



January 13, 2022

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## HOUSE BILL No. 1167

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DIGEST OF HB 1167 (Updated January 12, 2022 10:58 am - DI 139)

**Citations Affected:** IC 6-1.1; IC 8-2.1; IC 9-14; IC 9-14.1; IC 9-18.5; IC 9-21; IC 9-22; IC 9-24; IC 9-32.

**Synopsis:** Bureau of motor vehicles. Allows an advanced practice registered nurse to sign certain health documents concerning driving privileges. Requires the bureau of motor vehicles (bureau) to establish and maintain an audit working group. Provides that meetings of the audit working group are not subject to open door laws. Provides that the bureau, rather than the state board of accounts, is required to conduct an audit of each license branch. Requires the bureau to distribute at least one time each month the fees collected and deposited from certain special group recognition license plates. Repeals the law providing for the Earlham College trust license plate. Provides that interference with highway traffic is considered unreasonable if the interference occurs for more than 10 consecutive minutes. Provides that a public agency or towing service that obtains the name and address of the owner of or lienholder on a vehicle shall, not later than three business days after obtaining the name and address, notify the owner of the vehicle and any lienholder on the vehicle, as indicated by the certificate of title or as discovered by a search of the National Motor Vehicle Title Information System or an equivalent and commonly available data base. Provides that an individual is not required to be a citizen of the United States as shown in the records of the bureau to apply for a replacement driver's license or learner's permit by electronic service. Removes the requirement that the bureau collect an administrative penalty if a dealer fails to apply for a certificate of title  
(Continued next page)

**Effective:** July 1, 2022.

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## Pressel, Saunders

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January 6, 2022, read first time and referred to Committee on Roads and Transportation.  
January 13, 2022, amended, reported — Do Pass.

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## Digest Continued

for a motor vehicle that is purchased or acquired in a state that does not have a certificate of title law. Provides that a manufacturer or distributor may not sell or offer to sell, directly or indirectly, a new motor vehicle to the general public in Indiana except through a new motor vehicle dealer holding a franchise for the line make covering the new motor vehicle. Provides that the sales of new motor vehicles by a manufacturer or franchisor to the federal government, a charitable organization, an employee of the manufacturer or distributor, or a manufacturer or distributor under certain conditions. Makes technical corrections.

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January 13, 2022

Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

## HOUSE BILL No. 1167

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 6-1.1-7-10, AS AMENDED BY P.L.235-2017,  
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2022]: Sec. 10. (a) This section does not apply to a mobile  
4 home that is offered for sale at auction under IC 9-22-1.5, IC 9-22-1.7,  
5 or IC 6-1.1-23.5 for the transfer resulting from the auction.  
6 **(b) As used in this section, "official seal" has the meaning set  
7 forth in IC 33-42-0.5-21.**  
8 ~~(b)~~ (c) A mobile home may not be moved from one (1) location to  
9 another unless the owner or the owner's agent obtains a permit to move  
10 the mobile home from the county treasurer.  
11 ~~(c)~~ (d) The bureau of motor vehicles may not:  
12 (1) transfer the title to a mobile home; or  
13 (2) change names in any manner on the title to a mobile home;  
14 unless the owner or the owner's agent holds a valid permit to transfer  
15 the title that was issued by the county treasurer and includes the county  
16 treasurer's **embossed official** seal.  
17 ~~(d)~~ (e) A county treasurer shall issue a permit which is required to

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1 either move, or transfer the title to, a mobile home if the taxes, special  
 2 assessments, interest, penalties, judgments, and costs that are due and  
 3 payable on the mobile home have been paid and the person requesting  
 4 the permit has a state issued title, a court order, or a bureau of motor  
 5 vehicles affidavit of sale or disposal. The county treasurer shall issue  
 6 the permit not later than two (2) business days (excluding weekends  
 7 and holidays) after the date the completed permit application is  
 8 received by the county treasurer. The permit shall state the date it is  
 9 issued.

10 ~~(e)~~ (f) After issuing a permit to move a mobile home under  
 11 subsection ~~(d)~~, (e), a county treasurer shall notify the township assessor  
 12 of the township to which the mobile home will be moved, or the county  
 13 assessor if there is no township assessor for the township, that the  
 14 permit to move the mobile home has been issued.

15 ~~(f)~~ (g) A permit to move, or transfer title to, a mobile home that is  
 16 issued under this section expires ninety (90) days after the date the  
 17 permit is issued. The permit is invalid after the permit expires. If the  
 18 owner wishes to move, or transfer title to, the mobile home after the  
 19 permit has expired, the owner or the owner's agent must obtain a new  
 20 permit under this section.

21 ~~(g)~~ (h) A county treasurer is not liable for the county treasurer's  
 22 good faith efforts to collect taxes that are due and payable for a mobile  
 23 home. Good faith efforts include the refusal to issue a permit under  
 24 subsection ~~(d)~~ (e) until all property taxes that are due and payable for  
 25 a mobile home are paid to the county treasurer.

26 SECTION 2. IC 6-1.1-7-10.4, AS AMENDED BY P.L.198-2016,  
 27 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2022]: Sec. 10.4. (a) This section does not apply to a mobile  
 29 home that is offered for sale at auction under IC 9-22-1.5 or  
 30 IC 9-22-1.7 for the transfer resulting from the auction.

31 (b) The owner of a mobile home who sells the mobile home to  
 32 another person shall provide the purchaser with the permit required by  
 33 section ~~10(e)~~ 10(d) of this chapter before the sale is consummated.

34 SECTION 3. IC 8-2.1-24-18, AS AMENDED BY P.L.198-2016,  
 35 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2022]: Sec. 18. (a) 49 CFR Parts 40, 375, 380, 382 through  
 37 387, 390 through 393, and 395 through 398 are incorporated into  
 38 Indiana law by reference, and, except as provided in subsections (d),  
 39 (e), (f), (g), and (j), must be complied with by an interstate and  
 40 intrastate motor carrier of persons or property throughout Indiana.  
 41 Intrastate motor carriers subject to compliance reviews under 49 CFR  
 42 385 shall be selected according to criteria determined by the



1 superintendent which must include but are not limited to factors such  
 2 as previous history of violations found in roadside compliance checks  
 3 and other recorded violations. However, the provisions of 49 CFR 395  
 4 that regulate the hours of service of drivers, including requirements for  
 5 the maintenance of logs, do not apply to a driver of a truck that is  
 6 registered by the bureau of motor vehicles and used as a farm truck  
 7 under IC 9-18 (before its expiration) or IC 9-18.1-7 or a vehicle  
 8 operated in intrastate construction or construction related service, or  
 9 the restoration of public utility services interrupted by an emergency.

10 Except as provided in subsection (i) and (j):

11 (1) intrastate motor carriers not operating under authority issued  
 12 by the United States Department of Transportation shall comply  
 13 with the requirements of 49 CFR 390.21(b)(3) by registering with  
 14 the department of state revenue as an intrastate motor carrier and  
 15 displaying the certification number issued by the department of  
 16 state revenue preceded by the letters "IN"; and

17 (2) all other requirements of 49 CFR 390.21 apply equally to  
 18 interstate and intrastate motor carriers.

19 (b) 49 CFR 107 subpart (F) and subpart (G), 171 through 173, 177  
 20 through 178, and 180, are incorporated into Indiana law by reference,  
 21 and every:

22 (1) private carrier;

23 (2) common carrier;

24 (3) contract carrier;

25 (4) motor carrier of property, intrastate;

26 (5) hazardous material shipper; and

27 (6) carrier otherwise exempt under section 3 of this chapter;

28 must comply with the federal regulations incorporated under this  
 29 subsection, whether engaged in interstate or intrastate commerce.

30 (c) Notwithstanding subsection (b), nonspecification bulk and  
 31 nonbulk packaging, including cargo tank motor vehicles, may be used  
 32 only if all the following conditions exist:

33 (1) The maximum capacity of the vehicle is less than three  
 34 thousand five hundred (3,500) gallons.

35 (2) The shipment of goods is limited to intrastate commerce.

36 (3) The vehicle is used only for the purpose of transporting fuel  
 37 oil, kerosene, diesel fuel, gasoline, gasohol, or any combination  
 38 of these substances.

39 Maintenance, inspection, and marking requirements of 49 CFR 173.8  
 40 and Part 180 are applicable. In accordance with federal hazardous  
 41 materials regulations, new or additional nonspecification cargo tank  
 42 motor vehicles may not be placed in service under this subsection.



1 (d) For the purpose of enforcing this section, only:

2 (1) a state police officer or state police motor carrier inspector  
3 who:

4 (A) has successfully completed a course of instruction  
5 approved by the United States Department of Transportation;  
6 and

7 (B) maintains an acceptable competency level as established  
8 by the state police department; or

9 (2) an employee of a law enforcement agency who:

10 (A) before January 1, 1991, has successfully completed a  
11 course of instruction approved by the United States  
12 Department of Transportation; and

13 (B) maintains an acceptable competency level as established  
14 by the state police department;

15 on the enforcement of 49 CFR, may, upon demand, inspect the books,  
16 accounts, papers, records, memoranda, equipment, and premises of any  
17 carrier, including a carrier exempt under section 3 of this chapter.

18 (e) A person hired before September 1, 1985, who operates a motor  
19 vehicle intrastate incidentally to the person's normal employment duties  
20 and who is not employed to operate a motor vehicle for hire is exempt  
21 from 49 CFR 391 as incorporated by this section.

22 (f) Notwithstanding any provision of 49 CFR 391 to the contrary, a  
23 person at least eighteen (18) years of age and less than twenty-one (21)  
24 years of age may be employed as a driver to operate a commercial  
25 motor vehicle intrastate. However, a person employed under this  
26 subsection is not exempt from any other provision of 49 CFR 391.

27 (g) Notwithstanding subsection (a) or (b), the following provisions  
28 of 49 CFR do not apply to private carriers of property operated only in  
29 intrastate commerce or any carriers of property operated only in  
30 intrastate commerce while employed in construction or construction  
31 related service:

32 (1) Subpart 391.41(b)(3) as it applies to physical qualifications of  
33 a driver who has been diagnosed as an insulin dependent diabetic,  
34 if the driver has applied for and been granted an intrastate  
35 medical waiver by the bureau of motor vehicles pursuant to this  
36 subsection. The same standards and the following procedures  
37 shall apply for this waiver whether or not the driver is required to  
38 hold a commercial driver's license. An application for the waiver  
39 shall be submitted by the driver and completed and signed by a  
40 certified endocrinologist, ~~or~~ the driver's treating physician, **or the**  
41 **driver's treating advanced practice registered nurse** attesting  
42 that the driver:



- 1 (A) is not otherwise physically disqualified under Subpart  
 2 391.41 to operate a motor vehicle, whether or not any  
 3 additional disqualifying condition results from the diabetic  
 4 condition, and is not likely to suffer any diminution in driving  
 5 ability due to the driver's diabetic condition;
- 6 (B) is free of severe hypoglycemia or hypoglycemia  
 7 unawareness and has had less than one (1) documented,  
 8 symptomatic hypoglycemic reaction per month;
- 9 (C) has demonstrated the ability and willingness to properly  
 10 monitor and manage the driver's diabetic condition;
- 11 (D) has agreed to and, to the endocrinologist's, ~~or~~ treating  
 12 physician's, **or treating advanced practice registered**  
 13 **nurse's** knowledge, has carried a source of rapidly absorbable  
 14 glucose at all times while driving a motor vehicle, has self  
 15 monitored blood glucose levels one (1) hour before driving  
 16 and at least once every four (4) hours while driving or on duty  
 17 before driving using a portable glucose monitoring device  
 18 equipped with a computerized memory; and
- 19 (E) has submitted the blood glucose logs from the monitoring  
 20 device to the endocrinologist, ~~or~~ treating physician, **or**  
 21 **treating advanced practice registered nurse** at the time of  
 22 the annual medical examination.
- 23 A copy of the blood glucose logs shall be filed along with the  
 24 annual statement from the endocrinologist, ~~or~~ treating physician,  
 25 **or treating advanced practice registered nurse** with the bureau  
 26 of motor vehicles for review by the driver licensing medical  
 27 advisory board established under IC 9-14-11. A copy of the  
 28 annual statement shall also be provided to the driver's employer  
 29 for retention in the driver's qualification file, and a copy shall be  
 30 retained and held by the driver while driving for presentation to  
 31 an authorized federal, state, or local law enforcement official.  
 32 Notwithstanding the requirements of this subdivision, the  
 33 endocrinologist, the treating physician, **the treating advanced**  
 34 **practice registered nurse**, the advisory board of the bureau of  
 35 motor vehicles, or the bureau of motor vehicles may, where  
 36 medical indications warrant, establish a short period for the  
 37 medical examinations required under this subdivision.
- 38 (2) Subpart 396.9 as it applies to inspection of vehicles carrying  
 39 or loaded with a perishable product. However, this exemption  
 40 does not prohibit a law enforcement officer from stopping these  
 41 vehicles for an obvious violation that poses an imminent threat of  
 42 an accident or incident. The exemption is not intended to include



1 refrigerated vehicles loaded with perishables when the  
2 refrigeration unit is working.

3 (3) Subpart 396.11 as it applies to driver vehicle inspection  
4 reports.

5 (4) Subpart 396.13 as it applies to driver inspection.

6 (h) For purposes of 49 CFR 395.1(k)(2), "planting and harvesting  
7 season" refers to the period between January 1 and December 31 of  
8 each year. The intrastate commerce exception set forth in 49 CFR  
9 395.1(k), as it applies to the transportation of agricultural commodities  
10 and farm supplies, is restricted to single vehicles and cargo tank motor  
11 vehicles with a capacity of not more than five thousand four hundred  
12 (5,400) gallons.

13 (i) The requirements of 49 CFR 390.21 do not apply to an intrastate  
14 motor carrier or a guest operator not engaged in interstate commerce  
15 and operating a motor vehicle as a farm vehicle in connection with  
16 agricultural pursuits usual and normal to the user's farming operation  
17 or for personal purposes unless the vehicle is operated either part time  
18 or incidentally in the conduct of a commercial enterprise.

19 (j) This section does not apply to private carriers that operate using  
20 only the type of motor vehicles specified in IC 8-2.1-24-3(6).

21 (k) The superintendent of state police may adopt rules under  
22 IC 4-22-2 governing the parts and subparts of 49 CFR incorporated by  
23 reference under this section.

24 SECTION 4. IC 9-14-10-1, AS AMENDED BY P.L.257-2017,  
25 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2022]: Sec. 1. The commission board shall do the following:

27 (1) Recommend legislation needed to operate the license  
28 branches.

29 (2) Recommend rules needed to operate the license branches.

30 (3) Review budget proposals for the commission and the license  
31 branches operated under IC 9-14.1, including the budget required  
32 by IC 9-14.1-5-4 and IC 9-14.1-5-5.

33 (4) Establish the determination criteria and determine the number  
34 and location of license branches to be operated under IC 9-14.1.

35 (5) Establish and adopt minimum standards for the operation and  
36 maintenance of each physical or virtual location at which services  
37 are provided by a full service provider or partial services provider  
38 under IC 9-14.1.

39 (6) Administer the commission fund established under  
40 IC 9-14-14-1.

41 **(7) Establish and maintain an audit working group composed**  
42 **of two (2) board members of the commission, excluding the**





1 **commissioner, who are selected by and may be dismissed by**  
 2 **the commissioner. A meeting of the audit working group is**  
 3 **not subject to IC 5-14-1.5.**

4 **(8) Approve an internal audit charter and an audit plan at**  
 5 **least one (1) time each year.**

6 SECTION 5. IC 9-14.1-5-1, AS ADDED BY P.L.198-2016,  
 7 SECTION 195, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) The ~~state board of accounts~~  
 9 **bureau shall conduct an audit each account** of each license branch  
 10 operated under this article.

11 (b) Each audit must be

12 ~~(1) completed not more than ninety (90) days after~~  
 13 ~~commencement of the audit; and~~

14 ~~(2) filed with the legislative services agency in an electronic~~  
 15 ~~format under IC 5-14-6 not more than thirty (30) days after~~  
 16 ~~completion of the audit. conducted as determined by an annual~~  
 17 **risk assessment and an audit plan.**

18 (c) An audit prepared under this section is a public record.

19 **(d) Notwithstanding the audit performed under subsection (a),**  
 20 **the state board of accounts may examine an account of a license**  
 21 **branch operated under this article.**

22 SECTION 6. IC 9-18.5-2-1, AS AMENDED BY P.L.29-2021,  
 23 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2022]: Sec. 1. (a) A person may apply to the bureau for a  
 25 personalized license plate to display on the person's vehicle.

26 (b) The following license plates may be designed as a personalized  
 27 license plate under this chapter:

28 (1) IC 9-18.5-4 (prisoner of war license plates).

29 (2) IC 9-18.5-5 (disabled Hoosier veteran license plates).

30 (3) IC 9-18.5-6 (Purple Heart license plates).

31 (4) IC 9-18.5-7 (National Guard license plates).

32 (5) IC 9-18.5-8 (license plates for persons with disabilities).

33 (6) IC 9-18.5-9 (amateur radio operator license plates).

34 (7) IC 9-18.5-10 (civic event license plates).

35 (8) IC 9-18.5-11 (In God We Trust license plates).

36 (9) IC 9-18.5-12 (special group recognition license plates).

37 (10) IC 9-18.5-13 (environmental license plates).

38 (11) IC 9-18.5-14 (kids first trust license plates).

39 (12) IC 9-18.5-15 (education license plates).

40 (13) IC 9-18.5-16 (Indiana FFA trust license plates).

41 (14) IC 9-18.5-17 (Indiana firefighter license plates).

42 (15) IC 9-18.5-18 (Indiana boy scouts trust license plates).



- 1 (16) IC 9-18.5-19 (D.A.R.E. Indiana trust license plates).  
 2 (17) IC 9-18.5-20 (Indiana arts trust license plates).  
 3 (18) IC 9-18.5-21 (Indiana health trust license plates).  
 4 (19) IC 9-18.5-22 (Indiana Native American trust license plates).  
 5 (20) IC 9-18.5-24 (Pearl Harbor survivor license plates).  
 6 (21) IC 9-18.5-25 (Indiana state educational institution trust  
 7 license plates).  
 8 (22) IC 9-18.5-26 (Lewis and Clark expedition license plates).  
 9 (23) IC 9-18.5-27 (Riley Children's Foundation license plates).  
 10 (24) IC 9-18.5-28 (National Football League franchised  
 11 professional football team license plates).  
 12 (25) IC 9-18.5-29 (Hoosier veteran license plates).  
 13 (26) IC 9-18.5-30 (support our troops license plates).  
 14 (27) IC 9-18.5-31 (Abraham Lincoln's boyhood home license  
 15 plates).  
 16 ~~(28) IC 9-18.5-32 (Earlham College Trust license plates).~~  
 17 ~~(29)~~ **(28)** IC 9-18.5-33 (Indiana Gold Star family member license  
 18 plates).  
 19 ~~(30)~~ **(29)** IC 9-18.5-35 (Armed Forces Expeditionary Medal  
 20 license plates).  
 21 ~~(31)~~ **(30)** A license plate issued under IC 9-18 (before its  
 22 expiration) or IC 9-18.1.

23 SECTION 7. IC 9-18.5-12-13, AS AMENDED BY P.L.178-2019,  
 24 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2022]: Sec. 13. (a) In order to continue participation in the  
 26 special group recognition license plate program, a special group must:

- 27 (1) sell at least five hundred (500) special group recognition  
 28 license plates of the special group in the first two (2) years in  
 29 which the license plate is offered for sale; and  
 30 (2) maintain the sale or renewal of at least five hundred (500)  
 31 special group recognition license plates during each subsequent  
 32 year after the initial two (2) year period of sale.

33 (b) If the special group fails to sell or renew special group  
 34 recognition license plates in the manner provided in subsection (a), the  
 35 bureau shall place the issuance of the special group recognition license  
 36 plates for the special group on probation for the subsequent year. If, in  
 37 that subsequent year on probation, the special group fails to sell or  
 38 renew at least five hundred (500) special group recognition license  
 39 plates, the bureau shall terminate the participation of the special group  
 40 in the special group recognition license plate program. If the special  
 41 group sells or renews at least five hundred (500) special group  
 42 recognition license plates in the year on probation, the participation of



1 the special group in the special group recognition license plate program  
 2 is continued. A special group shall be afforded only one (1)  
 3 probationary period under this subsection.

4 (c) The bureau may terminate the participation of a special group in  
 5 the special group recognition license plate program if the special  
 6 group:

7 (1) ceases operations; or

8 (2) fails to use the annual fee collected by the bureau in a manner  
 9 consistent with the statement submitted by the special group  
 10 under section 3(a)(9) of this chapter.

11 (d) A special group that desires to participate in the special group  
 12 recognition license plate program after termination by the bureau under  
 13 this section:

14 (1) must follow the procedure set forth in section 3 of this  
 15 chapter; **and**

16 (2) **may not reapply to participate in the special group**  
 17 **recognition license plate program for at least two (2) years**  
 18 **after termination.**

19 (e) Upon termination under this section of a special group's  
 20 participation in the special group recognition license plate program, the  
 21 bureau shall distribute any money remaining in the trust fund  
 22 established under section 14 of this chapter for the special group to the  
 23 state general fund.

24 SECTION 8. IC 9-18.5-16-4, AS ADDED BY P.L.198-2016,  
 25 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
 26 [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) The Indiana FFA trust fund  
 27 is established.

28 (b) The treasurer of state shall invest the money in the Indiana FFA  
 29 trust fund not currently needed to meet the obligations of the Indiana  
 30 FFA trust fund in the same manner as other public trust funds are  
 31 invested. Interest that accrues from these investments shall be  
 32 deposited in the Indiana FFA trust fund.

33 (c) The bureau shall administer the Indiana FFA trust fund.  
 34 Expenses of administering the Indiana FFA trust fund shall be paid  
 35 from money in the Indiana FFA trust fund.

36 (d) ~~On June 30 of each year,~~ The bureau shall distribute **at least one**  
 37 **(1) time each month** the money from the fund to the FFA Foundation  
 38 that is located within Indiana.

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

41 SECTION 9. IC 9-18.5-18-4, AS ADDED BY P.L.198-2016,  
 42 SECTION 327, IS AMENDED TO READ AS FOLLOWS

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1 [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) The Indiana boy scouts trust  
2 fund is established.

3 (b) The treasurer of state shall invest the money in the fund not  
4 currently needed to meet the obligations of the fund in the same  
5 manner as other public trust funds are invested. Interest that accrues  
6 from these investments shall be deposited in the fund.

7 (c) The bureau shall administer the fund. Expenses of administering  
8 the fund shall be paid from money in the fund.

9 (d) ~~On June 30 of each year,~~ The bureau shall distribute **at least one**  
10 **(1) time each month** the money from the fund to the organization  
11 established under section 5 of this chapter.

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

14 SECTION 10. IC 9-18.5-19-4, AS ADDED BY P.L.198-2016,  
15 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) The D.A.R.E. Indiana trust  
17 fund is established.

18 (b) The treasurer of state shall invest the money in the fund not  
19 currently needed to meet the obligations of the fund in the same  
20 manner as other public trust funds are invested. Interest that accrues  
21 from these investments shall be deposited in the fund.

22 (c) The bureau shall administer the fund. Expenses of administering  
23 the fund shall be paid from money in the fund.

24 (d) ~~On June 30 of each year,~~ The bureau shall distribute **at least one**  
25 **(1) time each month** the money from the fund to D.A.R.E. Indiana,  
26 Inc.

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

29 SECTION 11. IC 9-18.5-20-3, AS ADDED BY P.L.198-2016,  
30 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
31 [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) The fees for an Indiana arts  
32 trust license plate are as follows:

33 (1) An annual supplemental fee of fifteen dollars (\$15) under  
34 IC 9-18.5-12-16.

35 (2) An annual fee of not more than twenty-five dollars (\$25) as  
36 provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

37 (b) The annual fee referred to in subsection (a)(2) must be collected  
38 by the bureau and deposited in the Indiana arts commission trust fund  
39 established under IC 4-23-2.5-4.

40 (c) **The bureau shall distribute at least one (1) time each month**  
41 **the money from the Indiana arts commission trust fund collected**  
42 **under subsection (b).**



1 SECTION 12. IC 9-18.5-21-4, AS ADDED BY P.L.198-2016,  
 2 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) The Indiana health trust fund  
 4 is established.

5 (b) The treasurer of state shall invest the money in the Indiana  
 6 health trust fund not currently needed to meet the obligations of the  
 7 Indiana health trust fund in the same manner as other public trust funds  
 8 are invested. Interest that accrues from these investments shall be  
 9 deposited in the Indiana health trust fund.

10 (c) The bureau shall administer the Indiana health trust fund.  
 11 Expenses of administering the Indiana health trust fund shall be paid  
 12 from money in the Indiana health trust fund.

13 (d) ~~On June 30 of each year,~~ The bureau shall distribute **at least one**  
 14 **(1) time each month** the money from the fund to the organization  
 15 established under section 5 of this chapter.

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

18 SECTION 13. IC 9-18.5-22-4, AS ADDED BY P.L.198-2016,  
 19 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
 20 [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) The Indiana Native American  
 21 trust fund is established.

22 (b) The treasurer of state shall invest the money in the Indiana  
 23 Native American trust fund not currently needed to meet the  
 24 obligations of the Indiana Native American trust fund in the same  
 25 manner as other public trust funds are invested. Interest that accrues  
 26 from these investments shall be deposited in the Indiana Native  
 27 American trust fund.

28 (c) The bureau shall administer the Indiana Native American trust  
 29 fund. Expenses of administering the Indiana Native American trust  
 30 fund shall be paid from money in the Indiana Native American trust  
 31 fund.

32 (d) ~~On June 30 of each year,~~ The bureau shall distribute **at least one**  
 33 **(1) time each month** the money from the fund to the Native American  
 34 Indian affairs commission established under IC 4-23-32.

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

37 (f) The Native American Indian affairs commission may use money  
 38 received under this section for any lawful purpose of the Native  
 39 American Indian affairs commission.

40 SECTION 14. IC 9-18.5-23-3, AS AMENDED BY P.L.57-2020,  
 41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2022]: Sec. 3. (a) The fees for a first responder license plate



1 are as follows:

2 (1) An annual supplemental fee of fifteen dollars (\$15) under  
3 IC 9-18.5-12-16.

4 (2) An annual fee of not more than twenty-five dollars (\$25) as  
5 provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

6 (b) The annual fee referred to in subsection (a)(2) shall be collected  
7 by the bureau and deposited in the fund established under  
8 IC 10-15-3-1.

9 **(c) The bureau shall distribute at least one (1) time each month**  
10 **the money from the fund collected under subsection (b).**

11 SECTION 15. IC 9-18.5-26-4, AS ADDED BY P.L.198-2016,  
12 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) The Lewis and Clark  
14 expedition fund is established.

15 (b) The treasurer of state shall invest the money in the fund not  
16 currently needed to meet the obligations of the fund in the same  
17 manner as other public funds are invested. Interest that accrues from  
18 these investments shall be deposited in the fund. Money in the fund is  
19 continuously appropriated for the purposes of this section.

20 (c) The bureau shall administer the fund. Expenses of administering  
21 the fund shall be paid from money in the fund.

22 (d) The bureau shall ~~monthly~~ distribute **at least one (1) time each**  
23 **month** the money from the fund to the Lewis and Clark expedition  
24 commission established by IC 14-20-15.

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

27 SECTION 16. IC 9-18.5-28-4, AS ADDED BY P.L.198-2016,  
28 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
29 [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) The fees for a National  
30 Football League franchised football team license plate are as follows:

31 (1) An annual supplemental fee of ten dollars (\$10). The fee shall  
32 be distributed as follows:

33 (A) Five dollars (\$5) to the commission fund.

34 (B) Five dollars (\$5) to the motor vehicle highway account.

35 (2) An annual fee of twenty dollars (\$20) for deposit in the capital  
36 projects fund established by section 5 of this chapter.

37 **(b) The bureau shall distribute at least one (1) time each month**  
38 **the money from the capital projects fund collected under**  
39 **subsection (a).**

40 SECTION 17. IC 9-18.5-29-3, AS ADDED BY P.L.198-2016,  
41 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
42 [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) An individual who registers



1 a vehicle under this title may apply for and receive a Hoosier veteran  
2 license plate for one (1) or more vehicles upon doing the following:

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

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

17 SECTION 18. IC 9-18.5-30-2, AS ADDED BY P.L.198-2016,  
18 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
19 [EFFECTIVE JULY 1, 2022]: Sec. 2. A person may receive a support  
20 our troops license plate under this chapter upon doing the following:

- 21 (1) Completing an application for a support our troops license  
22 plate.  
23 (2) Paying an annual fee of twenty dollars (\$20).

24 The bureau shall distribute **at least one (1) time each month** the fee  
25 described in subdivision (2) to the director of veterans' affairs for  
26 deposit in the military family relief fund established under  
27 IC 10-17-12-8.

28 SECTION 19. IC 9-18.5-31-7, AS ADDED BY P.L.198-2016,  
29 SECTION 327, IS AMENDED TO READ AS FOLLOWS  
30 [EFFECTIVE JULY 1, 2022]: Sec. 7. (a) The Indiana State Museum  
31 Foundation trust fund is established.

32 (b) The treasurer of state shall invest the money in the Indiana State  
33 Museum Foundation trust fund not currently needed to meet the  
34 obligations of the Indiana State Museum Foundation trust fund in the  
35 same manner as other public funds are invested. Interest that accrues  
36 from these investments shall be deposited in the Indiana State Museum  
37 Foundation trust fund. Money in the Indiana State Museum Foundation  
38 trust fund is continuously appropriated for the purposes of this section.

39 (c) The bureau shall administer the Indiana State Museum  
40 Foundation trust fund. Expenses of administering the Indiana State  
41 Museum Foundation trust fund shall be paid from money in the fund.

42 (d) ~~On June 30 of each year,~~ The bureau shall distribute **at least one**



1 **(1) time each month** the money from the Indiana State Museum  
 2 Foundation trust fund to the Indiana State Museum Foundation, Inc. for  
 3 use concerning the Lincoln collection.

4 (e) Money in the Indiana State Museum Foundation trust fund at the  
 5 end of a state fiscal year does not revert to the state general fund.

6 SECTION 20. IC 9-18.5-32 IS REPEALED [EFFECTIVE JULY 1,  
 7 2022]. (Earlham College Trust License Plates).

8 SECTION 21. IC 9-21-8-47, AS AMENDED BY P.L.210-2005,  
 9 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2022]: Sec. 47. **(a)** The following vehicles must be moved or  
 11 operated so as to avoid any material damage to the highway or  
 12 unreasonable interference with other highway traffic:

13 (1) Machinery or equipment used in highway construction or  
 14 maintenance by the Indiana department of transportation,  
 15 counties, or municipalities.

16 (2) Farm drainage machinery.

17 (3) Implements of agriculture.

18 (4) Firefighting apparatus owned or operated by a political  
 19 subdivision or a volunteer fire department (as defined in  
 20 IC 36-8-12-2).

21 (5) Farm vehicles loaded with farm products.

22 **(b) For purposes of this section, interference with other highway**  
 23 **traffic is considered unreasonable if the interference occurs for**  
 24 **more than ten (10) consecutive minutes.**

25 SECTION 22. IC 9-22-1-19, AS AMENDED BY P.L.281-2019,  
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2022]: Sec. 19. (a) Within three (3) business days after  
 28 removal of a vehicle to a storage yard or towing service under section  
 29 13, 14, 16, or 31 of this chapter or IC 9-22-6, the public agency or  
 30 towing service shall conduct a search of the National Motor Vehicle  
 31 Title Information System or an equivalent and commonly available data  
 32 base to attempt to obtain the last state of record of the vehicle in order  
 33 to attempt to ascertain the name and address of the person who owns  
 34 or holds a lien on the vehicle.

35 (b) A public agency or towing service that obtains the name and  
 36 address of the owner of or lienholder on a vehicle shall, not later than  
 37 three (3) business days after obtaining the name and address, notify the  
 38 ~~person who owns or holds a lien on the vehicle~~ **owner of the vehicle**  
 39 **and any lienholder on the vehicle, as indicated by the certificate of**  
 40 **title or discovered by a search under subsection (a),** of the  
 41 following:

42 (1) The name, address, and telephone number of the public





1 agency or towing service.  
 2 (2) That storage charges are being accrued and the vehicle is  
 3 subject to sale if the vehicle is not claimed and the charges are not  
 4 paid.  
 5 (3) The earliest possible date and location of the public sale or  
 6 auction.  
 7 The notice must be made by certified mail ~~or a certificate of mailing~~ or  
 8 by means of an electronic service approved by the bureau.  
 9 Notwithstanding section 4 of this chapter, a public agency or towing  
 10 service that fails to notify the owner of or lienholder on the vehicle as  
 11 set forth in this subsection may not collect additional storage costs  
 12 incurred after the date of receipt of the name and address obtained.  
 13 SECTION 23. IC 9-24-2-3, AS AMENDED BY P.L.198-2016,  
 14 SECTION 424, IS AMENDED TO READ AS FOLLOWS  
 15 [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) The bureau may not issue a  
 16 driver's license or learner's permit or grant driving privileges to the  
 17 following individuals:  
 18 (1) An individual whose driving privileges have been suspended,  
 19 during the period for which the driving privileges are suspended,  
 20 or to an individual whose driver's license has been revoked, until  
 21 the time the bureau is authorized under Indiana law to issue the  
 22 individual a new driver's license.  
 23 (2) An individual whose learner's permit has been suspended or  
 24 revoked until the time the bureau is authorized under Indiana law  
 25 to issue the individual a new learner's permit.  
 26 (3) An individual who, in the opinion of the bureau, is afflicted  
 27 with or suffering from a physical or mental disability or disease  
 28 that prevents the individual from exercising reasonable and  
 29 ordinary control over a motor vehicle while operating the motor  
 30 vehicle on a highway.  
 31 (4) An individual who is unable to understand highway warnings  
 32 or direction signs written in the English language.  
 33 (5) An individual who is required under this article to take an  
 34 examination unless:  
 35 (A) the individual successfully passes the examination; or  
 36 (B) the bureau waives the examination requirement.  
 37 (6) An individual who is required under IC 9-25 or any other  
 38 statute to deposit or provide proof of financial responsibility and  
 39 who has not deposited or provided that proof.  
 40 (7) An individual when the bureau has good cause to believe that  
 41 the operation of a motor vehicle on a highway by the individual  
 42 would be inimical to public safety or welfare.



- 1 (8) An individual who is the subject of an order issued by:
- 2 (A) a court under IC 31-16-12-7 (or IC 31-1-11.5-13,
- 3 IC 31-6-6.1-16, or IC 31-14-12-4 before their repeal); or
- 4 (B) the Title IV-D agency;
- 5 ordering that a driver's license or permit not be issued to the
- 6 individual.
- 7 (9) An individual who has not presented valid documentary
- 8 evidence to the bureau of the individual's legal status in the
- 9 United States, as required by IC 9-24-9-2.5.
- 10 (10) An individual who does not otherwise satisfy the
- 11 requirements of this article.

12 (b) An individual subject to epileptic seizures may not be denied a  
 13 driver's license or permit under this section if the individual presents  
 14 a statement from a licensed physician **or an advanced practice**  
 15 **registered nurse**, on a form prescribed by the bureau, that the  
 16 individual is under medication and is free from seizures while under  
 17 medication.

18 SECTION 24. IC 9-24-14-3.5, AS AMENDED BY P.L.111-2021,  
 19 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2022]: Sec. 3.5. (a) **If a valid computerized image or digital**  
 21 **photograph of an individual exists within the records of the**  
 22 **bureau**, an individual may apply for a replacement driver's license or  
 23 learner's permit by electronic service. ~~subject to the following~~  
 24 ~~conditions:~~

- 25 (1) ~~A valid computerized image or digital photograph of the~~  
 26 ~~individual must exist within the records of the bureau.~~
- 27 (2) ~~The individual must be a citizen of the United States, as~~  
 28 ~~shown in the records of the bureau.~~

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

33 SECTION 25. IC 9-32-5-6, AS AMENDED BY P.L.198-2016,  
 34 SECTION 625, IS AMENDED TO READ AS FOLLOWS  
 35 [EFFECTIVE JULY 1, 2022]: Sec. 6. ~~(a)~~ If a dealer purchases or  
 36 acquires ownership of a motor vehicle in a state that does not have a  
 37 certificate of title law, the dealer shall apply for an Indiana certificate  
 38 of title for the motor vehicle not more than forty-five (45) days after the  
 39 date of purchase or the date ownership of the motor vehicle was  
 40 acquired.

41 (b) ~~The bureau shall collect an administrative penalty as provided~~  
 42 ~~in IC 9-17-2-14.7 if a dealer fails to apply for a certificate of title for a~~



1 motor vehicle as described in subsection (a):

2 SECTION 26. IC 9-32-11-20, AS AMENDED BY P.L.245-2019,  
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2022]: Sec. 20. (a) This section does not apply to:

- 5 (1) a manufacturer of a trailer or semitrailer; or  
6 (2) a manufacturer that produces fewer than one thousand (1,000)  
7 units per year.

8 **(b) Except as provided in subsection (d), a manufacturer or**  
9 **distributor may not sell or offer to sell, directly or indirectly, a new**  
10 **motor vehicle to the general public in Indiana except through a**  
11 **new motor vehicle dealer holding a franchise for the line make**  
12 **covering the new motor vehicle. This subsection does not apply to**  
13 **the sales of new motor vehicles by a manufacturer or franchisor to:**

- 14 **(1) the federal government;**  
15 **(2) a charitable organization;**  
16 **(3) an employee of the manufacturer or distributor; or**  
17 **(4) a manufacturer or distributor under IC 9-32-13-23(a)(3).**

18 ~~(b)~~ **(c)** Except as provided in subsection ~~(e)~~; **(d)**, a manufacturer or  
19 distributor may not engage in sales directly to the general public in  
20 Indiana.

21 ~~(e)~~ **(d)** A manufacturer or distributor may engage in sales directly  
22 to the general public in Indiana only if:

- 23 (1) the manufacturer or distributor was granted an initial license  
24 to sell new motor vehicles before July 1, 2015; and  
25 (2) the manufacturer or distributor establishes at least one (1)  
26 physical location in Indiana that is a warranty repair service  
27 center before January 1, 2018.

28 ~~(d)~~ **(e)** A manufacturer or distributor described in subsection ~~(e)~~ **(d)**  
29 must stop engaging in sales directly to the general public in Indiana if  
30 the manufacturer or distributor sells, transfers, or conveys a majority  
31 interest in the manufacturer or distributor to another person that is  
32 required to be licensed under this chapter.

33 **(e)** For purposes of this subsection, "subscription program" means  
34 a subscription service that, for a recurring fee and for a limited period  
35 of time, allows a participating person exclusive use of a motor vehicle  
36 owned by an entity that controls or contracts with the subscription  
37 service. The term does not include leases, short term motor vehicle  
38 rentals, or services that allow short term sharing of a motor vehicle.  
39 Subscription programs are prohibited in Indiana. This subsection  
40 expires on May 1, 2020.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1167, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 14, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 21. IC 9-21-8-47, AS AMENDED BY P.L.210-2005, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 47. (a) The following vehicles must be moved or operated so as to avoid any material damage to the highway or unreasonable interference with other highway traffic:

- (1) Machinery or equipment used in highway construction or maintenance by the Indiana department of transportation, counties, or municipalities.
- (2) Farm drainage machinery.
- (3) Implements of agriculture.
- (4) Firefighting apparatus owned or operated by a political subdivision or a volunteer fire department (as defined in IC 36-8-12-2).
- (5) Farm vehicles loaded with farm products.

**(b) For purposes of this section, interference with other highway traffic is considered unreasonable if the interference occurs for more than ten (10) consecutive minutes."**

Page 16, after line 26, begin a new paragraph and insert:

"SECTION 25. IC 9-32-11-20, AS AMENDED BY P.L.245-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 20. (a) This section does not apply to:

- (1) a manufacturer of a trailer or semitrailer; or
- (2) a manufacturer that produces fewer than one thousand (1,000) units per year.

**(b) Except as provided in subsection (d), a manufacturer or distributor may not sell or offer to sell, directly or indirectly, a new motor vehicle to the general public in Indiana except through a new motor vehicle dealer holding a franchise for the line make covering the new motor vehicle. This subsection does not apply to the sales of new motor vehicles by a manufacturer or franchisor to:**

- (1) the federal government;**
- (2) a charitable organization;**
- (3) an employee of the manufacturer or distributor; or**
- (4) a manufacturer or distributor under IC 9-32-13-23(a)(3).**

~~(b)~~ **(c)** Except as provided in subsection ~~(e)~~, **(d)**, a manufacturer or distributor may not engage in sales directly to the general public in



Indiana.

~~(c)~~ **(d)** A manufacturer or distributor may engage in sales directly to the general public in Indiana only if:

- (1) the manufacturer or distributor was granted an initial license to sell new motor vehicles before July 1, 2015; and
- (2) the manufacturer or distributor establishes at least one (1) physical location in Indiana that is a warranty repair service center before January 1, 2018.

~~(d)~~ **(e)** A manufacturer or distributor described in subsection ~~(c)~~ **(d)** must stop engaging in sales directly to the general public in Indiana if the manufacturer or distributor sells, transfers, or conveys a majority interest in the manufacturer or distributor to another person that is required to be licensed under this chapter.

~~(e)~~ For purposes of this subsection, "subscription program" means a subscription service that, for a recurring fee and for a limited period of time, allows a participating person exclusive use of a motor vehicle owned by an entity that controls or contracts with the subscription service. The term does not include leases, short term motor vehicle rentals, or services that allow short term sharing of a motor vehicle. Subscription programs are prohibited in Indiana. This subsection expires on May 1, 2020."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1167 as introduced.)

PRESSEL

Committee Vote: yeas 11, nays 0.

