

HOUSE BILL No. 1150

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-20-18-14.5.

Synopsis: Overweight divisible loads. Provides that the department of state revenue may not assess a penalty on a citation for an oversize load after more than one year has passed from the date the person receives the citation. Makes a technical correction.

Effective: July 1, 2021.

Prescott, Bartels, Pressel

January 7, 2021, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1150

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

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

1 SECTION 1. IC 9-20-18-14.5, AS AMENDED BY P.L.218-2017,
2 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 14.5. (a) The civil penalties imposed under this
4 section are in addition to the other civil penalties that may be imposed
5 under IC 8 and IC 9. Notwithstanding section 12 of this chapter, a civil
6 penalty imposed under this section:
7 (1) is imposed on the person whose United States Department of
8 Transportation number is registered on the vehicle transporting
9 the load;
10 (2) shall be deposited in the motor carrier regulation fund
11 established by IC 8-2.1-23-1;
12 (3) is in addition to any fines imposed by a court; and
13 (4) is assessed by the department of state revenue in accordance
14 with the procedures in IC 6-8.1-5-1.
15 (b) A person who obtains a permit under this article and violates this
16 article is subject to a civil penalty of not more than five hundred dollars
17 (\$500) for the first violation and not more than one thousand dollars



1 (\$1,000) for each subsequent violation.

2 (c) A person who transports vehicles or loads subject to this article
3 and fails to obtain a permit required under this article is subject to a
4 civil penalty of not more than five thousand dollars (\$5,000) for each
5 violation.

6 **(d) The department of state revenue may not assess a penalty**
7 **under this section after more than one (1) year has passed from the**
8 **date a person receives a citation for an overweight load.**

9 ~~(d)~~ (e) A person against whom a civil penalty is imposed under this
10 section may protest the penalty and request an administrative hearing.
11 If a hearing is requested, the department of state revenue shall hold an
12 administrative hearing at which the person has an opportunity to
13 present information as to why the civil penalty should not be assessed.

14 ~~(e)~~ (f) The department of state revenue's notice of proposed
15 assessment under IC 6-8.1-5-1 is presumptively valid.

