

First Regular Session of the 123rd General Assembly (2023)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2022 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1050

AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 5-22-22-1, AS AMENDED BY P.L.286-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) This chapter applies only to personal property owned by a governmental body.

(b) This chapter does not apply to dispositions of property described in any of the following:

- (1) IC 5-22-21-1(b).
- (2) IC 36-1-11-5.5.
- (3) IC 36-1-11-5.7.

(c) This chapter does not apply to any of the following:

- (1) The disposal of property under an urban homesteading program under IC 36-7-17 or IC 36-7-17.1.
- (2) The lease of school buildings under IC 20-47.
- (3) The sale of land to a lessor in a lease-purchase contract under IC 36-1-10.
- (4) The disposal of property by a redevelopment commission established under IC 36-7.
- (5) The leasing of property by a board of aviation commissioners established under IC 8-22-2 or an airport authority established under IC 8-22-3.
- (6) The disposal of a municipally owned utility under IC 8-1.5.
- (7) The sale or lease of property by a unit (as defined in IC 36-1-2-23) to an Indiana nonprofit corporation organized for

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educational, literary, scientific, religious, or charitable purposes that is exempt from federal income taxation under Section 501 of the Internal Revenue Code or the sale or reletting of that property by the nonprofit corporation.

(8) The disposal of surplus property by a hospital established and operated under IC 16-22-1 through IC 16-22-5, IC 16-22-8, IC 16-23-1, or IC 16-24-1.

(9) The sale or lease of property acquired under IC 36-7-13 for industrial development.

(10) The sale, lease, or disposal of property by a local hospital authority under IC 5-1-4.

(11) The sale or other disposition of property by a county or municipality to finance housing under IC 5-20-2.

(12) The disposition of property by a soil and water conservation district under IC 14-32.

(13) The disposal of surplus property by the health and hospital corporation established and operated under IC 16-22-8.

(14) The disposal of personal property by a library board under IC 36-12-3-5(c).

(15) The sale or disposal of property by the historic preservation commission under IC 36-7-11.1.

(16) The disposal of an interest in property by a housing authority under IC 36-7-18.

(17) The disposal of property under IC 36-9-37-26.

(18) The disposal of property used for park purposes under IC 36-10-7-8.

(19) The disposal of curricular materials that will no longer be used by school corporations under IC 20-26-12.

(20) The disposal of residential structures or improvements by a municipal corporation without consideration to:

(A) a governmental body; or

(B) a nonprofit corporation that is organized to expand the supply or sustain the existing supply of good quality, affordable housing for residents of Indiana having low or moderate incomes.

(21) The disposal of historic property without consideration to a nonprofit corporation whose charter or articles of incorporation allows the corporation to take action for the preservation of historic property. As used in this subdivision, "historic property" means property that is:

(A) listed on the National Register of Historic Places; or

(B) eligible for listing on the National Register of Historic



Places, as determined by the division of historic preservation and archeology of the department of natural resources.

(22) The disposal of real property without consideration to:

(A) a governmental body; or

(B) a nonprofit corporation that exists for the primary purpose of enhancing the environment;

when the property is to be used for compliance with a permit or an order issued by a federal or state regulatory agency to mitigate an adverse environmental impact.

(23) The disposal of property to a person under an agreement between the person and a governmental body under IC 5-23.

(24) The sale, lease, or disposal of property under a fleet management or equipment leasing agreement entered into under IC 5-22-9.

SECTION 2. IC 6-6-2.5-1, AS AMENDED BY P.L.212-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 1. As used in this chapter, "alternative fuel" means a liquefied petroleum gas, not including a biodiesel fuel or biodiesel blend, used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. The term includes all forms of fuel commonly or commercially known or sold as butane, or propane, **hydrogen, hythane, electricity, or any other fuel used to propel a motor vehicle on a highway that is not subject to the tax imposed under section 28 of this chapter or the tax imposed under IC 6-6-1.1.**

SECTION 3. IC 6-6-4.1-2, AS AMENDED BY P.L.198-2016, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 2. (a) Except as provided in subsection (b), this chapter applies to each:

(1) road tractor;

(2) tractor truck;

(3) truck having more than two (2) axles;

(4) truck having a gross weight or a declared gross weight greater than twenty-six thousand (26,000) pounds; ~~and~~

(5) vehicle used in combination if the gross weight or the declared gross weight of the combination is greater than twenty-six thousand (26,000) pounds; **and**

(6) qualified motor vehicle that is subject to the tax reporting requirements of the International Fuel Tax Agreement;

that is propelled by motor fuel.

(b) This chapter does not apply to the following:

(1) A vehicle operated by:



- (A) this state;
 - (B) a political subdivision (as defined in IC 36-1-2-13);
 - (C) the United States; or
 - (D) an agency of states and the United States, or of two (2) or more states, in which this state participates.
- (2) Trucks, trailers, or semitrailers and tractors that are registered as farm trucks, farm trailers, or farm semitrailers and tractors under IC 9-18 (before its expiration), IC 9-18.1-7, or a similar law of another state.
- (3) A bus (as defined in IC 9-13-2-17).
- (4) A vehicle described in subsection (a)(1) through (a)(3) when the vehicle is displaying a dealer registration plate.
- (5) A recreational vehicle.
- (6) A pickup truck that:
- (A) is modified to include a third free rotating axle;
 - (B) has a gross weight not greater than twenty-six thousand (26,000) pounds; and
 - (C) is operated solely for personal use and not for commercial use.

SECTION 4. IC 6-6-4.1-4, AS AMENDED BY P.L.234-2019, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 4. (a) A tax is imposed on the consumption of motor fuel by a carrier in its operations on highways in Indiana. The rate of this tax is determined as follows:

- (1) When imposed upon the consumption of special fuel (other than an alternative fuel or a natural gas product), the tax rate is the same rate per gallon as the rate per gallon at which special fuel is taxed under IC 6-6-2.5.
- (2) When imposed upon the consumption of gasoline, the tax rate is the same rate per gallon as the rate per gallon at which gasoline is taxed under IC 6-6-1.1.
- (3) When imposed upon the consumption of a natural gas product or an alternative fuel, the tax rate is ~~either~~ **one (1)** of the following:
 - (A) The same rate per diesel gallon equivalent as the rate per gallon at which special fuel is taxed under IC 6-6-2.5, in the case of liquid natural gas.
 - (B) The same rate per gasoline gallon equivalent at which special fuel is taxed under IC 6-6-2.5, in the case of compressed natural gas or an alternative fuel commonly or commercially known or sold as butane or propane.
 - (C) The same rate per gallon equivalent at which special**



fuel is taxed under IC 6-6-2.5, in the case of an alternative fuel not commonly known or sold as butane or propane, divided by:

(i) the carrier's average miles per gallon for all vehicles in the fleet that consume motor fuels described in subdivision (1), if the fleet has both vehicles that consume motor fuels described in subdivision (1) and vehicles that consume alternative fuels that are not commonly or commercially known or sold as butane or propane; or

(ii) the carrier's average miles per gallon for the preceding quarter of Indiana based International Fuel Tax Agreement vehicles consuming motor fuels described in subdivision (1), if all vehicles in the fleet consume an alternative fuel that is not commonly or commercially known or sold as butane or propane.

The tax shall be paid quarterly by the carrier to the department on or before the last day of the month immediately following the quarter. **The department shall publish on its website each quarter the average miles per gallon for the preceding quarter for a vehicle described in subdivision (3)(C)(ii).**

(b) **Except for an alternative fuel that is not commonly or commercially known or sold as butane or propane**, the amount of motor fuel consumed by a carrier in its operations on highways in Indiana is the total amount of motor fuel consumed in its entire operations within and without Indiana, multiplied by a fraction. The numerator of the fraction is the total number of miles traveled on highways in Indiana, and the denominator of the fraction is the total number of miles traveled within and without Indiana.

(c) The amount of tax that a carrier shall pay for a particular quarter under this section equals the product of the tax rate in effect for that quarter, multiplied by:

(1) except as provided in subdivision (2), the amount of motor fuel consumed by the carrier in its operation on highways in Indiana and upon which the carrier has not paid tax imposed under IC 6-6-1.1, IC 6-6-2.5, or section 4.5 of this chapter (before its repeal); or

(2) the miles traveled on highways in Indiana for an alternative fuel that is not commonly or commercially known or sold as butane or propane.

(d) Subject to section 4.8 of this chapter, a carrier is entitled to a proportional use credit against the tax imposed under this section for



that portion of motor fuel used to propel equipment mounted on a motor vehicle having a common reservoir for locomotion on the highway and the operation of the equipment, as determined by rule of the commissioner. An application for a proportional use credit under this subsection shall be filed on a quarterly basis on a form prescribed by the department.

SECTION 5. IC 6-6-4.1-4.8, AS AMENDED BY P.L.185-2018, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4.8. (a) This section applies only to a claim for a proportional use credit under section 4(d) of this chapter or section 4.5(e) of this chapter (before its repeal) for taxes first due and payable after July 31, 1999.

(b) In order to obtain a proportional use credit against taxes imposed under section 4 of this chapter or section 4.5 of this chapter (before its repeal) a carrier must file a claim with the department. The claim must be submitted on a form prescribed by the department and must be filed with the quarterly return for the taxable period for which the proportional use credit is claimed. A carrier is not entitled to a proportional use credit under section 4(d) of this chapter or section 4.5(e) of this chapter (before its repeal) unless the carrier:

- (1) has paid in full the taxes to which the credit applies, **except for an alternative fuel**; and
- (2) has filed a claim for the credit on or before the due date of the corresponding quarterly return for the taxable period for which the proportional use credit is claimed.

A credit approved under this section shall, subject to this section, be refunded to the carrier without interest.

(c) The department shall determine the aggregate amount of proportional use credits claimed under section 4(d) of this chapter or section 4.5(e) of this chapter (before its repeal) for each quarter. The department may approve the full amount of a proportional use credit claimed by a carrier if the aggregate amount of proportional use credits claimed for the quarter and for the fiscal year do not exceed the limits set forth in subsection (d). If the aggregate amount of proportional use credits claimed in a quarter exceeds the limits set forth in subsection (d), the department shall pay the claims for that quarter on a pro rata basis.

(d) The department may not approve more than three million five hundred thousand dollars (\$3,500,000) of proportional use credits under this section in a state fiscal year. In addition, the amount of proportional use credits the department may approve under this section for a quarter may not exceed the following:

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(1) For the quarter ending September 30 of a year, an amount equal to one million three hundred seventy-five thousand dollars (\$1,375,000).

(2) For the quarter ending December 31 of a year, an amount equal to:

(A) six hundred twenty-five thousand dollars (\$625,000); plus

(B) the greater of zero (0) or the result of:

(i) the limit determined for the previous quarter under this subsection; minus

(ii) the aggregate amount of claims approved for the previous quarter.

(3) For the quarter ending March 31 of a year, an amount equal to:

(A) six hundred twenty-five thousand dollars (\$625,000); plus

(B) the greater of zero (0) or the result of:

(i) the limit determined for the previous quarter under this subsection; minus

(ii) the aggregate amount of claims approved for the previous quarter.

(4) For the quarter ending June 30 of a year, an amount equal to:

(A) eight hundred seventy-five thousand dollars (\$875,000); plus

(B) the greater of zero (0) or the result of:

(i) the limit determined for the previous quarter under this subsection; minus

(ii) the aggregate amount of claims approved for the previous quarter.

(e) A carrier that is exempt from the quarterly reporting requirements under section 10 of this chapter must continue to file a quarterly return under this section to obtain a proportional use credit.

SECTION 6. IC 6-6-4.1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 9. **(a) Except as provided in subsection (b)**, if there are no records showing the number of miles actually operated per gallon of motor fuel and if section 11(c) of this chapter is inapplicable, it is presumed for purposes of this chapter that one (1) gallon of motor fuel is consumed for every four (4) miles traveled.

(b) This section does not apply to an alternative fuel that is not commonly or commercially known or sold as butane or propane.

SECTION 7. IC 6-6-4.1-10, AS AMENDED BY P.L.45-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2023]: Sec. 10. (a) Except as provided in section 13 of this chapter, each carrier subject to the tax imposed under this chapter shall submit to the department such quarterly reports of the operations of commercial motor vehicles giving rise to the carrier's tax liability as the department may require. The carrier shall submit each quarterly report required under this subsection on or before the last day of the month immediately following that quarter.

(b) Subject to the restrictions of ~~this subsection and subsection (c); (d) and section 4.8 of this chapter, the department may, by rules adopted under IC 4-22-2, exempt any a carrier is exempt~~ from the quarterly reporting requirements of this section ~~The department may exempt only a carrier who submits an annual affidavit attesting that: if~~

~~(1)~~ all or substantially all of:

(1) the mileage of the carrier in the previous calendar year was the result of operations in Indiana; **and**

(2) ~~all or substantially all of~~ the motor fuel used in the operations of the carrier in the previous calendar year was purchased in Indiana ~~or and the carrier paid the tax imposed under IC 6-6-1.1 or IC 6-6-2.5.~~

(3) ~~the carrier is from a state that has a reciprocity agreement with the state of Indiana relating to motor fuel taxes.~~

~~(c) The department may exempt carriers under subsection (b) only if:~~

~~(1) granting exemptions will not adversely affect the enforcement of this chapter; and~~

~~(2) the carriers that apply for exemptions purchased an equitable amount of motor fuel in Indiana.~~

~~(c) A carrier is required to report and to pay the tax imposed by this chapter only on alternative fuel if:~~

(1) **all or substantially all of the mileage of the carrier in a quarter is the result of operations in Indiana; and**

(2) **the motor fuel used for operations during the quarter was purchased in Indiana, some of which was alternative fuel.**

(d) A carrier that is exempt under subsection (b) or meets the requirements of subsection (c) is subject to section 20 of this chapter and is required to keep books and records as required by IC 6-8.1-5 regarding the tax imposed under section 4 of this chapter.

~~(d)~~ **(e)** Each carrier shall submit to the department any other reports required by the department.

~~(e)~~ **(f)** All reports required to be filed under this chapter must be filed in an electronic format prescribed by the department.



(f) (g) All taxes required to be remitted under this chapter must be remitted in an electronic format prescribed by the department.

SECTION 8. IC 6-6-4.1-12, AS AMENDED BY P.L.182-2009(ss), SECTION 235, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) Except as **provided in subsection (h) and as** authorized under section 13 of this chapter, a carrier may operate a commercial motor vehicle upon the highways in Indiana only if the carrier has been issued an annual permit, cab card, and emblem under this section.

(b) **Except as provided in subsection (h)**, the department shall issue:

- (1) an annual permit; and
- (2) a cab card and an emblem for each commercial motor vehicle that will be operated by the carrier upon the highways in Indiana; to a carrier who applies for an annual permit and pays to the department an annual permit fee of twenty-five dollars (\$25) not later than September 1 of the year before the annual permit is effective under subsection (c).

(c) **Except as provided in subsection (h)**, the annual permit, cab card, and emblem are effective from January 1 of each year through December 31 of the same year. The department may extend the expiration date of the annual permit, cab card, and emblem for no more than sixty (60) days. The annual permit, each cab card, and each emblem issued to a carrier remain the property of this state and may be suspended or revoked by the department for any violation of this chapter or of the rules concerning this chapter adopted by the department under IC 4-22-2.

(d) **Except as provided in subsection (h)**, as evidence of compliance with this section, and for the purpose of enforcement, a carrier shall display on each commercial motor vehicle an emblem when the vehicle is being operated by the carrier in Indiana. The carrier shall affix the emblem to the vehicle in the location designated by the department. The carrier shall display in each vehicle the cab card issued by the department. The carrier shall retain the original annual permit at the address shown on the annual permit. During the month of December, the carrier shall display the cab card and emblem that are valid through December 31 or a full year cab card and emblem issued to the carrier for the ensuing twelve (12) months. If the department grants an extension of the expiration date, the carrier shall continue to display the cab card and emblem upon which the extension was granted.

(e) If a commercial motor vehicle is operated by more than one (1)



carrier, as evidence of compliance with this section and for purposes of enforcement each carrier shall display in the commercial motor vehicle a reproduced copy of the carrier's annual permit when the vehicle is being operated by the carrier in Indiana.

(f) A person who fails to display an emblem required by this section on a commercial motor vehicle, does not have proof in the vehicle that the annual permit has been obtained, and operates that vehicle on an Indiana highway commits a Class C infraction. Each day of operation without an emblem constitutes a separate infraction. Notwithstanding IC 34-28-5-4, a judgment of not less than one hundred dollars (\$100) shall be entered for each Class C infraction under this subsection.

(g) A person who displays an altered, false, or fictitious cab card required by this section in a commercial motor vehicle, does not have proof in the vehicle that the annual permit has been obtained, and operates that vehicle on an Indiana highway commits a Class C infraction. Each day of operation with an altered, false, or fictitious cab card constitutes a separate infraction.

(h) A carrier is exempt from the requirements under subsections (a) through (d) if the carrier is exempt from the quarterly reporting requirement under section 10(b) of this chapter.

(i) A carrier that meets the requirements of section 10(c) of this chapter shall display an emblem on a vehicle that consumes alternative fuel.

SECTION 9. IC 6-6-4.1-17, AS AMENDED BY P.L.185-2018, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 17. If a carrier:

- (1) fails to file a quarterly report required by this chapter;
 - (2) fails to pay the tax imposed under section 4 of this chapter or section 4.5 of this chapter (before its repeal);
 - (3) files a report after the date established under this chapter;
 - (4) with respect to a listed tax (as defined in IC 6-8.1-1-1), fails to file all tax returns or information reports or to pay all taxes, penalties, and interest;
 - (5) fails to file a form or report required under this chapter or the International Fuel Tax Agreement in an electronic format prescribed by the department; or
 - (6) fails to remit taxes under section ~~10(f)~~ **10(g)** of this chapter;
- the commissioner may suspend or revoke any annual permit, trip permit, temporary authorization, or repair and maintenance permit issued to the carrier. The commissioner may reinstate a permit or temporary authorization if a carrier files all required returns and reports and pays all outstanding liabilities.



SECTION 10. IC 7.1-3-23-20.5, AS AMENDED BY P.L.85-2017, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20.5. (a) As used in this section, "adult entertainment" means adult oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

(b) This section applies to the holder of a retailer's permit that provides adult entertainment on the licensed premises.

(c) The holder of a retailer's permit that provides adult entertainment on the licensed premises shall do the following:

(1) Require a performer who provides adult entertainment on the licensed premises to provide proof of age by at least one (1) form of government issued identification, including a:

- (A) state issued driver's license;
- (B) state issued identification card; or
- (C) passport;

showing the performer to be at least eighteen (18) years of age.

(2) Require a performer who provides adult entertainment on the licensed premises to provide proof of legal residency in the United States by means of:

- (A) a birth certificate;
- (B) a Social Security card;
- (C) a passport;
- (D) valid documentary evidence ~~described in~~ **of lawful status under IC 9-24-9-2.5**; or
- (E) other valid documentary evidence issued by the United States demonstrating that the performer is entitled to reside in the United States.

(3) Take a photograph of each adult entertainer who auditions to provide adult entertainment at the licensed premises at the time of the audition and retain the photograph for at least three (3) years after:

- (A) the date of the audition; or
- (B) the last day on which the performer provides adult entertainment at the licensed premises;

whichever is later. A photograph taken under this subdivision may show only the adult entertainer's facial features.

(4) Require all performers and other employees of the retail permit holder to sign a document approved by the commission to acknowledge their awareness of the problem of human trafficking.

(5) Display human trafficking awareness posters in at least two (2) of the following locations on the licensed premises:

- (A) The office of the manager of the licensed premises.



(B) The locker room used by performers or other employees.

(C) The break room used by performers or other employees.

Posters displayed under this subdivision must describe human trafficking, state indicators of human trafficking (such as restricted freedom of movement and signs of physical abuse), set forth hotline telephone numbers for law enforcement, and be approved by the commission.

(6) Cooperate with any law enforcement investigation concerning allegations of a violation of this section.

(d) The commission may revoke, suspend, or refuse to renew the permit issued for the licensed premises if the holder fails to comply with subsection (c).

(e) In determining whether to revoke, suspend, or refuse to renew the permit issued for a licensed premises under subsection (d), the commission may consider:

(1) the extent to which the permit holder has cooperated with any law enforcement investigation as required by subsection (c)(6); and

(2) whether the permit holder has provided training to performers who provide adult entertainment at the permit holder's licensed premises and other employees of the licensed premises through a program that:

(A) is designed to increase the awareness of human trafficking and assist victims of human trafficking; and

(B) has been approved by:

(i) a department of the United States government; or

(ii) a nationwide association made up of operators who run adult entertainment establishments.

SECTION 11. IC 9-13-2-39.7 IS REPEALED [EFFECTIVE JULY 1, 2023]. Sec. 39.7: "Credential" means the following:

(1) The following forms of documentation in physical form issued by the bureau under IC 9-24:

(A) A driver's license.

(B) A learner's permit.

(C) An identification card.

(D) A photo exempt identification card.

(2) The following forms of documentation in the form of a mobile credential issued by the bureau under IC 9-24:

(A) Except for a commercial driver's license issued under IC 9-24-6.1, a driver's license.

(B) Except for a commercial learner's permit issued under IC 9-24-6.1, a learner's permit.



~~(C) An identification card.~~

~~(3) For the purposes of IC 9-24-17.7, any form of documentation in physical form or digital form accessible on a mobile device issued by the bureau under IC 9-24.~~

SECTION 12. IC 9-13-2-48, AS AMENDED BY P.L.120-2020, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 48. ~~(a)~~ "Driver's license" means the following:

(1) Any type of license issued by the state in ~~physical~~ **the form of a physical credential** authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on a highway. The term includes any endorsements added to the license under IC 9-24-8.5.

(2) Except for a commercial driver's license issued under IC 9-24-6.1, any type of license issued by the state in the form of a mobile credential authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on a highway. The term includes any endorsements added to the license under IC 9-24-8.5.

~~(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 33 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).~~

SECTION 13. IC 9-13-2-74.5, AS AMENDED BY P.L.120-2020, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 74.5. ~~(a)~~ "Identification card" means an identification document issued by a state government either in ~~physical~~ **the form of a physical credential** or in the form of a mobile credential for purposes of identification.

~~(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 34 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).~~

SECTION 14. IC 9-13-2-78, AS AMENDED BY P.L.198-2016, SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 78. "Indiana resident" refers to a person that is one (1) of the following:

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

(A) Attending a postsecondary educational institution.

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



- (C) Temporary employment.
- (D) Other purposes, without the intent of making Indiana a permanent home.
- (2) An individual who is living in Indiana if the individual has no other legal residence.
- (3) An individual who is registered to vote in Indiana or who satisfies the standards for determining residency in Indiana under IC 3-5-5.
- (4) An individual who has a dependent enrolled in an elementary or a secondary school located in Indiana.
- (5) A person that maintains a:
 - (A) main office;
 - (B) branch office;
 - (C) warehouse; or
 - (D) business facility;
 in Indiana.
- (6) A person that bases and operates vehicles in Indiana.
- (7) A person that operates vehicles in intrastate haulage in Indiana.
- (8) A person who is living in Indiana and has been granted parole.**
- ~~(8)~~ **(9) A person that has more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) derived from sources in Indiana using the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person that is considered a resident under this subdivision is not a resident if the person proves by a preponderance of the evidence that the person is not a resident under subdivisions (1) through (7): (8).**

SECTION 15. IC 9-13-2-92.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 92.3. (a) "Lawful status" means that an individual has lawful status as:**

- (1) a citizen or national of the United States; or**
- (2) an alien who:**
 - (A) is lawfully admitted for permanent residence or temporary residence;**
 - (B) has conditional permanent resident status;**
 - (C) has a pending or approved application for asylum;**
 - (D) has refugee status;**
 - (E) has valid nonimmigrant status;**
 - (F) has a pending or approved application for temporary**



protected status;
(G) has approved deferred action status; or
(H) has a pending application for lawful permanent resident status or conditional permanent resident status; in the United States.

(b) The term does not include parole.

SECTION 16. IC 9-13-2-103.4, AS AMENDED BY P.L.120-2020, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 103.4. ~~(a)~~ "Mobile credential" means ~~a~~ digital representation data issued to a telecommunications device by the bureau under IC 9-24-17.5 of the information contained on the following:

- (1) A driver's license.
- (2) A learner's permit.
- (3) An identification card.

The term does not include a commercial driver's license or commercial learner's permit issued under IC 9-24-6.1, **a motorcycle learner's permit issued under IC 9-24-8-3, a photo exempt driver's license issued under IC 9-24-11-5(b)**, or a photo exempt identification card issued under IC 9-24-16.5.

~~(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 36 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).~~

SECTION 17. IC 9-13-2-121.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 121.5. "Parole" means temporary legal presence in the United States under 8 U.S.C. 1182(d)(5) granted to an individual who:

- (1) is a citizen or national of Ukraine or last was a habitual resident of Ukraine; and
- (2) meets the criteria established under Section 401(a) of the Additional Ukraine Supplemental Appropriations Act (Public Law 117-128) as in effect on January 1, 2023.

SECTION 18. IC 9-13-2-123.5, AS AMENDED BY P.L.120-2020, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 123.5. ~~(a)~~ "Permit" means the following:

- (1) A permit issued by the state in ~~physical~~ **the form of a physical credential** authorizing an individual to operate the type of vehicle for which the permit was issued on public streets, roads, or highways with certain restrictions. The term under this subdivision includes the following:

- (A) A learner's permit.



(B) A motorcycle **learner's** permit.

(C) A commercial learner's permit.

(2) A permit issued by the state in the form of a mobile credential authorizing an individual to operate the type of vehicle for which the permit was issued on public streets, roads, or highways with certain restrictions. The term under this subdivision includes a learner's permit. ~~and a motorcycle permit~~. The term under this subdivision does not include **a motorcycle learner's permit or a commercial learner's permit**.

~~(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 37 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).~~

SECTION 19. IC 9-13-2-125.6 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2023]: **Sec. 125.6. "Physical credential" means the following forms of documentation issued by the bureau under IC 9-24 in physical form:**

(1) **A driver's license.**

(2) **A learner's permit.**

(3) **A motorcycle learner's permit.**

(4) **An identification card.**

(5) **A photo exempt identification card.**

(6) **A commercial driver's license or commercial learner's permit.**

SECTION 20. IC 9-14-8-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE UPON PASSAGE]: **The bureau of motor vehicles shall adopt rules under IC 4-22-2, including emergency rules in the manner provided under IC 4-22-2-37.1, necessary to implement the issuance and administration of the following:**

(1) **Driver's licenses, permits, or identification cards for individuals granted parole.**

(2) **Registrations and certificates of title for motor vehicles of individuals granted parole.**

SECTION 21. IC 9-14-12-2, AS AMENDED BY P.L.164-2020, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 2.** The bureau shall maintain the following records:

(1) All records related to or concerning certificates of title issued by the bureau under IC 9-17 and IC 9-31 (before its repeal), including the following:

(A) An original certificate of title and all assignments and



reissues of the certificate of title.

(B) All documents submitted in support of an application for a certificate of title.

(C) Any notations recorded on a certificate of title.

(D) A listing of all reported buyback vehicles, **including all vehicles in which a manufacturer accepts a return of a motor vehicle that is considered a buyback vehicle under IC 24-5-13.5**, in accordance with IC 9-17-3-3.5.

(E) Any inspection that is conducted:

(i) by an employee of the bureau or commission; and

(ii) with respect to a certificate of title issued by the bureau.

(2) All records related to or concerning registrations issued under IC 9-18 (before its expiration), IC 9-18.1, or IC 9-31 (before its repeal), including the following:

(A) The distinctive registration number assigned to each vehicle registered under IC 9-18 (before its expiration) or IC 9-18.1 or each watercraft registered under IC 9-31 (before its repeal).

(B) All documents submitted in support of applications for registration.

(3) All records related to or concerning **physical credentials or mobile credentials** issued by the bureau under IC 9-24, including applications and information submitted by applicants.

(4) All driving records maintained by the bureau under section 3 of this chapter.

(5) A record of each individual that acknowledges making an anatomical gift as set forth in IC 9-24-17.

SECTION 22. IC 9-17-3-3.5, AS AMENDED BY P.L.27-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3.5. (a) This section applies to a vehicle for which a certificate of title is required to be obtained under IC 24-5-13.5-12.

(b) The bureau shall do the following:

(1) For a subsequent request for a new certificate of title for a buyback vehicle, whether titled in Indiana or any other state, cause the words "Manufacturer Buyback – Disclosure on File" to appear on the new certificate of title.

(2) Maintain a listing of all reported buyback vehicles in accordance with this section, maintain a record of the disclosure document required by ~~IC 24-5-13.5-10(3)~~; **IC 24-5-13.5-10(b)(3)**, and allow access to the listing and disclosure document upon written application.

SECTION 23. IC 9-18.1-5-12, AS ADDED BY P.L.218-2017,



SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) The supplemental fee in this section applies after December 31, 2017, to each electric vehicle and hybrid vehicle that is required to be registered under ~~IC 9-18-1~~. **this article. The supplemental fee in this section does not apply to vehicles subject to the motor carrier fuel tax under IC 6-6-4.1.**

(b) As used in this section, "electric vehicle" means a vehicle that:

- (1) is propelled by an electric motor powered by a battery or other electrical device incorporated into the vehicle; and
- (2) is not propelled by an engine powered by the combustion of a hydrocarbon fuel, including gasoline, diesel, propane, or liquid natural gas.

(c) As used in this section, "hybrid vehicle" means a vehicle that:

- (1) draws propulsion energy from both an internal combustion engine and an energy storage device; and
- (2) employs a regenerative braking system to recover waste energy to charge the energy storage device that is providing propulsion energy.

(d) In addition to any other fee required to register an electric vehicle under this chapter, the supplemental fee to register an electric vehicle is one hundred fifty dollars (\$150). ~~through December 31, 2022. Before October 1, 2022, and before each October 1 of every fifth year thereafter,~~ The bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of **the following:**

(1) Before October 1, 2023:

(A) the fee in effect for the determination year; multiplied by

(B) the factor determined under IC 6-6-1.6-2(b).

(2) Before October 1 of each year thereafter:

(A) the fee in effect for the determination year; multiplied by

(B) the factor determined under IC 6-6-1.6-3.

~~(1) the fee in effect for the determination year; multiplied by~~

~~(2) the factor determined under IC 6-6-1.6-2.~~

The fee shall be rounded to the nearest dollar.

(e) In addition to any other fee required to register a hybrid vehicle under this chapter, the supplemental fee to register a hybrid vehicle is fifty dollars (\$50). ~~through December 31, 2022. Before October 1, 2022, and before each October 1 of every fifth year thereafter,~~ The bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of **the following:**



- (1) **Before October 1, 2023:**
 (A) **the fee in effect for the determination year; multiplied by**
 by
 (B) **the factor determined under IC 6-6-1.6-2(b).**
- (2) **Before October 1 of each year thereafter:**
 (A) **the fee in effect for the determination year; multiplied by**
 by
 (B) **the factor determined under IC 6-6-1.6-3.**
 (+) **the fee in effect for the determination year; multiplied by**
 (2) **the factor determined under IC 6-6-1.6-2.**

The fee shall be rounded to the nearest dollar.

(f) The fee shall be deposited in the local road and bridge matching grant fund established by IC 8-23-30-2.

SECTION 24. IC 9-18.5-12-5, AS AMENDED BY P.L.111-2021, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) **Beginning July 1, 2023, and each year thereafter**, the bureau shall forward to the executive director of the legislative services agency in an electronic format under IC 5-14-6 for review by the committee the name of a special group **for whom:**

- (1) **that was awarded initially a special group recognition license plate by the bureau more than ten (10) years in the past; and ten (10) years have elapsed since the special group was admitted into the special group recognition license plate program; or**
- (2) **whose special group recognition license plate has not been reviewed by the special group recognition license plate committee established by IC 2-5-36.2-4 (repealed) or the committee during the ten (10) year period following the initial or subsequent award of the special group recognition license plate: ten (10) years have elapsed since the previous review of the special group by the special group recognition license plate committee established by IC 2-5-36.2-4 (repealed) or the committee as required under this section.**

Upon receipt of the name of a special group, except for a petition under section 3(a)(8) of this chapter, the committee shall require the special group to submit to the committee evidence of the criteria set forth in section 3 of this chapter. Upon submission of the criteria, the committee shall review the suitability of the special group to continue participating in the special group recognition license plate program. In the review, the committee shall consider the criteria set forth in section 3 of this chapter and may seek additional evidence of the criteria from a special group. The committee shall recommend to the bureau that participation in the special group recognition license plate program be



terminated if the committee finds that termination is appropriate because the special group is not suitable for inclusion in the special group license plate program.

(b) If a special group was subject to a decennial review under this section before July 1, 2023, then the next review occurs in the year which is a multiple of ten (10) years after the year of the special group's admittance to the special group recognition license plate program under this section.

~~(b)~~ **(c)** Upon receiving a recommendation of termination for a special group under subsection (a), the bureau may:

- (1) terminate the special group from participation in the special group recognition license plate program; or
- (2) allow the special group to continue participating in the special group recognition license plate program for a period of not more than eighteen (18) months.

~~(c)~~ **(d)** If the bureau terminates the participation of a special group under subsection ~~(b)(1)~~; **(c)(1)**:

- (1) the bureau may not issue additional special group recognition license plates of the special group to plateholders; and
- (2) a plateholder may not renew a special group recognition license plate of the special group.

If the special group desires to continue participating in the special group recognition license plate program, the special group must submit an application to the bureau containing the criteria set forth in section 3 of this chapter. The bureau shall then follow the procedure set forth in section 3 of this chapter.

~~(d)~~ **(e)** If the bureau allows a special group to continue participating in the special group recognition license plate program for a period under subsection ~~(b)(2)~~; **(c)(2)**, the bureau shall:

- (1) establish the duration of the set period under subsection ~~(b)(2)~~; **(c)(2)**; and
- (2) require the special group to submit to the bureau:
 - (A) evidence of the criteria set forth in section 3 of this chapter; and
 - (B) any additional information the bureau determines is necessary.

~~(e)~~ **(f)** The bureau shall:

- (1) review the evidence and additional information submitted by a special group under subsection ~~(d)(2)~~; **(e)(2)**; and
- (2) determine whether to terminate or continue the participation of the special group in the special group recognition license plate program.



~~(f)~~ (g) After the review under subsection ~~(e)~~; (f), if the bureau terminates the participation of the special group and the special group desires to continue participating, the special group must submit an application to the bureau containing the criteria set forth in section 3 of this chapter. The bureau shall then follow the procedure set forth in section 3 of this chapter.

~~(g)~~ (h) After the review under subsection ~~(e)~~; (f), if the bureau continues the participation of the special group in the special group recognition license plate program, the bureau may do one (1) or more of the following:

- (1) Allow the special group to remedy the defect or the violation that caused the special group to not be suitable for inclusion in the special group recognition license plate program.
- (2) Place restrictions on or temporarily suspend the sales of special group recognition license plates for the special group.
- (3) Require the special group to appear before the commission for review or reinstatement, or both.

~~(h)~~ (i) The bureau may suspend the issuance of a special group recognition license plate for a special group if the bureau, upon investigation, has determined that the special group has advocated or committed a violation of federal or state law.

SECTION 25. IC 9-18.5-29-3, AS AMENDED BY P.L.118-2022, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) An individual who registers a vehicle under this title may apply for and receive a Hoosier veteran license plate for one (1) or more vehicles upon doing the following:

- (1) Completing an application for a Hoosier veteran license plate.
- (2) Presenting one (1) of the following to the bureau:
 - (A) A United States Uniformed Services Retiree Identification Card.
 - (B) A DD 214 or DD 215 record.
 - (C) United States military discharge papers.
 - (D) A current armed forces identification card.
 - (E) A **physical credential or mobile credential** issued to the individual that contains an indication of veteran status under IC 9-24-11-5.5.
- (3) Paying a fee in an amount of fifteen dollars (\$15).

(b) The bureau shall distribute at least one (1) time each month the fee described in subsection (a)(3) to the director of veterans' affairs for deposit in the military family relief fund established under IC 10-17-12-8.

SECTION 26. IC 9-21-3-7, AS AMENDED BY HEA 1049-2023,



SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) Whenever traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows successively, one (1) at a time or in combination, only the colors green, red, or yellow may be used, except for special pedestrian signals under IC 9-21-18.

(b) The lights indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication means the following:

(A) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left, unless a sign at the place prohibits either turn.

(B) Vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent sidewalk at the time the signal is exhibited.

(C) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by the green arrow or other movement permitted by other indications shown at the same time.

(D) Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(E) Unless otherwise directed by a pedestrian control signal, pedestrians facing a green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within a marked or unmarked crosswalk.

(2) Steady yellow indication means the following:

(A) Vehicular traffic facing a steady circular yellow or yellow arrow signal is warned that the related green movement is being terminated and that a red indication will be exhibited immediately thereafter.

(B) A pedestrian facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian control signal, is advised that there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian may not start to cross the roadway at that time.

(3) Steady red indication means the following:

(A) Except as provided in clauses (B) and (D), vehicular traffic facing a steady circular red or red arrow signal shall stop at a clearly marked stop line. However, if there is no



clearly marked stop line, vehicular traffic shall stop before entering the crosswalk on the near side of the intersection. If there is no crosswalk, vehicular traffic shall stop before entering the intersection and shall remain standing until an indication to proceed is shown.

(B) Except when a sign is in place prohibiting a turn described in this clause, vehicular traffic facing a steady red signal, after coming to a complete stop, may cautiously enter the intersection to do the following:

(i) Make a right turn.

(ii) Make a left turn if turning from the left lane or a designated left-turn lane of a one-way street into another one-way street with the flow of traffic.

Vehicular traffic making a turn described in this clause shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic using the intersection.

(C) Unless otherwise directed by a pedestrian control signal pedestrians facing a steady circular red or red arrow signal may not enter the roadway.

(D) This clause does not apply to the operation of an autocycle or a bicycle directed by a bicycle traffic control signal under section 8.5 of this chapter. If the operator of a motorcycle, motor driven cycle, or bicycle approaches an intersection that is controlled by a traffic control signal, the operator may proceed through the intersection on a steady red signal only if the operator:

(i) comes to a complete stop at the intersection for at least one hundred twenty (120) seconds; and

(ii) exercises due caution as provided by law, otherwise treats the traffic control signal as a stop sign, and determines that it is safe to proceed.

(4) No indication or conflicting indications means the following:

(A) Except as provided in clause (C), vehicular traffic facing an intersection having a signal that displays no indication or conflicting indications, where no other control is present, shall stop before entering the intersection.

(B) After stopping, vehicular traffic may proceed with caution through the intersection and shall yield the right-of-way to traffic within the intersection or approaching so closely as to constitute an immediate hazard.

(C) Vehicular traffic entering an intersection or crosswalk facing a pedestrian hybrid beacon may proceed without



stopping if no indication is displayed on the pedestrian hybrid beacon.

(5) This subdivision applies to traffic control signals located at a place other than an intersection. A stop required under this subdivision must be made at the signal, except when the signal is supplemented by a sign or pavement marking indicating where the stop must be made.

(c) A consolidated city may not adopt an ordinance requiring the installation of a sign prohibiting a turn described in subsection (b)(3)(B).

SECTION 27. IC 9-21-8-35, AS AMENDED BY P.L.116-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 35. (a) Upon the immediate approach of an authorized emergency vehicle, when the person who drives the authorized emergency vehicle is giving audible signal by siren or displaying alternately flashing red, red and white, or red and blue lights, a person who drives another vehicle shall do the following unless otherwise directed by a law enforcement officer:

- (1) Yield the right-of-way.
- (2) Immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection.
- (3) Stop and remain in the position until the authorized emergency vehicle has passed.

(b) Upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, or red and blue lights, a person who drives an approaching vehicle shall:

- (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or
- (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

A person who violates this subsection commits a Class A infraction. However, the violation is a Level 6 felony if the person's failure to comply with this subsection results in serious bodily injury, catastrophic injury, or death to any person operating, occupying, or



affiliated with an authorized emergency vehicle described in this subsection.

(c) Upon approaching a stationary recovery vehicle, a stationary utility service vehicle (as defined in IC 8-1-8.3-5), a stationary solid waste hauler, a stationary road, street, or highway maintenance vehicle, or a stationary survey or construction vehicle, when the vehicle is giving a signal by displaying alternately flashing amber lights, a person who drives an approaching vehicle shall:

- (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the recovery vehicle, utility service vehicle, solid waste hauler, or road, street, or highway maintenance vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or
- (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

A person who violates this ~~section~~ **subsection** commits a Class B infraction.

(d) This subsection does not apply to a vehicle approaching another vehicle that is described in subsection (b) or (c) or a vehicle approaching a school bus when the arm signal device specified in IC 9-21-12-13 is in the device's extended position. Upon approaching a disabled stationary vehicle with flashing hazard warning signals, a person who drives an approaching vehicle shall:

- (1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the disabled stationary vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or**
- (2) proceeding with due caution, reduce the speed of the vehicle to a speed at least ten (10) miles per hour less than the posted speed limit maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.**

A person who violates this subsection commits a Class B infraction.

~~(d)~~ **(e) This section does not operate to relieve the person who drives an authorized emergency vehicle; a recovery vehicle; a utility service vehicle; solid waste hauler; a road, street, or highway maintenance vehicle; or a stationary survey or construction vehicle a vehicle**



described under this section from the duty to operate the vehicle with due regard for the safety of all persons using the highway.

SECTION 28. IC 9-24-1-1, AS AMENDED BY P.L.111-2021, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) Except as provided in section 7 of this chapter, an individual must have a valid:

- (1) driver's license; or
- (2) permit;

including any necessary endorsements, issued to the individual by the bureau **in the form of a physical credential** to operate upon a highway the type of motor vehicle for which the driver's license, endorsement, or permit was issued.

(b) An individual must have:

- (1) an unexpired identification card with a motor driven cycle endorsement issued to the individual by the bureau under IC 9-24-16;
- (2) a valid driver's license; or
- (3) a valid learner's permit;

issued in the form of a physical credential to operate a motor driven cycle upon a highway.

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

SECTION 29. IC 9-24-1-7, AS AMENDED BY P.L.256-2017, SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Section 1 of this chapter does not apply to the following individuals:

- (1) An individual in the service of the armed forces of the United States while operating an official motor vehicle in that service.
- (2) An individual who is at least sixteen (16) years and one hundred eighty (180) days of age, while operating:
 - (A) road construction or maintenance machinery;
 - (B) a ditch digging apparatus;
 - (C) a well drilling apparatus; or
 - (D) a concrete mixer;

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

(3) A nonresident who:

- (A) is:
 - (i) at least sixteen (16) years and one hundred eighty (180) days of age; or
 - (ii) employed in Indiana;
- (B) has in the nonresident's immediate possession a valid



driver's license that was issued to the nonresident in the nonresident's home state or country; and

(C) is ~~lawfully admitted into~~ **legally present** in the United States;

while operating on a highway the type of motor vehicle for which the driver's license was issued, subject to the restrictions imposed by the home state or country of the individual's residence.

(4) A new Indiana resident who:

(A) possesses a valid driver's license issued by the state or country of the individual's former residence; and

(B) is ~~lawfully admitted~~ **legally present** in the United States; for a period of sixty (60) days after becoming an Indiana resident, and subject to the restrictions imposed by the state or country of the individual's former residence while operating upon a highway the type of motor vehicle for which the driver's license was issued.

(5) An individual while operating a farm wagon that is being temporarily drawn, moved, or propelled on a public highway. However, to operate the farm wagon on a highway, other than to temporarily draw, move, or propel it, the individual must be at least fifteen (15) years of age.

(6) An individual who does not hold a driver's license or permit and is authorized to operate a golf cart or an off-road vehicle on the highways of a county, city, or town in accordance with an ordinance adopted under IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a).

(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:

(1) hold a driver's license; or

(2) be at least sixteen (16) years and one hundred eighty (180) days of age and hold:

(A) an identification card issued under IC 9-24-16; or

(B) a photo exempt identification card issued under IC 9-24-16.5.

SECTION 30. IC 9-24-2-3, AS AMENDED BY P.L.118-2022, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The bureau may not issue a driver's license or learner's permit or grant driving privileges to the following individuals:

(1) An individual whose driving privileges have been suspended, during the period for which the driving privileges are suspended, or to an individual whose driver's license has been revoked, until



the time the bureau is authorized under Indiana law to issue the individual a new driver's license.

(2) An individual whose learner's permit has been suspended or revoked until the time the bureau is authorized under Indiana law to issue the individual a new learner's permit.

(3) An individual who, in the opinion of the bureau, is afflicted with or suffering from a physical or mental disability or disease that prevents the individual from exercising reasonable and ordinary control over a motor vehicle while operating the motor vehicle on a highway.

(4) An individual who is unable to understand highway warnings or direction signs written in the English language.

(5) An individual who is required under this article to take an examination unless:

(A) the individual successfully passes the examination; or

(B) the bureau waives the examination requirement.

(6) An individual who is required under IC 9-25 or any other statute to deposit or provide proof of financial responsibility and who has not deposited or provided that proof.

(7) An individual when the bureau has good cause to believe that the operation of a motor vehicle on a highway by the individual would be inimical to public safety or welfare.

(8) An individual who is the subject of an order issued by:

(A) a court under IC 31-16-12-7 (or IC 31-1-11.5-13, IC 31-6-6.1-16, or IC 31-14-12-4 before their repeal); or

(B) the Title IV-D agency;

ordering that a driver's license or permit not be issued to the individual.

(9) ~~An~~ **Except for an individual granted parole, an** individual who has not presented valid documentary evidence to the bureau of the individual's ~~legal~~ **lawful** 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 or an advanced practice registered nurse, on a form prescribed by the bureau, that the individual is under medication and is free from seizures while under medication.

SECTION 31. IC 9-24-3-6, AS ADDED BY P.L.111-2021, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6. (a) The bureau may impose an additional fee of



twenty-five dollars (\$25) if the bureau processes a ~~credential~~ **an application for a physical credential** under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.

(b) A fee imposed under this section is in addition to any other fee imposed under this chapter.

SECTION 32. IC 9-24-4-7, AS ADDED BY P.L.111-2021, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a ~~credential~~ **an application for a physical credential** under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.

(b) A fee imposed under this section is in addition to any other fee imposed under this chapter.

SECTION 33. IC 9-24-6.1-11, AS ADDED BY P.L.111-2021, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a ~~credential~~ **an application for a physical credential** under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.

(b) A fee imposed under this section is in addition to any other fee imposed under this chapter.

SECTION 34. IC 9-24-7-8, AS ADDED BY P.L.111-2021, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a ~~credential~~ **an application for a physical credential** under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.

(b) A fee imposed under this section is in addition to any other fee imposed under this chapter.

SECTION 35. IC 9-24-8.5-3, AS AMENDED BY P.L.111-2021, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) The bureau shall add a motorcycle endorsement to a driver's license if the holder meets the following conditions:

- (1) Is at least:
 - (A) sixteen (16) years and ninety (90) days of age and has completed a motorcycle operator safety education course approved by the bureau under IC 9-27-7; or



- (B) sixteen (16) years and two hundred seventy (270) days of age.
- (2) Makes a proper application in the form and manner prescribed by the bureau.
- (3) Has passed a written examination developed by the bureau concerning the safe operation of a motorcycle.
- (4) Satisfactorily completes an operational skills test at a location approved by the bureau.
- (5) Pays a fee of nineteen dollars (\$19). The fee shall be distributed as follows:
- (A) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (B) One dollar and twenty-five cents (\$1.25) to the motor vehicle highway account.
 - (C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (D) Sixteen dollars (\$16) to the commission fund.
- (b) The bureau may waive the testing requirements under subsection (a)(3) and (a)(4) for an individual who satisfactorily completes a motorcycle operator safety course approved by the bureau as set forth in IC 9-27-7.
- (c) The bureau may waive the operational skills test under subsection (a)(4) for an individual who holds a valid motorcycle endorsement or motorcycle license from any other jurisdiction.
- (d) An individual who fails the operational skills test under subsection (a)(4) three (3) consecutive times is not eligible to retake the test until two (2) months after the date of the most recent failed test.
- (e) The fee for a motorcycle operational skills test administered under this chapter is as follows:
- (1) For tests given by state employees, the fee is five dollars (\$5) and shall be deposited in the motor vehicle highway account under IC 8-14-1.
 - (2) For tests given by a contractor approved by the bureau, the fee is:
 - (A) determined under rules adopted by the bureau under IC 4-22-2 to cover the direct costs of administering the test; and
 - (B) paid to the contractor.
- (f) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a ~~credential~~ **an application for a physical credential** under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the



commission fund.

(g) A fee imposed under this section is in addition to any other fee imposed under this chapter.

SECTION 36. IC 9-24-8.5-5, AS AMENDED BY P.L.111-2021, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) The bureau shall add a for-hire endorsement to a driver's license if the holder meets the following conditions:

- (1) Is at least eighteen (18) years of age.
- (2) Has held a valid driver's license for more than one (1) year.
- (3) Makes a proper application in a form and manner prescribed by the bureau.
- (4) Satisfactorily passes a written test approved by the bureau.
- (5) Pays a fee of nineteen dollars (\$19). The fee shall be distributed as follows:
 - (A) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (B) One dollar and twenty-five cents (\$1.25) to the motor vehicle highway account.
 - (C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (D) Sixteen dollars (\$16) to the commission fund.

(b) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a ~~credential~~ **an application for a physical credential** under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.

(c) A fee imposed under this section is in addition to any other fee imposed under this chapter.

SECTION 37. IC 9-24-9-2, AS AMENDED BY P.L.178-2019, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (b), each application for a driver's license or permit under this chapter must require the following information:

- (1) The full legal name of the applicant.
- (2) The applicant's date of birth.
- (3) The gender of the applicant.
- (4) The applicant's height, weight, hair color, and eye color.
- (5) The 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

(iii) lawful status, **except for an individual granted parole.**

(7) Whether the applicant has been subject to fainting spells or seizures.

(8) Whether the applicant has been issued a driver's license or has been the holder of a permit, and if so, when and by what jurisdiction.

(9) Whether the applicant's driver's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.

(10) Whether the applicant has been convicted of:

(A) a crime punishable as a felony under Indiana motor vehicle law; or

(B) any other felony in the commission of which a motor vehicle was used;

that has not been expunged by a court.

(11) Whether the applicant has a physical or mental disability, and if so, the nature of the disability.

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

(13) A digital photograph of the applicant.

(14) Any other information the bureau requires.

(b) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's 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.

SECTION 38. IC 9-24-9-2.5, AS AMENDED BY P.L.198-2016, SECTION 465, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.5. In addition to the information required from the applicant for a driver's license or permit under sections 1 and 2 of this chapter, the bureau shall require an applicant to present to the bureau valid documentary evidence that the applicant **has lawful status or is granted parole.**

(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.

SECTION 39. IC 9-24-10-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.5. (a) A driver training school (as defined in IC 9-27-6-3) may offer to administer a driving skills test (as defined in 140 IAC 4-1.1-1) to an individual who holds a valid learner's permit.**

(b) This section expires June 30, 2030.

SECTION 40. IC 9-24-11-4, AS AMENDED BY P.L.120-2020, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. (a) Except as provided in subsection (d), an individual may not hold or possess more than one (1) **physical** credential at a time.

(b) An individual may not hold or possess:

- (1) a **physical** credential; and
- (2) a driver's license or identification card issued by a government authority that issues driver's licenses and identification cards from another state, territory, federal district, commonwealth, or possession of the United States.

(c) An individual shall destroy or surrender to the bureau any and all **physical** credentials ~~driver's licenses, or identification cards~~ that would cause the individual to violate subsection (a) or (b).

(d) An individual may hold both a **physical** credential ~~in physical form and in the form~~ of a mobile credential issued under this article at the same time.

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

~~(f) Notwithstanding the July 1, 2021, effective date in HEA~~



~~1506-2019, SECTION 48 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021):~~

SECTION 41. IC 9-24-11-5, AS AMENDED BY P.L.120-2020, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as provided in subsection (d), a learner's permit or driver's license issued under this article must contain the following information:

- (1) The full legal name of the permittee or licensee.
- (2) The date of birth of the permittee or licensee.
- (3) The address of the principal residence of the permittee or licensee.
- (4) The hair color and eye color of the permittee or licensee.
- (5) The date of issue and expiration date of the permit or license.
- (6) The gender of the permittee or licensee.
- (7) The unique identifying number of the permit or license.
- (8) The weight of the permittee or licensee.
- (9) The height of the permittee or licensee.
- (10) A reproduction of the signature of the permittee or licensee.
- (11) If the permittee or licensee is less than eighteen (18) years of age at the time of issuance, the dates, notated prominently, on which the permittee or licensee will become:
 - (A) eighteen (18) years of age; and
 - (B) twenty-one (21) years of age.
- (12) If the permittee or licensee is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date, notated prominently, on which the permittee or licensee will become twenty-one (21) years of age.
- (13) Except as provided in subsection (b), a digital photograph of the permittee or licensee.

(b) The bureau may provide for the omission of a photograph or computerized image from any driver's license or learner's permit **issued in the form of a physical credential** if there is good cause for the omission. However, a driver's license or learner's permit issued without a digital photograph **may not be issued in the form of a mobile credential and** must include a statement that indicates that the driver's license or learner's permit **issued without a digital photograph** may not be accepted by a federal agency for federal identification or any other federal purpose.

(c) A driver's license or learner's permit issued to an individual who **has:**

- (1) **temporary lawful status as indicated by:**
 - (†) **has (A)** a valid, unexpired nonimmigrant visa or has



nonimmigrant visa status for entry in the United States;
~~(2) has (B)~~ a pending application for asylum in the United States;
~~(3) has (C)~~ a pending or approved application for temporary protected status in the United States;
~~(4) has (D) having an~~ approved deferred action status; or
~~(5) has (E)~~ 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; or

(2) been granted parole;

must be clearly identified as a temporary driver's license or learner's permit. A temporary driver's license or learner's permit issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the licensee's or permittee's temporary status has been extended.

(d) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

~~(e) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 49 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021):~~

SECTION 42. IC 9-24-11-12, AS ADDED BY P.L.111-2021, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes ~~a credential~~ **an application for a physical credential** under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.

(b) A fee imposed under this section is in addition to any other fee imposed under this chapter.

SECTION 43. IC 9-24-12-0.5, AS AMENDED BY P.L.198-2016, SECTION 489, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 0.5. (a) A learner's permit **issued in the form of a physical credential** expires two (2) years after the date of issuance.

(b) A motorcycle permit expires one (1) year after the date of issuance. A motorcycle permit may be renewed one (1) time for a period of one (1) year. An individual who does not obtain a motorcycle



endorsement under IC 9-24-8.5 before the expiration of the renewed motorcycle permit may not reapply for a new motorcycle permit for a period of one (1) year after the date of expiration of the renewed motorcycle permit.

(c) A commercial learner's permit expires one hundred eighty (180) days after the date of issuance. The bureau may issue not more than three (3) commercial learner's permits to an individual within a twenty-four (24) month period.

(d) The fee to renew a permit that expires under this section is the applicable fee to issue the permit under this article.

SECTION 44. IC 9-24-12-1, AS AMENDED BY P.L.111-2021, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as provided in sections 10 and 11 of this chapter, a driver's license issued **in the form of a physical credential** 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.

(b) Except as provided in subsections (a) and (c) and sections 10 and 11 of this chapter, a driver's license issued **in the form of a physical credential** under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(c) A driver's license issued **in the form of a physical credential** to an individual who is less than twenty-one (21) years of age expires at midnight of the date thirty (30) days after the twenty-first birthday of the holder. However, if the individual complies with ~~IC 9-24-9-2.5(5) through IC 9-24-9-2.5(9)~~, **IC 9-24-9-2.5** or is granted **parole**, the driver's license expires:

- (1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or
- (2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:
 - (A) At midnight of the date the authorization to remain in the United States expires.
 - (B) At midnight of the date thirty (30) days after the twenty-first birthday of the holder.

SECTION 45. IC 9-24-12-4, AS AMENDED BY P.L.111-2021, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Except as provided in subsections (c) and (d), the application for renewal of:



- (1) a driver's license;
- (2) a chauffeur's license (before the expiration of IC 9-24-4 on July 1, 2024);
- (3) a public passenger chauffeur's license (before the expiration of IC 9-24-5 on July 1, 2022);
- (4) an identification card; or
- (5) a photo exempt identification card;

under this article may be filed not more than twenty-four (24) months before the expiration date of the license, identification card, or photo exempt identification card held by the applicant.

(b) Except as provided in subsections (c) and (d), an application for the renewal of a learner's permit issued under this article may be filed not more than thirty (30) days before the expiration of the learner's permit.

(c) When the applicant complies with ~~IC 9-24-9-2.5(5) through IC 9-24-9-2.5(10)~~, **IC 9-24-9-2.5** or is **granted parole**, 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.

(d) When the applicant complies with ~~IC 9-24-16-3.5(1)(E) through IC 9-24-16-3.5(1)(J)~~, **IC 9-24-16-3.5**, 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.

SECTION 46. IC 9-24-12-5, AS AMENDED BY P.L.111-2021, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) Except as provided in subsection (b), and subject to subsection (d), an individual applying for renewal of a driver's license **in the form of a physical credential** (issued under IC 9-24-3), or a chauffeur's or a public passenger chauffeur's license, including any endorsements in effect with respect to the license, must apply in person at a license branch and do the following:

- (1) Pass an eyesight examination.
- (2) Pass a written examination if:
 - (A) the applicant has at least six (6) active points on the applicant's driving record maintained by the bureau;
 - (B) the applicant has not reached the applicant's twenty-first birthday and has active points on the applicant's driving record maintained by the bureau; or
 - (C) the applicant is in possession of a driver's license that is expired beyond one hundred eighty (180) days.

(b) The holder of a driver's license **in the form of a physical**



credential (issued under IC 9-24-3), a chauffeur's or a public passenger chauffeur's license, or a learner's permit issued **in the form of a physical credential** under IC 9-24-7 may renew the license, including any endorsements in effect with respect to the license, by mail or by electronic service, 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 driver's license (issued under IC 9-24-3), chauffeur's or public passenger chauffeur's license, or a learner's permit issued under IC 9-24-7 must not have been by mail or by electronic service.

(3) The application for or previous renewal of the individual's license or permit must have included a test of the individual's eyesight approved by the bureau.

(4) If the individual were applying for the license or permit 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 driver's license (issued under IC 9-24-3), chauffeur's or public passenger chauffeur's license, or a learner's permit issued under IC 9-24-7.

(7) The driver's license (issued under IC 9-24-3), chauffeur's or public passenger chauffeur's license, or a learner's permit issued under IC 9-24-7 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) If the individual is seventy-five (75) years of age or older at the time of the application for renewal, the individual must provide proof, on a form approved by the bureau, that the individual has passed an eyesight examination within thirty (30) days prior to the renewal application.

(c) An individual applying for the renewal of a driver's license **issued in the form of a physical credential** (issued under IC 9-24-3), a chauffeur's license or a public passenger chauffeur's license, or a learner's permit issued **in the form of a physical credential** under



IC 9-24-7, including any endorsements in effect with respect to the license, must apply in person at a license branch under subsection (a) if the individual is not entitled to apply by mail or by electronic service under subsection (b).

(d) The bureau may not issue or renew a chauffeur's or a public passenger chauffeur's license after December 31, 2016. If a holder of a chauffeur's or a public passenger chauffeur's license applies after December 31, 2016, for renewal of the chauffeur's or public passenger chauffeur's license, the bureau shall issue to the holder a driver's license under IC 9-24-3 with a for-hire endorsement if the holder:

- (1) applies in a form and manner prescribed by the bureau; and
- (2) satisfies the requirements for renewal of a driver's license issued under IC 9-24-3, including the fee and examination requirements under this section.

(e) An individual applying for the renewal of a driver's license issued **in the form of a physical credential** under IC 9-24-3 shall pay the following applicable fee:

- (1) If the individual is less than seventy-five (75) years of age, seventeen dollars and fifty cents (\$17.50). The fee shall be distributed as follows:
 - (A) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (B) Two dollars (\$2) to the crossroads 2000 fund.
 - (C) Four dollars and fifty cents (\$4.50) to the motor vehicle highway account.
 - (D) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (E) Nine dollars and twenty-five cents (\$9.25) to the commission fund.
- (2) If the individual is at least seventy-five (75) years of age and less than eighty-five (85) years of age, eleven dollars (\$11). The fee shall be distributed as follows:
 - (A) Fifty cents (\$0.50) to the state motor vehicle technology fund.
 - (B) One dollar and fifty cents (\$1.50) to the crossroads 2000 fund.
 - (C) Three dollars (\$3) to the motor vehicle highway account.
 - (D) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
 - (E) Four dollars and seventy-five cents (\$4.75) to the commission fund.
- (3) If the individual is at least eighty-five (85) years of age, seven



dollars (\$7). The fee shall be distributed as follows:

- (A) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (B) One dollar (\$1) to the crossroads 2000 fund.
- (C) Two dollars (\$2) to the motor vehicle highway account.
- (D) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (E) Two dollars and twenty-five cents (\$2.25) to the commission fund.

A fee paid under this subsection after December 31, 2016, includes the renewal of any endorsements that are in effect with respect to the driver's license issued **in the form of a physical credential** under IC 9-24-3 at the time of renewal.

SECTION 47. IC 9-24-12-11, AS AMENDED BY P.L.198-2016, SECTION 497, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) This section applies to a driver's license other than a commercial driver's license.

(b) If the birthday of a holder on which the holder's driver's license would otherwise expire falls on:

- (1) Sunday;
- (2) a legal holiday (as set forth in IC 1-1-9-1); or
- (3) a weekday when all license branches in the county of residence of the holder are closed;

the driver's license of the holder does not expire until midnight of the first day after the birthday on which a license branch is open for business in the county of residence of the holder.

(c) A driver's license issued to an applicant who complies with ~~IC 9-24-9-2.5(5) through IC 9-24-9-2.5(10)~~ **IC 9-24-9-2.5** or who is **granted parole** 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~~ **have lawful status as** a 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.

SECTION 48. IC 9-24-13-3, AS AMENDED BY P.L.120-2020, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2023]: Sec. 3. (a) An individual holding a permit or driver's license issued **in the form of a physical credential** under this article must have the permit or driver's license **in the form of the physical credential** in the individual's immediate possession when driving or operating a motor vehicle. The individual shall display the driver's license or permit **in the form of a physical credential** upon demand of a court or a police officer authorized by law to enforce motor vehicle rules.

(b) If the permit or driver's license is a mobile credential, ~~viewed on a telecommunications device~~; a court or a police officer authorized by law to enforce motor vehicle rules may not, without the consent of the person:

- (1) confiscate a telecommunications device for the purpose of determining compliance with this section;
- (2) confiscate a telecommunications device and retain it as evidence pending trial for a violation of this section; or
- (3) extract or otherwise download information from a telecommunications device for a violation of this section unless:
 - (A) the court or police officer has probable cause to believe the telecommunications device has been used in the commission of a crime;
 - (B) the information is extracted or otherwise downloaded under a valid search warrant; or
 - (C) otherwise authorized by law.

(c) The ~~display of transmission of data from~~ a mobile credential shall not serve as consent or authorization for the court, a police officer, or any other person to search, view, or access any data or application on the telecommunications device other than the mobile credential. If a person presents the person's telecommunications device to the court, a police officer, or any other person for the purposes of ~~displaying sharing data from~~ the person's mobile credential, the court, police officer, or person ~~viewing receiving the data from~~ the mobile credential shall not handle the telecommunications device in order to view the mobile credential and to verify the identity of the person.

(d) ~~Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 53 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021):~~

SECTION 49. IC 9-24-13-4, AS AMENDED BY P.L.256-2017, SECTION 175, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 4. If:

- (1) an individual holding a driver's license or permit issued **in the form of a physical credential** under this article changes the



address shown on the driver's license or permit application; or
 (2) the name of a licensee or permittee is changed by marriage or otherwise;

the licensee or permittee shall make application for an amended driver's license or permit **issued in the form of a physical credential** under IC 9-24-9 containing the correct information within thirty (30) days of the change. For fee purposes, the application shall be treated as a replacement license under IC 9-24-14-1.

SECTION 50. IC 9-24-14-1, AS AMENDED BY P.L.256-2017, SECTION 176, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. If a permit or driver's license issued **in the form of a physical credential** under this article is lost or destroyed, and as provided in section 3.5 of this chapter, the individual to whom the permit or driver's license was issued may obtain a replacement if the individual pays a fee as follows:

(1) For a replacement permit or driver's license, other than a commercial driver's license, issued before January 1, 2017, ten dollars and fifty cents (\$10.50). The fee shall be distributed as follows:

- (A) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (B) One dollar and fifty cents (\$1.50) to the crossroads 2000 fund.
- (C) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
- (D) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (E) Five dollars and seventy-five cents (\$5.75) to the commission fund.

(2) For a replacement commercial driver's license issued before January 1, 2017, five dollars and fifty cents (\$5.50). The fee shall be distributed as follows:

- (A) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (B) One dollar (\$1) to the crossroads 2000 fund.
- (C) One dollar and fifty cents (\$1.50) to the motor vehicle highway account.
- (D) Two dollars and fifty cents (\$2.50) to the commission fund.

(3) For a replacement permit or driver's license issued after December 31, 2016, nine dollars (\$9). The fee shall be distributed as follows:



- (A) Twenty-five cents (\$0.25) to the motor vehicle highway account.
- (B) Fifty cents (\$0.50) to the state motor vehicle technology fund.
- (C) One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.
- (D) Two dollars (\$2) to the crossroads 2000 fund.
- (E) Five dollars (\$5) to the commission fund.

SECTION 51. IC 9-24-14-3.5, AS AMENDED BY P.L.118-2022, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3.5. (a) If a valid computerized image or digital photograph of an individual exists within the records of the bureau, an individual may apply for a replacement driver's license or learner's permit **issued in the form of a physical credential** by electronic service.

(b) An individual applying for a replacement of a driver's license or a learner's permit **issued in the form of a physical credential** must apply in person at a license branch if the individual is not entitled to apply by mail or by electronic service under subsection (a).

SECTION 52. IC 9-24-16-1, AS AMENDED BY P.L.198-2016, SECTION 508, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The bureau shall issue an identification card **in the form of a physical credential** to an individual who meets the following conditions:

- (1) Makes an application.
- (2) Is an Indiana resident.
- (3) Has presented valid documentary evidence to the bureau of the individual's ~~legal~~ **lawful** status in the United States **or valid documentary evidence that the individual is granted parole**, as required by section 3.5 of this chapter.

SECTION 53. IC 9-24-16-2, AS AMENDED BY P.L.111-2021, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) An application for an identification card to be issued under this chapter **in the form of a physical credential** must contain the following questions:

- (1) "Have you served in the armed forces of the United States?".
- (2) "Are you the surviving spouse of someone who served in the armed forces of the United States or their reserves, in the National Guard, or in the Indiana National Guard?".

(b) In addition to the questions set forth in subsection (a), an application for an identification card issued under this chapter **in the form of a physical credential** 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~~; **identity; and**
 - (iii) **lawful status, except for an individual granted parole.**
 - (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 **issued in the form of a physical credential.**
 - (9) If the applicant is also applying for a motor driven cycle endorsement, verification that the applicant has satisfactorily completed the test required under section 3.6 of this chapter.
- (c) The bureau may invalidate an identification card **issued in the form of a physical credential** 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 lawful status; and
 - (2) may adopt rules to establish a procedure to temporarily invalidate an identification card **issued in the form of a physical credential** that it believes to have been issued based on fraudulent documentation.
- (e) 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 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.
- (f) In addition to the information required under subsection (b), an application for an identification card to be issued under this chapter **in the form of a physical credential** must enable the applicant to indicate that the applicant is a veteran and wishes to have an indication of the applicant's veteran status appear on the identification card **issued in the form of a physical credential**. An applicant who wishes to have



an indication of the applicant's veteran status appear on the identification card **issued in the form of a physical credential** must:

- (1) indicate on the application that the applicant:
 - (A) is a veteran; and
 - (B) wishes to have an indication of the applicant's veteran status appear on the identification card; and
- (2) provide proof at the time of application of the applicant's veteran status.

(g) In addition to the information required under subsection (b), an application for an identification card to be issued under this chapter **in the form of a physical credential** must enable the applicant to indicate that the applicant is a surviving spouse of a veteran and wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card **issued in the form of a physical credential**. An applicant who wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card **issued in the form of a physical credential** must:

- (1) indicate on the application that the applicant:
 - (A) is the surviving spouse of a veteran of the armed forces of the United States; and
 - (B) wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the identification card **issued in the form of a physical credential; and**
- (2) provide the documentation necessary to verify that the applicant was married, at the time of the decedent's death, to a veteran.

(h) The bureau shall keep in a data base and share the information submitted under subsections (a) and (g) at least annually with the Indiana department of veterans' affairs. The information submitted under subsections (a) and (g) may be used by the Indiana department of veterans' affairs to develop outreach programs for veterans and their families.

(i) The application for an identification card to be issued under this chapter **in the form of a physical credential** must indicate that an applicant has the option whether or not to answer the questions set forth in subsection (a).

SECTION 54. IC 9-24-16-3, AS AMENDED BY P.L.111-2021, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) An identification card:

- (1) **issued in physical the form of a physical credential** must have the same dimensions and shape as a driver's license; and
- (2) in the form of a mobile credential must ~~have the same format~~



as contain the same data contained in 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 a ~~physical~~ **an identification card or the top portion of an identification card in the format of a mobile credential issued in the form of a physical credential** 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 notated prominently on the identification card **issued in the form of a physical credential**.

(d) If the individual complies with section 2(f) or 2(g) of this chapter, an indication of the individual's veteran status or status as the surviving spouse of a veteran of the armed forces of the United States, as applicable, shall be shown on the identification card **issued in the form of a physical credential**.

(e) If the applicant for an identification card **issued in the form of a physical credential** 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 **issued in the form of a physical credential** to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card **issued in the form of a physical credential** that briefly describes the medical condition of the holder of the card **issued in the form of a physical credential**. The information must be printed in a manner that alerts a person reading the card **issued in the form of a physical credential** to the existence of the medical condition. The applicant for an identification card **issued in the form of a physical credential** 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 **has:**

(1) temporary lawful status as indicated by:

- (1) ~~has~~ **(A)** a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;
- (2) ~~has~~ **(B)** a pending application for asylum in the United States;
- (3) ~~has~~ **(C)** a pending or approved application for temporary protected status in the United States;
- (4) ~~has~~ **(D) having an** approved deferred action status; or
- (5) ~~has~~ **(E)** 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; or

(2) been granted parole;

must be **issued in the form of a physical credential and** 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 **issued in the form of a physical credential** for 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 **issued in the form of a physical credential** to indicate that the individual has received a motor driven cycle endorsement.

SECTION 55. IC 9-24-16-3.5, AS AMENDED BY P.L.162-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: 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 **has**:
 - (A) is a citizen or national of the United States; **lawful status**;
 - ~~(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) (B) 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 or~~
 - (C) been granted parole; 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.

SECTION 56. IC 9-24-16-4, AS AMENDED BY P.L.125-2012, SECTION 228, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: 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)(F)~~ **3.5** 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~~ **have lawful status as a** 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.

SECTION 57. IC 9-24-16-4.5, AS AMENDED BY P.L.111-2021, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: 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 **issued in the form of a physical credential** under section 5 of this chapter, apply for a replacement identification card **issued in the form of a physical credential** under section 9 of this chapter, or apply for a replacement identification card **issued in the form of a physical credential** 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 **issued in the form of a physical credential** 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 **issued in the form of a physical credential** of the individual.
- (4) The identification card **issued in the form of a physical credential** of the individual must not be expired more than one hundred eighty (180) days at the time of the application for



renewal.

- (b) An individual applying for:
- (1) the renewal of an identification card; or
 - (2) a replacement identification card;

must apply in person if the individual is not entitled to apply by mail or by electronic service under subsection (a).

SECTION 58. IC 9-24-16-5, AS AMENDED BY P.L.147-2018, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) An application for renewal of an identification card **issued in the form of a physical credential** may be made not more than twenty-four (24) months before the expiration date of the card **issued in the form of a physical credential**. However, when the applicant complies with section ~~3.5(1)(E) through 3.5(1)(J)~~ **3.5** of this chapter, an application for renewal of an identification card **issued in the form of a physical credential** may be filed not more than one (1) month before the expiration date of the identification card **issued in the form of a physical credential** held by the applicant.

(b) Except as provided in subsection (d), a renewed card **issued in the form of a physical credential** 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 **issued in the form of a physical credential** subsequent to the last issuance of an identification card **issued in the form of a physical credential**.

(d) A renewed identification card issued under this article **in the form of a physical credential** to an applicant who complies with section ~~3.5(1)(E) through 3.5(1)(J)~~ **3.5** 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~~ **have lawful status as a** 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.

SECTION 59. IC 9-24-16-15, AS ADDED BY P.L.111-2021, SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 15. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes a ~~credential~~ **an**



application **for a physical credential** under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.

(b) A fee imposed under this section is in addition to any other fee imposed under this chapter.

SECTION 60. IC 9-24-16.5-15, AS ADDED BY P.L.111-2021, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 15. (a) The bureau may impose an additional fee of twenty-five dollars (\$25) if the bureau processes ~~a credential~~ **an application for a physical credential** under this chapter in a period of time that is shorter than the normal processing period. The bureau shall deposit the fee in the commission fund.

(b) A fee imposed under this section is in addition to any other fee imposed under this chapter.

SECTION 61. IC 9-24-17-1, AS AMENDED BY P.L.198-2016, SECTION 519, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. The application form for a **physical** credential must allow an applicant to acknowledge the making of an anatomical gift under IC 29-2-16.1-4.

SECTION 62. IC 9-24-17-2, AS AMENDED BY P.L.198-2016, SECTION 520, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) The bureau shall inquire of every individual who applies for a **physical** credential whether the individual desires to make an anatomical gift.

(b) If the individual does desire to make an anatomical gift, the bureau shall provide the individual the form by which the individual makes the gift.

SECTION 63. IC 9-24-17-8, AS AMENDED BY P.L.198-2016, SECTION 524, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: 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~~ **a physical** credential under section 1 of this chapter. If the donor cannot sign, the application form may be signed for the donor:

- (1) at the donor's direction and in the donor's presence; and
- (2) in the presence of two (2) witnesses who must sign the document in the donor's and each other's presence.

(b) The bureau shall place an identifying symbol on the face of the **physical** credential to indicate that the person to whom the **physical** credential is issued has acknowledged the making of an anatomical gift on the application form for the **physical** credential as set forth in subsection (a).



(c) Revocation, suspension, cancellation, or expiration of the **physical** credential does not invalidate the anatomical gift.

(d) An anatomical gift is valid if the individual acknowledges the making of the anatomical gift by signing the application form for a **physical** credential under subsection (a). No other acknowledgment is required to make an anatomical gift.

SECTION 64. IC 9-24-17.5-1, AS AMENDED BY P.L.120-2020, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) The bureau may develop a secure and uniform system to issue mobile credentials that can be accessed **electronically** through an application on a telecommunications device.

~~(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 55 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).~~

(b) The form of a mobile credential issued by the bureau under this chapter must comply with:

(1) the standards for implementation of mobile driving licenses set by the International Organization for Standardization and the International Electrotechnical Commission; and

(2) the Mobile Driver's License Implementation Guidelines established by the American Association of Motor Vehicle Administrators.

SECTION 65. IC 9-24-17.5-2, AS AMENDED BY P.L.120-2020, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) In addition to a physical credential issued under this article, upon request by an applicant, the bureau may issue a mobile credential to an individual who satisfies the requirements for application under this article for the following:

- (1) A driver's license.
- (2) A learner's permit.
- (3) An identification card.

(b) The bureau ~~shall~~ **may** not issue a mobile credential for:

- (1) a commercial driver's license issued under IC 9-24-6.1;
- (2) a commercial learner's permit issued under IC 9-24-6.1; ~~or~~
- (3) a motorcycle learner's permit issued under IC 9-24-8-3;**
- (4) a photo exempt driver's license issued under IC 9-24-11-5(b); or**
- ~~(5) a photo exempt identification card issued under IC 9-24-16.5.~~

~~(c) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 55 (P.L.178-2019), this section takes effect July~~



†, 2020 (rather than July 1, 2021):

SECTION 66. IC 9-24-17.7-1, AS ADDED BY P.L.111-2021, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. The bureau shall not request information regarding an individual's vaccination status or proof of immunity when an individual applies for a **physical credential or a mobile credential** under this article.

SECTION 67. IC 9-24-17.7-2, AS ADDED BY P.L.111-2021, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. The bureau shall not collect, keep in a data base, place an indication on a **physical credential or a mobile credential**, or share information regarding an individual's vaccination status or proof of immunity.

SECTION 68. IC 9-26-2-5, AS AMENDED BY P.L.178-2019, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) As used in this section, "emergency contact data base" means the Indiana emergency contact data base described in IC 9-26-10-1.

(b) As used in this section, "emergency contact person" means an individual who is listed in the emergency contact data base, including only individuals who are at least eighteen (18) years of age.

(c) As used in this section, "qualifying motor vehicle accident" means a motor vehicle accident involving:

- (1) death; or
- (2) serious bodily injury.

(d) As used in this section, "serious bodily injury" has the meaning set forth in IC 35-31.5-2-292.

(e) A law enforcement officer, upon arriving at the scene of a qualifying motor vehicle accident, shall access the emergency contact data base and attempt to contact the emergency contact persons listed for a corresponding ~~credential~~ holder **of a physical credential** unable to communicate due to death or serious bodily injury. If contact with an emergency contact person is made, the law enforcement officer shall inform the emergency contact person that the ~~credential~~ holder **of a physical credential** has been involved in a qualifying motor vehicle accident.

(f) A law enforcement officer shall attempt to contact a ~~credential holder's~~ the emergency contact persons **of the holder of a physical credential** within a reasonable amount of time after learning of or responding to a qualifying motor vehicle accident.

(g) A law enforcement officer's good faith attempt to contact a ~~credential holder's~~ the emergency contact persons **of the holder of a**



physical credential as described in subsection (f) immunizes the law enforcement officer from civil liability and all associated damages, including punitive damages, related to the law enforcement officer's inability to make:

(1) any contact with a ~~credential holder's~~ **the** emergency contact persons **of the holder of a physical credential**; or

(2) contact with a ~~credential holder's~~ **the** emergency contact persons **of the holder of a physical credential** within a reasonable amount of time after arriving at the scene of a qualifying motor vehicle accident.

(h) If a law enforcement officer is not liable for an act or omission under this section, no other person incurs liability by reason of an agency relationship with the law enforcement officer.

(i) A law enforcement officer may not be:

(1) found liable; or

(2) subject to damages;

for any inaccuracy or omission related to the information contained in the emergency contact data base.

(j) The duty imposed on a law enforcement officer by this section shall be performed in addition to any other duty required by this chapter.

(k) A law enforcement agency may establish and implement protocols necessary to meet the law enforcement agency's obligations under this section.

(l) A law enforcement agency is exempt from this chapter before the creation of the emergency contact data base by the bureau.

SECTION 69. IC 9-26-10-1, AS AMENDED BY P.L.11-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) The bureau shall create and maintain the Indiana emergency contact data base. The purpose of the emergency contact data base is to provide law enforcement officers and coroners with the means to contact emergency contact persons in the event of a motor vehicle accident that renders a ~~credential~~ **the holder of a physical credential or a mobile credential** unable to communicate due to death or serious bodily injury.

(b) The emergency contact data base must consist of contact information for not more than two (2) emergency contact persons per ~~credential holder~~ **of a physical credential or a mobile credential**.

SECTION 70. IC 9-27-6-3, AS AMENDED BY P.L.92-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. (a) As used in this chapter, "driver training school" means:



- (1) a business enterprise that:
 - (A) is conducted by an individual, an association, a partnership, a limited liability company, or a corporation for the education and training of persons, practically or theoretically, or both, to operate or drive motor vehicles or to prepare an applicant for an examination or validation under IC 9-24 for a driver's license; and
 - (B) charges consideration or tuition for the provision of services; or
- (2) a driver education program operated under the authority of:
 - (A) a school corporation (as defined in IC 36-1-2-17);
 - (B) a state accredited nonpublic secondary school that voluntarily becomes accredited under IC 20-31-4.1;
 - (C) a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9);
 - (D) a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12);
 - (E) a state educational institution (as defined in IC 21-7-13-32); or
 - (F) a nonaccredited nonpublic school.

(b) The term does not include a business enterprise that educates or trains a person or prepares a person:

- (1) for an examination or a validation given by the bureau to operate or drive a motor vehicle as a vocation; **or**
- (2) **to operate a commercial motor vehicle.**

SECTION 71. IC 9-27-7-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 8. (a) The following are immune from civil liability for an act or omission occurring during a motorcycle operator safety education course that results in an injury or property damage:**

- (1) **The state of Indiana.**
- (2) **A regional training center contracted by the bureau or any other site approved by the commissioner to provide motorcycle driver education and training courses.**
- (3) **The owner of a site upon which a motorcycle operator safety education course is conducted.**
- (4) **An officer, agent, or employee of a person described in subdivisions (1) through (3).**

(b) **The immunity described in subsection (a) does not apply if the person committed gross negligence or willful or wanton misconduct.**



SECTION 72. IC 9-30-3-8, AS AMENDED BY P.L.86-2021, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 8. (a) **Except as provided in subsection (b)**, the court may issue a warrant for the arrest of a defendant who is an Indiana resident who:

- (1) fails to appear or answer a traffic information and summons for a misdemeanor or felony; or
- (2) fails to appear or answer a complaint and summons for a misdemeanor or felony served upon the defendant.

If the warrant is not executed within thirty (30) days after issue, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau indicating that the defendant failed to appear in court as ordered. The court shall then mark the case as failure to appear on the court's records.

(b) If a defendant who is not an Indiana resident **or a minor who is an Indiana resident** fails to appear or answer a traffic summons served upon the defendant **or minor** and upon which the information or complaint has been filed thirty (30) days after the return date of the information and summons or complaint and summons, the court shall promptly forward the court copy of the traffic information and summons or complaint and summons to the bureau. **If the defendant is a nonresident**, the bureau shall notify the motor vehicle commission of the state of the nonresident defendant of the defendant's failure to appear and also of any action taken by the bureau relative to the Indiana driving privileges of the defendant. If the defendant **or minor** fails to appear or otherwise answer within thirty (30) days, the court shall mark the case as failure to appear on the court's records.

(c) The court may suspend the driving privileges of a defendant who fails to satisfy a judgment entered against the defendant for:

- (1) commission of a moving traffic offense as defined by IC 9-13-2-110; or
- (2) commission of a traffic infraction listed in 140 IAC 1-4.5-10;

for a period of three (3) years from the date set by the court under IC 34-28-5-6. The court shall forward notice to the bureau indicating that the defendant failed to pay as ordered.

(d) If the bureau receives a copy of the traffic information and summons or complaint under subsection (a) or a notice of failure to pay under subsection (c), either on a form prescribed by the bureau or in an electronic format prescribed by the office of judicial administration, the bureau shall suspend the driving privileges of the defendant until:

- (1) the defendant appears in court;
- (2) the case has been disposed of;



- (3) payment is received by the court; or
- (4) three (3) years from a date set by the court under subsection (c).

The order of suspension may be served upon the defendant by mailing the order by first class mail to the defendant at the last address shown for the defendant **or minor** in the records of the bureau. A suspension under this section begins thirty (30) days after the date the notice of suspension is mailed by the bureau to the defendant.

(e) For nonresidents of Indiana **or a minor resident of Indiana under subsection (b)**, the order of suspension shall be mailed to the defendant **or minor** at the address given to the arresting officer or the clerk of court by the defendant **or minor** as shown by the traffic information or complaint. A copy of the order shall also be sent to the motor vehicle bureau of the state of the nonresident defendant **and the bureau**. If:

- (1) the defendant's **or minor's** failure to appear in court has been certified to the bureau under this chapter; and
- (2) the defendant **or minor** subsequently appears in court to answer the charges against the defendant **or minor**;

the court shall proceed to hear and determine the case in the same manner as other cases pending in the court. Upon final determination of the case, the court shall notify the bureau of the determination either in an electronic format or upon forms prescribed by the bureau. The notification shall be made by the court within ten (10) days after the final determination of the case, and information from the original copy of the traffic information and summons or complaint and summons must accompany the notification.

(f) If the bureau receives notice that a defendant **or minor** failed to appear under subsection (b), the bureau shall suspend the defendant's **or minor's** Indiana driving privileges until either:

- (1) the defendant **or minor** appears in court to answer for the charges against the defendant **or minor**; or
- (2) the case is disposed of.

(g) This section does not preclude preliminary proceedings under IC 35-33.

SECTION 73. IC 9-32-13-7, AS AMENDED BY P.L.245-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) Except as provided in subsection (b), it is an unfair practice for a dealer to charge a document preparation fee in excess of two hundred dollars (\$200). **A document preparation fee of two hundred dollars (\$200) or less is permitted and does not constitute an unfair practice under this section.** A document



preparation fee under this section must be:

- (1) included in the advertised sale price of a vehicle; and
- (2) affirmatively disclosed:
 - (A) in writing by the dealer during negotiations for the sale of a vehicle to a potential purchaser that states the dollar amount of the document preparation fee to be charged; and
 - (B) as a separate line item on the purchaser's bill of sale or other purchase contract.

(b) A document preparation fee under this section may be adjusted annually by a percentage equal to the annual percentage change in the Consumer Price Index, as published by the United States Bureau of Labor Statistics.

SECTION 74. IC 9-33-1-1, AS AMENDED BY P.L.281-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 1. This article applies to the following:

- (1) Actions taken under a court order.
- (2) Actions required under IC 9-24-2-1, IC 9-24-2-2, or IC 9-24-2-4.
- (3) Actions required under IC 9-24-6 (before its repeal on July 1, 2016).
- (4) Actions required under IC 9-24-6.5-6(c) (before its repeal on July 1, 2016).
- (5) Actions taken under IC 9-24-6.1.
- (6) Actions required under IC 9-25.
- (7) **Except for a hearing requested under IC 9-28-2-9(c)**, actions taken under IC 9-28.
- (8) Actions required under IC 9-30.
- (9) Refunds claimed after June 30, 2016, of fees imposed by the bureau.
- (10) Actions taken under IC 9-22-1-4.

SECTION 75. IC 24-5-13.5-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 5.5. As used in this chapter, "initial resale" means the first time a dealer sells a buyback vehicle to a buyer after it has been repurchased by a manufacturer under this chapter or IC 24-5-13.**

SECTION 76. IC 24-5-13.5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 10. **(a) This section applies to a buyback vehicle only at the time of the initial resale of the buyback vehicle.**

(b) A buyback ~~motor~~ vehicle may not be ~~resold~~ sold in Indiana unless the following conditions have been met:



(1) The manufacturer provides the same express warranty the manufacturer provided to the original purchaser, except that the term of the warranty need only last for twelve thousand (12,000) miles or twelve (12) months after the date of resale.

(2) The following disclosure language must be conspicuously contained in a contract for the ~~sale~~ **initial resale** or lease of a buyback vehicle to a consumer or contained in a form affixed to the contract:

"IMPORTANT

This vehicle was previously sold as new. It was subsequently returned to the manufacturer or authorized dealer in exchange for a replacement vehicle or a refund because it did not conform to the manufacturer's express warranty and the nonconformity was not cured within a reasonable time as provided by Indiana law."

(3) The manufacturer provides the dealer a separate document with a written statement identifying the vehicle conditions that formed the basis for the previous owner's or lessee's dissatisfaction and the steps taken to deal with that dissatisfaction in 10-point all capital type.

SECTION 77. IC 24-5-13.5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 11. Before ~~reselling the~~ **initial resale of** a buyback ~~motor~~ vehicle in Indiana, a dealer must provide to the buyer the express warranty required by section ~~10(1)~~ **10(b)(1)** of this chapter and the written statement of disclosure required by section ~~10(3)~~ **10(b)(3)** of this chapter and obtain the buyer's acknowledgment of this disclosure at the time of ~~sale~~ **the initial resale** or lease as evidenced by the buyer's signature on the statement of disclosure.

SECTION 78. IC 24-5-13.5-12, AS AMENDED BY P.L.27-2018, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 12. A manufacturer who accepts return of a motor vehicle that is considered a buyback vehicle under this chapter shall do the following:

(1) Before transferring ownership of the buyback vehicle, place the notation "Manufacturer Buyback – Disclosure on File" on the original certificate of title.

(2) Not more than thirty-one (31) days after receipt of the certificate of title, apply to the bureau for a certificate of title in the name of the manufacturer and provide to the bureau a copy of the disclosure document required by section ~~10(3)~~ **10(b)(3)** of this chapter.

SECTION 79. IC 24-5-13.5-13 IS AMENDED TO READ AS



FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 13. (a) **Except as provided in IC 34-30-34-3**, a person who fails to comply with section 10, 11, or 12 of this chapter is liable for the following:

- (1) Actual damages or the value of the consideration, at the election of the buyer.
- (2) The costs of an action to recover damages and reasonable attorney's fees.
- (3) Not more than three (3) times the value of the actual damages or the consideration as exemplary damages.
- (4) Other equitable relief, including restitution, as is considered proper in addition to damages and costs.

(b) Actual damages under this section include the following:

- (1) The difference between the actual market value of the vehicle at the time of purchase and the contract price of the vehicle.
- (2) Towing, repair, and storage expenses.
- (3) Rental of substitute transportation.
- (4) Food and lodging expenses.
- (5) Lost wages.
- (6) Finance charges.
- (7) Sales or use tax or other governmental fees.
- (8) Lease charges.
- (9) Other incidental and consequential damages.

(c) Lack of privity is not a bar to an action under this section.

(d) This subsection does not apply to consent orders or stipulated judgments in which there is no admission of liability by the defendant. A permanent injunction, final judgment, or final order of the court obtained by the attorney general under section 14 of this chapter is prima facie evidence in an action brought under this section that the defendant has violated section 10, 11, or 12 of this chapter.

(e) An action to enforce liability under this section may be brought within two (2) years from the date of discovery by the buyer.

SECTION 80. IC 34-30-2.1-107.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 107.1. IC 9-27-7-8 (Concerning acts or omissions that occur during a motorcycle operator safety education course).**

SECTION 81. IC 34-30-34 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

Chapter 34. Immunity for a Buyback Vehicle

Sec. 1. As used in this chapter, "buyback vehicle" has the meaning set forth in IC 24-5-13.5-3.



Sec. 2. As used in this chapter, "dealer" has the meaning set forth in IC 9-32-2-9.6.

Sec. 3. (a) A dealer is immune from civil liability in an action based on a violation of IC 24-5-13.5-10 if the dealer has a reasonable good faith belief that the vehicle subject to the action was not a buyback vehicle.

(b) Subsection (a) does not apply to an act of gross negligence or willful and wanton misconduct.

SECTION 82. [EFFECTIVE JULY 1, 2023] (a) IC 9-18.1-5-12, as amended by this act, applies to registration years beginning after December 31, 2023.

(b) This SECTION expires July 1, 2025.

SECTION 83. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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