2016, SEC.550.

IC 9-26-9-4

Accident response service fee prohibited

Sec. 4. A political subdivision or a local law enforcement agency may not impose or collect, or enter into a contract for the collection of, an accident response service fee on or from:

(1) the driver of a motor vehicle; or

(2) any other person;

involved in a motor vehicle accident.

As added by P.L.198-2016, SEC.550.

IC 9-27

ARTICLE 27. TRAFFIC SAFETY AND DRIVER EDUCATION PROGRAMS

IC 9-27-1

Chapter 1. Federal Traffic Safety Programs

IC 9-27-1-1

Federal act defined

Sec. 1. As used in this chapter, "federal act" refers to the National Highway Safety Act of 1966 (23 U.S.C. 401 et seq. as in effect January 1, 1991).

As added by P.L.2-1991, SEC.15.

IC 9-27-1-2

Acceptance of provisions and benefits of National Highway Safety Act of 1966; administration

Sec. 2. Indiana accepts the provisions and benefits of the National Highway Safety Act of 1966 (23 U.S.C. 401 et seq.). The governor may administer the federal act and coordinate the activities of all departments and agencies of this state and political subdivisions of this state and observe and comply with the requirements of the federal act and the regulations issued under the federal act.

As added by P.L.2-1991, SEC.15.

IC 9-27-1-3

Construction to allow maximum participation in benefits

Sec. 3. This chapter shall be construed to allow maximum participation in the benefits of the federal act.

As added by P.L.2-1991, SEC.15.

IC 9-27-1-4

Federal funds appropriated to state and subdivisions for federal act uses and purposes

Sec. 4. Federal funds received by the state under the federal act are appropriated to the state and political subdivisions of the state for the uses and purposes provided by the federal act.

As added by P.L.2-1991, SEC.15.

IC 9-27-1-5

Federal funds conditioned on expenditure of funds by political subdivision; appropriation by subdivision

Sec. 5. If the expenditure of public funds of a political subdivision is required as a condition for the provision of funds under the federal act, the acceptance of funds under the federal act by the political subdivision shall be made by the governing authority of the political subdivision, with the consent of the appropriating authority of the political subdivision. Funds of a political subdivision may not be

expended without due appropriation as provided by law. However, a political subdivision may make regular appropriations for the purposes authorized by this chapter or may make regular appropriations in the same manner that emergency appropriations are made.
As added by P.L.2-1991, SEC.15.

IC 9-27-1-6
State administrator and other employees; salaries
Sec. 6. (a) The governor may appoint an administrator to aid the governor in the coordination and administration of the federal act. The governor may also employ other persons required to effectuate the purposes of the federal act.
(b) The budget agency, subject to the approval of the governor, shall establish the salaries of the administrator and other persons employed by the governor to effectuate the purposes of the federal act.
As added by P.L.2-1991, SEC.15.

IC 9-27-1-7
Delegation of duties to state officers or agencies
Sec. 7. The governor may designate a state officer or agency to perform any of the acts to be performed by the state to receive funds under the federal act. The designated state officer or agency shall perform the acts specified by the governor.
As added by P.L.2-1991, SEC.15.

IC 9-27-1-8
Cooperation; federal, state, and local level
Sec. 8. The governor may cooperate with any agency or person, public or private, state or federal, and any political subdivision in the administration of the federal act.
As added by P.L.2-1991, SEC.15.

IC 9-27-1-9
State officers and agencies; cooperation
Sec. 9. State officers and agencies shall cooperate with the governor, on the governor's request, to further the purposes of this chapter.
As added by P.L.2-1991, SEC.15.

IC 9-27-1-10
Federal funds; application; receipt; disbursement; allocation
Sec. 10. The governor may apply for, receive, disburse, and allocate funds that are made available to the state by the federal government.
As added by P.L.2-1991, SEC.15.

IC 9-27-1-11

Contracts to provide services, facilities, studies, and reports

Sec. 11. The governor may contract with other agencies, public and private, that the governor considers necessary to provide the services, facilities, studies, and reports that will best effectuate the purposes of the federal act.

As added by P.L.2-1991, SEC.15.

IC 9-27-2

Chapter 2. State Traffic Safety Programs

IC 9-27-2-1

Office defined

Sec. 1. As used in this chapter, "office" refers to the office of traffic safety.

As added by P.L.2-1991, SEC.15.

IC 9-27-2-2

Office of traffic safety; creation; responsibility; purpose

Sec. 2. The office of traffic safety is created within the Indiana criminal justice institute. The office is responsible for the state's traffic safety program. The purpose of this office is to develop and conduct effective programs and activities for the facilitation of traffic and for the protection and conservation of life and property on Indiana streets and highways.

As added by P.L.2-1991, SEC.15. Amended by P.L.39-1993, SEC.8.

IC 9-27-2-3

Director of traffic safety; appointment; term; qualifications; duties

Sec. 3. (a) The governor shall appoint a director of traffic safety who serves at the pleasure of the governor.

(b) The director is the administrative head of the office of traffic safety, subject to the authority of the director of the Indiana criminal justice institute. The director of traffic safety shall develop, plan, and execute the functions and duties prescribed by this chapter.

(c) The director of traffic safety must be a person qualified by training and experience in traffic safety and traffic accident prevention measures.

As added by P.L.2-1991, SEC.15. Amended by P.L.39-1993, SEC.9.

IC 9-27-2-4

Office; powers and duties

Sec. 4. The office shall do the following to carry out this chapter:

(1) Develop, plan, and conduct programs and activities designed to prevent and reduce traffic accidents and to facilitate the control of traffic on Indiana streets and highways.

(2) Advise, recommend, and consult with state departments, divisions, boards, commissions, and agencies concerning traffic safety, accident prevention, and traffic facilitation programs and activities and coordinate these programs and activities on an effective statewide basis.

(3) Organize and conduct, in cooperation with state departments and agencies, programs, services, and activities designed to aid political subdivisions in the control of traffic and prevention of traffic accidents.

(4) Develop informational, educational, and promotional

material on traffic control and traffic accident prevention, disseminate the material through all possible means of public information, and serve as a clearinghouse for information and publicity on traffic control and accident prevention programs and activities of state departments and agencies. These activities must include materials and information designed to make senior citizens aware of the effect of age on driving ability.

(5) Cooperate with public and private agencies interested in traffic control and traffic accident prevention in the development and conduct of public informational and educational activities designed to promote traffic safety or to support the official traffic safety program of Indiana.

(6) Study and determine the merits of proposals affecting traffic control, traffic safety, or traffic accident prevention activities in Indiana and recommend to the governor and the general assembly the measures that will serve to further control and reduce traffic accidents.

(7) Study proposed revisions and amendments to the motor vehicle laws and all other laws concerning traffic safety and make recommendations relative to those laws to the governor and general assembly.

(8) Develop and conduct a program of effective alcohol and drug countermeasures to protect and conserve life and property on Indiana streets and highways.

As added by P.L.2-1991, SEC.15. Amended by P.L.210-2005, SEC.54; P.L.197-2011, SEC.36.

IC 9-27-2-5
Office; additional powers and duties

Sec. 5. The office may do what is reasonable and necessary to carry out this chapter, including the following:

(1) Recommend to state agencies and departments measures for the control of traffic and for the prevention of traffic accidents.

(2) Study and inspect at any time the traffic control and traffic accident prevention activities and operations of state agencies and departments.

(3) Call meetings of the heads or employees of state agencies and departments to discuss traffic control or traffic accident prevention measures.

(4) Request information, special studies, and reports from state agencies and departments on matters concerning the control of traffic or the prevention of traffic accidents on Indiana streets and highways.

As added by P.L.2-1991, SEC.15.

IC 9-27-2-6
Rules

Sec. 6. The Indiana criminal justice institute may adopt rules under IC 4-22-2 to carry out this chapter.
As added by P.L.2-1991, SEC.15. Amended by P.L.39-1993, SEC.10.

IC 9-27-2-7
Authority of office supplemental to traffic safety functions of department of transportation and state police department

Sec. 7. The authority of the office supplements and does not replace the traffic safety functions of the Indiana department of transportation or the state police department.
As added by P.L.2-1991, SEC.15.

IC 9-27-2-8
Cooperation; state governmental entities

Sec. 8. The head of each Indiana department, division, bureau, commission, and agency shall cooperate with the office and provide full information on all plans, operations, activities, and programs of the respective agency or department that are directly related to traffic control or traffic accident prevention. The governor may direct that assistance be given to the office, in the performance of the duties of the office, by any officer, employee, or agent of the state. At the request of the office and with the approval of the governor, the head of a state agency or department shall assign temporarily to the office the technicians or other employees needed to carry out this chapter.
As added by P.L.2-1991, SEC.15.

IC 9-27-2-9
Gifts or grants; authority to accept

Sec. 9. (a) The office, with the approval of the governor, may accept on behalf of the state a gift or grant of money for a purpose specified in this chapter.

(b) A gift or grant under this chapter shall be held by the treasurer of state in a special fund and expended in accordance with the terms of the gift or grant upon proper warrant or voucher drawn by the office.
As added by P.L.2-1991, SEC.15.

IC 9-27-2-10
Purdue University research and training center; training program

Sec. 10. (a) The office and each Indiana department, division, bureau, and other agency may cooperate with Purdue University in the development of factual and scientific methods for the following:

(1) The control and prevention of traffic accidents.

(2) The conduct of research.

(3) Training and service programs designed to aid the office and the departments and agencies in conducting effective activities related to the facilitation of motor vehicle traffic on streets and highways and in the control and prevention of traffic accidents.

(b) Purdue University may do the following:

(1) Serve as the training and research center for the director of traffic safety and for the state traffic safety advisory committee.

(2) Develop and conduct for towns, cities, and other political subdivisions of Indiana training programs, special studies, surveys, and other services in the field of public safety and traffic accident prevention that are designed to aid political subdivisions in the prevention and control of traffic accidents and congestion.

As added by P.L.2-1991, SEC.15.

IC 9-27-2-11

Alcohol and drug countermeasures fund

Sec. 11. (a) The alcohol and drug countermeasures fund is established for the purpose of funding the programs and activities developed and conducted under section 4(8) of this chapter. The fund shall be administered by the office. The fund consists of deposits made under IC 33-37.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(d) At least sixty percent (60%) of the money in the alcohol and drug countermeasures fund shall be used to supplement law enforcement agencies in their efforts to apprehend persons who operate vehicles while intoxicated. Money received by a law enforcement agency from the fund may not be used to replace other funding of law enforcement services.

As added by P.L.2-1991, SEC.15. Amended by P.L.98-2004, SEC.77.

IC 9-27-2-12

Repealed

(As added by P.L.2-1991, SEC.15. Repealed by P.L.197-2011, SEC.153.)

IC 9-27-2-13

Schools, seminars, or courses conducted by driver safety specialists; participation fees; agreements; deposit of revenues

Sec. 13. (a) Driver safety specialists, acting for the bureau, may conduct schools, seminars, or other courses for the benefit of local units of government, other state agencies, federal agencies, organizations, or private businesses for the purpose of improving the state's traffic safety climate.

(b) The bureau may impose a fee on participating individuals or groups at a rate adequate to reimburse the state for the direct cost to the state of conducting the educational programs.

(c) The bureau may enter into agreements as needed to meet the

purposes of this chapter.

(d) The revenue collected for the purpose of reimbursing the state for the direct costs of the educational programs shall be deposited in the motor vehicle highway account established under IC 8-14-1.

As added by P.L.2-1991, SEC.15.

IC 9-27-3

Chapter 3. Local Traffic Safety Programs

IC 9-27-3-1

Application of chapter

Sec. 1. This chapter applies only to counties and cities.

As added by P.L.2-1991, SEC.15.

IC 9-27-3-2

Contracts with nonprofit organizations to promote traffic safety and to study accident problems

Sec. 2. The:

(1) county executive of a county; or

(2) board of public works, board of public works and safety, or the department of transportation of a city;

may contract with a nonprofit organization, with the approval of the county legislative body or the city legislative body, to promote traffic safety and study traffic accident problems.

As added by P.L.2-1991, SEC.15.

IC 9-27-4
Repealed
(Repealed by P.L.1-2010, SEC.156.)

IC 9-27-5

Chapter 5. Toxicology Accident Research

IC 9-27-5-1

State department of toxicology; study

Sec. 1. (a) The state, in recognition of the need for and lack of adequate information regarding the role of alcohol, carbon monoxide, and certain drugs in fatalities occurring as a result of traffic accidents involving motor vehicles, requires specific information pertaining to Indiana. The information, to be of value in the evaluation of the traffic accident rate in Indiana, must be gathered, prepared, and interpreted on the basis of local conditions. It is recognized that the extrapolation of information gathered in other states will not provide accurate information in view of the variables introduced by demographic differences and a multitude of environmental factors that differ from state to state.

(b) In recognition of the need for the information described in subsection (a), the director of the state department of toxicology, in conjunction with the office of traffic safety, shall conduct a study of the incidence and effect of alcohol, carbon monoxide, and certain drugs in all motor vehicle traffic accidents involving a fatality.

As added by P.L.2-1991, SEC.15. Amended by P.L.158-2011, SEC.1.

IC 9-27-5-2

State department of toxicology; aid

Sec. 2. The director of the state department of toxicology may solicit and receive aid from the following:

(1) The office of traffic safety.
(2) The state police department.
(3) The commission on forensic sciences.
(4) The Indiana Coroners Association.
(5) The state department of health.
(6) The Indiana State Medical Association.
(7) Other agencies that may, in the director's opinion, make a contribution to the effectiveness of the study.

As added by P.L.2-1991, SEC.15. Amended by P.L.2-1992, SEC.90.

IC 9-27-5-3

Test results; dissemination; immunity from liability; practice of medicine

Sec. 3. (a) The results of a test conducted as part of a study conducted under this chapter are not public records. The results comprise information that is required by the investigator for the preparation of the study. Since these are the results of a statistical examination, the findings in a specific instance or collection of instances are not admissible in evidence in an action in a court or in a proceeding before a tribunal, a board, an agency, or an individual.

(b) The consolidated results of the examinations may be

disseminated and made public for any use, but there must be no method of identifying the individuals involved.

(c) An individual participating in a bona fide activity concerned with the conduct of statistical examination is immune from all liability, civil or criminal, that might otherwise be incurred or imposed.

(d) This chapter may not be construed as permitting a person to engage in the practice of medicine.

As added by P.L.2-1991, SEC.15.

IC 9-27-5-4

Collection of specimens

Sec. 4. (a) The director of the state department of toxicology, in conjunction with the office of traffic safety, may require the appropriate agencies to collect the necessary specimens to the maximum extent practicable from the body of each driver and pedestrian who is at least fifteen (15) years of age and who dies within four (4) hours after involvement in an accident.

(b) To the maximum extent practicable and consistent with legal rights, a quantitative test must also be conducted on each surviving driver in an accident that involves a fatality or that results in serious bodily injury in a manner consistent with IC 9-30-7.

(c) Specimens or reports collected under this section must consist of those items prescribed by the director of the department of toxicology and must include sufficient data to approximate the blood alcohol concentration of the driver or pedestrian at the time of the accident.

As added by P.L.2-1991, SEC.15.

IC 9-27-5-5

Reports

Sec. 5. The director of the state department of toxicology, in conjunction with the office of traffic safety, shall prepare a report of the annual statistical findings and related recommendations for presentation upon request of the legislative council. The report must be in an electronic format under IC 5-14-6.

As added by P.L.2-1991, SEC.15. Amended by P.L.28-2004, SEC.78.

IC 9-27-6

Chapter 6. Driver Education Training

IC 9-27-6-1

Application

Sec. 1. This chapter applies after December 31, 2011.

As added by P.L.145-2011, SEC.21.

IC 9-27-6-2

Exceptions to application

Sec. 2. This chapter does not apply to the following:

(1) An individual giving driver training lessons without charge.

(2) Employers maintaining driver training schools without charge for employees of the employer only.

As added by P.L.145-2011, SEC.21.

IC 9-27-6-3

Driver training school

Sec. 3. (a) As used in this chapter, "driver training school" means:

(1) a business enterprise that:

(A) is conducted by an individual, an association, a partnership, a limited liability company, or a corporation for the education and training of persons, practically or theoretically, or both, to operate or drive motor vehicles or to prepare an applicant for an examination or validation under IC 9-24 for a driver's license; and

(B) charges consideration or tuition for the provision of services; or

(2) a driver education program operated under the authority of:

(A) a school corporation (as defined in IC 36-1-2-17);

(B) a nonpublic secondary school that voluntarily becomes accredited under IC 20-19-2-8;

(C) a nonpublic secondary school recognized under IC 20-19-2-10;

(D) a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9);

(E) a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12);

(F) a state educational institution (as defined in IC 21-7-13-32); or

(G) a nonaccredited nonpublic school.

(b) The term does not include a business enterprise that educates or trains a person or prepares a person for an examination or a validation given by the bureau to operate or drive a motor vehicle as a vocation.

As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.69.

IC 9-27-6-4
Instructor

Sec. 4. As used in this chapter, "instructor" means the following:

(1) An individual, whether acting as the operator of a driver training school or on behalf of a driver training school, who for compensation teaches, conducts classes for, gives demonstrations to, or supervises the practice of individuals learning to operate or drive motor vehicles or preparing to take an examination for a driver's license.

(2) An individual who supervises the work of an instructor.

(3) An individual licensed under IC 20-28-5-1.

(4) An individual under the authority of a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9) or a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12) who is teaching, conducting classes for, giving demonstrations to, or supervising the practice of individuals learning to operate or drive motor vehicles or preparing to take an examination for a driver's license.

(5) An individual under the authority of a state educational institution (as defined in IC 21-7-13-32) who is teaching, conducting classes for, giving demonstrations to, or supervising the practice of individuals learning to operate or drive motor vehicles or preparing to take an examination for a driver's license.

As added by P.L.145-2011, SEC.21. Amended by P.L.107-2012, SEC.3; P.L.85-2013, SEC.70.

IC 9-27-6-5
Driver education advisory board

Sec. 5. (a) As used in this section, "advisory board" refers to the driver education advisory board established by subsection (b).

(b) The driver education advisory board is established to advise the commissioner in the administration of the policies of the commission and the bureau regarding driver education.

(c) The advisory board is composed of seven (7) individuals appointed by the commissioner as follows:

(1) Three (3) members must be driver education professionals endorsed by the bureau under section 8 of this chapter. In the selection of individuals for membership under this subdivision, consideration must be given to driver education instruction performed in urban and rural areas.

(2) One (1) member must be a traffic safety advocate.

(3) One (1) member must be a representative of the bureau.

(4) One (1) member must be a representative of higher education.

(5) One (1) member must be a representative of the insurance industry.

(d) A member of the advisory board serves a two (2) year term. A member may not be appointed to more than two (2) consecutive full terms. Each member serves until the member's successor is appointed and qualified.

(e) A member of the advisory board may be removed for good cause.

(f) A vacancy on the advisory board shall be filled by the appointment by the commissioner of an individual to fill the position to which the vacating member was appointed under subsection (c) for the vacating member's unexpired term.

(g) The advisory board shall:

(1) consult with and advise the commissioner in the administration of the policies of the commission and the bureau regarding driver education; and

(2) suggest rules regarding the education and training of persons to operate or drive motor vehicles or to prepare a person for an examination or validation for a driver's license.

(h) A member of the advisory board is not subject to liability in a civil action for bodily injury or property damage arising from or thought to have arisen from an action taken in good faith as a member of the advisory board.

As added by P.L.145-2011, SEC.21. Amended by P.L.125-2012, SEC.304; P.L.85-2013, SEC.71.

IC 9-27-6-6

Driver training school license

Sec. 6. (a) To establish or operate a driver training school, the driver training school must obtain a driver training school license from the bureau in the manner and form prescribed by the bureau.

(b) Subject to subsections (c) and (d), the bureau shall adopt rules under IC 4-22-2 that state the requirements for obtaining a driver training school license.

(c) The rules adopted under subsection (b) must permit a licensed driver training school to provide classroom training during which an instructor is present in a county outside the county where the driver training school is located to the students of:

(1) a school corporation (as defined in IC 36-1-2-17);

(2) a nonpublic secondary school that voluntarily becomes accredited under IC 20-19-2-8;

(3) a nonpublic secondary school recognized under IC 20-19-2-10;

(4) a state educational institution; or

(5) a nonaccredited nonpublic school.

However, the rules must provide that a licensed driver training school may provide classroom training in an entity listed in subdivisions (1) through (3) only if the governing body of the entity approves the delivery of the training to its students.

(d) The rules adopted under subsection (b) must provide that

driver education instruction may not be provided to a child less than fifteen (15) years of age.
As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.72; P.L.149-2015, SEC.76.

IC 9-27-6-7
Repealed
(As added by P.L.145-2011, SEC.21. Amended by P.L.107-2012, SEC.4. Repealed by P.L.85-2013, SEC.73.)

IC 9-27-6-8
Driver education instructor; license
Sec. 8. (a) To be eligible to act as a driver education instructor, an individual must obtain an instructor's license from the bureau in the manner and form prescribed by the bureau.
(b) Subject to subsection (c), the bureau shall adopt rules under IC 4-22-2 that state the requirements for obtaining and renewing an instructor's license, including the requirements for continuing education for instructors. The rules must specify the requirements, including requirements about criminal convictions, necessary to satisfy the conditions of subsection (c)(3).
(c) The bureau shall issue an instructor's license to an individual who:
(1) meets the requirements of subsection (a) and rules adopted under subsection (b);
(2) does not have more than the maximum number of points for violating traffic laws specified by the bureau by rules adopted under IC 4-22-2; and
(3) has a good moral character, physical condition, knowledge of the rules of the road, and work history.
Only an individual who holds an instructor's license issued by the bureau under this subsection may act as an instructor.
As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.74.

IC 9-27-6-9
Licenses; expiration; fees; refund; deposit of fees
Sec. 9. (a) A license issued under section 6 or 8 of this chapter expires on the last day of the fiscal year in even-numbered years and may be renewed upon application to the bureau.
(b) The fee for a license issued under section 6 or 8 of this chapter must be prescribed by rule under section 11(1) of this chapter.
(c) A license fee may not be refunded if the license application is rejected or the license is suspended or revoked.
(d) A license fee collected under this section shall be deposited in the motor vehicle highway account fund established under IC 8-14-1.
As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.75.

IC 9-27-6-10
Refusal to issue or renew, cancel, suspend, or revoke license

Sec. 10. The bureau may refuse to issue, refuse to renew, cancel, suspend, or revoke a license issued under this chapter if it is shown that the person:

(1) who applied for the license does not meet the requirements necessary to obtain the license;

(2) no longer meets the requirements necessary to maintain the license; or

(3) has willfully violated this chapter or a rule adopted by the bureau concerning driver education instruction.

As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.76.

IC 9-27-6-11
Rules concerning licenses

Sec. 11. In addition to adopting rules under sections 6(b), 8(b), and 9(b) of this chapter, the bureau shall adopt rules under IC 4-22-2 concerning the following:

(1) Methods and procedures for the investigation and evaluation of the qualifications of individuals applying for licenses under sections 6 and 8 of this chapter.

(2) The criteria upon which to issue, deny, suspend, renew, and revoke licenses under section 10 of this chapter, including requirements for continuing education for instructors.

(3) Procedures for:

(A) the investigation into potential grounds for; and

(B) conduct of hearings on;

the issuance, renewal, cancellation, suspension, or revocation of a license.

(4) Standards for classroom and in-car driver education curriculum (including classroom instruction, Internet instruction, and practice driving) and equipment. Classroom instruction standards established under this subdivision must provide for instruction about:

(A) railroad-highway grade crossing safety; and

(B) the procedure for participation in the human organ donor program;

and must limit classroom instruction to students at least fifteen (15) years of age.

(5) Limitations on the number of:

(A) hours an instructor may teach in a day; and

(B) classroom and driving hours in which a driver education student may participate during a day.

(6) Programs to improve parental involvement in driver education.

(7) Establishment and maintenance of standards for instructors of driver education, including:

(A) secondary school driver education instructors;
(B) driver training school instructors; and
(C) higher education driver education instructors.

(8) Minimum hours of instruction for an approved driver education course that include:
(A) thirty (30) hours of classroom or online training; and
(B) six (6) hours of behind-the-wheel training.

As added by P.L.145-2011, SEC.21. Amended by P.L.85-2013, SEC.77; P.L.150-2015, SEC.6.

IC 9-27-7

Chapter 7. Motorcycle Operator Safety Education Program

IC 9-27-7-1

Application

Sec. 1. This chapter applies after December 31, 2011.

As added by P.L.145-2011, SEC.22.

IC 9-27-7-2

"Rider coach trainer"

Sec. 2. As used in this chapter, "rider coach trainer" means a licensed motorcycle operator who meets standards established by the bureau that are equivalent to or more stringent than those established by the Motorcycle Safety Foundation for instructors in motorcycle safety and education.

As added by P.L.145-2011, SEC.22. Amended by P.L.198-2016, SEC.551.

IC 9-27-7-3

Bureau to develop a motorcycle operator safety education program

Sec. 3. The bureau shall develop and administer a motorcycle operator safety education program that, at a minimum, must:

(1) provide motorcycle operator education;

(2) train and certify rider coach trainers;

(3) increase public awareness of motorcycle safety; and

(4) evaluate and recommend improvements to the motorcycle operator licensing system.

As added by P.L.145-2011, SEC.22. Amended by P.L.198-2016, SEC.552.

IC 9-27-7-4

Appointment of program coordinator and training specialist of the motorcycle operator safety education program

Sec. 4. The commissioner shall appoint:

(1) a program coordinator of the motorcycle operator safety education program developed under section 3 of this chapter who shall administer the motorcycle operator safety education program and conduct an annual evaluation; and

(2) a training specialist of the motorcycle operator safety education program developed under section 3 of this chapter who shall:

(A) establish approved motorcycle driver education and training courses throughout Indiana; and

(B) supervise rider coach trainers and other personnel as necessary.

The training specialist must be a rider coach trainer and hold a valid license, including any necessary endorsements, to operate a motorcycle.

As added by P.L.145-2011, SEC.22. Amended by P.L.198-2016, SEC.553.

IC 9-27-7-5
Contracts for approved motorcycle driver education and training programs

Sec. 5. The bureau may enter into contracts with regional training centers or any other sites approved by the commissioner for the conduct of approved motorcycle driver education and training courses. If necessary, course sites may charge a reasonable tuition fee for the courses.

As added by P.L.145-2011, SEC.22.

IC 9-27-7-6
Advisory board

Sec. 6. (a) The commissioner shall appoint a five (5) member advisory board consisting of at least three (3) active motorcyclists to serve in an advisory capacity to the program.

(b) A member of the advisory board serves a three (3) year term. A member may not be appointed to more than two (2) consecutive full terms. Each member serves until the member's successor is appointed and qualified.

(c) A member of the advisory board may be removed for good cause.

(d) A vacancy on the advisory board shall be filled by the appointment by the commissioner of an individual to fill the position to which the vacating member was appointed under subsection (a) for the vacating member's unexpired term.

(e) A member of the advisory board is not subject to liability in a civil action for bodily injury or property damage arising from or thought to have arisen from an action taken in good faith as a member of the advisory board.

As added by P.L.145-2011, SEC.22. Amended by P.L.85-2013, SEC.78.

IC 9-27-7-7
Establishment of fund

Sec. 7. The motorcycle operator safety education fund is established. The commissioner shall administer the fund. The fund consists of money received from motorcycle registrations as provided under IC 9-18 (before its expiration) or IC 9-18.1-5-3. The money in the fund may be used for the administration of the program and expenses related to the program, including:

(1) reimbursement for course sites;
(2) rider coach trainer training;
(3) purchase of equipment and course materials; and
(4) technical assistance.

As added by P.L.145-2011, SEC.22. Amended by P.L.198-2016,

SEC.554.

IC 9-28

ARTICLE 28. INTERSTATE COMPACTS AND AGREEMENTS

IC 9-28-1

Chapter 1. Driver License Compact

IC 9-28-1-1

Executive head

Sec. 1. As used in this chapter, with reference to Indiana, "executive head" means the governor.

As added by P.L.2-1991, SEC.16.

IC 9-28-1-2

Licensing authority

Sec. 2. As used in this chapter, with reference to Indiana, "licensing authority" means the bureau. The bureau shall furnish to the appropriate authorities of any other party state any information or documents reasonably necessary to facilitate the administration of Articles 3, 4, and 5 of the compact.

As added by P.L.2-1991, SEC.16.

IC 9-28-1-3

Form and content

Sec. 3. The driver license compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows:

DRIVER LICENSE COMPACT

ARTICLE 1

Findings and Declaration of Policy

(a) The party states find that:

(1) The safety of their streets and highways is materially affected by the degree of compliance with state laws and local ordinances relating to the operation of motor vehicles.

(2) Violation of such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property.

(3) The continuance in force of a license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated.

(b) It is the policy of each of the party states to:

(1) Promote compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the jurisdictions where such operators drive motor vehicles.

(2) Make the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the

overall compliance with motor vehicle laws, ordinances, and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states.

ARTICLE 2

Definitions

As used in this compact:

(a) "State" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(b) "Home state" means the state which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.

(c) "Conviction" means a conviction of any offense related to the use or operation of a motor vehicle which is prohibited by state law, municipal ordinance, or administrative rule or regulation, or a forfeiture of bail, bond, or other security deposited to secure appearance by a person charged with having committed any such offense, and which conviction or forfeiture is required to be reported to the licensing authority.

ARTICLE 3

Reports of Conviction

The licensing authority of a party state shall report each conviction of a person from another party state occurring within its jurisdiction to the licensing authority of the home state of the licensee. Such report shall clearly identify the person convicted; describe the violation specifying the section of the statute, code, or ordinance violated; identify the court in which action was taken; indicate whether a plea of guilty or not guilty was entered, or the conviction was a result of the forfeiture of bail, bond, or other security; and shall include any special findings made in connection therewith.

ARTICLE 4

Effect of Conviction

(a) The licensing authority in the home state, for the purposes of suspension, revocation, or limitation of the license to operate a motor vehicle, shall give the same effect to the conduct reported, pursuant to Article 3 of this compact, as it would if such conduct had occurred in the home state, in the case of convictions for:

(1) Manslaughter or negligent homicide resulting from the operation of a motor vehicle.

(2) Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree which renders the driver incapable of safely driving a motor vehicle.

(3) Any felony in the commission of which a motor vehicle is used.

(4) Failure to stop and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another.

(b) As to other convictions, reported pursuant to Article 3, the licensing authority in the home state shall give such effect to the conduct as is provided by the laws of the home state.

(c) If the laws of a party state do not provide for offenses or violations denominated or described in precisely the words employed in subdivision (a) of this article, such party state shall construe the denominations and descriptions appearing in subdivision (a) hereof as being applicable to and identifying those offenses or violations of a substantially similar nature, and the laws of such party state shall contain such provisions as may be necessary to ensure that full force and effect is given to this article.

ARTICLE 5

Applications for New Licenses

Upon application for a license to drive, the licensing authority in a party state shall ascertain whether the applicant has ever held, or is the holder of a license to drive issued by any other party state. The licensing authority in the state where application is made shall not issue a license to drive to the applicant if:

(1) The applicant has held such a license, but the same has been suspended by reason, in whole or in part, of a violation and if such suspension period has not terminated.

(2) The applicant has held such a license, but the same has been revoked by reason, in whole or in part, of a violation and if such revocation has not terminated, except that after the expiration of one (1) year from the date the license was revoked, such person may make application for a new license if permitted by law. The licensing authority may refuse to issue a license to any such applicant if, after investigation, the licensing authority determines that it will not be safe to grant to such person the privilege of driving a motor vehicle on the highways.

(3) The applicant is the holder of a license to drive issued by another party state and currently in force unless the applicant surrenders such license.

ARTICLE 6

Applicability of Other Laws

Except as expressly required by provisions of this compact, nothing contained herein shall be construed to affect the right of any party state to apply any of its other laws relating to licenses to drive to any person or circumstance, nor to invalidate or prevent any driver license agreement or other cooperative arrangement between a party state and a nonparty state.

ARTICLE 7

Compact Administrator and Interchange of Information

(a) The head of the licensing authority of each party shall be the administrator of this compact for his state. The administrators, acting jointly, shall have the power to formulate all necessary and proper

procedures for the exchange of information under this compact.

(b) The administrator of each party state shall furnish to the administrator of each other party state any information or documents reasonably necessary to facilitate the administration of this compact.

ARTICLE 8

Entry into Force and Withdrawal

(a) This compact shall enter into force and become effective as to any state when it has enacted the same into law.

(b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until six (6) months after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. No withdrawal shall affect the validity or applicability by the licensing authorities of states remaining party to the compact of any report of conviction occurring prior to the withdrawal.

ARTICLE 9

Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the Constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

As added by P.L.2-1991, SEC.16.

IC 9-28-1-3.5

Issuance of driver's license upon written request

Sec. 3.5. Notwithstanding the driver license compact set forth in section 3 of this chapter, upon written request by any person, the bureau may issue the person a driver's license if a party state reports that the driver's license of the person is suspended and the bureau determines that the:

(1) party state's report is erroneous; and

(2) person's driver's license is not suspended by the party state or the suspension is terminated.

As added by P.L.14-2015, SEC.1.

IC 9-28-1-4

Compact administrator; compensation

Sec. 4. The compact administrator provided for in Article 7 of the compact is not entitled to any additional compensation due to service as the administrator, but is entitled to expenses incurred in

connection with duties and responsibilities as the administrator, in the same manner as for expenses incurred in connection with any other duties or responsibilities of office or employment.
As added by P.L.2-1991, SEC.16.

IC 9-28-1-5
Suspension, revocation, or limitation of license to drive; report of action taken

Sec. 5. Any court or other agency of this state, or a subdivision thereof, that has jurisdiction to take any action suspending, revoking, or otherwise limiting a license to drive shall report that action and the adjudication upon which the action is based to the bureau within five (5) days on forms approved by the bureau.
As added by P.L.2-1991, SEC.16.

IC 9-28-1-6
Scope of review

Sec. 6. Any review of the validity of conviction reported under the driver license compact is limited to establishing the identity of the person convicted.
As added by P.L.2-1991, SEC.16. Amended by P.L.149-2015, SEC.77.

IC 9-28-2

Chapter 2. Nonresident Violator Agreements

IC 9-28-2-1

Citation

Sec. 1. As used in this chapter, "citation" means any summons, ticket, or other official document issued by a police officer for a traffic violation containing an order that requires the motorist to respond.

As added by P.L.2-1991, SEC.16.

IC 9-28-2-2

Collateral

Sec. 2. As used in this chapter, "collateral" means any cash or other security deposited to secure an appearance for trial following the issuance by a police officer of a citation for a traffic violation.

As added by P.L.2-1991, SEC.16.

IC 9-28-2-3

Court

Sec. 3. As used in this chapter, "court" means a court of law or traffic tribunal.

As added by P.L.2-1991, SEC.16.

IC 9-28-2-4

Driver's license

Sec. 4. As used in this chapter, "driver's license" means any type of license or privilege to operate a motor vehicle issued under the laws of a jurisdiction.

As added by P.L.2-1991, SEC.16.

IC 9-28-2-5

Jurisdiction

Sec. 5. As used in this chapter, "jurisdiction" means a state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a province of Canada.

As added by P.L.2-1991, SEC.16.

IC 9-28-2-6

Nonmoving violation

Sec. 6. As used in this chapter, "nonmoving violation" includes the following:

(1) Expiration of vehicle registration or vehicle inspection certificates.

(2) Parking meter violations or violation of parking limitation signs.

(3) Improper vehicle lighting.

(4) Other citations for minor equipment deficiencies.

As added by P.L.2-1991, SEC.16.

IC 9-28-2-7
Agreements with other jurisdictions; purpose

Sec. 7. Upon recommendation of the bureau, the governor may enter into agreements with jurisdictions for the purpose of assisting in the enforcement of traffic laws by assuring that persons licensed in jurisdictions that have entered into an agreement with this state meet the conditions of traffic violation citations.
As added by P.L.2-1991, SEC.16.

IC 9-28-2-8
Suspension of driving privileges

Sec. 8. The bureau may suspend the driving privileges of a driver licensed under IC 9-24 for failure to meet the conditions of a traffic citation of a jurisdiction in which the traffic offense occurred. This section does not apply if the jurisdiction has not entered into an agreement with Indiana as provided under section 7 of this chapter.
As added by P.L.2-1991, SEC.16. Amended by P.L.125-2012, SEC.305.

IC 9-28-2-9
Action against driver upon notification from jurisdiction of driver's failure to meet conditions of citation; notification of driver; answer; hearing suspension of driving privileges

Sec. 9. (a) Upon written notification from a jurisdiction that is a party to an agreement entered into under this chapter, the bureau shall take appropriate action against a licensed driver for failure to meet the conditions set out in the citation of the jurisdiction in which the traffic offense occurred.

(b) The bureau shall notify the driver by first class mail of the request by the respective jurisdiction to have the driver's driving privileges suspended. For the purposes of this chapter, a written notice sent to the driver's last registered address with the bureau meets the conditions of due notice.

(c) The driver has fifteen (15) days from the date of notice to satisfy the conditions of the citation issued by the jurisdiction or to request a hearing before a bureau hearing officer to show evidence or present information why the bureau should not suspend the driver's driving privileges for failure to meet the terms of the citation.

(d) Upon holding the hearing, the bureau may suspend the driver's driving privileges until the conditions of the citation are met or a release from the citing jurisdiction is obtained.

(e) If the bureau does not receive information from the driver concerning the notification, the bureau shall suspend the driver's driving privileges until the conditions of the citation are met or a release is obtained.

(f) A driver whose driving privileges have been suspended for

failure to meet the conditions of a citation in another jurisdiction is not eligible for specialized driving privileges under IC 9-30-16.

(g) The bureau may not suspend driving privileges under this section for a nonmoving traffic offense occurring in another jurisdiction.

As added by P.L.2-1991, SEC.16. Amended by P.L.125-2012, SEC.306; P.L.217-2014, SEC.116; P.L.188-2015, SEC.103.

IC 9-28-2-10

Posting of collateral for a traffic citation; conditions

Sec. 10. A traffic court in Indiana may not require a driver licensed by a jurisdiction other than Indiana to post collateral for a traffic citation if the jurisdiction has a formal agreement with Indiana under this chapter.

As added by P.L.2-1991, SEC.16.

IC 9-28-2-11

Payment of dues or assessments by state; restrictions

Sec. 11. The state may not pay dues or assessments to a jurisdiction or an agency established to support the purposes of a nonresident violator agreement entered into under this chapter.

As added by P.L.2-1991, SEC.16.

IC 9-28-2-12

Withdrawal of state from agreement; notice

Sec. 12. An agreement entered into by the governor must permit the state to withdraw for any reason. However, the agreement must require the state to give the other jurisdictions at least ninety (90) days notice of termination.

As added by P.L.2-1991, SEC.16.

IC 9-28-3

Chapter 3. Adoption of Interstate Traffic Safety Compact

IC 9-28-3-1

Creation

Sec. 1. Indiana joins with other states of the union in accordance with Public Law 684 of the 85th Congress in creating an Interstate Compact for Traffic Safety.

As added by P.L.2-1991, SEC.16.

IC 9-28-3-2

Governor; director for traffic safety; powers and duties

Sec. 2. The governor and the director for traffic safety for the state are authorized and directed to:

(1) notify the proper officials of the other states that Indiana recognizes the need for uniform traffic safety regulations and standards for the maintenance of traffic safety measures; and

(2) urge all of the states to join in the Interstate Compact for Traffic Safety that has been authorized by the United States Congress.

As added by P.L.2-1991, SEC.16.

IC 9-28-4

Chapter 4. Reciprocity Commission

IC 9-28-4-1

Establishment and maintenance of fair and equitable reciprocity arrangements; procedure

Sec. 1. The bureau shall confer with officials of other states, commonwealths, and the District of Columbia for the purpose of agreeing upon establishing and maintaining fair, equitable, and satisfactory reciprocity arrangements and plans for the movement of motor vehicles from, to, and between the different state, commonwealth, and the District of Columbia of the United States and regulating the use of the same on the roads and highways of Indiana.

As added by P.L.2-1991, SEC.16.

IC 9-28-4-2

Contracts or agreements; parties; regulations; states unauthorized to enter agreements; consent to reciprocal law

Sec. 2. (a) The bureau may enter into reciprocal contracts and agreements for the state with the proper authorities of any state, commonwealth, and the District of Columbia regulating the use of motor vehicles on the highways of Indiana belonging to and owned or operated on the highways by citizens of the other states, commonwealths, or the District of Columbia, in consideration of the granting by the other state, commonwealth, or District of Columbia to Indiana or to the citizens of Indiana a like privilege or privileges while operating a motor vehicle in the other state, commonwealth, or District of Columbia.

(b) The bureau may also enter into reciprocal contracts and agreements with the legislative bodies and commissions, boards, or officials authorized by the law of any other state, commonwealth, or the District of Columbia with a view to promoting and establishing fair, just, equitable, and reciprocal agreements for the licensing, movement, taxing, registration, regulation, and fees to be charged for motor vehicles owned and licensed in Indiana and operated on the highways of some other state, commonwealth, or the District of Columbia.

(c) If the other state, commonwealth, or the District of Columbia has no commission or official authorized to enter into reciprocal agreement, but does have a law that contains a reciprocal provision for the benefit of the citizens of Indiana, the bureau may consent to the provisions of the reciprocal law or statute and notify the proper authority of the other state, commonwealth, or the District of Columbia of the bureau's consent.

As added by P.L.2-1991, SEC.16.

IC 9-28-4-3

Approval by attorney general; notice to state officials affected

Sec. 3. (a) A reciprocal contract, agreement, or consent entered into under this chapter must be approved by the attorney general as to regularity and form.

(b) The bureau shall notify the chief administrative officer of any board, bureau, commission, department, division, agency, or authority of the state whose official duties, rights, or liabilities may be affected by the reciprocal contract, agreement, or consent.

As added by P.L.2-1991, SEC.16.

IC 9-28-4-4

Copy of agreements; general assembly; public record; administration of agreements

Sec. 4. (a) A copy of all contracts, agreements, and consents entered into by the bureau under this chapter shall be made available to the general assembly. A copy shall also be made public record to be on file at the office of the bureau and available during office hours.

(b) The bureau shall administer these agreements.

As added by P.L.2-1991, SEC.16.

IC 9-28-4-5

Laws in conflict with this chapter; repeal; prior contracts; enforceability

Sec. 5. All laws or parts of laws in conflict herewith are hereby repealed, and an act entitled "An Act to amend section 2 of an act entitled 'An Act providing for grant of authority to certain state officials to establish reciprocity between states and commonwealths and the District of Columbia of the United States,' approved March 11, 1933, and declaring an emergency," approved February 27, 1937, and an act entitled "An Act providing for grant of authority to certain state officials to establish reciprocity between states and commonwealths and the District of Columbia of the United States," approved March 11, 1933, are each specifically repealed. Such repeals shall not affect the enforceability nor validity of any reciprocal contract or agreement heretofore entered into and now in effect between this state and any other state, commonwealth, or District of Columbia pursuant to the authority granted under those Acts and Statutes herein specifically repealed.

As added by P.L.2-1991, SEC.16.

IC 9-28-4-6

Registration of vehicles on apportionment or allocation basis; implementation of chapter; International Registration Plan; membership; adoption of rules; penalties; conflict of law

Sec. 6. (a) The department of state revenue, on behalf of the state, may enter into reciprocal agreements providing for the registration of vehicles on an apportionment or allocation basis with the proper

authority of any state, any commonwealth, the District of Columbia, a state or province of a foreign country, or a territory or possession of either the United States or of a foreign country.

(b) To implement this chapter, the state may enter into and become a member of the International Registration Plan or other designation that may be given to a reciprocity plan developed by the American Association of Motor Vehicle Administrators.

(c) The department of state revenue may adopt rules under IC 4-22-2 to carry out and enforce the provisions of the International Registration Plan or any other agreement entered into under this chapter.

(d) If the state enters into the International Registration Plan or into any other agreement under this chapter, and if the provisions set forth in the plan or other agreements are different from provisions prescribed by law, then the agreement provisions prevail.

(e) All payments for the renewal of a fleet of vehicles previously registered under the International Registration Plan are due on or before the fifteenth day of the last month of the registration period preceding the period being renewed.

(f) All payments for billings, other than renewal, issued under the International Registration Plan are due within fifteen (15) days after the mailing date on the billing unless stated otherwise.

(g) This chapter constitutes complete authority for the registration of vehicles, including the registration of fleet vehicles, upon an apportionment or allocation basis without reference to or application of any other Indiana law.

(h) A person who fails to comply with subsections (e) and (f), is subject to the penalties and interest imposed under IC 6-8.1-10.

As added by P.L.2-1991, SEC.16. Amended by P.L.61-1996, SEC.23; P.L.42-2007, SEC.19.

IC 9-28-5
Chapter 5. Reciprocity Enforcement

IC 9-28-5-1
Imposition and collection of fees

Sec. 1. If by the laws of any other state, commonwealth, District of Columbia, or foreign country or its political subdivisions, any taxes, fees, charges, penalties, obligations, prohibitions, restrictions, or limitations of any kind are imposed upon the vehicles of Indiana residents in addition to those imposed by Indiana upon the vehicles of residents of the other state, commonwealth, District of Columbia, or foreign country or its political subdivisions, the bureau, with the approval of the governor, may impose and collect fees or charges in a like amount and provide for similar obligations, prohibitions, restrictions, or limitations upon the owner or operator of a vehicle registered in the other state, commonwealth, District of Columbia, or foreign country or its political subdivisions as long as the laws of the other state, commonwealth, District of Columbia, or foreign country or its political subdivisions requiring the imposition remain in force and effect. All taxes, fees, charges, and penalties collected in this manner shall be paid into the state highway fund.

As added by P.L.2-1991, SEC.16. Amended by P.L.198-2016, SEC.555.

IC 9-28-5-2
Rules; adoption and enforcement

Sec. 2. The bureau may adopt and enforce rules under IC 4-22-2 to carry out the provisions of this chapter.

As added by P.L.2-1991, SEC.16.

IC 9-28-5-3
Motor carrier regulations; inapplicability of chapter

Sec. 3. This chapter does not apply to fees and charges imposed under IC 8-2.1.

As added by P.L.2-1991, SEC.16.

IC 9-28-5.1

Chapter 5.1. International Reciprocity

IC 9-28-5.1-1

International reciprocal agreements; negotiation; entry into agreements

Sec. 1. To facilitate the exchange of driver's licenses, the bureau may negotiate and enter into a reciprocal agreement with a foreign country. However, the bureau may not negotiate or enter into a reciprocal agreement with a country that is listed as a state sponsor of terrorism as determined by the Secretary of State of the United States.

As added by P.L.87-2010, SEC.36; P.L.93-2010, SEC.13. Amended by P.L.125-2012, SEC.307.

IC 9-28-5.1-2

Reciprocal agreements; waiver of operator's license examination requirements

Sec. 2. A reciprocal agreement entered into under section 1 of this chapter must authorize the bureau to enter into a written agreement with a foreign country to waive one (1) or more of the examination requirements under IC 9-24 for obtaining an operator's license from this state.

As added by P.L.87-2010, SEC.36; P.L.93-2010, SEC.13.

IC 9-28-5.1-3

Reciprocal agreements; possession of foreign driver's license or international driving permit

Sec. 3. A written reciprocity agreement entered into under section 2 of this chapter must require an applicant from the foreign country for an operator's license to possess:

(1) a valid driver's license for the type of vehicle being operated or the equivalent from the foreign country; or

(2) an international driving permit.

As added by P.L.87-2010, SEC.36; P.L.93-2010, SEC.13. Amended by P.L.125-2012, SEC.308.

IC 9-28-5.1-4

Repealed

(As added by P.L.87-2010, SEC.36; P.L.93-2010, SEC.13. Repealed by P.L.125-2012, SEC.309.)

IC 9-28-5.1-5

Repealed

(As added by P.L.87-2010, SEC.36; P.L.93-2010, SEC.13. Amended by P.L.125-2012, SEC.310. Repealed by P.L.198-2016, SEC.556.)

IC 9-28-6

Chapter 6. Vehicle Equipment Safety Compact

IC 9-28-6-1

Form and content

Sec. 1. The vehicle equipment safety compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows:

ARTICLE 1

Findings and Purpose

(a) The party states find that:

(1) Accidents and deaths on their streets and highways present a very serious human and economic problem with a major deleterious effect on the public welfare.

(2) There is a vital need for the development of greater interjurisdictional cooperation to achieve the necessary uniformity in the laws, rules, regulations, and codes relating to vehicle equipment, and to accomplish this by such means as will minimize the time between the development of demonstrably and scientifically sound safety features and their incorporation into vehicles.

(b) The purposes of this compact are to:

(1) Promote uniformity in regulation of and standards for equipment.

(2) Secure uniformity of law and administrative practice in vehicular regulation and related safety standards to permit incorporation of desirable equipment changes in vehicles in the interest of greater traffic safety.

(3) To provide means for the encouragement and utilization of research which will facilitate the achievement of the foregoing purposes, with due regard for the findings set forth in subdivision (a) of this article.

(c) It is the intent of this compact to emphasize performance requirements and not to determine the specific detail of engineering in the manufacture of vehicles or equipment except to the extent necessary for the meeting of such performance requirements.

ARTICLE 2

Definitions

As used in this compact:

(a) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(b) "State" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(c) "Equipment" means any part of a vehicle or any accessory for use thereon which affects the safety of operation of such vehicle or

the safety of the occupants.

ARTICLE 3

The Commission

(a) There is hereby created an agency of the party states to be known as the "Vehicle Equipment Safety Commission" hereinafter called the commission. The commission shall be composed of one (1) commissioner from each party state who shall be appointed, serve and be subject to removal in accordance with the laws of the state which he represents. If authorized by the laws of his party state, a commissioner may provide for the discharge of his duties and the performance of his functions on the commission, either for the duration of his membership or for any lesser period of time, by an alternate. No such alternate shall be entitled to serve unless notification of his identity and appointment shall have been given to the commission in such form as the commission may require. Each commissioner, and each alternate, when serving in the place and stead of a commissioner, shall be entitled to be reimbursed by the commission for expenses actually incurred in attending commission meetings or while engaged in the business of the commission.

(b) The commissioners shall be entitled to one (1) vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners, or their alternates, are present.

(c) The commission shall have a seal.

(d) The commission shall elect annually, from among its members, a chairman, a vice chairman, and a treasurer. The commission may appoint an executive director and fix his duties and compensation. Such executive director shall serve at the pleasure of the commission, and together with the treasurer shall be bonded in such amount as the commission shall determine. The executive director also shall serve as secretary. If there be no executive director, the commission shall elect a secretary in addition to the other officers provided by this subdivision.

(e) Irrespective of the civil service, personnel, or other merit system laws of any of the party states, the executive director with the approval of the commission, or the commission if there be no executive director, shall appoint, remove, or discharge such personnel as may be necessary for the performance of the commission's functions, and shall fix the duties and compensation of such personnel.

(f) The commission may establish and maintain independently or in conjunction with any one (1) or more of the party states, a suitable retirement system for its full-time employees. Employees of the commission shall be eligible for Social Security coverage in respect of old age and survivor's insurance provided that the commission takes such steps as may be necessary pursuant to the laws of the

United States, to participate in such program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate.

(g) The commission may borrow, accept, or contract for the services of personnel from any party state, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two (2) or more of the party states or their subdivisions.

(h) The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state, the United States, or any other governmental agency and may receive, utilize, and dispose of the same.

(i) The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

(j) The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states. The bylaws shall provide for appropriate notice to the commissioners of all commission meetings and hearings and the business to be transacted at such meetings or hearings. Such notice shall also be given to such agencies or officers of each party state as the laws of such party state may provide.

(k) The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year, and embodying such recommendations as may have been issued by the commission. The commission may make such additional reports as it may deem desirable.

ARTICLE 4

Research and Testing

The commission shall have power to:

(a) Collect, correlate, analyze, and evaluate information resulting or derivable from research and testing activities in equipment and related fields.

(b) Recommend and encourage the undertaking of research and testing in any aspect of equipment or related matters when, in its judgment, appropriate or sufficient research or testing has not been undertaken.

(c) Contract for such equipment research and testing as one (1) or more governmental agencies may agree to have contracted for by the commission, provided that such governmental agency or agencies

shall make available the funds necessary for such research and testing.

(d) Recommend to the party states changes in law or policy with emphasis on uniformity of laws and administrative rules, regulations, or codes which would promote effective governmental action or coordination in the prevention of equipment-related highway accidents or the mitigation of equipment-related highway safety problems.

ARTICLE 5

Vehicular Equipment

(a) In the interest of vehicular and public safety, the commission may study the need for or desirability of the establishment of or changes in performance requirements or restrictions for any item of equipment. As a result of such study, the commission may publish a report relating to any item or items of equipment, and the issuance of such a report shall be a condition precedent to any proceedings or other action provided or authorized by this article. No less than sixty (60) days after the publication of a report containing the results of such study, the commission upon due notice shall hold a hearing or hearings at such place or places as it may determine.

(b) Following the hearing or hearings provided for in subdivision (a) of this article, and with due regard for standards recommended by appropriate professional and technical associations and agencies, the commission may issue rules, regulations, or codes embodying performance requirements or restrictions for any item or items of equipment covered in the report, which in the opinion of the commission will be fair and equitable and effectuate the purposes of this compact.

(c) Each party state obligates itself to give due consideration to any and all rules, regulations, and codes issued by the commission and hereby declares its policy and intent to be the promotion of uniformity in the laws of the several party states relating to equipment.

(d) The commission shall send prompt notice of its action in issuing any rule, regulation, or code pursuant to this article to the appropriate motor vehicle agency of each party state and such notice shall contain the complete text of the rule, regulation, or code.

(e) If the constitution of a party state requires, or if its statutes provide, the approval of the legislature by appropriate resolution or act may be made a condition precedent to the taking effect in such party state of any rule, regulation, or code. In such event, the commissioner of such party state shall submit any commission rule, regulation, or code to the legislature as promptly as may be in lieu of administrative acceptance or rejection thereof by the party state.

(f) Except as otherwise specifically provided in or pursuant to subdivisions (e) and (g) of this article, the appropriate motor vehicle agency of a party state shall in accordance with its constitution or procedural laws adopt the rule, regulation, or code within six (6)

months of the sending of the notice, and, upon such adoption, the rule, regulation, or code shall have the force and effect of law therein.

(g) The appropriate motor vehicle agency of a party state may decline to adopt a rule, regulation, or code issued by the commission pursuant to this article if such agency specifically finds, after public hearing on due notice, that a variation from the commission's rule, regulation, or code is necessary to the public safety, and incorporates in such finding the reasons upon which it is based. Any such finding shall be subject to review by such procedure for review of administrative determinations as may be applicable pursuant to the laws of the party state. Upon request, the commission shall be furnished with a copy of the transcript of any hearings held pursuant to this subdivision.

ARTICLE 6

Finance

(a) The commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that party state for presentation to the legislature thereof.

(b) Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. The total amount of appropriations under any such budget shall be apportioned among the party states as follows: one-third (1/3) in equal shares; and the remainder in proportion to the number of motor vehicles registered in each party state. In determining the number of such registrations, the commission may employ such source or sources of information as, in its judgment, present the most equitable and accurate comparisons among the party states. Each of the commission's budgets of estimated expenditures and requests for appropriations shall indicate the source or sources used in obtaining information concerning vehicular registrations.

(c) The commission shall not pledge the credit of any party state. The commission may meet any of its obligations in whole or in part with funds available to it under Article 3(h) of this compact, provided that the commission take specific action setting aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it under Article 3(h) hereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

(d) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its rules. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant and the report of the audit shall be

included in and become part of the annual reports of the commission.

(e) The accounts of the commission shall be open at reasonable times for inspection by duly constituted officers of the party states and by any persons authorized by the commission.

(f) Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

ARTICLE 7

Conflict of Interest

(a) The commission shall adopt rules and regulations with respect to conflict of interest for the bureaus of the party states, and their alternates, if any, and for the staff of the commission and contractors with the commission to the end that no member or employee or contractor shall have a pecuniary or other incompatible interest in the manufacture, sale, or distribution of motor vehicles or vehicular equipment or in any facility or enterprise employed by the commission or on its behalf for testing, conduct of investigation, or research. In addition to any penalty for violation of such rules and regulations as may be applicable under the laws of the violator's jurisdiction of residence, employment, or business, any violation of a commission rule or regulation adopted pursuant to this article shall require the immediate discharge of any violating employee and the immediate vacating of membership, or relinquishing of status as a member of the commission by any bureau or alternate. In the case of a contractor, any violation of any such rule or regulation shall make any contract of the violator with the commission subject to cancellation by the commission.

(b) Nothing contained in this article shall be deemed to prevent a contractor for the commission from using any facilities subject to his control in the performance of the contract even though such facilities are not devoted solely to work of or done on behalf of the commission; nor to prevent such a contractor from receiving remuneration or profit from the use of such facilities.

ARTICLE 8

Advisory and Technical Committees

The commission may establish such advisory and technical committees as it may deem necessary, membership on which may include private citizens and public officials, and may cooperate with and use the services of any such committees and the organizations which the members represent in furthering any of its activities.

ARTICLE 9

Entry into Force and Withdrawal

(a) This compact shall enter into force when enacted into law by any six (6) or more states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof.

(b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect

until one (1) year after the executive head of the withdrawing state has given notice in writing of the withdrawal to the executive heads of all other party states. No withdrawal shall effect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

ARTICLE 10

Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the Constitution of any state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

As added by P.L.2-1991, SEC.16.

IC 9-28-6-2

Effect of regulations

Sec. 2. Pursuant to Article 5(a) of the vehicle equipment safety compact, it is the intention of this state and it is hereby provided that no rule, regulation, or code issued by the vehicle equipment safety commission in accordance with Article 5 of the compact takes effect until approved by an act of the general assembly.

As added by P.L.2-1991, SEC.16.

IC 9-28-6-3

Director of office of traffic safety

Sec. 3. The commissioner from Indiana on the vehicle equipment safety commission is the director of the office of traffic safety.

As added by P.L.2-1991, SEC.16.

IC 9-28-6-4

Commission; cooperation and assistance from other agencies

Sec. 4. Within appropriations available therefor, the departments, agencies, and officers of this state may cooperate with and assist the vehicle equipment safety commission within the scope contemplated by Article 3(h) of the compact. The departments, agencies, and officers of this state may generally cooperate with the commission.

As added by P.L.2-1991, SEC.16.

IC 9-28-6-5

Documents; filing; notice

Sec. 5. Documents required to be filed by Article 3(j) of the

compact shall be filed with the office of traffic safety. Notice required by commission bylaws to be given under Article 3(j) of the compact shall be given to the director of the office of traffic safety.
As added by P.L.2-1991, SEC.16.

IC 9-28-6-6
Budget

Sec. 6. Under Article 6(a) of the compact, the vehicle equipment safety commission shall submit the commission's budgets to the budget agency.
As added by P.L.2-1991, SEC.16.

IC 9-28-6-7
Inspection of accounts

Sec. 7. Under Article 6(e) of the compact, the budget agency may inspect the accounts of the vehicle equipment safety commission.
As added by P.L.2-1991, SEC.16.

IC 9-28-6-8
Executive head

Sec. 8. As used in Article 9(b) of the compact, "executive head", with reference to Indiana, means the governor.
As added by P.L.2-1991, SEC.16.

IC 9-29

ARTICLE 29. FEES

IC 9-29-1

Repealed

(Repealed by P.L.198-2016, SEC.557.)

IC 9-29-2
Repealed

(Repealed by P.L.198-2016, SEC.558.)

IC 9-29-3
Repealed

(Repealed by P.L.216-2014, SEC.65.)

IC 9-29-4
Repealed

(Repealed by P.L.198-2016, SEC.559.)

IC 9-29-5

Chapter 5. Fees Under IC 9-18

IC 9-29-5-0.5

Repealed

(As added by P.L.97-2008, SEC.1. Repealed by P.L.216-2014, SEC.75.)

IC 9-29-5-1

Registration fee for passenger motor vehicles

Sec. 1. The fee to register a passenger motor vehicle is twenty-one dollars and thirty-five cents ($21.35). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Thirty cents ($0.30) to the spinal cord and brain injury fund.

(3) Fifty cents ($0.50) to the state motor vehicle technology fund.

(4) Three dollars ($3) to the crossroads 2000 fund.

(5) For a passenger motor vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(6) For a passenger motor vehicle registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(7) Eleven dollars and five cents ($11.05) to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.97-2008, SEC.2; P.L.216-2014, SEC.76.

IC 9-29-5-1.2

Repealed

(As added by P.L.216-2014, SEC.77. Repealed by P.L.149-2015, SEC.80.)

IC 9-29-5-2

Registration of motorcycles and motor driven cycles; distribution of fee

Sec. 2. The fee to register a motorcycle or motor driven cycle is twenty-six dollars and thirty-five cents ($26.35). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Thirty cents ($0.30) to the spinal cord and brain injury fund.

(3) Fifty cents ($0.50) to the state motor vehicle technology fund.

(4) Three dollars ($3) to the crossroads 2000 fund.

(5) For a motorcycle or motor driven cycle registered before July 1, 2019, as follows:

(A) One dollar and fifty-five cents ($1.55) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(6) For a motorcycle or motor driven cycle registered after June 30, 2019, six dollars and fifty-five cents ($6.55) to the commission fund.

(7) Seven dollars ($7) to the motorcycle operator safety education fund.

(8) Eight dollars and seventy-five cents ($8.75) to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.71-1992, SEC.1; P.L.118-2001, SEC.6; P.L.1-2005, SEC.112; P.L.234-2007, SEC.43; P.L.3-2008, SEC.82; P.L.97-2008, SEC.3; P.L.1-2010, SEC.49; P.L.145-2011, SEC.23; P.L.13-2013, SEC.38; P.L.221-2014, SEC.75; P.L.216-2014, SEC.78.

IC 9-29-5-3
Repealed

(As added by P.L.2-1991, SEC.17. Amended by P.L.118-2001, SEC.7; P.L.97-2008, SEC.4. Repealed by P.L.216-2014, SEC.79.)

IC 9-29-5-3.1
Registration of truck weighing 10,000 pounds or less; fee; distribution

Sec. 3.1. (a) The fee to register a truck weighing ten thousand (10,000) pounds or less is as follows:

Declared Gross Weight (Pounds)		
Greater than	Equal to or less than	Fee ($)
0	7,000	30.35
7,000	9,000	50.35
9,000	10,000	80.35

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Thirty cents ($0.30) to the spinal cord and brain injury fund.

(3) Fifty cents ($0.50) to the state motor vehicle technology fund.

(4) Four dollars and thirty cents ($4.30) to the crossroads 2000 fund.

(5) For a truck registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(6) For a truck registered after June 30, 2019, six dollars and

twenty-five cents ($6.25) to the commission fund.

(7) For a truck with a declared gross weight equal to or less than seven thousand (7,000) pounds, three dollars and fifty cents ($3.50) to the highway, road and street fund.

(8) Any remaining portion of the applicable fee to the motor vehicle highway account.

As added by P.L.216-2014, SEC.80.

IC 9-29-5-3.2

Registration of truck weighing more than 10,000 pounds; fee; distribution

Sec. 3.2. (a) The fee to register a truck weighing more than ten thousand (10,000) pounds is as follows:

Declared Gross Weight (Pounds)			
Greater than	Equal to or less than	Fee ($) if registered before August 1	Fee ($) if registered after July 31
10,000	11,000	84.75	84.75
11,000	16,000	144.75	75.25
16,000	20,000	184.75	95.25
20,000	23,000	244.75	125.25
23,000	26,000	244.75	125.25
26,000	30,000	304.75	155.25
30,000	36,000	422.75	214.25
36,000	42,000	515.75	260.75
42,000	48,000	636.75	321.75
48,000	54,000	739.75	372.75
54,000	60,000	819.75	412.75
60,000	66,000	867.75	436.75
66,000		965.75	485.75

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Four dollars ($4) to the crossroads 2000 fund.

(4) For a truck registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For a truck registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(6) To the highway, road and street fund as follows:

Declared Gross Weight (Pounds)			
Greater than	Equal to or less than	Distribution if registered before August 1	Distribution if registered after July 31

11,000	16,000	19.50	9.75
16,000	20,000	49.50	24.75
20,000	23,000	0	0
23,000	26,000	44.50	22.25
26,000	30,000	64.50	32.25
30,000	36,000	24.50	12.25
36,000	42,000	74.50	37.25
42,000	48,000	124.50	62.25
48,000	54,000	174.50	87.25
54,000	60,000	199.50	99.75
60,000	66,000	224.50	112.25
66,000		249.50	124.75

A distribution to the highway, road and street fund under this subdivision shall be credited to the state highway fund as provided in IC 8-14-2-3 and to the local road and street account as provided in IC 8-14-2-4.

(7) Any remaining portion of the applicable fee to the motor vehicle highway account.

As added by P.L.216-2014, SEC.81.

IC 9-29-5-3.3

Registration of tractor; fee

Sec. 3.3. The fee for a tractor not for use with a semitrailer, a traction engine, or other similar vehicle used for hauling purposes is the fee under section 3.1 or 3.2 of this chapter for a truck with the same declared gross weight.

As added by P.L.216-2014, SEC.82.

IC 9-29-5-4

Registration of trailer used with a motor vehicle; fee; distribution

Sec. 4. (a) The fee to register a trailer used with a motor vehicle is as follows:

Declared Gross Weight (Pounds)			
Greater than	Equal to or less than	Fee ($) if registered before August 1	Fee ($) if registered after July 31
0	3,000	16.75	11.25
3,000	5,000	25.75	15.75
5,000	7,000	31.75	18.75
7,000	9,000	36.75	21.25
9,000	12,000	79.75	42.75
12,000	16,000	119.75	62.75
16,000	22,000	179.75	92.75
22,000		239.75	122.75

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a trailer registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a trailer registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) To the crossroads 2000 fund as follows:

(A) For a trailer registered before August 1 of a year, four dollars ($4).

(B) For a trailer registered after July 31 of a year, two dollars ($2).

(6) To the highway, road and street fund as follows:

Declared Gross Weight Distribution			
Greater than	Equal to or less than	Distribution if registered before August 1	Distribution if registered after July 31
0	3,000	$1.50	$1.50
3,000	5,000	3.50	1.75
5,000	7,000	4.50	2.25
7,000	9,000	0	0
9,000	12,000	18.50	9.25
12,000	16,000	24.50	12.25
16,000	22,000	44.50	22.25
22,000		59.50	19.75

(7) Any remaining amount to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.83.

IC 9-29-5-5

Registration of tractor used with a semitrailer; fee; distribution

Sec. 5. (a) The fee to register a tractor used with a semitrailer is as follows:

Declared Gross Weight (Pounds)			
Greater than	Equal to or less than	Fee ($) if registered before August 1	Fee ($) if registered after July 31
0	20,000	179.75	92.75
20,000	26,000	319.75	162.75
26,000	30,000	399.75	202.75
30,000	36,000	504.75	255.25
36,000	42,000	554.75	280.25
42,000	48,000	669.75	337.75
48,000	54,000	724.75	365.25
54,000	60,000	809.75	407.75
60,000	66,000	874.75	440.25

66,000	72,000	984.75	495.25
72,000	74,000	1,059.75	532.75
74,000	76,000	1,174.75	590.25
76,000	78,000	1,249.75	627.75
78,000		1,359.75	682.75

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a tractor registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a tractor registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) To the crossroads 2000 fund as follows:

(A) For a tractor registered before August 1 of a year, four dollars ($4).

(B) For a tractor registered after July 31 of a year, two dollars ($2).

(6) To the highway, road and street fund as follows:

Declared Gross Weight			
Greater than	Equal to or less than	Distribution if registered before August 1	Distribution if registered after July 31
0	20,000	$24.50	$17.25
20,000	26,000	44.50	22.25
26,000	30,000	64.50	32.25
30,000	36,000	84.50	42.25
36,000	42,000	94.50	47.25
42,000	48,000	122.50	61.25
48,000	54,000	102.00	51.00
54,000	60,000	109.50	54.75
60,000	66,000	134.50	67.25
66,000	72,000	184.50	95.25

(7) Any remaining amount to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.84.

IC 9-29-5-6

Semitrailers used with tractors; registration fee

Sec. 6. (a) The fee to register a semitrailer to be used with a tractor for a calendar year is as follows:

(1) For a semitrailer registered before August 1 of a year, forty-one dollars and seventy-five cents ($41.75).

(2) For a semitrailer registered after July 31 of a year, twenty-three dollars and seventy-five cents ($23.75).

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a semitrailer registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a semitrailer registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) To the crossroads 2000 fund as follows:

(A) For a semitrailer registered before August 1 of a year, six dollars ($6).

(B) For a semitrailer registered after July 31 of a year, three dollars ($3).

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.117-1993, SEC.4; P.L.63-2007, SEC.5; P.L.216-2014, SEC.85.

IC 9-29-5-6.1

Registration of semitrailer on five year cycle; fee; distribution

Sec. 6.1. (a) The fee to register a semitrailer on a five (5) year cycle is as follows:

Year of cycle	Amount
1	$77.75
2	63.75
3	49.75
4	41.75
5	41.75

(b) A fee under subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a semitrailer registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a semitrailer registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) To the crossroads 2000 fund as follows:

(A) For a semitrailer registered in year one (1), two (2), or three (3) of a cycle, five dollars ($5).

(B) For a semitrailer registered in year four (4) of a cycle, ten dollars ($10).

(C) For a semitrailer registered in year five (5) of a cycle, twelve dollars ($12).

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.216-2014, SEC.86.

IC 9-29-5-6.2

Permanent registration of semitrailer; fee; distribution

Sec. 6.2. (a) The fee for a permanent registration of a semitrailer is eighty-two dollars and seventy-five cents ($82.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a semitrailer registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a semitrailer registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) Twelve dollars ($12) to the crossroads 2000 fund.

(6) Sixty-three dollars and seventy-five cents ($63.75) to the motor vehicle highway account.

(b) The fee to renew a permanent registration of a semitrailer is eight dollars and seventy-five cents ($8.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Three dollars ($3) to the crossroads 2000 fund.

(4) Five dollars ($5) to the commission fund.

As added by P.L.216-2014, SEC.87.

IC 9-29-5-7

Registration of intercity bus; fee; distribution

Sec. 7. (a) The fee to register an intercity bus is as follows:

Declared Gross Weight			
Greater than	Equal to or less than	Fee ($) if registered before August 1	Fee ($) if registered after July 31
0	11,000	59.75	32.75
11,000	16,000	109.75	57.75
16,000	20,000	134.75	70.25
20,000	26,000	159.75	82.75

26,000	30,000	229.75	117.75
30,000	36,000	303.75	154.75
36,000	42,000	391.75	198.75
42,000	48,000	454.75	230.25
48,000	54,000	549.75	277.75
54,000	60,000	609.75	307.75
60,000		669.75	337.75

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For an intercity bus registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For an intercity bus registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) To the crossroads 2000 fund as follows:

(A) For an intercity bus registered before August 1 of a year, four dollars ($4).

(B) For an intercity bus registered after July 31 of a year, two dollars ($2).

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.88.

IC 9-29-5-7.5

Registration of intracity bus; fee; distribution

Sec. 7.5. (a) The fee to register an intracity bus is as follows:

Declared Gross Weight (Pounds)		
Greater than	Equal to or less than	Fee ($)
0	16,000	18.75
16,000	36,000	28.75
36,000		67.76

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For an intracity bus registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For an intracity bus registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) Four dollars ($4) to the crossroads 2000 fund.

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.216-2014, SEC.89.

IC 9-29-5-8

School or special purpose bus; registration fee

Sec. 8. (a) The fee to register a school bus or special purpose bus is as follows:

(1) For a school bus or special purpose bus registered before April 1 of a year, twenty-nine dollars and seventy-five cents ($29.75).

(2) For a school bus or special purpose bus registered after March 31 of a year, seventeen dollars and seventy-five cents ($17.75).

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Four dollars ($4) to the crossroads 2000 fund.

(4) For a school bus or special purpose bus registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars and seventy-five cents ($5.75) to the commission fund.

(5) For a school bus or special purpose bus registered after June 30, 2019, seven dollars ($7) to the commission fund.

(6) Six dollars ($6) to the highway, road and street fund.

(7) Any remaining amount to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.90; P.L.149-2015, SEC.81.

IC 9-29-5-9

Church bus; annual registration fee

Sec. 9. (a) The fee to register a church bus is as follows:

(1) For a church bus registered before August 1 of a year, twenty-nine dollars and seventy-five cents ($29.75).

(2) For a church bus registered after July 31 of a year, seventeen dollars and seventy-five cents ($17.75).

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.
(2) Fifty cents ($0.50) to the state motor vehicle technology fund.
(3) To the crossroads 2000 fund as follows:
(A) For a church bus registered before August 1 of a year, four dollars ($4).
(B) For a church bus registered after July 31 of a year, two dollars ($2).
(4) For a church bus registered before July 1, 2019:
(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(B) Five dollars ($5) to the commission fund.
(5) For a church bus registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.
(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.91; P.L.198-2016, SEC.560.

IC 9-29-5-10
Other buses; definition; annual registration fee

Sec. 10. (a) As used in this section, "other bus" means a bus that is not a church bus, an intercity bus, an intracity bus, or a school bus.
(b) The fee to register any other bus is as follows:
(1) For an other bus registered before August 1 of a year, thirty-nine dollars and seventy-five cents ($39.75).
(2) For an other bus registered after July 31 of a year, twenty-two dollars and seventy-five cents ($22.75).
(c) A fee described in subsection (b) shall be distributed as follows:
(1) Twenty-five cents ($0.25) to the state police building account.
(2) Fifty cents ($0.50) to the state motor vehicle technology fund.
(3) Four dollars ($4) to the crossroads 2000 fund.
(4) For a bus registered before July 1, 2019, as follows:
(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(B) Five dollars ($5) to the commission fund.
(5) For a bus registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.
(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.92.

IC 9-29-5-11

Special machinery; fee

Sec. 11. (a) This section does not apply to a vehicle or person exempted from registration under IC 9-18.

(b) The registration fee for a piece of special machinery is sixteen dollars and seventy-five cents ($16.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a piece of special machinery registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and seventy-five cents ($3.75) to the commission fund.

(4) For a piece of special machinery registered after June 30, 2019, five dollars ($5) to the commission fund.

(5) Five dollars ($5) to the motor vehicle highway account.

(6) Six dollars ($6) to the crossroads 2000 fund.

The piece of special machinery is exempt from other fees provided under IC 9-18 or this article.

As added by P.L.2-1991, SEC.17. Amended by P.L.210-2005, SEC.61; P.L.125-2012, SEC.314; P.L.216-2014, SEC.93.

IC 9-29-5-12

Fertilizer tank trailers or spreaders used to transport bulk fertilizer; exemption from registration fees

Sec. 12. A farm wagon or farm type dry or liquid fertilizer tank trailer or spreader used to transport bulk fertilizer between distribution point and farm and return is exempt from all registration fees when the wagon, trailer, or spreader is drawn or towed on a highway by a:

(1) farm tractor; or

(2) properly registered motor vehicle.

As added by P.L.2-1991, SEC.17. Amended by P.L.210-2005, SEC.62; P.L.125-2012, SEC.315.

IC 9-29-5-13

Registration of farm truck; fee; distribution

Sec. 13. (a) This section does not apply to a vehicle or person exempt from registration under IC 9-18.

(b) The fee to register a farm truck used by the owner or guest occupant in connection with agricultural pursuits usual and normal to the user's farming operation is as follows:

Declared Gross Weight			
Greater than	Equal to or less than	Fee ($) if registered	Fee ($) if registered

		before August 1	after July 31
0	11,000	45.25	45.25
11,000	16,000	75.25	40.50
16,000	20,000	95.25	50.50
20,000	23,000	125.25	65.50
23,000	26,000	125.25	65.50
26,000	30,000	155.25	80.50
30,000	36,000	214.25	110.00
36,000	42,000	260.75	133.25
42,000	48,000	321.25	163.50
48,000	54,000	372.75	189.25
54,000	60,000	412.75	209.25
60,000	66,000	436.75	221.25
66,000		485.75	245.75

(c) A fee described in subsection (b) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a farm truck registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a farm truck registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) Two dollars ($2) to the crossroads 2000 fund.

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.210-2005, SEC.63; P.L.125-2012, SEC.316; P.L.215-2014, SEC.9; P.L.216-2014, SEC.94.

IC 9-29-5-13.1

Registration of farm trailer; fee; distribution

Sec. 13.1. (a) The fee to register a farm trailer is as follows:

Declared Gross Weight			
Greater than	Equal to or less than	Fee ($) if registered before August 1	Fee ($) if registered after July 31
0	12,000	42.75	24.25
12,000	16,000	62.75	34.25
16,000	22,000	92.75	49.25
22,000		122.75	64.25

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) To the crossroads 2000 fund as follows:

(A) For a farm trailer registered before August 1 of a year, two dollars ($2).

(B) For a farm trailer registered after July 31 of a year, one dollar ($1).

(4) For a farm trailer registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For a farm trailer registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.216-2014, SEC.95.

IC 9-29-5-13.2

Registration of farm semitrailer; fee; distribution

Sec. 13.2. (a) The fee to register a farm semitrailer for a calendar year is as follows:

(1) For a farm semitrailer registered before August 1 of a year, twenty-three dollars and seventy-five cents ($23.75).

(2) For a farm semitrailer registered after July 31 of a year, fourteen dollars and seventy-five cents ($14.75).

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) To the crossroads 2000 fund as follows:

(A) For a farm semitrailer registered before July 1 of a year, three dollars ($3).

(B) For a farm semitrailer registered after June 30 of a year, one dollar and fifty cents ($1.50).

(4) For a farm semitrailer registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For a farm semitrailer registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(6) Any remaining amount to the motor vehicle highway account.

(c) The fee to register a farm semitrailer on a five (5) year cycle is as follows:

Year of cycle	Amount

1	$41.75
2	34.75
3	27.75
4	23.75
5	23.75

(d) A fee described in subsection (c) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a farm semitrailer registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a farm semitrailer registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) To the crossroads 2000 fund as follows:

(A) For a farm semitrailer registered in year one (1), year two (2), year three (3), or year four (4) of a cycle, five dollars ($5).

(B) For a farm semitrailer registered in year five (5) of a cycle, six dollars ($6).

(6) Any remaining amount to the motor vehicle highway account.

(e) The fee for a permanent registration of a farm semitrailer is forty-four dollars and twenty-five cents ($44.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a farm semitrailer registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Four dollars ($4) to the commission fund.

(4) For a farm semitrailer registered after June 30, 2019, five dollars and twenty-five cents ($5.25) to the commission fund.

(5) Six dollars ($6) to the crossroads 2000 fund.

(6) Thirty-two dollars and twenty-five cents ($32.25) to the motor vehicle highway account.

(f) The fee to renew a permanent registration of a farm semitrailer is eight dollars and seventy-five cents ($8.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Three dollars ($3) to the crossroads 2000 fund.

(4) Five dollars ($5) to the commission fund.

As added by P.L.216-2014, SEC.96.

IC 9-29-5-13.4

Registration of farm semitractor; fee; distribution

Sec. 13.4. (a) The fee to register a farm semitractor is as follows:

Declared Gross Weight			
Greater than	Equal to or less than	Fee ($) if registered after June 30	Fee ($) if registered before July 1
0	20,000	92.75	49.25
20,000	26,000	162.75	84.25
26,000	30,000	202.75	104.25
30,000	36,000	255.25	130.50
36,000	42,000	280.25	143.00
42,000	48,000	337.75	171.75
48,000	54,000	365.25	185.50
54,000	60,000	407.75	206.75
60,000	66,000	440.25	223.00
66,000	72,000	495.25	250.50
72,000	74,000	532.75	269.25
74,000	76,000	590.25	298.00
76,000	78,000	627.75	316.75
78,000		682.75	344.25

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a farm semitractor registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a farm semitractor registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) To the crossroads 2000 fund as follows:

(A) For a farm semitractor registered before July 1 of a year, two dollars ($2).

(B) For a farm semitractor registered after June 30 of a year, one dollar ($1).

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.216-2014, SEC.97.

IC 9-29-5-13.5

Registration fees; vehicles used partially for farm purposes

Sec. 13.5. (a) This section applies to a truck, trailer, or semitrailer and tractor for which a registration fee provided in section 13, 13.1, 13.2, or 13.4 of this chapter has been paid.

(b) Except as provided in subsections (d) and (e), if the owner of a truck, trailer, or semitrailer and tractor described in subsection (a) begins to operate the truck, trailer, or semitrailer and tractor in the conduct of a commercial enterprise or for the transportation of farm products after the commodities have entered the channels of commerce during a registration year for which the registration fee under section 13, 13.1, 13.2, or 13.4 of this chapter has been paid, the owner shall pay the amount listed in this chapter for a truck, trailer, or semitrailer and tractor of the same declared gross weight reduced by a credit determined under subsection (c) to license the truck, trailer, or semitrailer and tractor.

(c) The credit provided in subsection (b) equals:

(1) the registration fee paid under section 13, 13.1, 13.2, or 13.4 of this chapter; reduced by

(2) eight and thirty-three hundredths percent (8.33%) for each full or partial calendar month that has elapsed in the registration year for which the registration fee has been paid.

The credit may not exceed ninety percent (90%) of the registration fee paid under section 13, 13.1, 13.2, or 13.4 of this chapter.

(d) Notwithstanding subsections (b) and (e) and IC 9-18-2-4, a truck, trailer, or semitrailer and tractor described in subsection (a) may be operated intrastate for the transportation of seasonal, perishable fruit or vegetables to the first point of processing for a period that consists of not more than a thirty (30) day period in a registration year as provided by IC 9-21-21-4.3(a). Before a vehicle may be operated as provided in this subsection, the owner shall pay to the bureau:

(1) any registration fee due under section 13, 13.1, 13.2, or 13.4 of this chapter; and

(2) eight and one-half percent (8.5%) of the registration fee paid under section 13, 13.1, 13.2, or 13.4 of this chapter.

(e) Notwithstanding subsections (b) and (d) and IC 9-18-2-4, a truck, trailer, or semitrailer and tractor described in subsection (a) may be operated intrastate for the transportation of tomatoes or silage to the first point of processing for a period that consists of not more than one (1) seventy-one (71) day period in a registration year as provided by IC 9-21-21-4.3(b). Before a vehicle may be operated as provided in this subsection, the owner shall pay to the bureau:

(1) any registration fee due under section 13, 13.1, 13.2, or 13.4 of this chapter; and

(2) seventeen percent (17%) of the registration fee paid under section 13, 13.1, 13.2, or 13.4 of this chapter.

As added by P.L.130-1993, SEC.1. Amended by P.L.210-2005,

SEC.64; P.L.21-2007, SEC.3; P.L.191-2007, SEC.20; P.L.125-2012, SEC.317; P.L.216-2014, SEC.98.

IC 9-29-5-14
Repealed

(As added by P.L.2-1991, SEC.17. Repealed by P.L.92-2013, SEC.61.)

IC 9-29-5-14.5
Repealed

(As added by P.L.93-2010, SEC.14. Repealed by P.L.92-2013, SEC.62.)

IC 9-29-5-15
Repealed

(As added by P.L.2-1991, SEC.17. Repealed by P.L.92-2013, SEC.63.)

IC 9-29-5-16
Transport operators; license plates; fees

Sec. 16. (a) The fee for one (1) set of license plates for each transport operator is one hundred thirty-nine dollars and twenty-five cents ($139.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.
(2) Five dollars ($5) to the crossroads 2000 fund.
(3) Nine dollars ($9) to the commission fund.
(4) Thirty dollars ($30) to the highway, road and street fund.
(5) Ninety-five dollars ($95) to the motor vehicle highway account.

(b) The fee for the first two (2) sets of license plates for each transport operator is one hundred fifty-eight dollars and twenty-five cents ($158.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.
(2) Fifteen dollars ($15) to the crossroads 2000 fund.
(3) Eighteen dollars ($18) to the commission fund.
(4) Thirty dollars ($30) to the highway, road and street fund.
(5) Ninety-five dollars ($95) to the motor vehicle highway account.

(c) The fee for each additional set of license plates for a transport operator is thirty-four dollars and twenty-five cents ($34.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.
(2) Nine dollars ($9) to the commission fund.
(3) Ten dollars ($10) to the crossroads 2000 fund.
(4) Fifteen dollars ($15) to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.99.

IC 9-29-5-17
Duplicate or replacement license plates; fee; distribution

Sec. 17. The fee for each duplicate or replacement license plate or sticker is ten dollars and twenty-five cents ($10.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar and seventy-five cents ($1.75) to the motor vehicle highway account.

(4) Three dollars ($3) to the crossroads 2000 fund.

(5) For a license plate or sticker issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Three dollars and fifty cents ($3.50) to the commission fund.

(6) For a license plate or sticker issued after June 30, 2019, four dollars and seventy-five cents ($4.75) to the commission fund.

As added by P.L.2-1991, SEC.17. Amended by P.L.262-2013, SEC.118; P.L.216-2014, SEC.100.

IC 9-29-5-17.1
Duplicate, amended, or replacement certificate of registration; fee; distribution

Sec. 17.1. (a) Except as provided in subsection (b), the fee for a duplicate, an amended, or a replacement certificate of registration is six dollars and twenty-five cents ($6.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a certificate issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Four dollars and twenty-five cents ($4.25) to the commission fund.

(4) For a certificate issued after June 30, 2019, five dollars and fifty cents ($5.50) to the commission fund.

(b) The bureau may not impose or collect a fee for a duplicate, an amended, or a replacement certificate of registration that is a result of an error on the part of the bureau.

As added by P.L.216-2014, SEC.101.

IC 9-29-5-18
Registration of recreational vehicle; fee; distribution

Sec. 18. The fee to register a recreational vehicle is twenty-nine dollars and seventy-five cents ($29.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) For a recreational vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(4) For a recreational vehicle registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(5) Four dollars ($4) to the crossroads 2000 fund.

(6) Five dollars and fifty cents ($5.50) to the highway, road and street fund.

(7) Thirteen dollars and twenty-five cents ($13.25) to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.125-2012, SEC.318; P.L.216-2014, SEC.102.

IC 9-29-5-19
Repealed

(As added by P.L.2-1991, SEC.17. Repealed by P.L.210-2005, SEC.76.)

IC 9-29-5-20
Temporary permits; fee; distribution

Sec. 20. (a) The fee for a temporary permit issued under IC 9-18-7-4 that is valid for not more than ninety-six (96) hours is eighteen dollars and seventy-five cents ($18.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) One dollar ($1) to the crossroads 2000 fund.

(3) Two dollars and fifty cents ($2.50) to the state motor vehicle technology fund.

(4) For a temporary permit issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For a temporary permit issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(6) Eight dollars and seventy-five cents ($8.75) to the motor

vehicle highway account.

(b) The fee for a temporary permit issued under IC 9-18-7-1 that is valid for a period of thirty (30) days is eighteen dollars and seventy-five cents ($18.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) One dollar ($1) to the crossroads 2000 fund.

(3) Two dollars and fifty cents ($2.50) to the state motor vehicle technology fund.

(4) For a temporary permit issued before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For a temporary permit issued after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(6) Eight dollars and seventy-five cents ($8.75) to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.103.

IC 9-29-5-21
Repealed

(As added by P.L.2-1991, SEC.17. Repealed by P.L.198-2016, SEC.561.)

IC 9-29-5-22
Repealed

(As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.104. Repealed by P.L.198-2016, SEC.562.)

IC 9-29-5-23
Transfer of vehicle registration and registration of another vehicle; fee; distribution

Sec. 23. (a) The fee to transfer a vehicle registration and register another vehicle of the same class under IC 9-18-6-4(b) is nine dollars and seventy-five cents ($9.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) One dollar ($1) to the highway, road and street fund.

(3) One dollar ($1) to the motor vehicle highway account.

(4) Two dollars ($2) to the crossroads 2000 fund.

(5) Five dollars and fifty cents ($5.50) to the commission fund.

(b) The fee to transfer a vehicle registration and register another vehicle in a different fee class under IC 9-18-6-4(c) is sixteen dollars and twenty-five cents ($16.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.
(2) One dollar ($1) to the highway, road and street fund.
(3) Two dollars ($2) to the crossroads 2000 fund.
(4) Five dollars and fifty cents ($5.50) to the commission fund.
(5) Any remaining amount to the motor vehicle highway account.

(c) The fee to display a license plate described in IC 9-18-6-4(f) is ten dollars and twenty-five cents ($10.25). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.
(2) Fifty cents ($0.50) to the state motor vehicle technology fund.
(3) One dollar and seventy-five cents ($1.75) to the motor vehicle highway account.
(4) Two dollars ($2) to the crossroads 2000 fund.
(5) Five dollars and seventy-five cents ($5.75) to the commission fund.

As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.105.

IC 9-29-5-24
Repealed

(As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.106. Repealed by P.L.198-2016, SEC.563.)

IC 9-29-5-25
Repealed

(As added by P.L.2-1991, SEC.17. Repealed by P.L.198-2016, SEC.564.)

IC 9-29-5-26
Repealed

(As added by P.L.2-1991, SEC.17. Repealed by P.L.198-2016, SEC.565.)

IC 9-29-5-26.5
Repealed

(As added by P.L.61-1994, SEC.3. Repealed by P.L.125-2012, SEC.319.)

IC 9-29-5-27
Repealed

(As added by P.L.2-1991, SEC.17. Repealed by P.L.216-2014, SEC.107.)

IC 9-29-5-28

Antique motor vehicle registration; fee; distribution

Sec. 28. (a) The registration fee for an antique motor vehicle under IC 9-18-12 is twenty dollars and seventy-five cents ($20.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Three dollars ($3) to the crossroads 2000 fund.

(4) For an antique motor vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For an antique motor vehicle registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(6) Any remaining amount to the motor vehicle highway account.

(b) The fee imposed under subsection (a) is in addition to the fee to register and display an authentic license plate from the model year of the antique motor vehicle under section 32.5 of this chapter.

As added by P.L.2-1991, SEC.17. Amended by P.L.79-2006, SEC.7; P.L.1-2010, SEC.50; P.L.216-2014, SEC.108.

IC 9-29-5-28.1

Antique motorcycle registration; fee; distribution

Sec. 28.1. The fee to register an antique motorcycle is twenty dollars and seventy-five cents ($20.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Three dollars ($3) to the crossroads 2000 fund.

(4) For an antique motorcycle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For an antique motorcycle registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.216-2014, SEC.109.

IC 9-29-5-28.2

Antique truck registration; fee; distribution

Sec. 28.2. The fee to register an antique truck is twenty-one dollars and seventy-five cents ($21.75). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) Four dollars ($4) to the crossroads 2000 fund.

(4) For an antique truck registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For an antique truck registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.216-2014, SEC.110.

IC 9-29-5-29
Repealed

(As added by P.L.2-1991, SEC.17. Repealed by P.L.149-2015, SEC.82.)

IC 9-29-5-30
Registration of recovery vehicle with gross vehicle weight rating greater than 16,000 pounds; fee

Sec. 30. (a) The fee to register under IC 9-18-13 a recovery vehicle that has a gross vehicle weight rating that is greater than sixteen thousand (16,000) pounds is as follows:

(1) For a recovery vehicle registered before August 1 of a year, five hundred nine dollars and seventy-five cents ($509.75).

(2) For a recovery vehicle registered after July 31 of a year, two hundred fifty-seven dollars and seventy-five cents ($257.75).

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) To the crossroads 2000 fund as follows:

(A) For a recovery vehicle registered before August 1 of a year, four dollars ($4).

(B) For a recovery vehicle registered after July 31 of a year, two dollars ($2).

(4) For a recovery vehicle registered before July 1, 2019:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For a recovery vehicle registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.111; P.L.198-2016, SEC.566.

IC 9-29-5-30.1

Registration of recovery vehicle with gross vehicle weight rating equal to or less than 16,000 pounds; fee

Sec. 30.1. (a) The fee to register under IC 9-18-13 a recovery vehicle that has a gross vehicle weight rating equal to or less than sixteen thousand (16,000) pounds is as follows:

(1) For a recovery vehicle registered before August 1 of a year, eighty-three dollars and seventy-five cents ($83.75).

(2) For a recovery vehicle registered after July 31 of a year, forty-four dollars and seventy-five cents ($44.75).

(b) A fee described in subsection (a) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) To the crossroads 2000 fund as follows:

(A) For a recovery vehicle registered before August 1 of a year, three dollars ($3).

(B) For a recovery vehicle registered after July 31 of a year, one dollar and fifty cents ($1.50).

(4) For a recovery vehicle registered before July 1, 2019, as follows:

(A) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(B) Five dollars ($5) to the commission fund.

(5) For a recovery vehicle registered after June 30, 2019, six dollars and twenty-five cents ($6.25) to the commission fund.

(6) Any remaining amount to the motor vehicle highway account.

As added by P.L.216-2014, SEC.112. Amended by P.L.198-2016, SEC.567.

IC 9-29-5-31

Military vehicle registration; fee additional to excise taxes

Sec. 31. (a) The registration fee for a military vehicle under IC 9-18-14 is twelve dollars ($12).

(b) The bureau shall collect the fee in subsection (a) in addition to any excise tax imposed under IC 6-6-5.

As added by P.L.2-1991, SEC.17.

IC 9-29-5-32
Repealed
(As added by P.L.2-1991, SEC.17. Repealed by P.L.233-2005, SEC.8.)

IC 9-29-5-32.5
Repealed
(As added by P.L.233-2005, SEC.7. Amended by P.L.79-2006, SEC.8; P.L.216-2014, SEC.113. Repealed by P.L.198-2016, SEC.568.)

IC 9-29-5-33
Repealed
(As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.114. Repealed by P.L.198-2016, SEC.569.)

IC 9-29-5-34
Repealed
(As added by P.L.2-1991, SEC.17. Repealed by P.L.125-2012, SEC.320.)

IC 9-29-5-34.5
Repealed
(As added by P.L.68-2006, SEC.5. Amended by P.L.30-2008, SEC.4; P.L.87-2010, SEC.37; P.L.216-2014, SEC.115. Repealed by P.L.198-2016, SEC.570.)

IC 9-29-5-34.7
Repealed
(As added by P.L.87-2010, SEC.38. Repealed by P.L.198-2016, SEC.571.)

IC 9-29-5-35
Repealed
(As added by P.L.2-1991, SEC.17. Repealed by P.L.198-2016, SEC.572.)

IC 9-29-5-36
Repealed
(As added by P.L.2-1991, SEC.17. Amended by P.L.216-2014, SEC.116. Repealed by P.L.198-2016, SEC.573.)

IC 9-29-5-37
Repealed
(As added by P.L.2-1991, SEC.17. Repealed by P.L.198-2016, SEC.574.)

IC 9-29-5-38

Repealed

(As added by P.L.2-1991, SEC.17. Amended by P.L.214-2005, SEC.57; P.L.216-2014, SEC.117; P.L.149-2015, SEC.83. Repealed by P.L.198-2016, SEC.575.)

IC 9-29-5-38.5

Repealed

(As added by P.L.58-2006, SEC.6. Repealed by P.L.198-2016, SEC.576.)

IC 9-29-5-38.6

Repealed

(As added by P.L.87-2010, SEC.39. Repealed by P.L.198-2016, SEC.577.)

IC 9-29-5-39

Repealed

(As added by P.L.2-1991, SEC.17. Repealed by P.L.92-2013, SEC.64.)

IC 9-29-5-40

Repealed

(As added by P.L.2-1991, SEC.17. Repealed by P.L.262-2013, SEC.119.)

IC 9-29-5-41

Definition of unused part of the fees paid; buses permanently withdrawn from proportionally registered fleets; credit

Sec. 41. (a) As used in this section, "unused part of the fees paid" means the amount paid with respect to a bus when the bus was first proportionally registered in the registration year reduced by one-twelfth (1/12) of the total annual proportional registration responsibility of that bus for each calendar month and fraction of a month elapsing between the first day of the month of the current year in which the bus was registered and the date the notice of withdrawal is received by the bureau.

(b) If a bus is permanently withdrawn from a proportionally registered fleet because the bus has been destroyed, sold, or otherwise completely removed from the service of the registrant, the unused part of the fees paid with respect to the bus shall be credited to the proportional registration account of the owner.

(c) A credit under subsection (b) shall be applied against liability for subsequent additions to be prorated during the registration year or for additional fees due upon audit under IC 9-18-11-11.

(d) If a credit is less than five dollars ($5), a credit may not be made or entered.

(e) A credit under subsection (b) may not be:

(1) credited against fees other than those for that registration

year; and

(2) refunded.

As added by P.L.2-1991, SEC.17.

IC 9-29-5-42

Registration of vehicle not subject to IC 9-18-2-8 or IC 9-18-2-8.5

Sec. 42. (a) Except as provided in subsection (d), vehicles not subject to IC 9-18-2-8 or IC 9-18-2-8.5 shall be registered at the appropriate rate established in this chapter, subject to IC 9-18-2-7, if the vehicle is registered after July 31 of any year. This subsection does not apply to the following:

(1) Special machinery.

(2) Semitrailers registered on a five (5) year or permanent basis under IC 9-18-10-2.

(3) An implement of agriculture designed to be operated primarily on a highway.

(b) Except as provided in subsection (d), subsection (a) and IC 9-18-2-7 determine the registration fee for the registration of a vehicle subject to registration under IC 9-18-2-8(c) and acquired by an owner subsequent to the date required for the annual registration of vehicles by an owner set forth in IC 9-18-2-8.

(c) Except as provided in subsections (d) and (e), if the department of state revenue adopts rules under IC 9-18-2-7 to implement staggered registration, the department of state revenue shall collect the full annual fee for vehicles in a commercial fleet registering with the department of state revenue, regardless of the date the vehicle is registered. Any vehicles registered with the department of state revenue under this subsection after the date designated for registration shall be registered at a rate determined in STEP THREE of subsection (e).

(d) Subject to subsection (e), a vehicle subject to the International Registration Plan that is registered after September 30 shall be registered at a rate determined by the following formula:

STEP ONE: Determine the number of months before April 1 of the following year beginning with the date of registration. A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the annual registration fee for the vehicle by the STEP TWO result.

(e) If the department of state revenue adopts rules under IC 9-18-2-7 to implement staggered registration for motor vehicles subject to the International Registration Plan, a motor vehicle subject to the International Registration Plan that is registered after the date designated for registration of the motor vehicle in rules adopted under IC 9-18-2-7 shall be registered at a rate determined by the following formula:

STEP ONE: Determine the number of months before the motor

vehicle must be reregistered. A partial month shall be rounded to one (1) month.

STEP TWO: Multiply the STEP ONE result by one-twelfth (1/12).

STEP THREE: Multiply the annual registration fee for the vehicle by the STEP TWO result.

(f) A school bus subject to registration under IC 9-18-2-8.5 that is registered after January 31 for the prior calendar year shall be registered at one-half (1/2) the regular rate.

As added by P.L.2-1991, SEC.17. Amended by P.L.117-1993, SEC.5; P.L.136-1995, SEC.1; P.L.93-1997, SEC.14; P.L.210-2005, SEC.65; P.L.31-2008, SEC.3; P.L.107-2008, SEC.15; P.L.190-2014, SEC.31; P.L.216-2014, SEC.118; P.L.5-2015, SEC.27.

IC 9-29-5-43
Repealed

(As added by P.L.2-1991, SEC.17. Amended by P.L.260-1997(ss), SEC.57; P.L.106-2008, SEC.33; P.L.93-2010, SEC.15; P.L.92-2013, SEC.65; P.L.259-2013, SEC.28; P.L.2-2014, SEC.44. Repealed by P.L.216-2014, SEC.119.)

IC 9-29-5-44
Off-road vehicle and snowmobile registration fees

Sec. 44. (a) The fees in this section are applicable after December 31, 2013.

(b) The fee for the registration of an off-road vehicle or snowmobile under IC 9-18-2.5-4(a)(5) or IC 9-18-2.5-8 is thirty dollars ($30).

(c) The fee for renewal of the registration of an off-road vehicle or snowmobile under IC 9-18-2.5-4(a) and IC 9-18-2.5-6(b) is thirty dollars ($30).

(d) The fee for a replacement decal requested under IC 9-18-2.5-7(b) is six dollars ($6).

(e) The fee for a transfer of registration under IC 9-18-2.5-9 is thirty dollars ($30).

(f) The fee for a duplicate or amended certificate of registration under IC 9-18-2.5-10 is fifteen dollars ($15).

(g) The fee for each of the first two (2) registration certificates requested by a manufacturer or dealer under IC 9-18-2.5-11(a) is thirty dollars ($30).

(h) The fee for each registration requested by a manufacturer or dealer under IC 9-18-2.5-11(a) that is subsequent to a registration set forth in subsection (g) is thirty dollars ($30).

(i) The fee for a registration of an off-road vehicle or snowmobile after thirty-one (31) days of purchase or transfer is five dollars ($5), in addition to the fee set forth in subsection (b) or (e).

(j) The fees collected under this section shall be deposited in the off-road vehicle and snowmobile fund established by IC 14-16-1-30.

As added by P.L.259-2013, SEC.29.

IC 9-29-5-45
Repealed

(As added by P.L.216-2014, SEC.120. Repealed by P.L.198-2016, SEC.578.)

IC 9-29-5-46
Delinquent registration fee

Sec. 46. (a) A delinquent registration fee shall be collected when a registrant fails to apply for the registration of a vehicle, fails to provide full payment for the registration of a vehicle, or fails to both apply and provide full payment for the registration of a vehicle as required by IC 9-18 on or before the vehicle's registration expiration date.

(b) The delinquent registration fee is five dollars ($5).

(c) All amounts collected under this section shall be deposited in the commission fund.

As added by P.L.149-2015, SEC.84.

IC 9-29-5-47.2
Expiration

Sec. 47.2. This chapter expires December 31, 2016.

As added by P.L.198-2016, SEC.579.

IC 9-29-6
Repealed

(Repealed by P.L.198-2016, SEC.580.)

IC 9-29-7
Repealed

(Repealed by P.L.198-2016, SEC.581.)

IC 9-29-8
Repealed

(Repealed by P.L.92-2013, SEC.71.)

IC 9-29-9
Repealed

(Repealed by P.L.198-2016, SEC.582.)

IC 9-29-10
Repealed

(Repealed by P.L.198-2016, SEC.583.)

IC 9-29-11
Repealed

(Repealed by P.L.198-2016, SEC.584.)

IC 9-29-11.5
Repealed

(Repealed by P.L.198-2016, SEC.585.)

IC 9-29-12
Repealed
(Repealed by P.L.198-2016, SEC.586.)

IC 9-29-13
Repealed
(Repealed by P.L.198-2016, SEC.587.)

IC 9-29-14
Repealed
(Repealed by P.L.198-2016, SEC.588.)

IC 9-29-15
Repealed
(Repealed by P.L.198-2016, SEC.589.)

IC 9-29-16
Repealed
(Repealed by P.L.198-2016, SEC.590.)

IC 9-29-17
Repealed
(Repealed by P.L.174-2016, SEC.13.)

IC 9-30

ARTICLE 30. GENERAL PENALTY PROVISIONS

IC 9-30-1

Repealed

(Repealed by P.L.1-1991, SEC.97.)

IC 9-30-2
Chapter 2. Arrests

IC 9-30-2-0.1
Repealed
(As added by P.L.220-2011, SEC.228. Repealed by P.L.125-2012, SEC.323.)

IC 9-30-2-1
Application of chapter
Sec. 1. Sections 2 and 3 of this chapter do not apply to the following:
(1) Officers or members of the state militia when on active duty.
(2) Officers of the United States government.
As added by P.L.2-1991, SEC.18.

IC 9-30-2-2
Uniform and badge; marked police vehicle
Sec. 2. A law enforcement officer may not arrest or issue a traffic information and summons to a person for a violation of an Indiana law regulating the use and operation of a motor vehicle on a highway or an ordinance of a city or town regulating the use and operation of a motor vehicle on a highway unless at the time of the arrest the officer is:
(1) wearing a distinctive uniform and a badge of authority; or
(2) operating a motor vehicle that is clearly marked as a police vehicle;
that will clearly show the officer or the officer's vehicle to casual observations to be an officer or a police vehicle. This section does not apply to an officer making an arrest when there is a uniformed officer present at the time of the arrest.
As added by P.L.2-1991, SEC.18. Amended by P.L.198-2016, SEC.592.

IC 9-30-2-3
Reward or other compensation for making arrests; prohibition
Sec. 3. (a) This section does not apply to the fixed salary of an officer.
(b) A peace officer, even though wearing a distinctive uniform and badge at the time of making an arrest, may not receive and there may not be taxed for the officer's benefit against a defendant a fee, mileage, pay, charge, compensation, or reward that, except for this chapter, the officer might be otherwise entitled to receive for the arrest or upon the conviction of a defendant.
As added by P.L.2-1991, SEC.18.

IC 9-30-2-4
Misdemeanor offenders required to appear before court

immediately

Sec. 4. (a) This section does not apply to a person arrested for a misdemeanor under IC 9-30-5 (operating a vehicle while intoxicated).

(b) If a person is arrested for a misdemeanor under this title, the arrested person shall be immediately taken before a court within the county in which the offense charged is alleged to have been committed and that has jurisdiction of the offense and is nearest or most accessible to the place where the arrest is made in any of the following cases:

(1) When the person demands an immediate appearance before a court.

(2) When the person is charged with an offense causing or contributing to an accident resulting in injury to or death of a person.

(3) When the person is charged with failure to stop for an accident causing death, personal injuries, or damage to property.

(4) When the person refuses to give the person's written promise to appear in court.

(5) When the person is charged with driving while the person's license is suspended or revoked.

As added by P.L.2-1991, SEC.18. Amended by P.L.99-1996, SEC.1.

IC 9-30-2-5

Misdemeanor offenders not appearing before court immediately; release from custody; written promise to appear; security deposit; contents of security agreement and written promise; nonresident requirements; refusal of security deposit

Sec. 5. (a) If an Indiana resident:

(1) is arrested for a misdemeanor regulating the use and operation of motor vehicles, other than the misdemeanor of operating a vehicle while intoxicated; and

(2) is not immediately taken to court as provided in section 4 of this chapter;

the Indiana resident shall be released from custody by the arresting officer upon signing a written promise to appear in the proper court at a time and date indicated on the promise. The Indiana resident shall be given a copy of the promise.

(b) Except as provided in IC 9-28-1 and IC 9-28-2, if a nonresident is arrested for a violation of a traffic ordinance or a statute punishable as an infraction or a misdemeanor that regulates the use and operation of a motor vehicle and is not immediately taken to court as provided in section 4 of this chapter, the person shall be released upon the deposit of a security. The security shall be:

(1) the amount of the fine and costs for the violation in the form of cash, a money order, or a traveler's check made payable to the clerk of the court; or

(2) a valid motor club card of a motor club that, by written plan approved by the secretary of state as provided in section 8 of this chapter, guarantees the nonresident's deposit in the amount of the fine and costs.

The proper court shall provide a list of security deposits, which must be equal to the fine and costs for the violation, and a security deposit agreement that acts as a receipt for the deposit. A nonresident who does not choose to deposit a security shall be taken to the proper court.

(c) The agreement for the security deposit and the written promise or notice to appear in court must contain the following:

(1) A citation of the violation.

(2) The name and address of the person accused of committing the violation.

(3) The number of the person's license to operate a motor vehicle.

(4) The registration number of the person's vehicle, if any.

(5) The time and place the person must appear in court.

If the violation is a misdemeanor, the time specified for appearance must be at least five (5) days after the arrest unless the arrested person demands an earlier hearing. The place specified for appearance must be in the proper court within the county where the person was arrested or given a notice to appear in the case of an infraction or ordinance. The nonresident shall be properly informed of the consequences of a guilty plea or an agreed judgment. The agreement for the security must also contain a provision in which the nonresident agrees that the court shall take permanent possession of the deposit, and if the nonresident fails to appear in court or is not represented in court, a guilty plea or an offer of judgment shall be entered on the court's record on behalf of the nonresident. Upon proper appearance or representation, the security shall be returned to the nonresident.

(d) A nonresident licensed by a jurisdiction that has entered into an agreement with Indiana under IC 9-28-2 may deposit the nonresident's license to operate a motor vehicle with the law enforcement officer as security for release. A nonresident shall, by the date required on the security deposit agreement, do one (1) of the following:

(1) Appear in court.

(2) Be represented in court.

(3) Deliver to the court by mail or courier the amount of the fine and costs prescribed for the violation.

The license to operate a motor vehicle shall be returned to the nonresident upon payment of the fine and costs and entry of a guilty plea or upon other judgment of the court. Until a judgment has been entered upon the court's records, the nonresident's copy of the security deposit agreement acts as a temporary license to operate a motor vehicle. Upon failure to appear or to be represented, the

nonresident's license to operate a motor vehicle and a copy of the judgment shall be sent by the court to the bureau, which shall notify the appropriate agency in accordance with IC 9-30-3-8.

(e) A nonresident who requests to deposit a security in the amount of the fine and costs shall be accompanied to the nearest United States mail receptacle and instructed by the law enforcement officer to place:

(1) the amount of the fine and costs; and

(2) one (1) signed copy of the security deposit agreement;

into a stamped, addressed envelope, which the proper court shall supply to the officer for the nonresident. The officer shall observe this transaction and shall observe the nonresident deposit the envelope in the mail receptacle. The nonresident shall then be released and given a copy of the security deposit agreement. If the nonresident does not appear in court or is not represented in court at the time and date specified on the receipt, a guilty plea or judgment against the nonresident shall be entered and the security deposit shall be used to satisfy the amount of the fine and costs prescribed for the violation.

(f) A nonresident motorist may deposit with the law enforcement officer a valid motor club card as a guarantee of security if the motor club or its affiliated clubs have a written plan approved by the secretary of state that guarantees the payment of the security in the amount of the fine and costs if the motorist:

(1) does not appear in court; or

(2) is not represented in court on the date and time specified in the security agreement.

(g) The recipient court may refuse acceptance of a security deposit agreement for a second moving traffic charge within a twelve (12) month period. The court may send notice requiring a personal court appearance on a date specified. Upon failure to appear the court shall take the appropriate action as described in this section.

As added by P.L.2-1991, SEC.18. Amended by P.L.99-1996, SEC.2; P.L.198-2016, SEC.593.

IC 9-30-2-6

Warrantless arrests; violations; procedure

Sec. 6. A law enforcement officer may, without a warrant, arrest a person in case of violations of:

(1) IC 9-26-1-1.1; and

(2) IC 9-30-5 if the violation of IC 9-30-5 is coupled with an accident;

when the law enforcement officer has probable cause to believe that the violation was committed by the person. The procedure prescribed in this section is not the only method prescribed by law for the arrest and prosecution of a person for an offense of similar grade.

As added by P.L.2-1991, SEC.18. Amended by P.L.1-1992, SEC.61; P.L.217-2014, SEC.119.

IC 9-30-2-7
Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.1-2007, SEC.94. Repealed by P.L.85-2013, SEC.79.)

IC 9-30-2-8
Motor club card plans; guarantee to pay security in amount of fines and costs; fees; renewal; termination; distribution of lists of acceptable cards

Sec. 8. (a) A motor club that is a domestic corporation or a foreign corporation qualified to transact business in Indiana under IC 23-1 or IC 23-17, or otherwise duly qualified to transact business in Indiana under Indiana corporation law, may guarantee as security the club's motor club card or any card of a motor club affiliated with the motor club, if the motor club files a plan guaranteeing to pay the security in the amount of the fine and costs. The ability to pay the security in the amount of the fine and costs must be demonstrated by evidence of the motor club's financial responsibility that must be:

(1) a balance sheet certified by a certified public accountant at the end of the club's last available fiscal year showing net assets of the motor club in excess of five hundred thousand dollars ($500,000); or

(2) a deposit by a surety company qualified to transact business in Indiana of an annual bond in the amount of twenty-five thousand dollars ($25,000) payable to the state guaranteeing, in the amount of fines and costs, the motor club cards covered by the plan when used as a security deposit.

(b) A motor club that is a foreign corporation not qualified to transact business in Indiana under IC 23-1, IC 23-17, or any other Indiana corporation law shall demonstrate the club's ability to guarantee payment of the club's card or cards of an affiliated member as a security deposit upon the filing of a plan with the secretary of state guaranteeing payment of the fines and costs of the security and a deposit, by a surety company qualified to transact business in Indiana, of an annual bond in the amount of twenty-five thousand dollars ($25,000) payable to the state, guaranteeing, in the amount of fines and costs, the motor club's cards covered by the plan when used as a security deposit.

(c) A motor club must, upon filing a plan with the secretary of state, pay a filing fee of fifty dollars ($50).

(d) A motor club must annually renew the club's motor card plan. Renewal must be made by filing before May 1 of each year a new certified balance sheet or surety bond together with a renewal fee of fifty dollars ($50) with the secretary of state.

(e) An approved plan may be terminated by the motor club sixty (60) days after written notice or termination has been delivered to the secretary of state. Upon failure of a motor club to guarantee a security deposit, the motor club plan may be terminated by the

secretary of state under IC 4-21.5-3.

(f) Termination by the secretary of state does not relieve a motor club of the club's obligation to pay judgments on cards covered by the club's plan and accepted as security as provided in this chapter. The attorney general may bring an action for the state in an Indiana court against a motor club to enforce an obligation.

(g) The secretary of state shall, by June 1 of each year and at other times necessary for the administration of this section, prepare and distribute to all courts having jurisdiction over minor traffic violations and to the superintendent of the state police department lists of motor club cards that may be accepted as a security deposit.
As added by P.L.2-1991, SEC.18. Amended by P.L.1-2010, SEC.51.

IC 9-30-3

Chapter 3. Court Procedures

IC 9-30-3-1

Purpose

Sec. 1. This chapter governs the procedure in courts with original jurisdiction to hear and determine cases involving traffic offenses. This chapter is intended to provide for the just determination of these cases and to that effect shall be construed to secure simplicity and uniformity in procedure, fairness in administration, and the elimination of unjustifiable expense and delay.

As added by P.L.2-1991, SEC.18.

IC 9-30-3-2

Court

Sec. 2. As used in this chapter, "court" means a tribunal with jurisdiction to hear and determine traffic violation cases and the judge or other presiding officer sitting as a court.

As added by P.L.2-1991, SEC.18.

IC 9-30-3-2.5

Electronic traffic ticket

Sec. 2.5. (a) As used in this chapter, "electronic traffic ticket" means:

(1) a traffic information and summons; or

(2) a complaint and summons;

for traffic cases that is in an electronic format prescribed by the division of state court administration.

(b) An electronic traffic ticket may be referred to as an "e-citation".

As added by P.L.184-2007, SEC.56; P.L.206-2007, SEC.4.

IC 9-30-3-3

Judge

Sec. 3. As used in this chapter, "judge" means an officer authorized by law to sit as a court.

As added by P.L.2-1991, SEC.18.

IC 9-30-3-4

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.85-2013, SEC.80.)

IC 9-30-3-5

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.85-2013, SEC.81.)

IC 9-30-3-5.3
Contents of electronic traffic ticket; modification

Sec. 5.3. In prescribing the contents of an electronic traffic ticket, the division of state court administration shall require the inclusion in an electronic traffic ticket of the contents required in an information and summons under section 6 of this chapter. The division of state court administration may modify the prescribed contents of an electronic traffic ticket as necessary for the ticket to be in an electronic format.

As added by P.L.184-2007, SEC.57; P.L.206-2007, SEC.5.

IC 9-30-3-5.7
Electronic traffic ticket; issuance; signatures; electronic transmission

Sec. 5.7. (a) When a law enforcement officer issues an electronic traffic ticket, the law enforcement officer:

(1) may print the electronic traffic ticket at the site of the traffic violation; and

(2) shall inform the individual to whom the electronic traffic ticket has been issued and note on the electronic traffic ticket whether the individual must appear in court on a specific date at a specific time.

(b) An electronic traffic ticket issued under this chapter that bears a printed or digital signature of:

(1) the law enforcement officer who issued the electronic traffic ticket; and

(2) the prosecuting attorney, or a representative of the office of the prosecuting attorney, of the county in which the electronic traffic ticket was issued;

is admissible in a court proceeding as if the signatures referred to in subdivisions (1) and (2) were original signatures.

(c) A law enforcement officer who issues an electronic traffic ticket may transmit the electronic traffic ticket to the court electronically if the court and the electronic traffic ticket are in compliance with the administrative rules adopted by the supreme court.

(d) A law enforcement officer who issues an electronic traffic ticket shall indicate on the electronic traffic ticket whether the law enforcement officer served the person receiving the electronic traffic ticket.

(e) The electronic transmission of an electronic traffic ticket shall be considered by the court as an original certified copy of the traffic information and summons or complaint and summons. An electronic traffic ticket may be used:

(1) to notify the bureau of an Indiana resident who fails to:

(A) appear; or

(B) answer a traffic information and summons or complaint and summons;

(2) to notify the bureau of a defendant who is not an Indiana resident and who fails to:

(A) appear; or

(B) answer a traffic information and summons;

(3) to notify the bureau upon a final determination of a defendant's failure to appear; or

(4) as a record of a traffic case that an individual has been charged with a traffic offense when:

(A) the individual has been convicted;

(B) a judgment has been entered; or

(C) a finding has been made by a court.

As added by P.L.184-2007, SEC.58; P.L.206-2007, SEC.6.

IC 9-30-3-6

Information and summons; form and content; inapplicability to electronic traffic ticket

Sec. 6. (a) This section does not apply to electronic traffic tickets.

(b) In traffic cases, the information and summons shall be in substantially the following form:

In the _____ Court of _____ County
Cause No. _____ Docket No. _____
Page No. _____
State of Indiana
SS: No._____
County of _____

INFORMATION AND SUMMONS

The undersigned having probable cause to believe and being duly sworn upon his oath says that:
On the _____ Day of _____, 20 ____ at ____ M
Name _____
Last First Middle
Street _____
City _____ State _____ Zip Code _____
Race ___ Sex ___ Age ___ D.O.B. _____ HT ____ WT _____
Oper. Lic. #_____ St. ____ Did Unlawfully
Operate Veh. Color _____ Veh. Yr.___ Veh. Make _____
Veh. Lic. Yr. ____ Veh. Lic. St. ____ Veh. Lic. # _____
Upon, (Location) _____
_____
A PUBLIC STREET OR HIGHWAY IN _____
COUNTY, INDIANA, AND COMMIT, THE OFFENSE OF:
_____
_____
CONTRARY TO THE FORM OF THE ( ) STATE STATUTE
( ) LOCAL ORDINANCE IN SUCH CASE MADE AND PROVIDED.
OFFICER'S SIGNATURE _____
I.D. No. _____ Div. Dist. _____

POLICE AGENCY _____
Subscribed And Sworn to Before Me
(Deputy Clerk) _____
This _____ Day of _____, 20 ____

COURT APPEARANCE

I PROMISE TO APPEAR IN COURTROOM

_____
ADDRESS: _____
ON _____ THE _____ DAY OF_____, 20 ___
AT __ M. OR BE SUBJECT TO ARREST.
SIGNATURE _____
"YOUR SIGNATURE IS NOT AN ADMISSION OF GUILT"

The information and summons shall consist of four (4) parts:

(1) the original copy, printed on white paper, which shall be the abstract of court record for the Indiana bureau of motor vehicles;

(2) the court copy, printed on white paper;

(3) the police record, which shall be a copy of the information, printed on pink paper; and

(4) the summons copy, printed on white stock.

The reverse sides of the information and abstract of court record shall be substantially as follows, with such additions or deletions as are necessary to adapt the form to the court involved:

RECEIPT #_____
DATE _____

COURT ACTION AND OTHER ORDERS

BAIL $ _____
REARREST BOND $ _____ DATE _____
1. CONTINUANCE TO ___ 4. CONTINUANCE TO ____
2. CONTINUANCE TO ___ 5. CONTINUANCE TO ____
3. CONTINUANCE TO ___ 6. CONTINUANCE TO ____

	Motions	Date	Ruling	Date
1.	___	___	___	___
2.	___	___	___	___
3.	___	___	___	___
4.	___	___	___	___

PLEA ( ) GUILTY
( ) NOT GUILTY
FINDING ( ) GUILTY
( ) NOT GUILTY

THE COURT THEREFORE, ENTERS
THE FOLLOWING ORDER

FINE $ _____ AMOUNT SUSP. $ _____
(STATE) $ _____
COSTS
(CITY) $ _____
_____ DAYS IN _____ DAYS SUSP. _____
( ) RECOMMENDED LICENSE SUSPENDED FOR _____

( ) PROBATIONARY LICENSE AUTHORIZED FOR ONE YEAR PROBATION

_____
_____
_____
_____

JUDGE: _____
DATE: _____
ATTORNEY FOR DEFENDANT _____
ADDRESS_____ TELEPHONE_____

WITNESSES

_____
_____

The notice, the appearance, the plea of either guilty or not guilty, and the waiver shall be printed on the summons. The trimmed size of the paper and stock on which the form is printed shall be nominally four and one quarter (4 1/4) inches by eight and one quarter (8 1/4) inches.

(c) In civil traffic cases, the complaint and summons shall be in substantially the following form:

In the _____ Court of _____ County
Cause No. _____ Docket No. _____
Page No._____
State of Indiana
SS: No._____
County of _____

COMPLAINT AND SUMMONS

The undersigned having probable cause to believe and being duly sworn upon his oath says that:
On the _____ Day of_____, 20 ____ at __ M
Name _____
Last First Middle
Street _____
City _____ State _____ Zip Code _____
Race ___ Sex ___ Age __ D.O.B. _____ HT ____ WT ___
Oper. Lic. # _____ St. _____ Did Unlawfully Operate Veh. Color _____ Veh. Yr. ___ Veh. Make _____
Veh. Lic. Yr. ____ Veh. Lic. St. ____ Veh. Lic. # _____
Upon, (Location) _____
_____
A PUBLIC STREET OR HIGHWAY IN _____ COUNTY, INDIANA, AND COMMIT, THE OFFENSE OF:

_____
_____
_____

CONTRARY TO THE FORM OF THE ( ) STATE STATUTE ( ) LOCAL ORDINANCE IN SUCH CASE MADE AND PROVIDED.

OFFICER'S SIGNATURE _____
I.D. No. _____ Div. Dist. _____
POLICE AGENCY _____
Subscribed And Sworn to Before Me
(Deputy Clerk) _____
This _____ Day of _____, 20___

COURT APPEARANCE

I PROMISE TO APPEAR IN _____
COURTROOM _____
ADDRESS: _____
ON _____ THE _____ DAY OF ____, 20 ___
AT __ M. OR BE SUBJECT TO ARREST.
SIGNATURE _____
"YOUR SIGNATURE IS NOT AN ADMISSION OF A VIOLATION"

The complaint and summons shall consist of four (4) parts:

(1) the original copy, printed on white paper, which shall be the abstract of court record for the Indiana bureau of motor vehicles;

(2) the court copy, printed on white paper;

(3) the police record, which shall be a copy of the complaint, printed on pink paper; and

(4) the summons copy, printed on white stock.

The reverse sides of the complaint and abstract of court record shall be substantially as follows, with such additions or deletions as are necessary to adapt the form to the court involved:

RECEIPT #_____
DATE _____

COURT ACTION AND OTHER ORDERS

BAIL $ _____
REARREST BOND $ _____ DATE _____

1. CONTINUANCE TO _____	4. CONTINUANCE TO _____
2. CONTINUANCE TO _____	5. CONTINUANCE TO _____
3. CONTINUANCE TO _____	6. CONTINUANCE TO _____

	Motions	Date	Ruling	Date
1.	___	___	___	___
2.	___	___	___	___
3.	___	___	___	___
4.	___	___	___	___

PLEA ( ) ADMIT
( ) DENY
( ) NOLO CONTENDERE

FINDING ( ) JUDGMENT FOR PLAINTIFF
( ) JUDGMENT FOR DEFENDANT

THE COURT THEREFORE, ENTERS
THE FOLLOWING ORDER

FINE $ _____ AMOUNT SUSP. $ _____
(STATE) $ _____

COSTS

(CITY) $ _____

( ) RECOMMENDED LICENSE SUSPENDED FOR _____

( ) PROBATIONARY LICENSE AUTHORIZED FOR ONE YEAR PROBATION

_____

_____

_____

_____

_____

JUDGE: _____

DATE: _____

ATTORNEY FOR DEFENDANT _____

ADDRESS _____ TELEPHONE _____

WITNESSES

_____

_____

The notice, appearance, plea of either admission, denial, or nolo contendere shall be printed on the summons. The trimmed size of the paper and stock on which the form is printed shall be nominally four and one quarter (4 1/4) inches by eight and one quarter (8 1/4) inches.

(d) The complaint form shall be used in traffic cases, whether the charge is made by a law enforcement officer or by any other person.

(e) Each judicial officer or police authority issuing traffic complaints and summons:

(1) is responsible for the disposition of all the traffic complaints and summons issued under the authority of the officer or authority; and

(2) shall prepare and submit the records and reports relating to the traffic complaints in the manner and at the time prescribed by both the state examiner of the state board of accounts and the bureau.

As added by P.L.2-1991, SEC.18. Amended by P.L.93-1991, SEC.2; P.L.1-2001, SEC.8; P.L.184-2007, SEC.59; P.L.206-2007, SEC.7.

IC 9-30-3-7

Soliciting or aiding in disposition of traffic information or summons; contempt

Sec. 7. A person who solicits or aids in the disposition or attempted disposition of a traffic information or summons in any unauthorized manner is in criminal contempt of the court having original jurisdiction of the cause of action or of the court named on the particular information in question.

As added by P.L.2-1991, SEC.18.

IC 9-30-3-8

Failure to appear or answer; issuance of warrant; failure to

execute; notification of bureau; suspension of driving privileges; nonresidents

Sec. 8. (a) The court may issue a warrant for the arrest of a defendant who is an Indiana resident and who fails to appear or answer a traffic information and summons or a complaint and summons served upon the defendant. If the warrant is not executed within thirty (30) days after issue, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau indicating that the defendant failed to appear in court as ordered. The court shall then mark the case as failure to appear on the court's records.

(b) If a defendant who is not an Indiana resident fails to appear or answer a traffic summons served upon the defendant and upon which the information or complaint has been filed thirty (30) days after the return date of the information and summons or complaint and summons, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau. The bureau shall notify the motor vehicle commission of the state of the nonresident defendant of the defendant's failure to appear and also of any action taken by the bureau relative to the Indiana driving privileges of the defendant. If the defendant fails to appear or otherwise answer within thirty (30) days, the court shall mark the case as failure to appear on the court's records.

(c) The court may suspend the driving privileges of a defendant who fails to satisfy a judgment entered against the defendant for:

(1) violation of a traffic ordinance; or

(2) commission of a traffic infraction;

by a date set by the court under IC 34-28-5-6. The court shall forward notice to the bureau indicating that the defendant failed to pay as ordered.

(d) If the bureau receives a copy of the traffic information and summons or complaint and summons for failure to appear in court under subsection (a) or (b) or a notice of failure to pay under subsection (c), either on a form prescribed by the bureau or in an electronic format prescribed by the division of state court administration, the bureau shall suspend the driving privileges of the defendant until the defendant appears in court and the case has been disposed of, or until the date payment is received by the court. The order of suspension may be served upon the defendant by mailing the order by first class mail to the defendant at the last address shown for the defendant in the records of the bureau.

(e) For nonresidents of Indiana, the order of suspension shall be mailed to the defendant at the address given to the arresting officer or the clerk of court by the defendant as shown by the traffic information or complaint. A copy of the order shall also be sent to the motor vehicle bureau of the state of the nonresident defendant. If:

(1) the defendant's failure to appear in court has been certified to the bureau under this chapter; and

(2) the defendant subsequently appears in court to answer the charges against the defendant;

the court shall proceed to hear and determine the case in the same manner as other cases pending in the court. Upon final determination of the case, the court shall notify the bureau of the determination either in an electronic format or upon forms prescribed by the bureau. The notification shall be made by the court within ten (10) days after the final determination of the case, and information from the original copy of the traffic information and summons or complaint and summons must accompany the notification.

As added by P.L.2-1991, SEC.18. Amended by P.L.184-2007, SEC.60; P.L.206-2007, SEC.8; P.L.125-2012, SEC.324; P.L.85-2013, SEC.82.

IC 9-30-3-9

Traffic cases; court session; detainment of defendant; objections

Sec. 9. (a) If possible, traffic cases shall be tried separate and apart from other cases and may be designated as the "traffic" session or division.

(b) When a hearing involving a misdemeanor is adjourned, the court may detain the defendant in safe custody until the defendant is admitted to bail.

(c) An objection to the validity or regularity of the information or process issued must be made by the defendant before trial.

As added by P.L.2-1991, SEC.18.

IC 9-30-3-10

Sentencing; appearance required

Sec. 10. The defendant shall be present at the imposition of sentence in all misdemeanor traffic cases.

As added by P.L.2-1991, SEC.18.

IC 9-30-3-11

Plea of guilty; informing defendant of rights; record of proceedings; destruction of documents; liability of court officers

Sec. 11. (a) Before accepting a plea of guilty to a misdemeanor traffic offense, the court shall inform the defendant of the defendant's rights, including the right to:

(1) engage counsel;

(2) a reasonable continuance to engage counsel to subpoena witnesses;

(3) have process issued by the court, without expense to the defendant, to compel the attendance of witnesses in the defendant's behalf;

(4) testify or not to testify in the defendant's own behalf;

(5) a trial by jury; and

(6) appeal.

(b) The court shall inform each defendant charged with a traffic

offense other than a nonmoving traffic offense, if the defendant is convicted or judgment is entered against the defendant, that a record of the conviction or judgment will be sent to the bureau or the motor vehicle bureau of the state where the defendant received a license to drive to become a part of the defendant's driving record.

(c) The court shall keep a full record of every case in which a person is charged with a traffic offense other than a nonmoving traffic offense. Within ten (10) days after the conviction, judgment, or forfeiture of security deposit of a person, the court shall forward a copy of the judgment in an electronic format or an abstract as prescribed by IC 9-30-13-0.5. The abstract comprises the original copy of the traffic information and summons or complaint and summons if the conviction, judgment, or forfeiture of security deposit has been entered on that copy. However, instead of the original copy, the court may, subject to the approval of the bureau, send the information in an electronic format or in the form of a chemical based, magnetic, or machine readable media. Records of nonmoving traffic offenses are not required to be forwarded to the bureau.

(d) One (1) year after the abstract has been forwarded, the court may destroy the remaining court copies of the information and summons or complaint and summons and related pleadings if an order book entry of the copy has been made and the original copy has been sent to the bureau.

(e) Upon the failure of a court officer to comply with subsection (c), the officer is liable on the officer's official bond for a civil penalty of one hundred dollars ($100) accruing to the state, which may be recovered, together with the costs of the suit, in a civil action brought by the attorney general in the name of the state on relation of the attorney general. Each failure by an officer constitutes a separate cause of action.

As added by P.L.2-1991, SEC.18. Amended by P.L.184-2007, SEC.61; P.L.206-2007, SEC.9; P.L.125-2012, SEC.325.

IC 9-30-3-12

Driver safety program

Sec. 12. (a) If during any twelve (12) month period an individual has committed moving traffic violations for which the individual has:

(1) been convicted of at least two (2) traffic misdemeanors;

(2) had at least two (2) traffic judgments entered against the individual; or

(3) been convicted of at least one (1) traffic misdemeanor and has had at least one (1) traffic judgment entered against the individual;

the bureau may require the individual to attend and satisfactorily complete a driver safety program approved by the bureau. The individual shall pay all applicable fees required by the bureau.

(b) This subsection applies to an individual who is less than

twenty-one (21) years of age. An individual is required to attend and satisfactorily complete a driver safety program approved by the bureau if either of the following occurs at least twice or if both of the following have occurred when the individual was less than twenty-one (21) years of age:

(1) The individual has been convicted of a moving traffic offense, other than an offense that solely involves motor vehicle equipment.

(2) The individual has been the operator of a motor vehicle involved in an accident for which a report is required to be filed under IC 9-26-2.

The individual shall pay all applicable fees required by the bureau.

(c) The bureau may suspend the driving privileges of any individual who:

(1) fails to attend a driver safety program; or

(2) fails to satisfactorily complete a driver safety program;

as required by this section.

(d) Notwithstanding IC 33-37-4-2, any court may suspend one-half (1/2) of each applicable court cost (including fees) for which an individual is liable due to a traffic violation if the individual enrolls in and completes a driver safety program or a similar school conducted by an agency of the state or local government.

As added by P.L.2-1991, SEC.18. Amended by P.L.225-1999, SEC.4; P.L.98-2004, SEC.78; P.L.101-2009, SEC.13; P.L.106-2010, SEC.4; P.L.125-2012, SEC.326; P.L.85-2013, SEC.83; P.L.198-2016, SEC.594.

IC 9-30-3-13

Rules for conduct of proceedings

Sec. 13. A judge may make rules for the orderly conduct of the proceedings of the judge's court if the rules are consistent with this chapter and the rules of the supreme court.

As added by P.L.2-1991, SEC.18.

IC 9-30-3-14

Moving traffic offense committed by person other than the owner; notice to owner; contents

Sec. 14. If a court convicts a person for a moving traffic offense and the person is known or believed by the court not to be the owner of the motor vehicle, the court shall, within seven (7) days after entering the conviction, deposit with the United States Postal Service, first class postage prepaid, notice addressed to the owner of the motor vehicle giving the owner the following information:

(1) The name and address of the person convicted.

(2) The name and address of the owner of the motor vehicle.

(3) The offense upon which the conviction was made.

(4) The date of arrest of the person convicted and the location

of the place of the offense.

(5) The license plate number of the motor vehicle.

(6) The operator's or chauffeur's license number of the person convicted.

(7) The date of the conviction and the name of the court making the conviction.

As added by P.L.2-1991, SEC.18. Amended by P.L.85-2013, SEC.84.

IC 9-30-3-15

Proof of prior conviction; evidence

Sec. 15. In a proceeding, prosecution, or hearing where the prosecuting attorney must prove that the defendant had a prior conviction for an offense under this title, the relevant portions of a certified computer printout or electronic copy made from the records of the bureau are admissible as prima facie evidence of the prior conviction. However, the prosecuting attorney must establish that the document identifies the defendant by the defendant's driver's license number or by any other identification method utilized by the bureau.

As added by P.L.2-1991, SEC.18. Amended by P.L.112-2001, SEC.7; P.L.1-2002, SEC.49; P.L.125-2012, SEC.327; P.L.198-2016, SEC.595.

IC 9-30-3-16

Driver improvement or safety course; probation; suspension; reasonable charge

Sec. 16. (a) If a person has been found to have committed a traffic offense, the court may do the following:

(1) Require the person to attend and satisfactorily complete a driver improvement or safety course that has been approved by the court or the bureau.

(2) Place the person on probation for up to one (1) year.

(3) Suspend the person's driving privileges for up to thirty (30) days or as otherwise provided in statute.

(b) A driver improvement or safety course required under subsection (a) may be financed by assessing a reasonable charge as determined by the course provider and approved by the bureau.

As added by P.L.2-1991, SEC.18. Amended by P.L.118-2001, SEC.8; P.L.146-2003, SEC.1; P.L.125-2012, SEC.328; P.L.85-2013, SEC.85.

IC 9-30-4

Chapter 4. Licenses and Registrations; Suspension and Revocation

IC 9-30-4-1

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.85-2013, by P.L.198-2016, SEC.596.)

IC 9-30-4-2

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.149-2015, SEC.94.)

IC 9-30-4-3

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.329; P.L.217-2014, SEC.121. Repealed by P.L.149-2015, SEC.95.)

IC 9-30-4-4

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.149-2015, SEC.96.)

IC 9-30-4-5

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.149-2015, SEC.97.)

IC 9-30-4-6

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.107-1991, SEC.1; P.L.64-1994, SEC.2; P.L.100-2010, SEC.4; P.L.125-2012, SEC.330; P.L.126-2012, SEC.29; P.L.13-2013, SEC.39; P.L.85-2013, SEC.87; P.L.217-2014, SEC.122; P.L.149-2015, SEC.98. Repealed by P.L.188-2015, SEC.104; P.L.198-2016, SEC.597.)

IC 9-30-4-6.1

Suspension or revocation of driver's license, driving privileges, certificate of registration, and license plate; evidence of conviction; petition for review

Sec. 6.1. (a) The bureau shall suspend or revoke the current driver's license or driving privileges and all certificates of registration and proof of registration issued to or registered in the name of an individual who is convicted of any of the following:

(1) Manslaughter or reckless homicide resulting from the

operation of a motor vehicle.

(2) Knowingly making a false application, or committing perjury with respect to an application made, under:

(A) this chapter; or

(B) any other law requiring the registration of motor vehicles or regulating motor vehicle operation on highways.

(3) Three (3) charges of criminal recklessness involving the use of a motor vehicle within the preceding twelve (12) months.

(4) Failure to stop and give information or assistance or failure to stop and disclose the individual's identity at the scene of an accident that has resulted in death, personal injury, or property damage in excess of two hundred dollars ($200).

However, and unless otherwise required by law, the bureau may not suspend a certificate of registration or proof of registration if the individual gives and maintains, during the three (3) years following the date of suspension or revocation, proof of financial responsibility in the future in the manner specified in this section.

(b) The bureau shall suspend a driver's license or driving privileges of an individual upon conviction in another jurisdiction for the following:

(1) Manslaughter or reckless homicide resulting from the operation of a motor vehicle.

(2) Knowingly making a false application, or committing perjury with respect to an application made, under:

(A) this chapter; or

(B) any other law requiring the registration of motor vehicles or regulating motor vehicle operation on highways.

(3) Three (3) charges of criminal recklessness involving the use of a motor vehicle within the preceding twelve (12) months.

(4) Failure to stop and give information or assistance or failure to stop and disclose the individual's identity at the scene of an accident that has resulted in death, personal injury, or property damage in excess of two hundred dollars ($200).

However, if property damage under subdivision (4) is equal to or less than two hundred dollars ($200), the bureau may determine whether the driver's license or driving privileges and certificates of registration and proof of registration shall be suspended or revoked.

(c) An individual whose driving privileges are suspended under this chapter is eligible for specialized driving privileges under IC 9-30-16.

(d) A suspension or revocation remains in effect and a new or renewal license may not be issued to the individual and a motor vehicle may not be registered in the name of the individual as follows:

(1) Except as provided in subdivision (2), for six (6) months after the date of conviction or on the date on which the individual is otherwise eligible for a license, whichever is later.

(2) Upon conviction of an offense described in subsection

(a)(1), (a)(4), (b)(1), or (b)(4), when the accident has resulted in death, for a fixed period of at least two (2) years and not more than five (5) years, to be fixed by the bureau based upon recommendation of the court entering a conviction. A new or reinstated driver's license or driving privileges may not be issued to the individual unless that individual, within the three (3) years following the expiration of the suspension or revocation, gives and maintains in force at all times during the effective period of a new or reinstated license proof of financial responsibility in the future in the manner specified in this chapter. However, the liability of the insurance carrier under a motor vehicle liability policy that is furnished for proof of financial responsibility in the future as set out in this chapter becomes absolute whenever loss or damage covered by the policy occurs, and the satisfaction by the insured of a final judgment for loss or damage is not a condition precedent to the right or obligation of the carrier to make payment on account of loss or damage, but the insurance carrier has the right to settle a claim covered by the policy. If the settlement is made in good faith, the amount must be deducted from the limits of liability specified in the policy. A policy may not be canceled or annulled with respect to a loss or damage by an agreement between the carrier and the insured after the insured has become responsible for the loss or damage, and a cancellation or annulment is void. The policy may provide that the insured or any other person covered by the policy shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms, provisions, or conditions of the policy. If the policy provides for limits that exceed the limits specified in this chapter, the insurance carrier may plead against any plaintiff, with respect to the amount of the excess limits of liability, any defenses that the carrier may be entitled to plead against the insured. The policy may further provide for prorating of the insurance with other applicable valid and collectible insurance. An action does not lie against the insurance carrier by or on behalf of any claimant under the policy until a final judgment has been obtained after actual trial by or on behalf of any claimant under the policy.

(e) The bureau may take action as required in this section upon receiving satisfactory evidence of a conviction of an individual in another state.

(f) A suspension or revocation under this section or IC 9-30-13-0.5 stands pending appeal of the conviction to a higher court and may be set aside or modified only upon the receipt by the bureau of the certificate of the court reversing or modifying the judgment that the cause has been reversed or modified. However, if the suspension or revocation follows a conviction in a court of no

record in Indiana, the suspension or revocation is stayed pending appeal of the conviction to a court of record.

(g) A person aggrieved by an order or act of the bureau under this section or IC 9-30-13-0.5 may file a petition for a court review.

(h) An entry in the driving record of a defendant stating that notice of suspension or revocation was mailed by the bureau to the defendant constitutes prima facie evidence that the notice was mailed to the defendant's address as shown in the records of the bureau.

As added by P.L.198-2016, SEC.598.

IC 9-30-4-6.5
Repealed

(As added by P.L.100-2010, SEC.5. Amended by P.L.125-2012, SEC.331. Repealed by P.L.149-2015, SEC.99.)

IC 9-30-4-7
Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.85-2013, SEC.88. Repealed by P.L.217-2014, SEC.123.)

IC 9-30-4-8
Operation of motor vehicle following suspension of certificate of registration or in violation of restricted driving privileges

Sec. 8. A person whose certificate of registration has been suspended or revoked, with restoration or the issuance of a new certificate being contingent upon the furnishing of proof of financial responsibility, and who, during the suspension or revocation or in the absence of full authorization from the bureau, operates the motor vehicle upon a highway or knowingly permits the motor vehicle to be operated by another person upon a highway except as permitted under this chapter commits a Class C misdemeanor.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.332; P.L.217-2014, SEC.124.

IC 9-30-4-9
Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.66-1992, SEC.21; P.L.125-2012, SEC.333; P.L.85-2013, SEC.89; P.L.188-2015, SEC.105. Repealed by P.L.149-2015, SEC.100; P.L.198-2016, SEC.599.)

IC 9-30-4-10
Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.149-2015, SEC.101.)

IC 9-30-4-11
Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.149-2015, SEC.102.)

IC 9-30-4-12
Effect of suspension of driving privileges or drivers' licenses

Sec. 12. (a) Any court judgment, court order, or administrative proceeding that results in a suspension of a person's driving privileges also suspends any driver's license or permit held by the person.

(b) Any court judgment, court order, or administrative proceeding that results in a suspension of a person's driver's license or permit also suspends the person's driving privileges.

As added by P.L.2-1991, SEC.18.

IC 9-30-4-13
Notice procedures; failure to answer; Class C misdemeanor

Sec. 13. (a) Whenever the bureau is authorized or required to give notice under this chapter or any other law regulating the operation of vehicles, unless a different method of giving notice is otherwise expressly prescribed, the notice may be given either by personal delivery to the person to be notified or by deposit with the United States Postal Service of the notice by first class mail.

(b) A person who, after notification, fails to return or surrender to the bureau upon demand a suspended, revoked, or invalidated driver's license, permit, certificate of registration, or license plate commits a Class C misdemeanor. The bureau may file with the prosecuting attorney of the county in which the person resides an affidavit charging the person with the offense.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.334.

IC 9-30-4-14
Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.198-2016, SEC.600.)

IC 9-30-4-15
Violations; Class C infraction

Sec. 15. A person who violates a provision of this chapter for which another penalty is not prescribed by law commits a Class C infraction.

As added by P.L.2-1991, SEC.18.

IC 9-30-5

Chapter 5. Operating a Vehicle While Intoxicated

IC 9-30-5-0.1

Repealed

(As added by P.L.220-2011, SEC.229. Repealed by P.L.63-2012, SEC.14.)

IC 9-30-5-0.2

Application of certain amendments to prior law

Sec. 0.2. The amendments made to IC 33-19-6-10 (before its repeal, now codified at IC 33-37-5-10) by P.L.85-1998 apply to findings under this chapter made after June 30, 1998, regardless of when the action was filed.

As added by P.L.220-2011, SEC.230.

IC 9-30-5-1

Class C misdemeanor; defense

Sec. 1. (a) A person who operates a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol but less than fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath;

commits a Class C misdemeanor.

(b) A person who operates a vehicle with an alcohol concentration equivalent to at least fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath;

commits a Class A misdemeanor.

(c) A person who operates a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's body commits a Class C misdemeanor.

(d) It is a defense to subsection (c) that the accused person consumed the controlled substance under a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice.

As added by P.L.2-1991, SEC.18. Amended by P.L.33-1997, SEC.7; P.L.266-1999, SEC.2; P.L.1-2000, SEC.6; P.L.1-2000, SEC.7; P.L.175-2001, SEC.5.

IC 9-30-5-2

Class A misdemeanor

Sec. 2. (a) Except as provided in subsection (b), a person who operates a vehicle while intoxicated commits a Class C misdemeanor.

(b) An offense described in subsection (a) is a Class A misdemeanor if the person operates a vehicle in a manner that endangers a person.

As added by P.L.2-1991, SEC.18. Amended by P.L.175-2001, SEC.6.

IC 9-30-5-3
Level 6 or Level 5 felony; previous convictions; passenger less than 18 years of age

Sec. 3. (a) Except as provided in subsection (b), a person who violates section 1 or 2 of this chapter commits a Level 6 felony if:

(1) the person has a previous conviction of operating while intoxicated that occurred within the five (5) years immediately preceding the occurrence of the violation of section 1 or 2 of this chapter; or

(2) the person:

(A) is at least twenty-one (21) years of age;

(B) violates section 1(b) or 2(b) of this chapter; and

(C) operated a vehicle in which at least one (1) passenger was less than eighteen (18) years of age.

(b) A person who violates section 1 or 2 of this chapter or subsection (a)(2) commits a Level 5 felony if:

(1) the person has a previous conviction of operating while intoxicated causing death (IC 9-30-5-5); or

(2) the person has a previous conviction of operating while intoxicated causing serious bodily injury (IC 9-30-5-4).

As added by P.L.2-1991, SEC.18. Amended by P.L.175-2001, SEC.7, P.L.243-2001, SEC.1 and P.L.291-2001, SEC.222; P.L.82-2004, SEC.1; P.L.126-2008, SEC.9; P.L.158-2013, SEC.159.

IC 9-30-5-4
Classification of offense; serious bodily injury

Sec. 4. (a) A person who causes serious bodily injury to another person when operating a vehicle:

(1) with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath;

(2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's body; or

(3) while intoxicated;

commits a Level 6 felony. However, the offense is a Level 5 felony if the person has a previous conviction of operating while intoxicated within the five (5) years preceding the commission of the offense.

(b) A person who violates subsection (a) commits a separate offense for each person whose serious bodily injury is caused by the violation of subsection (a).

(c) It is a defense under subsection (a)(2) that the accused person consumed the controlled substance under a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice.

As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994, SEC.5;

P.L.97-1996, SEC.3; P.L.96-1996, SEC.3; P.L.33-1997, SEC.8; P.L.1-2000, SEC.8; P.L.175-2001, SEC.8; P.L.76-2004, SEC.3; P.L.125-2012, SEC.335; P.L.158-2013, SEC.160.

IC 9-30-5-5

Classification of offense; death; death of law enforcement animal

Sec. 5. (a) A person who causes the death of another person when operating a vehicle:

(1) with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath;

(2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood; or

(3) while intoxicated;

commits a Level 5 felony. However, the offense is a Level 4 felony if the person has a previous conviction of operating while intoxicated within the ten (10) years preceding the commission of the offense, or if the person operated the vehicle when the person knew that the person's driver's license, driving privilege, or permit is suspended or revoked for a previous conviction for operating a vehicle while intoxicated.

(b) A person at least twenty-one (21) years of age who causes the death of another person when operating a vehicle:

(1) with an alcohol concentration equivalent to at least fifteen-hundredths (0.15) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath; or

(2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood;

commits a Level 4 felony.

(c) A person who causes the death of a law enforcement animal (as defined in IC 35-46-3-4.5) when operating a vehicle:

(1) with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath; or

(2) with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's blood;

commits a Level 6 felony.

(d) A person who violates subsection (a), (b), or (c) commits a separate offense for each person or law enforcement animal whose death is caused by the violation of subsection (a), (b), or (c).

(e) It is a defense under subsection (a)(2), (b)(2), or (c)(2) that the accused person consumed the controlled substance under a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice.

As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994, SEC.6;

P.L.97-1996, SEC.4; P.L.96-1996, SEC.4; P.L.33-1997, SEC.9; P.L.1-2000, SEC.9; P.L.120-2000, SEC.1; P.L.175-2001, SEC.9; P.L.82-2004, SEC.2; P.L.76-2004, SEC.4; P.L.2-2005, SEC.36; P.L.102-2010, SEC.1; P.L.125-2012, SEC.336; P.L.158-2013, SEC.161; P.L.26-2016, SEC.1.

IC 9-30-5-6
Class C infraction; violation of probationary license

Sec. 6. (a) A person who operates a vehicle in violation of any term of a probationary license issued under this chapter, IC 9-30-6, or IC 9-30-9 commits a Class C infraction.

(b) In addition to any other penalty imposed under this section, the court may suspend the person's driving privileges for a period of not more than one (1) year.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.337.

IC 9-30-5-7
Ignition interlock device offenses; violation of court order

Sec. 7. (a) Except as provided in subsection (b), a person who knowingly assists another person who is restricted to the use of an ignition interlock device to violate a court order issued under this chapter commits a Class A misdemeanor.

(b) Subsection (a) does not apply if the starting of a motor vehicle, or the request to start a motor vehicle, equipped with an ignition interlock device:

(1) is done for the purpose of safety or mechanical repair of the device or the vehicle; and

(2) the restricted person does not operate the vehicle.

(c) A person who, except in an emergency, knowingly rents, leases, or loans a motor vehicle that is not equipped with a functioning ignition interlock device to a person who is restricted under a court order to the use of a vehicle with an ignition interlock device commits a Class A infraction.

(d) A person who is subject to an ignition interlock device restriction and drives another vehicle in an emergency situation must notify the court of the emergency within twenty-four (24) hours.

As added by P.L.2-1991, SEC.18. Amended by P.L.131-1993, SEC.1; P.L.188-2015, SEC.106.

IC 9-30-5-8
Ignition interlock device offenses; tampering

Sec. 8. (a) A person who knowingly or intentionally tampers with an ignition interlock device for the purpose of:

(1) circumventing the ignition interlock device; or

(2) rendering the ignition interlock device inaccurate or inoperative;

commits a Class B misdemeanor.

(b) A person who solicits another person to:
(1) blow into an ignition interlock device; or
(2) start a motor vehicle equipped with an ignition interlock device;

for the purpose of providing an operable vehicle to a person who is restricted to driving a vehicle with the ignition interlock device commits a Class C infraction.

As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.5.

IC 9-30-5-8.5

Class C infraction; person less than 21 years of age driving under the influence

Sec. 8.5. (a) A person who:
(1) is less than twenty-one (21) years of age; and
(2) operates a vehicle with an alcohol concentration equivalent to at least two-hundredths (0.02) gram but less than eight-hundredths (0.08) gram of alcohol per:
(A) one hundred (100) milliliters of the person's blood; or
(B) two hundred ten (210) liters of the person's breath;

commits a Class C infraction.

(b) In addition to the penalty imposed under this section, the court may recommend the suspension of the driving privileges of the operator of the vehicle for not more than one (1) year.

As added by P.L.96-1996, SEC.5. Amended by P.L.33-1997, SEC.10; P.L.1-2000, SEC.10; P.L.175-2001, SEC.10.

IC 9-30-5-9

Operation of vehicle in place other than public highway

Sec. 9. It is not a defense in an action under this chapter that the accused person was operating a vehicle in a place other than on a highway.

As added by P.L.2-1991, SEC.18.

IC 9-30-5-9.5

Probationary driving privileges; inapplicability to commercial driver's license

Sec. 9.5. Probationary driving privileges under this chapter do not apply to a commercial driver's license in accordance with the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159.113 Stat. 1748).

As added by P.L.219-2003, SEC.7. Amended by P.L.125-2012, SEC.338.

IC 9-30-5-10

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.131-1993, SEC.2; P.L.64-1994, SEC.3; P.L.57-1995, SEC.3; P.L.76-2004, SEC.6; P.L.94-2006, SEC.5; P.L.172-2006, SEC.1; P.L.126-2008,

SEC.10; P.L.40-2012, SEC.2; P.L.125-2012, SEC.339; P.L.85-2013, SEC.90; P.L.217-2014, SEC.125. Repealed by P.L.188-2015, SEC.107.)

IC 9-30-5-11

(As added by P.L.2-1991, SEC.18. Amended by P.L.153-2005, SEC.3; P.L.125-2012, SEC.340. Repealed by P.L.217-2014, SEC.126.)

IC 9-30-5-12

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.64-1994, SEC.4; P.L.85-2013, SEC.91. Repealed by P.L.217-2014, SEC.127.)

IC 9-30-5-13

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.7; P.L.125-2012, SEC.341. Repealed by P.L.217-2014, SEC.128.)

IC 9-30-5-14

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.2-2005, SEC.37; P.L.85-2013, SEC.92. Repealed by P.L.217-2014, SEC.129.)

IC 9-30-5-15

Imprisonment; community restitution or service; alcohol or drug abuse treatment

Sec. 15. (a) In addition to any criminal penalty imposed for an offense under this chapter, the court shall:

(1) order:

(A) that the person be imprisoned for at least five (5) days; or

(B) the person to perform at least one hundred eighty (180) hours of community restitution or service; and

(2) order the person to receive an assessment of the person's degree of alcohol and drug abuse and, if appropriate, to successfully complete an alcohol or drug abuse treatment program, including an alcohol deterrent program if the person suffers from alcohol abuse;

if the person has one (1) previous conviction of operating while intoxicated.

(b) In addition to any criminal penalty imposed for an offense under this chapter, the court shall:

(1) order:

(A) that the person be imprisoned for at least ten (10) days; or

(B) the person to perform at least three hundred sixty (360)

hours of community restitution or service; and

(2) order the person to receive an assessment of the person's degree of alcohol and drug abuse and, if appropriate, to successfully complete an alcohol or drug abuse treatment program, including an alcohol deterrent program if the person suffers from alcohol abuse;

if the person has at least two (2) previous convictions of operating while intoxicated.

(c) Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, a sentence imposed under this section may not be suspended. The court may require that the person serve the term of imprisonment in an appropriate facility at whatever time or intervals (consecutive or intermittent) determined appropriate by the court. However:

(1) at least forty-eight (48) hours of the sentence must be served consecutively; and

(2) the entire sentence must be served within six (6) months after the date of sentencing.

(d) Notwithstanding IC 35-50-6, a person does not earn good time credit (as defined in IC 35-50-6-0.5) while serving a sentence imposed under this section.

As added by P.L.2-1991, SEC.18. Amended by P.L.266-1999, SEC.3; P.L.32-2000, SEC.2; P.L.85-2004, SEC.48; P.L.168-2014, SEC.18; P.L.74-2015, SEC.1.

IC 9-30-5-16

Specialized driving privileges; ignition interlock device; violation

Sec. 16. (a) Except as provided in subsection (b), the court may, in granting specialized driving privileges under IC 9-30-16-3 or IC 9-30-16-4, also order that the specialized driving privileges include the requirement that a person may not operate a motor vehicle unless the vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8.

(b) A court may not order the installation of an ignition interlock device on a vehicle operated by an employee to whom any of the following apply:

(1) Has been convicted of violating section 1 or 2 of this chapter.

(2) Is employed as the operator of a vehicle owned, leased, or provided by the employee's employer.

(3) Is subject to a labor agreement that prohibits an employee who is convicted of an alcohol related offense from operating the employer's vehicle.

(c) A person who knowingly or intentionally violates a court order issued under this section commits a Class A misdemeanor.

As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.8; P.L.172-2006, SEC.2; P.L.217-2014, SEC.130; P.L.113-2014, SEC.31; P.L.188-2015, SEC.108.

IC 9-30-5-17

Restitution to emergency medical services restitution fund

Sec. 17. (a) In addition to:

(1) a sentence imposed under this chapter for a felony or misdemeanor; and

(2) an order for restitution to a victim;

the court shall, without placing the individual on probation, or as a condition of probation, order the individual to make restitution to the emergency medical services restitution fund under IC 16-31-8 for emergency medical services necessitated because of the offense committed by the individual.

(b) An order for restitution under this section may not be for more than one thousand dollars ($1,000).

(c) In making an order for restitution under this section, the court shall consider the following:

(1) The schedule of costs submitted to the court under IC 16-31-8-5.

(2) The amount of restitution that the individual is or will be able to pay.

(d) The court shall immediately forward a copy of an order for restitution made under this section to the Indiana emergency medical services commission under IC 16-31-8.

As added by P.L.2-1991, SEC.18. Amended by P.L.2-1993, SEC.68.

IC 9-30-5-18

Driving while intoxicated or alcohol and drug services program; certified abstract of program enrollment

Sec. 18. (a) If:

(1) a criminal proceeding for driving while intoxicated under IC 9-30-5 is deferred under IC 12-23-5-1 through IC 12-23-5-9; or

(2) a child alleged to be a delinquent child based upon the child's violation of IC 9-30-5 voluntarily attends or is ordered by the court under IC 31-37 to attend an alcohol and drug services program;

the court, within ten (10) days after the defendant or child begins the program, shall forward to the bureau a certified abstract of program enrollment.

(b) The abstract must state the following:

(1) The defendant's or child's name, address, date of birth, and driver's license number.

(2) The name and location of the alcohol and drug services program that the defendant or child is attending.

As added by P.L.125-2012, SEC.342.

IC 9-30-6

Chapter 6. Implied Consent; Administrative and Evidentiary Matters

IC 9-30-6-1

Chemical test for intoxication; implied consent

Sec. 1. A person who operates a vehicle impliedly consents to submit to the chemical test provisions of this chapter as a condition of operating a vehicle in Indiana.

As added by P.L.2-1991, SEC.18.

IC 9-30-6-2

Probable cause; offer of test; alternative tests; requirement to submit

Sec. 2. (a) A law enforcement officer who has probable cause to believe that a person has committed an offense under this chapter, IC 9-30-5, or IC 9-30-9, or a violation under IC 9-30-15 shall offer the person the opportunity to submit to a chemical test.

(b) A law enforcement officer:

(1) is not required to offer a chemical test to an unconscious person; and

(2) may offer a person more than one (1) chemical test under this chapter.

(c) A test administered under this chapter must be administered within three (3) hours after the law enforcement officer had probable cause to believe the person committed an offense under IC 9-30-5 or a violation under IC 9-30-15.

(d) A person must submit to each chemical test offered by a law enforcement officer in order to comply with the implied consent provisions of this chapter.

As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994, SEC.7.

IC 9-30-6-3

Arrest; probable cause; evidence of intoxication; refusal to submit to test; admissibility

Sec. 3. (a) If a law enforcement officer has probable cause to believe that a person committed an offense under IC 9-30-5, the person may be arrested. However, if the chemical test results in prima facie evidence that the person is intoxicated, the person shall be arrested for an offense under this chapter, IC 9-30-5, or IC 9-30-9.

(b) At any proceeding under this chapter, IC 9-30-5, or IC 9-30-9, a person's refusal to submit to a chemical test is admissible into evidence.

As added by P.L.2-1991, SEC.18.

IC 9-30-6-4

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994,

SEC.8. Repealed by P.L.198-2016, SEC.601.)

IC 9-30-6-4.3
Seized vehicles; registration of certain vehicles prohibited

Sec. 4.3. (a) This section applies only to a person whose motor vehicle has been seized under IC 34-24-1-1(a)(15).

(b) If the bureau receives an order from a court recommending that the bureau not register a motor vehicle in the name of a person whose motor vehicle has been seized under IC 34-24-1-1(a)(15), the bureau may not register a motor vehicle in the name of the person whose motor vehicle has been seized until the person proves that the person possesses a driver's license with valid driving privileges.

As added by P.L.94-2006, SEC.6. Amended by P.L.1-2007, SEC.95; P.L.125-2012, SEC.343; P.L.13-2013, SEC.40.

IC 9-30-6-5
Breath test operators, equipment, and chemicals; certification; rules; certificates as prima facie evidence

Sec. 5. (a) The director of the state department of toxicology shall adopt rules under IC 4-22-2 concerning the following:

(1) Standards and regulations for the:
(A) selection;
(B) training; and
(C) certification;
of breath test operators.

(2) Standards and regulations for the:
(A) selection; and
(B) certification;
of breath test equipment and chemicals.

(3) The certification of the proper technique for administering a breath test.

(b) Certificates issued in accordance with rules adopted under subsection (a) shall be sent to the clerk of the circuit court in each county where the breath test operator, equipment, or chemicals are used to administer breath tests. However, failure to send a certificate does not invalidate any test.

(c) Certified copies of certificates issued in accordance with rules adopted under subsection (a):

(1) are admissible in a proceeding under this chapter, IC 9-30-5, IC 9-30-9, or IC 9-30-15;

(2) constitute prima facie evidence that the equipment or chemical:
(A) was inspected and approved by the state department of toxicology on the date specified on the certificate copy; and
(B) was in proper working condition on the date the breath test was administered if the date of approval is not more than one hundred eighty (180) days before the date of the breath test;

(3) constitute prima facie evidence of the approved technique for administering a breath test; and

(4) constitute prima facie evidence that the breath test operator was certified by the state department of toxicology on the date specified on the certificate.

(d) Results of chemical tests that involve an analysis of a person's breath are not admissible in a proceeding under this chapter, IC 9-30-5, IC 9-30-9, or IC 9-30-15 if:

(1) the test operator;

(2) the test equipment;

(3) the chemicals used in the test, if any; or

(4) the techniques used in the test;

have not been approved in accordance with the rules adopted under subsection (a).

As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994, SEC.9; P.L.158-2011, SEC.2.

IC 9-30-6-5.5

Procedure for adoption of certain rules; effective date of rules; expiration of rules; treatment of rules for purposes of other statutes

Sec. 5.5. (a) Notwithstanding IC 4-22-2, to implement P.L.1-2000, the director of the department of toxicology of the Indiana University School of Medicine may adopt a rule required under section 5 of this chapter, section 6 of this chapter, or both in the manner provided for emergency rules under IC 4-22-2-37.1.

(b) A rule adopted under this section is effective when it is filed with the secretary of state and expires on the latest of the following:

(1) The date that the director adopts another emergency rule under this section to amend, repeal, or otherwise supersede the previously adopted emergency rule.

(2) The date that the director adopts a permanent rule under IC 4-22-2 to amend, repeal, or otherwise supersede the previously adopted emergency rule.

(3) July 1, 2001.

(c) For the purposes of IC 9-30-7-4, IC 14-15-8-14 (before its repeal), IC 35-46-9, and other statutes, the provisions of a rule adopted under this section shall be treated as a requirement under section 5 of this chapter, section 6 of this chapter, or both as appropriate.

As added by P.L.220-2011, SEC.231. Amended by P.L.40-2012, SEC.3.

IC 9-30-6-6

Chemical tests on bodily substances; disclosure of results; no privilege or liability; results admissible; limitation; test by law enforcement officer

Sec. 6. (a) A physician or a person trained in obtaining bodily

substance samples and acting under the direction of or under a protocol prepared by a physician, who:

(1) obtains a blood, urine, or other bodily substance sample from a person, regardless of whether the sample is taken for diagnostic purposes or at the request of a law enforcement officer under this section; or

(2) performs a chemical test on blood, urine, or other bodily substance obtained from a person;

shall deliver the sample or disclose the results of the test to a law enforcement officer who requests the sample or results as a part of a criminal investigation. Samples and test results shall be provided to a law enforcement officer even if the person has not consented to or otherwise authorized their release.

(b) A physician, a hospital, or an agent of a physician or hospital is not civilly or criminally liable for any of the following:

(1) Disclosing test results in accordance with this section.

(2) Delivering a blood, urine, or other bodily substance sample in accordance with this section.

(3) Obtaining a blood, urine, or other bodily substance sample in accordance with this section.

(4) Disclosing to the prosecuting attorney or the deputy prosecuting attorney for use at or testifying at the criminal trial of the person as to facts observed or opinions formed.

(5) Failing to treat a person from whom a blood, urine, or other bodily substance sample is obtained at the request of a law enforcement officer if the person declines treatment.

(6) Injury to a person arising from the performance of duties in good faith under this section.

(c) For the purposes of this chapter, IC 9-30-5, or IC 9-30-9:

(1) the privileges arising from a patient-physician relationship do not apply to the samples, test results, or testimony described in this section; and

(2) samples, test results, and testimony may be admitted in a proceeding in accordance with the applicable rules of evidence.

(d) The exceptions to the patient-physician relationship specified in subsection (c) do not affect those relationships in a proceeding not covered by this chapter, IC 9-30-5, or IC 9-30-9.

(e) The test results and samples obtained by a law enforcement officer under subsection (a) may be disclosed only to a prosecuting attorney or a deputy prosecuting attorney for use as evidence in a criminal proceeding under this chapter, IC 9-30-5, or IC 9-30-9.

(f) This section does not require a physician or a person under the direction of a physician to perform a chemical test.

(g) A physician or a person trained in obtaining bodily substance samples and acting under the direction of or under a protocol prepared by a physician shall obtain a blood, urine, or other bodily substance sample if the following exist:

(1) A law enforcement officer requests that the sample be

obtained.

(2) The law enforcement officer has certified in writing the following:

(A) That the officer has probable cause to believe the person from whom the sample is to be obtained has violated IC 9-30-5.

(B) That the person from whom the sample is to be obtained has been involved in a motor vehicle accident that resulted in the serious bodily injury or death of another.

(C) That the accident that caused the serious bodily injury or death of another occurred not more than three (3) hours before the time the sample is requested.

(3) Not more than the use of reasonable force is necessary to obtain the sample.

(h) If the person:

(1) from whom the bodily substance sample is to be obtained under this section does not consent; and

(2) resists the taking of a sample;

the law enforcement officer may use reasonable force to assist an individual, who must be authorized under this section to obtain a sample, in the taking of the sample.

(i) The person authorized under this section to obtain a bodily substance sample shall take the sample in a medically accepted manner.

(j) This subsection does not apply to a bodily substance sample taken at a licensed hospital (as defined in IC 16-18-2-179(a) and IC 16-18-2-179(b)). A law enforcement officer may transport the person to a place where the sample may be obtained by any of the following persons who are trained in obtaining bodily substance samples and who have been engaged to obtain samples under this section:

(1) A physician holding an unlimited license to practice medicine or osteopathy.

(2) A registered nurse.

(3) A licensed practical nurse.

(4) An advanced emergency medical technician (as defined in IC 16-18-2-6.5).

(5) A paramedic (as defined in IC 16-18-2-266).

(6) Except as provided in subsections (k) through (l), any other person qualified through training, experience, or education to obtain a bodily substance sample.

(k) A law enforcement officer may not obtain a bodily substance sample under this section if the sample is to be obtained from another law enforcement officer as a result of the other law enforcement officer's involvement in an accident or alleged crime.

(l) A law enforcement officer who is otherwise qualified to obtain a bodily substance sample under this section may obtain a bodily substance sample from a person involved in an accident or alleged

crime who is not a law enforcement officer only if:

(1) before January 1, 2013, the officer obtained a bodily substance sample from an individual as part of the officer's official duties as a law enforcement officer; and

(2) the:

(A) person consents to the officer obtaining a bodily substance sample; or

(B) obtaining of the bodily substance sample is authorized by a search warrant.

As added by P.L.2-1991, SEC.18. Amended by P.L.2-1993, SEC.69; P.L.132-1993, SEC.1; P.L.1-1994, SEC.40; P.L.205-2003, SEC.3; P.L.94-2006, SEC.7; P.L.36-2010, SEC.1; P.L.77-2012, SEC.3; P.L.237-2013, SEC.1.

IC 9-30-6-7

Refusal to submit to chemical tests or test results in prima facie evidence of intoxication; duties of arresting officer

Sec. 7. (a) If a person refuses to submit to a chemical test, the arresting officer shall inform the person that refusal will result in the suspension of the person's driving privileges.

(b) If a person refuses to submit to a chemical test after having been advised that the refusal will result in the suspension of driving privileges or submits to a chemical test that results in prima facie evidence of intoxication, the arresting officer shall do the following:

(1) Obtain the person's driver's license or permit if the person is in possession of the document and issue a receipt valid until the initial hearing of the matter held under IC 35-33-7-1.

(2) Submit a probable cause affidavit to the prosecuting attorney of the county in which the alleged offense occurred.

As added by P.L.2-1991, SEC.18. Amended by P.L.85-2013, SEC.93.

IC 9-30-6-8

Probable cause; suspension of driving privileges; ignition interlock device; violation

Sec. 8. (a) Whenever a judicial officer has determined that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), the clerk of the court shall forward:

(1) a paper copy of the affidavit, or an electronic substitute; or

(2) a bureau certificate as described in section 16 of this chapter;

to the bureau.

(b) The probable cause affidavit required under section 7(b)(2) of this chapter must do the following:

(1) Set forth the grounds for the arresting officer's belief that there was probable cause that the arrested person was operating a vehicle in violation of IC 9-30-5 or a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal).

(2) State that the person was arrested for a violation of IC 9-30-5 or operating a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal).

(3) State whether the person:

(A) refused to submit to a chemical test when offered; or

(B) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated.

(4) Be sworn to by the arresting officer.

(c) Except as provided in subsection (d), if it is determined under subsection (a) that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), at the initial hearing of the matter held under IC 35-33-7-1 the court shall recommend immediate suspension of the person's driving privileges to take effect on the date the order is entered, and forward to the bureau a copy of the order recommending immediate suspension of driving privileges.

(d) If it is determined under subsection (a) that there is probable cause to believe that a person violated IC 9-30-5, the court may, as an alternative to suspension of the person's driving privileges under subsection (c), issue an order recommending that the person be prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8 until the bureau is notified by a court that the criminal charges against the person have been resolved.

(e) A person commits a Class B infraction if the person:

(1) operates a motor vehicle without a functioning certified ignition interlock device; and

(2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d).

(f) A person commits a Class B misdemeanor if the person:

(1) operates a motor vehicle without a functioning certified ignition interlock device; and

(2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d).

As added by P.L.2-1991, SEC.18. Amended by P.L.57-1995, SEC.4; P.L.76-2004, SEC.9; P.L.40-2012, SEC.4; P.L.125-2012, SEC.344; P.L.85-2013, SEC.94; P.L.188-2015, SEC.109.

IC 9-30-6-8.5

Ignition interlock device; notice

Sec. 8.5. If the bureau receives an order recommending use of an ignition interlock device under section 8(d) of this chapter, the bureau shall immediately do the following:

(1) Mail notice to the person's address contained in the records of the bureau stating that the person may not operate a motor vehicle unless the motor vehicle is equipped with a functioning

certified ignition interlock device under IC 9-30-8 commencing:

(A) five (5) days after the date of the notice; or

(B) on the date the court enters an order recommending use of an ignition interlock device;

whichever occurs first.

(2) Notify the person of the right to a judicial review under section 10 of this chapter.

As added by P.L.76-2004, SEC.10. Amended by P.L.85-2013, SEC.95; P.L.149-2015, SEC.103.

IC 9-30-6-8.7
Repealed

(As added by P.L.76-2004, SEC.11. Repealed by P.L.188-2015, SEC.110.)

IC 9-30-6-9
Suspension of driving privileges; duties of bureau

Sec. 9. (a) This section does not apply if an ignition interlock device order is issued under section 8(d) of this chapter.

(b) If the affidavit under section 8(b) of this chapter states that a person refused to submit to a chemical test, the bureau shall suspend the driving privileges of the person:

(1) for:

(A) one (1) year; or

(B) if the person has at least one (1) previous conviction for operating while intoxicated, two (2) years; or

(2) until the suspension is ordered terminated under IC 9-30-5.

(c) If the affidavit under section 8(b) of this chapter states that a chemical test resulted in prima facie evidence that a person was intoxicated, the bureau shall suspend the driving privileges of the person:

(1) for one hundred eighty (180) days; or

(2) until the bureau is notified by a court that the charges have been disposed of;

whichever occurs first.

(d) Whenever the bureau is required to suspend a person's driving privileges under this section, the bureau shall immediately do the following:

(1) Mail notice to the person's address contained in the records of the bureau stating that the person's driving privileges will be suspended for a specified period, commencing:

(A) seven (7) days after the date of the notice; or

(B) on the date the court enters an order recommending suspension of the person's driving privileges under section 8(c) of this chapter;

whichever occurs first.

(2) Notify the person of the right to a judicial review under section 10 of this chapter.

As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.12; P.L.153-2005, SEC.4; P.L.94-2006, SEC.8; P.L.125-2012, SEC.345; P.L.85-2013, SEC.96; P.L.149-2015, SEC.104; P.L.188-2015, SEC.111.

IC 9-30-6-10
Judicial hearing; petition; issues; findings; county prosecutor to represent state; burden of proof; appeal

Sec. 10. (a) A person against whom an ignition interlock device order has been issued under section 8.5 of this chapter or whose driving privileges have been suspended under section 9 of this chapter is entitled to a prompt judicial hearing. The person may file a petition that requests a hearing:

(1) in the court where the charges with respect to the person's operation of a vehicle are pending; or

(2) if charges with respect to the person's operation of a vehicle have not been filed, in any court of the county where the alleged offense or refusal occurred that has jurisdiction over crimes committed in violation of IC 9-30-5.

(b) The petition for review must:

(1) be in writing;

(2) be verified by the person seeking review; and

(3) allege specific facts that contradict the facts alleged in the probable cause affidavit.

(c) The hearing under this section shall be limited to the following issues:

(1) Whether the arresting law enforcement officer had probable cause to believe that the person was operating a vehicle in violation of IC 9-30-5.

(2) Whether the person refused to submit to a chemical test offered by a law enforcement officer.

(d) If the court finds:

(1) that there was no probable cause; or

(2) that the person's driving privileges were suspended under section 9(b) of this chapter and that the person did not refuse to submit to a chemical test;

the court shall order the bureau to rescind the ignition interlock device requirement or reinstate the person's driving privileges.

(e) The prosecuting attorney of the county in which a petition has been filed under this chapter shall represent the state on relation of the bureau with respect to the petition.

(f) The petitioner has the burden of proof by a preponderance of the evidence.

(g) The court's order is a final judgment appealable in the manner of civil actions by either party. The attorney general shall represent the state on relation of the bureau with respect to the appeal.

As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.13; P.L.2-2005, SEC.38.

IC 9-30-6-11

Reinstatement of driving privileges; rescission of ignition interlock device requirement; conditions; findings of fact

Sec. 11. (a) Notwithstanding any other provision of this chapter, IC 9-30-5, or IC 9-30-9, the court shall order the bureau to rescind an ignition interlock device requirement or reinstate the driving privileges of a person if:

(1) all of the charges under IC 9-30-5 have been dismissed and the prosecuting attorney states on the record that no charges will be refiled against the person;

(2) the court finds the allegations in a petition filed by a defendant under section 18 of this chapter are true; or

(3) the person:

(A) did not refuse to submit to a chemical test offered as a result of a law enforcement officer having probable cause to believe the person committed the offense charged; and

(B) has been found not guilty of all charges by a court or by a jury.

(b) The court's order must contain findings of fact establishing that the requirements for reinstatement described in subsection (a) have been met.

(c) A person whose driving privileges are reinstated under this section is not required to pay a reinstatement fee.

As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.14.

IC 9-30-6-12

Suspended driving privileges; proof of future financial responsibility

Sec. 12. (a) If a court recommends suspension of driving privileges under this chapter, IC 9-30-5, or IC 9-30-9, the bureau shall fix the period of suspension in accordance with the recommendation of the court. If the court fails to recommend a fixed period of suspension, or recommends a fixed term that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension required by statute.

(b) Except as provided in subsection (c), during the three (3) years following the termination of the suspension the person's driving privileges remain suspended until the person provides proof of future financial responsibility in force under IC 9-25.

(c) If a court recommends suspension of a person's driving privileges for a conviction under IC 9-30-5, during the three (3) years following the termination of the suspension the person's driving privileges remain suspended until the person provides proof of future financial responsibility in force under IC 9-25. However, if a court recommends suspension of the driving privileges under IC 9-30-5 of a person who is arrested for or charged with an offense committed under IC 9-30-5, the person is not required to provide proof of future financial responsibility under IC 9-25 unless and until the person is

convicted under IC 9-30-5.

(d) If at any time during the three (3) years following the termination of the suspension imposed under subsection (a) a person who has provided proof of future financial responsibility under IC 9-25 fails to maintain the proof, the bureau shall suspend the person's driving privileges until the person again provides proof of future financial responsibility under IC 9-25.

As added by P.L.2-1991, SEC.18. Amended by P.L.109-2011, SEC.36; P.L.125-2012, SEC.346; P.L.85-2013, SEC.97; P.L.149-2015, SEC.105.

IC 9-30-6-13

Reinstatement of driving privileges; rescission of ignition interlock device requirement; duties of bureau

Sec. 13. If a court orders the bureau to rescind an ignition interlock device requirement or reinstate a person's driving privileges under this article, the bureau shall comply with the order. Unless the order for reinstatement is issued under section 11(a)(2) of this chapter, the bureau shall also do the following:

(1) Remove any record of the ignition interlock device requirement or suspension from the official driving record of the person.

(2) Reinstate the privileges without cost to the person.

As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.15; P.L.42-2011, SEC.27; P.L.125-2012, SEC.347.

IC 9-30-6-13.5

Removal of suspension from record

Sec. 13.5. Whenever a case filed under IC 9-30-5 is terminated in favor of the defendant and the defendant's driving privileges were suspended under section 9(c) of this chapter, the bureau shall remove any record of the suspension, including the reason for suspension, from the defendant's official driving record.

As added by P.L.103-1991, SEC.3. Amended by P.L.2-2005, SEC.39.

IC 9-30-6-14

Certified copies of driving and court records as prima facie evidence

Sec. 14. In a proceeding under this article:

(1) a certified copy of a person's driving record obtained from the bureau; or

(2) a certified copy of a court record concerning a previous conviction;

constitutes prima facie evidence that the person has a previous conviction of operating while intoxicated.

As added by P.L.2-1991, SEC.18.

IC 9-30-6-15

Evidence of blood alcohol content shown by chemical tests admissible

Sec. 15. (a) At any proceeding concerning an offense under IC 9-30-5 or a violation under IC 9-30-15, evidence of the alcohol concentration that was in the blood of the person charged with the offense:

(1) at the time of the alleged violation; or

(2) within the time allowed for testing under section 2 of this chapter;

as shown by an analysis of the person's breath, blood, urine, or other bodily substance is admissible.

(b) If, in a prosecution for an offense under IC 9-30-5, evidence establishes that:

(1) a chemical test was performed on a test sample taken from the person charged with the offense within the period of time allowed for testing under section 2 of this chapter; and

(2) the person charged with the offense had an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood at the time the test sample was taken; or

(B) two hundred ten (210) liters of the person's breath;

the trier of fact shall presume that the person charged with the offense had an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per one hundred (100) milliliters of the person's blood or per two hundred ten (210) liters of the person's breath at the time the person operated the vehicle. However, this presumption is rebuttable.

(c) If evidence in an action for a violation under IC 9-30-5-8.5 establishes that:

(1) a chemical test was performed on a test sample taken from the person charged with the violation within the time allowed for testing under section 2 of this chapter; and

(2) the person charged with the violation:

(A) was less than twenty-one (21) years of age at the time of the alleged violation; and

(B) had an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:

(i) one hundred (100) milliliters of the person's blood; or

(ii) two hundred ten (210) liters of the person's breath;

at the time the test sample was taken;

the trier of fact shall presume that the person charged with the violation had an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per one hundred (100) milliliters of the person's blood or per two hundred ten (210) liters of the person's breath at the time the person operated the vehicle. However, the presumption is rebuttable.

(d) If, in an action for a violation under IC 9-30-15, evidence

establishes that:

(1) a chemical test was performed on a test sample taken from the person charged with the offense within the time allowed for testing under section 2 of this chapter; and

(2) the person charged with the offense had an alcohol concentration equivalent to at least four-hundredths (0.04) gram of alcohol per:

(A) one hundred (100) milliliters of the person's blood; or

(B) two hundred ten (210) liters of the person's breath;

at the time the test sample was taken;

the trier of fact shall presume that the person charged with the offense had an alcohol concentration equivalent to at least four-hundredths (0.04) gram of alcohol by weight in grams per one hundred (100) milliliters of the person's blood or per two hundred ten (210) liters of the person's breath at the time the person operated the vehicle. However, this presumption is rebuttable.

As added by P.L.2-1991, SEC.18. Amended by P.L.53-1994, SEC.10; P.L.96-1996, SEC.6; P.L.33-1997, SEC.11; P.L.1-2000, SEC.11; P.L.175-2001, SEC.11.

IC 9-30-6-16

Bureau certificate; form and contents

Sec. 16. The bureau certificate must contain the following information and may be substantially in the following form:

BUREAU OF MOTOR VEHICLES

CERTIFICATE

Date of Arrest Time Driver's License No. License State

a.m.

/ / p.m.

Name: (first) (M.I.) (last) Date of Birth

/ /

CURRENT Address (street, city, state, zip)

Court Code Cause Number Sex Weight Height

Eyes Hair

The above motorist BUREAU USE ONLY

REFUSED alcohol test

FAILED alcohol test 0.%

Court Determination

It has been determined there was probable cause the defendant violated IC 9-30-5 this _____ day of _____, 20__ and that charges are pending herein.

_____ Court_____ County

_____

Judge's Signature

As added by P.L.2-1991, SEC.18. Amended by P.L.2-2005, SEC.40.

IC 9-30-6-17

Trial date; notice; application

Sec. 17. (a) At least ten (10) days before the scheduled trial date of a person charged with a violation of IC 9-30-5, the prosecuting attorney shall notify any person who suffered bodily injury as a result of the alleged offense of the scheduled trial date. The notice must include information concerning the time and place of the trial.

(b) If the injured person died as a result of the alleged offense, the notice required under subsection (a) shall be given to the deceased person's parents, spouse, and children.

(c) This section applies only if the defendant's trial occurs more than ten (10) days after the alleged offense.

(d) A prosecuting attorney's failure to comply with this section is not grounds for postconviction relief.

As added by P.L.2-1991, SEC.18.

IC 9-30-6-18

Early trial request; delay in trial; reinstatement of driving privileges; rescission of ignition interlock device requirement

Sec. 18. (a) A person against whom an ignition interlock device order has been issued under section 8.5 of this chapter or whose driving privileges have been suspended under section 9(c) of this chapter is entitled to rescission of the ignition interlock device requirement or reinstatement of driving privileges if the following occur:

(1) After a request for an early trial is made by the person at the initial hearing on the charges, a trial or other disposition of the charges for which the person was arrested under IC 9-30-5 is not held within ninety (90) days after the date of the person's initial hearing on the charges.

(2) The delay in trial or disposition of the charges is not due to the person arrested under IC 9-30-5.

(b) A person who desires rescission of the ignition interlock device requirement or reinstatement of driving privileges under this section must file a verified petition in the court where the charges against the petitioner are pending. The petition must allege the following:

(1) The date of the petitioner's arrest under IC 9-30-5.

(2) The date of the petitioner's initial hearing on the charges filed against the petitioner under IC 9-30-5.

(3) The date set for trial or other disposition of the matter.

(4) A statement averring the following:

(A) That the petitioner requested an early trial of the matter at the petitioner's initial hearing on the charges filed against the petitioner under IC 9-30-5.

(B) The trial or disposition date set by the court is at least ninety (90) days after the date of the petitioner's initial hearing on the charges filed against the petitioner under IC 9-30-5.

(C) The delay in the trial or disposition is not due to the petitioner.

(c) Upon the filing of a petition under this section, the court shall immediately examine the record of the court to determine whether the allegations in the petition are true.

(d) If the court finds the allegations of a petition filed under this section are true, the court shall order rescission of the ignition interlock device requirement or reinstatement of the petitioner's driving privileges under section 11 of this chapter. The reinstatement must not take effect until ninety (90) days after the date of the petitioner's initial hearing.

As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.16; P.L.2-2005, SEC.41.

IC 9-30-7

Chapter 7. Implied Consent in Accidents Involving Serious Injury or Death

IC 9-30-7-0.5

Inapplicability to operator of personal assistive mobility device

Sec. 0.5. This chapter does not apply to the operator of an electric personal assistive mobility device.

As added by P.L.143-2002, SEC.9.

IC 9-30-7-1

Definitions

Sec. 1. (a) As used in this chapter, "portable breath test" means a hand held apparatus that measures the alcohol concentration in a breath sample delivered by a person into the mouthpiece of the apparatus.

(b) As used in this chapter, "fatal accident" means an accident, a collision, or other occurrence that involves at least one (1) vehicle and that results in:

(1) death; or

(2) bodily injury that gives a law enforcement officer reason to believe that the death of at least one (1) person is imminent.

As added by P.L.2-1991, SEC.18. Amended by P.L.275-2001, SEC.1.

IC 9-30-7-2

Implied consent to portable breath test or chemical test

Sec. 2. A person who operates a vehicle impliedly consents to submit to the portable breath test or chemical test under this chapter as a condition of operating a vehicle in Indiana. A person must submit to each portable breath test or chemical test offered by a law enforcement officer under this chapter to comply with this chapter.

As added by P.L.2-1991, SEC.18. Amended by P.L.275-2001, SEC.2.

IC 9-30-7-3

Offer of test; administration of test

Sec. 3. (a) A law enforcement officer shall offer a portable breath test or chemical test to any person who the officer has reason to believe operated a vehicle that was involved in a fatal accident or an accident involving serious bodily injury. If:

(1) the results of a portable breath test indicate the presence of alcohol;

(2) the results of a portable breath test do not indicate the presence of alcohol but the law enforcement officer has probable cause to believe the person is under the influence of a controlled substance or another drug; or

(3) the person refuses to submit to a portable breath test;

the law enforcement officer shall offer a chemical test to the person.

(b) A law enforcement officer may offer a person more than one

(1) portable breath test or chemical test under this section. However, all chemical tests must be administered within three (3) hours after the fatal accident or the accident involving serious bodily injury.

(c) It is not necessary for a law enforcement officer to offer a portable breath test or chemical test to an unconscious person.

As added by P.L.2-1991, SEC.18. Amended by P.L.275-2001, SEC.3.

IC 9-30-7-4

Breath analysis; blood, urine, or other bodily substance; testing requirements

Sec. 4. (a) If a chemical test conducted under this chapter involves an analysis of breath, the test must comply with the requirements under IC 9-30-6-5.

(b) IC 9-30-6-6 applies if a physician or a person trained in obtaining bodily substance samples who is acting under the direction of or under a protocol prepared by a physician or who has been engaged to obtain bodily substance samples:

(1) obtains a blood, urine, or other bodily substance sample from a person at the request of a law enforcement officer who acts under this section; or

(2) performs a chemical test on blood, urine, or another bodily substance obtained from a person under this section.

As added by P.L.2-1991, SEC.18.

IC 9-30-7-5

Refusal to submit; penalties; suspension; proof of future financial responsibility

Sec. 5. (a) A person who refuses to submit to a portable breath test or chemical test offered under this chapter commits a Class C infraction. However, the person commits a Class A infraction if the person has at least one (1) previous conviction for operating while intoxicated.

(b) In addition to any other penalty imposed, the court shall suspend the person's driving privileges:

(1) for one (1) year; or

(2) if the person has at least one (1) previous conviction for operating while intoxicated, for two (2) years.

(c) During the three (3) years following the termination of the suspension, the person's driving privileges remain suspended until the person provides proof of future financial responsibility in force under IC 9-25.

As added by P.L.2-1991, SEC.18. Amended by P.L.275-2001, SEC.4; P.L.94-2006, SEC.9; P.L.85-2013, SEC.98.

IC 9-30-8

Chapter 8. Ignition Interlock Devices

IC 9-30-8-1

Term of installation; costs

Sec. 1. If a court orders the installation of a certified ignition interlock device on a motor vehicle that a person whose license is restricted owns or expects to operate, the court shall set the time that the installation must remain in effect. However, the term may not exceed the maximum term of imprisonment the court could have imposed. The person shall pay the cost of installation unless the sentencing court determines that the person is indigent.

As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.17; P.L.94-2006, SEC.10; P.L.172-2006, SEC.3; P.L.85-2013, SEC.99; P.L.188-2015, SEC.112.

IC 9-30-8-2

Blood alcohol level rendering vehicle inoperable

Sec. 2. An ignition interlock device shall be set to render a motor vehicle inoperable if the ignition interlock device detects an alcohol concentration equivalent to at least two-hundredths (0.02) gram of alcohol per:

(1) one hundred (100) milliliters of the blood of the person; or

(2) two hundred ten (210) liters of the breath of the person;

who offers a breath sample.

As added by P.L.2-1991, SEC.18. Amended by P.L.33-1997, SEC.12; P.L.1-2000, SEC.12.

IC 9-30-8-3

Standards and specifications; approval of ignition interlock devices; reports; evaluations and recommendations

Sec. 3. (a) The director of the state department of toxicology, based on the recommendation of the governor's council on impaired and dangerous driving, shall adopt rules under IC 4-22-2 to establish standards and specifications for a certified ignition interlock device. The standards and specifications must require at a minimum that the device meets the following requirements:

(1) Is accurate.

(2) Does not impede the safe operation of a vehicle.

(3) Provides a minimum opportunity to be bypassed.

(4) Shows evidence of tampering if tampering is attempted.

(5) Has a label affixed warning a person that tampering with or misusing the device is a crime and may subject that person to criminal and civil penalties.

(6) Provides the ability to accurately identify the user.

(b) After July 1, 2015, all ignition interlock devices used in Indiana must be certified under rules adopted by the state department of toxicology.

(c) A vendor or provider may submit an application for approval of an ignition interlock device in a form prescribed by the director of the state department of toxicology.

(d) If testing is required to determine whether an ignition interlock device complies with standards set forth by the state department of toxicology, the testing must be performed by an independent laboratory designated by the state department of toxicology. The vendor shall pay any testing expenses under this section.

(e) If the director of the state department of toxicology finds that the ignition interlock device complies with the standards of the state department of toxicology, the director may approve the ignition interlock device as a certified ignition interlock device.

(f) The director of the state department of toxicology shall provide periodic reports to the governor's council on impaired and dangerous driving, including, but not limited to:

(1) the number of ignition interlock devices certified by the state department of toxicology;

(2) the number of ignition interlock devices currently installed in Indiana; and

(3) the number of ignition interlock devices rejected by the state department of toxicology.

(g) The state department of toxicology shall consider all recommendations made by the governor's council on impaired and dangerous driving.

(h) The governor's council on impaired and dangerous driving shall meet once a year to:

(1) evaluate reports submitted by the state department of toxicology;

(2) evaluate and study ignition interlock issues;

(3) make recommendations to the state department of toxicology; and

(4) make recommendations to the general assembly in an electronic format under IC 5-14-6.

As added by P.L.2-1991, SEC.18. Amended by P.L.217-2014, SEC.131; P.L.71-2016, SEC.2.

IC 9-30-8-4

Calibration and maintenance; responsibility

Sec. 4. The calibration and maintenance of an ignition interlock device that is mandated by a court is the responsibility of the manufacturer.

As added by P.L.2-1991, SEC.18.

IC 9-30-8-5

Restricted license; issuance by bureau

Sec. 5. If a court orders a person under IC 9-30-5-16 to operate only a vehicle that is equipped with an ignition interlock device, the bureau shall include that condition when issuing a license.

As added by P.L.2-1991, SEC.18.

IC 9-30-8-6
Reports and data

Sec. 6. (a) A vendor or provider whose ignition interlock device is certified under section 3 of this chapter shall provide a report to the court that ordered the device or the court's designee within two (2) weeks if any of the following occur:

(1) Any attempt to start the vehicle with a breath alcohol concentration of four hundredths (.04) grams or higher if the person does not register a test result indicating a breath alcohol concentration of four hundredths (.04) grams or lower within ten (10) minutes of the initial test.

(2) Absent a documented failure of the ignition interlock device, failure to take or pass any required test.

(3) Failure of the person ordered to use an ignition interlock device to appear at the ignition interlock vendor or provider for maintenance, repair, calibration, monitoring, inspection, or replacement of the ignition interlock device.

(4) Any violations of restrictions imposed by the court.

(b) Any person who is required to have an ignition interlock device installed as part of probation, a specialized driving permit, or any other order of a court is required to pay for the installation, leasing, maintenance, and removal of the ignition interlock device, as well as any additional expenses ordered by the court or the court's designee.

(c) An ignition interlock vendor or provider shall provide any reports or data requested by the state department of toxicology.

As added by P.L.217-2014, SEC.132.

IC 9-30-8-7
Rules; ignition interlock inspection account

Sec. 7. (a) This section applies after June 30, 2017.

(b) The Indiana criminal justice institute shall adopt rules under IC 4-22-2 concerning the following:

(1) Establishing standards for service centers and inspections.

(2) Establishing standards for ignition interlock device technicians.

(3) Installation of ignition interlock devices.

(4) Requirements for removing an ignition interlock device.

(5) Fees with respect to service centers and ignition interlock devices that do not exceed the cost of the program. Fees described in this subdivision shall be paid by the service center, by the vendor or provider of an ignition interlock device and used to defray the expenses of testing, examining, inspecting, and developing standards concerning service centers or ignition interlock devices. Funds collected under this subdivision shall be deposited in the ignition interlock inspection account

established under subsection (c).

(6) Review of denial, suspension, or revocation of certification of service centers and ignition interlock device installers and technicians.

(7) Hearing procedures for service centers or installers of ignition interlock devices.

(8) Appeal procedures for service centers or installers of ignition interlock devices.

(c) The ignition interlock inspection account is established within the state general fund to defray the expenses of testing, examining, inspecting, and developing standards concerning service centers and ignition interlock devices. The account shall be administered by the Indiana criminal justice institute. The following provisions apply to the account:

(1) The account consists of:

(A) fees paid by the vendor or provider of an ignition interlock device;

(B) fees paid by the service center; and

(C) appropriations made by the general assembly.

(2) Money in the account may be spent to defray the expenses of testing, examining, inspecting, and developing standards concerning service centers and ignition interlock devices.

(3) The Indiana criminal justice institute shall annually prepare a plan for the expenditure of money in the account.

(4) The expenses of administering the account shall be paid from money in the account.

(5) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(6) Money in the account at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.71-2016, SEC.3.

IC 9-30-8-8

Memorandum of understanding

Sec. 8. The bureau and the Indiana criminal justice institute shall enter into a memorandum of understanding to administer this chapter and IC 9-30-6-8(d).

As added by P.L.71-2016, SEC.4.

IC 9-30-9

Chapter 9. Circuit Court Alcohol Abuse Deterrent Programs

IC 9-30-9-0.5

Applicability after June 30, 2005

Sec. 0.5. After June 30, 2005, this chapter does not apply to a person who:

(1) holds a commercial driver's license; and

(2) has been charged with an offense involving the operation of a motor vehicle in accordance with the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159.113 Stat. 1748).

As added by P.L.219-2003, SEC.8.

IC 9-30-9-1

Application

Sec. 1. This chapter applies to each court that is not authorized to establish an alcohol and drug services program under IC 12-23-14-1 through IC 12-23-14-13.

As added by P.L.2-1991, SEC.18. Amended by P.L.2-1992, SEC.91; P.L.84-2016, SEC.55.

IC 9-30-9-2

Establishment

Sec. 2. The court of a county may establish an alcohol abuse deterrent program after the county fiscal body adopts a resolution approving the program. The program must provide for the treatment of individuals who have been convicted of more than one (1) violation of IC 9-30-5 with disulfiram or a similar substance that the court determines is an effective chemical deterrent to the use of alcohol.

As added by P.L.2-1991, SEC.18. Amended by P.L.2-1992, SEC.92; P.L.40-1994, SEC.4; P.L.84-2016, SEC.56.

IC 9-30-9-3

Application to criminal proceedings; judicial notice; deferred proceedings; order to complete program

Sec. 3. (a) This section applies to a criminal proceeding in which the use or abuse of alcohol is a contributing factor or a material element of the offense.

(b) The court may take judicial notice of the fact that proper medical treatment is likely to decrease the defendant's tendency to engage in antisocial behavior.

(c) Before conviction, the court, with the consent of the defendant and the prosecuting attorney, may conditionally defer the proceedings described in subsection (a) for up to four (4) years. However, a prosecution may not be deferred under this section if:

(1) the offense involves death or serious bodily injury;

(2) other criminal proceedings, not arising out of the same incident, alleging commission of a felony are pending against the defendant;

(3) the defendant is on probation or parole and the appropriate parole or probation authority does not consent to the defendant's participation; or

(4) the defendant fails to meet additional eligibility requirements imposed by the court.

(d) The court may order the defendant to satisfactorily complete the program established under section 2 of this chapter if the court makes a determination under subsection (b). The court may impose other appropriate conditions upon the defendant.

As added by P.L.2-1991, SEC.18.

IC 9-30-9-4

Violation of conditions; resumption of proceedings; compliance with conditions; dismissal of charges

Sec. 4. If a defendant violates a condition imposed by the court under section 3 of this chapter, the court may order criminal proceedings to be resumed. If a defendant fulfills the conditions set by the court under section 3 of this chapter, the court shall dismiss the charges against the defendant. However, if:

(1) the defendant was previously charged under IC 9-30-5; and

(2) the previous charges were dismissed under this section;

the individual is not eligible to have subsequent charges under IC 9-30-5 dismissed under this chapter.

As added by P.L.2-1991, SEC.18.

IC 9-30-9-5

Conditionally deferred charges; suspension of driving privileges; ignition interlock device

Sec. 5. (a) If the court enters an order conditionally deferring charges under section 3 of this chapter, the court may do the following:

(1) Suspend the person's driving privileges for at least two (2) years but not more than four (4) years.

(2) Impose other appropriate conditions, including the payment of fees imposed under section 8 of this chapter.

(b) Notwithstanding IC 9-30-6-9, the defendant may be granted probationary driving privileges only after the defendant's license has been suspended for at least one (1) year.

(c) The court may, as an alternative to a license suspension under subsection (a)(1), issue an order prohibiting the defendant from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8. An order requiring an ignition interlock device must remain in effect for at least two (2) years but not more than four (4) years.

As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.18.

IC 9-30-9-6
Probation; referral of defendant to program

Sec. 6. If the defendant is convicted in a proceeding described in section 3(a) of this chapter and the court places the defendant on probation, the court may refer the defendant to the alcohol abuse deterrent program if the court makes a determination under section 3(b) of this chapter.

As added by P.L.2-1991, SEC.18.

IC 9-30-9-7
Referral of defendant to program; suspension of driving privileges; ignition interlock device

Sec. 7. (a) If the court refers a defendant to the program under section 6 of this chapter, the court may do the following:

(1) Suspend the defendant's driving privileges for at least ninety (90) days but not more than four (4) years.

(2) Impose other appropriate conditions.

(b) The defendant may be granted probationary driving privileges only after the defendant's license has been suspended for at least thirty (30) days under IC 9-30-6-9.

(c) The court may, as an alternative to a license suspension under subsection (a)(1), issue an order prohibiting the defendant from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8. An order requiring an ignition interlock device must remain in effect for at least two (2) years but not more than four (4) years.

As added by P.L.2-1991, SEC.18. Amended by P.L.76-2004, SEC.19.

IC 9-30-9-7.5
Offenses; operating motor vehicle without ignition interlock device

Sec. 7.5. (a) A person commits a Class B infraction if the person:

(1) operates a motor vehicle without a functioning certified ignition interlock device; and

(2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under section 5(c) or 7(c) of this chapter.

(b) A person commits a Class B misdemeanor if the person:

(1) operates a motor vehicle without a functioning certified ignition interlock device; and

(2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under section 5(c) or 7(c) of this chapter.

As added by P.L.76-2004, SEC.20. Amended by P.L.2-2005, SEC.42.

IC 9-30-9-8
Program fee; medical fee; indigent defendant

Sec. 8. (a) The court shall order a defendant participating in a

program under this chapter to pay an alcohol abuse deterrent program fee or a medical fee, or both, unless the court determines that the defendant is indigent.

(b) An alcohol abuse deterrent program fee ordered under this section may not exceed four hundred dollars ($400).

(c) A medical fee ordered under this section may not exceed one hundred fifty dollars ($150).

As added by P.L.2-1991, SEC.18. Amended by P.L.113-2001, SEC.1.

IC 9-30-9-9
County alcohol abuse deterrent fund

Sec. 9. The county auditor shall establish a county alcohol abuse deterrent fund after a program is established under section 2 of this chapter.

As added by P.L.2-1991, SEC.18.

IC 9-30-9-10
Court duties

Sec. 10. The court:

(1) shall administer the program established under section 2 of this chapter;

(2) shall submit claims under IC 33-37-8-6 for the disbursement of funds; and

(3) may enter into contracts with individuals, firms, and corporations to provide the treatment described by section 2 of this chapter.

As added by P.L.2-1991, SEC.18. Amended by P.L.98-2004, SEC.79; P.L.84-2016, SEC.57.

IC 9-30-9-11
Repealed

(Repealed by P.L.137-1995, SEC.1.)

IC 9-30-10

Chapter 10. Habitual Violator of Traffic Laws

IC 9-30-10-0.3

P.L.107-1985 does not affect rights, liabilities, penalties, proceedings; enforcement under prior law; effect on suspension of driving privileges; imposition and enforcement of probation

Sec. 0.3. (a) Except for the provisions pertaining to the granting of probation in IC 9-4-13-10 (before its repeal), the repeal of IC 9-4-13 by P.L.107-1985 does not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred; or

(3) proceedings begun;

before April 1, 1984. Such rights, liabilities, and proceedings are continued, and punishments, penalties, or forfeitures shall be imposed and enforced under IC 9-4-13 as if P.L.107-1985 had not been enacted.

(b) All crimes committed before April 1, 1984, under IC 9-4-13 shall be prosecuted and, except for the provisions pertaining to the granting of probation in IC 9-4-13-10, shall remain punishable under IC 9-4-13 as if P.L.107-1985 had not been enacted.

(c) Notwithstanding subsections (a) and (b), any period of suspension of a person's driving privileges that is imposed under IC 9-12 (as added by P.L.107-1985, before its repeal, now codified in this chapter) shall be construed to supersede any period of suspension that is imposed under IC 9-4-13 and shall not be added to that period.

(d) Any probation originally imposed under IC 9-4-13 before April 1, 1984, shall be imposed and enforced under the provisions of IC 9-12 (as added by P.L.107-1985, before its repeal, now codified in this chapter).

As added by P.L.220-2011, SEC.232.

IC 9-30-10-1

"Judgment"

Sec. 1. As used in this chapter, "judgment" means:

(1) a judgment of conviction against the defendant in a felony or misdemeanor case; or

(2) a civil judgment against the defendant in an infraction or ordinance proceeding.

As added by P.L.2-1991, SEC.18.

IC 9-30-10-2

"License"

Sec. 2. As used in this chapter, "license" includes any type of license or permit issued by the bureau to operate the type of vehicle being driven.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012,

SEC.348.

IC 9-30-10-3
"Violation"

Sec. 3. As used in this chapter, "violation" means:

(1) a felony, a misdemeanor, or an infraction under the Indiana Code; or

(2) a violation of an ordinance of an Indiana political subdivision.

As added by P.L.2-1991, SEC.18.

IC 9-30-10-4
Habitual violators

Sec. 4. (a) A person who has accumulated at least two (2) judgments within a ten (10) year period for any of the following violations, singularly or in combination, and not arising out of the same incident, is a habitual violator:

(1) Reckless homicide resulting from the operation of a motor vehicle.

(2) Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle.

(3) Failure of the operator of a motor vehicle involved in an accident resulting in death or injury to any person to stop at the scene of the accident and give the required information and assistance.

(4) Operation of a vehicle while intoxicated resulting in death.

(5) Before July 1, 1997, operation of a vehicle with at least ten-hundredths percent (0.10%) alcohol in the blood resulting in death.

(6) After June 30, 1997, and before July 1, 2001, operation of a vehicle with an alcohol concentration equivalent to at least ten-hundredths (0.10) gram of alcohol per:

(A) one hundred (100) milliliters of the blood; or

(B) two hundred ten (210) liters of the breath;

resulting in death.

(7) After June 30, 2001, operation of a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

(A) one hundred (100) milliliters of the blood; or

(B) two hundred ten (210) liters of the breath;

resulting in death.

(b) A person who has accumulated at least three (3) judgments within a ten (10) year period for any of the following violations, singularly or in combination, and not arising out of the same incident, is a habitual violator:

(1) Operation of a vehicle while intoxicated.

(2) Before July 1, 1997, operation of a vehicle with at least ten-hundredths percent (0.10%) alcohol in the blood.

(3) After June 30, 1997, and before July 1, 2001, operation of a vehicle with an alcohol concentration equivalent to at least ten-hundredths (0.10) gram of alcohol per:

(A) one hundred (100) milliliters of the blood; or

(B) two hundred ten (210) liters of the breath.

(4) After June 30, 2001, operation of a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

(A) one hundred (100) milliliters of the blood; or

(B) two hundred ten (210) liters of the breath.

(5) Reckless driving.

(6) Criminal recklessness as a felony involving the operation of a motor vehicle.

(7) Drag racing or engaging in a speed contest in violation of law.

(8) Violating IC 9-4-1-40 (repealed July 1, 1991), IC 9-4-1-46 (repealed July 1, 1991), IC 9-26-1-1(1) (repealed January 1, 2015), IC 9-26-1-1(2) (repealed January 1, 2015), IC 9-26-1-2(1) (repealed January 1, 2015), IC 9-26-1-2(2) (repealed January 1, 2015), IC 9-26-1-3 (repealed January 1, 2015), IC 9-26-1-4 (repealed January 1, 2015), or IC 9-26-1-1.1.

(9) Resisting law enforcement under IC 35-44.1-3-1(b)(1)(A), IC 35-44.1-3-1(b)(2), IC 35-44.1-3-1(b)(3), or IC 35-44.1-3-1(b)(4).

(10) Any felony under this title or any felony in which the operation of a motor vehicle is an element of the offense.

A judgment for a violation enumerated in subsection (a) shall be added to the violations described in this subsection for the purposes of this subsection.

(c) A person who has accumulated at least ten (10) judgments within a ten (10) year period for any traffic violation, except a parking or an equipment violation, of the type required to be reported to the bureau, singularly or in combination, and not arising out of the same incident, is a habitual violator. However, at least one (1) of the judgments must be for:

(1) a violation enumerated in subsection (a);

(2) a violation enumerated in subsection (b);

(3) operating a motor vehicle while the person's license to do so has been suspended or revoked as a result of the person's conviction of an offense under IC 9-1-4-52 (repealed July 1, 1991), IC 9-24-18-5(b) (repealed July 1, 2000), IC 9-24-19-2, or IC 9-24-19-3; or

(4) operating a motor vehicle without ever having obtained a license to do so.

A judgment for a violation enumerated in subsection (a) or (b) shall be added to the judgments described in this subsection for the purposes of this subsection.

(d) For purposes of this section, a judgment includes a judgment

in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of the offenses described in subsections (a), (b), and (c).

(e) For purposes of this section, the offense date is used when determining the number of judgments accumulated within a ten (10) year period.

As added by P.L.2-1991, SEC.18. Amended by P.L.1-1992, SEC.62; P.L.1-1993, SEC.61; P.L.33-1997, SEC.13; P.L.1-2000, SEC.13; P.L.32-2000, SEC.3; P.L.175-2001, SEC.12; P.L.28-2010, SEC.5; P.L.125-2012, SEC.349; P.L.85-2013, SEC.100; P.L.217-2014, SEC.133; P.L.221-2014, SEC.79; P.L.5-2015, SEC.29; P.L.188-2015, SEC.113.

IC 9-30-10-5

Notice of suspension; term; relief for judicial review

Sec. 5. (a) If it appears from the records maintained by the bureau that a person's driving record makes the person a habitual violator under section 4 of this chapter and a court has not already found the person to be a habitual violator under section 6.5 of this chapter based on the same underlying violations, the bureau shall mail a notice to the person's last known address that informs the person that the person's driving privileges will be suspended in thirty (30) days because the person is a habitual violator according to the records of the bureau.

(b) Thirty (30) days after the bureau has mailed a notice under this section, the bureau shall suspend the person's driving privileges for:

(1) except as provided in subdivision (2), ten (10) years if the person is a habitual violator under section 4(a) of this chapter;

(2) life if the person is a habitual violator under section 4(a) of this chapter and has at least two (2) violations under section 4(a)(4) through 4(a)(7) of this chapter;

(3) ten (10) years if the person is a habitual violator under section 4(b) of this chapter; or

(4) five (5) years if the person is a habitual violator under section 4(c) of this chapter.

(c) The notice must inform the person that the person may be entitled to relief under IC 9-33-2.

(d) Notwithstanding subsection (b), if the bureau does not discover that a person's driving record makes the person a habitual violator under section 4 of this chapter for more than two (2) years after the bureau receives the person's final qualifying conviction, the bureau shall not suspend the person's driving privileges for any period.

As added by P.L.2-1991, SEC.18. Amended by P.L.82-2004, SEC.3; P.L.85-2013, SEC.101; P.L.217-2014, SEC.134; P.L.149-2015, SEC.106; P.L.188-2015, SEC.114.

IC 9-30-10-6

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.350. Repealed by P.L.149-2015, SEC.107.)

IC 9-30-10-6.5

Court finding of habitual traffic violator

Sec. 6.5. (a) If the defendant requests, a court may find by a preponderance of the evidence that the person is a habitual traffic violator under IC 9-30-10-4. If the court finds a person to be a habitual traffic violator under this section, the court:

(1) shall order:

(A) that the person is a habitual traffic violator; and

(B) the bureau to suspend the person's driving license; and

(2) may order that the person is eligible for specialized driving privileges under IC 9-30-16.

(b) A defendant may file a petition in an independent proceeding to be found a habitual traffic violator following the procedure in subsection (a).

(c) A petition filed under this section must be filed in the court that entered the latest moving violation judgment against the person. The petition must use the same cause number as in the action in which the moving violation judgment was entered.

(d) A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this section.

(e) A filing fee shall not be imposed for a petition filed under this section.

As added by P.L.217-2014, SEC.135. Amended by P.L.188-2015, SEC.115.

IC 9-30-10-7

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.106-2010, SEC.3. Repealed by P.L.149-2015, SEC.108.)

IC 9-30-10-8

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.351; P.L.217-2014, SEC.136. Repealed by P.L.149-2015, SEC.109.)

IC 9-30-10-9

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.2-1992, SEC.93; P.L.40-1994, SEC.5; P.L.101-1997, SEC.1; P.L.33-1997, SEC.14; P.L.1-1999, SEC.32; P.L.10-2000, SEC.2; P.L.215-2001, SEC.18; P.L.175-2001, SEC.13; P.L.219-2003, SEC.9; P.L.28-2010, SEC.6; P.L.109-2011, SEC.37; P.L.125-2012, SEC.352; P.L.85-2013, SEC.102. Repealed by P.L.217-2014, SEC.137.)

IC 9-30-10-10
Repealed
(As added by P.L.2-1991, SEC.18. Repealed by P.L.125-2012, SEC.353.)

IC 9-30-10-11
Repealed
(As added by P.L.2-1991, SEC.18. Repealed by P.L.217-2014, SEC.138.)

IC 9-30-10-12
Repealed
(As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.354. Repealed by P.L.217-2014, SEC.139.)

IC 9-30-10-13
Repealed
(As added by P.L.2-1991, SEC.18. Amended by P.L.28-2010, SEC.7; P.L.109-2011, SEC.38; P.L.6-2012, SEC.72; P.L.125-2012, SEC.355; P.L.85-2013, SEC.103. Repealed by P.L.217-2014, SEC.140.)

IC 9-30-10-14
Repealed
(As added by P.L.2-1991, SEC.18. Amended by P.L.101-1997, SEC.2; P.L.125-2012, SEC.356; P.L.85-2013, SEC.104. Repealed by P.L.217-2014, SEC.141.)

IC 9-30-10-14.1
Petition for rescission of lifetime suspension of driving privileges; contents; service
Sec. 14.1. (a) This section does not apply to any person who has the person's driving privileges suspended for life under:
(1) section 5(b)(2) of this chapter; or
(2) section 17(b) of this chapter for an offense that occurred after December 31, 2014.
(b) Except as provided in subsection (f), a person whose driving privileges have been suspended for life may petition a court in a civil action for a rescission of the suspension order and reinstatement of driving privileges if the following conditions exist:
(1) Ten (10) years have elapsed since the date on which an order for the lifetime suspension of the person's driving privileges was issued.
(2) The person has never been convicted of a violation described in section 4(a) of this chapter.
(c) A petition for rescission and reinstatement under this section must meet the following conditions:

(1) Be verified by the petitioner.
(2) State the petitioner's age, date of birth, and place of residence.
(3) Describe the circumstances leading up to the lifetime suspension of the petitioner's driving privileges.
(4) Aver a substantial change in the petitioner's circumstances of the following:
(A) That indicates the petitioner would no longer pose a risk to the safety of others if the petitioner's driving privileges are reinstated.
(B) That makes the lifetime suspension of the petitioner's driving privileges unreasonable.
(C) That indicates it is in the best interests of society for the petitioner's driving privileges to be reinstated.
(5) Aver that the requisite amount of time has elapsed since the date on which the order for the lifetime suspension of the person's driving privileges was issued as required under subsections (b) and (f).
(6) Aver that the petitioner has never been convicted of a violation described in section 4(a) of this chapter.
(7) Be filed in a circuit or superior court having jurisdiction in the county where the petitioner resides. If the petitioner resides in a state other than Indiana, the petition must be filed in the county in which the most recent Indiana moving violation conviction occurred.
(8) If the petition is being filed under subsection (f), aver the existence of the conditions listed in subsection (f)(1) through (f)(3).

(d) The petitioner shall serve the prosecuting attorney of the county in which the petition is filed and the bureau with a copy of the petition described in subsection (b). A responsive pleading is not required.

(e) The prosecuting attorney of the county in which the petition is filed shall represent the state in the matter.

(f) A person whose driving privileges have been suspended for life may petition a court in a civil action for a rescission of the suspension order and reinstatement of driving privileges if all of the following conditions exist:
(1) Three (3) years have elapsed since the date on which the order for lifetime suspension of the petitioner's driving privileges was issued.
(2) The petitioner's lifetime suspension was the result of a conviction for operating a motor vehicle while the person's driving privileges were suspended because the person is a habitual violator.
(3) The petitioner has never been convicted of a violation described in section 4(a) or 4(b) of this chapter other than a judgment or conviction for operating a motor vehicle while the

person's driver's license or driving privileges were revoked or suspended as a result of a conviction of an offense under IC 9-1-4-52 (repealed July 1, 1992), IC 9-24-18-5(b) (repealed July 1, 2000), IC 9-24-19-2, or IC 9-24-19-3.

As added by P.L.188-2015, SEC.116. Amended by P.L.198-2016, SEC.602.

IC 9-30-10-14.2

Petition filed after June 30, 2016; burden of proof; terms and conditions; reinstatement order

Sec. 14.2. (a) Upon receiving a petition filed after June 30, 2016, under section 14.1 of this chapter, a court shall set a date for hearing the matter and direct the clerk of the court to provide notice of the hearing date to the following parties:

(1) The petitioner.

(2) The prosecuting attorney of the county where the petitioner resides.

(3) The bureau.

(b) At a hearing described in subsection (a), the petitioner must prove the following by a preponderance of the evidence:

(1) The petitioner has no prior convictions for a violation described in section 4(a) of this chapter.

(2) The petitioner no longer presents a safety risk to others while operating a motor vehicle.

(3) The ongoing suspension of the petitioner's driving privileges is unreasonable.

(4) The reinstatement of the petitioner's driving privileges serves the best interests of society.

(5) If the petitioner is seeking reinstatement under section 14.1(b) of this chapter, at least ten (10) years have elapsed since the suspension of the petitioner's driving privileges.

(6) If the petitioner is seeking reinstatement under section 14.1(f) of this chapter, at least three (3) years have elapsed since the suspension of the petitioner's driving privileges.

(c) If the court finds that a petitioner meets all applicable requirements in subsection (b), the court may do the following:

(1) Rescind the order requiring the suspension of the petitioner's driving privileges.

(2) Order the bureau to reinstate the petitioner's driving privileges.

(d) In an order for reinstatement of driving privileges issued under this section, the court may require the bureau to grant the petitioner specialized driving privileges:

(1) for a specified period; and

(2) subject to additional conditions imposed by the court.

(e) Additional terms and conditions imposed by the court may include one (1) or more of the following:

(1) Specified hours during which the petitioner may operate a

motor vehicle.

(2) An order prohibiting the petitioner from operating a motor vehicle:

(A) with an alcohol concentration equivalent to at least two hundredths (0.02) of a gram of alcohol per:

(i) one hundred (100) milliliters of the person's blood; or

(ii) two hundred ten (210) liters of the person's breath; or

(B) while intoxicated (as defined under IC 9-13-2-86).

(3) Electronic monitoring to determine the petitioner's compliance with subdivision (2).

(4) Use of a vehicle equipped with an ignition interlock device.

(5) Submission to a chemical breath test as part of a lawful traffic stop conducted by a law enforcement officer.

(6) Use of an electronic monitoring device that detects and records the petitioner's use of alcohol.

(f) The court shall specify the conditions under which the petitioner may be issued driving privileges to operate a motor vehicle.

(g) After the expiration date of the specialized driving privileges ordered by the court under subsection (d) and the petitioner's fulfillment of any imposed conditions specified by the court, the bureau shall reinstate the petitioner's driving privileges.

(h) If the bureau receives a judicial order granting rescission of a suspension order under subsection (c) for an individual who, according to the records of the bureau, does not qualify for the rescission of a suspension order, the bureau shall do the following:

(1) Process the judicial order and notify the prosecuting attorney of the county from which the order was received that the individual is not eligible for the rescission of the suspension order and reinstatement of driving privileges.

(2) Send a certified copy of the individual's driving record to the prosecuting attorney described in subdivision (1).

Upon receiving a certified copy under subdivision (2), the prosecuting attorney shall, in accordance with IC 35-38-1-15, petition the court to correct the court's order. If the bureau does not receive a corrected order within sixty (60) days of sending the petitioner's driving record to the prosecuting attorney described in subdivision (1), the bureau shall notify the attorney general, who shall, in accordance with IC 35-38-1-15, petition the court to correct the court's order within sixty (60) days of receiving notice from the bureau.

(i) An order reinstating a petitioner's driving privileges is a final order that may be appealed by any party to the action.

As added by P.L.198-2016, SEC.603.

IC 9-30-10-15

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.101-1997,

SEC.3; P.L.28-2010, SEC.8; P.L.125-2012, SEC.357; P.L.85-2013, SEC.105. Repealed by P.L.217-2014, SEC.142.)

IC 9-30-10-16
Operating a motor vehicle while privileges are suspended; Level 6 felony

Sec. 16. (a) A person who operates a motor vehicle:

(1) while the person's driving privileges are validly suspended under this chapter or IC 9-12-2 (repealed July 1, 1991) and the person knows that the person's driving privileges are suspended; or

(2) in violation of restrictions imposed under this chapter or IC 9-12-2 (repealed July 1, 1991) and who knows of the existence of the restrictions;

commits a Level 6 felony.

(b) Service by the bureau of notice of the suspension or restriction of a person's driving privileges under subsection (a)(1) or (a)(2):

(1) in compliance with section 5 of this chapter; and

(2) by first class mail to the person at the last address shown for the person in the bureau's records;

establishes a rebuttable presumption that the person knows that the person's driving privileges are suspended or restricted.

As added by P.L.2-1991, SEC.18. Amended by P.L.1-1993, SEC.62; P.L.1-1994, SEC.41; P.L.120-2000, SEC.2; P.L.1-2001, SEC.9; P.L.158-2013, SEC.162; P.L.188-2015, SEC.117.

IC 9-30-10-17
Operating motor vehicle while privileges are forfeited for life; habitual traffic violator who causes bodily injury or death; Level 5 felony

Sec. 17. (a) A person who:

(1) operates a motor vehicle after the person's driving privileges are forfeited for life under section 16 of this chapter, IC 9-4-13-14 (repealed April 1, 1984), or IC 9-12-3-1 (repealed July 1, 1991); or

(2) is a habitual traffic violator under this chapter and commits an offense involving the person's operation of a motor vehicle, which offense causes serious bodily injury or death;

commits a Level 5 felony.

(b) In addition to any criminal penalties imposed for a conviction of an offense described in subsection (a), if the new offense caused death, the bureau shall suspend the person's driving privileges for the life of the person.

As added by P.L.2-1991, SEC.18. Amended by P.L.1-1993, SEC.63; P.L.85-2013, SEC.106; P.L.158-2013, SEC.163; P.L.217-2014, SEC.143.

IC 9-30-10-17.5

Repealed

(As added by P.L.28-2010, SEC.9. Amended by P.L.125-2012, SEC.358. Repealed by P.L.217-2014, SEC.144.)

IC 9-30-10-18

Defenses; extreme emergency; burden of proof

Sec. 18. (a) In a criminal action brought under section 16 or 17 of this chapter, it is a defense that the operation of a motor vehicle was necessary to save life or limb in an extreme emergency. The defendant must bear the burden of proof by a preponderance of the evidence to establish this defense.

(b) In an action brought under section 16 or 17 of this chapter, it is a defense that the defendant was operating a Class B motor driven cycle, unless the defendant was operating the Class B motor driven cycle in violation of IC 9-21-11-12. The defendant must bear the burden of proof by a preponderance of the evidence to establish this defense.

As added by P.L.2-1991, SEC.18. Amended by P.L.28-2010, SEC.10; P.L.217-2014, SEC.145; P.L.221-2014, SEC.84; P.L.216-2014, SEC.156.

IC 9-30-10-19

Eligibility for specialized driving privileges

Sec. 19. (a) This section does not apply to a suspension or forfeiture of driving privileges imposed under section 5(b)(2) or 17(b) of this chapter for an offense committed after June 30, 2015.

(b) A person whose driving privileges are suspended or forfeited for a determined period or for life under this chapter is eligible for specialized driving privileges under IC 9-30-16.

As added by P.L.188-2015, SEC.118.

IC 9-30-11

Chapter 11. Parking Tickets

IC 9-30-11-1

Judgment

Sec. 1. As used in this chapter, "judgment" means a monetary penalty assessed for the violation of an ordinance that regulates parking violations.

As added by P.L.2-1991, SEC.18.

IC 9-30-11-2

Infraction involving rented or leased vehicle; inapplication of registration suspension procedure

Sec. 2. The motor vehicle registration suspension procedure under this chapter does not apply to a judgment imposed for an infraction or ordinance violation involving a motor vehicle that was, at the time of the infraction or ordinance violation, the subject of a written agreement for the rental or lease of the motor vehicle for a period not greater than sixty (60) days.

As added by P.L.2-1991, SEC.18.

IC 9-30-11-3

Notification of failure to pay judgments

Sec. 3. If it appears from the records of a court that has jurisdiction to enforce ordinances that regulate parking violations that three (3) judgments concerning a motor vehicle have not been paid before the deadlines established by a statute, an ordinance, or a court order, the clerk of the court shall send a notice to the person who is the registered owner of the motor vehicle. The notice must inform the person of the following:

(1) That the clerk will send a referral to the bureau if the judgments are not paid within thirty (30) days after a notice was mailed.

(2) That the referral will result in the suspension of the motor vehicle's registration if the judgments are not paid.

As added by P.L.2-1991, SEC.18.

IC 9-30-11-4

Referral to bureau regarding unpaid judgments; contents

Sec. 4. A clerk may send a referral to the bureau if the judgments are not paid not later than thirty (30) days after a notice was mailed. The referral must include the following:

(1) Any information known or available to the clerk concerning the following of the motor vehicle:

(A) The license plate number and year of registration.

(B) The name of the owner.

(2) The date on which each of the violations occurred.

(3) The law enforcement agencies responsible for the parking

citations.

(4) The date when the notice required under section 3 of this chapter was mailed.

(5) The seal of the clerk.

As added by P.L.2-1991, SEC.18.

IC 9-30-11-5

Suspension of registration upon receipt of referral

Sec. 5. If the bureau receives a referral under section 4 of this chapter, the bureau shall suspend the registration of the motor vehicle and mail a notice to the person in whose name the vehicle is registered that does the following:

(1) Informs the person that the motor vehicle's registration has been suspended and the reason for the suspension.

(2) Informs the person that if the judgments are not paid within fifteen (15) days, the motor vehicle's license plates will be removed by a law enforcement officer.

(3) Explains what the person is required to do to have the registration reinstated.

As added by P.L.2-1991, SEC.18.

IC 9-30-11-6

Reinstatement of registration; conditions

Sec. 6. The bureau shall reinstate motor vehicle registration that is suspended under this chapter if the following occur:

(1) The court presents the bureau with adequate proof that all unpaid judgments with respect to the motor vehicle have been paid.

(2) A reinstatement fee under IC 9-29 is paid to the bureau, if applicable.

As added by P.L.2-1991, SEC.18. Amended by P.L.153-2005, SEC.5; P.L.125-2012, SEC.359.

IC 9-30-11-7

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.125-2012, SEC.360.)

IC 9-30-11-8

Defenses; proof; airport police

Sec. 8. (a) This section does not apply in a proceeding concerning a standing or parking citation issued by a police authority operating under the jurisdiction of an airport authority.

(b) It is a defense in a proceeding to enforce an ordinance or a statute defining an infraction concerning the standing or parking of vehicles if the owner:

(1) proves that at the time of the alleged violation the owner was engaged in the business of renting or leasing vehicles under

written agreements;

(2) proves that at the time of the alleged violation the vehicle was in the care, custody, or control of a person (other than the owner or an employee of the owner) under a written agreement for the rental or lease of the vehicle for a period of not more than sixty (60) days; and

(3) provides to the traffic violations bureau or court that has jurisdiction the name and address of the person who was renting or leasing the vehicle at the time of the alleged violation.

(c) The owner of a vehicle may establish proof under subsection (b)(2) by submitting, within thirty (30) days after the owner receives notice by mail of:

(1) the parking ticket; or

(2) the infraction violation;

a copy of the rental or lease agreement to the traffic violations bureau or court that has jurisdiction.

As added by P.L.2-1991, SEC.18. Amended by P.L.1-2006, SEC.169.

IC 9-30-12

Chapter 12. Dishonored Checks

IC 9-30-12-1

Payment of fee for driving privileges with dishonored check; suspension, revocation, or invalidation

Sec. 1. (a) The bureau may suspend or revoke the driving privileges of an individual who makes payment to the bureau with funds that are not honored.

(b) In addition to the penalties in subsection (a), the bureau may do the following:

(1) Revoke the driver's license or permit of an individual who makes payment to the bureau for a driver's license or permit with funds that are not honored.

(2) Invalidate the title or registration of an individual who makes payment to the bureau for a driver's license or permit with funds that are not honored.

As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.361.

IC 9-30-12-2

Reinstatement of license, permit, or driving privileges; revalidation of title or registration

Sec. 2. The bureau may:

(1) reinstate a license, a permit, or driving privileges revoked or suspended under section 1 of this chapter; or

(2) revalidate a title or registration that has been invalidated under section 1 of this chapter;

if the obligation has been satisfied, including the payment of service, collection, and reinstatement fees, if applicable.

As added by P.L.2-1991, SEC.18. Amended by P.L.153-2005, SEC.6; P.L.125-2012, SEC.362.

IC 9-30-12-3

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.125-2012, SEC.363.)

IC 9-30-12-4

Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.125-2012, SEC.364.)

IC 9-30-12-5

Procedures for suspension or revocation; adoption of rules

Sec. 5. The bureau shall adopt a rule to establish procedures to be followed by the bureau in suspending or revoking a driver's license or permit under this chapter.

As added by P.L.2-1991, SEC.18.

IC 9-30-13

Chapter 13. Miscellaneous Criminal Offenses; Suspension of Driving Privileges

IC 9-30-13-0.5

Certified abstract of record of conviction forwarded to bureau by a court

Sec. 0.5. (a) A court shall forward to the bureau a certified abstract of the record of the conviction of a person in the court for a violation of a law relating to motor vehicles.

(b) If in the opinion of the court a defendant should be deprived of the privilege to operate a motor vehicle upon a public highway, the court may recommend the suspension of the convicted person's driving privileges for a period that does not exceed the maximum period of incarceration for the offense of which the person was convicted.

(c) The bureau shall comply with the court's recommendation.

(d) At the time of a conviction referred to in subsection (a) or under IC 9-30-5-7, the court may obtain and destroy the defendant's current driver's license.

(e) An abstract required by this section must be in the form prescribed by the bureau and, when certified, shall be accepted by an administrative agency or a court as prima facie evidence of the conviction and all other action stated in the abstract.

As added by P.L.125-2012, SEC.365. Amended by P.L.188-2015, SEC.119; P.L.198-2016, SEC.604.

IC 9-30-13-1

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.366; P.L.85-2013, SEC.107. Repealed by P.L.217-2014, SEC.146.)

IC 9-30-13-2

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.367; P.L.85-2013, SEC.108; P.L.158-2013, SEC.164. Repealed by P.L.217-2014, SEC.147.)

IC 9-30-13-3

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012, SEC.368; P.L.85-2013, SEC.109. Repealed by P.L.217-2014, SEC.148.)

IC 9-30-13-4

Repealed

(As added by P.L.2-1991, SEC.18. Amended by P.L.125-2012,

SEC.369; P.L.85-2013, SEC.110. Repealed by P.L.217-2014, SEC.149.)

IC 9-30-13-5
Repealed

(As added by P.L.2-1991, SEC.18. Repealed by P.L.125-2012, SEC.370.)

IC 9-30-13-6
Suspension of driving privileges; petition for reinstatement

Sec. 6. (a) The bureau shall, upon receiving an order of a court issued under IC 31-16-12-7 (or IC 31-14-12-4 before its repeal), suspend the driving privileges of the person who is the subject of the order.

(b) The bureau may not reinstate driving privileges suspended under this section until the bureau receives an order allowing reinstatement from the court that issued the order for suspension.

(c) Upon receiving an order for suspension under subsection (a), the bureau shall promptly mail a notice to the last known address of the person who is the subject of the order, stating the following:

(1) That the person's driving privileges are suspended, beginning eighteen (18) business days after the date the notice is mailed, and that the suspension will terminate ten (10) business days after the bureau receives an order allowing reinstatement from the court that issued the suspension order.

(2) That the person has the right to petition for reinstatement of driving privileges to the court that issued the order for suspension.

(d) A person who operates a motor vehicle in violation of this section commits a Class A infraction, unless:

(1) the person's driving privileges are suspended under this section; and

(2) the person has been granted specialized driving privileges under IC 9-30-16 as a result of the suspension under this section.

As added by P.L.125-2012, SEC.371. Amended by P.L.207-2013, SEC.9; P.L.85-2013, SEC.111; P.L.207-2013, SEC.10; P.L.2-2014, SEC.46; P.L.217-2014, SEC.150.

IC 9-30-13-7
Notice of suspension of driving privileges for delinquent child support; reinstatement

Sec. 7. (a) If the bureau is advised by the Title IV-D agency that the obligor (as defined in IC 31-25-4-4) either requested a hearing under IC 31-25-4-33 and failed to appear or appeared and was found to be delinquent, the bureau shall promptly mail a notice to the obligor stating the following:

(1) That the obligor's driving privileges are suspended,

beginning eighteen (18) business days after the date the notice is mailed, and that the suspension will terminate after the bureau receives a notice from the Title IV-D agency that the obligor has:

(A) paid the obligor's child support arrearage in full; or

(B) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-0.5 or IC 31-16-15-2.5.

(2) That the obligor may be granted specialized driving privileges under IC 9-30-16.

(b) The bureau may not reinstate driving privileges suspended under this section until the bureau receives a notice from the Title IV-D agency that the obligor has:

(1) paid the obligor's child support arrearage in full; or

(2) established a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-0.5 or IC 31-16-15-2.5.

(c) An obligor who operates a motor vehicle in violation of this section commits a Class A infraction, unless:

(1) the obligor's driving privileges are suspended under this section; and

(2) the obligor has been granted specialized driving privileges under IC 9-30-16 as a result of the suspension under this section.

As added by P.L.125-2012, SEC.372. Amended by P.L.85-2013, SEC.112; P.L.217-2014, SEC.151.

IC 9-30-13-8

Suspension of driving privileges after fuel theft conviction

Sec. 8. (a) Upon receiving an order issued by a court under IC 35-43-4-8(b) concerning a person convicted of fuel theft, the bureau shall do the following:

(1) Suspend under subsection (b) the driving privileges of the person who is the subject of the order, whether or not the person's current driver's license accompanies the order.

(2) Mail to the last known address of the person who is the subject of the order a notice:

(A) stating that the person's driving privileges are being suspended for fuel theft;

(B) setting forth the date on which the suspension takes effect and the date on which the suspension terminates; and

(C) stating that the person may be granted specialized driving privileges under IC 9-30-16 if the person meets the conditions for obtaining specialized driving privileges.

(b) The suspension of the driving privileges of a person who is the subject of an order issued under IC 35-43-4-8(b):

(1) begins five (5) business days after the date on which the bureau mails the notice to the person under subsection (a)(2);

and

(2) terminates thirty (30) days after the suspension begins.

(c) A person who operates a motor vehicle during a suspension of the person's driving privileges under this section commits a Class A infraction unless the person's operation of the motor vehicle is authorized by specialized driving privileges granted to the person under IC 9-30-16.

(d) The bureau shall, upon receiving a record of conviction of a person upon a charge of driving a motor vehicle while the driving privileges, permit, or license of the person is suspended, fix the period of suspension in accordance with the order of the court.

As added by P.L.125-2012, SEC.373. Amended by P.L.85-2013, SEC.113; P.L.217-2014, SEC.152.

IC 9-30-13-9

Worksite speed limit violation; suspension of driving privileges

Sec. 9. (a) Upon receiving an order issued by a court under IC 9-21-5-11(f) concerning a person who has committed the infraction of violating a worksite speed limit for the second time within one (1) year, the bureau shall do the following:

(1) Suspend under subsection (b) the driving privileges of the person who is the subject of the order, whether or not the person's current driver's license accompanies the order.

(2) Mail to the last known address of the person who is the subject of the order a notice:

(A) stating that the person's driving privileges are being suspended for a second or subsequent offense of exceeding a worksite speed limit within one (1) year;

(B) setting forth the date on which the suspension takes effect and the date on which the suspension terminates; and

(C) stating that the person may be granted specialized driving privileges under IC 9-30-16 if the person meets the conditions for obtaining specialized driving privileges.

(b) The suspension of the driving privileges of a person who is the subject of an order issued under IC 9-21-5-11(f):

(1) begins five (5) business days after the date on which the bureau mails the notice to the person under subsection (a)(2); and

(2) terminates sixty (60) days after the suspension begins.

(c) A person who operates a motor vehicle during a suspension of the person's driving privileges under this section commits a Class A infraction unless the person's operation of the motor vehicle is authorized by specialized driving privileges granted to the person under IC 9-30-16.

(d) The bureau shall, upon receiving a record of conviction of a person upon a charge of driving a motor vehicle while the driving privileges, permit, or license of the person is suspended, fix the period of suspension in accordance with the order of the court.

As added by P.L.41-2016, SEC.2.

IC 9-30-14

Chapter 14. Victim Impact Programs

IC 9-30-14-1

Covered offense

Sec. 1. As used in this chapter, "covered offense" means the following:

(1) An offense:

(A) for which the offender's driving privileges may be suspended under IC 9-30-13; and

(B) that involved the obstruction of traffic with or the operation of a motor vehicle with alcohol or a controlled substance listed in schedule I or II under IC 35-48-2 in the person's blood.

(2) An offense described under IC 9-30-5 that involved operation of a vehicle with alcohol or a controlled substance listed under schedule I or II under IC 35-48-2.

As added by P.L.94-1991, SEC.2. Amended by P.L.125-2012, SEC.374.

IC 9-30-14-2

Attendance at victim impact program

Sec. 2. In addition to any other requirement imposed on a person by a court, a court may order a person who is:

(1) convicted of a covered offense; or

(2) a defendant in a criminal proceeding in which prosecution is conditionally deferred under IC 12-23-5 or another law for a covered offense;

to attend a victim impact program that meets the requirements specified under section 3 of this chapter. The person is responsible for any charges imposed by the victim impact program.

As added by P.L.94-1991, SEC.2. Amended by P.L.2-1992, SEC.94.

IC 9-30-14-3

Qualification as victim impact program

Sec. 3. To qualify as a victim impact program under section 2 of this chapter, a program must do the following:

(1) Provide an opportunity to participate in a victim impact program in the county in which the court is located.

(2) Present each victim impact program described in subdivision (1) with at least one (1) speaker who is one (1) of the following:

(A) A person who was injured as a result of the operation of a vehicle by another person who operated the vehicle under

the influence of alcohol or a controlled substance listed in schedule I or II under IC 35-48-2.

(B) A family member or a friend of a person who was injured or died as a result of the operation of a vehicle by another person who operated the vehicle under the influence of alcohol or a controlled substance listed in schedule I or II under IC 35-48-2.

(C) A person who was convicted in Indiana of a covered offense or in another state of an offense that is substantially similar to a covered offense.

(D) A person who has been or is involved in a program designed to control the use or otherwise rehabilitate a person who is an alcohol abuser (as defined in IC 12-7-2-11), a drug abuser (as defined in IC 12-7-2-73), or both.

(3) Require a person to visit a specified emergency medical care facility, a coroner facility, or a chronic alcoholism treatment center under supervision, as specified by the court.

As added by P.L.94-1991, SEC.2. Amended by P.L.2-1992, SEC.95.

IC 9-30-14-4

Visitation at emergency medical, coroner, or alcoholism facility; liability for civil damages from injury to visitor

Sec. 4. Neither a facility described in section 3(3) of this chapter nor an employee of the facility is liable for:

(1) civil damages from injury to a person required to visit the facility under this chapter; or

(2) damages caused to a person during the visitation described in subdivision (1) by another person required to visit the facility under this chapter;

except for willful or grossly negligent acts intended to, or reasonably likely to, result in the injury or damage.

As added by P.L.94-1991, SEC.2. Amended by P.L.1-1992, SEC.63.

IC 9-30-15

Chapter 15. Open Alcoholic Beverage Containers; Consumption of Alcohol in Motor Vehicles

IC 9-30-15-1

"Alcoholic beverage"

Sec. 1. As used in this chapter, "alcoholic beverage" has the meaning set forth in IC 7.1-1-3-5.

As added by P.L.53-1994, SEC.11.

IC 9-30-15-2

"Container"

Sec. 2. As used in this chapter, "container" has the meaning set forth in IC 7.1-1-3-13.

As added by P.L.53-1994, SEC.11.

IC 9-30-15-3

Open alcoholic beverage container during operation of motor vehicle; Class C infraction

Sec. 3. (a) This section does not apply to the following:

(1) A container possessed by a person, other than the operator of the motor vehicle, who is in the:

(A) passenger compartment of a motor vehicle designed, maintained, or used primarily for the transportation of persons for compensation; or

(B) living quarters of a house coach or house trailer.

(2) A container located in a fixed center console or other similar fixed compartment that is locked.

(3) A container located:

(A) behind the last upright seat; or

(B) in an area not normally occupied by a person;

in a motor vehicle that is not equipped with a trunk.

(b) A person in a motor vehicle who, while the motor vehicle is in operation or while the motor vehicle is located on the right-of-way of a public highway, possesses a container:

(1) that has been opened;

(2) that has a broken seal; or

(3) from which some of the contents have been removed;

in the passenger compartment of the motor vehicle commits a Class C infraction.

(c) A violation of this section is not considered a moving traffic violation:

(1) for purposes of IC 9-14-12-3; and

(2) for which points are assessed by the bureau under the point system.

As added by P.L.53-1994, SEC.11. Amended by P.L.33-1997, SEC.15; P.L.1-2000, SEC.14; P.L.209-2005, SEC.1; P.L.290-2013, SEC.1; P.L.198-2016, SEC.605.

IC 9-30-15-4

Consumption of alcohol while operating a motor vehicle; Class B infraction

Sec. 4. The operator of a motor vehicle who knowingly consumes an alcoholic beverage while the motor vehicle is being operated upon a public highway commits a Class B infraction.

As added by P.L.53-1994, SEC.11.

IC 9-30-15.5

Chapter 15.5. Habitual Vehicular Substance Offender

IC 9-30-15.5-1

"Vehicular substance offense"

Sec. 1. As used in this chapter, "vehicular substance offense" means any misdemeanor or felony in which operation of a vehicle while intoxicated, operation of a vehicle in excess of the statutory limit for alcohol, or operation of a vehicle with a controlled substance or its metabolite in the person's body, is a material element. The term includes an offense under IC 9-30-5, IC 9-24-6-15 (before its repeal), IC 9-24-6.1-7, and IC 9-11-2 (before its repeal). *As added by P.L.217-2014, SEC.153. Amended by P.L.188-2015, SEC.120; P.L.198-2016, SEC.606.*

IC 9-30-15.5-2

Prior vehicular substance offense convictions

Sec. 2. (a) The state may seek to have a person sentenced as a habitual vehicular substance offender for any vehicular substance offense by alleging, on a page separate from the rest of the charging instrument, that the person has accumulated two (2) or three (3) prior unrelated vehicular substance offense convictions. If the state alleges only two (2) prior unrelated vehicular substance offense convictions, the allegation must include that at least one (1) of the prior unrelated vehicular substance offense convictions occurred within the ten (10) years before the date of the current offense.

(b) For purposes of subsection (a), a person has accumulated two (2) or three (3) prior unrelated vehicular substance offense convictions only if:

(1) the second prior unrelated vehicular substance offense conviction was committed after commission of and sentencing for the first prior unrelated vehicular substance offense conviction;

(2) the offense for which the state seeks to have the person sentenced as a habitual vehicular substance offender was committed after commission of and sentencing for the second prior unrelated vehicular substance offense conviction; and

(3) for a conviction requiring proof of three (3) prior unrelated vehicular substance offense felonies, the third prior unrelated vehicular substance offense conviction was committed after commission of and sentencing for the second prior unrelated vehicular substance offense conviction.

However, a conviction does not count for purposes of subsection (a) if it has been set aside or it is a conviction for which the person has been pardoned.

(c) A person is a habitual vehicular substance offender if the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that

the person has accumulated three (3) or more prior unrelated vehicular substance offense convictions at any time, or two (2) prior unrelated vehicular substance offense convictions, with at least one (1) of the prior unrelated vehicular substance offense convictions occurring within ten (10) years of the date of the occurrence of the current offense.

(d) The court shall sentence a person found to be a habitual vehicular substance offender to an additional fixed term of at least one (1) year but not more than eight (8) years of imprisonment, to be added to the term of imprisonment imposed under IC 35-50-2 or IC 35-50-3.

(e) Charges filed under this section must be filed in a circuit court or superior court.

As added by P.L.217-2014, SEC.153. Amended by P.L.188-2015, SEC.121.

IC 9-30-16

Chapter 16. Driver's License Suspension Penalties

IC 9-30-16-1

Applicability; suspension of driving privileges

Sec. 1. (a) Except as provided in subsection (b), the following are ineligible for specialized driving privileges under this chapter:

(1) A person who has never been an Indiana resident.

(2) A person seeking specialized driving privileges with respect to a suspension based on the person's refusal to submit to a chemical test offered under IC 9-30-6 or IC 9-30-7.

(b) This chapter applies to the following:

(1) A person who held an operator's, a commercial driver's, a public passenger chauffeur's, or a chauffeur's license at the time of:

(A) the criminal conviction for which the operation of a motor vehicle is an element of the offense;

(B) any criminal conviction for an offense under IC 9-30-5; or

(C) committing the infraction of exceeding a worksite speed limit for the second time in one (1) year under IC 9-21-5-11(f).

(2) A person who:

(A) has never held a valid Indiana driver's license or does not currently hold a valid Indiana learner's permit; and

(B) was an Indiana resident when the driving privileges for which the person is seeking specialized driving privileges were suspended.

(c) Except as specifically provided in this chapter, a court may suspend the driving privileges of a person convicted of any of the following offenses for a period up to the maximum allowable period of incarceration under the penalty for the offense:

(1) Any criminal conviction in which the operation of a motor vehicle is an element of the offense.

(2) Any criminal conviction for an offense under IC 9-30-5.

(3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1 that involves the use of a vehicle.

(d) Except as provided in section 3.5 of this chapter, a suspension of driving privileges under this chapter may begin before the conviction. Multiple suspensions of driving privileges ordered by a court that are part of the same episode of criminal conduct shall be served concurrently. A court may grant credit time for any suspension that began before the conviction, except as prohibited by section 6(a)(2) of this chapter.

(e) If a person has had an ignition interlock device installed as a condition of specialized driving privileges or under IC 9-30-6-8(d), the period of the installation shall be credited as part of the suspension of driving privileges.

(f) This subsection applies to a person described in subsection (b)(2). A court shall, as a condition of granting specialized driving privileges to the person, require the person to apply for and obtain an Indiana driver's license.

As added by P.L.217-2014, SEC.154. Amended by P.L.188-2015, SEC.122; P.L.41-2016, SEC.3; P.L.198-2016, SEC.607.

IC 9-30-16-2

Offenses involving serious bodily injury of another person and operation of a motor vehicle; offenses involving death of another person and operation of a motor vehicle; suspension of driving privileges

Sec. 2. (a) The court shall order the license of a person suspended for a period of at least one (1) year for a person convicted of the following:

(1) An offense that includes the element of causing or resulting in serious bodily injury while operating a motor vehicle.

(2) An offense under IC 9-30-5 that includes the element of causing or resulting in serious bodily injury.

(3) An offense under IC 9-30-5 when the person has a prior conviction for an offense under IC 9-30-5.

(b) A person whose driving privileges are suspended under subsection (a) is eligible for specialized driving privileges under section 3 of this chapter.

(c) If a person is convicted of an offense that includes the element of causing the death of another person and the offense involved the operation of a motor vehicle or was an offense under IC 9-30-5, the court shall order that the person's driving privileges are suspended for a period of at least two (2) years and not more than the maximum allowable period of incarceration of the criminal penalty for the offense. A person whose driving privileges are suspended under this section is not eligible for specialized driving privileges under section 3 of this chapter.

As added by P.L.217-2014, SEC.154. Amended by P.L.188-2015, SEC.123.

IC 9-30-16-3

Stay of suspension; specialized driving privileges; operation of vehicle requiring commercial driver's license prohibited

Sec. 3. (a) This section does not apply to specialized driving privileges granted in accordance with section 3.5 of this chapter. If a court orders a suspension of driving privileges under this chapter, or imposes a suspension of driving privileges under IC 9-30-6-9(c), the court may stay the suspension and grant a specialized driving privilege as set forth in this section.

(b) An individual who seeks specialized driving privileges must file a petition for specialized driving privileges in each court that has ordered or imposed a suspension of the individual's driving

privileges. Each petition must:

(1) be verified by the petitioner;

(2) state the petitioner's age, date of birth, and address;

(3) state the grounds for relief and the relief sought;

(4) be filed in a circuit or superior court; and

(5) be served on the bureau and the prosecuting attorney.

A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this subsection.

(c) Regardless of the underlying offense, specialized driving privileges granted under this section shall be granted for at least one hundred eighty (180) days.

(d) The terms of specialized driving privileges must be determined by a court.

(e) A stay of a suspension and specialized driving privileges may not be granted to an individual who:

(1) has previously been granted specialized driving privileges; and

(2) has more than one (1) conviction under section 5 of this chapter.

(f) An individual who has been granted specialized driving privileges shall:

(1) maintain proof of future financial responsibility insurance during the period of specialized driving privileges;

(2) carry a copy of the order granting specialized driving privileges or have the order in the vehicle being operated by the individual;

(3) produce the copy of the order granting specialized driving privileges upon the request of a police officer; and

(4) carry a validly issued state identification card or driver's license.

(g) An individual who holds a commercial driver's license and has been granted specialized driving privileges under this chapter may not, for the duration of the suspension for which the specialized driving privileges are sought, operate any vehicle that requires the individual to hold a commercial driver's license to operate the vehicle.

As added by P.L.217-2014, SEC.154. Amended by P.L.188-2015, SEC.124; P.L.41-2016, SEC.4; P.L.198-2016, SEC.608.

IC 9-30-16-3.5

Temporary or worksite speed limit violations; specialized driving privileges

Sec. 3.5. (a) If a court imposes a suspension of driving privileges under IC 9-21-5-11(f), the court may stay the suspension and grant a specialized driving privilege as set forth in this section.

(b) Specialized driving privileges granted under this section shall be granted for sixty (60) days, or the remainder of the sixty (60) period of suspension as set forth in IC 9-30-13-9(b)(2) if a petition

for specialized driving privileges is filed as set forth in section 3(g) of this chapter.

(c) Specialized driving privileges granted under this section:

(1) must be determined by a court; and

(2) are limited to restricting the individual to being allowed to operate a motor vehicle between the place of employment of the individual and the individual's residence.

(d) An individual who has been granted specialized driving privileges under this section shall:

(1) maintain proof of future financial responsibility insurance during the period of specialized driving privileges;

(2) carry a copy of the order granting specialized driving privileges or have the order in the vehicle being operated by the individual;

(3) produce the copy of the order granting specialized driving privileges upon the request of a police officer; and

(4) carry a validly issued driver's license.

(e) An individual who holds a commercial driver's license and has been granted specialized driving privileges under this chapter may not, for the duration of the suspension for which the specialized driving privileges are sought, operate a motor vehicle that requires the individual to hold a commercial driver's license to operate the motor vehicle.

(f) An individual who seeks specialized driving privileges must file a petition for specialized driving privileges in each court that has ordered or imposed a suspension of the individual's driving privileges. Each petition must:

(1) be verified by the petitioner;

(2) state the petitioner's age, date of birth, and address;

(3) state the grounds for relief and the relief sought;

(4) be filed in a circuit or superior court; and

(5) be served on the bureau and the prosecuting attorney.

A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this subsection.

As added by P.L.41-2016, SEC.5.

IC 9-30-16-4

Petition for specialized driving privileges

Sec. 4. (a) An individual whose driving privileges have been suspended by the bureau by an administrative action and not by a court order may petition a court for specialized driving privileges as described in section 3(b) through 3(d) of this chapter.

(b) A petition filed under this section must:

(1) be verified by the petitioner;

(2) state the petitioner's age, date of birth, and address;

(3) state the grounds for relief and the relief sought;

(4) be filed in the appropriate county, as determined under subsection (d);

(5) be filed in a circuit or superior court; and

(6) be served on the bureau and the prosecuting attorney.

(c) A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this section.

(d) An individual whose driving privileges are suspended in Indiana must file a petition for specialized driving privileges as follows:

(1) If the individual is an Indiana resident, in the county in which the individual resides.

(2) If the individual was an Indiana resident at the time the individual's driving privileges were suspended but is currently a nonresident, in the county in which the individual's most recent Indiana moving violation judgment was entered against the individual.

As added by P.L.217-2014, SEC.154. Amended by P.L.188-2015, SEC.125; P.L.198-2016, SEC.609.

IC 9-30-16-4.5

Lifting of suspension of registration as condition of specialized driving privileges

Sec. 4.5. (a) This section applies to a person:

(1) whose driving privileges were suspended under IC 9-25-6-3(d), IC 9-25-6-3.5, or IC 9-25-8-2; and

(2) to whom a court grants specialized driving privileges under section 3 or 4 of this chapter with respect to the suspended driving privileges.

(b) The court may, as a condition of the specialized driving privileges, lift the suspension of the person's motor vehicle registration that was imposed in conjunction with the suspension of the person's driving privileges.

As added by P.L.188-2015, SEC.126.

IC 9-30-16-5

Violation of condition; modification or revocation of specialized driving privileges

Sec. 5. (a) A person who knowingly or intentionally violates a condition imposed by a court under section 3, 3.5, or 4 of this chapter, or imposed under IC 9-30-10-14.2, commits a Class C misdemeanor.

(b) For a person convicted of an offense under subsection (a), the court may modify or revoke specialized driving privileges. The court may order the bureau to lift the stay of a suspension of driving privileges and suspend the person's driving license as originally ordered in addition to any additional suspension.

As added by P.L.217-2014, SEC.154. Amended by P.L.188-2015, SEC.127; P.L.41-2016, SEC.6; P.L.198-2016, SEC.610.

IC 9-30-16-6

Credit time while driving privileges are suspended; consecutive suspensions

Sec. 6. (a) A person whose driving privileges are suspended under section 1(c) of this chapter:

(1) is entitled to credit for any days during which the license was suspended under IC 9-30-6-9(c); and

(2) may not receive any credit for days during which the person's driving privileges were suspended under IC 9-30-6-9(b).

(b) A period of suspension of driving privileges imposed under section 1(c) of this chapter must be consecutive to any period of suspension imposed under IC 9-30-6-9(b). However, if the court finds in the sentencing order that it is in the best interest of society, the court may terminate all or any part of the remaining suspension under IC 9-30-6-9(b).

(c) The bureau shall designate a period of suspension of driving privileges imposed under section 1(c) of this chapter as consecutive to any period of suspension imposed under IC 9-30-6-9(b) unless the sentencing order of the court under subsection (b) terminates all or part of the remaining suspension under IC 9-30-6-9(b).

As added by P.L.188-2015, SEC.128.

IC 9-30-16-7

Specialized driving privileges charge

Sec. 7. If the bureau issues a driver's license to an individual who has been issued specialized driving privileges, the individual shall pay a specialized driving privileges charge of ten dollars ($10). The charge is in addition to any applicable fees under IC 9-24 and shall be deposited in the commission fund.

As added by P.L.198-2016, SEC.611.

IC 9-31

ARTICLE 31. WATERCRAFT TITLING AND REGISTRATION

IC 9-31-1

Chapter 1. General Provisions

IC 9-31-1-1

Administration of article

Sec. 1. The bureau shall administer this article.

As added by P.L.71-1991, SEC.11.

IC 9-31-1-2

Preparation of forms to administrate article

Sec. 2. The bureau shall prepare all necessary certificates, applications, assignments, authorizations, documents, forms, and records to administer this article.

As added by P.L.71-1991, SEC.11.

IC 9-31-1-3

Use and other taxes on watercraft

Sec. 3. The bureau shall receive payments of:

(1) the taxes on watercraft that are required by IC 6-2.5-3 and IC 6-6-11; and

(2) any other taxes applicable to watercraft as imposed by Indiana law.

As added by P.L.71-1991, SEC.11. Amended by P.L.125-2012, SEC.375.

IC 9-31-1-4

Use of services and facilities of license branches and full service and partial services providers

Sec. 4. (a) The bureau may utilize the services and facilities of:

(1) license branches operated under IC 9-14.1;

(2) full service providers (as defined in IC 9-14.1-1-2); and

(3) partial services providers (as defined in IC 9-14.1-1-3);

to carry out the bureau's responsibilities under this article.

(b) An additional charge may not be imposed under this chapter for the use of the services or facilities of a person described in subsection (a)(1).

As added by P.L.71-1991, SEC.11. Amended by P.L.125-2012, SEC.376; P.L.198-2016, SEC.612.

IC 9-31-1-5

Repealed

(As added by P.L.71-1991, SEC.11. Amended by P.L.262-2013, SEC.120. Repealed by P.L.198-2016, SEC.613.)

IC 9-31-1-6
Classification of watercraft

Sec. 6. Watercraft are classified for the purposes of this article as follows:

	Length in Feet	
Class	At Least	But Less Than
1	0	13
2	13	16
3	16	20
4	20	26
5	26	40
6	40	50
7	50	

As added by P.L.71-1991, SEC.11. Amended by P.L.198-2016, SEC.614.

IC 9-31-1-7
Repealed

(As added by P.L.220-2011, SEC.233. Repealed by P.L.125-2012, SEC.377.)

IC 9-31-1-8
"Operator"

Sec. 8. "Operator" has the meaning set forth in 33 CFR 174.3.
As added by P.L.198-2016, SEC.615.

IC 9-31-1-9
"Owner"

Sec. 9. "Owner" has the meaning set forth in 33 CFR 174.3.
As added by P.L.198-2016, SEC.616.

IC 9-31-2
Repealed

(Repealed by P.L.198-2016, SEC.617.)

IC 9-31-3

Chapter 3. Motorboat Registration

IC 9-31-3-1

Boats requiring registration and numbering

Sec. 1. Except as provided in section 2 of this chapter, every motorboat principally used on the waters of Indiana must be registered and numbered.

As added by P.L.71-1991, SEC.11.

IC 9-31-3-2

Motorboats not requiring registration and numbering; prima facie evidence negating registration exception

Sec. 2. (a) A motorboat does not have to be registered and numbered under this chapter if any of the following conditions are met:

(1) The motorboat is legally registered in another state and:

(A) the motorboat has not been within Indiana for more than sixty (60) consecutive days;

(B) the owner of the motorboat has paid:

(i) the excise tax required under IC 6-6-11;

(ii) the fees required under IC 6-6-11-13; and

(iii) a two dollar ($2) fee to the bureau; or

(C) the motorboat is moored on the Indiana part of Lake Michigan for not more than one hundred eighty (180) consecutive days.

(2) The motorboat is from a country other than the United States temporarily using the waters of Indiana.

(3) The motorboat is a ship's lifeboat.

(4) The motorboat belongs to a class of boats that has been exempted from registration and numbering by the bureau after the bureau has found the following:

(A) That the registration and numbering of motorboats of that class will not materially aid in their identification.

(B) That an agency of the federal government has a numbering system applicable to the class of motorboats to which the motorboat in question belongs.

(C) That the motorboat would also be exempt from numbering if the motorboat were subject to the federal law.

(b) The following are prima facie evidence that a motorboat will be operated on the waters of Indiana for more than sixty (60) consecutive days and is not exempt from registration under subsection (a)(1)(A):

(1) The rental or lease for more than sixty (60) consecutive days of a mooring facility that is located on the waters of Indiana for the motorboat.

(2) The purchase of a mooring facility that is located on the waters of Indiana for the motorboat.

(3) Any other contractual agreement that allows the use of a mooring facility that is located on the waters of Indiana for:

(A) the motorboat; and

(B) more than sixty (60) consecutive days.

(c) A fee imposed under subsection (a)(1)(B) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) One dollar and seventy-five cents ($1.75) to the commission fund.

As added by P.L.71-1991, SEC.11. Amended by P.L.81-1993, SEC.4; P.L.64-1996, SEC.2; P.L.46-2006, SEC.3; P.L.171-2013, SEC.1; P.L.198-2016, SEC.618.

IC 9-31-3-3

Prerequisites to operation of motorboat on state waters

Sec. 3. Except as provided in sections 5 and 7 of this chapter, and in addition to section 4 of this chapter, a person may not operate or give permission for the operation of a motorboat on the waters of Indiana unless the motorboat is:

(1) registered and numbered under this chapter;

(2) in accordance with applicable federal law;

(3) legally registered in another state; or

(4) a boat for which any applicable taxes have been paid under IC 6-6-11.

As added by P.L.71-1991, SEC.11. Amended by P.L.125-2012, SEC.395.

IC 9-31-3-4

Conditions of operation of motorboat on state waters

Sec. 4. Except as provided in sections 5 and 7 of this chapter, and in addition to section 3 of this chapter, a motorboat may only be operated on the waters of Indiana if the following conditions are met:

(1) The registration number awarded to the motorboat is in full force and effect.

(2) The identifying number set forth in the certificate of registration is displayed on each side of the bow of the motorboat. However, a motorboat that has a valid marine document issued by the United States Bureau of Customs is not required to display the registration number.

(3) The decals indicating the year and month of expiration of registration and class of boat are attached to the motorboat as provided under IC 6-6-11.

As added by P.L.71-1991, SEC.11. Amended by P.L.125-2012, SEC.396.

IC 9-31-3-5

Operation of motorboat with temporary license plate

Sec. 5. A motorboat that has never been registered in Indiana and that is purchased from a dealer licensed by the secretary of state under IC 9-32-8 may be operated on the waters of Indiana for a period of forty-five (45) days from the date of purchase if the operator has in the operator's possession the following:

(1) A bill of sale from the dealer giving the purchaser's name and address, the date of purchase, and the make and type of boat or the hull identification number.

(2) A temporary license plate displayed on the forward portion of the boat, as provided in section 6 of this chapter.

As added by P.L.71-1991, SEC.11. Amended by P.L.210-2001, SEC.1; P.L.249-2001, SEC.1; P.L.106-2008, SEC.38; P.L.92-2013, SEC.75; P.L.174-2016, SEC.16.

IC 9-31-3-6

Temporary license plates and registration cards

Sec. 6. (a) The secretary of state shall furnish temporary license plates and registration cards to a registered dealer upon request.

(b) A temporary license plate or card described in subsection (a) must display the following information:

(1) The dealer's license number.

(2) The date of expiration, plainly stamped or stenciled on the temporary license plate or card.

(c) A temporary license plate or card may not be used or displayed unless the plate or card is furnished by the secretary of state.

(d) A dealer that authorizes the use of a temporary license plate or card under this section does not assume responsibility or incur liability for injury to a person or property during the period the temporary license plate or card is in effect.

As added by P.L.71-1991, SEC.11. Amended by P.L.106-2008, SEC.39; P.L.93-2010, SEC.16; P.L.174-2016, SEC.17.

IC 9-31-3-7

Operation of motorboat with registration identification card

Sec. 7. A motorboat that is legally registered in this or another state at the time of purchase may be operated for a period of forty-five (45) days from the date of purchase if the operator has in the operator's possession the registration identification card of the previous owner with the corresponding registration numbers displayed on the forward part of the boat.

As added by P.L.71-1991, SEC.11. Amended by P.L.210-2001, SEC.2 and P.L.249-2001, SEC.2; P.L.174-2016, SEC.18.

IC 9-31-3-8

Request for registration; establishment of ownership

Sec. 8. The owner of a motorboat that is required to be registered and numbered by Indiana shall request to register the motorboat with the bureau. At the time of filing the request, the requesting party

must provide proof of ownership and a hull identification number to the bureau. If the motorboat has not been previously assigned a hull identification number, the owner of the motorboat shall apply for a hull identification number under IC 9-17 at the time of registration. For purposes of registering a motorboat or obtaining a hull identification number to register a motorboat, ownership may be established by any one (1) of the following:

(1) A manufacturer's or importer's certificate.

(2) A sworn statement of ownership as prescribed by the bureau. An affidavit executed, under penalties for perjury, by the person filing the application shall be accepted as proof of ownership for any motorboat or sailboat that:

(A) is a Class 5 or lower motorboat under IC 6-6-11-11 (the boat excise tax) and the motorboat is not titled under IC 9-17; or

(B) is propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means, including sailboats that are equipped with such a motor or engine when the sailboat is in operation whether or not the sails are hoisted, if:

(i) the motorboat was made by an individual for the use of the individual and not for resale; and

(ii) the motorboat is not titled under IC 9-17.

(3) A certificate of title or bill of sale.

(4) Other evidence of ownership required by the law of another state from which the motorboat is brought into Indiana.

As added by P.L.71-1991, SEC.11. Amended by P.L.1-1992, SEC.64; P.L.262-2013, SEC.128; P.L.198-2016, SEC.619.

IC 9-31-3-9

Request for registration; signing; fees

Sec. 9. (a) Except as provided in subsection (b), a request for registration under section 8 of this chapter must be signed by the owner of the motorboat and accompanied by the fee specified under subsection (c).

(b) A motorboat that is owned by the United States, a state, or a subdivision of a state is exempt from the payment of a fee to register the motorboat.

(c) The fee to register a motorboat is based on the length in feet of the motorboat as follows:

Watercraft Length (in feet)

At Least	But Less Than	Fee ($) (before January 1, 2017)	Fee ($) (after December 31, 2016)
0	13	16.50	15
13	26	18.50	18
26	40	21.50	21
40		26.50	24

(d) A fee collected under subsection (c) before January 1, 2017, shall be distributed as follows:

(1) Fifty cents ($0.50) to the state motor vehicle technology fund.

(2) One dollar ($1) to the commission fund.

(3) Three dollars ($3) to the crossroads 2000 fund.

(4) Any remaining amount to the department of natural resources.

(e) The bureau shall transfer the money derived from the fees collected under subsection (c) after December 31, 2016, to the department of natural resources.

(f) The owner of a motorboat that is registered under this section is not required to renew the registration under subsection (c). However, the person must pay any applicable fees and excise tax under IC 6-6-11-13 on the motorboat each year.

As added by P.L.71-1991, SEC.11. Amended by P.L.262-2013, SEC.129; P.L.198-2016, SEC.620.

IC 9-31-3-9.5

Bureau to use reasonable diligence in matters related to watercraft

Sec. 9.5. (a) The bureau shall use reasonable diligence in examining and determining the genuineness, regularity, and legality of the following:

(1) Information provided from a person as part of a request for registration of a motorboat.

(2) A request for a license required under this article for operation of a motorboat upon the waters of Indiana.

(3) Any other application or request made to the bureau under this article.

(b) The bureau may:

(1) investigate or require additional information; or

(2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or request or the contents of an application or request, or for any other reason under this article.

As added by P.L.262-2013, SEC.130.

IC 9-31-3-10

Issuance of certificate of registration

Sec. 10. Upon receipt of a request for registration under section 8 of this chapter and fee under section 9 of this chapter, the bureau shall enter the application upon the bureau's records and shall issue to the applicant a certificate of registration in which is stated the number awarded to the motorboat and the name and address of the owner. The registration certificate shall be available at all times for inspection on the motorboat for which the registration certificate is issued whenever the motorboat is in operation.

As added by P.L.71-1991, SEC.11. Amended by P.L.262-2013,

SEC.131.

IC 9-31-3-11
Attachment of identification number to motorboat

Sec. 11. (a) The owner shall paint on or attach to each side of the bow of the motorboat the registration number assigned under section 10 of this chapter. Subject to subsection (b), the number must be displayed, painted on, or attached so that the number is legible and clearly visible. The registration number shall be maintained in legible condition.

(b) If a motorboat is required to be registered under 33 CFR 173, the registration number must be displayed in the manner prescribed by 33 CFR 173.27.

As added by P.L.71-1991, SEC.11. Amended by P.L.195-2014, SEC.1.

IC 9-31-3-12
Transfer of ownership or sale of motorboat

Sec. 12. (a) A person that transfers ownership of or sells a motorboat shall provide proper ownership documents and the certificate of registration to the new owner at the time of delivering the motorboat.

(b) The new owner shall apply to register the motorboat as provided in this chapter.

As added by P.L.71-1991, SEC.11. Amended by P.L.262-2013, SEC.132; P.L.198-2016, SEC.621.

IC 9-31-3-13
Replacement certificate of registration or decal

Sec. 13. If:

(1) an original certificate of registration or decal issued under this chapter has been lost or destroyed;
(2) a replacement certificate or decal is needed; or
(3) an amendment or a correction is needed to the registration information;

the bureau shall issue a replacement certificate or decal under the procedures set forth in IC 9-18.1-11 for a vehicle, including the payment of fees required by IC 9-18.1.

As added by P.L.71-1991, SEC.11. Amended by P.L.216-2014, SEC.157; P.L.198-2016, SEC.622.

IC 9-31-3-14
United States government numbering system; preemption

Sec. 14. If an agency of the United States government has an overall system of identification numbering for motorboats within the United States, the registration and numbering system employed under this chapter by the bureau must conform with the system.

As added by P.L.71-1991, SEC.11.

IC 9-31-3-15
Repealed
(As added by P.L.71-1991, SEC.11. Repealed by P.L.125-2012, SEC.397.)

IC 9-31-3-16
Repealed
(As added by P.L.71-1991, SEC.11. Repealed by P.L.198-2016, SEC.623.)

IC 9-31-3-17
Repealed
(As added by P.L.71-1991, SEC.11. Repealed by P.L.125-2012, SEC.398.)

IC 9-31-3-18
Change in address of certificate holder
Sec. 18. A holder of a certificate of registration shall notify the bureau within thirty-one (31) days if the holder's address no longer conforms to the address appearing on the registration certificate and shall furnish the bureau with the holder's new address. The bureau may adopt rules to provide for either of the following:
(1) The surrender of the certificate of registration bearing the former address and replacement with a certificate of registration bearing the new address.
(2) The alteration of an outstanding certificate of registration to show the new address of the holder.
As added by P.L.71-1991, SEC.11.

IC 9-31-3-19
Dealer plates for demonstration or test motorboats
Sec. 19. (a) A dealer licensed by the secretary of state under IC 9-32-8-2 may, upon application to the secretary of state, obtain a dealer plate for use in the testing or demonstrating of motorboats. A dealer plate must be displayed within a motorboat that is being tested or demonstrated while the motorboat is being tested or demonstrated.
(b) The fee to obtain a dealer plate under subsection (a) is ten dollars ($10). The secretary of state may retain the fee.
As added by P.L.71-1991, SEC.11. Amended by P.L.1-1992, SEC.65; P.L.106-2008, SEC.40; P.L.92-2013, SEC.76; P.L.5-2015, SEC.30; P.L.174-2016, SEC.19.

IC 9-31-3-20
Attachment or display of number other than awarded number; prohibition
Sec. 20. A number other than the number awarded to a motorboat or granted reciprocity under this chapter may not be painted, attached, or otherwise displayed on either side of the bow of a

motorboat.
As added by P.L.71-1991, SEC.11.

IC 9-31-3-21
Transmission of information to United States agency or official

Sec. 21. In accordance with any request made by an authorized official or agency of the United States, the bureau shall transmit any information compiled or otherwise available to the bureau under:

(1) IC 14-15-4-1;
(2) IC 14-15-4-2; and
(3) IC 14-15-4-3;

to the official or agency of the United States.
As added by P.L.71-1991, SEC.11. Amended by P.L.1-1995, SEC.59.

IC 9-31-3-22
Enforcement of chapter by law enforcement officers

Sec. 22. Every law enforcement officer of this state and its subdivisions, including an enforcement officer of the department of natural resources, may enforce this chapter and may stop and board a motorboat subject to this chapter.
As added by P.L.71-1991, SEC.11. Amended by P.L.262-2013, SEC.133.

IC 9-31-3-23
Certificate of title; necessity for registration

Sec. 23. An unregistered motorboat may not be registered and the registration of a registered motorboat may not be renewed unless the motorboat has a certificate of title issued by Indiana. However, a watercraft acquired by the Indiana owner before January 1, 1986, is not required to have a certificate of title until ownership of the watercraft is transferred to another person.
As added by P.L.71-1991, SEC.11.

IC 9-31-3-24
Chapter violations

Sec. 24. A person who violates this chapter commits a Class C infraction.
As added by P.L.71-1991, SEC.11.

IC 9-31-3-25
Motorboats owned or leased and used for official business; exemption for payment of registration fees

Sec. 25. A motorboat that is owned or leased and used for official business by the following must be registered on a date selected by the bureau but is exempt from the payment of registration fees:

(1) The state.
(2) A municipal corporation (as defined in IC 36-1-2-10).
(3) A volunteer fire department (as defined in IC 36-8-12-2).

(4) A volunteer emergency ambulance service that:
(A) meets the requirements of IC 16-31; and
(B) has only members that serve for no compensation or a nominal annual compensation of not more than three thousand five hundred dollars ($3,500).

As added by P.L.262-2013, SEC.134.

IC 9-31-3-26
Bureau to retain record of motorboat registration

Sec. 26. The bureau shall retain a record of the registration issued under this chapter.

As added by P.L.262-2013, SEC.135.

IC 9-31-3-27
Issuance of registration for motorboat owned by United States government

Sec. 27. The bureau may issue a registration under this chapter for a motorboat owned by the United States government.

As added by P.L.262-2013, SEC.136.

IC 9-31-3-28
Assignment of permanent registration certificates and card to motorboats

Sec. 28. (a) A motorboat that is owned by an entity that is exempt from the payment of registration fees under section 25 of this chapter may be assigned permanent registration certificates and accompanying permanent registration cards.

(b) The permanent registration certificates and cards assigned under subsection (a) are in effect from the time the certificate of title for the motorboat is acquired by the person that owns the motorboat until the certificate of title is relinquished by the person, at which time the registration certificates and cards are subject to reassignment or destruction by the person.

As added by P.L.262-2013, SEC.137.

IC 9-31-3-29
Confidential registration for watercraft for investigative purposes for state and other investigative agencies

Sec. 29. (a) A confidential registration certificate for a watercraft for investigative purposes may be issued to a state agency upon the annual consent of the bureau or the Indiana department of administration.

(b) Other investigative agencies may be issued confidential registration certificates for watercraft for investigative purposes upon the annual consent of the superintendent of the state police or the commissioner of the department of natural resources.

As added by P.L.262-2013, SEC.138.

IC 9-31-4
Repealed

(Repealed by P.L.92-2013, SEC.77.)

IC 9-32

ARTICLE 32. DEALER SERVICES

IC 9-32-1

Chapter 1. Application

IC 9-32-1-1

Bureau of motor vehicles; authority not limited to administer title

Sec. 1. This article may not be construed to limit the authority of the bureau to administer this title.

As added by P.L.92-2013, SEC.78.

IC 9-32-1-2

Transmission of electronic records

Sec. 2. The transmission of electronic records under this article is governed by IC 26-2-8-114.

As added by P.L.174-2016, SEC.20.

IC 9-32-1-3

License plates issued by secretary

Sec. 3. A license plate issued by the secretary under this article remains the property of the secretary.

As added by P.L.174-2016, SEC.21.

IC 9-32-2
Chapter 2. Definitions

IC 9-32-2-1
Definitions
Sec. 1. The definitions in this chapter apply throughout this article.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-2
Repealed
(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.30.)

IC 9-32-2-3
"Advisory board"
Sec. 3. "Advisory board" refers to the motor vehicle sales advisory board established by IC 9-32-10-1.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-4
"Automobile auction"
Sec. 4. "Automobile auction" means a person that, as part of the person's business, arranges, manages, sponsors, advertises, hosts, carries out, or otherwise facilitates the auction of more than three (3) motor vehicles, on the basis of bids by persons acting for themselves or others, within a twelve (12) month period. The term includes a place of business or facilities provided by an auctioneer as part of the business of the auctioneer for the purchase and sale of motor vehicles on the basis of bids by persons acting for themselves or others. The term does not include a person acting only as an auctioneer under IC 25-6.1-1.
As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.22.

IC 9-32-2-5
"Automobile salvage rebuilder"
Sec. 5. "Automotive salvage rebuilder" means a person that:
(1) acquires salvage vehicles for the purpose of restoring, reconstructing, or rebuilding the vehicles; and
(2) resells, offers to resell, or advertises for resale the vehicles for use on the highway.
As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.23.

IC 9-32-2-6
"Broker"
Sec. 6. "Broker" means a person that, for a fee, a commission, or

other valuable consideration, arranges or offers to arrange a transaction involving the sale, for purposes other than resale, of a new or used motor vehicle and who is not:

(1) a dealer or an employee of a dealer;

(2) a distributor or an employee of a distributor; or

(3) at any point in the transaction, the bona fide owner of the motor vehicle involved in the transaction.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.24.

IC 9-32-2-7
Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.31.)

IC 9-32-2-8
Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.32.)

IC 9-32-2-9
"Charge back"

Sec. 9. "Charge back" means a manufacturer induced return of incentive payments to a manufacturer by a dealer. The term includes a manufacturer drawing funds from an account of a dealer.

As added by P.L.92-2013, SEC.78.

IC 9-32-2-9.5
"Converter manufacturer"

Sec. 9.5. "Converter manufacturer" means a person that adds to, subtracts from, or modifies a previously assembled or manufactured motor vehicle. The term does not include a person that manufactures recreational vehicles.

As added by P.L.174-2016, SEC.25.

IC 9-32-2-10
"Director"

Sec. 10. "Director" refers to the director of the dealer services division within the office of the secretary of state who is appointed under IC 4-5-1-12(b).

As added by P.L.92-2013, SEC.78.

IC 9-32-2-10.3
"Disclose"

Sec. 10.3. "Disclose" means to engage in a practice or conduct to make available and make known personal information contained in an individual record about an individual to a person by any means of communication.

As added by P.L.174-2016, SEC.26.

IC 9-32-2-10.5
"Distributor representative"

Sec. 10.5. "Distributor representative" means a person that is certified by the secretary to be an agent of a licensed distributor to act on behalf of a distributor licensed under this article.
As added by P.L.151-2015, SEC.33.

IC 9-32-2-11
"Division"

Sec. 11. "Division" refers to the dealer services division within the office of the secretary of state established by IC 4-5-1-12(a).
As added by P.L.92-2013, SEC.78.

IC 9-32-2-11.5
"Electronic record"

Sec. 11.5. "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.
As added by P.L.174-2016, SEC.27.

IC 9-32-2-11.6
"Electronic signature"

Sec. 11.6. "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record.
As added by P.L.174-2016, SEC.28.

IC 9-32-2-12
"Existing franchise"

Sec. 12. "Existing franchise" means the franchise in effect on the date of a franchisee's death or incapacity.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-13
"Franchise"

Sec. 13. "Franchise" means an oral or a written agreement for a definite or an indefinite period in which a manufacturer or distributor grants to a dealer a right to use a trade name, trade or service mark, or related characteristic, and in which there is a community of interest in the marketing of motor vehicles or related services at retail or otherwise.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-14
"Franchisee"

Sec. 14. "Franchisee" means a dealer to whom a franchise is

granted.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-15
"Franchisor"
Sec. 15. "Franchisor" means a manufacturer or distributor who grants a franchise to a dealer.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-15.2
"Fraud"
Sec. 15.2. "Fraud" means:
(1) a misrepresentation of a material fact, promise, representation, or prediction not made honestly or in good faith; or
(2) the failure to disclose a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.
As added by P.L.174-2016, SEC.29.

IC 9-32-2-15.4
"Highly restricted personal information"
Sec. 15.4. "Highly restricted personal information" means the following information that identifies an individual:
(1) Digital photograph or image.
(2) Social Security number.
(3) Medical or disability information.
As added by P.L.174-2016, SEC.30.

IC 9-32-2-15.5
"Individual record"
Sec. 15.5. "Individual record" refers to a record created or maintained by the division that contains personal information or highly restricted personal information about an individual who is the subject of the record identified in a request. The term includes records created by a dealer related to the issuance of interim license plates.
As added by P.L.174-2016, SEC.31.

IC 9-32-2-16
"Labor rate"
Sec. 16. "Labor rate" means the hourly labor rate charged by a franchisee for service, filed periodically with the division as the division may require, and posted prominently in the franchisee's service department.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-17

Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.34.)

IC 9-32-2-18

(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.35.)

IC 9-32-2-18.4

"Manufacturer of a vehicle subcomponent system"

Sec. 18.4. "Manufacturer of a vehicle subcomponent system" means a manufacturer of a vehicle subcomponent system essential to the operation of a motor vehicle. The term includes a public or private university that is engaged in the:

(1) research;
(2) development; or
(3) manufacture;

of a vehicle subcomponent system.

As added by P.L.174-2016, SEC.32.

IC 9-32-2-18.5

"Manufacturer representative"

Sec. 18.5. "Manufacturer representative" means a person that is certified by the secretary to be an agent of a licensed manufacturer to act on behalf of a manufacturer licensed under this article.

As added by P.L.151-2015, SEC.36.

IC 9-32-2-18.6

"Person"

Sec. 18.6. "Person" does not include the state, an agency of the state, or a municipal corporation.

As added by P.L.198-2016, SEC.624.

IC 9-32-2-18.7

"Personal information"

Sec. 18.7. "Personal information" means information that identifies a person, including an individual's:

(1) digital photograph or image;
(2) Social Security number;
(3) driver's license or identification document number;
(4) name;
(5) address;
(6) telephone number; or
(7) medical or disability information.

The term does not include the name of an owner, an officer, or a partner of a dealer, or the name, address, or telephone number of a business or of a dealer's established place of business.

As added by P.L.174-2016, SEC.33.

IC 9-32-2-19
"Record"

Sec. 19. "Record" includes, but is not limited to, the following:

(1) Bills of sale.
(2) Finance agreements.
(3) Titles.
(4) Inventory records.
(5) Sales receipts from auctions.
(6) Form ST-108 (department of state revenue certificate of gross retail or use tax paid on the purchase of a motor vehicle or watercraft).
(7) Interim plate log.

As added by P.L.92-2013, SEC.78.

IC 9-32-2-20
"Relevant market area"

Sec. 20. "Relevant market area" means the following:

(1) With respect to a new motor vehicle dealer who plans to relocate the dealer's place of business in a county having a population of more than one hundred thousand (100,000), the area within a radius of six (6) miles of the intended site of the relocated dealer. The six (6) mile distance shall be determined by measuring the distance between the nearest surveyed boundary of the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the relocated new motor vehicle dealer's place of business.
(2) With respect to a:
(A) proposed new motor vehicle dealer; or
(B) new motor vehicle dealer who plans to relocate the dealer's place of business in a county having a population of not more than one hundred thousand (100,000);

the area within a radius of ten (10) miles of the intended site of the proposed or relocated dealer. The ten (10) mile distance shall be determined by measuring the distance between the nearest surveyed boundary line of the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the proposed or relocated new motor vehicle dealer's principal place of business.

As added by P.L.92-2013, SEC.78.

IC 9-32-2-21
Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.37.)

IC 9-32-2-22
Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.38.)

IC 9-32-2-23
"Sale"

Sec. 23. "Sale" includes every contract of sale, contract to sell, or disposition of a motor vehicle or interest in a motor vehicle for value.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-24
"Secretary"

Sec. 24. "Secretary" refers to the secretary of state holding office as set forth in IC 4-5-1-1.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-24.5
"Sign" or "signature"

Sec. 24.5. "Sign" or "signature" includes a manual, facsimile, or conformed signature, or an electronic signature.
As added by P.L.174-2016, SEC.34.

IC 9-32-2-25
"Transfer dealer"

Sec. 25. "Transfer dealer" means a person, other than a manufacturer, distributor, converter manufacturer, new motor vehicle dealer, used motor vehicle dealer, automotive salvage recycler, watercraft dealer, automotive mobility dealer, or automobile auction that has the necessity of transferring at least twelve (12) motor vehicles during a twelve (12) month period as part of the transfer dealer's primary business function.
As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.35.

IC 9-32-2-26
"Uniform time standards manual"

Sec. 26. "Uniform time standards manual" means a schedule established by a manufacturer or distributor setting forth the time allowances for the diagnosis and performance of warranty work and service.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-27
"Used parts dealer"

Sec. 27. "Used parts dealer" means a person who primarily buys, sells, barters, exchanges, or deals in used major component parts. The term does not include a scrap metal processor.
As added by P.L.92-2013, SEC.78.

IC 9-32-2-28
Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.174-2016, SEC.36.)

IC 9-32-3

Chapter 3. Powers and Duties of the Division

IC 9-32-3-1

Rights, duties, and obligations under article, rules

Sec. 1. The secretary may delegate any or all of the rights, duties, or obligations of the secretary under this article to:

(1) the director; or

(2) another designee under the supervision and control of the secretary.

The individual delegated has the authority to adopt and enforce rules under IC 4-22-2 as the secretary under IC 4-5-1-11.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.37.

IC 9-32-3-2

Secretary; responsibilities and duties

Sec. 2. The secretary shall do the following:

(1) Administer and enforce:

(A) this article concerning the division; and

(B) the policies and procedures of the division.

(2) Organize the division in the manner necessary to carry out the duties of the division.

(3) Perform other duties as required by the division.

As added by P.L.92-2013, SEC.78.

IC 9-32-3-3

Expired

(As added by P.L.216-2014, SEC.158. Expired 7-1-2015 by P.L.216-2014, SEC.158.)

IC 9-32-3-4

Payment methods; electronic signatures

Sec. 4. (a) The secretary may accept payment of a correct fee by credit card, debit card, charge card, or similar method. However, if the fee is paid by credit card, debit card, charge card, or similar method, the legal obligation is not finally discharged until the secretary receives payment or credit from the institution responsible for making the payment or credit. The secretary may contract with a bank or credit card vendor for acceptance of bank or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the secretary or charged directly to the secretary's account, the secretary or the credit card vendor may collect from the person using the bank or credit card a fee that may not exceed the highest transaction charge or discount fee charged to the secretary by the bank or credit card vendor during the most recent collection period. This fee may be collected regardless of any agreement between the bank and a credit card vendor or regardless of any

internal policy of the credit card vendor that may prohibit this type of fee.

(b) A signature on a document that is electronically transmitted is sufficient if the person transmitting the document:

(1) intends to submit the document as evidenced by a symbol executed or adopted by a party with present intention to authenticate the filing; and

(2) enters the submitting party's name on the electronic form in a signature box or other place indicated by the secretary.

As added by P.L.174-2016, SEC.38.

IC 9-32-3-5

Prohibition of disclosure of personal information

Sec. 5. Except as provided in sections 6, 7, and 8 of this chapter, or as required by IC 5-14-3, an officer or employee of the division may not knowingly disclose or otherwise make available personal information, including highly restricted personal information, obtained in connection with an individual record.

As added by P.L.174-2016, SEC.39.

IC 9-32-3-6

Mandatory disclosure of personal information

Sec. 6. Personal information related to:

(1) motor vehicle or driver safety and theft;

(2) motor vehicle emissions;

(3) motor vehicle product alterations, recalls, or advisories;

(4) performance monitoring of motor vehicles and dealers by motor vehicle manufacturers; and

(5) the removal of nonowner records from the original owner records of motor vehicle manufacturers;

must be disclosed under this chapter to carry out the purposes of the federal Automobile Information Disclosure Act (15 U.S.C. 1231 et seq.), the Anti-Car Theft Act of 1992 (49 U.S.C. 33101 et seq.), the Clean Air Act (49 U.S.C. 7401 et seq.), and all federal regulations enacted or adopted under those acts.

As added by P.L.174-2016, SEC.40.

IC 9-32-3-7

Disclosure of certain non-highly restricted personal information; proof of identity; permissible uses

Sec. 7. The division may disclose certain personal information that is not highly restricted information if the person requesting the information provides proof of identity as set forth under section 13 of this chapter and represents that the use of the personal information will be strictly limited to at least one (1) of the following:

(1) For use by a government agency, including a court or law enforcement agency, in carrying out its functions, or a person acting on behalf of a government agency in carrying out its

functions.

(2) For use in connection with matters concerning:

(A) motor vehicle or driver safety and theft;

(B) motor vehicle emissions;

(C) motor vehicle product alterations, recalls, or advisories;

(D) performance monitoring of motor vehicles, motor vehicle parts, and dealers;

(E) motor vehicle market research activities, including survey research;

(F) the removal of nonowner records from the original owner records of motor vehicle manufacturers; and

(G) motor fuel theft under IC 24-4.6-5.

(3) For use in the normal course of business by a business or its agents, employees, or contractors, but only:

(A) to verify the accuracy of personal information submitted by an individual to the business or its agents, employees, or contractors; and

(B) if information submitted to a business is not correct or is no longer correct, to obtain the correct information only for purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, an individual.

(4) For use in connection with a civil, a criminal, an administrative, or an arbitration proceeding in a court or government agency or before a self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or under an order of a court.

(5) For use in research activities, and for use in producing statistical reports, as long as the personal information is not published, redisclosed, or used to contact the individuals who are the subjects of the personal information.

(6) For use by an insurer, an insurance support organization, or a self-insured entity, or the agents, employees, or contractors of an insurer, an insurance support organization, or a self-insured entity in connection with claims investigation activities, antifraud activities, rating, or underwriting.

(7) For use in providing notice to the owners of towed or impounded vehicles.

(8) For use by a licensed private investigative agency or licensed security service for a purpose allowed under this section.

(9) For use in connection with the operation of private toll transportation facilities.

(10) For any use in response to requests for individual motor vehicle records when the division has obtained the written consent of the person to whom the personal information pertains.

(11) For bulk distribution for surveys, marketing, or solicitations when the division has obtained the written consent of the person to whom the personal information pertains.

(12) For use by any person, when the person demonstrates, in a form and manner prescribed by the division, that written consent has been obtained from the individual who is the subject of the information.

(13) For any other use specifically authorized by law that is related to the operation of a motor vehicle or public safety.

As added by P.L.174-2016, SEC.41.

IC 9-32-3-8

Disclosure of highly restricted personal information

Sec. 8. Highly restricted personal information may be disclosed by the division only as follows:

(1) With the express written consent of the individual to whom the highly restricted personal information pertains.

(2) In the absence of the express written consent of the person to whom the highly restricted personal information pertains, if the person requesting the information:

(A) provides proof of identity as set forth in section 13 of this chapter; and

(B) represents that the use of the highly restricted personal information will be strictly limited to at least one (1) of the uses set forth in section 7(1), 7(4), and 7(6) of this chapter.

As added by P.L.174-2016, SEC.42.

IC 9-32-3-9

Preconditions for disclosure of personal information

Sec. 9. The division may, before disclosing personal information, require the requesting person to satisfy certain conditions for the purpose of ascertaining:

(1) the correct identity of the requesting person;

(2) that the use of the disclosed information will be only as authorized; or

(3) that the consent of the person who is the subject of the information has been obtained.

The conditions may include the making and filing of a written application on a form prescribed by the division and containing all information and certification requirements required by the division.

As added by P.L.174-2016, SEC.43.

IC 9-32-3-10

Permissible uses of disclosed personal information

Sec. 10. (a) An authorized recipient of personal information, except a recipient under section 7(10) or 7(11) of this chapter, may resell or redisclose the information for any use allowed under section 6 of this chapter, except for a use under section 7(10) or 7(11) of this

chapter.

(b) An authorized recipient of a record under section 7(10) of this chapter may resell or redisclose personal information for any purpose.

(c) An authorized recipient of personal information under section 7(10) of this chapter may resell or redisclose the personal information for use only in accordance with section 7(11) of this chapter.

(d) Except for a recipient under section 7(10) of this chapter, a recipient that resells or rediscloses personal information shall maintain and make available for inspection to the division, upon request, for at least five (5) years, records concerning:

(1) each person that receives the information; and

(2) the permitted use for which the information was obtained.

As added by P.L.174-2016, SEC.44.

IC 9-32-3-11

Adoption of rules

Sec. 11. The secretary may adopt rules under IC 4-22-2 to carry out this chapter.

As added by P.L.174-2016, SEC.45.

IC 9-32-3-12

Misrepresentation of identity; Class C misdemeanor

Sec. 12. A person requesting the disclosure of personal information or highly restricted personal information from records of the division that knowingly or intentionally misrepresents the person's identity or makes a false statement to the division on an application required to be submitted under this chapter commits a Class C misdemeanor.

As added by P.L.174-2016, SEC.46.

IC 9-32-3-13

Acceptable forms of identification

Sec. 13. The following are acceptable forms of identification for purposes of section 7 of this chapter:

(1) An unexpired driver's license.

(2) An unexpired identification card issued under IC 9-24-16-1, photo exempt identification card issued under IC 9-24-16.5, or similar card issued under the laws of another state or the federal government.

(3) An unexpired government issued document bearing an image of the individual requesting the information.

As added by P.L.174-2016, SEC.47.

IC 9-32-4

Chapter 4. Obtaining, Expiration, Replacement, and Transfer of Certificate of Title

IC 9-32-4-1

Transfer of title; sale of motor vehicle without certificate of title; failure to deliver certificate of title; timely payment to third party

Sec. 1. (a) If a motor vehicle for which a certificate of title has been issued is sold or if the ownership of the motor vehicle is transferred in any manner other than by a transfer on death conveyance under IC 9-17-3-9, in addition to complying with IC 9-17-3-3.4, the person that holds the certificate of title must do the following:

(1) In the case of a sale or transfer between dealers licensed by this state or another state, deliver the certificate of title within thirty-one (31) days after the date of the sale or transfer.

(2) Deliver the certificate of title to the purchaser or transferee within thirty-one (31) days after the date of sale or transfer to the purchaser or transferee of the motor vehicle, if all the following conditions exist:

(A) The seller or transferor is a dealer licensed by the state under this article.

(B) The dealer is not able to deliver the certificate of title at the time of sale or transfer.

(C) The dealer provides the purchaser or transferee with an affidavit under section 2 of this chapter.

(D) The purchaser or transferee has made all agreed upon initial payments for the motor vehicle, including delivery of a trade-in motor vehicle without hidden or undisclosed statutory liens.

(3) Keep proof of delivery of the certificate of title with the dealer records.

(b) A dealer may offer for sale a motor vehicle for which the dealer does not possess a certificate of title, if the dealer can comply with subsection (a)(1) or (a)(2) at the time of the sale.

(c) A dealer that fails to deliver the certificate of title within the time specified under subsection (a) is subject to the following civil penalties:

(1) One hundred dollars ($100) for the first violation in a calendar year.

(2) Two hundred fifty dollars ($250) for the second violation in a calendar year.

(3) Five hundred dollars ($500) for all subsequent violations in a calendar year.

Payment shall be made to the secretary and deposited in the dealer enforcement account established under IC 9-32-7-2.

(d) If a purchaser or transferee does not receive a valid certificate of title within the time specified by this section, the purchaser or

transferee has the right to return the motor vehicle to the dealer ten (10) days after giving the dealer written notice demanding delivery of a valid certificate of title and the dealer's failure to deliver a valid certificate of title within that ten (10) day period. Upon return of the motor vehicle to the dealer in the same or similar condition as delivered to the purchaser or transferee under this section, the dealer shall pay to the purchaser or transferee the purchase price plus sales taxes, finance expenses, insurance expenses, and any other amount paid to the dealer by the purchaser or transferee. The relief referenced in this subsection is relief for the purchaser or transferee only and does not preclude the ability of the division to collect civil penalties under subsection (c).

(e) For purposes of this subsection, "timely deliver", with respect to a third party, means to deliver to the purchaser or transferee with a postmark dated or hand delivered not more than ten (10) business days after there is no obligation secured by the motor vehicle. If the dealer's inability to timely deliver a valid certificate of title results from the acts or omissions of a third party that has failed to timely deliver a valid certificate of title to the dealer, the dealer is entitled to claim against the third party one hundred dollars ($100). If:

(1) the dealer's inability to timely deliver a valid certificate of title results from the acts or omissions of a third party that has failed to timely deliver the certificate of title in the third party's possession to the dealer; and

(2) the failure continues for ten (10) business days after the dealer gives the third party written notice of the failure;

the dealer is entitled to claim against the third party all damages sustained by the dealer in rescinding the dealer's sale with the purchaser or transferee, including the dealer's reasonable attorney's fees.

(f) If a motor vehicle for which a certificate of title has been issued by another state is sold or delivered, the person selling or delivering the motor vehicle shall deliver to the purchaser or receiver of the vehicle a proper certificate of title with an assignment of the certificate of title in a form prescribed by the bureau.

(g) A dealer shall make payment to a third party to satisfy any obligation secured by the motor vehicle within ten (10) days after the date of sale.

(h) Except as provided in subsection (i), a person that violates this section commits a Class C infraction.

(i) A person that knowingly or intentionally violates subsection (a)(1), (a)(2), or (d) commits a Class B misdemeanor.

(j) For purposes of this section, "deliver the certificate of title" means to deliver the certificate of title to the purchaser or transferee by postmark dated mail, certified mail with return receipt, or hand delivery.

As added by P.L.92-2013, SEC.78. Amended by P.L.262-2013, SEC.139; P.L.217-2014, SEC.163; P.L.151-2015, SEC.39;

P.L.174-2016, SEC.48.

IC 9-32-4-2
Affidavit form

Sec. 2. The affidavit required by section 1(a)(2)(C) of this chapter must be printed in the following form:

STATE OF INDIANA)
) ss:
COUNTY OF _____)

I affirm under the penalties for perjury that all of the following are true:

(1) That I am a dealer licensed under IC 9-32.

(2) That I cannot deliver a valid certificate of title to the retail purchaser of the motor vehicle described in paragraph (3) at the time of sale of the motor vehicle to the retail purchaser. The identity of the previous seller or transferor is _____. Payoff of lien was made on (date)_____. I expect to deliver a valid and transferable certificate of title not later than (date)_____ from the State of (state)_____ to the purchaser.

(3) That I will undertake reasonable commercial efforts to produce the valid certificate of title. The vehicle identification number is _____.

Signed _____, Dealer
By_____
Dated _____, ____

CUSTOMER ACKNOWLEDGES RECEIPT OF A COPY OF THIS AFFIDAVIT.

_____
Customer Signature

NOTICE TO THE CUSTOMER

If you do not receive a valid certificate of title within thirty-one (31) days after the date of sale, you have the right to return the motor vehicle to the dealer ten (10) days after giving the dealer written notice demanding delivery of a valid certificate of title and after the dealer's failure to deliver a valid certificate of title within that ten (10) day period. Upon return of the motor vehicle to the dealer in the same or similar condition as when it was delivered to you, the dealer shall pay you the purchase price plus sales taxes, finance expenses, insurance expenses, and any other amount that you paid to the dealer. If a lien is present on the previous owner's certificate of title, it is the responsibility of the third party lienholder to timely deliver the certificate of title in the third party's possession to the dealer not more than ten (10) business days after there is no obligation secured by the motor vehicle. If the dealer's inability to deliver a valid certificate of title to you within the above-described ten (10) day period results from the acts or omissions of a third party that has failed to timely deliver the certificate of title in the third party's

possession to the dealer, the dealer may be entitled to claim against the third party the damages allowed by law.

As added by P.L.92-2013, SEC.78. Amended by P.L.262-2013, SEC.140; P.L.174-2016, SEC.49.

IC 9-32-5

Chapter 5. Manufacturers, Converter Manufacturers, and Dealers; Manufacturers' Certificates of Origin

IC 9-32-5-1

Applicability; exception

Sec. 1. This chapter does not apply to an off-road vehicle.

As added by P.L.92-2013, SEC.78.

IC 9-32-5-2

Sale or transfer of motor vehicle for display or resale; delivery of certificate of origin

Sec. 2. A dealer may not sell or otherwise dispose of a new motor vehicle to another person, to be used by the person for purposes of display or resale, without delivering to the person a manufacturer's certificate of origin under this chapter that indicates the assignments of the certificate of origin necessary to show the ownership of the title to a person who purchases the motor vehicle.

As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.40.

IC 9-32-5-3

Purchaser of new motor vehicle; receipt of certificate of origin

Sec. 3. A person may not purchase or acquire a new motor vehicle without obtaining a valid manufacturer's certificate of origin from the seller of the motor vehicle.

As added by P.L.92-2013, SEC.78.

IC 9-32-5-4

Form of certificates of origin and assignments of origin

Sec. 4. (a) Except as provided in subsection (b), certificates of origin and assignments of certificates of origin must be in a form:

(1) prescribed by the bureau; or

(2) approved by the bureau.

(b) A manufacturer's certificate of origin for a low speed vehicle must indicate that the motor vehicle is a low speed vehicle.

As added by P.L.92-2013, SEC.78.

IC 9-32-5-5

Dealer; required certificates or proof of ownership or right of possession

Sec. 5. A dealer must have:

(1) a certificate of title;

(2) an assigned certificate of title;

(3) a manufacturer's certificate of origin;

(4) an assigned manufacturer's certificate of origin; or

(5) other proof of ownership or evidence of right of possession as determined by the secretary;

for a motor vehicle in the dealer's possession.
As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.41; P.L.174-2016, SEC.50.

IC 9-32-5-6
Dealer possession of motor vehicle without certificate of title; application; time limitation; administrative penalty

Sec. 6. (a) If a dealer purchases or acquires ownership of a motor vehicle in a state that does not have a certificate of title law, the dealer shall apply for an Indiana certificate of title for the motor vehicle not more than forty-five (45) days after the date of purchase or the date ownership of the motor vehicle was acquired.

(b) The bureau shall collect an administrative penalty as provided in IC 9-17-2-14.7 if a dealer fails to apply for a certificate of title for a motor vehicle as described in subsection (a).
As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.51; P.L.198-2016, SEC.625.

IC 9-32-5-7
Forms for applications

Sec. 7. The bureau shall provide forms on which applications for certificates of title and assignments of certificates of title must be made under this chapter.
As added by P.L.92-2013, SEC.78.

IC 9-32-5-8
Assigned certificates of title or certificates of origin; delivery

Sec. 8. A dealer shall deliver an assigned certificate of title or certificate of origin to a person entitled to the certificate of title or certificate of origin.
As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.42.

IC 9-32-5-9
Inspection of certificates and motor vehicles

Sec. 9. (a) In order to obtain or maintain a dealer's license from the secretary, a person must agree to allow a police officer or an authorized representative of the secretary to inspect:

(1) certificates of origin, certificates of title, assignments of certificates of origin and certificates of title, or other proof of ownership or evidence of right of possession as determined by the secretary; and

(2) motor vehicles that are held for resale by the dealer;

in the dealer's established place of business during reasonable business hours.

(b) A certificate of title, a certificate of origin, and any other proof of ownership described under subsection (a):

(1) must be readily available for inspection by or delivery to the

proper persons; and

(2) may not be removed from Indiana.

As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.43; P.L.174-2016, SEC.52.

IC 9-32-6

Chapter 6. Dealer License Plates

IC 9-32-6-1

Applications; registration numbers; certificates of registration; plates; fee; service charge

Sec. 1. (a) A person licensed under IC 9-32-11 may apply for a dealer license plate. The application must include any information the secretary reasonably requires. Upon application, two (2) certificates of registration and two (2) metal dealer license plates shall then be issued to the applicant. A dealer may apply for and receive additional dealer license plates as set forth in section 5 of this chapter.

(b) The fee for the first two (2) license plates issued under subsection (a) is as follows:

(1) For motorcycle dealer license plates, fifteen dollars ($15).

(2) For license plates not described in subdivision (1), forty dollars ($40).

(c) Fees collected under subsection (b) shall be distributed as follows:

(1) Thirty percent (30%) to the dealer compliance account.

(2) Seventy percent (70%) to the motor vehicle highway account.

(d) There is an additional service charge of five dollars ($5) for each set of license plates issued under subsection (a). The service charge shall be deposited in the crossroads 2000 fund.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.11; P.L.151-2015, SEC.44; P.L.174-2016, SEC.53.

IC 9-32-6-2

Classifications of dealer license plates; fee

Sec. 2. (a) The secretary shall issue dealer license plates under this chapter according to the following classifications:

(1) Dealer-new.

(2) Dealer-used.

(3) Manufacturer.

(b) The secretary may adopt rules under IC 4-22-2 to establish additional classifications of dealer license plates and may prescribe the general conditions for usage of an additional classification. The secretary shall establish the classification of dealer promotional license plates.

(c) The fee for a license plate issued under a classification established under subsection (b) is forty dollars ($40). The fee shall be deposited in the dealer compliance account.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.12; P.L.151-2015, SEC.45; P.L.174-2016, SEC.54.

IC 9-32-6-3

Research and development license plates; issuance; rules; fees; display

Sec. 3. (a) The secretary shall:

(1) issue a research and development license plate under this chapter to a manufacturer of a vehicle subcomponent system; and

(2) adopt rules under IC 4-22-2 to prescribe the general conditions for the:

(A) application;

(B) issuance; and

(C) use;

of research and development license plates for manufacturers of vehicle component systems.

(b) The fee for a research and development license plate for a manufacturer of a vehicle subcomponent system is twenty dollars ($20). The fee shall be distributed as follows:

(1) Thirty percent (30%) to the dealer compliance account.

(2) Seventy percent (70%) to the motor vehicle highway account.

(c) A research and development license plate for a manufacturer of a vehicle subcomponent system shall be displayed in accordance with subsection (a)(2).

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.55.

IC 9-32-6-4

Design of dealer license plates and motor driven cycle decals

Sec. 4. (a) The secretary shall determine the color, dimension, and style of the letters and the information required on a dealer license plate issued under this chapter.

(b) The secretary may design and issue a motor driven cycle decal to be used in conjunction with a motorcycle dealer license plate upon proper application by a dealer.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.56.

IC 9-32-6-5

Additional dealer license plates; fees; service charges

Sec. 5. (a) Upon payment of the fee under subsection (b) or (c), an applicant may obtain additional dealer license plates of the same category. The applicant must demonstrate the applicant's need for additional plates by stating the applicant's number of employees, annual sales, and other supporting factors. The secretary shall determine whether the applicant may receive additional plates.

(b) The fee for each additional license plate issued under subsection (a) is as follows:

(1) For an additional motorcycle dealer license plate, seven dollars and fifty cents ($7.50).

(2) For an additional dealer license plate not described in subdivision (1), fifteen dollars ($15).

(c) A fee collected under subsection (b) shall be distributed as follows:

(1) Thirty percent (30%) to the dealer compliance account.

(2) Seventy percent (70%) to the motor vehicle highway account.

(d) There is an additional service charge for each additional license plate issued under subsection (a) as follows:

(1) For an additional motorcycle dealer license plate, two dollars and fifty cents ($2.50).

(2) For an additional dealer license plate not described in subdivision (1), five dollars ($5).

A service charge under this subsection shall be deposited in the crossroads 2000 fund.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.13; P.L.174-2016, SEC.57.

IC 9-32-6-6

Expiration of dealer license plates

Sec. 6. (a) This section applies to dealer license plates (other than dealer-wholesale license plates) issued before January 1, 2015.

(b) Dealer license plates issued to licensed dealers under this article are valid from the issue date through the expiration date as follows:

(1) Dealer license plates of a person whose business name begins with the letters A through B expire March 1, 2015.

(2) Dealer license plates of a person whose business name begins with the letters C through D expire April 1, 2015.

(3) Dealer license plates of a person whose business name begins with the letters E through G expire May 1, 2015.

(4) Dealer license plates of a person whose business name begins with the letters H through I expire June 1, 2015.

(5) Dealer license plates of a person whose business name begins with the letters J through L expire July 1, 2015.

(6) Dealer license plates of a person whose business name begins with the letters M through O expire August 1, 2015.

(7) Dealer license plates of a person whose business name begins with the letters P through R expire September 1, 2015.

(8) Dealer license plates of a person whose business name begins with the letters S through T expire October 1, 2015.

(9) Dealer license plates of a person whose business name begins with the letters U through Z expire November 1, 2015.

Dealer license plates issued to a sole proprietor expire based upon the name of the sole proprietorship.

(c) This section expires January 1, 2017.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.14.

IC 9-32-6-6.3
Expired

(As added by P.L.62-2014, SEC.15. Expired 1-1-2016 by P.L.62-2014, SEC.15.)

IC 9-32-6-6.5
Expiration of dealer license plates issued after December 31, 2014

Sec. 6.5. (a) This section applies to dealer license plates issued after December 31, 2014.

(b) Except as provided in subsection (c), dealer license plates issued to licensed dealers under this article are valid from the issue date through the expiration date as follows:

(1) Dealer license plates of a person whose business name begins with the letters A through B expire February 1 of each year.

(2) Dealer license plates of a person whose business name begins with the letters C through D expire March 1 of each year.

(3) Dealer license plates of a person whose business name begins with the letters E through F expire April 1 of each year.

(4) Dealer license plates of a person whose business name begins with the letters G through H expire May 1 of each year.

(5) Dealer license plates of a person whose business name begins with the letters I through J expire June 1 of each year.

(6) Dealer license plates of a person whose business name begins with the letters K through L expire July 1 of each year.

(7) Dealer license plates of a person whose business name begins with the letters M through N expire August 1 of each year.

(8) Dealer license plates of a person whose business name begins with the letters O through P expire September 1 of each year.

(9) Dealer license plates of a person whose business name begins with the letters Q through R expire October 1 of each year.

(10) Dealer license plates of a person whose business name begins with the letters S through T expire November 1 of each year.

(11) Dealer license plates of a person whose business name begins with the letters U through V expire December 1 of each year.

(12) Dealer license plates of a person whose business name begins with the letters W through Z expire January 1 of each year.

(c) Dealer license plates issued to a person whose business name begins with a nonalpha character expire November 1 of each year.

(d) A dealer designee license plate expires as follows:

(1) For a dealer designee license plate issued before July 1, 2017, on the earlier of:

(A) the date designated by the dealer on the application related to the license plate; or

(B) the date on which the dealer license issued to the same person expires.

(2) For a dealer designee license plate issued after June 30, 2017, on the same date each year as the date on which a dealer license issued to the same person expires.

(e) Notwithstanding subsection (b), a dealer license plate issued in 2015 expires as follows:

Plate issued to a person with a business name beginning with:	Plate expiration date:
A through B	February 1, 2016
C through D	March 1, 2016
E through F	April 1, 2016
G through H	May 1, 2016
I through J	June 1, 2016
K through L	July 1, 2016
M through N	August 1, 2016
O through P	September 1, 2016
Q through R	October 1, 2016
S through T	November 1, 2016
U through V	December 1, 2016
W through Z	January 1, 2017

This subsection expires January 2, 2017.

(f) This subsection expires December 31, 2017. For a dealer license plate issued in 2015, the dealer services division shall impose a fee for the dealer license plate under IC 9-29-17 (before its repeal) in the amount that bears the same proportion to the annual fee for the dealer license plate as the number of months the dealer license plate is valid bears to twelve (12).

As added by P.L.62-2014, SEC.16. Amended by P.L.174-2016, SEC.58.

IC 9-32-6-7

Use restrictions of license plates

Sec. 7. (a) Except as provided in section 8 of this chapter, dealer license plates may be used only on motor vehicles in the:

(1) dealer's inventory being held for sale;

(2) usual operation of the dealer's business;

(3) movement of the dealer's inventory; or

(4) inventory of a dealer that is unattended by the dealer or the dealer's agent for a maximum of ten (10) days by a prospective buyer or a service customer.

(b) The license plates referenced in subsection (a) must be:

(1) primarily used or stored at an address within Indiana; or

(2) displayed on a motor vehicle being transported for purposes of sale by a licensed Indiana dealer.

(c) A person that violates this section commits a Class A infraction.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.17; P.L.217-2014, SEC.164; P.L.5-2015, SEC.31; P.L.151-2015, SEC.46; P.L.174-2016, SEC.59.

IC 9-32-6-8

Unrestricted use of license plates under rules prohibiting tax avoidance

Sec. 8. Dealer license plates may be used by a dealer without restriction if the use is in compliance with section 7 of this chapter and rules adopted by the secretary to prohibit use of the plates solely to avoid payment of applicable taxes.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.18; P.L.151-2015, SEC.47; P.L.174-2016, SEC.60.

IC 9-32-6-9

Repealed

(As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.19. Repealed by P.L.151-2015, SEC.48.)

IC 9-32-6-10

License plate use prohibited on leased vehicles

Sec. 10. (a) Dealer license plates may not be used on a motor vehicle that:

(1) is required to be registered; and

(2) has a fee charged by dealers to others for the use of the motor vehicle.

(b) A person who violates this section commits a Class A infraction.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.20; P.L.217-2014, SEC.165; P.L.5-2015, SEC.32; P.L.174-2016, SEC.61.

IC 9-32-6-11

Interim dealer or manufacturer license plates; violation

Sec. 11. (a) The secretary may issue an interim license plate to a dealer that is licensed and has been issued a license plate under section 2 of this chapter.

(b) The secretary shall prescribe the form of an interim license plate issued under this section. However, an interim license plate must bear the assigned registration number and provide sufficient space for the expiration date as provided in subsection (c).

(c) A dealer may provide a person with an interim license plate issued by the secretary when the dealer:

(1) sells or leases a motor vehicle to the person; or

(2) allows a person that buys a motor vehicle to take delivery of the motor vehicle before the sale of the motor vehicle is fully funded.

The dealer shall, in the manner provided by the secretary, affix on the plate in numerals and letters at least three (3) inches high the date on which the interim license plate expires.

(d) An interim license plate authorizes a person to operate the motor vehicle until the earlier of the following dates:

(1) Forty-five (45) days after the date of sale or lease of the motor vehicle to the person.

(2) The date on which a regular license plate is issued.

A person that violates this subsection commits a Class A infraction.

(e) A motor vehicle that is required by law to display license plates on the front and rear of the motor vehicle is required to display only a single interim license plate.

(f) An interim license plate shall be displayed:

(1) in the same manner required in IC 9-18-2-26 (before its expiration) or IC 9-18.1-4-3; or

(2) in a location on the left side of a window facing the rear of the motor vehicle that is clearly visible and unobstructed. The plate must be affixed to the window of the motor vehicle.

(g) The dealer must provide an ownership document to the person at the time of issuance of the interim license plate that must be kept in the motor vehicle during the period an interim license plate is used.

(h) All interim license plates not issued by the dealer must be retained in the possession of the dealer at all times.

(i) The fee for an interim dealer license plate is three dollars ($3). The fee shall be distributed as follows:

(1) Forty percent (40%) to the crossroads 2000 fund established by IC 8-14-10-9.

(2) Forty-nine percent (49%) to the dealer compliance account established by IC 9-32-7-1.

(3) Eleven percent (11%) to the motor vehicle highway account under IC 8-14-1.

(j) The secretary may issue an interim license plate to a person that purchases a motor vehicle from a dealer if the dealer has not timely delivered the certificate of title for the motor vehicle under IC 9-32-4-1.

(k) The secretary may design and issue to a dealer a motor driven cycle decal to be used in conjunction with an interim license plate upon the sale of a motor driven cycle.

(l) A new motor vehicle dealer may issue an interim license plate for use on a motor vehicle that the new motor vehicle dealer delivers to a purchaser under a written courtesy agreement between the new motor vehicle dealer and another new motor vehicle dealer or manufacturer with whom the new motor vehicle dealer has a franchise agreement. A person that violates this subsection commits

a Class C infraction.

(m) A person that fails to display an interim license plate as prescribed in subsection (f)(1) or (f)(2) commits a Class C infraction.
As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.166; P.L.188-2015, SEC.129; P.L.174-2016, SEC.62; P.L.198-2016, SEC.626.

IC 9-32-6-12
Interim plates; false or fictitious information; alteration

Sec. 12. (a) A dealer may not knowingly or intentionally:

(1) issue an altered interim license plate or an interim license plate with false or fictitious information;

(2) alter a dealer license plate or use a dealer license plate that is false or fictitious; or

(3) create, issue, display, or use an interim license plate or a reproduction of an interim license plate not issued by the secretary.

(b) A dealer that violates this section commits a Class A infraction
As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.167; P.L.151-2015, SEC.49; P.L.174-2016, SEC.63.

IC 9-32-6-13
Operation of motor vehicle displaying altered interim license plate

Sec. 13. (a) A person who knowingly or intentionally operates a motor vehicle displaying:

(1) an interim license plate issued under section 11 of this chapter that is altered or reproduced; or

(2) a license plate that purports to be an interim license plate issued under section 11 of this chapter;

commits a Class C misdemeanor.

(b) A person that knowingly and with the intent to defraud obtains an altered interim license plate described in subsection (a) commits a Class C misdemeanor.
As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.168; P.L.174-2016, SEC.64.

IC 9-32-6-14
Record relating to use of interim license plates by a dealer; availability to investigating employee of secretary of state

Sec. 14. A record directly related to the use of interim license plates by a dealer must be made available to an investigating employee of the secretary upon demand at the place of business of the dealer.
As added by P.L.92-2013, SEC.78.

IC 9-32-6-15
Repealed

(As added by P.L.262-2013, SEC.141. Repealed by P.L.174-2016,

SEC.65.)

IC 9-32-6-16
Replacement dealer license plate

Sec. 16. (a) Except as provided in subsection (b), if a dealer license plate issued under this chapter or IC 9-31-3-19 is lost, stolen, or destroyed, the dealer may apply for a replacement dealer license plate in the form and manner prescribed by the secretary.

(b) If a dealer license plate is lost or stolen, the secretary may not issue a replacement dealer license plate until the dealer to whom the dealer license plate was issued:

(1) has notified:

(A) the Indiana law enforcement agency that has jurisdiction where the loss or theft occurred; or

(B) the law enforcement agency that has jurisdiction over the address of the dealer's established place of business; and

(2) presents to the secretary on a form prescribed by the secretary a report completed by the law enforcement agency that was notified under subdivision (1).

As added by P.L.174-2016, SEC.66.

IC 9-32-6.5

Chapter 6.5. Dealer Designee and Interim Manufacturer Transporter License Plates

IC 9-32-6.5-0.9

Dealer designee license plates issued by bureau of motor vehicles; fee; expiration

Sec. 0.9. (a) The bureau may design and issue a dealer designee license plate for use without restriction by the bureau or a designee of a dealer.

(b) A dealer shall be assessed and pay the motor vehicle excise tax under IC 6-6-5 attributable to that part of the total year that the designee of the dealer operates the motor vehicle for which the dealer designee license plate is issued.

(c) A dealer shall report to the bureau on a form issued by the bureau the date of assignment to a designee, the designee's name and address, and the date of termination of the assignment.

(d) The tax calculated under subsection (b) shall be paid to a designee or at the time the dealer purchases license plates under this chapter.

(e) The fee for a dealer designee license plate is twenty-one dollars and thirty-five cents ($21.35). The fee shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state police building account.

(2) Thirty cents ($0.30) to the spinal cord and brain injury fund.

(3) Fifty cents ($0.50) to the state motor vehicle technology fund.

(4) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(5) Three dollars ($3) to the crossroads 2000 fund.

(6) Five dollars ($5) to the commission fund.

(7) Eleven dollars and five cents ($11.05) to the motor vehicle highway account.

(f) This section expires June 30, 2017.

As added by P.L.174-2016, SEC.67.

IC 9-32-6.5-1

Dealer designee license plates issued by secretary; fee

Sec. 1. (a) This section applies after June 30, 2017.

(b) The secretary may design and issue a dealer designee license plate for use without restriction by the secretary or a designee of a dealer.

(c) A dealer that assigns a dealer designee license plate to a person shall report to the secretary on a form issued by the secretary the date of assignment, the person's name and address, the date of termination of the assignment, and any other information the secretary requires. A copy of the form must be kept at all times in the

vehicle displaying the dealer designee license plate.

(d) The fee for a dealer designee license plate is twenty-one dollars and thirty-five cents ($21.35). The fee shall be distributed as follows:

(1) Forty percent (40%) to the crossroads 2000 fund established by IC 8-14-10-9.

(2) Forty-nine percent (49%) to the dealer compliance account established by IC 9-32-7-1.

(3) Eleven percent (11%) to the motor vehicle highway account under IC 8-14-1.

As added by P.L.174-2016, SEC.67.

IC 9-32-6.5-2

Dealer designee license plate

Sec. 2. (a) A dealer designee license plate may be displayed only on a motor vehicle in a dealer's inventory.

(b) A person may not:

(1) lend;

(2) lease;

(3) sell;

(4) transfer;

(5) copy;

(6) alter; or

(7) reproduce;

a dealer designee license plate.

(c) A dealer designee license plate may not be used:

(1) on a motor vehicle that is required to be registered under IC 9-18 (before its expiration) or IC 9-18.1;

(2) on a motor vehicle for which a dealer charges and receives compensation from an individual other than an employee of the dealer; or

(3) on a motor vehicle that a dealer leases or rents.

As added by P.L.174-2016, SEC.67. Amended by P.L.198-2016, SEC.627.

IC 9-32-6.5-3

Interim manufacturer transporter license plate; fee

Sec. 3. (a) An interim manufacturer transporter license plate shall be developed and issued as follows:

(1) Before July 1, 2017, by the bureau.

(2) After June 30, 2017, by the secretary.

(b) The fee for an interim manufacturer transporter license plate issued after June 30, 2017, is three dollars ($3). The fee shall be distributed as follows:

(1) Forty percent (40%) to the crossroads 2000 fund established by IC 8-14-10-9.

(2) Forty-nine percent (49%) to the dealer compliance account established by IC 9-32-7-1.

(3) Eleven percent (11%) to the motor vehicle highway account under IC 8-14-1.

As added by P.L.174-2016, SEC.67.

IC 9-32-6.5-4

Use of interim manufacturer transporter license plate; violation

Sec. 4. (a) An interim manufacturer transporter license plate may be issued only to a manufacturer of semitrailers or trailers that is licensed as a manufacturer under IC 9-32. The license plate may be used only in connection with delivery of newly manufactured semitrailers or trailers.

(b) A person that knowingly or intentionally uses an interim manufacturer transporter license plate for a purpose other than the delivery of a newly manufactured semitrailer or trailer commits a Class B misdemeanor.

As added by P.L.174-2016, SEC.67.

IC 9-32-6.5-5

Display of interim manufacturer transporter license plate; violation

Sec. 5. (a) An interim manufacturer transporter license plate shall be displayed on a vehicle in the manner determined by the bureau or the secretary, as applicable. Interim manufacturer transporter license plates may be issued in bulk. An interim manufacturer transporter license plate must display the assigned manufacturer's registration number.

(b) A person that knowingly or intentionally fails to display:

(1) an interim manufacturer transporter license plate; or

(2) the assigned manufacturer's registration number and expiration date on an interim manufacturer transporter license plate;

under subsection (a) commits a Class B infraction.

As added by P.L.174-2016, SEC.67.

IC 9-32-6.5-6

Expiration of interim manufacturer transporter license; improper display or use; violation

Sec. 6. (a) A manufacturer shall affix the proper vehicle identification number and date when an interim manufacturer transporter license plate is assigned to a specific vehicle. A license plate remains valid for thirty-one (31) days from the date the plate is affixed to the semitrailer or trailer and may not be renewed. Only one (1) interim manufacturer transporter license plate may be issued for a newly manufactured trailer or semitrailer.

(b) A person that knowingly or intentionally:

(1) displays an interim manufacturer transporter license plate past its date of expiration; or

(2) uses an interim manufacturer transporter license plate for

more than one (1) newly manufactured trailer or semitrailer; commits a Class B infraction.
As added by P.L.174-2016, SEC.67.

IC 9-32-6.5-7
Permitted use of interim manufacturer transporter license plate; violation

Sec. 7. (a) An interim manufacturer transporter license plate may be used only when:

(1) a manufacturer is delivering a semitrailer or trailer to a:
(A) purchaser;
(B) person that will offer the motor vehicle for sale; or
(C) motor carrier (as defined in IC 8-2.1-17-10);

(2) a purchaser or dealer accepts the motor vehicle at the manufacturer's facility; or

(3) a motor carrier delivers the semitrailer or trailer from the manufacturer to either the purchaser, a seller, or to another motor carrier that will make the delivery.

(b) A person that knowingly or intentionally uses an interim manufacturer transporter license plate for a purpose not specified in subsection (a) commits a Class B infraction.
As added by P.L.174-2016, SEC.67.

IC 9-32-6.5-8
Shipping documents

Sec. 8. When a newly manufactured semitrailer or trailer is being delivered by a motor carrier, the driver of the motor vehicle used to pull the semitrailer or trailer shall carry a properly completed shipping document showing points of origin and destination issued by the manufacturer.
As added by P.L.174-2016, SEC.67.

IC 9-32-6.5-9
Transport of property by semitrailer or trailer displaying an interim manufacturer transporter license plate

Sec. 9. A newly manufactured semitrailer or trailer displaying an interim manufacturer transporter license plate may transport property. Property being transported may be unrelated to the delivery of the semitrailer or trailer.
As added by P.L.174-2016, SEC.67.

IC 9-32-6.5-10
Manufacturer license plate and permit

Sec. 10. A manufacturer may use either the license plate issued under this chapter or IC 9-18-27 (before its repeal) or a permit issued under IC 9-18-7 (before its expiration) or IC 9-18.1-2.
As added by P.L.174-2016, SEC.67. Amended by P.L.198-2016, SEC.628.

IC 9-32-6.5-11
Violation and penalties

Sec. 11. (a) A person that violates this chapter or a rule or order adopted or issued to implement this chapter is subject to the following:

(1) A civil penalty of at least 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 chapter shall be paid to the state.

(2) Revocation by the issuing authority of a dealer permanent or interim license plate that was issued to the person.

(3) A civil action in any circuit or superior court of Indiana for either or both of the following:

(A) Injunctive relief to restrain the person from continuing the violation of this chapter or a rule or order adopted or issued to implement this chapter.

(B) Assessment and recovery of the civil penalty imposed under subdivision (1).

The attorney general shall institute and conduct the civil action in the name of the state.

(b) This section expires June 30, 2017.

As added by P.L.174-2016, SEC.67.

IC 9-32-7

Chapter 7. Accounts and Distribution of License and Permit Fees Under IC 9-32-11

IC 9-32-7-1

Dealer compliance account

Sec. 1. (a) The dealer compliance account is established as a separate account to be administered by the secretary. The funds in the account must be available, with the approval of the budget agency, for use in enforcing and administering this article.

(b) The expenses of administering this article shall be paid from money in the account.

(c) The treasurer of state shall invest the money in the dealer compliance account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(d) The dealer compliance account consists of the following:

(1) Money deposited under:

(A) IC 9-32-6; and

(B) section 3(1) of this chapter.

(2) Appropriations to the account from other sources.

(3) Grants, gifts, donations, or transfers intended for deposit in the account.

(4) Interest that accrues from money in the account.

(e) Money in the dealer compliance account at the end of a state fiscal year does not revert to the state general fund.

(f) Money in the dealer compliance account is continuously appropriated to the secretary for the purposes of the account.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.68.

IC 9-32-7-2

Dealer enforcement account

Sec. 2. (a) The dealer enforcement account is established as a separate account to be administered by the secretary.

(b) The dealer enforcement account consists of money deposited pursuant to:

(1) IC 9-32-4-1(c);

(2) IC 9-32-16-1(f);

(3) IC 9-32-16-13(d);

(4) IC 9-32-17-7; and

(5) IC 9-32-17-9.

The funds in the account shall be available, with the approval of the budget agency, for use to augment and supplement the funds appropriated for the administration of this article.

(c) The treasurer of state shall invest the money in the dealer enforcement account not currently needed to meet the obligations of

the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited into the account.

(d) Money in the dealer enforcement account at the end of the state fiscal year does not revert to the state general fund.

(e) Money in the dealer enforcement account is continuously appropriated to the secretary for the purposes of the account.

As added by P.L.92-2013, SEC.78.

IC 9-32-7-3

Disposition of fee revenues

Sec. 3. All money collected by the secretary from manufacturers, distributors, dealers, automobile auctions, manufacturer representatives, distributor representatives, transfer dealers, converter manufacturers, or automotive mobility dealers for licenses and permit fees under IC 9-32-11 shall be deposited as follows:

(1) Thirty percent (30%) to the dealer compliance account established by section 1 of this chapter.

(2) Forty percent (40%) to the motor vehicle highway account under IC 8-14-1.

(3) Twenty percent (20%) to the state police department, and this amount is continuously appropriated to the department for its use in enforcing odometer laws.

(4) Ten percent (10%) to the attorney general, and this amount is continuously appropriated to the attorney general for use in enforcing odometer laws.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.21; P.L.174-2016, SEC.69.

IC 9-32-8
Chapter 8. Boat Dealers

IC 9-32-8-1
Repealed
(As added by P.L.92-2013, SEC.78. Repealed by P.L.62-2014, SEC.22.)

IC 9-32-8-2
Watercraft and trailer sales; license
Sec. 2. A person that sells, offers to sell, or advertises for sale at least six (6):
(1) watercraft;
(2) trailers that are:
(A) designed and used exclusively for the transportation of watercraft; and
(B) sold in general association with the sale of watercraft; or
(3) items set forth in both subdivisions (1) and (2);
within a twelve (12) month period must be licensed under this chapter.
As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.50; P.L.174-2016, SEC.70.

IC 9-32-8-3
Application for watercraft dealer license; conditions
Sec. 3. (a) An application for a watercraft dealer license must meet all the following conditions:
(1) Be accompanied by a nonrefundable fee of thirty dollars ($30). The secretary shall retain a fee collected under this subdivision.
(2) Be on a form prescribed by the secretary.
(3) Contain any information that the secretary reasonably needs to enable the secretary to determine fully the:
(A) qualifications and eligibility of the applicant to receive the license;
(B) location of each of the applicant's places of business in Indiana; and
(C) ability of the applicant to conduct properly the business for which the application is submitted.
(b) An application for a license as a watercraft dealer must show whether the applicant proposes to sell new or used watercraft or both new and used watercraft.
As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.71.

IC 9-32-8-4
Licenses; specification of established place of business; fee
Sec. 4. A license issued to a watercraft dealer must specify the

location of the established place of business and shall be conspicuously displayed at the established place of business. If a business name or location is changed, the licensee shall notify the secretary within ten (10) days and remit a fee of five dollars ($5). The secretary shall retain a fee collected under this subsection. The secretary shall endorse the change on the watercraft dealer license if the secretary determines that the change is not subject to other provisions of this chapter.

As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.51; P.L.174-2016, SEC.72.

IC 9-32-8-5

Term of license; fees; replacement license

Sec. 5. (a) A watercraft dealer license issued under this chapter shall be issued and expires based on the business name of the watercraft dealer as set forth in IC 9-32-11-12.5.

(b) If a watercraft dealer license is lost or destroyed, the watercraft dealer may apply for a replacement watercraft dealer license in the form and manner prescribed by the secretary.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.23; P.L.174-2016, SEC.73.

IC 9-32-8-6

Evidence of liability coverage

Sec. 6. (a) Upon request of the secretary, a person licensed under this chapter shall furnish evidence that the person:

(1) currently has liability insurance covering the person's place of business; or

(2) is a member of a risk retention group that is regulated by the Indiana department of insurance.

(b) A liability insurance policy described in subsection (a)(1) must have limits of not less than the following:

(1) One hundred thousand dollars ($100,000) for bodily injury to one (1) person.

(2) Three hundred thousand dollars ($300,000) per accident.

(3) Fifty thousand dollars ($50,000) for property damage.

The minimum amounts must be maintained during the time the license is valid.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.74.

IC 9-32-9

Chapter 9. Licensing of Vehicle Salvaging

IC 9-32-9-1

Automotive salvage recycler; license; violation

Sec. 1. (a) A person must be licensed by the secretary under this chapter before the person may do any of the following:

(1) Sell a used major component part of a motor vehicle.

(2) Wreck, dismantle, shred, compact, crush, or otherwise destroy a motor vehicle for resale of the major component parts of the motor vehicle or scrap material.

(3) Rebuild a wrecked or dismantled motor vehicle for resale.

(4) Possess for more than thirty (30) days more than two (2) inoperable motor vehicles of a type subject to registration under IC 9-18 (before its expiration) or IC 9-18.1 unless the person holds a mechanic's lien on each motor vehicle over the quantity of two (2).

(5) Engage in the business of storing, disposing, salvaging, or recycling of motor vehicles, vehicle hulks, or parts of motor vehicles.

(b) A person who violates this section commits a Class A infraction.

As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.169; P.L.151-2015, SEC.52; P.L.174-2016, SEC.75; P.L.198-2016, SEC.629.

IC 9-32-9-2

Established place of business

Sec. 2. (a) An automotive salvage recycler licensed in Indiana must have an established place of business in Indiana conducting the business that is the basis for the license. An established place of business that performs only ministerial tasks is not considered to be conducting business.

(b) An automotive salvage recycler that violates this section commits a Class A infraction.

As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.170; P.L.151-2015, SEC.53; P.L.174-2016, SEC.76.

IC 9-32-9-3

License application; replacement license; fee

Sec. 3. (a) To apply for a license under this chapter, an automotive salvage recycler must submit an application to the secretary. An application for a license under this chapter must:

(1) be on a form prescribed by the secretary;

(2) contain the information the secretary considers necessary to enable the secretary to determine fully:

(A) the qualifications and eligibility of the applicant to receive the license; and

(B) the ability of the applicant to properly conduct the business for which the application is submitted; and

(3) be accompanied by the following:

(A) Evidence of a bond required under IC 9-32-11-2.

(B) Payment of the fee under subsection (c).

(C) An affidavit from:

(i) the person charged with enforcing a zoning ordinance, if the person exists; or

(ii) the zoning enforcement officer under IC 36-7-4, if a zoning enforcement officer exists;

who has jurisdiction over the real property where the applicant wants to operate as an automotive salvage recycler.

If there is no person or officer that has jurisdiction over the real property as described in subdivision (3)(C), the application must be accompanied by a statement to that effect from the executive of the unit in which the real property is located. The affidavit must state that the proposed location is zoned for the operation of an establishment of an automotive salvage recycler. The applicant may file the affidavit at any time after the filing of the application. However, the secretary may not issue a license until the applicant files the affidavit or the statement.

(b) If an automotive salvage recycler license is lost or destroyed, the automotive salvage recycler may apply for a replacement automotive salvage recycler license in the form and manner prescribed by the secretary.

(c) The fee for an automotive salvage recycler license under subsection (a) is ten dollars ($10). The fee is nonrefundable and shall be retained by the secretary.

As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.54; P.L.174-2016, SEC.77.

IC 9-32-9-3.5

Automotive salvage recycler; required actions

Sec. 3.5. An automotive salvage recycler that buys motor vehicles must:

(1) report the purchase of a motor vehicle to the National Motor Vehicle Title Information System not later than thirty (30) days after the motor vehicle is purchased; and

(2) provide to the seller a valid National Motor Vehicle Title Information System report identification number.

As added by P.L.151-2015, SEC.55. Amended by P.L.174-2016, SEC.78.

IC 9-32-9-4

Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.56.)

IC 9-32-9-5
Repealed
(As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.24. Repealed by P.L.151-2015, SEC.57.)

IC 9-32-9-6
Repealed
(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.58.)

IC 9-32-9-7
Repealed
(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.59.)

IC 9-32-9-8
Repealed
(As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.25. Repealed by P.L.151-2015, SEC.60.)

IC 9-32-9-9
Repealed
(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.61.)

IC 9-32-9-10
Posting of licenses
Sec. 10. (a) A licensee shall post a license granted to the licensee under this chapter in a conspicuous place at the established place of business.
(b) A licensee that violates this section commits a Class A infraction.
As added by P.L.92-2013, SEC.78. Amended by P.L.217-2014, SEC.171; P.L.151-2015, SEC.62.

IC 9-32-9-11
Delay of issuance or renewal of license until local zoning complaints satisfied
Sec. 11. If the secretary receives a written complaint from a local zoning body that an automotive salvage recycler, subject to this chapter, is operating in violation of a local zoning ordinance, the secretary shall delay the issuance or renewal of the automotive salvage recycler's license under this chapter until the local zoning complaints have been satisfied.
As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.63; P.L.174-2016, SEC.79.

IC 9-32-10

Chapter 10. Motor Vehicle Sales Advisory Board

IC 9-32-10-1

Establishment of motor vehicle sales advisory board

Sec. 1. The motor vehicle sales advisory board is established to advise the secretary in the administration of this article.

As added by P.L.92-2013, SEC.78.

IC 9-32-10-2

Composition of board

Sec. 2. (a) The advisory board is composed of the secretary and eleven (11) persons appointed by the governor upon the recommendation of the secretary as follows:

(1) Two (2) of the appointed members must be franchised new motor vehicle dealers as follows:

(A) One (1) member must have sold fewer than seven hundred fifty (750) new motor vehicles in the year before the member's appointment.

(B) One (1) member must have sold more than seven hundred forty-nine (749) new motor vehicles in the year before the member's appointment.

(2) Two (2) of the appointed members must represent the motor vehicle manufacturing industry, and each must have been an Indiana resident for at least two (2) years immediately preceding the member's appointment.

(3) Two (2) of the appointed members must represent the general public and may not have any direct interest in the manufacture or sale of motor vehicles.

(4) One (1) member must represent used motor vehicle dealers that are not franchised new motor vehicle dealers.

(5) One (1) member must represent used automobile auctions.

(6) One (1) member must represent the automobile salvage and recycling industry.

(7) One (1) member must represent watercraft dealers.

(8) One (1) member must represent the recreational vehicle industry.

(b) Not more than six (6) members of the advisory board may be of the same political party.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.80.

IC 9-32-10-3

Term of appointment; removal; vacancies

Sec. 3. (a) A member appointed to the advisory board under section 2 of this chapter serves a three (3) year term. A person may not serve more than two (2) consecutive full terms. Each appointed member serves until the member's successor is appointed and

qualified.

(b) A member may be removed for good cause.

(c) A vacancy shall be filled by appointment of the governor for the unexpired term.

As added by P.L.92-2013, SEC.78.

IC 9-32-10-4

Compensation; membership not the holding of a public office

Sec. 4. Members of the advisory board are entitled to receive the expenses and per diem allowed by law. Membership on the advisory board does not constitute the holding of a public office.

As added by P.L.92-2013, SEC.78.

IC 9-32-10-5

Officers

Sec. 5. The secretary shall serve as chairperson of the advisory board. The advisory board shall elect a vice chairperson and secretary from the appointed members during the first meeting of each year. The vice chairperson and secretary serve until their successors are appointed and qualified and may be removed for good cause.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.81.

IC 9-32-10-6

Meeting; required frequency and on call

Sec. 6. The advisory board shall meet at least one (1) time during a calendar year. Additional meetings may be convened at the call of the secretary or the written request of any three (3) members.

As added by P.L.92-2013, SEC.78.

IC 9-32-10-7

Meetings; quorum; majority vote

Sec. 7. Seven (7) members of the advisory board constitute a quorum for doing business. The majority vote of the members of the quorum, present and voting, is required for the passage of a matter put to a vote of the advisory board.

As added by P.L.92-2013, SEC.78.

IC 9-32-10-8

Powers of advisory board

Sec. 8. The advisory board is vested with the following powers:

(1) To consult with and advise the secretary.

(2) To suggest rules, including the following:

(A) The contents of forms.

(B) Methods and procedures for the investigation and evaluation of the qualifications of applicants for licenses.

(C) The criteria upon which to issue, deny, suspend, and

revoke licenses.

(D) Procedures for the investigation into and conduct of hearings on unfair practices.

As added by P.L.92-2013, SEC.78.

IC 9-32-11

Chapter 11. Regulation of Vehicle Merchandising

IC 9-32-11-1

Persons required to be licensed

Sec. 1. (a) The following persons must be licensed under this article to engage in the business of buying, selling, or manufacturing motor vehicles:

(1) An automobile auction.
(2) A converter manufacturer.
(3) A dealer.
(4) A distributor.
(5) An automotive salvage recycler.
(6) A watercraft dealer.
(7) A manufacturer.
(8) A transfer dealer.
(9) An automotive mobility dealer.

(b) An automotive mobility dealer who engages in the business of:

(1) selling, installing, or servicing;
(2) offering to sell, install, or service; or
(3) soliciting or advertising the sale, installation, or servicing of;

equipment or modifications specifically designed to facilitate use or operation of a motor vehicle by an individual who is disabled or aged must be licensed under this article.

(c) An automotive mobility dealer that fails to be licensed under this article and engages in the businesses described in subsection (b) commits a Class A infraction.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.26; P.L.217-2014, SEC.172; P.L.62-2014, SEC.27; P.L.151-2015, SEC.64; P.L.174-2016, SEC.82.

IC 9-32-11-2

License application; affidavits; bonds; fees

Sec. 2. (a) An application for a license under this chapter must:

(1) be accompanied by payment of the applicable fee required under this section;
(2) be on a form prescribed by the secretary;
(3) contain the information the secretary considers necessary to enable the secretary to determine fully:
    (A) the qualifications and eligibility of the applicant to receive the license; and
    (B) the ability of the applicant to conduct properly the business for which the application is submitted; and
(4) contain evidence of a bond required in subsection (e).

(b) An application for a license as a dealer must show whether the applicant proposes to sell new or used motor vehicles, or both.

(c) An applicant who proposes to use the Internet or another

computer network to facilitate the sale of motor vehicles shall maintain all records at the established place of business in Indiana.

(d) The application must include an affidavit from:

(1) the person charged with enforcing a zoning ordinance, if one exists; or

(2) the zoning enforcement officer under IC 36-7-4, if one exists;

who has jurisdiction over the real property where the applicant wants to operate as a dealer. If there is no person or officer that has jurisdiction over the real property, the application must be accompanied by a statement to that effect from the executive of the unit in which the real property is located. The affidavit must state that the proposed location is zoned for the operation of a dealer's establishment. The applicant may file the affidavit at any time after the filing of the application. However, the secretary may not issue a license until the applicant files the affidavit or the statement.

(e) A licensee shall maintain a bond satisfactory to the secretary in the amount of twenty-five thousand dollars ($25,000). The bond must:

(1) be in favor of the state;

(2) secure payment of fines, penalties, costs, and fees assessed by the secretary after:

(A) notice;

(B) opportunity for a hearing; and

(C) opportunity for judicial review; and

(3) secure the payment of damages to a person aggrieved by a violation of this article by the licensee after a judgment has been issued.

(f) Service under this chapter shall be made in accordance with the Indiana Rules of Trial Procedure.

(g) The fee for a license for a manufacturer or a distributor is thirty-five dollars ($35).

(h) The fee for a license for a dealer or an automobile auction is thirty dollars ($30).

(i) The fee for a transfer dealer, a converter manufacturer, or an automotive mobility dealer is twenty dollars ($20).

(j) The fees collected under this section are nonrefundable and shall be deposited as set forth in IC 9-32-7-3.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.28; P.L.151-2015, SEC.65; P.L.174-2016, SEC.83.

IC 9-32-11-3
Expired

(As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.29. Expired 7-1-2015 by P.L.62-2014, SEC.29.)

IC 9-32-11-4
Expired

(As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.30. Expired 7-1-2015 by P.L.62-2014, SEC.30.)

IC 9-32-11-5
Franchise; filing with secretary of state

Sec. 5. A dealer proposing to sell new motor vehicles shall file and maintain with the secretary:

(1) a current copy of each franchise to which the dealer is a party; or

(2) if the dealer is a party to multiple franchises that are identical except for stated items, a copy of the franchise form with supplemental schedules of variations from the form.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.31; P.L.151-2015, SEC.66.

IC 9-32-11-6
Display of license; change of business name or location; application for approval of change

Sec. 6. (a) A license issued to a dealer under this chapter:

(1) must specify the established place of business; and

(2) shall be conspicuously displayed at the established place of business.

(b) If a licensee's business name or location is changed, the licensee shall notify the secretary not later than ten (10) days after the change and remit a fee of five dollars ($5). The secretary shall retain the fee. The secretary shall endorse the change on the license if the secretary determines that the change is not subject to other provisions of this article.

(c) A dealer that uses the Internet or another computer network to facilitate the sale of motor vehicles as set forth in section 2(c) of this chapter shall notify the secretary not later than ten (10) days after any change in a name, address, or telephone number documented in business records located outside Indiana that have been created in transactions made in Indiana by the dealer. A report made under this subsection is not subject to the fee under subsection (b).

(d) A dealer that wants to change a location must submit to the secretary an application for approval of the change. The application must be accompanied by an affidavit from:

(1) the person charged with enforcing a zoning ordinance described in this subsection; or

(2) the zoning enforcement officer under IC 36-7-4, if one exists;

that has jurisdiction over the real property where the applicant wants to operate as a dealer. If there is no person or officer that has jurisdiction over the real property, the application must be accompanied by a statement to that effect from the executive of the unit in which the real property is located. The affidavit must state that the proposed location is zoned for the operation of a dealer's

establishment. The secretary may not approve a change of location or endorse a change of location on the dealer's license until the dealer provides the affidavit or the statement.

(e) For the purpose of this section, an offsite sales license issued under section 11 of this chapter does not constitute a change of location.

As added by P.L.92-2013, SEC.78. Amended by P.L.2-2014, SEC.47; P.L.62-2014, SEC.32; P.L.151-2015, SEC.67; P.L.174-2016, SEC.84.

IC 9-32-11-7

Distributor representative; manufacturer representative; certification; expiration

Sec. 7. (a) A distributor representative and a manufacturer representative become certified by:

(1) the licensed distributor or licensed manufacturer completing an application with the secretary to add the distributor representative or manufacturer representative to the license; and

(2) paying a nonrefundable fee of twenty dollars ($20).

The fee shall be deposited as set forth in IC 9-32-7-3.

(b) Any change to the certification of the distributor representative or manufacturer representative must be submitted to the secretary not later than ten (10) days after the change. The secretary shall endorse the change on the certification. A representative must have a certification when engaged in business and shall display the certification upon request.

(c) A distributor representative or manufacturer representative certification expires on the earlier of the following dates:

(1) The date on which the license issued to the distributor or manufacturer that certified the representative expires.

(2) The date on which the secretary receives notice that the certified distributor representative or manufacturer representative is no longer a representative of the licensed distributor or manufacturer.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.33; P.L.151-2015, SEC.68; P.L.174-2016, SEC.85.

IC 9-32-11-8

Application for and renewal of a dealer's license

Sec. 8. The secretary shall, by rules adopted under IC 4-22-2, establish requirements for an initial application for and renewal of a dealer's license. The rules must include a requirement that each initial or renewal application for an automotive mobility dealer's license include proof that the applicant is accredited through the Quality Assurance Program of the National Mobility Equipment Dealers Association.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.86.

IC 9-32-11-9
Automotive mobility dealers; display, inventory, advertising, and offering for sale adapted vehicles

Sec. 9. An automotive mobility dealer licensed under this chapter is entitled to:

(1) display;
(2) inventory;
(3) advertise;
(4) offer for sale; or
(5) do any combination of subdivisions (1) through (4) concerning;

any adapted vehicle.

As added by P.L.92-2013, SEC.78.

IC 9-32-11-10
Motor vehicle sales made away from dealer's established place of business without offsite sales permit; exception

Sec. 10. This section does not apply to sales made at a motor vehicle industry sponsored trade show. A dealer that sells to the general public may not sell or offer to sell a motor vehicle at a location away from the dealer's established place of business without obtaining an offsite sales permit under section 11 of this chapter.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.34; P.L.151-2015, SEC.69; P.L.174-2016, SEC.87.

IC 9-32-11-11
Offsite sales permit

Sec. 11. (a) Except as provided in subsections (b) through (g), the secretary shall issue an offsite sales permit to a dealer licensed under this chapter who submits an application for the permit not later than ten (10) business days or two (2) calendar weeks before the offsite sale date. Permit applications under this section shall be made public upon the request of any person.

(b) The secretary may not issue an offsite sales permit to a dealer who does not have an established place of business within Indiana.

(c) The secretary may not issue an offsite sales permit to a licensed dealer proposing to conduct a sale outside a radius of twenty (20) miles from the established place of business of the licensed dealer. The following may conduct an offsite sale with an offsite sales permit outside a radius of twenty (20) miles from the established place of business of the licensed dealer:

(1) New manufactured home dealers.
(2) Recreational vehicle dealers.
(3) A rental company that is a dealer conducting a sale at a site within twenty (20) miles of any of its company owned affiliates.
(4) Off-road vehicle dealers.
(5) Dealers of motor vehicles classified as classic, collector, or antique under rules adopted under section 18(a)(2)(B) of this

chapter.

(d) A motor vehicle display is not considered an offsite sale if it is conducted by a new motor vehicle dealer in an open area where no sales personnel and no sales material are present.

(e) The secretary may not issue an offsite sales permit to a licensed dealer proposing to conduct an offsite sale for more than ten (10) calendar days.

(f) The secretary may not issue an offsite sales permit to a licensed dealer if the dealer does not have certification that the offsite sale would be in compliance with local zoning ordinances or other local ordinances. Authorization under this subsection may be demonstrated with an affidavit from:

(1) the person charged with enforcing a zoning ordinance, if the person exists; or

(2) the zoning enforcement officer under IC 36-7-4, if a zoning enforcement officer exists;

who has jurisdiction over the real property where the dealer wants to conduct an offsite sale. If there is no person or officer that has jurisdiction over the real property, the application must be accompanied by a statement of authorization from the executive (as defined in IC 36-1-2-5) of the unit in which the real property is located. The secretary may not issue an offsite sales permit until the dealer files an affidavit under this subsection.

(g) The secretary may not issue an offsite sales permit to a licensed dealer who has held more than three (3) nonconsecutive offsite sales in the year ending on the date of the offsite sale for which the permit application is being submitted.

(h) Section 2(c) of this chapter does not apply to the application or issuance of an offsite sales permit under this section.

(i) The fee for an offsite sales permit is twenty-five dollars ($25). The fee is nonrefundable and shall be deposited as set forth in IC 9-32-7-3.

As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.70; P.L.174-2016, SEC.88.

IC 9-32-11-11.5

Out-of-state dealer special event permit

Sec. 11.5. (a) A person that is a licensed dealer in a state other than Indiana may apply for an out-of-state dealer special event permit from the secretary for a special event auction if the following conditions are met:

(1) The event is a motor vehicle auction conducted by an auctioneer licensed under IC 25-6.1-3.

(2) The motor vehicles to be auctioned are:

(A) at least fifteen (15) years old; or

(B) classified as classic, collector, or antique motor vehicles under rules adopted by the secretary.

(3) At least two hundred (200) motor vehicles will be auctioned

during the special event.

(4) The person submits an application for a special event permit to the secretary not later than thirty (30) days prior to the beginning date of the special event auction.

(5) The application for the special event permit includes the following:

(A) Copies of licenses for all auctioneers for the special event auction.

(B) A copy of a valid dealer's license from the other state.

(C) An affidavit from:

(i) the person charged with enforcing a zoning ordinance, if the person exists; or

(ii) the zoning enforcement officer under IC 36-7-4, if a zoning enforcement officer exists;

who has jurisdiction over the real property where the applicant wants to operate the special event auction. If there is no person or officer that has jurisdiction over the real property as described in this clause, the application must be accompanied by a statement to that effect from the executive of the unit in which the real property is located. The affidavit must state that the proposed location is zoned for the operation of a special event auction. The applicant may file the affidavit at any time after the filing of the application. However, the secretary may not issue a special event auction permit until the applicant files the affidavit or the statement.

(b) Not more than one (1) special event auction permit may be issued by the secretary to the same applicant within a twelve (12) month period.

(c) If the application for the special event permit is approved, the dealer must submit a fee of five hundred dollars ($500). The secretary shall retain the fee.

As added by P.L.151-2015, SEC.71. Amended by P.L.174-2016, SEC.89.

IC 9-32-11-12

Repealed

(As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.35; P.L.217-2014, SEC.173; P.L.62-2014, SEC.36. Repealed by P.L.174-2016, SEC.90.)

IC 9-32-11-12.3

Expired

(As added by P.L.62-2014, SEC.37. Expired 1-1-2016 by P.L.62-2014, SEC.37.)

IC 9-32-11-12.5

Duration of license issued after December 31, 2014; violation

Sec. 12.5. (a) This section applies to licenses (other than

wholesale dealer licenses) issued after December 31, 2014.

(b) An initial or renewed license issued under this article is valid from the issue date through the expiration date in accordance with the following schedule:

(1) A license for a person whose business name begins with the letters A through B expires February 1 of each year.

(2) A license for a person whose business name begins with the letters C through D expires March 1 of each year.

(3) A license for a person whose business name begins with the letters E through F expires April 1 of each year.

(4) A license for a person whose business name begins with the letters G through H expires May 1 of each year.

(5) A license for a person whose business name begins with the letters I through J expires June 1 of each year.

(6) A license for a person whose business name begins with the letters K through L expires July 1 of each year.

(7) A license for a person whose business name begins with the letters M through N expires August 1 of each year.

(8) A license for a person whose business name begins with the letters O through P expires September 1 of each year.

(9) A license for a person whose business name begins with the letters Q through R expires October 1 of each year.

(10) A license for a person whose business name begins with the letters S through T expires November 1 of each year.

(11) A license for a person whose business name begins with the letters U through V expires December 1 of each year.

(12) A license for a person whose business name begins with the letters W through Z expires January 1 of each year.

(c) A dealer license issued to a person whose business name begins with a nonalpha character expires November 1 of each year.

(d) Notwithstanding subsection (b), a license issued in 2015 expires as follows:

License issued to a person with a business name beginning with:	License expiration date:
A through B	February 1, 2016
C through D	March 1, 2016
E through F	April 1, 2016
G through H	May 1, 2016
I through J	June 1, 2016
K through L	July 1, 2016
M through N	August 1, 2016
O through P	September 1, 2016
Q through R	October 1, 2016
S through T	November 1, 2016
U through V	December 1, 2016
W through Z	January 1, 2017

This subsection expires January 2, 2017.

(e) A person who violates this section by operating on an expired license issued under this chapter commits a Class A infraction.
As added by P.L.62-2014, SEC.38. Amended by P.L.113-2014, SEC.32; P.L.174-2016, SEC.91.

IC 9-32-11-13
Transfer or assignment of motor vehicle title
Sec. 13. A person licensed under this article may transfer or assign a title for a motor vehicle.
As added by P.L.92-2013, SEC.78.

IC 9-32-11-14
Liability coverage
Sec. 14. (a) At the time of each license application and upon request of the secretary, a person licensed under this article shall furnish evidence that the person:
(1) has liability insurance or garage liability insurance covering the person's place of business; or
(2) is a member of a risk retention group that is regulated by the Indiana department of insurance.
(b) A policy described in subsection (a)(1) must have limits of at least the following:
(1) One hundred thousand dollars ($100,000) for bodily injury to one (1) person.
(2) Three hundred thousand dollars ($300,000) for bodily injury for each accident.
(3) Fifty thousand dollars ($50,000) for property damage.
The minimum amounts required by this subsection must be maintained during the time the license is valid.
As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.92.

IC 9-32-11-15
Cessation of business activity
Sec. 15. (a) A person who ceases a business activity for which a license was issued under this chapter shall do the following:
(1) On a form prescribed by the secretary, notify the secretary of the date that the business activity will cease.
(2) Deliver to the secretary the license and all permanent dealer license plates, including dealer designee license plates, issued to the person not later than ten (10) days after the date the business activity will cease.
(b) A dealer may not transfer or sell the:
(1) dealer's license;
(2) use of the dealer's license;
(3) dealer's dealer license plates; or
(4) use of the dealer's dealer license plates.
(c) A dealer that changes its form of organization or state of

incorporation may continue the dealer's licensure by filing an amendment to the license and registration if the change does not involve a material fact in the financial condition or management of the dealer. The amendment becomes effective when filed or on the date designated by the dealer in its filing. The new organization is a successor to the original dealer for the purposes of this article.

(d) If there is a change in the dealer's ownership, the successive owner shall file a new application for a license under this chapter.

As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.72; P.L.174-2016, SEC.93.

IC 9-32-11-16

Deposit of revenues in motor vehicle highway account

Sec. 16. Except as otherwise provided in this chapter, all revenues accruing to the secretary under this chapter shall be deposited in the motor vehicle highway account under IC 8-14-1.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.94.

IC 9-32-11-17

Sale of motor vehicle through Internet

Sec. 17. A dealer who sells a motor vehicle through the use of the Internet or another computer network shall deliver the motor vehicle to the customer, or the customer's representative, at the place of business of the dealer in Indiana.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.39; P.L.174-2016, SEC.95.

IC 9-32-11-18

Special event permits; fee

Sec. 18. (a) A person licensed under this article shall be issued a special event permit from the secretary for a special event that meets the following conditions:

(1) The event is a motor vehicle auction conducted by auctioneers licensed under IC 25-6.1-3.

(2) The motor vehicles to be auctioned are:

(A) at least fifteen (15) years old; or

(B) classified as classic, collector, or antique motor vehicles under rules adopted by the secretary.

(3) At least one hundred (100) motor vehicles will be auctioned during the special event.

(4) The licensee submits to the secretary an application for a special event permit not later than thirty (30) days before the beginning date of the special event.

(5) The application under subdivision (4) is accompanied by a fee of two hundred fifty dollars ($250). The fee shall be deposited as set forth in IC 9-32-7-3.

(b) Not more than two (2) special event permits may be issued by

the secretary to the same applicant within a twelve (12) month period.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.96.

IC 9-32-11-19

Replacement license

Sec. 19. If a license issued under this chapter is lost or destroyed, the person to which the license is issued may apply for a replacement license.

As added by P.L.174-2016, SEC.97.

IC 9-32-12
Repealed

(Repealed by P.L.151-2015, SEC.73.)

IC 9-32-13
Chapter 13. Unfair Practices

IC 9-32-13-1
Requiring purchase of equipment, part, or accessory as a condition of sale

Sec. 1. It is an unfair practice for a dealer to require a purchaser of a motor vehicle, as a condition of sale and delivery of the motor vehicle, to purchase any equipment, part, or accessory not ordered by the purchaser unless the equipment, part, or accessory is:

(1) already installed on the motor vehicle when the motor vehicle is received by or offered for sale by the dealer; or

(2) required by law.

As added by P.L.92-2013, SEC.78.

IC 9-32-13-2
Willful failure of dealer to perform vehicle delivery and preparation obligations

Sec. 2. It is an unfair practice for a dealer to willingly fail to perform the obligations imposed on the dealer in connection with the delivery and preparation of a new motor vehicle for retail sale as provided in the preparation and delivery agreement of the manufacturer or distributor applicable to the motor vehicle.

As added by P.L.92-2013, SEC.78.

IC 9-32-13-3
Willful failure of dealer to perform warranty obligations

Sec. 3. It is an unfair practice for a dealer to willingly fail to perform the obligations imposed on the dealer in connection with the warranty agreement of the manufacturer or distributor applicable to any motor vehicle sold by the dealer.

As added by P.L.92-2013, SEC.78.

IC 9-32-13-4
Sale of motor vehicle having trade name or mark for which dealer lacks franchise

Sec. 4. It is an unfair practice for a dealer to sell a new motor vehicle having a trade name, trade or service mark, or related characteristic for which the dealer does not have a franchise in effect at the time of the sale. However, a motor vehicle having more than one (1) trade name, trade or service mark, or related characteristic as a result of modification or further manufacture by a manufacturer, converter manufacturer, or an automotive mobility dealer licensed under this article may be sold by a franchisee appointed by that manufacturer, converter manufacturer, or automotive mobility dealer.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.98.

IC 9-32-13-5
Willful failure of dealer to perform fiduciary duty to collect and remit gross retail tax

Sec. 5. It is an unfair practice for a dealer to willingly fail to perform the fiduciary duty imposed on the dealer by IC 6-2.5-2-1 with regard to the collection and remittance of the state gross retail tax. Willful violation of the fiduciary duty includes written or oral agreements between a dealer and a prospective purchaser that would give the appearance that a bona fide trade-in has taken place, when in fact the purpose of the agreement is to reduce the prospective purchaser's state gross retail tax and thereby deprive the state of revenue.

As added by P.L.92-2013, SEC.78.

IC 9-32-13-6
Sale, exchange, or transfer by dealer of rebuilt vehicle without disclosure that vehicle was rebuilt

Sec. 6. It is an unfair practice for a dealer to sell, exchange, or transfer a rebuilt vehicle without disclosing in writing to the purchaser, customer, or transferee the fact that the motor vehicle is a rebuilt vehicle if the dealer knows or should reasonably know before consummating the sale, exchange, or transfer that the motor vehicle is a rebuilt vehicle.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.99.

IC 9-32-13-7
Document preparation fees

Sec. 7. It is an unfair practice for a dealer to require a purchaser of a motor vehicle as a condition of the sale and delivery of the motor vehicle to pay a document preparation fee, unless the fee:

(1) reflects expenses actually incurred for the preparation of documents;
(2) was affirmatively disclosed by the dealer;
(3) was negotiated by the dealer and the purchaser;
(4) is not for the preparation, handling, or service of documents that are incidental to the extension of credit; and
(5) is set forth on a buyer's order or similar agreement by a means other than preprinting.

As added by P.L.92-2013, SEC.78.

IC 9-32-13-8
Violation of deceptive franchise practices provisions

Sec. 8. (a) It is an unfair practice for a manufacturer or distributor to violate IC 23-2-2.7.

(b) It is an unfair practice for a manufacturer or distributor to enter into an agreement in which a dealer is required to waive the provisions of:

(1) this chapter; or
(2) IC 23-2-2.7.

However, this subsection does not apply to a voluntary agreement in which separate consideration is offered and accepted.

As added by P.L.92-2013, SEC.78.

IC 9-32-13-9

Manufacturer or distributor coercing dealers to order

Sec. 9. It is an unfair practice for a manufacturer or distributor to coerce a dealer to order parts, accessories, equipment, machinery, tools, appliances, or any other commodity from a person.

As added by P.L.92-2013, SEC.78.

IC 9-32-13-10

Manufacturer or distributor requiring changes in capital structure or financing

Sec. 10. It is an unfair practice for a manufacturer or distributor to prevent or require, or attempt to prevent or require, by contract or otherwise, a change in the capital structure of a dealer or the means by or through which the dealer finances the dealer's operation, if the dealer at all times meets reasonable capital standards agreed to by the dealer and the manufacturer or distributor. A change in capital structure does not cause a change in the principal management or have the effect of a sale of the franchise without the consent of the manufacturer or distributor.

As added by P.L.92-2013, SEC.78.

IC 9-32-13-11

Manufacturer or distributor requiring changes in dealer management

Sec. 11. It is an unfair practice for a manufacturer or distributor to prevent or require, or attempt to prevent or require, a dealer to change the dealer's executive management, other than the principal dealer operator or operators, if the franchise was granted in reliance upon the personal qualifications of the principal dealer operator or operators.

As added by P.L.92-2013, SEC.78.

IC 9-32-13-12

Restraint by manufacturer or distributor of sale or transfer of interest by dealer

Sec. 12. It is an unfair practice for a manufacturer or distributor to prevent or require, or attempt to prevent or require, by contract or otherwise, a dealer or an officer, a partner, or a stockholder of a dealer to sell or transfer a part of the interest of the officer, partner, or stockholder to any other person. A dealer, an officer, a partner, or a stockholder may not sell, transfer, or assign the franchise or a right under the franchise without the consent of the manufacturer or

distributor. This consent may not be withheld unreasonably.
As added by P.L.92-2013, SEC.78.

IC 9-32-13-13
Manufacturer or distributor preventing dealer from fair competition

Sec. 13. It is an unfair practice for a manufacturer or distributor to prevent or attempt to prevent a dealer from receiving fair and reasonable compensation for the value of the franchised business as a going concern. The dealer may not transfer or assign the dealer's franchise without the consent of the manufacturer or distributor, and the manufacturer or distributor may not unreasonably withhold consent.
As added by P.L.92-2013, SEC.78.

IC 9-32-13-14
Employment by manufacturer or distributor of person who is not certified

Sec. 14. It is an unfair practice for a manufacturer or distributor to employ a person as a representative who is not certified under this article.
As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.100.

IC 9-32-13-15
Retail rates

Sec. 15. (a) It is an unfair practice for a manufacturer or distributor to fail to compensate a dealer at the dealer's retail rate for the work and services the dealer is required to perform in connection with the dealer's delivery and preparation obligations under any franchise, or fail to compensate a dealer anything less than the dealer's retail rate for labor and parts under the manufacturer's warranty agreements as long as the dealer's retail rate is reasonable. Judgment of the reasonableness includes consideration of charges for similar repairs by similarly situated repair facilities in Indiana.

(b) This section does not authorize a manufacturer or distributor and its franchisees in Indiana to establish a uniform hourly labor reimbursement rate effective for the entire state.

(c) This section does not apply to manufacturers or distributors of manufactured housing, heavy duty vocational vehicles (as defined in 49 CFR 523.8), or recreational vehicles.
As added by P.L.92-2013, SEC.78. Amended by P.L.167-2016, SEC.1.

IC 9-32-13-15.5
Compensation for warranty services

Sec. 15.5. (a) This section does not apply to manufacturers or distributors of manufactured housing, heavy duty vocational vehicles

(as defined in 49 CFR 523.8), or recreational vehicles.

(b) Unless otherwise agreed, it is an unfair practice for a manufacturer or distributor to fail to compensate a dealer anything less than the dealer's retail rates for parts and labor the dealer uses in performing the warranty services of the manufacturer or distributor, or for a manufacturer or distributor of a separate vehicle component or major vehicle assembly that is warranted independently of the motor vehicle to fail to compensate a dealer anything less than the dealer's retail rate for the parts and labor the dealer uses in performing the warranty services of the manufacturer or distributor. The dealer's retail rate for parts must be a percentage determined by dividing the total charges for parts used in warranty like repairs by the dealer's total cost for those parts minus one (1) in the lesser of one hundred (100) customer paid sequential repair orders or ninety (90) consecutive days of customer paid repair orders. The dealer's retail rate for labor shall be determined by dividing the total labor sales for warranty like repairs by the number of hours that generated those sales in one hundred (100) customer paid sequential repair orders or ninety (90) consecutive days of customer paid repair orders. A retail rate may be calculated only based upon customer paid repair orders charged within one hundred eighty (180) days before the date the dealer submits the declaration.

(c) The dealer's submission for retail rates must include a declaration of the dealer's retail rates for parts and labor along with the supporting service repair orders paid by customers. A manufacturer or distributor may challenge the dealer's declaration by submitting a rebuttal not later than sixty (60) days after the date the declaration was received. If the manufacturer or distributor does not send a timely rebuttal to the dealer, the retail rate is established as reasonable and goes into effect automatically.

(d) If a rebuttal in subsection (c) is timely sent, the rebuttal must substantiate how the dealer's declaration is unreasonable or materially inaccurate. The rebuttal must propose an adjusted retail rate and provide written support for the proposed adjustments. If the dealer does not agree with the adjusted retail rate, the dealer may file a complaint with the dealer services division within the office of the secretary of state.

(e) A complaint filed under subsection (d) must be filed not later than thirty (30) days after the dealer receives the manufacturer's or distributor's rebuttal. On or before filing a complaint, a dealer must serve a demand for mediation upon the manufacturer or distributor.

(f) When calculating the retail rate customarily charged by the dealer for parts and labor under this section, the following work may not be included:

(1) Repairs for manufacturer or distributor special events, specials, or promotional discounts for retail customer repairs.

(2) Parts sold at wholesale.

(3) Routine maintenance not covered under a retail customer

warranty, such as fluids, filters, and belts not provided in the course of repairs.

(4) Nuts, bolts, fasteners, and similar items that do not have an individual part number.

(5) Vehicle reconditioning.

(g) If a manufacturer or distributor furnishes a part or component to a dealer at no cost to use in performing repairs under a recall, campaign service, or warranty repair, the manufacturer or distributor shall compensate the dealer for the part or component in the same manner as warranty parts compensation under this section by compensating the dealer the average markup on the cost for the part or component as listed in the manufacturer's or distributor's initial or original price schedule minus the cost for the part or component.

(h) A manufacturer or distributor may not require a dealer to establish the retail rate customarily charged by the dealer for parts and labor by an unduly burdensome or time consuming method or by requiring information that is unduly burdensome or time consuming to provide, including part by part or transaction by transaction calculations. A dealer may not declare an average percentage parts markup or average labor rate more than once in a twelve (12) month period. A manufacturer or distributor may perform annual audits to verify that a dealer's effective rates have not decreased. If a dealer's effective rates have decreased, a manufacturer or distributor may reduce the warranty reimbursement rate prospectively. A dealer may elect to revert to the nonretail rate reimbursement for parts and labor not more than once in a twelve (12) month period.

(i) A manufacturer or distributor is permitted to recover its costs, as defined under this section, only from a dealer that receives retail reimbursement for parts or labor, or both parts and labor. This subsection does not prohibit a manufacturer or distributor from increasing the wholesale price of a vehicle or part in the ordinary course of business.

(j) If a dealer files a complaint with the dealer services division within the ofice of the secretary of state, the warranty reimbursement rate in effect before any mediation or complaint remains in effect until thirty (30) days after:

(1) a final decision has been issued by a court with jurisdiction; and

(2) all appeals have been exhausted.

As added by P.L.167-2016, SEC.2.

IC 9-32-13-16

Contract for uniform warranty reimbursement policy

Sec. 16. (a) A manufacturer or distributor and at least thirty percent (30%) of its franchisees in Indiana of the same line make may agree in an express written contract citing this section to a uniform warranty reimbursement policy to be used by franchisees for the performance of warranty repairs. The contract must include

reimbursement for parts used in warranty repairs or the use of a uniform time standards manual, or both. The allowance for diagnosis within the uniform time standards manual must be reasonable and adequate for the work and service to be performed. The manufacturer or distributor:

(1) may have only one (1) contract with regard to each line make; and

(2) must have a reasonable and fair procedure for franchisees to request a modification or adjustment of a standard included in the uniform time standards manual.

(b) A contract described in subsection (a) must meet the following criteria:

(1) Establish a uniform parts reimbursement rate that must be greater than the manufacturer's or distributor's nationally established parts reimbursement rate in effect at the time the contract becomes effective. A subsequent contract must include a uniform reimbursement rate that is equal to or greater than the rate in the immediately prior contract.

(2) Apply to all warranty repair orders written while the agreement is in effect.

(3) At any time during the period the contract is in effect:

(A) be available to any franchisee of the same line make as the franchisees that entered into the contract with the manufacturer or distributor; and

(B) be available to a franchisee of the same line make on the same terms as apply to the franchisees that entered into the contract with the manufacturer or distributor.

(4) Be for a term not to exceed three (3) years.

(5) Allow any party to the uniform warranty reimbursement policy to terminate the policy with thirty (30) days prior written notice to all parties upon the annual anniversary of the policy, if the policy is for at least one (1) year.

(6) Remain in effect for the entire original period if the manufacturer and at least one (1) franchisee remain parties to the policy.

(c) A manufacturer or distributor that enters into a contract with its franchisees under subsection (a) may seek to recover only its costs from a franchisee that receives a higher reimbursement rate, if authorized by law, subject to the following:

(1) Costs may be recovered only by increasing invoice prices on new motor vehicles received by the franchisee.

(2) A manufacturer or distributor may make an exception for motor vehicles that are titled in the name of a purchaser in another state. However, price increases imposed for the purpose of recovering costs imposed by this section may vary from time to time and from model to model and must apply uniformly to all franchisees of the same line make that have requested reimbursement for warranty repairs at a level higher than

provided for in the contract.

(d) A manufacturer or distributor that enters into a contract with its franchisees under subsection (a) shall do the following:

(1) Certify to the secretary under oath, in a writing signed by a representative of the manufacturer or distributor, that at the time the contract was entered into at least thirty percent (30%) of the franchisees of the line make were parties to the contract.

(2) File a copy of the contract with the bureau at the time of the certification.

(3) Maintain a file that contains the information upon which the certification required under subdivision (1) is based for three (3) years after the certification is made.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.101.

IC 9-32-13-17

Payment or disapproval of dealer claims; notice of disapproval; audits and chargebacks

Sec. 17. (a) It is an unfair practice for a manufacturer or distributor to:

(1) fail to pay a claim made by a dealer for compensation for:

(A) delivery and preparation work;

(B) warranty work; and

(C) incentive payments;

not later than thirty (30) days after the claim is approved;

(2) fail to approve or disapprove a claim not later than thirty (30) days after receipt of the claim; or

(3) disapprove a claim without notice to the dealer in writing of the grounds for disapproval.

(b) A manufacturer or distributor may:

(1) audit a claim made by a dealer; or

(2) charge back to a dealer any amounts paid on a false or unsubstantiated claim;

for up to one (1) year after the date on which the claim is paid. However, the limitations of this subsection do not apply if the manufacturer or distributor can prove fraud on a claim. A manufacturer or distributor shall not discriminate among dealers with regard to auditing or charging back claims.

(c) If the motor vehicle dealer has properly submitted the claim in accordance with the manufacturer's or distributor's warranty or incentive program guidelines, a manufacturer or distributor may not deny a claim based solely on a motor vehicle dealer's incidental failure to comply with a specific claim processing requirement, including a clerical error or other administrative technicality that does not call into question the legitimacy of a claim. A motor vehicle dealer may submit an amended or supplemental claim within the time and manner required by the manufacturer for:

(1) sales incentives;

(2) service incentives;
(3) rebates; or
(4) other forms of incentive compensation;

for up to sixty (60) days from the date on which such a claim was submitted, could have been submitted, or was charged back. For purposes of this section, a failure to obtain a required signature may not be considered to be a clerical error or administrative technicality.
As added by P.L.92-2013, SEC.78. Amended by P.L.167-2016, SEC.3.

IC 9-32-13-18
Selling motor vehicle to unlicensed person for resale; adverse action or discrimination against customer when customer intends to resell motor vehicle or export to foreign country

Sec. 18. (a) It is an unfair practice for a distributor to sell a motor vehicle for resale to a person not licensed under this article.

(b) This subsection applies if a dealer sells or leases a motor vehicle to a customer that resells the motor vehicle or exports the motor vehicle to a foreign country. A manufacturer or distributor may not take or threaten to take adverse action or otherwise discriminate against the dealer unless the dealer knew or reasonably should have known before the dealer sold or leased the motor vehicle to the customer that the customer intended to resell or export the motor vehicle. Titling and registering a motor vehicle in any state in the name of the customer to whom the dealer sold or leased the motor vehicle establishes a rebuttable presumption that the dealer did not know or should not reasonably have known that the customer intended to resell or export the motor vehicle.

(c) For purposes of subsection (b), adverse actions by a manufacturer or distributor include the following conduct by a manufacturer or distributor, whether actual or threatened:

(1) Failing or refusing to allocate, sell, or deliver a motor vehicle to the dealer.
(2) Discriminating against the dealer in the allocation of motor vehicles.
(3) Charging back or withholding payments or other consideration for which a dealer is eligible under a warranty reimbursement, sales promotion, incentive program, or contest.
(4) Disqualifying a dealer from participating in a sales promotion, incentive program, or contest.
(5) Terminating a franchise.

As added by P.L.92-2013, SEC.78. Amended by P.L.152-2013, SEC.1; P.L.151-2015, SEC.74.

IC 9-32-13-19
Failure to indemnify and hold harmless dealer for losses, costs, and expenses from suit for defect

Sec. 19. It is an unfair practice for a manufacturer or distributor

to refuse or fail to indemnify and hold harmless a dealer, upon written notification from the dealer, from all losses, costs, and expenses that result or arise from or are related to a complaint, claim, defense, or suit against the dealer that concerns defects in a motor vehicle or other goods or services that are the responsibility of the manufacturer or distributor.
As added by P.L.92-2013, SEC.78.

IC 9-32-13-20
False, deceptive, or misleading advertising; deceptive acts or practices

Sec. 20. It is an unfair practice for any person required to be licensed under this article, in connection with the person's business, to use false, deceptive, or misleading advertising or to engage in deceptive acts or practices.
As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.75.

IC 9-32-13-21
Unfair practices of employees, agents, officers, partners, or representatives

Sec. 21. It is an unfair practice for an employee, an agent, an officer, a partner, or a representative of a licensee to engage in a practice prohibited by this chapter.
As added by P.L.92-2013, SEC.78.

IC 9-32-13-22
Franchise termination; right of first refusal

Sec. 22. (a) It is an unfair practice for a manufacturer to terminate a franchise in violation of IC 23-2-2.7-3. A dealer may not transfer, assign, or sell the business and assets of a dealership or an interest in the dealership to another person under an agreement that contemplates or is conditioned on a continuation of the franchise relationship with the manufacturer or distributor unless the dealer first:

(1) notifies the manufacturer or distributor of the dealer's decision to make the transfer, assignment, or sale by written notice; and
(2) obtains the approval of the manufacturer or distributor.

The dealer must provide the manufacturer or distributor with completed application forms and related information generally used by the manufacturer or distributor to conduct a review of such a proposal and a copy of all agreements regarding the proposed transfer, assignment, or sale.

(b) The manufacturer or distributor shall send a letter by certified mail to the dealer not later than sixty (60) days after the manufacturer or distributor receives the information specified in subsection (a). The letter must indicate any disapproval of the transfer, assignment,

or sale and must set forth the material reasons for the disapproval. If the manufacturer or distributor does not respond by letter within sixty (60) days after the manufacturer or distributor receives the information under subsection (a), the manufacturer's or distributor's consent to the proposed transfer, assignment, or sale is considered to have been granted. A manufacturer or distributor may not unreasonably withhold approval of a transfer, assignment, or sale under this section.

(c) A manufacturer or distributor has a right of first refusal as specified in the franchise agreement to acquire the new motor vehicle dealer's assets or ownership if there is a proposed change of more than fifty percent (50%) of the dealer's ownership or proposed transfer of more than fifty percent (50%) of the new motor vehicle dealer's assets, and all the following are met:

(1) The manufacturer or distributor notifies the dealer in writing of the intent of the manufacturer or distributor to exercise the right of first refusal within the sixty (60) day notice period under subsection (b).

(2) The exercise of the right of first refusal will result in the dealer and the dealer's owners receiving consideration, terms, and conditions that are either the same as or better than those they have contracted to receive under the proposed change of more than fifty percent (50%) of the dealer's ownership or transfer of more than fifty percent (50%) of the new motor vehicle dealer's assets.

(3) The proposed change of the dealership's ownership or transfer of the new motor vehicle dealer's assets does not involve the transfer of assets or the transfer or issuance of stock by the dealer or one (1) or more of the dealer's owners to any of the following:

(A) A designated family member or members, including any of the following members of one (1) or more dealer owners:

(i) The spouse.

(ii) A child.

(iii) A grandchild.

(iv) The spouse of a child or a grandchild.

(v) A sibling.

(vi) A parent.

(B) A manager:

(i) employed by the dealer in the dealership during the previous four (4) years; and

(ii) who is otherwise qualified as a dealer operator.

(C) A partnership or corporation controlled by any of the family members described in clause (A).

(D) A trust arrangement established or to be established:

(i) for the purpose of allowing the new motor vehicle dealer to continue to qualify as such under the manufacturer's or distributor's standards; or

(ii) to provide for the succession of the franchise agreement to designated family members or qualified management in the event of the death or incapacity of the dealer or the principal owner or owners.

(4) Except as otherwise provided in this subsection, the manufacturer or distributor agrees to pay the reasonable expenses, including reasonable attorney's fees, that do not exceed the usual, customary, and reasonable fees charged for similar work done for other clients, and that are incurred by the proposed owner or transferee before the manufacturer's or distributor's exercise of the right of first refusal in negotiating and implementing the contract for the proposed change of the dealer ownership or the transfer of the new motor vehicle dealer's assets. Payment of expenses and attorney's fees is not required if the dealer has failed to submit an accounting of those expenses not later than twenty (20) days after the dealer receives the manufacturer's or distributor's written request for such an accounting. An expense accounting may be requested by a manufacturer or distributor before exercising the right of first refusal.

(d) Violation of this section by a manufacturer or distributor is an unfair practice by the manufacturer or distributor.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.102.

IC 9-32-13-23

Unfair practices by manufacturer, distributor, officer, or agent

Sec. 23. (a) It is an unfair practice for a manufacturer, distributor, officer, or agent to do any of the following:

(1) Require, coerce, or attempt to coerce a new motor vehicle dealer in Indiana to:

(A) change the location of the dealership;

(B) make any substantial alterations to the use of franchises; or

(C) make any substantial alterations to the dealership premises or facilities;

if to do so would be unreasonable or would not be justified by current economic conditions or reasonable business considerations. This subdivision does not prevent a manufacturer or distributor from establishing and enforcing reasonable facility requirements. However, a new motor vehicle dealer may elect to use for the facility alteration locally sourced materials or supplies that are substantially similar to those required by the manufacturer or distributor, subject to the approval of the manufacturer or distributor, which may not be unreasonably withheld.

(2) Require, coerce, or attempt to coerce a new motor vehicle dealer in Indiana to divest ownership of or management in

another line or make of motor vehicles that the dealer has established in its dealership facilities with the prior written approval of the manufacturer or distributor.

(3) Establish or acquire wholly or partially a franchisor owned outlet engaged wholly or partially in a substantially identical business to that of the franchisee within the exclusive territory granted the franchisee by the franchise agreement or, if no exclusive territory is designated, competing unfairly with the franchisee within a reasonable market area. A franchisor is not considered to be competing unfairly if operating:

(A) a business for less than two (2) years;

(B) in a bona fide retail operation that is for sale to any qualified independent person at a fair and reasonable price; or

(C) in a bona fide relationship in which an independent person has made a significant investment subject to loss in the business operation and can reasonably expect to acquire majority ownership or managerial control of the business on reasonable terms and conditions.

(4) Require a dealer, as a condition of granting or continuing a franchise, approving the transfer of ownership or assets of a new motor vehicle dealer, or approving a successor to a new motor vehicle dealer to:

(A) construct a new dealership facility;

(B) modify or change the location of an existing dealership; or

(C) grant the manufacturer or distributor control rights over any real property owned, leased, controlled, or occupied by the dealer.

(5) Prohibit a dealer from representing more than one (1) line make of motor vehicles from the same or a modified facility if:

(A) reasonable facilities exist for the combined operations;

(B) the dealer meets reasonable capitalization requirements for the original line make and complies with the reasonable facilities requirements of the manufacturer or distributor; and

(C) the prohibition is not justified by the reasonable business considerations of the manufacturer or distributor.

Subdivisions (3) through (5) do not apply to recreational vehicle manufacturer franchisors.

(b) This section does not prohibit the enforcement of a voluntary agreement between the manufacturer or distributor and the franchisee where separate and valuable consideration has been offered and accepted.

As added by P.L.92-2013, SEC.78. Amended by P.L.152-2013, SEC.2; P.L.2-2014, SEC.48; P.L.167-2016, SEC.4; P.L.174-2016, SEC.103.

IC 9-32-13-24
Relocation of new motor vehicle dealers

Sec. 24. (a) This section does not apply to the relocation of a new motor vehicle dealer to a location that is not more than two (2) miles from its established place of business.

(b) This section does not apply to the reopening or replacement in a relevant market area of a closed dealership that was closed within the preceding three hundred sixty-five (365) days, if the established place of business of the reopened or replacement dealer is within two (2) miles of the established place of business of the closed dealership.

(c) This section does not apply to a new motor vehicle dealer located in a county having a population of more than one hundred thousand (100,000) if:

(1) the new motor vehicle dealer relocates to a site that is located at a distance greater than the existing distance of another new motor vehicle dealer of the same line make before the relocation; and

(2) the site of the relocation is outside an area that is within a radius of four (4) miles from another new motor vehicle dealer of the same line make;

but does apply to a new motor vehicle dealer that, before January 1, 2013, had been engaged in the process of relocating but had not physically relocated to the new intended site by January 1, 2013, and to a new motor vehicle dealer that began engaging in the process of relocating on or after January 1, 2013.

(d) Before a franchisor enters into a franchise establishing or relocating a new motor vehicle dealer within a relevant market area where the same line make is represented, the franchisor shall give written notice to each new motor vehicle dealer of the same line make in the relevant market area of the franchisor's intention to establish an additional dealer or to relocate an existing dealer within that relevant market area.

(e) Not later than thirty (30) days after:

(1) receiving the notice provided for in subsection (d); or

(2) the end of any appeal procedure provided by the franchisor;

a new motor vehicle dealer may bring a declaratory judgment action before the division to determine whether good cause exists for the establishing or relocating of a proposed new motor vehicle dealer. If an action is filed under this section, the franchisor may not establish or relocate the proposed new motor vehicle dealer until the division has rendered a decision on the matter. An action brought under this section shall be given precedence over all other matters pending before the division.

(f) In determining whether good cause exists for establishing or relocating an additional new motor vehicle dealer for the same line make, the division shall take into consideration the existing circumstances, including the following:

(1) Permanency of the investment.
(2) Effect on the retail new motor vehicle business and the consuming public in the relevant market area.
(3) Whether it is injurious or beneficial to the public welfare.
(4) Whether the new motor vehicle dealers of the same line make in that relevant market area are providing adequate competition and convenient consumer care for the motor vehicles of that line make in that market area, including the adequacy of motor vehicle sales and qualified service personnel.
(5) Whether the establishment or relocation of the new motor vehicle dealer would promote competition.
(6) Growth or decline of the population and the number of new motor vehicle registrations in the relevant market area.
(7) The effect on the relocating dealer of a denial of its relocation into the relevant market area.

As added by P.L.92-2013, SEC.78.

IC 9-32-13-25
Acting, offering to act as, or professing to be a broker of motor vehicles

Sec. 25. It is an unfair practice for a person to:
(1) act as;
(2) offer to act as; or
(3) profess to be;

a broker in the advertising, buying, or selling of a new or used motor vehicle.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.104.

IC 9-32-13-26
Fraud or deceit, untrue statements of material fact or omission

Sec. 26. It is an unfair practice for a dealer to, in connection with the offer, sale, or purchase of a motor vehicle, directly or indirectly:
(1) employ a device, scheme, or artifice to defraud;
(2) make an untrue statement of a material fact or omit to state a material fact necessary to make the statement made, in light of the circumstances under which the statement was made, not misleading; or
(3) engage in an act, practice, or course of business that operates or would operate as a fraud or deceit upon another person.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.105.

IC 9-32-13-27
Canceling, terminating, or refusing to renew franchise; renewal, replacement, or succeeding franchise

Sec. 27. (a) It is an unfair practice for a manufacturer or distributor to do the following:

(1) Cancel or terminate a franchise of a franchisee, or fail or refuse to extend or renew a franchise upon the franchise's expiration, without good cause and notice to the franchisee by certified mail, return receipt requested:

(A) at least ninety (90) days before the cancellation or termination; or

(B) at least ten (10) days before the cancellation or termination if any of the following apply:

(i) The franchisee has abandoned business operations or otherwise failed to conduct sales and service operations during regular business hours for at least seven (7) consecutive business days, unless the abandonment or closure is due to an act of God or another act over which the franchisee has no control.

(ii) The franchisee or another operator of the franchise has been convicted of or pled guilty to an offense punishable by at least one (1) year of imprisonment.

(iii) The dealer files for bankruptcy or enters into receivership.

(iv) The license of the dealer is revoked under IC 9-32-11 or IC 9-32-16.

(v) The dealer commits fraud.

(2) Offer a renewal, replacement, or succeeding franchise that substantially changes or modifies the sales and service obligations, facilities standards, capital requirements, or other terms of the original franchise or agreement of a franchisee without notice to the franchisee by certified mail, return receipt requested, at least ninety (90) days before the expiration or termination of the original franchise or agreement.

(3) Terminate a dealer for the dealer's failure to meet a performance standard that is not statistically valid, reliable, and reasonable.

Notice provided under this subsection must include a detailed statement setting forth the specific grounds for the proposed action.

(b) For purposes of subsection (a)(1), the following do not constitute good cause, provided that no unfair practice is committed under IC 9-32-13-12 and no transfer, sale, or assignment is made in violation of IC 9-32-13-22:

(1) A change of ownership or executive management of a dealership.

(2) Requiring the appointment of an individual to an executive management position in a dealership.

(3) Ownership of, investment in, participation in the management of, or holding a license for the sale of any line make of new motor vehicles by a franchisee or an owner of an interest in a franchise.

(c) Good cause exists under subsection (a)(1) with respect to all franchisees of a line make if the manufacturer of the line make permanently discontinues the manufacture or assembly of the line make.

(d) Not more than thirty (30) days after a franchisee receives notice under subsection (a), the franchisee may protest the proposed action by bringing a declaratory judgment action before the division.

(e) If a franchisee makes a timely and proper request under subsection (d) for declaratory judgment to protest a proposed action under subsection (a)(1), the division shall schedule an administrative hearing. The administrative hearing must comply with IC 4-21.5. The declaratory judgment action must include a determination of whether good cause exists for the proposed action.

As added by P.L.152-2013, SEC.3. Amended by P.L.174-2016, SEC.106.

IC 9-32-13-28

Dealer requesting payment for manufacturer or distributor following termination, cancellation, or nonrenewal of franchise; discontinuance of line make

Sec. 28. (a) This section applies when a dealer requests payment from a manufacturer or distributor following:

(1) the termination, cancellation, or nonrenewal by the manufacturer or distributor of a franchise between the dealer and the manufacturer or distributor; or

(2) the discontinuance of a line make by the manufacturer or distributor.

(b) Not more than ninety (90) days after a manufacturer or distributor receives a request for payment from a dealer described in subsection (a), the manufacturer or distributor shall pay to the dealer the following amounts for items that are in the dealer's inventory or possession at the time of termination, cancellation, nonrenewal, or discontinuance, that the dealer delivers to the manufacturer or distributor, and as to which the dealer conveys clear title to the manufacturer or distributor under subsection (c):

(1) For:

(A) current model year motor vehicles; or

(B) immediately preceding model year motor vehicles with less than three hundred (300) miles;

acquired from the manufacturer or distributor in the usual course of business, the cost at acquisition less any discounts or allowances received from the manufacturer or distributor.

(2) For all new, unused, and undamaged parts in original packaging that were purchased from the manufacturer or distributor:

(A) the cost listed in the manufacturer's or distributor's parts catalog in effect at the time of termination, cancellation, nonrenewal, or discontinuance; minus

(B) any allowances authorized by the manufacturer or distributor.

(3) For required special tools, equipment, or computer equipment that was used for reporting financial data to the manufacturer or distributor, used solely for the franchise being terminated, and purchased by the dealer during the two (2) years immediately preceding the termination, cancellation, nonrenewal, or discontinuance, fair market value.

(4) For signs that bear a trademark or trade name, that the dealer was required by the manufacturer or distributor to purchase, and that the dealer purchased within three (3) years of the termination, cancellation, nonrenewal, or discontinuance, fair market value.

For purposes of this subsection, fair market value is determined on the date of termination, cancellation, nonrenewal, or discontinuance.

(c) Title to items described in subsection (b) transfers from a dealer to a manufacturer or distributor on the date of termination, cancellation, nonrenewal, or discontinuance. The dealer has an enforceable security interest in the transferred items.

(d) It is an unfair practice for a manufacturer or distributor to violate this section.

As added by P.L.152-2013, SEC.4.

IC 9-32-13-29

Manufacturer or distributor terminates, cancels, or fails to renew a franchise between the manufacturer or distributor and dealer; exceptions

Sec. 29. (a) This section applies when a manufacturer or distributor terminates, cancels, or fails to renew a franchise between the manufacturer or distributor and a dealer, unless the termination, cancellation, or failure to renew is due to any of the following:

(1) The dealer files for bankruptcy or enters into receivership.

(2) The dealer's license is revoked under IC 9-32-11 or IC 9-32-16.

(3) The dealer has been convicted of or pled guilty to a felony.

(4) The dealer commits fraud.

(5) The dealer has abandoned business operations or otherwise failed to conduct sales and service operations during regular business hours for at least seven (7) consecutive days, unless the abandonment or closure is due to an act of God or another act over which the franchise has no control.

(b) Except as provided in subsection (c), upon termination, cancellation, or nonrenewal, a manufacturer or distributor shall pay to a dealer the following amounts:

(1) If the dealer is leasing the dealership facilities from a person other than the manufacturer or distributor, the lesser of:

(A) the total lease payments remaining unpaid on the date of termination, cancellation, or nonrenewal; or

(B) the total annual lease payments for one (1) year;

subject to damages mitigated by the dealer under the terms of the lease.

(2) If the dealer owns the dealership facilities, an amount equal to the reasonable rental value of the facilities for the one (1) year period beginning on the date of termination, cancellation, or nonrenewal, subject to damages mitigated by the dealer.

(c) A manufacturer or distributor may discharge the manufacturer's or distributor's obligations under a lease with a dealer by negotiating with the dealer a lease termination payment, a sublease, or a new lease.

(d) The manufacturer or distributor is entitled to possession of the dealership facilities during the time period for which the manufacturer or distributor makes any lease payments.

(e) It is an unfair practice for a manufacturer or a distributor to violate this section.

As added by P.L.152-2013, SEC.5.

IC 9-32-13-30

Manufacturer or distributor may not require or coerce improvements to dealer's facilities or signs or franchisor image elements; exceptions

Sec. 30. (a) A manufacturer or distributor may not coerce or require a dealer to:

(1) make an improvement to the dealer's facilities; or

(2) install signs or other franchisor image elements;

that would result in replacing or substantially altering improvements or image elements that the dealer made or installed during the immediately preceding seven (7) years as required by the manufacturer or distributor, unless the improvement or installation of signs or visual elements is necessary to comply with the health or safety laws of the state or to sell, service, or display a new motor vehicle due to the unique technology of the new motor vehicle.

(b) It is an unfair practice for a manufacturer or distributor to violate this section.

(c) This section does not apply to a recreational vehicle manufacturer franchisor.

As added by P.L.152-2013, SEC.6.

IC 9-32-13-31

Complaint of unfair practice; investigation

Sec. 31. (a) A dealer that alleges the commission of an unfair practice by a manufacturer or distributor in violation of section 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 28, 29, or 30 of this chapter may file a complaint with the division under IC 9-32-16-15.

(b) Upon receipt of a complaint under subsection (a), the division may conduct an investigation under IC 9-32-16-14.

(c) If the division determines that a manufacturer or distributor

has committed a violation, including an unfair practice described in subsection (a), the division may take action against the manufacturer or distributor under IC 9-32-16 and IC 9-32-17.

(d) A person that performs an act that is an unfair practice under this chapter commits a Class A infraction.

(e) This section does not limit the ability of a dealer, manufacturer, or distributor to request a hearing under IC 9-32-16-2.

As added by P.L.217-2014, SEC.174. Amended by P.L.174-2016, SEC.107.

IC 9-32-14

Chapter 14. Damage to New Motor Vehicles

IC 9-32-14-1

Liability of dealer for damage

Sec. 1. Notwithstanding the terms, provisions, or conditions of an agreement or franchise, a motor vehicle dealer is solely liable for damage to a new motor vehicle:

(1) after acceptance from the carrier or transporter; and

(2) before delivery to the ultimate purchaser.

As added by P.L.92-2013, SEC.78.

IC 9-32-14-2

Liability of manufacturer, converter manufacturer, or automotive mobility dealer

Sec. 2. Notwithstanding the terms, provisions, or conditions of any agreement or franchise, a manufacturer, converter manufacturer, or automotive mobility dealer is liable for all damage to a new motor vehicle before delivery of the motor vehicle to a carrier or transporter.

As added by P.L.92-2013, SEC.78.

IC 9-32-14-3

Carrier related damage to new motor vehicle

Sec. 3. A motor vehicle dealer is liable for damage to a new motor vehicle after the motor vehicle is delivered to the carrier or transporter only if the dealer selects the method of transportation, mode of transportation, and the carrier or transporter. In all other instances, the manufacturer is liable for carrier related damage to a new motor vehicle.

As added by P.L.92-2013, SEC.78.

IC 9-32-14-4

Disclosure to ultimate purchaser of damage exceeding four percent of retail price; violation

Sec. 4. (a) This section does not apply to damage to:

(1) glass;

(2) radios;

(3) tires;

(4) air bags;

(5) navigation systems;

(6) DVD players;

(7) voice command devices;

(8) hands free technology; and

(9) bumpers;

when replaced by identical manufacturer's original equipment.

(b) Any uncorrected damage or any corrected damage to a new motor vehicle that exceeds four percent (4%) of the manufacturer's

suggested retail price (as defined in 26 U.S.C. 4216), as measured by retail repair costs, must be disclosed by the dealer in writing before delivery of the motor vehicle to the ultimate purchaser.

(c) A person that violates this section commits a Class A infraction.

As added by P.L.92-2013, SEC.78. Amended by P.L.152-2013, SEC.7; P.L.174-2016, SEC.108.

IC 9-32-14-5

Disclosure of damage to new motor vehicle ordered by customer

Sec. 5. Repaired damage to a new motor vehicle ordered by a customer not exceeding four percent (4%) of the manufacturer's suggested retail price (as defined in 26 U.S.C. 4216) does not need to be disclosed at the time of sale.

As added by P.L.92-2013, SEC.78.

IC 9-32-15

Chapter 15. Succession to Franchise by Designated Family Members

IC 9-32-15-1

Application

Sec. 1. This chapter does not apply to a franchise if:

(1) the franchise is granted to a dealer other than a new motor vehicle dealer; and

(2) the franchise or other written document filed with the franchisor includes the franchisee's designation of a successor to the franchise who is not the:

(A) spouse of the franchisee;

(B) child of the franchisee;

(C) grandchild of the franchisee;

(D) spouse of a:

(i) child; or

(ii) grandchild;

of the franchisee;

(E) parent of the franchisee; or

(F) sibling of the franchisee.

As added by P.L.92-2013, SEC.78.

IC 9-32-15-2

Succession to franchise

Sec. 2. A designated family member of a deceased or incapacitated franchisee may succeed the franchisee under the existing franchise if:

(1) the manufacturer or distributor determines, subject to section 3 of this chapter, that the existing franchise should be honored; and

(2) the designated family member complies with section 4 of this chapter.

As added by P.L.92-2013, SEC.78.

IC 9-32-15-3

Good cause to refuse to honor franchise

Sec. 3. A manufacturer or distributor may refuse to honor the succession of an existing franchise under section 2 of this chapter only for good cause.

As added by P.L.92-2013, SEC.78.

IC 9-32-15-4

Qualification of designated family member to succeed to the franchise

Sec. 4. To qualify under section 2 of this chapter to succeed a franchisee under the existing franchise, a designated family member must do all the following:

(1) Not later than one hundred twenty (120) days after the franchisee's death or disability, give the manufacturer or distributor written notice of the designated family member's intention to succeed to the franchise.

(2) Agree to be bound by all terms and conditions of the existing franchise.

(3) Meet the criteria generally applied at the time of the death or incapacity of the franchisee by the manufacturer or distributor in qualifying new motor vehicle dealers as franchisees.

(4) If requested by the manufacturer or distributor, promptly supply personal and financial data that is reasonably necessary for the manufacturer or distributor to determine if the existing franchise should be honored.

As added by P.L.92-2013, SEC.78.

IC 9-32-15-5

Notice of refusal to honor franchise

Sec. 5. (a) Not later than sixty (60) days after receipt of:

(1) notice from a designated family member under section 4(1) of this chapter; or

(2) requested personal or financial data under section 4(4) of this chapter;

a manufacturer or distributor that determines that good cause exists for refusing to honor an existing franchise shall serve notice of the determination on the designated family member.

(b) The notice required under subsection (a) must state the following:

(1) The specific grounds for the manufacturer's or distributor's determination.

(2) The date on which the existing franchise will be discontinued, which must be at least ninety (90) days after the date the notice is served.

(c) If notice of the manufacturer's determination is not served within the time specified in subsection (a) and does not comply with subsection (b), the franchise must be honored and is not subject to discontinuance under this chapter.

As added by P.L.92-2013, SEC.78.

IC 9-32-16

Chapter 16. Administration and Legal Proceedings

IC 9-32-16-1

Administration of dealer services by secretary of state

Sec. 1. (a) This chapter shall be administered by the secretary.

(b) The secretary:

(1) shall employ employees, including a director, investigators, or attorneys, necessary for the administration of this article; and

(2) shall fix the compensation of the employees with the approval of the budget agency.

(c) It is unlawful for the director or an officer, employee, or designee of the secretary to use for personal benefit or the benefit of others records or other information obtained by or filed with the dealer services division under this article that are confidential. This article does not authorize the director or an officer, employee, or designee of the secretary to disclose the record or information, except in accordance with this chapter.

(d) This article does not create or diminish a privilege or exemption that exists at common law, by statute or rule, or otherwise.

(e) The secretary may develop and implement dealer's and motor vehicle purchaser's education initiatives to inform dealers and the public about the offer or sale of motor vehicles, with particular emphasis on the prevention and detection of fraud involving motor vehicle sales. In developing and implementing these initiatives, the secretary may collaborate with public and nonprofit organizations with an interest in consumer education. The secretary may accept a grant or donation from a person that is not affiliated with the dealer industry or from a nonprofit organization, regardless of whether the organization is affiliated with the dealer industry, to develop and implement consumer education initiatives. This subsection does not authorize the secretary to require participation or monetary contributions of a registrant in an education program.

(f) Fees and funds accruing from the administration of this article:

(1) described in IC 9-32-7-1(d) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the dealer compliance account established by IC 9-32-7-1(a);

(2) described in IC 9-32-7-2(b) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the dealer enforcement account established by IC 9-32-7-2(a);

(3) that are designated for deposit in the motor vehicle highway account shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the motor vehicle highway account under IC 8-14-1;

(4) described in IC 9-32-7-3(3) shall be accounted for by the

secretary and shall be deposited with the treasurer of state to be deposited with the state police department, and these fees and funds are continuously appropriated to the department for its use in enforcing odometer laws;

(5) described in IC 9-32-7-3(4) shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited with the attorney general, and these fees and funds are continuously appropriated to the attorney general for use in enforcing odometer laws; and

(6) that are designated for deposit in the state police building account shall be accounted for by the secretary and shall be deposited with the treasurer of state to be deposited in the state police building account.

Expenses incurred in the administration of this article shall be paid from the state general fund upon appropriation being made for the expenses in the manner provided by law for the making of those appropriations. However, grants and donations under subsection (e), costs of investigations, and civil penalties recovered under this chapter shall be deposited by the treasurer of state in the dealer enforcement account established by IC 9-32-7-2. The funds in the dealer compliance account established by IC 9-32-7-1 must be available, with the approval of the budget agency, to augment and supplement the funds appropriated for the enforcement and administration of this article.

(g) In connection with the administration and enforcement of this article, the attorney general shall render all necessary assistance to the director upon the request of the director. To that end, the attorney general shall employ legal and other professional services as are necessary to adequately and fully perform the service under the direction of the director as the demands of the division require. Expenses incurred by the attorney general for the purposes stated under this subsection are chargeable against and shall be paid out of funds appropriated to the attorney general for the administration of the attorney general's office. The attorney general may authorize the director and the director's designee to represent the director and the division in any proceeding involving enforcement or defense of this article.

(h) The secretary, director, and employees of the division are not liable in an individual capacity, except to the state, for an act done or omitted in connection with the performance of their duties under this article.

(i) The director and each attorney or investigator designated by the secretary:

(1) are police officers of the state;

(2) have all the powers and duties of police officers in conducting investigations for violations of this article, or in serving any process, notice, or order issued by an officer, authority, or court in connection with the enforcement of this

article; and

(3) comprise the enforcement department of the division.

The division is a criminal justice agency for purposes of IC 5-2-4 and IC 10-13-3.

(j) The provisions of this article delegating and granting power to the secretary, division, and director shall be liberally construed to the end that:

(1) the practice or commission of fraud may be prohibited and prevented; and

(2) disclosure of sufficient and reliable information in order to afford reasonable opportunity for the exercise of independent judgment of the persons involved may be assured.

(k) Copies of any statements and documents filed in the office of the secretary and of any records of the secretary certified by the director are admissible in any prosecution, action, suit, or proceeding based on, arising out of, or under this article to the same effect as the original of the statement, document, or record would be if actually produced.

As added by P.L.92-2013, SEC.78. Amended by P.L.2-2014, SEC.49; P.L.62-2014, SEC.40; P.L.216-2014, SEC.159; P.L.174-2016, SEC.109.

IC 9-32-16-2

Applications and licenses; discipline; revocation and suspension of licenses; persons not issued a license

Sec. 2. (a) An order issued under this article may deny a dealer license application for registration if the secretary finds that the order is in the public interest and subsection (c) authorizes the action. An order may condition or limit the license of an applicant to be a dealer and, if the applicant for a dealer license is a partner, officer, director, or person having similar status or performing similar functions, or a person directly or indirectly in control of the dealership, the order may condition or limit the license.

(b) If the secretary finds that an order is in the public interest and subsection (c) authorizes the action, an order issued under this article may deny, revoke, suspend, condition, limit, or permanently bar the granting of a license or issuing of a license plate to or an application for a license or license plate from a dealer, or a partner, an officer, a director, or a person having a similar status or performing similar functions as a dealer, or a person directly or indirectly in control of the dealer. However, the secretary may not:

(1) institute a revocation or suspension proceeding under this subsection based on an order issued under the law of another state that is reported to the secretary or a designee of the secretary more than one (1) year after the date of the order on which it is based; or

(2) issue an order on the basis of an order issued under the dealer services laws of another state unless the other order was

based on conduct for which subsection (c) would authorize the action had the conduct occurred in Indiana.

(c) A person may be disciplined under this section if the person:

(1) has filed an application for a dealer license in Indiana under this article, or its predecessor, within the previous ten (10) years, which, as of the effective date of license or registration or as of any date after filing in the case of an order denying effectiveness, was incomplete as to a material fact or contained a statement that, in light of the circumstances under which it was made, was false or misleading with respect to a material fact;

(2) knowingly violated or knowingly failed to comply with this article, or its predecessor, within the previous ten (10) years;

(3) has been convicted of a:

(A) felony within the previous ten (10) years;

(B) felony or misdemeanor involving theft or fraud; or

(C) felony or misdemeanor concerning an aspect of business involving the offer, sale, financing, repair, modification, or manufacture of a motor vehicle;

(4) is enjoined or restrained by a court with jurisdiction in an action instituted by a state or the United States from engaging in or continuing an act, practice, or course of business involving an aspect of a business involving the offer, barter, sale, purchase, transfer, financing, repair, or manufacture of a motor vehicle;

(5) refuses to allow or otherwise impedes the secretary from conducting an audit or inspection;

(6) has engaged in dishonest or unethical practices in a business involving the offer, barter, sale, purchase, transfer, financing, repair, or manufacture of a motor vehicle within the previous ten (10) years;

(7) is engaging in unfair practices as set forth in this article;

(8) is on the most recent tax warrant list supplied to the secretary by the department of state revenue;

(9) violates IC 23-2-2.7;

(10) violates IC 9-19-9;

(11) willfully violates federal or state law relating to the sale, distribution, financing, or insuring of motor vehicles;

(12) is not compliant with local, state, or federal laws and regulations regarding a dealer license or dealer business;

(13) violates IC 9-22-3-19;

(14) violates IC 9-22-3-20; or

(15) violates IC 9-22-5-18.2.

(d) The secretary may revoke, suspend, or deny an application, impose fines and costs, restrict, condition, limit, bar, or suspend a dealer license or license plate issued under this article, or order restitution, or do any combination of these actions before final determination of an administrative proceeding. Upon the issuance of

an order, the secretary shall promptly notify each person subject to the order:

(1) that the order has been issued;

(2) the reasons for the action; and

(3) that upon receipt of a request in a record from the person, the matter will be scheduled for a hearing within fifteen (15) days.

If a hearing is not requested and no hearing is ordered by the secretary within thirty (30) days after the date of service of the order, the order becomes final by operation of law. If a hearing is requested or ordered, the secretary, after notice of and opportunity for hearing to each person subject to the order, may modify or vacate the order or extend the order until final determination.

(e) After a hearing, the secretary may suspend or deny an application, impose fines and costs, restrict, condition, limit, bar, suspend, or revoke a dealer license, or order restitution, or do any combination of these actions.

(f) Revocation or suspension of a license of a dealer may be limited to one (1) or more locations, to one (1) or more defined areas, or only to certain aspects of the business.

(g) Except as provided in subsection (d), an order may not be issued under this section without:

(1) appropriate notice to the applicant or registrant;

(2) an opportunity for a hearing; and

(3) reasons for the action.

(h) A person that controls, directly or indirectly, a person not in compliance with this section may be disciplined by order of the secretary under subsections (a) and (b) to the same extent as the noncomplying person, unless the controlling person did not know, and in the exercise of reasonable care could not have known, of the existence of conduct that is a ground for discipline under this section.

(i) A person subject to this chapter that has not been issued a license is subject to the same disciplinary fines, costs, and penalties as if a license had been issued.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.41; P.L.151-2015, SEC.76; P.L.174-2016, SEC.110.

IC 9-32-16-3

Information or documents considered law enforcement records

Sec. 3. Information or documents obtained by the division in the course of an investigation, including an audit conducted under section 6(c) of this chapter, are investigatory records of law enforcement for the purposes of IC 5-14-3-4(b)(1). The secretary may except these records from disclosure under IC 5-14-3-3.

As added by P.L.92-2013, SEC.78. Amended by P.L.2-2014, SEC.50; P.L.174-2016, SEC.111.

IC 9-32-16-4

Compliance with request, order, or subpoena for production of documentary evidence

Sec. 4. A person complying with any request, order, or subpoena issued by the division for the production of documentary evidence shall retain the originals and shall provide the division with clearly legible, true, and complete copies of the documents requested, along with a signed cover letter, which must identify those documents with a reasonable degree of specificity.

As added by P.L.92-2013, SEC.78.

IC 9-32-16-5

Dealers to provide staff of division access to dealer's premises

Sec. 5. All dealers licensed with the division shall, upon request, provide members of the staff of the division prompt access, during reasonable business hours, to that part of the premises at the dealer's place of business where:

(1) documents are stored; or

(2) motor vehicle sales are offered, made, or processed.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.112.

IC 9-32-16-6

Dealer required to make and maintain records; data storage; records subject to inspection; retention of records

Sec. 6. (a) A dealer licensed or required to be licensed under this article shall make and maintain the records, accounts, correspondence, memoranda, papers, books, and other records required under this article.

(b) Dealer records required to be maintained under IC 9-32-6-14 and other records required under this article may be maintained in any form of data storage acceptable to the secretary if the records are readily accessible and available to copy by an investigating or auditing employee of the secretary upon demand at the place of business of the dealer.

(c) The records of a dealer licensed or required to be licensed under this article are subject to such reasonable periodic, special, or other audits or inspections by a representative of the secretary, within or outside Indiana, as the secretary considers necessary or appropriate in the public interest and for the protection of investors. An audit or inspection may be made at any time and without prior notice. The representative of the secretary may copy, and remove for audit or inspection copies of, the records the secretary reasonably considers necessary or appropriate to conduct the audit or inspection.

(d) Dealer records required to be maintained under IC 9-32-6-14 and other records required under this article must be maintained at the place of business of a dealer for a period of two (2) years. Following the two (2) year period, records may be moved offsite but must be maintained for a period of five (5) years.

As added by P.L.92-2013, SEC.78.

IC 9-32-16-7

Secretary of state to provide assistance to other state or foreign jurisdiction

Sec. 7. At the request of the division or equivalent regulator of another state or foreign jurisdiction, the secretary may provide assistance if the requesting regulator states that the requesting regulator is conducting an investigation to determine whether a person has violated, is violating, or is about to violate a law or rule of the other state or foreign jurisdiction relating to dealer matters that the requesting regulator administers or enforces. The secretary may provide assistance by using the authority to investigate and the powers conferred by this article as the secretary determines are necessary or appropriate. The assistance may be provided without regard to whether the conduct described in the request would also constitute a violation of this article or other law of Indiana if occurring in Indiana. In deciding whether to provide the assistance, the secretary may consider:

(1) whether the requesting regulator is permitted and has agreed to provide assistance reciprocally within the state or foreign jurisdiction of the requesting regulator to the secretary on dealer matters when requested;

(2) whether compliance with the request would violate or prejudice the public policy of Indiana; and

(3) the availability of resources and employees of the division to carry out the request for assistance.

As added by P.L.92-2013, SEC.78.

IC 9-32-16-8

Person required to cooperate with division; failure to cooperate

Sec. 8. (a) A person shall cooperate in an inquiry, investigation, or inspection conducted by, or on behalf of, the division for purposes of determining whether or not a person has violated or is about to violate any provision under this article. The willful failure of a person to cooperate, absent a bona fide claim of privilege, may:

(1) be considered by the division a violation of statute; and

(2) thus subject the person to denial, suspension, or revocation of licensing or a bar from licensing.

(b) The following are examples of, but are not the only, conduct by a person that may be considered a failure to cooperate:

(1) The failure to timely respond by way of appearance or production of documents to a subpoena or order issued by the division.

(2) The failure to answer any question pertinent to inquiry unless the response to the question is subject to a bona fide claim of privilege.

(3) The failure to grant division personnel access to:

(A) the business premises of a dealer or a person required to be licensed as a dealer; or

(B) the records and documents that the dealer or person required to be licensed as a dealer is required, by statute or rule, to make available for inspection.

(4) The failure to attend a scheduled proceeding at which the appearance of the person is required. If a person elects to retain counsel for the purpose of representation in any such proceeding, it is the responsibility of the person to do so in a timely fashion. The failure of a person to retain counsel, absent a showing of good cause, does not require an adjournment of the proceeding.

(5) The failure to timely respond to or to provide information requested under a demand under this chapter.

(6) Aiding or abetting the failure of another person to cooperate.

As added by P.L.92-2013, SEC.78. Amended by P.L.174-2016, SEC.113.

IC 9-32-16-9
Copying of records

Sec. 9. (a) The division may copy records or require a dealer to copy records and provide the copies to the division to the extent and in the manner reasonable under the circumstances.

(b) The division may impose a reasonable fee for the expense of making copies under subsection (a).

As added by P.L.92-2013, SEC.78.

IC 9-32-16-10
Referrals to local prosecuting attorney

Sec. 10. (a) The secretary or a designee of the secretary may refer the facts drawn from an investigation to the prosecuting attorney of the county in which a crime is alleged to have been committed.

(b) The secretary may assist the prosecuting attorney in prosecuting an action brought subsequent to a referral made under subsection (a), which may include a division attorney serving as a special deputy prosecutor appointed by the prosecuting attorney.

As added by P.L.92-2013, SEC.78.

IC 9-32-16-11
Filings with business services division; providing governmental identification numbers; physical Indiana address; national criminal history background check; good standing with state offices

Sec. 11. (a) All dealers operating as a:

(1) corporation;

(2) limited liability company;

(3) limited partnership; or

(4) limited liability partnership;

shall file and maintain all filings required to remain in good standing with the secretary of state business services division.

(b) A dealer that applies for a license under this article shall provide the secretary:

(1) the federal tax identification number; and

(2) the registered retail merchant's certificate number issued under IC 6-2.5-8;

issued to the dealer.

(c) The dealer must, for the entire licensing period, have an established place of business with a physical Indiana address. The dealer may not have a mailing address that differs from the actual location of the business.

(d) Before the secretary may issue a license to a dealer, the following must submit to a national criminal history background check (as defined in IC 10-13-3-12) or expanded criminal history check (as defined in IC 20-26-2-1.5) administered by the state police:

(1) All corporate officers of the dealer that will be named on the license.

(2) All partners of the dealer.

(3) All owners of the dealer.

The secretary shall make the determination whether an individual must submit to a national criminal history background check or an expanded criminal history check under this subsection.

(e) A national criminal history background check or expanded criminal history check conducted under subsection (d):

(1) is at the expense of the dealer and the dealer's corporate officers, partners, and owners; and

(2) may be completed not more than sixty (60) days before the dealer applies for a license under this article.

(f) The secretary may deny an application for a license if the division finds that a corporate officer, a partner, or an owner of a dealer has been convicted of a:

(1) felony within the previous ten (10) years;

(2) felony or misdemeanor involving theft or fraud; or

(3) felony or misdemeanor concerning an aspect of business involving the offer, sale, financing, repair, modification, or manufacture of a motor vehicle.

(g) The dealer and the corporation, company, or partnership must be in good standing with the bureau, the department of state revenue, and the state police department during the entire period for which a license is valid.

As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.42; P.L.174-2016, SEC.114.

IC 9-32-16-12

False or misleading statements or omitted facts

Sec. 12. It is a violation of this article for a person to:

(1) make or cause to be made, in a record that is used in an action or proceeding or filed under this chapter, a statement that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to a material fact; or

(2) in connection with a statement to the division or to a consumer, omit to state a material fact necessary to make the statement made, in light of the circumstances under which it was made, not false or misleading.

As added by P.L.92-2013, SEC.78.

IC 9-32-16-13

Secretary of state to maintain injunctive action; court remedy and relief; director not required to post bond; penalties

Sec. 13. (a) If the secretary believes that a person has engaged, is engaging, or is about to engage in an act, practice, or course of business:

(1) that constitutes a violation of this article or a rule adopted or order issued under this article; or

(2) that materially aids a violation of this article or a rule adopted or order issued under this article;

the secretary or a designee of the secretary, in addition to any administrative remedies, may maintain an action in the circuit or superior court in the county where the investigation or inquiry in question is being conducted to enjoin the act, practice, or course of business and to enforce compliance with this article or a rule adopted or order issued under this article.

(b) In an action under this section and on a proper showing, a court may:

(1) issue a permanent or temporary injunction, restraining order, or declaratory judgment;

(2) order other appropriate or ancillary relief, which may include:

(A) an asset freeze, accounting, writ of attachment, writ of general or specific execution, and appointment of a receiver or conservator;

(B) ordering a receiver or conservator appointed under clause (A) to:

(i) take charge and control of the property of the respondent, including investment accounts and accounts in a depository institution, rents, and profits;

(ii) collect debts; and

(iii) acquire and dispose of property;

(C) imposing a civil penalty of up to ten thousand dollars ($10,000) per violation and an order of rescission, restitution, or disgorgement directed to a person that has engaged in an act, practice, or course of business constituting a violation of this article or a rule adopted or

order issued under this article; and

(D) ordering the payment of prejudgment and postjudgment interest; or

(3) order other relief that the court considers appropriate.

(c) The director may not be required to post a bond in an action or proceeding under this article.

(d) Penalties collected under this section shall be deposited in the dealer enforcement account established by IC 9-32-7-2.

As added by P.L.92-2013, SEC.78.

IC 9-32-16-14

Public or private investigations by secretary; enforcement of compliance with investigation; witness fees and mileage

Sec. 14. (a) The secretary may:

(1) conduct public or private investigations within or outside Indiana that the secretary considers necessary or appropriate to determine whether a person has violated, is violating, or is about to violate this article or a rule adopted or order issued under this article, or aid in the enforcement of this article or in the adoption of rules and forms under this article;

(2) require or permit a person to testify, file a statement, or produce a record, under oath or otherwise as the secretary determines, as to all the facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be instituted; and

(3) publish a record concerning an action, proceeding, or investigation under, or a violation of, this article or a rule adopted or order issued under this article if the secretary determines it is necessary or appropriate and in the public interest and for the protection of dealers or consumers.

(b) For purposes of an investigation under this article, the secretary or a designated employee of the secretary may administer oaths and affirmations, subpoena witnesses, seek compulsion of attendance, take attendance, take evidence, require the filing of statements, and require the production of any records that the secretary considers relevant or material to the investigation. Upon order of the secretary or a hearing officer appointed by the secretary in a hearing, depositions may be taken in the manner prescribed by law for depositions in civil actions and made returnable to the secretary or a hearing officer appointed by the secretary.

(c) If a person does not appear or refuses to testify, file a statement, or produce records, or otherwise does not obey a subpoena as required by this article, the secretary or hearing officer appointed by the secretary may apply to the circuit or superior court in the county where the hearing, investigation, or inquiry in question is being conducted to enforce compliance. The court may:

(1) hold the person in contempt;

(2) order the person to appear before the secretary or hearing

officer appointed by the secretary;

(3) order the person to testify about the matter under investigation or in question;

(4) order the production of records;

(5) grant injunctive relief, including restricting or prohibiting the offer or sale of vehicles;

(6) impose a civil penalty of not more than twenty thousand dollars ($20,000) for each violation; and

(7) grant any other necessary or appropriate relief.

(d) This section does not preclude a person from applying to the circuit or superior court in the county where the hearing, investigation, or inquiry in question is being conducted for relief from a request to appear, testify, file a statement, produce records, or obey a subpoena.

(e) If a witness, in any hearing, inquiry, or investigation conducted under this article, refuses to answer any question or produce any item, the secretary may file a written petition with the circuit or superior court in the county where the hearing, investigation, or inquiry in question is being conducted requesting a hearing on the refusal. The court shall hold a hearing to determine if the witness may refuse to answer the question or produce the item. If the court determines that the witness, based upon the witness's privilege against self-incrimination, may properly refuse to answer or produce an item, the secretary may make a written request that the court grant use immunity to the witness. Upon written request of the secretary, the court shall grant use immunity to a witness. The court shall instruct the witness, by written order or in open court, that:

(1) any evidence the witness gives, or evidence derived from that evidence, may not be used in any criminal proceedings against that witness, unless the evidence is volunteered by the witness or is not responsive to a question; and

(2) the witness must answer the questions asked and produce the items requested.

A grant of use immunity does not prohibit the use of evidence that the witness gives in a hearing, investigation, or inquiry from being used in a prosecution for perjury under IC 35-44.1-2-1. If a witness refuses to give the evidence after the witness has been granted use immunity, the court may find the witness in contempt.

(f) In any prosecution, action, suit, or proceeding based upon or arising out of or under this article, a certificate signed by the secretary showing compliance or noncompliance with this article by a dealer constitutes prima facie evidence of compliance or noncompliance with this article and is admissible in evidence in any action at law or in equity to enforce this article.

(g) Each witness who appears before the secretary or a hearing officer appointed by the secretary by order is entitled to receive for the witness's attendance the fees and mileage provided for witnesses in civil cases, which must be audited and paid by the state in the

same manner as other expenses of the division are audited and paid when proper vouchers sworn to by the witnesses and approved by the secretary are presented. However, a witness subpoenaed at the instance of parties other than the secretary or a hearing officer appointed by the secretary is not entitled to any fee or compensation from the state.
As added by P.L.92-2013, SEC.78.

IC 9-32-16-15
Dealers; unfair practices; demand for mediation; mediation

Sec. 15. (a) A dealer who is injured by an unfair practice set forth in IC 9-32-13 or IC 9-32-15 may file a complaint or petition with the division.

(b) A dealer may not file a complaint or petition with the division under subsection (a) based on an alleged violation of IC 9-32-13 or IC 9-32-15 by a manufacturer or distributor unless the dealer serves a demand for mediation upon the manufacturer or distributor:

(1) before; or

(2) at the same time as;

filing the complaint or petition. A demand for mediation must be in writing and served upon the manufacturer or distributor by certified mail at an address designated for the manufacturer or distributor in the licensor's records. The demand for mediation must contain a brief statement of the dispute and the relief sought by the dealer serving the demand.

(c) Not later than twenty (20) days after the date the demand for mediation is served under subsection (b), the parties shall mutually select an independent mediator and meet with the mediator for the purpose of attempting to resolve the dispute. The meeting place must be within Indiana at a location selected by the mediator. The mediator may extend the period in which the meeting must occur for good cause shown by either party or upon stipulation of the parties.
As added by P.L.92-2013, SEC.78.

IC 9-32-16-16
Alteration or reproduction of license prohibited

Sec. 16. A dealer may not alter or reproduce a license issued to the dealer by the secretary under this article or by the bureau of motor vehicles under IC 9-23 (before its repeal).
As added by P.L.174-2016, SEC.115.

IC 9-32-17

Chapter 17. Penalties and Disciplinary Action

IC 9-32-17-1

Civil penalties

Sec. 1. A person who violates this article, a rule established under this article, or an order issued by the secretary under this article is subject to a civil penalty of up to ten thousand dollars ($10,000) for each act of violation. Civil penalties recovered under this section shall be paid to the state and deposited into the dealer enforcement account established by IC 9-32-7-2.

As added by P.L.92-2013, SEC.78. Amended by P.L.151-2015, SEC.77.

IC 9-32-17-2

Repealed

(As added by P.L.92-2013, SEC.78. Amended by P.L.168-2014, SEC.19. Repealed by P.L.217-2014, SEC.175.)

IC 9-32-17-3

Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.217-2014, SEC.176.)

IC 9-32-17-4

Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.217-2014, SEC.177.)

IC 9-32-17-5

Repealed

(As added by P.L.92-2013, SEC.78. Amended by P.L.62-2014, SEC.43. Repealed by P.L.217-2014, SEC.178.)

IC 9-32-17-6

Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.217-2014, SEC.179.)

IC 9-32-17-7

Civil penalties for failure to deliver certificate of origin or title

Sec. 7. A person who fails to deliver a certificate of origin or title under IC 9-32-5-2 or IC 9-32-5-8 or fails to deliver timely a certificate of title under IC 9-32-4-1(c) is subject to the following civil penalties:

(1) One hundred dollars ($100) for the first violation in a calendar year.

(2) Two hundred fifty dollars ($250) for the second violation in

a calendar year.

(3) Five hundred dollars ($500) for all subsequent violations in a calendar year.

Payment shall be made to the secretary and deposited in the dealer enforcement account established under IC 9-32-7-2.

As added by P.L.92-2013, SEC.78. Amended by P.L.262-2013, SEC.142.

IC 9-32-17-8

Repealed

(As added by P.L.92-2013, SEC.78. Repealed by P.L.151-2015, SEC.78.)

IC 9-32-17-9

Remedies for violation of, attempting to violate, or assisting in a violation relating to administration of dealer services

Sec. 9. In addition to all other remedies, the secretary may seek the following remedies against a person that violates, attempts to violate, or assists in a violation of or an attempt to violate IC 9-32-16:

(1) An injunction.

(2) Appointment of a receiver or conservator.

(3) A civil penalty not to exceed ten thousand dollars ($10,000) per violation.

(4) An action to enforce a civil penalty assessed under subdivision (3).

Civil penalties recovered under this section shall be paid to the state and deposited into the dealer enforcement account established by IC 9-32-7-2.

As added by P.L.92-2013, SEC.78.

IC 9-33

ARTICLE 33. ADMINISTRATIVE PROCEDURES

IC 9-33-1

Chapter 1. Applicability

IC 9-33-1-1

Applicability

Sec. 1. This article applies to the following:

(1) Actions taken under a court order.

(2) Actions required under IC 9-24-2-1, IC 9-24-2-2, or IC 9-24-2-4.

(3) Actions required under IC 9-24-6 (before its repeal on July 1, 2016).

(4) Actions required under IC 9-24-6.5-6(c) (before its repeal on July 1, 2016).

(5) Actions taken under IC 9-24-6.1.

(6) Actions required under IC 9-25.

(7) Actions taken under IC 9-28.

(8) Actions required under IC 9-30.

(9) Refunds claimed after June 30, 2016, of fees imposed by the bureau.

As added by P.L.149-2015, SEC.110. Amended by P.L.198-2016, SEC.630.

IC 9-33-1-2

Actions not subject to administrative review under IC 4-21.5

Sec. 2. An action of the bureau that is listed in section 1 of this chapter is not subject to administrative review under IC 4-21.5.

As added by P.L.149-2015, SEC.110.

IC 9-33-2

Chapter 2. Material Error Review

IC 9-33-2-1

Determination of material error; review by bureau; notice; judicial review

Sec. 1. (a) If a person determines that the records of the bureau contain a material error with respect to the person or the person's records, the person may notify the bureau in writing of the material error.

(b) Not more than thirty (30) days after the bureau receives notice under subsection (a), the bureau shall determine if a material error was made.

(c) If the bureau determines that a material error was made with respect to the person's records, the bureau shall provide written notice to the person and correct the error, including removing any suspension of the person's driving privileges or registration and reinstating the person's driving privileges or registration.

(d) If the bureau determines that a material error exists with respect to an action under IC 9-30-10, the bureau shall notify the prosecuting attorney of the county in which the action originated of the bureau's determination of the material error. The prosecuting attorney is entitled to respond to the bureau's determination.

(e) A person aggrieved by the bureau's determination of a material error under this section may seek judicial review of the determination under section 3 of this chapter.

As added by P.L.149-2015, SEC.110.

IC 9-33-2-2

Actions taken by bureau; judicial review

Sec. 2. (a) The bureau may modify, amend, or cancel any order issued or determination made under this chapter at any time before the deadline to seek judicial review of the order or determination under section 3 of this chapter has passed.

(b) A person aggrieved by a modification, amendment, or cancellation under subsection (a) may seek judicial review of the modification, amendment, or cancellation under section 3 of this chapter.

As added by P.L.149-2015, SEC.110.

IC 9-33-2-3

Judicial review; petition; contents; stay of underlying action

Sec. 3. (a) A person aggrieved by an action under this article may file a petition in the circuit or superior court of the county in which the person resides. A nonresident may file a petition for review in the Marion County circuit court.

(b) The person must file the petition not more than fifteen (15) days after the earlier of:

(1) the date on which the person receives written notice under section 1 of this chapter; or

(2) the expiration of the thirty (30) day period under section 1(b) of this chapter.

(c) A petition filed under subsection (a) must:

(1) be verified by the petitioner;

(2) state the petitioner's age, date of birth, place of residence, and driver's license identification number;

(3) state the action under section 1 of this chapter from which the person seeks relief;

(4) include a copy of any written order or determination made by the bureau with respect to the action;

(5) state the grounds for relief, including all facts showing that the bureau's action is wrongful or unlawful; and

(6) state the relief sought.

(d) The filing of a petition under this section does not automatically stay the underlying action. The court in which the petition is filed may stay the underlying action pending final judicial review if the court determines that the petition states facts that show a reasonable probability that the action is wrongful or unlawful.

(e) This subsection applies to a petition that alleges a material error with respect to an action taken by the bureau under IC 9-30-10. Not more than six (6) months after the petition is filed, the court shall hear the petition, take testimony, and examine the facts of the case. In disposing of the petition, the court may modify, affirm, or reverse the action of the bureau in whole or in part and shall issue an appropriate order. If the court fails to hear the petition in a timely manner, the original action of the bureau is reinstated in full force and effect.

As added by P.L.149-2015, SEC.110. Amended by P.L.198-2016, SEC.631.

IC 9-33-2-4

Summons; service; application of rules of trial procedures; court costs and fees

Sec. 4. (a) A summons in a proceeding under this chapter shall be issued and served in the manner provided for civil actions. In a proceeding to review an action taken by the bureau under IC 9-30-10, the summons and a copy of the petition shall be served on the prosecuting attorney of the county in which the petition is filed and the bureau. In a proceeding to review any other action taken by the bureau, the summons and a copy of the petition shall be served on the attorney general and the bureau.

(b) The petitioner bears the burden of proof by a preponderance of the evidence to prevail in a proceeding under this chapter.

(c) IC 9-30-3-15 and the rules of trial procedure apply in a proceeding under this chapter. However:

(1) a responsive pleading is not required when a petition for

review has been filed; and

(2) a person is not entitled to a change of venue from the county.

(d) In a proceeding to review an action taken by the bureau under IC 9-30-10, the prosecuting attorney of the county in which the petition is filed shall represent the state in relation with the bureau. In a proceeding for any other action taken by the bureau, the attorney general shall represent the state in relation with the bureau.

(e) Court costs, including fees, shall be assessed and paid by the petitioner at the time of filing in an amount equal to the costs, including fees, assessed in the enforcement of infractions. However, a petitioner whose driving privileges have been reinstated under IC 9-30-10 is entitled to a refund of all court costs, including fees.

As added by P.L.149-2015, SEC.110.

IC 9-33-2-5

Docketing of cause; bureau not liable for costs

Sec. 5. On the filing of a petition for judicial review under this chapter, the cause shall be docketed by the clerk of the court in the name of the petitioner against the bureau. The issues shall be considered closed by denial of all matters at issue without the necessity of filing any further pleadings. The bureau is not liable or taxable for any cost in any action for judicial review under this chapter.

As added by P.L.149-2015, SEC.110.

IC 9-33-3

Chapter 3. Refunds of Certain Fees

IC 9-33-3-1

Applicability; claims for refunds; contents; procedure

Sec. 1. (a) This section applies if:

(1) the bureau charges a person a fee in an amount greater than required by law and the person pays the fee;

(2) the bureau charges a person a fee in error and the person pays the fee; or

(3) a person pays a fee in error to the bureau.

(b) A person described in subsection (a) may file a claim for a refund with the bureau on a form furnished by the bureau. The claim must:

(1) be filed within three (3) years after the date on which the person pays the fee;

(2) set forth the amount of the refund that the person is claiming;

(3) set forth the reasons the person is claiming the refund; and

(4) include any documentation supporting the claim.

(c) After considering the claim and all evidence relevant to the claim, the bureau shall issue a decision on the claim, stating the part, if any, of the refund allowed and containing a statement of the reasons for any part of the refund that is denied. The bureau shall mail a copy of the decision to the claimant. However, if the bureau allows the full refund claimed, a warrant for the payment of the claim is sufficient notice of the decision.

(d) If a person disagrees with all or part of the bureau's decision, the person may file a petition under IC 9-33-2-3.

As added by P.L.198-2016, SEC.632.

IC 9-33-3-2

Method of refund

Sec. 2. If the bureau determines that a person is entitled to a refund under section 1 of this chapter, the bureau shall refund the amount of overpayment by:

(1) placing a credit on the person's account with the bureau; or

(2) warrant issued by the auditor of state drawn on the treasurer of state.

A person may affirmatively elect to receive a refund in the form of a warrant rather than as a credit.

As added by P.L.198-2016, SEC.632.

IC 9-33-3-3

Class action for refunds

Sec. 3. A class action for refunds under this chapter may not be maintained in any court on behalf of any person who has not complied with the requirement of section 1 of this chapter before the

class is certified. A refund under this chapter to a member of a class in a class action is subject to the time limits set forth in section 1 of this chapter based on the time the class member filed the claim with the bureau.

As added by P.L.198-2016, SEC.632.