

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1246

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 9-13-2-1.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2020]: **Sec. 1.9. "Airbag", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-0.2.**

SECTION 2. IC 9-13-2-10, AS AMENDED BY P.L.198-2016, SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) "Automotive salvage recycler", **except as provided in subsection (b)**, means a person that:

- (1) acquires damaged, inoperative, discarded, abandoned, or salvage vehicles, or their remains, as stock-in-trade;
- (2) dismantles, shreds, compacts, crushes, or otherwise processes such vehicles or remains for the reclamation and sale of reusable components and parts;
- (3) disposes of recyclable materials to a scrap metal processor or other appropriate facility; or
- (4) performs any combination of these actions.

For purposes of this title, a recycling facility, a used parts dealer, and an automotive salvage rebuilder are all considered as an automotive salvage recycler.

(b) "Automotive salvage recycler", for purposes of IC 9-32, does not include a person that holds a valid automobile auction license under IC 9-32 unless the person is a recycling facility, a used parts

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dealer, or an automotive salvage rebuilder.

SECTION 3. IC 9-13-2-38.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 38.9. "Counterfeit supplemental restraint system component", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-0.4.**

SECTION 4. IC 9-13-2-39.7, AS AMENDED BY P.L.178-2019, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 39.7. (a) "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.

(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 32 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 5. IC 9-13-2-48, AS AMENDED BY P.L.178-2019, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 48. (a) "Driver's license" means the following:**

(1) Any type of license issued by the state in physical form 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 6. IC 9-13-2-50.5, AS ADDED BY P.L.92-2013, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 50.5. "Executive", for purposes of ~~IC 9-32-11-11(f)~~, **IC 9-32-11-11(e)**, has the meaning set forth in ~~IC 9-32-11-11(f)~~: **IC 9-32-11-11(e)**.

SECTION 7. IC 9-13-2-74.5, AS AMENDED BY P.L.178-2019, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 74.5. (a) "Identification card" means an identification document issued by a state government either in physical form 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 8. IC 9-13-2-79.7 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 79.7. "Inflatable restraint system", for purposes of ~~IC 9-19-10.5~~, has the meaning set forth in ~~IC 9-19-10.5-1~~.

SECTION 9. IC 9-13-2-97, AS AMENDED BY P.L.257-2017, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 97. (a) "Manufacturer" means, except as provided in subsection (b), a person engaged in the business of constructing or assembling vehicles, of a type required to be registered under IC 9-18 (before its expiration) or IC 9-18.1 at an established place of business. The term does not include a converter manufacturer, an automotive mobility dealer, or a recreational vehicle manufacturer.

(b) "Manufacturer", for purposes of IC 9-32, means a person who is engaged in the business of manufacturing or assembling new motor vehicles or major component parts of motor vehicles, or both, and sells new motor vehicles to dealers, wholesale dealers, distributors, or the general public. The term includes the following:

- (1) A factory branch office of the manufacturer.
- (2) A partnership, a firm, an association, a joint venture, a limited liability company, a corporation, or a trust, resident or nonresident, that is controlled by the manufacturer.

The term does not include a converter manufacturer, an automotive mobility dealer, **a manufactured home manufacturer**, or a recreational vehicle manufacturer.

SECTION 10. IC 9-13-2-103.4, AS ADDED BY P.L.178-2019, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 103.4. (a) "Mobile credential" means a digital representation issued 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 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 11. IC 9-13-2-105, AS AMENDED BY P.L.211-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 105. (a) "Motor vehicle" means, except as otherwise provided in this section, a vehicle that is self-propelled. The term does not include a farm tractor, an implement of agriculture designed to be operated primarily in a farm field or on farm premises, an electric bicycle, an electric foot scooter, or an electric personal assistive mobility device.

(b) "Motor vehicle", for purposes of IC 9-21, means:

- (1) a vehicle that is self-propelled; or
- (2) a vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

The term does not include an electric foot scooter.

(c) "Motor vehicle", for purposes of IC 9-32, includes a semitrailer, trailer, **an off-road vehicle, a snowmobile, a mini-truck, a manufactured home, or a recreational vehicle.** The term does not include an electric foot scooter.

SECTION 12. IC 9-13-2-111.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 111.5. "New motor vehicle dealer", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-18.3.**

SECTION 13. IC 9-13-2-111.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 111.8. "Nonfunctional airbag", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-0.8.**

SECTION 14. IC 9-13-2-123.5, AS AMENDED BY P.L.178-2019, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 123.5. (a) "Permit" means the following:

- (1) A permit issued by the state in physical form 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 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 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 15. IC 9-13-2-175.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 175.5. "Supplemental restraint system", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-1.**

SECTION 16. IC 9-13-2-194.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 194.5. "Used motor vehicle", for purposes of IC 9-32, has the meaning set forth in IC 9-32-2-26.5.**

SECTION 17. IC 9-17-2-4, AS AMENDED BY P.L.27-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 4. (a) Except as provided in subsection (b), an application for a certificate of title for a vehicle for which a certificate of title has been issued previously must be accompanied by the previously issued certificate of title.**

(b) An application for a certificate of title submitted only to remove a satisfied lien is not required to be accompanied by the previously issued certificate of title if the application is accompanied by a written instrument:

- (1) on the lienholder's letterhead;**
- (2) identifying the vehicle identification number; and**
- (3) stating that the lien has been satisfied.**

~~(b)~~ **(c) An application for a certificate of title for a vehicle for which a certificate of title has not been issued previously must be accompanied by the following:**

- (1) If the vehicle is in Indiana, a manufacturer's certificate of origin as provided in IC 9-32-5-3.**
- (2) If the vehicle is brought into Indiana from another state, the**



following:

- (A) A sworn bill of sale or dealer's invoice fully describing the vehicle.
- (B) The most recent registration receipt issued for the vehicle.
- (C) Any other information that the bureau requires to establish ownership.

~~(c)~~ (d) A certificate of title may be possessed either in printed form or electronic form.

SECTION 18. IC 9-17-2-12, AS AMENDED BY P.L.198-2016, SECTION 211, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 12. (a) This section does not apply to the following:

- (1) A trailer or semitrailer.
- (2) A new motor vehicle or recreational vehicle sold by a dealer licensed under IC 9-32.
- (3) A vehicle transferred or assigned on a certificate of title issued by the bureau.
- (4) A vehicle that is registered under the International Registration Plan.
- (5) A vehicle that is titled in the name of a financial institution, lending institution, or insurance company in Canada and imported by a registered importer, if the registered importer provides:
 - (A) a copy of the registered importer's validation agreement issued by the United States customs and border protection;
 - (B) a copy of the entry summary issued by the United States customs and border protection (CBP form 7501); and
 - (C) a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's title information, odometer readings, and number of owners.
- (6) A vehicle that is titled in another state and is in the lawful possession of a financial institution, a lending institution, an insurance company, a vehicle rental company, a vehicle leasing company, or a lessee of a vehicle leasing company if the financial institution, lending institution, insurance company, vehicle rental company, vehicle leasing company, or lessee of a vehicle leasing company:
 - (A) provides a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's:
 - (i) title information;
 - (ii) odometer readings; and
 - (iii) number of owners; and



- (B) maintains a copy of all documentation required under this subsection for at least ten (10) years.
- (7) A vehicle that is purchased in another state and titled in Indiana by a vehicle rental company or a vehicle leasing company if the vehicle rental company or vehicle leasing company:
- (A) provides a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's:
- (i) title information;
 - (ii) odometer readings; and
 - (iii) number of owners; and
- (B) maintains a copy of all documentation required under this subsection for at least ten (10) years.
- (b) Subject to subsection (d), an application for a certificate of title for a vehicle may not be accepted by the bureau unless the vehicle has been inspected by one (1) of the following:
- (1) An employee of a dealer licensed under IC 9-32.
 - (2) A military police officer assigned to a military post in Indiana.
 - (3) A police officer.
 - (4) A designated employee of the bureau.
 - (5) An employee of a qualified person operating under a contract with the commission.
 - (6) An employee of a dealer that is:**
 - (A) licensed as a motor vehicle dealer in a state other than Indiana; and**
 - (B) approved by the bureau.**
- (c) A person described in subsection (b) inspecting a vehicle shall do the following:
- (1) Make a record of inspection upon the application form prepared by the bureau.
 - (2) Verify the facts set out in the application.
- (d) The bureau may accept an inspection performed by a police officer from a jurisdiction outside Indiana if the bureau determines that an inspection performed by an individual described in subsection (b) is unavailable or otherwise insufficient to complete an application for a certificate of title.
- (e) A police officer who makes an inspection under this section may charge a fee, subject to the following:
- (1) The fee must be established by ordinance adopted by the unit (as defined in IC 36-1-2-23) that employs the police officer.
 - (2) The fee may not exceed five dollars (\$5).
 - (3) The revenue from the fee shall be deposited in the following



manner:

(A) A special vehicle inspection fund if the police officer making the inspection is a member of the county sheriff's department. The fiscal body of the unit must appropriate the money from the inspection fund only for law enforcement purposes.

(B) A local law enforcement continuing education fund established by IC 5-2-8-2 if the police officer making the inspection is a member of a city or town police department, a town marshal, or a town marshal deputy.

SECTION 19. IC 9-17-5-5, AS AMENDED BY P.L.27-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) A security agreement covering a security interest in a vehicle that is not inventory held for sale ~~can be~~ **is perfected only if the bureau indicates the security interest on the certificate of title or duplicate. when:**

(1) the record of the lien is electronically received by the bureau, if the application for certificate of title is received electronically; or

(2) the application for certificate of title is submitted to the bureau, if the application for certificate of title is submitted in physical form.

Except as otherwise provided in subsection (b) and section 1 of this chapter, IC 26-1-9.1 applies to security interests in vehicles.

(b) The secured party, upon presentation to the bureau of a properly completed application for certificate of title together with the fee prescribed, may have a notation of the lien made on the certificate of title to be issued by the bureau. The bureau shall:

(1) enter the notation and the date of the notation; and

(2) note the lien and date of lien in the bureau's files.

SECTION 20. IC 9-18.1-12-4, AS AMENDED BY P.L.108-2019, SECTION 182, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) This section does not apply to a vehicle registered as a recovery vehicle under IC 9-18.1-6.

(b) A transport operator may, instead of registering each motor vehicle transported or disposable trailer used, make a verified application upon a form prescribed by the bureau and furnished by the bureau for a general distinctive registration number for:

(1) all motor vehicles transported by the transport operator and used and operated for the purposes provided; or

(2) all disposable trailers used and operated for the purpose of transporting sectionalized buildings.



- (c) The application must contain the following:
- (1) A brief description of:
 - (A) each style or type of motor vehicle transported; or
 - (B) the type of disposable trailer used to transport the sectionalized building.
 - (2) The name and address, including the county of residence, of the transport operator.
 - (3) For an application to use a disposable trailer, a statement that the disposable trailer will be disassembled after a single use.
 - (4) Any other information the bureau requires.
- (d) The bureau, upon receiving:
- (1) an application for a transport operator license plate; and
 - (2) the fee under subsection (j);

shall issue to the person that submitted the application and fee two (2) certificates of registration and the license plates with numbers corresponding to the numbers of the certificates of registration. A transport operator may obtain as many additional pairs of license plates as desired upon application and the payment to the bureau of the fee under subsection (l) for each pair of additional license plates.

(e) A license plate or sign other than those furnished and approved by the bureau may not be used.

(f) A transport operator license plate may not be used on a vehicle used or operated on a highway, except for the purpose of transporting:

- (1) vehicles in transit; or
- (2) sectionalized buildings.

A person may haul other vehicles or parts of vehicles in transit in the same combination.

(g) A transport operator may not operate a vehicle or any combination of vehicles in excess of the size and weight limits specified by law.

(h) A license plate issued under this section shall be displayed on the front and rear of each combination, and if only one (1) motor vehicle is transported, a license plate shall be displayed on both the front and rear of the motor vehicle.

(i) The bureau may not issue transport operator license plates to a transport operator that has been convicted of violating this section until the bureau is satisfied that the transport operator is able to comply with the requirements of this section.

(j) The fee for one (1) set of license plates for each transport operator is one hundred thirty-nine dollars and twenty-five cents (\$139.25). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state construction fund.

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- (2) Five dollars (\$5) to the crossroads 2000 fund.
- (3) Nine dollars (\$9) to the commission fund.
- (4) Thirty dollars (\$30) to the highway, road and street fund.
- (5) Ninety-five dollars (\$95) to the motor vehicle highway account.

(k) The fee for the first two (2) sets of license plates for each transport operator is one hundred fifty-eight dollars and twenty-five cents (\$158.25). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state construction fund.
- (2) Fifteen dollars (\$15) to the crossroads 2000 fund.
- (3) Eighteen dollars (\$18) to the commission fund.
- (4) Thirty dollars (\$30) to the highway, road and street fund.
- (5) Ninety-five dollars (\$95) to the motor vehicle highway account.

(l) The fee for each additional set of license plates for a transport operator is thirty-four dollars and twenty-five cents (\$34.25). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state construction fund.
- (2) Nine dollars (\$9) to the commission fund.
- (3) Ten dollars (\$10) to the crossroads 2000 fund.
- (4) Fifteen dollars (\$15) to the motor vehicle highway account.

(m) This section expires July 1, 2021.

SECTION 21. IC 9-19-10.5-0.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.2. As used in this chapter, "airbag" means a motor vehicle inflatable occupant restraint system component that is part of a supplemental restraint system.**

SECTION 22. IC 9-19-10.5-0.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.4. As used in this chapter, "counterfeit supplemental restraint system component" means:**

- (1) a replacement airbag; or
- (2) any other replacement supplemental restraint system component;

that displays a mark identical to, or substantially similar to, the genuine mark of a motor vehicle manufacturer or a supplier of parts to the manufacturer of a motor vehicle without authorization from that manufacturer or supplier, respectively.

SECTION 23. IC 9-19-10.5-0.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.8. As used in this chapter, "nonfunctional airbag" means a replacement airbag that is**



described by any of the following criteria:

- (1) The airbag was previously deployed or damaged.
- (2) The airbag has a fault that is detected by the vehicle's diagnostic system when the installation procedure is completed.
- (3) The airbag includes a part or an object, including a supplemental restraint system component, that is installed in a motor vehicle to mislead the owner or operator of the motor vehicle into believing that a functional airbag has been installed.
- (4) The airbag is subject to the prohibitions of 49 U.S.C. 30120(j).

SECTION 24. IC 9-19-10.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) As used in this chapter, ~~"inflatable "~~**supplemental restraint system** means ~~an air bag that is activated in a crash.~~ **a passive inflatable motor vehicle occupant crash protection system designed for use in conjunction with a seat belt assembly as defined in 49 CFR 571.209.**

(b) The term includes one (1) or more airbags and all components required to ensure that an airbag works as designed by the vehicle manufacturer including both of the following:

- (1) Each airbag operates as necessary in the event of a crash.
- (2) Each airbag is designed in accordance with federal motor vehicle safety standards for the specific make, model, and year of the motor vehicle in which it is or will be installed.

SECTION 25. IC 9-19-10.5-2, AS AMENDED BY P.L.217-2014, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person may not knowingly or intentionally **manufacture, import, install, reinstall, distribute, sell, or offer for sale a component intended to replace a supplemental restraint system component** in a motor vehicle, ~~as part of the motor vehicle's inflatable restraint system,~~ **an object that does not if any of the following apply to the component:**

- (1) The component is a counterfeit supplemental restraint system component.
- (2) The component is a nonfunctional airbag.
- (3) The component causes a motor vehicle to fail to comply with Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) for the **respective** make, model, and year of the motor vehicle **in question.**

(b) For purposes of this section, an installation or reinstallation is considered to not have occurred until the vehicle is returned to



the customer who requested the work be performed or when ownership of the vehicle is intended to be transferred.

~~(b)~~ **(c)** A person who knowingly or intentionally violates this section commits a Class A misdemeanor. However, the offense is a Level 6 felony if a person in a motor vehicle is injured or dies as a result of the violation of subsection (a).

SECTION 26. IC 9-19-10.5-3, AS AMENDED BY P.L.217-2014, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A person may not knowingly or intentionally ~~(1)~~ sell, ~~(2)~~ lease, ~~(3)~~ trade, or ~~(4)~~ transfer a motor vehicle **to an Indiana resident** in which is installed, as part of the motor vehicle's ~~inflatable~~ **supplemental** restraint system, ~~an object that does not comply with Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) for the make, model, and year of the motor vehicle to an Indiana resident.~~ **any of the following:**

- (1) A counterfeit supplemental restraint system component.**
- (2) A nonfunctional airbag.**
- (3) A component that is not designed in accordance with federal motor vehicle safety standards for the specific make, model, and year of the motor vehicle in which it is installed.**

(b) A person who knowingly or intentionally violates this section commits a Level 6 felony.

SECTION 27. IC 9-24-11-4, AS AMENDED BY P.L.178-2019, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Except as provided in subsection (d), an individual may not hold or possess more than one (1) credential at a time.

(b) An individual may not hold or possess:

- (1) a 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 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 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

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

SECTION 28. IC 9-24-11-5, AS AMENDED BY P.L.178-2019, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: 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 if there is good cause for the omission. However, a driver's license or learner's permit issued without a digital photograph must include a statement that indicates that the driver's license or learner's permit 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:
- (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;
 - (2) has a pending application for asylum in the United States;
 - (3) has a pending or approved application for temporary protected status in the United States;



- (4) has approved deferred action status; or
- (5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary 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 29. IC 9-24-11-5.5, AS AMENDED BY P.L.178-2019, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.5. (a) If an individual has:

- (1) indicated on the application for a driver's license or learner's permit that the individual is a veteran and wishes to have an indication of the individual's veteran status appear on the driver's license or learner's permit; and
- (2) provided proof at the time of application of the individual's veteran status;

an indication of the individual's veteran status shall be shown on the driver's license or learner's permit.

(b) If an individual has:

- (1) indicated on the individual's application for a driver's license or learner's permit that the applicant:
 - (A) is a surviving spouse of a veteran; and
 - (B) wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the driver's license or learner's permit; and
- (2) provided the documentation necessary to verify that the applicant was married, at the time of the decedent's death, to a veteran;

an indication of the individual's status as a surviving spouse of a veteran shall be shown on the driver's license or learner's permit.

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(c) If an individual submits information concerning the individual's medical condition in conjunction with the individual's application for a driver's license or learner's permit, the bureau shall place an identifying symbol in a prominent location on a driver's license or learner's permit to indicate that the individual has a medical condition of note. The bureau shall include information on the individual's driver's license or learner's permit that briefly describes the individual's medical condition. The information must be notated in a manner that alerts an individual reading the driver's license or learner's permit to the existence of the medical condition. The individual submitting the information concerning the medical condition is responsible for its accuracy.

(d) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 50 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 30. IC 9-24-11-8, AS AMENDED BY P.L.178-2019, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) Except as provided in subsections (b) and (c), an individual who violates this chapter commits a Class C infraction.

(b) An individual who:

(1) has been issued a permit or driver's license on which there is a notated restriction as provided under section 7 of this chapter; and

(2) operates a motor vehicle in violation of the restriction; commits a Class C infraction.

(c) An individual who causes serious bodily injury to or the death of another individual when operating a motor vehicle after knowingly or intentionally failing to take prescribed medication, the taking of which was a condition of the issuance of the restricted driver's license under section 7 of this chapter, commits a Class A misdemeanor. However, the offense is a Level 6 felony if, within the five (5) years preceding the commission of the offense, the individual had a prior unrelated conviction under this subsection.

(d) An individual who violates subsection (c) commits a separate offense for each individual whose serious bodily injury or death is caused by the violation of subsection (c).

(e) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 51 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 31. IC 9-24-13-3, AS AMENDED BY P.L.178-2019, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2020]: Sec. 3. (a) An individual holding a permit or driver's license issued under this article must have the permit or driver's license in the individual's immediate possession when driving or operating a motor vehicle. The individual shall display the driver's license or permit 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 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 the person's mobile credential, the court, police officer, or person viewing 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 32. IC 9-24-16-3, AS AMENDED BY P.L.211-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) An identification card:

- (1) in physical form 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 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 identification card or the top portion of an identification card in the format of a mobile 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.

(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.

(e) If the applicant for an identification card submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the identification card to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card that briefly describes the medical condition of the holder of the card. The information must be printed in a manner that alerts a person reading the



card to the existence of the medical condition. The applicant for an identification card is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.

- (f) An identification card issued by the state to an individual who:
- (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;
 - (2) has a pending application for asylum in the United States;
 - (3) has a pending or approved application for temporary protected status in the United States;
 - (4) has approved deferred action status; or
 - (5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary identification card. A temporary identification card issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the holder of the identification card's temporary status has been extended.

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

(h) The bureau shall validate an identification card for Class B motor driven cycle operation upon a highway by endorsement to an individual who:

- (1) applies for or has previously been issued an identification card under this chapter;
- (2) makes the appropriate application for endorsement; and
- (3) satisfactorily completes the test required under section 3.6 of this chapter.

The bureau shall place a designation on the face of the identification card to indicate that the individual has received a Class B motor driven cycle endorsement.

(i) Notwithstanding the July 1, 2021, effective date in SEA 80-2019, SECTION 9 (P.L.211-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 33. IC 9-24-17.5-1, AS ADDED BY P.L.178-2019,



SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. **(a)** The bureau may develop a secure and uniform system to issue mobile credentials that can be accessed 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).

SECTION 34. IC 9-24-17.5-2, AS ADDED BY P.L.178-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: 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 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 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 1, 2020 (rather than July 1, 2021).

SECTION 35. IC 9-24-17.5-3, AS ADDED BY P.L.178-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. **(a)** The bureau may adopt rules under IC 4-22-2 to administer this chapter, including rules to impose a fee to issue a mobile credential as set forth in IC 9-14-8-3(4).

(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).

SECTION 36. IC 9-24-17.5-4, AS ADDED BY P.L.178-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. **(a)** The bureau may contract with a third party to carry out this chapter.

(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).

SECTION 37. IC 9-32-2-9, AS ADDED BY P.L.92-2013, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. "Charge back" means a manufacturer induced return of incentive payments to a manufacturer by a **new motor vehicle**



dealer. The term includes a manufacturer drawing funds from an account of a **new motor vehicle** dealer.

SECTION 38. IC 9-32-2-9.6, AS ADDED BY P.L.137-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9.6. (a) "Dealer" means, except as otherwise provided in this section, a person that:

- (1) sells;
- (2) offers to sell; or
- (3) advertises for sale;

including directly by the Internet or another computer network; at least twelve (12) motor vehicles within a twelve (12) month period. The term includes a person that sells off-road vehicles; snowmobiles; mini-trucks; or manufactured homes. A dealer must have an established place of business that meets the minimum standards prescribed by the secretary of state under rules adopted under IC 4-22-2.

(b) The term does not include the following:

- (1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.
- (2) A public officer while performing official duties.
- (3) A person that holds a mechanic's lien on a motor vehicle under IC 9-22-6; if the person sells the motor vehicle:
 - (A) in accordance with requirements in IC 9-22-6; or
 - (B) to an automotive salvage recycler licensed under IC 9-32-9 after the motor vehicle fails to sell at a public auction conducted in compliance with IC 9-22-6.
- (4) A person that holds a lien for towing services under IC 9-22-1; if the person complies with all applicable requirements in IC 9-22-1 and IC 9-22-6.

(c) "Dealer", for purposes of IC 9-31, means a person that sells; offers to sell; or advertises for sale at least six (6):

- (1) watercraft; or
- (2) trailers:

(A) designed and used exclusively for the transportation of watercraft; and
 (B) sold in general association with the sale of watercraft;
 within a twelve (12) month period.

(d) "Dealer", unless otherwise provided, refers to all persons required to be licensed by the secretary of state under this article, and before July 1, 2015, a wholesale dealer.

SECTION 39. IC 9-32-2-9.9, AS AMENDED BY P.L.284-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9.9. "Dealer owner" means the following:

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(1) For a licensed or applicant dealer, other than a manufacturer, the following:

(A) If a corporation, each officer, director, and shareholder having a ten percent (10%) or greater ownership interest in the corporation.

(B) If a corporation and it has no officer, director, or shareholder having a ten percent (10%) or greater ownership interest in the corporation, one (1) or more officers, directors, or shareholders designated in writing by the board of directors.

(C) If a sole proprietorship, the proprietor.

(D) If a partnership, each partner.

(E) If a limited liability company, each member of the company.

(2) For a licensed or applicant manufacturer, one (1) or more officers, directors, or shareholders designated in writing by the manufacturer.

~~(3) For a business entity, the following:~~

~~(A) If a corporation, one (1) or more officers, directors, or shareholders designated in writing by the board of directors.~~

~~(B) If a limited liability company, one (1) or more members of the company designated in writing by all members.~~

~~(C) If a partnership, each partner.~~

~~(D) If a sole proprietorship, the proprietor.~~

SECTION 40. IC 9-32-2-11.2, AS ADDED BY P.L.245-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.2. "Document preparation fee" means any fee charged by a ~~dealership dealer~~ **dealer** concerning the sale of a motor vehicle, regardless of designation, and that includes costs incurred by the ~~dealership dealer~~ **dealer** for the preparation of documents concerning the sale of a motor vehicle. The term does not include a fee imposed by a financial institution for the purpose of extending credit for the purchase of a vehicle.

SECTION 41. IC 9-32-2-18.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 18.3. "New motor vehicle dealer" means any person that within a twelve (12) month period sells, offers to sell, or advertises for sale, including directly by the Internet or another computer network, at least:**

(1) twelve (12) new motor vehicles (excluding manufactured homes); or

(2) three (3) new manufactured homes.

SECTION 42. IC 9-32-2-19 IS REPEALED [EFFECTIVE JULY 1,



2020]. Sec. 19: "Record" includes, but is not limited to, the following:

- (1) Bills of sale;
- (2) Finance agreements;
- (3) Titles;
- (4) Inventory records;
- (5) Sales receipts from auctions;
- (6) Form ST-108 (department of state revenue certificate of gross retail or use tax paid on the purchase of a motor vehicle or watercraft);
- (7) Interim plate log;
- (8) Flood damage affidavits required under IC 9-32-9-13;
- (9) Title affidavits required under IC 9-32-4-1;
- (10) Interim plates generated in error;
- (11) Copies of rebuilt vehicle disclosures required under IC 9-32-13-6.

SECTION 43. IC 9-32-2-25, AS AMENDED BY P.L.179-2017, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25. (a) "Transfer dealer" means a person that transfers ownership of **is not engaged in the business of selling motor vehicles but, as a result of the person's primary business, has cause to sell, offer to sell, or advertise for sale** at least twelve (12) motor vehicles during a twelve (12) month period. **as part of the person's primary business.**

- (b) "Transfer dealer" does not include:
 - (1) a manufacturer;
 - (2) a distributor;
 - (3) a converter manufacturer;
 - (4) a watercraft dealer;
 - (5) an automotive mobility dealer;
 - (6) an automotive auction;
 - (7) a person engaged in the business of:
 - (A) storing vehicles;
 - (B) furnishing supplies for vehicles;
 - (C) providing towing services for vehicles; or
 - (D) repairing vehicles; or
 - (8) a person whose primary business is selling motor vehicles.

SECTION 44. IC 9-32-2-26.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 26.5. "Used motor vehicle" means a motor vehicle that:**

- (1) has been previously titled under IC 9-17; or
- (2) has been transferred by a manufacturer, distributor, or

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dealer to an ultimate purchaser.

SECTION 45. IC 9-32-2-26.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 26.6. (a) "Used motor vehicle dealer" means any person that within a twelve (12) month period sells, offers to sell, or advertises for sale, including directly by the Internet or another computer network, at least:**

- (1) twelve (12) used motor vehicles (excluding manufactured homes); or**
- (2) three (3) used manufactured homes.**

(b) The term does not include the following:

- (1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.**
- (2) A public officer while performing official duties.**
- (3) A person that holds a mechanic's lien on a motor vehicle under IC 9-22-6, if the person sells the motor vehicle:**
 - (A) in accordance with requirements in IC 9-22-6; or**
 - (B) to an automotive salvage recycler licensed under IC 9-32-9 after the motor vehicle fails to sell at public auction conducted in compliance with IC 9-22-6.**
- (4) A person that holds a lien for towing services under IC 9-22-1, if the person complies with all applicable requirements in IC 9-22-1 and IC 9-22-6.**

SECTION 46. IC 9-32-6-1, AS AMENDED BY P.L.174-2016, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1. (a) ~~A person licensed under IC 9-32-11~~ The following persons licensed under this article may apply for a dealer license ~~plate~~: plates:**

- (1) An automobile auction company.**
- (2) A converter manufacturer.**
- (3) A new motor vehicle dealer.**
- (4) A distributor.**
- (5) A watercraft dealer.**
- (6) A manufacturer.**
- (7) A transfer dealer.**
- (8) A used motor vehicle dealer.**

(b) The application must include any information the secretary reasonably requires. Upon successful application, two (2) certificates of registration and two (2) metal dealer license plates shall then be issued to the applicant. A dealer person under subsection (a) may apply for and at the discretion of the secretary receive additional dealer license plates as set forth in section 5 of this chapter.



~~(b)~~ (c) The fee for the first two (2) license plates issued under subsection ~~(a)~~ (b) is as follows:

- (1) For motorcycle dealer license plates, fifteen dollars (\$15).
- (2) For license plates not described in subdivision (1), forty dollars (\$40).

~~(c)~~ (d) Fees collected under subsection ~~(b)~~ (c) shall be distributed as follows:

- (1) Thirty percent (30%) to the dealer compliance account.
- (2) Seventy percent (70%) to the motor vehicle highway account.

~~(d)~~ (e) There is an additional service charge of five dollars (\$5) for each set of license plates issued under subsection ~~(a)~~: (b). The service charge shall be deposited in the crossroads 2000 fund.

SECTION 47. IC 9-32-6-5, AS AMENDED BY P.L.174-2016, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Upon **successful application and** payment of the fee under subsection (b) ~~or (c)~~, **and the service charge under subsection (d)**, an applicant may obtain additional dealer license plates of the same category. The applicant must demonstrate the applicant's need for additional plates by stating the applicant's number of employees, annual sales, and other supporting factors. The secretary shall determine whether the applicant may receive additional plates.

(b) The fee for each additional license plate issued under subsection (a) is as follows:

- (1) For an additional motorcycle dealer license plate, seven dollars and fifty cents (\$7.50).
- (2) For an additional dealer license plate not described in subdivision (1), fifteen dollars (\$15).

(c) A fee collected under subsection (b) shall be distributed as follows:

- (1) Thirty percent (30%) to the dealer compliance account.
- (2) Seventy percent (70%) to the motor vehicle highway account.

(d) There is an additional service charge for each additional license plate issued under subsection (a) as follows:

- (1) For an additional motorcycle dealer license plate, two dollars and fifty cents (\$2.50).
- (2) For an additional dealer license plate not described in subdivision (1), five dollars (\$5).

A service charge under this subsection shall be deposited in the crossroads 2000 fund.

SECTION 48. IC 9-32-6-6.5, AS AMENDED BY P.L.284-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.5. (a) Except as provided in subsections (b) and



(c), dealer license plates and dealer designee license plates issued to licensed dealers under this article are valid from the issue date through the expiration date as follows:

- (1) Dealer license plates of a person whose business name begins with the letters A through B expire February 1 of each year.
- (2) Dealer license plates of a person whose business name begins with the letters C through D expire March 1 of each year.
- (3) Dealer license plates of a person whose business name begins with the letters E through F expire April 1 of each year.
- (4) Dealer license plates of a person whose business name begins with the letters G through H expire May 1 of each year.
- (5) Dealer license plates of a person whose business name begins with the letters I through J expire June 1 of each year.
- (6) Dealer license plates of a person whose business name begins with the letters K through L expire July 1 of each year.
- (7) Dealer license plates of a person whose business name begins with the letters M through N expire August 1 of each year.
- (8) Dealer license plates of a person whose business name begins with the letters O through P expire September 1 of each year.
- (9) Dealer license plates of a person whose business name begins with the letters Q through R expire October 1 of each year.
- (10) Dealer license plates of a person whose business name begins with the letters S through T expire November 1 of each year.
- (11) Dealer license plates of a person whose business name begins with the letters U through V expire December 1 of each year.
- (12) Dealer license plates of a person whose business name begins with the letters W through Z expire January 1 of each year.

(b) Dealer license plates issued to a person whose business name begins with a nonalpha character expire November 1 of each year.

(c) A dealer designee license plate is valid from the issue date through the expiration date as provided in subsection (a) or (b).

(d) The fee to renew the license plates issued under section 1 of this chapter is as follows:

- (1) For motorcycle dealer license plates, fifteen dollars (\$15).
- (2) For dealer license plates not described in subdivision (1), forty dollars (\$40).

(e) Fees collected under subsection (d) shall be distributed as follows:

- (1) Thirty percent (30%) to the dealer compliance account established by IC 9-32-7-1.

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(2) Seventy percent (70%) to the motor vehicle highway account under IC 8-14-1.

(f) There is an additional service charge of five dollars (\$5) for the renewal of each set of license plates issued under section 1 of this chapter. The service charge shall be deposited in the crossroads 2000 fund.

(g) The fee to renew each additional license plate issued under section 5 of this chapter is as follows:

(1) For an additional motorcycle dealer license plate, seven dollars and fifty cents (\$7.50).

(2) For an additional dealer license plate not described in subdivision (1), fifteen dollars (\$15).

(h) Fees collected under subsection (g) shall be distributed as follows:

(1) Thirty percent (30%) to the dealer compliance account established by IC 9-32-7-1.

(2) Seventy percent (70%) to the motor vehicle highway account under IC 8-14-1.

(i) There is an additional service charge for the renewal of each additional license plate issued under section 5 of this chapter, as follows:

(1) For an additional motorcycle dealer license plate, two dollars and fifty cents (\$2.50).

(2) For an additional dealer license plate not described in subdivision (1), five dollars (\$5).

(j) The service charge under subsection (i) shall be deposited in the crossroads 2000 fund.

(k) The fee to renew a license plate issued under section 2(b) of this chapter is forty dollars (\$40). The fee shall be deposited in the dealer compliance account established by IC 9-32-7-1.

(l) The fees collected under subsection (m) shall be distributed as follows:

(1) Forty percent (40%) to the crossroads 2000 fund.

(2) Forty-nine percent (49%) to the dealer compliance account established by IC 9-32-7-1.

(3) Eleven percent (11%) to the motor vehicle highway account under IC 8-14-1.

(m) The fee to renew a dealer designee license plate issued under IC 9-32-6.5-1 is twenty-one dollars and thirty-five cents (\$21.35).

(n) In the event of a natural disaster or other emergency that prevents the secretary from processing a license plate renewal, the secretary may issue an order extending dealer and dealer designee



license plate expiration dates for not more than twelve (12) additional months.

SECTION 49. IC 9-32-6-7, AS AMENDED BY P.L.174-2016, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) ~~Except as provided in section 8 of this chapter,~~ **Unless otherwise provided,** dealer license plates may be used only on motor vehicles **being held for sale or resale** in the

~~(1) dealer's inventory. being held for sale;~~ **Dealer license plates may be placed only on motor vehicles in the dealer's inventory for the following reasons:**

~~(2) (1) Usual operation of the dealer's business.~~

~~(3) (2) Movement of the dealer's inventory. or~~

~~(4) inventory of a dealer that is unattended by the dealer or the dealer's agent for a maximum of ten (10) days by a prospective buyer or a service customer.~~

(3) As permitted by rules adopted by the secretary.

(b) Dealer license plates may not be used to avoid payment of applicable taxes.

~~(b) (c) The license plates referenced in subsection (a), when not in use,~~ must be

~~(1) primarily used or stored at an address within Indiana; or the dealer's established place of business.~~

~~(2) (d) While in use, dealer license plates must be displayed on a the motor vehicle. being transported for purposes of sale by a licensed Indiana dealer. The license plate must be displayed in the following manner:~~

~~(1) On the rear of the motor vehicle.~~

~~(2) With all text, numbers, and stickers fully visible and not obstructed or obscured by any part of the motor vehicle or other foreign materials, such as a plate frame or cover.~~

~~(3) Securely fastened in a horizontal position at a height of at least twelve (12) inches from the ground, measuring from the bottom of the license plate.~~

~~(e) (e) A person that violates this section commits a Class A infraction.~~

SECTION 50. IC 9-32-6-8 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 8: Dealer license plates may be used by a dealer without restriction if the use is in compliance with section 7 of this chapter and rules adopted by the secretary to prohibit use of the plates solely to avoid payment of applicable taxes.

SECTION 51. IC 9-32-6-11, AS AMENDED BY P.L.137-2018, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2021]; Sec. 11. (a) The secretary may issue an interim license plate to a dealer that is licensed and has been issued a license plate under section 2 of this chapter. **the following persons licensed under this article:**

- (1) **An automobile auction company.**
- (2) **A converter manufacturer.**
- (3) **A new motor vehicle dealer.**
- (4) **A distributor.**
- (5) **A watercraft dealer.**
- (6) **A manufacturer.**
- (7) **A used motor vehicle dealer.**

(b) The secretary shall prescribe the form of an interim license plate issued under this section. ~~However,~~ An interim license plate must bear the assigned registration number and provide sufficient space for the expiration date as provided in subsection (c).

(c) A dealer may provide a person with ~~an~~ **not more than one (1)** interim license plate issued by the secretary ~~when at the time~~ the dealer:

- (1) sells or leases a motor vehicle to the person; or
- (2) allows a person that buys a motor vehicle to take delivery of the motor vehicle before the sale of the motor vehicle is fully funded;

whichever occurs first. The dealer shall, in the manner provided by the secretary, affix on the plate in numerals and letters at least three (3) inches high the date on which the interim license plate expires.

(d) An interim license plate authorizes a person to operate the motor vehicle until the earlier of the following dates:

- (1) Forty-five (45) days after the date of sale or lease of the motor vehicle to the person.
- (2) The date on which a regular license plate is issued.

A person that violates this subsection commits a Class A infraction.

(e) A motor vehicle that is required by law to display license plates on the front and rear of the motor vehicle is required to display only a single interim license plate.

(f) An interim license plate shall be displayed:

- (1) in the same manner required in IC 9-18-2-26 (before its expiration) or IC 9-18.1-4-3; or
- (2) in a location on the left side of a window facing the rear of the motor vehicle that is clearly visible and unobstructed. The plate must be affixed to the window of the motor vehicle.

(g) The dealer must provide an ownership document to the person at the time of issuance of the interim license plate that must be kept in



the motor vehicle during the period an interim license plate is used.

(h) All interim license plates not issued by the dealer must be retained in the possession of the dealer at all times.

(i) The fee for an interim dealer license plate is three dollars (\$3). The fee shall be distributed as follows:

(1) Forty percent (40%) to the crossroads 2000 fund established by IC 8-14-10-9.

(2) Forty-nine percent (49%) to the dealer compliance account established by IC 9-32-7-1.

(3) Eleven percent (11%) to the motor vehicle highway account under IC 8-14-1.

(j) The secretary may issue an interim license plate to a person that purchases a motor vehicle from a dealer if the dealer has not timely delivered or transmitted the certificate of title for the motor vehicle under IC 9-32-4-1.

(k) The secretary may design and issue to a dealer a motor driven cycle decal to be used in conjunction with an interim license plate upon the sale of a motor driven cycle.

(l) A new motor vehicle dealer may issue an interim license plate for use on a **new** motor vehicle that the new motor vehicle dealer delivers to a purchaser ~~under~~ **on behalf of a manufacturer or another new motor vehicle dealer if:**

(1) there is a written courtesy agreement between the new motor vehicle dealer ~~delivering the motor vehicle~~ and ~~another the~~ new motor vehicle dealer ~~or manufacturer with whom the new motor vehicle dealer has a franchise agreement.~~ or manufacturer that sold the motor vehicle being delivered; and

(2) the new motor vehicle is transported directly from the manufacturer to the new motor vehicle dealer delivering the new motor vehicle to the purchaser.

A person that violates this subsection commits a Class C infraction.

(m) A person that fails to display an interim license plate as prescribed in subsection (f)(1) or (f)(2) commits a Class C infraction.

SECTION 52. IC 9-32-6-14, AS ADDED BY P.L.92-2013, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. **(a)** A record directly related to the use of interim license plates by a dealer must be:

(1) made available to an investigating employee of the secretary:

(A) upon demand; and

(B) during reasonable business hours; and

(2) provided:

(A) at the established place of business of the dealer;



(B) electronically; or

(C) by mail.

(b) A dealer shall produce the records in the manner requested by the investigating employee of the secretary.

SECTION 53. IC 9-32-6.5-1, AS AMENDED BY P.L.179-2017, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This section applies after June 30, 2017.

(b) The secretary may design and issue a dealer designee license plate for use ~~without restriction~~ by the secretary or a designee of a **licensed new or used motor vehicle** dealer.

(c) A dealer that assigns a dealer designee license plate and registration card to a person shall report to the secretary on a form issued by the secretary the date of assignment, the person's name and address, the date of termination of the assignment, and any other information the secretary requires. A copy of the form must be kept at all times in the vehicle displaying the dealer designee license plate.

(d) The fee for a dealer designee license plate and registration card is twenty-one dollars and thirty-five cents (\$21.35). The fee shall be distributed as follows:

- (1) Forty percent (40%) to the crossroads 2000 fund established by IC 8-14-10-9.
- (2) Forty-nine percent (49%) to the dealer compliance account established by IC 9-32-7-1.
- (3) Eleven percent (11%) to the motor vehicle highway account under IC 8-14-1.

SECTION 54. IC 9-32-7-2, AS AMENDED BY P.L.27-2018, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The dealer enforcement account is established as a separate account to be administered by the secretary.

(b) The dealer enforcement account consists of money deposited pursuant to:

- (1) IC 9-32-4-1(d);
- (2) IC 9-32-16-1(f);
- (3) IC 9-32-16-13(d);
- (4) IC 9-32-17-1;**
- ~~(4)~~ **(5) IC 9-32-17-7;** and
- ~~(5)~~ **(6) IC 9-32-17-9.**

The funds in the account shall be available, with the approval of the budget agency, for use to augment and supplement the funds appropriated for the administration of this article.

(c) The treasurer of state shall invest the money in the dealer enforcement account not currently needed to meet the obligations of



the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited into the account.

(d) Money in the dealer enforcement account at the end of the state fiscal year does not revert to the state general fund.

(e) Money in the dealer enforcement account is continuously appropriated to the secretary for the purposes of the account.

SECTION 55. IC 9-32-7.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 7.5. Transport Operators

Sec. 1. This chapter is effective beginning July 1, 2021.

Sec. 2. (a) This section does not apply to a vehicle registered as a recovery vehicle under IC 9-18.1-6.

(b) A transport operator may, instead of registering each motor vehicle transported or disposable trailer used, make a verified application upon a form prescribed by the secretary and furnished by the secretary for a general distinctive registration number for:

- (1) all motor vehicles transported by the transport operator and used and operated for the purposes provided; or**
- (2) all disposable trailers used and operated for the purpose of transporting sectionalized buildings.**

(c) The application must contain the following:

- (1) A brief description of:**
 - (A) each style or type of motor vehicle transported; or**
 - (B) the type of disposable trailer used to transport the sectionalized building.**
- (2) The name and address, including the county of residence, of the transport operator.**
- (3) For an application to use a disposable trailer, a statement that the disposable trailer will be disassembled after a single use.**
- (4) Any other information the secretary requires.**

(d) The secretary, upon receiving:

- (1) an application for a transport operator license plate; and**
- (2) the fee under subsection (j);**

shall issue to the person that submitted the application and fee two (2) certificates of registration and the license plates with numbers corresponding to the numbers of the certificates of registration. A transport operator may obtain as many additional pairs of license plates as desired upon application and the payment to the secretary of the fee under subsection (k) for each pair of additional license



plates.

(e) A license plate or sign other than those furnished and approved by the secretary may not be used.

(f) A transport operator license plate may not be used on a vehicle used or operated on a highway, except for the purpose of transporting:

- (1) vehicles in transit; or
- (2) sectionalized buildings.

A person may haul other vehicles or parts of vehicles in transit in the same combination.

(g) A transport operator may not operate a vehicle or any combination of vehicles in excess of the size and weight limits specified by law.

(h) A license plate issued under this section shall be displayed on the front and rear of each combination, and if only one (1) motor vehicle is transported, a license plate shall be displayed on both the front and rear of the motor vehicle.

(i) The secretary may not issue transport operator license plates to a transport operator that has been convicted of violating this section until the secretary is satisfied that the transport operator is able to comply with the requirements of this section.

(j) The fee for one (1) set of license plates for each transport operator is one hundred thirty-nine dollars and twenty-five cents (\$139.25). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state construction fund.
- (2) Five dollars (\$5) to the crossroads 2000 fund.
- (3) Nine dollars (\$9) to the dealer compliance account.
- (4) Thirty dollars (\$30) to the highway, road and street fund.
- (5) Ninety-five dollars (\$95) to the motor vehicle highway account.

(k) The fee for each additional set of license plates for a transport operator is thirty-four dollars and twenty-five cents (\$34.25). The fee shall be distributed as follows:

- (1) Twenty-five cents (\$0.25) to the state construction fund.
- (2) Nine dollars (\$9) to the dealer compliance account.
- (3) Ten dollars (\$10) to the crossroads 2000 fund.
- (4) Fifteen dollars (\$15) to the motor vehicle highway account.

SECTION 56. IC 9-32-8-6 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 6: (a) Upon request of the secretary, a person licensed under this chapter shall furnish evidence that the person:

- (1) currently has liability insurance covering the person's place of business; or



(2) is a member of a risk retention group that is regulated by the Indiana department of insurance.

(b) A liability insurance policy described in subsection (a)(1) must have limits of not less than the following:

(1) One hundred thousand dollars (\$100,000) for bodily injury to one (1) person:

(2) Three hundred thousand dollars (\$300,000) per accident.

(3) Fifty thousand dollars (\$50,000) for property damage.

The minimum amounts must be maintained during the time the license is valid.

SECTION 57. IC 9-32-8-8, AS ADDED BY P.L.211-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) A watercraft dealer licensed by the secretary under this article may, upon **successful** application to the secretary, obtain dealer license plates and registration cards for use in the testing or demonstrating of motorboats.

(b) Two (2) dealer license plates must be displayed within a motorboat that is being tested or demonstrated while the motorboat is being tested or demonstrated.

(c) A transfer dealer or automobile auction company licensed by the secretary under this article may request dealer license plates under subsection (a).

(d) The fee to obtain a dealer license plate and registration card under subsection (a) is ten dollars (\$10).

(e) The secretary shall retain the fee collected under this section.

SECTION 58. IC 9-32-11-1, AS AMENDED BY P.L.284-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Subject to IC 9-32-11-20, the following persons must be licensed under this article:

- (1) An automobile auction company.
- (2) A converter manufacturer.
- (3) A **used motor vehicle** dealer.
- (4) A distributor.
- (5) An automotive salvage recycler.
- (6) A watercraft dealer.
- (7) A manufacturer.
- (8) A transfer dealer.
- (9) An automotive mobility dealer.
- (10) A manufactured home dealer.
- (11) A **new motor vehicle dealer**.

The persons listed in this subsection are the only persons eligible for a license under this article.



(b) After January 1, 2018, an automotive mobility dealer must hold an automotive mobility dealer endorsement issued under this article.

(c) After January 1, 2018, an automotive mobility dealer that fails to be licensed and hold an automotive mobility dealer endorsement under this article, and engages in the business of:

- (1) selling;
- (2) installing;
- (3) servicing; or
- (4) soliciting or advertising the sale, installation, or servicing of; equipment or modifications specifically designed to facilitate use or operation of a motor vehicle or watercraft by an individual who is disabled or aged commits a Class A infraction.

SECTION 59. IC 9-32-11-2, AS AMENDED BY P.L.284-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) An application for a license under this article must:

- (1) be accompanied by payment of the applicable fee required under this section;
 - (2) be on a form prescribed by the secretary;
 - (3) contain the information the secretary considers necessary to enable the secretary to determine fully:
 - (A) the qualifications and eligibility of the applicant to receive the license; and
 - (B) the ability of the applicant to conduct properly the business for which the application is submitted;
 - (4) contain evidence of a bond required in subsection (e);
 - (5) contain evidence of liability coverage required by section 14 of this chapter;
 - (6) contain the federal tax identification number issued to the dealer; **and**
 - (7) contain the registered retail merchant's certificate issued to the dealer under IC 6-2.5-8. **and**
 - ~~(8) be completed by a dealer owner or dealer manager.~~
- (b) An application for a license as a dealer must show whether the applicant proposes to sell new or used motor vehicles, or both.
- (c) An applicant who proposes to use the Internet or another computer network to facilitate the sale of motor vehicles shall maintain all records at the established place of business in Indiana.
- (d) Except as provided in subsections (e), (h), and (i), the application must include an affidavit from:
- (1) the person charged with enforcing a zoning ordinance, if one exists; or



(2) the zoning enforcement officer under IC 36-7-4; who has jurisdiction over the real property where the applicant wants to operate as a dealer. The affidavit must state that the proposed location is zoned for the operation of a dealer's establishment.

(e) Except as provided in subsections (h) and (i), if there is no person or officer under subsection (d)(1) or (d)(2), the application must be accompanied by a statement to that effect from the executive (as defined in IC 36-1-2-5) of the unit in which the real property is located.

(f) The applicant may file the zoning affidavit under subsection (d) or statement under subsection (e) with the application at any time after the filing of the application. However, the secretary may not issue a license until the applicant files the affidavit or the statement.

(g) The zoning affidavit under subsection (d) or statement under subsection (e) may not be signed by a person described in subsection (d)(1) or (d)(2) or the executive of the unit more than ninety (90) days before the affidavit or statement is submitted to the secretary as part of an application for a license under this article.

(h) If:

(1) the dealer's established place of business is a manufactured home community;

(2) the dealer operates the manufactured home community; and

(3) the dealer is selling or will be selling only manufactured homes that:

(A) are already located within the manufactured home community; or

(B) will be installed within the manufactured home community;

the application must be accompanied by an affidavit under subsection (i).

(i) An affidavit submitted by a dealer under subsection (h) must affirm under penalty of perjury that:

(1) a zoning affidavit or statement is not required under subsection (h); and

(2) the applicant intends to sell only manufactured homes to buyers that purchase manufactured homes with the intent for the manufactured home to:

(A) remain within the manufactured home community; or

(B) be installed within the manufactured home community.

(j) If the secretary receives a written complaint from a person described in subsection (d)(1) or (d)(2) that a dealer under subsection (h) is operating in violation of a local zoning ordinance, the secretary shall delay the issuance or renewal of the dealer's license until the local



zoning complaints have been satisfied.

(k) A licensee shall maintain a bond satisfactory to the secretary in the amount of twenty-five thousand dollars (\$25,000). The bond must:

- (1) be in favor of the state;
- (2) secure payment of fines, penalties, costs, and fees assessed by the secretary after:
 - (A) notice;
 - (B) opportunity for a hearing; and
 - (C) opportunity for judicial review; and
- (3) secure the payment of damages to a person aggrieved by a violation of this article by the licensee after a judgment has been issued.

(l) Service under this chapter shall be made in accordance with the Indiana Rules of Trial Procedure.

(m) The fee for a license for a manufacturer or a distributor is thirty-five dollars (\$35).

(n) The fee for a license for a **used motor vehicle** dealer, ~~other than a manufacturer, converter manufacturer, distributor, watercraft dealer, automotive salvage recycler, or transfer~~ **new motor vehicle** dealer, or **automobile auction company** is thirty dollars (\$30).

(o) The fee for a transfer dealer or a converter manufacturer is twenty dollars (\$20).

(p) The fees collected under this section are nonrefundable and shall be deposited as set forth in IC 9-32-7-3.

SECTION 60. IC 9-32-11-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.1. A dealer must have an established place of business that meets the minimum standards prescribed by the secretary under rules adopted under IC 4-22-2. A location that performs only ministerial tasks is not sufficient.**

SECTION 61. IC 9-32-11-2.5, AS AMENDED BY P.L.137-2018, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) An automotive mobility dealer must be licensed under this article as a **used motor vehicle** dealer, manufacturer, **new motor vehicle dealer**, or converter manufacturer.**

(b) Effective January 1, 2018, before an automotive mobility dealer engages in any of the activities described in IC 9-32-2-4.5, the automotive mobility dealer must have an automotive mobility dealer endorsement issued by the secretary.

- (c) An application for an automotive mobility endorsement must be:**
- (1) on a form prescribed by the secretary; and**
 - (2) accompanied by proof that the applicant is accredited through**



the Quality Assurance Program of the National Mobility Equipment Dealers Association.

SECTION 62. IC 9-32-11-5, AS AMENDED BY P.L.179-2017, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a) This section does not apply to dealers selling new manufactured homes.**

(b) A dealer proposing to sell new motor vehicles or watercraft shall file and maintain with the secretary:

- (1) a current copy of each franchise to which the dealer is a party; or
- (2) if the dealer is a party to multiple franchises that are identical except for stated items, a copy of the franchise form with supplemental schedules of variations from the form.

SECTION 63. IC 9-32-11-9, AS AMENDED BY P.L.179-2017, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. An automotive mobility dealer licensed and endorsed under this ~~chapter~~ **article** is entitled to:

- (1) display;
- (2) inventory;
- (3) advertise;
- (4) offer for sale; or
- (5) do any combination of subdivisions (1) through (4) concerning;

any adapted motor vehicle or watercraft.

SECTION 64. IC 9-32-11-10, AS AMENDED BY P.L.174-2016, SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. **(a)** This section does not apply to sales made at a motor vehicle industry sponsored trade show.

(b) A dealer that sells to the general public may not sell or offer to sell a motor vehicle at a location away from the dealer's established place of business without obtaining an offsite sales permit under section 11 of this chapter.

(c) A motor vehicle display is not considered an offsite sale if it is conducted:

- (1) by a new motor vehicle dealer; and**
- (2) in an open area where no sales personnel and sales material are present.**

SECTION 65. IC 9-32-11-11, AS AMENDED BY P.L.284-2019, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) Except as **otherwise** provided, ~~in subsections (b) through (g)~~, the secretary shall issue an offsite sales permit to a dealer licensed under this ~~chapter~~ **article** who submits an



application for the permit not later than ten (10) business days or two (2) calendar weeks before the offsite sale date. Permit applications under this section shall be made public upon the request of any person.

(b) The secretary may not issue an offsite sales permit to a ~~dealer, who does not have an established place of business within Indiana. the following:~~

(c) ~~The secretary may not issue an offsite sales permit to a licensed~~

(1) Except as provided in subsection (c), an applicant dealer proposing to conduct a sale outside a radius of twenty (20) miles from the applicant dealer's established place of business. of the licensed dealer. The following may conduct an offsite sale with an offsite sales permit outside a radius of twenty (20) miles from the established place of business of the licensed dealer:

(1) New manufactured home dealers:

(2) Recreational vehicle dealers:

(3) A rental company that is a dealer conducting a sale at a site within twenty (20) miles of any of its company owned affiliates:

(4) Off-road vehicle dealers:

(5) Dealers of motor vehicles classified as classic, collector, or antique under rules adopted under section 18(a)(2)(B) of this chapter:

(d) A motor vehicle display is not considered an offsite sale if it is conducted by a new motor vehicle dealer in an open area where no sales personnel and no sales material are present:

(e) The secretary may not issue an offsite sales permit to a licensed dealer proposing to conduct an offsite sale for more than ten (10) calendar days:

(2) An applicant dealer that has held more than three (3) nonconsecutive offsite sales in the year ending on the date of the offsite sale for which the permit application is being submitted.

(3) An applicant dealer that is proposing to conduct an offsite sale for more than ten (10) calendar days.

(4) An applicant dealer that has failed:

(A) to pay the applicable fee; or

(B) file an affidavit or statement;

under this section.

(5) A transfer dealer.

(6) An automotive salvage recycler.

(c) The following may conduct an offsite sale with an offsite sales permit outside a radius of twenty (20) miles from the entity's established place of business:



- (1) A new manufactured home dealer.**
- (2) A recreational vehicle dealer.**
- (3) A rental company that is a dealer conducting a sale at a site within twenty (20) miles of any of its company owned affiliates.**
- (4) An off-road vehicle dealer.**
- (5) An applicant dealer that is selling only motor vehicles classified as classic, collector, or antique under rules adopted under section 18(a)(2)(B) of this chapter.**

~~(f)~~ **(d)** An application for an offsite sales permit must include an affidavit stating that the proposed location is zoned for the operation of the dealer's offsite sale from:

- (1) the person charged with enforcing a zoning ordinance, if the person exists; or
- (2) the zoning enforcement officer under IC 36-7-4;

who has jurisdiction over the real property where the dealer wants to conduct an offsite sale.

~~(g)~~ **(e)** If there is no person or officer under subsection ~~(f)(1)~~ **(d)(1)** or ~~(f)(2)~~ **(d)(2)**, the application must be accompanied by a statement of authorization from the executive (as defined in IC 36-1-2-5) of the unit in which the real property is located.

~~(h)~~ The secretary may not issue an offsite sales permit until the dealer files an affidavit or statement under this subsection.

~~(i)~~ **(f)** The affidavit or statement may not be signed by a person described in subsection ~~(f)(1)~~ **(d)(1)** or ~~(f)(2)~~ **(d)(2)** or the executive of a unit more than ninety (90) days before the affidavit or statement is submitted to the secretary as part of an application for a permit under this section.

~~(j)~~ The secretary may not issue an offsite sales permit to a licensed dealer who has held more than three ~~(3)~~ noneconsecutive offsite sales in the year ending on the date of the offsite sale for which the permit application is being submitted.

~~(k)~~ **(g)** Section 2(c) of this chapter does not apply to the application or issuance of an offsite sales permit under this section.

~~(l)~~ **(h)** The fee for an offsite sales permit is twenty-five dollars (\$25). The fee is nonrefundable and shall be deposited as set forth in IC 9-32-7-3.

SECTION 66. IC 9-32-11-12.5, AS AMENDED BY P.L.179-2017, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12.5. (a) This section applies to licenses (other than wholesale dealer licenses) issued after December 31, 2014.

(b) An initial or renewed license issued under this article is valid



from the issue date through the expiration date in accordance with the following schedule:

- (1) A license for a person whose business name begins with the letters A through B expires February 1 of each year.
 - (2) A license for a person whose business name begins with the letters C through D expires March 1 of each year.
 - (3) A license for a person whose business name begins with the letters E through F expires April 1 of each year.
 - (4) A license for a person whose business name begins with the letters G through H expires May 1 of each year.
 - (5) A license for a person whose business name begins with the letters I through J expires June 1 of each year.
 - (6) A license for a person whose business name begins with the letters K through L expires July 1 of each year.
 - (7) A license for a person whose business name begins with the letters M through N expires August 1 of each year.
 - (8) A license for a person whose business name begins with the letters O through P expires September 1 of each year.
 - (9) A license for a person whose business name begins with the letters Q through R expires October 1 of each year.
 - (10) A license for a person whose business name begins with the letters S through T expires November 1 of each year.
 - (11) A license for a person whose business name begins with the letters U through V expires December 1 of each year.
 - (12) A license for a person whose business name begins with the letters W through Z expires January 1 of each year.
- (c) A dealer license issued to a person whose business name begins with a nonalpha character expires November 1 of each year.
- (d) The fee for the renewal of an automotive salvage recycler license is ten dollars (\$10). The fees collected under this subsection are nonrefundable and shall be retained by the secretary.
- (e) The fee for the renewal of a watercraft dealer license is thirty dollars (\$30). The fees collected under this subsection are nonrefundable and shall be retained by the secretary.
- (f) The fee for the renewal of a manufacturer or distributor license is thirty-five dollars (\$35). The fees collected under this subsection are nonrefundable and shall be retained by the secretary.
- (g) The fee for the renewal of a converter manufacturer or transfer dealer license is twenty dollars (\$20). The fees collected under this subsection are nonrefundable and shall be deposited as set forth in IC 9-32-7-3.
- (h) The fee for the renewal of a **used motor vehicle** dealer, **new**



motor vehicle dealer, or automotive auction company license not described in subsection (d), (e), (f), or (g) is thirty dollars (\$30). The fees collected under this section are nonrefundable and shall be deposited as set forth in IC 9-32-7-3.

(i) A person who violates this section by operating on an expired license issued under this chapter commits a Class A infraction.

(j) In the event of a natural disaster or other emergency that prevents the secretary from processing an application for license renewal, the secretary may issue an order extending license expiration dates for not more than twelve (12) additional months.

SECTION 67. IC 9-32-11-15, AS AMENDED BY P.L.179-2017, SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) A person who ceases a business activity for which a license was issued under this article shall do the following:

(1) On a form prescribed by the secretary, notify the secretary of the date that the business activity will cease.

(2) Deliver to the secretary the license and all permanent dealer license plates, including dealer designee license plates, issued to the person not later than ten (10) days after the date the business activity ~~will cease~~: **ceased**.

(b) A dealer may not transfer or sell the:

(1) dealer's license;

(2) use of the dealer's license;

(3) dealer's dealer license plates; or

(4) use of the dealer's dealer license plates.

(c) A dealer that changes its form of organization or state of incorporation may continue the dealer's licensure by filing an amendment to the license and registration if the change does not involve a material fact in the financial condition or management of the dealer. The amendment becomes effective when filed or on the date designated by the dealer in its filing. The new organization is a successor to the original dealer for the purposes of this article.

(d) If there is a change in the dealer's ownership, the successive owner shall file a new application for a license under this chapter.

SECTION 68. IC 9-32-11-21, AS ADDED BY P.L.137-2018, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 21. (a) Except as provided in subsection (b), a dealer that sells a motor vehicle or watercraft must maintain a ~~record of the separate file for each~~ sale.

(b) The following ~~records~~, **documents**, if applicable to the sale, must be maintained **in the file required by subsection (a) for each sale of a motor vehicle or watercraft**:



- (1) Finance agreement.
- (2) Sales receipt from auction.
- (3) Title affidavit required by IC 9-32-4-1.
- (4) Interim plates generated in error.
- (5) Copy of rebuilt vehicle disclosure required by IC 9-32-13-6.
- (6) Bill of sale.**
- (7) Copy of title.**
- (8) Form ST-108 (department of state revenue certificate of gross retail or use tax paid on the purchase of a motor vehicle or watercraft).**
- (9) Proof of delivery or transmission of the certificate of title required by IC 9-32-4-1(b)(3).**
- (10) Flood damage affidavit required under IC 9-32-9-13.**

SECTION 69. IC 9-32-13-25, AS AMENDED BY P.L.174-2016, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25. It is an unfair practice for a person to:

- (1) act as;
- (2) offer to act as; or
- (3) profess to be;

a broker in the advertising, buying, or selling of a ~~new or used~~ motor vehicle.

SECTION 70. IC 9-32-14-1, AS ADDED BY P.L.92-2013, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. Notwithstanding the terms, provisions, or conditions of an agreement or franchise, a **new** motor vehicle dealer is solely liable for damage to a new motor vehicle:

- (1) after acceptance from the carrier or transporter; and
- (2) before delivery to the ultimate purchaser.

SECTION 71. IC 9-32-14-3, AS ADDED BY P.L.92-2013, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. A **new** motor vehicle dealer is liable for damage to a new motor vehicle after the motor vehicle is delivered to the carrier or transporter only if the **new motor vehicle** dealer selects the method of transportation, mode of transportation, and the carrier or transporter. In all other instances, the manufacturer is liable for carrier related damage to a new motor vehicle.

SECTION 72. IC 9-32-14-4, AS AMENDED BY P.L.174-2016, SECTION 108, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) This section does not apply to damage to:

- (1) glass;



- (2) radios;
- (3) tires;
- (4) air bags;
- (5) navigation systems;
- (6) DVD players;
- (7) voice command devices;
- (8) hands free technology; and
- (9) bumpers;

when replaced by identical manufacturer's original equipment.

(b) Any uncorrected damage or any corrected damage to a new motor vehicle that exceeds four percent (4%) of the manufacturer's suggested retail price (as defined in 26 U.S.C. 4216), as measured by retail repair costs, must be disclosed by the **new motor vehicle** dealer in writing before delivery of the motor vehicle to the ultimate purchaser.

(c) A person that violates this section commits a Class A infraction.

SECTION 73. IC 9-32-16-2, AS AMENDED BY P.L.179-2017, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) An order issued under this article may deny a dealer license or endorsement application for registration if the secretary finds that the order is in the public interest and subsection (c) authorizes the action. An order may condition or limit the license of an applicant to be a dealer and, if the applicant for a dealer license is a partner, officer, director, or person having similar status or performing similar functions, or a person directly or indirectly in control of the dealership, the order may condition or limit the license.

(b) If the secretary finds that an order is in the public interest and subsection (c) authorizes the action, an order issued under this article may deny, revoke, suspend, condition, limit, or permanently bar the granting of a license or endorsement or issuing of a license plate to or an application for a license, endorsement, or license plate from a dealer, owner, dealer manager, or a person having a similar status or performing similar functions as a dealer, or a person directly or indirectly in control of the dealer. However, the secretary may not:

- (1) institute a revocation or suspension proceeding under this subsection based on an order issued under the law of another state that is reported to the secretary or a designee of the secretary more than one (1) year after the date of the order on which it is based; or
- (2) issue an order on the basis of an order issued under the dealer services laws of another state unless the other order was based on conduct for which subsection (c) would authorize the action had



the conduct occurred in Indiana.

- (c) A person may be disciplined under this section if the person:
- (1) has filed an application for a dealer license or endorsement in Indiana under this article, or its predecessor, within the previous ten (10) years, which, as of the effective date of license or registration or as of any date after filing in the case of an order denying effectiveness, was incomplete as to a material fact or contained a statement that, in light of the circumstances under which it was made, was false or misleading with respect to a material fact;
 - (2) knowingly violated or knowingly failed to comply with this article, or its predecessor, within the previous ten (10) years;
 - (3) has been convicted of a:
 - (A) felony within the previous ten (10) years;
 - (B) felony or misdemeanor involving theft or fraud; or
 - (C) felony or misdemeanor concerning an aspect of business involving the offer, sale, financing, repair, modification, or manufacture of a motor vehicle or watercraft;
 - (4) is enjoined or restrained by a court with jurisdiction in an action instituted by a state or the United States from engaging in or continuing an act, practice, or course of business involving an aspect of a business involving the offer, barter, sale, purchase, transfer, financing, repair, or manufacture of a motor vehicle or watercraft;
 - (5) refuses to allow or otherwise impedes the secretary from conducting an audit or inspection;
 - (6) has engaged in dishonest or unethical practices in a business involving the offer, barter, sale, purchase, transfer, financing, repair, or manufacture of a motor vehicle or watercraft within the previous ten (10) years;
 - (7) is engaging in unfair practices as set forth in this article;
 - (8) is on the most recent tax warrant list supplied to the secretary by the department of state revenue;
 - (9) violates IC 23-2-2.7;
 - (10) violates IC 9-19-9;
 - (11) willfully violates federal or state law relating to the sale, distribution, financing, or insuring of motor vehicles or watercraft;
 - (12) is not compliant with local, state, or federal laws and regulations regarding a dealer license, endorsement, or dealer business;
 - (13) violates IC 9-32-9-15;



(14) violates IC 9-32-9-16; or

(15) violates IC 9-32-9-29.

(d) The secretary may revoke, suspend, or deny an application, impose fines and costs, restrict, condition, limit, bar, or suspend a dealer license, endorsement, or license plate issued under this article, or order restitution, or do any combination of these actions before final determination of an administrative proceeding. Upon the issuance of an order, the secretary shall promptly notify each person subject to the order:

(1) that the order has been issued;

(2) the reasons for the action; and

(3) that upon receipt of a request in a record from the person, ~~the matter will be scheduled for a hearing~~ **an order setting a hearing date will be issued** within fifteen (15) days.

If a hearing is not requested and no hearing is ordered by the secretary within thirty (30) days after the date of service of the order, the order becomes final by operation of law. If a hearing is requested or ordered, the secretary, after notice of and opportunity for hearing to each person subject to the order, may modify or vacate the order or extend the order until final determination.

(e) After a hearing, the secretary may suspend or deny an application, impose fines and costs, restrict, condition, limit, bar, suspend, or revoke a dealer license or endorsement or order restitution, or do any combination of these actions.

(f) Revocation or suspension of a license or endorsement of a dealer may be limited to one (1) or more locations, to one (1) or more defined areas, or only to certain aspects of the business.

(g) Except as provided in subsection (d), an order may not be issued under this section without:

(1) appropriate notice to the applicant or registrant;

(2) an opportunity for a hearing; and

(3) reasons for the action.

(h) A person that controls, directly or indirectly, a person not in compliance with this section may be disciplined by order of the secretary under subsections (a) and (b) to the same extent as the noncomplying person, unless the controlling person did not know, and in the exercise of reasonable care could not have known, of the existence of conduct that is a ground for discipline under this section.

(i) A person subject to this chapter that has not been issued a license or endorsement is subject to the same disciplinary fines, costs, and penalties as if a license had been issued.

SECTION 74. IC 9-32-16-3, AS AMENDED BY P.L.174-2016,

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SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. Information or documents obtained by the division in the course of an investigation, including an audit conducted under section ~~6(c)~~ 5 of this chapter, are investigatory records of law enforcement for the purposes of IC 5-14-3-4(b)(1). The secretary may except these records from disclosure under IC 5-14-3-3.

SECTION 75. IC 9-32-16-5, AS AMENDED BY P.L.174-2016, SECTION 112, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a)** All dealers licensed **under this article** with the division shall, upon request, provide members of the staff of the division prompt access, during reasonable business hours, to that part of the premises at the dealer's place of business where:

- (1) documents are stored; or
- (2) motor vehicle sales are offered, made, or processed.

(b) The secretary must notify a dealer of a request for access to the dealer's place of business under subsection (a) at least three (3) days before access is needed. However, if the secretary is conducting an investigation under section 14 of this chapter, members of the staff of the division, at any time and without prior notice, may request access to the dealer's place of business under subsection (a).

(c) The following apply to records of a dealer licensed under this article:

- (1) The records are subject to such reasonable periodic, special, or other audits or inspections by a representative of the secretary, outside or within Indiana, as the secretary considers necessary or appropriate in the public interest and for the protection of investors.**
- (2) The secretary may audit or inspect electronic records at any time and without prior notice.**
- (3) The secretary must notify a dealer of an audit or inspection of the dealer's paper records at least three (3) days before the audit or inspection. However, if the secretary is conducting an investigation under section 14 of this chapter, a representative of the secretary may audit or inspect the dealer's paper records at any time and without prior notice.**
- (4) A representative of the secretary may copy and remove copies of the records the secretary reasonably considers necessary or appropriate to conduct an audit or inspection.**
- (5) A representative of the secretary may request electronic copies of records the secretary reasonably considers necessary**



or appropriate to conduct an audit or inspection.

(6) A:

(A) representative of the secretary may make a request for records under this subsection electronically, by mail, or in person at the established place of business of the dealer during reasonable business hours; and

(B) dealer shall produce such records in the manner requested by the representative of the secretary, including in person, electronically, or by mail.

SECTION 76. IC 9-32-16-6, AS ADDED BY P.L.92-2013, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A dealer licensed or required to be licensed under this article shall make and maintain the records, accounts, correspondence, memoranda, papers, books, and other records required under this article.

(b) Dealer records required to be maintained ~~under IC 9-32-6-14 and other records required~~ under this article may be maintained in any form of data storage acceptable to the secretary **if so long as** the records are readily accessible and available to copy by an investigating or auditing employee of the secretary upon demand at the place of business of the dealer, **electronically, or by mail.**

(c) ~~The records of a dealer licensed or required to be licensed under this article are subject to such reasonable periodic, special, or other audits or inspections by a representative of the secretary, within or outside Indiana, as the secretary considers necessary or appropriate in the public interest and for the protection of investors. An audit or inspection may be made at any time and without prior notice. The representative of the secretary may copy, and remove for audit or inspection copies of, the records the secretary reasonably considers necessary or appropriate to conduct the audit or inspection.~~

(~~d~~) (c) Dealer records required to be maintained ~~under IC 9-32-6-14 and other records required~~ under this article must be maintained at the place of business of a dealer for a period of two (2) years. Following the two (2) year period, records may be moved offsite but must be maintained for a period of five (5) years.

SECTION 77. IC 9-32-16-11, AS AMENDED BY P.L.284-2019, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) All dealers operating as a:

- (1) corporation;
- (2) limited liability company;
- (3) limited partnership; or
- (4) limited liability partnership;

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shall file and maintain all filings required to remain in good standing with the secretary of state business services division.

(b) The dealer must, for the entire licensing period, have an established place of business with a physical Indiana address. The dealer may not have a mailing address that differs from the actual location of the business. At the discretion of the secretary, an exemption may be granted for dealers with an established place of business in a location not serviced by the United States Postal Service to allow a post office box to be used as a mailing address. A dealer using a post office box for this reason must notify the division in writing with the dealer's application.

(c) Before the secretary may issue a license to a dealer, the following must **occur**:

(1) A dealer must disclose to the secretary the following:

(A) Each dealer owner.

(B) For a dealer owner that is a business entity, the following:

(i) If a corporation, each officer, director, and shareholder designated in writing by the board of directors.

(ii) If a limited liability company, each member of the company designated in writing by all members.

(iii) If a partnership, each partner.

(iv) If a sole proprietorship, the proprietor.

(C) Each dealer manager.

(2) A person under subdivision (1) must submit to a national criminal history background check (as defined in IC 10-13-3-12) or expanded criminal history check (as defined in IC 20-26-2-1.5) administered by the state police.

~~(1) Each dealer owner.~~

~~(2) Each dealer manager.~~

The secretary shall make the determination whether an individual must submit to a national criminal history background check or an expanded criminal history check under this subsection.

(d) A national criminal history background check or expanded criminal history check conducted under subsection (c):

(1) is at the expense of the dealer and the dealer owners; and

(2) may be completed not more than sixty (60) days before the dealer applies for a license under this article.

(e) The secretary may deny an application for a license if the division finds that a dealer owner or a dealer manager has been convicted of a:



- (1) felony within the previous ten (10) years;
- (2) felony or misdemeanor involving theft or fraud; or
- (3) felony or misdemeanor concerning an aspect of business involving the offer, sale, financing, repair, modification, or manufacture of a motor vehicle or watercraft.

(f) If a dealer adds or changes a dealer owner or dealer manager after issuance of the initial license, the dealer must submit an application for a change in ownership in a manner prescribed by the secretary not later than ten (10) days after the change. The new dealer owner or dealer manager shall submit to a national criminal history background check or expanded criminal history check as set forth in subsection (c).

(g) Following licensure under this article, a dealer shall, not later than ninety (90) days after the entry of an order or judgment, notify the division in writing if the dealer owner or dealer manager has been convicted of a:

- (1) felony within the past ten (10) years;
- (2) felony or misdemeanor involving theft or fraud; or
- (3) felony or misdemeanor concerning an aspect of business involving the:
 - (A) offer;
 - (B) sale;
 - (C) financing;
 - (D) repair;
 - (E) modification; or
 - (F) manufacture;

of a motor vehicle or watercraft.

(h) The dealer and the corporation, company, or partnership must be in good standing with the bureau, the department of state revenue, the department of financial institutions, and the state police department during the entire period for which a license is valid.

SECTION 78. [EFFECTIVE UPON PASSAGE] Notwithstanding the effective date in HEA 1482-2019 (P.L. 284-2019), the effective date of the following SECTIONS of that act is July 1, 2021, and not July 1, 2020:

- (1) SECTION 22 for IC 9-32-9-16.**
- (2) SECTION 24 for IC 9-32-9-20.**
- (3) SECTION 26 for IC 9-32-9-29.**

SECTION 79. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding the July 1, 2021, effective date of the following sections added by P.L.178-2019, the effective date for these sections is July 1, 2020, and not July 1, 2021:

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- (1) IC 9-13-2-103.4, as added by P.L.178-2019, SECTION 36.
- (2) IC 9-24-17.5-1, as added by P.L.178-2019, SECTION 55.
- (3) IC 9-24-17.5-2, as added by P.L.178-2019, SECTION 55.
- (4) IC 9-24-17.5-3, as added by P.L.178-2019, SECTION 55.
- (5) IC 9-24-17.5-4, as added by P.L.178-2019, SECTION 55.

(b) Notwithstanding the July 1, 2021, effective date of the following sections amended by P.L.178-2019, the effective date for these sections is July 1, 2020, and not July 1, 2021:

- (1) IC 9-13-2-39.7, as amended by P.L.178-2019, SECTION 32.
- (2) IC 9-13-2-48, as amended by P.L.178-2019, SECTION 33.
- (3) IC 9-13-2-74.5, as amended by P.L.178-2019, SECTION 34.
- (4) IC 9-13-2-123.5, as amended by P.L.178-2019, SECTION 37.
- (5) IC 9-24-11-4, as amended by P.L.178-2019, SECTION 48.
- (6) IC 9-24-11-5, as amended by P.L.178-2019, SECTION 49.
- (7) IC 9-24-11-5.5, as amended by P.L.178-2019, SECTION 50.
- (8) IC 9-24-11-8, as amended by P.L.178-2019, SECTION 51.
- (9) IC 9-24-13-3, as amended by P.L.178-2019, SECTION 53.

(c) Notwithstanding the July 1, 2021, effective date of IC 9-24-16-3 as amended by P.L.211-2019, SECTION 9, the effective date of IC 9-24-16-3 as amended by P.L.211-2019, SECTION 9, is July 1, 2020, and not July 1, 2021.

(d) Notwithstanding the effective dates of the amendments of IC 9-24-16-3 by P.L.82-2019, SECTION 3, P.L.178-2019, SECTION 54, and P.L.211-2019, SECTION 9, the revisor of statutes shall publish IC 9-24-16-3 in the Indiana Code as amended by P.L.82-2019, SECTION 3, P.L.178-2019, SECTION 54, and P.L.211-2019, SECTION 9, effective July 1, 2020.

SECTION 80. 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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