

IC 9-25

ARTICLE 25. FINANCIAL RESPONSIBILITY

IC 9-25-1

Chapter 1. Applicability

IC 9-25-1-1

Repealed

(Repealed by P.L.59-2013, SEC.2.)

IC 9-25-1-2

Motor carriers; certificates of exemption

Sec. 2. This article does not apply to a person engaged, under regulation by the department of state revenue, in the business of common carrier of persons or property by motor vehicle. If involved in a reportable motor vehicle accident, a common or contract carrier of persons or property by motor vehicle may be required, in the discretion of the bureau, to file a certificate of exemption on a form the bureau prescribes.

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

IC 9-25-1-3

Motor carriers; exemption from certificate of compliance filing requirements

Sec. 3. Notwithstanding the provisions of this article, a driver of a motor vehicle that is:

- (1) operated by a motor carrier (as defined in IC 8-2.1-17-10);
- or
- (2) registered for more than twenty-six thousand (26,000) pounds;

is not required to file a certificate of compliance with the bureau.

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

IC 9-25-1-4

Self-insured persons; exemption; certificate

Sec. 4. The provisions of this article relating to financial responsibility do not apply to a person who has registered a motor vehicle in Indiana if the person obtains a certificate of self-insurance from the bureau under IC 9-25-4-11.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.3.

IC 9-25-1-5

Post office trucks

Sec. 5. This article does not apply to an operator of a government owned post office truck on official assignment.

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

IC 9-25-1-6

Nonresidents

Sec. 6. This article applies to a person who is not a resident of

Indiana under the same conditions as this article applies to a resident of Indiana.

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

IC 9-25-1-7

Applicability

Sec. 7. This article does not apply to off-road vehicles or snowmobiles.

As added by P.L.259-2013, SEC.22.

IC 9-25-2

Chapter 2. Definitions

IC 9-25-2-1

Application

Sec. 1. The definitions in this chapter apply throughout this article.
As added by P.L.2-1991, SEC.13.

IC 9-25-2-2

Insured

Sec. 2. "Insured" means a person in whose name a motor vehicle liability policy is issued and any other person insured under the terms of the policy.
As added by P.L.2-1991, SEC.13.

IC 9-25-2-3

Proof of financial responsibility

Sec. 3. "Proof of financial responsibility" means proof of ability to respond in damages for each motor vehicle registered by a person for liability that arises out of the ownership, maintenance, or use of the motor vehicle in the following amounts:

- (1) Twenty-five thousand dollars (\$25,000) because of bodily injury to or death of any one (1) person.
- (2) Subject to the limit in subdivision (1), fifty thousand dollars (\$50,000) because of bodily injury to or death of two (2) or more persons in any one (1) accident.
- (3) Ten thousand dollars (\$10,000) because of injury to or destruction of property in any one (1) accident.

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

IC 9-25-2-4

Public highway

Sec. 4. "Public highway" means a street, an alley, a road, a highway, or a thoroughfare in Indiana, including a privately owned business parking lot and drive, that is used by the public or open to use by the public.

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

IC 9-25-3

Chapter 3. General Provisions

IC 9-25-3-1

Access to accident reports

Sec. 1. The bureau shall have access to all reports of motor vehicle accidents filed with the state police department to administer this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.4.

IC 9-25-3-2

Suspension or revocation of nonresident operator's license; forbidding operation by nonresident; transmission of records to other states

Sec. 2. (a) Whenever under Indiana law the bureau may suspend or revoke a driver's license or driving privileges if the operator of a motor vehicle is a resident of Indiana, the bureau may suspend or revoke the driver's license or driving privileges of or forbid the operation of a motor vehicle in Indiana by an operator who is a nonresident.

(b) Whenever under Indiana law the bureau may suspend or revoke the registration certificate and registration plates of a motor vehicle if the owner of the motor vehicle is a resident of Indiana, the bureau may forbid the operation within Indiana of a motor vehicle if the owner of the motor vehicle is a nonresident.

(c) The bureau shall transmit to the motor vehicle bureau or state officer performing the functions of a bureau in the state in which a nonresident resides a certified copy of the following:

(1) A conviction of, or an administrative action concerning, the nonresident that has resulted in the suspension of the nonresident's driving privilege in Indiana.

(2) An unsatisfied judgment rendered against a nonresident that has resulted in the suspension of the nonresident's driving privilege in Indiana.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.5.

IC 9-25-3-3

Substitution and acceptance of other adequate proof of financial responsibility; bond cancellation; return of insurance certificate; return of money or securities

Sec. 3. (a) The bureau shall:

(1) cancel a bond;

(2) return a certificate of insurance; or

(3) direct the treasurer of state to return money or securities to the person entitled to the money or securities;

upon the substitution and acceptance of other adequate proof of financial responsibility under this article.

(b) The treasurer of state shall return the money or securities requested when directed to return the money or securities under subsection (a).

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

IC 9-25-3-4

Proof of financial responsibility failing to fulfill purpose; suspension of driving privileges or motor vehicle registration

Sec. 4. Whenever the proof of financial responsibility filed by a person under this article no longer fulfills the purpose for which the proof was required, the bureau shall require from the person other proof of financial responsibility under this article. If the person does not provide other proof of financial responsibility under this article, the bureau shall suspend the driving privileges or motor vehicle registration, or both, as determined by the bureau, of the person.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.243; P.L.59-2013, SEC.6.

IC 9-25-3-5

Rules

Sec. 5. The bureau may adopt rules under IC 4-22-2 to establish procedures, conditions, and requirements concerning the filing of proof of financial responsibility necessary to promote and ensure the effective enforcement of this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.7.

IC 9-25-3-6

Plaintiffs; other processes provided by law

Sec. 6. This article may not be construed to prevent the plaintiff in an action at law from relying for security upon the other processes provided by law.

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

IC 9-25-3-7

Interstate agreements and compacts; convictions; judgments for offenses or violations and issuance of citations

Sec. 7. The following are subject to IC 9-28:

(1) A:

(A) conviction for a crime; or

(B) judgment for an offense or ordinance violation; under this article related to the use or operation of a motor vehicle.

(2) The issuance of a citation (as defined in IC 9-28-2-1) under this article.

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

IC 9-25-4

Chapter 4. Financial Responsibility

IC 9-25-4-1

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

Sec. 1. (a) This section does not apply to:

- (1) an electric personal assistive mobility device;
- (2) an off-road vehicle; or
- (3) a snowmobile.

(b) A person may not:

- (1) register a motor vehicle; or
- (2) operate a motor vehicle on a public highway;

in Indiana if financial responsibility is not in effect with respect to the motor vehicle under section 4 of this chapter, or the person is not otherwise insured in order to operate the motor vehicle.

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

As added by P.L.2-1991, SEC.13. Amended by P.L.105-1991, SEC.1; P.L.59-1994, SEC.3; P.L.143-2002, SEC.8; P.L.125-2012, SEC.244; P.L.259-2013, SEC.23.

IC 9-25-4-2

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

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

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

IC 9-25-4-3

Continuous maintenance; verification; suspension; third party contract

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

(b) The bureau may, at any time, verify that a person has financial responsibility in effect as required under this article.

(c) The bureau shall suspend the driving privileges or motor vehicle registration, or both, of a person who fails to maintain financial responsibility as required under this article.

(d) In order to comply with this section, the bureau may contract with a third party to request proof of financial responsibility from a person as required under this article. The third party must comply with the requirements of this article and any rules adopted by the

bureau.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.245; P.L.59-2013, SEC.8.

IC 9-25-4-4

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

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

- (1) a motor vehicle liability insurance policy issued with respect to the motor vehicle or operator under IC 9-25-5-7;
 - (2) a bond executed with respect to the motor vehicle under section 7 of this chapter; or
 - (3) the status of the owner or operator of the motor vehicle as a self-insurer, as recognized by the bureau through the issuance of a certificate of self-insurance under section 11 of this chapter;
- provides the ability to respond in damages for liability arising out of the ownership, maintenance, or use of the motor vehicle in amounts at least equal to those set forth in section 5 or 6 of this chapter.

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

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.246.

IC 9-25-4-5

Minimum amounts of financial responsibility

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

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

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

IC 9-25-4-6

Recovery vehicles; minimum amounts of financial responsibility

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

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

the destruction of property in one (1) accident.

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

(1) Subject to the limit set forth in subdivision (2), one hundred thousand dollars (\$100,000) for bodily injury to or the death of one (1) individual.

(2) Three hundred thousand dollars (\$300,000) for bodily injury to or the death of two (2) or more individuals in any one (1) accident.

(3) Fifty thousand dollars (\$50,000) for damage to or the destruction of property in one (1) accident.

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

IC 9-25-4-7

Methods of proving financial responsibility

Sec. 7. (a) Proof of financial responsibility as requested by the bureau:

(1) must be in effect on the date of the request; and

(2) may be given by any of the following methods:

(A) Proof that a policy or policies of operator or motor vehicle liability insurance, as applicable, have been obtained and are in full force and effect.

(B) Proof that a bond has been duly executed.

(C) Proof that deposit has been made of money or securities.

(b) Proof of financial responsibility as requested by a law enforcement officer:

(1) must be in effect on the date of the request; and

(2) may be provided in a paper or electronic format. For purposes of this subdivision, electronic formats include the display of an electronic image on a telecommunications device.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.9.

IC 9-25-4-8

Proof of financial responsibility

Sec. 8. Proof of financial responsibility meeting the requirements set forth in this article must be filed in a manner prescribed by the bureau by an insurance carrier of the person for whom proof is required.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.247; P.L.59-2013, SEC.10.

IC 9-25-4-9

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

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

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

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

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

IC 9-25-4-10

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

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

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

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

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

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

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

IC 9-25-4-11

Certificate of self-insurance; cancellation

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

(b) After not less than five (5) days notice and a hearing

concerning the notice, the department may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay a judgment within thirty (30) days after the judgment becomes final constitutes a reasonable ground for the cancellation of a certificate of self-insurance.

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

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

IC 9-25-4-12

Repealed

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

IC 9-25-5

Chapter 5. Proof of Financial Responsibility

IC 9-25-5-0.1

Application of certain amendments to chapter

Sec. 0.1. The amendments made to section 4 of this chapter by P.L.75-2001 apply to evidence admitted in any civil proceeding after June 30, 2001, to prove that a motor vehicle liability policy was in effect with respect to a motor vehicle on any date before, on, or after June 30, 2001.

As added by P.L.220-2011, SEC.223.

IC 9-25-5-1

Traffic offense conviction requiring court appearance; failure to prove financial responsibility; suspension of driving privileges or vehicle registration

Sec. 1. (a) If a person is convicted of a traffic offense that requires a court appearance, the court shall require the person to show proof that financial responsibility was in force on the date of the violation in one (1) of the forms described in IC 9-25-4-4 or in the form of a certificate of self-insurance issued under IC 9-25-4-11.

(b) If a person fails to provide proof of financial responsibility as required by this section, the court shall suspend the person's current driving privileges or motor vehicle registration, or both. If the court fails to recommend a fixed term of suspension, or recommends a fixed term that is less than the minimum term of suspension required under this article, the bureau shall impose the applicable minimum term of suspension required under this article.

(c) A suspension under this section is subject to the same provisions concerning procedure for suspension, duration of suspension, and reinstatement applicable to other suspensions under this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.248; P.L.59-2013, SEC.11.

IC 9-25-5-2

Receipt by bureau of accident report; request for evidence of financial responsibility

Sec. 2. Not more than forty-five (45) days after the bureau receives a copy of an accident report under IC 9-26, the bureau shall send to each person identified in the report as an operator of a motor vehicle involved in the accident a request for evidence of financial responsibility under section 3 of this chapter, unless the evidence has already been filed with the bureau. The request for evidence of financial responsibility shall be sent to each person identified in the report as an operator of a motor vehicle involved in the accident regardless of fault.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.249.

IC 9-25-5-3

Request for evidence of financial responsibility; requirements; mailing request

Sec. 3. (a) A request for evidence of financial responsibility must do the following:

(1) Direct a person to provide the bureau with evidence that financial responsibility was in effect with respect to the motor vehicle, or the operation of the motor vehicle, operated by the person on the date requested.

(2) Instruct the person on how to furnish the bureau with evidence of financial responsibility in compliance with this article.

(3) Warn the person that failure to furnish evidence of financial responsibility to the bureau will result in suspension of the person's current driving privileges or motor vehicle registration, or both, under this article.

(b) The bureau shall mail a request for evidence of financial responsibility to a person by first class mail to the mailing address of the person appearing in the records of the bureau.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.250; P.L.59-2013, SEC.12.

IC 9-25-5-4

Persons identified in accident reports; certificate of compliance

Sec. 4. (a) To avoid suspension of driving privileges or motor vehicle registration suspension, or both, under this article, a person identified under section 2 of this chapter who receives a request for evidence of financial responsibility must ensure that the insurance company of the person provides the bureau with a certificate of compliance indicating that financial responsibility required by IC 9-25-4-1 was in effect with respect to the motor vehicle, or the operation of the motor vehicle, on the date of the accident described in the accident report. It is the responsibility of the person who receives a request for evidence of financial responsibility to ensure that the insurance company of the person has provided a certificate of compliance.

(b) Proof that the bureau:

(1) did not receive a certificate of compliance for a person presented with a request for evidence of financial responsibility under section 2 of this chapter within forty (40) days after the date on which the person was presented with the request;

(2) received a certificate of compliance that did not indicate that financial responsibility was in effect with respect to the motor vehicle that the person was operating on the date of the accident described in the accident report; or

(3) suspended the driving privileges or motor vehicle registration, or both, under IC 9-25-6-3 after presenting a person with a request for evidence of financial responsibility under section 2 of this chapter;

is prima facie evidence in a civil action that the person presented with

the request for evidence of financial responsibility did not have an operator's or a motor vehicle liability policy in effect with respect to the motor vehicle that the person was operating on the date of the accident described in the accident report.

As added by P.L.2-1991, SEC.13. Amended by P.L.75-2001, SEC.1; P.L.125-2012, SEC.251.

IC 9-25-5-5

Certificate of compliance; required information; reason for requesting information

Sec. 5. (a) A person who receives a request for evidence of financial responsibility under section 3 of this chapter shall ensure that the insurance company of the person set forth in the certificate of compliance provides to the bureau the following information concerning the form of financial responsibility that was in effect on the date in question:

(1) If an operator's or a motor vehicle liability policy was in effect, the following:

(A) The name of the insurer.

(B) The identification number applying to the policy.

(C) Dates of coverage of the policy.

(D) Confirmation that financial responsibility covering the motor vehicle or operator, as applicable, was in effect on the date in question.

(E) Other information requested by the bureau.

(2) If a bond was in effect, the following:

(A) The name and address of the bond company or surety.

(B) The face amount of the bond.

(C) Dates the bond was in effect.

(D) Other information requested by the bureau.

(3) If self-insurance was in effect under IC 9-25-4-11, the following:

(A) The date on which the certificate of self-insurance was issued by the bureau.

(B) The name of the person to whom the certificate of self-insurance was issued.

(C) Other information requested by the bureau.

(b) A person who requests information or verification of coverage to complete a certificate of compliance under subsection (a) from:

(1) an insurance company; or

(2) an insurance producer;

is not required to give the company or the producer a reason for requesting the information unless the person has been involved in an accident.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.4; P.L.178-2003, SEC.2; P.L.125-2012, SEC.252; P.L.59-2013, SEC.13.

IC 9-25-5-6

Certification of compliance; execution

Sec. 6. A certificate of compliance that reports the existence of an insurance policy must be executed by an officer or agent of the insurer. A certificate of compliance that reports the existence of a bond must be executed by an officer of the bond company or surety. *As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.253.*

IC 9-25-5-7 Version a

Proof of financial responsibility required to be given by person other than vehicle owner

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

Sec. 7. Whenever a person required to give proof of financial responsibility under this article is not the owner of a motor vehicle, an operator's policy of liability insurance is sufficient proof of financial responsibility.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.14.

IC 9-25-5-7 Version b

Proof of financial responsibility required to be given by person other than vehicle owner

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

Sec. 7. Whenever a person required to give proof of financial responsibility under this article is not the owner of a motor vehicle, the following apply:

(1) If the person seeks only to reinstate the person's suspended driver's license or driving privileges, the person is not required to give proof of financial responsibility.

(2) If subdivision (1) does not apply, an operator's policy of liability insurance is sufficient proof of financial responsibility.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-2013, SEC.14; P.L.10-2014, SEC.2.

IC 9-25-5-8

Request that insurer issue certificate; certificate as conclusive evidence of conforming policy

Sec. 8. (a) An insurance carrier that has issued a motor vehicle liability policy or policies meeting the requirements of this article shall, upon request of the named insured, file with the bureau an appropriate certificate of compliance that meets the requirements of this article and shows that a policy or policies were in effect on the date requested.

(b) The issuance of a certificate of compliance to serve as proof of financial responsibility under this article is conclusive evidence that a motor vehicle liability policy in the certificate of compliance cited conforms to all the requirements of this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.254; P.L.59-2013, SEC.15.

IC 9-25-5-9**Certificate of motor vehicle liability policy; cancellation of policy; notice to bureau**

Sec. 9. Whenever an insurance carrier has certified a motor vehicle liability policy under this chapter for the purpose of furnishing evidence of future financial responsibility, the insurance carrier shall give ten (10) days written notice to the bureau before cancellation of the policy. The policy continues in full force and effect until the date of cancellation specified in the notice or until the policy's expiration. *As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.255; P.L.59-2013, SEC.16.*

IC 9-25-5-10**Nonresidents; proof of financial responsibility**

Sec. 10. (a) A nonresident must give proof of financial responsibility by having an insurance carrier file a certificate of compliance with the bureau.

(b) A certificate of compliance filed under subsection (a) must conform to this chapter.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.256; P.L.59-2013, SEC.17.

IC 9-25-6

Chapter 6. Suspension of Driving Privileges and Vehicle Registrations

IC 9-25-6-0.5

Bureau compliance with court orders

Effective 1-1-2015.

Sec. 0.5. If a court orders the suspension of a person's driving privileges, the bureau shall suspend the person's driving privileges in accordance with the court order, even if the court's order conflicts with a previous bureau action.

As added by P.L.217-2014, SEC.101.

IC 9-25-6-1

Certificate of compliance received from person identified in accident report

Sec. 1. (a) If:

- (1) the bureau receives a certificate of compliance for a person identified under IC 9-25-5-2 within forty (40) days after the date on which the bureau mailed the request for evidence of financial responsibility to the person; and
- (2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle at the time of the accident described in the accident report;

the bureau may not suspend the person's driving privileges.

(b) If:

- (1) the bureau receives a certificate of compliance from a person presented with a request for evidence of financial responsibility under IC 9-25-9-1 within forty (40) days after the date on which the person was presented with the request; and
- (2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract received by the bureau under IC 9-25-9-1;

the bureau may not suspend the person's driving privileges.

(c) If:

- (1) the bureau receives a certificate of compliance for a person identified under IC 9-25-10 (before its repeal) within forty (40) days after the date on which the bureau mailed the request for evidence of financial responsibility to the person; and
- (2) the certificate of compliance indicates that financial responsibility was in effect with respect to the motor vehicle or the operation of the motor vehicle for the date requested;

the bureau may not suspend the driving privileges of the person.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.5; P.L.125-2012, SEC.257; P.L.59-2013, SEC.18.

IC 9-25-6-2

Certificate of compliance received from person identified in accident report; false statements

Sec. 2. (a) If the bureau finds that a statement as to the existence of financial responsibility in a certificate of compliance received for a person identified under IC 9-25 is materially false, the bureau shall take action under subsection (b).

(b) Upon finding that the statement referred to in subsection (a) is false, the bureau shall immediately suspend the person's driving privileges or motor vehicle registration, or both, as determined by the bureau, for at least ninety (90) days and not more than one (1) year. *As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.6; P.L.125-2012, SEC.258; P.L.59-2013, SEC.19.*

IC 9-25-6-3

Certificate of compliance not received from person identified in accident report; receipt of certificate not indicating financial responsibility in effect; suspension of license; exceptions

Sec. 3. (a) If the bureau:

- (1) does not receive a certificate of compliance for a person identified under IC 9-25-5-2 within forty (40) days after the date on which the bureau mailed the request for evidence of financial responsibility to the person; or
- (2) receives a certificate that does not indicate that financial responsibility was in effect with respect to the motor vehicle operated by the person or operation of the motor vehicle by the person on the date of the accident referred to in IC 9-25-5-2;

the bureau shall take action under subsection (d).

(b) If the bureau:

- (1) does not receive a certificate of compliance for a person presented with a request for evidence of financial responsibility under IC 9-25-9-1 within forty (40) days after the date on which the person was presented with the request; or
- (2) receives a certificate that does not indicate that financial responsibility was in effect with respect to the motor vehicle or operation of the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract received by the bureau under IC 9-25-9-1;

the bureau shall take action under subsection (d).

(c) If the bureau:

- (1) does not receive a certificate of compliance for a person presented with a request under IC 9-25-10 (before its repeal) not later than forty (40) days after the date on which the person was presented with the request; or
- (2) receives a certificate that does not indicate that financial responsibility was in effect on the date requested;

the bureau shall take action under subsection (d).

(d) Under the conditions set forth in subsection (a), (b), or (c), the bureau shall immediately suspend the person's driving privileges or motor vehicle registration, or both, as determined by the bureau, for at least ninety (90) days and not more than one (1) year.

(e) Except as provided in subsection (f), if subsection (a), (b), or (c) applies to a person, the bureau shall suspend the driving privileges of the person irrespective of the following:

- (1) The sale or other disposition of the motor vehicle by the owner.
- (2) The cancellation or expiration of the registration of the motor vehicle.
- (3) An assertion by the person that the person did not own the motor vehicle and therefore had no control over whether financial responsibility was in effect with respect to the motor vehicle.

(f) The bureau shall not suspend the driving privileges of a person to which subsection (a), (b), or (c) applies if the person, through a certificate of compliance or another communication with the bureau, establishes to the satisfaction of the bureau that the motor vehicle that the person was operating when the accident referred to in subsection (a) took place or when the violation referred to in subsection (b) or (c) was committed was:

- (1) rented from a rental company; or
- (2) owned by the person's employer and operated by the person in the normal course of the person's employment.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.7; P.L.268-2003, SEC.31; P.L.125-2012, SEC.259; P.L.59-2013, SEC.20.

IC 9-25-6-3.5

Multiple violations; suspension of driving privileges or registration

Sec. 3.5. If a person violates:

- (1) IC 9-25-4;
- (2) IC 9-25-5;
- (3) section 2 or 3 of this chapter; or
- (4) IC 9-25-10 (before its repeal);

more than one (1) time within a three (3) year period, the person's driving privileges or motor vehicle registration may be suspended for not more than one (1) year.

As added by P.L.105-1991, SEC.2. Amended by P.L.125-2012, SEC.260; P.L.59-2013, SEC.21.

IC 9-25-6-4

Failure to satisfy judgment; suspension of driving privileges

Sec. 4. (a) This section does not apply to judgments entered by a court at least seven (7) years after the date of the accident.

(b) "Judgment", as used in this section, means a judgment in excess of two hundred dollars (\$200) for bodily injury, death, or property damages arising out of the use of a motor vehicle upon a public highway.

(c) The bureau shall suspend for a period of not more than seven (7) years from the date of judgment the driving privileges of a person upon receiving a verified report that the person has failed for a period of ninety (90) days to satisfy a judgment.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.261; P.L.59-2013, SEC.22.

IC 9-25-6-5

Conditions for satisfaction of judgment

Sec. 5. (a) A judgment referred to in this chapter is considered satisfied only when the following conditions are fulfilled as appropriate:

- (1) Subject to the limit in subdivision (2), twenty-five thousand dollars (\$25,000) has been credited upon a judgment rendered in excess of that amount because of bodily injury to or death of one (1) person as the result of one (1) accident.
- (2) Fifty thousand dollars (\$50,000) has been credited upon a judgment rendered in excess of that amount because of bodily injury to or death of two (2) or more persons as the result of any one (1) accident.
- (3) Ten thousand dollars (\$10,000) has been credited upon a judgment or judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one (1) accident.
- (4) The judgment is satisfied by payment accepted by the judgment creditor in full satisfaction of all claims arising from bodily injury, death, or property damage arising from the motor vehicle accident involved in the judgment.

(b) A payment made in settlement of a claim because of bodily injury, death, or property damage arising from a motor vehicle accident shall be credited in reduction of the amounts provided for in this section.

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

IC 9-25-6-6

Payment of judgment in installments; allowing driving privileges and registration to judgment debtor on consent of judgment creditor

Sec. 6. (a) The bureau may not suspend the driving privileges of a person and shall reinstate the driving privileges of a person following nonpayment of a judgment whenever a judgment debtor does the following:

- (1) Gives proof that the judgment debtor will maintain financial responsibility in the future for at least three (3) years following reinstatement.
- (2) Obtains an order from the trial court in which the judgment was rendered permitting the payment of the judgment in installments, unless the payment of an installment is in default.

(b) A judgment debtor, upon five (5) days notice to the judgment creditor, may apply to the trial court in which the judgment was obtained for the privilege of paying the judgment in installments. The court, in the court's discretion and without prejudice to other legal remedies the judgment creditor may have, may order the payment of the judgment in installments, fixing the amounts and times of

payment of the installments.

(c) Except as provided in subsection (d), if the judgment debtor fails to pay an installment as permitted by the order of the court, upon notice of the default the bureau shall suspend the driving privileges of the judgment debtor. The bureau may not take action for failure to make installment payments for judgments entered at least seven (7) years after the date of the accident. Suspended driving privileges may not be reinstated until evidence of proof of future financial responsibility is presented.

(d) Notwithstanding a default by the judgment debtor in the payment of a judgment or the payment of an installment under subsection (b), whenever the judgment creditor consents in writing, in the form the bureau prescribes, that the judgment debtor be allowed driving privileges and registration, the driving privileges and registration may be allowed by the bureau at the bureau's discretion. The driving privileges and registration may be renewed until the consent is revoked in writing if the judgment debtor furnishes proof under this article that the judgment debtor will maintain financial responsibility in the future for at least three (3) years following reinstatement.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.262.

IC 9-25-6-7

Duration of suspension for failure to satisfy judgment

Sec. 7. Except as provided in sections 5 and 6 of this chapter, a suspension required in sections 4 and 6 of this chapter remains in effect and no other motor vehicle may be registered in the name of the judgment debtor or a new license issued to the judgment debtor, until the following occur:

- (1) The judgment is satisfied or stayed.
- (2) The judgment debtor gives proof of future financial responsibility for three (3) years, as provided in this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.263.

IC 9-25-6-8

Repealed

(Repealed by P.L.125-2012, SEC.264.)

IC 9-25-6-9

Certified abstract of record of judgment for damages

Sec. 9. The court shall forward to the bureau a certified abstract of the record of a judgment for damages if the rendering and nonpayment of the judgment requires the bureau to suspend or revoke the driving privileges of the judgment debtor under this article. The abstract shall be forwarded to the bureau immediately upon the expiration of thirty (30) days after the judgment becomes final and has not been stayed or satisfied, as shown by the records of the court.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.265.

IC 9-25-6-10

Repealed

(Repealed by P.L.125-2012, SEC.266.)

IC 9-25-6-11

Repealed

(Repealed by P.L.125-2012, SEC.267.)

IC 9-25-6-12

Proof of financial responsibility indicating insured not covered when operating vehicle not owned by insured

Sec. 12. Whenever proof of financial responsibility is filed showing that a policy has been issued covering all motor vehicles owned by an insured but not insuring the person when operating a motor vehicle not owned by the person, it is unlawful for the person to operate a motor vehicle not owned by the person or not covered by the certificate.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.268.

IC 9-25-6-13

Nonresidents; ownership or operation of vehicles; compliance with article

Sec. 13. A:

- (1) nonresident may not operate a motor vehicle in Indiana; and
- (2) motor vehicle owned by the nonresident may not be operated in Indiana;

until the nonresident or the owner of the motor vehicle has complied with the requirements of this article with respect to proof of financial responsibility.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.269.

IC 9-25-6-14

Renewal of driving privileges or registration

Sec. 14. (a) The bureau shall reinstate the driving privileges or motor vehicle registration, or both:

- (1) subject to section 15 of this chapter, after expiration of the imposed period of suspension if the person has furnished the bureau with proof of future financial responsibility; or
- (2) if financial responsibility was in effect with respect to a motor vehicle on the date requested but the bureau does not receive a certificate of compliance indicating this fact until after the person's driving privileges are suspended under this article, the person's driving privileges shall be reinstated when the bureau receives the certificate of compliance.

(b) Upon receipt of a certificate of compliance under this section,

the bureau shall remove from the person's driving record the administrative suspension caused by the failure to notify the bureau that the person had financial responsibility in effect on the date of the violation.

As added by P.L.2-1991, SEC.13. Amended by P.L.105-1991, SEC.3; P.L.1-1992, SEC.57; P.L.94-1997, SEC.4; P.L.117-2001, SEC.2; P.L.210-2005, SEC.49; P.L.125-2012, SEC.270; P.L.59-2013, SEC.23.

IC 9-25-6-15

Driving privileges reinstatement fee

Sec. 15. A person:

- (1) whose driving privileges are suspended under this article; and
- (2) who seeks the reinstatement of the driving privileges;

must pay a reinstatement fee to the bureau as provided in IC 9-29-10-1.

As added by P.L.2-1991, SEC.13. Amended by P.L.80-2010, SEC.13; P.L.125-2012, SEC.271.

IC 9-25-6-16

Review of suspension of driving privileges

Sec. 16. (a) A person whose driving privileges are suspended under this article may notify the bureau, in writing, that the bureau's records contain a material error with respect to the suspension of the person's driving privileges. The bureau shall, within thirty (30) days after the date on which the bureau receives the notice, determine whether a material error was made with respect to the suspension of the person's driving privileges.

(b) If the bureau determines that a material error was made with respect to the suspension of the person's driving privileges, the bureau shall reinstate the person's driving privileges.

(c) If applicable, the bureau shall notify the prosecuting attorney of the county where the suspension originated that the bureau has determined that a material error exists. The prosecuting attorney is entitled to respond to the bureau's determination.

(d) An action taken or a determination made by the bureau under this section is not subject to IC 4-21.5. However, the person may file a petition for judicial review under this chapter.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.272; P.L.59-2013, SEC.24.

IC 9-25-6-17

Repealed

(Repealed by P.L.125-2012, SEC.273.)

IC 9-25-6-18 Version a

Forging or signing without authority; certificate serving as proof of financial responsibility; filing or offering for filing; classification of violation

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

Sec. 18. A person who:

(1) forges or without authority signs or approves any certificate to serve as proof of financial responsibility as required by the bureau; or

(2) knowingly files or offers for filing a certificate described in subdivision (1);

commits a Class B misdemeanor.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.274.

IC 9-25-6-18 Version b

Repealed

(Repealed by P.L.217-2014, SEC.102.)

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

IC 9-25-6-19

Repealed

(Repealed by P.L.125-2012, SEC.275.)

IC 9-25-6-19.2

False evidence of financial responsibility

Sec. 19.2. The bureau may suspend the driving privileges or registration of a motor vehicle, or both, of a person who provides the bureau with false evidence of financial responsibility under this article.

As added by P.L.125-1995, SEC.10. Amended by P.L.125-2012, SEC.276; P.L.59-2013, SEC.25.

IC 9-25-6-20

Repealed

(Repealed by P.L.125-2012, SEC.277.)

IC 9-25-6-21

Repealed

(Repealed by P.L.125-2012, SEC.278.)

IC 9-25-7

Chapter 7. Miscellaneous Provisions

IC 9-25-7-1

Insolvency of insurer formerly authorized and qualified to do business in Indiana

Sec. 1. The bureau may not suspend or revoke the driver's license, driving privileges, or registration plates of the owner or operator of a motor vehicle who has been involved in a motor vehicle accident resulting in bodily injury or death or in damage to property in excess of one thousand dollars (\$1,000) solely because of failure to provide evidence of financial responsibility whenever the:

- (1) owner or operator was insured by an insurance company for public liability and property damage at the time of the accident; and
- (2) insurance company becomes insolvent after the accident or within fifteen (15) days before the accident;

if the insurance company was authorized and qualified to do business in Indiana on the effective date of the policy.

As added by P.L.2-1991, SEC.13. Amended by P.L.157-2003, SEC.1; P.L.59-2013, SEC.26.

IC 9-25-7-2

Transfer of vehicle registration or registration in another name; good faith requirement; repossessed vehicles

Sec. 2. (a) This section does not apply to or affect the registration of a motor vehicle sold by a person who, under the terms or conditions of a written instrument giving a right of repossession, has exercised the right and has repossessed a motor vehicle from a person whose certificate of registration has been suspended under this article.

(b) If an owner's registration has been suspended under this article, the registration may not be transferred or the motor vehicle registered in another name until the bureau is satisfied that the transfer or registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this article. A transfer or registration shall be permitted when the transferee furnishes proof of financial responsibility to the bureau.

(c) A transfer or registration made or obtained in violation of this section is void for the purposes of this article.

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

IC 9-25-7-3

Cancellation, return, or waiver of proof of financial responsibility

Sec. 3. (a) The bureau shall, upon request, cancel a bond or return a certificate of insurance, direct the treasurer of state to return to the person entitled any money or securities deposited under this article as proof of financial responsibility, or waive the requirement of filing proof of financial responsibility in any of the following circumstances:

(1) At any time after three (3) years from the date the proof was required, if during the three (3) year period preceding the request the person furnishing the proof has not been convicted of an offense referred to in IC 9-30-4-6.

(2) If the person on whose behalf the proof was filed dies or the person becomes permanently incapable of operating a motor vehicle.

(3) If the person who has given proof of financial responsibility surrenders the person's driver's license, registration certificates, and registration plates to the bureau. The bureau may not release the proof if an action for damages upon a liability referred to in this article is pending, a judgment upon a liability is outstanding and unsatisfied, or the bureau has received notice that the person has, within the period of three (3) months immediately preceding, been involved as a driver in a motor vehicle accident. An affidavit of the applicant of the nonexistence of the facts referred to in this subdivision is sufficient evidence of the nonexistence of the facts in the absence of evidence to the contrary in the records of the department.

(b) Whenever a person to whom proof has been surrendered under subsection (a)(3) applies for an operator's or chauffeur's license or the registration of a motor vehicle within a period of three (3) years from the date the proof of financial responsibility was originally required, the bureau shall reject the application unless the applicant reestablishes the proof for the remainder of the period.

As added by P.L.2-1991, SEC.13. Amended by P.L.1-2001, SEC.7; P.L.59-2013, SEC.27.

IC 9-25-7-4

Failure to pay under surety bond after entry of judgment; action in name of state against company executing bond

Sec. 4. If a judgment is rendered against the principal of a surety bond upon a liability covered by the conditions of the bond and the judgment is not satisfied within sixty (60) days after the judgment becomes final, the judgment creditor may, for the judgment creditor's own use and benefit and at the judgment creditor's sole expense, bring an action in the name of the state against the company that executed the bond.

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

IC 9-25-7-5

Repealed

(Repealed by P.L.59-2013, SEC.28.)

IC 9-25-7-6

Temporary reinstatement of nonresident's driver's license, driving privileges, or registration

Sec. 6. (a) This section does not apply to a person who is a resident of Indiana or who operates a motor vehicle in Indiana.

(b) Subject to subsection (c), a person:

(1) whose driver's license, driving privileges, or registration was suspended and who is required to prove financial responsibility extending into the future in order to have the person's driving privileges reinstated; and

(2) who no longer operates a motor vehicle in Indiana and has become a resident of another state or foreign jurisdiction;

is not required to prove financial responsibility into the future in order to have the person's driver's license, driving privileges, or registration temporarily reinstated to allow licensing or registration in the other state or foreign jurisdiction.

(c) A person described in subsection (b) who, during the three (3) year period following the suspension described in subsection (b)(1), applies to the bureau for a driver's license or registers a motor vehicle in Indiana must maintain proof of future financial responsibility for the unexpired portion of the three (3) year period as required under this article.

As added by P.L.88-1996, SEC.6. Amended by P.L.125-2012, SEC.279; P.L.59-2013, SEC.29.

IC 9-25-8
Chapter 8. Penalties

IC 9-25-8-0.1

Repealed

(Repealed by P.L.63-2012, SEC.12.)

IC 9-25-8-1

Application of chapter

Sec. 1. This chapter does not apply to the following:

- (1) Persons who have obtained a certificate of self-insurance under IC 9-25-4-11.
- (2) Operators of government owned vehicles.
- (3) Persons who are exempt under IC 9-25-1-2.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012, SEC.280.

IC 9-25-8-2 Version a

Operating or permitting operation of vehicle without proving financial responsibilities; classification of violation; court recommendation of suspension of driving privileges

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

Sec. 2. (a) A person who knowingly:

- (1) operates; or
- (2) permits the operation of;

a motor vehicle on a public highway in Indiana without financial responsibility in effect as set forth in IC 9-25-4-4 commits a Class A infraction. However, the offense is a Class C misdemeanor if the person knowingly or intentionally violates this section and has a prior unrelated conviction or judgment under this section.

(b) Subsection (a)(2) applies to:

- (1) the owner of a rental company under IC 9-25-6-3(f)(1); and
- (2) an employer under IC 9-25-6-3(f)(2).

(c) In addition to any other penalty imposed on a person for violating this section, the court shall recommend the suspension of the person's driving privileges for at least ninety (90) days but not more than one (1) year. However, if, within the five (5) years preceding the conviction under this section, the person had a prior unrelated conviction under this section, the court shall recommend the suspension of the person's driving privileges for one (1) year.

(d) Upon receiving the recommendation of the court under subsection (c), the bureau shall suspend the person's driving privileges for the period recommended by the court. If no suspension is recommended by the court, or if the court recommends a fixed term that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension required under this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.8; P.L.100-1997, SEC.1; P.L.157-2003, SEC.2; P.L.125-2012,

SEC.281; P.L.59-2013, SEC.30.

IC 9-25-8-2 Version b

Operating or permitting operation without financial responsibility; court recommendation; suspension

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

Sec. 2. (a) A person who knowingly:

(1) operates; or

(2) permits the operation of;

a motor vehicle on a public highway in Indiana without financial responsibility in effect as set forth in IC 9-25-4-4 commits a Class A infraction. However, the offense is a Class C misdemeanor if the person knowingly or intentionally violates this section and has a prior unrelated conviction or judgment under this section.

(b) Subsection (a)(2) applies to:

(1) the owner of a rental company under IC 9-25-6-3(f)(1); and

(2) an employer under IC 9-25-6-3(f)(2).

(c) In addition to any other penalty imposed on a person for violating this section, the court shall recommend the suspension of the person's driving privileges for at least ninety (90) days but not more than one (1) year. However, if, within the five (5) years preceding the conviction under this section, the person had a prior unrelated conviction under this section, the court shall recommend the suspension of the person's driving privileges and vehicle registration for one (1) year.

(d) Upon receiving the recommendation of the court under subsection (c), the bureau shall suspend the person's driving privileges and vehicle registration, as applicable, for the period recommended by the court. If no suspension is recommended by the court, or if the court recommends a fixed term that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension required under this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.59-1994, SEC.8; P.L.100-1997, SEC.1; P.L.157-2003, SEC.2; P.L.125-2012, SEC.281; P.L.59-2013, SEC.30; P.L.10-2014, SEC.3.

IC 9-25-8-3

Rules

Sec. 3. The commissioner may adopt rules under IC 4-22-2 necessary to implement this chapter.

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

IC 9-25-8-4

Notification to prosecuting attorney of driving privileges suspension not required

Sec. 4. The commissioner is not required to notify the prosecuting attorney of a driver who has had driving privileges suspended for failure to prove financial responsibility under this article.

As added by P.L.2-1991, SEC.13. Amended by P.L.125-2012,

SEC.282.

IC 9-25-8-5

Financial responsibility violations; assessment of points by bureau

Sec. 5. (a) For purposes of the point system for Indiana traffic convictions operated by the bureau under 140 IAC 1-4.5, the bureau shall assess points against a person who registers or operates a motor vehicle in violation of IC 9-25-4-1. The bureau shall assess points against a person under this subsection for each violation of IC 9-25-4-1 committed by the person.

(b) The number of points assessed for each violation of IC 9-25-4-1 shall be determined by the point study committee appointed by the commissioner based on the evaluation by the committee of the harm done to Indiana and the citizens of Indiana through the violation of IC 9-25-4-1.

As added by P.L.59-1994, SEC.9.

IC 9-25-8-6 Version a

Proof of future financial responsibility

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

Sec. 6. (a) This section applies to a person:

- (1) who is convicted of;
- (2) against whom a judgment is entered for;
- (3) against whom the bureau has taken administrative action for;
- or
- (4) who the bureau otherwise determines was;

operating a motor vehicle without financial responsibility in violation of this article.

(b) A person described in subsection (a) must provide proof of future financial responsibility for a period of three (3) years beginning on the date on which the suspension of the person's driving privileges terminates.

As added by P.L.59-2013, SEC.31.

IC 9-25-8-6 Version b

Proof of future financial responsibility

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

Sec. 6. (a) This section applies to a person:

- (1) who is convicted of;
- (2) against whom a judgment is entered for;
- (3) against whom the bureau has taken administrative action for;
- or
- (4) who the bureau otherwise determines was;

operating a motor vehicle without financial responsibility in violation of this article.

(b) A person described in subsection (a) must provide proof of future financial responsibility:

- (1) for a first or second offense, for a period of three (3) years;

or

(2) for a third or subsequent offense, for a period of five (5) years;

beginning on the date on which the suspension of the person's driving privileges terminates.

As added by P.L. 59-2013, SEC.31. Amended by P.L. 10-2014, SEC.4.

IC 9-25-9

Chapter 9. Post-Conviction Financial Responsibility Verification

IC 9-25-9-1

Receipt of abstract or judgment of conviction; request for evidence of financial responsibility

Sec. 1. (a) After the bureau receives:

- (1) a certified abstract under IC 9-30-13-0.5 of the record of conviction of a person for a violation of a law relating to motor vehicles;
- (2) a judgment or an abstract under IC 9-30-3-11 of a case resulting in a conviction, judgment, or forfeiture of security deposit; or
- (3) a judgment, abstract, or other court order indicating the conviction of a person for a violation of a law relating to motor vehicles;

the bureau shall determine whether the bureau is required under subsection (b) to send to the person named in the judgment, abstract, or other court order a request for evidence of financial responsibility.

(b) The bureau shall send a request for evidence of financial responsibility to a person referred to in subsection (a) if at least one (1) of the following applies to the person:

- (1) The judgment, abstract, or other court order referred to in subsection (a) reports that the person committed a moving traffic violation for which points are assessed by the bureau under the point system, and, not more than one (1) year before the date of the violation referred to in the judgment, abstract, or other court order, the person committed at least two (2) previous moving traffic violations for which points are assessed by the bureau under the point system.
- (2) The judgment, abstract, or other court order referred to in subsection (a) reports that the person was convicted of:
 - (A) a misdemeanor; or
 - (B) a felony;involving a motor vehicle.
- (3) The judgment, abstract, or other court order referred to in subsection (a) reports that the person committed a moving traffic violation for which points are assessed by the bureau under the point system and the driving privileges of the person were previously suspended for violation of the financial responsibility requirements of IC 9-25.

(c) The expungement or other removal from a person's record of an underlying conviction for which the bureau sends to the person a request for evidence of financial responsibility under this section does not alter or otherwise affect a penalty imposed by the bureau on the person for the person's failure to provide evidence of financial responsibility under this article.

As added by P.L. 59-1994, SEC. 10. Amended by P.L. 94-1997, SEC. 5; P.L. 125-2012, SEC. 283; P.L. 59-2013, SEC. 32.

IC 9-25-9-2

Request for evidence of financial responsibility; instructions; warning

Sec. 2. The request for evidence of financial responsibility presented to a person under section 1 of this chapter must do the following:

- (1) Direct the person to ensure that the insurance company of the person provide the bureau with evidence that financial responsibility was in effect with respect to the motor vehicle that the person was operating when the person committed the violation described in the judgment or abstract.
- (2) Instruct the person on how to furnish the bureau with evidence of financial responsibility as specified in this article.
- (3) Warn the person that failure of the insurance company of the person to provide evidence of financial responsibility to the bureau will result in suspension of the person's current driving privileges or motor vehicle registration, or both, under this article.

As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.284.

IC 9-25-9-3

Request for evidence of financial responsibility; compliance

Sec. 3. To avoid suspension of driving privileges or motor vehicle registration suspension under this article, a person presented with a request for evidence of financial responsibility under section 1 of this chapter must ensure that the insurance company of the person provides the bureau with a certificate of compliance indicating that financial responsibility as required by IC 9-25-4-1 was in effect when the person committed the violation described in the judgment or abstract.

As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.285.

IC 9-25-9-4

Request for evidence of financial responsibility; required information

Sec. 4. A person who is presented with a request for evidence of financial responsibility under this chapter shall direct the insurance company of the person to set forth in the certificate of compliance the following information concerning the form of financial responsibility that was in effect on the date in question:

- (1) If a motor vehicle liability policy was in effect, the following:
 - (A) The name of the insurer.
 - (B) The identification number applying to the policy.
 - (C) Dates of coverage of the policy.
 - (D) Confirmation that financial responsibility covering the motor vehicle or operator, as applicable, was in effect on the date in question.

- (E) Other information requested by the bureau.
- (2) If a bond was in effect, the following:
 - (A) The name and address of the bond company or surety.
 - (B) The face amount of the bond.
 - (C) Dates the bond was in effect.
 - (D) Other information requested by the bureau.
- (3) If self-insurance was in effect under IC 9-25-4-11, the following:
 - (A) The date on which the certificate of self-insurance was issued by the bureau.
 - (B) The name of the person to whom the certificate of self-insurance was issued.
 - (C) Other information requested by the bureau.

As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.286; P.L.59-2013, SEC.33.

IC 9-25-9-5

Signatures on certificate of compliance; information concerning violations

Sec. 5. (a) A certificate of compliance that is provided to the bureau under this article and that reports the existence of an insurance policy must be signed by an officer or agent of the insurer.

(b) The portion of a request for evidence of financial responsibility that is presented to an officer or agent of an insurer to obtain a certificate of compliance under subsection (a) may not contain information concerning the violation that resulted in the request for evidence of financial responsibility.

(c) An officer or agent of an insurer may not request information concerning a violation that results in a request for evidence of financial responsibility under this article.

(d) A certificate of compliance that is provided to the bureau under this article and that reports the existence of a bond must be signed by an officer of the bond company or surety.

As added by P.L.59-1994, SEC.10. Amended by P.L.125-2012, SEC.287.

IC 9-25-9-6

Responsibilities of bureau

Sec. 6. The bureau shall respond to:

- (1) a certificate of compliance provided to the bureau under this chapter; or
- (2) the failure of a person under this chapter to provide the bureau with a certificate of compliance;

in the appropriate manner provided under this article.

As added by P.L.59-1994, SEC.10. Amended by P.L.59-2013, SEC.34.

IC 9-25-9-7

Financial responsibility compliance verification fund

Sec. 7. (a) The financial responsibility compliance verification

fund is established to defray expenses incurred by the bureau in verifying compliance with financial responsibility requirements under this chapter.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The sources of money for the fund are as follows:

(1) The portion of the driving license reinstatement fee that is to be deposited in the fund under IC 9-29-10-1.

(2) Accrued interest and other investment earnings of the fund.

(3) Appropriations made by the general assembly.

(4) Gifts and donations from any person to the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.59-1994, SEC.10.

IC 9-25-10

Repealed

(Repealed by P.L.59-2013, SEC.35.)