

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.)