

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 otherwise provided in this chapter, an individual must have a valid Indiana:

- (1) operator's license;
- (2) chauffeur's license;
- (3) public passenger chauffeur's license;
- (4) commercial driver's license;
- (5) driver's license listed in subdivision (1), (2), (3), or (4) with:
 - (A) a motorcycle endorsement; or
 - (B) a motorcycle endorsement with a Class A motor driven cycle restriction;
- (6) learner's permit; or
- (7) motorcycle learner's permit;

issued to the individual by the bureau under this article to operate upon an Indiana highway the type of motor vehicle for which the license 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; or
- (2) a valid driver's license described in subsection (a);

to operate a Class B motor driven cycle upon an Indiana highway.

(c) A person who operates a motor vehicle or motor driven cycle upon a road or highway without the proper license 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.

IC 9-24-1-1.5

Applicability; exception

Sec. 1.5. (a) An individual who is an Indiana resident is eligible to apply for a license under this article.

(b) This section does not prevent the bureau from issuing a license under this article to an individual who is:

- (1) not required by this article to reside in Indiana to receive the license; and
- (2) otherwise qualified to receive the license.

As added by P.L.14-2004, SEC.186. Amended by P.L.125-2012, SEC.160; P.L.85-2013, SEC.21.

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Repealed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 Repealed by P.L.125-2012, SEC.161.)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Repealed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 Repealed by P.L.156-2006, SEC.25.)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

Medical services vehicle operation; requirements; violation

Sec. 4. (a) Except as otherwise provided in this chapter, an individual must:

- (1) have a valid Indiana driver's license; and
- (2) be at least eighteen (18) years of age;

to drive a medical services vehicle upon an Indiana highway.

(b) A person who violates subsection (a) commits a Class C infraction.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.162; P.L.188-2015, SEC.91.

IC 9-24-1-5

Motorcycle or Class A motor driven cycle operation; required licenses; violation

Sec. 5. (a) An individual must have:

- (1) a valid operator's, chauffeur's, public passenger chauffeur's, or commercial driver's license with a motorcycle endorsement;
- (2) a valid motorcycle learner's permit subject to the limitations imposed under IC 9-24-8; or
- (3) a valid driver's license from any other jurisdiction that is valid for the operation of a motorcycle in that jurisdiction;

to operate a motorcycle upon an Indiana highway.

(b) An individual who held a motorcycle operator's license on December 31, 2011, must hold a valid operator's, chauffeur's, public passenger chauffeur's, or commercial driver's license with a motorcycle endorsement in order to operate a motorcycle after December 31, 2011, without restrictions.

(c) An individual must have:

- (1) a driver's license or learner's permit described in subsection (a); or
- (2) a valid operator's, chauffeur's, public passenger chauffeur's, or commercial driver's license with a motorcycle endorsement with a Class A motor driven cycle restriction under IC 9-24-8-4(g);

to operate a Class A motor driven cycle upon an Indiana highway.

(d) A person who operates a Class A motor driven cycle in violation of subsection (a), (b), or (c) commits a Class C infraction.

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.

IC 9-24-1-6

Commercial driver's license; necessity; exception

Sec. 6. (a) Except as provided in subsection (b) or as otherwise provided in this article, an individual must hold a valid commercial driver's license to drive a commercial motor vehicle upon an Indiana highway.

(b) Subsection (a) does not apply if the individual:

- (1) holds a valid driver's license of any type;
- (2) is enrolled in a commercial motor vehicle training course approved by the bureau; and
- (3) is operating a commercial motor vehicle under the direct supervision of a licensed commercial motor vehicle driver.

(c) A person who knowingly or intentionally violates subsection (a) commits a Class C misdemeanor.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.164; P.L.217-2014, SEC.76.

IC 9-24-1-7

Exempt operators

Sec. 7. (a) Sections 1 through 5 of this chapter do 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) a road roller;
 - (B) road construction or maintenance machinery, except where the road roller or machinery is required to be registered under Indiana law;
 - (C) a ditch digging apparatus;
 - (D) a well drilling apparatus; or
 - (E) a concrete mixer;

that is being temporarily drawn, moved, or propelled on a public highway.

(3) A nonresident who:

- (A) is at least sixteen (16) years and one hundred eighty (180) days of age;
- (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 a motor vehicle upon a public highway only as an operator.

(4) A nonresident who:

- (A) is at least eighteen (18) years of age;

(B) has in the nonresident's immediate possession a valid chauffeur'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 a motor vehicle upon a public highway, either as an operator or a chauffeur.

(5) A nonresident who:

(A) is at least eighteen (18) years of age; and

(B) has in the nonresident's immediate possession a valid license issued by the nonresident's home state for the operation of any motor vehicle upon a public highway when in use as a public passenger carrying vehicle;

while operating a motor vehicle upon a public highway, either as an operator or a public passenger chauffeur.

(6) An individual who is legally licensed to operate a motor vehicle in the state of the individual's residence and who is employed in Indiana, subject to the restrictions imposed by the state of the individual's residence.

(7) A new resident of Indiana who possesses a valid, unrestricted driver's license issued by the resident's former state of residence, for a period of sixty (60) days after becoming a resident of Indiana.

(8) An individual who is an engineer, a conductor, a brakeman, or another member of the crew of a locomotive or a train that is being operated upon rails, including the operation of the locomotive or the train on a crossing over a street or a highway. An individual described in this subdivision is not required to display a license to a law enforcement officer in connection with the operation of a locomotive or a train in Indiana.

(9) An individual while operating:

(A) a farm tractor;

(B) a farm wagon (as defined in IC 9-13-2-60(a)(2)); or

(C) an implement of agriculture designed to be operated primarily in a farm field or on farm premises;

that is being temporarily drawn, moved, or propelled on a public highway. However, to operate a farm wagon (as defined in IC 9-13-2-60(a)(2)) on a highway, other than to temporarily draw, move, or propel the farm wagon (as defined in IC 9-13-2-60(a)(2)), an 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.

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

Persons under court orders concerning controlled substance violations or criminal mischief

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 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(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.

IC 9-24-2-3

Persons 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 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 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 vehicle upon the public highways.

(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 person 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 public highway of Indiana 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 person'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.

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 person's commercial driving privileges but shall indicate on the person's record that the person has conditional driving privileges to operate a motor vehicle to and from the person's place of employment and in the course of the person'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 person obtains an order for conditional driving privileges within the thirty (30) days, the person may continue to operate a motor vehicle with the conditional driving privileges beyond the thirty (30) day period.

(c) If the person does not obtain an amended order within the thirty (30) day period, the bureau shall suspend the person'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.

IC 9-24-2-4

Invalidation and revalidation of license; truant, suspended and expelled, and withdrawn students

Sec. 4. (a) If a person 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 person's school corporation, suspend the person's driving privileges until the earliest of the following:

- (1) The person becomes eighteen (18) years of age.
- (2) One hundred twenty (120) days after the person is suspended.
- (3) The suspension, expulsion, or exclusion is reversed after the person has had a hearing under IC 20-33-8.

(b) The bureau shall promptly mail a notice to the person's last known address that states the following:

- (1) That the person's driving privileges will be suspended for a specified period commencing five (5) days after the date of the notice.
- (2) That the person has the right to appeal the suspension of the driving privileges.

(c) If an aggrieved person believes that:
(1) the information provided was technically incorrect; or
(2) the bureau committed a technical or procedural error;
the aggrieved person may appeal the invalidation of a license under section 5 of this chapter.

(d) If a person satisfies the conditions for reinstatement of a license under this section, the person 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 person's driving privileges.

(f) A person may not operate a motor vehicle in violation of this section.

(g) A person 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 a person whose driving privileges were suspended under this section if the person 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 person 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).

A person 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.

IC 9-24-2-5

Hearings

Sec. 5. (a) A person whose driving privileges have been suspended under section 4 of this chapter is entitled to a prompt judicial hearing. The person may file a petition that requests a hearing in a circuit, superior, county, or municipal court in the county where:

(1) the person resides; or

- (2) the school attended by the person is located.
 - (b) The petition for review must:
 - (1) be in writing; and
 - (2) be verified by the person seeking review and:
 - (A) allege specific facts that indicate the suspension or expulsion was improper; or
 - (B) allege that due to the person's emancipation or dependents that 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 person from school, including affording the person due process under IC 20-33-8.
 - (2) Whether the bureau followed proper procedures in suspending the person's driving privileges.
 - (d) If the court finds:
 - (1) that the school failed to follow proper procedures when suspending or expelling the person from school; or
 - (2) that the bureau failed to follow proper procedures in suspending the person's driving privileges;the court may order the bureau to reinstate the person'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.*

IC 9-24-2-6
Violations

Sec. 6. A person who violates this chapter commits a Class C infraction.
As added by P.L.2-1991, SEC.12.

IC 9-24-2.5

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 Version a

Commission agreement with commissioner of Social Security to verify voter registration information

Note: This version of section effective until 5-5-2015. See also following version of this section, effective 5-5-2015.

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.

As added by P.L.209-2003, SEC.199. Amended by P.L.128-2015, SEC.225.

IC 9-24-2.5-13 Version b

Commission agreement with commissioner of Social Security to verify voter registration information; cancellation of registration of deceased voter

Note: This version of section effective 5-5-2015. See also preceding version of this section, effective until 5-5-2015.

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

Sec. 1. 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 fee prescribed by IC 9-29-9.

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.

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 examination.

(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 examination.
 - (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 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 for at least one hundred eighty (180) days.
 - (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 of Indiana 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 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.

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 Version a

Surrender of current license and identification card

Note: This version of section effective until 1-1-2016. See also following version of this section, effective 1-1-2016.

Sec. 4. To receive an operator's license, an individual must surrender to the bureau any and all driver's licenses or identification cards issued under IC 9-24 to the individual by Indiana or any other jurisdiction.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.175; P.L.217-2014, SEC.80.

IC 9-24-3-4 Version b

Surrender of current license and identification card

Note: This version of section effective 1-1-2016. See also preceding version of this section, effective until 1-1-2016.

Sec. 4. To receive an operator's license, an individual must surrender to the bureau any and all driver's licenses, identification cards, or photo exempt identification cards issued under IC 9-24 to the individual by Indiana or any other jurisdiction.

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.

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 9-24-4-1

Issuance; conditions

Sec. 1. 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 fee prescribed in IC 9-29-9.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.176.

IC 9-24-4-2

Age requirement; hardship waiver

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.

As added by P.L.2-1991, SEC.12.

IC 9-24-4-3

Surrender of driver's license

Sec. 3. 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.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.177.

IC 9-24-4-4

Operating privileges

Sec. 4. 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.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.178; P.L.221-2014, SEC.60.

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 of chauffeurs; license required

Sec. 5. 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.

As added by P.L.2-1991, SEC.12.

IC 9-24-4-5.3

Transport of recreational vehicle prior to first retail sale

Sec. 5.3. 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.

As added by P.L.76-2015, SEC.1.

IC 9-24-4-5.5

Chauffeur's licenseholder after June 30, 1991; term of operation of commercial vehicle after issuance or renewal

Sec. 5.5. Notwithstanding any other law, a person holding a chauffeur's license that is renewed or issued after June 30, 1991, is not entitled by that license to operate a commercial motor vehicle.

As added by P.L.96-1991, SEC.2. Amended by P.L.125-2012, SEC.179.

IC 9-24-4-6

Violations

Sec. 6. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.12.

IC 9-24-5

Chapter 5. Public Passenger Chauffeur's License

IC 9-24-5-1

Issuance; conditions

Sec. 1. 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 the fee prescribed in IC 9-29-9.

As added by P.L.2-1991, SEC.12. Amended by P.L.156-2006, SEC.5; P.L.125-2012, SEC.180.

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

Sec. 3. 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.

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.

IC 9-24-5-4

Surrender of current licenses

Sec. 4. 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.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.183.

IC 9-24-5-5

Employment of public passenger chauffeurs; license required

Sec. 5. 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.
As added by P.L.2-1991, SEC.12.

IC 9-24-5-5.5

Renewal or issuance of license after June 30, 1991; operation of commercial motor vehicle

Sec. 5.5. 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.

As added by P.L.96-1991, SEC.3. Amended by P.L.125-2012, SEC.184.

IC 9-24-5-6

Violations

Sec. 6. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.12.

IC 9-24-6

Chapter 6. Commercial Driver's License

IC 9-24-6-0.1

Application of certain amendments to chapter

Sec. 0.1. The following amendments to this chapter apply as follows:

(1) Notwithstanding the amendments made to section 1 of this chapter by P.L.219-2003, this chapter does not apply to a motor vehicle that is used as a school bus, that is designed to carry more than fifteen (15) passengers, including the driver, and that is exempt under 49 U.S.C. 521, and 49 U.S.C. 31301 through 31306, or applicable federal regulations, as provided by section 1 of this chapter, as amended by P.L.219-2003, before July 1, 2005.

(2) Notwithstanding the amendments made to section 2 of this chapter by P.L.219-2003:

(A) the requirement that the rules adopted by the bureau to regulate persons required to hold a commercial driver's license shall carry out 49 CFR 384;

(B) the prohibition against the rules adopted by the bureau to regulate persons required to hold a commercial driver's license being more restrictive than the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159.113 Stat. 1748); and

(C) the adoption of 49 CFR 384 as Indiana law;

as provided by section 2 of this chapter, as amended by P.L.219-2003, do not apply before July 1, 2005.

As added by P.L.220-2011, SEC.221. Amended by P.L.7-2015, SEC.27.

IC 9-24-6-0.3

"Alcohol"

Sec. 0.3. As used in this chapter, "alcohol" has the meaning set forth in 49 CFR 383.5 as in effect July 1, 2010.

As added by P.L.9-2010, SEC.11.

IC 9-24-6-0.5

"Commercial driver's license learner's permit"

Sec. 0.5. As used in this chapter, "commercial driver's license learner's permit" means a learner's permit that allows an individual, unless otherwise disqualified, to operate a commercial motor vehicle only when accompanied by a person:

(1) who holds a valid commercial driver's license for the type of commercial motor vehicle being driven; and

(2) who occupies a seat beside the individual in order to give instruction to the individual in driving the commercial motor vehicle.

As added by P.L.188-2006, SEC.4. Amended by P.L.125-2012, SEC.185.

IC 9-24-6-0.7

"Domicile" or "state of domicile"

Sec. 0.7. As used in this chapter, "domicile" or "state of domicile" has the meaning set forth in 49 CFR 383.5.

As added by P.L.149-2015, SEC.58.

IC 9-24-6-0.8

"Downgrade"

Sec. 0.8. As used in this chapter, "downgrade" has the meaning specified in the definition of CDL downgrade as set forth in 49 CFR 383.5 as in effect on July 1, 2010.

As added by P.L.45-2011, SEC.6. Amended by P.L.125-2012, SEC.186.

IC 9-24-6-0.9

"Medical examiner"

Sec. 0.9. As used in this chapter, "medical examiner" has the meaning set forth in 49 CFR 390.5.

As added by P.L.45-2011, SEC.7.

IC 9-24-6-1

Exempted vehicles

Sec. 1. This chapter does not apply to a motor vehicle or the operator of a motor vehicle that is not a commercial motor vehicle or is otherwise excepted in 49 CFR 383.3, 49 CFR 390, or 49 CFR 391.

As added by P.L.2-1991, SEC.12. Amended by P.L.219-2003, SEC.3; P.L.125-2012, SEC.187.

IC 9-24-6-2

Rules

Sec. 2. (a) The bureau shall adopt rules under IC 4-22-2 to regulate persons required to hold a commercial driver's license.

(b) The rules must carry out 49 U.S.C. 521, 49 U.S.C. 31104, 49 U.S.C. 31301 through 31306, 49 U.S.C. 31308 through 31317, and 49 CFR 383 through 384, and may not be more restrictive than the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159, 113 Stat. 1748).

(c) Rules adopted under this section must include the following:

(1) Establishment of classes and periods of validation of commercial driver's licenses, including the period set forth in IC 9-24-12-6(a).

(2) Standards for commercial driver's licenses, including suspension and revocation procedures.

(3) Requirements for documentation of eligibility for legal employment, as set forth in 8 CFR 274a.2, and proof of Indiana domicile.

- (4) Development of written or oral tests, driving tests, and fitness requirements.
- (5) Defining the commercial driver's licenses by classification and the information to be contained on the licenses, including a unique identifier of the holder.
- (6) Establishing fees for the issuance of commercial driver's licenses, including fees for testing and examination.
- (7) Procedures for the notification by the holder of a commercial driver's license to the bureau and the driver's employer of pointable traffic offense convictions.
- (8) Conditions for reciprocity with other states, including requirements for a written commercial driver's license test and operational skills test, and a hazardous materials endorsement written test and operational skills test, before a license may be issued.
- (9) Certification of commercial motor vehicle operators who transport 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 to proper load securement of the metal coil or coils as provided in 49 CFR 393.120.
- (10) Other rules necessary to administer this chapter.

(d) 49 CFR 383 through 384 and 49 CFR 393.120 are adopted as Indiana law.

As added by P.L.2-1991, SEC.12. Amended by P.L.66-1992, SEC.13; P.L.123-2002, SEC.15; P.L.219-2003, SEC.4; P.L.123-2005, SEC.1; P.L.188-2006, SEC.5; P.L.76-2009, SEC.1; P.L.65-2010, SEC.6; P.L.85-2013, SEC.30; P.L.149-2015, SEC.59.

IC 9-24-6-2.1

Surrender of driver's license

Sec. 2.1. To receive a commercial driver's license under this chapter, an individual must surrender any and all driver's licenses issued to the individual by Indiana or any other jurisdiction.

As added by P.L.85-2013, SEC.31.

IC 9-24-6-2.3

Requirements; medical examination report and certificate

Sec. 2.3. (a) In addition to the requirements of 49 CFR 383.71, an individual who holds or applies for a new commercial driver's license or a commercial driver's license learner's permit must have a copy of a current medical examination report and medical examiner's certificate prepared by a medical examiner on file with the bureau.

(b) The holder of a commercial driver's license or commercial driver's license learner's permit must have a copy of a current medical examination report and medical examiner's certificate on file with the bureau each time a medical examination report and medical examiner's certificate are obtained by the holder, regardless of whether the medical examiner certifies the holder as qualified.

(c) If a medical examination report does not certify that the holder of a commercial driver's license or commercial driver's license learner's permit meets the physical standards in 49 CFR 391.41 or if the holder is otherwise unqualified, the commercial driver's license or commercial driver's license learner's permit holder is disqualified from operating a commercial motor vehicle.

(d) The bureau shall make the final determination of whether an individual who applies for or holds a commercial driver's license or commercial driver's license learner's permit meets the qualifications of 49 CFR 391.41. If the bureau determines that the applicant or holder does not meet the qualifications of 49 CFR 391.41, the applicant or holder is disqualified from operating a commercial motor vehicle.

(e) If a commercial driver's license or commercial driver's license learner's permit applicant or holder who is disqualified from operating a commercial motor vehicle under subsection (c) or (d) attempts to transfer the commercial driver's license or commercial driver's license learner's permit to another state, the applicant or holder remains disqualified from operating a commercial motor vehicle until the applicant or holder is able to establish to the bureau's satisfaction that the applicant or holder meets the qualifications of 49 CFR 391.41.

(f) With respect to the self-certification requirements of 49 CFR 383.71(a)(1), a commercial driver's license or commercial driver's license learner's permit applicant must certify that the applicant expects to operate only in interstate or intrastate commerce, and whether the applicant is medically excepted. Regardless of the applicant's certification under this subsection, the applicant remains subject to the requirements of 49 CFR 391.41 and 49 CFR 383.71, except as provided for by rule.

(g) This section applies to every commercial driver's license or commercial driver's license learner's permit applicant or holder regardless of whether the applicant or holder will be operating in excepted commerce, as described in 49 CFR 383.71 et seq.

As added by P.L.45-2011, SEC.8. Amended by P.L.125-2012, SEC.188; P.L.7-2015, SEC.28; P.L.149-2015, SEC.60.

IC 9-24-6-2.5

Repealed

(As added by P.L.188-2006, SEC.6. Repealed by P.L.149-2015, SEC.61.)

IC 9-24-6-2.7

Repealed

(As added by P.L.220-2011, SEC.222. Repealed by P.L.149-2015, SEC.62.)

IC 9-24-6-3

Transportation of individuals; age and experience requirements

Sec. 3. The holder of a commercial driver's license for the transportation of individuals must meet the following conditions:

- (1) Be at least twenty-one (21) years of age.
- (2) Have had at least one (1) year of driving experience as a licensed driver.

As added by P.L.2-1991, SEC.12.

IC 9-24-6-4

Transportation of property; age and experience requirements

Sec. 4. An applicant for a commercial driver's license for the transportation of property or a commercial driver's license learner's permit must meet the following conditions:

- (1) Be at least eighteen (18) years of age.
- (2) Have had at least one (1) year of driving experience as a licensed driver.

As added by P.L.2-1991, SEC.12. Amended by P.L.188-2006, SEC.7.

IC 9-24-6-4.5

Transportation of property; advance of wages

Sec. 4.5. (a) An employer that is a motor carrier (as defined in IC 8-2.1-17-10 or 49 CFR 390.5) engaged in the business of the transportation of property may provide:

- (1) an advance of wages not yet earned or business expenses not yet incurred to the holder of a commercial driver's license issued according to rules adopted pursuant to section 2 of this chapter; and
- (2) take as a deduction from subsequent wages earned by the holder of the commercial driver's license the amount of the advance that exceeds the amount that is substantiated with a receipt or other appropriate documentary evidence that complies with the requirements applicable to a reimbursement or other expense allowance arrangements under 26 U.S.C. 62(c).

(b) The amount of the advance, in accordance with this section, deducted from subsequent wages earned by the holder of the commercial driver's license is not considered an invalid assignment of wages if the following conditions are satisfied:

- (1) The advance is made at the request of the holder of the commercial driver's license.
- (2) The motor carrier employer provided notice to the holder of the commercial driver's license that the amount advanced may be deducted from a subsequent wage statement to the extent that the amount of the advance exceeds the amount substantiated under this section.

As added by P.L.131-2008, SEC.50.

IC 9-24-6-5

Testing; retention of fees

Sec. 5. The bureau may contract with public and private institutions, agencies, businesses, and organizations to conduct any

or all testing required in the implementation of the commercial driver's license program. The contractor who conducts examinations and skills tests may retain the fees for those services.

As added by P.L.2-1991, SEC.12.

IC 9-24-6-5.3

Truck driver training schools; notification to bureau of student status

Sec. 5.3. (a) The owner of a truck driver training school or a state educational institution that operates a truck driver training school as a course of study must notify the bureau:

- (1) of a student's completion of a course of the truck driver training school immediately after the student completes the course; or
- (2) of the termination of a student's instruction in the truck driver training school immediately after the student's instruction terminates.

(b) The owner of a truck driver training school shall retain records relating to each student of the truck driver training school for at least six (6) years.

As added by P.L.188-2006, SEC.8. Amended by P.L.2-2007, SEC.143; P.L.145-2011, SEC.13; P.L.125-2012, SEC.189.

IC 9-24-6-5.5

Truck driver training schools and students; subject to rules

Sec. 5.5. A:

- (1) student of a truck driver training school; and
- (2) truck driver training school;

is subject to applicable rules adopted by the bureau.

As added by P.L.188-2006, SEC.9. Amended by P.L.2-2007, SEC.144; P.L.145-2011, SEC.14; P.L.125-2012, SEC.190.

IC 9-24-6-6

Serious traffic violations

Sec. 6. (a) The following, if committed while driving a commercial motor vehicle or while holding any class of commercial driver's license or permit, are serious traffic violations:

- (1) Operating a vehicle at least fifteen (15) miles per hour above the posted speed limit in violation of IC 9-21-5, IC 9-21-6, or IC 9-21-5-14.
- (2) Operating a vehicle recklessly as provided in IC 9-21-8-50 and IC 9-21-8-52.
- (3) Improper or erratic traffic lane changes in violation of IC 9-21-8-2 through IC 9-21-8-13 and IC 9-21-8-17 through IC 9-21-8-18.
- (4) Following a vehicle too closely in violation of IC 9-21-8-14 through IC 9-21-8-16.
- (5) In connection with a fatal accident, violating any statute, ordinance, or rule concerning motor vehicle traffic control other

- than parking statutes, ordinances, or rules.
- (6) Operating a vehicle while disqualified under this chapter.
 - (7) For drivers who are not required to always stop at a railroad crossing, failing to do any of the following:
 - (A) Slow down and determine that the railroad tracks are clear of an approaching train or other on-track equipment, in violation of IC 9-21-5-4, IC 9-21-8-39, IC 35-44.1-2-13, or any similar statute.
 - (B) Stop before reaching the railroad crossing, if the railroad tracks are not clear of an approaching train or other on-track equipment, in violation of IC 9-21-4-16, IC 9-21-8-39, or any similar statute.
 - (8) For all drivers, whether or not they are required to always stop at a railroad crossing, to do any of the following:
 - (A) Stopping in a railroad crossing, in violation of IC 9-21-8-50 or any similar statute.
 - (B) Failing to obey a traffic control device or failing to obey the directions of a law enforcement officer at a railroad crossing, in violation of IC 9-21-8-1 or any similar statute.
 - (C) Stopping in a railroad crossing because of insufficient undercarriage clearance, in violation of IC 35-44.1-2-13, IC 9-21-8-50, or any similar statute.
 - (9) Operating a commercial motor vehicle without having ever obtained a commercial driver's license or permit.
 - (10) Operating a commercial motor vehicle without a commercial driver's license or permit in the possession of the individual.
 - (11) Operating a commercial motor vehicle without holding the proper class or endorsement of a commercial driver's license or permit for the operation of the class of the commercial motor vehicle.
 - (12) Driving a commercial motor vehicle while using a hand-held mobile device as set forth in 49 CFR 383 through 384, and 49 CFR 390 through 392.

(b) Subsection (a)(1) through (a)(11) are intended to comply with the provisions of 49 U.S.C. 31311(a)(10) and regulations adopted under that statute.

As added by P.L.2-1991, SEC.12. Amended by P.L.96-1991, SEC.4; P.L.1-1992, SEC.53; P.L.66-1992, SEC.14; P.L.129-2001, SEC.32; P.L.1-2005, SEC.109; P.L.8-2010, SEC.9; P.L.9-2010, SEC.12; P.L.125-2012, SEC.191; P.L.158-2013, SEC.152.

IC 9-24-6-7

Conviction of serious traffic violations involving operation of commercial motor vehicle

Sec. 7. (a) A driver who is convicted of a serious traffic violation involving the operation of a commercial motor vehicle, other than a violation described in section 6(a)(7) or 6(a)(8) of this chapter, is disqualified from driving a commercial motor vehicle as follows:

(1) Upon conviction in two (2) separate driving incidents in any three (3) year period, disqualification for sixty (60) days.

(2) Upon conviction of a third or subsequent driving incident in any three (3) year period, disqualification for one hundred twenty (120) days.

(b) This subsection is intended to comply with the provisions of 49 U.S.C. 31311(a)(10) and regulations adopted under that statute. If a driver is convicted of a serious traffic violation involving the operation of a commercial motor vehicle and the conviction is based on any of the violations described in section 6(a)(7) or 6(a)(8) of this chapter, the driver is disqualified from driving a commercial motor vehicle as follows:

(1) Upon conviction of a first violation described in section 6(a)(7) or 6(a)(8) of this chapter during any three (3) year period, disqualification for at least sixty (60) days.

(2) Upon conviction of a second violation described in section 6(a)(7) or 6(a)(8) of this chapter in separate incidents during any three (3) year period, disqualification for at least one hundred (120) days.

(3) Upon conviction of a third or subsequent violation described in section 6(a)(7) or 6(a)(8) of this chapter in separate incidents during any three (3) year period, disqualification for at least one (1) year.

As added by P.L.96-1991, SEC.5. Amended by P.L.66-1992, SEC.15; P.L.129-2001, SEC.33.

IC 9-24-6-8

Offenses committed while driving commercial motor vehicles; disqualification

Sec. 8. The following, if committed while driving a commercial motor vehicle or while holding any class of commercial driver's license or permit, are disqualifying offenses:

(1) Operating a vehicle while under the influence of alcohol in violation of IC 9-30-5-1(a), IC 9-30-5-1(b), or section 15 of this chapter.

(2) Operating a vehicle while under the influence of a controlled substance in violation of IC 9-30-5-1(c).

(3) Leaving the scene of an accident involving the driver's commercial motor vehicle in violation of IC 9-26-1.

(4) Conviction of a felony involving the use of a commercial motor vehicle other than a felony described in subdivision (5).

(5) Use of a commercial motor vehicle in the commission of a felony under IC 35-48 involving manufacturing, distributing, or dispensing of a controlled substance.

(6) Violation of IC 9-30-5-2 through IC 9-30-5-8 involving operating a vehicle while intoxicated.

(7) Refusing to undergo testing for the enforcement of IC 9-30-5-1 or section 15 of this chapter.

As added by P.L.96-1991, SEC.6. Amended by P.L.66-1992, SEC.16;

P.L.266-1999, SEC.1; P.L.9-2010, SEC.13; P.L.125-2012, SEC.192.

IC 9-24-6-9

One year disqualifications

Sec. 9. A driver who:

(1) either:

(A) is convicted for the first time of a disqualifying offense described in section 8(1) through 8(4) or 8(6) of this chapter;
or

(B) is found to have violated section 8(7) of this chapter; and

(2) is not transporting hazardous materials required to be placarded under the federal Hazardous Materials Transportation Act (49 U.S.C. 5101-5128);

is disqualified for one (1) year from driving a commercial motor vehicle.

As added by P.L.96-1991, SEC.7. Amended by P.L.66-1992, SEC.17; P.L.7-2015, SEC.29.

IC 9-24-6-10

Three year disqualifications

Sec. 10. A driver who:

(1) either:

(A) is convicted for the first time of a disqualifying offense described in section 8(1) through 8(4) or 8(6) of this chapter;
or

(B) is found to have violated section 8(7) of this chapter; and

(2) is transporting hazardous materials required to be placarded under the federal Hazardous Materials Transportation Act (49 U.S.C. 5101-5128);

is disqualified for three (3) years from driving a commercial motor vehicle.

As added by P.L.96-1991, SEC.8. Amended by P.L.66-1992, SEC.18; P.L.7-2015, SEC.30.

IC 9-24-6-10.5

Disqualification for violation of out-of-service order

Sec. 10.5. (a) Except as provided in subsection (b), and in addition to any other penalty imposed for a violation of this chapter, the court that imposes a judgment for violation of an out-of-service order shall order the person receiving the judgment to be disqualified from driving a commercial vehicle as follows:

(1) For at least one hundred eighty (180) days but not more than one (1) year, if the judgment is the person's first judgment for violation of an out-of-service order.

(2) For at least two (2) years but not more than five (5) years, if the judgment is the person's second judgment for violation of an out-of-service order during any ten (10) year period.

(3) For at least three (3) years but not more than five (5) years, if the person has at least two (2) previous judgments for

violation of an out-of-service order during any ten (10) year period.

(b) In addition to any other penalty imposed for a violation of this chapter, the court that imposes a judgment upon a person because the person violated an out-of-service order while the person was transporting a hazardous material or while operating a commercial motor vehicle designed or used to transport more than fifteen (15) passengers, including the driver, shall order the person to be disqualified from driving a commercial vehicle as follows:

(1) For at least one hundred eighty (180) days but not more than two (2) years, if the judgment is the person's first judgment for violation of an out-of-service order.

(2) For at least three (3) years but not more than five (5) years, if the person has at least one (1) previous judgment for violation of an out-of-service order that arose out of a separate incident during any ten (10) consecutive years.

(3) For at least three (3) years but not more than five (5) years, if the person has at least two (2) previous judgments for violation of an out-of-service order that arose out of a separate incident during any ten (10) consecutive years.

As added by P.L.88-1996, SEC.4. Amended by P.L.125-2012, SEC.193.

IC 9-24-6-11

Use of commercial vehicle in commission of controlled substance felony; disqualification for life

Sec. 11. A driver who is convicted of an offense described in section 8(5) of this chapter is disqualified for life from driving a commercial motor vehicle.

As added by P.L.96-1991, SEC.9.

IC 9-24-6-11.5

Department of Homeland Security; disqualifying offenses and revocation of hazardous material endorsement

Sec. 11.5. (a) This section applies if the United States Department of Homeland Security, Transportation Security Administration adopts regulations concerning disqualifying offenses.

(b) The bureau shall revoke the hazardous materials endorsement of a driver who:

(1) receives a judgment or conviction for a disqualifying offense (as defined in the regulations described in subsection (a)) immediately upon receiving notice of the judgment or conviction; or

(2) is determined by the United States Department of Homeland Security, Transportation Security Administration to be a potential security threat;

and shall give notice to the driver that the endorsement has been revoked and of the procedure by which the driver may appeal the revocation.

(c) The revocation of the hazardous material endorsement of a driver revocation under subsection (b) is for the period set forth under the regulations described in subsection (a).

As added by P.L.48-2004, SEC.4.

IC 9-24-6-12

Lifetime disqualifications; disqualifications required by Department of Homeland Security

Sec. 12. (a) A driver who:

(1) is:

(A) convicted of an offense described in section 8(1) through 8(4) or 8(6) of this chapter; or

(B) found to have violated section 8(7) of this chapter; and

(2) has been previously convicted in a separate incident of any offense described in section 8(1) through 8(4) or 8(6) of this chapter;

is disqualified for life from driving a commercial motor vehicle.

(b) A driver who applies for a hazardous materials endorsement and has been convicted of:

(1) a felony under Indiana law that results in serious bodily injury or death to another person; or

(2) a crime 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 felony described in subdivision (1);

is disqualified for life from holding a hazardous materials endorsement.

(c) The hazardous materials endorsement of a driver who holds a hazardous materials endorsement and is convicted of a:

(1) felony under Indiana law that results in serious bodily injury or death to another person; or

(2) crime 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 felony described in subdivision (1);

is revoked upon conviction, and the driver is disqualified for life from holding a hazardous materials endorsement.

(d) The hazardous materials endorsement of a driver may be revoked and the driver may be disqualified from holding a hazardous materials endorsement if the revocation and disqualification are required under regulations adopted by the United States Department of Homeland Security, Transportation Security Administration.

As added by P.L.96-1991, SEC.10. Amended by P.L.66-1992, SEC.19; P.L.123-2002, SEC.16; P.L.48-2004, SEC.5.

IC 9-24-6-13

Multiple offenders; application for reinstatement after disqualification; effect of subsequent offenses

Sec. 13. (a) A person who is disqualified under section 12 of this chapter may apply to the bureau for reinstatement of the person's commercial driver's license. The bureau may reinstate the person's

license if:

- (1) the person has been disqualified for at least ten (10) years;
- (2) the person has voluntarily enrolled in and successfully completed an appropriate rehabilitation program that meets the standards of the bureau; and
- (3) the person meets the standards of the bureau for reinstatement of commercial driving privileges.

(b) A person whose commercial driving license is reinstated by the bureau under subsection (a) who is subsequently convicted of an offense described in section 8 of this chapter is:

- (1) permanently disqualified; and
- (2) ineligible to reapply for a reduction in the lifetime disqualification.

As added by P.L.96-1991, SEC.11.

IC 9-24-6-14

Refusal to undergo testing under IC 9-30-5-1 or IC 9-24-6-5; disqualification from driving

Sec. 14. A person who refuses to undergo testing for the enforcement of IC 9-30-5-1 or section 15 of this chapter is disqualified from driving a commercial motor vehicle for the time provided in section 9, 10, or 11 of this chapter, whichever is applicable.

As added by P.L.96-1991, SEC.12.

IC 9-24-6-15

Person with elevated blood alcohol level operating commercial motor vehicle

Sec. 15. A person who operates 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 person's blood; or
- (2) two hundred ten (210) liters of the person's breath;

commits a Class C infraction.

As added by P.L.96-1991, SEC.13. Amended by P.L.33-1997, SEC.5; P.L.1-2000, SEC.5; P.L.175-2001, SEC.4.

IC 9-24-6-16

Driving commercial motor vehicle while disqualified under article; offense

Sec. 16. A person who:

- (1) is disqualified under this article from driving a commercial motor vehicle; and
- (2) drives a commercial motor vehicle;

commits a Class C misdemeanor.

As added by P.L.96-1991, SEC.14.

IC 9-24-6-17

Disqualification or out-of-service order; operation of commercial

motor vehicle; offense

Sec. 17. A person who knowingly allows, requires, permits, or authorizes another person to drive a commercial motor vehicle during a period in which:

- (1) the other person is disqualified under this article from driving a commercial motor vehicle; or
- (2) the driver, the commercial motor vehicle that the other person is driving, or the motor carrier operation is subject to an out-of-service order;

commits a Class C misdemeanor.

As added by P.L.96-1991, SEC.15. Amended by P.L.9-2010, SEC.14.

IC 9-24-6-18

Chapter violations; offense

Sec. 18. Except as provided in section 17 of this chapter, a person who violates this chapter commits a Class C infraction.

As added by P.L.96-1991, SEC.16. Amended by P.L.66-1992, SEC.20; P.L.217-2014, SEC.81.

IC 9-24-6-19

Penalties

Sec. 19. (a) It is unlawful for a person to violate or fail to comply with an out-of-service order.

(b) If a person operates a vehicle in violation of an out-of-service order, in addition to any other penalty imposed for violation of an out-of-service order under this chapter, the court shall impose a civil penalty in accordance with 49 CFR 383.53 as in effect July 1, 2010.

(c) If an employer violates an out-of-service order, or knowingly requires or permits a driver to violate or fail to comply with an out-of-service order, in addition to any other penalty imposed for violation of an out-of-service order under this chapter, the court shall impose a civil penalty on the employer in accordance with 49 CFR 383.53 as in effect July 1, 2010.

(d) All civil penalties assessed under this section must be collected and transferred by the clerk of the court to the bureau. The bureau shall deposit the money in the motor vehicle highway account established by IC 8-14-1.

(e) A civil penalty assessed under this section is a judgment subject to proceedings supplemental by the bureau.

As added by P.L.88-1996, SEC.5. Amended by P.L.9-2010, SEC.15.

IC 9-24-6-20

Downgrading license; medical certificate expiration; federal medical variance removed or rescinded

Sec. 20. (a) The bureau shall downgrade the commercial driver's license of a driver under the following circumstances:

- (1) The driver's medical certification or federally granted medical variance expires.
- (2) The bureau receives notification that the driver's federally

granted medical variance was removed or rescinded.
Not later than sixty (60) days after the occurrence of a circumstance described in subdivision (1) or (2), the bureau shall initiate a downgrade of the driver's commercial driver's license.

(b) To prevent the driver's commercial driver's license from being downgraded:

(1) a driver whose medical certification has expired must submit a current and qualifying medical examination report and medical examiner's certificate not later than sixty (60) days after the bureau has initiated a downgrade; or

(2) a driver whose federally granted medical variance was removed or rescinded must submit a new federally granted medical variance not later than sixty (60) days after the bureau has initiated a downgrade.

(c) The bureau shall provide written notice to a driver at least ten (10) days before initiating a downgrade of the driver's commercial driver's license informing the driver:

(1) that the driver is not medically certified due to the expiration of the driver's medical certificate or because the driver's federally granted medical variance was removed or rescinded; and

(2) how the driver can prevent the driver's commercial driver's license from being downgraded.

(d) The bureau shall not issue a commercial driver's license to an applicant who does not certify:

(1) that the applicant expects to operate only in interstate or intrastate commerce; and

(2) whether or not the applicant is medically excepted.

As added by P.L.45-2011, SEC.9. Amended by P.L.125-2012, SEC.194.

IC 9-24-6.5

Chapter 6.5. Hazardous Materials Endorsement Application and Renewal

IC 9-24-6.5-1

Act

Sec. 1. As used in this chapter, "act" refers to the federal Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act, Pub. L. 107-56, 115 Stat. 272 (2001).

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-2

Administration

Sec. 2. As used in this chapter, "administration" refers to the United States Department of Homeland Security, Transportation Security Administration.

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-3

Adoption of necessary rules and policies

Sec. 3. The bureau may adopt rules and policies necessary to fully implement the requirements of the act and the regulations adopted to implement the act.

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-4

Information required to be forwarded

Sec. 4. The bureau shall forward the information provided by an applicant for a hazardous material endorsement to the administration or another agency designated to receive the information if the bureau is required to forward the information under regulations adopted to implement the act.

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-5

Regulations; fees sufficient to offset costs

Sec. 5. The bureau may:

- (1) determine the cost to the state of procedures required to comply with regulations adopted to implement the act; and
- (2) charge a fee to applicants that is sufficient to offset the cost determined under subdivision (1).

As added by P.L.48-2004, SEC.6.

IC 9-24-6.5-6

Hazardous materials endorsement renewal; continuing validity; revocation

Sec. 6. (a) The hazardous materials endorsement of a driver who

applies for renewal of the endorsement may remain valid after the date on which the endorsement would otherwise expire if both of the following conditions are met:

(1) The application for renewal was received by the bureau at least ninety (90) days before the date on which the endorsement expires.

(2) On the date on which the endorsement expires, the bureau has not yet received the results of a background check conducted by the administration or another agency designated to conduct the background check.

(b) Except as provided in subsection (c), an extension under subsection (a) is valid for ninety (90) days after the date on which the endorsement would otherwise expire if the driver has applied with the Transportation Security Administration for renewal of the hazardous materials endorsement approval.

(c) Notwithstanding subsection (b), if the bureau receives information from the administration or another agency designated to conduct a background check that requires the bureau to revoke the hazardous materials endorsement of a driver, the bureau shall revoke the endorsement immediately upon receipt of the information.

(d) An extension under subsection (a) may be renewed until:

(1) the bureau receives the results of a background check conducted by the administration or another agency designated to conduct the background check; or

(2) further extensions are barred under regulations adopted to implement the act.

As added by P.L.48-2004, SEC.6. Amended by P.L.125-2012, SEC.195.

IC 9-24-6.5-7

Repealed

(As added by P.L.48-2004, SEC.6. Repealed by P.L.149-2015, SEC.63.)

IC 9-24-7

Chapter 7. Learner's Permit

IC 9-24-7-1

Issuance; conditions

Sec. 1. (a) The bureau shall issue a learner's permit to an individual who:

- (1) is at least fifteen (15) years of age;
- (2) if less than eighteen (18) years of age, is not ineligible under IC 9-24-2-1;
- (3) is enrolled in an approved driver education course; and
- (4) has passed a written examination as required under IC 9-24-10.

(b) The bureau shall issue a learner's permit to an individual who:

- (1) is at least sixteen (16) years of age;
- (2) if less than eighteen (18) years of age, is not ineligible under IC 9-24-2; and
- (3) has passed a written examination as required under IC 9-24-10.

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.

IC 9-24-7-2

Validation or certification

Sec. 2. The instructor of an approved driver education course shall validate or certify a learner's permit when the holder has satisfactorily completed the course. If the instructor is unable to certify the actual learner's permit, the instructor may certify that the holder has satisfactorily completed the course in a manner the bureau prescribes.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.197.

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 permit holder to operate a motor vehicle, except a motorcycle or commercial motor vehicle, upon a public 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 seat beside the holder 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 the seat beside the holder is occupied by a licensed driver 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 driver 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 the seat beside the holder is occupied 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 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.

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 or motorcycle endorsement

Sec. 0.5. The operator of an autocycle is not required to hold a motorcycle learner's permit or motorcycle endorsement.

As added by P.L.82-2015, SEC.10.

IC 9-24-8-1

Development and issuance; standards

Sec. 1. The bureau shall determine reasonable standards for, develop, and issue the following:

- (1) A motorcycle learner's permit.
- (2) A motorcycle license endorsement.

As added by P.L.2-1991, SEC.12. Amended by P.L.109-2011, SEC.7.

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

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 operator's, chauffeur's, public passenger chauffeur's, or commercial 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.

(b) A motorcycle learner's permit authorizes the permit's holder to operate a motorcycle or Class A motor driven cycle upon a highway during a period of one (1) year under the following conditions:

- (1) The holder wears 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) The motorcycle or Class A motor driven cycle is operated only during daylight hours.
- (3) The motorcycle or Class A motor driven cycle does not carry passengers other than the operator.

(c) A motorcycle learner's permit may be renewed one (1) time for a period of one (1) year. An individual who does not obtain a motorcycle operator endorsement before the expiration of the renewed learner's permit must wait one (1) year to reapply for a new motorcycle learner's permit.

As added by P.L.2-1991, SEC.12. Amended by P.L.125-2012, SEC.201; P.L.221-2014, SEC.62.

IC 9-24-8-4

Motorcycle operator's license by endorsement; motorcycle endorsement with a Class A motor driven cycle restriction

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) A person 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 appropriate fee set forth in IC 9-29-9-7 or IC 9-29-9-8.

(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 appropriate fees under IC 9-29-9.

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.

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 9-24-9

Chapter 9. Application for License or Permit

IC 9-24-9-1

Forms; affidavits

Sec. 1. (a) Each application for a permit or 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.

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 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 licensed as an operator, a chauffeur, or a public passenger chauffeur or has been the holder of a learner's permit, and if so, when and by what state.
- (9) Whether the applicant'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 and other information the bureau directs.

(12) The signature of the applicant showing the applicant's legal name as it appears or will appear on the license or permit.

(13) A digital photograph of the applicant.

The bureau shall maintain records of the information provided under subdivisions (1) through (13).

(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. The bureau shall maintain a record of the time log provided.

(d) In addition to the information required under subsection (a), an application for a license or permit to be issued under this chapter must enable the applicant to indicate that the applicant is a member of the armed forces of the United States and wishes to have an indication of the applicant's veteran or active military or naval service status appear on the license or permit. An applicant who wishes to have an indication of the applicant's veteran or active military or naval service status appear on a license or permit must:

(1) indicate on the application that the applicant:

(A) is a member of the armed forces of the United States; and

(B) wishes to have an indication of the applicant's veteran or active military or naval service status appear on the license or permit; and

(2) verify the applicant's:

(A) veteran status by providing proof of discharge or separation, other than a dishonorable discharge, from the armed forces of the United States ; or

(B) active military or naval service status by means of a current armed forces identification card.

The bureau shall maintain records of the information provided under this subsection.

(e) The bureau may adopt rules under IC 4-22-2 to:

(1) verify an applicant's identity, lawful status, and residence; and

- (2) invalidate on a temporary basis a license or permit that has been issued based on fraudulent documentation.

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.

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 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.

IC 9-24-9-3

Applications of minors; signing and swearing by parents, guardians, custodians, employers, or responsible individuals

Sec. 3. The application of an individual less than eighteen (18) years of age for a permit or 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.

As added by P.L.2-1991, SEC.12. Amended by P.L.156-2006, SEC.10.

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 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 license may subsequently file with the bureau a verified written request that the permit or license be canceled. The bureau shall cancel the permit or 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.

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 license; and

(2) the failure of the minor permittee or licensee to obtain a new signer;

shall cancel the minor's permit or license and may not issue a new permit or 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.

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 any license listed in IC 9-24-1-1;
- (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.

(f) This section is effective January 1, 2009.

As added by P.L.62-2007, SEC.1.

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

Rules

Sec. 7. The bureau may:

(1) adopt rules under IC 4-22-2; and

(2) prescribe all necessary forms;

to implement this chapter.

As added by P.L.149-2015, SEC.66.

IC 9-24-10

Chapter 10. Examination for License or Permit

IC 9-24-10-1

Examination required

Sec. 1. An individual who applies for a permit or license under this chapter and who is required by this chapter to take an examination shall:

(1) appear before a member of the bureau designated by the commissioner; 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 Indiana highways.

As added by P.L.2-1991, SEC.12. Amended by P.L.145-2011, SEC.18; P.L.85-2013, SEC.38.

IC 9-24-10-2

Rules

Sec. 2. The bureau may adopt rules under IC 4-22-2 necessary for the conduct of examinations for a learner's permit, an operator's license, a chauffeur's license, and a public passenger chauffeur's license in accordance with this chapter concerning the qualifications and ability of applicants to operate motor vehicles in accordance with the rights and privileges of those permits and licenses.

As added by P.L.2-1991, SEC.12.

IC 9-24-10-3

Examination at any license branch location

Sec. 3. An applicant may take any or all of the tests required by section 4(a)(1)(B), 4(a)(1)(C), and 4(a)(2) of this chapter at any license branch location in Indiana.

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.

IC 9-24-10-4 Version a

Examination components; no civil or criminal liability for certain reports made concerning fitness of applicant to operate a motor vehicle

Note: This version of section effective until 7-1-2015. See also following version of this section, effective 7-1-2015.

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 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 Indiana highways. 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 a person who has passed a driver's education class and a skills test given by a driver training school or driver education program given by an entity licensed under IC 9-27; and

(2) may waive the testing, other than 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) The bureau shall adopt rules under IC 4-22-2 specifying requirements for a skills test given under subsection (c) and the testing required under subsection (a)(1)(B) and (a)(1)(C).

(e) An instructor having a license under IC 9-27-6-8 who did not instruct the applicant for the 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.

IC 9-24-10-4 Version b

Examination components; no civil or criminal liability for certain reports made concerning fitness of applicant to operate a motor vehicle

Note: This version of section effective 7-1-2015. See also preceding version of this section, effective until 7-1-2015.

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 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 Indiana highways. 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 a person who has passed a driver's education class and a skills test given by a driver training school or driver education program given by an entity licensed under IC 9-27; and
 - (2) may waive the testing, other than 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) The bureau shall adopt rules under IC 4-22-2 specifying requirements for a skills test given under subsection (c) and the testing required under subsection (a)(1).
- (e) An instructor having a license under IC 9-27-6-8 who did not instruct the applicant for the 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.*

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 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 license, permit, endorsement, or privileges;
- (2) suspend or revoke the license, permit, endorsement, or privileges;
- (3) issue restricted driving privileges subject to restrictions the bureau considers necessary in the interest of public safety; or
- (4) permit the licensed driver to retain or obtain the license, permit, endorsement, or 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.

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 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 license or driving privileges of the licensed driver;

(B) permit the licensed driver to retain the 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 license or driving privileges of the licensed driver. The bureau may not suspend or revoke the 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.

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 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.

IC 9-24-11-2

Manner of issuance

Sec. 2. The bureau may issue all permits and 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.

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

Probationary licenses

Sec. 3.3. (a) This section applies to a probationary operator's license issued after June 30, 2009.

(b) A license issued to or held by an individual less than twenty-one (21) years of age is a probationary license. An individual holds a probationary license subject to the following conditions:

- (1) Except as provided in subdivision (3), the individual may not operate a motor vehicle from 10 p.m. until 5 a.m. of the following morning during the first one hundred eighty (180) days after issuance of the probationary license.
- (2) Except as provided in subdivision (3), after one hundred eighty (180) days after issuance of the probationary license, and until the individual becomes eighteen (18) years of age, an individual may not operate a motor vehicle:

- (A) between 1 a.m. and 5 a.m. on a Saturday or Sunday;
 - (B) after 11 p.m. on Sunday, Monday, Tuesday, Wednesday, or Thursday; or
 - (C) before 5 a.m. on Monday, Tuesday, Wednesday, Thursday, or Friday.
- (3) The individual may operate a motor vehicle during the periods described in subdivisions (1) and (2) if the individual operates the motor vehicle while:
- (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.
- (4) The individual may not operate a motor vehicle while using a telecommunications device until the individual becomes twenty-one (21) years of age unless the telecommunications device is being used to make a 911 emergency call.
- (5) Except as provided in subdivision (6), during the one hundred eighty (180) days after the issuance of the probationary license, the individual may not operate a motor vehicle in which there are passengers until the individual becomes twenty-one (21) years of age unless accompanied in the front seat of the motor vehicle by:
- (A) a certified driver education instructor; or
 - (B) 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.
- (6) The individual may operate a motor vehicle and transport:
- (A) a child or stepchild of the individual;
 - (B) a sibling of the individual, including step or half siblings;
 - (C) the spouse of the individual; or
 - (D) any combination of individuals described in clauses (A) through (C);
- without another accompanying individual present in the motor vehicle.
- (7) The individual may operate a motor vehicle only if the individual and each occupant of the motor vehicle are:
- (A) properly restrained by a properly fastened safety belt; or
 - (B) if the occupant is a child, restrained in a properly fastened child restraint system according to the manufacturer's instructions under IC 9-19-11;
- properly fastened about the occupant's body at all times when the motor vehicle is in motion.
- (c) An individual who holds a probationary license issued under

this section for at least one hundred eighty (180) days may be eligible to receive an operator's license, a chauffeur's license, a public passenger chauffeur's license, or a commercial driver's license when the individual is at least eighteen (18) years of age.

(d) Except as provided in IC 9-24-12-1(d), a probationary license issued under this section:

- (1) expires at midnight of the date thirty (30) days after the twenty-first birthday of the holder; and
- (2) may not be renewed.

(e) Nothing in this section limits the authority of a court to require an individual who holds a probationary license to attend and complete:

- (1) a driver safety program under IC 9-30-3-12; or
 - (2) a driver improvement or safety course under IC 9-30-3-16;
- if the individual is otherwise eligible or required to attend the program or course.

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.

IC 9-24-11-4 Version a

Only one license or identification card at the same time; violation

Note: This version of section effective until 1-1-2016. See also following version of this section, effective 1-1-2016.

Sec. 4. (a) An individual may not hold or possess more than one (1) driver's license or bureau issued identification card issued to the individual under IC 9-24 at a time.

(b) An individual may not hold a driver's license and an identification card issued under IC 9-24 at the same time.

(c) A person may not hold or possess an Indiana driver's license or identification card issued under IC 9-24 and a driver's license or identification card that is issued by a government authority that issues driver's licenses and identification cards from another state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(d) A person who violates subsection (a), (b), or (c) commits a Class C infraction.

(e) The bureau may adopt rules under IC 4-22-2 to administer this section.

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.

IC 9-24-11-4 Version b

Only one license or identification card at the same time

Note: This version of section effective 1-1-2016. See also preceding version of this section, effective until 1-1-2016.

Sec. 4. (a) An individual may not hold or possess more than one (1) driver's license, bureau issued identification card issued to the individual under IC 9-24, or photo exempt identification card issued

under IC 9-24-16.5 at a time.

(b) An individual may not hold a driver's license and:

- (1) an identification card issued under IC 9-24; or
- (2) a photo exempt identification card issued under IC 9-24-16.5;

at the same time.

(c) A person may not hold or possess an Indiana driver's license or identification card issued under IC 9-24 and a driver's license or identification card that is issued by a government authority that issues driver's licenses and identification cards from another state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(d) A person who violates subsection (a), (b), or (c) commits a Class C infraction.

(e) The bureau may adopt rules under IC 4-22-2 to administer this section.

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.

IC 9-24-11-5

Permit and license contents; digital photograph; medical condition designation; acceptance for federal purposes; license or permit issued to certain individuals temporary; address confidentiality program participants

Sec. 5. (a) Except as provided in subsection (h), a permit or license issued under this chapter 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 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 on which the permittee or licensee will become twenty-one (21) years of age.
- (13) Except as provided in subsections (b), (c), and (j), a digital

photograph of the permittee or licensee.

(b) A motorcycle learner's permit issued under IC 9-24-8 does not require a digital photograph.

(c) The bureau may provide for the omission of a photograph or computerized image from any license or permit if there is good cause for the omission. However, a license issued without a digital photograph must include the language described in subsection (f).

(d) The information contained on the permit or license as required by subsection (a)(11) or (a)(12) for a permittee or licensee who is less than twenty-one (21) years of age at the time of issuance shall be printed prominently on the permit or license.

(e) This subsection applies to a permit or license issued after January 1, 2007. If the applicant for a permit or license submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the permit or license to indicate that the applicant has a medical condition of note. The bureau shall include information on the permit or license that briefly describes the medical condition of the holder of the permit or license. The information must be printed in a manner that alerts a person reading the permit or license to the existence of the medical condition. The permittee or licensee 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) Any license or permit issued by the state that does not require a digital photograph must include a statement that indicates that the license or permit may not be accepted by any federal agency for federal identification or any other federal purpose.

(g) A license or permit 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 license or permit. A temporary license or 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.

(h) The bureau may adopt rules under IC 4-22-2 to carry out this section.

(i) 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.

IC 9-24-11-5.5

Indication of veteran status or military or naval service on permit or license

Sec. 5.5. If a permittee or licensee has under IC 9-24-9-2(d):

(1) indicated on the application that the permittee or licensee is a member of the armed forces of the United States and wishes to have an indication of the permittee's or licensee's veteran or active military or naval service status appear on the license or permit; and

(2) provided proof of:

(A) discharge or separation, other than a dishonorable discharge, from the armed forces of the United States; or

(B) active military or naval service status;

an indication of the permittee's or licensee's veteran or active military or naval service status shall be shown on the license or permit.

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.

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 license under this article, 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 is 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.

IC 9-24-11-8

Violations; license suspension

Sec. 8. (a) Except as provided in subsections (b) and (c), a person who violates this chapter commits a Class C infraction.

(b) A person who:

(1) has been issued a permit or 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) A person who causes serious bodily injury to or the death of another person 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 operator's restricted 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 person had a prior unrelated conviction under this subsection.

(d) A person who violates subsection (c) commits a separate offense for each person 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.

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 person'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.

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

Learner's permit; expiration

Sec. 0.5. This section applies beginning January 1, 2010. A learner's permit issued under this article expires two (2) years after the date of issuance.

As added by P.L.101-2009, SEC.10.

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, 11, and 12 of this chapter, the expiration date of an operator's license that is the renewal license for a license that contains a 2012 expiration date is as follows:

(1) If the license was previously issued or renewed after May 14, 2007, and before January 1, 2008, the renewal license expires at midnight on the birthday of the holder that occurs in 2017.

(2) If the license was previously issued or renewed after December 31, 2007, and before January 1, 2009, the renewal license expires at midnight on the birthday of the holder that occurs in 2018.

(3) If the license was previously issued or renewed after December 31, 2005, and before January 1, 2007, the renewal license expires at midnight on the birthday of the holder that occurs in 2016.

(b) Except as provided in sections 10, 11, and 12 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 (e) and sections 10, 11, and 12 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) A probationary operator's license issued under IC 9-24-11-3.3 to an individual who complies with IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9) 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.

(e) Except as provided in subsection (d), a probationary operator's license issued under IC 9-24-11-3.3 expires 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.

IC 9-24-12-2

Chauffeur's license; expiration

Sec. 2. (a) Except as provided in subsection (b) and sections 10, 11, and 12 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, 11, and 12 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.

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.

IC 9-24-12-3

Public passenger chauffeur's license; expiration

Sec. 3. (a) Except as provided in sections 11 and 12 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, 11, and 12 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.

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.

IC 9-24-12-4 Version a

Renewal applications; filing requirements for certain individuals

Note: This version of section effective until 1-1-2016. See also following version of this section, effective 1-1-2016.

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;
- (3) a public passenger chauffeur's license; or
- (4) an identification card;

under this article may be filed not more than twelve (12) months

before the expiration date of the license or 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.

IC 9-24-12-4 Version b

Renewal applications; filing requirements for certain individuals

Note: This version of section effective 1-1-2016. See also preceding version of this section, effective until 1-1-2016.

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;
- (3) a public passenger chauffeur's license;
- (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.

IC 9-24-12-5

Renewal requirements

Sec. 5. (a) Except as provided in subsection (b), an individual applying for renewal of an operator's, a chauffeur's, or a public passenger chauffeur's 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 holds a valid operator's license, 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 by mail or by electronic service. If rules are adopted under this subsection, the rules must provide that an individual's renewal of a license 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 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).

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.

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 motorcycle endorsement or motorcycle endorsement with a Class A motor driven cycle restriction

Sec. 7. A motorcycle endorsement or motorcycle endorsement with a Class A motor driven cycle restriction remains in effect for the same term as the license being endorsed and is subject to renewal at

and after the expiration of the license in accordance with this chapter.
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.

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, after June 30, 2005:

- (1) an operator's;
- (2) a chauffeur's; or
- (3) a public passenger chauffeur'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.

IC 9-24-12-11

Expiration of license when normal expiration date falls on Sunday, legal holiday, or day when branches and service providers are closed

Sec. 11. (a) This section applies to a driver's license issued under:

- (1) IC 9-24-3;
- (2) IC 9-24-4; or
- (3) IC 9-24-5.

(b) If the birthday of a holder on which the holder's driver's license issued under a chapter referred to in subsection (a) 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.

As added by P.L.41-2006, SEC.8. Amended by P.L.109-2011, SEC.14; P.L.149-2015, SEC.70.

IC 9-24-12-12

Expiration of certain licenses issued to individuals present in United States with certain status

Sec. 12. (a) This section applies to a driver's license issued under:

- (1) IC 9-24-3;
- (2) IC 9-24-4; and
- (3) IC 9-24-5.

(b) A driver's license listed in subsection (a) that is issued after December 31, 2007, 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.184-2007, SEC.45. Amended by P.L.76-2009, SEC.8; P.L.162-2009, SEC.6; P.L.109-2011, SEC.15.

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 licensed under this article may exercise the privilege granted by the license upon all Indiana streets and highways and is not required to obtain any other 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.

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 license issued under this article must have the permit or license in the individual's immediate possession when driving or operating a motor vehicle. The permittee or licensee shall display the 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.

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 license or permit issued under this article changes the address shown on the 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.

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 driving license or permit that was valid at the time of the alleged violation.

(b) A person may not be convicted of violating section 3 of this chapter if the person, 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 license issued to the person that was valid at the time of the person's apprehension.

As added by P.L.2-1991, SEC.12.

IC 9-24-14

Chapter 14. Replacement License

IC 9-24-14-1

Replacement permit or license

Sec. 1. If a permit or 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 license was issued may obtain a replacement if the individual pays the required fee for a replacement permit or license under IC 9-29-9.

As added by P.L.2-1991, SEC.12. Amended by P.L.87-2010, SEC.32; P.L.125-2012, SEC.213.

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 an operator's, a chauffeur's, or a public passenger chauffeur's license or a learner's permit to the holder of the license or learner's permit by electronic service. If rules are adopted under this subsection, the rules must provide that issuance of a replacement 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 an operator's, a chauffeur's, or a public passenger chauffeur'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.

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 9-24-15

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

Effective 1-1-2016.

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 a resident of Indiana.
- (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.

IC 9-24-16-1.5

Identification card with a Class B motor driven cycle endorsement; requirement for operation

Sec. 1.5. 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 this chapter; or
- (2) a valid driver's license described in IC 9-24-1-1(a);

to operate a Class B motor driven cycle upon an Indiana highway.

As added by P.L.221-2014, SEC.66.

IC 9-24-16-2

Application; conditions; required information; invalidation; veteran status or military or naval service; 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.

The bureau shall maintain records of the information provided under subdivisions (1) through (9).

(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 member of the armed forces of the United States and wishes to have an indication of the applicant's veteran or active military or naval service status appear on the identification card. An applicant who wishes to have an indication of the applicant's veteran or active military or naval service status appear on the identification card must:

- (1) indicate on the application that the applicant:
 - (A) is a member of the armed forces of the United States; and
 - (B) wishes to have an indication of the applicant's veteran or active military or naval service status appear on the identification card; and
- (2) verify the applicant's:
 - (A) veteran status by providing proof of discharge or separation, other than a dishonorable discharge, from the armed forces of the United States; or
 - (B) active military or naval service status by means of a current armed forces identification card.

The bureau shall maintain records of the information provided under this subsection.

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.

IC 9-24-16-3

Appearance and contents; medical condition designation; veteran, military, or naval 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:

- (1) indicated on the application that the individual is a member of the armed forces of the United States and wishes to have an indication of the individual's veteran or active military or naval service status appear on the identification card; and
- (2) provided proof of:
 - (A) any discharge or separation, other than a dishonorable discharge, from the armed forces of the United States; or
 - (B) active military or naval service status;

an indication of the individual's veteran or active military or naval service 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.

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 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.34. Amended by P.L.109-2011, SEC.22; P.L.125-2012, SEC.229.

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 for implementation; no fee for issuance of identification card for proof of identification for voter

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.

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.

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

Individual may not hold an identification card and photo exempt identification card at same time

Effective 1-1-2016.

Sec. 14. (a) An individual may not hold an identification card and a photo exempt identification card issued under IC 9-24-16.5 at the same time.

(b) An individual who violates this section commits a Class C infraction.

As added by P.L.197-2015, SEC.8.

IC 9-24-16.5

Chapter 16.5. Photo Exempt Identification Cards

Effective 1-1-2016.

IC 9-24-16.5-1

Bureau to issue photo exempt identification cards

Effective 1-1-2016.

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 a resident of Indiana.
- (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.

IC 9-24-16.5-2

Required information for application for photo exempt identification card

Effective 1-1-2016.

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), IC 9-14-3-1, and IC 9-14-3-5.

(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.

IC 9-24-16.5-3

Information required on photo exempt identification card

Effective 1-1-2016.

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

Effective 1-1-2016.

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

Effective 1-1-2016.

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

Effective 1-1-2016.

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

Photo exempt identification card; adoption of rules by bureau

Effective 1-1-2016.

Sec. 7. The bureau may adopt rules under IC 4-22-2 and prescribe all forms necessary to implement this chapter.

As added by P.L.197-2015, SEC.9.

IC 9-24-16.5-8

Photo exempt identification card; not to be used by operator of motor vehicle

Effective 1-1-2016.

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

Effective 1-1-2016.

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

Effective 1-1-2016.

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

Effective 1-1-2016.

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

Effective 1-1-2016.

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

Effective 1-1-2016.

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 9-24-17

Chapter 17. Anatomical Gifts

IC 9-24-17-1 Version a

Forms

Note: This version of section effective until 1-1-2016. See also following version of this section, effective 1-1-2016.

Sec. 1. The application form for a driver's license and an identification card issued under IC 9-24-16 must allow an applicant to acknowledge the making of an anatomical gift under IC 29-2-16.1. *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.*

IC 9-24-17-1 Version b

Forms

Note: This version of section effective 1-1-2016. See also preceding version of this section, effective until 1-1-2016.

Sec. 1. The application form for a driver's license, an identification card issued under IC 9-24-16, and a photo exempt identification card issued under IC 9-24-16.5 must allow an applicant to acknowledge the making of an anatomical gift under IC 29-2-16.1.

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.

IC 9-24-17-2 Version a

Inquiries; completion of form

Note: This version of section effective until 1-1-2016. See also following version of this section, effective 1-1-2016.

Sec. 2. (a) The bureau shall verbally ask every individual who applies for a driver's license or an identification card issued under IC 9-24-16 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.

IC 9-24-17-2 Version b

Inquiries; completion of form

Note: This version of section effective 1-1-2016. See also preceding version of this section, effective until 1-1-2016.

Sec. 2. (a) The bureau shall verbally ask every individual who applies for a driver's license, an identification card issued under IC 9-24-16, or a photo exempt identification card issued under IC 9-24-16.5 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.

IC 9-24-17-3

Anatomical gift program

Sec. 3. The bureau shall make available the anatomical gift program in a separate brochure and by other means the bureau considers necessary.

As added by P.L.2-1991, SEC.12. Amended by P.L.104-1991, SEC.2; P.L.125-2012, SEC.233.

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

Election to make anatomical gift; form

Sec. 6. The form described in section 1 of this chapter must allow the person making the gift to make an election under IC 29-2-16.1-4.

As added by P.L.104-1991, SEC.3. Amended by P.L.147-2007, SEC.2.

IC 9-24-17-7

Anatomical gift cards; persons less than 18 years of age; fees

Sec. 7. (a) 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 required under section 8 of this chapter and the consent of the individual's parent or guardian.

(b) The bureau may charge a fee to an individual making an anatomical gift under section 1 of this chapter. The fee must equal an amount necessary to cover the cost of making available a document that acknowledges the making of the gift.

As added by P.L.104-1991, SEC.4. Amended by P.L.1-1992, SEC.54; P.L.29-2000, SEC.4.

IC 9-24-17-8 Version a

Signature of donor; symbol on license

Note: This version of section effective until 1-1-2016. See also following version of this section, effective 1-1-2016.

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 driver's license or identification card 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 license or identification card to indicate that the person to whom the license or identification card is issued has acknowledged the making of an anatomical gift on the application form for the license or identification card as set forth in subsection (a).

(c) Revocation, suspension, or cancellation of the license or expiration of the license or identification card does not invalidate the anatomical gift.

(d) An anatomical gift is valid if the person acknowledges the making of the anatomical gift by signing the application form for a driver's license or identification card 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.

IC 9-24-17-8 Version b

Signature of donor; symbol on license or identification card

Note: This version of section effective 1-1-2016. See also preceding version of this section, effective until 1-1-2016.

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 driver's license, photo exempt identification card, or identification card 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 license, photo exempt identification card, or identification card to indicate that the person to whom the license, photo exempt identification card, or identification card is issued has acknowledged the making of an anatomical gift on the application form for the license, photo exempt identification card, or identification card as set forth in subsection (a).

(c) Revocation, suspension, or cancellation of the license or expiration of the license, photo exempt identification card, or identification card does not invalidate the anatomical gift.

(d) An anatomical gift is valid if the person acknowledges the making of the anatomical gift by signing the application form for a driver's license, photo exempt identification card, or identification card 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.

IC 9-24-17-9

Record of donors

Sec. 9. The bureau shall keep a record containing information concerning each individual who has made an anatomical gift under this chapter.

As added by P.L.104-1991, SEC.6. Amended by P.L.1-1992, SEC.56.

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 a person'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.

IC 9-24-18-1

Driving without a license

Sec. 1. (a) A person, except a person exempted under IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle upon a highway and has never received a valid driving license commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the person 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.

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 permit to be displayed, or have in possession a license or permit issued under this article knowing that the license or permit is fictitious or has been canceled, revoked, suspended, or altered.
- (2) Lend to a person or knowingly permit the use by a person not entitled to use a license or permit a license or permit issued under this article.
- (3) Display or represent as the person's license or permit issued under this article a license or permit not issued to the person.
- (4) Fail or refuse to surrender, upon demand of the proper official, a 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 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.
A person who knowingly or intentionally violates this subsection commits a Class C misdemeanor.

(b) A person who:

(1) knowingly or intentionally uses a false or fictitious name or gives a false or fictitious address in an application:

(A) for a license or permit issued under this article; or

(B) for a renewal, amendment, or replacement of a 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 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.

IC 9-24-18-3

Permitting unlicensed person to drive

Sec. 3. (a) A person that has a motor vehicle in the person's custody may not cause or knowingly permit a person to operate the vehicle upon a highway unless the person holds a valid license or permit under this article for the type of vehicle that the person is operating.

(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.125-2012, SEC.236; P.L.85-2013, SEC.63.

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 vehicle to have a certain type of license, the burden is on the defendant to prove by a preponderance of the evidence that the

defendant had been issued the applicable license or permit and that the license was valid at the time of the alleged offense.

As added by P.L.2-1991, SEC.12.

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 who knowingly or intentionally counterfeits or falsely reproduces a driver's license with intent to use the license or to permit another person to use the license commits a Class B misdemeanor.

As added by P.L.188-2015, SEC.96.

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 person'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.

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.

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

Reproduction of driver's license

Sec. 11. (a) The commissioner may enter into a contract or an agreement authorizing a person to create and use a reproduction of a driver's license issued under this article.

(b) A person may not create or use a reproduction of a driver's license 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.8. Amended by P.L.216-2014, SEC.53.

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, a person who operates a motor vehicle upon a highway while the person's driving privilege, 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.

IC 9-24-19-2

Class A misdemeanor; commission within ten years of prior similar infraction

Sec. 2. A person who:

- (1) knows that the person's driving privilege, 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 person 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.

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) A person who operates a motor vehicle upon a highway when the person knows that the person's driving privilege, license, or permit is suspended or revoked, when the person's suspension or revocation was a result of the person'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.

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

Sec. 8. Service by the bureau of motor vehicles of a notice of an order or an order suspending or revoking a person's driving privileges by mailing the notice or order by first class mail to the defendant under this chapter at the last address shown for the defendant in the records of the bureau of motor vehicles establishes a rebuttable presumption that the defendant knows that the person's driving privileges are suspended.

As added by P.L.32-2000, SEC.1.